

# MINUTES OF THE PLANNING COMMISSION MEETING

May 28<sup>th</sup> , 1998

City Hall Council Chambers  
313 Court Street  
The Dalles, OR 97058

## CALL TO ORDER:

The special meeting of the City of The Dalles Planning Commission was called to order by Vice-Chairperson Walter Hoffman at 6:30 P.M.

## ROLL CALL:

Present: Walter Hoffman, Jerry Wilson, David Peters, Bruce Lavier, and Jim Coggins.

Absent: Thomas Quinn, and Marianne Barrett.

Staff: Sandi Mendonca, City Engineer  
Bob Paul, Associate Planner  
Dan Durow, Economic Development Director  
Gene Parker, City Attorney  
Dawn Marie Hert, Administrative Secretary

PUBLIC COMMENT: No public comment was given.

## MINUTES:

Hoffman addressed the minutes of the May 7<sup>th</sup> , 1998 meeting, and asked if any comments or corrections needed to be made.

Hoffman said that on page 8, the word "descent" needed to be changed to "decent".

Peters moved to approve the minutes of May 7<sup>th</sup>, 1998, as amended. Wilson seconded, and the motion passed unanimously; Quinn and Barrett absent.

## PUBLIC HEARING- QUASI-JUDICIAL

Site Plan review 256-98 of David & Charlotte Link. Hoffman read the rules for a Quasi-Judicial hearing and asked if any Commissioner wished to declare bias, conflict of interest, or ex-parte contact.

Hearing none, Hoffman asked for the staff report.

Bob Paul, Associate Planner, summarized the staff report.

Site Plan Review 256-98 of David & Charlotte Link. The property is described as 1N 13E 4AB tax lots 3500, & 3600. Property is zoned CG - General Commercial.

The Comprehensive Plan designation is C -"Commercial", the existing land use is vacant. Paul explained that basically the location is at the East end of West 8<sup>th</sup> Place, next to Sparkle Car Wash.

Property owners were notified, and the public hearing notice was published.

Paul explained that the zoning requirements meet and/or exceed the requirements by this application.

This application proposal is a principal permitted use in this district.

Paul explained that he put together a detailed chart that showed development standards that needed to be met, but it had one slight error. The error was in "(E) Off-Street Parking" the "4 spaces @ 1319 square feet" should be in the "required" slot. The actual proposed spaces should read "9 spaces", so this does exceed the requirement. Every other development standard requirement is met.

Paul said that a concern that he had was the parking lot layout. Because it is a specialty business, the customers are to remain in the cars as the service is being performed. Ideally the parking will not be used for the customers. Paul was concerned that during "peak" periods, that some sort of directional guidance be given to guide customers to the North side of the building.

Paul did not make this a condition of approval, it was a staff concern.

The only outdoor storage that is proposed is a garbage dumpster, which will be fenced with screening.

Paul explained that unused property on the Mill Creek slope, would not require any special landscaping. The only concern is for any accumulation of trash.

Paul said that during the Site Team meeting the Fire Department did not voice any concerns regarding fire hazards. Additionally, no foodstuffs that will attract or aid in the propagation of insects or rodents are proposed for this development.

Paul explained the Site Plan Review Criteria. Finding B-1 all zoning requirements have been met in this application.

Finding B-2 regarding how elements of the site plan are arranged. Traffic congestion is avoided, there is ample room to stack the vehicles, and pedestrian traffic is minimal.

Paul said that the only significant feature that is identified is Mill Creek. As no development is proposed adjacent to this zone, no negative effects are anticipated.

Proposed lighting is arranged to direct lighting from existing properties. And signage will require a separate review by the Planning Department.

In conclusion, Paul explained that this proposal is consistent with Economic Development Goal #9, of the Comprehensive Plan, it also complies with the design and development standards of the "CG" General Commercial District.

The proposal complies with the Site Plan Review criteria in Section 29 of the zoning ordinance, and finally complies with Fire and Public Works Department requirements.

Paul read the recommended conditions that are stated in the Staff Report that is available in the Planning Department.

Hoffman asked the Commissioners if they had any questions for Staff.

Paul asked if he could add one additional item. He asked that for the oil/water separator that is on the submitted plan, the City Engineer would like to have time to review and approve the sizing of the unit.

Mendonca said that she has not had the opportunity to review the plan for the O/W separator.

**PROPONENT:**

Dan Meader, of Tenneson Engineering at 409 Lincoln. Meader was asked by the Link's to represent them. Essentially, they agreed with the staff report and appreciated all of the help that the Planning Department staff gave them.

Meader said that they would like to see that the #2 condition be changed from 15' to 10' easement. Currently in the Ordinance, 10' is what is required. Meader had asked that this alteration be made to the conditions, so that they could continue on with their construction process.

Hoffman asked Meader to show the easement on the plot plan.

Meader said that the easement was on the existing plot of this addition, and was not on this drawing.

Warren Thornton Jr., retired Planning Consultant, 1307 East 11<sup>th</sup> Street. Thornton said that they were unable to find the map of the Stadelman's Second Addition, that he personally had done in 1962. At that time the existing storm line was across lot #3, and when they found that lot they found an existing easement of 10'. Thornton explained that if the City required another 2 ½ foot on each side of the existing easement, they could make another easement. But he stated that there was an existing easement for the storm sewer.

Hoffman said that he was still having a difficult time seeing the easement that was in question.

Thornton said that the plot plan that he had was an old one.

Thornton showed the Commission the new plan, and explained where the easement was located.

Bob Ulrich, 1504 West 12<sup>th</sup> Street, had questions regarding the Mill Creek Greenway. He asked if the property went down to the Creek, and if it was necessary to have an easement on it.

Peters and Hoffman said that it comes close to the Creek.

Lavier invited Ulrich up to look at the plans.

Paul said that the Greenway will not run on the property, but you will be able to see the property from the Greenway, no easements are required.

Wilson asked if there was a particular reason why the City was requesting a 15' easement, rather than a 10' one.

Mendonca said that at the time of the Site Team Review they were unaware of an existing easement. Currently there is a 15' easement requirement and existing requirement is 10'. Mendonca said that the existing easement would be fine.

Lavier asked if the Commission could remove Condition #2.

Mendonca said certainly.

**OPPONENT:** None.

Hoffman closed the public hearing portion of the meeting.

Hoffman asked how the Commission felt about the conditions.

Hoffman asked Lavier what he would like to have removed.

Lavier answered condition #2.

Peters moved to approve Site Plan Review 256-98 as amended, by eliminating condition #2, based on the findings of fact. Lavier seconded, and the motion was carried unanimously; Quinn and Barrett absent.

**RESOLUTION SUBJECT TO COMMISSION APPROVAL:**

Resolution No. 398-98 approving Site Plan Review 256-98 of David & Charlotte Link approving Site Plan Review 256-98 to site and construct a new automobile oil change building (Oil Can Henry). Property is located at the East end of West 8<sup>th</sup> Place.

Peters moved for approval of Resolution # 397-98 as amended, by eliminating condition #2, based on findings in fact. Lavier seconded, and the motion was carried unanimously; Quinn and Barrett absent.

**LEGISLATIVE PUBLIC HEARING:**

Columbia Gateway Urban Renewal Agency's 4<sup>th</sup> Amendment to consider an Urban Renewal Plan amendment establishing a maximum indebtedness amount, as being consistent with the City's Comprehensive Land Use Plan.

Durow explained that the Urban Renewal Plan amendment is a result of Ballot Measure 50 and it's implementing legislation.

The Urban Renewal Agency has 2 major items to accomplish, the first was the choice of option of tax increment. The second was the accomplishment of a plan amendment.

Durow explained that the URA worked with a consultant to help figure the maximum indebtedness figure. Durow said that once the UR project ends, the maximum indebtedness should be met on or before the completion of the program.

Durow said that the findings are straight forward in the Staff Report.

This amendment in no way affects the projects that are in the plan, or any of the policies that are associated with it, or how this plan relates to the Comprehensive Plan.

Durow asked the Commission if they had any questions regarding this request, or the URA.

Hoffman asked Durow to explain to the Commission what Urban Renewal is and how it is financed.

Durow explained that essentially the UR is a special district plan that was adopted by Ordinance by the City Council. The plan identified that there were blighted areas within the boundary. Essentially UR is a long term investment strategy for the community that removes blight, improves buildings, properties, and infrastructure. This results in increased property values and creates investment opportunities.

Durow said that when the plan was adopted in 1990, all of the property values within that boundary were calculated, approximately \$40 million dollars. This was determined to be the frozen value. The increment value is the value that is available to the Agency when the calculations are made to determine how much of the taxes are left.

The overlapping taxing districts, which include, the Port, City, County, Fire, and Parks & Recreation. These all share part of the value from that area, and each one has their own tax rate.

Durow explained that those tax rates and multiplied by an increment value, which then equals a dollar amount. From each overlapping taxing district, essentially there is an assessment on their taxation that goes to the URA.

Durow explained that because if Ballot Measure 5 & 50, there are limitations on what tax payers pay.

In The Dalles, there is approximately 1.3 to 1.4 million dollars that is available to the URA. When limitations are filed, about half of that amount comes from what is called a division of taxes (about 700,000).

The Agency must collect a division of taxes, and has the option to collect the special Levy. Special Levy applies only to taxpayers within the City limits. The Agency has decided to collect only the division of taxes.

The monies collected are used to purchase bonds, so that the projects can begin more quickly.

Durow explained that the plan contains a number of projects. Approximately 2/3rds are infrastructure projects such as water, sewer, streets, and storm sewer. The remaining one third are used for opportunities such as the Civic Auditorium, and the Commodore Apartments.

Durow finished by explaining that UR is an investment strategy or plan to eliminate blight and increase property value.

Hoffman thanked Durow for his explanation.

Wilson said that he had a couple of concerns about Urban Renewal being implemented by vote of City Council and not by a vote of the people. Wilson felt that it was quite a substantial tax bill that was placed on the tax payer.

Wilson said that his other concern was the size of Urban Renewal, having a large number of needs that are not currently being addressed by the URA. He felt that collecting the taxes was precluding the tax payer from having a say on where the money needs to be spent.

Wilson explained that by implementing bonds and spending the money right away it would freeze the tax payers into projects that would have to be paid for, whether or not they "panned out".

Wilson suggested that the Agency work their projects on an incremental basis, rather than borrowing large sums of money and paying interest on it. He felt that it didn't make sense choosing this route to avoid 2% inflation.

Wilson finished by giving other examples of ways that the Agency could use the monies.

Durow explained that the Agency was created lawfully. It was a Constitutional Amendment that was voted on by the tax payers.

Wilson said that he understands that.

Durow said that Wilson's concerns would be more appropriate in other forums. As for what is being asked of the Commission tonight is how this request relates to the Comprehensive Plan.

Durow explained that what was being changed were numbers, not policies or plans.

Wilson thought that maybe it would be a better time to address the maximum indebtedness figure by waiting until the projects were evaluated.

Durow explained that this process needed to be complete by June 30<sup>th</sup>, 1998. If not completed, essentially there will be no program.

Hoffman asked for a clarification on what Durow was asking the Commission to do.

Durow said that he wanted the Commission to pass Resolution # 397-98, as a recommendation to City Council on the fourth amendment to the Columbia Gateway/Downtown Urban Renewal Plan.

Hoffman said the Resolution appeared to speak with the conformance of the Comprehensive Plan.

Wilson asked what the total cost to the tax payers over the life of the bond.

Durow said that he did not have that number at that time.

Peters asked if this could still be done without any bonds, or was this just to set a limit on what could be collected.

Durow said that this amendment would determine the size of the bond, and limits what could be collected.

Wilson was concerned that this maximum indebtedness amount was appropriate.

Gene Parker addressed the Commission regarding the decision that needed to be made. Parker said that it is not the Commission's prerogative to decide whether that limit was appropriate. The Commission's role is to decide if this proposal was consistent with the Comprehensive Land Use Plan. The amount was for the URA to make decisions.

Parker suggested that the Commission focus on the proposal being consistent with the Comprehensive Plan.

Lavier said that he felt nervous in making a decision. He felt that he did not have enough information to base an opinion on.

Durow explained that the Commission was not making any changes in decisions that have already been made. Basically a limit was being set.

Parker again stated that the Commission needs to decide if the proposal is consistent with the Comprehensive Plan.

Lavier said that made better sense.

Parker explained that only reason that the Commission was seeing this amendment was because the amendment had to be adopted in the same manner that the plan was adopted.

Hoffman asked why the amendment was necessary.

Durow said it was necessary in order to comply with Ballot Measure 50.

Hoffman asked if the original plan was done without an amendment.

Durow said that the Legislation requires all legislation to have a maximum indebtedness figure. This is so that there is some finite point to the plan, once that indebtedness has been reached that becomes it.

Peters stated that our adopted Plan did not have a maximum indebtedness figure.

Hoffman asked if the Commission had adopted a plan that did not have a maximum indebtedness figure.

Durow said that the only limit that was adopted was in numbers of years.

Lavier said that basically the Commission is approving the Resolution by saying that it does not violate the Comprehensive Plan.

Parker said that was correct.

Lavier said that he could go along with that.

Wilson said that he had not looked at the Resolution in that way, so he was unsure of an answer.

Hoffman asked the Commission how they felt about it.

Peters and Coggins said that they were both comfortable with the Resolution.

Wilson said that he still was not.

Lavier asked that maybe rewording the section on page two "recommending adoption of the proposed plan..."

Parker said that the could propose to remove that section, and just indicate that the proposed amendment is consistent with the Comprehensive Plan. Parker said they could leave out the reference to approval and adoption, because ultimately it is the City Councils decision.

Coggins summarized that the basic idea of the Urban Renewal Agency was decided in 1990. At that time it was decided that the UR plan was consistent with the Comprehensive Plan. Basically, that part has already

been decided, and the Commission is deciding on an Amendment. We (the Commission) are not deciding on the body of the Urban Renewal Plan, we're deciding on the Amendment. The law requires that we place a limit on the amount of spending, we are not talking about whether we agree with the UR plan in it's entirety, we're saying that the law requires that we cap it.

Coggins said that he has no problem in agreeing with that. He said that he was sure that there were concerns among a number of citizens on the UR plan, but that is not really the decision that needed to be made here. That decision has already been made. It's a matter of the Commissioners feeling comfortable with the wording in the Amendment regarding the cap.

Wilson commented on "Goal #5" not stating anything about the Columbia Gateway Urban Renewal Plan.

Parker apologized for the typographical error and said that the Resolution should read "Goal #9".

Peters summarized what was asked of the Commissioners.

Durow said that Peters was correct.

Lavier asked that Section 2 of the Resolution needed to state that.

Parker said that it could be reworded to read that "the fourth amendment is consistent with the Comprehensive Plan".

Hoffman asked if that would satisfy Durow.

Durow said that would be okay.

Peters said that sounded fine.

Wilson said that he is not in agreement with the Resolution, he did not feel that they were on point with what was in the Comprehensive Plan.

**RESOLUTION SUBJECT TO COMMISSION APPROVAL:**

Resolution No. 397-98 recommending adoption of the proposed Fourth Amendment to the Columbia Gateway/Downtown Urban Renewal Plan.

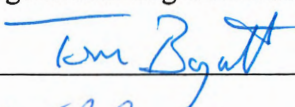
Peters moved for approval of Resolution # 397-98, as amended with changes in the Fourth Amendment, based on the findings in fact. Coggins seconded, and the motion passed; Hoffman, Coggins, Peters, and Lavier, voting ayes. Wilson opposing, Quinn and Barrett absent.

**COMMISSION COMMENTS AND CONCERNS:**

No comments or concerns were voiced.

**ADJOURNMENT**

The regular Planning Commission meeting was adjourned at 7:45 P.M.

  
\_\_\_\_ Tom Boyatt - Acting Planning Director

  
\_\_\_\_ Walter Hoffman-Planning Commission Vice-Chair