



City of Irrigon Planning Commission Minutes
February 1, 2011 at 6:00 p.m.
Irrigon City Hall
500 NE Main Avenue

1. Call to Order and Roll Call

Vice Chair Tom Roberts called the meeting to order at 6 p.m.

Roll call was taken. Planning Commissioners present were: Dale Beamer and Foster Carroll. Stacy Nordquist was absent.

Staff present: City Manager Gerald Breazeale and City Clerk Penny Moore.

Citizens present: Eleanor Partridge, Marsha Richmond, Frances Carroll, Chris Boothby, Nate Griffin, Nathen Braun, Pastor Rick Yardley and Linda Skendzel.

2. Issue Oath of Office to New Planning Commissioner, Irene Fetsch

Irene Fetsch was ill and not able to attend the meeting. Her oath of office will be at the next planning commission meeting on March 1, 2011.

3. Approve Minutes from the January 4, 2011 Planning Commission Meeting

Vice Chair Roberts asked the Commissioners if they had read the minutes. It was moved by Commissioner Carroll and seconded by Commissioner Beamer to accept the January 4, 2011 meeting minutes. Vote was taken and motion carried unanimously.

4. Public Hearing – Conditional Use Permit for Oregon Trail Library District Irrigon Branch Library

Vice Chair Roberts stated that the Oregon Trail Library District has submitted an application for a branch library building to be constructed at 490 NE Main Avenue. The library building is proposed to be attached to the current Irrigon City Hall. The library would be constructed on land owned by the City of Irrigon under a lease until the building is completed. The City of Irrigon intends to deed the land to the Oregon Trail Library District. The permit would be for an approximately 6,000 square feet building to provide library services, a shared lobby with City Hall and a public meeting room.

The library building will be located in a C-2 Commercial zone (C-2) for a permitted use with a conditional use permit. The conditional use process allows the planning commission to place stipulations on the proposed development as are considered necessary or desirable for the health, safety and convenience of the neighbors and citizens of the city.

6:08 p.m. Deputy Nathen Braun arrived.

Vice Chair Roberts read the Conduct of Public Hearing statement to the audience.

The public hearing tonight concerns the approval of a conditional use permit for the Irrigon Branch Library building of the Oregon Trail Library District

A) The applicable approval criteria and standards that apply to the application or appeal are:

The minimum standards for development found in Title 10, Chapter 3.

Additional criteria may be considered under the Conditional Use Permit. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

- 1) Limiting the hours, days, place and/or dust.
- 2) Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor, and/or dust.
- 3) Requiring larger setback areas, lot area, and/or lot depth or width.
- 4) Limiting the building or structure height, size or lot coverage, and/or location on the site.
- 5) Designating the size, number, location and/or design of vehicle access points or parking areas.
- 6) Requiring street right of way to be dedicated and street(s) sidewalks, curbs, planting strips, pathways, or trail to be improved.
- 7) Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas.
- 8) Limiting the number, size, location, height and/or intensity of outdoor lighting.
- 9) Limiting or setting standards for the location, design, and/or intensity of outdoor lighting.
- 10) Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance.
- 11) Requiring and designating the size, height, location and/or materials for fences.
- 12) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, and/or cultural resources.

13) Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district nonremonstrance agreement for the same. Dedication of land and construction shall conform to the provisions of chapter 3; article A of Title 10 of the Irrigon City Code.

B. That the testimony and evidence shall concern the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision.

C. Failure to raise an issue with sufficient detail to give the hearings body and the parties an opportunity to respond to the issue, means that no appeal may be made to the state land use board of appeals on that issue.

D. Before the conclusion of the initial evidentiary hearing, any participant may ask the planning commission for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body shall grant the request by scheduling a date to finish the hearing (a continuance) per subsection D2 of this section, or by leaving the record open for additional written evidence or testimony per subsection D3 of this section.

Public Hearing opened at 6:11 p.m.

Vice Chair Roberts asked for any public comment.

Chris Boothby, the architect for the library explained that the Oregon Trail Library District has been working for many years with the community to build a permanent branch library building. The final plan decision was made to attach the library to the city hall and this would eventually be around the future public plaza. The combination the two buildings would best serve the needs of the community for sharing facilities.

At this time, Mr. Boothby referred to the library floor plan displayed showing the main entrance. The library and city hall will share the main lobby and a pair of restrooms. Entering from the city hall west will be the meeting room. There will be an entrance from the north with parking on Division Street and parking in front and on the south with on street parking on Highway 730 eventually. In the future Division Street could be closed for Farmers Markets or events. The sidewalks in front of the main entrance will need to be 10 feet instead of the current 5 feet.

6:20 Pastor Rick Yardley arrived.

Mr. Boothby continued to go over the plans talking about gambles and trellis that would let in lighting. The meeting room will be scaled like the city hall main entrance that will be 11 feet high. It was stated that large shade trees to be planted to the west to provide the building afternoon shade.

The generator was discussed; perhaps the chain link fence could be replaced with a concrete wall or wood fence, Mr. Boothby said. Vice Chair Roberts asked about the generator possibly being moved when Chemical Stockpile Emergency Preparedness Program (CSEPP) goes away or does it belong to the city. City Manager Breazeale stated that CSEPP gave the generator to the city, which has proved to be valuable when the power has gone out and the conference room was made available to the citizens.

Manager Breazeale stated that the code allows offsite parking within a quarter of a mile from the site. City council has agreed to joint shared parking. Employees and park attendees could use the parking on Division

Street instead of onsite. This offsite parking would save the valuable library property. Instead of onsite parking, the library has agreed to deposit to the city \$100,000 for construction of the city parking spaces.

Vice Chair Roberts asked about the possibility of solar energy. Mr. Boothby stated that they are required to invest 1.5% of the construction cost in solar energy.

Public Hearing closed at 6:50 p.m.

Vice Chair Roberts asked the commissioners for any questions, comments or discussion?

Linda Skendzel left the meeting at 6:51 p.m.

Manager Breazeale addressed the commissioners referring to his staff report recommending allowing the conditional use permit for the Irrigon Branch Public Library with some conditions. Manager Breazeale commented on the library sign that needed to be addressed at some point stating that the sign should be lighted. It was brought up to possibly eliminate the City of Irrigon sign and combine the two into one since the same entrance will be shared by both.

Manager Breazeale stated that he understands the Library District is not pleased with the flat roof design portion at the lobby of the building. It was stated that this could be fine-tuned after meeting code requires or other stipulations that need to be put on the use. It was suggested to propose to redesign the roof. Mr. Boothby stated that in the interest of time to try to break ground in the spring. The main concept of the building is in form; city hall, the stacks and meeting room, and he would work with the District to comply with the design criteria.

It was moved by Commissioner Carroll and seconded by Commissioner Beamer to approve the conditional use permit for the Oregon Trail Library District Irrigon Branch Library as set forth by the staff recommendations (See Staff Report Attached). Vote was taken. Motion carried unanimously.

Marsha Richmond left the meeting at 7:08

5. City Code Review – Parking Requirements

Vice Chair Roberts opened the city code review for parking requirements for comments or questions from the audience.

City Manager Breazeale gave some background on the issues that are in the code currently that need to be called to the city's attention that if enforced there would be a very large volume of enforcement actions. The current code was written in 2007 as a model code. The current city code book language might not completely reflect what the community standard is. Manager Breazeale stated that the city is trying to find out what is the community standard, how much of the parking that is taking place now would be acceptable. What needs to be considered is what the people's rights are to use their property for their own use and how ever they want to verses their impact on the neighboring properties and their value.

It was stated that the Code Enforcement Officer was in attendance and he is on hold of enforcing many of these violations until a consensus is reached with the code language. At the first meeting in January, parking issues were talked about and one of the codes stipulates that you will only park your vehicles on the driveway or in a garage or car port. Any vehicle parking outside that area would technically be in violation with the

current code, that includes boats, campers, RV's, extra vehicles. Where will the property owner put their vehicles and/or recreational vehicles/equipment? Manager Breazeale stated that some property owners have made wider driveways or done other alternatives.

At the January meeting there was a discussion about allowing one RV, one boat, one utility trailer along with other auto vehicles. Fencing large lots was also discussed at the January meeting where many vehicles are on a vacant lot and to consider exception permits.

What should the community standard be? The planning commission will suggest code language to amend the code and will go to the city council for adoption which will require a public hearing.

Vice Chair Roberts stated that at the January meeting there was a motion to designate parking spaces of no more than one (1) recreational vehicle at a time as to current code (gravel driveway). There was a discussion on establishing percentages of driveway space per lot and the number of vehicles allowed per property based on the amount of space, this was a starting point.

Pastor Rick Yardley talked about subjective decisions of how things are going to be. He stated that he has three boats and he has his organized and looking neat, and it will be hard to have a one size fits all, there should be some exceptions to the rule. He stated that as home owners' we have rights and if we are taking care of our property and keeping it neat, who is this acceptable to? That is why you have code he went on to state and that has to be addressed and common sense has to take a huge roll in this decision. He doesn't believe that because you have these extra recreational items that it should cost you to have permits for them.

Commissioner Carroll stated that there is existing ordinance that is specific. If you drive around Irrigon, you can see where code needs to be enforced. Pastor Yardley said, yes, that is where the common sense comes in when re-writing the ordinance. Commissioner Carroll stated that the question put forth is will the city enforce the current ordinance or will the ordinance need to be re-written.

Commissioner Roberts stated that when they have amended the language in the code, will it meet the community expectations. Councilwomen Skendzel stated that she also hopes that the city will not tell her what she can or cannot own. They moved here so they would not have all these restrictions and she said they also keep their property neat and orderly. She went on to say that all of their vehicles and equipment all run. Commissioner Roberts stated that this is one thing the commission is concerned with, how they will provide language that will separate the different situations. Councilwomen Partridge talked about a neighbor that has a vehicle that has not be moved, is not licensed and his weeds growing up around it, and a camper, these items could be moved around to the back yard she stated.

Commissioner Roberts ask if additional consideration be given for language addressing the upkeep of property to conform to what the overall consensus of the community is or solely on the occupational issues of the vehicles. Councilwomen Partridge stated that if it looks like "junk" it should be moved out of the sight of the public.

Deputy Nathen Braun stated that the weeds are a fire hazard and that the code states that any weeds that are within 20 feet of the building that are more than a foot tall are a violation or if more than 2 feet tall any place else. There is no penalty in the development code. The parking issue needs a penalty in the development code or modifies the language in the nuisance code.

Deputy Braun stated that currently in the nuisance's session of the code for inoperative vehicles it states: any piece of mechanized equipment that is unable to perform its designed function. Only one inoperative vehicle can be stored on the property, allowed only in driveways, carports and garages.

Deputy Braun stated that he needs a better benchmark to define the code for inoperative vehicle for violations. There was a discussion on how to determine if a vehicle is operable. Is the vehicle currently registered? Deputy Braun stated that non-registered vehicle are sometimes driven down the road, so they are still operable even though not registered.

Commissioner Roberts stated that it is not the intent to limit anyone's individual rights as property owners, however, to try and establish a benchmark that will work.

Linda Skendzel left meeting at 7:38

It was moved by Commissioner Roberts and seconded by Commissioner Carroll to table the city code review – parking requirements until the absent commissioners can be present to discuss the items that the public brought to this meeting. Vote was taken. Motion carried unanimously.

6. Building Permit Activity –

Manager Breazeale stated that there was not much activity in the 4th Quarter of 2010.

7. Additional Discussion

There being no further business the meeting was adjourned.

Adjournment: Vice Chair Roberts moved to adjourn the meeting at 7:47 p.m.

Submitted by/
Penny Moore
City Clerk

Planning Commission Secretary

Next Regular Meeting: City of Irrigon Planning Commission – March 1, 2011
All meetings begin at 6:00 p.m.

Staff Report 1/25/2011

Re: Conditional Use Permit Application
Oregon Trail Library District, Irrigon Branch Library
490 NE Main Avenue, 5N 26 24DD, Tax Lot 5300

The Oregon Trail Library District has submitted an application for a branch library building to be constructed at 490 NE Main Avenue. The library building is proposed to be constructed at 490 NE Main Avenue and attached to the current Irrigon City Hall. The library would be constructed on land owned by the City of Irrigon under a lease until the building is completed. Upon completion of construction, the City of Irrigon intends to deed the land to the Oregon Trail Library District. The permit would be for an approximately 6,000 sq. ft. building to provide library services, a shared lobby with City Hall and a public meeting room.

The property lies within the C-2 Commercial zone. A library building located in the C-2 zone is a permitted use with a conditional use permit. (City Code 10-2B-2, Table 10-2B-2B, Community Service, including civic centers) The conditional use process allows the Planning Commission to place stipulations on the proposed development as are considered necessary or desirable for the health, safety and convenience of the neighbors and citizens of the city.

The conditional use permit process is a type III procedure and requires notification of all property owners within 250 feet of the site and a notice published in a newspaper of general circulation in the area of the application and of the public hearing to be held regarding the application. At the hearing the Planning Commission will take testimony from the public regarding the proposal and may incorporate suggestions brought up by members of the public and by staff to make the proposed use more acceptable to the community. **(City Code 10-4-D, Conditional Use Permits)**

The Oregon Trail Library District has been working for many years with the full support of the community to build a permanent branch library building. Through negotiations with the City of Irrigon, the Library District has obtained permission to build the library on City owned land and attached to the existing City Hall. The decision to attach the buildings was a community decision to help develop a central civic area in a prominent location. The concept is that concentrating use and sharing facilities at this location would best serve the needs of the community.

The site plan submitted with the application addresses most of the required criteria in the Irrigon Code with a few caveats that have been noted in this report. Compliance with basic Code provisions is required and cannot be waived by the conditional use process. To waive requirements would require a variance application and a hearing on the variance. Noted below are both code requirements and staff suggestions. Where the code requirement needs to be addressed it is so labeled. Subjective notes are labeled as suggestions.

10-2B-2: General Commercial Zone, C-2
Section C, Table of Development Standards

All of the described standards in the table have been met with the exception of the maximum front setback. The requirement is that the building be situated no more than 5 feet from the sidewalk in the C-2 zone. The maximum setback may be increased to provide pedestrian amenities between a building and its adjoining street. (Irrigon Code 10-2B-3C, Building Orientation, subsection 3(a).) The library will need to provide pedestrian features between the building and the street to comply with this provision.

10-2B-4: Architectural Design Standards

Some of the requirements under this section may be considered subjective. The Planning Commission may require certain changes to the building, site or exterior facade to meet the intent of this section. Some areas noted that may need to be addressed are: **(10-2B-4, B (4)) At least forty percent (40%) of the building's front facade (measured horizontally in linear feet) shall be located no further from the street than the maximum front yard setback.** The setback issue can be addressed by including pedestrian amenities into the space between the building and the street as described above.

(10-2B-4, B (5)), Ground floor windows or widow displays shall be provided along at least forty (40%) of the building's (ground floor) street facing elevation(s); windows and display boxes shall be integral to the building design and not mounted to an exterior wall. This section is somewhat subjective and requires some interpretation.

Some of the wall space facing Main Avenue is where the public restrooms are located so windows may not be appropriate here. However, some sort of building facade treatment may help to break up the monotony of a blank wall and address the intent of the code.

(10-2B-4, B (6)) Primary building entrance(s) are designed with weather protection, such as awnings, canopies, overhangs, or similar features. The plans do not show or describe how the entrances are to be protected. Protection of the entrances needs to be a condition of approval.

(10-2B-4, B (7)) Primary building entrances, parking areas, pathways and other pedestrian areas shall have lighting to provide at least two (2) foot-candles of illumination. Illumination of the walkways is not referenced on the drawings. The illumination of the walkways is required.

10-2B-4, C Compatibility:

1. There is continuity in building sizes between new and existing buildings. Staff believes that this requirement has been met. The existing City Hall building is

approximately 4,000 square feet and the library will be approximately 6,000 sq ft with shared lobby and restroom areas.

2. The ground floor and upper floor elevations and architectural detailing are compatible with adjacent commercial buildings.

This is somewhat subjective, but the faux stone should extend around the entire building to provide continuity. The windows should also reflect the style and treatment as the windows on City Hall.

3. Roof elevation is compatible with adjacent commercial buildings. It is staff's opinion that the roof lines and slopes shown are not compatible with the existing roof lines and slopes of the adjacent City Hall. The roof pitch of the existing City Hall is 4 in 12 while the proposed library has a mixture of pitches at least 6 in 12 combined with two separate flat roof areas. The combined look of the varied roof styles does not fit well together. It is recommended that the flat roof sections be eliminated and that the roof pitches match the existing pitch at City Hall.

4. There is continuity of building sizes on the site, if more than one building is proposed. There is only one building proposed. The standard has been met.

5. There is continuity in the rhythm of the windows and doors on the proposed building(s). Staff believes that the window and doors need more study and recommend that the architect work with the District to bring the building into compliance here.

6. The relationship of buildings to public spaces, such as streets, plazas, other areas, and public parking, including on street parking, is strengthened by the proposed building(s). Staff believes that this building is essential to completing the plans for the Irrigon downtown according to approved community priorities. The requirement is met.

Parking: All new development is required to provide parking for the facility's use. The library is required by Code to provide one space per 200 sq. ft. of building (**10-3C-3, Table 10-3C-3A**) Since the library contains approximately 6,000 sq. ft. of area, the parking requirement is for 30 parking spaces. The library will receive credit for seven (7) on street parking spaces on Main Avenue and has agreed to pay the City of Irrigon up to \$100,000 to build an off site parking facility just east of Division Street to include 23 spaces to be shared with the Irrigon City Hall. This agreement needs to be confirmed in writing and \$100,000 deposited with the City of Irrigon prior to the release of the building permit.

10-2B-5: Pedestrian Amenities

As stated earlier in this report, pedestrian amenities can be provided to allow a greater setback than the maximum allowed by code. The applicant should propose how they will be providing pedestrian amenities to warrant the increased setbacks.

Access to the site will be from Main Avenue and from Hwy 730. No vehicle access will be provided from US Hwy 730 and an access permit will not be required. Pedestrian access will be accommodated off the sidewalk on North Main Avenue and from the multiuse path adjacent to Hwy 730. Walkways connect to the pedestrian routes.

10-3A-3 (3)(B) Walkway Design and Construction

(3)(b) At least ten (10) feet wide in the commercial zones when bordering a public street. The applicant needs to widen the existing sidewalk north of the building from 5ft. to 10ft. wide.

10-3 Article B. Landscaping, Street Trees, Fences and Walls.

The applicant has submitted landscaping plans that conform to code. Staff suggests that additional large trees be included to the west of the building to provide shade from the hot afternoon sun.

Staff is recommending:

Approval of a conditional use permit for the Irrigon Branch Public Library with the conditions that:

- 1) The applicant provide the City of Irrigon with a suitable agreement for an off site shared parking lot off site to be constructed by the City of Irrigon, and depositing with the City of Irrigon \$100,000 (or other suitable instrument) for parking lot design and construction prior to issuance of the building permit.**
- 2) The applicant will provide suitable pedestrian amenities between the sidewalk and the building to allow greater than maximum setback from the street.**
- 3) The Oregon Trail Library District work with the architect to meet compliance with the design criteria listed in this report.**
- 4) The applicant will provide weather protection over the entrances according to City Code.**
- 5) The applicant shall provide pedestrian scale lighting on all walkways according to City Code.**
- 6) The applicant shall widen the existing sidewalk along Main Avenue for the length of the building design area to ten (10) feet wide.**
- 7) The applicant will plant additional large shade trees to the west of the proposed building to provide afternoon shade.**

By Gerald Breazeale, City Manager