

MINUTES OF THE DALLES PLANNING COMMISSION MEETING

May 4, 1995

Public Library Meeting Room, 722 Court Street

CALL TO ORDER

The regular meeting of the City of The Dalles Planning Commission was called to order by Vice Chairman Michael Maier at 7:00 p.m.

ROLL CALL

Present David Peters, Marianne Barrett, Tom Quinn, Michael Maier and Ken Farner.

Absent Terry Turner and Walter Hoffman

Staff Scott Keillor, Senior Planner
Kay Setters, Resource Assistant
Gene Parker, City Attorney

PUBLIC COMMENT Vice Chairman Maier opened the Planning Commission meeting asking for those wishing to speak on any subject not on the agenda. Hearing none Maier moved to the minutes of the April 20th meeting.

MINUTES

Peters moved to approve the minutes of the April 20th meeting as presented. Quinn seconded and the motion passed with Farner and Barrett abstaining.

PUBLIC HEARINGS - QUASI-JUDICIAL

Maier explained the rules and procedures for public hearings and asked those testifying to keep comments to the criteria for each application.

CONTINUATION OF VARIANCE 87-95 of Roy Grotz to construct a tri-plex on a 7,100 square foot lot where 7,500 square feet is required. Property is located between 1002 and 1010 East 7th Street. The subject property is presently vacant and zoned "R-3" Multiple Family Residential.

Maier asked if any Commissioner wished to declare ex-parte contact or conflict of interest.

Farner and Barrett felt since they were not part of the initial hearing for Variance 87-95 they should abstain from the hearing.

Parker said he did not feel that Barrett and Farner should participate in the continuation of the hearing if they did not listen to the tapes of the previous meeting. Barrett and Farner abstained from the proceedings.

Maier asked if anyone in the audience wished to challenge any of the Commissioners. Hearing none, Maier asked the staff to review the staff report.

Parker said there were two letters and a petition submitted to the record and said it would be up to the Commission to decide if the hearing would be reopened for public testimony or only Commission deliberation. The record indicates that the public testimony of the hearing was closed but the Commission can reopen that portion of the hearing.

Quinn moved to reopen the public testimony portion of the hearing for Variance 87-95. Peters seconded and the motion passed with Barrett and Farner abstaining.

Keillor gave a brief review of Variance 87-95. He said the hearing was continued at the request of a citizen because of the traffic congestion and pedestrian and vehicular safety concerns. Keillor said that staff had returned to the site and felt traffic in the alley and East 7th Street are a problem. He said the alley appears to be very narrow with steep grade changes. Keillor asked Bill Barrier of the Public Works Streets Department to comment.

Barrier said he felt that there should be 4 off street parking spaces in the rear of the tri-plex with alley access and 2 off street parking spaces on East 7th. Barrier said that traffic counts on 7th and the 4th Street Grade are low and did not feel the addition of a tri-plex would create additional traffic problems. He said the alley is narrow and steep but public works departments can maneuver trucks and graders on the street and alley.

Keillor said the original staff report and recommendation for approval with conditions would apply to the continuation of the hearing.

PROPONENTS:

Mavis Rogers 2601 East 15th

Rogers said the proposed lot is the only piece of property in the block with alley access. She said the applicant will do anything that is required to comply with the Commission's wishes.

OPPONENTS:

Mel Trapp 1003 East 8th

Trapp said the entrance to the alley is across his property and he

objects to the tri-plex because of the increased traffic in the alley.

Dan Bella 1017 East 7th

Bella said the proposed lot is sub-standard in size but his main concerns are the traffic problems at East 7th Street and G. He said the street is very narrow with poor visibility. He said most people have two cars and with guests the parking problems increase.

Albert Gosiak 5875 Hwy 30 West

Gosiak said he feels there is substandard access to the property and the addition of a tri-plex in the area would only increase traffic and danger on the street.

Helen Schultz, letter submitted to record as Exhibit "B"

Schultz letter was entered as part of the record in opposition to the Variance.

Richard Knight 1018 East 7th

Knight recommended that the Commission go to the proposed site to understand the problems that would be created with construction of a tri-plex in the area. Knight said a single family home would be more appropriate on the proposed site.

Letter of Opposition entered as Exhibit "A"

Petition of opposition signed by several neighbors was submitted to the record.

PROPONENT REBUTTAL:

Mavis Rogers

Rogers said she did not realize the petition had been submitted into the record. She said she felt a duplex at the same site would also affect the traffic in the alley. Rogers said there were other multiple dwelling units in the same block and did not feel this application should be deprived of the use of the land for a tri-plex.

Maier closed the public portion of the hearing.

Quinn said the community has a problem with infill projects and there is a need to create better use of the existing land. Quinn said he lives in the neighborhood of the project and is familiar with the site. He said traffic may be an impact on the area but infill is important and there is need for housing. Quinn said he was in favor of the project.

Peters said he did not understand how this variance request differed from the last variance which was denied.

Maier said he did not feel there was a hardship proven by the applicant. Maier said he has driven the alley in question and felt

there would be a safety issue with increased density and was opposed to the project. Maier said he did not feel the proposed tri-plex was compatible with the neighborhood.

Quinn said according to the Zoning Ordinance a 4-plex would be allowed on this lot requiring 7,000 square feet.

Keillor said the 4-plex could be allowed but would also require a site plan review. The criteria would need to be met for any project.

Parker said an unnecessary hardship needs to be shown as a primary concern.

Maier said he did not feel there was any hardship shown at all.

Quinn moved to approve Variance 87-95 based on finding of fact with conditions.

The motion died for a lack of a second.

After further discussion Maier moved to deny Variance 87-95. Peters seconded the motion.

Maier said he did not feel the proposed lot was adequate for a tri-plex. He said the tri-plex would not be in harmony with the neighborhood.

Peters said the applicants concerns seemed to be financial and this does not create a hardship. He said if it was proven the surrounding area housed other multiple dwellings possibly the request would qualify for approval.

Keillor said the commission may move to approve, deny or modify for a lesser variance.

Parker said the Commission need to make a decision or continue deliberation of the hearing. Parker said if the Commission could not make a decision the hearing would have to be continued.

Maier moved to reconsider the previous motion to deny Variance 87-95. Peters seconded and the motion passed.

SITE PLAN REVIEW 210-95 of Wes Pullen to use the proposed site for a sales lot for new and used manufactured homes. The proposed 1.78 acre parcel is located at 1320 & 1322 West Second Street. The building on the site is presently used as an automotive repair shop and will be removed. Property is located in a "CG" General Commercial zone.

Maier asked if any Commissioner wished to declare ex-parte contact, bias or conflict of interest. Hearing none, Maier asked if anyone in the audience wished to challenge any of the Commissioners. Hearing none, Maier asked for the staff report.

Keillor presented the staff report and passed photos of the site to the Commission. Keillor said a revised site plan had been submitted just prior to the Planning Commission meeting and the applicant would be handing the plan to the Commission. Keillor reviewed the comments from the City's Site Plan Review Team. Keillor said staff recommendation is for approval with conditions.

Maier asked for questions of staff.

Farner asked if the applicant would be required to pay system development charges.

Barrier said there would be a credit from the existing structure and the system development charges would depend on the number of units needed.

PROPONENTS:

Jim Harris 78889 Friend Road

Harris presented the revised site plan to the Planning Commission. Harris said the landscaping plans include large planters placed as a buffer and also located in the parking area at the end of each home.

Barrett asked for the dimensions of the planters.

Harris said each planter would be approximately 2 feet across and possibly larger.

Keillor asked if the access drives would be paved.

Harris said a large portion of the property is paved at this time and there will be additional paving for the access drives and to the office building.

Farner said he did not feel the site plan indicated the portions of the lot that would be pavement and did not include a drainage plan.

Barrier said the storm sewer drainage access would be on the opposite side of Highway 30. He said consideration could be given to having on-site catch basin drainage.

Keillor said the applicant will need to present a clear site plan with the drainage and parking indicated on the plan.

Barrett asked how wide the area along each side of the property designated for shrubs would be.

Harris said the planting strips would be approximately 3 feet wide with shrubs and bark chips.

Harris said the homes on the lot would be rearranged regularly as sales occur and new homes arrive. He asked what process would need to be taken to widen the driveway and curb cut.

Barrier said any curb cut would need to be approved with ODOT.

Maier suggested the possibility of placement of directional in and out signs on the lot.

Keillor said there seems to be several missing items that should be indicated on the site plan so there may need to continue the hearing for a revised site plan.

Harris asked that there not be a restriction, limiting only eight units on the lot at one time. He said each home may have two or more sections which would restrict the number of homes allowed on the sales lot at any one time. He said there would not be a need for additional service hookups in each structure. Harris said the sales lot will be kept neat and the site would be an addition to the West 2nd Street corridor.

Farner asked if the property would be fenced.

Harris said no fencing was planned but the sales lot would be landscaped on all sides of the property.

Farner asked how a neat appearance from the freeway side of the sales lot would be created.

Harris said there would be as much green landscaping as possible with artificial trees in some of the area.

Farner asked if there would be any outdoor storage.

Harris said no outdoor storage is proposed but if the need should arise there would be a screened area developed.

Farner asked what services would be needed on the site.

Harris said the only services proposed are in the office building which would be one of the mobile homes on the lot.

Wes Pullen 4109 Chenowith Road

Pullen said this will be a 1st class manufactured home sales lot. He said he felt a neat appearing lot was important for business. He said the purpose in using artificial trees is to have greenery

the year around. He said the artificial trees are not of a cheap quality. Pullen said it is important that the curb cut on the front of the lot be enlarged.

Barrier said that ODOT would need to be approached with the request for additional curb cut or a change in location of the cut. Barrier suggested that it may be a good idea to remove some of the small curb cuts and ask for one large center curb cut.

OPPONENTS: None

Maier closed the hearing to public testimony.

COMMISSION DELIBERATION:

Maier asked if the curb cut was an issue for the Planning Commission to consider.

Keillor said traffic circulation is a problem on West 2nd and the Commission could ask staff to review the revised site plan and work with ODOT for a solution. He said another solution would be to continue the hearing and request a revised site plan.

Barrett said she was not comfortable with the current site plan. She said drainage is a problem that needs to be addressed and the square footage of landscaping should be indicated on the site plan. Barrett said the site plan does not indicate any type of pedestrian protection.

Farner said he would like to see the project move forward but the site plan is not effective.

Keillor said the site plan is not adequate and the type of action was up to the Commission. Keillor said once the site plan is stamped with final approval the approved conditions would be monitored.

Farner asked Keillor if he felt that ODOT would reply rapidly with a decision for a curb cut. Farner said the project would enhance the area.

Peters said he did not feel the landscaping on the site plan would equal the indicated 3,000 square feet.

Keillor said the burden of proof is up to the applicant.

Farner moved to continue Site Plan Review 210-95 until the May 18th Planning Commission meeting at 7:00 PM at the Library meeting room, requiring a revised site plan. Barrett seconded and the motion passed unanimously.

CONDITIONAL USE PERMIT 89-95 of First Church of God for a 4,560 square foot addition with 2,200 square feet of covered atrium to the existing structure. Request includes a "CF" Community Facility Overlay to allow expansion of a church/school in a residential zone. Property is located at 2308 East 12th Street.

Maier asked if any Commissioner wished to declare ex-parte contact or conflict of interest. Hearing none, Maier asked if anyone in the audience wished to challenge any of the Commissioners. Hearing none, Maier asked for the staff report.

Keillor presented the staff report and discussed the comments from the City Site Plan Review Team. Keillor said the applicant requests approval to construct an addition to the existing church. The staff recommendation is for approval with conditions.

Maier asked for questions of staff.

Farner asked if the total square foot of landscaping included the atrium.

Keillor said it did not.

Farner said there appears to be some other type of use on the property that is not shown on the site plan. He asked if the area is being used for storage of vehicles.

PROPONENTS:

Bob Berry, Pastor

Berry said there is a need to add classrooms to the church and the atrium would be a place to meet and visit. He said the additional storage on the church property is a neighbor parking a recreational vehicle. Berry said the proposed additional parking lot will be dropped because of paving expense.

Farner asked if the area proposed for additional parking would remain as lawn. He also asked if the access to East 13th would be paved.

Berry explained the areas that would be landscaped. He said the proposed additional parking lot will be green space and used for a play area.

Farner said the site plan does not explain the storm drainage plans.

Berry said this is an existing site and the storm water drains into the street.

Farner asked if Berry he had reviewed all the conditions of approval and felt each condition could be met.

Berry said Condition #5 mentions curb cuts which may not relate to the project. He said the curb cut is in place on 13th Street.

Keillor said a two way drive may be required for proper traffic flow.

OPPONENTS:

Betty Hartung 2312 East 13th

Hartung asked why the additional space in the church was needed? She said there never seems to be a large crowd at the church.

Keillor said he did not know the size of the congregation but the use will need to comply with the "harmony of the neighborhood" criterion.

Bruce Laviter 2300 East 13th

Laviter said his concerns were with the traffic flow and the number of days each week the facility would be used.

Ione Hulen 2222 East 13th

Hulen said there appears to be people living at the church and this should not be allowed. She said there are trailers and etc. parked at the site and asked if the church was to be used as a housing facility.

Letha Wink 2225 East 13th

Wink said the fence on the west end of the church property belongs to them. She said they plan to put a chain link fence in place of the wooden fence on the site now. Wink said she was concerned with the size of congregation and the type of use for the church.

Jerry Gage 2318 East 13th

Gage said he agrees with the comments made by the opponents and also wonders why the additional space is needed.

PROPONENT REBUTTAL

Pastor Berry said the present church facility was build in 1957 and has since been used for church services and christian teaching. He said the addition will be used for classrooms and upgrade of handicap facilities.

Farner said the concerns of the neighbors seems to be the type of use. He asked if there would be church services and education and how many days a week.

Berry said the use will remain the same.

Parker said the use of the building is not relevant to the public hearing.

Farner said there was reference to campers being parked behind the church. He asked if the campers are being lived in or just stored on site.

Berry said the campers are only stored on the site and could be moved if necessary.

Maier closed the hearing to public testimony.

COMMISSION DELIBERATION

Keillor said all the required conditions should be considered. He said just because the church is a grandfathered use does not mean the applicant automatically complies with the conditional use requirements.

Barrett moved to continue deliberation of CUP 89-95 of First Church of God to the May 18th meeting held at the Public Library. She said a revised site plan should be presented at that time. Peters seconded the motion.

Farner said the questions of landscaping and a revised site plan could be approved by staff.

Barrett said the Commission needs to be consistent with accuracy of a site plan.

Quinn said this is not an appropriate time to start refusal of a site plan.

Farner said the site plan needs to clarify issues and meet criteria for a final decision.

Barrett said she did not feel an applicant should be required to hire a professional architect.

Maier called for the vote for the motion on the floor calling for continuation of the hearing. Quinn, Farner and Maier opposed with Barrett and Peters in favor. The motion failed.

Quinn said this is a good faith effort on the site plan and felt there was adequate information to make a comfortable decision.

Farner said the use may be an issue and residential living quarters in the church or in campers in the parking lot may be a enforcement issue but on the basis of the site plan he felt the findings of fact were valid.

Farner moved to approve CUP 89-95 based on finding of fact with conditions. Quinn seconded the motion.

Maier asked if trailers could be stored on site and should a amendment or condition be added indicating storage of vehicles in the parking lot would not be allowed.

Keillor said living in a parked unit is an enforcement issue.

Barrett asked if a condition could be added that no outdoor storage is allowed.

Farner amended the motion to include Condition #7 that "No outdoor storage will be allowed". Quinn seconded and the motion passed unanimously.

RESOLUTIONS SUBJECT TO PLANNING COMMISSION APPROVAL

Peters moved to adopt Resolution PC 326-95 approving Conditional Use Permit 89-95 of First Church of God to build a 4,560 square addition and parking lot expansion at 2308 East 12th Street. Farner seconded and the motion passed unanimously.

DISCUSSION

Keillor asked the Commission to review and approve the final plat for Columbia Gorge Villa #10-95. Keillor said the conditions of approval were approved with the tentative approval on April 20th.


Peters moved to grant final approval to Columbia Gorge Villa PUD 10-95. Quinn seconded and the motion passed unanimously.

COMMISSION COMMENTS

The Commission felt that Bill Barrier of Public Works should sit with staff at the front of the room.

Keillor said he agreed that all staff that participate in the meeting should sit at the front table and that the seating arrangements for the entire meeting needed to be considered for a more professional appearance.

ADJOURNMENT The meeting was adjourned at 10:00 PM.

 Scott Keillor, Secretary

 Terry Turner, Chairman

Amendments to minutes for April 6

page 4, 3rd P

Famer stated that the information packet provided by Bob Ulrich contained a petition he had earlier signed supporting the extension of Mt Hood street and that he, Famer, was disappointed by both the proposed subdivision and Safety site Plan ..., at which time the City Attorney inter-upted disallowing any further disclosure.

page 6,

Famer testimony last line, strike "the farm traffic problem" and replace with "adequately ^{to solve} W6th bypass"

page

COLUMBIA RIVER BANK



WHERE OPPORTUNITIES GROW

Tuesday May 16

Kay, Scott, Gene, whomever:

Here are the amendments I'd like considered for the April 6 Planning Commission minutes

Ken Famer

"Does not Complement days of the trail to"

Amendments to minutes for April 6

page 4, 3rd P

Farmer stated that the information packet provided by Bob Ulrich contained a petition he had earlier signed supporting the extension of Mt Hood street and that he, Farmer, was disappointed by both the proposed subdivision and Safeway site Plan ..., at which time the City Attorney interrupted disallowing any further disclosure.

page 6,

Farmer testimony last line, strike ^{"solve} "the farm traffic problem" and replace with "adequately implement the earlier adopted 'W6th bypass plan'".

page 10

Farmer testimony add; "does not complement the trail nor take advantage of the trail to enhance the development"