

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, May 21, 2009
City Hall Council Chambers
313 Court Streets
The Dalles, OR 97058
Conducted in a handicap accessible room

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:35pm

BOARD

MEMBERS PRESENT: Bruce Lavier
Ron Ahlberg
Mark Poppoff
Dean Wilcox
Chris Zukin

BOARD

MEMBERS ABSENT: Derek Hiser
Benjamin Hoey

STAFF PRESENT: City Attorney Gene Parker
Community Development Department Director Dan Durow
Senior Planner Richard Gassman
Administrative Secretary Brenda Green

APPROVAL OF AGENDA:

Chair Lavier added an agenda item immediately after the approval of minutes, to choose a member from the Planning Commission to serve on the Urban Renewal Advisory Committee.

It was moved by Ahlberg and seconded by Zukin to approve the agenda as modified. The motion carried unanimously; Hiser and Hoey absent.

APPROVAL OF MINUTES:

City Attorney Parker stated that on page two the word "where" should be changed to "were" and that on page four the Planning Commission should be referenced rather than the Planning Department.

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

URBAN RENEWAL ADVISORY COMMITTEE: Senior Planner Gassman explained that the City Council and the Urban Renewal Advisory Committee had voted to expand the number of committee members on the Urban Renewal Advisory Board. One of those positions was requested to be a member of the Planning Commission. Gassman further stated that Commissioner Zukin is already

serving on the committee as a member at large, and that Commissioner Hoey had expressed an interest in serving on the committee. Commissioner Ahlberg acknowledged that Hoey had expressed an interest and moved to appoint him as the Planning Commission's representative on the Urban Renewal Advisory Committee. The motion was seconded by Poppoff and carried unanimously, Hiser and Hoey absent.

PUBLIC COMMENT: none

QUASI-JUDICIAL PUBLIC HEARING:

Quasi-Judicial Public Hearing – Application Number: CUP 154-09 of Wonderworks Children's Museum of the Gorge. Request: To convert an existing vacant industrial building into a children's museum and to provide parking. Location: Property is located at 206 Madison. The property is further described as 1N 13E 3 AC tax lot 1500. Property is zoned "CBC-3" – Central Business Commercial.

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

Senior Planner Gassman presented the Staff Report. Gassman stated that staff felt the application should be approved, adding that it is a good fit for downtown. He explained that the first step was for the applicant to receive approval for the Conditional Use Permit, if approved they will next be required to submit a Site Plan Review (SPR). Gassman recommended that the SPR be reviewed at the staff level. He briefed the council on the problems of working in enough parking spaces. He explained that it had been resolved by receiving an easement through the neighboring property.

Senior Planner Gassman shared that only one comment had been received which was from the Fire Marshall. Gassman distributed copies of the comment to the Commissioners and explained that it mostly applied to the SPR.

Commissioner Ahlberg asked if the applicant would still be required to pave the area. Senior Planner Gassman replied yes, they will be required to pave the parking and driving areas as well as to finish the sidewalk and the approach to the parking area.

There was a general discussion about the direction of the parking spaces and traffic flow. Senior Planner Gassman assured the Commission that the details would be worked out at the SPR level. He explained that the parking will be tight but there will be ample room.

Public Testimony

Proponents: Anne Kelly, 6536 Freebridge Rd, The Dalles OR. Mrs. Kelly introduced herself as a board member for Wonderworks. She stated that Wonderworks had applied for an Urban Renewal grant over a year ago, but that the process had been held up due to the difficulty in finding enough parking spaces and purchasing the building. She explained that parking had been worked out and that the building had recently been purchased by the Port with the agreement that Wonderworks had five years to do fund raising in order to purchase the building from them. She also stated that they plan on using the back portion of the building as an income producing rental.

Chair Lavier asked about historical uses of the building. Mrs. Kelly went over some of the uses that she knew about. Kelly then explained what they had learned about soil testing in the area, concluding that there have not been any concerns raised. She shared that they will need to remove or encapsulate some asbestos tiles.

Commissioner Wilcox asked if the building was connected to the sewer. Mrs. Kelly responded it's not connected because there is no plumbing currently in the building but that it does have the connection there. She also added that they just recently had the building reconnected to electricity.

Commissioner Poppoff asked if Wonderworks will share a wall with Taco Del Mar. Mrs. Kelly replied no, and then described their location.

Commissioner Ahlberg asked if there were any issues in regards to Madison Street being the main entry into the Cherry Plant. Mrs. Kelly did not see any issues beyond a bit of increased traffic during cherry harvest.

Commissioner Ahlberg asked about the close proximity to the train track and if they blow their whistle there. Mrs. Kelly explained that they will install a fence to keep kids away from the tracks as well as the loading pad and stated that they do not blow their whistles there.

Randy Cole, 816 E 20th St, The Dalles. Mr. Cole introduced himself as the chair of the traffic safety committee and explained that the Cherry Grower's employees park on the street. He also stated that he is a conductor for the railroad and that that area of town is a no blow zone. Mr. Cole supports the application of Wonderworks.

Commissioner Poppoff felt that Cherry Growers was not an issue.

Opponents: none

Rebuttal: none

Chair Lavier closed the public testimony portion of the hearing.

Deliberation:

Commissioner Ahlberg brought attention to the seven conditions of approval and stated that he was comfortable with the applicant working directly with staff to coordinate the details of the Site Plan Review, including the parking, fencing and landscaping.

Chair Lavier felt that completing the project would improve the appearance of that part of town.

Commissioner Ahlberg endorsed the plan and indicated that they should be allowed to proceed. Commissioner Zukin agreed.

It was moved by Ahlberg and seconded by Zukin to approve CUP 154-09 for Wonderworks Children's Museum of the Gorge based on findings of fact, the staff report and the seven conditions as submitted. The motion carried unanimously; Hiser and Hoey absent.

LEGISLATIVE PUBLIC HEARING:

Proposed Urban Renewal Plan Amendment hearing to determine whether the proposed amendment is consistent with the Comprehensive Land Use Plan.

Director Durow presented an introduction. He explained that the plan amendment was before the Planning Commission due to a state requirement, and that the Commission's job was to decide if the Proposed Urban Renewal Plan Amendment complies with The Dalles Comprehensive Plan. Durow summarized the amendment by explaining that it would increase the maximum indebtedness in order for the planned projects to be completed. In order to explain the need for an amended plan, Durow described the ten year delay that Urban Renewal faced when it was first started, as well as how much costs have gone up. Durow also pointed out that if property values go up faster than anticipated, the projects will be completed sooner.

Director Durow described what the Urban Renewal Advisory Committee had done to come up with the amended plan. He also stated that he had had consultations with each of the overlaying taxing districts that will be affected. Durow discussed how and why the taxpayer will not see a difference; they will continue to pay the same amount.

Commissioner Ahlberg asked for clarification of how the taxing districts are affected. Director Durow described how the permanent rates were originally established higher so that the overlapping taxing districts were made whole and then described the benefits that the taxing districts receive from Urban Renewal projects driving up the value of properties.

Director Durow described the process that this proposed amendment will go through including the current meeting, an informational notice that is being mailed out to all residents, a city council meeting to be held on June 8, 2009 and a final adoption of the amended plan by City Council.

Director Durow introduced Jeff Tashman and Elaine Howard, the consultants who have been working on the plan.

Elaine Howard, 705 Terrace Dr., Lake Oswego OR 97034 went over the six things that the amended plan will do, and then explained why they were proposing to increase the maximum indebtedness to twenty-nine million dollars. Howard explained how they came up with the proposed amount. She pointed out that the numbers could change based on economic changes. Howard then explained that the amended plan would end when the projects are completed or when the maximum indebtedness is reached, whichever comes first.

Commissioner Ahlberg asked about the properties that were proposed to be added. Ms. Howard replied that one parcel was needed for the greenway project to complete the connection to the river. Director Durow described the location and the purpose of the two properties being added.

Chair Lavier asked Ms. Howard to go over any specific areas of contention. Howard predicted that although there were no areas of contention she felt there was one concern in regards to the Fire District. She stated that she addressed the concern in Goal #11 Public Facilities and Services, finding B-9. She then described the issue and the special provisions that were proposed in direct response to the requests of the Fire District.

Ms. Howard directed the Commissioners to Goal #9, explaining that it would most likely be the most important goal to the Planning Commission because it dealt with Economic Development and improving the economy of The Dalles. She pointed out that Urban Renewal is the main tool for improving economic development.

Commissioner Ahlberg stated that it makes sense to him but wondered about the large jump from fourteen million.

Jeff Tashman, 735 SW St. Clair Ave 31810, Portland OR 97205, introduced himself as a consultant on the project. Tashman responded to Commissioner Ahlberg's statement by explaining that although inflation was built into the original forecasted amount, construction costs skyrocketed, consequently the main reason for the increased amount is a reflection of the cost of completing the projects. He also explained that they now have a better idea of the scope of the projects.

Ms. Howard added that the delay in being able to start the projects also contributed to everything getting more expensive as time went on.

Director Durow described the history of the Urban Renewal Plan since it was adopted in 1990 and explained the challenges that were faced during the first ten years after it was adopted including ballot measure 5 and then measure 50. He shared that due to all of the set backs, the first project was not completed until 2001.

Director Durow went over each of the proposed projects in the amended Urban Renewal Plan and explained how they will each add value to The Dalles. He also pointed out that Urban Renewal funds are able to be used as match money to receive grants. Along with the use of stimulus money and the fact that most of the bids for the current project have been coming in lower than the engineer's estimates, Durow indicated that there's a good chance of getting through all the projects much quicker.

Proponents:

John Nelson, 524 W 3rd Place, The Dalles. Mr. Nelson introduced himself as a representative of the 3rd Place neighborhood. He stated that as a citizen he supports the Urban Renewal plan amendment indicating that when potential businesses or residents look for a place to go, they look for these types of projects and plans. Nelson stated that when he bought his house the area was a rundown historical neighborhood but that new owners have purchased property in the area and have put a lot of money into the neighborhood. As a representative of the 3rd place neighborhood, Nelson stated that they would like to see the street improved to complete the historical connection to the downtown area.

Bob Palmer, 1902 W 13th St, The Dalles. Mr. Palmer introduced himself as the Fire Chief of Mid-Columbia Fire and Rescue. He stated that the Fire District is not against the concept of Urban Renewal; however they do have concerns in regards to how it is being financed. Palmer shared that the fire district is struggling to make ends meet and that funds being drawn from their district creates a challenge to them. He acknowledged that they had made requests to the City and that some of those requests had been accommodated. Palmer also pointed out some legislation that is in the works at the state level, and shared that he is disappointed that this amendment is being decided on before that legislation can be completed. He explained that if passed, the legislation would enable some of the tax funds to come back to the taxing districts. Palmer shared that the advantage to the Fire District if the current plan runs out is that they will benefit from the receipt of tax funds sooner.

Commissioner Ahlberg asked for clarification of the taxing districts and how they are affected. Director Durow called the Commissioner's attention to table 11 on page 30 of the corrected amendment pages which list the districts and how they are impacted. There was a general discussion about the information in the table, and how the taxing districts are impacted.

Commissioner Ahlberg inquired if there had been a discussion with each of the taxing districts. Director Durow stated yes. He further explained that none of the districts had outright opposed the plan, most stayed neutral, and a few had stated support. According to Durow only the fire district had brought up concerns. Durow described the assistance that was proposed in regards to the fire district including water line upgrades and an Opticom system. Durow reiterated that the base tax rate is currently higher because of Urban Renewal being established; the higher base tax rate essentially caused the taxing district's funds to remain the same or potentially be higher.

Director Durow summarized by stating that staff recommends the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and send it to City Council.

Commissioner Zukin shared that he was a member of the Urban Renewal Advisory Committee, and discussed the process they had gone through. Zukin stated that he felt the plan complied with The Dalles Comprehensive plan, that the plan was in the best interest of the City, and that it should be sent to City Council for approval.

Commissioner Poppoff asked for clarification on the percentage differences between the districts on table 12. Mr. Tashman explained that the percentages were a function of how big the taxing districts were in relation to the size of the Urban Renewal District.

Commissioner Ahlberg moved that the Planning Commission find that the proposed amendment to the Columbia Gateway/Downtown Urban Renewal Plan is consistent with the Comprehensive Plan and that it be sent to the City Council for their review and approval. The motion was seconded by Poppoff and passed unanimously, Hiser and Hoey absent.

RESOLUTIONS:

Zukin moved to adopt Resolution 486-09 approving CUP 154-09 of Wonderworks Children's Museum of the Gorge with seven conditions as submitted. Wilcox seconded the motion. The motion carried unanimously, Hiser and Hoey absent.

Ahlberg moved to adopt Resolution 487-09 recommending the proposed tenth amendment to the Columbia Gateway/Downtown Urban Renewal Plan be sent to City Council. Poppoff seconded the motion. The motion carried unanimously, Hiser and Hoey absent.

COMMISSIONER COMMENTS:

Commissioner Ahlberg inquired as to the status of the Walmart project. City Attorney Parker explained that both the SUB and SPR were appealed to LUBA. He shared that there were objections filed but now they have been resolved and a decision is expected in August for the SUB and September or October for the SPR.

City Attorney Parker also shared that the Armory Resolution will go before City Council on June 8, 2009. He is expecting that application to also be appealed to LUBA.

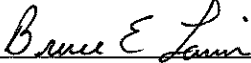
STAFF COMMENTS:

Director Durow gave a brief update about the Columbia Gorge National Scenic Area and the urban boundaries of The Dalles. He described what the Columbia Gorge Commission is dealing with in regards to budget cuts from both Oregon and Washington. He stated that as a regulatory body they have decided to not accept any applications at this time. Consequently, Durow predicts that the project is at least a year away from being completed. Durow also explained the discussions going on concerning major versus minor amendments and how those definitions will affect the process.

NEXT MEETING: The next scheduled meeting is June 4, 2009.

ADJOURNMENT: The Planning Commission meeting was adjourned at 8:12 p.m.

Submitted by
Brenda Green, Administrative Secretary



Bruce Lavier, Planning Commission Chair