



## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125  
COMMUNITY DEVELOPMENT DEPARTMENT

# MINUTES

## CITY OF THE DALLES PLANNING COMMISSION

MEETING HELD VIA ZOOM  
THURSDAY, MAY 7, 2020  
6:00 P.M.

### CALL TO ORDER

Chair Bybee called the meeting to order at 6:04 p.m.

### ROLL CALL

Commissioners Present: Brent Bybee, Cody Cornett, Bruce Lavier, Mark Poppoff and Jeff Stiles  
(joined meeting at 6:25 p.m.)

Commissioners Absent:

Staff Present: Director Steve Harris, City Attorney Diana McDougale, Senior Planner Dawn Marie Hert, City Engineer Dale McCabe, Associate Planner Riley Marcus, and Secretary Paula Webb

### APPROVAL OF AGENDA

It was moved by Lavier and seconded by Cornett to approve the agenda as written. The motion passed 4/0; Bybee, Cornett, Lavier, and Poppoff in favor, none opposed, Stiles absent, two positions vacant.

### APPROVAL OF MINUTES

It was moved by Cornett and seconded by Lavier to approve the minutes of March 6, 2020, as written. The motion passed 4/0; Bybee, Cornett, Lavier, and Poppoff in favor, none opposed, Stiles absent, two positions vacant.

### PUBLIC COMMENT

None.

### QUASI-JUDICIAL HEARING

Adjustment 050-19, Michael and Christine Irish, 221 W. 15th Street, 1N 13E 4 DB tax lot 9300

Chair Bybee read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias which would prevent an impartial decision.

Commissioner Cornett stated he had developed a working relationship with Jensie and Michael Bryan. Cornett recused himself from the hearing.

Commission consensus was to delay this item until a quorum was established.

Minor Partition 371-20, Daniel Sanchez, 2323 W. 16th Street, 2N 13E 32 DC tax lot 1301

Chair Bybee read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias which would prevent an impartial decision. Hearing none, Chair Bybee opened the public hearing at 6:24 p.m.

Director Harris called attention to a scrivener's error in the agenda; the correct date of the minutes was March 5, 2020.

Director Harris stated two written comments were received after the comment period ended:

Debbie Bell, (no mailing address provided)

Ms. Bell is in opposition of the application. Bell wrote, "...Mr. Sanchez is seeking to avoid the need to create a subdivision, and all the infrastructure and utilities associated with that, by requesting to create a second minor partition." Exhibit 1.

Aaron Hageman, 1550 Elberta, The Dalles

Mr. Hageman wrote he had no objections to the partition, but is concerned with increased traffic on W. 16<sup>th</sup> and Elberta Streets; Exhibit 2.

Associate Planner Marcus presented the staff report.

In response to Commissioner Poppoff's inquiries, Marcus replied there are no improvements on W. 15<sup>th</sup> or W. 16<sup>th</sup> Streets. City Engineer McCabe stated in the Whispering Pines subdivision, nearby to the west or north sections of W. 14<sup>th</sup> and W. 15<sup>th</sup> Streets, sidewalks were required.

Marcus said The Dalles Municipal Code requires a dwelling be constructed on the lot in order to retain the accessory structure.

The applicant was not present to answer further questions.

Chair Bybee closed the public hearing at 6:40 p.m.

It was moved by Cornett and seconded by Lavier to deny Minor Partition MIP 371-20 to partition one lot into two, and direct staff to prepare the resolution for signature at a future meeting. The motion passed 4/1; Bybee, Cornett, Lavier and Stiles in favor, Poppoff opposed, two positions vacant.

Adjustment 050-19, Michael and Christine Irish, 221 W. 15th Street, 1N 13E 4 DB tax lot 9300

Chair Bybee read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias which would prevent an impartial decision. Cornett recused himself.

Chair Bybee opened the public hearing at 6:49 p.m.

Associate Planner Marcus presented the staff report.

Marcus called attention to the following comments:

Kathleen Breshears, 222 W. 14<sup>th</sup> Street, The Dalles

Ms. Breshears is in opposition to the reduced setback due to the loss of privacy; Exhibit 3.

Jensen Bryan, 219 W. 15<sup>th</sup> Street, The Dalles

Ms. Bryan was not opposed to the setback reduction. Her concern was potential property damage resulting from a large tree that has grown at an angle over her property. She requested removal of the tree as a condition of approval; Exhibit 4.

Chair Bybee invited comments from proponents.

Christine Irish, PO Box 1358, The Dalles

Mrs. Irish stated all the survey markers were located.

Chair Bybee closed the public hearing at 6:59 p.m.

During deliberation it was determined the garage will face south, providing well over the 20 foot driveway requirement. Also, in a quasi-judicial hearing the Commission has the authority to impose an additional condition of approval requiring the retention of the three existing oak trees.

It was moved by Poppoff and seconded by Bybee to include a condition of approval requiring retention of three oak trees on the northern boundary. The motion passed 3/1; Bybee, Poppoff and Stiles in favor, Lavier opposed, Cornett abstained, two positions vacant.

It was moved by Lavier and seconded by Stiles to approve Adjustment 050-19 with an additional condition of approval requiring retention of the oak trees. The motion passed 4/0; Bybee, Poppoff, Lavier and Stiles in favor, none opposed, Cornett abstained, two positions vacant.

Conditional Use Permit 195-20, Amerco Real Estate Company, 2640 W. 6th Street, 2N 13E 32 A tax lot 400

Chair Bybee read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias which would prevent an impartial decision. Hearing none, Chair Bybee opened the public hearing at 7:15 p.m.

Senior Planner Hert presented the staff report.

Kyle Campion, 11811 SE 82<sup>nd</sup> Avenue, Happy Valley, Oregon

Mr. Campion stated Amerco was working with local contractors to plan a landscaping upgrade.

Chair Bybee asked if rental trucks and trailers would be stored out front. Campion replied they would be shunted accordingly. Nothing would be stored for a set amount of time.

Doug Green, 4011 SE Risley Avenue, Milwaukie, Oregon

Mr. Green stated it was their process to go above and beyond in landscaping. At this time, he is accepting bids from local contractors.

Director Harris echoed his comments made in the original application. The subject property, over 7.5 acres with freeway visibility, is zoned general commercial. This is a prime retail property for freeway oriented traffic. In this case, a very low employment density on a commercially zoned property would be allowed. Perhaps this use would be more appropriate located in an industrial zone.

Commissioner Lavier asked if there was any other opportunity available to utilize the property. Director Harris replied he was unaware of any.

Commissioner Poppoff stated if denied, the building could stand empty for quite some time.

Senior Planner Hert stated an additional condition of approval could read, "Parking lot landscaping will be required to be brought up to current City standards as detailed in Section 10.7.030.040."

Chair Bybee closed the public hearing at 7:30 p.m.

It was moved by Lavier and seconded by Poppoff to add Condition of Approval number eight: "Parking lot landscaping will be required to be brought up to current City standards as detailed in Section 10.7.030.040." The motion passed 5/0; Bybee, Cornett, Lavier, Poppoff and Stiles in favor, none opposed, two positions vacant.

Commissioner Cornett said he agreed with Director Harris' comments regarding usage, zoning and the number of employees. It would be helpful to have information available to show if industries are interested in the property.

Commissioner Stiles stated although he agreed with Director Harris that additional employment would be good, this was Kmart's property to sell to U-Haul. This is an approved use within the Code. Stiles did not think a decision should be made based on the number of employees.

Commissioner Poppoff referred to the site plan which included a potential retail pad in the parking lot. That area may provide for additional retail.

Chair Bybee stated it was always good to see a property utilized to its best potential, but this is a conditional use they have the right to apply for.

It was moved by Lavier and seconded by Cornett to approve CUP 195-20 based on findings of fact with inclusion of Condition of Approval number eight, "Parking lot landscaping will be required to be brought up to current City standards as detailed in Section 10.7.030.040." The motion passed 5/0; Bybee, Cornett, Lavier, Poppoff and Stiles in favor, none opposed, two positions vacant.

## **RESOLUTIONS**

### Resolution 590-20: Approval of ADJ 050-19, Michael and Christine Irish

Director Harris stated revisions were required to the resolution. Commission consensus was to address the resolution at the next meeting.

### Resolution 591-20: Approval of CUP 195-20, Amerco Real Estate Company

Director Harris stated revisions were required to the resolution. City Attorney McDougale stated the revision to the resolution was read into the record and the Commission could proceed.

It was moved by Lavier and seconded by Poppoff to approve Resolution 591-20 with the addition of Condition of Approval number eight. The motion passed 5/0; Bybee, Cornett, Lavier, Poppoff and Stiles in favor, none opposed, two positions vacant.

### Resolution 592-20: Denial of MIP 371-20, Daniel Sanchez

Staff was directed to return with the resolution at the next meeting.

## **STAFF COMMENTS**

Director Harris stated Steve Ross had tendered his resignation. The Commission now has two vacant positions.

The next regularly scheduled meeting will be held May 21, 2020. A public hearing is scheduled for an appeal. Significant neighborhood interest is anticipated.

## **COMMISSIONER COMMENTS OR QUESTIONS**

None.



## ADJOURNMENT

Chair Bybee adjourned the meeting at 7:43 p.m.

Respectfully Submitted  
Paula Webb, Secretary  
Community Development Department



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Brent Bybee, Chair