

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, March 17, 2011

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 6:00 pm.

BOARD

MEMBERS PRESENT: Bruce Lavier, Mark Poppoff, Ted Bryant, John Nelson,
Dennis Whitehouse (6:07pm)

BOARD

MEMBERS ABSENT: Ron Ahlberg, Chris Zukin

STAFF PRESENT:

City Attorney Gene Parker, Community Development Department,
Director Dan Durow, Senior Planner Richard Gassman, Administrative
Secretary Brenda Green, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Bryant and seconded by Poppoff to approve the agenda as submitted. The motion carried unanimously; Ahlberg, Zukin and Whitehouse absent.

APPROVAL OF MINUTES:

Commissioner Nelson pointed out that in regards to the Skroch hearing, on page four it should read "county" instead of "count". Nelson then questioned if it would be the applicant or the County that would be putting in a solution. Senior Planner Gassman clarified that it would be the applicant. Nelson suggested changing the sentence on page four, paragraph five to read "If the new driveway has created a problem the county could require the owner to implement a solution."

Commissioner Bryant brought attention to page three, paragraph four in regards to his comment about W 13th Street. He suggested that it should read "special exception area" rather than "special consideration area".

It was moved by Nelson and seconded by Poppoff to approve the minutes of February 3, 2011 as modified. The motion carried with Poppoff, Bryant, Nelson, and Whitehouse voting in favor, Lavier abstained, Ahlberg and Zukin absent.

PUBLIC COMMENT: none

QUASI-JUDICIAL PUBLIC HEARING:

Application Number CUP 163-11 of St. Mary's Academy to construct a new school room in a separate building. Property is located at 1112 Cherry Heights Road and is further described as 1N 13E 4BD tax lot 1800. Property is zoned "RL/CFO" – Low Density Residential District with a 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. He summarized the report by stating that it was a non-complicated application and that the applicant had plenty of parking and plenty of land to support their proposal. Gassman declared that staff was recommending approval with five conditions.

Public Testimony:

Proponents:

Kimberly Koch, Principal St. Mary's Academy; 1832 Montana St, The Dalles. Principal Koch shared that they were working towards growth of the school. She said the proposed structure would house the library and computer lab which would open up a classroom in the main part of the school to allow all of the students to be together.

Commissioner Nelson asked if any of the pine trees would need to be removed from the site. Principal Koch stated that the large pine tree would need to be removed. She also shared that they had considered removing it anyway due to the tree not being healthy, and that when removed, they would be donating the wood.

Commissioner Nelson asked about crosswalks. Principal Koch described where the current crosswalks were and where one would be added.

Commissioner Bryant pointed out that in the application one area described the project as 1900 square feet and another area described it as 2400 square feet. Principal Koch clarified that the correct building size was 1900 square feet.

Opponents: none

Chair Lavier closed the public testimony portion of the hearing.

Deliberation:

Commissioner Poppoff stated that he would like to see a requirement that the pine tree slated for removal be replaced. He shared that beyond that, he was in favor of the application.

After a general discussion in regards to proposed wording; the Commissioners agreed on an additional condition which would read; Any tree to be removed as part of the construction will be replaced with a tree that will eventually grow to a similar height.

Chair Lavier asked the applicant if they had an issue with that additional condition. Principal Koch stated that they did not.

Motion:

Commissioner Bryant moved to approve CUP 163-11 for St. Mary's Academy based on findings of fact, conclusions of law, and a staff recommendation, with 5 conditions as submitted and an additional condition as agreed upon previously. Commissioner Poppoff seconded the motion which carried unanimously; Ahlberg and Zukin absent

RESOLUTIONS:

Commissioner Bryant moved to adopt Resolution PC 506-11 of David and Marla Skroch approving VAR 114-10 with three conditions as submitted. Commissioner Poppoff seconded the motion. The motion carried unanimously; Ahlberg and Zukin absent.

Commissioner Bryant moved to adopt resolution PC 507-11 of St. Mary's Academy approving CUP 163-11 with six conditions as modified. Commissioner Poppoff seconded the motion. The motion carried unanimously; Ahlberg and Zukin absent.

SUBCOMMITTEE RECOMMENDATIONS:

Senior Planner Gassman drew attention to the summary that the Commissioners had received in regards to the findings of the Industrial and Residential Lands Subcommittee Recommendations. He stated that some of the recommendations would involve changes to the language in the code and that those changes would be a part of the hearing that would be held on April 7, 2011.

Commissioner Poppoff expressed concerns about the City's water and sewer rates rising. City Attorney Parked suggested that his concern should be brought to City Council. Senior Planner Gassman acknowledged that utility rates could affect individual's development plans.

DISCUSSION ITEM – LUDO AMENDMENTS:

Senior Planner Gassman distributed a memorandum which listed the LUDO amendments as recommended by the Planning Commission. He went over the memo explaining the primary changes and areas of concern. Gassman informed the Commission that the LUDO public hearing would be on April 7, 2011.

Senior Planner Gassman also explained the requirement of development standards for a stream corridor overlay district which are a requirement of Goal 5 Natural Resources provisions, as well as for pollution control requirements from DEQ. Gassman described a few options that the Commissioners could recommend.

In preparation for the public hearing that will be held on April 7th, Greg Winterowd from Winterbrook Planning addressed the Planning Commission on multiple subjects including;

- Employment Opportunity Analysis (EOA); it's history and its influence on deciding whether to preserve 20 or 50 acre sites
- Goal 9 State requirement of preserving some larger sites
- Wetlands; their identification and mitigation, local and state inventories
- The buildable lands inventory that was completed four years ago
- Stream Corridors; the 50 feet around each stream that is set aside as unbuildable, the potential issues that could arise, the vegetation canopy that is required around streams and a potential option of reducing the set back to 25 feet in developed areas

Mr. Winterowd summarized that he was hearing that the Commission was comfortable with the recommendations for both housing and industrial, and asked how they felt about the Stream Corridors.

Chair Lavier pointed out how high the water rose during the flood of 1996, which he stated would lead him to think that it was in the best interest of the property owners to not build too close to the creek.

Commissioner Nelson brought up his concern regarding the temperature of the creeks going up and felt that there was a possibility that there could be other factors beyond canopy coverage such as the level of the Columbia River, and property owners drawing water from the creek.

Director Durow assured Commissioner Nelson that the County Water Master monitors the creek as well as any water withdrawals. He stated that he has a minimum flow requirement that has to be met.

Commissioner Bryant and Chair Lavier both expressed the opinion that they would like to see flexibility in the Stream Corridor policy. Bryant suggested involving the Soil and Water Conservation District in creating the policy.

Mr. Winterowd acknowledged the Commissioners' comments and stated that he would bring back two options for the Stream Corridor policy to be reviewed and decided upon.

Director Durow stressed the need to have the LUDO changes adopted by May 31, 2011 so as not to lose a DLCD grant valued at \$120,000. He explained the different steps that still needed to be completed.

COMMISSIONER/STAFF COMMENTS

Commissioner Nelson asked for more information in regards to the concerns surrounding lay down yards. Director Durow explained the history that led up to needing a lay down yard policy. He informed the Commission of both the City's concerns and property owner's concerns, including some of the challenges that are currently being dealt with.

Senior Planner Gassman pointed out the new Geologic Hazards Study that had been distributed to each Commissioner. He reminded the Commissioners of what property owners were required to do if they were in the hazard area. Gassman then shared that with the new study and maps; about half of the properties were eliminated from the original hazard area.

Senior Planner Gassman introduced new Administrative Secretary Carole Trautman and described the changes that would be happening in the office including Administrative Secretary Brenda Green's part-time position not being funded for the next fiscal year.

Commissioner Bryant brought up his concern about the bronze statue that is planned for the Festival Area, especially the cost of it considering that the City needs to lay off an employee. Director Durow explained that the statue is fulfilling part of a requirement from when the old grain elevator was demolished. He also explained where the funds were coming from and pointed out that they were a different set of funds than employment funds.

NEXT MEETING: The next scheduled meeting is April 7, 2011. It was also decided on by the Commission to tentatively hold April 14, 2011 just in case more time is needed for the legislative hearing scheduled on April 7th.

ADJOURNMENT: The Planning Commission meeting was adjourned at 8:18 p.m.

Submitted by
Brenda Green, Administrative Secretary



Bruce Lavier, Planning Commission Chair