

**LA PINE CITY COUNCIL & LA PINE PLANNING COMMISSION &
TRANSPORTATION ADVISORY COMMITTEE MEETING AGENDA**

Wednesday, July 21, 2010

Planning Commission Work Session - 5:00 p.m.

Joint Session – 6:00 p.m.

Transportation Advisory Committee Work Session – 7:30 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

- A. Work Session for Planning Commission – 5:00 p.m.
 - 1. Call to Order
 - 2. Roll Call
 - 3. Approval of Meeting Minutes
June 16, 2010 Planning Commission Meeting Minutes
 - 4. General Discussion
 - 5. Adjourn Work Session
- B. Joint Session – City Council, Planning Cmsn, Transportation Advisory Cmte - 6:00 p.m.
 - 1. Call to Order
 - 2. Pledge of Allegiance
 - 3. Biogreen Discussion
 - Deborah McMahon, DMC Consulting Inc – City of La Pine Planning Consultant
 - James Lewis, Foreterra, LLC – City of La Pine Planning Consultant
 - 1. Text Amendment – Will Groves, Senior Planner, Deschutes County
 - 2. Land Partition – Teresa Rozic – Property Specialist, Deschutes County
 - 4. Adjourn Joint Session
- C. Transportation Advisory Committee Work Session – 7:30 p.m.
 - 1. Call to Order
 - 2. Roll Call
 - 3. General Discussion
 - 4. Adjourn Work Session

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the Planning Commission to consider or discuss additional subjects. The meeting is subject to cancellation without notice. The meeting is open to the public and interested citizens are invited to attend. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Luana K. Damerval at (541) 536-1432.

LA PINE CITY COUNCIL & LA PINE PLANNING COMMISSION

JOINT MEETING MINUTES

Wednesday, July 21, 2010

Joint Session – 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

B. Joint Session – City Council, Planning Cmsn, Transportation Advisory Cmte - 6:00 p.m.

1. Call to Order

Mayor Shields opened the meeting at 6:01 pm.

2. Pledge of Allegiance

Mayor Shields led the Pledge of Allegiance.

2a. Roll Call:

Present Were:

City Manager Rick Allen

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele McAfee

Councilor Don Greiner

Admin Ass't Patricia Morgan

Chair John Thomas, Planning Commission

Planning Commissioner Dennis Davis

Vice Chair Gloria Fleming, Planning Commission

City Recorder Luana Damerval – absent, not required at meeting

City Attorney Jeremy Green – absent, not required at meeting

Linda Maggard – absent by prior arrangement

Virginia Classen – absent by prior arrangement

Quorum established.

3. Biogreen Discussion

Deborah McMahon, DMC Consulting Inc – City of La Pine Planning Consultant

James Lewis, Foreterra, LLC – City of La Pine Planning Consultant

1. Text Amendment – Will Groves, Senior Planner, Deschutes County
2. Land Partition – Teresa Rozic – Property Specialist, Deschutes County

Will Groves, Senior Planner for Deschutes County, gave a presentation on the proposed text amendment. Mr. Groves stated that the text amendment will apply to all buildings in the industrial zone if it is approved. He said the three proposed changes were:

- 1) limit the required screening of adjacent storage areas;
- 2) allow utility building facilities up to 100 feet in height;
- 3) allow exhaust stacks up to 150 feet in height;

Mr. Groves said that Biogreen needs an expedited schedule for their application due to the need to meet grant funding deadlines. He also said the planning staff would recommend a 60 foot limit on stacking

materials for screening needs. Mr. Groves said that if a land use change occurs the neighboring land owners would need to be noticed per Measure 56. He said if notices had to go out that would definitely impact Biogreen's schedule and he would advise mitigation to avoid that delay. Mr. Groves said planting of trees and shrubs could provide some amount of screening for the materials. He also said that currently there are no regulations regarding stacking requirements in Deschutes County.

00:17:00

Deborah McMahon, DMC Consulting Inc., stated that the increase in height for exhaust stacks will be for utility businesses in the industrial district, only. She also said that the text amendment is consistent with what the City wanted to do in the industrial area anyway in regard to renewable energy, and would not require other codes to be adopted later.

Matt Steele, from Hickman Williams & Associates the engineering firm for Biogreen, gave a PowerPoint presentation that demonstrated how the facility would like from various directions with both the current vegetation as well as future vegetation that Biogreen would plant. He said there will be security fences around the property and they can be screened as well. Mr. Steele also stated that the air quality permit has been applied for and is in process. Mr. Steele said the Powerhouse building well shield some of the noise from the chipper to neighboring properties.

Public Comments

Vicky Jackson, 17346 Mink Street, asked what roads the trucks would be using to enter the plant. Mr. Steele said they are hiring a traffic engineer to determine the best routes to try to avoid issues with traffic.

Liz Fancher, attorney for Biogreen, stated that they think all the things that Deschutes County has suggested are reasonable. She said that Biogreen does not want to have stacks higher than 60 feet but requests not having a limit in the code to avoid the Measure 56 noticing that would create time delays.

Rob Broberg, President of Biogreen, stated that only some steam vapor will be emitted from the stacks. He also said that when taking the normal wind direction into effect, it would not appear that there will be much material blowing into the other industrial sites. Mr. Broberg said that they will hire locally for construction of the plant and there will be around 25 people employed full time to work in the plant. He said if there are qualified people in the area, they will hire them locally.

01:07:00

Public Comments

- Roger Lee, Director of Economic Development for Central Oregon, stated this is an important job creation project for this community.
- Lee Smith, Manager of the La Pine Industrial Park for LIGI (La Pine Industrial Group) stated that he was glad to see the text amendment apply to only utility businesses in the Park. He said they are very concerned about limiting business activities that would impact the other park occupants in a negative manner.
- Vic Russell, member of the Board of Directors for LIGI, stated that it has been a joy working with Biogreen. He said they have done everything to make this project successful in La Pine.
- Dan Varcoe, Chamber of Commerce, stated that he viewed the exhaust stacks as a sign of productivity and a healthy economy in La Pine.

Will Groves stated that it might be difficult to have the Public Hearing in La Pine because of the short notice to coordinate both the Deschutes County Planning meeting schedule and also the Board of Commissioner's meeting schedule based on Biogreen's timeline. He said so far he has only received one public comment on the text amendment.

Deborah McMahon stated that the text amendment is Stage 1 and the site plan and conditional use is Stage 2 and each stage has different levels of public involvement. She said that since time is critical, she would recommend that the Council make a recommendation tonight. Rick Allen, City Manager, stated

that if the project is not started by the first part of December, there will be no Biogreen because of federal grants expiring at the end of this year. He also stated that the Conditional Use Hearing should be held in La Pine.

01:20:00

The Council had consensus not to accept the height stipulation by the County regarding the stacking of materials.

John Thomas read a letter that had been prepared from the Planning Commission to the City Council recommending the approval of the text amendment.

A motion was made by Commissioner Davis and seconded by Vice Chair Fleming to recommend accepting the text statements as delineated by the Community Development Department of the County in their staff report with the exception of the proposed maximum height of any stack or piles text.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Chair John Thomas</i>	<i>X</i>	
<i>Vice Chair Gloria Fleming</i>	<i>X</i>	
<i>Commission Dennis Davis</i>	<i>X</i>	

Motion passed unanimously.

A motion was made by Councilor McAfee and seconded by Councilor Ward to accept the recommendation of the La Pine Planning Commission.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

Motion passed unanimously.

Teresa Rozic, Property Specialist of Deschutes County, gave a courtesy update to the Council regarding the land partition. She said they have applied for a two lot partition. Ms. Rozic said the other parcel, which will not belong to Biogreen, will be marketed for sale to compatible businesses.

A motion was made by Commissioner Davis and seconded by Vice Chair Fleming to support the land partition as submitted at this meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Chair John Thomas</i>	<i>X</i>	
<i>Vice Chair Gloria Fleming</i>	<i>X</i>	
<i>Commission Dennis Davis</i>	<i>X</i>	

Motion passed unanimously.

A motion was made by Councilor Greiner and seconded by Councilor Ward to accept the Planning Commission recommendation.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

Motion passed unanimously.

Nick Lelack recommended holding some community meetings in La Pine to address any concerns from the public prior to the text amendment going to the Public Hearings Officer so as to avoid any delays in the process.

01:31:40

4. Adjourn Joint Session

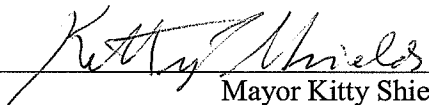
It was announced that the Transportation Advisory Committee Meeting scheduled to start next had been cancelled due to lack of a quorum.

A motion was made by Vice Chair Fleming and seconded by Chair Thomas to adjourn the meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Chair John Thomas</i>	<i>X</i>	
<i>Vice Chair Gloria Fleming</i>	<i>X</i>	
<i>Commission Dennis Davis</i>	<i>X</i>	

Motion passed unanimously.

Mayor Shields adjourned the meeting at 7:33 pm.



Mayor Kitty Shields

Attest:



City Recorder Luana Damerval