

RESOLUTION NO. P.C. 457-06
ADOPTING PUD 13-06 OF SUNSET HOLDINGS LLC
FOR CONSTRUCTION OF 15 TOWN HOUSE
UNITS, PARKING, AND OPEN SPACE AREAS

RECITALS:

- A.** The Planning Commission of the City of The Dalles has on February 16, 2006 conducted a public hearing to consider the above request for property located on the W. 8th Place cul-de-sac that is further described as 1N 13E 4 AB tax lot 5000. Property is zoned "RH" – Residential High-Medium Density. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B.** Staff's report of PUD 13-06 and the minutes of the February 16, 2006 Planning Commission meetings, upon approval, provide 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.** Planned Unit Development 13-06 is hereby tentatively approved with the following conditions:
 1. The submission of a final planned development and subdivision plat meeting all the requirements of the Land Use Development Ordinance and the conditions listed here. Approval of these documents will satisfy the requirement for site plan approval. Two dedicated parking spaces for each unit will be required.
 2. Dedication will be required for Public Utility Easements if public utilities are on private property.
 3. A home owners or other similar organization will be established to manage the common areas.
 4. Applicant must obtain a physical constraints permit for cuts and fills exceeding 50 cubic yards. If over 250 cubic yards the applicant must provide engineered plans.
 5. Additional information such as lighting plans and detailed landscaping plans will be required to be submitted and approved prior to the signing of the final plat.
 6. All public improvements will need to get approval from the City Engineer for construction design and installation.
 7. Any new storm water disposal point into Mill Creek will require approval from all entities with jurisdiction of this site. There exists a 15 foot sewer easement across the property. No building will be allowed to encroach on the easement. Applicant will need to verify location of easement and that the sewer pipe is located within the easement.

8. Provide 15 foot public access and maintenance easement for new location of greenway trail. Construct trail through property to meet all trail development standards.
9. Each lot will have all utilities provided. All utilities shall be placed underground.
10. Waive setback requirements.
11. Landscaping of a minimum of 7,875 square feet provided in the common areas in lieu of front yard landscaping.
12. Provided performance guarantee if all public improvements are not constructed prior to the filing of the final plat.
13. Additional fire hydrants will be required. The number and location will depend on construction of buildings and use of fire sprinklers in the buildings. Applicant must obtain approval from the Fire Marshal for hydrant requirements.
14. The curb cut from the cul-de-sac must be at least 20 feet wide. The curb cut and sidewalk must meet ADA standards.
15. Sidewalks must be installed to match the sidewalks currently existing.
16. Fire Marshal must have access to within 150 feet of all ground floor space.

PROCEDURAL RECOMMENDATIONS:


17. Staff further recommends that if the applicant is required to submit a revised tentative plat, the staff be allowed to administratively determine if the resubmitted plat meets the conditions set out by the Planning Commission and give tentative approval without returning to the Planning Commission.
18. At the time of final plat submission, staff recommends the Planning Commission delegate to staff the decision to accept the final plat.

2. 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 16th DAY OF FEBRUARY 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 16th of February 2006.

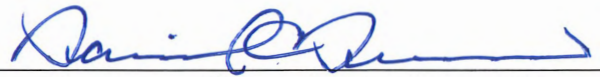
AYES: *Lavier, Ahlberg, Poppoff, Bryant, Wilcox, Wilson, + Hiser*

NAYS: *NONE*

ABSENT: *NONE*

ABSTAIN: *NONE*

ATTEST:



Dan Durow, Community Development Director
City of The Dalles

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