



City of Dallas
Planning Commission
Council Chambers - City Hall
January 12, 2010 - 7:00 p.m.

MINUTES

CALL TO ORDER

President Chuck Lerwick called the meeting to order at 7:05 p.m.

ROLL CALL

Commissioners Present: Chuck Lerwick, Carol Kowash, Dave Pederson
Murray Stewart and Robert Wilson

Commissioners Absent: Carrie Mendell and Doris Stefani

Staff present: City Attorney Lane Shetterly, Community Development Director
Jason Locke, Planner John Swanson and Recording Secretary
Joanne Ballweber.

APPROVAL OF MINUTES

Chuck Lerwick presented the minutes of the regular meeting of December 8, 2009. Bob Wilson made a motion to approve the minutes as presented. Carol Kowash seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

NONE

PUBLIC HEARING

A public hearing on the application of John Holt for a Conditional Use to allow a towing business located at 1490 SE Brookside Ave., Dallas, Oregon, in an IL, Light Industrial Zone

President Chuck Lerwick opened the hearing at 7:11 p.m.

Planner John Swanson reviewed the staff report for the property listed on the application for a conditional use. He presented a Power-Point showing the property size and location for the towing business. The size of the property for use of the towing business is 6,000 square feet.

John Holt, the applicant, who resides at 1490 SE Brookside Street commenced with his presentation. He said he will be only using a 50 x 100 foot area in the very back of the property for the towing business. It will be a 24 hour business. The cars will be stored for about 30 days to follow the lien process and then they will be removed. The average amount of cars will be 3 (three) or 4 (four). Mr. Holt advised the commission about the storage sheds already located on the property. Mr. Holt affirmed he would be living on site in the same place he resides at this time.

Carol Kowash asked about how close the flood plain is to this business. Mr. Locke said there will be a condition applied. Prior to Mr. Holt fencing in the area for his towing business, the staff will inspect it to make sure it has not impacted the wetlands. Mr. Locke stated he will be

reviewing the business for compliance with the wetlands.

Monte Wiens lives at 6006 Fern Hill Rd. in Monmouth, Oregon. Mr. Wiens is the owner of Dallas Secure Storage, which is the property to the South of the proposed towing business. He **wants to make sure Mr. Holt's business does not affect his 10 (ten)** foot wide electric easement. Mr. Wiens also wants assurance there would not be a contamination problem with leakage from the vehicles. Mr. **Wiens's** final concern is he would not want his visuals to be negatively impacted. Mr. Shetterly advised Mr. Wiens that the Planning Commission cannot interfere with any recorded easement that Mr. Wiens has.

Henry Hammond, at 114 SE Birch Street, questioned the storage of inoperable vehicles. Mr. **Shetterly, Mr. Locke and Mr. Swanson explained Mr. Holt's towing business is not a wrecking or salvage yard** therefore would not have vehicles stored for any longer than necessary to complete the lien or pickup process. **There was much discussion regarding Mr. Hammond's** concern of contamination of the soil from leaking vehicles. Mr. Shetterly explained that Mr. Holt will be required to obtain any state licenses or permits required to run a towing business. This would include any DEQ regulations and permits regarding soil contamination. In addition Mr. Shetterly advised Mr. Hammond the City of Dallas does not have authority to regulate what DEQ regulates. Mr. Locke said there will be an added condition (#8) which will read as follows: The applicant shall provide evidence that all necessary permits have been obtained prior to commencement of the use.

Rebuttal:

Mr. Holt explained how any type of contaminates would be handled. He restated his towing business is just a temporary holding yard until the automobiles are released by insurance companies to be towed to a different site.

Mr. Lerwick declared the Public hearing closed at 7:40.

Mr. Pederson moved to approve the application with the 8 conditions. Mr. Wilson seconded the motion. The motion was unanimously passed.

OTHER BUSINESS

NONE

COMMISSIONER COMMENTS

None

STAFF COMMENTS

Mr. Locke and the Planning Commission Members discussed eliminating the Thursday workshop. Mr. Pederson questioned why the Thursday meetings are being cancelled. Mr. Locke answered he has issues with the need for these meetings. Mr. Shetterly said the deliberation needs to be public and pre conversation is inappropriate. Mr. Locke also spoke on the appearance of Thursday meetings. Mr. Shetterly advised all land use decisions are to be discussed in public. Mr. Locke stated he would not be opposed to larger complicated issues being brought before the committee at work session as long as it is a public work session. The public needs to be privy to all information that the commission is privy to. In the future, when considering conditional use applications, Mr. Pederson would like the surrounding maps and names of people being affected. He would also like a vicinity map. Mr. Locke said he will continue to send out the agenda electronically and also deliver a hard

copy to each Planning Committee Member. The Commissioners can use the development code book to also hold the agenda packet.

The Meeting was adjourned at 8:03 p.m.

APPROVED:

President

Date