

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, August 22, 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:

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

ROLL CALL:

BOARD MEMBERS PRESENT:

Chris Zukin, Dennis Whitehouse, Mike Zingg, Jeff Stiles, Mark Poppoff

BOARD MEMBERS ABSENT:

Bruce Lavier, Rob Raschio

STAFF MEMBERS PRESENT:

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

APPROVAL OF AGENDA:

Administrative Secretary Trautman noted the next scheduled meeting date should be changed from June 20, 2013 to September 5, 2013. It was moved by Zingg and seconded by Whitehouse to approve the agenda as amended. The motion carried unanimously; Lavier and Raschio were absent.

APPROVAL OF MINUTES:

It was moved by Whitehouse and seconded by Stiles to approve the July 18, 2013 minutes as submitted. Zukin, Whitehouse, Poppoff, and Stiles voted in favor; Zingg abstained. The motion carried; Lavier and Raschio were absent.

PUBLIC COMMENT:

None.

QUASI-JUDICIAL HEARINGS:

Application Number: CPA 40-13 and ZOA 84-13; **Karl Rozentals;** **Request:** Application to gain approval to change the Comprehensive Plan Map and Zoning Ordinance Map from RM – Medium Density Residential to NC-Neighborhood Center Overlay District. The property is located at 1015 Walnut Street, The Dalles, Oregon and is further described as 2N 13E 33CC t.l.1100. Property is zoned “RM” – Medium Density Residential District.

Acting Chair Zukin read the rules for a public hearing and asked if the board members had any ex-parte contact, bias, or conflict of interest that would prohibit them from making an impartial decision. None were noted.

Acting Chair Zukin opened the public hearing at 6:06 p.m.

Director Gassman presented an overview of the staff report. Gassman noted the property owner had owned the property and operated the property as a commercial use for many years. When he came into the Planning Department, it was discovered that there were no public records regarding the applicant’s file. The assumption, Gassman stated, was that there were no permits or land use issues evident over the last 30 years since the City’s

jurisdiction. Therefore, Gassman said, no one knew how the property went from a commercial zone to an RM zone. Staff recommended approval of the zone and map change because it seemed the fair thing to continue the commercial usage, and there was a good amount of commercial property across the street from the applicant's property.

Whitehouse asked if the request for commercial zoning was only for this one parcel, and would adjacent properties, in the future, need to go before the Planning Commission to request a commercial usage. Gassman said the request was only for the one parcel, and other nearby parcels would be required to go before the Planning Commission. Other nearby property owners would have a more difficult time requesting commercial usage, Gassman explained, because the commission probably would not grant an extension of the NC zoning. The only reason this request was supported by staff was because the property had operated for many years as a commercial usage and may have, at one point, been zoned commercial. Gassman said there had been no complaints or comments from citizens over the years regarding Mr. Rozental's current commercial usage.

Poppoff noted earlier in the meeting that the acreage size listed in the staff report should be changed from 2.26 acres to .226 acres.

Testimony:

Proponents

Karl Rozentals, 2103 East 12th Street, The Dalles, Oregon, stated that when he purchased the property in 1972, it was zoned commercial through the County. As he expanded his business, it doubled in size. When he came in to the City Planning Department, he was "dumbfounded" that the property was not zoned properly.

No questions were asked by the board members.

Opponents

None.

Acting Chair Zukin closed the public hearing at 6:12 p.m.

Deliberation

None.

It was moved by Stiles and seconded by Poppoff to recommend approval to the City Council, including the amended acreage size of .226 acres, requesting a rezone from RM to NC for the lot located at 1015 Walnut Street, based upon findings of fact presented in the staff report, staff recommendation, and the hearing testimony. The motion carried unanimously; Lavier and Raschio were absent.

RESOLUTIONS:

It was moved by Zingg and seconded by Whitehouse to approve P.C. Resolution #533-13, CUP #40-13 and ZOA #84-13, applicant Karl Rozentals, as submitted. The motion carried unanimously; Lavier and Raschio were absent.

STAFF COMMENTS:

Staff handed out information on the upcoming Planning Commissioner Training Conference to be held in Portland, Oregon on September 26, 2013.

Director Gassman advised that the Planning Department posted a part time Associate Planner position. If the position is filled, the planner would start in October or November.

Director Gassman reported that he and City Attorney Parker had developed Land Use and Development Ordinance amendments pertaining to House Bill #3479. Following due process, Gassman stated, the proposed changes would go before the Planning Commission the first week of October. Gassman said the second part, not yet developed, would be a broad based discussion on the residential infill issue. This portion of the City Council's directives, would be discussed by the Planning Commission this fall. The strategy would be to start with the big concepts, try to obtain a consensus on those concepts, and work backwards from there to attempt to come to an understanding of the smaller details. Chair Zukin asked if the Planning Commissioners could invite others from the community to participate in the discussions. Gassman said that would be allowed, because such discussions were different from the more formal public hearing. Eventually, Gassman stated, the Planning Commission would make recommendations to the City Council.

NEXT MEETING:

September 5, 2013

ADJOURNMENT:

Acting Chair Zukin adjourned the meeting at 6:24 p.m.

Respectfully submitted by Carole J. Trautman, Administrative Secretary



Bruce Lavier, Chairman