

**RESOLUTION NO. P.C. 452-05
ADOPTING PUD 11-05 OF DESIGN STRUCTURES LLC
TO DEVELOP 7± ACRES FOR A RESIDENTIAL PLANNED
UNIT DEVELOPMENT, INCLUDING APPROXIMATELY 46 LOTS AND
ASSOCIATED OPEN SPACES. THE DEVELOPMENT WILL BE BUILT IN A
PLANNED FASHION TO MAXIMIZE THE POTENTIAL OF THE SITE. THE
PROPERTY IS LOCATED ON MILL CREEK ROAD AND IS FURTHER DESCRIBED
AS 1N 13E 5, TAX LOT 1700.**

RECITALS:

- A. The Planning Commission of the City of The Dalles has on September 1, 2005 conducted a public hearing to consider the above request for property located on Mill Creek Road and further described as 1N 13E 5, tax lot 1700. Property is zoned "RL" – Residential Low Density.
- B. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- C. Staff's report of PUD 11-05 and the minutes of the September 1, 2005 Planning Commission meeting, 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 application 11-05 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.
 2. Applicant must get approval from the City Engineer and Wasco County Road Department for construction plans for all public street improvements, including the intersection of Mill Creek and from the City Engineer for all other public improvements. Both the design and details must obtain approval.
 3. The applicant shall submit and obtain approval from the City Engineer and Wasco County Road Department for as built construction plans for all public street improvements and from the City Engineer for all other public improvements prior to final plat approval.
 4. Applicant will be required to improve Wright Street from its current southern end to a point to be agreed upon between the applicant and the City.
 5. Sidewalks adjacent to lots 12 through 16 along both sides of Wright Street to be built prior to plat approval. The sidewalk from the Mill Creek Road access point to 23rd shall be built prior to plat approval. Applicant and staff will work together with the property owner of 2515 Mill Creek to find the most feasible and economical way to provide a sidewalk in front of 2515 Mill Creek. In the event agreement cannot be reached, staff will bring this issue back to the Planning

Commission. Other sidewalks may be built at the time of the street improvement or postponed until the individual site is developed, with a waiver of remonstrance for each lot filed with the final plat. Sidewalks will be a minimum of 5 feet in width.

6. Completion of a traffic study acceptable to the City Engineer.
7. Approval of access to Mill Creek is deferred pending review of the traffic study and grade and visibility analysis.
8. Applicant will provide a sidewalk along the western side of Mill Creek Road from the northern point of the access road to 23rd Street.
9. Dedication will be required for Public Utility Easements of 5 feet adjacent to all public right of ways.
10. Completion of minor partition currently pending with Wasco County to delete portions of this tax lot inside the National Scenic Area.
11. Annexation will be required.
12. Provide a performance guarantee per the provisions of Section 9.040.060 (I) satisfactory to the City Attorney.
13. All utilities will be underground.
14. Open spaces will be provided equal to at least 30% of development site. A home owners or other similar organization to manage the common areas.
15. Submission of a revised tentative subdivision plat to reflect items required by the Planning Commission and as noted by the City Engineer.
16. No access to individual lots will be allowed from Mill Creek Road.

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 2nd DAY OF SEPTEMBER 2005



Bruce Lavier, Chairman
Planning Commission

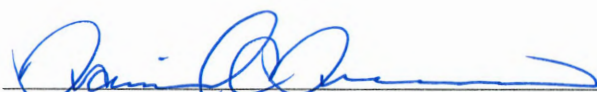
I, Daniel C. Durow, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 1st of September 2005.

AYES: Lavier, Ahlberg, Poppoff, Bryant, Wixon, Wilcox

NAYS:

ABSENT:

ABSTAIN:

ATTEST: 

Daniel C. Durow, Community Development Director
City of The Dalles