

**RESOLUTION NO. P.C. 450-05
ADOPTING VARIANCE 105-05 AND SITE PLAN REVIEW 323-05
OF KASE LIMMEROTH TO BUILD FOUR TOWNHOUSE UNITS WITH
DRIVEWAYS THAT DO NOT MEET ALL THE REQUIREMENTS OF THE CODE.**

RECITALS:

- A.** The Planning Commission of the City of The Dalles has on August 4, 2005 conducted a public hearing to consider the above request for property located at 414 & 418 E. 14th Street and further described as 1N 13E 3CC tax lots 9500 and 9800. Property is zoned "RH" – Residential High/Medium Density.
- B.** A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- C.** Staff's reports of VAR 105-05, SPR 323-05, and the minutes of the August 4, 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.** Variance 105-05 is hereby approved with the following conditions:
 1. The proposed driveway arrangement will be reconfigured with two sets of shared driveways up to 24 feet wide separated from each other by at least 10 feet and from each property line by at least five feet.
 2. The applicant will obtain a sidewalk and approach permit for construction of the driveways as part of the building permit process.
 3. The driveways and approaches will be paved.
 4. All the conditions of Site Plan Review 323-05 must be met.
 4. All development must be completed in accordance with Land Use and Development Ordinance 98-1222.
- C.** Site Plan Review 323-05 is hereby approved with the following conditions:
 1. The submission of a building permit application, meeting all the requirements of the Land Use Development Ordinance and the conditions listed here.
 2. Parking areas, driveway, and driveway approach must be paved.
 3. Variance application 105-05 must be approved, and the site plan must comply with the conditions of that approval.
 4. A waiver of remonstrance will be required for curb, gutter, street, sidewalk, and all utility improvements on East 14th in the event of a Local Improvement District.
 5. Each dwelling unit will be required to have separate water and sanitary sewer service. Systems Development Charges and cost of connection will be required at the time of development.
 6. Property is located in the A2 geological hazard zone. A geologic hazard study will be required with development.
 7. If an irrigation or a sprinkler system is installed, a backflow prevention device will be required.
 8. Landscaping is required at 1.5 times the first floor area of the structures.

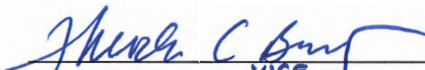
9. Applicant must get approval from the Fire Marshal prior to building. Fire Marshal may require access to all sides of the building within 150 feet from a roadway or driveway, or may require the sprinkling of the buildings.
10. Storm water will need to be addressed and kept onsite.
11. Any cut and/or fill exceeding 50 cubic yards of material is required to have a cut and fill permit. If the cuts and/or fills exceed 250 cubic yards, engineered drawings will need to be submitted.
12. Height of buildings is limited to 40 feet.

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 4th DAY OF AUGUST 2005.


 TED BRYANT 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 4TH day of August 2005.

AYES: WILCOX, WIXON, THOMAS, AHLBERG

NAYS: NONE

ABSENT: Lavier, Poppoff

ABSTAIN: Bryant

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