

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, June 3, 2010

City Hall Council Chambers

313 Court Streets

The Dalles, OR 97058

Conducted in a handicap accessible room

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:32 pm.

BOARD

MEMBERS PRESENT:

Bruce Lavier

Mark Poppoff

Chris Zukin

Ted Bryant

John Nelson

BOARD

MEMBERS ABSENT:

Ron Ahlberg

Benjamin Hoey

STAFF PRESENT:

City Attorney Gene Parker

Associate Planner Dawn Hert

Administrative Secretary Brenda Green

APPROVAL OF AGENDA:

It was moved by Zukin and seconded by Bryant to approve the agenda as submitted. The motion carried unanimously, Ahlberg and Hoey absent.

APPROVAL OF MINUTES:

Commissioner Bryant stated that CAFO actually stands for Confined Animal Feeding Operation rather than Concentrated Animal Feeding Operation; page five, paragraph two.

Commissioner Nelson pointed out on page four, paragraph four, that the applicant did not really describe the vegetation, he only shared that it was made up of grasses and did not clarify any more than that.

City Attorney Parker corrected "order" on page six, paragraph five, to read ordinance.

It was moved by Bryant and seconded by Poppoff to approve the minutes of May 6, 2010 as modified. The motion carried with Lavier, Poppoff, Bryant and Nelson voting in favor, Zukin abstained, Ahlberg and Hoey absent.

PUBLIC COMMENT: none

QUASI-JUDICIAL PUBLIC HEARING:

Application Number: CUP 158-10 of Matthew Stoffregen, Architect, for State of Oregon, Oregon Department of Veterans' Affairs Request: To add a community center to the existing Veterans Home. Location: Property is located at 700 Veterans Drive and is further described as 1N 14E 6 tax lot 400. Property is zoned "RL/CFO" – Low Density Residential District, with a Community Facilities Overlay.

Chair Lavier read the rules for conducting a public hearing. He asked the Commissioners if they had any bias, conflict of interest, or ex-parte contact. Commissioner Bryant and Lavier declared that they were both veterans. There were no challenges from the audience. Lavier declared the public hearing open and asked for the Staff Report.

Associate Planner Hert presented the Staff Report. She explained that the report had been written by Senior Planner Gassman. Hert described the proposed project and went over the findings. She pointed out that the only comment received was a letter from Rebecca Iverson, 3712 Columbia View Drive. The letter was labeled Exhibit A. Hert summarized Mrs. Iverson's concerns as being mostly about the impact of noise, lighting and possibly traffic. According to Hert her concerns would all be covered within the conditions of approval except for the question of what types of events the Veterans' Home would be allowing, she suggested that the applicant could respond to that question. Hert summarized by stating that staff was recommending approval for both a Conditional Use Permit and a Site Plan Review. She stated that none of the suggested conditions of approval were out of the ordinary.

Chair Lavier asked for clarification of where the addition would sit on the property in relation to the current building. Associate Planner Hert shared an aerial photo and showed the Commissioners the various landmarks around the property. There was a general discussion about the neighborhood, the distance to the closest neighbor and who owned the adjoining properties.

Commissioner Nelson asked if once the additional parking was added, would the fire access lane remain fire access only, or would it be utilized as an additional driveway. Associate Planner Hert stated that she believed it would remain a fire access lane but suggested that the applicant should clarify.

Commissioner Nelson inquired about the lighting in the parking lot, specifically how far the lights could shine. Associate Planner Hert described the ordinance that defines how far and where a light can shine. There was a general discussion about the foot candle measurement and how lighting could possibly affect neighboring properties. It was generally agreed by the Commissioners that even the closest homes would not be affected by the parking lot lighting.

Public Testimony

Proponents: Matthew Stoffregen, 500 Liberty St. SE, Ste 100, Salem 97301. Mr. Stoffregen stated that he was the applicant and that he worked for CB Two Architects. He explained that the purpose of the addition was to provide the current residents at the Veterans Home a central gathering spot where they can participate in social activities. In response to Mrs. Iverson's letter, Stoffregen stated that the center will not bring in additional people; its purpose is to provide for the current residents only. He assured the Commission that the facility would not be being rented out. Stoffregen then went over several of the design components of the building and the parking lot, and responded to the questions by Commissioner Nelson.

Commissioner Nelson pointed out that the report stated that the facility could serve a large event; he asked for verification that there would be enough parking stalls. Mr. Stoffregen explained that the number of parking stalls was based on the current number of beds in the facility, and that the events referenced would be events for the residents. There was a general discussion about the current use of parking stalls by residents, visitors and employees as well as the proposed use of the stalls after the new facility is added.

Commissioner Bryant asked for more information about the types of events that would be hosted. He asked where everyone would park if they had a large event like a Christmas Party. Mr. Stoffregen responded that the possibility of family members also attending some events is the reason behind proposing to add 30 more stalls than were required. In response to the types of events they are planning, Stoffregen described the activity room as being a large open space that could be separated into smaller rooms. Types of events he identified were; superbowl party, wii and poker tournaments, music performances, games. He summarized by stating that the overall goal was to provide the residents with more social interaction.

John Osborn, 500 Liberty St. SE, Ste 100, Salem 97301, identified himself as the Project Construction Manager. He added that the other type of events that would be hosted at the center would be other Veteran organizations doing something for the residents; such as the recent Memorial Day Celebration.

Chair Lavier clarified that the type of events Mr. Osborn described would be events for the current veteran residents. Mr. Osborn replied yes, that was correct.

Commissioner Nelson asked for reassurance that the space would not be leased for non-veteran activities. Mr. Osborn replied no, it would only be utilized for the veterans.

Commissioner Bryant asked if Mr. Osborn knew if the school owned the undeveloped land next to the Veterans' property. Mr. Osborn identified the neighboring land owners that he knew of.

Opponents:

Jorge Barragan, 3708 Columbia View Dr., stated that he was not against the application but was looking for clarification. After listening to the testimony he stated that he felt his concerns had been addressed but wanted to verify again that the facility would not be being rented out for non veteran activities. He explained that after talking to his neighbors they essentially shared his concern about the type of events. Barragan asked if the neighbors could be notified of the applicant's intentions for the use of the building. He felt that an explanatory letter would help assure them that there would not be a negative impact on the neighborhood.

Mr. Stoffregen again assured the Commission and Mr. Barragan that the facility would not be rented out for non-veteran activities and stated that they would be happy to send an information letter out to the neighbors.

Mr. Barragan shared that with that re-assurance he was in favor of the application.

Rebuttal: none

Commissioner Zukin asked for clarification of where the neighboring homes were located. Staff and Commissioners again looked at the maps and identified the proposed location of the facility and the neighboring homes. Zukin shared that in regards to parking lot lighting, he felt the immediate neighbors would not be affected.

Chair Lavier closed the public testimony portion of the hearing.

Deliberation: Commissioner Zukin suggested that after hearing a large amount of testimony stating that the facility would not be rented out to non veteran groups, that a condition should be added to that effect. He pointed out that the promise the applicant made was what stopped potential opposition to the project. The Commissioners agreed by mutual consent. City Attorney Parker suggested language for the condition to read: The use of the Community Center shall be restricted to uses which benefit the residents of the Veterans Facility.

Associate Planner Hert requested that when a motion is made, that condition number ten be modified to read photometric rather than photoelectric.

Motion:

Commissioner Bryant moved to approve CUP 158-10 and the Site Plan Review based on findings of facts with the 12 conditions as modified, plus one condition added with wording as stated by Attorney Parker. It was seconded by Poppoff; the motion carried unanimously; Ahlberg and Hoey absent.

RESOLUTION: Commissioner Bryant moved to adopt Resolution PC 494-10 approving CUP 158-10 and the SPR with thirteen conditions as modified. Zukin seconded the motion. The motion carried unanimously; Ahlberg and Hoey absent.

COMMISSIONER/STAFF COMMENTS

Commissioner Bryant distributed a picture. It was labeled Exhibit B. The picture was of Sandi's Clip Joint which was a recently approved Home Business Permit. Bryant asked if the modifications that were made to the structure met condition number four of the approval which stated; the home business shall not result in any structural alterations or additions to the dwelling that will change the primary residential use of the property. Associate Planner Hert responded that yes, it met the condition because the alterations only changed a small portion of the property; the primary function of the property was still residential.

Commissioner Bryant asked what if an applicant had two residences on one lot and chose to turn the second home into a barber shop? Associate Planner Hert explained that it would depend on the total square footage, the number of employees, the number of parking spaces and several other factors. She stated that each application or situation would have to be looked at individually because of all the variables.

Commissioner Nelson asked if there was any updated information on the three concerns that had been brought up at the last meeting. Associate Planner Hert replied that in regards to the parking lot lighting at the Lone Pine McDonalds, Planning Code Compliance Officer Dennee was currently looking into the situation. In regards to the exterior security style lighting in residential areas, Planning staff is comparing ordinances with the county and will be looking into the situation during the current round of LUDO updates. Hert then explained that the final concern regarding a porch being covered on

Pentland between Fourteenth and Fifteenth Street had been inspected. What they found was that not only does the porch not meet set back requirements, but the entire house appeared to not fit into the lot and is considered a non-conforming structure. Dennee is currently working on the issue.

Commissioner Zukin asked for an update on the Armory. City Attorney Parker replied that all the concerns were worked out with the neighbors and that the appeals had been dismissed. He stated that at this time it is in the hands of the National Guard.

NEXT MEETING: The next scheduled meeting is June 17, 2010

ADJOURNMENT: The Planning Commission meeting was adjourned at 7:40 p.m.

Submitted by
Brenda Green, Administrative Secretary



Bruce Lavier, Planning Commission Chair