

RESOLUTION NO. P.C. 465-06

Adopting Conditional Use Permit # 138-06 and Site Plan Review 349-06 of Alan and Bev Eagy to operate a tea parlor in the soon-to-be relocated Booth House (Trevitt House) and approving an on-site parking waiver due to the topography of the property and the archaeological assessment of the historic site. The property is located at 214 & 216 W. 4th Street and is further described as 1N 13E 3 BC tax lots 3600 and 3900. Property is zoned "CBC" – Central Business Commercial.

I. RECITALS:

- A.** The Planning Commission of the City of The Dalles has on December 7, 2006 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 Conditional Use Permit 138-06 and SPR 349-06 and the minutes of the December 7, 2006 Planning Commission meeting, 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.** Conditional Use Permit 138-06 and Site Plan Review are hereby approved with the following conditions:

CONDITIONS OF APPROVAL:

1. Signs are to be applied for under a separate permit process and should be of a historic nature.
2. All materials and supplies must be stored within the structure. No outside storage of business materials or supplies will be allowed.
3. Trash receptacles should be sized appropriately to accommodate the business and the residential uses. Appropriate screening from the public right-of-way and adjacent neighbors as well as containment of trash is required. This will need to be shown on a revised site plan.
4. ADA access to the structure will need to be addressed. The applicant will need to contact the State Historic Preservation Office to request a historic exemption for ADA access to the tea parlour if they are unable to provide.
5. A bicycle rack with two spaces will be required.
6. All state and county licensing requirements will need to be met prior to opening business. (State Building Codes, Department of Agriculture and/or the Health Department.)
7. Proposed development and final detailed construction plans will be required to be reviewed and approved by the City Engineer per established standards.
8. A detailed site lighting/photometric plan shall be submitted and approved prior to the issuance of building permits. The plan shall demonstrate that the maximum illumination at the property line will not exceed an average horizontal foot candle of 0.3 for non-cut-off lights and 1.0 for cut-off lights.

9. Prior to the issuance of a building permit, the applicant shall submit a completed Wastewater Survey Questionnaire to the City Planning Department.
10. Any activity that produces radio or television interference, noise, glare, dust or particulate matter, vibration, smoke or odor beyond the site, or beyond allowable levels as determined by local, state, and federal standards shall not be allowed.
11. The proposed refuse collection area will need to be added to the revised site plan and meet the requirements. Or a statement needs to be made that the refuse will remain indoors.
12. All conditions set forth by the Historic Landmarks Commission will need to be met prior to the issuance of a building permit.
13. A detailed landscape plan will be required to be submitted prior to issuance of a building permit.
14. Details of the irrigation system with a backflow prevention device will need to be shown on a revised site plan. The backflow prevention device will need to be permitted through the City of The Dalles.

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 7th DAY OF DECEMBER 2006



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 7th of December 2006.

AYES: Lavier, Poppoff, Hiser, Wixon, Wilcox

NAYS: Bryant, Ahlberg

ABSENT: NONE

ABSTAIN: NONE

ATTEST: 

Dan Durow, Community Development Director
City of The Dalles