



**City of Dallas
Planning Commission
Council Chambers - City Hall
April 8, 2014 - 7:00 p.m.**

MINUTES

1 **CALL TO ORDER**

2 President Chuck Lerwick called the meeting to order at 7:00 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Carol Kowash, Les Oehler, David Shein,
5 Denise Jones, and Robert Wilson.

6 Staff present: City Attorney Lane Shetterly, Community Development Director Jason
7 Locke, and Recording Secretary Patti Senger.

8 **APPROVAL OF MINUTES**

9 President Chuck Lerwick presented the minutes of the regular meeting of March 11, 2014.

10 Commissioner David Shein made a motion to approve the minutes as presented and Commissioner Bob
11 Wilson seconded the motion. The motion passed unanimously.

12 **PUBLIC COMMENT**

13 President Chuck Lerwick explained the rules for making public comment.

14 There were no public comments.

15 **PUBLIC HEARING**

16 **ZC/CPA 14-01: Zone Change and Comprehensive Plan Amendment/Dallas Retirement Village and**
17 **Jasper Crossing, LLC**

18 Chuck Lerwick opened the Public Hearing for the ZC/CPA 14-01 Zone Change and Comprehensive Plan
19 Amendment for Dallas Retirement Village and Jasper Crossing, LLC at 7:01 p.m. He reviewed the
20 procedures for the hearing and stated that at the conclusion of the hearing the Planning Commission
21 would make a recommendation to City Council. Commissioner Wilson declared his wife was on the
22 Board of Directors for the Dallas Retirement Village (DRV) and City Attorney Lane Shetterly
23 acknowledged he was the attorney for DRV and had not advised the City or DRV on this application.

24 STAFF REPORT:

25 Mr. Locke presented the staff report. He stated the subject property was an application for a
26 Comprehensive Plan map amendment on 3.92 acres of property west of NW Jasper Street and south of
27 DRV. He stated the subject area comprised of two owners, Dallas Mennonite Retirement Community,
28 Inc. and Jasper Crossing, LLC. One parcel was .26-acres and designated as Residential Low Density (RL)
29 and the application was to change it to Residential Medium Density (RM). The northerly portion was
30 initially planned for Commercial General (CG) and development had not occurred; that portion of the
31 property was sold to DRV. He stated the access to DRV would be via NW Jasper Street, which was a fully
32 improved City street and serviced with City utilities. He pointed out the property on the map and
33 showed photos of the vacant property. He explained for the Comprehensive Plan amendment only the
34 CG portion needed to be rezoned to residential and if it were left CG it would require 24 units per acre
35 minimum. This zone change would allow DRV to expand at a density level suitable for their purposes.

36 Mr. Locke indicated the application addressed the availability of other commercial properties and
37 explained how this fit into the Comprehensive Plan by steering commercial development into the
38 downtown area.

39 Mr. Locke discussed the Transportation Planning Rule (TPR) analysis and explained that with full build-
40 out comparisons between the application and commercial development, there was a net reduction of
41 1,470 vehicle trips per day.

42 Mr. Locke summarized that staff concurred with the applicant's submittal; it satisfied statewide planning
43 goals and the Dallas Comprehensive Plan, with no significant effect on the TPR. The recommendation
44 was for the Planning Commission to approve the zone change and Comprehensive Plan amendment to
45 change the subject property from CG to RM and the .26-acre portion from RL to RM.

46 APPLICANT PRESENTATION

47 Dave Parrett, Executive Director of DRV, 377 NW Jasper Street, Dallas, Oregon stated he worked on
48 retirement community development for residents in Dallas. They currently had 350 residents on campus
49 with townhomes, apartments, assisted living, memory care, and a variety of other services. He explained
50 they wanted to add additional independent living apartments and a community space for residents. He
51 noted they currently had 500-800 square foot apartments and 1,200-1,600 square foot townhomes; the
52 new apartments would be mid-sized at 800-1,500 square feet.

53 Catherine Corliss, Angelo Planning Group, 921 SW Washington Street, Suite 468, Portland, Oregon,
54 stated she was in agreement with the staff report. She highlighted the practical reasons for the zone
55 change and stated that minimum density in CG was higher than was feasible and would generate
56 considerably more traffic with other impacts. This zoning change allowed development in line with the
57 vision of DRV, providing more independent living opportunities. She mentioned the .26-acre piece did
58 not require a Comprehensive Plan amendment but wanted to tie it in to the overall development and
59 including it made sense.

60 Dr. Christopher Edwardson, 369 SE Walnut Court, Dallas, Oregon, stated he represented Jasper Crossing,
61 LLC and had been working with DRV for several years. He noted he tried to sell for the higher
62 commercial value but the property stayed empty. He pointed out the rezoning did not create an
63 awkward piece of commercial land, it eliminated a loop road, and kept the single access. Dr. Edwardson
64 explained this was the least valuable portion of the commercial property, was least likely to be used as
65 retail, and made the most sense.

66 PERSONS SPEAKING FOR OR AGAINST

67 Lynn Hurt, 181 NW Elderberry Lane, Dallas, Oregon 97338, stated this was a win-win situation and he
68 supported it. He provided the Planning Commission with letter in support of the application, a copy of
69 which is in the record. He stated he would like to see the Planning Commission recommend to City
70 Council to approve the application.

71 REBUTTAL

72 There was none.

73 COMMISSIONER QUESTIONS

74 Commissioner David Shein asked how the access would change for the rezoned property. Mr. Locke
75 explained there was potential access via NW Jasper Street and it would come back to the Planning
76 Commission when development took place.

77 Commissioner Carol Kowash asked how density was decided for independent units and how that
78 correlated to the need DRV had for that product. Mr. Parrott explained based on a market study, they
79 needed 40-60 apartments sized in between what they currently had. He further explained many
80 retirement centers have a ratio of four independent units to one health care unit and DRV had a one to
81 one ratio; this addition would improve that.

82 There were no more questions and President Lerwick closed the Public Hearing at 7:32 p.m.

83 DISCUSSION BY COMMISSION

84 David Shein made a motion to recommend to City Council to approve application ZC/CPA 14-01
85 submitted by Dallas Retirement Village and Jasper Crossing, LLC for a zone change and Comprehensive
86 Plan amendment for the subject property from CG to RM and the .26-acre portion from RL to RM.
87 Commissioner Oehler seconded the motion and it passed unanimously by the Planning Commission.

88 SIGN CODE DELIBERATION

89 Commissioner Shein asked about the definition of "Open" signs inside business windows and said that
90 because they were not defined as a sign, listing them in item 3.6.040 (Z) would be superfluous. Mr.
91 Locke explained that it had become an issue because of flashing signs, and wanted to clarify the
92 exemption based on flashing.

93 Commissioner Shein asked about hand-held signs and it was the consensus of the Commission to allow
94 them on private property but require permits for use in the right-of-way (ROW).

95 The Commission discussed the use of the word “attached” in section 3.6.040(U) and the consensus was
96 to keep the wording.

97 Mr. Locke asked about allowing business signs for home occupations in residential neighborhoods. He
98 explained the code currently did not allow those and changes would need to be made in the
99 Development Code if they were added. Commissioner Shein acknowledged the individuals who testified
100 about this topic and asked staff about inquiries. Mr. Locke pointed out that nobody with a home
101 occupation came in to speak about the sign code. He stated that when applicants came in for home
102 occupation businesses and if they asked about signage, staff would explain that businesses in residential
103 neighborhoods were not supposed to attract attention, and there had not any issues. He mentioned an
104 associated issue with the public walking up to doors when they saw a sign. He reminded the Commission
105 there were more than 100 home occupation businesses and there would be significant ramifications if
106 that door were opened. Commissioner Wilson said in all of his history with the Planning Commission the
107 issue had never been brought up. The consensus of the Commission was to not allow home occupation
108 signs in residential neighborhoods.

109 Mr. Shetterly discussed off-site directional signs in section 3.6.120, where the language was changed
110 and an exception could be granted. Commissioner Shein asked about off-site signs (not directional), and
111 if the new code would affect the billboard on Main Street. Mr. Shetterly stated a physical modification
112 would trigger a conformance issue but maintenance would not. With that clarification, Commissioner
113 Shein stated he accepted the exception for off-site directional signs and the consensus of the
114 Commission was the same.

115 There was discussion about temporary signs. It was the consensus of the Commission to limit temporary
116 political signs to sixty days prior to an election and seven days following. President Lerwick asked about
117 enforcement ramifications and Mr. Locke indicated contact was generally made two weeks after the
118 election.

119 Commissioner Shein discussed larger, 4' x 8' real estate signs. It was the consensus of the Commission to
120 allow the larger signs in subdivisions and commercial and industrial zones.

121 Mr. Locke discussed sign permit fees and explained the Planning Commission could recommend City
122 Council lower the fees, but it was not part of the code. He reported that he had done brief research of
123 fees from other jurisdictions and noted that the City's were not out of line and the goal was to recover
124 administrative costs. He noted fees did not apply to temporary, exempt or face replacement of signs.
125 Commissioner Denise Jones suggested asking the City Council to review the fees and see if the range
126 was comparable. Commissioner Kowash suggested smaller signs have lower fees. Commissioner Oehler
127 recommended the Council look at lowering the price to \$50 minimum. Mr. Locke indicated he would
128 include the recommendation to City Council that the fees be reviewed.

129 Mr. Locke explained that non-conforming signs were amortized for ten years. After discussion, the
130 consensus was to change the amortization to five years from adoption of the code.

131 There was discussion of section 3.6.120(A) and it was clarified that all three criteria must be satisfied.

132 The Commission discussed 3.6.120(B) and it was decided to remove that portion of the code and
133 3.6.120(C) would become 3.6.120(B).

134 There was discussion about enforcement and the consensus was to allow for flexibility.

135 The Commission discussed the importance of periodic review of the sign code. Mr. Locke indicated that
136 when staff noticed things were not working correctly, they would bring it back to the Planning
137 Commission as they had in the past with the new Development Code.

138 Mr. Locke indicated the letter from the Dallas Area Chamber of Commerce had been addressed.

139 Commissioner Shein asked about signs larger than six feet used for events such as breakfast in the park
140 or the car show and Mr. Locke explained those signs were placed in the ROW and were regulated by the
141 City.

142 Commissioner Shein asked about business advertisements on the sides of dumpsters. Mr. Locke
143 indicated those were not addressed in any way.

144 Commissioner Shein asked about “A” frame signs that are taken in and out daily. Mr. Locke stated those
145 would require a permit from the City Manager if they were located in the ROW.

146 Commissioner Shein asked about signage for Churches and Mr. Locke indicated those were generally left
147 alone and Mr. Shetterly added they could be enforced.

148 Commissioner Oehler asked about the exception process for off-site signs and Mr. Locke stated the
149 process would be similar to the current process except that it would go to the Planning Commission and
150 then City Council when there was an appeal.

151 Mr. Locke indicated that the changes and additions discussed would be added to the sign code and the
152 revised draft would be forwarded to the Planning Commission. He stated the next level would be to
153 recommend the revised sign code to the City Council for adoption where they would hold a Public
154 Hearing.

155 **OTHER BUSINESS**

156 There was no other business.

157 **COMMISSIONER COMMENTS**

158 Members of the Planning Commission thanked and complimented staff for the work.

159 Ms. Kowash stated it was important that citizens felt heard and they had accomplished that.

160 **STAFF COMMENTS**

161 Mr. Locke pointed out the Land Use Activity Report and noted there was becoming a shortage of vacant
162 residential lots.

163 President Lerwick asked about the old Weyerhaeuser property. Mr. Locke stated he would bring
164 redevelopment ideas and background information to the Planning Commission.

165 Mr. Shetterly asked about the subdivision application and Mr. Locke explained the application was
166 incomplete.

167 The meeting adjourned at 8:41 p.m.

APPROVED:

President

Date