

RESOLUTION NO. P.C. 483-09

Adopting Site Plan Review Application #379-08 PacLand; to develop lot two of SUB 62-08 with a 150,000 square foot building, parking, landscaping & utilities for a Walmart store.

LOCATION: Property is located at the Chenoweth Interchange. The property is further described as lot two of subdivision 62-08 of 2N 13E 28 tax lot 702. Property is zoned "CLI" – Commercial/Light Industrial.

I. RECITALS:

- A.** The Planning Commission of the City of The Dalles has on December 4, 2008, conducted a public hearing to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B.** Staff's report of Site Plan Review 379-08 and the minutes of the November 20, 2008, December 4, 2008, December 23, 2008 and January 15, 2009 Planning Commission meeting, upon approval, and the Findings of Fact and conclusions of Law presented to the Commission on January 15, 2009 provides the basis for this resolution and are incorporated herein by reference.

II. RESOLUTION:

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A.** In all respects as set forth in Recitals, Part "I" of this resolution.
- B.** Site Plan Review 379-08 is hereby approved with the following conditions:

CONDITIONS OF APPROVAL:

1. All development must be completed according to the Land Use and Development Ordinance (LUDO). The LUDO can be found online at www.ci.the-dalles.or.us.
2. Applicant must comply with all the conditions of approval for Subdivision 62-08 that pertain to this lot or the access to this lot.
3. Applicant must get approval from the City Engineer for construction plans for all public improvements. Both the design and details must be approved by the City Engineer. All public improvements will be required to submit as built upon completion.
4. Public improvements on the public street running north and south will include a sidewalk on the west side from River Road to the southern boundary of this property, curbs on both sides, and full street paving. A sidewalk on the east side of the public street may be deferred until time of development of adjoining properties. All improvement will be built to City standards.
5. Sanitary sewer will be provided with the use of a lift station proposed to be located on lot 1 of subdivision 62-08. The proposal for sanitary sewer as contained in the subdivision application meets minimum City standards, but is not the preferred location. Applicant and City will continue to examine other possible locations. Until such time as other locations have been reviewed, no final decision on the location of the lift station will be made.

6. Applicant will need to connect to the City water main on River Road and extend an eighteen inch line along the frontage of the public street unless a different route, acceptable to the City, is selected as part of the subdivision development. Applicant will need to coordinate exact location of water lines with City Engineer.

7. On site stormwater from the parking area can be retained on site or piped to an approval point of disposal. Applicant will need approval from all agencies with jurisdiction for disposing of stormwater. The proposed use of bioswales and Tract A as a private disposal system meets City regulations. The drainage from the building will need to be piped into a public system along the public road. Those portions of the paved areas not piped to Tract A shall be provided with an oil/water separator according to Section 7.020.100.

8. The applicant shall submit and obtain approval from the City Engineer for as built construction plans for all public improvements.

9. All development must meet the provisions of section 8.050. Cuts and/or fills over 50 cubic yards require a physical constraints permit. Cuts and/or fills over 250 cubic yards require engineered plans. Ground disturbance of one acre or more require a 1200-c permit from DEQ.

10. Disturbed topsoil must be revegetated according to the provisions of 8.050.030 A.

11. A traffic impact study has been submitted. The applicant can use that study and follow the recommended mitigations or submit a new impact study limited to this development and follow the mitigation recommendations from that new more specific study.

12. A detailed landscaping plan for both the parking area and for general landscaping will be required at the time of the building permit application. The detailed site plan will need to include provisions for consideration of buffer plantings along the west side of the property, taking into account the view of the subject property from the residential area across Interstate 84, while providing a view of the proposed retail building and any signage on the subject property from Interstate 84.

13. A total of 745 parking spaces is allowed, with a minimum of 15 accessible spaces, two of which must be van accessible. Signage for accessible spaces will be reviewed after construction.

14. A total of 25 bicycle spaces is required on a temporary basis. The City will review the adequacy of this amount at the end of one year after the store has opened. If more bicycle spaces are needed, City will inform the application who will have 90 days to provide additional spaces.

15. If any public improvements are located on private property, the City will require easements.

16. A detailed lighting plan meeting the requirements of Section 7.030.120 will be submitted at the time of the building permit application.

III. APPEALS, COMPLIANCE, AND PENALTIES

- a. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 3.020.080 of the Land

Use and Development Ordinance, and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.

- b. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- c. All conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$500.00 per day for the violation period; 3) a civil proceeding seeking injunctive relief.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 15th DAY OF JANUARY 2009



Bruce Lavier, Chairman
Planning Commission

I, Dan Durow, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 15th of January 2009.

AYES: Lavier, Ahlberg, Poppoff, Wilcox, Zukin, Hiser

NAYS: None

ABSENT: None

ABSTAIN: Hoey

ATTEST:



Dan Durow, Community Development Director
City of The Dalles