

RESOLUTION NO. P.C. 202-92

APPROVING SITE PLAN REVIEW NO. 139-92 OF BRAUN ENTERPRISES TO CONSTRUCT A SOLID WASTE TRANSFER STATION, RECYCLING CENTER, OFFICE AND SHOP COMPLEX

WHEREAS, the Planning Commission of the City of The Dalles conducted a public hearing on April 2, 1992, to consider the above request; and

WHEREAS, a staff report was presented to the Planning Commission, and public testimony was received during the hearing; and

WHEREAS, the hearing on April 2, 1992, was continued until April 16, 1992, at the request of Mark Linebarger, representing Alice Linebarger, an opponent to the above request, to allow the opponent additional time to respond to new evidence presented during the April 2, 1992, public hearing; and

WHEREAS, the Planning Commission received additional testimony during the April 16, 1992, public hearing, and following the close of the public hearing, the Planning Commission voted to approve Site Plan Review No. 139-92 submitted by Braun Enterprises, based upon findings of fact; and

WHEREAS, the Planning Commission has reviewed Resolution No. P.C. 202-92 prepared by staff, setting forth the findings of fact made by the Planning Commission;

NOW, THEREFORE, be it resolved that the Planning Commission of the City of The Dalles adopt the following findings of fact:

1. The subject property is located upon Lot 5, Block 1, The Dalles Industrial Center Subdivision #1, and is further described as Township 2 North, Range 13 East, Section 33D, tax lot 105. The applicant is Braun Enterprises. The applicant proposes to relocate a solid waste transfer station, including a transfer station and recycling center building, office, and shop complex, on existing Port of The Dalles property. The zoning designation for the subject parcel is "M-2" Heavy Industrial. The existing land use is vacant, and the surrounding land use is industrial.

2. The site plan submitted by the applicant showed proposed truck parking along the north boundary of the site at the rear of the lot, with employee parking on the west property line and at the rear of the lot near the east property line, with a total of 29 parking spaces. The surface proposed for the employee and truck parking is gravel. The site plan showed two main building complexes separating the shop from the transfer station and the recycling center. The shop area includes seven customer parking spaces with one handicapped parking space.

There are five points of ingress and egress proposed to help separate the function of the site. Fencing exists along the east property boundary connecting with the Western Insulfoam property. A fence is also proposed on the south boundary shared by Interior Motor Freight.

3. The applicant proposed to build two one-story buildings; an enclosed shop and office building, and a partially enclosed transfer station building. A 36 foot front yard, 37 parking spaces, and 3,260 square feet of landscaping are proposed. The applicant testified he had first proposed placing his existing transfer station on Port of The Dalles property in 1987. However, the operation was located on West Second Street, and the applicant stated the present site was not large enough to accommodate all the truck and trailers needed to run the business efficiently.

4. The applicant testified a water pollution system would be installed on site, which would include a 100% recycling system allowing reuse of all the water used at the facility. The applicant stated the site would include a cement steam cleaning area for trucks to prevent toxic leakage of substances into the ground. The applicant testified the area could also serve as a truck wash for large trucks, and that it could be necessary to hire another employee to offer this service to the public. The applicant also stated his intent to operate a portable wood waste grinder on the site, which would handle all used lumber and wood products. The applicant stated the processing of the wood products would also create another employment opportunity.

5. The applicant testified the recycling and transfer station would all be located inside buildings on the site. The buildings will have cement floors for ease in cleaning and efficiency. The applicant stated in his opinion, the buildings would be designed to reduce noise levels from the operation. The applicant testified the shop would be a totally closed building. The transfer station building will be partially open on the east and west to allow vehicular access to recycling bins. The applicant stated in his opinion, the north and south boundary walls would stop the wind, thereby controlling the blowing of debris and odors. The applicant stated the north wall would have a large roll up door to enable a large truck to be put inside for dumping. The applicant testified the east end of the transfer station building would be open, and the west end would be 70 feet open and 40 feet closed. The applicant stated the ramp shown on the site plan was included to allow debris to be tamped down in the semi-trucks, to enable the trucks to haul larger loads.

6. A letter from the Wasco-Sherman Public Health Department was entered into the record, in favor of the proposed request. The letter stated the applicant's transfer station is an integral part of waste management within The Dalles and Wasco County. The letter also stated the Department of Environmental Quality, which inspects and permits the transfer station, noted the existing facility was well maintained. The Health Department

stated they had not received any complaints regarding litter, noise, or dust, concerning the applicant's existing operation. The Department expressed their understanding that the proposed new location would allow the applicant to operate a more efficient solid waste transfer station.

7. A letter from The Dalles Convention and Visitor's Bureau was entered into the record, expressing a concern about the possible impact of the transfer station operation upon a recreational vehicle park proposed to be built by Alice Linebarger. When the Planning Commission reviewed the applicant's proposed site plan, the conditional use permit application submitted by Mrs. Linebarger for the recreational vehicle park had not been reviewed at a public hearing. The Linebarger hearing is scheduled for April 16, 1992.

8. Opposition to the proposed request was presented at both hearings by Alice Linebarger, in person, and through her letter presented by her son, Mark Linebarger. The Linebargers stated in their opinion, the transfer station and recycling center would not be compatible with the proposed recreational vehicle park. The primary concerns were due to odors and debris which would be transported by wind from the proposed site to adjacent property. The Linebargers expressed concern over the overnight parking of trucks at the transfer station, which could generate odors and attract flies. The Linebargers advised the Planning Commission the R.V. park would not be constructed if the applicant's site plan was approved.

BASED UPON THE FOLLOWING FINDINGS OF FACT, THE PLANNING COMMISSION MAKES THE FOLLOWING CONCLUSIONS OF LAW:

1. Site Plan Review No. 139.92 is hereby approved with the following conditions:

A. There shall be no emissions of odorous, toxic, noxious matter, liter or dust in such quantities as to be readily detectable at any point along or outside said property lines so as to produce a public nuisance or hazard.

B. The site and parking areas shall be well lit and light shall not shine onto adjacent properties and uses.

C. All requirements of The Dalles Utility and Fire Departments and those of the Department of Environmental Quality shall be met.

D. A landscape plan providing for underground irrigation, plant species and proposed height, and a schedule for implementation shall be presented to and approved by the Planning Department.

E. The perimeter fence shall be 6' to 8' tall and slatted to obscure view from all public streets. However, where

landscaping is implemented at a minimum 4' height, slatting may be optional.

F. Electrical service to and on the site shall be placed underground.

G. No compost will be stored on site.

H. No garbage will be stored overnite.

I. No trucks will be parked on the West boundary of the site.

J. A paved radius for trucks to get to the truck wash area shall be added to the Site Plan approval.

2. Goal 9 of the City's Comprehensive Plan is:

"To encourage improvement in the community's economic base through a diversity of business and industry in a manner compatible with maintenance and protection of the area's environmental resources.

To encourage development of the Port District."

The record shows the proposed transfer station is an integral part of waste management within The Dalles and Wasco County. The existing employees who will work at the proposed transfer station, and the additional employees the Applicant intends to hire as a result of the truck wash and wood waste grinder will contribute to the community's economic base. The proposed operation, along with other businesses which have recently located upon Port of The Dalles property, will encourage further development of Port property. Requiring the applicant to meet the requirements of the Department of Environmental Quality and the County Health Department will ensure the area's environmental resources are protected.

3. The City's Zoning Ordinance sets forth certain criteria which the applicant has satisfied.

A. Section 16.2(A)(1)(G) allows collection and processing of recyclable materials. The proposed transfer station is a permitted use within the "M-2" district subject to development standards. The proposed truck wash and wood grinder are uses which are customarily incidental to the permitted activities of collection and processing of recyclable materials, and would be allowed under Section 16.2(A)(1)(L) of the Zoning Ordinance.

B. The proposed site plan satisfies the property development standards, as shown in finding B-2 of the Staff Report presented to the Planning Commission.

C. Section 16.3(F) is satisfied in that all of the activities of the transfer and recycling center are proposed indoors, with the exception of the storage bins. The storage bins are self-contained and top loaded, so that there should be no outdoor storage visible from a public way. The entire site is dedicated to paved or graveled parking, buildings, and landscaping. Concerning the provisions prohibiting a public nuisance, there have been no complaints to date regarding noise from the applicant's current operation on West Second Street. The proposed center is well within the property boundaries, so noise should dissipate adequately. The proposed operation is surrounded by other industrial uses. The applicant and the County Health Department stated the proposed location would allow the applicant to operate a more efficient operation.

D. The additional requirements of Section 16.3(F) are satisfied in that the proposed use is not anticipated to create a public nuisance or hazard through the creation of heat or glare. The applicant has designed the buildings to deflect the amount of wind blowing across the property. The shop building is a completely enclosed building. A portion of the transfer station building will be closed. The north wall of the transfer building will have a large roll up door to enable a large truck to be put inside for dumping. The steps taken by applicant should be sufficient to contain the degree of odor, debris, and dust produced at the site, to remain upon the site premises, and to not travel across adjacent property in such a manner as to constitute a public nuisance or hazard. Requiring the applicant to satisfy standards of the Fire and Health Departments will ensure that no health or fire hazards will be created. All spoilable waste shall be contained within bins for transfer to the landfill, which will prevent the attraction or propagation insects or rodents. All potential toxins will be processed through a 100% wastewater recycling system to ensure potential toxins or noxious emissions are dispensed of in a proper manner.

4. The site plan review criteria set forth in Section 27 of the Zoning Ordinance are satisfied as follows.

A. The proposed Bargeway Local Improvement District will ensure that all City Ordinance requirements for street improvements in this area are satisfied.

B. Traffic congestion is avoided, in that the existing street system is adequate within the Port District for the current level of development. The improvements included in the proposed Bargeway L.I.D. will ensure that traffic congestion is avoided, and that pedestrian and vehicular safety and welfare are protected, considering future levels of development in the area.

C. No significant features requiring protection have been identified on this site.

D. The proposed site plan includes a 100% wastewater recycling system, perimeter fencing and landscaping, paved access drives and customer parking spaces, and substantially enclosed processing entirely within the proposed buildings. These elements of the proposed site plan will minimize the potential adverse effects on surrounding properties.

E. The lighting proposed on the shop and the transfer station buildings will be adequate to light the parking lot, and will be directed away from adjacent properties and uses.

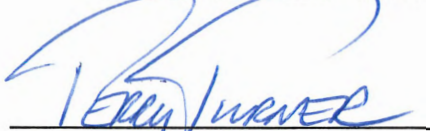
F. Any proposed signs will require a permit issued by the Planning Office.

APPEALS, COMPLIANCE, AND PENALTIES

- A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 36 of the Zoning Ordinance, and must be filed with City Clerk within ten (10) days of the date of resolution.
- B. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- C. All conditions of approval must be met within the time limits set by this resolution or the ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$2,500 per day for the violation period and/or imprisonment in the County jail for a term not to exceed one (1) year.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) forthwith transmit a copy of said Resolution to City Council of the City of The Dalles; (c) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 16TH DAY OF APRIL, 1992.



Terry Turner, Chairman
Planning Commission.

I, Scott Keillor, 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 City Planning Commission, held on the 16th day of April, 1992.

AYES: Terry Turner, Carol Cutler, Rod Runyon, Ken Farner, Walter Hoffman and John Donovan.

NOES: None

ABSENT: Carrie Ramsey

ABSTAIN: None

ATTEST: 
Secretary, Planning Commission