



RESOLUTION NO. P.C. 482-08

Adopting Subdivision #62-08 PacLand; to create a five lot commercial subdivision.

LOCATION: Property is located at the Chenowith Interchange. The property is further described as 2N 13E 28 tax lot 702. Property is zoned "CL1" – Commercial/Light Industrial.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on November 20, 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 Subdivision 62-08 and the minutes of the November 20, 2008 Planning Commission meeting, and the findings of fact, upon approval, 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. Subdivision 62-08 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. The submission of a final subdivision plat meeting all the requirements of the LUDO and the conditions listed here.
3. Dedication will be required for a 60 foot right of way running north and south from River Road to the southern edge of the property as shown on the proposed plat.
4. 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. Improvements on River Road will also need a Facilities Permit from Wasco County. Applicant will also need to contact ODOT for information on improvements on that portion of River Road under ODOT jurisdiction.
5. Public improvements on the public street running north and south will include a sidewalk on the west side, curbs and full street paving. Public improvements on the east west street will include curbs and full street paving. Sidewalks will be required on the east side of the north south street and on both sides of the east west street, but may be deferred until time of development of adjoining properties. Improvements on both streets will be built to City standards.

6. Half street improvements will be required for River Road, including sidewalks, curb, and half street paving along with storm water drainage, built to City standards. Sidewalks will extend from existing sidewalk on the west to property line on the south.

7. Applicant will need to connect to the City water main on River Road and extend an eighteen inch line to the area of the southern terminus of the new north south public road. Applicant will need to coordinate exact location of water lines with City Engineer.

8. The applicant will need to provide sanitary sewer to each lot. There is no sanitary sewer currently to this site. The applicant is proposing a public lift station that will be connected to the public sewer on West 2nd Street. Approval of this subdivision does not indicate approval or denial of this proposed solution. The City needs additional time to consider the applicant's proposed solution versus other potential solutions. The applicant will need to work with the City Engineer to determine a system that will provide service to each development site and how to connect the internal system to the public system. All aspects of the system need to be approved by the City Engineer.

9. On site stormwater can be retained on site or piped to an approved disposal point. Applicant will need approval from all agencies with jurisdiction for disposing of stormwater. Applicant will need to provide written approval from these agencies prior to approval of construction plans or building permits. Applicant will need to safely dispose of stormwater from improvements on River Road and coordinate storm water drainage on River Road with City Engineer and County Roadmaster.

10. The applicant shall submit and obtain approval from the City Engineer for as built construction plans for all public improvements prior to final plat approval.

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

12. Landscaping and parking for individual lots will be reviewed at the time of application for development of those lots.

13. Utilities must be provided to each lot. The applicant should coordinate location and size of water, sanitary sewer, and storm sewer lines with City Public Works staff. Power lines and locations should be coordinated with Northern Wasco PUD staff.

14. Fire hydrants will be installed as required by the Fire Marshal. The applicant will be responsible to provide water lines capable of supplying 4,000 gallons per minute for fire flow.

15. Applicant will need to name the new streets at the time of final plat. If the east west street is private, a notation to that effect will be placed on the final plat.

16. If public utilities are placed on private property, the City will require easements.

17. The applicant has submitted a traffic report from DKS Associates dated September 5, 2007. The applicant will have the option of completing the mitigations recommended in that study or

providing a supplemental traffic study for specific individual lots. Once the ODOT Interchange Area Management Plan (IAMP) discussed in condition 20 is completed, the IAMP may add additional or different requirements.

18. In addition to other lighting requirements, street lighting will be required at the intersection of River Road and the new north south road as specified by the City Engineer.

19. Applicant will provide ODOT with an access easement to the ODOT designated wetland located on lot 4.

20. During the rezoning of this property to its current zone designation of CLI, the owner, ODOT, and the City entered into an agreement for future development of this property. As part of that agreement, ODOT agreed to conduct an IAMP study for the Chenoweth Interchange. That study is currently under way. The applicant will need to comply with the results of that study for the commercial development of more than 25 acres.

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 8th DAY OF JANUARY 2009



Bruce Lavier, Chairman
Planning Commission


I, Richard Gassman, Senior Planner 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 8th of January 2009.

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

NAYS: None

ABSENT: None

ABSTAIN: None

ATTEST: 
Richard Gassman, Senior Planner
City of The Dalles