

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, August 4, 2011

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, Ron Ahlberg, John Nelson, Mark Poppoff, Dennis Whitehouse, Nan Wimmers, and Chris Zukin

BOARD MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Senior Planner Richard Gassman, City Attorney Gene Parker, and Associate Planner Dawn Hert

APPROVAL OF AGENDA:

It was moved by Commissioner Wimmers and seconded by Commissioner Zukin to approve the agenda as submitted. The motion carried unanimously.

APPROVAL OF MINUTES:

It was moved by Commissioner Ahlberg and seconded by Commissioner Whitehouse to approve the July 7, 2011 minutes as submitted. The motion carried unanimously.

PUBLIC COMMENT:

None

QUASI-JUDICIAL PUBLIC HEARING: CUP 165-11; Oregon Military Department

Chair Lavier read the Rules of the Public Hearing and asked if any Commissioners wished to declare a bias, ex parte contact, or conflict of interest. Commissioner Whitehouse stated he formerly worked at Columbia Gorge Community College during the plans of the implementation of the project and attended hearings and meetings along with the applicant until 2007. City Attorney Parker asked Whitehouse if he felt his past experience would currently, in any way, make him biased or not objective to either side given the current application was separate and presented approximately four years later. Whitehouse answered he was not biased and could be objective because in the past he was acting on behalf of the college. Parker asked Whitehouse if he had discussed the current application with the applicants or neighbors since 2007. Whitehouse answered no. Chair Lavier asked if anyone in the audience wished to challenge the qualifications of anyone on the Commission. There was no response from the audience. Chair Lavier opened the public hearing at 6:08 PM and called for the Staff Report.

Senior Planner Gassman summarized past public hearings for the Readiness Center/Armory, CUP 136-05 and CUP 153-09. Gassman explained the reasoning behind the expiration of CUP 153-09 and re-submittal for a new Conditional Use Permit. Gassman also explained that the Staff had taken the approach that the City's final decision for CUP 153-09 should be Staff's recommendation to the Planning Commission. Gassman pointed out that this meeting's presentation was a concept application. The details (height, lighting, number of parking spaces, etc.), Gassman said, would come out in the Site Plan Review which would be required to be heard

before the Planning Commission also. Commissioner Zukin clarified that the Site Plan Review public hearing would be re-noticed to adjacent neighbors. Commissioner Whitehouse asked how close Columbia Gorge Community College was to a Site Plan Review. Senior Planner Gassman answered that it would be appropriate for the Planning Commission to ask the applicant. Commissioners Nelson and Lavier had questions regarding previous road/access decisions made by the Planning Commission and the City Council. Gassman reiterated those issues would be reviewed in the Site Plan Review phase of the process should the Planning Commission approve the Conditional Use Permit Application.

Senior Planner Gassman highlighted portions of Mr. Corey's letter. Regarding building height, Gassman explained that a Conditional Use Permit allows for a code height variance. He stated that the Staff recommended the applicant's previous CUP approval. Regarding "hours of operation" Staff recommended the same time restrictions of the previous CUP approval for the days of Sunday through Thursday ending as of 10:00 PM, and Friday and Saturday ending at 11:00 PM.

Senior Planner Gassman reported that one change in conditions was that the new Conditional Use Permit did not require a geo-hazard study due to a recent study by Mark Yinger. Gassman explained that the only area now requiring the geo-hazard study was the Kelly Landslide area, and all of the college property was outside the geo-hazard zone.

PROPONENTS:

James Willeford, 980 Hansen Avenue, Salem, OR, Chief of Military Construction for the Oregon Military Department, had comments to the Staff report. Willeford explained that the timeline for the start of construction was Spring of 2012 and that had always been the military's time frame.

Regarding parking, Mr. Willeford emphasized that the plans for the size of the lot were slightly larger because the college had expressed an interest in utilizing the area for college overflow parking.

Mr. Willeford explained the construction timeline as follows: bid proposals for a design build contract to commence in December of 2011, bid award by mid-January of 2012, and a Site Plan Review by March of 2012. Willeford stated that the Oregon Military Department had no objections to another public hearing for a Site Plan Review.

Regarding the "access" issue, Mr. Willeford stated that the Oregon Military intended to only use the existing road structure and that the applicant had no interest in building a new access through the neighborhood.

Regarding structural heights, the applicant intended to follow existing college building heights, Willeford stated.

Commissioner Whitehouse asked if the Kittelson Report that showed a building orientation and parking was what the Oregon Military currently had in mind for a location. Mr. Willeford said that report was an "idea" and that a better rendering of the building location could be seen in Exhibit 4 of the applicant's submittal, "Site Map." Willeford identified the location to be at the upper end of the ball fields with parking below.

Commissioner Ahlberg asked if there was going to be a proposal for a separate location for tanks. Mr. Willeford clarified that the applicant used a military vehicle compound that is an armored cavalry unit with very few armored vehicles. Willeford said that most of these units were "cached" in Idaho. Ahlberg restated his question by asking if there would still be a separate building located up above, on the hill, in the trees that would be a part of the Readiness Center. Willeford replied that the maintenance base might be separate or connected; it could be left to the discretion of the design contractor as to what was most advantageous. Commissioner Ahlberg said that at some point he recalled seeing a site plan showing a separate building up in the trees.

Commissioner Whitehouse asked Mr. Willeford if the Oregon Military had a 50-year lease. Willeford said there is a 50-year lease with a 50-year renewal. Whitehouse asked if the “mission” of the Oregon Military was going to remain the same during the course of the lease agreement. Willeford commented that he was not certain, and he could not guarantee what the “mission” would be for the entire duration of the lease agreement.

Commissioner Nelson asked if the proposal had any component where the vehicles would be traveling back and forth from the community to the highway. Mr. Willeford said the tracked vehicles would be transported on trailers. Nelson then asked how often or in what volume. Willeford stated the military vehicles would move routinely on drill weekends, one weekend a month. Some would be moved during the week, approximately 10 vehicles or less. Nelson asked if the Oregon Military had planned an exact route to I-84. Willeford said he did not know the exact route other than using the roads that have signage to I-84.

OPPONENTS:

William Hughitt, 602 E. 18th, The Dalles, Oregon asked if any of the Commissioners lived in the “affected area.” Chair Lavier said that question was immaterial. Mr. Hughitt expressed his concern that Scenic Drive was still in the geo-hazard area, and the additional weight of the vehicle transfer could cause problems. Mr. Hughitt also expressed his concern over the building height issue—up to five stories next to residential areas. His last concern, he said, was the wear and tear of additional traffic on the roadways. Mr. Hughitt ended by stating he was amazed the Oregon Military was looking at that site for the project since the site is located in a residential area.

Jason Corey, 603 E. 18th Street, The Dalles, Oregon stated he understood why the application was being brought before the Planning Commission again for a public hearing. Mr. Corey was happy to see that the requirements, as stated in earlier applications, were being followed. He also stated he appreciated the applicant’s comments on following the access and height requirements. Mr. Corey also emphasized he understood there would be opportunities to discuss height and access issues at the Site Plan Review hearing. In light of that, he said, he asked the Commission to deny the application. Corey said the neighborhood was zoned RL (Low Density) which was intended to be restrictive. Mr. Corey expressed his concern that this new development would be “looming over the neighborhood.” Corey did not see an Armory as a Community Facility Overlay. He appealed to the Commission that since the neighborhood was zoned Low Density, and the Commission should take a look at the impact this development would have on that neighborhood.

Mr. Corey said he would defer his height comments to a future Site Plan Review hearing, if needed. However, he requested that if Mr. Willeford made additional comments during the current hearing, Corey would like clarification on Willeford’s comment that the applicant would not go any higher than the height restrictions. Corey asked if Willeford’s comment was referring to the 32 ft. height restriction for Residential Low Density (RL) or for the buildings that were located on the west side of the campus.

Mr. Corey questioned the geo-hazard zones and studies, and he was not certain what was done in the past or how well it was done. He said he did not know how the cut and fill was completed.

Mr. Corey’s final comment was that the neighborhood deserved some “protection.”

Commissioner Ahlberg asked if Mr. Corey would object in the same manner if the college was adding an additional 50,000 square foot building in the same area. Mr. Corey said he would, to some extent, but Mr. Corey emphasized that was not the nature of this particular project.

Commissioner Nelson asked if Mr. Corey had more of an issue with the scale of the construction. Mr. Corey replied that would be a more palatable solution if the design were compatible in scale to the RL zone. Mr. Corey reiterated he had no problem with the college advancing and improving its infrastructure unless it “overshadowed” the area that was adjacent to it.

Commissioner Zukin asked Mr. Corey if there had been any changes to the neighborhood or the college property in the last two years that would affect this application. Mr. Corey said no, the neighborhood was essentially the same, and the nature of the college infrastructure has changed.

Jennifer Blevins, 1212 Blakely Drive, The Dalles, Oregon stated she grew up in the neighborhood in question. Ms. Blevins read several excerpts from Land Use Development Ordinance regarding the purpose of the ordinance, etc. Ms. Blevins also read Staff Report Finding of Fact #14, line 6, page 4 regarding the transportation system which was a direct quote from the Land Use Development Ordinance. She said she questioned if Scenic Drive would be able to handle the additional traffic, and that the taxpayers would have to pay for the new roads. Commissioner Ahlberg stated he understood from Staff that the existing roads were adequate. Ms. Blevins re-emphasized that she did not believe the roads would be adequate for an armory. She stated the City is pro-development, and it is not interested in protecting the Residential Low (RL) District.

REBUTTAL:

James Willeford, 980 Hanson Avenue, Salem, Oregon addressed Mr. Corey's questions. Regarding the height restriction, Mr. Willeford clarified that his comment referred to the 50 ft. allowance, and that there were plans for a two-story structure upwards and perhaps a daylight basement going downhill depending on the location. Chair Lavier clarified that a two-story structure would fall well under the 50 ft. height maximum. Mr. Willeford said he was hesitant to state that the structure design would not exceed 32 ft. in height.

Mr. Willeford also addressed Mr. Corey's comment regarding a geo-hazard study. The applicant underwent an extensive geo-hazard report and would construct in conformance to the engineer's requirement.

Chair Lavier asked Mr. Willeford to address the Traffic Study Report. Mr. Willeford replied that the traffic study was conducted by the college, and the applicant partnered with the college.

Chair Laver asked Mr. Willeford if the applicants intended to comply to State Highway regulations for trailers. Mr. Willeford replied that Oregon Military followed all Oregon Department of Transportation regulations.

Mr. Hughitt requested clarification on road types and limits on weight. Staff was not qualified to provide any input on the ODOT requirements. Commissioner Ahlberg pointed out there was much construction equipment on the roadways. There were other construction projects at the college, and the roadways handled it. Discussion followed amongst the Commission regarding right-of-way weight limits.

Commissioner Whitehouse asked for clarification on Page 5 of the Staff Report, paragraph 4 regarding "out-of-character" appearance with existing residential uses. Senior Planner Gassman commented this language was, once again, straight from the Land Use and Development Ordinance. He also explained that the armory was going to be separated from the middle of a residential area. It would be in a separate lot, Gassman said. Commissioner Ahlberg commented he remembered from the previous application that the armory had a higher expectation to be set back further from the property lines than Staff or LUDO would require.

Chair Lavier designated the Hazisume letter as EXHIBIT A, and the Corey letter as EXHIBIT B.

Chair Lavier closed the public portion of the hearing at 7:22 PM.

DELIBERATION:

Commissioner Ahlberg stated he supported the approval of the current Conditional Use Permit. Zukin concurred, stating the current Conditional Use Permit Application was a technicality, and stated that "we are not breaking new ground." He also stated "The heavy lifting will occur when the Site Plan Review comes in."

Commissioner Poppoff stated he voted against the previous Conditional Use Permit Application of Oregon Military due to the access issues, and he would probably vote against it again. He suggested there are

commercial and industrial sites downtown that were available. He stated he was not opposed to the plan, he just did not like the location.

Commissioner Whitehouse agreed that things had not changed between the college and the residents. However, possibly things in the community had changed. Whitehouse felt there might be better land available for this project closer to Interstate 84. Proximity to Interstate 84 would be more conducive, and for planned events, the Armory might suffer for lack of attendance at the proposed location if it were so far off the beaten path.

Commissioner Nelson agreed that the location might not be good at the college, and he had a concern that the armory would take away available land for the education advancement of the college. Nelson was also concerned about the 50-year lease. The mission could possibly change. Nelson agreed with Commissioner Whitehouse that the community had a lot of land better suited for the project.

City Attorney Parker suggested that the Commission allow Staff to prepare additional findings and delay the approval of the resolution should the application be approved.

Commissioner Wimmers expressed concern that any development would cause a neighborhood upheaval. She was also concerned about using college land for other than education. Commissioner Whitehouse explained the College's Master Plan for the site.

Commissioner Zukin addressed the issue of criteria for making a decision on the application at hand. The criteria to be decided was the concept of a Readiness Center/Armory solely at this particular site and none other, Zukin explained. Zukin also stated that it would be unfair for the Planning Commission to "second guess" why the Oregon Military or the college decided upon this particular site.

Commissioner Whitehouse clarified with Staff that if the Planning Commission approved the Conditional Use Permit Application now, and it proceeded to a Site Plan Review at a later date, would there be any recourse to deny the Conditional Use Permit later on. Senior Planner Gassman said it would be difficult to deny at a later date, but conditions could be added.

Motion:

It was moved by Commissioner Zukin that the Planning Commission approve application # CUP 165-11 to construct an armory at the site of 400 E. Scenic Drive and for Staff to prepare Conditions and Findings of Fact based on the previous City Council decision of 2009 and new testimony given from this public hearing. Commissioner Ahlberg seconded the motion. The motion carried. Lavier, Ahlberg, Zukin and Wimmers voted in favor; Nelson, Whitehouse and Poppoff voted in opposition.

Chair Lavier proposed the resolution would be reviewed at the next Planning Commission meeting.

STAFF COMMENTS/QUESTIONS:

Senior Planner Gassman reported on the plans for a joint Planning Commission meeting with Wasco County Planning Commission and the City of The Dalles Planning Commission on Tuesday, October 4, 2011, from 3:00 PM to 5:00 PM. Socializing (food) was scheduled for 5:00 PM (City of The Dalles Planning Commissioners could arrive at that time), and a joint meeting would take place at 6:00 PM. Gassman asked the Commissioners to check their calendars and advise him if they could not attend.

Senior Planner Gassman advised the Commission that he did not have an update on the Wadsworth fence variance because he has been unable to reach Ms. Wadsworth due to her work schedule.

Staff and Commission discussed the cost study of receiving Land Use and Development Ordinance updates electronically versus hard copies. Staff stated Carole Trautman was working on the cost study. Chair Lavier

suggested either hard copies or electronic copies could be distributed, depending upon an individual's preference.

Chair Lavier thanked the Commissioners for the 100% attendance.

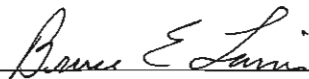
NEXT MEETING:

The next regularly scheduled meeting is Thursday, August 18, 2011.

ADJOURNMENT:

Chair Lavier adjourned the meeting at 7:50 PM.

Respectfully submitted by
Carole J. Trautman, Administrative Secretary.



Bruce Lavier, Planning Commission Chairman



EXHIBIT A

August 4, 2011

Mr. Richard Gassman
Senior Planner
City of The Dalles
rgassman@ci.the-dalles.or.us

Re: Application Number: CUP165-11

Dear Mr. Gassman:

Please be advised that John and Jacquie Hashizume, who reside at 714 East 21st Place, are in opposition of the Oregon Military Departments application for approval of a Readiness Center. They are concerned over the impact of the noise and possible vibrations from the use of machinery and equipment that will be kept at the facility. They are also concerned over the type of lighting which could be used at the facility. They fear that these changes will impede upon their ability to continue to enjoy the use of their home and outdoor space. This will be a major change in the way the property that abuts theirs will be used and will likely affect the value of their property in an adverse nature.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Hashizume', written over a horizontal line.

Kevin Hashizume

KH:hlt

EXHIBIT B

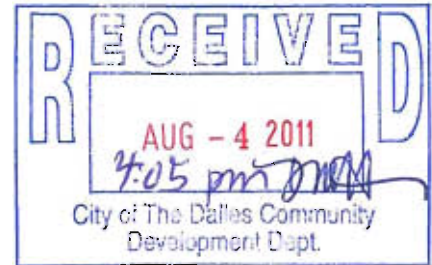
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WILLIAM G. DICK (1916-1992)
EDGAR M. DICK (1924-1986)
ROGER L. DICK (1922-2010)

August 4, 2011



HAND DELIVERED

The Dalles Planning Commission
313 Court Street
The Dalles, OR 97058

**Re: Conditional Use Permit No. 165-11 of the Oregon
Military Department at Columbia Gorge Community College**

Dear Planning Commission Members:

I again submit my objection to the siting of the proposed Readiness Center/armory on the Columbia Gorge Community College property adjacent to the subdivision in which I live. Generally, my objections have not changed since the 2009 CUP process. I attach copies of previous correspondence regarding OMD's application and incorporate those objections into this letter by this reference. Knowing the Planning Commission and the City Council approved OMD's previous condition use permit application, I recognize that you are likely to do so again. However, I continue to feel that the armory does not belong in a low density residential zone, even with the community facility overlay. I would again request that the planning commission deny OMD's application to site the armory at the proposed location.

Even if the commission is inclined to approve the CUP application, I would like to specifically refer to findings in the staff report with which I have an issue.

Finding No. 9: This property is zoned low density residential with a community facility overlay. Low density residential is the most restrictive zoning to protect the integrity and aesthetics of residential neighborhoods. For that reason, building heights are limited to 32 feet tall. While the ordinance for the community facility overlay allows the commission to exempt certain structures from height limitations, the commission does have a duty to at least balance the impact that an armory taller than 32 feet will have on the adjoining neighborhood. This is especially true given the significant changes the college has already made to the natural topography of the portion of its property upon which OMD intends to site the armory. The tiering and depositing of substantial quantities of dirt from the college's westside campus development have significantly increased the height of the eastern portion of its property. This will cause an even more pronounced negative affect on the neighborhood should OMD be allowed to construct its buildings at a height greater than the 32 foot maximum allowed in the low density residential zone.

Finding No. 17: I disagree with the staff report's conclusion that "[t]he armory is separated from

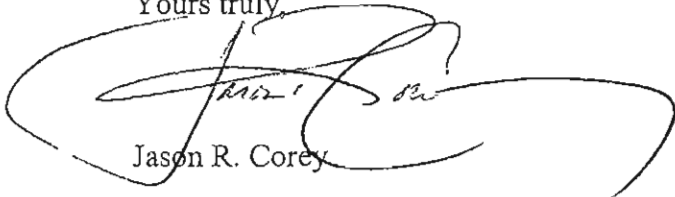
other development in the RL zone and floor area ratio issues are not applicable.” The proposed site for the armory is directly adjacent to a well established neighborhood, one that existed long before the college was in existence or the community facility overlay was in place. The report states that is possible for a conditional use to meet the RL zone standards and still appear out of character with the existing residential uses, resulting in negative impacts on the visual continuity and aesthetics of the neighborhood. It is impossible to argue that a nearly 44,000 square foot structure would not appear out of character with the existing residential uses in the area. Such a facility cannot help but result in a negative impact on the visual continuity and aesthetics of the neighborhood. Its impact on the neighborhood is far greater than the other development on the college’s campus which is on the far west side.

Finding No. 19: The commission approved OMD’s previous CUP application without imposing any restrictions on the hours of the armory’s non-military uses. Should the commission grant the conditional use permit, it should impose the non-military hours of operation limitations the City Council imposed in CUP 153-09 and which staff now recommends.

OMD’s application seeks approval of a parking lot consisting of 152 spaces. The recommended conditions in the staff report include a requirement that the parking meet requirements of Chapter 7 of the LUDO. While I would imagine that the city’s concern is that the parking lot meets at least the minimum requirements set forth in the LUDO, my concern is the opposite. I would request that the commission limit the parking lot to the minimum necessary to meet the LUDO requirements. A 152 space parking lot adjacent to residential subdivision is also out of character with the existing residential uses and results in negative impacts on the visual continuity and aesthetics of the neighborhood. Should OMD’s conditional permit be granted, please limit the size of its parking lot to the minimum requirements set forth in Chapter 7 of the LUDO.

In conclusion, I am again requesting that the commission deny the conditional use permit application of OMD. If not, I would ask that the commission pay special attention to the height restriction, conformity with the residential neighborhood and parking concerns I have raised in this letter and in previous correspondence regarding the earlier conditional use permit application.

Yours truly,

A handwritten signature in black ink, appearing to read "Jason R. Corey", is written over a large, stylized circular flourish.

Jason R. Corey

JRC:ms

Enclosures

DICK, DICK & COREY, LLP

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WILLIAM G. DICK (1916-1992)
EDGAR M. DICK (1924-1986)
ROGER L. DICK (1922-2010)

March 19, 2009

HAND DELIVERED

The Dalles Planning Commission
313 Court Street
The Dalles, OR 97058

Re: Conditional Use Permit No. 153-09 of the Oregon Military Department at Columbia Gorge Community College

Dear Planning Commission Members:

With receipt of the Notice of Public Hearing concerning the above referenced matter, I find myself in similar position of concern to that which I was in in January 2006 when the Columbia Gorge Community College (CGCC) first initiated its application to site an armory on the east edge of the college property. I am a homeowner on the corner of East 18th Street and Jefferson, directly across the street from the east boundary of the college property.

I again feel the need to speak out against the proposal to place an armory adjacent to the subdivision in which I live. I understand that there are those at the community college, city, county, state, and even federal level that support this conditional use of the college property. However, despite the Community Facility Overlay Zoning siting a new armory on CGCC property is inappropriate.

After reviewing the Conditional Use Permit Application and the Staff Report, I have several concerns about Oregon Military Department (OMD) and CGCC's proposal. First, OMD and OGCC have chosen to pursue this application by first requesting an Initial Concept Approval, using the quasi-judicial process. Once the vague proposal OMD has submitted is approved, the Staff Report recommends that detailed plans later submitted can be handled administratively. I am concerned that this would effectively eliminate the voice of the residential neighbors who are being adversely affected by the application.

In addition, as a neighbor there are several findings in the Staff Report which raise concerns for me and which I feel the need to address with the Planning Commission. First of all, with all due respect to Dan Durrow, who I think does a great job for The Dalles, I disagree that the armory can be characterized as a use that is similar to those allowed under LUDO 5.100.020. An armory with its inherent uses is in no way similar to any of the uses allowed. Its primary purpose is military training and response. Some might point to the social gathering possibility the facility offers. As discussed more fully below, isn't that really a commercial function then?

LUDO 5.100.040 requires that the proposed use conform to all applicable standards of the zone where the use is proposed to be located. While the Memorandum for Record dated 10 February 2008 from OMD indicates that OMD "intends to design and construct a two-story facility with concrete

foundation and floors,” the map provided with OMD’s application refers to a third floor for their building. Height restrictions for a low density residential district restricts building heights to a maximum of 32 feet. As is pointed out in the Staff Report, the Commission granted an exception to the height restriction for the recent construction at the college property. However, that construction was on the far west portion of the college property, and allowing that building to be of similar height to the existing buildings was understandable. The proposed armory, however, is on the very eastern side of the college’s property, literally yards away from a subdivision of residential dwellings with that 32-foot height restriction. In addition, the topography of the eastern side of the campus has already been altered a couple of times—increasing its overall height. The Commission must look more critically at the development of the eastern portion of the college’s property than it did at the western portion. LUDO 5.010.040 requires the Commission to ensure maximum compatibility with the surrounding established neighborhood. Should the Commission permit the application of OMD and CGCC, there should be no waiver of the maximum height limitation established for the low-density residential district that encompasses the area intended to be developed. As indicated in LUDO 3.050.050, it is possible for the structure of a conditional use to adhere to zoning standards for the RL zone but still appear out of character with the existing residential uses resulting in the negative impacts on the visual continuity and aesthetics of the neighborhood. Allowing an exception would create a building completely out of character with the surrounding residential neighborhood. In addition, despite the Staff Report’s Finding #17, the armory is not separated from other development in the RL zone. It could not be closer to the residential neighborhood to the east. In fact, it is separated from the rest of the nonconforming buildings on the CGCC campus. As a result, the floor area ratio issues are applicable and should be addressed in any application the OMD and CGCC make.

The Staff Report next addresses the review criteria regarding the impact caused by the construction of the conditional use. Noise impacts are a large concern to the neighboring property owners. When the idea of construction of an armory in this area was first proposed back in 2006, CGCC facilitated several neighborhood meetings, one of which included representatives of OMD. In that meeting, neighbors were assured that the facility would not include heavy military machinery, including tanks. With its current plan, however, OMD identifies an area where military vehicles will be parked. Military vehicles are not manufactured in such a way that they are compatible with a quiet, neighborhood residential use. In addition, the sketchy details about the facility OMD intends to construct reveals that a 10,000 square foot assembly-convention hall is included. It goes without saying that, if such a facility existed, it would become the new social gathering place for The Dalles. As a result, the social functions that are currently held at the present The Dalles armory and other places, such as the Civic Auditorium and Discovery Center, will be moved to this new location. That will affect the viability of those community centers. That will also result in regular and consistent weekend use of the proposed armory by the general public. The likelihood of successfully limiting noise impacts across the property line to 60 decibels is relatively small. Again, the proposed location of this building is less than a stone’s throw from multiple houses. Allowing military vehicles in the residential area will also have the potential of negatively impacting the vibration restriction across property lines. I must disagree with the Staff Report’s finding that no vibrations

are anticipated.

Also of great concern is the increased level of lighting that the proposed armory and 152-space parking lot will cause to the neighborhood. One need only drive up in the neighborhood after dark at the present time to see the impact that the increased lighting related to the new construction on the west end of the college has had. I can only imagine the impact of placing a 152-space parking lot almost directly next to existing homes. This must be viewed as incompatible with the restrictions that exist in a low-density residential district. At the very least, the Commission should ensure that buffer to light intrusion into the neighborhood.

In Finding #15 of the Staff Report, the conclusion is reached that the traffic impact analysis done for CGCC indicates that there will be no mitigation requirements. As everyone in the community knows, the CGCC property is as far from I-84 as virtually any spot within the city limits of The Dalles. Accessing CGCC's property requires travel through town and on winding residential roads. I believe the Staff Report underestimates the impact to the roads accessing the college and the surrounding neighborhood. One must only recall the convoy that parked at the fire station less than two weeks ago. I was returning from Portland in the evening at the same time the convoy was arriving and witnessed for myself the backup on I-84 as those military vehicles exited the freeway. They were literally stopped on the freeway. Imagine those vehicles moving through the streets of The Dalles and the wear and tear that would be inflicted on our streets, as well as the disruption it would cause.

I am pleased to see that no new streets are proposed. I would hope that, as the Commission reviews this application, if it permits the CUP, it would also refuse to allow an extension of Jefferson to access the armory or CGCC's property, either now or in the future. Installation of an access road connecting Jefferson and 18th Street to CGCC's property will fundamentally change the nature of the neighborhood in which I live. Those accessing the college from 14th Street via the recently redone portion of Jefferson, north of Scenic Drive, will undoubtedly choose to access the proposed 152-space parking lot using Jefferson Street rather than winding up Scenic Drive to the main entrance of the college campus. Furthermore, those accessing the college from the east side of town would likewise be motivated to use 18th and 19th Streets to access the parking at the proposed armory site and even the parking on the west side of campus, thus avoiding the necessity of winding up Scenic Drive. In many ways, an access from Jefferson and 18th Streets would make the residential neighborhood to the east of CGCC's property the de facto entrance to the armory and the college. I urge the Commission to refuse to allow that substantive alteration to the residential community. Any review of the CUP and the more detailed plans provided by OMD and CGCC should not permit an access from Jefferson. My fear is that OMD and CGCC will come back to the Commission and request this "minor" modification to their plan after assuring residents that such would not be the case.

As to the zone-specific review criteria, if the CUP is permitted, other than the floor area ratio issue addressed above, OMD and CGCC should be required to go beyond minimum landscaping

requirements and assure sufficient barriers to mitigate both light and sound coming from the proposed armory. Furthermore, there should be hours of operations limitations placed on the armory despite Staff Report Finding #19. When OMD and/or CGCC begin leasing or renting out the assembly/convention hall for community events, the facility becomes a commercial use. The Commission should limit that use so as to allow neighboring residential property owners the quiet use of their own property.

In conclusion, it is no mystery that I am not in favor of siting a new armory adjacent to my neighborhood. Placing an armory in a residential neighborhood makes no sense. Despite what I am sure will be reassurances from OMD, placing an armory next to our neighborhood increase our risk. The Commission has the authority to find that the proposed use is not compatible with the low density residential zoning in the area. Allowing the siting of the armory on CGCC's property will forever change the nature of the low-density residential district in its appearance, its use, the traffic in the neighborhood and the quality of life property owners adjacent to the college property will enjoy. As a result, I urge you to find the proposed use incompatible with the underlying zoning and to deny the conditional use permit.

If the Commission is inclined to grant the CUP, I urge you to scrutinize the potential impacts to the residential neighborhood that existed long before CGCC occupied the property to the west and long before the City of The Dalles imposed a community facilities overlay on the college property and take steps to preserve the integrity of the neighborhood. Each of the points I have raised above need to be weighed to assure that the desires of OMD and CGCC do not take precedence over the rights of the adjacent property owners.

Yours truly,

/s/ Jason R. Corey

Jason R. Corey

JRC:nrt

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EDGAR M. DICK (1924-1986)
ROGER L. DICK (1922-2010)

March 26, 2009

HAND DELIVERED

The Dalles Planning Commission
313 Court Street
The Dalles, OR 97058

Re: Conditional Use Permit No. 153-09 of the Oregon Military Department at Columbia Gorge Community College

Dear Planning Commission Members:

I know that I have already submitted a lengthy objection to the placing of an armory on the Columbia Gorge Community College property. After hearing the comments of the representative of the Oregon Military Department (OMD) and after giving more consideration to the situation, I wanted to synthesize my position as follows:

Request No. 1 - Community Facility Overlay

- Before voting on the Conditional Use Permit of OMD, the Commission should hold a public hearing regarding Eric Nerdin's request for an adjustment to the CFO on the College property by moving its east boundary.
- Determining that OMD's Conditional Use Permit should be denied as military training and instruction, including a firing range within the city limits, which are the stated principle purposes for the facility, are not a use similar to those allowed under LUDO 5.100.020.

Request No. 2 - Conditions on Approval of CUP

In the event that the Commission decides to approve the CUP of OMD, the following conditions should be imposed in addition to any others the Commission deems appropriate:

- The Commission should deny any request, including the future request for any "minor modification" of OMD's CUP that would permit access to the college property from Jefferson and/or 18th Streets.
- Mr. Van Drew of OMD identified the requirement that the City was going to impose on OMD to install a sidewalk at 18th and Jefferson. Due to the topography at that location, installation of a sidewalk will likely require a retaining wall, effectively cutting off access to the college property by pedestrians from the neighborhood. That access is used heavily by neighborhood residents, including several who are elderly, and who walk the trails on the south side of the college property and use Sorosis Park. As a result, in addition to the sidewalk requirement, OMD should be required to install stairs that will allow continued access by pedestrians.

- The Commission should not waive the height restriction of 32 feet for the low-density residential zoning in which the property lies.
- According to Mr. Van Drew's testimony at the Commission hearing, OMD needs only 60 to 70 parking spaces. The college is requesting the additional 80 to 90 parking spaces. The Commission should limit parking to the minimum necessary for OMD. This will help to significantly reduce the lighting impact to the neighborhood.
- As a further reduction to the lighting impact, the Commission should require that the lighting be defused, directed away from the property line and turned off automatically no later than 11:00 p.m.
- The Commission should recognize that OMD will allow its facility to be used for commercial purposes on week nights and weekends in which the Guard is not operating in the facility. As a result, the use of the building becomes a commercial use, and the Commission should impose limitations on hours of operation by requiring that uses of the premises be concluded at 10:00 p.m. The College property itself upon which this facility would sit has a posted closing time of 10:00 p.m. Commercial uses that OMD allows on the property should not extend beyond the hours of operation of the College upon which it sits. This area is, after all, zoned low density residential and the community facility overlay uses should not be allowed to drastically alter the overall uses in the zone.

I do appreciate the commissioners' considered review of this matter and urge you to find that an armory does not fit within the uses permitted in the CFO. In the alternative, I urge you to impose the conditions requested above to minimize the impact to the neighborhood which existed long before the Community Facility Overlay was imposed.

Yours truly,

/s/ Jason R. Corey

Jason R. Corey

JRC:nrt