



**City of Dallas
Planning Commission
Council Chambers - City Hall
February 14, 2012- 7:00 p.m.**

MINUTES

CALL TO ORDER

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

NEW COMMISSIONER OATH OF OFFICE

Chris Castelli took the City of Dallas Planning Commission Oath of Office.

ROLL CALL

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

Absent: Dave Pederson

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

APPROVAL OF MINUTES

President Chuck Lerwick presented the minutes of the regular meeting of January 10, 2012. Commissioner Dave Shein made a motion to approve the minutes as presented and Commissioner Bob Wilson seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

President Chuck Lerwick explained the rules for making public comment and pointed out that the Partition Appeal was on the agenda for deliberation only and that the public comment portion had been closed.

There were no public comments.

PUBLIC HEARING

Appeal of Partition Approval PTN 11-04

Chuck Lerwick announced the deliberation portion of the hearing on the Appeal of Partition Approval (PTN 11-04), 1463 SE Miller, Dallas, Oregon, by Prism Manor and asked if any commissioner needed to declare ex parte contact or had a conflict of interest. Both Commissioner Lerwick and Commissioner Castelli announced they would abstain from deliberation and voting.

STAFF REPORT:

Mr. Locke reviewed the staff report. He stated that Mark Hoyt, the attorney for Prism Manor, LLC, had asked that the record remain open until January 18, 2012, which was granted. He stated that there were three additional pieces of correspondence submitted, one each from Mr. Nunes, his Attorney Eric Yandell, and Attorney Mark Hoyt. He stated that a supplemental staff report was prepared and the recommendation had not changed. The City recommended approval of the application with the four conditions of approval.

Lane Shetterly explained that in the proposition by Mr. Hoyt, where he stated that Oregon Revised Statutes 92.176 and 92.177 could authorize validation of the Nunes parcel, in his legal opinion, did not stand up.

COMMISSIONER QUESTIONS

There were none.

DISCUSSION BY COMMISSION

Commissioner Bob Wilson moved to approve the Partition Application (PTN 11-04) at 1463 SE Miller, Dallas, Oregon and reject the Appeal by Prism Manor. Commissioner Shein seconded the motion; it passed unanimously with Commissioner Lerwick and Commissioner Castelli abstaining.

OTHER BUSINESS

Lane Shetterly announced that the Walmart Site Plan Review (SPR 11-01) had been appealed and would go before City Council on Monday, March 5, 2012, in the Civic Center. Mr. Locke added that this would be the first appeal since adopting the new code. Dave Shein asked if a decision would take place at the meeting and Mr. Shetterly indicated it would and that it could be appealed to the Land Use Board of Appeals (LUBA).

Mr. Locke stated that the City Planner John Swanson had been meeting with local businesses about the sign code in the effort clean up the existing code. Mr. Lerwick asked about the new electronic sign at Polk County on Main Street and indicated it was not operating within the sign standards. Mr. Locke responded that the City Manager would be in contact with the County Administrator.

Mr. Locke announced that development was picking up and City Council had waived about \$5,000 in Building SDC fees through October. He mentioned that a couple large projects were on the horizon for next year. Commissioner Jones asked what this was attributed to and Mr. Locke speculated that financing was easier for contractors and plans that had been shelved were getting looked at again.

In answer to a question, Mr. Locke explained that staff had gone to visit the Tyco building and that the neglected alarm system needed to be brought back up to code before a tenant could move in. Once that had been done then others would likely follow. He indicated that a sheet metal company was looking into the back 10-12,000 square feet.

There was discussion about the Weyerhaeuser Mill and review of the current building maintenance standards.

COMMISSIONER COMMENTS

Commissioner Shein asked about the recent flooding event and if it had flooded the same areas that were flooded in 2007, specifically the land near Manenbach’s property. Mr. Locke stated that area had not flooded and clarified that we received just over half as much rain as we did in the 2007 flood experience. He noted that they did discover patterns of flow change and would be trying to figure out why. Commissioner Jones asked if the change was caused by the 2007 flood and Mr. Locke suggested it was because of the way the County maintained the ditch cleaning and grading. He added that the Luckiamute got hit much harder than we did.

STAFF COMMENTS

There were none.

The meeting adjourned at 7:35 p.m.

APPROVED:

President

Date