

# CITY OF THE DALLES PLANNING COMMISSION MINUTES

**Thursday, January 16, 2014**

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

*Conducted in a handicap accessible room*

6:00 PM

## **CALL TO ORDER:**

Chair Lavier called the meeting to order at 6:18 PM.

## **BOARD MEMBERS PRESENT:**

Bruce Lavier, Mark Poppoff, Chris Zukin, Dennis Whitehouse

## **BOARD MEMBERS ABSENT:**

Jeff Stiles

## **STAFF MEMBERS PRESENT:**

City Attorney Gene Parker, Planning Director Richard Gassman, City Engineer Dale McCabe, Administrative Secretary Carole Trautman

## **APPROVAL OF AGENDA:**

Chair Lavier noted to strike Item #4A of the agenda. It was moved by Whitehouse and seconded by Zukin to approve the agenda as modified. The motion carried unanimously; Stiles was absent.

## **APPROVAL OF MINUTES:**

It was moved by Zukin and seconded by Whitehouse to approve the November 21, 2013 minutes as submitted. The motion carried unanimously; Stiles was absent.

It was moved by Zukin and seconded by Whitehouse to approve the November 25, 2013 Bus Tour minutes as submitted. The motion carried unanimously; Stiles was absent.

## **QUASI-JUDICIAL HEARINGS**

### **A. Application Number: CUP 170-13; Mid-Columbia Council of Governments; Request:**

Application to gain approval for the construction of a Transit Operation Center. The property is located at 802 Chenoweth Loop Road, The Dalles, Oregon, and is further described as 2N 13E 29DB tax lot 7500. Property is zoned "CG"- Commercial General District.

Chair Lavier read the rules of a public hearing and asked the Commissioners if any had a conflict of interest, ex-parte contact, or bias that would hinder them from making an impartial decision on the application. None were noted.

Chair Lavier opened the public hearing at 6:25 PM.

Senior Planner Hert highlighted the staff report. She pointed out that Finding A-18, page 4 of the staff report, indicated the applicant would be required to dedicate five feet for the West 7<sup>th</sup> Street frontage to meet the street width as designed by City Engineering. The applicant would be required to initiate a

Local Improvement District and be responsible for half street improvement on the linear frontage only. The site plan called for a pull-out area, so the applicant would be required to either provide the City with an easement, or dedicate the sidewalk area as public right-of-way.

Senior Planner Hert stated that two items needed to be addressed regarding the structure's development standards. The only structure that did not meet setback requirements was the covered bus parking. However, LUDO allows for an adjustment in a reduced setback that could be considered as a condition of approval. A bicycle parking space would also need to be added.

Regarding landscaping standards (Finding A-31), the staff report should reflect a minor change from a "100% irrigation" requirement to an "adequate irrigation" requirement. With that change noted, Hert said, staff recommended approval with 20 conditions of approval.

Zukin asked how much of a reduced setback allowance the Greyhound Passenger Shelter could receive. Senior Planner Hert said there could be up to a 20% setback adjustment, and it could be done administratively.

Chair Lavier asked if the current Greyhound downtown center would move. City Attorney Parker said the plan was to move Greyhound to the new Transit Operation site. Poppoff asked if any of the buses would run after 11 p.m. Parker said he believed there was a bus that ran at 12 midnight. Poppoff said that could be a problem.

Senior Planner Hert advised that one written comment was received from Elisabeth Helseth, 3720 West 7<sup>th</sup> Street, The Dalles, Oregon (copy attached as Exhibit 1). Her letter stated that she objected strongly to the Transit Center. Hert pointed out that the development site was located in the "CG" – Commercial General Zone, and there were mixed uses in that area. Director Gassman pointed out the area did not turn residential until 8<sup>th</sup> Street.

Whitehouse asked if the applicant could explain what bus or buses would utilize the pull-out area, the routes they would use, and where the bus/buses would turn around.

## **Testimony**

### **Proponents**

Dan Schwanz, 1113 Kelly Avenue, The Dalles, Oregon, stated the pull-out area would be utilized by the Greyhound, Link, and Columbia Area Transit bus companies. He described the traffic route as follows: Hostettler, down 10<sup>th</sup> Street, then back down Chenowith Loop. The reason for the project was that the current operations were fractured. They were located in unsecured, unfenced areas on the east end of town. The new location would provide security and a covered area. With the Granada Block plans, Mid-Columbia Council of Governments (MCCOG) felt it was time to move. The multi-transit operation would enhance car sharing, provide an opportunity to utilize the services, and provide for future growth. The organization provides services to the entire community, Mr. Schwanz said.

Poppoff asked if any other buses ran between the hours of 11 p.m. and 7 a.m. Mr. Schwanz indicated that the CAT bus picked passengers up around 6:45 a.m., and the evening CAT bus dropped passengers off around 6:15 p.m. five days a week.

Whitehouse asked if MCCOG would consider giving more space than 8 feet for the pull-out. Mr. Schwanz said he could discuss it with the architect. It was designed as such to allow the bus to pull up to the curb and allow people to exit the bus onto a curb. Whitehouse said it could develop a concern

for school buses traveling in the area. Schwanz agreed there could be a conflict with a Greyhound bus that arrived at 3 p.m. An alternative, he said, would be to discuss with the architect using 7<sup>th</sup> Street as an alternate route that would create the least amount of conflict. Poppoff said that would also alleviate the noise problem. Whitehouse said the alternate route would take the buses out of the school district.

Chair Lavier suggested MCCOG could meet with the City, school district and architect to arrive at a decision for a condition of approval. Mr. Schwanz said he had no objections pursuing this. City Engineer Dale McCabe said the City had previously discussed the 7<sup>th</sup> Street route with the applicant in a pre-application meeting; and the City needed to be certain that, if it was a condition, it would be contingent upon the design working rather than making it a requirement. He said it was the staff's general consensus that 7<sup>th</sup> Street would be a better route.

Whitehouse asked for clarification on what MCCOG considered "light duty maintenance." Mr. Schwanz said the light maintenance would include changing light bulbs, windshield wipers, etc. Other maintenance duties, such as oil changes, inspections, etc., could possibly be added in the future. He also said that if a 7<sup>th</sup> Street design would not be feasible, they could look into going wider than 8 feet on Chenowith Loop Road.

Senior Planner Hert pointed out that language should be added at the end of the proposed Condition of Approval #15 as follows: "or West 7<sup>th</sup> Street for a bus frontage pull-out area."

John Nelson, 524 West Third Place, The Dalles, Oregon, said he was in favor of this project. He felt it would bring credence and support to alternative transit systems other than autos, it would take automobiles off the roads and have an effect on the wear and tear of the infrastructure. Mr. Nelson said the new Condition of Approval #21 (changing the route to 7<sup>th</sup> Street) made sense, and that route would provide a bike access there. It would provide a much safer route for bicyclists, he said.

Zukin stated that the proposed language of Condition #21 was not a requirement, and it did not allow the condition to come back to the Planning Commission. Whitehouse suggested adding a stipulation that if the 7<sup>th</sup> Street option was not feasible, the width of the proposed pull-out would be widened. Zukin said he could support that.

Mr. Parker added a proposed Condition of Approval #21 as follows: "The applicant acknowledges that it will work with the City and School District #21 to determine if the bus pull-out on Chenowith Loop Road can be moved to 7<sup>th</sup> Street, which is the Planning Commission's preferred option, contingent upon street design requirements being able to accommodate the relocation of the bus pull-out. In the event the bus pull-out cannot be relocated to 7<sup>th</sup> Street, the applicant agrees that the site plan will be modified to increase the width of the pull-out on Chenowith Loop Road."

Chair Lavier closed the public hearing at 7:05 PM.

### **Deliberation**

It was moved by Zukin and seconded by Poppoff to approve CUP #170-13 as presented, and to include the addition of Condition of Approval #21 and the modifications to Condition of Approval #15 as submitted, based upon the findings of fact and testimony given. The motion carried unanimously, Stiles was absent.

Chair Lavier called a recess at 7:08 PM and the meeting reconvened at 7:11 PM.

**B. Application number:** CUP #171-13 and SPR 424-13; Northern Wasco County Parks and Recreation District **Request:** To construct a new swimming pool, bath house, and Park District office building. The property is located at 602 West Second Street, The Dalles, Oregon, and is further described as 1N 13E 4AA tax lots 500, 600, 700, and 801. The property is zoned “P/OS” – Parks and Open Space District.

Chair Lavier asked the Commissioners if they had any ex parte contact, bias, or conflict of interest that would hinder them from making an impartial decision on the application. None were noted.

Chair Lavier opened the public hearing at 7:13 PM.

Director Gassman highlighted the staff report. He reported this project was basically a re-doing of what was already there. The pool would be redone and slightly larger. The bath house would be moved around to the north side of the pool. The second portion of the project would be the addition of district offices. A splash pool would be added. Gassman said the parking lot would not change, but parking would be added near the skate park so handicap access would be available on the upper level. In doing this, Gassman stated, an elevator would not be required, which would save expenses. Gassman said no comments were received from the public.

Poppoff asked if shade trees could be added around the playground. Director Gassman said the applicant could address that question during testimony.

Director Gassman pointed out that the applicant would be required to sign a Waiver of Remonstrance for signaling at the property adjacent to the intersection of Mt. Hood and East Second Streets. Also, Condition of Approval #4 was included that required the applicant to sign an easement for an existing sewer line because there was an existing sewer line on park property that ran along the back side of properties on West 3<sup>rd</sup> Place.

### **Testimony**

#### **Proponents**

Scott Green, Parks Director, 414 Washington Street, The Dalles, Oregon and Mark Seder, architect, 3219 NE Thompson Street, Portland, Oregon. Mr. Green said there were shade trees around the existing playground, and the other playground was planned as a future project and was not part of this application. He said additional shade trees would be planted around the green spaces.

Mr. Green said that by adding the additional parking spaces by the skate park, it would bypass ADA access requirements of adding an elevator. The district office was designed in such a way that much of the park could be seen from the offices to add extra security, and additional cameras would be added for safety.

Mr. Seder said the Parks and Recreation District would save on a lease payment by having its own office onsite. District employees viewing the park from the district offices would add safety, and the offices would connect the two levels of the park.

Mr. Green said there were future plans for additional expansion. The park would be very visible from I-84, including a water slide that would attract tourists. Mr. Green stated that by adding an additional lane to the pool, it would allow extra swim meets on a regional and state level.

John Nelson, 524 West Third Place, The Dalles, Oregon, said he was a neighbor to the park, and as a school board director he thought the greatest thrill was that this project identified the community as one that puts kids first. He felt the project would make it possible for all community members to use the pool and live a healthy life style.

### **Opponent**

Lenore Clifford, 531 West 3<sup>rd</sup> Place, The Dalles, Oregon, said she believed she was probably one of the closest neighbors to the park. Mrs. Clifford said she did not want any kind of blasting as had happened in the past. Mrs. Clifford said she would file an injunction and stop work if there was any blasting. She also had a concern about keeping people from falling off the big cliff behind her house, and a concern about transients.

### **Rebuttal**

Scott Green, 414 Washington Street, The Dalles, Oregon, said there would be no blasting. The Parks District contracted a civil engineer, and they didn't anticipate any blasting. He said a rock chisel would be used in the pool area. As far as the cliff area was concerned, the Parks Department was working closely with the police department, and "No Trespassing signs" would be placed in the area. Regarding transients, the hope was that the new district office would deter transient traffic. He said removing the shelter helped, and the Parks Department added security cameras.

Chair Lavier closed the public hearing at 7:45 PM.

### **Deliberation**

Zukin said he thought it was a great project, and he liked the layout. He said he wondered about the Waiver of Remonstrance between two taxing entities and thought perhaps the requirement should be dropped. City Attorney Parker stated that staff had concerns regarding signaling and felt there was a need for the Waiver of Remonstrance. Parker said staff felt the Parks District would be a good partner for the Local Improvement District (LID). By not requiring the Waiver of Remonstrance, it could hinder the formation of the LID in the future. Parker thought Safeway, Cascade Eye Center, and the Walgreens development were required to sign Waivers of Remonstrance. He said the City was trying to distribute the responsibility fairly. City Engineer Dale McCabe said the City was getting closer and closer to that particular LID project, but funding was an issue. The City had always been waiting for the West Gateway project to come in, that would trigger it, McCabe stated. Commissioner Poppoff asked what percentage of the entire cost of the signalization would be the Parks Department's responsibility. McCabe said it was dependent on how many properties were involved and what other funding resources were available at the time, so he could not give an estimate at this time.

It was moved by Zukin and seconded by Whitehouse to approve CUP #171-13 and SPR 424-13 with all conditions of approval, based on the findings of fact and hearing testimony. The motion carried unanimously, Stiles was absent.

### **RESOLUTIONS:**

It was moved by Whitehouse and seconded by Poppoff to approve PC Resolution #534-14; CUP 170-13, Mid-Columbia Council of Governments, including the stated modification to Condition of Approval #15, and the addition of Condition of Approval #21 as prepared and read by City Attorney Parker. The motion carried unanimously, Stiles was absent.

It was moved by Zukin and seconded by Whitehouse to approve PC Resolution #535-14; CUP 171-13 and SPR 424-13, Northern Wasco County Parks and Recreation District, as submitted. The motion carried unanimously, Stiles was absent.

**STAFF COMMENTS:**

Gassman reported that two Planning Commissioners resigned, Rob Raschio and Mike Zingg.

**COMMISSIONER COMMENTS/QUESTIONS:**

Chair Lavier commented that he felt fairly positive about the work that had been done thus far on the Planning Commission's Residential Infill Policy and sub-group work sessions. Director Gassman said there would be a Standards sub-group meeting on February 6, then possibly a Planning Commission general work session on February 20.

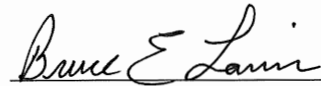
**NEXT MEETING:**

February 6, 2014 – Sign Variance hearing; Standards sub-group work session.

**ADJOURNMENT:**

The meeting was adjourned at 7:58 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.



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Bruce Lavier, Chairman

EXHIBIT 1



Elizabeth Helseth  
3720 W 7th St  
The Dalles OR 97058

Planning Commission  
- Dear Sirs:

1/13/14

I object strongly to the Transit Center.

Sixth st. is for commercial + should stay  
that way.

Chaswick Loop + Snipes have schools +  
residential homes + apt. and should stay that  
way.

Traffic is already heavy + we don't need  
more.

The kids walking + riding bikes need some  
space + non-polluted air to breath.

Very Concerned

Elizabeth Helseth  
a 87 yr old Grandma

