

LA PINE CITY COUNCIL SPECIAL MEETING AGENDA

Wednesday, December 29, 2010

Regular Session - 5:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

- A. Regular Session - 5:00 pm.
1. Call to Order
 2. Establish Quorum
 3. Council deliberation and decision on Biogreen
 4. Adjourn

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meetings. This notice does not limit the ability of the City Council to consider or discuss additional subjects. These meetings are subject to cancellation without notice. These meetings are 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 Patti Morgan at (541) 536-1432.

LA PINE CITY COUNCIL SPECIAL MEETING MINUTES

Wednesday, December 29, 2010

Regular Session - 5:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

A. Regular Session - 5:00 pm.

1. Call to Order

The meeting was called to order at 5:10 pm by Mayor Kitty Shields.

2. Establish Quorum

Roll Call:

City Manager Rick Allen

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele McAfee – excused per prior arrangement

Councilor Don Greiner

Admin Ass't Patricia Morgan

Quorum established.

Also present was Sid Rivers the new Assistant to the City Manager.

3. Council deliberation and decision on Biogreen

Deborah McMahan passed out the findings and decisions that were prepared by the Deschutes County planning department to each of the Council members. Ms. McMahan said the Planner for Deschutes County has looked at the traffic and a traffic report was prepared. She said the conclusion was that the traffic study meant all the County's requirements.

Ms. McMahan stated that the use of the property is fine. She said that sewer and water permits are required and that the applicant will need to connect to the sewer and water systems. Ms. McMahan also said the property is not adjacent or next door to a residential entity so would not affect trucks coming into and out of the plant as well as other criteria like dust and noise. She also discussed the various screening that will be done using both landscaping and fencing. Ms. McMahan reminded the Council that this property is on industrial property and staff believes the location is appropriate.

Ms. McMahan also mentioned that the permits required from DEQ (Department of Environmental Quality) have been received for this project. She said that from all the measurements done on Reed Road and Hwy 97 it does not trip the threshold for capacity, it has not yet been meant. If we need to make additional conditions of approval it will require some type of monitoring. She said it is not unusual to have additional conditions of approval. Ms. McMahan said the structure will be equipped with sprinkler systems in case of fire. She said the structure will not exceed a height of 100 feet. Staff believes the height is necessary for equipment and machines. Ms. McMahan stated that the parking requirements have been meant with this size of building. All lighting will be pointed down to avoid glare. She said at this point in time Darlene Way will not be used for truck travel until a

permit has been obtained from BLM (Bureau of Land Management) who manage that road.

Ms. McMahan stated that staff feels the site plan has been designed appropriately. Landscaping criteria will be a condition of approval to make sure the landscaping is maintained over time. She said that all of the traffic requirements have been meant. The applicant will be required to improve Reed Road with widening of the road and also a sidewalk will be required as well as drainage areas along the front of the property. Staff has been persuaded by the applicant's noise levels being within the requirements because of the greater expertise of their noise engineer as compared to the opponent's expert. Regarding traffic issues if additional traffic trips caused public safety issues, Ms. McMahan said the best way to do this is require a condition of approval that requires any substantial change to the proposal require a new permit and that would be reviewed to see what the new impacts would be.

Ms. McMahan stated that staff believes the Biogreen application includes a good job of presenting its case and why it should be approved and issues regarding traffic, emissions, screening, noise and operations have been thoroughly explained and supported by the submission of evidence from Biogreen's experts. Staff recommendation is to modify the condition of approval and refine it for the following items: require regular testing of the noise levels, restrict truck traffic from using Darlene Way until BLM has approved a permit, and also require that any substantive changes to the site will require a new permit.

The Council had consensus to have annual noise testing for the plant unless there are complaints and then it would be done more often. There was also a discussion about having dust abatement for some of Darlene Way as a condition of approval.

A motion was made by Councilor Greiner and seconded by Councilor Hedges to proceed with conditions of approval as described and give the Mayor authority to sign the final approval and that will be sent to the applicant and the parties.

<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 Don Greiner</i>	<i>X</i>	

Motion passed unanimously.

4. Adjourn

Mayor Shields adjourned the meeting at 6:56 pm.

Mayor

Attest:

City Manager/Recorder Rick Allen