

**CITY OF CASCADE LOCKS**  
**PLANNING COMMISSION**  
**AGENDA**

Thursday, November 8, 2012 at 7:00 PM  
City Hall

1. Call Meeting to Order
2. Commissioners Notes and Objections
3. Declaration of Conflict of Interest or Ex-Parte
4. Approval of Minutes
  - a. October 11, 2012
5. Old Business
  - a. Presentation of Draft Ford Foundation Grant Application
6. New Business
  - a. Public Hearing to consider changes to Code Section 8-6.24.025 of the CDC - Pre-Application Applicant Sponsored Meeting.
  - b. Public Hearing to consider changes to Code Section 8-6.20 Types of Development Actions and Code Section Chapter 8-6.148\_Development Review to establish a new Architectural Review Committee.
  - c. Public Hearing to consider recommending Adoption of the Trail Plan into the City's Comprehensive Plan
7. Adjournment



#### **I. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Chairman Bob Walker called the meeting to order at 7:09 p.m. Planning Commissioner Chair Bob Walker, Planning Commission Members Nancy Renault, Rob Brostoff and Deanna Busdieker were present. Planning Commissioner Larry Cramblett was absent. Also present were City Planner Stan Foster, Deputy City Recorder Megan Webb, Camera Operator Betty Rush, Jackson Vanderpool and Holly Howell.

#### **II. COMMISSIONERS NOTES AND OBJECTIONS - none**

#### **III. DECLARATION OF CONFLICT OF INTEREST AND EX-PARTE - none**

#### **IV. Approval of September 13, 2012 Planning Commission minutes**

**MOTION:** PCM Renault moved, seconded by PCM Brostoff, to approve the Planning Commission minutes for September 13, 2012. The motion was passed unanimously by PCM Renault, PCM Brostoff, PCM Busdieker and PCC Walker.

PCM Cramblett arrived at 7:15.

#### **V. OLD BUSINESS**

##### **A. Report on Grant for Code Amendments Progress**

PC Foster asked for the Commission to consider setting the next meeting to be a public hearing to address three topics. He said the three topics the Commission would be making a decision on are to adopt the trail plan into the City's Comprehensive Plan, to modify the CDC regarding an applicant holding a pre-application public meeting and to have the first hearing for revising the Architectural Review Process. He said each item requires two public hearings with the first hearing to review the changes and hear from the public. He said after the changes were made to the CDC, a second hearing would take place to review those changes. **Motion:** PCM Brostoff moved, seconded by PCM Renault, to hold a public hearing on November 8, 2012 to discuss the adoption of the trail plan, the changing of the CDC regarding the pre-application public meeting and the Architectural Review process. The motion passed unanimously.

PCC Walker said the architectural review committee sounds reasonable, as we have very broad criteria that is sometimes hard to comprehend. PC Foster said this would allow an applicant to go through a design review process to help them make a decision to be able to move forward with the application based on the findings of whether or not they meet the downtown design requirements. He said he would recommend there be a representative from the Planning Commission, a representative from the Downtown Revitalization Committee, and a design expert possibly from the community, on the review panel.

**B. Discussion of Ford Institute Grant Opportunity.** - PC Foster said he received a response back from the Ford Institute. He said they have invited the City to submit a grant application for public process. PC Foster said he will be meeting with ICA Koch in the morning to ask the Council to move forward with the application.

**C. Discuss recommendation on Adopting the Trail Plan** - This was discussed earlier in the meeting.

#### **VI. NEW BUSINESS**

##### **A. Public Hearing LU 12-003 - Jumpin' Jax Java**

PCC Walker opened the Public Hearing at 7:19. He asked for any conflicts of interest or ex-parte, there was none. PC Foster addressed some questions regarding the staff report that were asked by PCM Brostoff prior to

the meeting. PC Foster addressed the concern about the signs on the building. He said the maximum combined sign square footage can not exceed 50 sq ft. He said staff concludes this standard is met. He said all of the applicants signs do not exceed an amount greater than the required maximum 50 sq ft.

PC Foster said staff found the application met all requirements with one exception. He said he has spoke with the applicant about having a screened area for trash and recycling receptacles. He said this will be a condition of approval. He said another question was regarding the drive-thru lane requirements. He said the code is not exactly crystal clear, but what is clear is that there has to be clearly marked directional signs showing the route and the surface needs to be at least 18 feet. PC Foster recommends that the Planning Commission approve the application with the noted conditions of approval.

PCM Cramblett asked about the plan of sharing the driveway. Mr. Vanderpool said he will be sharing an access point and a driveway with the Brigham Fish Market. He drew a diagram on the white board and explained his plans of how the traffic flow would work. Mr. Vanderpool said his proposed hours of operation will be 6am to 6pm but he will base it on the communities needs and wants. He said the other reason for the design of the driveway was because of the future development on Port property to the east of him. He said his structure will be built on site with a deck on the west end of the building.

PCM Brostoff said he welcomed the idea of putting in a coffee shop. He said when the commission approved Brigham Fish Market, it was approved with the idea that delivery trucks would have room to move around. He said now seeing the plans for the coffee shop, it looks like there will no room for that. PCM Brostoff said he would like to see more detail in the drawing of the plans. He said he can't tell if the existing bike lane is still there and he couldn't tell how big the building was. He said he couldn't tell how big the parking spaces were. PC Foster said Bob Shautz, who drew the Brigham Fish Market plans, also drew Mr. Vanderpool's site plans and planned for the parking spaces to be the standard size. PCM Brostoff said he is concerned with the location of the ADA parking space being the farthest space from the building. He said he would be concerned with how far a person had to walk and that they would be walking through traffic. PCM Renault said she also had concerns with the location of the ADA parking space. She said she would like to see it as close to the building as possible.

Mr. Vanderpool addressed PCM Brostoff's and Renault's concerns. He said the overall length of the building is 28 feet with a 6 foot overhang on the east end making it a total of 34 feet. He said the width of the building is 12 feet plus an additional 6 feet of covered decking area for a total of 18 feet. He said in terms of the parking layout and drive-thru, he referred to the professionals. He said with ODOT allowing only one access point, it made it a little more difficult. He said all of the commissioners concerns were valid points and he would be more then happy to address them all. Mr. Vanderpool suggested he could move the ADA space to the proposed number five parking space and add a sidewalk for easier access to the building. PC Foster said that it may be appropriate to suggest that one spot of street parking could be designated as an ADA spot.

PCM Busdieker asked about finding four on the staff report. She said it does not include the setback of the building from the street. PC Foster said the sidewalk is six feet and there is a ten foot utility easement for a total of a 16 foot setback from the street. PCM Busdieker asked about the landscaping in finding six. She said she can not tell where the landscaping will be. Mr. Vanderpool said he plans to landscape the area of the ten foot utility set back, the island in the drive-thru and the area to the east behind the order board. PCM Busdieker asked about the traffic flow in finding seven. She said the staff report says there will be seven off street parking spots. PC Foster said he made a mistake and said he will correct the report to read five off street parking spaces. She also asked about the screened area that is mentioned in the staff report. PC Foster said that will be the paved patio for the ADA access point for the walk up window. PCM Busdieker asked why the curb on the east side of the plan is at an angle. Mr. Vanderpool said he if the ADA space is moved to space

number five he will make that curb straight. He said he agrees with everyone's concerns with more detail in the drawings.

PCM Cramblett asked about the possibility of putting in a yield sign to help take care of any traffic problems. He asked if it was possible to change the shape of the island in the middle of the drive-thru. Mr. Vanderpool said he wasn't sure what other shape would be better but he would be more than happy to look at any other ideas.

PCC Walker asked if there were any other proponents. Holly Howell said she was with the Port and was here to address any concerns regarding their conversations with ODOT.

PCC Walker said that even though he is employed with ODOT, he is not acting as an employee. He said he is acting as Bob Walker and as a member of the Planning Commission. He said he wanted to answer some of the ODOT related questions because he does have experience with access management. He said he is also concerned with the truck traffic and site circulation. He said he would like to also see the ADA parking space closer to the building.

PCM Brostoff asked if it was possible to move the ADA parking space directly next to the building. Mr. Vanderpool said that could be a possibility however it could create more of a problem with traffic flow. PCM Renault suggested that the parking spaces be back-in parking only. PCC Walker said he felt that Mr. Vanderpool's business plan is to focus on the drive-thru aspect of his business. He said that parking could be a concern but that Mr. Vanderpool expects most of his business to be drive-thru.

PCC Walker asked for any other proponents to speak. Miss Howell introduced herself and explained the process the Port took to obtain the access points from ODOT. She said that ODOT asked the Port to apply for only one access point at this time. She said ODOT suggested some things to be done including adding a stop sign at the point where the drive-thru traffic would be re-entering into the driveway, closing any other curb cuts in the sidewalk within the proposed property and moving the building back away from the driveway for better visibility. She said ODOT said they do not have jurisdiction over the driveway and parking lot, however they felt bringing up those suggestions would help the applicant.

PCC Walker asked for any opponents. There were none.

Mr. Vanderpool said he found trouble locating the building on the property because of the required setbacks of the City. He said that was an issue when figuring out the design and flow of the drive-thru. He said this was the best option he could come up with because of those restrictions.

PC Foster said with any business there are busy times and there are slack times. He said between the two businesses, the fish market and the coffee shop, they could schedule their deliveries. PCM Brostoff asked what would happen to traffic if a different business went in five years from now.

PCC Walker closed the Public Hearing LU 12-003 at 8:16.

PCM Cramblett asked if a variance would solve some of the problems with the setbacks and allow for a better configuration of the traffic flow.

PCM Busdieker said she thought that the Coffee Shop was a great idea and feels it would be a great addition to the town as long as all of the concerns that were raised are addressed.

PCC Walker said it is good to see a person wanting to build in Cascade Locks doing their homework. He said he agrees with PCM Cramblett regarding the variances. He said this could be a time when our present requirements don't necessarily fit what's best for the City or someone who wants to start a business. He said he thinks that a variance could be something worth discussing.

PCM Renault said she is always excited to see new businesses come into town.

PCM Brostoff said this is a beautiful building and it will fit in well with the vision we have for our town. He asked if there was a reason the coffee shop was locked into the space that it is intended to be in. Mr. Vanderpool said he didn't have a reason other than the shared access point.

PC Foster reminded the commission that they will either have to approve the application with conditions or deny the application. He said it can not be converted to a variance without Mr. Vanderpool restarting the whole process. He said there are ways to address the commissioners' concerns with conditions of approval. He said the Commission could make it a condition of approval that if the use of the property changes in either size or scope, it would require the subsequent owner to reapply. He said the Commission could also include the condition that the applicant finds an ADA spot closer to the building. PCM Brostoff suggested that the hearing be reopened to discuss these conditions. **Motion:** PCM Cramblett moved, seconded by PCM Brostoff, to reopen the public hearing for LU 12-003. The motion was passed unanimously. PCC Walker reopened the hearing at 8:27.

Mr. Vanderpool said he would like to plan to move the ADA parking space to the proposed space number 5 and change all parking to back-in parking. He said he plans to put in a yield and/or stop sign where the drive-thru traffic reenters the driveway. He said he will put in a sidewalk for the ADA access to the building. Mr. Brostoff asked the applicant if he was planning to have a bike rack. Mr. Vanderpool said yes he was planning to add it into the landscape on the east end of the building.

PCC Walker closed the Public Hearing for LU 12-003 at 8:35.

PCM Brostoff said he is still concerned with truck traffic of both the Fish Market and the Coffee shop. PC Foster reminded the commissioners they had already approved the Fish Market and could not make any changes to the Fish Market. PCC Walker suggested that the applicant restrict truck traffic to only during a specific time period. PC Foster said the commission could stipulate, as a condition of approval, that deliveries be made at specific times. He also said the condition could say that all delivery trucks park in the designated parking spot in the rear. Mr. Vanderpool said he does not plan to have any large delivery trucks and he will be doing most of the maintenance himself. He said he could also ask trucks to park on the street.

PC Foster said the suggested conditions of approval he has heard so far are to require back-in parking on the rear parking spaces, to move the ADA parking space nearer to the coffee shop in a safe location, large service truck traffic should be restricted to low volume hours or requested to park on the street, and a stop sign shall be established at the access point to the driveway. PCM Busdieker reminded PC Foster about the screened in trash area. **Motion:** PCM Busdieker moved, seconded by PCM Cramblett, to approve the application with the above conditions of approval. PCM Brostoff reminded PC Foster to add the condition requiring any new owners to reapply for any new business. The motion was passed unanimously.

#### **B. Recommend Grant Action to City Council**

This was discussed earlier in the meeting.

**C. Set Hearing Date for Administrative Hearing on Code Changes**

This was discussed earlier in the meeting and will be held November 8, 2012.

**Motion:** PCM Brostoff moved, seconded by PCM Busdieker, to adjourn. The motion was passed unanimously. PCC Walker adjourned the meeting at 8:50pm.

Prepared by:

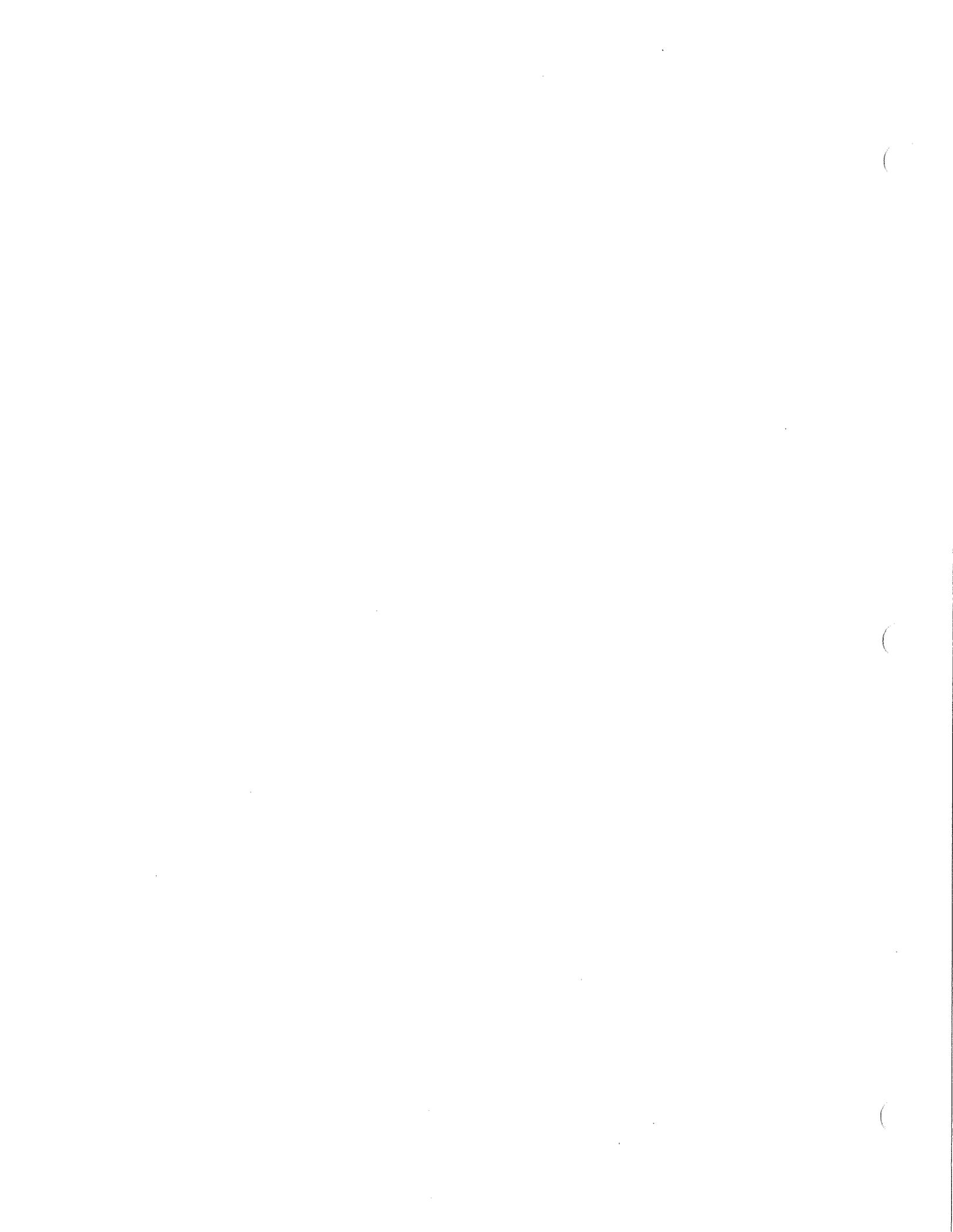
Approved:

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Megan Webb  
Deputy City Recorder

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Bob Walker  
Planning Commission Chairman



**PROPOSED ADDITIONAL LANGUAGE UNDERLINED AND BOLD**

**Chapter 8-6.20**

**TYPES OF DEVELOPMENT ACTIONS  
AND DETERMINATION OF PROPER PROCEDURE**

Sections

- 8-6.20.010 Application Review Procedures
- 8-6.20.020 Administrative Actions
- 8-6.20.030 City Administrator Review
- 8-6.20.040 Planning Commission Review
- 8-6.20.050 City Council Review
- 8-6.20.060 Determination of Proper Procedure Type
- 8-6.20.070 Architectural Review Procedures**

Comment: Added wording

8-6.20.010 Application Review Procedures

Applications in this title will be processed as an Administrative, City Administrator, Planning Commission, or City Council action in accordance with the standards set forth in this chapter.

8-6.20.020 Administrative Actions

Administrative actions involve permitted uses or development governed by clear and objective review criteria. Administrative actions do not encompass discretionary land use decisions. Impacts have been recognized by the development and public facility standards. The intent and purpose of a zoning district is not a consideration for approving these uses.

8-6.20.030 to 8-6.20.060 (Remain unchanged)

**8-6.20.070 Architectural Review Procedures**

**The City Council shall approve and appoint a three-person voluntary citizen committee to act as the Architectural Review Committee (ARC) when the code requires a site plan development review as preliminary to issuing a development permit. This committee will serve at the pleasure of the City Council and shall serve staggered two year terms, subject to reappointment of the City Council after the completion of a twenty-four month period from the date of appointment. The Architectural Review Committee (ARC) shall consist of three persons; one of who is a sitting member of the City Planning Commission, one of who is a representative of one of the affected development zone and one who is a design or**

building professional who has knowledge of the construction trades plus an ex-officio representative of the city staff shall be appointed by the City Administrator to assist in the processing of the application for design review on behalf of the ARC.

- a. The City upon receiving notice of a request for a development permit in the affected zone shall advise the applicant of the requirements of the zone for a Design Review with the City Architectural Review Committee and ask the applicant to identify a date of which they will be ready to submit preliminary design per Sections 8-6.148.040 to 8-6.148.100 as appropriate for the particular application.
- b. The applicant upon submitting design documents will be advised of a date not less than seven days nor more than 14 days in which the applicant will meet with the ARC to review the proposed development.
- c. The ARC shall meet with the applicant present to review the application and discuss the design features of the proposed development. Applying the specific criteria of the development code the ARC shall complete their review and submit a summary of their findings to the City staff for inclusion in the staff report to the City Planning Commission. Specifically the ARC shall determine whether the proposed development meets the standards of the code and if it does not, specify why the proposal fails to meet this criteria.
- d. The ARC may suggest or recommend modifications to the proposed development site plan to ensure compliance with the standards of the code. These proposed changes should be made prior to submission to the City Planning Commission or the ARC shall note that the applicant failed to modify the application to comply with the design standards of the zone.

Comment: Added Wording

**ARTICLE V**  
**DEVELOPMENT REVIEW**  
Chapter 8-6.148

SITE PLAN AND DESIGN REVIEW

Sections

- 8-6.148.010 Purpose
  - 8-6.148.020 Applicability of Provisions
  - 8-6.148.030 Administration
  - 8-6.148.040 Submittal Requirements
  - 8-6.148.050 Site Conditions
  - 8-6.148.060 Site Plan
  - 8-6.148.070 Grading Plan
  - 8-6.148.080 Architectural Drawings
  - 8-6.148.090 Landscape Plans
  - 8-6.148.100 Sign Plan
  - 8-6.148.110 Approval Standards
  - 8-6.148.120 Exceptions to Provisions
  - 8-6.148.130 Agreement and Security
  - 8-6.148.140 Maintenance
- 8-6.148.010 and 8-6.148.020 (Remain unchanged)

8-6.148.030 Administration

- A. Site Plan Review requiring an Architectural analysis for zones D- Downtown, C- Commercial and RC- Resort Commercial shall be completed by a City appointed three person Architectural Review Committee as set forth in 8.6.20.070 (a) through (d)
- B. Design and Site Plan Review applications and major modifications to existing development shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures of this title.
- C. Minor modifications, as described in subsection 8-6.148.020 F. above, shall be administered and reviewed as a City Administrator decision in accordance with Article II, Procedures, of this title.
- D. Permits to construct a single family residence or duplex shall be administered and reviewed as an Administrative decision in accordance with Article II, Procedures, of this title.

Comment: Added wording

8-6.148.040 to 8-6.148.100 (Remain unchanged)

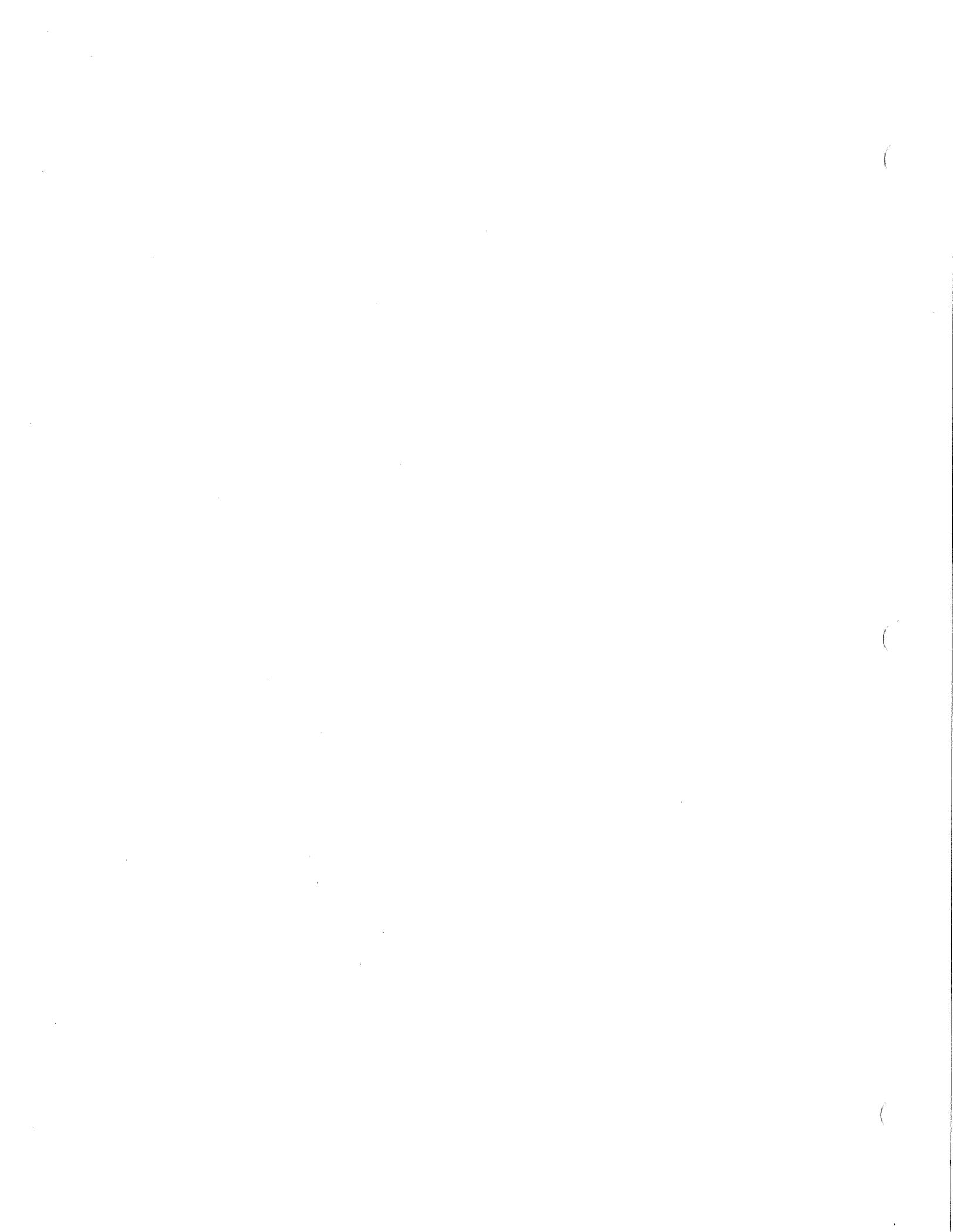
8-6.148.110 Approval Standards

The Planning Commission shall received a Architectural Review Committee recommendation on a specific site design for all proposed developments in the D,C or RC zones. [The Planning Commission shall approve, approve with conditions or deny an application based on findings of fact with respect to the approval standards of this section.]

Comment: Added wording

- A. The applicable provisions of this title are:
1. Accessory structures - Chapter 8-6.164;
  2. Additional yard and setback requirements - Section 8-6.44.060;
  3. Base zone requirements - Chapters 8-6.44 through 8-6.96;
  4. Building height exceptions - Section 8-6.44.060;
  5. Circulation and access - Chapter 8-6.112;
  6. Landscaping and screening - Chapter 8-6.104;
  7. Parking and loading - Chapter 8-6.108;
  8. Public facility and service requirements;
  9. Flood Plain Overlay Zone - Chapter 8-6.120;
  10. Geologic Hazard Overlay Zone - Chapter 8-6.124;
  11. Airport Protection Overlay Zone - Chapter 8-6.132
  12. Downtown Design Overlay Zone - Chapter 8-6.136;
  13. Signs - Chapter 8-6.144;
  14. Vision clearance - Chapter 8-6.116;
  15. Wetland and Riparian Areas - Chapter 8-6.128; and
  16. Manufactured and Mobile Homes - Chapter 8-6.100.
  17. The Design Standard sections of the D, C, and RC zones.

8-6.148.120 to 8-6.148.140 (Remain unchanged)



## EXISTING LANGUAGE

### 8-6.24.025 Pre-application applicant sponsored meeting

- A. No application for a land use approval that requires a hearing and decision by the Planning Commission, not including action on appeal of a City Administrator decision, shall be received by the Administrator unless the applicant or the applicant's representative has held a public meeting inviting all property owners, residents, and business owners within the applicable notification area for the required public hearing. Pre-application meetings will be held no more than six months in advance of the filing of the subject application.
- B. The purpose of the Pre-application meeting is to allow the applicant to present the proposed land use action to those owning or residing in the notification area, answer questions from those in attendance, learn from those in attendance about concerns, issues, and ideas about the proposed land use action, and work toward agreement on any points of concern. It is not a requirement of this Code Section to require agreement amongst the parties on points of concern, but rather to require that the meeting is held so the public and the applicant can understand the proposal and the issues.
- C. Written notification of the public meeting will be provided to all property owners, residents, and business owners within the applicable notification area for the required public hearing. The meeting must be open to all who choose to attend, including those outside the notification area. A written record of the major points of the discussion, along with a list of those in attendance, will be created and preserved. An audio or video recording will be made that successfully creates a record of the entire meeting.
- D. Pre-application meetings will be held at a reasonable time and at a reasonable place so as to allow the greatest possibility of participation by those in the notification area. The City Administrator will judge the reasonableness of the timing and place of the meeting in reviewing the application for completeness and can reject the application if a finding is made demonstrating the lack of reasonableness in holding the meeting.
- E. The applicant or applicant's representative will facilitate the public meeting. Nothing in this Code section precludes the applicant or applicant's representative from ejecting a participant who is disruptive to the ability of the rest of the participants to listen and participate.
- F. The City will have no role in sponsoring, convening, or facilitating a Pre-application meeting. City participation is at the discretion of the City Administrator. A Pre-application meeting is not an official part of the land use process.

## PROPOSED NEW CODE LANGUAGE

### Proposed Revised Code Language

### 8-6.24.025 Pre-application applicant sponsored meeting

- A. The City encourages the applicant to sponsor a pre-application meeting with surrounding property owners to fully discuss and explain the applicant's intended land-use action. This meeting is voluntary and should be an informal discussion with area interested

citizens who may have questions and inquiries about the nature and extent of the proposed action.

- B. The City will not participate in this pre-application meeting, but will assist the applicant in identifying affected property owners within the lawful notification distance from the subject property prior to the subject meeting.
- C. The purpose of this meeting is to allow the applicant to learn of community concerns and issues in advance of submitting his or her application. This step will provide the applicant with an opportunity to address these concerns prior to officially engaging in the land use planning application and hearing process.
- D. No testimony can be provided from this pre-application meeting unless said testimony is dated and signed by the party to which the testimony is attributed. The applicant may not submit testimony on behalf of another individual unless said testimony is signed by the party with a current address and dated when signed. Testimony submitted from this forum is subject to verification with the individual signing the testimony.