

Minutes of  
**THE DALLES PLANNING COMMISSION**

March 2, 1995

The Dalles Public Library Meeting Room  
722 Court Street

**CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

**ROLL CALL**

The following Commissioners were present: Terry Turner, Chairman; Michael Maier; David Peters; Walter Hoffman; Ken Farner; and Marianne Barrett. Commissioner Thomas Quinn was absent.

The following staff members were present: Scott Keillor, Senior Planner; Gene Parker, City Attorney; Bill Barrier, Public Works Department; and Collese Dahlberg, Administrative Assistant.

Others present included: Elroy King, The Dalles Chronicle; Ruby Mason; Richard Morrow; Cliff Duffy; Bob Ulrich; Barbara Pashek; Chuck Kornegay; and M. VanValkenburgh.

**PUBLIC COMMENT** None

**MINUTES** February 2, 1995 - It was recommended that the last paragraph of page 3 be changed to reflect that David Peters responded to questions regarding bias or ex-parte' contact. Peters had responded that he had not had ex-parte' contact and would be able to hear the case objectively. Ken Farner moved to approve the minutes as changed. Peters seconded the motion and it passed unanimously.

**PUBLIC HEARING** Turner read the rules for a quasi-judicial public hearing.

Site Plan Review No. 201-95 of Duffy Construction Company to construct a 20 unit apartment complex, consisting of five 4-plex units with off street parking. Property is a 1.833 acre site located at 1312 West 10th Street in an "R-2" zone and described as 1N-13-4BB:5300.

Turner asked the Commission if anyone had ex-parte' contact, conflict, or bias to disclose. None of the Commissioners made a declaration and there were no challenges from the audience.

Keillor reviewed the staff report and shared photos of the subject property.

Farner questioned Keillor as to the accessibility of the front gate. He noted that it was 12' wide and wondered if it was expandable to 20'. He also expressed concern over the City's Bicycle Plan and how it would affect the access from 10th Street. Keillor explained that the gate is pulled back from the road as has been treated similarly to a clear vision triangle. Maier asked if cars can meet in opposite directions outside of the gate and still be off of 10th Street. Keillor said that there is an adequate queuing area between the gate and 10th Street. With no further questions from the Commission, Turner invited proponents to testify.

### **Proponents**

**VanValkenburgh, 204 E 4th, representing the property owners** - VanValkenburgh said that they had met with the surrounding property owners including the officials of the Catholic church. He said that the church supports the development and would be willing to put an artist's conception of the project on display.

He explained that the gate would open by means of an electronic device that would accept cards and a speaker system that would allow occupants to open the gate for guests. He added that the police and fire would have access through a code or the sound of their horn or siren.

**Cliff Duffy** - Duffy said that a 6' tall screened fence would be installed on three sides of the project and the front would be a combination of masonry and wrought iron. He said that the units would have heat pumps and vinyl siding. One of the units will be a handicap unit with all the others being built to easily transform to handicap units as needed. These units will be for citizens 60 years of age and older.

Duffy said if needed the front setback could be increased. Maier referred to the 15' setback as noted during the presentation of the staff report. He asked if it shouldn't be 20' per the Zoning Ordinance setback requirements for that zone. Keillor said that this had not yet been resolved and that Parker is currently looking into it.

Barrett asked Duffy to discuss the proposed landscaping and screening. He explained that the 6' tall cyclone fence would have vinyl slats and all sides of the property would have vegetation. Most of the landscaping would be on the inside of the fence. Keillor offered the plant list to the Commission. It was passed around the room.

Farner asked Duffy what his feelings were on moving the front setback further from the road. Duffy had allowed room in the back

of the property for gardens. Moving the setback could make the area that had been set aside too small for gardening.

### **Opponents**

**Barbara Pashek, 1332 West 10th** - Pashek explained that she was not opposed to the project, she simply had some concerns. She also noted that no one had contacted her about this project and her property was adjacent to the west.

She was concerned about the "compound" appearance created by the gate and fencing. She had spoken with Father Maag and she suggested that a gate be installed on the cemetery side of the project to connect with the Catholic church. Pashek's driveway is the only access between the cemetery and 10th Street and gets constant use because people think it's a road.

Another concern was that of fire and how everyone would get out of the fenced area. She wondered what would happen if someone tried to get the gate opened at night (would alarms go off?).

Pashek said that the shrubs shown on the plant list aren't tall; they are only 5 or 6 feet in height. She suggested that arborvitae or hogan cedar would look better.

### **Rebuttal**

**M. VanValkenburgh** - He said that he agreed with the church to put a gate in towards the church. He also agreed about the shrubs.

VanValkenburgh said that if someone were leaving through the gate, it would automatically open. If someone were coming in a card or phone call would be needed to open it. There is no alarm planned.

**Cliff Duffy** - The plans call for the shrubs to be planted inside the fence line.

The police will have the code to open the gate and the fire siren will cause the gate to open.

Maier asked Duffy if he'd be willing to work with anyone in the neighborhood to put in the right kinds of plants. Duffy said, "why not?"

**Turner closed the public testimony portion of the hearing.**

**Commission Deliberation** - Keillor said that the type of landscaping did not fall under any of the criteria. The Commission should make a finding of compatibility or non-compatibility.

Farner said that he would hate to see the back yard reduced to only 5 feet. Maier said that the average front setback is 20 feet.

Turner said that the Commission may be approaching a very narrow

focus and may have the effect of setting precedent. He believed that setting a precedent would be avoided as long as the discussions are kept general. Farner said a precedent would be set if the plan were approved inconsistent with the development standards; otherwise it should be a variance issue and that is not how this hearing was advertised.

There was discussion regarding the setbacks as required in the R-2 zone. Barrett read from section (D)(1)(b) of the ordinance. Keillor believed that the 4-plexes would be considered a neighborhood unit, therefore falling under the rule allowing a minimum 15 foot setback if all the units average to a 20 foot setback. Farner asked for clarification in that Keillor was "OK" with using the average setback of all of the units. Keillor said that he concluded that each building will be a separate and the setbacks can be averaged.

Maier asked if all of the parking spaces were standard and if they met the requirements of off street parking. Keillor said that the parking met the standards and each space is full sized. Although 25 percent could be compact, this option was not exercised.

Farner believed this to be a compatibility issue. He said that the streetscape has the appearance of a compound and is in opposition to the feel the Comprehensive Plan tries to create. With community needs and sensitivities in mind he would hate to see the City full of compounds, but he won't oppose the project.

Barrett thought that maybe the edges of the project could be softened. She said that slatted fences are not what the community wants. She suggested that maybe a condition regarding landscaping could be added.

Maier acknowledged the need for security.

Hoffman suggested that maybe adding some decor on the exterior would help.

Keillor said he believed he was hearing 2 different concerns. Hoffman believed there was a combination.

Maier suggested adding a condition that the builder work with the neighbors. Barrett asked if the applicant could be required to come back to staff with a landscape plan. Hoffman added that the revised plan should have tall landscaping on the exterior. Keillor said the staff could approve a revised landscape plan, but only if the Commission gave clear direction to staff for the approval criteria.

**Public Testimony Re-opened** - At the request of the audience and the concurrence of the Commission, Turner reopened the public testimony portion of the hearing.

VanValkenburgh - VanValkenburgh testified that the applicant will soften the landscaping by growing honeysuckle over the fence.

Turner closed the public testimony portion of the hearing.

Maier moved to approve Site Plan Review No. 201-95 based upon the findings of fact and with the conditions listed in the staff report. The motion was seconded and passed unanimously.

#### RESOLUTIONS

Resolution PC 314-95 denying Variance 86-94 of Vurel Cloninger to allow a duplex on a 5000 square foot lot where 7500 square feet are required. Hoffman moved to approve Resolution PC 314-95. Farner called for discussion, particularly Paragraph 3 which referred to denial based upon traffic congestion. Farner agreed that there was testimony against the project based on traffic problems, however, he did not recall that the traffic was a basis for denial.

Parker said that the resolution could be modified with a motion.

Hoffman withdrew his motion to approve. Hoffman moved to approve Resolution PC 314-95 as amended, eliminating paragraph 3 on page 3. Barrett seconded the motion. The motion passed with Peters abstaining.

Keillor explained that the resolution on the Duffy Construction project will be presented at the next meeting.

#### COMMISSION COMMENTS AND CONCERNS

Barrett asked Keillor when the sign ordinance would be revised. Keillor said that with the current workload, he believed he may be able to begin work on the sign ordinance and Bed & Breakfast ordinance provisions in the spring. But perhaps not, as building pressure is increasing for the season.

The Commission adjourned at 8:05 p.m.

submitted by Kay Sittler for SK  
Scott Keillor, Senior Planner

Terry Turner  
Terry Turner, Chair