



**City of Dallas
Planning Commission
Council Chambers - City Hall
October 8, 2013 - 7:00 p.m.**

MINUTES

1 **CALL TO ORDER**

2 Vice President David Shein called the meeting to order at 6:57 p.m.

3 **ROLL CALL**

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

6 Absent: President Chuck Lerwick

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

9 **APPROVAL OF MINUTES**

10 Vice President David Shein presented the minutes of the regular meeting of September 10, 2013. He
11 declared that after hearing no corrections, additions or changes to the minutes, the minutes were
12 accepted as presented.

13 **PUBLIC COMMENT**

14 Vice President Shein explained the rules for making public comment.

15 There were no public comments.

16 **PUBLIC HEARING**

17 **Alternative Employment Programs (CUP 13-02)**

18 Vice President Shein announced this was a public meeting for the Alternative Employment Programs
19 (CUP 13-02), 124 SW Walnut Street in Dallas. He opened the Public Hearing at 7:02 p.m. and asked if
20 any commissioner needed to declare ex parte contact or had a conflict of interest. Commissioner
21 Denise Jones announced she had a potential conflict of interest. City Attorney Lane Shetterly stated she
22 would be able to participate in the hearing.

23 Vice President Shein explained the public hearing format to the audience.

24 STAFF REPORT

25 Planner John Swanson reviewed the staff report. He reported the applicant was Sunny Oaks, Inc., for
26 the property located at 124 SW Walnut Avenue on the corner of SW Walnut Avenue and Main Street.
27 He explained the property was zoned Commercial General (CG) and the adjacent land users were CG as
28 well. The property was not located in the 100-year floodplain or the floodway. The total building
29 square footage was 4,160, with 2840 currently used and 1679 vacant. The application was for the
30 vacant portion of the building to be used as an alternative to employment program for adults.

31 Mr. Swanson explained that the criteria for the conditional use application presented by the applicant
32 and the findings were located in the staff report. Staff concluded that the appropriate application had
33 been made, proper public hearing notification had been given, and that it met the zoning requirements.
34 Staff recommended approval with the conditions included in the staff report. [(1) Interior
35 improvements shall be constructed in accordance with all the plans and specifications as approved by
36 the City of Dallas Planning Commission. (2) The owner shall obtain all required building permits and
37 inspections from the City of Dallas Building Department prior to use of the proposed structure. (3) Any
38 construction must be completed within one calendar year of final approval date of the Planning
39 Commission decision. (4) The parking lot, including the ADA spot, must be re-striped within 6 months of
40 approval of Conditional Use Permit.]

41 APPLICANT PRESENTATION

42 Brian Varly, 1945 Market Street, Salem, Oregon, stated he works for Sunny Oaks, Inc., that they were
43 established in 1973 to serve Marion and Polk County, and this would be the first facility in Polk County.
44 They had good values and look to areas where people were under-served or not served at all and
45 wanted to work to get them out of their homes and build relationships. Commissioner Carol Kowash
46 asked if part of the funding came from the Department of Human Services (DHS) and if they required
47 restrictive covenants on a property such as this. Stacy Hullim, 23745 Goose Neck Road, Sheridan
48 Oregon, answered Commissioner Kowash's question and indicated that was covered with state licensing
49 and was also posted.

50 Ms. Hullim explained they offered an alternative to employment with a goal to get people to be
51 employable, to learn skills and be a part of a community. She explained they worked with people who
52 were unable to learn those skills and supported people who did not use words.

53 PERSONS SPEAKING FOR OR AGAINST

54 There was none.

55 REBUTTAL

56 There was none.

57 COMMISSIONER QUESTIONS

58 Commissioner Chris Castelli asked about major alterations to the building. Mr. Varly explained they
59 would put up an interior wall for an office and would work with the Fire Marshal and the Building
60 Official for proper permitting.

61 Vice President Shein closed the public hearing at 7:12 p.m.

62 DISCUSSION BY COMMISSION

63 Commissioner Bob Wilson made a motion to approve the Conditional Use Application by Sunny Oaks,
64 Inc., for Alternative Employment Programs (CUP 13-02), located at 124 SW Walnut Street in Dallas, with
65 the conditions listed in the staff report. Commissioner Kowash seconded the motion and it was
66 approved unanimously by the Planning Commission.

67 **PUBLIC HEARING**

68 **16-Lot Subdivision in the Barberrry Mixed Use Node (SUB 13-01)**

69 Vice President Shein announced this was a public meeting for the 16-Lot Subdivision in the Barberrry
70 Mixed Use Node (SUB 13-01). He opened the Public Hearing at 7:15 p.m. and asked if any commissioner
71 needed to declare ex parte contact or had a conflict of interest. There was no declaration.

72 Vice President Shein explained the public hearing format to the audience.

73 **STAFF REPORT:**

74 Community Development Director Jason Locke reviewed the staff report. He explained that a 16-lot
75 subdivision would be accessed via SE Fir Villa Road and located directly south of the Motor Vu Drive-in.
76 It was 13.24 acres of which 1.86 would be developed. The property was located in a Residential (R)
77 zoning district and was included in the Barberrry Mixed Use Node.

78 Mr. Locke reviewed the background of the Barberrry Mixed Use Node and explained the relationship and
79 impact with the proposed application. He discussed the significant improvements that took place eight
80 years earlier that brought SE Academy Street up to “minor collector” standards with underground
81 utilities, power, and sidewalks. He explained that The Fife Group and Meadows Investment owned a
82 significant amount of the property in the Barberrry Mixed Use Node and participated financially in the
83 infrastructure improvements that were included in the Master Plan. He discussed SE Academy Street
84 and that it had been part of the Transportation System Plan (TSP) as a “major collector” and would have
85 significant vehicular, bicycle, and pedestrian traffic in the City. He explained the Barberrry Mixed Use
86 Node was adopted in the Comprehensive Plan in 1998. He discussed the need for a detailed master plan
87 for the entire Barberrry Mixed Use Node and how it would streamline the approval process on future
88 projects.

89 Mr. Locke stated the application was straightforward, that the 16 proposed lots ranged in size from
90 3,300 to 6,600 square feet. The infrastructure was available including the non-City provided utilities
91 such as electric and cable. He pointed out that the proposed subdivision would provide single-family
92 homes and provided a market choice for folks who did not want or could not afford large lots. Mr. Locke
93 summarized the applicant had submitted detailed findings and met the subdivision approval criteria,
94 addressed the master plan requirements, and staff suggested approval with the eight conditions listed in
95 the staff report. [(1) The project shall be completed in accordance with the general criteria, plans and
96 specifications, documents, and all other information presented to/or modified by the Planning
97 Commission. (2) The Final Plat shall be filed and recorded within two years of approval in accordance
98 with DDC Article 4, Section 4.3.090. (3) All grants of easement shall be recorded with the final plat. (4)
99 The applicant shall submit engineering plans to be reviewed and approved by the City Engineer. This
100 shall also include all necessary permit applications and studies as required. (5) Academy Street SE shall
101 be designed, constructed, and striped in accordance with the standards for a Major Collector. (6) No
102 work on the site shall commence until all permits and approvals have been secured from the Public

103 Works Department. (7) All future development on the created lots will be subject to Development
104 Standards review in accordance with DDC Article 2, Section 2.2.030. (8) There shall be no further
105 subdivisions and or site development within the Barberry Mixed Use Node until such time as the
106 applicant submits an application and secures approval for a detailed master plan for the entire Barberry
107 Mixed Use Node. This does not include lots that have been approved as part of this subdivision or prior
108 approved subdivisions.]

109 Commissioner Castelli asked about the letter from Oregon Department of Transportation (ODOT)
110 commenting on the conceptual plan and if there were any major changes since the letter was
111 submitted. Mr. Locke explained the letter was about a future intersection of the Barberry Mixed Use
112 Node at SE Barberry Avenue and E Ellendale Avenue. City Attorney Lane Shetterly pointed out that
113 ODOT was involved in the TSP but the letter was not relevant to this specific application.

114 APPLICANT PRESENTATION

115 Paul Trahan, 1116 SE Barberry, Dallas, Oregon, stated that Mr. Locke did an excellent job with the
116 presentation and assured the Planning Commission and staff that he was working on the details of the
117 master plan for the Barberry Mixed Use Node. He asked if there were any questions, and there were
118 none. Mr. Trahan stated that he was satisfied with the staff report and conditions of approval.

119 Don James, 12775 Westview Drive, Dallas, Oregon, stated he was with The Fife Group. He reported they
120 had a neighborhood meeting that was productive and explained the primary concern was existing
121 drainage issues for the northwest. He stated that development improves drainage and any issues would
122 be addressed with improvements. Mr. James reported the other concern was what type of housing
123 would be produced and he stated it would be based on the market conditions. He mentioned the
124 concerns about windows being lined up where houses could see into other houses and explained they
125 would make sure that wouldn't happen during development. He summarized that from his perspective
126 the meeting went really well.

127 PERSONS SPEAKING FOR OR AGAINST

128 There were none.

129 REBUTTAL

130 There was none.

131 COMMISSIONER QUESTIONS

132 Commissioner Kowash asked about the timeline and Mr. Trahan stated they would begin the first
133 quarter of next year.

134 Commissioner Jones asked about the exiting trees and Mr. James answered they would attempt to keep
135 all of the trees.

136 Vice President Shein closed the public hearing at 7:41 p.m.

137 DISCUSSION BY COMMISSION

138 Commissioner Bob Wilson made a motion to approve the 16-Lot Subdivision in the Barberry Mixed Use
139 Node (SUB 13-01), with the eight conditions listed in the staff report. Commissioner Les Oehler
140 seconded the motion and it was approved unanimously by the Planning Commission.

141 **OTHER BUSINESS**

142 There was none.

143 **COMMISSIONER COMMENTS**

144 Commissioner Oehler asked if there were any plans for a signal at the intersection of Fir Villa and E
145 Ellendale Avenue. Mr. Locke stated that ODOT would be doing improvements as traffic volumes
146 warranted. He mentioned the future intersection at SE Barberry Avenue and E Ellendale Avenue would
147 be signalized. Part of the Barberry Mixed Use Node included a school, which required traffic studies and
148 flow issues to be looked at. Commissioner Jones asked about the impact on schools with the
149 development. Mr. Locke explained that was why the detailed master plan was so important.

150 Commissioner Jones asked about the time line for the current 2013 Main Street Enhancement Project
151 and Mr. Locke stated that most of the work should be done by the end of October.

152 Commissioner Oehler asked about SE Academy Street as a major arterial coming in at SE LaCreole Drive
153 near LaCreole Middle School. Mr. Locke explained that there would be two distinct parts of SE Academy
154 and with the expansion, the likely scenarios would shift the traffic pattern, creating less traffic on certain
155 existing streets.

156 Commissioner Oehler asked if all of the homes in the subdivision were single family and Mr. Locke
157 stated they would be both small and medium sized single-family homes.

158 Commissioner Wilson asked about the sign code and Mr. Swanson explained that staff was working with
159 the Dallas Area Chamber of Commerce and a focus group consisting of business people, stakeholders,
160 and members of the public so there would be outside input and not only a City Hall point of view. He
161 explained that he hoped to have a draft version available in December. Commissioner Wilson suggested
162 starting with a broad perspective of community members for the committee rather than just focusing on
163 the business community; it could create a scenario with folks that actually use the code and those who
164 have to look at it. Vice President Shein pointed out it was a timely question since the Commission had
165 been discussing the public involvement process. Mr. Locke stated he would have to give it some
166 thought with consideration to the limitations on resources.

167 Commissioner Oehler asked what was being done about the sign problem. Mr. Locke stated they were
168 currently doing nothing. He explained that the code defined what kinds of signs could be put on
169 buildings and that they learned that the best intentions that would work for everybody could end up
170 working for nobody, and he stated that he did not want that to occur with the sign code revision.

171 Commissioner Oehler stated that he did not see a problem with an additional sign on the signpost that
172 already had signs for other businesses. Mr. Locke replied that they found a provision to allow them to
173 add a sign and that it required Council action; he has not moved forward with that yet.

174 Mr. Locke reminded the Planning Commission that the elected officials had been clear about garage sale
175 signs posted around town as a quality of life issue. He explained that was why they went down that
176 road and pointed out that the more the code was tightened down, more loopholes were created. He
177 summarized the desire was to create balance and then change what did not work.

178 Commissioner Kowash asked about the public hearing process for the sign code. Mr. Locke explained
179 that staff would bring the new sign code to the Planning Commission and then it would go to City
180 Council. Vice President Shein stated that the public would need to know when the hearings took place.
181 Commissioner Oehler stated that in addition to the City website, it should be covered in an article in the
182 newspaper. Mr. Locke said that it would be on Facebook as well.

183 **STAFF COMMENTS**

184 There were no additional staff comments.

185 The meeting adjourned at 7:58 p.m.

APPROVED:

President

Date