



## **CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125  
PLANNING DEPARTMENT

# **MINUTES**

## **CITY OF THE DALLES PLANNING COMMISSION**

CITY HALL COUNCIL CHAMBERS

313 COURT SREET

THE DALLES, OREGON 97058

CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS

**THURSDAY, MAY 3, 2018**

**6:00 P.M.**

### **CALL TO ORDER**

Chair Lavier called the meeting to order at 6:02 p.m.

### **ROLL CALL**

Commissioners Present: Sherry DuFault, Bruce Lavier, John Nelson, Mark Poppoff, Jeff Stiles and Steve Ross

Commissioners Absent:

Staff Present: Director Steve Harris, Senior Planner Dawn Hert, City Attorney Gene Parker and Planner Garrett McAllister

Public in Attendance: Sixteen

### **APPROVAL OF AGENDA**

Commissioner Stiles moved to approve the agenda as written. Commissioner Nelson seconded the motion; the motion passed unanimously.

### **APPROVAL OF MINUTES**

Commissioner Nelson moved to approve the minutes of April 19, 2018; Commissioner DuFault seconded the motion. The motion passed unanimously.

### **PUBLIC COMMENT**

None.

### **QUASI-JUDICIAL HEARINGS**

Chair Lavier read the rules for a public hearing. He then asked if the Commission had any ex parte contact, conflict of interest or bias that would prevent an impartial decision. Hearing none, Lavier opened the public hearing at 6:08 p.m.

**REQUEST: Minor Partition 349-18 and Adjustment 18-036, 1605 E. 19<sup>th</sup> Street for Jonathan Blum**

Requesting a Minor Partition to divide one parcel into two parcels 46.2 ft. by 95.0 ft., an Adjustment to reduce minimum lot size from 5,000 sq. ft. to 4,389 sq. ft. (a 12.2% reduction) and a reduction of lot frontage from 50 ft. to 46.2 ft. (a 7.6% reduction).

Director Harris called attention to the amended staff report, Exhibit 1.

Planner McAllister presented the staff report.

Proponents:

*Jonathan Blum, 403 E. Eighth Street, The Dalles*

Blum provided a presentation of his proposed plans, Exhibit 2.

McAllister clarified that development of the lot was a separate issue from the land use application to partition the lot.

Opponents:

*Ed Goodman, 1837 Minnesota Street, The Dalles*

Goodman stated the original intent of the developer was to construct single family dwellings. Goodman provided a Declaration of Covenants, Conditions and Restrictions for 19<sup>th</sup> Street Project, Inc., dba Oak Grove Subdivision, Exhibit 3. Also presented was the map, Exhibit 4, mailed to property owners with the Notice of Public Hearing (the subdivision Goodman referenced is circled in red), and an advertisement published in the Reminder dated October 15, 1992, Exhibit 5. Goodman stated he is opposed to the application.

*Alex Maia, 1601 E. 19<sup>th</sup> Street, The Dalles*

Maia stated smaller homes would reduce property values; he was strongly against the applications.

*Mike North, 1613 E. 19<sup>th</sup> Street, The Dalles*

North stated his concern with easements on the property, and urged the Commission to refuse the applications. McAllister clarified that all easements discussed were within the setbacks.

*Jary Snodgrass, 1826 Minnesota Street, The Dalles*

Snodgrass stated his opposition to the partition. He said smaller homes would have a negative impact.

*Carol Fisher, 1830 Minnesota Street, The Dalles*

Fisher stated the decks would overlook her property. She did not object to a single home, but opposed partitioning of the lot.

*George and Tanis Stephens, 1833 Minnesota Street, The Dalles*

McAllister read the email stating the Stephens' strong objection to the applications, Exhibit 6.

*Austin and Shay Manca, 1600 E. 19<sup>th</sup> Street, The Dalles*

McAllister read the email stating the Manca's objection to the applications, Exhibit 7.

*Tom Peterson, 1626 E. 19<sup>th</sup> Street, The Dalles*

Peterson asked what benefit there was with a reduction in lot size.

Director Harris replied that the Housing Strategies Report provided strategies to fulfill State mandated goals. One strategy adopted by City Council was infill of available properties within the city limits and urban growth boundary.

*Alex Maia, 1601 E. 19<sup>th</sup> Street, The Dalles*

Maia asked the Commission to consider the impact on current residents and stated this construction would lower the value of existing homes.

Director Harris stated that the size of a lot does not always have a direct correlation to the value of the home or structure placed on the lot. Harris paraphrased the Comprehensive Plan policies referred to in the staff report:

#### Goal 10 Policies

1. Plan for more multi-family and affordable home ownership opportunities, including small lot single family residential, townhomes and manufactured housing development consistent with the City's Housing Needs Analysis.
- 3.a. Build on the pattern of concentrating higher residential densities near downtown, along arterial and collector streets, and neighborhood centers where services and activity are nearby.
7. Incentives should be used to encourage development that meets maximum allowable density for all types of residential development.
8. Flexibility in implementing ordinances is needed to accommodate infill and to foster a variety of development scenarios and housing options.
16. Development standards in all density areas shall be revised in order to permit more flexibility in site planning and development. New standards shall consider flexibility for lot sizes, setbacks, accessory residential uses on the same lot, parking, alleyways and other development features.

*Joan North, 1613 E 19<sup>th</sup> Street, The Dalles*

North stated the minor adjustment did not seem minor, and was definitely in opposition to the application.

Rebuttal:

*Jonathan Blum, 403 E. Eighth Street, The Dalles*

Blum addressed the issues stated by the opponents.

*Steve Hunt, PO Box 81, The Dalles*

Hunt asked if granting the partition would preclude construction of a larger home. Chair Lavier replied it would not.

Chair Lavier closed the public hearing at 7:30 p.m.

Commission discussion included the necessity for increased infill, separation of the decision on the partition from concerns with future development, the need for larger lots suitable for high end development, increased traffic in the area, and minimum lot size for the Low Density Residential District.

Chair Lavier called for a brief recess at 7:58 p.m.

Chair Lavier reconvened at 8:05 p.m.

Commissioner Nelson moved to approve Minor Partition 349-18 and Adjustment 18-036 in accordance with findings of fact with an added condition of approval number six, "The planning director will process any land use development review of the building permit application as an Administrative Action." Commissioner DuFault seconded the motion. The motion passed 4-2, Poppoff and Stiles opposed.

Chair Lavier reconvened the public hearing at 8:15 p.m.

**REQUEST: Adjustment 18-037, Corner of W. 13<sup>th</sup> and Perkins Streets for Jonathan Blum**

Requesting a reduction of minimum lot size from 9,000 sq. ft. to 7,475 sq. ft., an adjustment of 16.9%.

Planner McAllister presented the staff report. He called attention to Section 3.080.040, Finding #7, of his staff report: "...The request reduces the minimum lot size for development but does not significantly detract from livability or appearance of the residential area."

Proponents:

*Jonathan Blum, 403 E. Eighth Street, The Dalles*

Blum provided a presentation of his proposed plans, Exhibit 8.

Opponents:

*Wendy Palmer, 1902 W. 13th Street, The Dalles*

Palmer stated she had no objection to a single family residence, but was not in favor of a duplex. Palmer was concerned about narrow streets and congestion.

*Ruth Beecher, 500 W. 11<sup>th</sup> Street, The Dalles.*

Beecher was in attendance, but left prior to the hearing. Beecher left a message with Lorene Hunt, stating she had purchased a house from Mr. Blum.

*Lorene Hunt, PO Box 81, The Dalles*

Hunt stated multiple homes were a concern, the proposed plans would change the character of the neighborhood, and she was concerned about the safety of children using the school bus. Hunt said it was difficult to obtain information from the City, and encouraged staff to include the purpose of the application on the Notice of Public Hearing.

*Steve Hunt, PO Box 81, The Dalles*

Hunt stated the neighborhood character would be changed by approval of this application. He urged the Commission to refuse the application.

Rebuttal:

*Jonathan Blum, 403 E. Eighth Street, The Dalles*

Blum addressed the issues stated by the opponents.

Commission discussion included parking, width of streets and improvements in the public right of way.

Chair Lavier closed the public hearing at 8:56 p.m.

Commissioner DuFault moved to approve Adjustment 18-037 based on findings of fact and conditions of approval. Commissioner Poppoff seconded the motion. The motion passed 5-1, Stiles opposed.



### **RESOLUTION 574-18**

Commissioner Nelson moved to approve Resolution 574-18 approving a Minor Partition and Adjustment for Jonathan Blum according to the finding of facts and the conditions of approval, with the addition of Condition of Approval #6. Commissioner Ross seconded the motion. The motion passed 5-1, Stiles opposed.

### **RESOLUTION 575-18**

Commissioner DuFault moved to approve Resolution 575-18 as written. Commissioner Ross seconded the motion; the motion passed 5-1, Stiles opposed.

### **STAFF COMMENTS**

Director Harris stated Planner McAllister's last day would be Friday, May 4, 2018. McAllister said he appreciated the opportunity to work for the City.

The next regularly scheduled meeting is May 17, 2018. Three items are scheduled for the agenda.

### **COMMISSIONER COMMENTS OR QUESTIONS**

Commissioner Stiles shared research he completed on Accessory Dwelling Units, Exhibit 9.

### **ADJOURNMENT**

Chair Lavier adjourned the meeting at 9:12 p.m.

Respectfully Submitted  
Paula Webb, Planning Secretary

  
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Bruce Lavier, Chair



## PLANNING COMMISSION STAFF REPORT CITY OF THE DALLES

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### PLANNING DEPARTMENT

Minor Partition No. 349-18 & Adjustment No. 18-036

Jonathan Blum

Prepared by: Garrett McAllister, Planner

Procedure Type: Quasi-Judicial

Hearing Date: May 3, 2018

Assessor's Map: Township 1 North, Range 13 East, Map 10 AA

Tax Lot: 11000

Address: 1605 East 19<sup>th</sup> Street

Comprehensive Plan Designation: "RL" Residential Low Density

Zoning District: "RL" Residential Low Density

Request: Applicant is requesting a minor partition to divide one lot into two. The lot is 8,778 square feet and measures 92.4' x 95'. The partition will create two new lots of 4,389 square feet and measure 46' x 95' each. The two new lots do not meet minimum standards, thus requiring adjustments to those standards. Along with the minor partition, the applicant is requesting two adjustments, which have been grouped together into one adjustment application. The first is a 12.2% reduction in minimum lot size, from 5,000 square feet to 4,389 square feet. The second is a 7.6% reduction to the minimum lot width from 50 feet to 46 feet.

#### NOTIFICATION

Property owners within 300 feet, City Departments and Franchise Utilities.

#### COMMENTS RECEIVED

No comments were received as of April 25, 2018.

#### RECOMMENDATION

Staff recommends approval with conditions, based on the following findings of fact.

Minor Partition 349-18 & Adjustment 18-036  
Jonathan Blum  
Page 1 of 6

**LAND USE AND DEVELOPMENT ORDINANCE 98-1222:**

**Section 3.010.040 Applications**

**Subsection B. *Completeness.***

**FINDING #1:** The application was found to be complete on March 16, 2018.  
**Criterion met.**

**Section 3.020.050 Quasi-Judicial Actions**

**Subsection A. *Decision Types.***

- **FINDING #2:** This application is for a minor partition as per Section 9.030 and an adjustment as per Section 3.080. Typically minor partitions are processed administratively, but due to the additional adjustments staff elevated the application to a Quasi-Judicial action. The specific request is to divide one lot into two. The creation of the two new lots require two separate adjustments, a 12.2% reduction in the minimum lot size requirement and a 7.6% reduction of the minimum lot width requirement as outlined in Section 5.010.060 Development Standards. This request follows Section 3.080.020 (D) Quasi-Judicial Adjustment procedure. **Criterion met.**

**Subsection B. *Staff Report.***

*Staff shall prepare a staff report which identifies the criteria and standards that apply to the application and summarizes the basic findings of fact. The staff report will also include a recommendation for approval, with conditions or denial.*

**FINDING #3:** This document serves as the staff report. This report will first summarize findings of fact for the Minor Partition and then for the Adjustments.  
**Criterion met.**

**Subsection C. *Public Hearings.*** *Complete applications for quasi-judicial planning actions shall be heard at a regularly scheduled Commission or Council meeting within 45 days from the date the application is deemed complete.*

**FINDING #4:** Application deemed complete March 16, 2018 and public hearing set for Thursday, May 3, 2018 at 6:00PM. **Criterion met.**

**Subsection D. *Notice of Hearing.*** *To be completed at least 10 days before scheduled quasi-judicial public hearing.*

**FINDING #5:** Appropriate mailings were sent to property owners within 300 feet and notice to affected departments and agencies were made on April 23, 2018.  
**Criterion met.**

**Minor Partition 349-18**

**Section 9.020.020 Land Division Standards**

**Subsection A. *Applicability.*** *All land divisions shall be in conformance with the requirements of the zone district where the division is proposed, and all other applicable provisions of this Ordinance. Modifications to these requirements may be accomplished through a Planned Development per the provisions of Section 9.050: Planned Developments.*

**FINDING #6:** This partition will divide one 8,778 sq ft lot into two smaller lots, both 4,389 sq ft. The minimum lot size in the Residential Low Density zone is 5,000 square feet. **Criterion not met without Adjustments.**

**Subsection B. Annexation.** *Whenever any new lot is created inside the Urban Growth Boundary but outside the City limits, the City may require annexation or the signing of a consent to annexation and a waiver of the one year limitation on consent to annexation.*

**FINDING #7:** This property is entirely within City limits. **Criterion not applicable.**

**Subsection C. Blocks.** *There are a series of code provisions indicating the size of blocks.*

**FINDING #8:** The property is located in an area of the City that has consistent length, width, and shape for the blocks in this area. The proposed partition meets the standard block dimensions and supports infill development goals in the Comprehensive Plan. **Criterion met.**

**Subsection D. General Lot Requirements:**

1. **Size and Shape.** *Lot size, width, shape, and orientation shall be appropriate for location of the subdivision and for the type of use contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. Lot sizes shall not be less than required by this Ordinance for the applicable zone district. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and service facilities required by the type of use proposed.” The Residential Low Density District requires a lot area of at least 5,000 square feet and lot dimensions of at least 50 feet wide by 65 feet deep for one dwelling lot.*

**FINDING #9:** The proposed lots do not contain part of an existing or proposed street. The proposed lots in this application fall below both minimum size and minimum width requirements in the Residential Low Density zone. Both proposed lots are 4,389 square feet and measure 46 feet wide and 95 feet deep. Adjustments to the minimum lot standards are necessary to bring the parcels into compliance with LUDO standards. **Criterion can be met with approval of proposed Adjustments.**

2. **Access:** *Each lot shall abut upon a public street, alley, or approved private access drive for a width of at least the minimum lot width specified by the development standards for the zone district where the lot is located.*

**FINDING #10:** Both proposed lots will abut East 19th street on the south side of the lot for the entirety of the lot width. **Criterion met.**

3. **Access Points.** *Arterial and collector streets access points shall be either established in the final plat or included in covenants recorded as part of the final plat.*

**FINDING #11:** East 19th Street is designated as an arterial street. Access points are required to be established on the final plat. Because the partition will create two lots that are both under the 50 foot minimum, a unified access point that serves both lots shall be required, pursuant to Section 6.060 Driveway and Entrance Standards. Final design shall be approved by the City Engineer. **Criterion met with conditions.**

4. **Through Lots.** *Through lots shall be avoided except where essential to provide separation of residential development from collector or arterial streets or to overcome specific disadvantages of topography and orientation. No rights of access shall be permitted across the rear lot line of a through lot.”*

**FINDING #12:** The proposed parcels do not create through lots. **Criterion met.**

5. **Lot Side Lines.** *Sidelines of lots, as far as practicable, shall be at right angles to the street the lots face."*  
**FINDING #13:** The proposed parcel sidelines meet East 19th Street at right angles.  
**Criterion met.**
6. **Lot Grading.** *Lot grading shall conform to the provisions of Section 8.050: Erosion, Slope Failure, and Cuts and Fill."*  
**FINDING #14:** All cuts and/or fills exceeding 50 cubic yards require a physical constraints permit. If the cut/fill exceeds 250 cubic yards, drawings will need to be submitted by a licensed engineer. **Criterion met with conditions.**
7. **Building Lines.** *Building setback lines may be established in a final plat or included in covenants recorded as a part of a plat."*  
**FINDING #15:** Setback lines are not reflected on the submitted partition application. Setbacks requirements will need to be met at time of development. **Criterion not applicable.**
8. **Redevelopment Plans.** *A redevelopment plan shall be required when dividing residential land into large lots that have the potential for further subdivision or partition at some future date. The redevelopment plan shall show street extensions, utility extensions, and lot patterns to:*
  - a) *Indicate how the property(ies) may be further developed to 70% of maximum Comprehensive Plan density for the particular zone district.*
  - b) *Demonstrate that the proposal will not inhibit development of adjacent lands.***FINDING #16:** Properties cannot be further divided or developed under current LUDO development standards. The proposal will not inhibit development of adjacent lands. **Criterion not applicable.**

## Section 9.030.040 Partition Application Review

### Subsection B. Review Criteria:

1. *The tentative plat meets the Wasco County recording requirements.*  
**FINDING #18:** The requirements can be met with the required survey. This will be confirmed by receipt of two copies of the recorded plat from Wasco County.  
**Criterion met with conditions.**
2. *The proposal is consistent with the purposes of this Chapter, relevant development standards of this Ordinance, policies and density requirements of the Comprehensive Plan, Public Works Standards and policies, and any other applicable policies and standards adopted by the City Council.*  
**FINDING #19:** As demonstrated in findings above, this proposal meets or will meet with conditions, all applicable policies and standards. **Criterion met.**
3. *Approval does not impede future development of property under the same ownership or on adjacent land planned for urban densities, including provision of City services and access from Public Street.*  
**FINDING #20:** This proposal to partition does not impede future development.  
**Criterion met.**



4. *The plans for public improvements meet the requirements contained in the provisions of Section 9.040.060 H: Installation of Required Improvements.*

**FINDING #21:** This proposal to partition does not trigger any requirements for public improvements. At the time of development on the lots, improvements will be required to extend utilities and meet City requirements. In addition, at the time of development fire access requirements will need to be met. **Criterion not applicable.**

### **Adjustment 18-036**

#### **Section 3.080.020 Applicability**

**D. The Quasi-Judicial Adjustment** process may be used to change the following:

- (2). Up to 20% reduction in lot width or depth requirements, but not less than a minimum width of 35 feet in a residential zone and a minimum depth of 50 feet in a residential zone.
- (3). Up to 20% reduction in minimum lot area.

**Finding #22:** Applicant is requesting a 12.2% reduction to minimum lot size and 7.6% reduction in minimum lot width in the City's RL zone. Both requests are less than the 20% allowed with this review application. **Criterion met.**

#### **Section 3.080.040 Applications**

##### **A. Review Criteria.**

*An adjustment will be approved if the review body finds that the applicant has shown that either approval criteria 1 through 5 or 6 through 8 below, has been met.*

1. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area.*

**FINDING #23:** The subject property is located in the RL – Residential Low Density zone, which permits residential uses outright. Pursuant to Section 5.010.060 Development Standards, the minimum lot size for single family detached development is 5,000 square feet. The request reduces the minimum lot size for development but does not significantly detract from livability or appearance of the residential area. **Criterion met.**

2. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone.*

**FINDING #24:** Two adjustments are required for the partition of the subject property. The cumulative impact of the partition with the adjustments holds consistent with the overall purpose of the zone, which is residential development. The request is also consistent with Comprehensive Plan goal #10 "Housing", which is to provide for housing needs through encouraging urban infill and density. **Criterion met.**

3. *City designated scenic resources and historic resources are preserved.*

**FINDING #25:** There are no known scenic or historic resources in this area. **Criterion not applicable.**

4. *Any impacts resulting from the adjustment are mitigated to the extent practical.*

**FINDING #26:** There are no known impacts due to requested lot size reductions. **Criterion met.**

5. *If in an environmental sensitive area, the proposal has as few detrimental environmental impacts on the resource and resource values as is practicable.*

**FINDING #27:** There are no known environmentally sensitive areas at this site. **Criterion not applicable.**

6. *Application of the regulation in question would preclude all reasonable economic use of the site.*

**FINDING #28:** Application of the regulation in question without the adjustment does preclude a minor partition to the lot, but does not preclude development without the partition. **Criterion not met.**

7. *Granting the adjustment is the minimum necessary to allow the use of the site.*

**FINDING #29:** The adjustment is the minimum necessary to allow a minor partition subject property, but partition not required to allow use of the site. **Criterion not met.**

8. *Any impacts resulting from the adjustment are mitigated to the extent practical.*

**FINDING #30:** There are no known impacts due to the adjustment. **Criterion not applicable.**

#### **Section 3.080.050 Conditions of Approval:**

*If granting the adjustment, the Approving Authority may attach any reasonable conditions deemed necessary to insure that the review criteria are met.*

**FINDING #31:** Staff recommends approval with the following conditions.

#### **Conditions of Approval**

1. Final plat submission must meet all the requirements of the City of The Dalles Land Use and Development Ordinance (LUDO) Section 9.030 and the other applicable provisions of the LUDO.
2. Two copies of the surveyed and recorded plat must be received in the Planning Department office within one year of the date of the notice of decision for this partition to be effective.
3. Final plat shall include City Engineer approved unified access point that serves both lots.
4. All cuts and/or fills exceeding 50 cubic yards require a physical constraints permit. If the cut/fill exceeds 250 cubic yards, drawings will need to be submitted by a licensed engineer.
5. Except as modified by this decision, all development must be completed in accordance with Land Use Development Ordinance 98-1222, as amended.

## PROPOSED AMENDMENTS: LOT SIZE AND DENSITY STANDARDS

**CHAPTER 5: ZONE DISTRICT REGULATIONS****Section 5.010: RL - Low Density Residential District****5.010.060 Development Standards**

<b>RL Low Density Residential</b>	<b>Standard</b>
Lot Size	
Single Family Detached	5,000 sq. ft. minimum
Corner Duplex	42,500 sq. ft. per dwelling unit
Small Lot Single Family	4,000 sq. ft. minimum with density transfer
Attached Row House	3,200 sq. ft. minimum with density transfer
Lot Width	50 ft. minimum
Lot Width - Corner Duplex	325 ft. minimum per dwelling, each unit shall front on a separate street
Lot Depth	65 ft. minimum average

This allowance for lower minimum lot sizes and lot width for a corner duplex both allows development on a wider range of lots and can ensure that the scale of duplexes is compatible with single-family development. Requiring duplexes to be sited on lots twice as large as single-family homes encourages development of duplexes that are twice the floor area of a single-family home. To ensure compatibility, no changes to setbacks, lot coverage, or height are recommended.

**Section 5.020: RH - High Density Residential District****5.020.060 Development Standards**

<b>RH High Density Residential</b>	<b>Standard</b>			
	One Dwelling Unit per Lot	Two Dwelling Units per Lot	Three Dwelling Units per Lot	Four or More Dwelling Units per Lot
Minimum Lot Area	3,500 sq. ft. <b>OR</b> 2,850 sq. ft. for small lot and townhouse clusters (3-8 units)	54,000 sq. ft.	86,000 sq. ft.	10,000 sq. ft.
Minimum Site Area per Dwelling Unit	3,500 sq. ft. <b>OR</b> 2,850 sq. ft. for small lot and townhouse clusters (3-8 units)	2,500 sq. ft.	2,500 sq. ft.	1,500 sq. ft.
Minimum Lot Width	35 ft. <b>OR</b> 285 ft. for small lot	540 ft.	7560 ft.	75 ft.



## Proposed Lot Partition

1605 E 19<sup>th</sup> Street  
Robert Bart & Jonathan Blum  
The Dalles Planning Commission  
May 3<sup>rd</sup>, 2018

## Who we are?

- Live in The Dalles and Hood River
- Small business owners in The Gorge
- Focused on real property development in The Dalles
- Emphasis on single family homes and properties that add value and character to neighborhoods
- Friends who wish to build equity in our local community

## Minor Partition Proposal

- The current lot size is 8,778 square feet
- The dimensions of lot are 95' x 92'4"
- Requesting to partition into two equal sized lots:
  - Adjust minimum lot size from 5,000 square feet to 4,389 square feet, a 12% adjustment
  - Adjust minimum lot width from 50' to 46'2", an 8% reduction
  - All other setbacks, easements, height restrictions and parking requirements will be met on each lot
- This proposal prepares each lot for a single family home to be constructed in the next 24 months

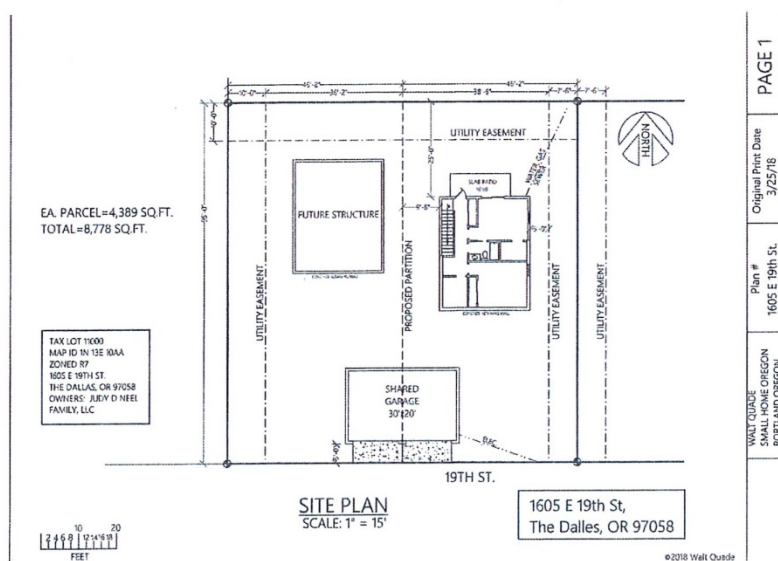
## Map overview



## Lot proposal



# Site Plan

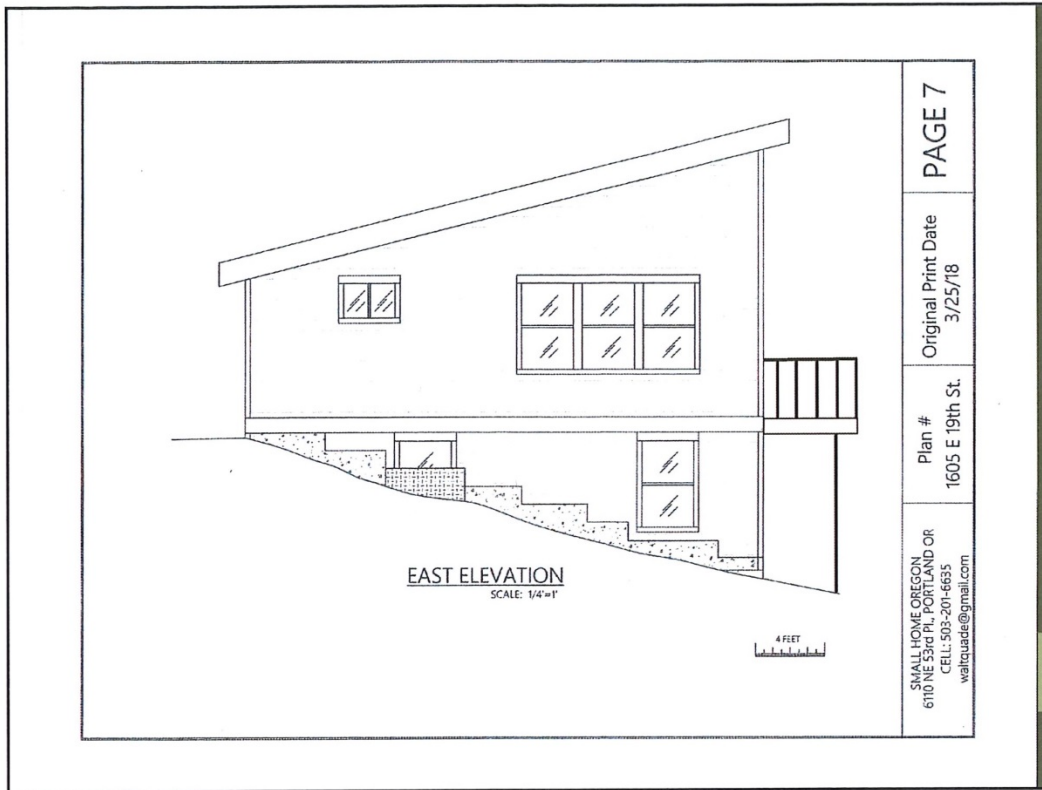




## Livability & Appearance

- Reduction of minimum lot width will not affect livability or appearance of neighborhood as homes will share one garage and be set back from the street, at lower elevations than the neighboring houses.
- The new construction will enhance neighborhood appearance with new, clean homes and landscaped grounds
- Garage will allow off-street parking and minimize interruption of arterial flow of E 19<sup>th</sup> Street
- Mature trees will be maintained on lot as possible with construction





## Benefits

- Project supports development goals of the Comprehensive Plan for The City of The Dalles
- Utilization of this space for residential homes instead of as a vacant lot will create additional housing near the schools, the college, and the hospital
- Constructing two new homes adds commerce and jobs to our local economy and boosts tax base
- Building smaller, daylight basement homes in this neighborhood minimizes the visual impact of the project, while meeting increasing density goals of the community

## Considerations

- Large vacant lot in this neighborhood will likely be developed with a single larger home with larger visual impact
- The Dalles is in need of additional housing and maximizing the usefulness of this lot as allowed by LUDO fits into residential mix desired by the city
- This parcel has been for sale for many years, and continues to be undeveloped as a result of its slope and existing landscape
- Our plans make accommodation for this unique parcel in a way that is attractive and minimalistic

Thank you.

Questions?

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR

19TH STREET PROJECT, INC., dba OAK GROVE SUBDIVISION,  
a corporation, hereinafter referred to as "Declarant"

WASCO COUNTY, OREGON  
CITY OF THE DALLES

WITNESSETH:

WHEREAS, Declarant has heretofore acquired the fee interest in certain land situated in the County of Wasco, State of Oregon, and more particularly described as per Exhibit "A" annexed hereto and made a part hereof; and

WHEREAS, Declarant has developed a new subdivision, known as Oak Grove Subdivision, on file with the Wasco County Clerk's office on the land included in the Exhibit "A" attached hereto, affording a well planned residential subdivision; and

WHEREAS, Declarant desires to subject that portion of the property described in Exhibit "A" to the covenants, conditions and restrictions as hereinafter set forth and to impose said covenants, conditions and restrictions on the property, including easements of record thereon and the privileges relating to the use of the properties subject to these conditions as hereinafter set forth; and

WHEREAS, Declarant deems it desirable for the efficient preservation of the value, desirability and attractiveness of said property, pursuant to the provisions of this Declaration, to impose these following covenants, conditions and restrictions on the property of the subdivision; and

WHEREAS, Declarant will cause said land described in Exhibit "A" to be conveyed subject to certain protective covenants, conditions and restrictions as hereinafter set forth.

NOW, THEREFORE, Declarant hereby declares that all of the properties described in Exhibit "A" shall be held, sold and conveyed subject to the following easements, covenants, conditions and restrictions, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of said property. These easements, covenants, conditions and restrictions shall run with said property and shall be binding on all parties having or acquiring any right, title or interest in the described properties or any part thereof, and shall inure to the benefit of each owner thereof.

#### ARTICLE I

#### DEFINITIONS

The following words, phrases or terms when used herein, shall have the following meanings:

Section 1. "Declaration" shall mean and refer to this declaration of covenants, conditions and restrictions (CCRs).

Section 2. "Corporation" shall mean 19th Street Project, Inc., an Oregon corporation.

Section 3. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the property, but excluding those persons having such interest merely as security for the performance of an obligation.

Section 4. "Architectural Committee" shall mean and refer to the committee hereinafter defined.

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Page - 2 - DECLARATION



ARTICLE II

ARCHITECTURAL COMMITTEE

The architectural committee shall have the board of directors' authority to review and approve architectural concepts, to insure the quality and performance as required by the covenants, conditions and restrictions.

The architectural committee shall consist of not less than three nor more than five owners selected by the board of directors of the 19th Street Project, Inc. corporation.

ARTICLE III

COVENANTS, CONDITIONS AND RESTRICTIONS

Section 1. The board of directors has approved the following covenants, conditions and restrictions, and by this document is empowered to enforce compliance therewith as follows, to-wit:

- (A) Each lot of the subdivision shall comply with the City of The Dalles zoning and building code restrictions and requirements.
- (B) No improvement consisting of a single family residence shall be constructed on any one lot with less than 1,000 square feet floor space (inside measurement).
- (C) No residence shall have a roof line from the upside foundation in excess of 32 feet in altitude.
- (D) Each lot shall have a landscaping plan submitted to the architectural committee, subject to the approval of the committee, which approval will not unreasonably be withheld and must be, in general, consistent with the spirit of the subdivision. Said landscaping shall not unreasonably restrict the view of any structure of any improvement of any other lot.

(E) Manufactured housing or modular housing, in particular, shall require the prior approval of the architectural committee as to design and plan. Such approval will not unreasonably be withheld.

Section 2. No facilities, including poles and wires, for the transmission of electricity, telephone messages and the like, shall be placed or maintained above the surface of the ground on any lot, and no external or outside antennas of any kind shall be maintained without prior written approval of the architectural committee.

Section 3. No temporary building, trailer, garage or other building shall be used temporarily or permanently as a residence on any lot.

#### ARTICLE IV

#### ENFORCEMENT

Section 1. Enforcement of the covenants, conditions and restrictions will be subject to the ordinances of the City of The Dalles and the statutes of the State of Oregon.

Section 2. The corporation shall pursue enforcement through the period of time required for single family dwellings to be constructed on each of the lots numbered 1 through 12.

Section 3. Declarant, for each lot owned within the property, hereby covenants, and each owner of any such lot by acceptance of a deed therefore, whether or not it shall be so expressed in such deed or not it is deemed to covenant and agree to pay special assessments reasonably necessary for the enforcement of the covenants, conditions and restrictions. Such special assessments shall be established and collected from time to time as hereinafter provided.

Section 4. The assessment levied shall be pursuant to majority vote of the corporate board and shall be used exclusively for the purpose of

promoting the welfare of the owners and residents, and in particular, the enforcement of the covenants, conditions and restrictions.

Said assessments shall be limited to a maximum of not to exceed \$500.00 per lot in total.

Section 5. Such assessments shall be separate, distinct and the personal debts and obligations of the owner or owners of the lots against which the same is assessed. Any assessment provided for in this Declaration, which is not paid when due, shall be delinquent. If any assessment is not paid within 30 days after the delinquency date and a prior written notice is given of said delinquency, the assessment shall bear interest from the date of the notice of delinquency at the rate of 8% per annum.

Any such delinquency in assessment payments shall constitute a lien against the property that is inferior to purchase money mortgages, trust deeds and prior obligations against said properties.

Unless sooner satisfied in release, or the enforcement thereof initiated as herein provided, such lien shall expire and be of no further force or effect one year after the date of recordation of said notice of claim.

#### ARTICLE V

##### DURATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Section 1. Duration. All the covenants set forth or provided for in this Declaration shall be deemed covenants running with the property and/or charges and liens upon the property and any and every conveyance of any part of the property shall be absolutely subject to said covenants, whether or not it shall be so expressed in the deed or other conveyance thereof.

/ / /

/ / /

/ / /

IN WITNESS WHEREOF, the undersigned being the Declarant herein has  
hereunto set his hand and seal this \_\_\_\_ day of November, 1992.

19th Street Project, Inc.,  
an Oregon corporation

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

STATE OF OREGON        )  
                              ) ss  
County of Wasco        )

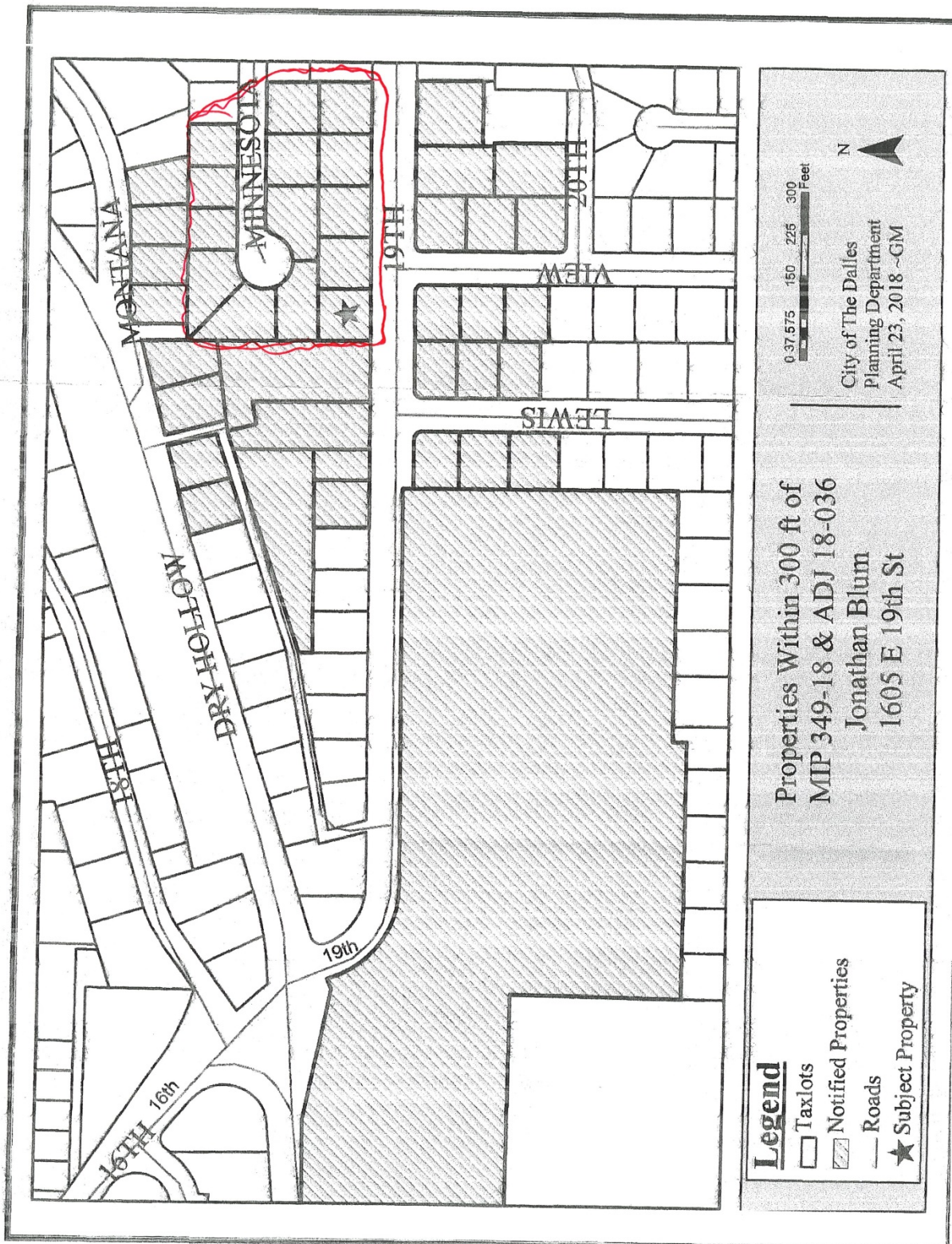
November \_\_\_\_, 1992

Personally appeared the above named Dale Taylor, Peter Peruzzo, Terry Nelson, Maxine Kelly, Gary Bradford and M. D. Van Valkenburgh, and acknowledged the foregoing to be their voluntary act and deed.

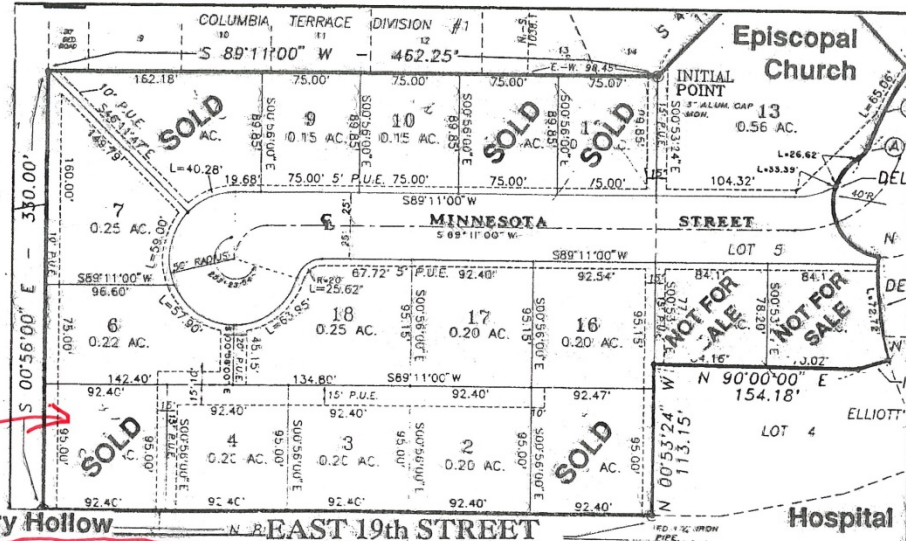
BEFORE ME:

Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_





# LOTS NOW SELLING!



**Oak Grove Subdivision** lots are now for sale as shown on the map. This subdivision is developed on East 19th Street, one block from the hospital, Dry Hollow School, and adjacent to the Episcopal Church. These are prime view lots ideally located. The lots have all underground utilities and cable and antenna television. The subdivision is developed as an enclave, appealing particularly to people who want a well-located, secure living environment near the hospital. Those interested may call (503) 296-1106 (days) or 298-1297 (evenings).

REMINDER 10-15-92

Copy of newspaper Ad  
 "The Dalles Reminder"  
 newspaper now out of Business

**Garrett McAllister**

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**From:** G & T Stephens <montanagt@yahoo.com>  
**Sent:** Thursday, May 03, 2018 1:25 PM  
**To:** Garrett McAllister  
**Subject:** Minor Partition 1605 E. 19th

We strongly object to the partition at 1605 E. 19th Street especially if there are town house, which would look right down into our front window giving us no privacy.

Sincerely

George & Tanis Stephens  
1833 Minnesota Street  
The Dalles, Or 97058

**Garrett McAllister**

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**From:** Austin Manca <austinmanca@yahoo.com>  
**Sent:** Thursday, May 03, 2018 5:08 PM  
**To:** Garrett McAllister  
**Subject:** request to partition property

Austin Manca  
1600 E 19th Street The Dalles, Or

My wife and I do not think that dividing a property into a smaller lot and increasing the number of residents in our neighborhood will add value to the community. We disagree with this proposal and think the lots should remain as is.

Thank You,

Austin and Shay Manca



# Proposed Lot Adjustment

13<sup>th</sup> and Perkins St  
Jonathan Blum  
The Dalles Planning Commission  
May 3, 2018

## Proposal

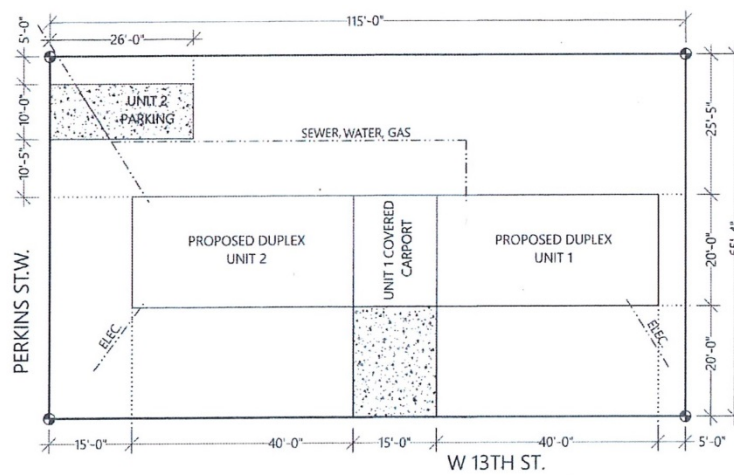
- The current lot size is 7,905 square feet
- The dimensions of lot are 65'4" x 115'
- Requesting to adjust minimum lot size to accommodate construction of a duplex:
  - Adjust minimum lot size from 9,000 square feet to 7,905, a reduction of 12%
- This proposal prepares the lot for a duplex to be constructed in the next 12 months

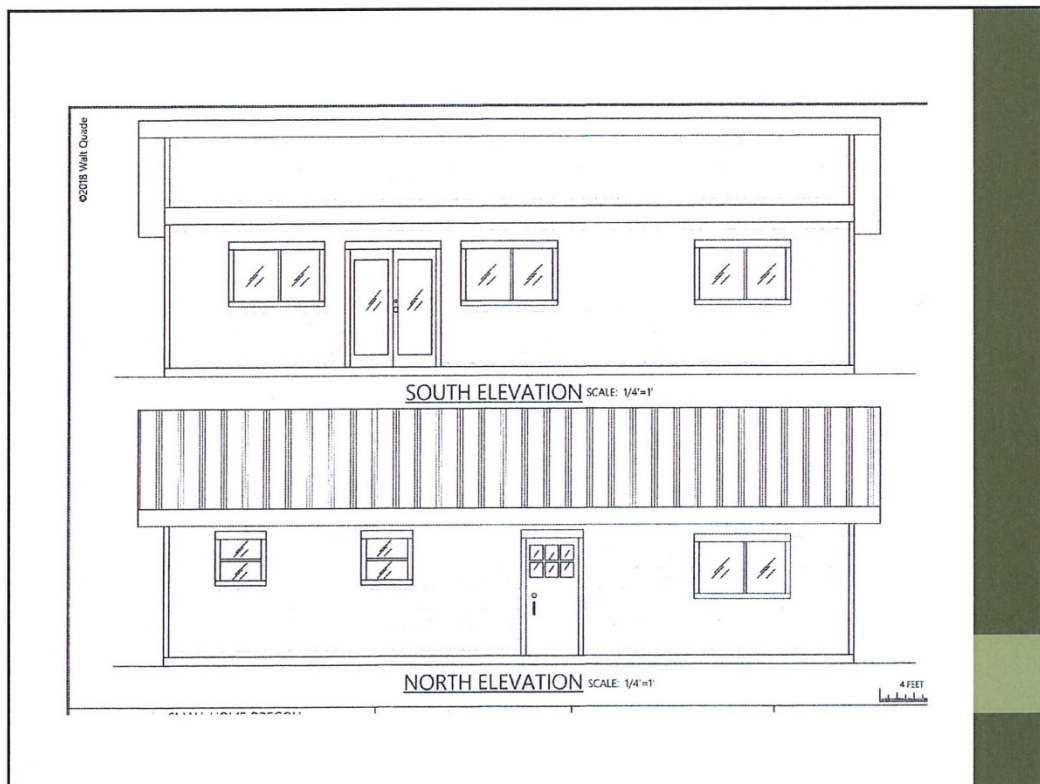
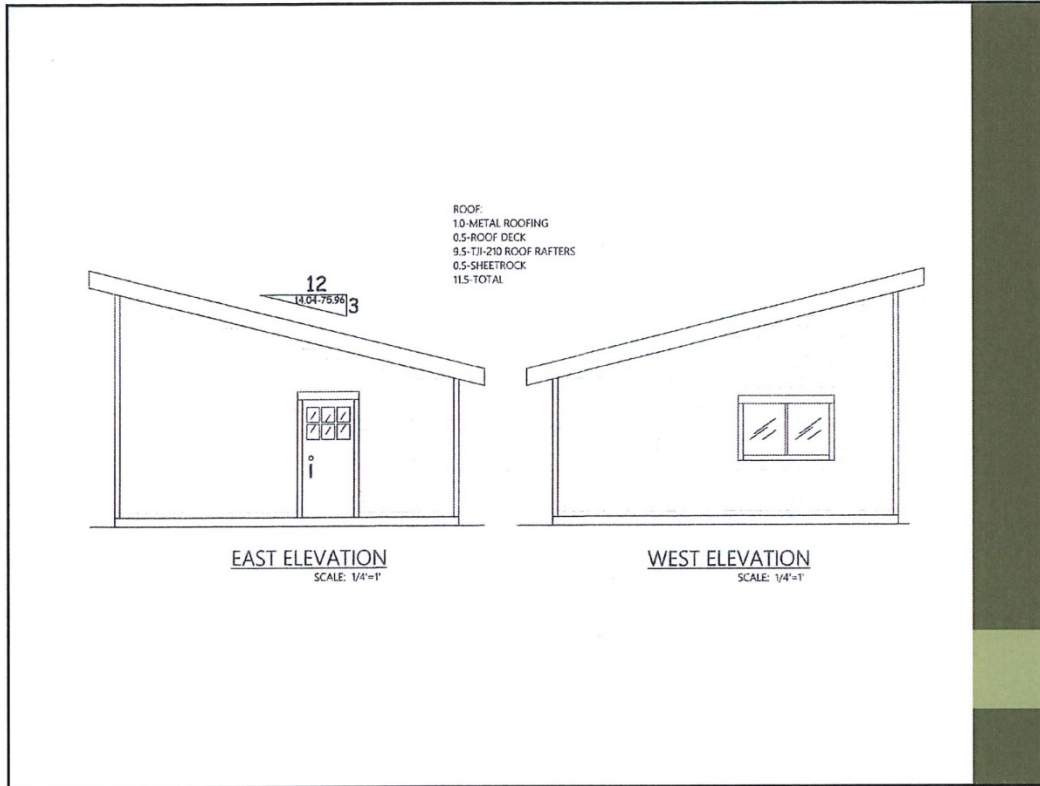


## Map overview



## Lot proposal





## Livability & Appearance

- Reduction of minimum lot size for a duplex on a corner lot allows for maximum usefulness of the lot with minimal impact
- The new construction will enhance neighborhood appearance with new, clean rentals and landscaped grounds
- Driveway and access enhancements will improve off-street parking and access
- Existing mature trees will be maintained

## Benefits

- Project supports infill development goals of the Comprehensive Plan for The Dalles
- Utilization of this space for residential homes instead of vacant lot will improve the neighborhood
- Constructing a duplex adds commerce and jobs to our local economy and boosts tax base
- The Dalles is in need of newer, affordable rental properties to help with housing shortage
- Corner lot with duplex and multiple accesses is similar to two single lots with multiple accesses

## Considerations

- Oversized lot compared to other neighboring lots
- Intent of development is to create rental properties, not to flip or sell as spec homes
- The Dalles is in need of additional rental stock
- Plans utilize current hardscape and keep existing mature trees
- Parcel currently vacant and underutilized
- Neighboring properties/ zoning would allow for higher density in this area

Thank you.

Questions?

## **Financing ADU's**

### **Platinum Mortgage**

- 1) Comps are biggest problem. Need 3 similarly financed ADU's
- 2) ADU Cannot be declared a Duplex

### **US Bank**

- 1) Does not have a loan product for ADU's beyond HELOC.

### **Mann Mortgage**

- 1) ADU's are financeable as a duplex only if they are in one building. It must have a common wall.
- 2) A new attached ADU would be possible but may have issues, making It very difficult.
- 3) Comps are very difficult.
- 4) Separate ADU's not financeable outside of HELOC and not on sale. Loans are on single living space only. Exterior livable units are a detriment to financing.

### **Appraiser from Portland w/ ADU experience**

- 1) ADU does not increase the properties value, it usually limits the value due to a diminished livability (due to overcrowding) and diminished market place for possible buyers.