



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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Planning Department

AGENDA CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

313 COURT SREET

THE DALLES, OREGON 97058

CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

THURSDAY, APRIL 17, 2014

6:00 PM

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
 - A. March 6, 2014
 - B. March 20, 2014
- V. PUBLIC COMMENT (Items not on the Agenda)
- VI. WORK SESSION – Residential Infill Policies
- VII. STAFF COMMENTS
- VIII. COMMISSIONER COMMENTS/QUESTIONS
- IX. ADJOURNMENT

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CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, March 6, 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 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Dennis Whitehouse, John Nelson, Mark Poppoff

BOARD MEMBERS ABSENT:

Jeff Stiles*

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Planning Director Richard Gassman, Senior Planner Dawn Marie Hert, City Engineer Dale McCabe, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

It was moved by Nelson and seconded by Poppoff to approve the February 20, 2014 minutes as submitted. The motion carried unanimously; Stiles absent.

*Note: Commissioner Stiles joined the meeting at 6:03 PM.

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARING

Application Number: CUP #172-14; **N. Wasco County School District #21;** **Request:** Application to gain approval for the installation of two modular buildings. Property is located at 922 Chenoweth Loop Road West, The Dalles, Oregon, and is further described as 2N 13E 29C t.l. 400. Property is zoned "RL/CFO" – Low Density Residential District with a Community Facility Overlay.

Chair Lavier read the rules for a public hearing and asked the Commissioners if they had any conflict of interest, ex-parte contact, or bias that would hinder them from making an impartial decision on the application. Whitehouse stated he would be making the presentation on behalf of the school district and recused himself at 6:04 PM. Nelson stated he did not believe he had a conflict of interest that would hinder him from making an impartial decision. He stated he was a school board director, and he also attended the City's Site Team meeting on this application. City Attorney Parker asked Nelson if he had discussed this application with any of the school board members, had he seen this application previously, or received any advance knowledge about the application. Nelson said he had. Parker

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asked if any of that information might hinder him from being objective. Nelson said it would not. Parker advised Nelson that if at any time during the hearing he felt there was something that would hinder him from being impartial, he should disclose it during the hearing so that the applicant or others could address it at that time. In regards to the Site Team meeting, Parker asked Nelson if there was anything from that meeting that would cause him concern either way. Nelson said he did not believe so.

Chair Lavier asked if anyone wished to challenge the qualifications of the Commissioners. None were noted. He opened the public hearing at 6:06 PM.

Senior Planner Hert presented the staff report and highlighted the following portions:

- Pg. 5 – Regarding promoting pedestrian, bicycle and vehicular welfare, staff requested the installation of a sidewalk along the immediate property frontage of the property up to the end of the school building. Hert presented an aerial view hand out of the school property to the Commissioners (Exhibit 1).
- Pg. 7 – Regarding five bicycle spaces being required per classroom, Hert said there was the potential for four classrooms existing in the two modular structures. Therefore, 20 bicycle parking spaces would be required by code. She asked the Commissioners to address that issue and she reminded the board that previous applications that had been presented were granted a reduction in bike spaces from code requirements.
- Pg. 8 – Regarding the installation of a connecting walkway from the public sidewalk to the front of the building, Hert spoke with the State Building Codes inspector who advised truncated domes were required if a walkway crossed a travel lane. The applicant's proposed walkway crossed a travel lane. City Engineer McCabe said the nature of the truncated dome was identical to the requirements for an American Disabilities Act (ADA) ramp.

Hert stated staff recommended approval of the application including the 14 conditions of approval.

Stiles asked where the walkway/sidewalk would be installed that would transverse the parking lot. Senior Planner Hert indicated that sidewalk was not in the plans yet, and the applicant could discuss the possibilities and/or challenges in meeting that condition of approval. Nelson asked if there was a potential of the applicant's project being subject to the 10% increase in square footage that would require additional parking spaces. Hert said she would be surprised if additional parking would be required. Sidewalks in the Right of Way were not calculated into the 10% rule, Hert said.

Testimony:

Proponents

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated the school district requested approval of the application. Regarding the pedestrian access, there currently was a small sidewalk. It was the district's intent to paint out a sidewalk that would lead to the front of the building. It was not the district's desire to build out an entire sidewalk due to cost. The plan was to put a yellow caution sidewalk from the end of the existing sidewalk to the main building only.

Regarding the bicycle racks, they were located in front of the cafeteria on the north end in front of the cafeteria, and there were currently six bike spaces.

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Zukin asked if the truncated dome ADA requirement would be an issue. Mr. Whitehouse said he did not believe it would be; they could use plastic ones. City Engineer McCabe said it would meet code requirements to glue them down. Whitehouse said the width of the walkway would be four feet.

Anne Evans, 922 Chenoweth Loop Road, The Dalles, Oregon, pointed out on the display board of the school properties the natural walk lines of students entering the property in the mornings. She indicated most students would not be using the required sidewalk because they naturally cut off at earlier openings. The exception to that were the children who approached the property from the other side of Chenoweth Loop Road. They have been trained to cross at the crosswalk located towards the middle of the property because of the vehicular traffic. Ms. Evans also pointed out that at the end of the school day all of the students were funneled from the south end of the building, across the front of the building, all the way to the south end of the sidewalk to avoid bus and other vehicular traffic on school property.

Chair Lavier asked about the feasibility of sidewalks at the other two entrances. Mr. Whitehouse said there were issues on the north side because cars parked there, and the buses needed to make a turnaround in that area. Ms. Evans said that was why children were funneled to the south side of the building, because the flow of vehicular traffic went northward. It could, however, be addressed if needed, she stated.

Ms. Evans said she observed and counted bicycle rack usage. Out of 500 students, there were less than 10 students that rode bikes. The day of this hearing, there were three bikes in the rack. She requested no additional bike racks be required at this time, because the current ones were not being used, and there had been theft issues in the past.

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated Tenneson Engineering produced an analysis of the parking lot. Their conclusion was that the school district fell well within the Land Use and Development Ordinance (LUDO) guidelines. Whitehouse pointed out that there was also another parking lot across Chenoweth Loop Road on Irvine Street.

Zukin asked if a walking area could be painted on the south side of the property. Mr. Whitehouse said they could, but it would somewhat interfere with the special education buses that come at a different time after the main school was in session.

There were no opponents.

Chair Lavier closed the public hearing at 6:33 PM.

Deliberation:

Nelson asked if the extra pedestrian walkway should be included as a condition of approval. Lavier said it didn't necessarily need to be in the resolution, but he would like to see it marked off on the south end. Since the morning students and the special education students entered at different times, it seemed as if that extra walkway could be added, Lavier stated.

Zukin asked if the truncated domes should be added in a condition of approval. It was the consensus of the Commission and staff that it was a building codes requirement and could be dealt with at that level, not as a condition of approval.

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The board discussed revising condition of approval #7 regarding bicycle racks. City Attorney Parker offered the following revision: "Details of the parking spaces will need to be provided to ensure that the site contains parking to meet the code requirements. Applicant needs to show that the number of existing parking spaces meets code requirements. For elementary schools the minimum number of automobile parking spaces is 1.5 spaces per classroom. The applicant will not have to comply with Land Use and Development Ordinance (LUDO) requirements for bicycle spaces at this time. In the event there is a sufficient demand shown to require the number of bicycle spaces required by the LUDO, the applicant will install those spaces."

It was moved by Zukin and seconded by Stiles to approve CUP #172-14, based upon the findings of fact and testimony, and to include the 14 conditions of approval with the suggested language revision offered by City Attorney Parker for condition of approval #7. The motion carried unanimously; Whitehouse abstained.

Application Number: CUP #173-14; **N. Wasco County School District #21;** **Request:** Application to gain approval for the installation of two additional modular buildings. Property is located at 1314 East 19th Street, The Dalles, Oregon, and is further described as 1N 13E 10 t.l. 100. Property is zoned "RL/CFO" – Low Density Residential District with a Community Facilities Overlay.

Chair Lavier stated that the rules of a public hearing applied as was previously read. He asked if any Commissioners had any ex-parte contact, bias, or conflict of interest that would hinder them from making an impartial decision on the application. Whitehouse indicated he would continue to recuse himself because he would be making the presentation on behalf of the school district. Nelson said he had previous knowledge of the application as a school board director, and he had attended the City's Site Team meeting regarding this application as in the previous CUP application. Based upon the previous questioning by City Attorney Parker, Nelson said he did not believe he would be hindered in making an impartial decision on this application.

Chair Lavier asked if anyone wished to challenge the qualifications of any of the Commissioners. None were noted. He opened the public hearing at 6:45 PM.

Senior Planner Hert highlighted the staff report. She commented that this school facility had a history of traffic issues for drop offs and loading. Staff asked that these issues be addressed, and that the school district review the traffic issues and formulate a traffic plan. Hert brought the bicycle parking requirement to the board's attention stating the requirements, again, were 20 spaces. Staff recommended approval with 13 conditions of approval.

Chair Lavier said Dry Hollow School had been limited with space because of the area around it, and the traffic issues had been addressed by the Planning Commission in the past.

Nelson stated, in Findings A14 and A32 of the report, the street name should be East 19th, not Dry Hollow Road.

Testimony:

Proponents

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated the school district was requesting approval of the application. He also requested the Planning Commission approve the same revision to

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the bicycle parking spaces as was adopted in the previous hearing for Chenoweth Elementary School. Regarding condition of approval #13, Whitehouse stated the school district had developed a tentative plan to address the parking issue and he gave a brief explanation of the plan. He stated it was an expensive concept, and they were hoping for some funding. Lavier asked that if not all funding was obtained, would there be a prioritization of the project. Whitehouse stated the school district would first like to try to gravel the student drop off area. Lavier asked if there was vehicular access to the modular. Whitehouse said they would put in a gravel road off of an existing paved public easement access road. Nelson asked if a car would be able to come back out the old exit. Whitehouse said it would not be allowed. Nelson asked if sight distance off of Dry Hollow had been considered. Whitehouse said, at this time, the plan is a concept; and a traffic study would follow later.

Discussion followed regarding placing the modular on the back portion of the property rather than on the east end. Whitehouse said the school district had looked at several options, and there were some substantial issues with placing the modular structures behind the main building towards the back of the property.

Lavier addressed staff and applicant that the applicant should not only come up with a plan, but it should be executed as funds were available. Mr. Whitehouse said funding was the issue. Lavier said for the safety of the children and traffic, the issue should be somewhat of a high priority.

Director Gassman suggested some language could be added requiring a plan to be reviewed by the Commission, and if the plan was too vague in terms of a timeline, the Commission could reject the plan. Senior Planner Hert suggested adding the language "and shall provide" options and timings of necessary improvements to ensure the safety of the children. City Attorney Parker advised the Commission could establish a deadline, but if the school district chose not to comply, it would be difficult to enforce the deadline.

Teresa Peters, 1314 E. 19th Street, The Dalles, Oregon, explained the student exiting issues at the end of the school day. Ms. Peters stated there were approximately 10 to 12 bicycles and scooters on the premises at a time, and she was agreeable to the proposed bicycle language. She thought the number of staff vehicular parking spaces was adequate. Lavier suggested the parent drop off parking area could be graveled in order for it to come to fruition sooner since gravel would be less expensive.

Opponents

Dan Hammel, 2005 Lewis Street, The Dalles, Oregon, stated he had personally witnessed near-miss accidents along East 19th Street and traffic backed up at the intersection of Dry Hollow and East 19th Street. He stated there had been no study or adjustments to accommodate increased student population at the facility.

Mr. Hammel said he was concerned about preserving the residential character of a zone and to ensure that structures within a given area would not appear out of character or have a negative impact on the visual aesthetics of the neighborhood. The land use code called for a Neighborhood Compatibility review.

Mr. Hammel also stated that the school district's plan for the creation of an emergency access from what is now a public access easement would make that easement unavailable to the general public. He stated the school district needed a clear plan, or they would keep coming back every few years asking for additional classroom space. In closing, Mr. Hammel asked the Commission to look at the safety

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issues for the children and the effect that the proposed placement of the modular buildings would have on his neighborhood. His recommendation was to place the modular units behind the existing school building.

Zukin asked Mr. Hammel his opinion on the conceptual traffic plan. Hammel said there needed to be a timeline or an expiration on the Conditional Use Permit. He said the area behind the school could hold five to six units, and there were existing utilities and a fire hydrant in that location. Speaking as the Fire Marshal for Mid-Columbia Fire District, Mr. Hammel said the fire department already had access to that location and the turnaround requirement could easily be met.

Paul Karp, 2009 Lewis Street, The Dalles, Oregon, stated that he thought the area behind the existing school building would be a better area for the placement of the additional modular buildings, and the school district would not have to spend money installing a fire hydrant. He said he was concerned about his grandchildren's safety with the proposed location of the buildings being somewhat removed from the main area of the school.

Rebuttal:

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated that one reason the school district didn't propose a location behind the existing buildings was that there were future plans to expand the existing building towards the back of the property. He also advised that the two existing modular buildings behind the school had no bathrooms. Nelson asked if they could cut into the back area topography. Mr. Whitehouse said the school district looked at that, and it would be cost prohibitive.

Teresa Peters, 3414 E. 19th Street, The Dalles, Oregon, said the school district had discussed the proposed location, and they determined school staff would have a direct line of vision out to the proposed area and to the students. She felt the proposed area was the best area. Ms. Peters commented that if the two buildings were placed behind the school, parents would go directly to those classrooms, and for safety purposes the best plan was to have all visitors come through the main doors of the school.

Chair Lavier closed the public hearing at 7:33 PM.

Deliberation:

Nelson said he would like to see more teeth in the conditions of approval for safety reasons. He went to the site and observed the entire dismissal routine. There were 25 to 30 cars parked along E. 19th Street, and it was frightening to watch the pedestrian children walking down the hill, even with traffic safety personnel and crosswalks.

Lavier asked staff about the possibility of installing gravel parking lots. City Engineer McCabe said the code did not allow gravel parking lots. Lavier said a gravel parking lot would be better than nothing, at least for a first step.

Chair Lavier recessed the meeting at 7:41 PM to give City Attorney Parker time to determine if the public hearing could be reopened in order to allow other school personnel to testify. He reconvened the meeting at 7:55 PM. City Attorney Parker determined that state statutes did not allow the public hearing to be reopened.

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Discussion on some possible additional language requiring a traffic safety and improvement plan into condition of approval #13 followed amongst the staff, Commissioners, and Mr. Whitehouse. Upon the realization there were many questions and comments to be given, it was the consensus of the Commission to continue the deliberation to the next meeting.

It was moved by Zukin and seconded by Nelson to continue deliberation for CUP #173-14 to the next meeting and task staff to work with North Wasco County School District #21 to refine condition of approval #13 for the completion of construction and a traffic plan. The motion carried unanimously; Whitehouse abstained.

RESOLUTION:

It was moved by Zukin and seconded by Poppoff to approve P.C. Resolution #537-14, CUP #173-14, N. Wasco County School District #21 to include the changes and amendments to the conditions of approval of record. The motion carried unanimously; Whitehouse abstained.

STAFF COMMENTS:

Director Gassman suggested placing the continuation of CUP #173-14 on the agenda for the March 20 meeting. He also suggested a brief Planning Commission Work Session regarding discussion on the sub-groups' recommendations.

Note: Whitehouse rejoined the meeting at 8:14 PM.

Gassman reported there was one interested party for the Planning Commissioner vacancy. The interested person lived within the Urban Growth Boundary, not within the City limits. A determination would need to be made since the applicant did not live within the City limits.

REPORTS FROM THE STANDARDS AND FINANCE SUB-GROUPS:

Zukin reported that the Standards sub-group formed the attached proposed draft that mirrored a current city resolution attached to the LUDO regarding local streets (Exhibit 3). The group took that model and expanded it to arterial and collector streets. In summary, except for properties already developed on both sides, improvements would be reviewed on a case-by-case basis with some minimum requirements. Zukin said Public Works would detail out the draft after the Planning Commission gave its input.

Stiles reported that the Finance group discussed the cost of \$351 per linear foot for street improvements and decided that was not a correct number any longer because projects would be reviewed on a case-by-case basis. The group also discussed funding sources such as raising the gas tax, and adding a dollar or two to the storm water which was mildly received by the group. Stiles stated it was difficult reach some recommendations without knowing the direction of the other sub-group (Exhibit 4).

Gassman said copies of the working drafts would be made available to anyone requesting a copy.

COMMISSIONER COMMENTS/QUESTIONS:

None

NEXT MEETING

March 20, 2014

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ADJOURNMENT:

The meeting was adjourned at 8:26 PM.

Respectfully submitted by Administrative Secretary Carole Trautman.

Bruce Lavier, Chairman

CHENOWETH LOOP

HL8

HL8

EXHIBIT 1

HL6





Public Improvement Guidelines for Arterial and Collector Streets and any Residential Streets not covered by
Resolution #10-007

The public improvement guidelines for Arterial and Collector streets shall be as follows:

1. **Infill development between two fully developed and improved properties or on a lot that is adjacent to continuous full improvement.** When a lot between two previously fully improved lots is to be developed or there is continuous full improvement up to one side of a lot, full public improvement will be required. Such improvement will be consistent with the level of public improvement which exists on the properties adjacent to the subject site. The improvements would be required to be installed at the time of development.
2. **All other properties.** For lots/properties that are not between two fully improved properties, the public improvement requirements will be determined on a case by case basis during a conditional use type of process. It is anticipated that most of the lots in this category will be required to install partial public improvements. Full improvement is the goal but may not always be feasible, due to existing development, topography, level of building/development density in the area, and lack of or distance from existing needed infrastructure. In particular, these two street categories are seen as an integral part of the overall Transportation System of The Dalles. The final plan for these properties should focus on maintaining a uniform right of way width, pavement in the travel lanes, and if not put into place at the time of development, an allowance for the future addition of sidewalks and storm water systems.
3. The conditional use process is expected to be one in which both parties work in good faith to find an appropriate solution for each property. If a mutually acceptable solution could be found at Staff level, there would be no need to go to PC or start a formal conditional use process. City staff is encouraged to be flexible during this process. It is anticipated that besides reducing the level of standard public improvements at such properties, other methods may be used to reach a mutually acceptable improvement plan, such as:
 - a. Custom detailed deferred improvement agreement with a cap on the amount the landowner would be responsible to pay. The custom detailed deferred development agreement may also contain specific triggers for different levels of improvement required, time lines and other agreements specific to the property.
 - b. Bio swales
 - c. Explanation of what events will trigger additional public improvement development in the future, a time frame.
4. These guidelines are not meant to allow serial development scenarios/loophole subdivisions. Multiple (more than three) modified improvement agreements would not be allowed on tracts under one ownership and no more than three lots could be developed on adjacent lots.

FINANCE WORK GROUP
(A sub-group of the City of The Dalles
Planning Commission Work Session
Re: Residential Infill Policies)
City Hall Upstairs Conference Room
313 Court Street
The Dalles, OR 97058
Conducted in a handicap accessible room

Minutes
Thursday, December 19, 2013
6:00 PM

CALL TO ORDER

Chair Stiles called the meeting to order at 6:06 PM.

ROLL CALL

Committee Members Present: Jeff Stiles, Dennis Whitehouse, Alex Hattenhauer, Damon Hulit, R G Hager

Committee Members Absent: Mike Zingg

Staff Present: City Manager Nolan Young, City Attorney Gene Parker, Administrative Secretary Carole Trautman

CLARIFICATION OF SUB-GROUP'S PURPOSE

Chair Stiles stated the main purpose of the sub-group was to determine the City's and property owners' financial responsibilities in regards to residential infill and to discuss current and future funding options available for street standards that are in review by the Planning Commission's Street Standards sub-group.

KEY COMMENTS/QUESTIONS

- City Manager Young highlighted his December 13, 2013 memo regarding information that was requested by committee members (Attachment 1).
- It was the general consensus of the committee to remove all existing residential waivers of non-remonstrance and local improvement districts.
- City Attorney Parker said the County Assessor reported that the City's options were somewhat limited, and local budget laws would allow general funds to be used for street improvements. The City could adopt a property levy for a specific purpose, but there were strict tracking regulations in place to ensure the designated funds were used for their intended purpose. The only way to capture new revenue from newly developed properties to pay for public improvements would be to form a new urban renewal district which would include the newly developed properties. The City could decide to dedicate property taxes to street improvements, but it would require going through the budget process and determining funding priorities. The tax rate of \$0.0030155 multiplied times the assessed property value increase from development within the city limits could be used for street improvements, but Parker was unsure if the amounts collected would be sufficient to help with all street improvement costs.

- Stiles asked if property tax rates could be changed. Parker said the rates were locked in. Young felt property taxes were not the solution.
- There was discussion on raising a utility rate by one or two dollars a month to generate revenue. Young advised that the current residential storm water rate was \$2 a month, with revenues to be used for extending storm lines into infill areas. Young said one option could be to potentially remove storm sewer in some areas as a standard, allow more swales, and increase the storm water charge to \$4 a month. Calculated out, in a year's time it would increase the storm revenue close to \$500,000.

COMMITTEE RECOMMENDATIONS

1. Remove all existing residential waivers of non-remonstrance and local improvement districts.
2. Research the feasibility of prioritizing street funding through the City's general fund.
3. Consider having the City invest in extended utility infrastructure to be paid back as infill occurs through amendment of the City's Reimbursement District Ordinance.
4. City contract an engineer for one year to work on residential infill infrastructure.
5. Increase the storm water monthly fee up to \$4, and consider storm water a community issue rather than a neighborhood issue.
6. City increase maintenance work on unimproved streets (other than subdivision development or existing dwellings required to come up to street standards).

ADJOURNMENT

The meeting was adjourned at 8:05 PM.

- Whitehouse asked if it was the City's opinion that the homeowner should pay 100% for residential infill development. Young stated the current policy required homeowners to fund development 100 percent. Young said that the City was proposing to participate in cost reduction by contracting an engineer for one year to work strictly on residential infill street improvement that would lessen the current cost estimate of \$351 per linear foot. The City would also allow private contractors to do the work which would, most likely, be at a lower rate than the City's estimated work cost.
- Hattenhauer said he questioned if one year would be enough time for a contracted engineer to do the work, and how would that engineering remain effective through potential street development plan changes? Young recognized plans could change, but to have the base engineering work completed would be good. Young was uncertain how many projects could be done; it would be helpful to prioritize projects.
- In light of "loose end" projects that are unrelated to larger areas of development, Hattenhauer asked if the strategy would be to "sweep the town" or pick up pods of projects. Young said the hope would be to prioritize pods. The current policy of the City Council was to put in infill. The engineering costs would fall on the City, and if problems arose, the responsibility would fall upon the property owners. Young said the neighbors in a problem area might have to form a coalition to do a small project in an area. Costs would be expensive for property owners as R G Hager's Attachment 2 pointed out.
- Hager reviewed his handout (Attachment 2) and summarized by saying property owners could not afford the expenses. Hager also said infrastructures needed to take place in the core area rather than in outlying areas. Hager stated rural areas needed minimum street enhancement and storm water swales.
- Hager stated there was wanton neglect on the City's part to use tax funded money for street maintenance on the east side. Young referred back to three key questions on page 3 of his December 13, 2013 memorandum and asked if some of the City's priorities should shift to do chip seals in those undeveloped areas until there was development. Jerry Johnson, 3102 East 13th Street, The Dalles, Oregon, said it was the infrastructure that hindered development. He said the community should finance street maintenance, and the street department got very little revenue for maintenance. Whitehouse said there was no way to solve the three questions without more revenue. Hattenhauer suggested raising the street maintenance priorities within the City's budget to gain more funds.
- Hager said he would like to pursue gaining federal funds for streets by recognizing this community's past contribution in the aluminum industry. He was currently working with Representative John Huffman on that issue.
- There was discussion on the current City policy for providing/installing new utility services for new development. Stiles asked if a new policy could be considered whereby the City would install and extend utility service lines beyond new development then get reimbursed by future development property owners. Young advised there was no such policy for that now, but the City Council could consider it.
- There was discussion on the Wasco County Transportation Committee (Attachment 3) to seek production of a new transportation district and appropriate funding to bring county and city road systems out of the potential dangers they face. Young stated the financial aspects would be that the City would receive \$750,000 which could help meet current maintenance needs. Policies would need to change to divert monies to the three areas mentioned in his memo regarding the maintenance of streets. A concern would be property tax compression, Young stated.

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, March 20, 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 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Dennis Whitehouse, John Nelson, Jeff Stiles

BOARD MEMBERS ABSENT:

Mark Poppoff

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Planning Director Richard Gassman, Senior Planner Dawn Marie Hert, Public Works Director Dave Anderson, City Engineer Dale McCabe, Associate Planner Nick Kraemer

APPROVAL OF AGENDA:

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

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARING:

Application Number: (continued) CUP #173-14; **N. Wasco County School District #21;** **Request:**

Application to gain approval for the installation of two additional modular buildings. Property is located at 1314 East 19th Street, The Dalles, Oregon, and is further described as 1N 13E 10 t.l. 100. Property is zoned "RL/CFO" – Low Density Residential District with a Community Facilities Overlay.

Deliberation: (continued)

Whitehouse recused himself from deliberation.

Senior Planner Hert advised that City staff met with the applicant to develop three possible alternatives for Condition #13 regarding a traffic study. Hert explained that Option 13B was a slight modification that added language about Planning Commission approval of a traffic study, and Option 13C was more specific to timelines and deadlines for the traffic study.

Chair Lavier asked if the applicant preferred either option. Hert responded that the School District saw the need for a traffic study and wanted to resolve the traffic study issue, but they felt that a strict timeline would not be preferable. She said that the School District would like to take further steps forward, but they were limited by funding. Commissioner Stiles asked about the possibility of staggering bus drop off and pickup. Senior Planner Hert and Director Gassman explained that the school felt they could save money by making the bus drop off and parking improvements at the same

time. The school could use fill from one spot to the other. Commissioner Nelson asked what level of enforcement would be taken on Option 13C if the school didn't move forward with the traffic study issue. City Attorney Parker explained that the Planning Commission would ultimately make the decision of whether the School District was making progress and could make decisions about granting time extensions or approving the study.

Commissioner Nelson asked if the locked gate on the fire access road would be locked, as the Fire Marshal had previously stated. Senior Planner Hert explained that the fire access could be locked, and the Fire Department had the key. Nelson asked about school security issues, in light of the additional fire access road. Dawn Hert stated she was not sure, it might be limiting, but the access easement would not be an approved access point by the City.

Stiles asked about the timeline, and City Attorney Parker said the applicant would have one year to submit a traffic study.

Nelson asked if there was significance to the 2017 timeline for the completion of the study. City Attorney Parker stated that the school was considering inclusion of the improvements in a bond, and they felt it could be passed by 2017. Commissioner Stiles asked about the potential of the School District building a stick-built facility. Parker explained that the Planning Commission needed to make a decision based on the information submitted in the application.

Commissioner Zukin suggested a modified version of Option #13C as follows: *North Wasco County School District #21 shall provide a traffic and improvement plan that acknowledges the pedestrian, vehicular drop off and parking issues which exist, and will be created with the addition of the two new modular buildings. The plan will need to be submitted within one year of the approval of this application to the Planning Commission to approve and provide options and timings of necessary improvements to ensure the safety of the children that are walking to, or being dropped off/picked up at Dry Hollow Elementary. The plan shall include a provision acknowledging the Planning Commission's expectation that construction of improvements designed to implement the plan be completed by September 1, 2017. In the event North Wasco County School District #21 determines it cannot complete construction of the improvements by September 1, 2017, the District shall notify the Planning Director of this determination by no later than June 30, 2017. A hearing will then be scheduled before the Planning Commission during which the Planning Commission will consider progress made on the improvement plan to date and will determine whether to grant an extension of the timeline for construction of the improvements.*

Nelson stated he concurred with the suggested change in language, and City Attorney Parker said he saw no problem with the language change. Stiles said he did not like "taking the teeth out" of Condition #13. Nelson said the modified language regarding bike parking from CUP 172-14 for Chenoweth Elementary School, Condition #7, should be used with this application.

Zukin proposed a potential landscaping buffer on Lewis Street to protect the views of the adjacent neighborhood. Parker and Gassman pointed out that the staff report stated that the project site met landscaping standards. Therefore, it would be difficult to require a landscape buffer. Chair Lavier stated that he wanted the landscape buffer discussion to go on record in hopes that the School District would choose to increase the landscape buffer.

Chair Lavier called for a recess for City staff to discuss the suggested changes with the School District staff at 6:25 PM, and he reconvened the meeting at 6:36 PM.

City Attorney Parker explained that the School District was concerned about the possibility that the modular buildings would not block any view from the neighborhood, but that the landscape buffer could grow and end up being a problem. Chair Lavier stated that the Commission was no longer interested in requiring the landscape buffer.

Director Gassman explained that the School District was concerned that they could complete the traffic plan, the Commission could choose to not approve it, and then the School District would have wasted money on an engineer's report that needed to be revised. It was suggested that the language replace "approve" with "review." This way it gave the Planning Commission input on the traffic study as it was being developed.

It was moved by Zukin and seconded by Nelson to approve CUP 173-14, based upon the findings of fact and testimony, and to include the #13C Condition of Approval (with language changes) with the suggested language revision for Condition of Approval #7 to match Condition of Approval #7 of the Dry Hollow School application CUP 172-14. The motion carried unanimously; Whitehouse abstained.

RESOLUTION:

It was moved by Stiles and seconded by Nelson to approve P.C. Resolution #537-14, CUP #173-14, N. Wasco County School District #21, to include the changes and amendments to the Conditions of Approval of record. The motion carried unanimously; Whitehouse abstained.

Whitehouse rejoined the meeting.

WORK SESSION: Residential Infill Policies

Director Gassman explained that a resolution was passed years ago to reduce street standards on local streets. Gassman went on to explain that discussions of street improvements on collector and arterial streets should be treated differently.

Director Gassman handed out Oregon Administrative Rules (OAR) 660-012-0045, received through communications with the Oregon Department of Transportation (ODOT), about Transportation System Plan Rules (Attachment 1). The laws state that, if improvements on collector and arterial streets are required, pedestrian and sidewalk improvements must be included. Gassman also handed out a list of streets from the Transportation System Plan (TSP) that could potentially be affected if/when the TSP rules apply (Attachment 2). He explained that the state reviews Land Use and Development Ordinance (LUDO) changes, and the State may challenge the proposed language for arterial and collector streets if pedestrian and sidewalk improvements are not included. Gassman said that there was some room for interpretation of the language, "in areas where bicycle and pedestrian traffic is likely."

Zukin asked if Section 3D of the OAR provided some flexibility for interpretation. City Attorney Parker commented that he believed it did provide some flexibility, but that the local jurisdiction's rules must ultimately be consistent with the OAR. Gassman and Parker stated that the Commission must comply with TSP OAR. Zukin asked if Section 3 was limited to collector streets and arterials. Gassman advised that we needed to provide some sort of framework for bike/pedestrian facilities. Commissioner Zukin asked if this OAR should be applied to all streets with bike/pedestrian facilities. Chair Lavier stated he thought that establishing right-of-way for future bike/pedestrian improvements would possibly meet OAR requirements.

An audience participant said there wasn't enough width for a right-of-way on some of the streets. Public Works Director Anderson explained that topographical challenges were often a factor in establishing right-of-way in The Dalles.

Discussion followed regarding the failed Local Improvement District (LID) on Thompson Street and that it wouldn't have necessarily fallen under this particular section of the OAR. Gassman explained that this section of OAR could greatly complicate the effort to reduce standards.

An audience participant said the Dalles shouldn't be held to OAR standards because he had seen other Oregon cities larger than The Dalles have ditches and no sidewalks. Another member of the audience stated that sometimes there were situations where an LID didn't happen because the neighborhood didn't want sidewalk/bike lanes. It came down to the cost. Everybody wants fully improved streets, but no one is willing to pay for them.

Discussion followed on the list of all arterials and collectors. Some were not fully improved, and these presented the biggest challenge. Director Gassman explained that local streets may not need full improvement, however larger streets would need improvements to develop a framework for bike/pedestrian travel. The big issue was about who would incur the expense. Gassman stated that the City was considering hiring an engineer for this purpose, and the engineer could focus on the high priority streets. This would help reduce costs 10 to 15 percent. Public Works Director Anderson stated that the OAR regarding bike lanes and sidewalks seemed even more restrictive, and he explained the role of the proposed engineer. Commissioner Stiles explained that the Finance Group felt they needed a bigger review of the city and the engineering would increase the ability of the property owner to make improvements at the time of development. An audience member said not everyone in the Finance Group was supportive of the City hiring an engineer. He questioned the possibility of engineering standards changing over time and property owners being responsible for the cost of upgrades to the standards. Public Works Director Anderson stated that the City would cover the cost if the owner initially met the requirements. Another audience member asked how the City could consider street engineering when the City could not maintain the existing streets. There was some discussion on the need for funding for both planning and maintenance goals for streets.

Commissioner Whitehouse said it would be difficult to come up with a plan that would meet the needs of everyone. The intent should be to look for a solution that met the needs of the greater good. An audience member said he felt the LIDs would never happen. Another citizen said the City should consider chip seal to get a "the biggest bang for the buck."

An audience participant stated he felt the matrix was the best plan where each property was looked at individually.

Director Gassman said there needed to be a mechanism in place that would trigger improvements. He explained the differences between the Waivers of Remonstrance and the Delayed Development Agreement (DDA). Zukin said the Committee had discussed a dollar cap for the DDA. Stiles stated there should be a "sunset term" on any type of DDA as well.

Public Works Director Anderson said the Commission needed to think about the possible LUDO changes that could open up for serial partitioning. Zukin said there should be some sort of mechanism to keep that from happening. Nelson stated that serial partitions could reduce density, which would create a problem with efforts to expand the Urban Growth Boundary.

Gassman said that the proposed set of guidelines may not mesh with OAR because they don't address bicycle/pedestrian on arterial and collector streets. He suggested they could incorporate this into the guidelines. City Attorney Parker explained that some issues that did not meet OAR and LCDC requirements could potentially stop development. He said the Transportation System Plan needed to be addressed and incorporated into Zukin's proposed process.

In summary, Gassman said he understood the Commission was directing staff to identify a framework of collector and arterial streets that would meet the intent of the OAR; and identify some additional information to Zukin's framework that would treat those framework streets somewhat differently. Staff will bring it back to the Commission for discussion. He also felt there was a need to detail out the DDA to discuss a money cap and a time cap. The draft outline will be discussed at the April 17 meeting.

STAFF COMMENTS:

Chair Lavier said the Planning Commission needed to appoint a Vice Chair and an Urban Renewal Advisory Committee representative from the Planning Commission. No one volunteered for the Vice Chair position. Chair Lavier will bring it up again at the next meeting. John Nelson was appointed as the URAC Planning Commission representative.

COMMISSIONER COMMENTS/QUESTIONS:

None

NEXT MEETING

April 3, 2014

ADJOURNMENT:

The meeting was adjourned at 7:55 PM.

Respectfully submitted by Associate Planner Nick Kraemer

Bruce Lavier, Chairman

and imaginary surfaces, and by limiting physical hazards to air navigation;

(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;

(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;

(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:

(A) Land use applications that require public hearings;

(B) Subdivision and partition applications;

(C) Other applications which affect private access to roads; and

(D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations; and

(g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.

(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.

(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;

(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.

(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;

(B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways;

(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;

(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;

(E) Streets and accessways need not be required where one or more of the following conditions exist:

(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;

(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or

(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.

(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel,

including bicycle ways along arterials and major collectors;

(d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian routes, facilities and improvements which:

(A) Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or cycle travel for short trips;

(B) Provide a reasonably direct route of travel between destinations such as between a transit stop and a store; and

(C) Meet travel needs of cyclists and pedestrians considering destination and length of trip; and considering that the optimum trip length of pedestrians is generally 1/4 to 1/2 mile.

(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.

(4) To support transit in urban areas containing a population greater than 25,000, where the area is already served by a public transit system or where a determination has been made that a public transit system is feasible, local governments shall adopt land use and subdivision regulations as provided in (a)-(g) below:

(a) Transit routes and transit facilities shall be designed to support transit use through provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking restrictions and similar facilities, as appropriate;

(b) New retail, office and institutional buildings at or near major transit stops shall provide for convenient pedestrian access to transit through the measures listed in (A) and (B) below.

(A) Walkways shall be provided connecting building entrances and streets adjoining the site;

(B) Pedestrian connections to adjoining properties shall be provided except where such a connection is impracticable as provided for in OAR 660-012-0045(3)(b)(E). Pedestrian connections shall connect the on site circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential for redevelopment, streets, accessways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property;

(C) In addition to (A) and (B) above, on sites at major transit stops provide the following:

(i) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza at the transit stop or a street intersection;

(ii) A reasonably direct pedestrian connection between the transit stop and building entrances on the site;

(iii) A transit passenger landing pad accessible to disabled persons;

(iv) An easement or dedication for a passenger shelter if requested by the transit provider; and

(v) Lighting at the transit stop.

(c) Local governments may implement (4)(b)(A) and (B) above through the designation of pedestrian districts and adoption of appropriate implementing measures regulating development within pedestrian districts. Pedestrian districts must comply with the requirement of (4)(b)(C) above;

(d) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;

(e) Existing development shall be allowed to redevelop a portion of existing parking areas for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations, transit-oriented developments, and similar facilities, where appropriate;

(f) Road systems for new development shall be provided that can be adequately served by transit, including provision of pedestrian access to existing and identified future transit routes. This shall include, where appropriate, separate accessways to minimize travel distances;

(g) Along existing or planned transit routes, designation of types and densities of land uses adequate to support transit.

(5) In MPO areas, local governments shall adopt land use and subdivision regulations to reduce reliance on the automobile which:

(a) Allow transit-oriented developments (TODs) on lands along transit routes;

Richard Gassman

Subject: Collector Streets

The following is a list of arterial or collector streets that are at least partly in residential zones, based on the City's TSP

1. 7th Street from Hostetler to Walnut
2. 9th Street from Dry Hollow to 10th Street
3. 10th Street from Chenowith Loop to Thompson
4. 12th Street from Kelly Avenue to Richmond
5. 13th Street from Irvine to Kelly Avenue
6. 16th Place from Kelly Avenue to Dry Hollow
7. 19th Street from Lewis Street to Dead End
8. Chenowith Loop from 10th Street to 6th Street
9. Cherry Heights
10. Columbia View Drive
11. Court Street from 10th to 2nd
12. Dry Hollow Road
13. Fremont
14. H Street from 10th to 9th
15. Hostetler from 10th to 6th
16. Kelly Avenue
17. Mt Hood from City limits to 8th
18. Old Dufur Road
19. Quinton Street from 10th to 9th
20. Scenic Drive
21. Skyline Road
22. Snipes Street
23. Thompson Street
24. Trevitt Street
25. Union Street from 10th to 1st
26. Walnut from 10th to 6th



DRAFT

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PLANNING DEPARTMENT

Outline for Residential Infill Public Street Improvements

Background

This is an outline of a program derived from the preliminary recommendations of the standards and finance work groups and the discussions of the full Planning Commission. This outline is intended for single lot residential infill. Subdivisions would be subject to the existing standards in the LUDO. Part A of this outline discusses street improvements only, and only for lots located on one of the “grid” streets (mostly arterial and collector streets). Street related improvements for other residential/local streets are discussed in Part B. Water and sanitary sewer are not included in any part of this outline. The cost of installing those utilities would continue to be the responsibility of the property owner. This outline does not discuss public street improvements in non-residential areas.

For purposes of this outline, full improvement means sidewalks on both sides, curbs, and a fully paved street, without reference to the width of paving.

The goals of this outline are multifold as indicated below:

1. To provide for full improvement of selected streets to allow for auto, bicycle and pedestrian access to all areas of town.
2. To minimize the creation of isolated “island improvements” including those lots which install public improvements not as part of a consistent and comprehensive process for installation of public improvements.
3. To reduce the overall cost to individual property owners.
4. To provide an identifiable maximum liability for property owners for public improvements.
5. To provide clarity to the development process.

This outline depends on the adoption of a network of streets (the grid) that would allow for bicycle, pedestrian and vehicular access, to all parts of town. A map of the significant streets is included. The map shows arterial streets in red, collector streets in blue, and local streets in green. City streets are indicated in solid lines while County roads are indicated in dashed lines. To have a comprehensive grid, we would need to use all the arterial and collector streets plus add a few selected local streets, in areas where there is no close arterial or collector street. An example is to add Richmond, or Lambert, or both.

General Concept

A. Development requirements for property with frontage on a grid street

1. Full improvement is required with development, with a dollar cap at \$150 per linear foot (same amount as proposed for Thompson Street in 2011/12) provided that the improvements can match the grade of the street, and the proposed method of storm drainage can be

accommodated by the existing storm drainage system. The decision on whether the street is ready for full improvement shall be determined by the City. If the monetary cap applies, the City's multi-frontage lot relief will not apply.

2. If the street is not ready for full improvement, the property owner has, at their choice, the option of either: 1) pre-paying to the City the capped cost of the street improvement, or 2) signing a Delayed Development Agreement (DDA). The DDA would require the property owner to install full improvements within five years once the City, at its cost, had completed engineering of the street design, and the installation of any required storm water system improvements. The five year period shall commence upon the date of occurrence of the final event which is necessary to complete the City's obligations.
3. If the City determines that public improvements should not be installed by the end of the time period, the City may extend the deadline. Criteria for extension include lack of available funds to cover excess costs over the cap, differences in grade between engineered design and existing street; approaching deadline for installation of improvements for additional nearby properties, and any other factor or factors which make an extension appropriate. The length of the extension is at the City's discretion. Rather than have the deadline extended, the property owner has the option of pre-paying the cap limit.
4. A property owner whose property is on a grid street and subject to an existing recorded Waiver of Remonstrance Agreement would have the option to pre-pay the capped dollar amount, install the improvements if approved by the City, or convert the Waiver to a DDA, subject to the provisions outlined above including the monetary limit upon costs. If a DDA is signed, the City would record a release terminating the Waiver of Remonstrance Agreement. If the property owner does not choose one of the options listed above, the Waiver will remain in effect.
5. Street improvements, when ready to be installed, will be done by block or area to the fullest extent possible by using either the Local Improvement District (LID) process or the *Gravel Street Policy* at the property owner's choice. One provision in the DDA will be to require the property owner to contact all other property owners of lots which are not fully improved within the same block to request participation in either an LID or use of the *Gravel Street Policy* for that block.

B. Development requirements for other streets

1. Dedication of right-of-way may be required.
2. Make improvements to meet the standards for the street as set out in Resolution 10-007. (We will probably need to review 10-007 to make sure we do not contradict ourselves).

Delegation of Responsibilities

C. On Grid Streets

1. City Responsibilities
 - a. Do engineering at City expense.
 - b. Install storm water system at City expense.
 - c. Administer DDAs.
 - d. Cover excess costs over DDA cap, if any, as available resources allow.
2. Property Owner Responsibilities
 - a. Install improvements at time of development if possible up to limit of monetary cap.
 - b. Sign and record DDA if public improvements not possible.
 - c. Install improvements or choose options presented by City at end of time period.
 - d. Request other block property owners to participate in LID or *Gravel Street Policy* as set out in DDA.

D. On all other Streets

1. City Responsibilities
 - a. Determine if improvements need to be installed, some or all.
 - b. Determine if additional right of way is needed.
2. Property Owner Responsibility
 - a. Install improvements as directed by the City.
 - b. Dedicate right of way as needed.

Existing Waivers of Remonstrance

E. On Grid Streets. The property owner will have the option of prepaying at the cap limit, or converting the Waiver into a DDA by signing a new DDA. Property owner will be responsible for recording the DDA, City will be responsible for recording release of Waiver. Unless the owner chooses one of the alternative options, existing Waivers will be continued.

F. On all other residential streets. The property will be reviewed for compliance with the standard for the street as set out in Resolution 10-007. If the property meets the standard for that street, the Waiver will be cancelled. If the property does not meet the standards, the property owner will have the option of prepaying for those improvements not installed, up to the standard as set for the street, or signing a DDA modified for the standards for that street. Unless the owner chooses one of these options, the waiver will be continued, but only for the standard for that street.

Other Comments

1. In order for the City to have sufficient staff to prepare engineering plans for the streets and storm water system, the City will likely need to hire an engineer to work solely on this project.
2. In order for the City to install even a limited storm water system as envisioned in this outline, additional funds will be needed for the work. The finance work group recommended an increase for the storm water fee from \$2.00 per month to \$4.00 per month.
3. The DDA would be a document prepared by the City, signed by the property owner and the City and be recorded at the property owner's expense. In addition to the information contained above, the DDA should also have an inflation escalation clause that would automatically adjust the dollar cap. The City would be responsible for preparing and recording the release of a DDA once the work has been completed.
4. The City should send an annual update to each of the properties covered by a DDA (or a Waiver of Remonstrance) of the ongoing validity of the DDA, the status of any work on the adjacent street, and the current dollar cap based on an inflation factor, if adopted. When all work required of the City is done, property owners would be notified of the beginning of the five year time period.
5. For non-grid streets, the Planning Commission could consider revising Resolution 10-007 as modified by the terms of this outline.
6. If the multi-frontage lot relief is not allowed in conjunction with the cap limit, the City will need to amend its multi-frontage lot relief policy.

2014 Residential Infill Road Classifications

Legend

Roads

— <all other values>

ROAD_CLASS, STATUS

— Arterial, City

... Arterial, County

... Arterial, State

— Collector, City

... Collector, County

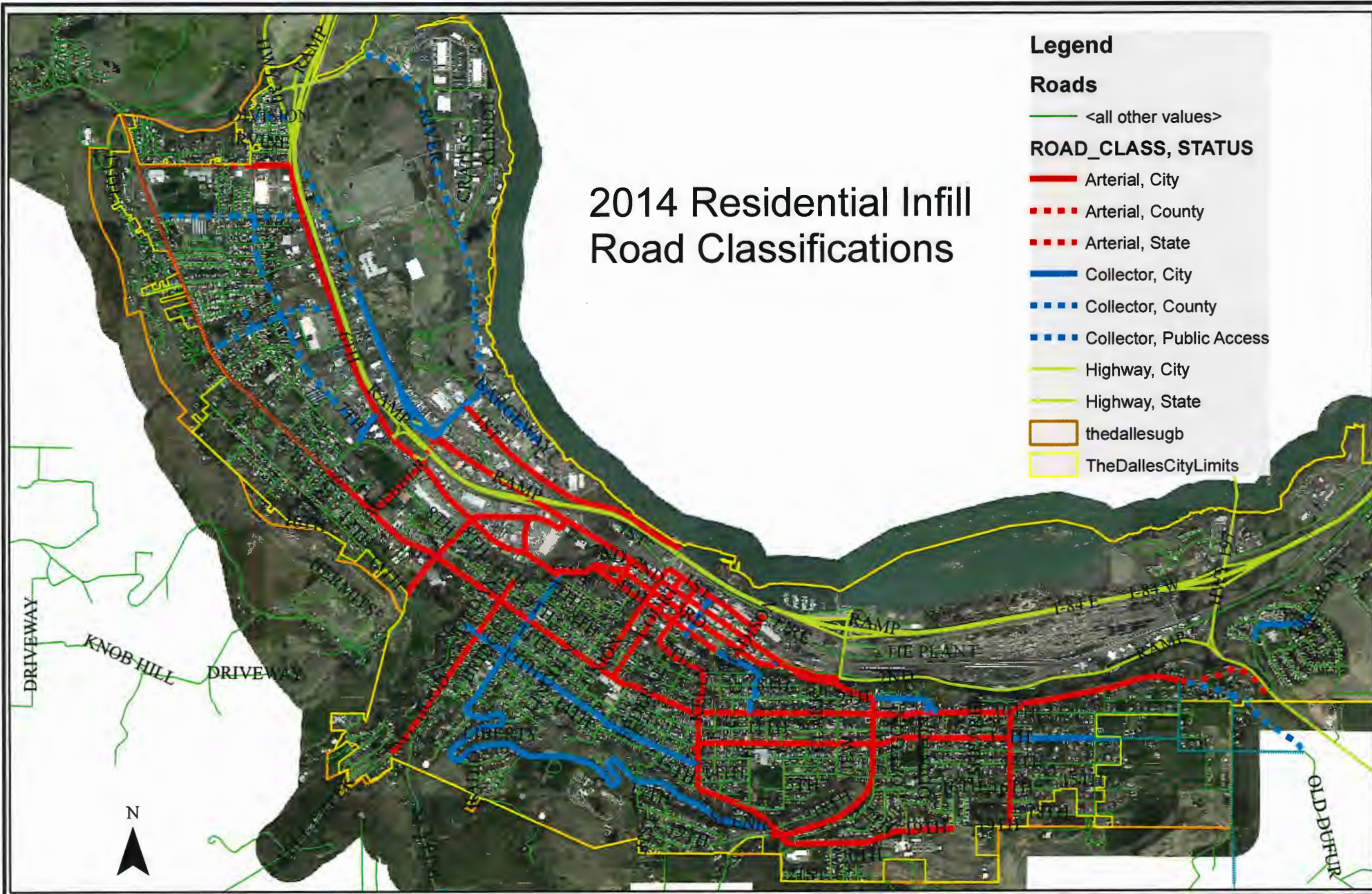
... Collector, Public Access

— Highway, City

— Highway, State

thedallesugb

TheDallesCityLimits



TO: City Commissioners

April 16, 2014

FR: Loyal Quackenbush

I am very dismayed at the draft the city staff proposes for the infill & streets.

In 2007, a citizen group discussed all these same issues and here we are 7 years later. Back in 2007, the citizens wanted to stop non remonstrance agreements. The city then went to delayed development agreements which are essentially the same lien on one's property with a different name.

It was a general consensus by both our work groups to have all old non remonstrances & delayed development agreements removed and start over. Just a short time ago, the Manning's put their home on the market not knowing two old non remonstrances were signed by a previous owner and attached to their deed. (see letter attached) The Manning's received two full price offers but when the buyers learned of these non remonstrances and their financial affect, both walked. They ultimately sold their property at a \$25k loss. These non remonstrances were of no benefit to the City; only a loss to the Manning's. Mr. Gassman has stated in previous meetings that non remonstrances have not worked for the City. It is time to remove all old non remonstrances and their newly titled twin, now termed, Delayed Development Agreements.

In the first paragraph of the City's draft it stated that water & sanitary sewer lines are not included in the proposed \$150 per foot fee. With water and sewer added to the \$150 fee, we are now at \$270 per foot. When the road is torn up for improvement, it only makes sense to replace the water and sanitary lines so what is the real cost? Is it \$150 or \$270. Do we lull citizens that already have water and sewer in to thinking the cost is \$150 and then spring the added fee of water and sewer line replacement with \$120 per foot additional fee?

Thompson Street was thwarted by the citizens at \$100 per foot; however this new draft states they were proposing \$150 per foot (claiming this as the same fee proposed for Thompson Street). Why even use this fee as a basis for a number?

The City needs to put roads as a top priority and find ways to fund them. Citizens should not have to lose their homes or incur severe financial hardships for a street that is used by far more than the owner adjacent to them.

A local citizen contacted seven other Oregon communities regarding street costs. None propose or assess property owners in the way our City is proposing. In fact, one community suggested our City Manager contact their City Manager to meet and share what has worked for their street developments and improvements. To date, this contact has not happened.

Admittedly, I have strayed off comments only referring to direct street infill, but in reading the City's draft, they are referring to full city improvements and even naming streets. The City states an interest in minimizing islands (which is a broad statement) that needs to be far more defined.

Last year, there were a hand full of new homes constructed in The Dalles while home starts in Hood River, Dallesport, Redmond and Bend were robust with new construction. We are doing something wrong here and need to find a better way to improve our community.

Dear City Council, Staff & Honorable Mayor,

November 6, 2013

My name is Kindra Manning. My husband Sean and I and our two children reside at 2919 E. 9th Street in The Dalles. Due to employment demands and availability of work for my husband, we accepted his job transfer to Martinez, California in April of 2013.

We listed our home, situated on .8 acre connected to city water and equipped with its own septic; for sale with Bonnie Long in May 2013. This listing brought to our attention a potential lien in the form of a non-remonstrance signed in January 1994 by previous owner, David G. Kenworthy. Prior to this title report we were not ever made aware that a city lien encroached on our homes' title. As a matter of fact Sean and I both attended a city council meeting December 5, 2005 at which time, having notice from our city manager, Nolan Young that issues regarding facilities development and the continued promotion of a Gravel Street policy would be on the agenda. A vote by city council concluded not to proceed with any infrastructure or facilities development and with no other facilities development pending we concluded that our obligation was complete. That may have been a bit naive but there was nothing to tell us any different.

In June, shortly after listing our property, we received a near full price offer from a local family. After speaking with Dick Gassman and being told that a \$60-80k lien was on our title, this buyer terminated their offer and wrote so in addendum on July 28, 2013.

Another buyer revoked their offer after speaking with a city staff member and was told that if they were to purchase our home they would certainly be forced to pay for street improvements as soon as any development occurred, on any properties adjoining east 9th street.

The costs that were being quoted to prospective buyers by the city is approximately 40% of the value of our home. I cannot imagine how gifting up to 40% of our homes value for a street and a larger waterline will greatly improve our lives.

The first lien was placed on our property in 1994 and since then costs associated with the cities LID's have grown disproportionately to our home's real market value making this ordinance an obsolete tool for the city's future ideals for building roads in residential areas. We will not ever be able to create future streets in The Dalles or improve infrastructure by clinging to these ordinances of the past. The city of The Dalles should not continue to support ordinances that will likely assess homeowners out of their homes and literally onto the streets we were forced to pay for.

I should have the right to sell my home without the encumbrance of these liens and ask that the city remove all waivers of remonstrance associated with the property at 2919 E 9th so that buyers can purchase our home without the threat of future costs holding them hostage as we have felt it has held us for so many years now.

Nolan has said in the Agenda Staff Report that city council has the ability to change its policies and to remove the waiver of remonstrance on our title allowing us to sell our home unencumbered. I strongly urge the council to make these policy changes today so as to avoid a tidal wave of sales forfeitures across the city of The Dalles.

Granting our request for removal of both waivers of remonstrance will not have any direct impact on the City budget and will not likely interfere with future LID projects. It is time for growth and forward progress in The Dalles and it is time to rid our city of ordinances and policies that hold back the opportunities for growth and prosperity. I want to thank you in advance for being the voice of change and allowing me to reconnect my family through the sale of our home.

Sincerely,
Kindra Manning