



MINUTES
CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS

THURSDAY, JUNE 15, 2017

6:00 P.M.

I. CALL TO ORDER

II. ROLL CALL

In Attendance

Commissioners: Sherry DuFault, April Moore, Mark Poppoff, and Steve Ross

Absent: Bruce Lavier, John Nelson and Jeff Stiles

Staff: Planning Director Steve Harris, City Attorney Gene Parker, and Associate Planner Nick Kraemer

III. APPROVAL OF AGENDA

Commissioner DuFault motioned to approve the agenda, Commissioner Ross seconded the motion. The motion passed unanimously.

IV. APPROVAL OF MINUTES

Commissioner Ross moved to approve the minutes; Commissioner Moore seconded the motion. The motion passed unanimously.

V. PUBLIC COMMENTS

None.

VI. PUBLIC HEARING – Revocation of SPR 42-83, A&P Recycling

Director Harris called attention to emails submitted for consideration. Commissioner Nelson provided his recommendation (Exhibit 1). Dan Hammel, Division Chief, Mid-Columbia Fire and Rescue, reported on his attempt to conduct an investigation (Exhibit 2).

Associate Planner Kraemer presented the Staff Report.

Commissioner DuFault asked if there was discussion on the bins being used as screening. Kraemer replied the approved screening plan called for highway barriers with screening on top; bins would not meet code.

Acting Chair Poppoff read the rules for a quasi-judicial hearing. Poppoff then asked the Commission if they had any ex parte contact, conflict of interest or bias that would prevent an impartial decision; hearing none, Poppoff opened the Public Hearing at 6:19 p.m.

Acting Chair Poppoff invited comment by proponents of the revocation.

Terry Turner
201 W. 1st Street
The Dalles, Oregon 97058

Mr. Turner stated he is a representative of Hattenhauer Distributing. Turner said Hattenhauer Distributing had recently purchased the adjacent property. He shared the following concerns:

- No room to on or off load
- Materials are dropped off without authorization
- Liability issues for materials left on Hattenhauer property
- Multiple trailers on property, most are empty
- People living in trailers at rear of property

Commissioner Ross asked when Hattenhauer purchased the adjacent property. Turner replied they had the property almost four months. Ross asked if the intended use for Hattenhauer included flammable material. Turner replied, "Not at this particular point." He further stated repeated conversations with the owner of A&P Recycling had been ignored. Turner hoped the Commission would take some action to encourage A&P to open up the front area to off-load trucks.

Planner Kraemer stated no written comments were received other than the emails mentioned earlier (Exhibits 1 and 2).

Poppoff invited comments from opponents. There were none.

Poppoff closed the Public Hearing at 6:26 p.m.

Commissioner Moore motioned to revoke SPR 42-83 and issue a stop order for the subject property. Commissioner Ross seconded the motion; the motion passed unanimously.

Harris stated action taken by the Planning Commission was appealable to the City Council. City Attorney Parker commented on the appeal process.

Harris stated the Fire Marshall also mentioned the possibility of people living in a trailer on the property, as well as observed conditions and failed conditions addressed in his email.

VII. ACTION ITEM

Director Harris stated that due to the holiday week and a lack of business, the Commission may choose to cancel the July 6, 2017, meeting.

Acting Chair Poppoff motioned to cancel the July 6, 2017, meeting. DuFault seconded the motion; the motion passed unanimously.

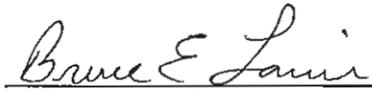
IX. STAFF COMMENTS

The next regularly scheduled meeting is July 20, 2017.

X. ADJOURNMENT

Acting Chair Poppoff adjourned the meeting at 6:34 p.m.

Respectfully Submitted
Paula Webb, Planning Secretary



Bruce Lavier, Chair

Paula Webb

From: John Nelson <auroearth@icloud.com>
Sent: Thursday, June 15, 2017 1:09 PM
To: Paula Webb
Subject: June 15, 2017 P.C. meeting: my comments to the Planning Commissioners in attendance

To: The Dalles Planning Commissioners
Regarding Revocation of SPR 42-83 - A&P Recycling

From: John Nelson, Planning Commissioner

Greetings,

I am unable to attend this meeting, however having participated in some of the earlier decisions regarding the enforcement of some of the original conditions of approval for this site over a long period of time, specifically the screening of stored material outside so as not to be visible from a public way, I feel strongly that the commission should not consider granting another stay. Even though I have been swayed in the past by the argument that this business does provide a valuable recycling service to the community, the compliance deadline has passed after a stay of revocation for a generous six month time period. The business owners of A&P Recycling have not made any visible progress or even a willingness to meet the terms of the condition to screen the stored material from public sight. The original site plan was approved in 1983. To date this basic screening requirement has not been met. The Planning Commission has attempted to understand and work with this business over time to reach some resolution of the problems on this site, but in all this time A&P Recyclers have never taken any action on their own plans to effectively screen material on this site after approximately 43 years of operation.

I recommend that Site Plan Review #42-83 should be revoked at this public hearing. I agree with the proposed next steps to issue a Stop Use Order for the subject property, that the City Attorney pursue enforcement action to stop the business from operating and require removal of all items from the property that are not properly stored to meet the conditions of the original SPR #42-83 approval.

John

Steve Harris

Subject: FW: A&P Recycling - 280 Weber Street

From: Dan Hammel [mailto:dhammel@mcfcr.org]
Sent: Wednesday, June 14, 2017 2:22 PM
To: Steve Harris
Subject: RE: A&P Recycling - 280 Weber Street

Steven,

I have attempted to stop by and conduct an inspection of the business, but have not been able to catch anyone there working. I am only able to assess the exterior of the location against the Oregon Fire Code (OFC) requirements. In my explanation, there are two different situations. An observed issue, would be one that is not currently a violation of the code, but appears that without immediate action, could become a violation. A fail would be a violation of the code. If you have any questions, please feel free to contact me.

Observed Conditions:

1. Combustible Waste Material (Section 304)
 - a. 304.3 Containers. Combustible rubbish, and waste material kept within or near a structure shall be stored in accordance with Sections 304.3.1 through 304.3.4.
 - i. 304.3.2 Capacity exceeding 5.33 cubic feet. Containers with a capacity exceeding 5.33 cubic feet (40 gallons) shall be provided with lids. Containers and lids shall be constructed of non combustible materials or of combustible materials with a peak rate of heat release not exceeding 300 kW/m² when tested in accordance with ASTM E 1354 at an incident heat flux of 50 kW/m² on the horizontal orientation.
2. Smoking (Section 310)
 - a. 310.2 Prohibited areas. Smoking shall be prohibited where conditions are such as to make smoking a hazard, and in spaces where flammable or combustible materials are stored or handled.
 - b. 310.3 "No Smoking" signs. The fire code official is authorized to order the posting of "No Smoking" signs in a conspicuous location in each structure or location in which smoking is prohibited. The content, lettering, size, color and location of required "No Smoking" signs shall be approved.
3. Fire Apparatus Access Roads (Section 503)
 - a. 503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3. See Appendix D
 - i. 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Failed Conditions:

1. Combustible Waste Material (Section 304)
 - a. 304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.
 - i. 304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter or combustible or flammable waste or rubbish of any type shall not be

Exhibit 2

permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf or other similar structure.

- b. 304.2 Storage. Storage of combustible rubbish shall not produce conditions that will create a nuisance or a hazard to the public health, safety or welfare.
2. Access to Building Openings and Roofs (Section 504)
 - a. 504.1 Required access. Exterior doors and openings required by this code or the International Building Code shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.
3. Premises Identification (Section 505)
 - a. 505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

While this is not a complete list of possible hazards, it represents items I would include in a full inspection report. I will be continuing to conduct a Fire & Life Safety inspection of the business. I can forward you a copy of any inspection that gets completed for this location.

Daniel Hammel

Division Chief
Mid-Columbia Fire & Rescue
1400 W. 8th Street
The Dalles, OR 97058

(541) 296-9445

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