

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, February 7, 2013

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Mark Poppoff, Jeff Stiles, Chris Zukin, Mike Zingg

BOARD MEMBERS ABSENT:

Robert Raschio, Dennis Whitehouse

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Director Richard Gassman, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Zukin and seconded by Zingg to approve the agenda as submitted. The motion carried unanimously; Raschio and Whitehouse were absent.

APPROVAL OF MINUTES:

It was moved by Zukin and seconded by Zingg to approve the November 15, 2012 minutes as submitted. The motion carried unanimously; Raschio and Whitehouse were absent.

PUBLIC COMMENT:

None.

QUASI-JUDICIAL HEARING:

Application Number: VAR 121-13; Columbia River Sign; Request: To obtain approval for additional signage. Property is located at 1935 E. 19th Street, The Dalles, Oregon, and is further described as Township 1 North, Range 13 East, Map 11 BA, tax lots 4800, 4900, and 5000.

Chair Lavier read the rules for conducting a public hearing and asked the Commissioners if anyone had any ex parte contact, bias or conflict of interest that would hinder them from making an unbiased decision in the matter. Zingg stated he did not, however for the record he stated that he had conducted business with some of the second floor tenants. After asking Zingg some qualifying questions, City Attorney Parker determined that Zingg had no ex-parte contact, conflict of interest or bias regarding the current application.

Chair Lavier called the public hearing to order at 6:05 PM.

Director Gassman gave an overview of the structure's history as it related to signage and various variance requests. Gassman, in his summary, pointed out that the contractor's comment at the public hearing for the original Variance #115-11 stating that he would request only one monument sign, and

one sign only, became a Condition of Approval for that Variance request. That one sign since then, Gassman reported, proved to be inadequate. Variance #118-12 requested additional signage, and the Planning Commission gave approval for a directory sign and a directional sign, Gassman stated.

Director Gassman stated that after preparing and distributing the Staff Report, he thought of another possible solution to the signage issue. Gassman proposed to restructure the original approval of Variance #115-11 by deleting Condition of Approval number II.3 requiring "only one sign." The variance could be treated as a stand-alone variance due to the fact that the Condition of Approval for only one monument sign had, over time, proven to be inadequate for the building size, Gassman suggested. If that edit was made, Gassman commented, the current sign request and future sign requests could be reviewed by the Planning Department as long as the sign specifications met code requirements. If future signage permit applications did not meet code standards, then applicants would submit a variance request, Gassman explained.

Zukin suggested that, in light of Director Gassman's proposal, Condition of Approval number II.3 prohibiting illumination of signs in Variance # 518-12 be rescinded as well. Director Gassman clarified that code standards allowed directory signs to be illuminated, but directional signs could not be illuminated.

Stiles asked if there were restrictions on moving signs. Director Gassman stated that moving signs were allowed, but at a relatively slow rate of 7 rpms.

Zukin outlined the proposed Conditions of Approval for the Variance request as follows: 1) Delete Condition of Approval II.3 of VAR 115-11; 2) delete Condition of Approval II.3 of VAR 118-12; and 3) all signs on this structure must comply with the Land Use and Development Ordinance, Section 13.040.020.

Testimony

Proponents:

Mark McCavic, 5277 Cherry Heights Road, The Dalles, Oregon stated that more signage was necessary for the multi-occupancy structure. As it turned out, McCavic stated, the tenant businesses are somewhat competitive to one another and some tenants are concerned that if they do not have proper signage, they may lose business to other building tenants. McCavic explained that illumination would not be a problem because typically medical facility signs are backlit, and the signs he has been asked to consider are backlit. The flush mounted signs would be produced and installed in a professional manner with very little illumination, McCavic said.

Chair Lavier asked McCavic if he understood the proposed changes and Conditions of Approval for the variance, and McCavic stated that he understood and he was satisfied with the proposed changes.

Jarrett Rose, 15755 S.W. Beef Bend Road, Tigard, OR, 97224 stated that Director Gassman's suggestion was the best solution for future signage at the facility. Rose pointed out that sign code requirements would keep signage to a maximum of 25% of the square footage of the building front, and he believed the beauty of the building would be maintained using that code requirement. Rose suggested each tenant business be assigned a maximum sign square footage for its rental area only so no tenant could overtake the allowed signage area for the entire building front.

Chair Lavier asked Rose if he understood the proposed changes and Conditions of Approval for the variance request, and Rose said he understood.

Opponents:

None.

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

Deliberation:

It was moved by Zukin and seconded by Zingg to approve VAR 121-13 as recommended by the staff report, based on the findings of fact, with three conditions of approval as follows: 1) Rescind Condition of Approval number II.3 of Resolution 505-11; 2) Rescind Condition of Approval number II.3 of Resolution 118-12; and 3) All signs on this structure must comply with the Land Use and Development Ordinance, Section 13.040.020. The motion carried unanimously, Raschio and Whitehouse were absent.

STAFF COMMENTS:

Staff distributed sample Oregon Government Ethics Commission statements for the Commissioners to review. Director Gassman advised that each Commissioner would receive a questionnaire in the mail.

City Attorney Parker advised that the appeal time had expired on case APL 24-12, Jennifer Blevins. Parker also advised that the judge for the Walmart hearing gave a strong ruling on the last appeal in favor of Walmart, and Walmart may be in a position to get started on development plans.

COMMISSIONER COMMENTS/QUESTIONS:

Stiles reported that he saw no movement on the Planning Commission's decision regarding the fence on 10th and Trevitt. Director Gassman said he would contact the property owners.

City Attorney Parker advised the Commissioners that they could authorize staff to draft and distribute a resolution on this meeting's variance decision. It was moved by Zukin and seconded by Zingg to authorize staff to prepare the Resolution to Variance #121-13 consistent with the approval of the Variance and Conditions of Approval based on the findings of fact and staff report. The motion carried unanimously; Raschio and Whitehouse were absent.

NEXT MEETING:

March 7, 2013

ADJOURNMENT:

The meeting was adjourned at 6:40 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.



Bruce Lavier, Chairman