

RESOLUTION NO. P.C. 473-08

Adopting Conditional Use Permit # 143-08 of Loranda Springs to operate a retail resale business at 513 W. 10th Street and is further described as 1N 13E 4AC tax lots 5700 and 5800. Property is zoned "RH" – Residential High Medium Density with a NC – Neighborhood Facility Overlay.

I. RECITALS:

- A.** The Planning Commission of the City of The Dalles met on March 20, 2008 conducted a public hearing to consider the above request, and adopted resolution PC 470-08.
- B.** Subsequently City of The Dalles staff filed a Memorandum which concluded that one of the conditions of approval in PC 470-08 was not enforceable.
- C.** The Planning Commission reviewed its prior approval of resolution PC 470-08 and on April 3, 2008 voted to amend PC 470-08 by deleting condition of approval #7.

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.** Conditional Use Permit 143-08 is hereby approved with the following conditions:

CONDITIONS OF APPROVAL:

1. Any improvements must be completed in accordance with Land Use and Development Ordinance 98-1222.
2. Outside display or storage of merchandise, including the porch and yard, is incompatible in the NC zone and will not be allowed.
3. All signs must comply with the provisions of the sign code, located in Section 13 of the LUDO. Some temporary signage is allowed in LUDO Section 13.030.020, but all temporary signs require a permit.
4. Operation of the business must remain in compliance with the standards for this district and the conditions of this approval.
5. The CUP is valid for this retail use only. Any change in the operation must obtain approval from the City.
6. A CUP may be revoked under LUDO Section 3.050.090 if the conditions of approval are not met.

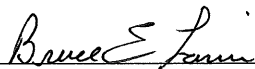
III. APPEALS, COMPLIANCE, AND PENALTIES

- 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 4th DAY OF APRIL 2008



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 3rd of April 2008.

AYES: Lavier, Wilcox, Poppoff, Zukin

NAYS: Ahlberg

ABSENT: Bryant, Hiser

ABSTAIN:

ATTEST:



Dan Durow, Community Development Director
City of The Dalles