

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, July 16, 2009

City Hall Council Chambers

313 Court Streets

The Dalles, OR 97058

Conducted in a handicap accessible room

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:32

BOARD

MEMBERS PRESENT:

Bruce Lavier
Mark Poppoff
Dean Wilcox
Chris Zukin
Benjamin Hoey

BOARD

MEMBERS ABSENT:

Ron Ahlberg
Derek Hiser

STAFF PRESENT:

City Attorney Gene Parker
Senior Planner Richard Gassman
Administrative Secretary Brenda Green

APPROVAL OF AGENDA:

It was moved by Zukin and seconded by Wilcox to approve the agenda as submitted. The motion carried unanimously; Ahlberg and Hiser absent.

APPROVAL OF MINUTES:

It was moved by Wilcox and seconded by Zukin to approve the minutes of May 21, 2009 as submitted. The motion carried with Lavier, Poppoff, Wilcox and Zukin voting in favor, Hoey abstained, Ahlberg and Hiser absent.

It was moved by Zukin and seconded by Wilcox to approve the minutes of June 4, 2009 as submitted. The motion carried unanimously; Ahlberg and Hiser absent.

PUBLIC COMMENT: none

QUASI-JUDICIAL PUBLIC HEARING:

Application Number: CUP 155-09 of Mid-Columbia Medical Center **Request:** To construct an addition to the Linear Accelerator Vault at the Celilo Oncology Building and provide for additional parking. **Location:** Property is located at 1700 East 19th Street. The property is further described as

1N 13E 11 BC tax lot 100. Property is zoned "RL/CFO" – Low Density Residential District with Community Facility Overlay.

Chair Lavier read the rules for conducting a public hearing. He asked the Commissioners if they had any bias, conflict of interest, or ex-parte contact. None were declared. There were no challenges from the audience. Lavier declared the public hearing open and asked for the Staff Report.

Senior Planner Gassman presented the Staff Report. Gassman shared that he had not received any comments; a few people had asked questions and looked at the plans but did not voice any concerns. Gassman stated that the application is for a small project but is required to be brought to the Planning Commission because of the Community Facility Overlay. He added that normally an applicant would need to get approval for a Conditional Use Permit (CUP) and then later a Site Plan Review (SPR). Considering the size of the project and the fact that the applicant had already submitted almost everything that would be needed for a SPR, Gassman recommended combining the two applications. He summarized that the proposal was straight forward and that staff recommends approving both the CUP & SPR.

Chair Lavier asked if a geo-hazard study had been completed. Senior Planner Gassman replied that the architect is currently looking into that question. Gassman added that if it was not completed, the applicant is aware that it will need to be done.

Commissioner Wilcox asked for a definition of a linear accelerator. Senior Planner Gassman suggested asking the applicant for a definition during his testimony.

Public Testimony:

Randy Skov, 1921 W Scenic Drive, introduced himself as the Vice-President of Mid-Columbia Medical Center. In response to Commissioner Wilcox's question, Skov defined a linear accelerator. Skov described where the addition is proposed to be built and explained that adding a new vault is less expensive than shutting down the current one for ten weeks while upgrades are made.

Opponents: none

There were no further questions to the applicant or staff. Chair Lavier closed the public testimony portion of the hearing.

Deliberation:

Commissioner Zukin felt the application was straight forward and that the packet the Commissioners had received was self explanatory.

Commissioner Zukin moved to approve CUP 155-09 of Mid-Columbia Medical Center based on findings of fact, the staff report and the eight conditions as submitted, specifically including condition number two which also approves the Site Plan Review. The motion was seconded by Poppoff and carried unanimously, Ahlberg and Hiser absent.

RESOLUTIONS:

In regards to Resolution PC 488-09 of Burgerville, City Attorney Parker pointed out the updated Findings of Facts and Conclusions of Law Document that he had prepared. He explained that he had

used the testimony and Commissioner comments from the public hearing on June 4, 2009 to support the conclusions. Parker specifically pointed out the testimony that there had not been any complaints in almost nine years; that it had gone through the cracks by both the City and the applicant and that it was not a willful violation. He reiterated that the Commission had decided that if the overall sign area was limited to 64 square feet, it would be similar to the rules applied to other applicants.

Chair Lavier stressed the fact that if the overall structure is replaced, the approval provides that the applicant will then need to comply with the sign code in place at that time.

Commissioner Zukin commented that the application was a unique case and that hopefully it will not happen again. City Attorney Parker responded that the City now has staff in place to follow up on applications.

Commissioner Zukin moved to adopt Resolution PC 488-09 approving VAR 112-09 of Burgerville with four conditions as submitted. Poppoff seconded the motion. The motion carried unanimously; Ahlberg and Hiser absent.

Commissioner Zukin moved to adopt Resolution PC 489-09 approving CUP 155-09 of Mid-Columbia Medical Center with eight conditions as submitted. Hoey seconded the motion. The motion carried unanimously, Ahlberg and Hiser absent.

COMMISSIONER COMMENTS:

Commissioner Wilcox asked about the progress on the Walmart and Armory applications. City Attorney Parker described the time line for both the Subdivision and Site Plan Review hearings through LUBA, sharing that it is forecasted that a decision on the Subdivision appeal is due August 3, 2009 and a decision on the Site Plan Review is expected most likely in September or October. In regards to the Armory, Parker explained that the appeal had been put on hold and that he is trying to work out a resolution with the involved parties in order to prevent a full blown appeal.

Commissioner Wilcox asked what will happen if LUBA denies the Walmart application. There was a general discussion amongst staff and Commissioners about the available options including Court of Appeals.

STAFF COMMENTS:

Senior Planner Gassman announced that the Quarterly Ethics Reporting had been eliminated. The Commissioners expressed their approval. There was a general consensus that the intent was good but the practicality of it was not.

Senior Planner Gassman informed the Commission that Commissioner Hiser has moved out of town and will therefore be submitting his resignation.

Senior Planner Gassman shared that the number of applications received in the Planning Department had slowed down, but that recently a few residential permits had been turned in.

Commissioner Hoey asked if there was any news in regards to the East Gateway project. City Attorney Parker replied that there had been a slight delay because of the difficulty in receiving materials. He also shared that a meeting is scheduled for July 28, 2009 to explain to neighbors and interested citizens what the construction process will be.

Commissioner Wilcox complimented the new intersection at Safeway. There was a general consensus that it was now much easier to get through that area.

Senior Planner Gassman discussed future Planning Commission agenda items including a look at some LUDO amendments.

NEXT MEETING: The next scheduled meeting is August 6, 2009.

ADJOURNMENT: The Planning Commission meeting was adjourned at 7:01 p.m.

Submitted by
Brenda Green, Administrative Secretary



~~Bruce Lavier, Planning Commission Chair~~

Ron Ahlberg, Planning Commission Vice-chair