

# CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, August 20, 2009

City Hall Council Chambers

313 Court Streets

The Dalles, OR 97058

*Conducted in a handicap accessible room*

## **CALL TO ORDER:**

Vice-Chair Ahlberg called the meeting to order at 6:36 pm

## **BOARD**

**MEMBERS PRESENT:** Ron Ahlberg  
Mark Poppoff  
Chris Zukin  
Benjamin Hoey

## **BOARD**

**MEMBERS ABSENT:** Bruce Lavier  
Dean Wilcox  
Derek Hiser

## **STAFF PRESENT:**

Community Development Department Director Dan Durow  
Public Works Director Dave Anderson  
City Engineer Dale McCabe  
Associate Planner Dawn Hert  
Administrative Secretary Brenda Green

## **APPROVAL OF AGENDA**

It was moved by Zukin and seconded by Hoey to approve the agenda as submitted. The motion carried unanimously; Lavier, Wilcox, and Hiser absent.

## **APPROVAL OF MINUTES**

It was moved by Hoey and seconded by Poppoff to approve the minutes of July 16, 2009 as submitted. The motion carried unanimously; Lavier, Wilcox, and Hiser absent.

## **PUBLIC COMMENT** none

## **QUASI-JUDICIAL PUBLIC HEARING**

**Quasi-Judicial Public Hearing** – Application Number: CUP 156-09 of City of The Dalles.

**Request:** To construct a new reservoir on City property off of East 19<sup>th</sup> next to Mid-Columbia Medical Center and to construct a pump house on a portion of Sorosis Park next to existing reservoir.

**Location:** Properties are not addressed. Property for the reservoir is located near 21<sup>st</sup> Street above MCMC. The property is further described as 1N 13E 11 tax lot 700 and zoned “RL” – Low Density

Residential. Property for the pump house is located adjacent to the existing Sorosis Reservoir behind Sorosis Park and is further described as 1N 13E 9 tax lot 300 and zoned "P/OS" Parks and Open Space

Vice-Chair Ahlberg read the rules for conducting a public hearing. He asked the Commissioners if they had any bias, conflict of interest, or ex-parte contact. None were declared. There were no challenges from the audience. Ahlberg declared the public hearing open and asked for the Staff Report.

Associate Planner Hert presented the Staff Report. She began by describing the project and then stated that it was identified as a need through the City's 2006 water master plan. Hert called the Commission's attention to two of the findings. In regards to finding number eighteen, landscaping, staff felt that the existing landscaping would be adequate. In regards to finding number nineteen, the proposed height of the water tower, Hert pointed out that the proposed 44-47' will exceed the height limitation in that zone of 32'. She explained that the Commission is able to exempt certain structures from a height limitation. Considering the type of structure it is, Hert shared that staff is recommending the reservoir be allowed to be constructed at the requested height. Hert indicated that staff is recommending approval of the application with five conditions of approval as laid out in the staff report.

Commissioner Poppoff asked how close residential properties were to the proposed reservoir. Associate Planner Hert explained that the closest residential properties are on Nineteenth Street and that the reservoir will be higher than those properties.

Commissioner Poppoff asked for more information about the current landscaping around the reservoir. Associate Planner Hert explained that it is covered with grass and small shrubs and trees. Poppoff felt that planting a screen of trees would be a good idea.

Commissioner Ahlberg inquired if the new reservoir would be higher in elevation than the existing reservoir. Associate Planner Hert responded yes, it would be higher in elevation. There was a general discussion about the location of the proposed reservoir, surrounding landmarks and the height.

Commissioner Hoey asked if the geo-hazard study applied to the type of structures that could be built, such as a reservoir. Associate Planner Hert explained that yes, the study was site and structure specific. Hoey then asked when the study was completed. Staff replied it was completed in the Spring of 2009.

Commissioner Poppoff asked if the geo-hazard study recommended anything special to be done in order to build a reservoir on that site. Associate Planner Hert suggested asking that the applicant would be the best person to answer that question.

### **Public Testimony**

**Proponents:** Dave Anderson, Public Works Director for City of The Dalles, 1215 W 1<sup>st</sup> St. Anderson went over the reasons that a new reservoir needs to be built including; providing water service to the higher elevation properties and allowing the Sorosis Park reservoir to be taken off line in order to complete necessary maintenance. Anderson discussed the geo-technical evaluation that he confirmed was site and project specific. He summarized the study and then responded to Commissioner Poppoff's question of whether there were any specific recommendations made. According to Anderson the study recommended that construction of the reservoir be completed on native materials

not fill; consequently the project will include digging down and leveling out the site. Anderson also addressed the issue of water being gravity fed from WICKS. Anderson went over the base elevation of each tank and explained that in the future gravity feed will be possible but upgrades to approximately eight miles of pipe will need to be completed first.

City Engineer McCabe described the access road leading to the proposed reservoir and explained that they will need to dig down to solid bedrock to get a level pad; consequently the tank will have some shielding and look lower than the proposed 44-47'. McCabe also explained that the Sorosis Reservoir is 100' lower than what the proposed reservoir would be.

Another point made by City Engineer McCabe was in regards to the geo-technical report. He stated that since the reservoir is in the geo-hazard area, to prevent any future erosion, the study recommends not having any irrigation to the area. Consequently, that is why staff supports the idea of not adding any additional landscaping that will need to be irrigated.

Commissioner Poppoff asked how much area around the reservoir would need to remain dry. City Engineer McCabe described the area. Poppoff then asked who owns the land in between the proposed tank and Nineteenth Street. McCabe responded that the property is owned by the hospital. Poppoff asked about future development in that area in regards to irrigation or surface water. McCabe replied that any new development would need to go through its own geo-hazard study as required by the LUDO.

Public Works Director Anderson briefed the Commission on a study that was done in the mid 1990's in order to identify a future location for another reservoir. The site identified was above Sorosis Park, outside the Urban Growth Boundary and inside the Scenic Area. According to Anderson, after this proposed site was identified by the City as a possibility, a feasibility study was completed to decide which of the two sites would be the preferred site. The location proposed in the current application was identified as the preferred site.

Public Works Director Anderson shared that another benefit of building a new reservoir is that the reservoir near the hospital will be able to be abandoned and removed. That reservoir was built before the benefit of hydraulic models and turned out to not function as needed. There was a discussion about tank sizes, and the hydraulic model that is now in use to evaluate possible reservoir and pump locations.

Commissioner Ahlberg asked for clarification on how the system will benefit by adding one reservoir but abandoning another. Public Works Director Anderson explained that there is not a shortage of storage, only a shortage of pressure; adding that the tanks just need to be in better locations. There was a general discussion of floor elevations between the reservoir and WICKS.

Commissioner Ahlberg wondered if the application was not approved what the other option would be. Public Works Director Anderson explained that they could pursue the location outside the UGB but it would be more costly.

There was a general discussion about gravity feed and then about funding and timelines of the project. Public Works Director Anderson explained that the project will receive stimulus money and that a general time line will be eighteen months.

Commissioner Hoey asked about the color of the tank; and suggested that having it blend in might alleviate some of the visibility concerns. Public Works Director Anderson responded that it will be painted a color that will blend in with the surrounding vegetation.

David Larsen, 2206 E 19<sup>th</sup>; stated that he was neutral on the project but that he did have concerns because of the slide area. Larsen explained his background of being a project manager at the dam and then shared his concern that the reservoir is proposed to be seated at the top of the slide area, and that part of the plan is to take out a key rock at the bottom of the slide; at 19<sup>th</sup> Street. Larsen felt strongly that adding all the weight to the top of the slide and removing supporting rocks at the bottom would play with the balance of the two positions. Overall, Larsen stated he was concerned that he had not seen enough drilling or ground exploration done to discover the make-up of the hill. Larsen acknowledged that reservoirs are needed but proposed doing more studies of the slide area and building several small reservoirs rather than one large one.

Associate Planner Hert informed the commission that the original geological study done in 1990 was by Fujitani Hilts and Associates. That company was taken over by Shannon Wilson and Associates who completed the current study. As a result the company was very familiar with the slide area and the requirements of the City.

**Opponents:**

Sheldon Ayres, 2310 E 19<sup>th</sup> St. stated that he lives right below where the reservoir will be placed, and pointed out that the reservoir will be very visible in the proposed location.

Debbie Richelderfer, 85429 Easton Canyon Road, Dufur, shared that she mostly had questions. Richelderfer asked if after the reservoir near the hospital is decommissioned, will the City enter into negotiations with the hospital to buy the land. Vice-Chair Ahlberg explained that they did not have that information because it did not directly relate to the current hearing. Richelderfer asked if the City will need to obtain permission to take the tank near the hospital down. Ahlberg replied no, they will need a demolition permit but it will not need to come before the Planning Commission. Richelderfer then asked if the property was inside city limits. Ahlberg stated yes.

James Kane, 1208 Eric Court, shared that he was there on behalf of his mom who owns the house above the property proposed for the reservoir. He stated that her concern was in regards to the height of the tank. He then asked for clarification of where the tank will be sitting on the property specifically in relation to the elevations. Another issue that Mr. Kane pointed out to the Commission was in regards to the possibility of more orchard trees being added in the nearby properties and emphasized that the future irrigation of those properties might have an impact on the reservoir stability.

Vice-Chair Ahlberg described a few more aspects of the project; including excavation. Associate Planner Hert clarified that the height of the reservoir walls are only 40'; the additional height comes from the domed top. City Engineer McCabe showed Kane grading plan drawings and described landmarks that helped clarify the location. Kane then stated that he did not see any issues and that it would not affect his mother's property.

**Rebuttal:**

Public Works Director Anderson endorsed the work done by the geological consultant, stating that they were hired to do the study because they were the experts. He emphasized that the company was the

same one that worked with City of The Dalles to stabilize the Kelly Avenue slide area. Anderson read a portion from the study in regards to seismic activity and slide potential. The report identified the existence of an ancient slide and described the landslide potential due to seismic activity as being very low. Anderson also read a portion of the study that discussed the slope stability and stated that there were not any issues with the site supporting the proposed reservoir and access road. Anderson informed the Commission that the study was completed in June of 2009. In conclusion Anderson stressed that when the reservoir is built it will not be invisible; however they are doing what they can to locate it back into the hill and to camouflage it as much as possible.

In regards to the pump station, Commissioner Poppoff asked if it would be built within the fenced area that is already at Sorosis Park. Public Works Director Anderson replied yes.

Vice-Chair Ahlberg closed the public testimony of the hearing.

**Deliberation:**

Vice-Chair Ahlberg pointed out that infrastructure is important to making a community viable. He also felt that it was important to trust the experts in regards to where to place it. Ahlberg acknowledged the need to replace the tank, and pointed out that funds are available now. He understood the height concern but also felt it was necessary due to the type of structure.

Commissioner Zukin agreed with Vice-Chair Ahlberg about the necessity of infrastructure and that providing services, specifically water, is one of the primary reasons that a city exists. He stated that based on what he had heard; the proposed location was the best option. Zukin then advised Mr. Kane to meet with City Engineer McCabe and pinpoint exactly where the reservoir will be to avoid any miscommunication. He also advised Mr. Larsen to take the time to look over the geo-hazard study that was submitted specifically for the proposed project. Zukin explained that he had planned to ask for a condition to be added about landscaping but after hearing testimony, he understood why it was not added. Zukin shared that he was in favor of the application.

**Motion:**

Hoey moved to approve CUP 156-09 for City of The Dalles based on the staff report, the findings of fact, the testimony presented, and with the five conditions of approval as submitted. It was seconded by Poppoff. The motion carried unanimously; Lavier, Wilcox and Hiser absent.

**Resolution:**

Zukin moved to adopt Resolution 490-09 approving CUP 156-09 of City of The Dalles with five conditions as submitted. Hoey seconded the motion. The motion carried unanimously; Lavier, Wilcox and Hiser absent.

**Commissioner Comments:**

Commissioner Hoey asked if there had been any official word from Commissioner Hiser. Administrative Secretary Green stated that an official notice had not been received from him, but that a letter was sent to Commissioner Hiser to the affect that if word was not received by a certain date the position would be considered open.

Vice-Chair Ahlberg requested a Walmart update. Community Development Director Durow informed the Commission that LUBA had upheld the City's decision regarding the subdivision and that the Site

Plan Review arguments were scheduled for the following week with a decision expected in October.

**Staff Comments:**

Community Development Department Director Durow shared that the City Council will continue the hearing process for the Periodic Review on September 14, 2009. Durow also announced that he has submitted an application for a grant that would help with the monetary portion of completing the work program. Due to the hold up in regards to the Urban Growth Boundary, Durow recommended proceeding with the review, but leaving out any portions in regards to the Urban Growth Boundary.

Director Durow also stated that a joint work session with City Council will be set up on September 3, 2009 to discuss the updates on the Interstate Area Management Plan.

Director Durow shared that the Community Development Department will have a RARE planner half time starting in October.

In regards to the East Gateway project, Director Durow explained that construction will start on September 1<sup>st</sup>, will go until December 15<sup>th</sup> and then will start up again on March 1<sup>st</sup>.

**NEXT MEETING:** The next scheduled meeting is September 3, 2009

**ADJOURNMENT:** The Planning Commission meeting was adjourned at 7:50 p.m.

Submitted by  
Brenda Green, Administrative Secretary

  
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Bruce Lavier, Planning Commission Chair