

# CITY OF THE DALLES PLANNING COMMISSION MINUTES

**Thursday, February 2, 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, Ron Ahlberg, Dennis Whitehouse, Mark Poppoff, Chris Zukin, John Nelson, Nan Wimmers

## **BOARD MEMBERS ABSENT:** None

## **STAFF MEMBERS PRESENT:**

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

## **APPROVAL OF AGENDA:**

Senior Planner Gassman stated that not all parties of interest were notified of the public hearing for CUP #135-05. Gassman recommended this agenda item be postponed to the February 16, 2012 meeting.

## **APPROVAL OF MINUTES:**

Chair Lavier asked if there were any additions, corrections or deletions to the December 15, 2011 minutes. The motion was made by Ahlberg and seconded by Zukin to approve the minutes as submitted. The motion carried; Lavier, Ahlberg, Whitehouse, Poppoff, Zukin, and Nelson approved, Wimmers abstained.

## **PUBLIC COMMENT:**

None

## **PUBLIC HEARINGS:**

**Application CUP 135-05, Greg and Molly Ott;** Continuance of Public Hearing on the request for a modification of Conditional Use Permit #135-05 for expanded hours of operation and for expanded scope of operation. The property is located at 401 E. 10<sup>th</sup> Street, The Dalles, Oregon, and is further described as Township 1 North, Range 13E, Map 3 CB, tax lot 7600.

Chair Lavier opened the public hearing at 6:03 PM.

The motion was made by Whitehouse and seconded by Wimmers to postpone the public hearing portion of this meeting to February 16, 2012. The motion carried unanimously.

**Application ADJ 12-013, Joe and Sharon Stewart;** Request to add an addition to connect an existing house with an existing detached garage located three feet from a side property line, closer than the required five foot side yard setback. The property is located at 1822 E. 9<sup>th</sup> Street, The Dalles, Oregon,

and is further described as Township 1 North, Range 13 East, Map 2 CA, tax lot 3700. Property is zoned "RH" – High Density Residential District.

Chair Lavier asked the Commissioners if anyone had any ex parte contact, conflicts of interest or bias that would prevent them from rendering an impartial decision to this application. None were noted.

Chair Lavier opened the public hearing at 6:07 PM.

Senior Planner Gassman highlighted the staff report. Gassman explained that, based upon the sequence of events and the building placement on the lot, staff recommended approval with two conditions: 1) that the driveway be brought up to standards prior to the issuance of a building permit; and 2) the garage cannot be converted to living space without approval of the Planning Commission. Gassman stated there were no comments or questions regarding the application.

Commissioner Poppoff pointed out that the State Building Codes Agency requires a 3.5 foot setback for fire code standards. Gassman stated the applicant will submit plans to the building codes agency and such issues would be addressed at that time.

Commissioner Ahlberg asked if this was an attempt to avert the codes by building the garage first then requesting a connecting add-on to the living quarters. Gassman answered that it would make Staff's recommendation for approval easier; however, costs for filing fees and contractor's work probably would not make this kind of request efficient nor cost effective. Gassman also stated that the applicant would have been required to request a variance if the applicant had asked for an addition and garage at the same time.

#### PROPONENT

Joe Stewart, 2400 Fairview Street, The Dalles, Oregon stated that Commissioner Ahlberg's question was a legitimate question. Stewart explained that the person living at the residence was a contractor. The former garage needed to be torn down, and the tenant applied for a permit to build a new garage. Stewart said that his understanding was that the tenant, who had lived there for 15 years, was going to eventually purchase the property, but due to unforeseen circumstances, the tenant was no longer living at the residence. Stewart's plan, he said, was to improve the property, connect the two buildings, and enhance its appearance. Stewart explained that the garage was not large enough to be a garage and living space. Stewart also said he would be willing to comply with the three conditions of approval.

Chair Lavier closed the public hearing at 6:23 PM.

The motion was made by Zukin and seconded by Wimmers that the Commission approve application ADJ #12-013 based on the findings of fact, to include staff's conditions of approval as stated in P.C. Resolution 517-12. The motion carried unanimously.

#### RESOLUTION

The motion was made by Zukin and seconded by Poppoff to approve P.C. Resolution 517-12 as submitted. The motion carried unanimously.

**STAFF COMMENTS**

Senior Planner Gassman asked the Commissioners to submit suggested LUDO amendments to him or other staff members. The list of LUDO amendments would be addressed as well as the Sign Code. Gassman advised that amendments to the Sign Code would be a lengthy process, and that he would like to have a representative from the Planning Commission on the advisory committee that would be formed to review the Sign Code. Chair Lavier recommended two Commissioners be on the committee, and he suggested Chris Zukin as one. Commissioner Poppoff volunteered to serve on the committee also. Commissioner Zukin recommended a representative from the sign industry be included on the committee. Senior Planner Gassman stated that the City Council will be forming the advisory committee.

City Attorney Parker stated that the City of Lake Oswego Sign Ordinance would be a good model for the City to look at for sign code review.

**COMMISSIONER COMMENTS/QUESTIONS:**

None

**NEXT MEETING:**

Next meeting: February 16, 2012

**ADJOURNMENT:**

The meeting was adjourned at 6:39 p.m.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.



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Bruce Lavier, Chairman