



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5490
Community Development Dept.

AGENDA CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

THURSDAY, JANUARY 19, 2006
6:30 P.M.

- I. Call to Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Approval of Minutes: January 5, 2006**
- V. Public Comment – Items not on the Agenda**
- VI. Quasi-Judicial Public Hearing Continuation**
 - A. Planned Unit Development Application # 12-05 of Icon Holdings** for a mixed use waterfront community including commercial and residential uses. Property is about 60 acres and is located between Interstate 84 and the Columbia River, west of Highway 197 and is further described as 1N 13E 1B tax lots 100, 101, and 103; 1N 13E 1BA tax lots 600, 601, and 700; 2N 13E 36 tax lots 400, 500 and 600. Property is zoned General Commercial and Commercial Recreational. This application is processed as a Conditional Use Permit.
- VII. Resolutions:**
 - 456-06 Approving PUD 12-05**
- VIII. Procedural Issue Discussion – Memo of August 15, 2002 Included**
- IX. Commissioner Comments/Questions**
- X. Next meeting date: February 2, 2006**
- XI. Adjournment**



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CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, January 5, 2006

City Hall Council Chambers

313 Court Streets

The Dalles, OR 97058

Conducted in a handicap accessible room

CALL TO ORDER:

Chair Lavier called the meeting of The Dalles Planning Commission to order at 6:31 P.M.

ROLL CALL:

Present: Bruce Lavier, Mark Poppoff, Ron Ahlberg, Ted Bryant, Dean Wilcox, Jo Ann Wixon, and Derek Hiser

Absent: None

Staff: Gene Parker, City Attorney, Brian Stahl, Public Works Director, Dale McCabe, City Engineer, Dick Gassman, Senior Planner, and Denise Ball, Admin. Secretary

AGENDA:

Commissioner Bryant moved to approve the agenda and Commissioner Wilcox seconded. The motion carried unanimously.

MINUTES:

Chair Lavier asked if there were any corrections or comments for the minutes of October 6, 2005.

Commissioner Ahlberg moved to approve the minutes as submitted and Commissioner Wixon seconded. The motion carried unanimously.

PUBLIC COMMENT:

None.

PUBLIC HEARINGS- QUASI JUDICIAL:

A. Conditional Use Permit Application 136-05 of Columbia Gorge Community College to upgrade and improve existing infrastructure, remodel existing buildings, and construct new instructional buildings. A master plan for future development is proposed as well. Property is located at 400 E. Scenic Drive and is further described as 1N 13E 9 tax lot 100. Property is zoned Residential Low Density with a Community Facility Overlay. This application is processed as a Conditional Use Permit/Community Facility Overlay.

Chair Lavier read the rules for conducting a public hearing. He asked the Commissioners if they had any bias, conflict of interest, or ex-parte contact to declare. Commissioner Bryant said he had visited the site and had taken classes at the college. Commissioner Poppoff said he has also taken classes at the college. Chair Lavier said he has taken and taught classes and his wife has taught classes at the college. City Attorney Parker asked if Bryant learned anything during the site visit that would affect his

decision. Bryant said there was nothing that would affect his decision. Chair Lavier asked if anyone in the audience wished to challenge the Commissioner and there was no challenge.

Chair Lavier declared the public hearing open and asked for the Staff Report. Senior Planner Gassman presented the Staff Report. Gassman explained that this is a conceptual Master Plan. The underlying zone is Residential Low Density with a Community Facility Overlay zone. The application is being processed as a Conditional Use. The application shows what is being proposed as improvements that will take place over a number of years.

Gassman told the Commissioners that one of the development standards for the Residential Low Density zone is a height limitation of 30 feet. The applicant and Staff are requesting a waiver of that height limitation. New internal street patterns and parking are proposed and there will be no dormitories. Staff is recommending approval with conditions. Gassman asked if the Commissioners had any questions.

Chair Lavier asked what the height restriction would be for commercial buildings as compared to college buildings. Gassman said the height limitation in the general commercial zone is 55 feet.

Ahlberg asked what the height is on the existing college buildings. Gassman said the applicant would need to answer that question. Ahlberg asked how the parking is calculated. Gassman explained that two parking spaces are required for each 1000 square feet of floor area.

Bryant said the Health & Science building and National Guard Training Center are not listed as proposed. Bryant asked Gassman if they are in fact to be built. Gassman said the National Guard building is shown on the Master Plan because it is expected to be built at some time in the future. This will not be constructed or managed by the college, however. Bryant asked about an encroachment in the northeast corner of the property. Gassman said the applicant would need to respond to that.

City Engineer McCabe told the Commission that the City has a water main in that area and will need to maintain a utility easement.

Proponents: Dennis Whitehouse, Director of Facility Services for Columbia Gorge Community College, 400 E. Scenic Drive, The Dalles. Whitehouse gave the Commission a brief history of the funding and master plan efforts by the College. Whitehouse asked if the Commissioners had any questions.

Bryant asked why building six is being demolished. Whitehouse explained that building six is an old concrete dormitory building. The cost to remodel and bring up to code is not economically feasible. The new Health and Sciences building and the rerouting of the road will utilize some of the property currently being taken up by the older building.

Ahlberg asked what the height of building one and building two will be. Whitehouse said building one is a four-story building on a basement. Building two is three-story with a partial fourth floor. The height of the buildings is roughly 60 to 70 feet.

Poppoff asked why the soccer and baseball field are being proposed in an area requiring extensive grading. Whitehouse said the college does not have any athletic programs currently and will not have

any for many, many years. The level areas are needed for academic and partnership buildings.

Poppoff asked if the existing trees will be saved around the four new buildings. Whitehouse said it is the intention of the college to save as many trees as possible.

Bryant asked about the proposed pump house. Whitehouse said it is a relocation of the current pump house. The college is on the city water system.

Ahlberg said the access to the college is currently restricted to one ingress/egress but it looks like the college is planning for an additional driveway. Whitehouse said the college is actively pursuing another entry and exit.

Lavier asked how tall the proposed buildings will be. Whitehouse said the college hasn't completed its design process. Whitehouse feels three stories would probably be as high as the college would go. Lavier said he would prefer a reasonable height limit. Whitehouse said the college wants to maintain a visual integrity of the campus so he could not see the new buildings exceeding the height of the existing buildings.

Lavier said now might be a good time to discuss the proposed new access road to the National Guard Training center. Gassman told the Commission that the Fire Marshal recommended a second way into the site. Should an accident occur at the existing entrance the site could be blocked.

Whitehouse interjected that there is a gated emergency access through the park that terminates at the western edge of the parking lot and the Fire Marshal has access through that gate.

Lavier said the letter from Crystal Corey raises concern over a new access road at the corner of E. 18th and Jefferson Streets. Poppoff said he would prefer that to be an emergency road only. Whitehouse said the master plan shows all of the possibilities the college is looking at. The Jefferson Street intersection is only one of the possibilities.

Poppoff asked Whitehouse if the college could look at storm drain runoff from the roofs being maintained on site. Whitehouse said the college will make every attempt to relieve the storm drain system.

City Engineer McCabe added that the college is in the geohazard zone. The geohazard study will address how the storm drainage should be handled to keep the slide area stable.

Whitehouse said he would like to address the encroachment issue. The college and the adjacent property owners have an agreement.

Phillip Swartz, 711 Scenic Drive, The Dalles, spoke in favor of the plan. The College is a vital and integral part of the educational community of The Dalles. It needs to be able to grow and expand to meet the needs as they come along. He urged approval of the application.

Dr. Toda, President of Columbia Gorge Community College, asked for approval of this planning process. Dr. Toda said this process has evolved over many years. This Master Plan could take 20 to 30 years to complete. The community needs a long-term look at life-long learning and that is his

commitment to the community.

Opponents: Jason Corey, 603 E. 18th, The Dalles, presented a letter to the Commission, labeled as Opponent Exhibit 1. Mr. Corey lives across from the college soccer field. Mr. Corey said that specific development plans would not come before the Planning Commission but be approved by Staff and that troubles him. Mr. Corey asked Senior Planner Gassman what is considered a minor or a major modification. Gassman said those terms are somewhat subjective. However, the development at the college could be handled as a Site Plan Review process, which does required property owner notification. The ability to appeal a decision is an option for the property owners. Mr. Corey voiced his objection to the proposed access road at the intersection of E. 18th and Jefferson Streets. The increase in traffic and the proposed lighting for the new parking lot would impact the neighborhood. The east edge of the campus should be restricted to a building height of 30 feet, Corey went on to say. Corey discussed landscaping on the east side of the development also and asked the Commission to take this information into consideration when making their decision.

Randy Cole, 816 E. 20th, The Dalles, spoke against the proposal. Mr. Cole presented a letter labeled as Opponent Exhibit 2. Mr. Cole discussed the soccer field and Mr. Jim Ellett's involvement in keeping the area stable. Commissioner Bryant asked Mr. Cole to sum up the message he really wants to leave with the Commission. Mr. Cole said the existing soccer field was created for the safety of the land and should stay where it is with no buildings on it.

Chuck Miller, 807 E. 18th, The Dalles, says not many of the neighbors were involved in the planning process nor were their ideas incorporated into the plan. Miller said he does not want the height restrictions lifted, especially on the eastern soccer field area. Miller does not want an ingress or egress at the E.18th Street/Jefferson intersection. Mr. Miller believes the people who live in the adjoining neighborhood should be asked to participate in the planning for future college development. Commissioner Wixon asked Mr. Miller what it is about the height that bothers him. Mr. Miller said the only buffer at the present is a row of trees 15 feet high. Any building on the current soccer field would block sunlight and dominate the neighborhood in a detrimental manner.

Eric Nerdin, 702 E. 21st Place, The Dalles, presented a letter that was labeled Opponent Exhibit 3. Mr. Nerdin shares a property line with the college. Mr. Nerdin wants the building height restrictions to remain. He is also opposed to the National Guard Armory being located at the college. Mr. Nerdin would prefer to have the plan approved in smaller sections. The lighting and noise from the proposed eastern parking lot are not compatible with the abutting neighborhood in Mr. Nerdins' opinion.

Crystal Corey, 603 E. 18th, The Dalles, submitted a letter labeled Opponent Exhibit 4. Ms. Corey said there are 61 children in her neighborhood and they use the soccer field at least every other day. The sledding hill has been there for fifty years. Ms. Corey asked that the college Master Plan be adopted in phases and leaving the soccer field alone.

Marci Munoz, 706 E. 21st Place, submitted a letter labeled Opponent Exhibit 5. Munoz said her concerns are the same as those previously voiced by her neighbors. Munoz property is adjacent to the proposed National Guard facility and she would like to know the size, location, stability and height of that building before it is approved for construction.

Robert Beal, 704 E. 21st Place, told the commission that the one striking thing on the Master Plan is the Planning Commission Minutes
~~August 18, 2005~~

mass of land that will be covered by asphalt and buildings. Mr. Beal suggested a parking structure as an alternative. Mr. Beal said a parking lot is a meeting place. People get together by their cars and talk, smoke, and play music.

Terry Thalhofer, 606 E. 20th, said she has a huge concern with having an armory in her back yard. The access road proposed for E18th and Jefferson is also unacceptable to her. Thalhofer is a public health nurse and she knows that military installations are targets. She went on to say that she can't trust the college to act in her best interest due to the chain link fence history.

Laurie Nelson, 754 E. 18th, said one of her concerns is the traffic that will be present if the National Guard armory is located on the college site. Her second major concern is the proposed new access road. Nelson said they have a great neighborhood and are very aware of whom the sex offenders and drug dealers are. She said they watch those people like hawks. Increased traffic will create a danger to the kids who play in the streets and the neighborhood barbecues and Christmas caroling.

Rebuttal: Mr. Whitehouse said the college respects the views of the neighbors and relies on the judgment of the Planning Commission.

Discussion: Commissioner Wilcox asked why the National Guard Training Center is on the college Master Plan and what is the status. Mr. Whitehouse said the County had contacted the College about the National Guard Training Center. This is a federally funded project in a partnership with the State. It is on the 2009 federal budget but there is no certainty that it will be built or funded. The mission of the National Guard in Oregon is changing. Whitehouse said that this is a project that could take place and the college tried to put everything on their Master Plan that might take place within the next 25 to 30 years. Wixon asked if the College was obligated to the Federal Government to put the National Guard building on college property and Whitehouse said no.

Bryant asked Whitehouse if he would like to comment on the college's communication with its neighbors. Whitehouse said the planning process has covered well over a year. There were several articles in the newspaper as well as two Board meetings open to the public. The college welcomed the comments and participation of the neighbors but did not invite them individually. Whitehouse said he feels the Master Plan is a good one. As it is implemented over the coming years the college will continue to work with the neighbors and their concerns. Whitehouse said a parking structure is cost prohibitive. Poppoff suggested having parking under the buildings. Whitehouse said that also adds extra costs to the buildings.

Wilcox asked if the Planning Commission would review the construction of the buildings. Gassman said the Commission can make conditions of approval that could require that.

Hiser asked if the stability of the soccer field has been examined. Lavier said one of the requirements is a geohazard study that would address the soccer field.

Lavier asked Gassman to run through the Commissions options. Gassman said there are a variety of options. First, the Commission does not have to make a decision tonight. Gassman went on to say that if the Commission decides to vote on the application tonight the options are to not approve the Master Plan, approve the Master Plan with conditions of approval as submitted by Staff, or approved the Master Plan with conditions of approval as amended by the Commission, approve a portion of the

Master Plan, leaving the eastern portion unapproved and requiring a public hearing before development can take place, or making the National Guard facility not a part of the College Master Plan.

Lavier said he would like to approve the western portion of the Master Plan but require that the College work with the neighborhood on the proposed development of the eastern portion. Lavier asked the Commissioner's what their idea's are.

Wixon said she would like to see it go back without any decision by the Commission. Wixon would like Staff to prepare recommendations and have Staff and the College work on the issues that were discussed during the testimony.

Bryant said it appears the major concerns are the height of the new buildings and the impact on the adjoining neighbors. Bryant added that the proposed National Guard facility and access road are also of concern.

Ahlberg said that the College has come up with a Master Plan. The uncertainty arises from the fact that there aren't a lot of details presented with the concept plan. Ahlberg said the eastern section clearly has created controversy. His preference would be to have the eastern section of the site plan come back to the Planning Commission at a later date. He agreed the height of the proposed buildings on the eastern area of the property is important.

Lavier closed the public testimony portion of the hearing.

Deliberations: Wixon pointed out that in the Central Business Commercial and General Commercial districts, the building height maximum is 55 feet. Within 100 feet of a residential, that height is limited to 40 feet. Wixon feels some restrictions on height are needed.

Wilcox said he would like a condition that any buildings east of the round-about come back to the Commission for approval.

Lavier said he would like to see the College and the Community comes to a better understanding on the proposed development.

Ahlberg said the Community has spoken overwhelmingly by confirming that is where they want the college campus to be located. Another access is needed but Ahlberg said he can see that it will be a problem deciding where the second access should be located.

Lavier and Wilcox agreed that a second access is necessary but both Commissioners feel it should be on the west side of the campus.

Commissioners deliberated on the conditions of approval. They agreed that Condition #9 would be modified to read, "Height for buildings shall not be limited to 30 feet but will not exceed the height of existing buildings". A new condition #10 was added and wording is as follows, "Any application for proposed structures or infrastructure east of the two proposed roundabouts will be required to come back to the Planning Commission for public hearing, with the exception of the proposed pump house".

Commissioner Wilcox moved to approve Conditional Use Permit #136-05 of Columbia Gorge

Community College with conditions of approval as amended, based upon findings of fact in the Staff Report. Bryant seconded the motion and it carried unanimously.

Chair Lavier declared a recess while the current people in the chambers left and the public who are interested in the next public hearing came in.

B. Planned Unit Development Application # 12-05 of Icon Holdings for a mixed use waterfront community including commercial and residential uses. Property is about 60 acres and is located between Interstate 84 and the Columbia River, west of Highway 197 and is further described as 1N 13E 1B tax lots 100, 101, and 103; 1N 13E 1BA tax lots 600, 601, and 700; 2N 13E 36 tax lots 400, 500 and 600. Property is zoned General Commercial and Commercial Recreational. This application is processed as a Conditional Use Permit.

Chair Lavier read the rules for conducting a public hearing. He asked the Commissioners if they had any bias, conflict of interest, or ex-parte contact to declare. Commissioner Bryant said he had visited the site twice. Commissioner Poppoff said he has done contractor work for Kargl, Elwood and Geiger and the existing condominiums. Chair Lavier said he has hiked the Riverfront Trail. Commissioners Hiser said Mr. Anderson was his company attorney. Wilcox and Ahlberg both said they had visited the site. City Attorney Parker asked if Bryant, Wilcox, and Ahlberg if they had learned anything during the site visits that would affect their decision. The Commissioners said there was nothing that would affect their decision. Chair Lavier asked if anyone in the audience wished to challenge the Commissioner and there was no challenge.

Chair Lavier declared the public hearing open and asked for the Staff Report. Senior Planner Gassman presented the Staff Report. Gassman explained that this is a large and complex proposal. There are still several issues that will need to be worked out. This is a conceptual Planned Unit Development application with little information regarding building detail. Gassman moved over to the layout plan and described the complexity of the proposal and the access situation. Department of Transportation will allow only one access point. The current access point will not work for the proposal and a new access is being worked on. Gassman said another issue is the question of public or private streets. The applicant has some special features and pedestrian enhancements and the City is not interested in making them public streets. The applicant has been told that the streets will have to be built to City standards to become public streets. Also, the applicant wants to count on-street parking as part of their parking requirement and the streets would have to be private for that to happen. The Riverfront Trail is shown on the concept plan as well. Gassman told the Commission that the applicant will need to explain the differences in the various housing proposals such as cottages and park block homes. Gassman added that there have been three separate requests to hold the record open and that those requests will be granted as is appropriate.

Lavier asked about the City recommendation on page 15 that the streets be private and asked if the applicant would be totally responsible for maintenance and all work needed for the streets. Gassman said they would. Lavier asked about stop signs at the intersections and Gassman said that could be a condition of approval.

Bryant said Katie Young asked for a continuance. Gassman said the Commission can choose to do that.

Lavier asked where he would park to use the Riverfront Trail in that area. Gassman said there is no

provision for that in this proposal.

The Commission had questions that Gassman said will have to be answered by the applicant.

Proponents: Robert Gilliam, 1524 Sherman Avenue, Hood River, Oregon, introduced himself to the Commission. Gilliam began as a C.P.A. in London. He sold his business in 2000. He is now involved with a number of businesses, one of which is a large property company in London, specializing in residential development. Gilliam has been visiting the Columbia Gorge in the Hood River area for about fifteen years. He came across the Lone Pine property and assembled the very best people to put the project together and bring the proposal to the Commission tonight. Gilliam said The Dalles has huge potential and this project is very exciting and unique.

Scott Keillor, HHPR, 700 E. Marina Drive, Suite 200, Hood River, Oregon is the Planning Consultant that helped Mr. Gilliam and his partners put together a team for the mixed-use project. Keillor gave the Commission a project overview. Keillor said park block homes along the Riverfront Trail are easily accessible and oriented toward the Trail. There will be about 34 town homes as well as condominiums above the commercial uses. Cottages and conventional single family homes round out the residential component of the project. Keillor explained why the round-about is necessary and, due to ODOT spacing requirements, why the access point must be moved from its existing location. The requirement for the PUD is 30% residential and 30% open space. Keillor explained the conservation easement along the waterfront. This is a twelve-phase project and details on some of the later developments are not available. Archaeological and Native American fishing issues investigations and conversations have been ongoing since early on. Keillor talked about the wetlands, wildlife, and other protective concerns. Their goal is to be a good steward of the land.

Scott Manser, 1400 S.W. 5th Avenue, discussed the round-about design and how the traffic flow and access would function. The traffic entering the round-about would have to yield to the car already in the circle. Both Oregon and Washington have the same traffic rules regarding yielding in the round-about. There will be plenty of signage. The round-about diameter will be 165 feet, which is the ODOT minimum. The round-about will be pedestrian and ADA accessible.

Ken Valentine, 5200 S.W. Macadam, Portland, Oregon, a Civil Engineer, discussed the proposed fill. They have not applied for permits because they do not have a project yet. The fill will be placed in the hatched area on the map. Most of the material will probably be barged in. This is a large project, approximately 100,000 cu.yd. The permit conditions will determine if the fill is brought in all at once or in phases.

Matthew Mangis, Meyer Group Architects, 105 S.E. Taylor, Portland, Oregon gave some details on the cottages. They will be between 400 to 650 square feet. The proposal shows them being constructed along the river front lots, in front of the condominiums. There will be five residential options in this project. Mangis gave a brief overview of the residential proposal.

Hiser asked Keillor if there are any other considerations for the existing service station and hotel and the impact a new access will have on them. Keillor said the new access will provide a better access to the entire site, including the existing businesses. Over time, the internal trip generation will increase their business. Keillor would prefer to phase out the Lone Pine access over time should ODOT agree.

Ahlberg asked if part of the property is under water and Keillor said it is.

Lavier recommended that the hearing be continued. It is after 10 pm and there is no way the testimony can be completed tonight. Keillor asked that the hearing be continued until January 19, 2006.

Wilcox moved to continue the hearing until January 19, 2006 and Bryant seconded the motion. The motion carried unanimously.

RESOLUTIONS – Bryant moved to adopt Resolution 455-06 approving CUP 136-05 of the Columbia Gorge Community College with conditions as amended. Wilcox seconded the motion and it carried unanimously.

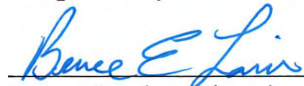
STAFF COMMENTS: None

COMMISSIONER COMMENTS: Ahlberg asked if Design LLC is Google. Staff replied that we only have an application from Design LLC, nothing from Google.

NEXT MEETING: The next scheduled meeting is January 19, 2006 for the continuation of the public hearing for PUD 12-05.

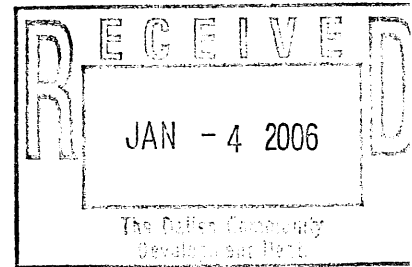
ADJOURNMENT: The regular Planning Commission meeting was adjourned at 10:05 p.m.

Respectfully submitted by Denise Ball, Secretary.



Bruce Lavier, Planning Commission Chair

The Dalles Community Development Dept.
313 Court St.
The Dalles,
OR 97058



2 JAN 2006

Dear Sirs:

In reference to Application Nr CUP 136-05, as an affected property owner I urge approval of the application made by Columbia Gorge Community College.

The College is an integral and vital element of our community and our community's education structure.

The College's proposal will have minimal impact on neighboring properties, and will offer a very significant positive impact for the entire community. It is deserving of approval.

Sincerely,

Philip K. Swartz Jr. MD
711 E. Scenic Dr.
The Dalles, OR

DICK, DICK & TIMMONS, LLP

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WILLIAM G. DICK (1916-1992)
EDGAR M. DICK (1924-1986)

January 5, 2006

HAND DELIVERED

The Dalles Planning Commission
313 Court Street
The Dalles, OR 97058

Re: Columbia Gorge Community College Application for Conditional Use Permit

Dear Planning Commission Members:

I appreciate the opportunity you have provided to address concerns and seek answers to questions I and others have concerning The Columbia Gorge Community College's application for a conditional use permit in conjunction with its develop of its campus in The Dalles. I own a home on the corner of 18th and Jefferson, directly across the current soccer field on the college's property.

While I do believe that the college may make improvements to its property within the proper land use development criteria, I am concerned that the plan proposed by the college will more negatively impact the neighborhood to the east of the campus than is reflected in the staff report.

I have reviewed both the Notice of Public Hearing and the Staff Report filed regarding the conditional use permit. They have raised several concerns which I hope to address tonight and questions which I hope to have answered.

First, as I understand it, this review process is a conceptual review for what amounts to a master plan for capital improvements to the college's property over the next several years. Therefore, specific details for any of the individual proposed improvements are not being reviewed at the current time. If that is the case, and this master plan is approved, would there be further public hearings regarding the specific projects at the college? Is this only opportunity we will have for input about the project? Specifically, how does the planning commission define "Major" and "Minor" Modifications to the master plan as set out in LUDO 5.100.050?

Rather than run the risk of not having my concerns heard, I would like to share them with you. My first and greatest concern is inclusion of the "potential" future National Guard access along the east boundary of the college's property. I am very concerned about the impact that that access would have on my neighborhood. As I am sure you are aware, that neighborhood is one of the few true neighborhoods within the City of The Dalles. Its very nature is what made it attractive to those that live there, including me. In its current state, the neighborhood is a destination, not a thoroughfare. Two roads, Jefferson and 19th Street, access the entire subdivision of approximately 150 homes. Those roads lead only to the subdivision. As a result, traffic is limited, almost exclusively, to the

OPPONENT EXHIBIT 1

residents and invitees of the neighborhood. The neighborhood is full of children who play in their yards, ride their bikes in the street and otherwise use the neighborhood as one might expect such a neighborhood to be used. That is exactly the type and nature of community many folks, including myself, were looking for when they chose to purchase property in the subdivision.

The installation of an access road connecting to Jefferson and 18th Street will fundamentally change the nature of the neighborhood. Those accessing the college from 14th Street via the recently redone portion of Jefferson north of Scenic Drive will undoubtedly choose to access the over 300 proposed parking spaces on the east side of campus by this access road. The same would be true of those traveling west on Scenic Drive. Furthermore, those accessing the college from the eastern side of town would likewise be motivated to use 18th and 19th Streets. Thus, the neighborhood would become a primary entrance to the college. Putting a road in would dramatically change that neighborhood feel. I realize that the "potential" road presently accesses only the Armory. However, it is just a few feet from the parking for the building proposed to be built on the current soccer field. What is there to stop the college from making a minor modification to that plan and connecting the access roads.

My second significant concern revolves around the parking for both the National Guard training center and the large proposed building on the current soccer field. The combination of those two parking areas is over 300 parking spaces. Because both of those parking lots are in very close proximity to the east boundary line of the college, it is unrealistic to believe that the lighting required for those parking lots would not have a significant impact on those residential properties abutting the college property. For example, the sites for both of the proposed buildings on the eastern part of the college property sit well above the levels of the residences bordering the property. As a result of their elevation above the adjacent residential properties, the effect of the lighting will be that much more dramatic. While there are pine trees planted along a portion of the eastern edge of the college property adjacent to Jefferson Street, some of those pine trees will need to be removed in order to accommodate the proposed driveway to access the parking lot adjacent to the proposed building on the soccer field. That would further remove any barrier that does exist between the college and its neighbors. I would appreciate an explanation of the staff report's discussion of the lighting impacts at the top of page five of the report. Why was that criteria selected? In layman's terms, what amount of light will that cast? What steps will be taken to assure that the criteria is adhered to?

Third, I am concerned by the staff's recommendation that height restrictions be waived on all the college property. While I think that waivers of height requirements may be appropriate for the buildings proposed in the center of the campus, I think that a height restriction should be placed on any buildings built in the eastern part of the college's property. As previously mentioned, the ground upon which those buildings will be constructed already sits significantly higher than much of the surrounding real property because of prior earth moving done by the college. As it is, a thirty foot tall building in those locations would significantly alter the feel of the neighborhood adjacent to the college. Allowing buildings in that area higher than that would only further undermine the residential

feel of the neighborhood.

I am unclear as to the significance of the staff report's Finding A-14. The staff report seems to indicate that the college is separated from other development in the RL zone, making the required floor area ratio not be applicable. The two buildings on the eastern portion of the property are within 60 to 100 feet of several residential homes. I would appreciate an explanation as to the staff's rationale that the floor area ratios are not applicable to the college's request.

Finding A-15 asserts that the college already has extensive landscaping, and that no additional landscaping would be required. The only landscaping the college has on the eastern portion of its property are the pine trees previously referred to, some of which will, of necessity, need to be removed in order to accommodate the master plan the college proposes. The CG zone requires landscaping equal to 20% of all first-floor structures. There certainly does not appear to me to be that kind of landscaping called for in the master plan. It is possible that that information has been provided to the Commission, but which is unavailable to the general public. If so, I would appreciate receiving additional information about any more specific plan the college has in that regard.

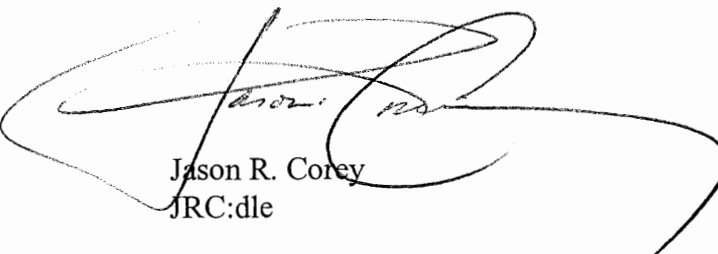
In conclusion, I understand that both the college and city would like to see this project move forward. The commission does have a responsibility, however, to take into consideration the impact on the neighbors of what would be a drastic change to their neighborhood. As those most directly affected by the college's non-conforming use of its property, our reasonable concerns should not be disregarded. The conditional use of the college property should be granted with that in mind. As a result, I would ask that in determining whether to grant the college's master plan, that the Commission place the following restrictions on that plan:

1. That the college be prohibited from placing the "potential future National Guard access" referred to in their Master Plan, or any other road which would be accessed by Jefferson and/or 18th Street.
2. That the height restriction of 30 feet for the area not be waived as to the eastern portion of the property where the National Guard Training Center and the large proposed building are to be erected.
3. That restrictions be placed on the height and intensity of the lighting for parking areas in the same eastern portion of the college property; and
4. That detailed requirements for sufficient landscaping be put into place to create a barrier between the development of the eastern portion of the college's property from those residential neighbors abutting that portion of the college's property.

Planning Commission
January 5, 2006
Page 4

I appreciate your attention to this matter and your consideration of the requests made herein.

Yours truly,



Jason R. Corey
JRC:dle

Dear City Council, Mr. Mayor, City Manager

I would like to address the issue of an extension of Jefferson Street as additional access for Columbia Gorge College.

First I want to remind the College and the City Government that Jim Ellett is remembered for all his foresight and ability, and the Soccer Field that is of interested in changing was DONATED, lock stock and barrel by a local Philanthropist, in time equipment and manpower, WITH additional expenses not planned for in the way of repairs to equipment when vandalized and this was done at a time WHEN the college was financially barren, and needed community assistance.

Jim Ellett spared 50 large trees at the now Rowena/Mayer State park which the State of Oregon were going to fell when the State was changing the entrance to the park.

Jim had the TRUE vision when he assisted the college and the State to the BEST Utilization of Property.

Second, I want to state that the Existing Soccer Field makes a natural and willing Buffer between the adjoining neighborhood and the College activities that take place their, this also provides some privacy for those adjoining property owners

Third, This proposed access would subject our housing development to INCREASED MOTOR traffic. Adjacent to a very already dangerous curve at the intersect of East 18th and Jefferson and Jefferson and East Scenic Drive, which is dangerous as it now stands as a near blind east curve from East Scenic Drive Westward at this juncture.

With all the other available land to build up, where the OLD houses and dormitory are, if properly utilized the needed GROWTH could occur with new buildings and programs in a closer proximity to the main campus Rather than spread to the far ends of the Property, which results in more on campus traffic and street traffic moving from one location to another.

Yes the College is somewhat Land Locked, when this property was occupied by the Tuberculosis Hospital the notion of becoming a Four Year College was not even a though.

Congratulations for the ability of our community to keep this property utilized and not let it go into disrepair as many times happens.

Since the inception of the Satellite Classroom Project with Mount Hood Community college, (AT NO COMMUNITY TAX DOLLAR EXPENSE) and then the creation of Treaty Oaks Community College (TAX DOLLARS BASE) (too bad about the Historic Oak being cut down), and then the move to become a MORE recognized and accredited college and the formation of Columbia Gorge Community College with a TAX BASE, we need to realize that THIS PROPERTY is SEVERLY LAND LOCKED.

OPONENT EXHIBIT 2

Forth, as we respond to the growth of our community and assess the potential for increased value of land for commercial use, we take a look at the site of the Now Oregon National Guard. This is PRIME Commercial Property, WHICH has been approached with some shadiness in the past with a local government body (individual) and a local business.

I would prefer that the Oregon National Guard NOT have a place on campus, HOWEVER be in existence at a more useful site.

Also I don't believe that the monetary gain, which would be realized by the college from the Oregon National Guard, would justify them Disrupting the Soccer Field and the increase in traffic to our housing area, ESPECIALLY since we already have dedicated streets that access the College property with good visibility.

As we the Community have allowed NON industrial use of our Newly Designated Industrial Area which now houses some NON Industrial businesses just to name a few, such as a Restaurant, Farm Bureau, an Electric Company, United Parcel, NWC PUD, an Oral surgeon, all are occupying PRIME Industrial Land, (Industry Land which creates Job-- not just a business having a hand full of employees), WE should find a location on Port Property for the Housing of the National Guard. So the development of that National Guard prime piece of commercial property could be realized.

There is also a viable property which is located directly South of the Fire Station that could be developed for the Oregon National Guard.

Fifth, With regards to the moving of a College building from the college property to Sorosis Park for the possible use by Northern Wasco County Parks and Recreation is beyond belief. Here is a 3-5 employee unit that should be utilizing the building that they previous were housed in RATHER than an additional expense both heating and cooling for just a couple of employees in a larger building. Their Primary Focus is MAINTINING PARKS, not laboring INDOORS, a Sec/Tres and a manager should be all that are in a building, and the rest of the employees should be out maintaining the parks and assisting in YOUTH Programs.

Are Parks are what makes this a very interesting and beautiful city, that's the First thing in 1962 that I was aware of when we visited The Dalles, Lush green grass well manicured and the recognition of the END of THE OREGON TRAIL. Which sadly we lost thru NON-Representation of our local government to Oregon City.

January 5, 2006

City of The Dalles Planning Commission
Community Development Department
313 Court Street
The Dalles, Oregon 97058


Dear City of The Dalles Planning Commission Members;

My name is Eric Nerdin and I live at 702 East 21st Place in The Dalles and my backyard shares a property boundary with Columbia Gorge Community College. The proposed development has a road right along this line next to my backyard and also has parking lots with lots of lights and traffic within approximately 30-50 feet of the property line. I am opposed to certain aspects of this proposed development because I feel that it will significantly change the dynamic of my entire neighborhood as well as other areas due to changes in traffic patterns and increased through traffic in the neighborhood. Neighborhood safety will be drastically decreased for children, pedestrians, motorists, cyclists and all residents as well as all users of the roads and sidewalks.

I am support the expansion and growth of the college, but feel that it is being done at the expense of a great neighborhood in The Dalles. Great neighborhoods contribute to the quality of life just as much as higher education facilities. I feel that this development can be accomplished without compromising the quality of life and property values of this neighborhood. Please consider the attached concerns, options and questions.

Thank you for your interest and for volunteering your time and energy as a member of this commission.

Sincerely,


Eric Nerdin

Concerns:

OPPONENT EXHIBIT 3

- Road being built along back property line – noise, lights, safety and changing view with grade needed for road to go up the hill – Is this a platted road?
-
- Reduced green space around neighborhood
- Safety and noise issues due to increase of through traffic in neighborhood and nearby streets
 - 19th Street – no sidewalk on hill for pedestrian safety, especially school children
 - Jefferson Street – lack of visibility on both sides of Scenic Drive in both directions
 - 14th Street is narrow with on street parking and sidewalks only on one side of street
 - Scenic Drive – traffic too fast and lack of visibility at intersections
- Increased noise and lighting due to parking lots located near neighborhood
- This decision affects many more people than just the people within the 600 foot zone that is required to be notified. i.e. 14th Street, Dry Hollow, Scenic Drive
- The City of the Dalles City council as a deciding body has a vested interest in having this development proceed, so there is not true objectivity. i.e. re-development of the commercial property of present armory site

Options:

Locate armory behind college or at site of proposed athletic field

Understandings:

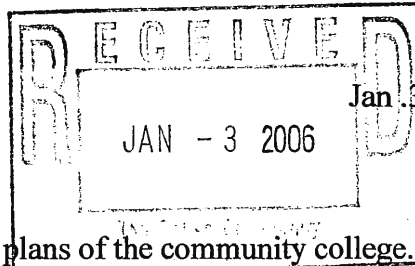
The college has a right to develop its property according to its best use

Questions:

- Why does the armory have to be located on college property?
- How is the armory going to be funded?
- What changes in the master plan will require public comment verses just being an administrative decision?
- Who is the college currently leasing space to? How much of this expansion is to accommodate these needs and future partnerships? Could more space be used for education if less was used for these other agencies?
- What is in the big oval in the center of campus? It looks like just open space for students to cut across to access buildings. Without this buildings could be closer together, although they might not have a view.
- How do traffic circles work? I see them in both college and Lone Pine proposals
- How does the Urban Growth boundary affect this proposal?
- How much growth is the college expecting? Currently using two buildings and are proposing 6 new buildings that appear larger than existing buildings. This is more than a tripling of capacity.
- How close to residential neighborhoods are large commercial type developments usually allowed to be?
- What about using the area behind the existing buildings for expansion?
- Why is there only one option proposed? Couldn't other options be presented for public comment instead of just one?
- Doesn't the college only have funding for one new building as well as renovations to existing buildings, so why does such a large development need to be approved at this time? I understand the need for long range and visionary planning and having big dreams and that six new buildings maybe needed during the next 25 years, but why not approve this in phases as the need continues to grow and the funding is available?
- Why doesn't the college strive harder to be a good neighbor? i.e. bulldozing dirt into the backyards of many properties along the property line; installing a 6 foot high chain link fence and now roads, parking lots and lights next to our backyards.

To: The Dalles Community Development Office

Dear Madams/Sirs,



Jan 3, 2006

I am writing with my concerns related to the expansion plans of the community college. We live in the neighborhood to the east of the college on the corner of 18th and Jefferson. My concerns relate to the "potential" road to access the proposed National Guard building.

I understand that the city owns the land between the college property and the Hughitt's property at the corner of 18th and Jefferson streets and that the city could cut a road there and the college could continue that onto their property.

My concerns are as follows:

- 1) The college has plans for a building and parking lot with a connecting road that will run 15 feet from the access road. At this point there is no talking of connecting the two, but it would be easy to do at any point after construction.
- 2) If they were connected, access to the college would be readily available to anyone wishing to bypass the curves on Scenic Road leading to the main entrance.
- 3) This would increase traffic in our low density residential neighborhood. There are two entrances to our neighborhood that are intended for that purpose. With the proposed access, our property would become the driveway to the college making it into a thoroughfare rather than the residential streets they were intended to be.
- 4) We have at least 61 children in this neighborhood who ride bikes, rollerblade, do paper routes and generally play. Increased traffic would jeopardize their safety.
- 5) The argument that there are no plans to connect the access road and the college parking lot are moot. If the city puts their part of the road in, then the college can do what they want with any connections on their own property and any assurances now will hold little weight in the future.
- 6) Please allow what little buffer there will be between the college and a thriving neighborhood by not allowing that access road.

(The streets directly affected by this are 18th, 19th and Jefferson, but the whole neighborhood would feel the effects)

Just a last note: We are glad the college can improve and grow but at the same time our children are losing the soccer field they play on regularly, the hiking trails our families use and the sledding hills kids have used since the 50's when these houses were built. Please allow something for this neighborhood to remain a neighborhood. As property owners and as parents, we ask that the proposed road not be allowed.

Sincerely,

Kristal Corey
603 E 18th St., 296-6082

OPPONENT EXHIBIT 4

January 4, 2006

The Dalles Community Development Department
313 Court Street
The Dalles, OR 97058

To Whom It May Concern:

In response to your Notice of Public Hearing letter dated December 20, 2005, I have several issues and comments I would like to bring to your attention.

In regards to the "master plan" enclosed with your letter:

1. The proposed plan will bring significant increased traffic to my neighborhood. E 18th, 19th, and 20th streets are residential streets which are narrow and have numerous cars parked along the sidewalk. The proposed National Guard access road is of most concern. This road will inevitably be used more often than the stated National Guard access and will indeed bring numerous cars through the neighborhood. Realistically, any car which comes up to the area from 14th, using Jefferson, would use the National Guard access road as a "shortcut" to adjacent proposed buildings, and also as shortcut access to the new soccer field/amphitheater. The increased traffic will also affect the numerous kids who live throughout the neighborhood and play in their yards and ride bikes along side the road.
2. The distance between proposed new National Guard access road and property line is not clear on the plan.
3. The distance between the property line and National Guard building is not clear on the plan. The elevation of the National Guard building site is not clear either. This is a major concern as this property abuts numerous residential property lines. If the National Guard building is built as the property lies now, the strength of the hill that was formed when the land was moved years ago is a major concern.
4. The height of the buildings proposed is not clear and not stated.
5. Lighting of new roads and parking lots is not clear. This is another concern as the road, buildings, and parking lots are what seems to be very close to residential property lines and would light up homes 24 hours a day.
6. Noise and vibrations from the National Guard building is another concern. Large military vehicles and tanks are very loud and a simple property line cannot guarantee that neighboring houses would not hear/feel and noise/vibrations. Also, any event which the building might be rented out for (to people in the community) would also be loud such as music playing or people shouting and yelling late into the night.

opponent exhibit 5

In summary, there are many issues related to the proposed National Guard building and access road that does not, in my opinion, make this a reasonable place to build a National Guard. The City of The Dalles does not have many *true* residential "suburb-like" housing and I feel placing a National Guard Building in "my backyard" would greatly interfere with housing in this neighborhood.

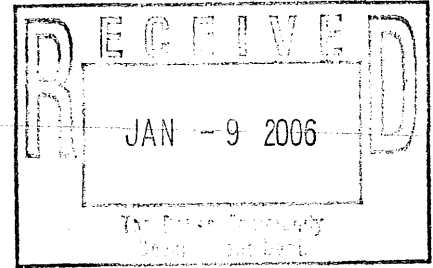
I sincerely hope you take my opinion into consideration, as a good neighbor would.

Sincerely,

A handwritten signature in black ink, appearing to read "Primitivo Munoz", written in a cursive style.

Primitivo and Marci Munoz
706 E 21st Place

Community Development Department
City of The Dalles
313 Court St.
The Dalles, Oregon 97058



Planning Staff:

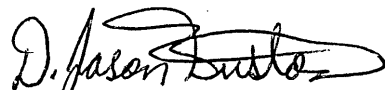
We currently own and operate the McDonalds at 341 Lone Pine Dr., The Dalles, Oregon. This business has been franchised to us for the last 10 years and will continue in the future.

We have concerns with the proposed Lone Pine Master Plan.

- The closure of Lone Pine Drive and creating a new entrance approximately 400 feet to the north would impact both accessibility and visibility of our business. I have been an owner operator of McDonalds in The Dalles for 27 years and know the value of the correct ingress/egress for a business. This new access entrance would not allow easy but only difficult accessibility to our business. Many recreational vehicles that include motor homes of many sizes, trucks pulling boats, and semi trucks stop at McDonalds to eat. The new entrance will not provide a place for them to turn around easily as they are able to do at present.
- Lone Pine Drive is a city street. Currently The Dalles maintains the street. If it is closed as a private street, we would then become involved in a home owners association for street maintenance. We would like to see this remain as a city street.
- The employees currently park to the east of our business. If the entrance changes there is not a provision for them to park their cars.

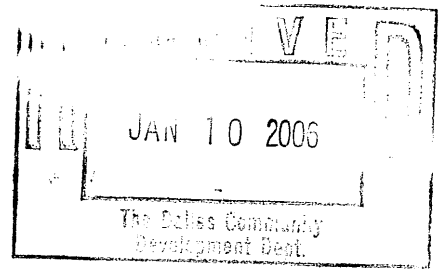
This proposal will impact sales and the viability of the McDonalds restaurant at Lone Pine. We support growth in The Dalles but not the change of entrance to this area.

Sincerely Yours,


Jason Bustos


Dan Bustos

01/05/2005



Re: Opposition to building anything between the Lone Pine Condominiums and the river

To Whom It May Concern:

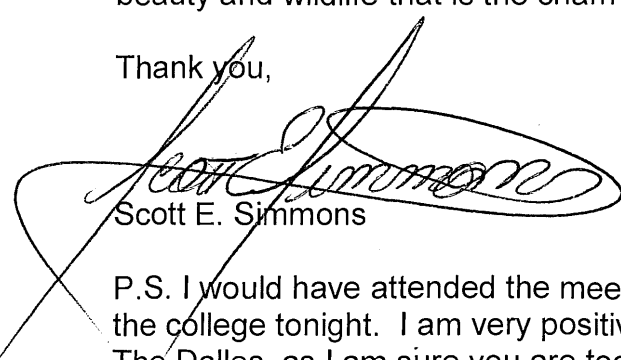
Please don't allow any construction between the Lone Pine Condominiums and the river. Building cottages on dirt-fill that close to the river is just bad news.

I live at the condo, and as Dawn Hert can attest, there is at least one Flood Map company that thinks that some of the condominiums themselves are in a flood plain. And one of them happens to be my condo. I have to pay annual flood hazard insurance premiums, although I am on the second floor and although the City Planning Department has written letters assuring them that from their perspective, my condominium is not in a flood zone.

The problems with building between the condos and the river exceed the flood zone concern. Every day, wildlife enjoys the land between my condo and the river. I see bald eagles, pelicans, cranes, Canadian geese, and various other fowl. They will not be there if dwellings are built there.

And the view I enjoy is immeasurable, which will be completely destroyed if you allow dwellings to be built between my condo and the river. As a citizen of The Dalles, I beg you not to run headlong into progress without regard to that natural beauty and wildlife that is the charm of The Dalles.

Thank you,



Scott E. Simmons

P.S. I would have attended the meeting in person, but I have play rehearsals at the college tonight. I am very positive about contributing to the livability here in The Dalles, as I am sure you are too. Please make the right decision.

MEMORANDUM

TO: Dan Durow, Community Development Director

FROM: Gene Parker, City Attorney GP

DATE: August 15, 2002

RE: Procedural Issues for Planning Commission

As you recall, there have been a couple of questions related to procedural issues that have come up during recent Planning Commission meetings. One issue is related to the number of votes that is needed for the Planning Commission to take action, particularly when there are vacancies on the Planning Commission. Section 8 of the City's ordinance for the Planning Commission provides as follows: "A majority of the members of the planning commission shall constitute a quorum." Since there are 7 members on the commission, this means that a quorum consists of four members of the commission. The Attorney General's Manual for public meeting law indicates that where a statute or ordinance does not specify the number of votes necessary for a decision, a decision may be made by a majority of the quorum. The interpretation that is consistent with Oregon case law and Oregon statutes is that a "majority of the quorum" means at least a majority of the minimum number required for a quorum. Since four members is the minimum required for a quorum of the Planning Commission, this means that at least three of the members present at a meeting would have to vote in favor of a motion for the motion to pass.

A second issue that came up concerned whether a Planning Commissioner who has participated in a hearing and heard the testimony and evidence, can abstain for voting on the application. The Attorney General's Manual, citing the case of Eastgate Theatre v. Board of County Commissioners, 37 Or App 745, 588 P2d 640 (1978), indicates that absent compelling circumstances, such as a financial conflict of interest problem, a board member should not abstain from voting. It would appear your advice to the Planning Commissioners that they cannot abstain if they have participated in the hearing, was correct. The Commissioners should be advised that potential grounds for abstention should be disclosed and discussed before testimony and evidence is taken at a hearing.

LETTERS TO THE EDITOR

Pick up after the dogs

to the editor:

First of all I would like to say how much I love the riverfront trail. I believe it was an excellent idea, well worth the money and is such an enjoyable place to walk. I do have to wonder about the existence of two things on the trail.

The new bathrooms at the Port. Why are they there? They are never open or unlocked. They look so clean and welcoming, from the outside. I have never been inside of them as they are never open, that I can tell. Are there hours of operation? Maybe someone can answer that one for me.

The other thing I wonder about are the dog poop bags. What a great idea. That's all it must have been, was an idea, because no one seems to use them.

As my wife and I walk down the beautiful trail, me with our 1-month old packed on my back and my wife with our 2-month old strapped to her front (limited forward view), the land mines are everywhere.

Do you know how tiring it is to have to stop every 1/4 mile or so and scrape dog dung off your shoes?

And since my grandma joined us in her senior assisted mobility device (aka, wheelchair) we also had to clean the four-legged fudge from her tires. There is so much dog defecation on the trail it is like skiing a slalom course.

I understand that the Neanderthals who allow the K9 crappers to lay waste on our trail probably do not read the paper, but maybe, just maybe, word of mouth will grab their ear.

Please, you can control where your dog goes to the latrine. You, dog owners, and the rest of us pay for those plastic dog picker upper bags.

Put that money to good use, pick up after your furry kids. Or do what I do to my kids, put diapers on them.

Jonathan Bigelow
The Dalles

Working as it should

To the editor:

The City of The Dalles Planning commission meeting on January 5th was a great example of people voicing their concerns to make positive difference and of systems that allows them the opportunity to do so.

The master plan for Columbia Gorge Community College's expansion was presented to the planning commission for approval.

This plan includes putting buildings, roads, parking lots and lights right up against their property line shared by a residential neighborhood. Planning commission members graciously and respectfully listened to comments and concerns of neighborhood residents opposed to the expansion being so close to their property and homes.

The commission members seemed genuinely concerned as they listened and then asked questions of residents. At the end of public comment and after deliberation among commission members, the commission approved the college's master plan with conditions that will allow the neighborhood's concerns regarding the eastern development to be addressed.

If concerned citizens wouldn't have been willing to voice their concerns and opposition, the planning commission probably would've approved the college's plan as presented and recommended by city staff.

I would like to thank the people who took the time to attend the meeting and those who spoke up. I would also like to thank the planning commission members for listening with open minds and allowing the public comment process to work smoothly and effectively.

College President Frank Toda spoke with several neighborhood residents after the meeting and expressed a willingness to work things out and apologized for not being aware of how the neighborhood might be affected and encouraged us to keep communicating with the college.

Dennis Whitehouse, Columbia Gorge Community College's facilities director also commented that the college would be getting in touch with residents to discuss concerns.

I would like to thank Frank Toda and Dennis Whitehouse for their empathy and community spirit.

It was very rewarding and refreshing for a meeting that could've been filled with anger, contention and harsh words to be carried out in a professional atmosphere of respect, compromise, friendship and community well being.

The Dalles is definitely feeling growing pains on many fronts, but if all development, expansion and growth decisions are handled the way this meeting was then The Dalles will grow happily and together.

Eric Nerdin
The Dalles

LETTERS TO THE EDITOR

The Dalles Chronicle welcomes letters. These should be signed, free from libel, and include the writer's telephone number (which will not be printed) and address for verification. Writers are limited to no more than one letter per month. Letters are limited to a maximum of 400 words. Longer letters will be edited to that length.

In cases where the writer has special knowledge or expertise concerning a specific issue, letters up to 800 words will be considered for The Chronicle's "My Turn" feature, which is printed on an as-needed basis on this page.

Letters advocating or opposing a particular course of action may also be considered for Guest Editorial status, again limited to 800 words.

Letters may be delivered to 315 Federal St., The Dalles, or mailed to P.O. Box 1910, The Dalles, OR 97058.

Bush is right on immigration reform

Bush should call in his radio talk-show supporters for a frank chat about immigration.

Limbaugh, Sean Hannity, Hugh Hewitt and Laura Ingraham are the leading Republican upholders of illegal immigration. They support Bush and say they ought to be

argument from an argument that happens to be correct — that the United States is doing to solve the problem of illegal immigration is a comprehensive plan.

what's in the offing is a stalemate — unless Bush can rally his party to do something sensible.

If it's not delayed by hearings on National Security Agency wiretaps on top of confirmation proceedings for Judge Samuel Alito, the Senate Judiciary Committee is supposed to take up immigration reform this month.

Chairman Arlen Specter, R-Pa., has drafted a comprehensive bill that includes beefed-up border con-

reporting for work permits in the first place.

A far better solution would be for the Senate to adopt "earned legalization" provisions of the bill sponsored by Sens. John McCain, R-Ariz., and Edward Kennedy, D-Mass., which would allow illegals and temporary workers to stay in the United States if they pay fines, back taxes, learn English and pass through a clearance procedure.

Immigration restrictionists denounce the McCain-Kennedy provision as

Hispanic Center, the number of illegal immigrants entering the United States has averaged from 480,000 to 660,000 and a total of 9 million have entered since 1990.

The National Immigration Forum, which advocates both stronger enforcement and earned legalization, estimates that the average cost of making an arrest at the border has increased from \$300 in 1992 to \$1,700 in 2002.

Talk-show hosts are right to argue that illegal immigration is out of control.

OPINION