



**AGENDA**  
**CITY OF THE DALLES PLANNING COMMISSION**  
CITY HALL COUNCIL CHAMBERS  
313 COURT SREET  
THE DALLES, OREGON 97058  
*CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM*  
**THURSDAY, JUNE 6, 2013**  
**6:00 PM**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
  - A. April 4, 2013
- V. PUBLIC COMMENT (Items not on the Agenda)
- VI. **QUASI-JUDICIAL HEARINGS**

**Application Number: VAR 122-13 and CUP 169-13; Thomas West/Design, LLC; Request: Application to gain approval for the construction of a building that exceeds the zone district height limitation of 55 feet. The property is located at 161 Steelhead Way, The Dalles, Oregon and is further described as 2N 13E 28 & 28B t.l.101. Property is zoned “I” – Industrial District.**

**Application Number: CUP 168-13; Grizzly Firefighters, Inc.; Request: Application to gain approval for the construction of a steel-framed structure for the storage of firefighting equipment. The property is located at 615 E. Fourth Street, The Dalles, Oregon, and is further described as 1N 13E 3CA t.l. 100. Property is zoned “CBC” – Central Business Commercial.**

- VII. RESOLUTIONS
  - A. P.C. Resolution 530-13; VAR 122-13, Thomas West/Design, LLC.
  - B. P.C. Resolution 531-13; CUP 169-13, Thomas West/Design, LLC.
  - C. P.C. Resolution 532-13; CUP 168-13, Grizzly Firefighters, Inc.

VIII. STAFF COMMENTS

IX. COMMISSIONER COMMENTS/QUESTIONS

X. NEXT SCHEDULED MEETING DATE

June 20, 2013

XI. ADJOURNMENT

**CITY OF THE DALLES PLANNING COMMISSION MINUTES**

**Thursday, April 4, 2013**

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

*Conducted in a handicap accessible room*

6:00 p.m.

**CALL TO ORDER:**

Chair Lavier called the meeting to order at 6:00 p.m.

**BOARD MEMBERS PRESENT:**

Bruce Lavier, Chris Zukin, Rob Raschio, Dennis Whitehouse

**BOARD MEMBERS ABSENT:**

Mark Poppoff, Mike Zingg, Jeff Stiles

**STAFF MEMBERS PRESENT:**

City Attorney Gene Parker, Planning Director Richard Gassman, Administrative Secretary Carole Trautman

**APPROVAL OF AGENDA:**

It was moved by Raschio and seconded by Whitehouse to approve the agenda as submitted. The motion carried unanimously; Poppoff, Zingg and Stiles were absent.

**APPROVAL OF MINUTES:**

It was moved by Zukin and seconded by Lavier to approve the February 7, 2013 minutes as submitted. The motion carried unanimously; Poppoff, Zingg and Stiles were absent.

**PUBLIC COMMENT:**

None

**LEGISLATIVE HEARING:**

**Application Number: ZOA 83-13; City of The Dalles; **Request:** Amendments to the Land Use and Development Ordinance.**

Director Gassman presented an overview of the Staff Report. Two amendments to the Land Use and Development Ordinance (LUDO) were being considered, one generated by City Council and one generated by the Planning Commission.

City Council, Gassman stated, conducted workshops regarding development policies, in particular requirements for public improvements associated with minor partitions. Staff was tasked to develop Council's proposed changes into specific language that would substantially change the public improvement requirements.

Currently, Gassman explained, the ordinances and policies required that streets would be brought up to full improvement for the entire property frontage at the time of the minor partition application submittal, and if the City was not prepared to improve the streets at the time of application, then the

property owner would pay estimated costs for the improvements into the City's development fund. The Council was interested in facilitating the minor partitions. Therefore, the proposed LUDO amendment language would require that, at the time of a minor partition application, no public improvements would be required by the property owner. Each related parcel of the minor partition would have a recorded document that would subject the parcels to improvement at the time of certain events: 1) if a Local Improvement District (LID) was initiated that included the property; or 2) the development of a residential dwelling unit on a vacant partitioned parcel occurred. With the development of a residential dwelling unit, the property owner of record would be required to either make the required street improvements or pay into the development fund only for the frontage of the parcel to be developed.

Director Gassman explained the second proposed amendment. Any structure that was open on the side adjacent to another property would be treated as an architectural feature that could go up to within three (3) feet of the property line. With this language, Gassman stated, property owners would not need to apply for a variance or meet any other requirements. Gassman clarified that the proposed three foot requirement was as close as staff felt the ordinance could be amended because Building Codes required a three (3) foot setback.

Regarding the public improvements amendment, Chair Lavier suggested that a cross reference for the LID be placed in the development amendment for clarity.

Whitehouse asked if it would be highly unlikely that there would be a situation where there was a stand-alone area of street improvements in front of a new residence on an unimproved street. Director Gassman said it could occur, but was unlikely.

**Testimony:**

Randy Hagar, 2804 East 10<sup>th</sup> Street, stated that the staff developed ordinance amendment language contrary to what City Council had requested—to allow property owners to apply for a minor partition without being required to develop street improvements or pay into the development fund. Hagar said that, because of the size of his property, the City's estimated cost for street improvements was approximately \$80,000; a private contractor's estimate for the same work was approximately \$20,000. Mr. Hagar asked Director Gassman to read into the record former Mayor Wilcox's letter that requested City Council to remind staff that the original amendment request was to provide relief to property owners at the time of a minor partition application from obligatory street improvement costs. Director Gassman explained that the proposed amendment language did allow for property owners to minor partition property without paying into the fund or installing street improvements. Gassman clarified that the proposed ordinance language was only found in the proposed ordinance attachment to the staff report, not in the attached Memorandum dated March 15, 2013 that Mr. Hagar addressed. According to the proposed amendment, at the time of a minor partition, the full property frontage would be encumbered, but improvements would only be required when one or more partitioned parcel was developed, Gassman stated.

Steve Stroud, 3004 E. 12<sup>th</sup> Street, asked why the City was pushing so hard to make improvements, because the costs would fall on the property owners and would be expensive. Mr. Stroud stated that his improvement costs would be approximately \$110,000, and he did not believe the improvements were necessary.

Jerry Johnson, 3102 E. 13<sup>th</sup> Street, stated that stand-alone areas of infill were already in existence; for instance, on Old Dufur Road. Mr. Johnson stated he was concerned that there was no City Council

representative for the Urban Growth Boundary (UGB) citizens. He owns 4.5 acres on a public access street where citizens are responsible for improvement costs, not the City. Commissioner Raschio asked Mr. Johnson if the proposed amendment would provide some flexibility in his situation. Mr. Johnson said that it would to a certain extent, but the amendment would still hold the property owner responsible for improvements. Without representation on City Council and the Urban Growth headed east, Mr. Johnson stated he believed it would force some property owners to move into town because of potential improvement expenses.

Chair Lavier commented that it seemed as if the City was forcing residents to develop to City standards, and it seemed inappropriate. Director Gassman said that this ordinance was not intended to address the types of lots being described in this meeting's testimony. The ordinance was intended for property owners with one or two parcels. Mr. Johnson re-emphasized that there was no representation on City Council for property owners with large parcels. Chair Lavier said that, in one way, there was representation, because City Council's actions on the ordinance would go before Wasco County where there would be representation for UGB residents. City Attorney Parker reported that City Council planned on discussing in the future what kind of standards should be developed for residents in the Urban Growth Boundary (UGB). Director Gassman pointed out that the flip side of the issue was that if the City allowed development without installing improvements, and the area became more densely populated, it could lead to a fairly dense neighborhood where no improvements would most likely ever be made. Gassman said such areas as this were in existence now.

Randy Hagar, 2804 E. 10<sup>th</sup> Street, stated that growth in his area was slow. One house had been developed in 12 years. Mr. Hagar said his property could have another home developed on it, but he could not afford the expenses.

John Dennee, 2651 E. 10<sup>th</sup> Street, stated the cost for him to partition his 4.9 acre lot was approximately \$52,000. Mr. Dennee stated that, under the proposed LUDO amendment, a lien would be placed on the undeveloped partitioned parcels for improvements. Selling the partitioned parcels would be difficult because of costly improvement liens that he would either have to bargain down in a land sale or pay the encumbrances himself. Dennee said private land owners could not install their own services because the City had not done the necessary preliminary work to accomplish such installations.

Raschio asked what expenses were incurred for a minor partition. Director Gassman listed City filing fees and County recording fees that totaled less than \$1,000 plus surveyor costs.

Jerry Johnson, 3102 E. 13<sup>th</sup> Street, said that the County wanted to give his street to the City at one time, but no agreement was made. His street became a public access street which meant he was responsible for street improvements. Mr. Johnson said he wanted to ask the County to take the UGB areas back so he could be under the County's jurisdiction rather than the City's jurisdiction.

Chair Lavier stated it would be better to make improvements at the time of development, but he did not see a need to require improvements in the UGB at this time. Raschio said the amendment provided a cost shift off of the property owner to install improvements at the time of a minor partition application. The property owner could decide to partition a parcel and possibly find a buyer who understood the encumbrances. Raschio stated it could affect the land sale, but at least the property owner could sell a partitioned parcel without having to install all of the improvements in advance. Mr. Hagar said it was much more complicated than that because the cost, or potential cost, of encumbrances on some of these lots far exceeded the lot values in most cases. Mr. Raschio said he understood that, but the issue under

consideration was about whether minor partitions could be allowed without property owners paying for improvements at the time of application.

Chair Lavier stated it was difficult to make a determination because the Planning Commission was not involved in the City Council's discussion of the amendment. Lavier said the process seemed backwards. Discussion should have originated with the Planning Commission and sent on to City Council. Whitehouse said he believed this amendment was placing a "band aid" on the issue and the protocol of the process was backwards. Raschio said he somewhat understood the broader implications of the issue, but the basic discussion at this meeting was about waiving improvement costs at the time of a minor partition application. Zukin stated the amendment supported a very small change that moved the timing of the improvement payment, but there were much larger issues involved that included the amount of payments. Zukin suggested a task force be formed rather than offering a piecemeal solution. Chair Lavier said he felt as if the amendment was a band aid and could make matters far worse. Raschio disagreed. He felt the amendment stimulated growth that allowed a property owner to partition and potentially sell land and negotiate the costs. Raschio stated he believed the bigger problem was the case scenario where an interior lot of three lots could be developed with improvements with no other improvements around it. Raschio said it would not look right. Whitehouse asked if it would inhibit growth to place large dollars on properties in the UGB that would be unaffordable. Zukin said there was a balance. If there was development, there needed to be improvements. Raschio stated that the issue was who was responsible to pay the expense. Zukin said the property owner must pay for improvements, it was not the City's responsibility. But beyond that, Zukin said, the issues were very complicated.

Director Gassman gave a brief explanation of the proposed amendment to Section 6.080A.2. of the LUDO. It was moved by Raschio and seconded by Zukin to recommend approval of the proposed amendment to Section 6.080A.2. as written to the City Council. The motion carried unanimously; Poppoff, Zingg and Stiles were absent.

Chair Lavier stated he had problems with the process and the substance regarding the proposed LUDO residential partition approval amendment, and he asked staff if a joint work session with City Council would be proper process. City Attorney Parker said the ordinance didn't speak to a joint work session and he offered to take the Commission's concerns back to the City Council to determine the next course of action. It was not the intent of the Council to "railroad" the Planning Commission, Parker stated. Director Gassman said the Council clearly saw this ordinance as an improvement for property owners over the current situation, and the Council wanted to adopt the amendment. Staff could communicate to Council that the general consensus of the Planning Commission was to be involved in further discussions with City Council on this matter.

It was moved by Zukin and seconded by Whitehouse to recommend the formation of a Task Force to discuss standards, costs, and methods of determining the costs of development fees. The Task Force would then report to the Planning Commission for review, and the Planning Commission would make a recommendation, based on its review, to City Council.

Raschio pointed out that City Council had heard the issues regarding minor partitioning and had asked the Planning Commission to approve the amendment that would shift improvement costs to a future buyer. Chair Lavier said the Planning Commission had no objection to the intent, but to recommend this amendment might not solve the big problem. Lavier also stated that The Dalles was at a critical point with land use issues, and the City needed to be very careful with the remaining land use that was available. Lavier felt the recommendation was not good for the people who gave testimony or for

some people within the City limits. Raschio said he agreed with Lavier's comment on land use limitations that the City faced, but he felt the policy change was a good choice.

Chair Lavier called for the vote, the motion carried unanimously; Poppoff, Zingg, and Stiles were absent.

Raschio said he understood the last motion to be the Planning Commission's acknowledgement of the problem the people who gave testimony had towards development, but that it was not a motion regarding the proposed ordinance amendment.

After further discussion, it was moved by Raschio and seconded by Zukin to adopt the proposed ordinance amendment as written for residential infill policies.

Zukin stated he was ambivalent towards the revision. It did no harm, but it could send a message to Council that small, piecemeal changes would work for the Council. Zukin indicated he would vote in favor of the amendment but wanted to send a message that his vote in favor of the amendment was to help the property owners. His favorable vote was not an approval of the method in which Council was dealing with the development fee issues. Zukin stated he hoped there would be a wide-range overhaul of the development system.

Whitehouse commented that he hoped this resolution would come back to the Planning Commission if no resolution to the bigger issue was reached within a period of a few years.

Raschio stated he would vote yes, but agreed with the other three Commissioners that City Council needed to start addressing all of the issues and not piecemeal the situation.

Chair Lavier called for the vote. Raschio and Zukin voted in favor, Whitehouse and Lavier opposed; Poppoff, Zingg and Stiles were absent. The motion failed.

**STAFF COMMENTS:**

Director Gassman advised the Commission that there had been a slight increase in planning activity over the last month.

**COMMISSIONER COMMENTS/QUESTIONS:**

Raschio asked if the damaged fence at the triangle park on 1925 E. 10<sup>th</sup> would be repaired. City Attorney Parker said the fence would be repaired. Raschio also commented that he was concerned about the appearance, specifically the lack of signage, at 1012 West Sixth Street. Director Gassman stated that Staff was aware of the property.

Zukin reported that patrons to the gymnastics building located at the intersection of Bargeway Road and River Road continued to park around the bend, in the bike lane, and in the street. Other drivers had to pull out around the parked cars to see eastbound traffic on River Road. Director Gassman said staff had received complaints about the parking and it was considered a parking violation issue. Zukin suggested the curb should be painted red or yellow to prohibit parking, or it could be resolved with the re-alignment of the Riverfront Trail.

**NEXT MEETING:**

April 18, 2013

**ADJOURNMENT:**

Chair Lavier adjourned the meeting at 8:22 p.m.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.

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Bruce Lavier, Chairman

**City of The Dalles  
Staff Report**

**Variance No. 122-13  
Conditional Use Permit No. 169-13**

**Thomas West – Design LLC**

Prepared by: Dick Gassman, Planning Director *DG*

Procedure Type: Quasi-Judicial

Hearing Date: June 6, 2013

Assessor's Map: 2N 13E 28 lot 101 and 2N 13E 28 B lot 100

Address: 161 Steelhead Way

Comprehensive Plan  
Designation: "I" Industrial

Zoning District: "I" Industrial

City Limits: Inside

Request: To gain approval for the construction of a building that exceeds the zone district height limitation of 55 feet.

**BACKGROUND INFORMATION**

The subject property is developed with multiple buildings, including two large production facilities. The property is along the Columbia River just south of Chenoweth Creek. The new building is proposed to be constructed between the two existing production buildings. The Land Use and Development Code (LUDO) allows buildings to be up to 55 feet in height in the Industrial zone, with additional height allowed for areas not used for human occupancy. The applicant is asking for approval of a structure as high as 80 feet.

The applicant has indicated that the design is not final yet and the overall height is still unknown. Due to the way the LUDO is written, if the height of the proposed building ends up being between 55 feet and 75 feet, the applicant will need a variance. If the height of the building ends up being over 75 feet, a conditional use permit is required. The applicant filed a variance application based upon what was thought initially to be a building less than 75 feet. In order to help the applicant and prevent the possibility of applying for two different permits, this staff report will examine both the Variance request and also consider the application as a Conditional Use Permit in the event the height is over 75 feet. Both of these processes are quasi-judicial in nature, and the notice requirements and procedures are the same.

## **NOTIFICATION**

Property owners within 300 feet, City Departments, franchise utilities, Mid-Columbia Fire & Rescue, Wasco County Health Department, and State Building Codes were mailed a notice on May 20, 2013 as required by LUDO Section 3.020.050 D.

## **COMMENTS**

No comments have been received as of the date of the preparation of this staff report.

A site team meeting was held on May 2, 2013, and the notes from that meeting were sent to the applicant.

## **RECOMMENDATION**

Approval of this request, with conditions.

## **LAND USE AND DEVELOPMENT ORDINANCE 98-1222**

### **A. Procedural Requirements**

#### **Section 3.010.040 Applications**

##### **B. Completeness.**

**FINDING #1:** The application was found to be complete on May 20, 2013. The 120-day State mandated decision deadline is September 18, 2013. The hearing is scheduled for June 6, 2013, within the required time line. Criterion met.

#### **Section 3.020.050 Quasi-Judicial Actions**

A. Decision types. 3. Conditional Use Permits and 4. Variances:

**FINDING #2:** This application is for a Variance per LUDO Section 3.070. Variances are processed as quasi-judicial hearings per LUDO Section 3.070.020. B. Conditional Use Permits are also processed as quasi-judicial hearings. Based on the explanation in the introduction, this application will be reviewed as both a Variance and a Conditional Use Permit. Criterion met.

- B. Staff Report. The Director shall prepare and sign a staff report for each quasi-judicial action, which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval with conditions, or denial.

**FINDING #3:** The staff report will detail criteria and standards relevant to a decision, all facts will be stated, and explanations given. This will be detailed through a series of findings directly related to relevant sections and subsections of the ordinance as they relate to this request. Criterion met.

- C. Public Hearings. The quasi-judicial process requires a public hearing within 45 days from the date the application is deemed complete. The application was deemed complete on May 20, 2013. The 45 day period ends on July 4, 2013.

**FINDING #4:** The public hearing is scheduled for June 6, 2013. Criterion met.

- D. Notice of Hearing. At least 10 days before a scheduled quasi-judicial public hearing notice of the hearing shall be mailed to the applicant, owners of property within 300 feet of the subject property, and a variety of other persons.

**FINDING #5.** Appropriate mailings to the applicant, property owners within 300 feet and notice to affected departments and agencies were made on May 20, 2013. A notice of the hearing was published in The Dalles Chronicle on May 26, 2013. Criterion met.

### **Section 3.070.020 Review Procedures**

A. Applications. Variance and Conditional Use Permits applications shall be accompanied by at least 15 copies of the concept site plan, and a written statement which specifically addresses the review criteria.

**FINDING #6:** The required plans and written statement have been submitted. While the written statement addresses the Variance criteria, there is sufficient information provided to allow a decision on a Conditional Use Permit. Criterion met.

## **B. Substantive Requirements - Variance**

### **Section 3.070.030 Review Criteria**

A variance to the requirements of this Ordinance shall be granted only in the event that each of the following circumstances is found to exist:

- A. The proposed variance will not be contrary to the purposes of this Ordinance, policies of the Comprehensive Plan, or any other applicable policies and standards adopted by the City.

**FINDING #7:** The LUDO provisions for height standards in the Industrial zone are located in Section 5.090.040. The maximum height is 55 feet, or 40 feet within 100 feet of a residential zone. No residential zone is within 100 feet.

LUDO Section 6.090 allows building features, not including areas of human occupancy, up to 75 feet in height without a variance. The application does not identify whether the highest areas will be used for human occupancy, but in any event the request is over the 75 foot elevation. The general purpose of height limitations is to preclude one building from overwhelming adjoining buildings. This building will be located between two other relatively tall buildings, all of which are owned by the applicant. There are no other buildings in the area that will be adversely affected. Granting the requested Variance will facilitate expansion of an existing use, which is consistent with Goal 9 of the City's Comprehensive Plan, which goal is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens. Criterion met.

- B. Exceptional or extraordinary circumstances apply to the subject property which do not apply generally to other property in the same zone or vicinity. Such circumstances are a result of lot size or shape, topography, or circumstances over which the applicant has no control.

**FINDING #8:** The unusual circumstance about this lot is its isolation from most other lots and buildings. The property is bordered by Chenoweth Creek to the north, the Columbia River to the east, will be set back some distance from the property to the south, and to the west. The particular building site will be between two relatively large buildings owned by the applicant. The building will be large, but not out of scale with its surroundings. Criterion met.

- C. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as owners of other property the same zone or vicinity.

**FINDING #9:** The applicant is trying to efficiently use its property. Based on currently technology, a two-story building is more efficient than a one-story building. Without the Variance the applicant would have to spread out over the whole site. Criterion met.

- D. The conditions or circumstances justifying the variance have not been willfully or purposely self-imposed, and do not result from a violation of this Ordinance since its effective date.

**FINDING #10:** The building is not yet constructed. The applicant has requested this variance to meet the demands of its business technology, which is not self imposed. Criterion met.

- E. The proposed variance will not substantially reduce the amount of privacy enjoyed by users of neighboring land uses if the variance were not allowed.

**FINDING #11:** Privacy of neighboring land uses will not be reduced. Criterion met.

- F. The proposed variance is the minimum variance which would alleviate the difficulty.

**FINDING # 12:** The proposed variance is the minimum variance needed to allow the operation of this facility. Criterion met.

## C. Substantive Requirements – Conditional Use Permit

### Section 3.050.040 Review Criteria

- A. Permitted Conditional Uses. The proposed use is conditionally permitted in the zone district where it is proposed to be located.  
**FINDING #13:** Per LUDO Section 6.090, structures over 75 feet are considered to be permitted conditionally for the purpose of a conditional use permit application. Criterion met.
- B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located.  
**FINDING #14:** Section 5.090.040 sets out the development standards for the Industrial zone. Except for the height, the proposed building will meet all development standards. Criteria met.
- C. Impact. The location, size, design, and operating characteristics of the proposed use shall be made reasonably compatible with, and have minimal adverse impact on, the legal development of abutting properties and the surrounding neighborhood, with consideration given to:
1. Harmony of scale, bulk, building coverage, and density.  
**FINDING #15:** The proposed structure is compatible with the existing surrounding buildings. Given the scale of the existing buildings and the isolation of the property, this building will have minimal adverse impact on abutting properties. Criterion met.
  2. The availability of public facilities.  
**FINDING #16:** This is an existing site with all public facilities including sewer, water, public access, and other private utilities – power, telephone, etc. Utilities will have to be extended to the new building site. Criterion met.
  3. Any harmful effects on desirable neighborhood characteristics and livability.  
**FINDING #17:** This use will be in a building, and there is nothing about the building or the use that will have any harmful effects on the neighborhood. It is simply an expansion of an existing use. Criterion met.
  4. Traffic generation, the capacity and safety of surrounding streets and alleys.  
**FINDING #18:** The property is located on Steelhead Way, a fully developed street. Despite the size of the proposed building, the number of new employees will not be great and, therefore, additional traffic generation will not be great. There is a supply of off street parking and additional parking is proposed with this development. Criterion met.
  5. Bicycle and pedestrian circulation, access and safety.  
**FINDING #19:** The facility is existing and is not the type of business that attracts or allows many visitors. The proposed new use will not cause any unusual safety issues. Criterion met.
  6. Any other impacts of the development deemed relevant to the Commission.  
**FINDING #20:** No other impacts are deemed relevant. Criterion met.

**RECOMMENDATION:** Staff recommends approval subject to the conditions listed below.

**IF APPROVED, RECOMMENDED CONDITIONS OF APPROVAL: Variance**

1. Any improvements must be completed in accordance with Land Use and Development Ordinance 98-1222, except as modified by this application.
2. Building height may be up to 75 feet. Height is measured to the peak of the building.
3. This approval is for a Variance in height only. Applicant must still obtain land use approval through a Site Plan Review process and obtain a building permit.

**IF APPROVED, RECOMMENDED CONDITIONS OF APPROVAL: Conditional Use Permit**

1. Any improvements must be completed in accordance with Land Use and Development Ordinance 98-1222, except as modified by this application.
2. Building height may be up to 80 feet. Height is measured to the peak of the building.
3. This approval is for a Conditional Use Permit in height only. Applicant must still obtain land use approval through a Site Plan Review process and obtain a building permit.

# VARIANCE APPLICATION

CITY OF THE DALLES  
Community Development Department  
313 Court Street  
The Dalles, OR 97058  
(541) 296-5481, ext. 1125  
Fax (541) 298-5490  
www.ci.the-dalles.or.us



Date Filed 5/17/13  
File# VAR 122-13  
Date Deemed Complete 5/17/13  
Hearing Date 06/06/13  
Approval Date \_\_\_\_\_  
Permit Log # \_\_\_\_\_  
Other Cross Reference# \_\_\_\_\_

## APPLICANT

Name Thomas West

Address 1600 Amphitheater Parkway  
Mountain View, CA 94043

Telephone # (650)253-0000

E-mail Address twest@google.com

\*If applicant is not the legal owner, attach either [1] owner consent letter, or; [2] copy of earnest money agreement, or; [3] copy of lease agreement.

## LEGAL OWNER (If Different than Applicant)

Name Design LLC c/o Corporation Service Company

Address 2711 Centerville Road, Ste 300  
PMB 811, Wilmington, Delaware 19808

Telephone # (605)965-4285

## PROPERTY INFORMATION

Address 161 Steelhead Way, The Dalles, Oregon 97058

Map and Tax Lot Tax Lot 100, 101 & 700 Chenoweth Creek Replat 9-7 Map 02N 13E 28 & 28B

Size of Development Site Overall Property: 36.81 acres New Building and Parking: 8.25 acres

Zone District/Overlay 1 - Industrial District

Comprehensive Plan Designation Per Comprehensive Land Use Plan, May 2011, 1 Industrial

## REQUEST

New Construction     Expansion/Alteration     Change of Use     Amend Approved Plan

Brief Explanation: Refer to narrative  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**JUSTIFICATION OF REQUEST**

- 1. What are the special circumstances (size, shape or topography of lot, location of surroundings) that do not apply to other properties in the same vicinity and zone?

The available plot was laid out for a building to match the two existing buildings. Our technology has changed since the first two buildings were designed, and our new technology cannot use the same layout. We have evaluated numerous options for the site, and believe a two story building is only option to fit new technology on this site.

- 2. What difficulties and unnecessary hardships will be created without a variance to the Ordinance?

Without a variance, we would be limited to a one story building. One story is not sufficient for us to use our current technology.

- 3. Explain why the variance will not be detrimental to the public safety, health and welfare.

The area is industrial, and the new building will be located between two shorter buildings (see attached drawings). The taller height of the new building will not be detrimental to the public in any way, and will barely be noticeable from the street.

- 4. Explain why this variance, if granted, would not be contrary to the intent of the Zoning Ordinance.

The zoning is industrial. The new building serves an industrial purpose, and does not change current site activities which are also industrial in nature.

**PARKING INFORMATION**

Total Number of Spaces Proposed 62 Total Number of Handicap Spaces Proposed 4

Total Number of Compact Spaces Proposed 0 What material will be used for the surface of the parking area asphalt.

**LANDSCAPING INFORMATION**

Total Square Footage Landscaping Proposed 17,132 Percent of Landscaping Irrigated 69%

**ECONOMIC DEVELOPMENT INFORMATION**

Proposed Project is located in the Enterprise Zone

                   Full Time Equivalent (FTE) jobs are currently provided.

                   FTE jobs are expected to be created by the proposed project.

**UTILITIES**

How will the site be served with water and sewer?

Water:  City Water     Chenoweth Irrigation     Private Well

Sewer:  City Sewer     Private Septic

Signature of Applicant

[Handwritten Signature]    5/16/13  
Date

Signature of Property Owner\*

[Handwritten Signature]    05/16/13  
Date



\* Notarized Owner Consent Letter may substitute for signature of property Owner

**NOTE:**    This application must be accompanied by the information required in Section 3.070: Variance, contained in Ordinance No. 98-1222, The City of The Dalles Land Use and Development Ordinance.

**PLANS SUBMITTED:**     At least 15 copies of concept site plan.

2 copies detailed landscape plans     2 copies construction detail plans

**INFORMATION REQUIRED WITH APPLICATION**

There are 3 types of plan information that can be combined on the same plan or separated onto different plans and reviewed at different times through the approval process. The minimum plan requirements which must accompany a Site Plan Review Application are those specified in the Concept Site Plan below.

1. Concept Site Plan. The concept site plan shall clearly indicate all of the following information applicable to the particular development proposal.
  - Project Name
  - A separate vicinity map indicating location of the proposed development.
  - Scale – The scale shall be at least one inch equals 50 feet (1:50), unless a different scale is authorized by the Director.



## Project Narrative – 3 May 2013

Variance Application  
City of The Dalles

### Proposal:

Proposed new Data storage facility; associated mechanical and electrical plant, new security entrances, additional car parking & landscaping, all at the existing 36.81 Acre site, at 161 Steelhead Way, The Dalles, OR 97058.

### Narrative:

The following information explains at a high level the current existing facility and the proposed new facility to be located on the 36.81 Acre existing site at 161 Steelhead Way, The Dalles.

### Existing Site:

The Dalles site consists of 36.81 acres. There are currently 2 existing data storage buildings on the site, namely B1 & B3 (as indicated on the image below). The original design required only single story buildings based on the technical solution at the time. A dormitory and canteen service building is located to the north-east of the site, and recently a new dedicated storage building has been constructed to the north of the site (as indicated on the image below).

The existing sub-station is located to the west of the site; this will require upgrades and additional transformers (in existing footprint) to accommodate the proposed new building. The site is currently accessed through a security entrance to the south of the site; this will be relocated back to the original security entrance location at the north-west side of the site to allow room for the mechanical plant associated with the proposed new building. A secondary entrance would be provided for access & for emergency vehicles, located at the south-west corner of the site.

There is an existing warehouse building located to the south-west of the site which serves the main site and is currently being connected to the main facility by way of secure fencing.

Parking is located currently to the north of both B1 & B2 and also in front of the existing cafeteria and dormitory building, on site there are approximately 140 parking bays provided.

## Proposed Building:

The image below gives a general overview of the locations of the new build and an indication of the foreseeable changes that will occur to the site to accommodate this build.

The following areas are identified for the construction of the new building and associate mechanical and electrical building.

- **Part 1** - Main build area 251,694sq ft (Not Building Footprint Plot Area Only) with dimensions of 807' (varies, use square footage indicated only) x 340' (varies, use square footage indicated only), please note Site is not rectangular.
- **Part 2** - Mechanical Plant area 73,464sq ft with dimensions of 160'(varies use square footage indicated only) x 430'(varies use square footage indicated only), please note Site is not rectangular.

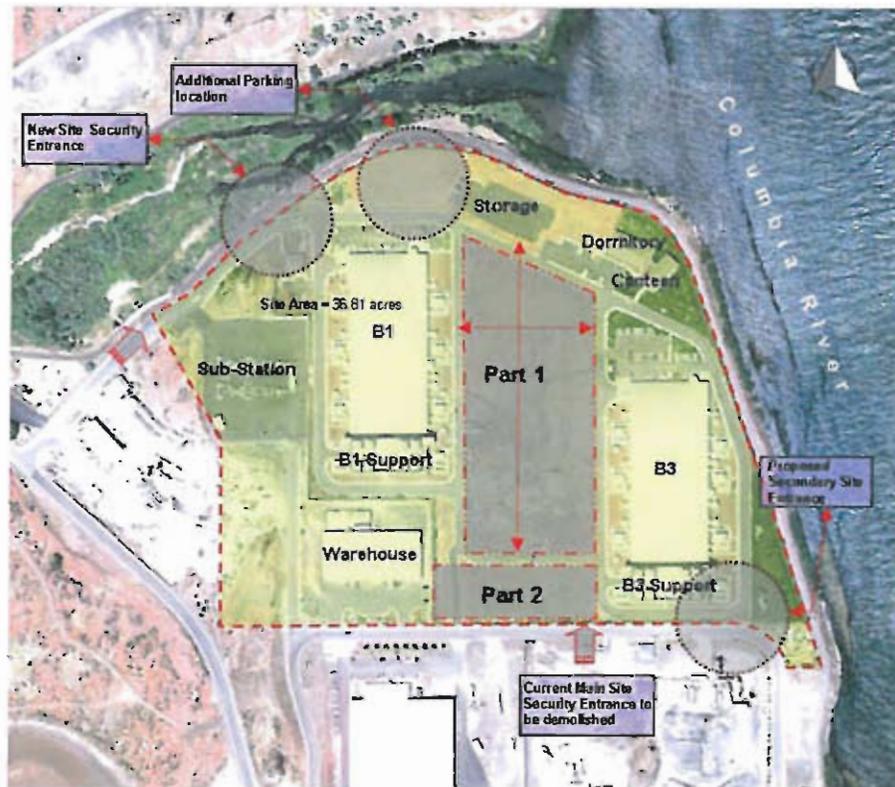


Fig A01 – Existing DLS Site – Proposed Lots & Alterations indicated

The Proposed floor level of building B2 is 101' 2", with the existing building B1 at 102' 11" and B3 at 96' 9". The height of the new main building is proposed at 80ft maximum. The majority of the building mass would not exceed 73' in height, with some stair towers requiring the additional height allowance to 80'. This is the reason for the Variance Application, and is required in order to utilize current technology at the site. The footprint of the new building is 164,630sq ft, with all associated plant and equipment installed

externally to this. We have not completed detailed designs for the building, and these dimensions reflect our current best understanding of the requirements.

The main building would be set over two floors based on client current technology requirements, and has thus increased the height of the facility from the original buildings



Fig A02 – Concept Elevation Options

By stepping down and setting back the building from the main building height, and through the use of color and materials in the finish, we have endeavored to lessen the impact of the building to the site.

Electrical rooms are located to both the north and south of the main building and are over two floors; these are accessed directly from the main building or alternatively by secure access from the external perimeter. The associated generator zones again are located externally at the north and south of the building directly adjacent to the electrical rooms and again these are over two floors. There is a structural frame supporting the second floor level generators with an open grate mesh walkway between the units. These platforms can be accessed via an external staircase, or alternatively from the first and second floor of the main building spine corridor. Access doors are allocated at both ends of the spine and at both levels.

Mechanical plant area, which is at the far south of the site across an existing road, is essentially a stand alone element including all cooling towers, above ground water storage concrete basins and all additional mechanical equipment. All pipe work enters a pipe bridge at the south of the road and travels across a pipe bridge at two sections to the far east and west of the building. A chemical storage building is located here, in close proximity to the mechanical plant.

There are numerous escape routes out of the building as required by code (maximum escape distance of 300ft). These are in strategic locations so they can also be used for maintenance access, roof access and escape.

The loading area (or shipping and receiving) is located off the utility corridor and has 2 ea loading bays, a drive up area and a waste compactor with chute from the building. A large goods lift is provided directly off the loading area to enable equipment to be moved freely around the building. It is envisaged that the loading area will also house the waste management requirements for this building thus the inclusion of the compactor.

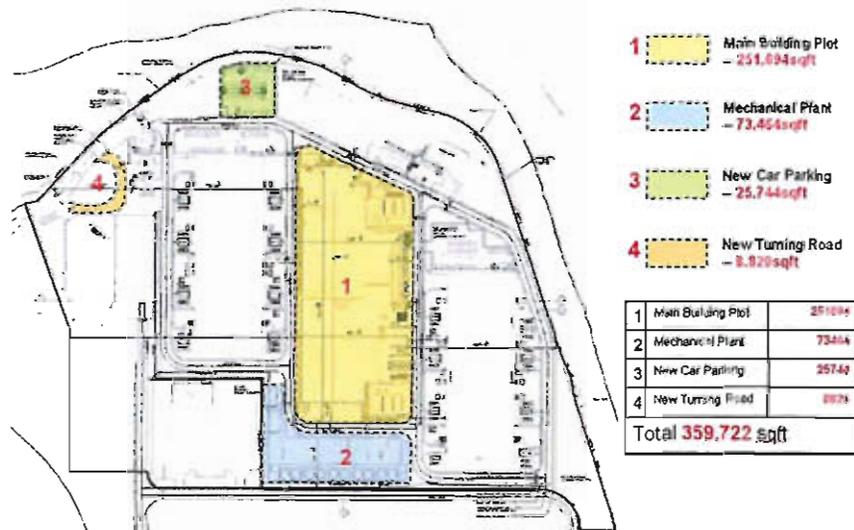
There are numerous requirements for fencing within the site to enclose equipment. The main fencing to the overall site is currently in place, but would require adjustment during the development of the various new entrances.

Due to the location of the mechanical plant in the zone of the existing security entrance, layouts have been developed for a new security entrance to the north-west of the site where the original entrance was located.

Additional Car parking is proposed for the site but based on initial discussion with the City we will submit a justification for the satisfactory amount required by the site to fulfil the needs (Amount to be confirmed).

**Area Clarifications:**

Below is a sketch outlining the extent of square footage included in the table above under 'Size of Development Plot' it has been included for guidance purposes.



**Fig A03 – Area Clarification Drawing – For Guidance Purpose Only**

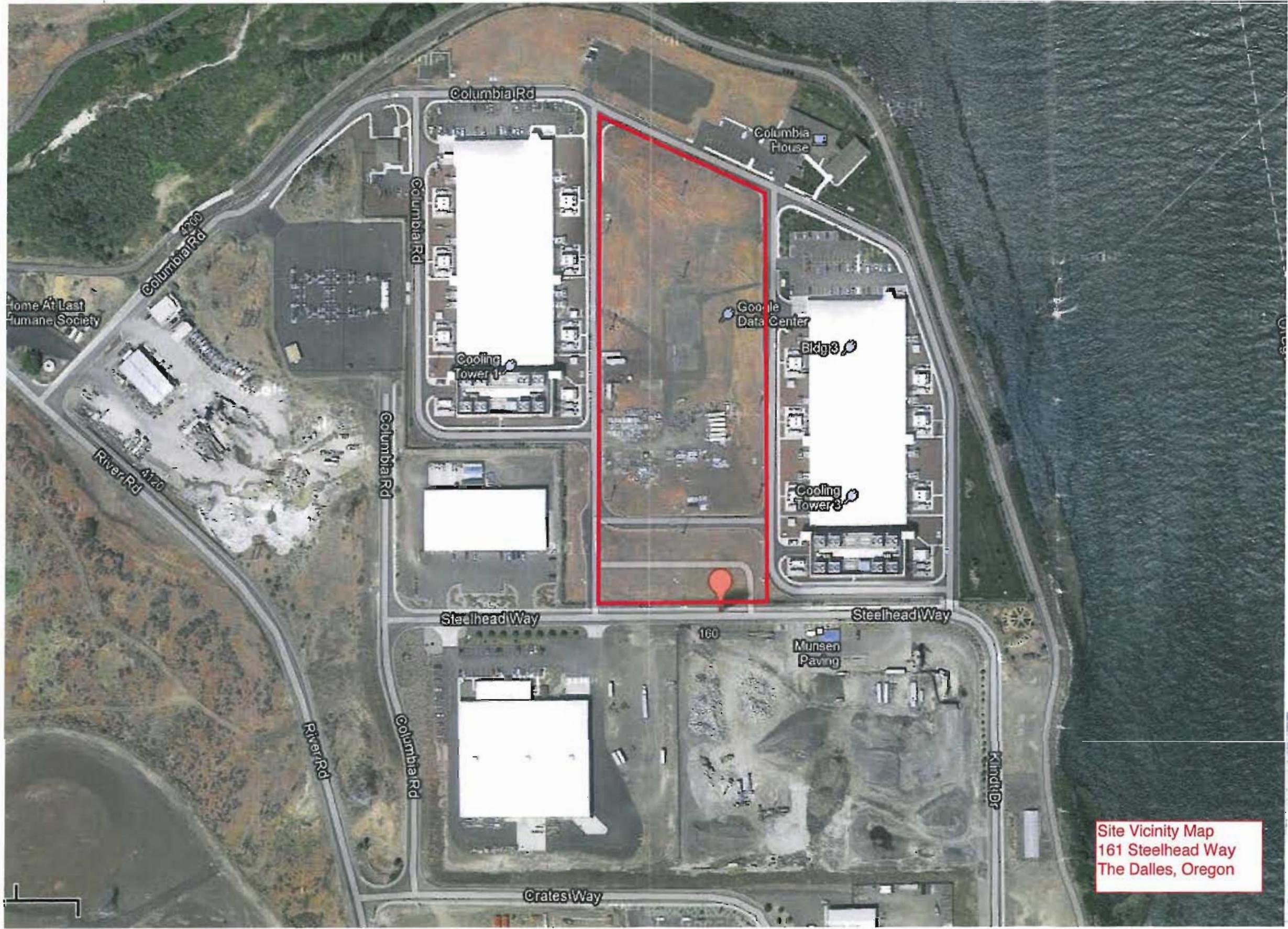
### Closing Statement:

We are excited to be working with the City again on a potential new project. We trust the information submitted will be kept as confidential as possible to enable us to openly discuss our project and gain some insightful information on the next stages, the City requirements.

If there is anything further that you require please do not hesitate to ask, contact information is below.

### Contact Information

Thomas West  
Google Inc.  
1600 Amphitheatre Pkwy,  
Mountain View, CA 94043  
Phone: +1 650-253-0000  
Fax: +1 650-253-0001  
[twest@google.com](mailto:twest@google.com)

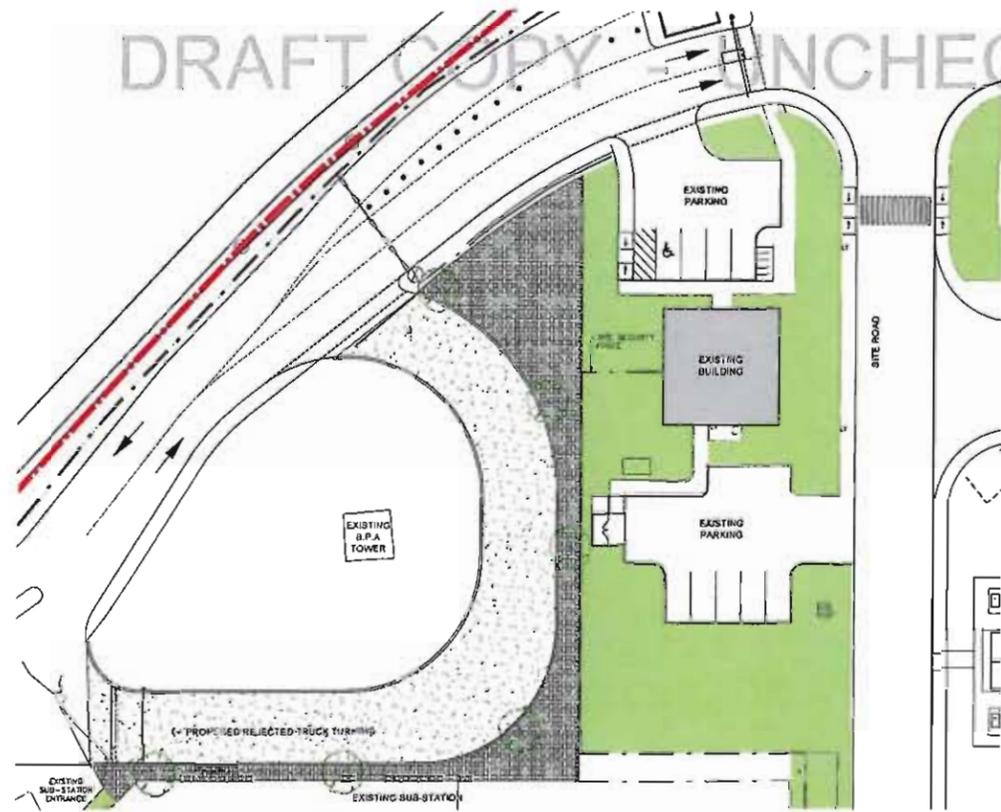


Site Vicinity Map  
161 Steelhead Way  
The Dalles, Oregon

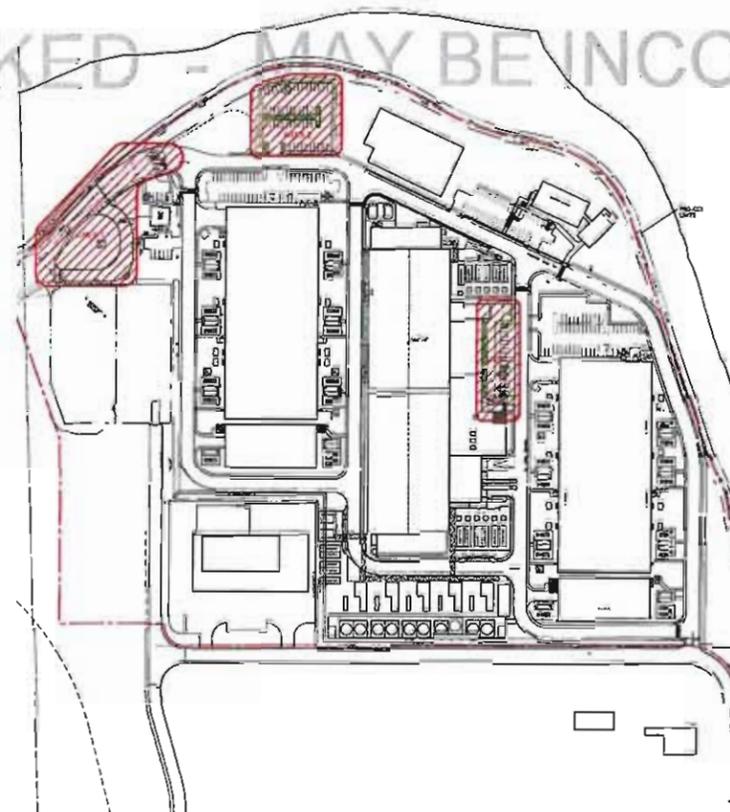




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PROPOSED LANDSCAPING PLAN - AREA 1  
SCALE 1" = 20'



PROPOSED LANDSCAPING KEY PLAN

- NOTES
1. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURE AND ENGINEER'S DRAWINGS.
  2. ALL DIMENSIONS IN FEET & INCHES.
  3. ALL LEVELS ARE IN FEET & INCHES & RELATIVE TO DRAINAGE DATUM.
  4. THIS DRAWING IS INTENDED FOR PRE-PLANNING PURPOSES ONLY.

LEGEND

[Red fill]	PROPOSED BUILDING
[Dotted pattern]	DECKING
[Cross-hatch pattern]	PROPOSED ASPHALT
[Diagonal lines]	PROPOSED GRAVEL
[Stippled pattern]	PROPOSED GRASS & GROUND COVER
[Horizontal lines]	PROPOSED DRIVE
[Vertical lines]	NON-SURFACED DRIVE
[Green fill]	GREEN SPACE
[Blue fill]	WATER TANK
[Red dashed line]	SITE BOUNDARY



PROPOSED LANDSCAPING PLAN - AREA 3  
SCALE 1" = 20'



PROPOSED LANDSCAPING PLAN - AREA 2  
SCALE 1" = 20'

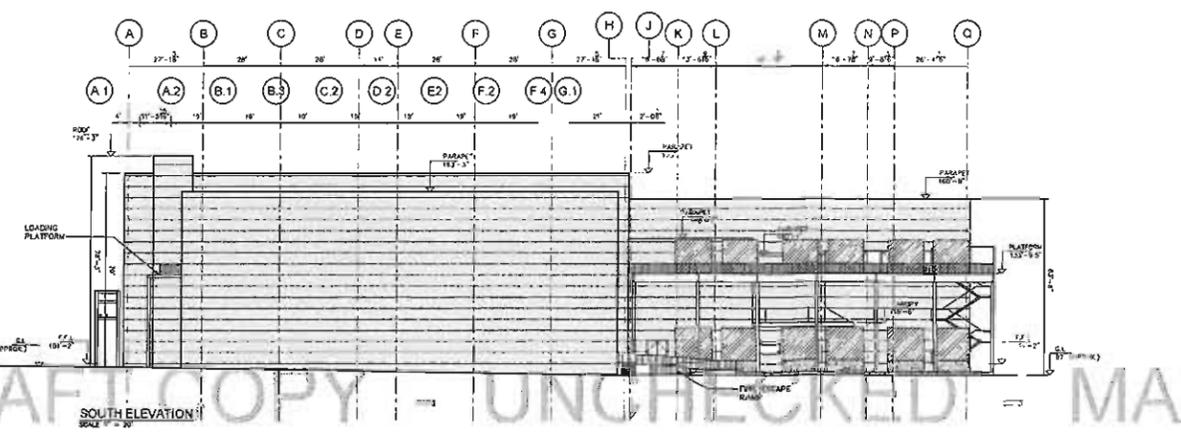
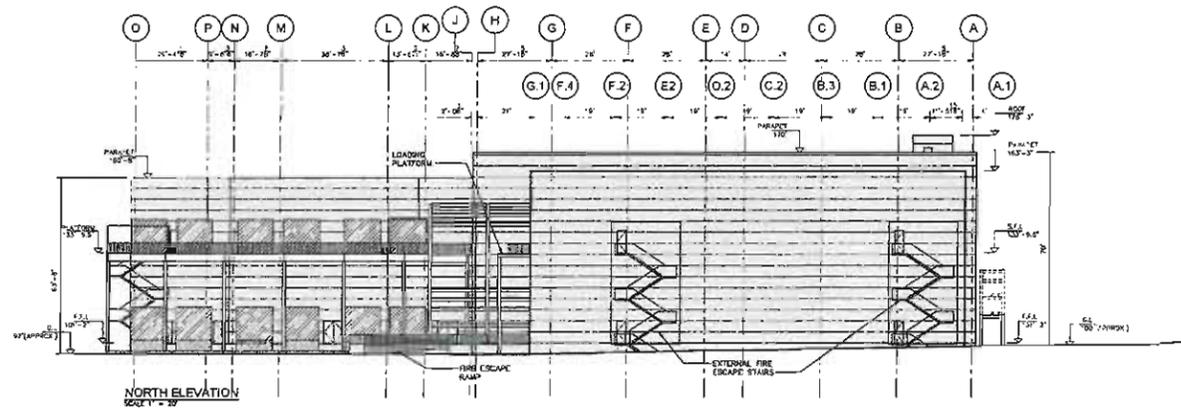
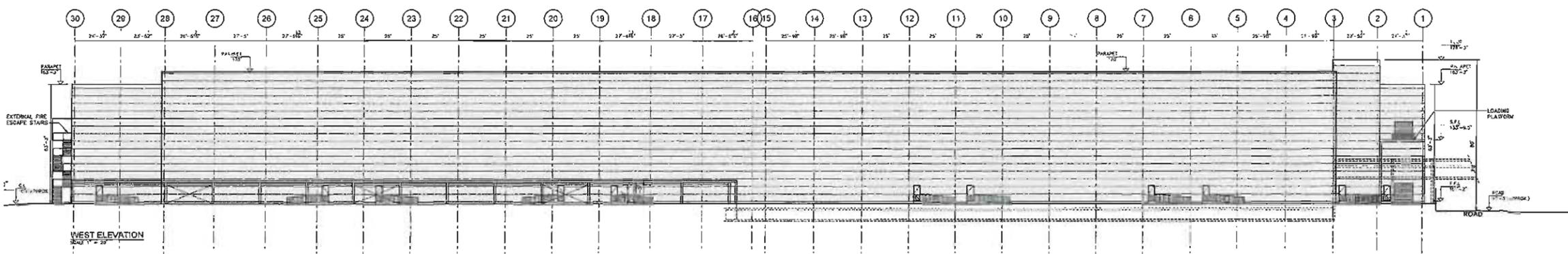
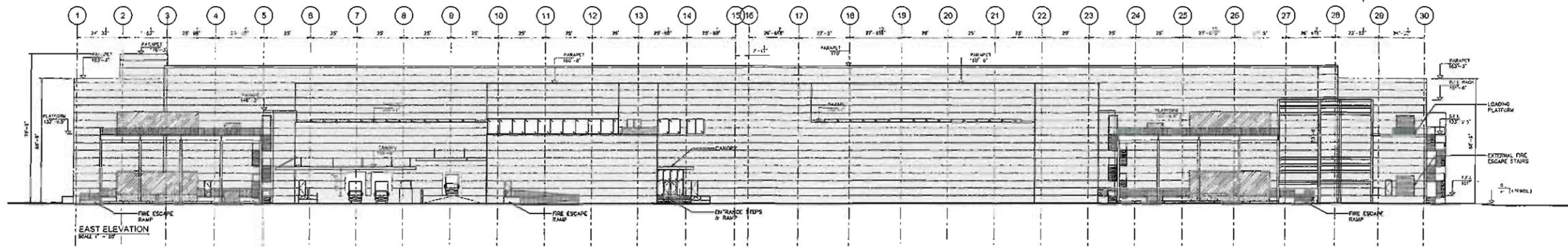
PROJECT	PRE-PLANNING	DATE	05/17/2013
CLIENT	AM GROUP	PROJECT NO.	150310956-48-DR-0019
DESIGNER	AM GROUP	SCALE	AS SHOWN



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NOTES

1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS.
2. ALL DIMENSIONS IN FEET & INCHES.
3. ALL LEVELS ARE IN FEET & INCHES & RELATE TO ORIGINANCE DATUM.
4. THIS DRAWING IS ISSUED FOR PRE-PLANNING PURPOSES ONLY.



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 Note: A - 01/11/13 - 1 - See SCHEDULE 10 WORKS

PRE-PLANNING		REV		DATE	
DATE	DESCRIPTION	BY	CHKD	APP	DATE
<b>FM GROUP</b>					
PROJECT: DLS2 BASIS OF DESIGN					
TITLE: PRE-PLANNING PROPOSED BUILDING ELEVATIONS					
CLIENT REF:	PROJECT NO. IE0310955		SHEET NO. 1		DATE: 11/01/12
PROJECT NO. IE0310955	SHEET NO. 1		SCALE: 1/8" = 1'-0"		DATE: 11/01/12
PROJECT NO. IE0310955-48-DR-0014		SHEET NO. 1			



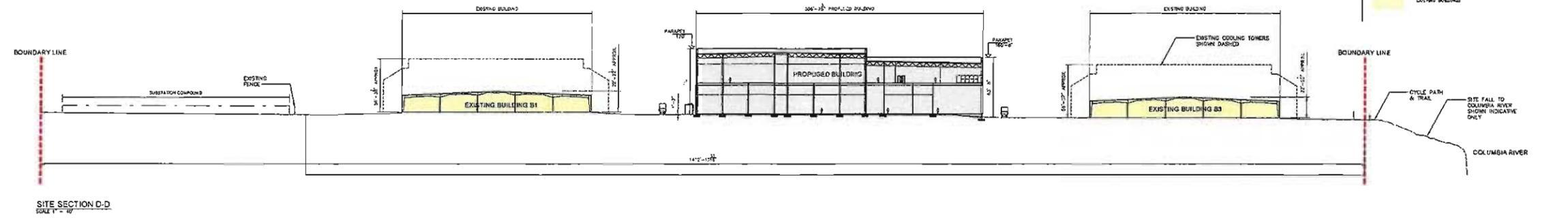
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NOTES

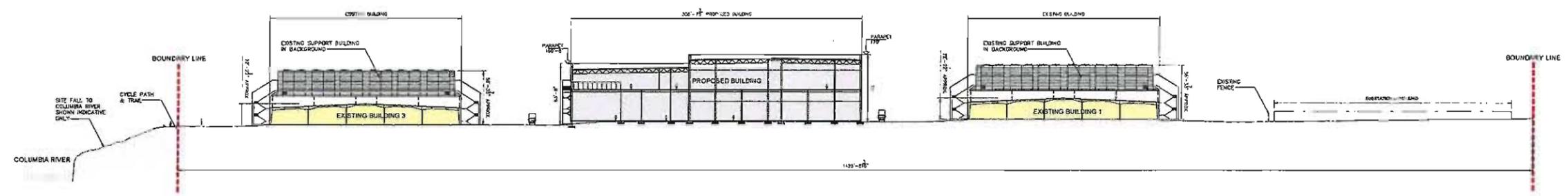
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS.
2. ALL DIMENSIONS IN FEET & INCHES.
3. ALL LEVELS ARE IN FEET & INCHES & RELATIVE TO BENCHMARK DATUM.
4. THIS DRAWING IS ISSUED FOR PRE-PLANNING PURPOSES ONLY.

LEGEND

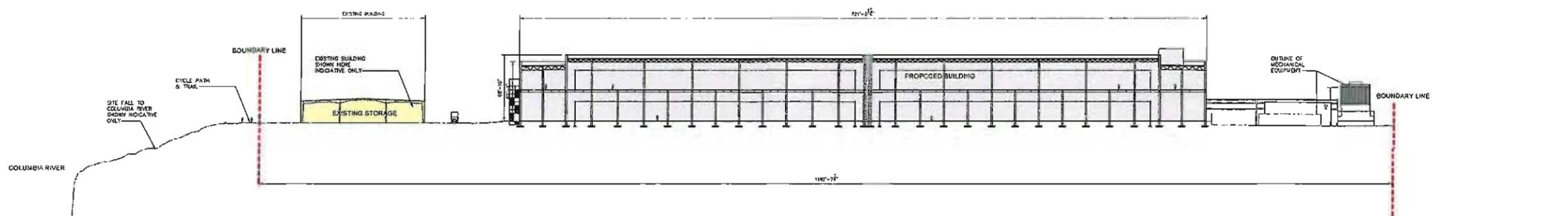
- PROPOSED BUILDING
- COLUMBIA RIVER
- EXISTING BUILDINGS



SITE SECTION D-D  
SCALE 1" = 40'



SITE SECTION E-E  
SCALE 1" = 40'



SITE SECTION F-F  
SCALE 1" = 40'

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DATE: 17 MAY 2013

ISSUE	DESCRIPTION	REV	CHK	APP	DATE
A	PRE-PLANNING		NB		

**PM GROUP**

PROJECT: DLS2 BASIS OF DESIGN

TITLE: PRE-PLANNING SITE SECTIONS D-D / E-E & F-F

CLIENT REF: [ ] CLIENT DRG NO: [ ]

PROJECT NO: IE0310556

PROJECT NO: IE0310556

SCALE: 1" = 40'

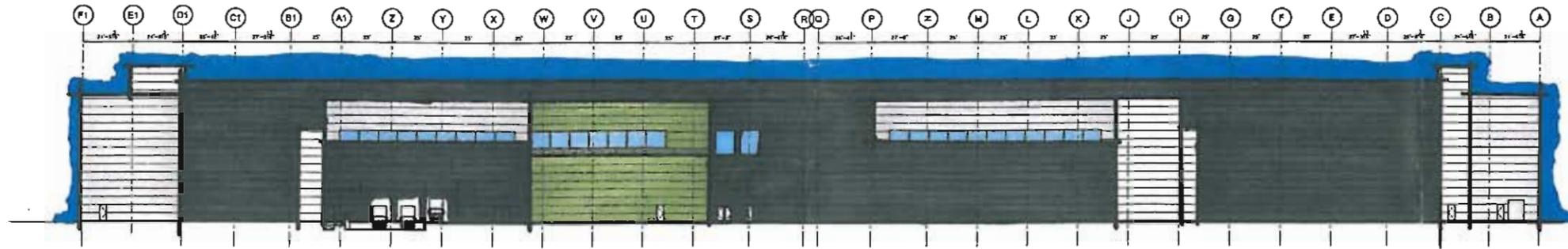
DATE: 17 MAY 2013

PROJECT NO: IE0310556-48-DR-0016

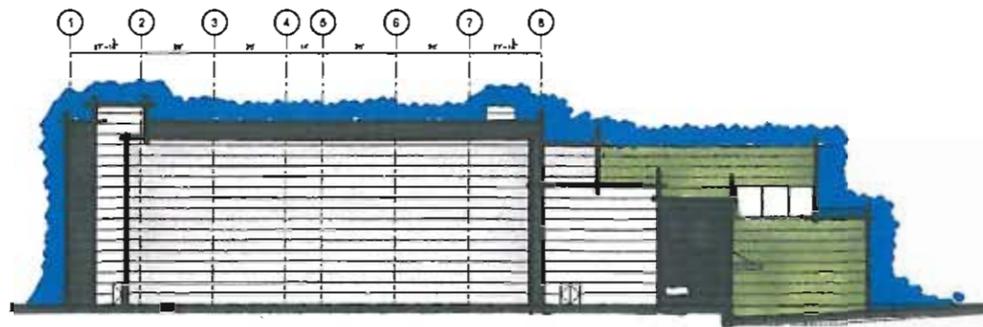


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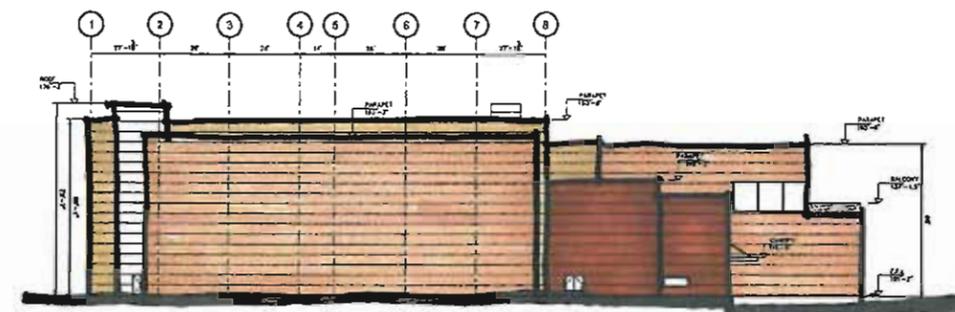
# Provisional Building Elevations – South & East Elevation – Highest Point 79' - 9"



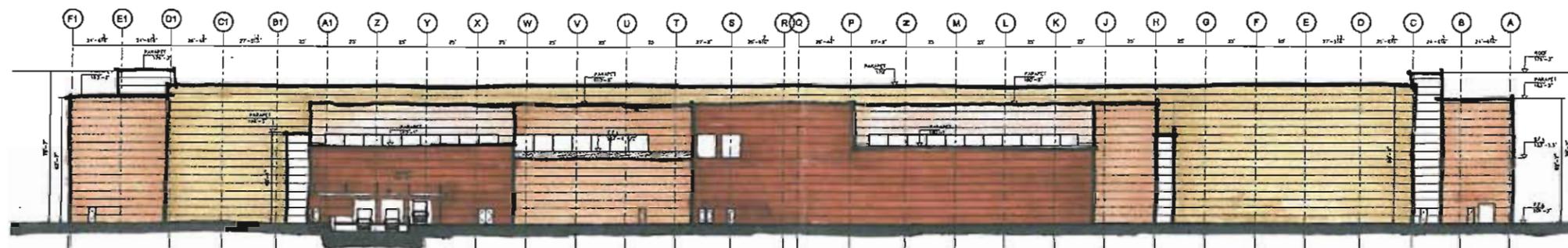
East Elevation – Option 1



South Elevation – Option 1



South Elevation – Option 2



East Elevation – Option 2



# City of The Dalles STAFF REPORT

Conditional Use Permit No. 168-13

**Grizzly Firefighters, Inc.**

Prepared by: Dawn Marie Hert, Senior Planner 

Procedure Type: Quasi-Judicial

Hearing Date: June 6, 2013

Assessor's Map: Township 1 North, Range 13 East, Map 3 CA

Tax Lot: 100

Address: 615 East 4<sup>th</sup> Street

Zoning District: "CBC-3" Central Business Commercial, Sub-district 3

Request: To site and construct a steel-framed structure for office and storage of firefighting equipment.

## **BACKGROUND INFORMATION**

Grizzly Firefighters, Inc. is applying to locate their firefighting business at 615 East 4<sup>th</sup> Street. The plans include construction of a 1,620 sf building with 4 standard parking spaces and one van-accessible handicap parking space as well as site landscaping. The application states that no permanent employees or daily access to the building is anticipated. The building will provide ready storage of firefighting equipment for rapid response to wildfire incidents in the Mid-Columbia Region.

The use as a contractor shop and storage area requires that the application be reviewed as a Conditional Use Permit. This staff report will include both the Conditional Use Permit review as well as a Site Plan Review.

## **NOTIFICATION**

Property owners within 300 feet, City Departments, franchise utilities, Mid-Columbia Fire & Rescue, Wasco County Health Department, and State Building Codes.

## **COMMENTS RECEIVED**

**Pre-Application –Site Team.** The application was reviewed by the Site Team members on May 2, 2013. The comments received from that application are included in this staff report.

**Property Owner Comments** – No comments were received as of the date this report was written. However, staff received one phone call from a neighbor who planned to attend the public hearing.

**RECOMMENDATION:** Approval, with conditions, based upon the following findings-of-fact.

**A. LAND USE AND DEVELOPMENT ORDINANCE 98-1222:**

**Section 3.010.040 Applications:**

*Subsection B. Completeness.*

**FINDING A-1:** This application was found to be complete on May 2, 2013. The 120-day State mandated decision deadline is August 30, 2013.

**Section 3.020.050 Quasi-Judicial Actions:**

*Subsection A. Decision Types, (1) Site Plan Review; (3) Conditional Use Permits:*

**FINDING A-2:** This application is for a Conditional Use Permit and Site Plan Review as required by Section 5.050.040 (E). The decision criteria listed in this ordinance section is addressed in the body of this staff report.

*Subsection B. Staff Report. The Director shall prepare and sign a staff report for each quasi-judicial action, which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval with conditions, or denial.*

**FINDING A-3:** The staff report will detail criteria and standards relevant to a decision, all facts will be stated, and explanations given. This will be detailed through a series of findings directly related to relevant sections and subsections of the ordinance as they relate to this request.

*Subsection C. Public Hearings.*

**FINDING A-4:** The public hearing is scheduled for June 6, 2013.

*Subsection D. Notice of Hearing.*

**FINDING A-5:** Appropriate mailings to property owners within 300 feet and notice to affected departments and agencies have been completed.

**Section 3.050.030 Review Procedures:**

*Subsection A. Applications. Conditional Use Permit applications shall be accompanied by at least 15 copies of the concept site plan, and when required, two copies of the detailed landscape and construction/design plans, per the provisions of Section 3.030: Site Plan Review.*

**FINDING A-6:** Copies of the required plans have been submitted. Criterion met.

**3.050.040 Review Criteria:**

*Subsection A. Permitted Conditional Uses. The proposed use is conditionally permitted in the zone district where it is proposed to be located.*

**FINDING A-7:** The proposed use is conditionally permitted in the Central Business Commercial District. Criterion met.

*Subsection B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this ordinance, applicable policies of the Comprehensive Plan, and any other statutes, ordinances, or policies that may be applicable.*

**FINDING A-8:** The proposed use is permitted through a Conditional Use Permit review process. The review will also include that all requirements of a Site Plan Review be met. The Site Plan Review criteria will be addressed later in this staff report. Criterion will be addressed later in this staff report.

*Subsection C. Impact. The proposed structure(s) and use(s) shall be designed and operated in such a way as to meet the standards of this section. Impacts caused by the construction of the conditional use shall not be considered regarding a decision on the validation of the application.*

*1. Noise impacts across the property line shall not exceed 60 decibels. Noise related to traffic impacts shall not be included in this determination. Nothing in this section shall modify other noise ordinance standards as adopted by the City.*

**FINDING A-9:** Typically, noise for an office and storage building for a contractor shop should not exceed allowable decibels. No fabrication or construction activities will occur at this site. The applicant will be advised of the allowable levels.

*2. Lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source.)*

**FINDING A-10:** The lighting will be addressed as a condition of approval and is discussed later in this report. The applicant is proposing one light located on the building facing toward the parking. Criterion will be addressed as a condition of approval.

*3. Dust and other particulate matter shall be confined to the subject property.*

**FINDING A-11:** The proposed use would not typically create dust or other particulate matter. All areas of maneuvering for vehicles will be required to be a hard surface. Criterion will be addressed as a condition of approval.

*4. The following odors shall be completely confined to subject property:*

- a. industrial and/or chemical grade chemicals, solvents, paints, cleaners, and similar substances;*
- b. fuels, and*
- c. fertilizers, manure, or other animal waste products, other than for landscape installation and maintenance.*

**FINDING A-12:** The proposed use will not be using any of the listed items that cause odors. This proposal does not indicate that many of these nuisances need to be reviewed in depth for mitigation purposes. Trash receptacles should be sized to fully accommodate the needs of the business. Appropriate screening from the public right-of-way and adjacent neighbors and containment of trash receptacles should be required as a condition of approval.

No outdoor storage of materials or supplies related to this proposed use will be allowed. Criterion will be addressed as a condition of approval.

5. *Vibrations shall not be felt across the property line.*

**FINDING A-13:** The proposed expansion does not include machinery or equipment that causes vibration.

6. *The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are not limited to:*

a. *Street designations and capacities; and*

b. *On-street parking impacts.*

**FINDING A-14:** Access to this parcel is from the adjacent alleyway. The applicant has provided adequate vehicle maneuvering area to ensure that no maneuvering or backing onto the alleyway will occur. Criterion met.

7. *In areas designated as Historic Districts, proposed development and redevelopment shall first require review and approval of the Historic Landmarks Commission in accordance with the procedures of the Historic Resources Ordinance (General Ordinance No. 94-1194.)*

**FINDING A-15:** The subject property is not a historic landmark nor is it located in a National Historic District. A few properties in the surrounding neighborhood are landmarked as is the adjacent 4<sup>th</sup> Street Grade rock wall. The application is not required to meet historic design guidelines, however, the design guidelines for the Central Business Commercial zone will assist in the new building blending in the already built out neighborhood. Design guidelines will be addressed later in this staff report. Criterion does not apply.

### **Site Plan Review - Section 3.030.040 Review Criteria.**

**A. City Ordinance Provisions.** *All the provisions from the applicable City ordinances have been met or will be met by the proposed development.*

**FINDING A-17:** All provisions are met by this proposal or will be met as a condition of approval. This will be detailed in the staff report through a series of findings.

**B. Public Facilities Capacity.** *Adequate capacity of City facilities for water, sanitary sewer, storm sewer, and streets and sidewalks can and will be provided to, and were applicable, through, the subject property.*

**FINDING A-18:** Adequate capacity exists for facilities including water, storm sewer, and streets. The Dalles Public Works Department has verified this information.

**C. Arrangement of Site Elements.**

1. *Promote pedestrian, bicycle, and vehicular safety and welfare.*

**FINDING A-19:** Pedestrian safety and welfare is promoted by the access being provided from the parking lot to the building. Parking is provided to the rear of the property which is connected to a city alleyway and the main entrance of the

building. Bicycle parking was not included on the site plan and will be addressed as a condition of approval.

2. *Preserve and maintain public amenities and significant natural features.*

**FINDING A-20:** There are no public amenities or significant natural features on this site. The site used to have a residence that was removed years ago. Criterion does not apply.

3. *Avoid traffic congestion.*

**FINDING A-21:** The provided on-site parking meets minimum spacing and lane requirements. Access to the parking lot will be via the exiting to the alley way that empties onto Madison Street to the east or Jefferson Street to the west. Minimal traffic is anticipated with the use. Criterion met.

4. *Minimize potential adverse impacts on surrounding properties.*

**FINDING A-22:** The range of uses for this site does not have a high potential for off-site impacts. Nuisance conditions that may develop are addressed on a complaint basis; this includes noise, dust, vibration, and odor. The applicant has provided a landscape buffer from the back of the building to the neighboring property. The plan also includes parking spaces that are oriented towards the building to allow for a buffer for car lights. Criterion will be addressed as a condition of approval.

**D. Lighting.** *Proposed lighting shall not directly illuminate adjoining properties.*

**FINDING A-23:** General lighting of the parking areas and the buildings is not shown on the site plan. Lighting is not allowed to illuminate adjoining properties. A detailed site lighting/photometric plan shall be submitted and approved prior to the issuance of building permits. The plan shall demonstrate that the maximum illumination at the property line will not exceed an average horizontal foot candle of 0.3 for non-cut-off lights and 1.0 for cut-off lights. These items will be addressed as a condition of approval.

**E. City Engineer Approval.** *Detailed construction/design plans for public infrastructure, improvements, or rights of way affected by or located within a proposed development site shall be approved by the City Engineer as a condition of Site Plan Review approval.*

**FINDING A-24:** The detailed construction/design plans for all improvements located within the proposed development site shall be approved by the City Engineer prior to construction. Criterion will be addressed as a condition of approval.

**F. Waiver of Remonstrance.** *Where applicable, the applicant shall agree to waive any future rights to remonstrate against future improvements, per the provision of Section 6.110: Waiver of Right to Remonstrate of this ordinance.*

**FINDING A-25:** All improvements adjacent to the site exist. A waiver of remonstrance is not necessary with this application. Criterion does not apply.

**Section 5.050.040 - Conditional Uses**

E. Contractor shops, offices, and storage areas.

**FINDING A-26:** As indicated on the application submitted by the applicant, the proposed use is a contractor shop to be used for storage and dispatching. The use is allowed conditionally in the Central Business Commercial district. Criterion met.

**Section 5.050.050 Development Standards:**

The following table specifies Central Business Commercial development standards applicable to this application.

<b>Central Business Commercial – Sub district 3</b>	<b>Standard</b>	<b>Proposal</b>	<b>Meets Requirements</b>
Lot Size	<i>No minimum, one City block maximum</i>	Existing lot	Yes, existing lot.
Setbacks	<b>Front 10 feet maximum</b> <b>Side Yard: no minimum /maximum.</b> <b>Rear Yard: No minimum/maximum.</b>	Building is setback 15 feet from the alleyway	No, however can be addressed as condition of approval.
Building Height	<i>55 ft. maximum</i>	24 feet	Yes
Building Orientation	<i>New buildings shall be oriented primarily toward a street or designated accessway. Building orientation shall include an entrance.</i>	New building is oriented towards the designated access way.	Yes
Pedestrian Access	<i>All building entrances shall have a clear pedestrian connection to the street/sidewalk in accordance with subsection 5.050.060{C}: Pedestrian Walkways</i>	Detailed below.	Detailed below.
Off-Street Parking	<i>Business Services- 3(min) spaces per 1000 sf floor area—4(max). &amp; Bicycle spaces @ .5 per 1000 sf floor area. Allows for a range of 5-7 automotive spaces and 1 bicycle space.</i>	5 parking spaces provided, with one space being an ADA van-accessible space. No bicycle parking was provided on the site pan	Automotive parking met, bicycle parking can be met with the addition of one parking space. Bicycle parking will be addressed as a condition of approval.
Landscaping	<i>Detailed Below</i>	Detailed Below	Detailed Below

**FINDING A-27:** This proposal meets the development standards. Criterion met.

**Section 5.050.060 Design Standards:**

**Subsection A. Exterior Elevations.** *Exterior elevations of buildings (except allowed 1 and 2 family dwellings) shall incorporate architectural design features such offsets, balconies, projections, base/wall/cornice design, windows, entries, bays,*

*seating, wall articulation, traditional storefront elements, or similar elements to preclude large expanses of uninterrupted building surfaces.*

1. **Horizontal.** *At least 3 architectural design features shall be incorporated along the horizontal face (side to side) of the structure.*
2. **Vertical.** *At least 2 architectural design features shall be incorporated along the vertical face (top to bottom) of the structure.*

**FINDING A-28:** The proposed building is a fabricated metal building. No elevation drawings were submitted with the application. Modifications will be necessary to meet the design standards for the Central Business Commercial zone. Criterion will be addressed as a condition of approval.

***Subsection B. Entries.***

1. **Commercial and Residential.** *Primary entries shall face a public street or designated access drives and shall be accessed from a public sidewalk in accordance with the provisions of Subsection (C) below. Secondary entries may face parking lots or loading areas. Doors shall not swing into public rights-of-way.*

**FINDING A-29:** The primary entrance will face the designated accessway off the alleyway. Doors will not swing into the public right-of-way. Criterion met.

***Subsection C. Pedestrian Walkways.*** *Each developed site shall include pedestrian walkway(s) designed to connect buildings and other accessible site facilities clearly and directly to adjacent public street/sidewalk(s). Walkways shall meet City standards for sidewalk construction, and be the shortest practical distance between the main entry(ies) and the public right-of-way. If adjacent to parking where vehicles overhang the walkway, then the walkway shall be to the City standard plus 2 ½ feet in width for each side vehicles overhang. Walkways shall be distinguished from internal driveways and accessways using at-grade distinctive paving materials or other appropriate surfaces which contrast visually with adjoining surfaces. Walkways, including driveway and accessway crossings, shall be constructed and maintained for pedestrian safety, and shall meet the requirements of the Oregon Americans With Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes.*

**Section 10.040 Pedestrian Requirements:**

***Subsection B. Connectivity.***

- (3) (a) *The on-site pedestrian circulation system shall connect the sidewalk on adjacent street(s) to the main entrance of the primary structure on the site to minimize out-of-direction pedestrian travel.*
- (b) *Walkways shall be provided to connect the on-site pedestrian circulation system with existing or planned pedestrian facilities which abut the site but are not adjacent to the streets abutting the site.*
- (c) *Walkways shall be as direct as possible and avoid unnecessary meandering.*
- (d) *Walkway/driveway crossings shall be minimized, and internal parking lot circulation design shall maintain ease of access for pedestrians from abutting streets and pedestrian facilities.*
- (e) *Walkways shall be separated from vehicle parking or maneuvering areas by grade,*

*different paving material, or landscaping. They shall be constructed in accordance with the sidewalk standards adopted by the City Engineer. (This provision does not require a separated walkway system to collect drivers and passengers from cars that have parked on site unless an unusual parking lot hazard exists).*

**FINDING A-30:** A pedestrian walkway will be required to be provided to the proposed building from the front sidewalk or alleyway. Due to the location of the existing sidewalk, the applicant can either provide a pedestrian walkway to the existing sidewalk on 4<sup>th</sup> Street or to the alleyway. Criterion can be met with a condition of approval.

## **Section 6.010 Landscaping Standards:**

### **6.010.030 General Provisions**

*Subsection B. Landscape Plans; where landscaping is required by this Ordinance, detailed landscape plans may be submitted with the development application. If not submitted for approval with the application, approval of detailed landscape plans shall always be a condition of the concept plan approval of the Site Plan Review process.*

**FINDING A-31:** The “CBC” Central Business Commercial, Sub-district-3 states that no landscaping is required. However, due to the adjacent uses being residential in nature, the applicant has provided basic landscaping to provide a buffer between the proposed building and the adjacent property as well as adjacent to the alleyway. All landscaping is required to be 100% irrigated. Criterion met and irrigation requirement will be addressed as a condition of approval.

**Section 7.030.110 Refuse Collection** *Where refuse collection is provided in, or adjacent to a parking area the following shall be required:*

*Subsection A. Screening. Refuse storage facilities shall be screened by a solid wall, fence, evergreen hedge, or a combination of these methods. Screening shall be designed to screen the refuse storage area from streets, accessways, and adjacent properties.*

**FINDING A-32:** The applicant has indicated to staff that the refuse collection will be located in the enclosed building. This will need to be noted on the site plan. Criterion will be addressed as a condition of approval.

## **Section 6.050 Access Management**

### **Subsection 6.050.030 General Requirements**

**E. Emergency Access** *All development shall be arranged on site so as to provide safe and convenient access for emergency vehicles.*

**FINDING A-33:** The proposed project includes one access to the building. This access meets the minimum width for emergency vehicles. All on-site vehicular aisles meet code required minimums and all for the safe and convenient access of emergency vehicles. This criterion is therefore met.

## **Section 6.060 Driveway and Entrance Standards**

**6.060.020 General Standards** *No approach/entrance shall be built closer than 5 feet to any property line except as authorized below in Subsection 6.060.050: Shared Driveways. The length of driveways shall be designed to accommodate the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing up into the flow of traffic on a public street or causing unsafe conflicts with on-site circulation. In addition, driveways and entrances shall meet the following applicable requirements:*

**FINDING A-34:** The site plan shows the driveway access at about 3-4 feet from the interior property line. A condition will be added to have the access point moved at a minimum of 5 feet from the property line. Criterion will be addressed as a condition of approval.

**IF APPROVED, RECOMMENDED CONDITIONS OF APPROVAL:**

1. All onsite and offsite improvements must be installed by the applicant in accordance with the Land Use Development Ordinance and the AWPA standards, specifications, and drawings, as amended and adopted by the City, and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.
2. Proposed development and final detailed construction plans will be required to be reviewed and approved by the City Engineer per established standards.
3. Prior to the issuance of a building permit, the applicant shall submit a completed Wastewater Survey Questionnaire to the City Planning Department.
4. Prior to the start of any work, the City requires that a pre-construction meeting be held with the applicant, the City Engineer, and the Development Inspector.
5. All materials and supplies must be stored within the structure. No outside storage of business materials or supplies will be allowed.
6. A note will be required on the site plan stating that the trash receptacles will be located in the building.
7. Details of the bicycle parking rack will need to be provided. A minimum of 1 space will be required.
8. A detailed site lighting/photometric plan shall be submitted and approved prior to the issuance of building permits. The plan shall demonstrate that the maximum illumination at the property line will not exceed an average horizontal foot candle of 0.3 for non-cut-off lights and 1.0 for cut-off lights.
9. Any activity that produces radio or television interference, noise, glare, dust or particulate matter, vibration, smoke or odor beyond the site, or beyond allowable levels as determined by local, state, and federal standards shall not be allowed.
10. A detailed landscape plan will be required to be submitted prior to issuance of a building permit. Details of the irrigation system with a backflow prevention device will need to be shown on a revised site plan. The backflow prevention device will need to be permitted through the City of The Dalles.
11. A pedestrian walkway will be required to be installed from the proposed building to either the existing sidewalk on 4<sup>th</sup> street or to the alleyway. This walkway will be required to meet all standards as outlined in Section 5.050.060, subsection C. and Section 10.040 subsection B. of the LUDO 98-1222.
12. Design standards as detailed in Section 5.050.060, subsection A. of the LUDO 98-1222 will be required to be met. Elevation drawings showing these design features will be required to be submitted and approved at the time of a building permit.
13. The driveway can be no closer than 5 feet from the property line. The site plan will need to show that the driveway meets this requirement.
14. Signs will be applied for under a separate permit.
15. A Physical Constraints Permit will be required for the excavation on-site. An erosion and dust control plan will need to be submitted for construction and be included in the detailed drawings.

CONDITIONAL USE PERMIT APPLICATION

CITY OF THE DALLES
Community Development Department
313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 1125
Fax (541) 298-5490
www.ci.the-dalles.or.us



Date Filed 5/2/13
File# CUP 168-13
Date Deemed Complete 5/2/13
Hearing Date 6/11/13
Approval Date
Permit Log #
Other Cross Reference#

APPLICANT

Name Grizzly Firefighters, Inc Attn: Teresa Ortiz
Address 2623 Brooks Ave NW / PO Box 17426, Salem, OR 97305
Telephone # 503-363-2489
E-mail address: palsol@aol.com

LEGAL OWNER (If Different than Applicant)

Name Same as applicant
Address
Telephone #

PROPERTY INFORMATION

Address 615 East Fourth St.
Map and Tax Lot 01N-13E-3CA 100
Size of Development Site 9,020 Square feet
Zone District/Overlay CBC In City Limits: Yes X No
Comprehensive Plan Designation Commercial Geohazard Zone: None

PROJECT INFORMATION

[X] New Construction [ ] Expansion/Alteration [ ] Change of Use [ ] Amend Approved Plan
Current Use of Property Vacant
Proposed Use of Property Construction of Steel Framed structure For storage of Firefighting equipment.

Briefly Explain the Project A 40x40 sized Steel frame building will be constructed on the currently vacant land to provide ready storage of fire fighting equipment for rapid response to wildfire incidents in the Mid-Columbia region. No permanent employees or daily access is anticipated to the structure

**PROPOSED BUILDING(S) FOOTPRINT SIZE (in square feet)** 1,620 square feet

**PARKING INFORMATION**

Total Number of Spaces Proposed 2 5 (revised)

Square Footage of Parking Lot Landscaping Proposed 1802 2732 Sq. Ft.

**LANDSCAPING INFORMATION**

Total Square Footage Landscaping Proposed 1802 s.f. Percent of Landscaping Irrigated \_\_\_\_\_

**ECONOMIC DEVELOPMENT INFORMATION**

Proposed Project is located in the Enterprise Zone

N/A Full Time Equivalent (FTE) jobs are currently provided.

N/A FTE jobs are expected to be created by the proposed project.

Signature of Applicant

[Signature] 5-2-13  
Date

Signature of Property Owner\* or Owners Agent

[Signature] 5-2-13  
Date

\* Notarized Owner Consent Letter may substitute for signature of property Owner

**NOTE:** This application must be accompanied by the information required in Section 3.050: Conditional Use Permits, contained in Ordinance No. 98-1222, The City of The Dalles Land Use and Development Ordinance.

**PLANS REQUIRED:**

At least 12 copies of concept site plan.

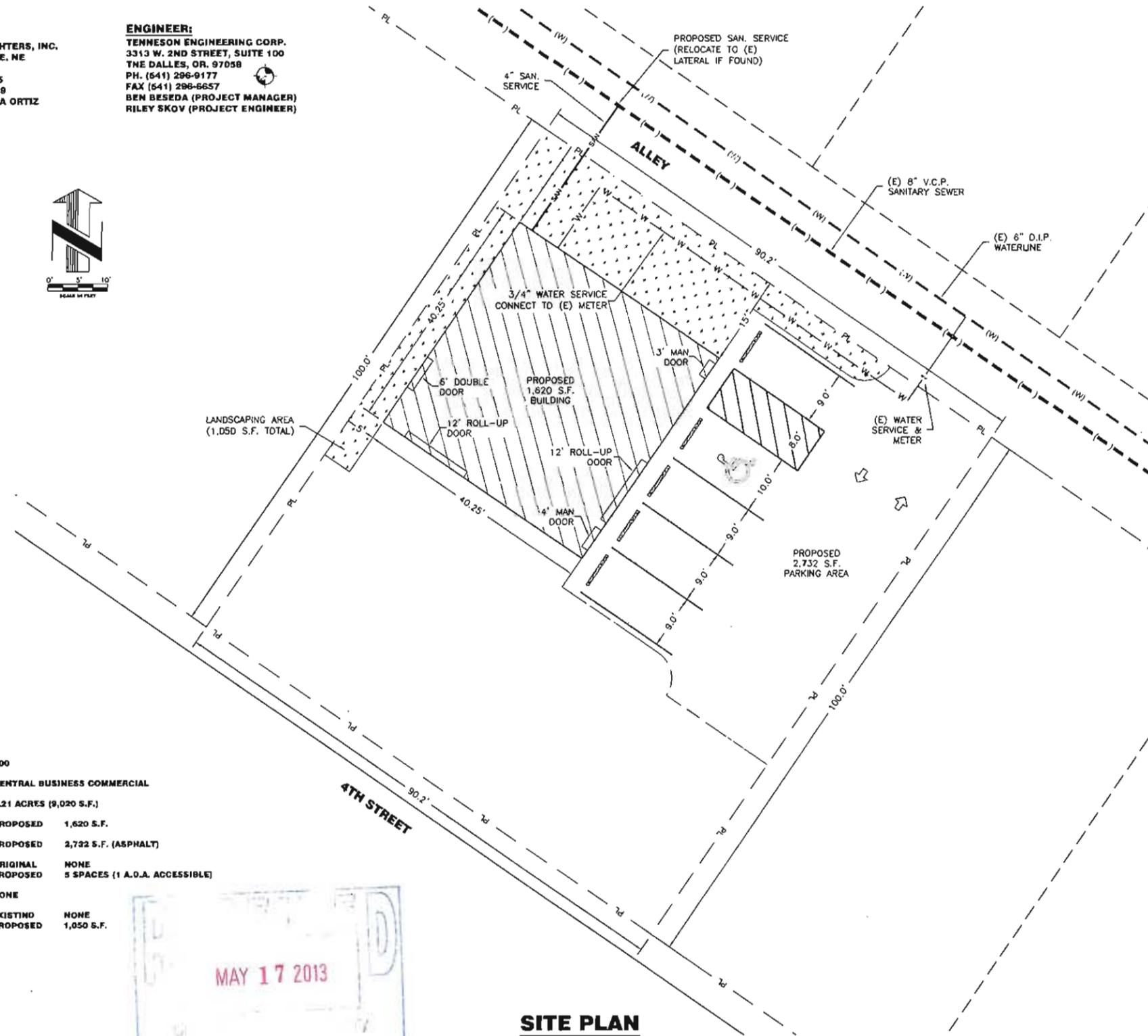
At least one 11 x 17 concept site plan.

2 copies detailed landscape plans

2 full size copies construction detail plans

**OWNER:**  
**GRIZZLY FIREFIGHTERS, INC.**  
 2623 BROOKS AVE. NE  
 P.O. BOX 17426  
 SALEM, OR. 97305  
 PH. (503) 363-2489  
 CONTACT: TERESA ORTIZ

**ENGINEER:**  
**TENNESON ENGINEERING CORP.**  
 3313 W. 2ND STREET, SUITE 100  
 THE DALLES, OR. 97058  
 PH. (541) 296-9177  
 FAX (541) 296-6657  
**BEN BESEDA (PROJECT MANAGER)**  
**RILEY SKOV (PROJECT ENGINEER)**



**GENERAL NOTES:**

- CONTRACTOR SHALL COMPLY WITH THE PROVISIONS OF CHAPTER 599 OF OREGON LAWS 1987, AND AS ADDED TO ORS CHAPTER 757, REGARDING UNDERGROUND UTILITIES. NO EXCAVATION SHALL BE PERFORMED WITHOUT PROPER NOTIFICATION OF UTILITIES.
- KNOWN UTILITIES IN THE AREA OF WORK HAVE BEEN SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR, NO RESPONSIBILITY IS ASSUMED BY THE CONSULTING ENGINEER FOR THE COMPLETENESS OR ACCURACY OF THE LOCATIONS, TYPE, OR NUMBER OF EXISTING UTILITIES.
- CONTRACTOR TO ARRANGE A PRE-CONSTRUCTION MEETING PRIOR TO START OF WORK WITH THE OWNER, GENERAL CONTRACTOR, ENGINEER, AND APPLICABLE CITY STAFF.
- CONTRACTOR TO PAY ALL PROJECT UTILITY TAPPING, TV, AND CHLORINATION COSTS. COST FOR RETESTING SHALL BE BORNE BY THE CONTRACTOR. CONTRACTOR SHALL COORDINATE AND PAY ALL COSTS ASSOCIATED WITH CONNECTING TO EXISTING WATER, SANITARY SEWER AND STORM SEWER FACILITIES.
- UNLESS OTHERWISE APPROVED BY THE JURISDICTION, CONSTRUCTION OF ALL PUBLIC FACILITIES SHALL BE DONE BETWEEN 7:00 AM. AND 6:00 P.M., MONDAY THROUGH FRIDAY.
- ANY INSPECTION BY THE CITY OR OTHER AGENCIES SHALL NOT, IN ANY WAY, RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE CONTRACT DOCUMENTS, APPLICABLE CODES AND AGENCY REQUIREMENTS.
- CONTRACTOR SHALL ERECT AND MAINTAIN BARRICADES, WARNING SIGNS, TRAFFIC CONES PER CITY REQUIREMENTS IN ACCORDANCE WITH THE MUTCD (OREGON AMENDMENTS). ACCESS TO DRIVEWAYS SHALL BE MAINTAINED AT ALL TIMES. ALL TRAFFIC CONTROL MEASURES SHALL BE APPROVED AND IN PLACE PRIOR TO ANY CONSTRUCTION ACTIVITY.
- CONTRACTOR SHALL BE LICENSED WITH THE CONSTRUCTION CONTRACTOR BOARD.

**LEGEND :**

- MANHOLE
  - (E) SAN SEWER
  - SAN — SAN — PROPOSED SAN SEWER
  - (E) STORM SEWER
  - SO — PROPOSED STORM SEWER
  - ▭ CATCH BASIN
  - CLEAN OUT
  - (W) — (E) WATER LINE
  - W — PROPOSED WATER LINE
  - ⊕ FIRE HYDRANT
  - ⊙ WATER VALVE
  - ⊙ BLOW-OFF VALVE
  - WM = WATER METER
  - GB — GB — GRADE BREAK
  - C — C — C — CATCH LINE
  - D — D — D — DITCH LINE
  - OHE — OVERHEAD ELECTRIC POWER LINE
  - UF — UNDERGROUND ELECTRIC POWER LINE
  - ⊕ TELEPHONE PEDESTAL
  - ⊕ POWER TRANSFORMER
  - ⊕ GAS METER
  - EM = ELECTRIC METER
  - (E) CONTOUR LINE
  - 100 — (E) INDEX CONTOUR LINE
  - 100 — PROPOSED F.G. INDEX CONTOUR LINE
  - 100 — PROPOSED F.G. CONTOUR LINE
- N O T E : ALL OTHERS AS NOTED ON PLAN

**HATCH LEGEND :**

- ▨ PROPOSED LANDSCAPING
- ▨ EXISTING CONCRETE
- ▨ EXISTING GRAVEL
- ▨ EXISTING ASPHALT
- ▨ EXISTING BUILDING
- ▨ PROPOSED CONCRETE
- ▨ PROPOSED GRAVEL
- ▨ PROPOSED ASPHALT

**LAND INFO:**  
 TAX LOT 01N-13-3CA 100  
**ZONING:** CENTRAL BUSINESS COMMERCIAL  
**SIZE:** 0.21 ACRES (9,020 S.F.)  
**BUILDING:** PROPOSED 1,620 S.F.  
**PAYEMENT:** PROPOSED 2,732 S.F. (ASPHALT)  
**PARKING SPACES:** ORIGINAL NONE  
 PROPOSED 5 SPACES (1 A.O.A. ACCESSIBLE)  
**BICYCLE SPACES:** NONE  
**LANDSCAPING:** EXISTING NONE  
 PROPOSED 1,050 S.F.



**SITE PLAN**  
 SCALE: 1" = 10'

**UTILITIES:**

- WATER/SEWER:** CITY OF THE DALLES, PUBLIC WORKS DEPT. 1215 W. 1ST STREET THE DALLES, OR. 97058 PH. (541) 506-2021 CONTACT: DALE MCCABE, CITY ENGINEER
- POWER:** NDRTHERN WASCO CO. P.U.D. 2345 RIVER ROAD, THE DALLES, OR. 97058 PH. (541) 296-2226 CONTACT: ED ORTEGA
- GAS:** NW NATURAL 1125 BARGWAY ROAD THE DALLES, OR. 97058 PH. (541) 296-2229 CONTACT: TOMYA BRUMLEY
- TELEPHONE:** CENTURY LINK 285 WEBBER STREET, THE DALLES OR. 97058 PH. (541) 298-3449 CONTACT: DAVE JOHNSON
- TELEVISION:** CHARTER COMMUNICATIONS, INC. 409 UNION STREET THE DALLES, OR. 97058 PH. (541) 296-1146 CONTACT: DAN WALLACE
- FIRE PROTECTION:** MID-COLUMBIA FIRE AND RESCUE 1400 WEST 8TH STREET THE DALLES, OREGON 97058 PH. (541) 296-9445 CONTACT: DAN HAMMEL, FIRE MARSHAL
- BUILDING OFFICIAL:** MCCOG BUILDING CODES AGENCY 1113 KELLY AVENUE THE DALLES, OREGON 97058 PH. (541) 298-4461 CONTACT: ROBERT FUTTER BUILDING OFFICIAL
- PLANNING JURISDICTION:** CITY OF THE DALLES COMMUNITY DEVELOPMENT/ PLANNING 313 COURT ST. THE DALLES, OREGON 97058 PH. (541) 296-5481 CONTACT: DAWN HERT, PLANNER

**DESIGN** B.B.B. **SURVEY** T.E.C.

DWG. No. K:\VADO\14100\14114\DSITE-14114  
 Date 5/16/2013  
 Work Order No. 14114  
 Scale AS NOTED

**FOR**  
**SITE PLAN**  
 FOR  
**GRIZZLY FIREFIGHTERS, INC.**  
 TAX LOT 01N 13E 03CA 100  
 LOTS 9 & 10, BLOCK 13 LAUGHLIN'S ADD.  
 IN THE SW 1/4 SEC. 3 T1N R13E W.M.  
 CITY OF THE DALLES, WASC0 COUNTY, OREGON  
 Plat Date: 5/16/2013 1:19 PM

**TENNESON ENGINEERING CORP.**  
 CONSULTING ENGINEERS  
 3313 West 2nd Street  
 THE DALLES, OREGON 97058  
 PH. 541-296-9177 FAX 541-296-6657

**PRELIMINARY ONLY**

REGISTERED PROFESSIONAL ENGINEER  
 1777  
 B. BESEDA  
 RENEWAL DATE: 12/31/13

**SITE PLAN**  
 SHEET  
**1 1**  
 Work Order No. 14114

**RESOLUTION NO. P.C. 530-13**

Approval of Variance application VAR 122-13 of Thomas West/Design, LLC requesting approval for the construction of a building that exceeds the zone district height limitation of 55 feet. The property is located at 161 Steelhead Way, The Dalles, Oregon, and is further described as Township 2 North, Range 13 East, Map 28, tax lot 101 and Township 2 North, Range 13 East, Map 28B tax lot 100. The property is zoned “I” Industrial District.

**I. RECITALS:**

- A. The Planning Commission of the City of The Dalles has on June 6, 2013 conducted a public hearing 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 Variance 122-13 and the minutes of the June 6, 2013 Planning Commission meeting, upon approval, provide the basis for this resolution and are incorporated herein by reference.

**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. Variance 122-13 is hereby approved with the following conditions of approval:
  - 1. Any improvements must be completed in accordance with Land Use and Development Ordinance 98-1222, except as modified by this application.
  - 2. Building height may be up to 75 feet. Height is measured to the peak of the building.
  - 3. This approval is for a Variance in height only. Applicant must still obtain land use approval through a Site Plan Review process and obtain a building permit.

**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 6th DAY OF JUNE, 2013

\_\_\_\_\_  
Bruce Lavier, Chairman  
Planning Commission

I, Richard Gassman, Planning Department 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 6<sup>th</sup> day of June, 2013.

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Richard Gassman, Planning Department Director  
City of The Dalles

## RESOLUTION NO. P.C. 531-13

Adopting Conditional Use Permit Application #169-13 of Thomas West/Design LLC to gain approval for the construction of a building that exceeds the zone district height limitation of 55 feet. The property is located at 161 Steelhead Way, The Dalles, Oregon, and is further described as Township 2 North, Range 13 East, Map 28, tax lot 101 and Township 2 North, Range 13 East, Map 28B tax lot 100. Property is zoned “I” – Industrial.

### I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on June 6, 2013 conducted a public hearing 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 Conditional Use Permit #169-13 and the minutes of the June 6, 2013 Planning Commission meeting, upon approval, provides the basis for this resolution and are incorporated herein by reference.

### 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. CUP #169-13 is hereby approved with the following conditions of approval:
  - 1. Any improvements must be completed in accordance with Land Use and Development Ordinance 98-1222, except as modified by this application.
  - 2. Building height may be up to 80 feet. Height is measured to the peak of the building.
  - 3. This approval is for a Conditional Use Permit in height only. Applicant must still obtain land use approval through a Site Plan Review process and obtain a building permit.

### 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 6th DAY OF JUNE, 2013.

\_\_\_\_\_  
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 6th day of June, 2013.

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Richard Gassman, Planning Director  
City of The Dalles

## RESOLUTION NO. P.C. 532-13

Adopting Conditional Use Permit Application #168-13 of Grizzly Firefighters, Inc. to gain approval for the construction of a steel-framed structure for the storage of firefighting equipment. The property is located at 615 E. Fourth Street, The Dalles, Oregon, and is further described as Township 1 North, Range 13 East, Map 3CA, tax lot 100. Property is zoned “CBC” – Central Business Commercial.

### I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on June 6, 2013 conducted a public hearing 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 Conditional Use Permit #168-13 and the minutes of the June 6, 2013 Planning Commission meeting, upon approval, provides the basis for this resolution and are incorporated herein by reference.

### 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. CUP #168-13 is hereby approved with the following conditions of approval:
  - 1. All onsite and offsite improvements must be installed by the applicant in accordance with the Land Use Development Ordinance and the AWPAs standards, specifications, and drawings, as amended and adopted by the City, and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.
  - 2. Proposed development and final detailed construction plans will be required to be reviewed and approved by the City Engineer per established standards.
  - 3. Prior to the issuance of a building permit, the applicant shall submit a completed Wastewater Survey Questionnaire to the City Planning Department.
  - 4. Prior to the start of any work, the City requires that a pre-construction meeting be held with the applicant, the City Engineer, and the Development Inspector.
  - 5. All materials and supplies must be stored within the structure. No outside storage of business materials or supplies will be allowed.
  - 6. A note will be required on the site plan stating that the trash receptacles will be located in the building.
  - 7. Details of the bicycle parking rack will need to be provided. A minimum of 1 space will be required.
  - 8. A detailed site lighting/photometric plan shall be submitted and approved prior to the issuance of building permits. The plan shall demonstrate that the maximum illumination at the property line will not exceed an average horizontal foot candle of 0.3 for non-cut-off lights and 1.0 for cut-off lights.
  - 9. Any activity that produces radio or television interference, noise, glare, dust or particulate matter, vibration, smoke or odor beyond the site, or beyond allowable levels as determined by local, state, and federal standards shall not be allowed.

10. A detailed landscape plan will be required to be submitted prior to issuance of a building permit. Details of the irrigation system with a backflow prevention device will need to be shown on a revised site plan. The backflow prevention device will need to be permitted through the City of The Dalles.
11. A pedestrian walkway will be required to be installed from the proposed building to either the existing sidewalk on 4<sup>th</sup> street or to the alleyway. This walkway will be required to meet all standards as outlined in Section 5.050.060, subsection C. and Section 10.040 subsection B. of the LUDO 98-1222.
12. Design standards as detailed in Section 5.050.060, subsection A. of the LUDO 98-1222 will be required to be met. Elevation drawings showing these design features will be required to be submitted and approved at the time of a building permit.
13. The driveway can be no closer than 5 feet from the property line. The site plan will need to show that the driveway meets this requirement.
14. Signs will be applied for under a separate permit.
15. A Physical Constraints Permit will be required for the excavation on-site. An erosion and dust control plan will need to be submitted for construction and be included in the detailed drawings.

**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 6th DAY OF JUNE, 2013.

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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 6th day of June, 2013.

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Richard Gassman, Planning Director  
City of The Dalles