



CITY OF THE DALLES PLANNING COMMISSION MINUTES

THURSDAY, OCTOBER 19, 2000

CITY HALL COUNCIL CHAMBERS

313 COURT STREET

THE DALLES, OREGON 97058

Conducted in a handicap accessible room

CALL TO ORDER

The meeting was called to order at 6:43 p.m. by Vice Chair Bruce Lavier.

ROLL CALL

Vice Chair Lavier conducted the roll call, citing the following:

Members present: Bruce Lavier, Chris Zukin, Jean Thomas, Mark Poppoff

Members absent: Anita Payne, Eric Nerdin

Staff members present: Bob Paul, Senior Planner; Pat Carter, Administrative Secretary

APPROVAL OF THE AGENDA

Poppoff moved to approve the agenda as presented. Zukin seconded. The motion carried unanimously; Payne and Nerdin absent.

APPROVAL OF THE MINUTES

Thomas moved to approve the minutes of the September 21st, 2000, meeting as presented. Zukin seconded. The motion carried unanimously; Hoffman, Payne and Nerdin absent.

STAFF COMMENTS

Senior Planner Bob Paul announced the official resignation of Walter Hoffman from the Planning Commission. He said that Mr. Hoffman had chaired the committee for more than 10 years. To honor his time given to the community, Paul suggested an appropriate gift be given to him. He asked the Commission to think of possible gifts and bring their recommendations to the next meeting.

PUBLIC HEARING

Evidentiary Hearing for LUDO Amendments - The Commission continued the hearing for LUDO amendments. Paul explained that he would like to go through the proposed changes and eliminate sections the Commission felt content with, getting to items that needed to be addressed.

Lavier felt that the Commission should go through the changes item-by-item since so many of the

Commission members were new to the process.

Lavier then opened up the public hearing, stating it was a legislative meeting so no rules needed to be read.

Paul have a brief history of the LUDO for the benefit of new members, along with the purpose of the Planning Commission. Discussion was held on the listed items, ending on page 4, item *A. Public Safety, from page 6-40*. The review will continue from that point at the next meeting.

COMMISSION COMMENTS AND CONCERNS

None.


NEXT PLANNING COMMISSION MEETING

The next meeting is scheduled for November 2, 2000.

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Submitted by Pat Carter, Administrative Secretary



Bruce Lavier, Vice Chair

City of The Dalles

STAFF REPORT

Conditional Use Permit No. 118-00

Fort Dalles Coffee Company

Prepared by: Bob Paul, Senior Planner

Procedure Type: Quasi-Judicial

Hearing Date: December 21, 2000

Assessor's Map: Township 1 North, Range 13 East, Map 3BB

Tax Lot: 3800

Address: 221 West 4th Street

Location: Northeast corner of 4th and Lincoln Streets.

Comprehensive Plan Designation: "C" Commercial

Zoning District: "CBC" Central Business Commercial District

SYNOPSIS: This property has had several land use actions previously. Initially, two houses stood on one land parcel. The home adjacent to only Lincoln Street received an approval to allow a beauty salon through site plan review 131-92. Site plan review 150-92 permitted the ground floor of the corner home to convert to a novelty retail use. Additionally, site plan review 159-93 allowed use of the La Crema coffee shop as a replacement to the novelty shop.

This approval of La Crema coffee shop included off-street parking located between the two homes (structures). The coffee shop was not in operation when a minor partition allowed these two homes (structures) to be divided into separate land parcels; the property division removed off-street parking for this subject property.

Currently, Maxine Cobb is requesting a conditional use permit to allow a coffee shop on the ground floor. This

use is allowed in this zone. However, the off-street parking requirements cannot physically be met.

Our ordinance allows for reductions to the parking requirements through the conditional use process. Most of the guidelines addressing building height, setbacks, landscape and the like are not applicable as this structure is existing and no external modifications are proposed.

Additionally, please note that this structure is within the Trevitt's Addition National Historic District and any future external modifications and/or signage is required to be reviewed by The Dalles Historic Landmark Commission.

NOTIFICATION: Property owners within 100 feet, City Departments, Franchise Utilities, Mid-Columbia Fire and Rescue, Wasco County Health Department, and State Building Codes.

COMMENTS RECEIVED:

Property Owner Comments:

- As this is a quasi-judicial review, no formal deadline exists for comments to be included within the body of this report. No written comments were received at the date of this staff report.

Site Team Comments:

- As this is an existing structure and the request is limited to land use ordinance requirements for parking only, site team was conducted informally with formal notice of the hearing to affected agencies. No concern was expressed for this request at the date of this staff report.

RECOMMENDATION: Approval, with conditions, based on the following findings of fact.

A. LAND USE AND DEVELOPMENT ORDINANCE 98-1222:

Section 3.010.040, Applications:

Subsection B. Completeness.

FINDING A-1: This application was found complete on December 5, 2000. The 120-day State mandated decision deadline is April 4, 2001.

Section 3.020.050, Quasi-Judicial Actions:

Subsection A. Decision Types, 3. Conditional Use Permits:

FINDING A-2: This application is for a Conditional Use Permit per Section 7.020.040 *Allowed Motor Vehicle Parking*

Reductions, Waivers and Exemptions, Subsection C2. The decision criteria listed in this ordinance section is addressed in the body of this staff report.

Subsection B. Staff Report. The Director shall prepare and sign a staff report for each quasi-judicial action, which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval, approval with conditions, or denial.

FINDING A-3: This staff report will detail criteria and standards relevant to a decision, all facts will be stated, and explanations given. This will be detailed through a series of findings directly related to relevant sections and subsections of the ordinance as they relate to this singular request.

Subsection C. Public Hearings.

FINDING A-4: The public hearing is scheduled for December 21, 2000.

Subsection D. Notice of Hearing.

FINDING A-5: Appropriate mailings to property owners within 100 feet and notice to affected departments and agencies have been completed.

Section 3.050.030 Review Procedures:

Subsection A. Applications. Conditional use permit applications shall be accompanied by at least 15 copies of the concept site plan..

FINDING A-6: The required plans have been submitted.

Section 3.050.040 Review Criteria:

Subsection A. Permitted Conditional Use. The proposed use is conditionally permitted in the zone district where it is proposed to be located.

FINDING A-7: This use is permitted outright in the Central Business Commercial District. A conditional use application is required to discuss reduction in required off-street parking.

Subsection B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located.

FINDING A-8: This is an existing structure with no exterior modifications planned. The scope of this review is limited to off street parking requirements and

conditional use impact standards as no structural modification is included in this request.

Subsection C. Impact. The location, size, design, and operating characteristics of the proposed use shall be made reasonably compatible with, and have minimal adverse impacts on, the legal development of abutting properties and the surrounding neighborhood, with consideration given to:

1. *Harmony of scale, bulk, building coverage, and density.*

FINDING A-9: No structural changes proposed affecting scale, bulk or building coverage. Use is permitted outright in this zoning district, therefore there is no density issue. The existing structure is included in the Trevitt's Additional National Historic District and specific aesthetic guidelines apply. The Dalles Historic Landmark Commission reviews these applications through a process for any exterior modifications including signage.

2. *The availability of public facilities and utilities*

FINDING A-10: This site includes an existing use, public facilities exist to serve this site.

3. *Any harmful effects on desirable neighborhood characteristics and livability.*

FINDING A-11: Although most structures are of a residential nature, this is a commercial district with encouraged and permitted commercial uses. Commercial uses will tend to occur through conversion of ground floor residences or entire residential structures to allowed business uses. Tenneson Engineering is located directly across Lincoln Street; this is an example of an entire structure converted from a residence to business use.

The total number of required off-street parking spaces for this use is three spaces. It is not possible for this use to provide the off street spaces due to the existing structure. Additionally, if this ground floor unit were to be utilized for a residential unit it would be required to provide two off-street parking spaces. Again, these spaces do not exist. Therefore, allowing this use to occupy this structure would result in a net loss of one additional required off-street parking space. This one space is not anticipated to result in any negative impact to desirable neighborhood characteristics.

4th Street is an arterial road with a higher volume of use as this road leads to the historic 6th Street Bridge crossing of Mill Creek. The location of this structure is conducive to walking traffic from nearby residential districts and local merchants. Additionally, it should be noted that this structure is on the route for the historic walking tour of the City of The Dalles. It is anticipated that this use will serve a local population and provide far greater benefit to the neighborhood than harm.

4. Traffic generation and the capacity and safety of surrounding streets and alleys.

FINDING A-12: 4th Street is an arterial road with additional capacity. This use is not expected to generate significant volumes of motorized vehicular traffic, as it provides no drive-through service and is limited in seating and size. Sidewalks exist to accommodate foot traffic and an accessible ramp will allow this coffee shop to be used by persons with accessibility requirements.

5. Bicycle and pedestrian circulation, access and safety.

FINDING A-13: Existing sidewalks accommodate foot traffic and bicycle traffic is already concurrent on the rights-of-way.

6. Any other impacts of the development deemed relevant by the Commission.

FINDING A-14: Section 3.050.050 details conditions the Commission may deem necessary to satisfy the review criteria. This staff report has considered these conditions with the review of this application.

D. Nuisance. The use shall not generate off-site nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

FINDING A-15: This proposal does not indicate that many of these nuisances need to be reviewed in depth for mitigation purposes. The City always retains the right to enforce nuisances as the need arises. However, there is the possibility of vector/odor control associated with the presence of perishable and non-perishable foodstuffs. Specifically, trash receptacles should be sized to fully accommodate the needs of the business. Appropriate screening from the public right-of-way and adjacent neighbors and containment of trash receptacles should be required as a condition of approval. Additionally, failure

to maintain trash in an approved receptacle should be grounds for revocation of this conditional use permit.

Additionally, no outdoor storage of materials supplies related to this enterprise should be allowed.

Section 7.020.040 Allowed Motor Vehicle Parking Reductions, Waivers, and Exemptions

Subsection C. Reductions for Existing Uses. Number 2. Where pre-existing development is unable to accommodate off-street parking that is required by a proposed use change and/or an addition or modification to existing building(s), the applicant may request a conditional use approval for a parking reduction providing each of the following conditions is met.

- a) *The enlargement, modification or use change does not displace any existing off-street parking.*
- b) *The proposal is not for an existing non-conforming use.*
- c) *The applicant can demonstrate that an opportunity for shared or joint parking, as specified in the Chapter, is not reasonably available.*

FINDING A-16: No off-street parking spaces are being eliminated by this proposal. The use is an outright allowed use in this district. Shared parking opportunities do not exist as there are no suitable parking lots within a reasonable distance from this location.

B. Comprehensive Plan (June 1994):

Goal #9 To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING B-1: This plan goal established numerous goals to achieve to further business creation and expansion to expand both the economic and tax base of our community. This proposal is a residential service business. This will provide income to a The Dalles resident while providing a service to the local community.

Furthermore, it is anticipated that during summer months outdoor seating will be provided which will enhance the visual appearance of our downtown district. This type of living activity serves to strengthen community linkages and promote continued investment in the community.

This proposal is encouraged by our comprehensive plan.

C. If approved, recommended conditions of approval:

1. Signs will be applied for under a separate permit and should be of an historic nature.
2. ADA access must be maintained to the public right of way.
3. All supplies, materials, and storage of any kind must be contained within the existing structure.
4. Trash receptacles should be sized to fully accommodate the needs of the business. Appropriate screening from the public right-of-way and adjacent neighbors and containment of trash in receptacles ~~should be~~ required as a condition of approval. ^{with LP}



December 5, 2000

NOTICE OF DEVELOPMENT REVIEW

PLAIN ENGLISH: Maxine Cobb would like to open an espresso/specialty coffee house that also sells assorted pastries. This structure is already built and cannot meet off street parking requirements for this type of use. This application is to waive these required parking spaces; staff supports this application.

LEGAL NOTICE REQUIREMENT: This application is to waive off street parking requirements for an espresso/specialty coffee house in an existing structure located at 221 West 4th Street, The Dalles, Oregon, 97058.

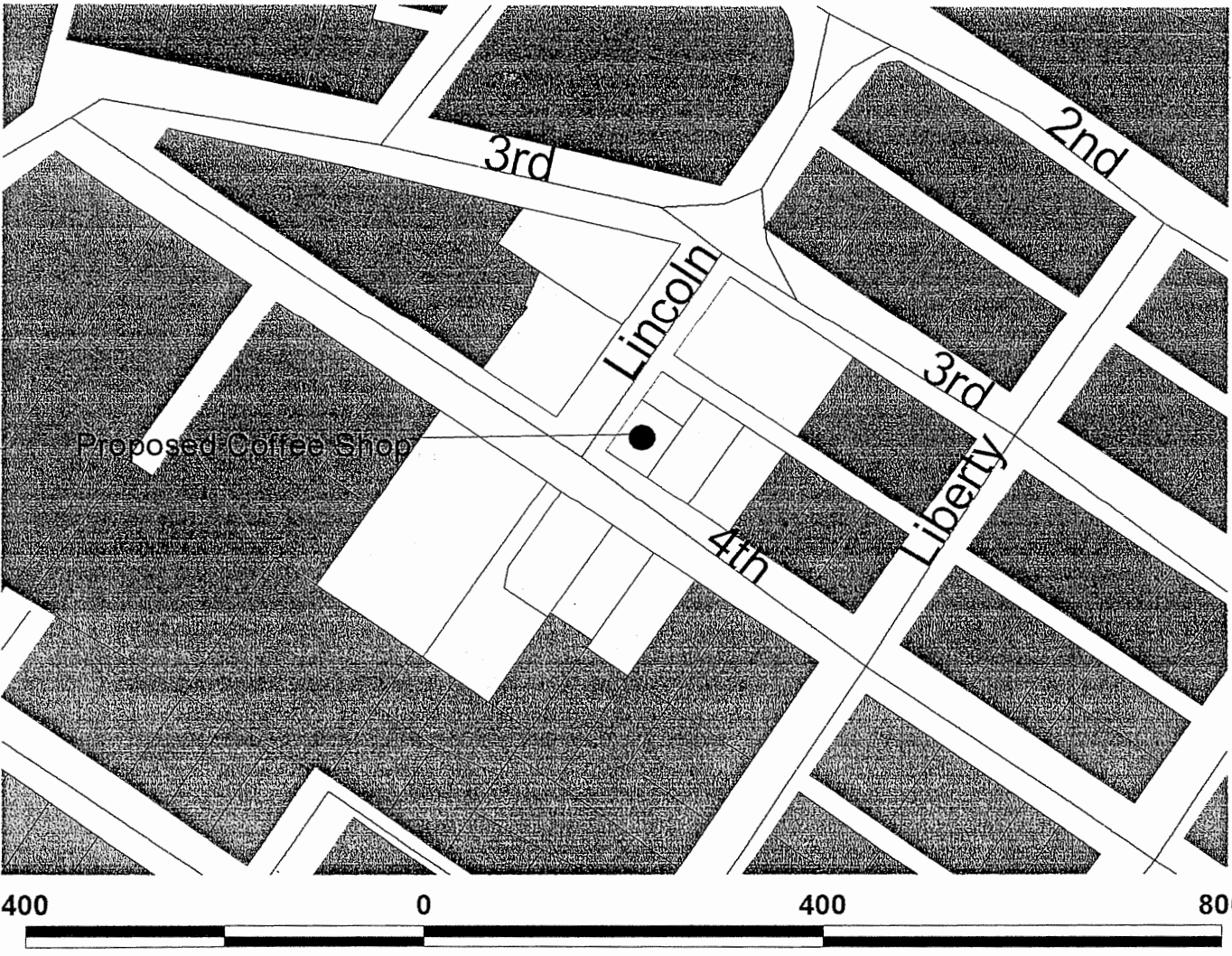
The decision criteria are listed in Section 7.020.040, Subsection C, Number 2 of the Land Use and Development Ordinance 98-1222 of the City of The Dalles, Oregon.

A copy of the application, all documents and evidence relied upon by the applicant, and all applicable criteria are available for inspection at no cost and will be provided at a reasonable cost. A copy of the Staff report will be available for inspection at no cost and will be provided at a reasonable cost at least seven days prior to the hearing.

The hearing will be held at 6:30PM, Thursday, December 21, 2000 in the City Hall Council Chambers located in The Dalles City Hall at 313 Court Street, The Dalles, Oregon. This is an accessible meeting place and any special requirements that need to be provided can be done by arrangement with Pat Carter at (541) 296-5481 x125. For any questions concerning this application please contact Bob Paul, Senior Planner at extension 152 of the above number.

Failure to raise an issue in writing prior to or at the meeting, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue, precludes appeal to LUBA on that issue. Submitted testimony should address the ordinance criteria listed and the procedures for conduct at this public hearing will be detailed prior to the beginning of this application review.

Application to Waive Parking Requirements for Coffee House

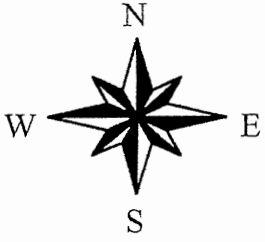


This map shows the location for the proposed espresso/specialty coffee pastry shop. This is conditional use permit application 118-00.

The data for this map is based upon Wasco County Assessor records dated September 1, 2000. The City assumes no responsibility for the validity of this information.

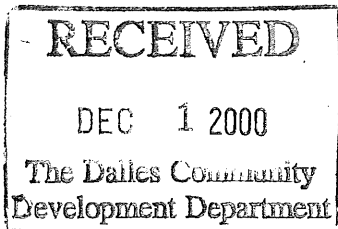
Please contact Bob Paul, Senior Planner at (541) 296-5481 extension 152 for any questions about this application or this map.

 **The Dalles Parcels**
Roads



CONDITIONAL USE PERMIT APPLICATION

CITY OF THE DALLES
Community Development Department
313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 125
Fax (541) 298-4094



Date Filed _____
Date Deemed Complete _____
Building Permit Log # _____
Other Cross Reference # _____
Hearing Date _____
Approval Date _____

APPLICANT

Name MAXINE Cobb
Address 2235 W. 14th ST
THE DALLES OR 97058
Telephone # (541) 296-4113

LEGAL OWNER (If Different than Applicant)

Name John P. MARTIN
Address 614 W. 8TH
THE DALLES OR 97058
Telephone # (541) 298-7252

PROPERTY INFORMATION

Address 221 W. 14th ST THE DALLES OR 97058
Map and Tax Lot 1N-13E-3BB # 3800
Size of Development Site LOT SIZE 50X64.03
Zone District/Overlay CBC
Comprehensive Plan Designation C

PROJECT INFORMATION

New Construction Expansion/Alteration Change of Use Amend Approved Plan

Current Use of Property MULTI-USE - Residential / office com / Vacant
Proposed Use of Property REOPENING COFFEE SHOP

Briefly Explain the Project ESPRESSO/SPECIALTY COFFEES + PASTRIES/SOUPS
SERVED EARLY MORNINGS TO MID AFTERNOON. THIS IS A SMALL
NEIGHBORHOOD TYPE BUSINESS, WITH MOST FAST FOOD & SHOPPING
CENTER STORES LOCATED IN THE WEST PART OF THE DALLES, I FEEL
THERE IS A NEED FOR THIS TYPE OF FACILITY TO SERVE THOSE IN THE
NEIGHBORHOOD, THOSE THAT DON'T DRIVE & FEEL THE WALK DOWN TOWN
OR TO THE WEST IS PROHIBITIVE. IT IS LOCATED ON THE WALKING TOUR,
HAVING SERVED ON WASCO CO BOPTA FOR APPROXIMATELY 12 YEARS
HAVE BEEN ABLE TO ANSWER QUESTIONS & CONVERSE WITH TOURIST
AS THEY PASS BY TO VIEW THE MOODY HOUSE & ST PETERS LANDMARK.

PROPOSED BUILDING(S) FOOTPRINT SIZE (in square feet) SEE ATTACHED MAP

PARKING INFORMATION

Total Number of Spaces Proposed _____ Number of ADA Spaces Proposed _____

Square Footage of Parking Lot Landscaping Proposed _____

LANDSCAPING INFORMATION

Total Square Footage Landscaping Proposed EXISTING Percent of Landscaping Irrigated ALL

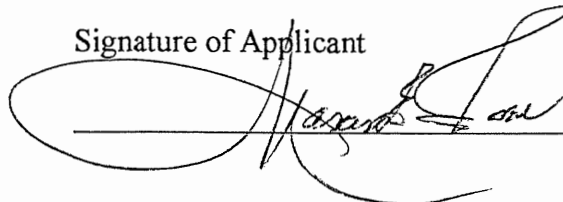
ECONOMIC DEVELOPMENT INFORMATION

Proposed Project is located in the Enterprise Zone

_____ Full Time Equivalent (FTE) jobs are currently provided.

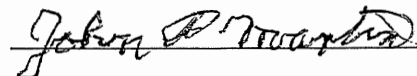
2 FTE jobs are expected to be created by the proposed project.

Signature of Applicant



Date 11-30-00

Signature of Property Owner*



Date 11-30-00

*Notarized Owner Consent Letter may substitute for signature of property Owner

NOTE: This application must be accompanied by the information required in Section 3.050: Conditional Use Permits, contained in Ordinance No. 98-1222, The City of The Dalles Land Use and Development Ordinance.

PLANS SUBMITTED: At least 15 copies of concept site plan.

2 copies detailed landscape plans 2 copies construction detail plans

I HAVE MADE THE DALLES MY HOME FOR 33 YEARS. IT'S BEEN A GREAT PLACE TO RAISE & EDUCATE MY CHILDREN. NOW, THAT MY HUSBAND, DWAYNE & I ARE BEGINNING TO PLAN OUR RETIREMENT, OUR PLANS ARE TO CONTINUE LIVING IN THE DALLES.

FOR 31 OF THE YEARS I HAVE BEEN IN THE DALLES, I HAVE BEEN SELF-EMPLOYED AS A TAX CONSULTANT. WITH MY ACCOUNTING BACKGROUND, I HAVE RESEARCHED THIS BUSINESS THOROUGHLY AND FEEL IT WILL BE AN ASSET TO ME, THE NEIGHBORHOOD AND TO THE DALLES.

Marlene L. Loh



NORTH

MAP No. IN-13E-3BB
TAX LOT 3800 REF No 3444

← Lot 50' →

