

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, October 4, 2012

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:01 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Mark Poppoff, Dennis Whitehouse, Chris Zukin, Mike Zingg, Jeff Stiles, Robert Raschio

STAFF MEMBERS PRESENT:

Community Development Director Dan Durow, Senior Planner Richard Gassman, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Raschio and seconded by Whitehouse to approve the agenda as submitted. The motion carried unanimously.

APPROVAL OF MINUTES:

It was moved by Raschio and seconded by Zingg to approve the September 6, 2012 minutes as submitted. The motion carried unanimously.

It was moved by Whitehouse and seconded by Stiles to approve the September 20, 2012 minutes as submitted. Lavier, Poppoff, Whitehouse, Zukin, Zingg and Stiles approved the motion, Raschio abstained.

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARING:

Continuance of Public Hearing

Application Number: APL 23-12; **Jennifer Blevins;** **Request:** Appeal of a land use interpretation of off-street parking requirements dated July 3, 2012. Property is located at 1215-1217 Blakely Drive, The Dalles, Oregon, and is further described as Township 1 North, Range 13 East, Map 5 AA, tax lot 200. Property is zoned "RL" – Residential Low Density District.

Chair Lavier announced that this public hearing remained open from the last meeting and called for a report from Senior Planner Gassman. Gassman presented a detailed diagram of the parking area of said property and gave a detailed explanation of the dimensions. On the back side of the diagram, Gassman pointed out a list of random vehicle widths and lengths. Based upon this random list of vehicle sizes and the parking area dimensions, it was staff's opinion there was adequate parking for up to five vehicles in the property's parking area. Chair Lavier assigned staff's parking diagram as Exhibit 2.

Commissioner Whitehouse asked Senior Planner Gassman if he measured clear to the street or to where a sidewalk would go. Gassman answered that he measured clear to the street, because it appeared the front property line was in close proximity to the street, and if a sidewalk was to be installed, it would probably be installed where the diagram was labeled "street." Gassman stated he did not believe the City would install sidewalks in the Blakely area.

Commissioner Stiles asked Senior Planner Gassman if he measured the property width. Gassman said that he did not. Stiles asked if there would be a possibility to widen the driveway area, and Gassman replied that the driveway could be widened where there was currently a grassy area displayed on the right hand side of the diagram. Gassman pointed out that there were standards for the width of a driveway at the street, but the driveway could be widened inside the property area.

Commissioner Poppoff asked if Senior Planner Gassman included side view mirrors in the vehicular width measurements. Gassman stated he did not, and side view mirrors could extend out as much as 6 inches to one foot in width. Poppoff stated side view mirrors should be considered in the width dimensions.

Commissioner Whitehouse commented that, by the calculations, it appeared there would be only one foot of buffer space between either the first vehicle and the building or between the two stacked vehicles.

Testimony

Proponents:

Jennifer Blevins, 1212 Blakely Drive, The Dalles, Oregon, stated that the documentation previously submitted supported that modification and alterations, including construction of a new interior staircase to the nonconforming structure in a Low Density zone, must comply with the minimum off-street parking requirements of four standard sized parking spaces. The Land Use and Development Ordinance (LUDO), Blevins stated, required parking space dimensions of 18.5 feet by 9 feet. LUDO also states that there must be safe, logical and consistent site circulation routes designed to avoid conflict between pedestrians and vehicles, Blevins said. In Exhibit 2, Blevins reported there was no delineation of parking spaces and walkways, the type and location of these connections to the building, the location of the garbage area, and emergency exit routes. Blevins pointed out that the property had an exterior staircase, and fire code required a 36 inch by 36 inch square landing at the bottom of the exterior staircase. Blevins purported that if the the required landing were taken into consideration, three feet of the 35.5 feet of vehicular parking would be reduced. Therefore, Blevins stated, two vehicles could not park on that side of the parking area. Blevins said it would not be possible to park two 18 foot vehicles and have pedestrian circulation in that parking area.

Rich Williams, 1212 Blakely Drive, The Dalles, Oregon, stated that the staff had gone to great lengths to provide relief to the property owner when, in fact, the staff required parking area site plans at the time of the property sale. Williams stated the nonconforming driveway could not be expanded legally. Williams also pointed out that it was not mathematically possible to stack four standard sized vehicles in the parking area. Vehicles would hang out six to seven inches into the right of way even if vehicles were parked bumper to bumper.

Commissioner Zukin stated that, at the last meeting, it was pointed out that vehicles were not required to park at a 90 degree angle to the street. Mr. Williams replied that his understanding was that a variance would be required in order to not park at a 90 degree angle. Zukin explained that, according

to Section 6.060.020.B.3, the driveway needed to come off of the street at a 90 degree angle, not the vehicles.

Opponent:

David Bustos, 1215-1217 Blakely Drive, The Dalles, Oregon, stated that, according to the diagram, he could park four, five or maybe six vehicles in the parking area, depending on how he chooses to park.

Rebuttal:

Jennifer Blevins, 1212 Blakely Drive, The Dalles, Oregon, stated that the diagram did not show emergency exits or a delineation of the bottom stairway. Blevins reiterated that two vehicles could not be parked off of the side property line at the staircase without providing buffers. To stack vehicles without buffer areas would not be consistent, safe or logical, Blevins commented.

Chair Lavier closed the public hearing at 6:29 PM.

Deliberation:

Commissioner Poppoff suggested limiting the property owner to one car, three cars could park without blocking the stairway.

Commissioner Zukin stated he was going to approve staff's land use interpretation because proof had been provided that four standard sized vehicles could park at the subject property. Zukin stated that Mr. Bustos commented, "It's how I choose to park." Zukin felt that was a key statement. If cars were parked carefully, Zukin commented, there would be room to park four or more cars with space to spare. He referenced picture #16 of Exhibit 1 that showed three parked cars and an empty parking space. Zukin pointed out the picture showed sloppy parking, not lack of space.

Commissioner Whitehouse stated he intended to vote in favor of the applicant because he travels Blakely Drive often and observes the various parking configurations. He felt the parking configurations just didn't work. He didn't believe parking four cars in the area was a safe thing to do.

Commissioner Zingg stated he agreed with Commissioner Zukin, and the case was an issue of how the vehicles were parked. Zingg suggested the property owner consider widening the driveway to help alleviate the parking issue—it would be a neighborly thing to do.

Commissioner Stiles stated that it would be helpful to install some sort of a barrier for a vehicle to park as close to the structure as possible without hitting the structure so that a car parking behind the first vehicle could park without hanging out into the street.

Commissioner Zukin stated it is an enforcement issue, cars should not be sticking out into the street, and if they were, they should be cited. Zukin encouraged the property owner to park safely.

Commissioner Raschio stated he was uncertain as to whether or not he could cast a vote since he was not in attendance at the previous hearing.

Commissioner Poppoff suggested that the structure needed an access to the street or walkway.

Commissioner Zingg commented that the Commission should take into consideration that if the Commission voted in favor of the applicant, it might set a precedent. Commissioner Whitehouse

believed such issues could be handled on a case-by-case basis and would not set a precedence for future property issues.

Raschio asked what would happen if the Commission voted in favor of the applicant. Senior Planner Gassman replied that the staff would ask the Commission to determine what would be an adequate parking space. Gassman also stated there were no LUDO requirements for residential parking, so that would need to be determined.

Commissioner Zukin clarified that one issue that arose at the last meeting was that the scope of the issue was limited. The matter did not concern ingress/egress or fire safety issues. The main issue, Zukin commented, was whether or not four vehicles could park in the parking area, and the applicant was attempting to expand the scope of issue to include the history/nonconformity of the building.

Chair Lavier stated he agreed with Commissioner Zukin's viewpoint and encouraged the land owner to extend the parking area.

It was moved by Zukin and seconded by Zingg to uphold staff's land use decision regarding off-street parking requirements located at 1215-1217 Blakely Drive. The motion carried. Zukin, Zingg, Lavier and Stiles voted in favor, Whitehouse and Poppoff opposed, and Raschio abstained.

STAFF COMMENTS:

Senior Planner Gassman introduced Willy Sercombe, RARE Planner who will focus on three major tasks: 1)the vertical housing program in the downtown area; 2)establishing a housing rehabilitation program; and 3)Urban Growth Boundary work. Director Durow explained that the housing rehabilitation program stemmed from the work done by the Mayor's Committee that was tasked to determine the economic barriers in The Dalles.

Director Durow commented that this was his last Planning Commission meeting as Community Development Director. He retires November 1. Durow thanked the Commissioners for their hours of volunteer work on the Planning Commission. Several of the Commissioners expressed their appreciation for Durow's 35 years of leadership both in Wasco County and the City of The Dalles that made a positive and significant impact on the community.

Senior Planner Gassman advised the Commission that the new LUDO amendments would take effect on October 10, 2012 and would be distributed soon.

COMMISSIONER COMMENTS/QUESTIONS:

Commissioner Raschio expressed a concern about traffic issues at the 2nd Street and Webber interchange. He felt there needed to be a left turn lane on the north/south end of the road for safety reasons. Senior Planner Gassman said he would contact Public Works about the concern.

Senior Planner Gassman reported that Public Works Director Anderson contacted him regarding the traffic safety concern on Kelly Avenue that was brought up at the September 6, 2012 Planning Commission meeting. Anderson advised that a traffic study had already been completed for that area and the department would look for ways to implement what had been identified in the traffic study.

Director Durow advised the Commission that staff is looking for Planning Commissioner training opportunities.

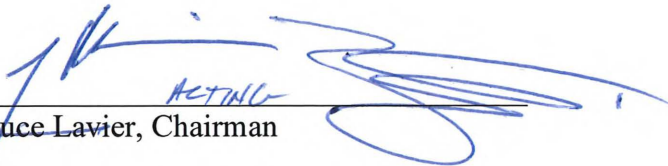
NEXT MEETING:

October 18, 2012

ADJOURNMENT:

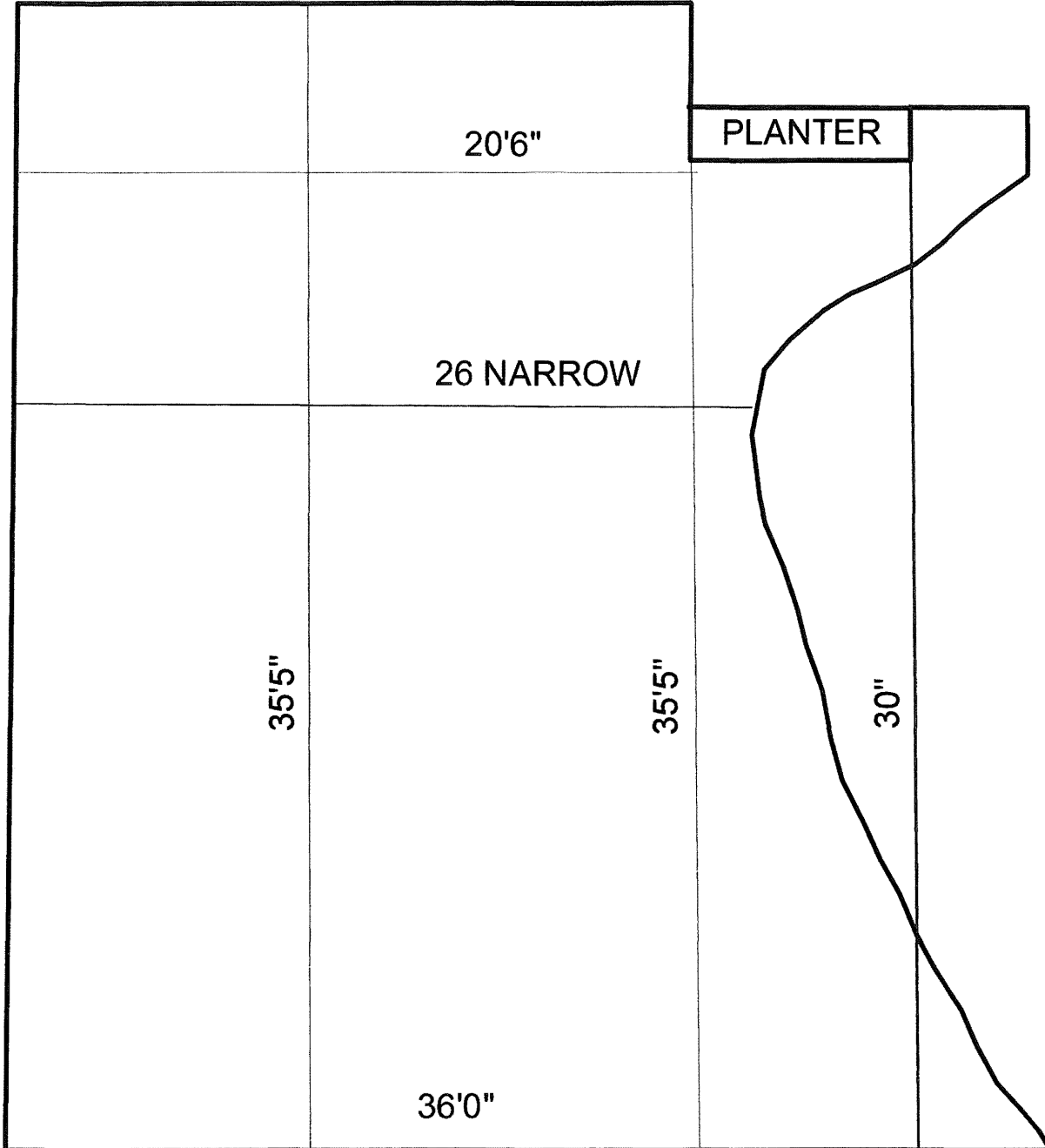
The meeting was adjourned at 7:12 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.


ACTING
Bruce Lavier, Chairman
CHRIS ZUKIN

HOUSE

PROPERTY LINE



20'6"

PLANTER

26 NARROW

35'5"

35'5"

30"

36'0"

STREET

Richard Gassman

Subject: Car sizes

Using a random selection of cars that were handy, I found the following car sizes

1. City owned Ford Ranger: 5' 8" x 15' 6"
2. My Subaru Legacy: 5' 6" x 15'
3. Subaru Outback SUV: 5' 10" x 15' 6"
4. Ford Expedition 6' 6" x 17'
5. P/U in driveway at 1217 Blakely was 18' 6" long.