

Planning Commission

TUESDAY, November 14, 2023 - 7:00 p.m. City Hall Council Chambers 187 SE Court Street

Planning Commission	1.	CALL TO ORDER
President	2.	ROLL CALL
John Swanson	3.	APPROVAL OF MINUTES
Vice President Andy Groh		Regular meeting of October 10, 2023
Commissioner Carol Kowash	4.	PUBLIC COMMENT Opportunity for citizens to speak about things which are <u>not</u> on the agenda (3 minute limit per person)
Commissioner Tory Banford	5.	PUBLIC HEARINGS
Commissioner John Schulte		CUP 23-10 – 188 Washington Street – Tim Sampont Outdoor storage lot for Tim's Garage
Commissioner Rich Spofford		ZC 23-01 – 520 SE Hankel Street – Polk Community Development Corp. Zone Change to High Density Residential
Commissioner Mary Newell	6.	LA CREOLE NODE MASTER PLAN UPDATE
Staff		Acceptance of drafted plan and recommendation to City Council
City Attorney 7 . Lane Shetterly		COMMISSIONER COMMENTS
City Planner Chase Ballew	8.	STAFF COMMENTS
Recording Secretary	9.	ADJOURN
Benjamin Curry		Next meeting will be 12/12/2023
		The meeting is in person at Dallas City Hall. You may also watch online at: <u>www.dallasor.gov/community/page/dallasyoutube</u>
		If you are watching online and want to submit a comment or provide testimony you must telephone: +1 (253) 215-8782 and enter meeting ID#: 213 855 0622
		If you are unable to access the meeting by telephone or by computer, please contact the Administration Department (503-831-3502) at least 48 hours in advance to request alternative accommodation.

Dallas City Hall is accessible to all people with disabilities. Any requests for accommodation should be made at least 48 hours before the meeting to the Economic and Community Development Department, 503-831-3565 or TDD 503-623-7355.

For questions or comments on the agenda, contact: Chase Ballew at 503.831.3570 or planning@dallasor.gov.

City of Dallas Planning Commission Council Chambers 187 SE Court Street, Dallas, OR October 10, 2023 - 7:00 PM

MINUTES

1 2	1.	CALL TO ORDER Vice Chair Andy Grob p	residing, called the meeting to order at 7:02 p.m.	
3		vice chair rindy croir p	residing, curica the meeting to order at 7.02 p.m.	
4	2.	ROLL CALL		
5		Commissioners Present :	Andy Groh, Rich Spofford, John Schulte, Mary Newell	
6		Not in Attendance:	John Swanson, Carol Kowash, Tory Banford	
7 8 9		Staff Present:	Chase Ballew, City Planner; Charlie Mitchell, Economic & Community Development Director; Tom Gilson, Public Works Supervisor; Benjamin Curry, Recorder	
10				
11	3.	La Creole Node Master I	-	
12		Healthy Sustainable Communities - Jon Legarza, Nikki Hart-Brinkley, Matt Brinkley		
13			n provided a presentation via Zoom utilizing a PowerPoint slide deck. His team	
14		walked through the history and progress of the La Creole Node master plan redesign work and facilitated a		
15		Q/A session with the commissioners. The commission discussed the role private owners will have in		
16		choosing to develop their properties in this zone as well as the role of Planning Commission in Strategic		
17		planning initiatives.		
18				
19	4.	COMMISSIONER COM		
20		Mr. Schulte suggested further discussion about the role of the Planning Commission in strategic land-use		
21		planning.		
22	-			
23	5.	ADJOURN		
24		Mr. Groh adjourned the	meeting at 7:41 p.m. Next meeting: November 14th, 2023, 7:00 p.m.	
25				
26	AP	PROVED:		
27				
28		John Swanson,	Planning Commission President Date	

DALLAS PLANNING COMMISSION STAFF REPORT

MEETING DATE:	November 14, 2023
REPORT DATE:	NOVEMBER 7, 2023
TOPIC:	OUTDOOR STORAGE FOR TIM'S GARAGE - #CUP-23-10
Application Type	Conditional Use

Application Type:	Conditional Use
Property Owner:	Leroy Shane & Dawnyell Dianne Murray
Applicant:	Tim Sampont
Location:	188 SW Washington Street

RECOMMENDED ACTION

Approval with Conditions

BACKGROUND INFORMATION

Zoning:	CBD – Central Business District
Comprehensive Plan:	Central Business District
Floodplain:	No Floodplain
Adjacent Land Uses:	Retail Sales & Services; Offices; Residences; School

PROJECT OVERVIEW

The applicant's request is to establish on the property an outdoor storage lot serving the adjacent automobile repair garage.

An automobile repair business has been in continuous operation at 172 SW Washington Street (presently "Tim's Garage") since at least 1972, which is when Polk County tax records indicate that the purpose-built garage structure was constructed.

At that time automobile repair was an outright permitted use within the zone, however in the intervening years the Development Code has changed with regards to allowed uses and design standards, such that the use is classified as a lawfully pre-existing non-conforming use, per DDC.5.2.020, and the code states that nonconforming uses may not be "…enlarged, increased or extended to occupy a greater area of land…"

As such, the proposed storage lot is associated with, but independent of, the adjacent repair business, and a new conditional use permit is therefore needed.

APPROVAL CRITERIA:

DDC.4.4.040.A – Conditional Use Permit Approval Criteria. DDC.4.2.060.A – Site Design Review Approval Criteria.

CONDITIONAL USE CRITERIA

Applicable approval criteria are contained in Dallas Development Code section 4.4.040.A.

Criterion:

DDC.4.4.040.A.1. – The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety and aesthetic considerations

Finding:

A new outdoor storage lot is proposed to serve the adjacent business. The 7,350 square foot property should easily accommodate the vehicle storage needs of the business. The business has multiple indoor bays with specialized equipment for heavy repair; as such, no heavy repair activities are anticipated to occur within the storage lot.

Criterion:

DDC.4.4.040.A.2. – The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval.

Finding:

The site is located within the Central Business District zone. As the storage lot is intended primarily for use by the adjacent pre-existing business, no additional traffic impacts are anticipated. The application materials do not specify any potential negative impacts.

Staff note that aesthetic considerations are proposed to be addressed through sight-obscuring perimeter fencing. Staff were not able to identify any potential negative impacts of the proposed use beyond that which is otherwise allowed by right within the zone.

Criterion:

DDC.4.4.040.A.3. – All required public facilities have adequate capacity to serve the proposal.

Finding:

The storm drainage system has adequate capacity to support the proposed use. No other public facilities are required.

SITE DESIGN REVIEW CRITERIA

The Site Design Review approval criteria shall be met. Applicable approval criteria are contained in Dallas Development Code section 4.2.060.A. The Planning Official may waive the application requirements for Site Design Review upon determining that the Conditional Use Permit application provides sufficient information to evaluate the proposal.

Criterion:

DDC.4.2.060.A.1 – The application is complete, as determined in accordance with chapter 4.1 – Types of Applications and Section 4.2.050.

Finding:

The application was determined to be complete, and the Planning Official waived further application requirements for Site Design Review upon finding that the materials supplied with the conditional use application provides sufficient information to evaluate the proposal.

Criterion:

DDC.4.2.060.A.2 – The application complies with all of the applicable provisions of the underlying Land Use District (Article 2), including building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable provisions.

Finding:

Except for the specification of allowed uses, the standards of Article 2 are specific to the exterior façade of primary buildings. As no buildings are proposed to be constructed, this section is satisfied.

Criterion:

DDC.4.2.060.A.3 – The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 5.2, non-conforming uses and development.

Finding:

The applicable land use district standards (Article 2) are specific to the exterior of primary buildings, therefore this criterion does not apply.

Criterion:

DDC.4.2.060.A.4 – The proposal complies with all of the design standards in Article 3.

Finding:

<u>Chapter 3.1 – Site Access</u>) No new driveways are proposed. A proposed condition of approval is that all vehicle access to the site be from Church Street, and that the Washington Street driveway be closed. (Condition of Approval #3)

<u>Chapter 3.2 – Landscaping</u>) The landscaping standards of Chapter 3 specify that outdoor storage and service areas need to be screened from view from all public streets by means of a decorative wall, evergreen hedge, opaque fence, or similar opaque barrier. Therefore the applicant has proposed a six foot tall chain link fence with privacy screen along the Church and Washington street frontages (Condition of Approval #1) however as part of the conditional use approval the Planning Commission may impose additional landscaping requirements if determined necessary to mitigate aesthetic impacts.

As the lot is used for storage of inventory vehicles, not parking for customers/employees, the lot is not a 'parking lot' and so the landscape standards for parking lots, including perimeter edges and island planters, does not apply.

<u>Chapter 3.3 – Parking</u>) Although automobiles will be on the property, the standards for pavement surfaces and markings, service aisles, disabled parking stalls, and other standards of Chapter 3.3 will not apply as the lot is used for storage of inventory vehicles, not parking for customers/employees.

<u>Chapter 3.4 – Public Facilities</u>) The application does not propose constructing public infrastructure, and there is no evidence development impacts would warrant further improvement.

<u>Chapter 3.6 – Signs</u>) The application does not include any signs. Any new or altered signs shall require sign permits which comply with Chapter 3.6.

Criterion:

DDC.4.2.060.A.5 – Existing conditions of approval required as part of a prior land use decision, including land divisions, conditional use permits, master planned developments, or other approval, shall be met.

Finding:

City staff are not aware of any prior conditions of approval affecting this proposal.

RECOMMENDED ACTION

Staff recommend the Conditional Use Permit be approved with the following conditions.

RECOMMENDED CONDITIONS OF APPROVAL

- 1) Within six months of this approval the applicant shall install a six-foot-tall, sight-obscuring fence along the Church and Washington Street frontages.
- 2) Gates in the perimeter fence must be operable by the Dallas Fire Department.
- 3) The Washington Street driveway shall be closed and vehicle access shall be from Church Street.
- 4) No repair activities are to be conducted on the storage lot, except that occasional minor repairs needed to move a vehicle may be performed (e.g. replacement of a dead battery or flat tire).

RECOMMENDED MOTION:

I move to approve the Conditional Use Permit with the conditions stated in the staff report.

EXHIBITS

- Application Form & Narrative
- Notice of Public Hearing

#233-23-000051-PLNG



Conditional Use Permit Application Dallas Planning Department Development Code Type III Review

File N	0.:	Ci	P	2	3-	10
Date:		-	13	- 2	3	
Fee:	\$	1,2	50		MPA	ND

There are certain uses, which, due to the nature of their impacts on surrounding land uses and public facilities, require a case-by-case review and analysis. These are identified as "Conditional Uses." The purpose of a conditional use permit is to provide standards and procedures under which a conditional use may be permitted, enlarged or altered if the site is appropriate and if other appropriate conditions of approval can be met. An application for a new conditional use permit is processed as a Type III procedure (DDC 4.1.010). Modifications to approved or existing conditional uses shall be processed in accordance with DDC Chapter 4.6 – Modifications. A pre-application conference is required before a conditional use permit application is submitted.

Please return a completed application form with attachments, and the required fee to the Dallas Planning Department, Dallas City Hall, Second Floor, 187 SE Court Street, Dallas, Oregon 97338.

Section 1 – Applicant Information
Name(s): Tim Sampont
Mailing Address: P.Q. BOX 52 DALLAS, OR 97338
Email: TSTUrbo 65@gmail. comphone Number: 503 623 9174 Cell Number:
Section 2 – Property Owner Information (If not applicant)
Property Owner(s): <u>Shanu Murray</u>
Mailing Address: 17409 Brown Rd. Dallas, UR 97338
Email: Phone Number: 503:269.1640 Cell Number:
Section 3 – Project Description
Please describe your project:
site Address: 188 SW WAShington StTotal Land Area: 0.17AC
Assessor Map/Taxlot No. 07532 AD6300 Zoning: CBD
Present Use of Property:
Section 4 – Application Submittel Information

Please submit one electronic copy (PDF format preferred) and one paper copy of the information listed below:

Completed application form;

Required fee;

 Written narrative that addresses the relevant criteria found in DDC Section 4.4.040 (see also Section 6, page 3);

Existing site conditions map;

- Preliminary grading plan;
- □ A copy of all existing and proposed restrictions or covenants;
- Drawings of all proposed signs;

- Site plan with the following information:
 - The proposed development site, including boundaries, dimensions, and gross area;
 - □ Features identified on the existing site conditions map that are proposed to remain on the site;
 - □ Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;
 - □ The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
 - □ The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
 - □ The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
 - □ The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);
 - Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
 - □ Loading and service areas for waste disposal, loading and delivery;
 - Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;
 - □ Location, type, and height of outdoor lighting;
 - □ Location of mail boxes, if known;
 - □ Name and address of project designer, if applicable;
 - □ Locations of bus stops and other public or private transportation facilities;
- Architectural drawings of all structures showing one or all of the following shall be required for new commercial, commercial/residential, industrial and multifamily buildings, and major remodels of the same:
 - Building elevations (as determined by the City Planning Official) with building height and width dimensions;
 - Building materials, colors and type;
 - □ The name of the architect or designer;
- Landscape plan showing the following:
 - The location and height of existing and proposed fences, buffering or screening materials;
 - □ The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
 - □ The location, size, and species of the existing and proposed plant materials (at time of planting);
 - □ Existing and proposed building and pavement outlines;
 - □ Specifications for soil at time of planting, irrigation if plantings are not drought-tolerant (may be automatic or other approved method of irrigation) and anticipated planting schedule;
 - □ Other information as deemed appropriate by the City Planning Official. An arborist's report may be required for sites with mature trees that are protected under Chapter 3.2. Landscape, Street Trees, Fences and Walls of this Code;
- **Traffic Impact Analysis** when required, shall be prepared in accordance with the road authority's requirements. See Section 4.1.090, and Section 3.4.010 for relevant standards; and
- Other information determined by the City Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), in conformance with the Dallas Development Code.

Section 5 – Signatures Req	uired			
I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge:				
PROPERTY OWNER(S):	Date: 9-12-23	APPLICANT(S) Tim Sampont	Date: <u>9-12-2</u> 3	
	Date:		_ Date:	

Section 6 – Application Review Criteria

Approval Criteria. An application for a Conditional Use Permit shall be approved if the proposal meets all of the following criteria. The City decision making body may, in approving the application may impose reasonable conditions of approval, consistent with the applicable criteria.

- 1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;
- 2. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and
- 3. All required public facilities have adequate capacity to serve the proposal.

The Site Design Review approval criteria (DDC Section 4.2.060) shall also be met. The Planning Official may waive the application requirements for Site Design Review upon determining that the Conditional Use Permit application provides sufficient information to evaluate the proposal.

Additional criteria and requirements apply for Wireless Communication Facilities (see DDC Chapter 3.5) and Drive-up/Drive-through uses (See DDC Section 2.3.100).

Section 7 – Review and Approval

□ Approved □ Denied Reason for Denial: Address Modification Required: □ Yes □ No
If yes, Add Remove
Date:

Section 4.4.040

A-1: see map

A-2: none for neg. impacts

A-3: n/a

- 20

B: Storage

C-2:no impact

C-3: none, Storage business

C-4: none

C-5: see map

C-6: see map

C-7: none

C-8: none

C-9: none

C-10: none

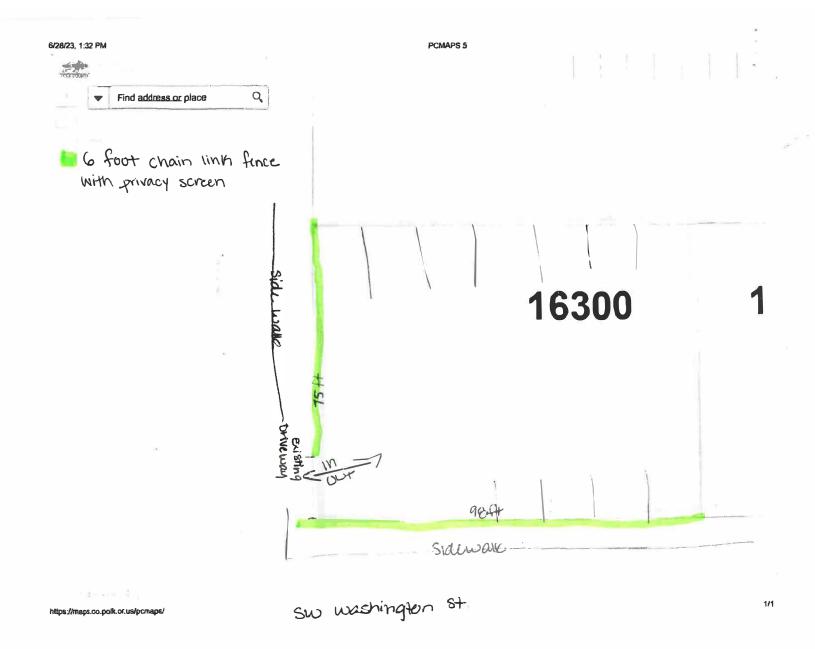
C-11: none

C-12: all will be maintained as it is

C-13: n/a

C-14:

NOTES: APPLICATION IF FOR LOT 188 SW WASTINGTON ST ONLY. TIMS AUTOMOTIVE SPECIALTIES (172 SW WASHINGTON ST) IS HAVING NO CHANGES AND ALREADY HAS PERMIT FOR USE.



CITY OF DALLAS NOTICE OF PUBLIC HEARING

Tim's Garage - Conditional Use Permit #CUP-23-10

PROPERTY LOCATION:	982 SW Church Street		
APPLICANT:	Tim Sampont.		
NATURE OF REQUEST:	Utilize vacant lot for outdoor storage for the adjacent automotive repair business.		
APPLICABLE CRITERIA:	DDC Chapter 4.4.040.A – Conditional Uses		
<u>HEARING DATE / TIME:</u>	7:00 p.m. Tuesday, November 14, 2023		
HEARING LOCATION:	In Person: Dallas City Hall, 187 SE Court Street, Dallas, Oregon Telephone: +1 253 215 8782 Passcode: 213 855 0622 Watch Online: <u>www.dallasor.gov/community/page/dallasyoutube</u>		
<u>CITY STAFF CONTACT</u> :	Chase Ballew, City Planner Phone: 503-831-3570 chase.ballew@dallasor.gov TDD: 503-623-7355		

At the above day and time the Dallas Planning Commission will hold a public hearing on this request. You may attend this meeting in-person at Dallas City Hall. You may also participate by telephone by dialing the number above and entering the passcode when prompted. Video of the proceedings will be broadcast live at the website above, but oral testimony must be in-person or by phone.

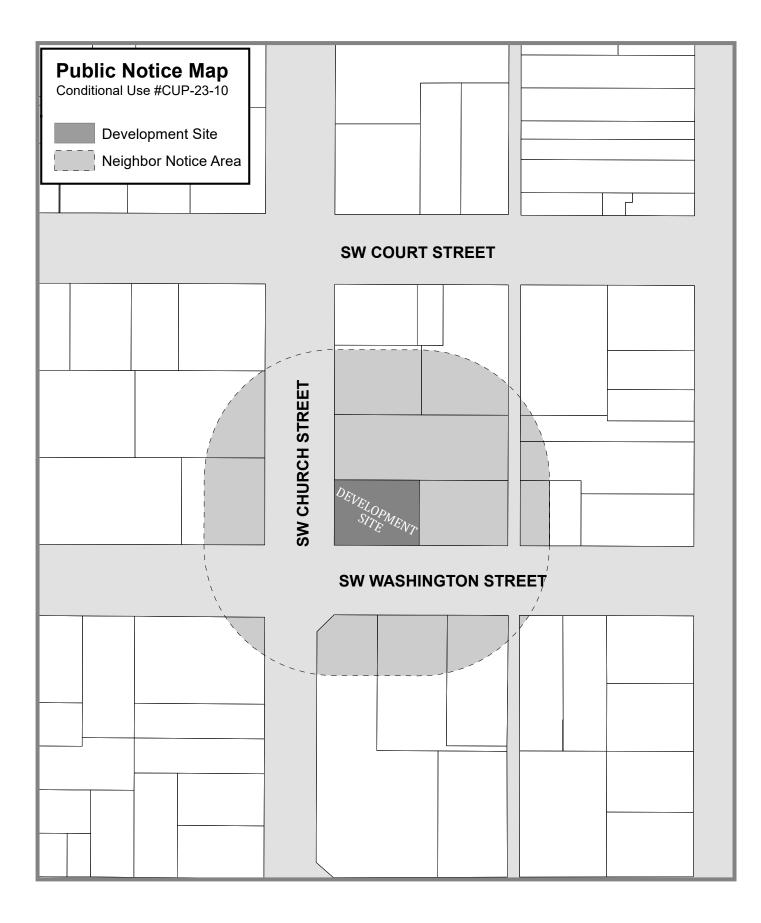
The decision makers will consider testimony which addresses the applicable criteria listed above. Testimony may be submitted in advance by writing to the Dallas Planning Department, 187 SE Court Street, Dallas, Oregon 97338, or given orally during the public hearing. The public hearing will be conducted in a manner that permits testimony from all interested parties.

At least seven days prior to the hearing the staff report, the application and documents and evidence submitted by or on behalf of the applicant, and the applicable approval criteria will be available for review online at <u>www.dallasor.gov/meetings</u> or in person at City Hall. Upon request, copies will be made at reasonable cost.

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.

Dated: October 25, 2023

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER, ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER. The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.



Testimony for the CUP 23-10 at 982 SW Church, Dallas, Oregon

I am against this CUP request as the proposed use does not fit the goals of the Comprehensive Plan for:

2.4 Commercial Land Use Policies specific to the Central Business District.

There are large development projects in the process for our downtown and the available lots and space available should be reserved for activities that best match the forward movement of our downtown. Retail, commercial business, curb appeal, etc. is the vision and having a lot of broken cars is not in keeping with the Plan. Even if screened it still does not disguise a business that could be argued is an enterprise best viewed for Industrial zoning.

I own various properties and have strived to encourage the Main Street America concept of creating our downtowns as destination areas. For that to happen we need to preserve what empty spaces we have for a more circumspect analysis based on purpose of action in a larger view.

Sincerely,

Marlene cox 11140 Orrs corner rd. Rickreall, Oregon 97371

DALLAS PLANNING COMMISSION STAFF REPORT

MEETING DATE:	November 14, 2023
REPORT DATE:	November 7, 2023
TOPIC:	HANKEL STREET ZONING MAP CHANGE – # ZC-23-01
Application Type:	Zoning Map Change (ZC)
Applicant:	Polk Community Development Corporation

Location: 520 SE Hankel Street + 498 SE Hankel Street

RECOMMENDED ACTION

Recommend to the City Council that they approve the changes to the Zoning Map as proposed.

BACKGROUND INFORMATION

Zoning:	Current zone: Residential Low Density (RL)
	Proposed zone: Residential High Density (RH)
Comprehensive Plan:	Residential
Floodplain:	No floodplain.
Adjacent Land Uses:	Residential
Prior Approvals:	2023 – Partition #PTN-23-06 (approved, not yet recorded)
	1998 – Street Plan #STP-98-04 (Book 350 Page 0998-0999)
	1998 – Street Plan #STP-98-10 (Book 366 Page 0149-0150)

Polk Community Development Corporation has purchased and renovated the dwelling located at 520 SE Hankel Street, and has received planning approval to partition the dwelling from the undeveloped remainder of the lot.

With this application they are requesting to rezone the property to high density (RH) to enable construction of an affordable multi-family development on the remainder parcel.

The Planning Official has authority to expand rezoning requests to facilitate logical and orderly expansion of the city; as the adjacent property at 498 SE Hankel Street is of the same size, with the same potential for future redevelopment, and is also contiguous to the RH zone, it is logical to include this adjacent property in the rezoning process.

APPROVAL CRITERIA:

Dallas Development Code 4.7.030.B, "Criteria for Quasi-Judicial Amendments."

CRITERION: DDC 4.7.030.B.1: Approval of the request is consistent with the Statewide Planning Goals.

FINDING:

Oregon has 19 Statewide Planning Goals, of which three (3) are directly applicable to the approval criteria of this request and are discussed individually below.

Goal 10 – Housing: This goal requires cities to encourage availability of adequate numbers of needed housing units at prices commensurate with the financial capabilities of Oregon households and allow flexibility of location, type, and density. The zone change would increase the types and density of housing allowed on the site, thereby allowing a greater number of dwellings which could be constructed, increasing supply of needed housing units.

The 2019 Housing Needs Analysis identified a projected shortage of at least 1 acre of highdensity land to accommodate growth through 2040. The HNA also projected a surplus of 324.9 acres of low-density residential. Therefore, the proposed zone change of 1.88 acres from RL to RH would help remedy the identified shortage of higher density residential lands required by Goal 10, without impacting the surplus of low-density land.

Goal 11 – Public Facilities: This goal requires cities to plan and develop a timely, orderly and efficient arrangement of public facilities and services. Water, sanitary sewer, and storm drainage of adequate capacity are adjacent to the subject property. City services, including fire and police protection and health and recreation services, have adequate capacity to serve a development of the subject property with the proposed zoning.

Goal 12 – Transportation: This goal requires cities to provide and encourage a safe, convenient, and economic transportation system and to coordinate land use and transportation planning. Goal 12 is implemented by the Transportation Planning Rule (TPR) which requires cities to evaluate whether proposed plan amendments and zone changes are consistent with adopted land use and transportation plans, to ensure the system can accommodate the development.

The current RL zoning allows a maximum density of 9 dwellings per acre; which could result in up to 17 single-family dwellings if the subject properties were redeveloped. The RH zoning allows a maximum density of 40 dwellings per acre, which could potentially produce up to 75 multi-family dwellings, although a lower intensity of development is more realistic.

However, as compared to the single-family dwellings (ITE code 210) allowed in the RL zone, multi-family dwellings (ITE code 220) typically generate fewer peak hour vehicle trips (1.01 vs. 0.62 per ITE 8th ed.) for a net increase of 29.5 vehicles in the PM peak, which is well within the capacity of the adjacent collector street to accommodate.

As the intended development of the property would not significantly reduce the performance of the roadways, staff finds that the amendment conforms with the provisions of the Transportation Planning Rule. This criterion is met.

Conclusion: Staff the proposed amendment is consistent with the statewide planning goals, and that this criterion is satisfied.

CRITERION: DDC 4.7.030.B.2: Approval of the request is consistent with the Comprehensive Plan.

Finding: The Dallas Comprehensive Plan designations for the subject property is Residential. There are a number of Comprehensive Plan policies applicable to the rezoning proposals, to which the applicant's narrative responds.

Comprehensive Plan Chapter 3 – Livable Residential Neighborhoods:

Staff note that policies identified under the title of 3.1 *Location & Design Policies* <u>must be</u> <u>explicitly considered when reviewing zone change applications</u>. Policies under 3.1 (1-9 are identified below) with staff findings in response.

Policy 3.1.1 - Each residential neighborhood shall be located within 1.5 miles of planned general or neighborhood commercial development.

Finding: The properties are 800 feet from the commercial zone along Ellendale Avenue. This policy is satisfied.

Policy 3.1.2 - Each residential neighborhood shall be served by a grid street system, which minimizes the use of cul-de-sacs, double frontage lots and walled subdivisions.

Finding: This policy is partially implemented by the street and subdivision standards of Dallas Development Code Chapter 3.4 and 4.3. Design of the local street system will be subject to these standards at time of development review, however no development is included with this application. Staff also note that there are recorded street plans identifying future extension of SE Pine Street across this property, connecting the two disconnected halves and completing the street grid in this area. As such, staff concur that the site can be served by a grid street system.

Policy 3.1.3 - Each residential neighborhood within a mixed use zone shall provide its fair share of multi-family housing, consistent with Residential Policy 3.2.

Finding: The applicant is requesting RH zoning for the property, which allows multi-family housing, however staff concur that the site is not within a mixed use node and so this criterion does not apply.

Policy 3.1.4 – Land planned or zoned to allow for multi-family housing shall be located adjacent to planned commercial areas or along arterial and collector streets, and shall be reserved exclusively for that purpose. Land planned or zoned to allow less dense attached middle family dwellings (like tri-plexes, four-plexes and townhomes) shall be located, in whole or in part, within a quarter mile of employment, retail and service centers but does not need to be located adjacent to planned commercial areas, or along arterials and collector streets. Land planned or zoned for medium density residential is an appropriate transition between land planned or zoned for high density residential and land planned or zoned for low density residential.

Finding: The properties are adjacent to SE Hankel Street, a collector roadway.

Policy 3.1.5 – *Pedestrian and bicycle access shall be provided between commercial, open-space, and residential uses in all new development.*

Finding: This requirement is partially implemented by the standards of Dallas Development Code Chapter 3.1 and 3.4, which are part of a development review application.

Policy 3.1.6 – *Public or private park land shall be provided in proportion to residential development and in accordance with Chapter 4.5 (Level of Service).*

Finding: This requirement is partially implemented by the standards of Dallas Development Code Chapter 2.2, which establish requirements multi-family developments to reserve 15% of the gross area as parks and open space, with specific design standards. This will be reviewed with a development review application.

Policy 3.1.7 – Identified river and stream corridors, wetlands, flood hazard, steep hillsides and slide hazard areas where building would be hazardous shall be considered unbuildable, and shall be used to define neighborhood boundaries.

Finding: There are no such areas near the subject properties, so this policy does not apply.

Policy 3.1.8 – Outside of the mixed use nodes, high-density residential zoning shall be limited to the area immediately adjacent to the Central Business District and to the general and neighborhood commercial zones.

Finding: The subject properties would be a logical extension of the RH zone that applies to abutting properties to the north, forming a contiguous block of RH zone from Hankel Street up to East Ellendale Avenue and the General Commercial zone located there.

Policy 3.1.9 – Redevelopment of the second and third stories of buildings in the Central Business District for residential and commercial uses shall be encouraged.

Finding: The property is not within the CBD, so this policy does not apply.

CRITERION:

DDC 4.7.030.B.3: The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period.

Finding: Public Facilities – There are existing water, sewer, and storm lines with adequate capacity to serve a residential development. The Dallas Development Code requires new development to detain storm water on-site and attenuate to pre-development levels.

Finding: Public Services – Existing city services, including fire and police protection, have adequate capacity to serve a development of the subject property. Fire hydrants are available in the streets abutting the property.

Finding: Transportation Networks – Transportation is discussed above with the above on page 2, which found the increase in PM peak traffic would likely be within the capacity of the roadway system, however the Dallas Development Code would require a detailed traffic impact analysis if the thresholds in DDC.4.1.090 are exceeded.

Conclusion: It can be found that the property and affected area are or can be served with adequate public facilities and services, and that this criterion is satisfied.

CRITERION:

DDC 4.7.030.B.4 The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application.

Finding: The proposed zone change to Residential High-Density (RH) can be found to be in the public interest, as the Dallas Housing Needs Analysis forecasts that over the next 20-years Dallas will need at least 1 more acre of RH zoned land than presently exists within city limits. Dallas has also previously been identified as a rent burdened community under ORS 456.586, to which limited supply of housing, specifically rental housing, is logically a contributing factor. Therefore increasing the supply of housing generally, and higher density zoned land specifically, is in the public interest. The proposed zoning is consistent with the existing residential zoning to the north, which is already developed as RH.

Conclusion: For the reasons as stated above, staff conclude that the applicant's zone change is in the public interest.

CRITERION:

DDC 4.7.030.B.5 The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.060.

Finding: The Transportation Planning Rule implements Statewide Planning Goal 12, and is discussed above under Goal 12 on page 2 of this staff report.

Conclusion: The amendment can conform to the TPR, so this criterion can be met.

RECOMMENDED MOTION:

"I move to recommend that the City Council approve the Zoning Map amendment as proposed."

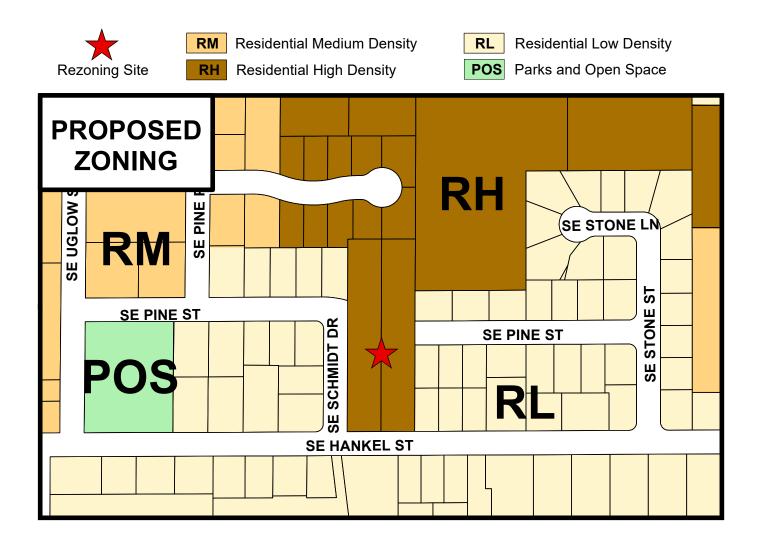
EXHIBITS:

Exhibits submitted by staff

- Notice of Public Hearing with Map
- Map showing existing and proposed zoning.

Exhibits submitted by applicant

• Applicant's written statement and application form.



CITY OF DALLAS NOTICE OF PUBLIC HEARING

APPLICATION:	Zone Change #ZC-23-01
APPLICANT:	Polk Community Development Corporation
PROPERTY LOCATION:	498 / 520 SE Hankel Street
NATURE OF REQUEST:	Rezone residential land from low density (RL) to high density (RH).
APPLICABLE CRITERIA:	DDC Chapter 4.7 – Land Use District Map Amendments
HEARING DATE / TIME:	7:00 p.m. Tuesday, November 14, 2023
HEARING LOCATION:	In Person: Dallas City Hall, 187 SE Court Street, Dallas, Oregon Telephone: +1 253 215 8782 Passcode: 213 855 0622 Watch Online: <u>www.dallasor.gov/community/page/dallasyoutube</u>
CITY STAFF CONTACT:	Chase Ballew, City Planner Phone: 503-831-3570 chase.ballew@dallasor.gov TDD: 503-623-7355

At the above day and time the Dallas Planning Commission will hold the first of two public hearings on the request. You may attend this meeting in-person at Dallas City Hall. You may also participate by telephone by dialing the number above and entering the passcode when prompted. Video of the proceedings will be broadcast live at the website above, but oral testimony must be in-person or by phone.

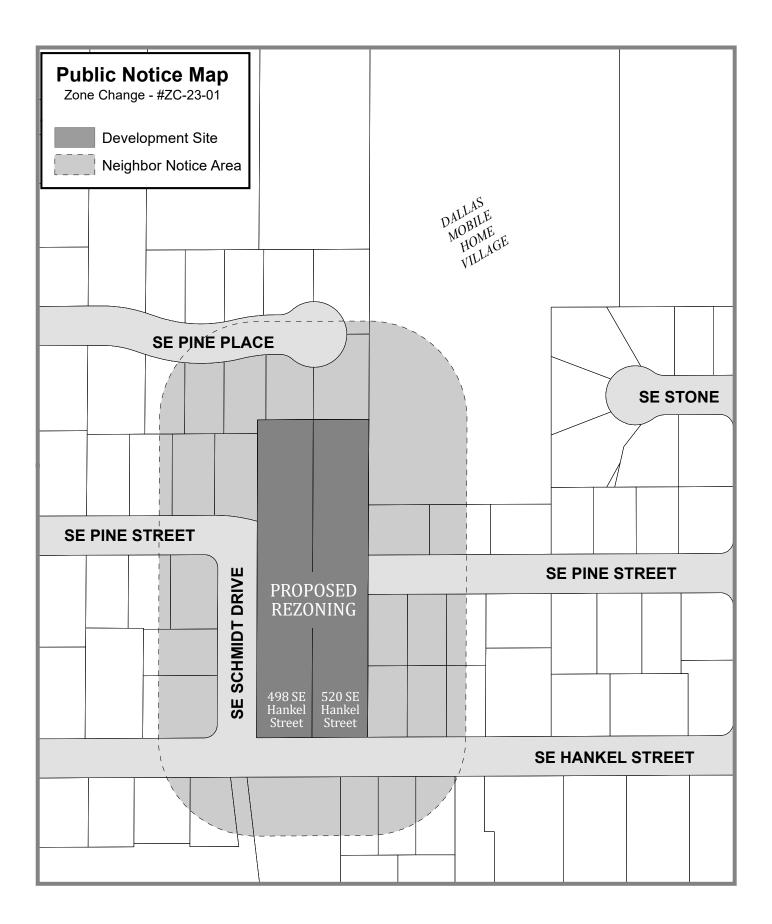
The Planning Commission will consider testimony which addresses the applicable criteria listed above. Testimony may be submitted in advance by writing to the Dallas Planning Department, 187 SE Court Street, Dallas, Oregon 97338, or given orally during the public hearing. The public hearing will be conducted in a manner that permits testimony from all interested parties.

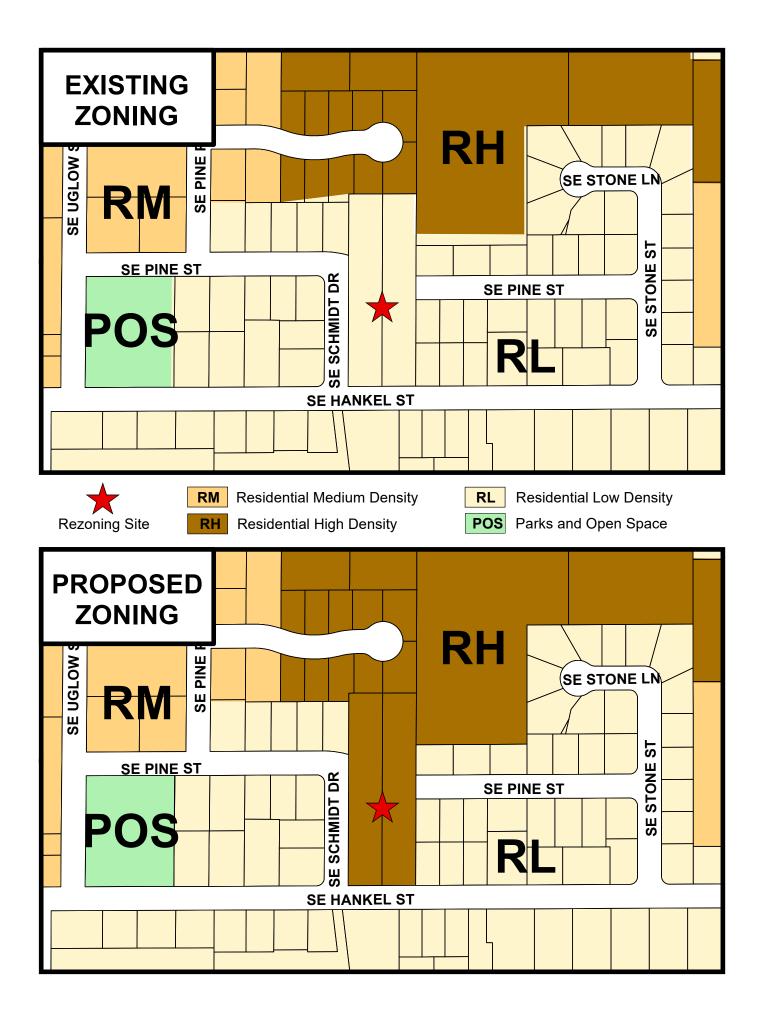
At least seven days prior to the hearing the staff report, the application and documents and evidence submitted by or on behalf of the applicant, and the applicable approval criteria will be available for review online at <u>www.dallasor.gov/meetings</u> or in person at City Hall. Upon request, copies will be made at reasonable cost.

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER. ORS 215 requires that if you receive this notice it must be promptly forwarded to the purchaser. The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.

Dated: October 9, 2023







Land Use District Map Change Dallas Planning Department Development Code Type III/IV Review

 #233-23-000047-PLNG

 Official Use Only:

 File No.:
 £C ^ Z 301

 Date:
 7 - 28 - 23

 Fee:
 \$2,750
 □PAID

A change in land use district designations may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law. A change in land use district map designation that involves a Comprehensive Plan map amendment is reviewed and approved by the City Council, upon receiving a recommendation from the Planning Commission. The Planning Commission reviews and makes the final decision on land use district map changes that do not involve Comprehensive Plan map amendments. NOTE: A Pre-application conference is required before a Land Use District Map Change application is submitted. Please return a completed application form with attachments, and the required fee to the City of Dallas Planning Department, City Hall, Second Floor, 187 SE Court Street, Dallas, OR 97338.

Section 1 – Applicant Information			
Name(s):Pol_k @mmunity Developme_ntCorporation			
Mailing Address: PO Box 33 / 657 Main Street	Dallas, Oregon 97338		
Phone Number: <u>503-831-3173</u>	_ Cell Number: _ 503-551-4919		
Section 2 – Property Owner Information (If not applicant)			
Property Owner(s): Polk Community Development Corporation			
Mailing Address: PO Box 33 / 657 Main Street Dallas, Oregon 97338			
Email: <u>klyell@polkcdc.org</u>			
Phone Number: <u>503-831-3173</u>	_ Cell Number: <u>503-551-4919</u>		
Section 3 – Project Description			
Site Address: <u>520 SE Hankel St.</u>	Total Land Area: _41,051		
Assessor Map/Taxlot No. 07528DC01400			
Current Zoning: <u>RS</u>	Proposed Designation: <u>RH</u>		
Comprehensive Plan Amendment Requested?: 📃 Yes	No		
Current Plan Designation: <u>Residential</u>	Proposed Plan Designation: Residential		
Present Use of Property: <u>Residential</u>			
Section 4 – Application Submittal Information			

Please submit one electronic copy (PDF format preferred) and one paper copy of the information listed below:

- Completed application form;
- □ Required fee;

Property deed and deed restrictions. Copy of the deed and all existing and proposed restrictions or covenants, including those for access control.
If Map Amendment, include a map showing the extent of the proposed change.
Written narrative that addresses the relevant criteria contained below:
 Approval of the request is consistent with the Statewide Planning Goals; Approval of the request is consistent with the Comprehensive Plan; The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks to support the use, or such facilities, services and transportation networks to be provided in the planning period; and The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application; and The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.060. Other Information determined by the City Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, environmental features, natural hazards, etc.), in conformance with this Code.
Section 5 Signatures Dequired
Section 5 – Signatures Required I hereby certify the statements contained herein, along with the evidence submitted, are in all respects
true and correct to the best of my knowledge:
PROPERTY OWNER(S): Redation Date: 7-25-23
Date:
APPLICANT(S) Date: 7-28-23
Date:
Section 6 Transportation Diamning Deview (TDD)
Section 6 – Transportation Planning Review (TPR)
When a development application includes a proposed comprehensive plan amendment or land

When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule - TPR) and the Traffic Impact Analysis provisions of Section 4.1.090. "Significant" means the proposal would:

 Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Dallas Transportation System Plan; or

- 2. Change the standards implementing a functional classification system; or
- 3. As measured at the end of the planning period identified in the Dallas Transportation System Plan or the adopted plan of any other applicable roadway authority, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or
- 4. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in road authority's adopted plan; or
- 5. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the road authority's adopted plan.
- 6. Where the City lacks specific transportation policies or standards, the City Council shall be consulted, as provided under Section 4.1.050 (Type IV Legislative Review).

Amendments to the Comprehensive Plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

- 1. Adopting measures that demonstrate that allowed land uses are consistent with the planned function of the transportation facility; or
- 2. Amending the Comprehensive Plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses; such amendments shall include a funding plan to ensure the facility, improvement, or service will be provided by the end of the planning period; or
- 3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
- 4. Amending the planned function, capacity or performance standards of the transportation facility; or
- 5. Providing other measures as a condition of development or through a development agreement or similar funding method, specifying when such measures will be provided.

Section 6 – Review and Approval

Official Use Only:

□ Approved □ Denied Reason for Denial: _____

Staff Signature:

Date:_____



July 28, 2023

Dallas Planning Department City of Dallas 187 SE Court Street Dallas, OR 97338

RE: 520 SE Hankel St. zoning change request.

Dear Chase Ballew:

Enclosed you will find a copy of the Preliminary Title Report and completed Land Use District Change requesting a zoning change for 520 SE Hankel St. We are requesting a zoning change to accommodate the development of an affordable multifamily housing project intended to be built after the property has been partitioned into to 2 lots and at or after the time Pine Street is to be extended through the property. Our plan is to build 5 to 10 units of affordable housing at the north end of the property.

- Currently the property is in close proximity to properties zoned Residential High Density.
- This is consistent with Statewide Planning Goal 10: Housing and does not pertain to any of the other 18 Statewide Planning Goals.
- In my determination it appears that this plan is consistent with the Dallas Comprehensive Plan.
- This change is in the public interest as the State of Oregon is currently in a housing crisis.
- This property and affected area is presently provided with adequate public facilities, services and transportation networks. As we would be extending a street, I would think the Transportation Planning Rule but was unable to find Section 4.7.060.

Should you have any questions, please do not hesitate to call me at 503-831-3173.

Sincerely,

Kimberly

Operations Manager

Enclosures

DALLAS PLANNING COMMISSION STAFF REPORT

MEETING DATE:	NOVEMBER 14, 2023
REPORT DATE:	NOVEMBER 7, 2023
TOPIC:	LA CREOLE NODE MASTER PLAN UPDATE

RECOMMENDED ACTION:

Planning Commission to recommend that the City Council accept the updated plan as proposed.

VICINITY INFORMATION:

Area:	222 Acres, 155 Tax Lots
Comprehensive Plan:	La Creole Mixed-Use Master Plan Node Overlay
FEMA Floodplain:	No
Riparian Corridor	Yes
Adjacent Land Uses:	Various - Retail; Offices; Residences; Rural; Vacant

PROJECT OVERVIEW:

The La Creole Node Development proposal is a significant undertaking set to revitalize and expand the existing urban area within the City of Dallas. This expansion aims to accommodate the growing population and enhance the economic potential of the region. The proposal focuses on diversifying the land use within the node, accommodating residential, commercial, and public space, ensuring a balanced, vibrant, and sustainable community.

In early January 2023, the City of Dallas initiated a proactive approach to ensure community engagement and transparency in the La Creole Node development project. The city administration facilitated this by publishing regular updates and articles in local newspapers, offering residents and stakeholders insight into the ongoing project's milestones, objectives, and proposed modifications.

INTERACTIVE PROJECT WEBSITE:

The city launched an interactive online hub dedicated to the La Creole Node development. This digital platform was designed to enable the community to easily follow and track the progress of the project. Through the hub, residents had the opportunity to access real-time updates, engage in discussions, and express their feedback and concerns, fostering a sense of involvement and inclusion in the decision-making process. The aim was to create an open channel for information dissemination, ensuring that the community remained well-informed and engaged throughout the developmental phases of the La Creole Node.

TECHNICAL ADVISORY COMMITTEE (TAC):

The Technical Advisory Committee (TAC) held a series of meetings to review the La Creole Node proposal. The TAC discussed various elements of the plan, including the distribution of residential and commercial areas, open spaces, infrastructure requirements, and community feedback. Concerns about traffic flow, green space allocation, and the balance between residential and commercial zones were the primary points of discussion.

The Technical Advisory Committee for the La Creole Node development was formed with a diverse representation from various sectors crucial to the project's success. Composed of representatives from transportation authorities, the development community, public agencies, transportation experts, brokerage firms, and financial organizations, this committee played a pivotal role in shaping and refining the final concept for the development project. Their collective expertise and insights were instrumental in providing valuable guidance and recommendations, essential to move forward with the updating of the zoning code. The committee's collaborative efforts ensured that the proposed modifications aligned with the best practices and considerations from a wide array of expertise, optimizing the zoning code to meet the needs of the community while fostering sustainable and progressive development within the La Creole Node.

PUBLIC OPEN HOUSE:

An open house was conducted to gather community input regarding the La Creole Node development. Numerous residents, property owners, and local businesses participated, expressing diverse perspectives. Residents advocated for more green spaces and amenities, while business owners stressed the need for favorable commercial zoning to boost economic growth in the area.

The La Creole open house marked a significant milestone as one of the City of Dallas's most extensively attended community events. With an impressive turnout of over 80 residents, the open house served as a platform for residents to actively engage, listen, and familiarize themselves with the city's new proposed concept plan for the La Creole Node. The substantial participation demonstrated the community's deep interest and commitment to staying informed and involved in the developmental process of their neighborhood. Residents seized this opportunity to learn and discuss the proposed concept plan, expressing their thoughts, concerns, and ideas, thereby contributing to the inclusive decision-making process. This notable event showcased the community's dedication and enthusiasm in shaping the future of the La Creole Node.

PLANNING COMMISSION WORKING SESSION:

The Planning Commission conducted a comprehensive working session to deliberate on the various aspects of the La Creole Node proposal. The session centered on refining the zoning modifications and comprehensive plan to address the community's needs and align with the city's long-term vision. Discussions focused on balancing residential and commercial allocation, infrastructure enhancements, and public space design.

INPUT FOR FINAL CONCEPT APPROVAL:

After considering feedback from the TAC, open house, and working sessions, the final concept for the La Creole Node is presented before the Planning Commission for approval. The proposed modification to the zoning and comprehensive plan includes a balanced allocation of 39.4 acres for medium-density residential, 32.9 acres for high-density residential, 90 acres for commercial development, and 29.94 acres for public right-of-way. Furthermore, the proposal accounts for green spaces, amenities, and infrastructure improvements.

The modification aims to ensure a harmonious blend of residential and commercial zones while enhancing public infrastructure and green spaces. The Commission is urged to consider the community's feedback and the City's long-term objectives in making a decision tonight on the approval to move forward with the proposed modifications to the zoning and comprehensive plan for the La Creole Node.

The staff strongly recommends to the Planning Commission the adoption and initiation of the proposed concept for the La Creole Node. The comprehensive nature of this concept aligns with the community's vision for a balanced, vibrant, and sustainable development. By moving forward with this plan, it sets the stage for the essential process of updating the zoning and comprehensive plan for the area. This action will pave the way for a thoughtful and inclusive approach to address the diverse needs of residents, businesses, and the broader community. It signifies a crucial step towards enhancing the quality of life, fostering economic growth, and ensuring a well-planned and harmonious future for the La Creole Node within the City of Dallas.

APPROVALS PROCESS:

Implementation of the master plan update will occur in three phases. The first phase and purpose of this meeting is acceptance of the outcome of the planning process to date. This is not a land use action and not a public hearing, although the Commission has the option to accept testimony.

The second phase, intended for 2024, is the regulatory land use process, whereby the comprehensive plan, zoning map, and development code will be amended to implement the plan, with the notices, hearings, and appeal rights associated with Type IV legislative amendments.

The third phase will be the annexation and rezoning of individual properties or groups of properties consistent with the master plan. It is anticipated that the timing of this phase will be driven by development.

RECOMMENDED MOTION:

I move to recommend that the City Council accept the updated master plan as proposed.

EXHIBITS:

• Map of Proposed Land Use & Transportation – "La Creole Conceptual Plan #4"

