

RESOLUTION NO. P.C. 434-02
APPROVING DETAILED CONSTRUCTION/DESIGN PLANS AND NEIGHBORHOOD
COMPATIBILITY REVIEW FOR CONDITIONAL USE PERMIT NO. 123-01.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on September 5, 2002 and September 19, 2002 conducted public hearings to consider the above request for property located at 1812/1816 Liberty Way, described as Township 1 North, Range 13 East, Map 4DC, Tax Lot 4200.
- B. A Staff Report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- C. The Staff Reports of Conditional Use Permit 123-01 and the minutes of the September 5, and September 19, 2002 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, Conditional Use Permit 123-01 detailed site plans and neighborhood compatibility review are approved with the following conditions:
 - 1. All required modifications and other additions shall be included on the final detailed construction/design plans, including but not limited to, trash container location, clear vision area, parking areas, deck, easements, and driveway surfacing.
 - 2. An erosion control plan shall be submitted with the physical constraints permit application and both shall be approved prior to issuing the building permit.
 - 3. The applicant shall coordinate the installation of City water and sewer utilities with the Public Works Department.
 - 4. The driveway shall consist of paving or other hard surface materials and an adequate storm drainage system shall be designed to accommodate any additional runoff.

5. A geologic hazards study shall be required pursuant to Section 8.040.030 of the Land Use & Development Ordinance prior to issuing the building permit. The study shall include, among other things, the on-site runoff from the driveway and the parking areas.
6. A detailed landscaping plan shall be provided for review and approval by planning staff prior to issuing the building permit.
7. All requirements of Mid-Columbia Fire & Rescue, detailed in the letter of March 8, 2002, to Wayne Lease from Stu Nagel, Fire Marshal for Mid-Columbia Fire and Rescue, shall be satisfied, including provisions for the grade and surfacing of the driveway. The grade of the driveway shall not exceed 15 percent.
8. A waiver of remonstrance agreement for future improvements, including street, curb, sidewalk, storm sewer, and water and sanitary sewer shall be executed by the applicant prior to the issuance of a building permit.
9. Any signage shall be subject to the sign permitting process set forth in the City's sign ordinance, which involves a separate process.
10. A clear vision zone using a distance of 115 feet on both sides of the final location of the proposed driveway shall be established. A no parking zone shall be established extending a distance of 100 feet to the east, and to the western property line to the west, of the driveway location and included on the final plans prior to issuing the building permit.
11. This Conditional Use approval is conditioned upon the facility obtaining a license of licenses from the State of Oregon for the operation of a residential care facility prior to occupancy. If the license(s) is (are) revoked, this Conditional Use Permit shall be null and void under the terms of Section 3.050.080, Revocation.

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 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 19th DAY OF SEPTEMBER 2002.

Bruce E Lavier
Bruce Lavier, Chairman
Planning Commission

I, Daniel C. Durow, Director, Community Development Department of 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 19th day of September 2002.

AYES: *Lavier, Poppoff, Thomas, Wilcox*

NOES: *Bryant, Ahlberg, Strixon*

ABSENT: *none*

ABSTAIN: *none*

ATTEST:

Daniel C. Durow
Daniel C. Durow, Director, Community Development Dept.