



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

AGENDA
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

5:30 P.M.

I. CALL TO ORDER

II. ROLL CALL:

Commission Chair: Bruce Lavier

Commissioners: Sherry DuFault, April Moore, John Nelson, Mark Poppoff,
Steve Ross, Jeff Stiles

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES: June 1, 2017

V. PUBLIC COMMENT: Items not on the agenda

VI. PUBLIC HEARING:

REQUEST: REVOCATION OF SPR 42-83 – A & P Recycling

To consider revocation of Site Plan Review 42-83 due to non-compliance of conditions of approval to allow for the outdoor storage of materials and lack of screening associated with a recycling operation.

LOCATION: Property is located at 200 Webber Street and is described as 2N 13E 33C tax lot 2100. Property is zoned High Density Residential – RH with a Community Facility Overlay – CFO.

VII. ACTION ITEM

A. Cancellation of July 6, 2017 meeting

VIII. STAFF COMMENTS

Next scheduled meeting: July 20, 2017

IX. COMMISSIONER COMMENTS OR QUESTIONS

X. ADJOURNMENT

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CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

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 1, 2017
5:30 P.M.**

I. CALL TO ORDER

II. ROLL CALL

In Attendance

Commissioners: Sherry DuFault, John Nelson, Mark Poppoff, Steve Ross and Jeff Stiles

Absent: Bruce Lavier

Staff: Planning Director Steve Harris, City Attorney Gene Parker, Senior Planner Dawn Hert, and Codes Enforcement Officer Nikki Lesich

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 Stiles seconded the motion. The motion passed unanimously.

V. PUBLIC COMMENT

**Jonathan Blum
403 E. Eighth Street
The Dalles, OR 97058**

Mr. Blum shared his concerns about the rental market and units available for rent in The Dalles. Blum owns multiple rentals in The Dalles and stated that based on the recent Housing Needs Assessment there is a shortfall of rental stock available in The Dalles. Blum would like the Commission to consider the way their decisions affect builders and developers. He encouraged the Commission to take positions and encourage

development of additional rental properties. Blum felt a limiting factor was the expense of building properties that would make a profit over an extended period of time.

Blum provided numbers on three properties. The average cost to “just stick a shovel in the ground” and get through planning, get plans drawn up, go through the approval process, pay System Development Charges (SDCs), and pay for Building Codes fees, recording and surveys is close to \$20,000. Blum is building small homes with small footprints, between \$50,000 and \$60,000. One-third of the cost winds up being the cost of going through the bureaucracy and doing the build. (This is the cost of building on residential lots already owned by Blum.)

Blum would like SDC fees deferred on projects developed as rentals. Another suggestion (something Portland has done in the past to support urban infill development) was to waive SDCs on Accessory Dwelling Units (ADUs). Blum stated there is dwindling property available to develop. He owns additional properties that would support ADUs but City codes prohibit him from building. Current code states he can build only one and it must be on his primary property.

Commissioner Moore requested that Blum write up proposals for discussion by the Planning Commission. Blum agreed to her request.

Vice Chair Nelson stated in the future the Commission would be working on the issue of infill. Blum expressed interest in working with the Commission to provide input or feedback.

VI. PUBLIC HEARING

CONDITIONAL USE PERMIT 186-17 – Applicant is requesting to site a new 1,537 square foot pre-fab classroom for staff, construct a 1,456 square foot addition to the existing Veteran’s Home building and construct a 3,042 square foot building to be used for storage. Property is located at 700 Veterans Drive and is further described as 1N 14E 6 tax lot 400. Property is zoned RL – Residential Low Density.

Vice Chair Nelson read the rules of a Public Hearing. Nelson then asked the Commission if they had any ex parte contact, conflict of interest or bias that would prevent an impartial decision; hearing none, Nelson opened the Public Hearing at 5:50 p.m.

Senior Planner Dawn Hert presented the Staff Report. Hert stated Chris Morris of CB Two Architects and John Osborne of Oregon Department of Veteran Affairs were available on speaker phone to answer questions.

Commissioner Poppoff asked if the addition would be permanent. Hert replied it was permanent.

Nelson inquired about the DEQ permit. Hert replied the disturbance of area over an acre required a 1200C DEQ permit as a condition of approval. Because the parcel was over an acre, this condition was added as a precaution.

Nelson asked if the walled area would be replaced with the proposed addition. Mr. Moore replied the wall would be removed and the same foundation would be used for the addition.

Nelson asked if the storage area exterior would have architectural elements. Hert replied architectural elements were required on both the classroom and storage area to meet code. Moore stated the storage building would replace non-compliant containers. The intent is that the storage area disappears as much as possible. The classroom would be similar to the existing clinic.

There were no proponents or opponents to the application.

Nelson closed the Public Hearing at 6:01 p.m. and invited deliberation.

DuFault moved to approve Conditional Use Permit 186-17 with proposed Staff conditions and according to the findings of fact. Ross seconded the motion; the motion passed unanimously.

VII. RESOLUTION

A. RESOLUTION 565-17 – Approving Conditional Use Permit 186-17

Stiles moved to approve Resolution 565-17; Moore seconded the motion. The motion passed unanimously.

B. RESOLUTION 564-17 – Approving Adjustment 17-026 and Minor Partition 337-17

DuFault motioned to approve Resolution 564-17; Ross seconded the motion. The motion passed unanimously.

VIII. DISCUSSION ITEMS

A. Planning Department Activity Reports

Code Enforcement Officer Nikki Lesich presented ordinance parameters for enforcement, Exhibit 1.

DuFault inquired about the guidelines for cars. Lesich replied cars were considered junk under the ordinance if they had expired tags, were disabled, storing junk, or had not moved in a long time.

Poppoff asked about cars left on private property. Lesich replied cars were considered junk if they had expired tags and were inoperable. However, cars on private property could remain on the property if stored with a fitted cover.

Nelson asked about rules for recreational vehicles (RVs). Lesich replied RVs on private property during a visit are not a problem. RVs in the public right of way for long periods of time are not allowed. Hert interjected that RVs on private property are limited to 48 hours. Enforcement for this situation is complaint driven.

Nelson asked if there was an attempt to eradicate puncture vine along Riverfront Trail. Lesich replied that maintenance of Riverfront Trail is contracted with

Northern Wasco Parks and Recreation. Lesich stated she would follow up with Parks and Recreation regarding puncture vine.

Moore and Stiles complimented Lesich on her enforcement efforts. Lesich thanked them, and then stated compassion is necessary when dealing with enforcement.

Nelson asked about a program that paid \$1.00 per bag of puncture vine. Lesich replied the program had ended. Participants were pulling the puncture vine after the optimal time to prevent reseeding.

Senior Planner Hert presented an overview of the Planning Department activity and procedures, Exhibit 2.

Nelson inquired about the size of the subdivision. Hert replied the Lone Pine subdivision recently approved was for 50 lots, part of a Planned Unit Development. This subdivision is all residential, stick built homes. All provisions for the signalization at the main entrance will be required. Roundabout construction will depend on a trip trigger generation.

B. Fiscal Year 2017/18 Work Program and Planning Department Budget

Director Harris provided an overview of the budget process. At the beginning of the budget season, Staff meets with the City Council to review goals previously established by the Council. Goals form the basis for major efforts in the coming year.

Implementation of the Buildable Lands Inventory, the Housing Strategies Report and the Housing Needs Assessment will constitute a major portion of our work effort this year.

Additional effort will go toward an update of the Community Vision Action Survey. The last survey in 2013 had a fairly high response rate. Council has directed Staff to update that survey dealing with various questions on community quality of life as well as questions specific to the downtown area. This survey will be used as a source of information and outreach for the Housing Studies. To encourage higher densities and residential infill, it's necessary to know how the community feels about that issue.

Harris stated the new Urban Renewal Agency Board has expressed interest in revisiting the currently adopted Urban Renewal Plan and some of the major projects included in that plan. New effort will focus on downtown.

Harris reviewed budget narratives included in the Agenda packet. Also reviewed were Budget Issue Papers prepared by Staff when a new program, project or staffing position constitutes a major change. Two were prepared this year, one for the Vision Action Plan and one for the creation of a Minutes Clerk position.

Nelson asked if the Minutes Clerk position would be off-site. Harris replied it would. The Minutes Clerk would be available to cover meetings if needed.

IX. STAFF COMMENTS

Harris stated a Public Hearing regarding A&P Recycling was scheduled for the June 15, 2017 meeting. Currently, there are no items for Public Hearing at the July 6, 2017 meeting; that meeting may be cancelled.

City Council held a Public Hearing on the proposed ordinance revision for marijuana separation requirements, screening and odor control. Council decided not to move forward with amending the ordinance on separation requirements. They also declined moving forward with screening and odor control.

X. COMMISSIONER COMMENTS OR QUESTIONS

Nelson noted the next scheduled meeting is June 15, 2017. This meeting and all subsequent meetings will begin at 6:00 p.m.

DuFault asked if there was assistance the Commission could provide to the Planning Department. Harris responded with suggestions to efficiently conduct meetings.

XI. ADJOURNMENT

Vice Chair Nelson adjourned the meeting at 7:08 p.m.

Respectfully Submitted
Paula Webb, Planning Secretary

John Nelson, Vice Chair

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**PLANNING COMMISSION
STAFF REPORT
CITY of THE DALLES**

PLANNING DEPARTMENT

Site Plan Review No. 42-83

A & P Recycling

Prepared by: Steven Harris, AICP, Director
Procedure Type: Quasi-Judicial
Hearing Date: June 15, 2017
Assessor's Map: 2N 13E 33 C tax lot 900
Address: 280 Webber Street
Comprehensive Plan Designation: CLI –Commercial/Light Industrial
Zoning District: CLI – Commercial/Light Industrial
City Limits: Inside
Request: To revoke site plan approval

BACKGROUND INFORMATION

The subject property is located at 280 Webber Street. It is a recycling facility, operating since 1983 under approval of Site Plan Review #42-83. In 2015 the City received several complaints about the outside storage of materials and lack of screening at the subject property. City Staff sent a letter in December 2015 notifying the property owner that the original Site Plan land use (SPR #42-83) approval from April 1983 included several conditions of approval. The owner was notified that the following condition was not being met at the site:

“All business, servicing, manufacturing, or processing of materials, goods or products shall be conducted within completely enclosed buildings. Storage may be permitted outdoors but shall be effectively screened by a wall, fence, or planning to that such materials will not be visible from a public way.”

In a review of the property file, the storage of materials along the Webber Street frontage was not approved and sight obscuring fencing was supposed to be installed throughout the site. Several follow-up letters from the Planning Department in the early 1980s regarding the fencing are in the property file, – but it appears that compliance was never achieved.

Planning Staff gave the property owner two options for coming into compliance with the original conditions of approval:

- 1) Remove the materials being stored from the area along Webber Street; or
- 2) Present a revised site plan to the City Planning Department that shows where the owner would like to store materials outside, the location of a sight-obscuring fence, and where customer parking will be relocated.

After several months, several code enforcement letters, and no response from the property owner, Planning Staff scheduled a public hearing before the Planning Commission on August 4, 2016 to consider revocation of the Site Plan Approval (SPR #42-83). The Planning Commission approved a stay of the revocation process via Resolution PC # 553-16 at the August hearing and gave the property owner a deadline of 90 days to submit a plan for screening the storage areas to bring the site into compliance. The resolution also detailed that an approved screening plan must be implemented within 6 months of the Commission's approval.

The property owner submitted a plan for installing screening/fencing within 90 days. The plans for screening were reviewed and approved at a Planning Commission meeting on December 1, 2016. The deadline for installing improvements ~~is~~ was 6 months from this approval, which was May 1, 2017. Planning Staff mailed two reminder letters to the applicant regarding the need to install the approved screening by the May 1 deadline.

To date no progress has been made towards implementing the approved plan for screening the property. Further, Planning Staff has received multiple complaints about the storage of materials and encroachment of materials onto neighboring private property and the sidewalk. One of the requirements of that approval was that any outside storage “shall be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way”. In addition, the outside storage areas were to be located to the rear of the building in the original site plan approval.

At the May 18, 2017 Planning Commission meeting, the Planning Commission agreed with Staff recommendation to hold another public hearing to consider lifting the current stay on revocation proceedings for the subject property. The Public Hearing has been scheduled for June 15, 2017; the property owner has been properly noticed of the public hearing.

NOTIFICATION

Property owners within 300 feet, Subject Property Owner, City Departments, franchise utilities, Mid-Columbia Fire & Rescue, Wasco County Health Department, and State Building Codes were mailed a notice on June 1, 2017. A notice was published in The Chronicle on June 4, 2017.

COMMENTS

As of the date of the preparation of this report, no comments have been received from the public.

DISCUSSION

Staff recommends that the Planning Commission conduct a public hearing and that following closure of the hearing, a finding be made that the owner is not in compliance with the conditions of approval of Site Plan Review #42-83, specifically the condition that requires that any outside storage “be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way”. Under Section 3.030.100, if the Planning Commission determines that there has been a failure to meet the condition concerning the screening of outdoor storage materials, the Commission should revoke the Site Plan Approval. If the business continues to operate after revocation of the Site Plan Approval, the City would need to institute further enforcement efforts to stop the operation of the business. Section 3.030.100 allows an alternative for the business activity to continue on the property after revocation of the City Plan approval. The alternative allows for a stay of the revocation procedures, if in the opinion of the Planning Director, the property owner demonstrates a good faith willingness to comply with the approval requirements concerning screening of outdoor storage materials within a reasonable time period. Since the property owner was previously granted a stay of the revocation of the site plan permit, and did not bring the property into compliance, staff recommends that the Planning Commission not consider granting another stay.

LAND USE AND DEVELOPMENT ORDINANCE 98-1222

Section 3.030.100 Revocation

The Director may institute a proceeding to revoke an approved Site Plan Review application, per the provisions of Chapter 15: Enforcement of this Ordinance, when reasonable grounds exist that one of the following events have occurred:

A. Failure to Meet Conditions. Any conditions of approval are not being met.

FINDING 1: Condition number one of approval from 1983 states “*All business, servicing, manufacturing or processing of materials, goods or products shall be conducted within completely enclosed buildings. Storage may be permitted outdoors but shall be effectively screened by a wall, fence, or planting so that such materials will not be visible from a public way.*” For a considerable period of time storage has been visible from a public way as shown by the pictures included with this staff report. The business is not in compliance with this condition of approval.

Resolution No. PC 553-16 placed a stay on the revocation proceedings and gave the property owner several months to implement screening at the property and achieve compliance with SPR conditions on the property. The property owner did not implement any measures to screen the outside storage. Therefore, the Planning Commission can consider lifting the stay of the revocation and continue with revocation proceedings.

Section 15.055 Stop Use Order

Whenever any land or structure is being used contrary to the provisions of this Ordinance, or contrary to the provisions of any application approved under this ordinance, the Director may order the use stopped by notice in writing served on the property owner or on any person or persons engaged in the use of the property. After service the use shall immediately be stopped until the use is authorized by the Director. Both the property owner and the user of the property are subject to the provisions of such notice.

FINDING 2: The Stop Use Order is one of the enforcement options available to the City. Given the length of time this facility has been operating, it was decided that a more appropriate enforcement method was to use the revocation provision in Section 3.030.100, which allows for a public hearing. If the SPR is revoked, a Stop Use Order will be issued.

Section 15.080 City Attorney to Pursue Enforcement

As soon as the compliance deadline has expired, the City Attorney shall proceed with any legal or equitable action deemed appropriate unless:

- A. It has been demonstrated to the City Attorney that the violation has been corrected, removed, or will not be committed.
- B. A court of competent jurisdiction has halted enforcement pending the outcome of a proceeding before it concerning the violation.

FINDING 3: Both staff and the City Attorney have informed the owner of the failure to comply with the conditions of approval. Copies of letters from staff and from the City Attorney are included with this staff report. No response has been received at any time. The compliance deadline has passed. The failure to comply continues. No court has halted enforcement.

RECOMMENDATION: Staff recommends that stay of revocation proceedings be lifted and Site Plan Review #42-83 be **REVOKED**.

Next Steps:

- A. The City Planning Director will issue a Stop Use Order for the subject property.

- B. The City Attorney will pursue enforcement efforts to stop the business from operating and require removal of any items from the property which are not properly stored and not meeting conditions of original SPR #42-83 approval.

Attachments:

Letters to property owner

Planning Commission Minutes (dated December 1, 2016)

PC Resolution No. 553-16

SPR No. 42-83

Photos of subject property

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VIA CERTIFIED MAIL

May 1, 2017

Paul and Garnet Lepinski
280 Webber Street.
The Dalles, OR 97058

**RE: SPR 42-83 A&P Recycling – Outside Storage and Screening –
REVOCATION HEARING**

This letter serves as a notice that City staff have observed no visible progress made towards installing screening or removal of materials stored in the front of your property at 280 Webber Street. At the December 1, 2016 Planning Commission meeting, the Commission approved a condition that required installation of screening within six months. The deadline for installing screening and/or removing the storage of materials from the front of the property is May 1, 2017.

The Planning Department will restart the Site Plan Review revocation process and set a public hearing before the Planning Commission to consider the revocation. If the revocation is approved by Planning Commission – any collection of new materials and current operations at the property must stop immediately. Further, the City can pursue an abatement process in which the materials will be removed from the property at the property owner's expense.

Please respond to this letter by May 10, 2017 with information about your plans for the property, when you will install the screening and/or when you will remove the materials from the front of the property.

If you have any questions, please contact Nick Kraemer at the Planning Department, 541-296-5481 ext. 1132.

Regards,

Steven K. Harris, AICP
Planning Director
City of The Dalles

CC: Property File

Nick Kraemer, Associate Planner
Gene Parker, City Attorney
Nikki Lesich, Codes Enforcement Officer



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1132

March 9, 2017

Paul and Garnet Lepinski
280 Webber Street.
The Dalles, OR 97058

RE: A&P Recycling – Outside Storage and Screening – REMINDER

We have received multiple complaints about the amount of materials that have been collected at the site and have also noticed that the materials are encroaching onto neighboring properties.

This letter is a reminder that you need to implement the screening that was approved by the Planning Commission in December. At a minimum, the screening needs to be installed 6 months from December 1st, 2016 – which is May 1st, 2017.

This letter is also a request for an update from you about the plan to implement the screening. **Please respond to this letter within 2 weeks of receiving it with information about when you will install the screening.**

Failure to install the screening by the established timeline may result in revocation of the Conditional Use Permit or other code enforcement actions to bring your property into compliance.

If you have any questions, please contact me at the Planning Department, 541-296-5481 ext. 1132.

Regards,

Nick Kraemer
Associate Planner
City of The Dalles

CC: Property File



January 7, 2016

Paul and Garnet Lepinski
280 Webber Street.
The Dalles, OR 97058

RE: A&P Recycling – Outside Storage and Screening – SECOND NOTICE

You did not respond to the original letter sent in December – this is a Second Notice. We recently received a complaint about the outside storage of materials at your business on 280 Webber Street.

The original Site Plan land use approval was received in April 1983 and included several conditions of approval. Specifically the following condition is not being met at your site:

“All business, servicing, manufacturing, or processing of materials, goods or products shall be conducted within completely enclosed buildings. Storage may be permitted outdoors but shall be effectively screened by a wall, fence, or planning to that such materials will not be visible from a public way.”

See attached for the Site Plan and Conditions that were a part of the 1983 decision.

The storage of materials along the Webber Street frontage was not approved and sight obscuring fencing was supposed to be installed throughout the site. Several follow-up letters from the Planning Department regarding the fencing are in the property file – but it appears that compliance was never achieved.

You have two options for coming into compliance with the original conditions of approval:

- 1) Remove the materials being stored from the area along Webber
- 2) Present a revised site plan to the City Planning Department that shows where you would like to store materials outside, the location of a sight-obscuring fence, and where customer parking will be relocated.

You have 2 weeks from this notice (January 21, 2016) to make contact with the Planning Department to explain what option you would like to pursue to gain compliance.

If you have any questions, please contact me at the Planning Department, 541-296-5481 ext. 1132.

Regards,

Nick Kraemer
Associate Planner
City of The Dalles



December 14, 2015

Paul and Garnet Lepinski
280 Webber Street.
The Dalles, OR 97058

RE: A&P Recycling – Outside Storage and Screening

We recently received a complaint about the outside storage of materials at your business on 280 Webber Street.

The original Site Plan land use approval was received in April 1983 and included several conditions of approval. Specifically the following condition is not being met at your site:

“All business, servicing, manufacturing, or processing of materials, goods or products shall be conducted within completely enclosed buildings. Storage may be permitted outdoors but shall be effectively screened by a wall, fence, or planting to that such materials will not be visible from a public way.”

See attached for the Site Plan and Conditions that were a part of the 1983 decision.

The storage of materials along the Webber Street frontage was not approved and sight obscuring fencing was supposed to be installed throughout the site. Several follow-up letters from the Planning Department regarding the fencing are in the property file – but it appears that compliance was never achieved.

You have two options for coming into compliance with the original conditions of approval:

- 1) Remove the materials being stored from the area along Webber
- 2) Present a revised site plan to the City Planning Department that shows where you would like to store materials outside, the location of a sight-obscuring fence, and where customer parking will be relocated.

You have 3 weeks from this notice (January 5, 2016) to make contact with the Planning Department to explain what option you would like to pursue to gain compliance.

If you have any questions, please contact me at the Planning Department, 541-296-5481 ext. 1132.

Regards,

Nick Kraemer
Associate Planner
City of The Dalles

CC: Property File



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

March 28, 1988

CERTIFIED MAIL

Paul Lepinski
A & P Recycling
280 Webber Road
The Dalles, OR 97058

RE: FINISHING SIGHT-OBSCURING FENCE

Dear Mr. Lepinski:

On March 25, 1988, I went by A & P Recycling and noticed that the sight-obscuring fence has not been completed. Please finish the fence within two weeks after the receipt of this letter or I will have another citation issued by the Municipal Court.

Sincerely,

Barbara J. Sack
Planner I

db



CITY of THE DALLES

313 COURT STREET

THE DALLES, OREGON 97058

January 4, 1988

CERTIFIED MAIL

Paul Lepinski
A & P Recycling
280 Webber Road
The Dalles, OR 97058

Dear Mr. Lepinski:

When I stopped by on December 29, 1987, your sight-obscuring fence still had not been completed. Originally our agreement had been that it would be in place by the end of October, 1987. I have given you at least one extension of time because a survey pin had to be reset. This was done by Rod McKee, however, in the middle of November and it is now January and the fence still is not up.

On December 29th you told me that the concrete that the fence posts were set in had not cured sufficiently to hang the fencing from them. According to my site visit notes, those fence posts have been up since the beginning of December. I consulted Rod on the length of time it takes concrete to cure around fence posts in situations such as yours. He said it should not take more than a week or two.

Even if the concrete was poured around the fence posts later in the month, there appears to be no excuse for not having the fencing completed by this time. Your site plan application was approved in 1983 with the condition that outdoor storage "be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way." We have been waiting over four years for you to meet this condition. If the cyclone fence and slats are not in place by January 14, 1988, a citation will be issued and a complaint filed in Municipal Court.

Sincerely,

Barbara J. Sack
Planner I

db



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

October 22, 1987

Paul Lepinski
A & P Recycling
280 Webber Road
The Dalles, OR 97058

Dear Mr. Lepinski:

I am sending you a note to remind you of your agreement to install a sight-obscuring fence at A & P Recycling by the end of October. Enclosed is a copy of your final site plan showing the location for the screened fence with a dotted line.

I will make another field check at the end of next week to see if the fence has been put in place.

Sincerely,

Barbara Sack
Planner I

BS/na
enc.



Paul Lepinsky
A & P Recycling
280 Webber Road
The Dalles, OR 97058

August 27, 1987

Dear Mr. Lepinsky,

I am sending you this letter to confirm our conversation of August 27, 1987 during which you stated that the required screening would be installed at the recycling center by the end of 60 days. It is my understanding that the required screening will consist of a cyclone fence with wooden slats.

Your efforts to comply with this condition of your Site Plan approval (Site Plan #42-83) are appreciated. I will make another field check at the end of October to see that the screening has been put in place.

Sincerely,

Barbara J. Sack
Planner I

BS/sd

cc: Jack Lesch
Planning Director



CITY of THE DALLES

313 COURT STREET

THE DALLES, OREGON 97058

December 27, 1984

Paul Lepinski
A & P Recycling
280 Webber Road
The Dalles, OR 97058

Dear Mr. Lepinski:

During a recent routine field inspection I noticed lack of progress on screening. A file note indicates that we last discussed this on October 18, 1984, at which time you explained that preparations (survey and purchasing material) were being made for fencing across the front and on the sides. Please advise on the status of completing this part of the 1983 site plan approval.

Sincerely,

Jack Lesch
Planning Director

JL/dt

1/4/85

Spoke with Paul Lepinski today and he said he would begin drilling holes for the fence posts this month



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

April 8, 1983

Art Braun/Paul Lepinski
A & P Recycling
402 W. 3rd St.
The Dalles, OR 97058

Gentlemen:

This letter is to confirm action taken by the Planning Commission on April 7th to approve your site plan for a recycling center and processing plant. The Commission approved the Site Plan with the following conditions:

1. Compliance with the Design Requirements of the M-1 Zone including the following:
 - a. All business, servicing, manufacturing or processing of materials, goods or products shall be conducted within completely enclosed buildings. Storage may be permitted outdoors but shall be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way.
 - b. All yards and unused property shall be landscaped or otherwise maintained for a neat appearance.
 - c. All off-street parking or loading areas and access drives shall be surfaced with dust-free materials and shall be maintained.
 - d. There shall be no emission of odorous, toxic, noxious matter or dust in such quantities as to be readily detectible at any point along or outside said property lines so as to produce a public nuisance or hazard.
 - e. All materials, including wastes, shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create health or fire hazards.
2. Lights shall be required for the customer parking area and shall be screened so as not to reflect on adjoining property.

3. Appropriate signs shall be posted at drop-off station informing patrons of acceptable materials to be dropped and instructions for use of the station.
4. All loose materials shall be baled at least every two (2) days.
5. All bales shall be stored at least 20 feet distance from any building.
6. Applicants should be required to sign a waiver of remonstrance for future street or sidewalk projects.

Sincerely,

Jack Lesch
Planning Director

JL/dt

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RESOLUTION NO. P.C. 553-16

To gain approval to stay the revocation process of Site Plan Review #42-83. Property is located at 280 Webber Street, The Dalles, Oregon, and is further described as 2N 13E 33C t.l. 900. Property is zoned "CLF"- Commercial/Light Industrial District.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on August 4 and August 18, 2016 conducted public hearings to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff's report of Site Plan Review #42-83 and the minutes of August 4 and August 18, 2016 Planning Commission meeting, upon approval, provides the basis for this resolution and are incorporated herein by reference.
- C. The Planning Commission agrees that the property at 280 Webber Street is not in compliance with the conditions of approval for Site Plan Review #42-83 in that recycling material is visible from a public way.
- D. That failure to comply with a condition of approval is grounds for revocation of site plan approval.

II. RESOLUTION:

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this resolution.
The property at 280 Webber Street, under SPR #42-83, is hereby granted a stay of revocation with the following conditions of approval:
 1. A&P Recycling must submit, within 90 days, a written plan to show how any outside storage will be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way to bring the Site Plan Review into compliance.
 2. At such time as the Planning Commission approves a submitted plan, A&P Recycling must implement such plan within 6 months of the Commission's approval.

III. APPEALS, COMPLIANCE, AND PENALTIES:

- A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 3.020.080 of the Land Use and Development Ordinance, and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.
- B. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- C. All conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt

enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$500.00 per day for the violation period; 3) a civil proceeding seeking injunctive relief.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 22nd DAY OF AUGUST, 2016.



Bruce Lavier, Chairman
Planning Commission

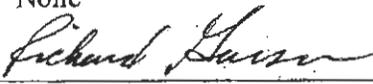
I, Richard Gassman, Planning Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 18th day of August, 2016.

AYES: Lavier, Poppoff, DuFault, Zukin, Stiles

NAYS: None

ABSENT: Nelson

ABSTAIN: None

ATTEST: 

Richard Gassman, Planning Director
City of The Dalles

STAFF REPORT

SITE PLAN #42-83

APPLICANT: A & P Recycling - Art Braun and Paul Lepinski

LOCATION OF PROPERTY: 280 Webber Road between West 2nd Street and Railroad tracks (see attached map).

EXISTING ZONING: M-1 (Light Industrial and Manufacturing) Zoning District.

EXISTING LAND USE: Presently unoccupied.

PROPOSAL: Applicants propose to utilize Silver Wheel building and lot for a recycling center, processing plant, and to house a truck maintenance shop. The eastern half of the yard will be screened (fenced) and an on-site drop-off station will be constructed.

THE CODE: M-1 (Light Industrial and Manufacturing) zoning district.

Uses Permitted

Collection, packaging, storage and reprocessing of recycleable materials such as newspaper, cardboard, glass, metal, plastic and oil.

Contractor's offices and equipment storage yard, or storage and rental of equipment commonly used by contractors.

Outdoor storage when enclosed by a fence, wall, or sight obscuring landscaping, all of which shall be maintained.

Parking Regulations

Industrial	1 Space/each 500 sq. ft. of gross floor area. 8 spaces required at 4000 sq. ft.
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Landscaping Regulations

These structures are nonconforming in terms of these requirements. Conformance would have been required if the existing use were discontinued for a period of six months.

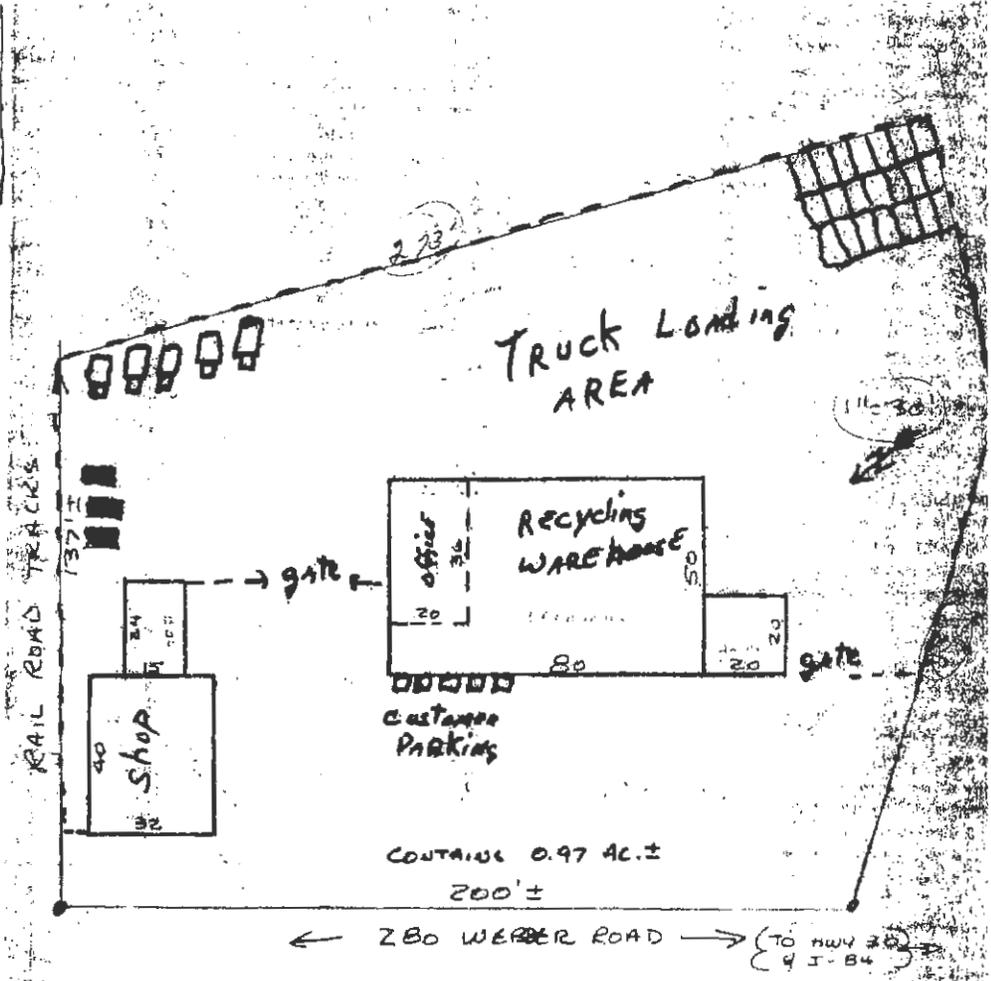
STAFF COMMENTS: The proposal if approved subject to the recommended conditions meets the Zoning Ordinance standards.

STAFF RECOMMENDATION: Staff recommends approval of Site Plan #42-83 subject to the following conditions:

1. Compliance with the Design Requirements of the M-1 Zone including the following:
 - a. All business, servicing, manufacturing or processing of materials, goods or products shall be conducted within completely enclosed buildings. Storage may be permitted outdoors but shall be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way.
 - b. All yards and unused property shall be landscaped or otherwise maintained for a neat appearance.
 - c. All off-street parking or loading areas and access drives shall be surfaced with dust-free materials and shall be maintained.
 - d. There shall be no emission of odorous, toxic, noxious matter or dust in such quantities as to be readily detectible at any point along or outside said property lines so as to produce a public nuisance or hazard.

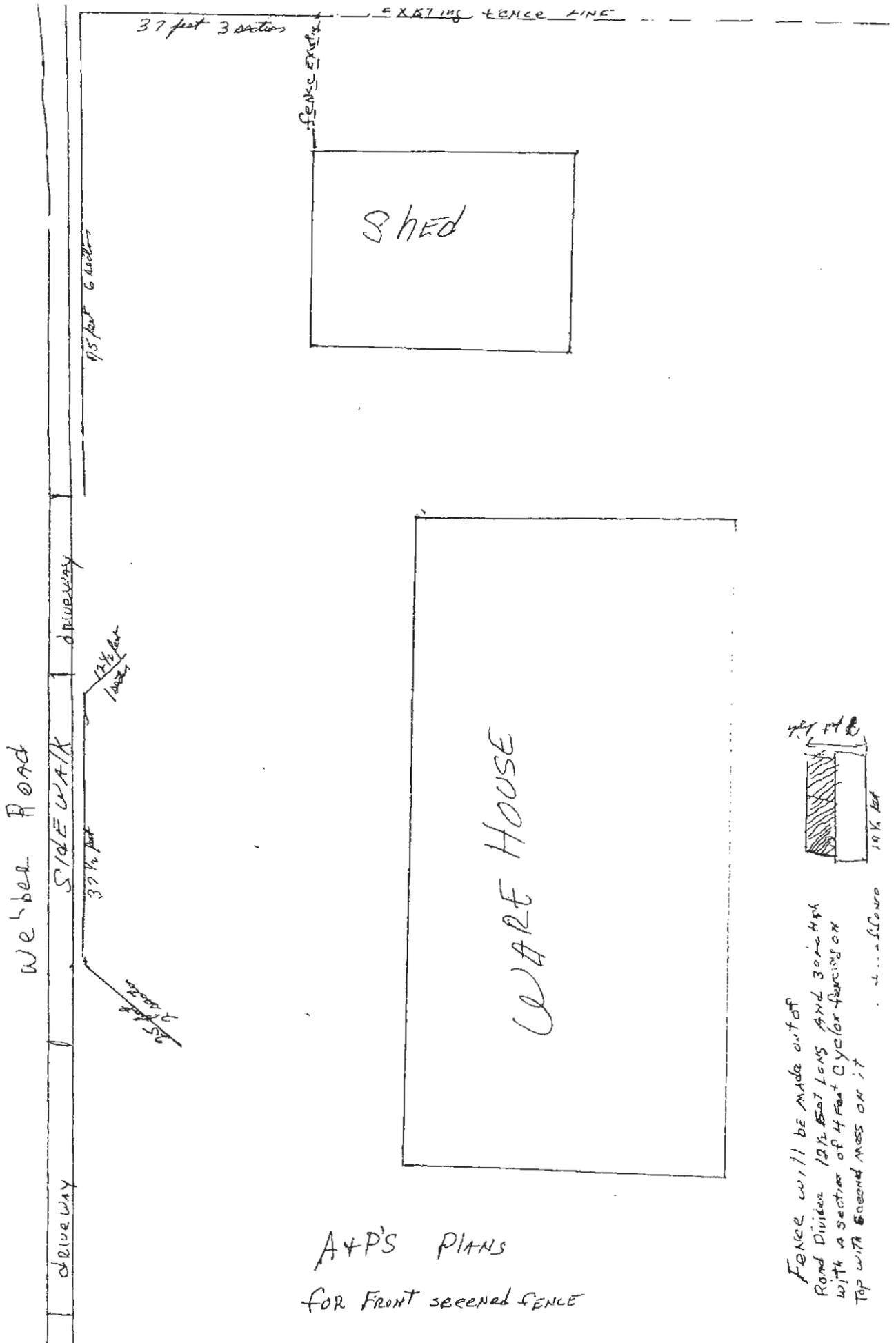
- e. All materials, including wastes, shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create health or fire hazards.
2. Lights shall be required for the parking area and shall be screened so as not to reflect on adjoining property.
3. Appropriate signs shall be posted at drop-off station informing patrons of acceptable materials to be dropped and instructions for use of the station.
4. All loose materials shall be baled at least every two (2) days.
5. All bales shall be stored at least 20 feet distance from any building.

Original
Site Plan
1982



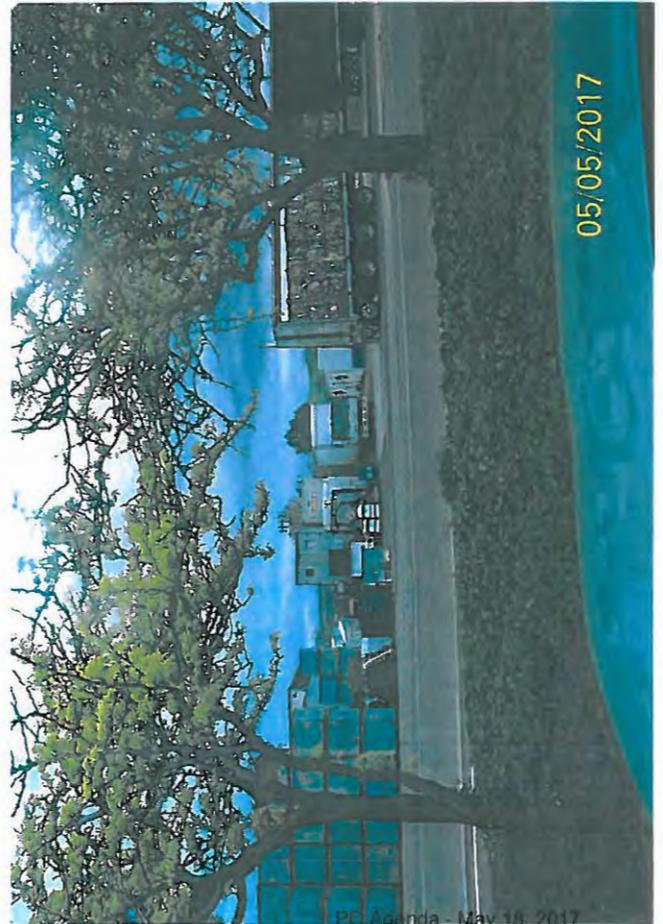
Old SITES SILVER WHEEL BUILDING
& LOT - ADDRESS 280 WEBER ROAD

- SCREENED FENCE
- - CONTAINER STORAGE
- - TRUCK PARKING
- - CUSTOMER DROP OFF STATION
- ▣ - BALED MATERIAL STORAGE AREA



July 2016







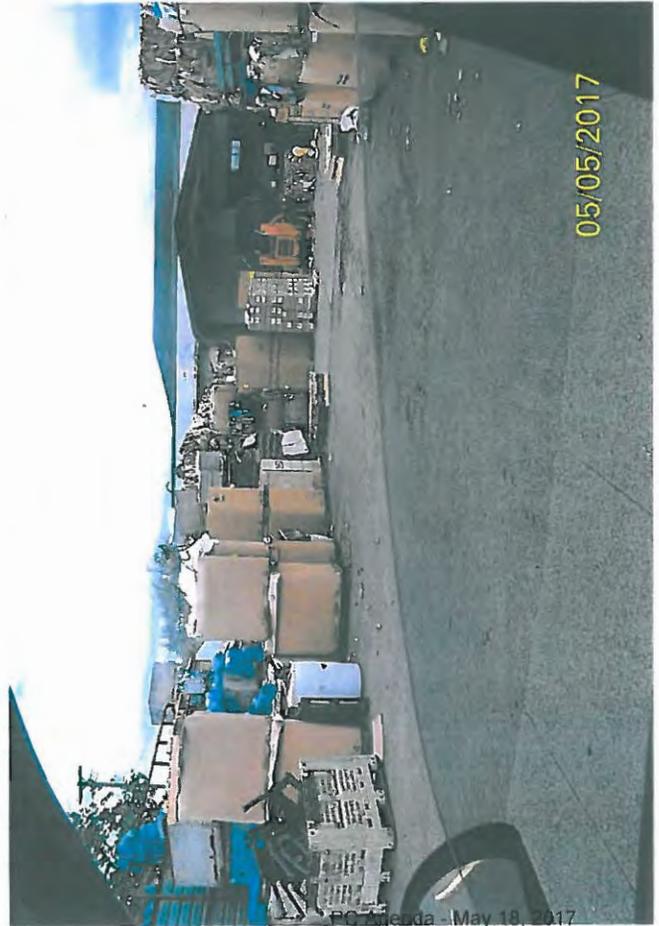
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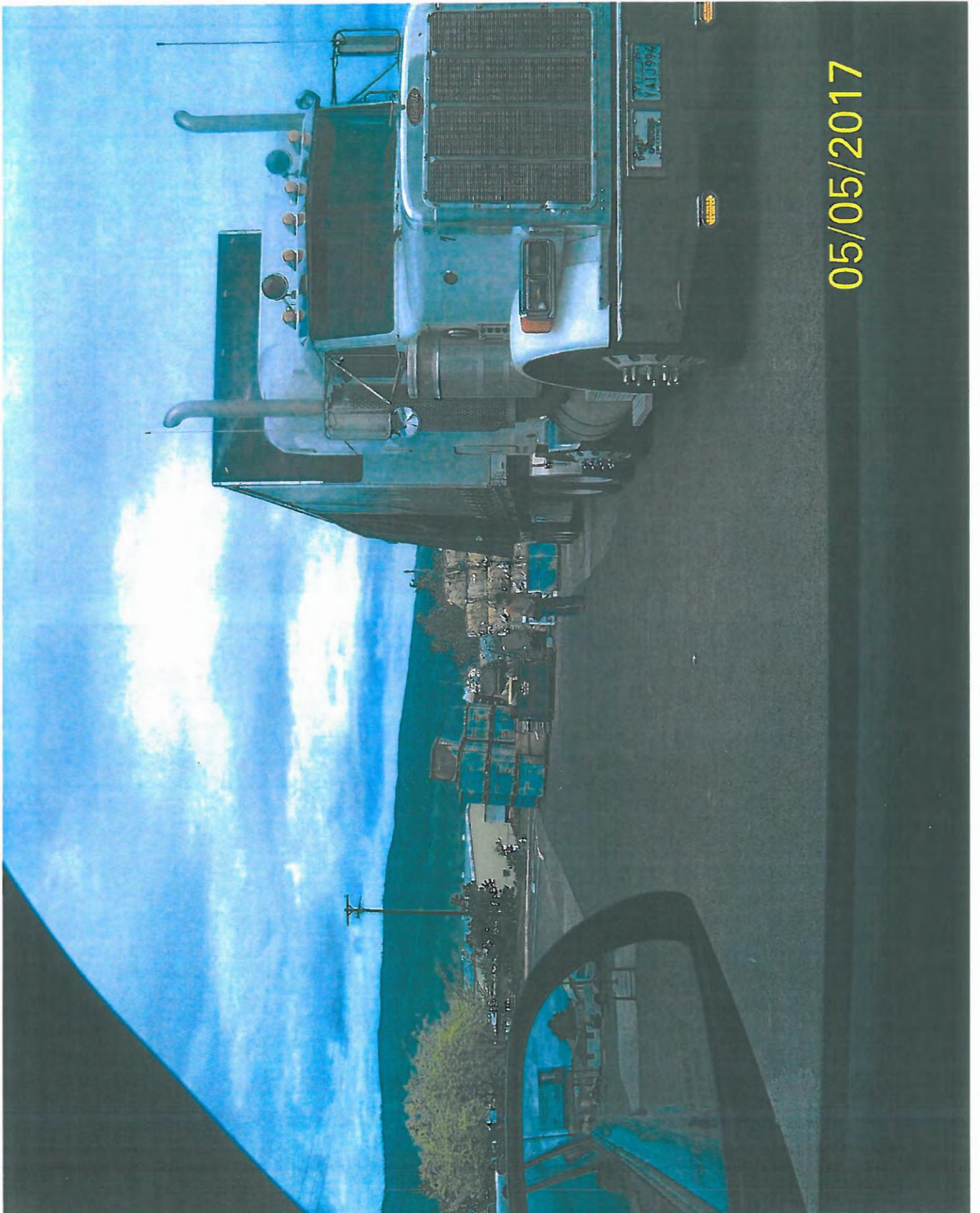
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