

RESOLUTION NO. P.C. 109-90

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF THE DALLES APPROVING
AN AMENDMENT TO INTERIOR MOTOR FREIGHT
SITE PLAN NO. 70-88, A REQUEST TO ADD
A TRUCK STAGING AND STORAGE SITE ADJACENT
TO THEIR EXISTING LOCATION

I. RECITALS

- A. The Planning Commission of the City of The Dalles has heretofore, on November 16, December 7, and December 21, 1989, conducted a public hearing to consider an amendment to site plan No. 70-88 relating to the following described property:

Township 2 North, Range 13 East, Section 33D, tax lot #104 (1314 Bargeway Road).

- B. Said property is located in a M-2 Heavy Industrial and Manufacturing District. Applicant proposes adding a truck staging and storage facility. Any storage use is permitted in the M-2 district subject to approval by the Planning Commission of a site plan.
- C. The truck staging and storage area will be used by Jack Gray Transport, Inc. as a secondary staging and storage area for tractors and/or trailers in route to Arlington and Portland for the purpose of transporting garbage.
- D. Section 29 (Site Plan Review) of The Dalles Zoning Ordinance establishes a procedure for approving site plan applications.
- E. The Planning Commission approved the original site plan for Interior Motor Freight on September 15, 1988 with several conditions. A letter submitted by the owner, Jerry Risberg on November 30, 1989, summarizes progress made to comply with the original site plan approval conditions. Attached to the letter is a paving contract to be completed by April 1, 1990.
- F. The site plan amendment application was made by Risberg

on behalf of Jack Gray Transport, Inc. in November, 1989. The following were received as part of the initial application and subsequent hearings: site plan application with attached Fact Sheet; Jack Gray Transport Waste Handling Project Fact Book; Site Plan; Emergency Plan; and miscellaneous correspondence.

II. **RESOLUTION:** Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles, as follows:

- A. In all respects as set forth in Recitals, Part "I" of this Resolution.
- B. The application requesting approval of amendment to site plan permit no. 70-88 for a truck staging and storage facility is hereby approved with conditions based upon the following Findings of Fact and Conclusions of Law:
 - 1. Zoning Ordinance: The use complies with The Dalles Zoning Ordinance as it is determined to meet all M-2 Zone design and site plan approval standards as established in Chapter III, Section 16 (F) and Chapter X, Section 29 (E).

Findings:

- (a) The Planning Commission has determined that the principal activity of the truck staging and storage area is the temporary storage of trailers and tractors for a maximum of 15 hours. This is consistent with the original Interior Motor Freight site plan which was approved as a truck and trailer storage area.
- (b) The use is permitted in the M-2 district as set forth in chapter III, Section 16 (A) of The Dalles Zoning Ordinance which allows any storage use. Specifically Section 16.2 (A) Principal Permitted Uses states: "Any manufacturing, processing, repair, research, assembly, wholesale or storage uses, excepting the manufacture of explosives, the slaughter of animals, and the rendering of fats."
- (c) The Dalles Comprehensive Plan Goal #9 - Policy #5 provides policy background on what should be permitted and excluded in the City's industrial zone. It states that the

City "Reserve industrial zones for industrial uses and uses compatible with industry. Exclude residential uses and commercial uses which are not compatible. Exception should be made by special permit to allow for a residence to house security personnel at an industrial site." The Commission finds that the proposed use is consistent with the Comprehensive Plan policy relating to industrial zones.

- (d) The site plan is arranged in such a way as to provide adequate truck circulation on the site and will avoid traffic congestion through the use of separate entrance and exit ways into the site.
- (e) A Senior Traffic Analyst for the Oregon Highway Division (Mike Gillette) has given an opinion that the increased traffic generated by the use will not alone create such adverse congestion as to create a traffic hazard or to warrant signalization of West Second Street and Webber Street before 2007, the date which has been chosen for signalization based on a computerized traffic study undertaken by the State Highway Division. The traffic study assumed no major improvement to the Webber Street interchange.
- (f) The number of loads stopping at the secondary staging area in The Dalles is limited to 49% of the total loads going to staging areas. This is estimated to be 30 loads in the year of maximum impact (2008) based on the testimony of Jack Gray representatives who have explained that only 50% of the loads leaving Portland will stop at a staging area. The Commission recognizes that for each load, there will be two tractors and trailers dispatched to The Dalles staging area. The drivers will exchange a full trailer for an empty and vice versa, then return to either Portland or Arlington. Hence, for each load there will be four trips. This will result in 120 trips in the year 2008. This level of truck traffic is not unusual for a heavy manufacturing district and will equate to five trips per hour over the agreed upon 24 hour operating period.

- (g) Negotiation is taking place with the Oregon Highway Division for a new interchange near Chenowith Creek. Local governments, acting through the Regional Development Council, have placed the West Interchange as the number one transportation priority in the area. Once this West Interchange is constructed, much of the existing and projected traffic will use the new interchange for access to and from The Dalles Industrial Center and other M-2 zoned land. This will free up the Webber Street entrance for Jack Gray Transport, Inc. and Interior Motor Freight further reducing traffic.
- (h) Jack Gray will be allowed to exceed the 49% limitation only during emergencies as described in the "Emergency Plan for Use of The Dalles Staging Area" submitted by Jack Gray Transport, Inc. on December 20, 1989. The definition clearly limits emergency use to "an unforeseen occurrence or combination of circumstances beyond Jack Gray's control." Jack Gray representatives testified that slow traffic movement due to weather conditions that arise before a driver leaves the Arlington terminal to begin a shift would not constitute an emergency.
- (i) The site plan provides for a five foot space between the parking lot perimeter fence and future location of sidewalks and vehicular ways to ensure that drivers will be able to see pedestrians and traffic before entering and leaving the site.
- (j) A site visit shows that there are no significant features or public amenities that will be harmed. Rock Fort, an historic camping site for Lewis and Clark is accessed on West First Street, but is a considerable distance from the development and will not be in conflict with the Jack Gray traffic on Bargeway Road.
- (k) The majority of the property in the vicinity of the site is in industrial use or vacant and the area is zoned heavy industrial and manufacturing.
- (l) Jack Gray representatives have testified that

the garbage trailers will be completely sealed when in route to the landfill and the doors on empty trailers will always be closed. Trailers will be stored at the site for a period of time not to exceed 15 hours and will normally be there less than two hours.

- (m) The entire lot, except landscape area, will be paved so as not to produce dust.
- (n) Jack Gray representatives have testified that noise and emissions will be limited since new, mechanically sound, fuel efficient tractors will be purchased every two years. Tractors will have a mechanism that automatically shut off engines if idled over 10 minutes.
- (o) Lighting has been located on the site plan approximately 40 feet from the nearest property line.
- (p) A waiver of remonstrance for future public improvements on Bargeway Road is required.
- (q) Outdoor storage will be effectively screened by the construction of an eight foot high fence along the northern boundary of the property adjacent to Bargeway Road. The fence will block sight by at least 85 percent.
- (r) No intense heat or glare will result from the use.
- (s) Applicant has agreed to provide waste containment equipment that meets City and State standards to sanitize the area in case spillage occurs.

Conclusions: Based on the foregoing Findings of Fact and on the record of the proceedings, the Commission did set forth and adopt the following conclusions:

1. The site plan application conforms to the City of The Dalles Zoning Ordinance, Comprehensive Plan and other applicable ordinances based on Findings (a), (b) and (c) which established that the use is primarily

storage and therefore allowed in the M-2 district.

2. Traffic congestion in and adjacent to the site plan is avoided as determined by Findings d, e, f, and g.
3. Pedestrian and vehicular safety and welfare are protected based on Finding i.
4. Significant features and public amenities are preserved and maintained as determined by Finding j.
5. There will be minimal adverse affect on surrounding property as shown in Findings k, l, m, and n.
6. Proposed lighting is arranged to protect adjoining properties from direct light as determined by Finding (o).
7. A waiver of remonstrance for future public improvements of Bargeway Road is required.
8. All M-2 design requirements are complied with based on Findings (l), (m), (n), (o), (r), and (s).

C. Based upon the above Findings of Fact and Conclusions of Law, the Planning Commission for the City of The Dalles hereby grants approval of the site plan subject to the following conditions:

1. All previous conditions of Interior Motor Freight approval must be completed by April 1, 1990.
2. Paving of the lot in compliance with City standards in order to avoid dust outside the subject property as required under Section 16.3 (F) 5 of the Zoning Ordinance to be completed by April 1, 1990.
3. Provision of an on site restroom that is available 24 hours per day for Jack Gray employees.
4. I-84 access to and from the proposed site by Jack Gray Transport, Inc. shall be via. West The Dalles Interchange (Exit 83) and West

Second Street Interchange (Exit 84). No Jack Gray vehicles utilizing the subject site shall utilize the West (Chenoweth) Interchange when it is constructed for either access to, or exit from, I-84. The Fact Sheet attached to the site plan application states that "it is not the intent nor is it desirable for Jack Gray Transport to use the new freeway interchange".

5. The maximum number of trailers and/or tractors stored at the site by Jack Gray Transport shall be limited to 15 at any one time and will be allowed to park for no more than 15 hours at one time. Additional trailers and/or tractors will be permitted due to emergency weather or traffic conditions based on the emergency plan submitted by Jack Gray Transport, Inc. and approved by the Planning Commission.
6. Planning Commission approval is based on The Dalles being the secondary staging area and shall only be used after a primary site is in operation. A revised site plan shall be submitted as required by the city Zoning Ordinance if the proposed site is no longer the secondary staging area or if for any other reason it is proposed to add to the maximum number of trips and/or loads going to The Dalles, Secondary is defined as The Dalles being the recipient of 49% or less of the trips and/or loads per day ear marked for the staging areas and referenced on page 2 of the Fact Sheet as being 17 loads in 1990, 36 loads in 1991 and 61 loads in 2009. Additional trips and/or loads will be allowed based upon the emergency plan. The same percentage will apply for different levels of loads in years not listed in the applicant's Fact Sheet. This approval does not constitute approval for a primary staging area.
7. Subcontractors employed by Jack Gray Transport, Inc. shall not exceed Jack Gray Transport, Inc.'s limitations and must adhere to all conditions agreed upon in this site plan approval.
8. A site obscuring wall, fence, or landscaping

shall be constructed so that trailers will not be visible from a public way as required by Section 16.3 (F) 1. The fence materials must be approved by the City Community and Economic Development Department, but shall block sight by at least 85%.

9. Submission of a revised site plan within 30 days of site plan approval, illustrating the fencing, paving, lighting and utilities as required by Port Protective Covenants and City of The Dalles zoning requirements. Paving and completion of improvements for the Jack Gray Transport, Inc. proposal must be completed no later than April 1, 1990.
 10. Availability of waste containment equipment that meet City and State requirements will be used to sanitize the area in case spillage occurs.
 11. Provide access to Jack Gray Transport, Inc. and Department of Transportation logs upon 24 hour notice to assure compliance with limitation on loads and/or trips per day.
 12. All utilities must be installed underground.
 13. This site plan is subject to annual Planning Commission review based on a report from staff on compliance.
- D. The Secretary of the Commission shall (a) certify to the adoption of the Resolution and (b) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles

APPROVED AND ADOPTED THIS 18TH DAY OF JANUARY, 1990.


Shirley Miller, Chairman
Planning Commission

I, Jack Lesch, Secretary to the Planning Commission of the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the Regular Meeting of the Planning Commission of the City of The Dalles, held on the 18th day of January, 1990.

AYES: Shirley Miller, Terry Turner, Bud Earl, Carri Morris, Ken Farner
Carol Cutler

NO'S: None.

ABSENT: None.

ABSTAIN: None.

ATTEST: *Mark Lesch*
Secretary, Planning Commission