

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, May 17, 2012

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

CALL TO ORDER:

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

BOARD MEMBERS PRESENT:

Bruce Lavier, Mark Poppoff, Dennis Whitehouse, Mike Zingg, Jeff Stiles

BOARD MEMBERS ABSENT:

Chris Zukin

STAFF MEMBERS PRESENT:

Senior Planner Richard Gassman, City Attorney Gene Parker, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

It was moved by Whitehouse and seconded by Poppoff to approve the April 19, 2012 minutes as submitted. Lavier, Whitehouse and Poppoff voted in favor; Zingg and Stiles abstained; Zukin was absent.

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARINGS:

Application Number SPR 408-12, Bob Thompson, TVA Architects; Request: Site Plan Review application to construct a new Oregon Army National Guard Readiness Center and Columbia Gorge Community College Workforce Training Facility. The property is located at 400 E. Scenic Drive, The Dalles, Oregon, and is further described as 1N 13E 9 t.l. 100. Property is zoned "RL/CFO" – Residential Low Density/Community Facilities Overlay Districts.

Chair Lavier read the rules for conducting a public hearing. Lavier asked the Commissioners if they had any conflict of interest, ex-parte contact, or bias that would prohibit them from making an impartial decision in the matter. Commissioner Whitehouse reported that he was previously employed at Columbia Gorge Community College (CGCC) and was involved with the initial plans between Oregon Military Department (OMD) and CGCC. After asking some qualifying questions of Whitehouse, City Attorney Parker determined Whitehouse had no conflict of interest, ex-parte contact, or bias towards the current application presented.

Chair Lavier opened the public hearing at 6:09 PM.

Senior Planner Gassman began his staff report presentation by providing a background summary of the project. In 2006, Gassman explained, there was a Planning Commission public hearing to review the college's Master Plan. At that hearing, the Planning Commission approved CGCC's Master Plan, excluding the property on the east side of the roundabout that showed a designation for a future Readiness Center, and requested that the OMD plans for the east side development come back at a later date to the Planning Commission that showed more detailed information. OMD submitted a Conditional Use Permit (CUP) Application in 2009 for the modification of the Master Plan that included a conceptual plan for the Readiness Center, Gassman stated. The City approved the conceptual plan, but OMD did not receive funding. In 2011, OMD re-submitted a CUP, similar to the original CUP application, the Planning Commission approved the re-submittal, and because of the previous process and high interest of the citizens, requested OMD come before the Planning Commission for a Site Plan Review. Senior Planner Gassman reminded the commissioners that the purpose of this hearing was to review the site plan, the CUP had already been approved.

Senior Planner Gassman stated he received two written comments: 1) The Nerdin Family (Exhibit 1); and 2) Jason Corey (Exhibit 2). Gassman highlighted each point of each letter, specifically pointing out details on building height, setbacks, landscaping, lighting, noise, access, parking, and other miscellaneous details.

Testimony

Proponents:

Gerry Hein, Hoffman Construction, 805 SW Broadway, Portland, Oregon pointed out that the Oregon Military Department wanted a design that was responsive to the needs and concerns of the community. Hein stressed that the structure would be a gateway to CGCC, and the college was fully engaged as a partner in the project.

Pamela Saftler, 1800 SW Elizabeth Street, Portland, Oregon, and Elisa Rocha, 4741 NE Davis Street, Portland, Oregon, gave a PowerPoint presentation of the site plan, and the proponents specifically addressed such issues as primary access, parking, structural height, lighting (including light trespass), traffic, and landscaping. Regarding height criteria, Ms. Rocha highlighted the structural height diagram based on a segmented site plan broken down into segments #1 and #2. Ms. Rocha pointed out that the height for the segment 2 portion of the project totaled 54.2 feet, and the height for the segment 1 portion of the project totaled 34.17 feet. The criteria given to the team, Ms. Rocha stated, was that the structure was to be no taller than the tallest existing building at CGCC, and the tallest existing building measured 61 feet. Therefore, Rocha said, the site plan for height met the criteria.

Commissioner Whitehouse asked the proponents where fencing would be installed on the property. Ms. Rocha answered that the only fencing installed would be on the south side of the military parking area.

Chair Lavier asked what would become of the existing fencing along the east side of the property. Ms. Rocha stated that the architects did not intend to do modify the existing fencing.

Dennis Herring, Oregon Military Department, 1776 Militia Way, Salem, Oregon, stated fencing would only be added in the red boundary area of the site plan, and it would extend out into the road. Herring explained that, somewhere along the property line on the east side, there is a pedestrian opening, and at this time OMD does not intend to change the existing opening.

Dana Schmidling, 240 Lone Pine Lane, #3, The Dalles, Oregon, commented that this structure would be an asset to the community in that it would provide a facility large enough for trade shows, conferences, and conventions. This structure, Schmidling said, would be an economic boon to the community, and it would showcase The Dalles.

Gerry Hein, 805 SW Broadway, Portland, Oregon, emphasized that the OMD would open up the facility to the community, and the assembly hall would be available to the community for trade shows and conventions as Ms. Schmidling had stated.

Frank Toda, 659 Sherman Drive, The Dalles, Oregon, stated that he supported the project, it would be a win-win for the community. Toda also pointed out that the college could potentially receive up to eight million dollars in match funds from the state to be used for a technology training center.

Commissioner Whitehouse asked Toda if the match monies would be used to build a separate building. Toda stated plans were a combination of an expansion space of the Readiness Center and a separate building.

Opponents:

Richard Williams, 1212 Blakely Drive, The Dalles, Oregon, stated he was concerned about the noise for the nearby residences, because he lives by the current armory site, and events at the current site generate noise. Williams also expressed his concern about the traffic of the military vehicles.

Commissioner Stiles asked Williams what the nature of the events was at the current armory. Mr. Williams replied that the main activity is parties.

Jason Corey, 603 E. 18th, The Dalles, Oregon, stated he was not opposed to the military or the armory, however, he had some concerns. Corey stated he was opposed to the nature in which the building would loom over the neighborhood because of its height, and he asked that the method of calculation of height measurements of the proposed new structure be consistent with the method of calculation of height of the existing buildings. Another concern Corey brought out was that the proposed outside patio to be rented out for commercial purposes was going to be 60 to 70 feet from his property line. Corey asked the Commissioners to consider a requirement of a re-design of the patio area so the neighborhood would not be subjected to the noise. In conclusion, Corey stated that he appreciated the military not cutting off the pedestrian access, and he urged the Planning Commission to be diligent to keep that access open to the public.

Eric Nerdin, 702 E. 21st Place, The Dalles, Oregon, complimented the efforts of the agencies to take the neighbors' concerns into consideration. Nerdin emphasized that he is not opposed to economic development, the National Guard, or the structure itself. However, Nerdin stated, he did not view the structure's conference center as an economic win-win for the community because other facilities in the area, such as The Civic and the Discovery Center, could be negatively impacted economically. The commercial nature of the structure was a concern, Nerdin commented. Nerdin summarized his memo (Exhibit 1). In closing, Nerdin acknowledged there was a need for a Readiness Center, but he felt the location was not good. Nerdin requested that the structural height be lower than recommended, consideration be given to lowering the ceiling heights, and research the traffic flow.

Jennifer Blevins, 1212 Blakely Drive, The Dalles, Oregon, stated she is aware of the noise level that is generated by the current armory. Blevins expressed her concern for the noise level that would come from the outdoor patio from weddings, receptions, and other social functions. Blevins suggested the operating hours be restricted to 9 PM weekdays and 10 PM on the weekend. In closing, Blevins urged developers and agencies to take the neighborhood into consideration and close down the commercial aspect of the project.

Chair Lavier asked if anyone in the audience had questions or statements.

Ernest Keller, 1205 Walnut Street, The Dalles, Oregon, stated that the facility would be a tremendous asset to the college and the community.

Rebuttals:

In response to one of Mr. Nerdin's comments, Dana Schmidling, 240 Lone Pine Lane, #3, The Dalles, Oregon, pointed out that indeed there are other facilities in The Dalles for gatherings, and they well serve the community for a number of activities. However, Schmidling explained, the OMD Conference Center would serve different, larger-sized activities that currently is not available.

Elisa Rocha, 4741 NE Davis, Portland, Oregon, responded to several opposing comments. Regarding Mr. Corey's question on the method of height calculation used for the existing buildings, Rocha reported that the existing building heights were provided by the college, and she was unaware what method was used to determine the heights. Regarding the measurement of height on the new structure, Rocha stated the method used was not invented by the design team, it was based on Land Use Development Ordinances for the City of The Dalles and the Land Use Specialty Codes. In her PowerPoint presentation, Rocha explained that her measurement procedure did not divide the project up into two separate buildings, she was measuring two distinct segments of one structure based on a stepped or terraced building. Rocha also read the LUDO's list of allowed uses of the Community Facility Overlay District (CFO) which included public facilities which serve a substantial public service including government facilities, civic assembly, parks, museums, public and private schools, etc. Rocha also reported that the facility would be an OMD managed facility for community events.

Ms. Rocha stated the rear ceiling height would be 28 feet, and one important aspect was the linkage between the ground floor and the first floor opening the building up to views that slope up toward the north.

Commissioner Stiles asked Ms. Rocha if she knew the sea level elevation of the new structure as compared to the elevation of the existing buildings. Rocha answered that she did not know. Stiles also asked if there would be a possibility of lowering the land at the new facility site. Rocha explained that the construction team was attempting not to change the existing site too much, their intentions are to preserve existing trees around the boundaries, maintain the scenic view on the south side, provide additional screening on the east side by planting more trees, and maintain the bulk in the middle of the site. Therefore, Rocha said, there was not a lot of room to remove land from the site.

Commissioner Zingg asked if the design team conducted any neighborhood meetings. Rocha answered the team held a meeting, and there were only two attendees from one household in attendance.

Commissioner Zingg asked if staff had seen the college's building design portion of the Readiness Center. Pamela Saftler answered that the exterior design that was presented showed the college's portion of the structure in the design, exterior only, no interior design had been done yet. Dennis Herring clarified that the college's portion of the structure was the lower section or segment of the site plan. Commissioner Zingg asked if the college's portion would be built at this time, and Herring replied that the team was close to being ready to include the construction of the college's section.

Robb Van Cleave, 400 E. Scenic Drive, The Dalles, Oregon, stated that the college had been in discussion with the design team, and both parties should be able to conclude with the state soon so that both projects could start as close together as possible.

Chair Lavier asked Mr. Van Cleave if anyone from the college knew how the existing building heights were measured. Van Cleave stated the college used the information found on the original blueprints.

Chair Lavier asked City Attorney Parker for a review of the City's noise ordinance. Parker explained that unreasonable noise is not tolerated, there is a certain provision that no noise can be created between 11 PM and 7 AM within 50 feet from the source. The City could address any complaints from the neighbors to the OMD and the College.

Chair Lavier asked staff where the hours of operation were established. Senior Planner Gassman stated the hours of operation were established in an earlier CUP that approved the general use. The City Council set the hours. Lavier asked if the hours could be altered. Parker answered that the hours could not be altered during a site plan review, but they could be changed later.

Chair Lavier asked for an explanation of the kind and number of military vehicles that would be used. Dennis Herring stated that eventually there would be 15 vehicles assigned to the facility, but future numbers could not be determined due to the nature of military operations. The vehicles are an urban version of the Bradley. Mr. Herring also pointed out that the facility would be a state building, and alcohol is not allowed to be served in a state building.

Commissioner Whitehouse asked Mr. Herring if the ATFP boundaries would still be in effect. Mr. Herring stated the boundaries are still in place. Mr. Whitehouse clarified by stating that he remembered Mr. James Willeford of OMD reporting that the boundaries would be somewhere around 100 feet from neighbors' property lines, and on the east side of this site plan the facility comes within 60 feet. Mr. Herring replied that he could not speak to Mr. Willeford's earlier comments, but the existing building does comply with existing ATFP regulations which are necessary to receive federal funding.

There was further discussion on landscaping density. Ms. Saftler advised there would be fill-in trees to the east and north of the building, and their intention was to fill in with similar types of trees to the existing trees.

Commissioner Whitehouse asked if a day lighting study had been conducted to determine shadowing on neighboring properties, it would speak to the building heights. Mr. Hein replied that the building height would be 44 feet and 66 feet from the property boundary, so the likelihood of casting shadows was unlikely.

Chair Lavier closed the public hearing at 8:11 PM.

Deliberation:

Commissioner Poppoff asked if the Douglas Fir trees mentioned in the Exhibit 2 letter would remain. Senior Planner Gassman stated that there were some trees farther north than what the site plan showed, and the team indicated the existing trees would remain.

Commissioner Poppoff commented he would like to see an upgrade to the pavement between Scenic Drive and Dry Hollow Road to handle the truck traffic. City Attorney Parker stated that the City Public Works Department will conduct a study on that portion of Scenic Drive that will probably require some major changes beyond paving, however Parker did not see the relevancy of street paving to the site plan review. Poppoff commented he would like to see additional tree planting along the east side to help screen the building and parking lot from the neighborhood, limit the building height to 66 feet from the entrance level—perhaps lower the ceiling on the main hall, move the outdoor patio to the west side of the building to limit the noise, and limit public activities to 10:30 PM, and parking lot lighting turned off at 11:30 PM.

There was additional discussion on maintaining the public access. Mr. Herring explained that during a forced military protection condition, a Charlie Delta code, all public accesses would be cut off until the forced protection condition was lifted. After further discussion, the consensus of the Planning Commission, as a matter of public record, encouraged the Oregon Military Department and Columbia Gorge Community College to maintain the public access point.

Commissioner Whitehouse commented that he was not pleased with the building height, but he believed that to change the height by lowering the ceiling or excavating the land would not maintain the same design concept. Therefore, Whitehouse stated, he would accept the building height. Commissioner Zingg stated that unless the commission could prove the calculations were incorrect, the design was in compliance. Zingg also believed it would be arbitrary to lower the height further.

Commissioner Stiles wished to encourage the design team to fill in the east and south boundaries with as many plants and/or berms as possible to reduce noise and light infiltration to the surrounding residences.

It was moved by Whitehouse and seconded by Zingg to approve SPR 408-12, Bob Tompson, TVA Architects, including the findings of fact and 13 conditions of approval as presented in the staff report. The motion carried unanimously, Zukin was absent.

RESOLUTIONS:

Resolution No. P.C. 522-12, Bob Thompson, TVA Architects, SPR 408-12

It was moved by Whitehouse and seconded by Poppoff to adopt Resolution No. P.C. 522-12 based on the findings of fact and the 13 conditions of approval as submitted in the staff report. The motion carried unanimously, Zukin was absent.

STAFF COMMENTS:

Senior Planner Gassman reported that, due to health issues, Commissioner Ahlberg resigned as Planning Commissioner, effective immediately. Gassman stated the Mayor will appoint a new commissioner.

Senior Planner Gassman advised that the Planning Commission was required to appoint a Planning Commission representative to the Urban Renewal Advisory Committee to replace former Commissioner John Nelson's URAC position. The Planning Commission decided to table the discussion until Commissioner Zukin was in attendance and a new Planning Commissioner was appointed.

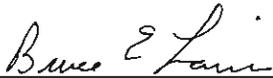
NEXT MEETING:

June 7, 2012

ADJOURNMENT:

The meeting was adjourned at 8:41 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.



Bruce Lavier, Chairman

Richard Gassman

From: The Nerdin Family [nerdins@embarqmail.com]
Sent: Thursday, May 17, 2012 3:28 PM
To: Richard Gassman
Subject: Proposed National Guard Readiness Center Concerns

Hi Dick,

I will probably not be able to attend the meeting tonight, so I thought I'd send an email with these concerns.

1. Building height: please keep original height restriction in place including basement level.
2. Building location is too close to the east property boundary and the residential neighborhood. It needs to be moved closer to the college campus building.
3. Motor pool was originally slated to be farther west and not directly behind the armory
4. Address removing messy deciduous trees such as Locust between armory and east property line and replace with evergreen barrier, such as Leyland Cypress. Also provide a buffer of 15-25 between property line and this barrier.
5. Lighting needs to be specifically addressed
6. Noise needs to be specifically addressed, especially with apparent outdoor use areas of patio and decks
7. A lot of people use this area for walking and running; trails and paths need to be provided.

Thanks for your time and consideration.

Take care – Eric Nerdin

DICK, DICK & COREY, LLP

WILLIAM G. DICK II
JASON R. COREY

ATTORNEYS AT LAW
601 WASHINGTON STREET
THE DALLES, OREGON 97058
(541) 296-2152

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

May 17, 2012

HAND DELIVERED

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

Re: Site Plan Review 408-12

Dear Planning Commission Members:

Now that the Oregon Military Department has moved to the Site Plan Review process, I have a few specific concerns and objections I would like to voice.

1. Height of Proposed Building. The Staff Report addresses the issue of the height of the proposed building in its Finding 17 of its Staff Report. When the Planning Commission adopted CUP 136-05 in 2006, it specifically limited the height of development to no greater than the existing buildings on campus. The College has advised the Planning Department that the tallest building on campus is between 61 and 62 feet. The proposed height of the Armory is over 76 feet. That exceeds the height of the tallest existing building on campus. As a result, the Planning Commission should require OMD to confirm the height of the tallest building and should limit the height of the Armory to comport with the Commission's previous decision reflected in CUP 136-05.
2. Setback. My second concern regarding the Site Plan is the location of the Armory relative to the east property line. During the CUP application process OMD represented that it has security setback requirements for the development. That setback requirement was identified as 200 feet in at least one meeting. In a meeting with OMD and the College on October 19, 2011, OMD representatives indicated that figure was 148 feet. Now the plan as presented requires a setback of less than 67 feet from the property line. The issue of the height of the building is only exacerbated by placing it this close to the property line. The Planning Commission should require the setback, even if only 148 feet, that OMD has previously represented.
3. Patio. The Site Plan includes a significant patio off of the 10,000 square foot assembly hall to be rented out by OMD commercially to support the facility. A commercial building, a dance hall for example, would not be permitted in RL zone. A significant function of this facility is its rental for commercial purposes. Given the restrictive nature of RL zoning and the neighborhood, I would ask the Commission to recognize the significant impact having that outdoor space will have when those social functions OMD is counting on spill out onto the patio. I would ask that the Planning Commission restrict that architectural feature of the Armory.

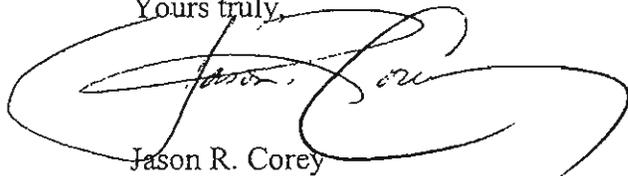
4. Exterior Lighting. The Staff Report does not address exterior lighting of the facility. OMD has made assurances that it will use exterior lighting, especially in the parking lots, that will turn off when not in use. I would ask that, as a condition of the approval of the proposed Site Plan, the Planning Commission require OMD to install that type of lighting.

5. Landscaping. While I understand that the staff finds that the landscaping proposed by OMD meets the legal requirements, I am concerned that the architectural renderings do not reflect retention of the trees already serving as a barrier between the College property and the neighbors. I am also concerned that the screening on the east side of the property promised by OMD is lacking in the site plan. I would ask that approval of the Site Plan include a requirement of additional and more thorough screening on the east side of the property.

6. Pedestrian Access. At the Planning Commission meeting in August 2011, when OMD's CUP was approved, there was a discussion regarding pedestrian access to Sorosis Park through the College property. Presently, there is a highly used pedestrian access through the property being leased by OMD. I did not see anything reflected in the architectural renderings about the retention or elimination of that pedestrian access. I would ask that as a condition of the approval of the Site Plan, that the Planning Commission require that pedestrian access remain available to the neighborhood.

I appreciate your consideration of the concerns raised in this letter.

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:kjn