

**AGENDA****PLANNING COMMISSION**

June 6, 2024

5:30 p.m.

City Hall Council Chambers  
313 Court Street, The Dalles, Oregon

Via Zoom<https://us06web.zoom.us/j/82327794645?pwd=c1d2UGhUb1BoVithR0tFUzZzcWtXQT09>Meeting ID: **823 2779 4645** Passcode: **001537**

Dial: 1-669-900-6833 or 1-253-215-8782

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES – February 1, 2024
6. PUBLIC COMMENT – During this portion of the meeting, anyone may speak on any subject that does not later appear on the agenda. Five minutes per person will be allowed.
7. QUASI-JUDICIAL PUBLIC HEARING  
CUP 212-24, Chris Hodney  
Request: Approval of a height increase to exceed the maximum allowed height of the underlying zoning district for a mixed-use, multi-family development. The proposed height of the building is 60 ft., which exceeds the maximum building height within the Central Business Commercial (CBC) zoning district of 55 ft. The applicant is also requesting an extension of the one (1) year expiration of the Conditional Use Permit (CUP) to three (3) years. The Applicant is proceeding with a Site Plan Review (SPR) to site and construct the development concurrently with this CUP application; however, the SPR approval is conditional on the approval of this CUP.
8. RESOLUTION  
Resolution PC 622-24: Approval of CUP 212-24, Chris Hodney, Hacker Architects
9. STAFF COMMENTS / PROJECT UPDATES

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**CITY OF THE DALLES****"By working together, we will provide services that enhance the vitality of The Dalles."**

10. COMMISSIONER COMMENTS / QUESTIONS

11. ADJOURNMENT

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Meeting conducted in a room in compliance with ADA standards.

Prepared by/  
Paula Webb, Secretary  
Community Development Department

**MINUTES**

**PLANNING COMMISSION MEETING**

February 1, 2024  
5:30 p.m.

City Hall Council Chambers  
313 Court Street, The Dalles, Oregon 97058  
Via Zoom / Livestream via City Website

**PRESIDING:** Cody Cornett, Chair

**COMMISSIONERS PRESENT:** Addie Case, Maria Peña (arrived at 6:05 p.m.), Mark Poppoff, Nik Portela

**COMMISSIONERS ABSENT:** John Grant and Philip Mascher

**STAFF PRESENT:** Senior Planner Kaitlyn Cook, Secretary Paula Webb

**CALL TO ORDER**

The meeting was called to order by Chair Cornett at 5:32 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Cornett led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

It was moved by Portela and seconded by Cornett to approve the agenda as submitted. The motion carried 4/0; Case, Cornett, Poppoff and Portela voting in favor, none opposed, Grant, Mascher, and Peña absent.

**APPROVAL OF MINUTES**

It was moved by Poppoff and seconded by Cornett to approve the minutes of November 19, 2023 as submitted. The motion carried 4/0; Case, Cornett, Poppoff and Portela voting in favor, none opposed, Grant, Mascher, and Peña absent.

**PUBLIC COMMENT**

*Don Lewis, 3021 W. 7<sup>th</sup> Street, The Dalles*

Mr. Lewis said he was approached by Wasco Electric to purchase additional land for their expansion. He added there was an easement between Chenowith Water and Wasco Electric that

required improvements. After a survey, it was determined one driveway was not in compliance. The driveway should be removed, or a sidewalk constructed. Mr. Lewis said the City was just wasting the people's money.

Chair Cornett noted Mr. Lewis' property was affected by an earlier Planning Commission meeting. Chair Cornett asked Mr. Lewis if he had followed up with the Planning Department. Mr. Lewis replied he was told there were two options: replace the sidewalk or remove the curb. Mr. Lewis stated his third option was to refuse the property sale to Wasco Electric.

Mr. Lewis noted there is a fence that may indicate the driveway is not used. He added a fence is necessary in that area. In his neighborhood, there are now three dispensaries, an adult shop, and a future soup kitchen. Yet, all the City is worried about is a driveway in use since 1978.

Chair Cornett asked Mr. Lewis what the Commission could do for him. Mr. Lewis replied, "Leave the driveway be." Although Wasco Electric said they would pay for it, Mr. Lewis again said the City was wasting people's money.

Senior Planner Cook noted the improvements were a condition of approval for a commercial replat. The driveway must conform to current ADA standards, or sidewalk panels must be installed if no longer using that drive approach.

Chair Cornett stated the Planning Commission could not help with this. The Code [The Dalles Municipal Code] requires the improvement. The Commission must apply the Code ubiquitously in all circumstances.

Senior Planner Cook added the sale of property does not trigger any development improvements; moving the property line triggered development.

### **DISCUSSION ITEM**

#### **2023/2024 Long Range Planning Summary**

Senior Planner Cook provided background on long-range planning and opened the discussion; presentation is Attachment 1.

In response to Chair Cornett's inquiry, Senior Planner Cook said the most common issues that arise are Change of Use application standards, permit procedures, and housing standards.

Housing Standards address clear and objective standards, consideration of tiny and container homes, manufactured home standards, and energy efficient building practices for housing standards, among others. Various incentives for development can be considered, separate from Housing Standards.

Commissioner Poppoff asked if Crypto Mining could be banned.

Commissioner Case requested an example of Industrial Development Standards

The Commission voted on their preferred long-range projects. Results follow:

	Total
Housing Standards	4
Permit Procedures	3
Ground Floor Retail Updates in Commercial Zones	3
Update Change of Use Application Standards	2
Crypto mining operation standards	2
Street tree standards	1
Driveway/Access Standards	0
Industrial Development Standards	0

**STAFF COMMENTS / PROJECT UPDATES**

None.

**COMMISSIONER COMMENTS / QUESTIONS**

None.

**ADJOURNMENT**

Chair Cornett adjourned the meeting at 6:27 p.m.

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Submitted by/  
Paula Webb, Secretary  
Community Development Department

SIGNED:

\_\_\_\_\_  
Cody Cornett, Chair

ATTEST:

\_\_\_\_\_  
Paula Webb, Secretary  
Community Development Department



# City of The Dalles Planning Commission

THURSDAY, FEBRUARY 1, 2024 | 5:30 PM

Background

## Comprehensive Plan Amendments

- A. CPA 55-23:** Adopting HNA and the Buildable Housing Needs Analysis Update.
- B. CPA 54-22:** Revising prescribed residential density ranges of The Dalles Comprehensive Plan.

## Zoning Ordinance Amendments

- ❖ **ZOA 109-23:** Recreational Vehicle Park Amendments. *This was adopted by City Council during the January 8, 2024 hearing.*
- ❖ **ZOA 108-23:** The Dalles Municipal Code Title 10 including ensuring consistent terminology, adapting to modern technology, maintaining clear and objective housing standards, updating review procedures, and consistency with state law.
- ❖ **ZOA 107-22:** Residential density ranges and density regulations amendments.

# Let's Look Ahead

## High Priority Amendments

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- ❖ Flood Control Provisions
- ❖ Land Division Standards
- ❖ Sign Code
- ❖ Parking Standards



## High Priority Planning Projects

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- ❖ West Side Area Study Master Plan
- ❖ Housing Production Strategy

## Commission Considerations

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**Permit Procedures**

**Housing Standards**

**Driveway/Access Standards**

**Industrial Development Standards**

**Update Change of Use application Standards**

**Ground floor retail updates in the Commercial zones**

**Crypto mining operation standards**

## Group Activity

	Cornett	Peña	Case	Poppoff	Portela	Total
Permit Procedures	1		1		1	3
Housing Standards		1	1	1	1	4
Driveway/Access Standards						0
Industrial Development Standards						0
Update Change of Use application Standards	1		1			2
Ground floor retail updates in the Commercial zones	1	1			1	3
Crypto mining operation standards		1		1		2
Street tree standards				1		1



# City of The Dalles Planning Commission

THURSDAY, FEBRUARY 1, 2024 | 5:30 PM



**STAFF REPORT  
CUP 212-24**

**Applicant:** Chris Hodney, Hacker Architects  
**Procedure Type:** Quasi-Judicial  
**Hearing Date:** June 6, 2024  
**Property Owner:** TD3RD LLC, Hanlon Development – Mary Hanlon  
**Assessor’s Map:** Township 1 North, 13 East, Section 3 BD  
**Tax Lot:** 6700, 6800, 6900  
**Address:** 523 E. 3rd Street  
**Zoning District:** “CBC” Central Business Commercial  
**Subdistrict:** CBC-2  
**Prepared By:** Joshua Chandler, Community Development Director

**REQUEST:** Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district for a mixed-use, multi-family development. The proposed height of the building is 60 ft., which exceeds the maximum building height within the Central Business Commercial (CBC) zoning district of 55 ft. The applicant is also requesting an extension of the one (1) year expiration of the Conditional Use Permit (CUP) to three (3) years. The Applicant is proceeding with a Site Plan Review (SPR) to site and construct the development concurrently with this CUP application; however, the SPR approval is conditional on the approval of this CUP.

**NOTIFICATION:** Property owners within 300 feet, City Departments and Franchise Utilities.

**ATTACHMENTS:**

- Attachment 1: Appendix B and D of CUP 212-24 Application Package

**COMMENTS RECEIVED:** No comments received as of the date of this report.

**PROJECT BACKGROUND AND INFORMATION:**

This CUP request is to replace CUP 205-22 that was approved August 11, 2022 by the Planning Commission but expired due to construction not commencing within one year of CUP approval.

The proposed project combines 116 for-rent apartments over 9,720 sf of retail, resident amenity and building services in a 92,000 gross square feet mixed-use building. The conceptual design recognizes tall ground-floor heights and varied building widths of the district as a defining character. To achieve the tall ground floor height, a CUP is requested by the applicant to increase the overall height of the building above 55', which is allowable height in the zone, with up to 75' allowed with a CUP. This proposal requests an additional 5' of building height be allowed to grow the height of the ground floor. The additional height will allow the ground floor to have a civic scale and match existing patterns for corner and more public buildings. The resulting building height would be very similar to the historic Commodore at E. 3rd and Court Streets. The additional height provides some benefits to the vitality of the ground-floor, such as:

- Provides civic scale and prominence to the ground-floor for the pedestrian experience;
- Allows ground-floor height that is consistent with commercial corner buildings of the district;
- Provides better proportion of ground-floor height to overall building height;
- Improves leasability - Creates flexible retail space that is attractive to a wider variety of tenant types (restaurants, micro-breweries prefer taller ceilings); and,
- Improves natural daylighting of the ground-floor spaces.

Additionally, the proposal requests that the expiration date of the CUP be extended past the standard one-year time limit so long as development (construction) begins within 3 years from the final decision. The anticipated project schedule including design phases and all entitlements, and building permit reviews will take roughly 14 months. Therefore, with any reasonable schedule contingency, a conditional use decision will typically expire if held to the current code expiration limits prior to construction beginning on any project of this scale.

## **REVIEW CRITERIA:**

### **City of The Dalles Municipal Code, Title 10 Land Use and Development**

#### ***Section 10.3.010.040 Applications***

##### *A. Acceptance*

**FINDING #1:** Applicant submitted a pre-application (Site Team) request on April 9, 2024; the meeting was held on April 25, 2024. Following the Site Team meeting, the city provided the applicant meeting notes on April 29, 2024. **Criterion met.**

##### *B. Completeness*

**FINDING #2:** The application was deemed complete on May 14, 2024. **Criterion met.**

#### ***Section 10.3.020.050 Quasi-Judicial Actions***

##### *A. Decision Types.*

**FINDING #3:** Pursuant to The Dalles Municipal Code (TDMC), CUP applications are processed as Quasi-Judicial Actions. **Criterion met.**

##### *B. Staff Report.*

**FINDING #4:** This document serves as the staff report. **Criterion met.**

*C. Public Hearings.*

**FINDING #5:** The public hearing is scheduled for June 6, 2024, which is within 23 days from the date the application was deemed complete. **Criterion met.**

*D. Notice of Hearing.*

**FINDING #6:** A notice of public hearing was sent to property owners within 300', as well as affected city departments, agencies and utilities on May 23, 2024, for consideration of a June 6, 2024 Planning Commission meeting. **Criterion met.**

**Section 10.3.050.030 Applications**

*A. Applications.*

**FINDING #7:** Digital copies of all required plans have been submitted. Staff determined no paper copies are required at this time. **Criterion met.**

*B. Review.*

**FINDING #8:** See Finding #3. The Applicant is proceeding with a Site Plan Review (SPR) to site and construct the development concurrently with this CUP application; however, the SPR approval is conditional on the approval of CUP 212-24. **Criterion met.**

*C. Concept Review*

**FINDING #9:** Applicant is requesting the two-stage CUP concept process for initial review of the building height increase. Upon approval of CUP 212-24, the Applicant will continue with SPR to site and construct the development. **Criterion met.**

**Section 10.3.050.040 Review Criteria**

*A. Permitted Conditional Use. The proposed use is conditionally permitted in the zone district where it is proposed to be located.*

**FINDING #10:** Pursuant to TDMC 10.5.050.060, the maximum building height within the CBC zoning district is 55'; however, the building height may be increased to 75' with a CUP. As mentioned in Finding #9, Applicant is requesting the two-stage CUP concept process for initial review of the building height increase. **Criterion met.**

*B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this Title, and any other statutes, ordinances, or policies that may be applicable.*

**FINDING #11:** All applicable standards of TDMC are addressed within this staff report. **Criterion met.**

*A. Impact. The proposed structure(s) and use(s) shall be designed and operated in such a way as to meet the standards of this Article. Impacts caused by the construction of the conditional use shall not be considered regarding a decision on the validation of the application.*

*1. Noise impacts across the property line shall not exceed 60 decibels. Noise related to traffic impacts shall not be included in this determination.*

*Nothing in this Article shall modify other noise ordinance standards as adopted by the City.*

**FINDING #12:** Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district. The proposed site uses are not expected to generate noise exceeding 60 decibels. However, routine testing and maintenance of a diesel generator will reach levels close to 60 dB. To address this, the generator is placed within a roofed enclosure set back from the alley and Jefferson right-of-way. Furthermore, an exhaust muffler will be installed to reduce noise to permissible levels. Staff determined the increased height would have no impact on noise levels. **Criterion met.**

2. *Lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source.)*

**FINDING #13:** Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district. Staff will review impacts from lighting associated with the proposed development during the concurrent SPR application. A condition of approval of this CUP will require lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source) to be demonstrated prior to SPR approval. **Criterion met with condition.**

3. *Dust and other particulate matter shall be confined to the subject property.*

**FINDING #14:** Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district. Dust and other particulate matter shall be confined to the subject property. Staff determined the increased height would not produce dust or particulate matter. **Criterion met.**

4. *The following odors shall be completely confined to subject property:*
  - a. *Industrial and/or chemical grade chemicals, solvents, paints, cleaners, and similar substances;*
  - b. *Fuels; and*
  - c. *Fertilizers, manure, or other animal waste products, other than for landscape installation and maintenance.*

**FINDING #15:** Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district. Staff determined the increased height would not produce any of the above mentioned odors. **Criterion met.**

5. *Vibrations shall not be felt across the property line.*

**FINDING #16:** Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district. Staff determined the increased height would not create vibrations felt across the property line. **Criterion met.**

6. *The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are limited to:*
  - a. *Street designation and capacities;*
  - b. *On-street parking impacts;*
  - c. *Bicycle safety and connectivity;*
  - d. *Pedestrian safety and connectivity; and*

**FINDING #17:** Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district. The increase in height does not directly impact transportation systems. Staff will review impacts to the transportation system associated with the proposed development during the concurrent SPR application. **Criterion met.**

7. *In areas designated as Historic Districts, proposed development and redevelopment shall first require review and approval of the Historic Landmarks Commission in accordance with the procedures of Chapter 11.12 - Historic Resources.*

**FINDING #18:** The proposed use is not located in a historic district. **Criterion not applicable.**

#### ***Section 10.6.090.010 Height Limitation Exceptions***

##### ***A. General.***

3. *In nonresidential zones, except for the requirements of subsection B below, necessary roof structures, elevator shaft housings, towers (except wireless communication towers), steeples, aerials, smoke stacks, solar or wind energy devices, and other similar objects (except flagpoles, which are described below in paragraph 4) not used for human occupancy with a height limit, measured from the adjacent grade, of 75 feet or less are not subject to the zone district height limits...*

**FINDING #19:** TDMC 10.6.090.010 provides an exception to the underlying zoning district building height limits for necessary structural components of a building not used for human occupancy and measuring less than 75' in height. For consideration of this application, Applicant demonstrated an overall physical building height of 63'-4" building height, including 3'-4" of "necessary roof structures"; however, presented the building height as 60' for purposes of areas *used for human occupancy*. Staff determined the discrepancy in the two height measurements as negligible and has no impact on the CUP review criteria listed within this staff report. As mentioned in Finding #10, all buildings within the CBC zoning district may be increased by 20' (from 55' to 75') through the CUP application process. **Criterion met.**

**RECOMMENDATION:** Based on the application materials and findings demonstrating compliance with the applicable criteria, **Staff recommends approval of Conditional Use Permit 212-24, subject to the following conditions of approval.** Any modifications to the

approved plans, other than those required by this decision, will require a new land use application and approval.

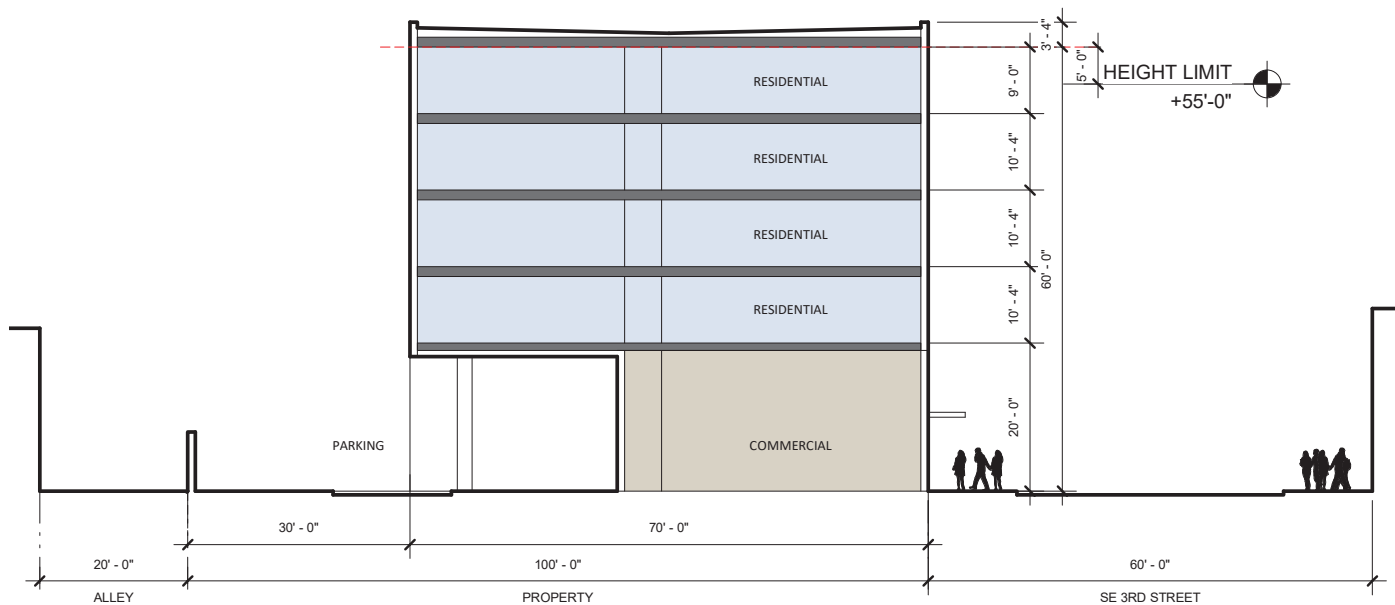
1. The final building height must be consistent with the plans included in Attachment A: Appendix B and D of CUP 212-24 Application Package.
2. Following an approved CUP, Applicant must proceed with a Site Plan Review to site and construct the development. The Site Plan Review approval is conditional upon an approved CUP for the height increase.
3. Prior to Site Plan Review approval for the proposed development, it shall be demonstrated that lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source).
4. The CUP approval shall be valid for **three** years from the date granted by the Commission. If construction is commenced within this three-year period and is being pursued diligently toward completion, the conditional use permit shall stay in full force for an additional year. In the case of unavoidable delay or an extensive construction schedule, the Commission may extend the time limit for completion of the project.

#### **COMMISSION ALTERNATIVES:**

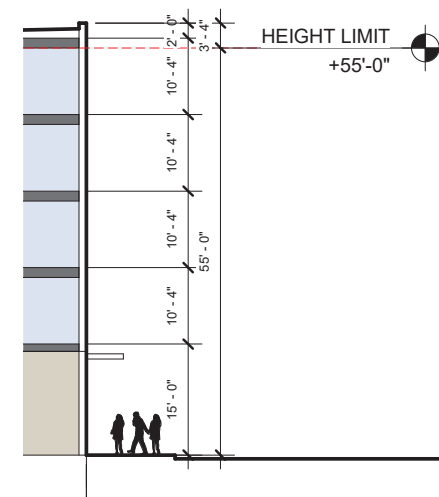
1. **Staff recommendation:** The Planning Commission move to adopt Resolution 622-24 approving Conditional Use Permit 212-24, with the proposed Conditions of Approval included with this report, based upon the findings of fact and conclusions of law set forth in the Agenda Staff Report.
2. If the Planning Commission desires to deny Conditional Use Permit 212-24, move to direct staff to prepare a resolution of denial. The Planning Commission shall identify the specific criteria concerning this decision.



# APPENDIX B | Proposed Building Section with Height Increase



Building Section Of Proposed Design With Height Increase



Building Section By-Right Within Height Limit

# APPENDIX D | View along E. 3rd Street with Height Increase



HACKER

BASALT COMMONS | HANLON DEVELOPMENT



**City of The Dalles**  
**Community Development Dept**  
 313 Court Street  
 The Dalles, OR 97058  
 (541) 296-5481, ext. 1125  
 www.thedalles.org

Application #: \_\_\_\_\_  
 Filing Fee: \_\_\_\_\_  
 Receipt #: \_\_\_\_\_  
 Deemed Complete: \_\_\_\_\_  
 Ready to Issue: \_\_\_\_\_  
 Date Issued: \_\_\_\_\_

Received: \_\_\_\_\_

## Conditional Use Permit Application

### Applicant

Name: Chris Hodney  
 Address: 555 SE MLK Jr Blvd, Suite 501  
Portland, OR 97214  
 Phone #: 503-227-1254  
 Email: chodney@hackerarchitects.com

### Legal Owner (if different than Applicant)

Name: Mary Hanlon, Managing member, Hanlon Development  
 Address: TD3rd LLC, W 2nd St., #2049  
The Dalles, OR 97058  
 Phone #: 503-539-2880  
 Email: mary@hanlondevelopment .COM

### Property Information

Address: 523 E. 3rd Street  
 Zone: CBC, CBC-2 Subdistrict  
 City Limits:  Yes  No  
 Geohazard Zone: None

Map and Tax Lot: 1N 13E BD 6700/6800/6900  
 Overlay: None  
 Size of Development: 5 Stories, 96,000 gross sf, 116 units  
 Flood Designation: None

### Project Information

New Construction     Expansion/Alteration     Change of Use     Amend Approved Plan

Current Use of Property: Auto Sales

Proposed Use of Property: Multifamily Housing and Retail

Briefly Explain the Project:

5-Story, Type VA over IA, Multifamily Residential with Retail and Resident Amenity and Leasing on the Ground Floor. 59 Parking spaces (35 on-site) provided. Requesting 5 feet of additional building height, and an extension of the expiration to 3 years from the decision if construction has begun.

Proposed Building(s) Footprint Size (ft<sup>2</sup>): 20,373

Total Number of Parking Spaces Proposed: 59

Parking Lot Landscaping Proposed (ft<sup>2</sup>): 1,165

Total Landscaping Proposed (ft<sup>2</sup>): 1,165

Percentage of Irrigated Landscaping: 100%

**Project Information (continued)**

**Economic Development Information**

Proposed Project is in the Enterprise Zone

*(for questions regarding Enterprise Zones, please contact the Assistant to the City Manager's Office at (541) 296-5481, ext. 1150)*

Full Time Equivalent (FTE) jobs are currently provided: 0

FTE jobs are expected to be created by the proposed project: 12

***In addition to the requirements of Article 3.010: Application Procedures, this application must be accompanied by the information required in Article 3.050 Site Plan Review, contained in Title 10 Land Use and Development of the City of The Dalles Municipal Code.***

***Upon submission of this application, please provide the following material:***

Site Team / Pre-Application:

- Completed application
- Concept plan (PDF recommended)
- 50% application fee

Official Conditional Use Permit Review:

- Remainder of application fees
- Professional plans (PDF required)

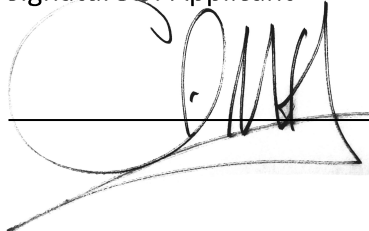
***Following an approved Site Plan Review determination, plans with all necessary changes must be submitted to City Staff for final review. Please provide the following number of copies for review:***

- 1 – PDF of final plans
- 1 – 11" x 17" set of final plans
- 2 – Full size sets of construction detail plans

***Following final plan review, please provide the following number of copies:***

- 1 – PDF of final plans
- 2 – 11" x 17" sets of final plans
- 4 – Full size sets of construction detail plans

Signature of Applicant




5/6/2024

Date

2 of 5

Signature of Property Owner



SO WE MEMBER HANSON DEVELOPMENT LLC  
MANAGING MEMBER TD3CO LLC

Date

5/30/24



# Basalt Commons

Conditional Use Review Application Documents

May 6, 2024

# PROJECT NARRATIVE



## Project Description:

The proposed project combines 116 for-rent apartments over 9,720 sf of retail, resident amenity and building services in a 92,000 gross square feet mixed-use building. The anticipated construction type will be (4) floors of Type VA over a Type IA podium, and fully sprinklered with an NFPA 13R system.

Open-air, 'tuck-under' surface parking is proposed along the alley, with ground-floor retail, resident lobby, amenity, and building services wrapping along all pedestrian frontages. Open-air retail courtyards outdoor seating niches are proposed along E. 3rd and Laughlin frontages to activate the corners, and provide expanded public sidewalk areas.

The conceptual design recognizes tall ground-floor heights and varied building widths of the district as a defining character, and emulates these through a modern, timeless expression. The building massing is broken to read as (4) separate masses, and the building plane alternates to pull back from E. 3rd - creating expanded outdoor seating off the sidewalk, and breaking up the overall bulk of the building.

## Anticipated Reviews:

- Contional Use Review
- Minor Partition/Replat
- Site Plan Review

## Conditional Use Review Requests:

The CBC zone allows 55' height in the zone, with up to 75' allowed under Conditional Use review.

This proposal is requesting an additional 5 feet of building height be allowed to grow the height of the ground floor (see Appendix B). The additional height will allow the ground floor to have a truly civic scale and match existing patterns for corner or more public buildings (See App. A). The resulting building height would be very similar to the historic Commodore at E. 3rd and Court Streets.

The additional height provides some benefits to the vitality of the ground-floor, such as:

- Provides civic scale and prominence to the ground-floor for the pedestrian experience
- Allows ground-floor height that is consistent with commercial corner buildings of the district
- Provides better proportion of ground-floor height to overall building height
- Improves leasability - Creates flexible retail space that is attractive to a wider variety of tenant types (restaurants, micro-breweries want taller ceilings)
- Improves natural daylighting of the ground-floor spaces

Additionally, the proposal requests that the expiration date of the land-use reviews be extended so that they are valid so long as development (construction) begins within 3 years from the final decision of the land use reviews (CUP, MIP, and SPR).

The anticipated project schedule including design phases and all entitlements + building permit reviews will take roughly 14 months. Therefore, with any reasonable schedule contingency, a conditional use decision will typically expire if held to the current code expiration limits prior to construction beginning on any project of this scale.

# REVIEW CRITERIA RESPONSE

## 10.3.050.040 Review Criteria

A conditional use permit shall be granted if the Commission finds that the proposed use conforms with, or can be made to conform with through added conditions, any related requirements of this and other City ordinances and all of the following criteria:

Requirement	Code Reference	Standard
Permitted Use	10.3.050.040.A, 10.5.050.030, 10.5.050.040	The proposed use is conditionally permitted in the zone district where it is proposed to be located  <i>RESPONSE: Complies.</i> <i>The proposed uses are multifamily residential, food services (restaurants), retail uses, office. All are allowed out-right within the district.</i>
Standards	10.3.050.040.B	The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this Title, and any other statutes, ordinances, or policies that may be applicable.  <i>RESPONSE: Complies..</i> <i>Complies with applicable standards described and responded to in the following tables.</i>
Impact – Noise	10.3.050.040.C.1	Noise impacts across the property line shall not exceed 60 decibels. Noise related to traffic impacts shall not be included in this determination. Nothing in the Article shall modify other noise ordinance standards as adopted by the City.  <i>RESPONSE: Complies,</i> <i>The proposed site uses aren't expected to generate noise exceeding 60 decibels. However, routine testing and maintenance of a diesel generator will reach levels close to 60 dB. To address this, the generator is placed within a roofed enclosure (Gen.Rm. on the concept plan), set back from the alley and Jefferson right of way. Furthermore, an exhaust muffler will be installed to reduce noise to permissible levels.</i>
Impact – Lighting	10.5.050.040.C.2	Lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source).  <i>RESPONSE: Complies,</i> <i>Exterior lighting will be located and detailed to focus light to the immediate pedestrian path around the building (sidewalk and retail/lobby entries).</i>

Impact – Dust	10.5.050.040.C.3	Dust and other particulate matter shall be confined to the subject property  <i>RESPONSE: Complies, N/A</i> <i>The proposed uses will not generate dust or other particulate matter which would impact surrounding properties or right-of-way.</i>
Impact – Odors	10.5.050.040.C.4	The following odors shall be completely confined to the subject property: <ul style="list-style-type: none"> <li>a) Industrial and/or chemical grade chemicals, solvents, paints, cleaners, and similar substances.</li> <li>b) Fuels ,and</li> <li>c) Fertilizers, manure, or other animal waste products, other than for landscape installation and maintenance.</li> </ul> <i>RESPONSE: Complies , N/A</i> <i>The proposed uses will not generate any of the specified odors that would impact surrounding properties or right-of way.</i>
Impact –Vibrations	10.5.050.040.C.5	Vibrations shall not be felt across the property line.  <i>RESPONSE: Complies,</i> <i>The proposed uses will not generate any vibrations that would impact surrounding properties or right-of way.</i>
Impact – Transportation	10.5.050.040.C.6	The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are limited to: <ul style="list-style-type: none"> <li>a. Street designation and capacities;</li> <li>b. On-street parking impacts</li> <li>c. Bicycle safety and connectivity</li> <li>d. Pedestrian safety and connectivity, and</li> <li>e. Transit capacity and efficiency.</li> </ul> <i>RESPONSE: N/A for this review.</i> <i>No negative impacts to the transportation system are anticipated with this proposal. Proposed uses and density are within the allowable limits of the CBC and the CBC-2 Subdistrict, therefore all transportation systems are capable of supporting this development. A traffic impact study has been completed and will be provided with the Site Plan Review application.</i>
Impact – Historic Districts	10.5.050.040.C.7	In areas designated as Historic Districts, proposed development and redevelopment shall first require review and approval of the Historic Landmarks Commission in accordance with the procedures of Chapter 11.12 – Historic Resources  <i>RESPONSE: Not applicable.</i> <i>The proposed building property is not within a designated Historic District.</i>

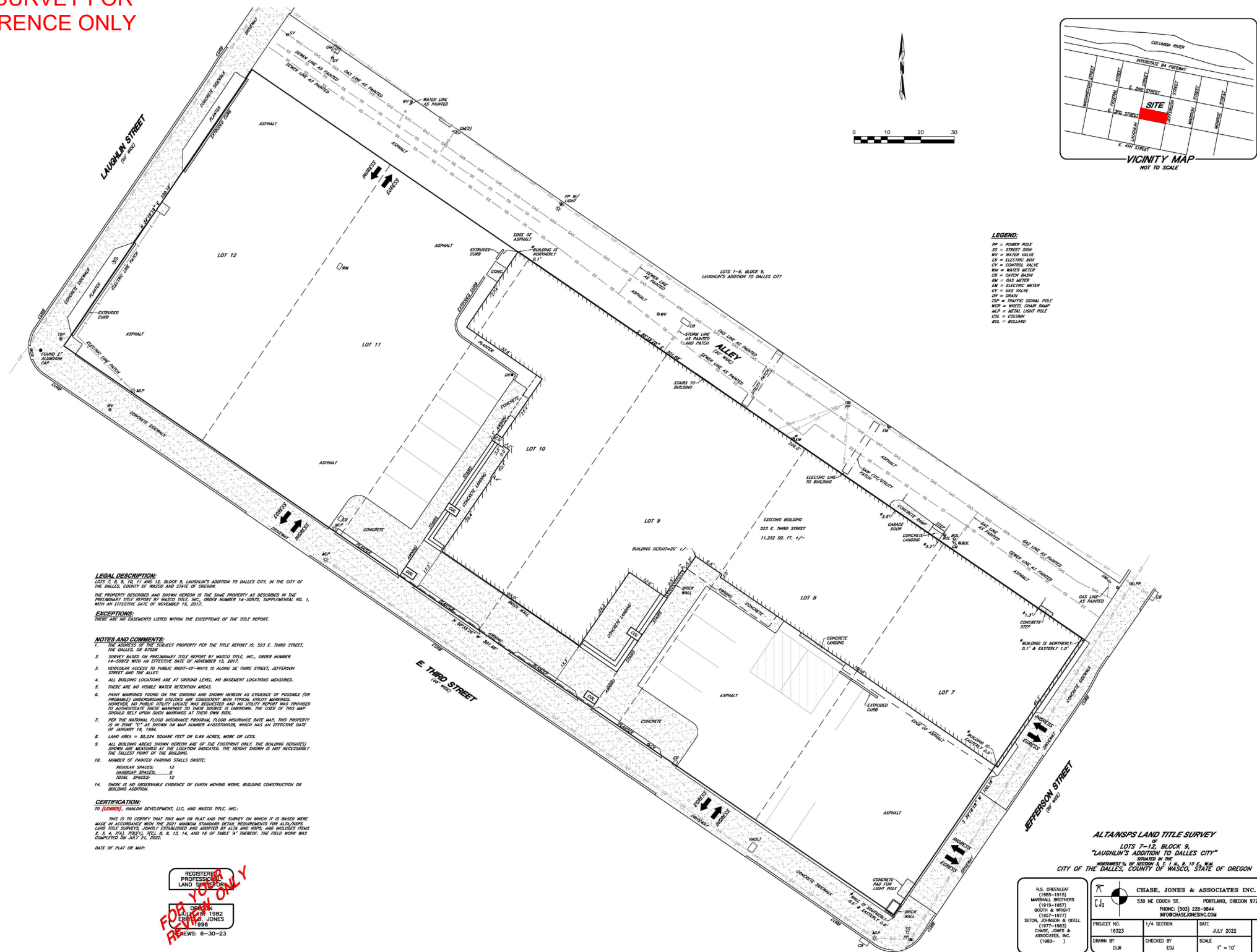
# VICINITY MAP





# EXISTING SURVEY

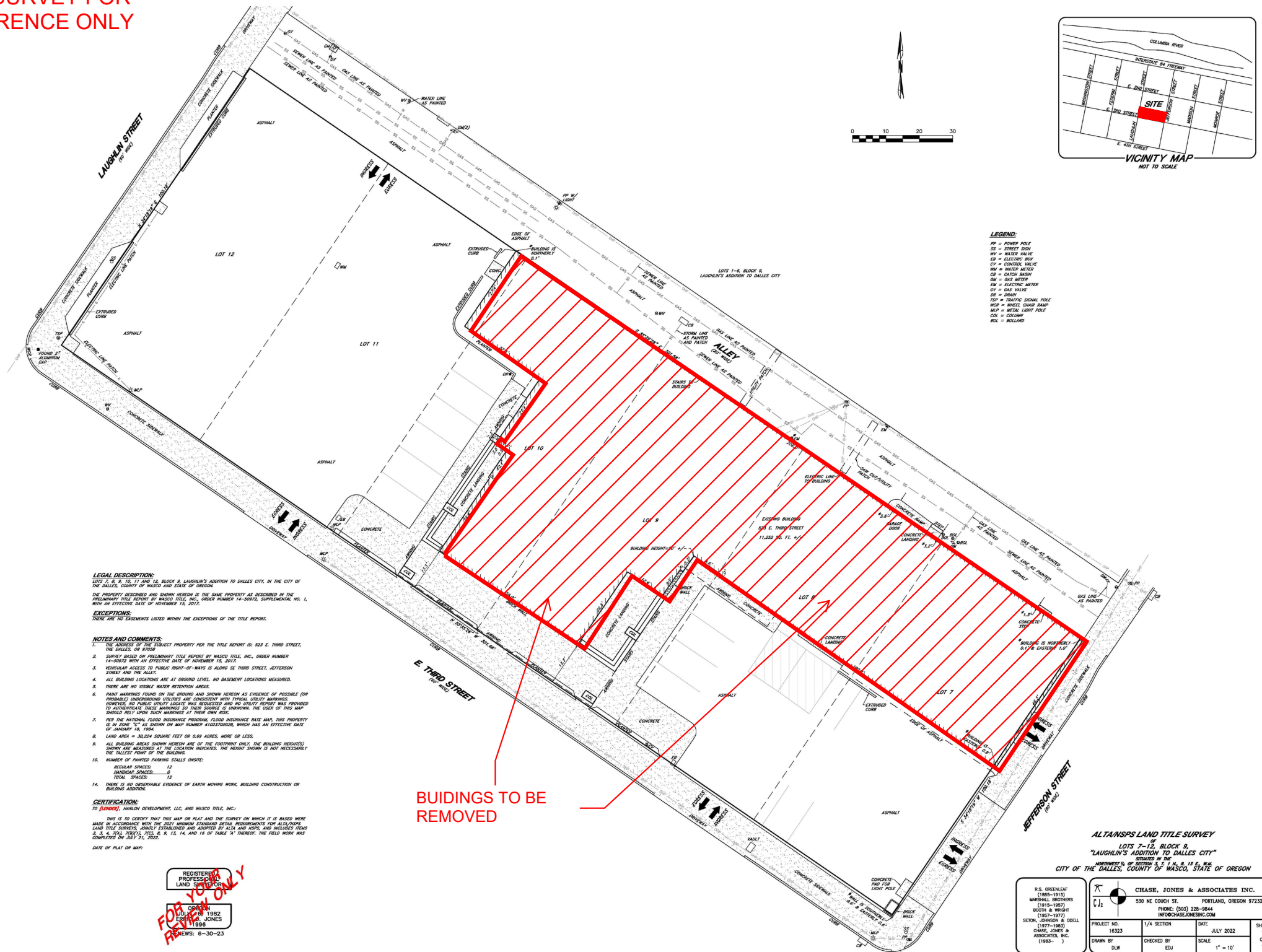
SITE SURVEY FOR REFERENCE ONLY



523 E 3RD STREET MULTIFAMILY | SITE TEAM REVIEW | October 31, 2022

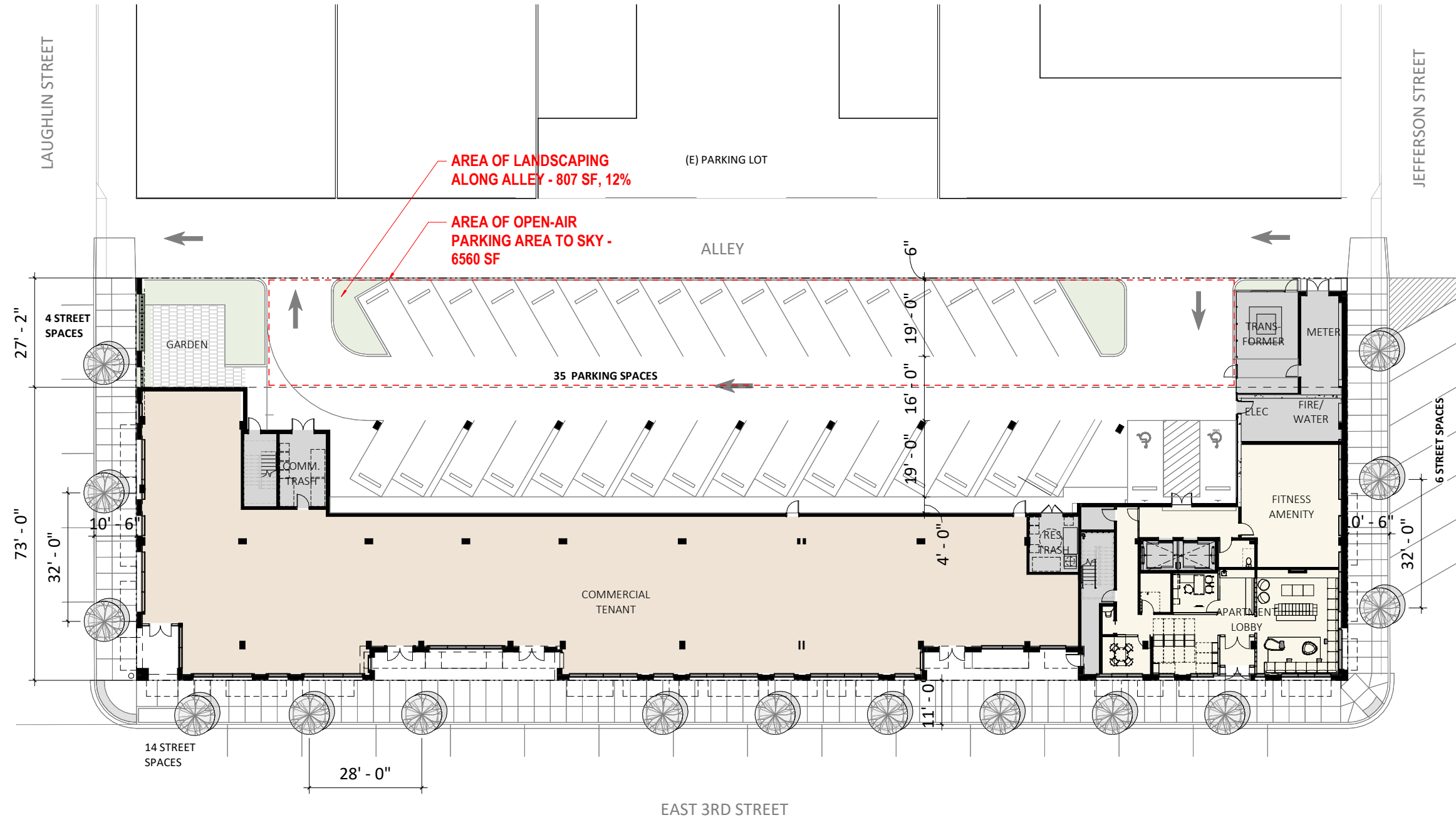
# EXISTING SURVEY

SITE SURVEY FOR REFERENCE ONLY



523 E 3RD STREET MULTIFAMILY | SITE TEAM REVIEW | October 31, 2022

# CONCEPT SITE PLAN



SCALE : 1 IN = 60 FEET

# APPENDIX

# APPENDIX A | Contextual corner buildings and ground floor heights



- The proposed design is most similar in height to the Commodore at E. 3rd and Court St. (bottom left). The proposed design will anchor the East end of the district with a similar scale to the Commodore.
- Multistory commercial buildings in the district are commonly 35', 40', and range up to 61' tall.
- Corners are often anchored by taller buildings, and taller ground-floor heights (or reading) to give prominence to the ground floor.
- Ground-floor heights commonly range from 16'-19' tall.



# APPENDIX C | View along E. 3rd Street By-Right Height



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# APPENDIX D | View along E. 3rd Street with Height Increase



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**H**

Thank you

**HACKER**

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HANLON DEVELOPMENT



## **RESOLUTION PC 622-24**

Approval of Conditional Use Permit Application **212-24, Chris Hodney**, for approval of a height increase to exceed the maximum allowed height of the underlying zoning district for a mixed-use, multi-family development. The proposed height of the building is 60 ft., which exceeds the maximum building height within the Central Business Commercial (CBC) zoning district of 55 ft. The applicant is also requesting an extension of the one (1) year expiration of the Conditional Use Permit (CUP) to three (3) years. The Applicant is proceeding with a Site Plan Review (SPR) to site and construct the development concurrently with this CUP application; however, the SPR approval is conditional on the approval of this CUP. Property is located at 523 E. 3<sup>rd</sup> Street and further described as 1N 13E 3 BD tax lots 6700, 6800 and 6900. Property is zoned CBC – Central Business Commercial with a CBC-2 Overlay.

### **I. RECITALS:**

- A. The Planning Commission of the City of The Dalles has on June 6, 2024 conducted a public hearing to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and staff recommendation.
- B. Staff's report of Conditional Use Permit 212-24 and the minutes of the June 6, 2024 Planning Commission meeting, upon approval, provide the basis for this resolution and are incorporated herein by reference.

### **II. RESOLUTION:**

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

In all respects as set forth in Recitals, Part "I" of this resolution, Conditional Use Permit 212-24 is hereby approved with the following conditions of approval:

1. The final building height must be consistent with the plans included in Attachment A: Appendix B and D of CUP 212-24 Application Package.
2. Following an approved CUP, Applicant must proceed with a Site Plan Review to site and construct the development. The Site Plan Review approval is conditional upon an approved CUP for the height increase.
3. Prior to Site Plan Review approval for the proposed development, it shall be demonstrated that lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source).

4. The CUP approval shall be valid for **three** years from the date granted by the Commission. If construction is commenced within this three-year period and is being pursued diligently toward completion, the conditional use permit shall stay in full force for an additional year. In the case of unavoidable delay or an extensive construction schedule, the Commission may extend the time limit for completion of the project.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 6<sup>TH</sup> DAY OF JUNE, 2024.

\_\_\_\_\_  
Cody Cornett, Chair  
Planning Commission

I, Joshua Chandler, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 6<sup>th</sup> day of June, 2024.

AYES: \_\_\_\_\_

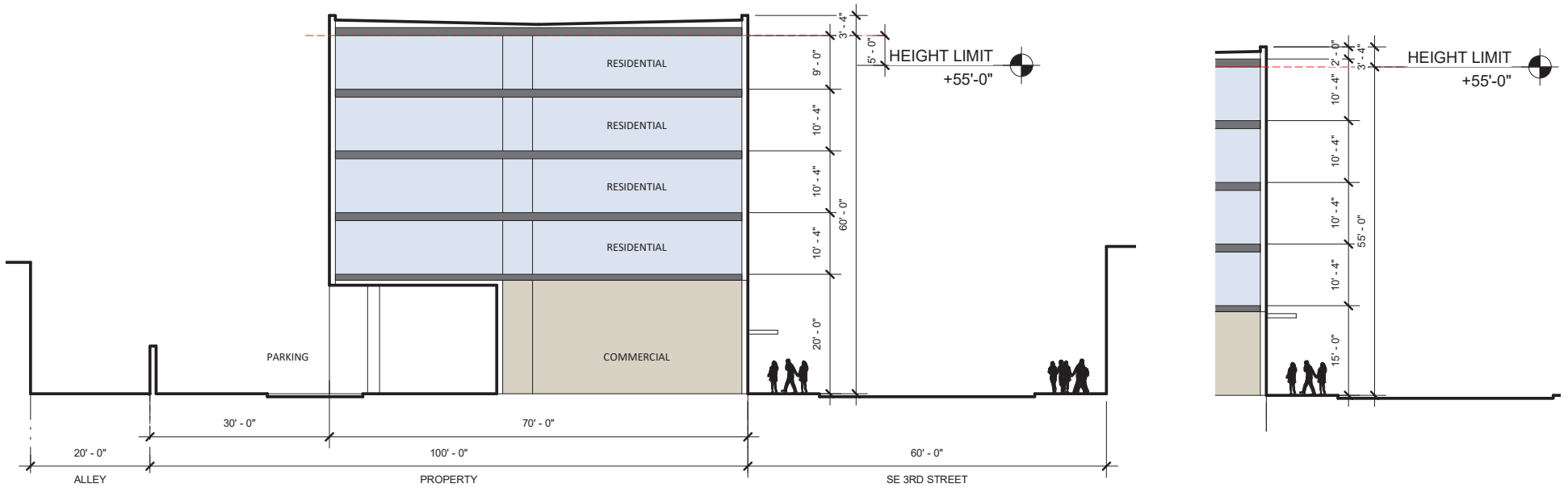
NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Joshua Chandler, Director  
Community Development Department  
City of The Dalles

# APPENDIX B | Proposed Building Section with Height Increase



Building Section Of Proposed Design With Height Increase

Building Section By-Right Within Height Limit

# APPENDIX D | View along E. 3rd Street with Height Increase



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BASALT COMMONS | HANLON DEVELOPMENT