

RESOLUTION NO. P.C. 423-01
APPROVING MINOR PARTITION 189-01 AND PROPERTY LINE ADJUSTMENT
80-01 OF MARK AND RAEANN CLARK TO DIVIDE ONE PARCEL INTO TWO
PARCELS AS WELL AS A PROPERTY LINE ADJUSTMENT.

I. RECITALS:

- A.** The Planning Commission of the City of The Dalles has on August 30, continued to October 4, and continued to October 18, 2001 conducted a public hearing to consider the above request for property located at 2112 W. Scenic Drive, described as Township 1 North, Range 13 East, Map 4CD, Tax Lots 8000 and 7900.
- B.** Staff Reports were presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- C.** Staff Reports of Minor Partition 189-01 and the minutes of the August 30, the October 4, and the October 18, 2001 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.** Minor Partition 189-01 is hereby approved with the following conditions:
 - 1. Two copies of recorded plat must be received in the Community Development Department office within one year of the date of the notice of decision for this partition to be effective.
 - 2. There is a typo on this plat; tax lot 8100, parcel #1 and #2 should actually be tax lot 8200. This will need to be corrected prior to the final plat being signed.
 - 3. Proof of deed restrictions for access on each parcel shall be provided to the Planning Department prior to final plat approval.
 - 4. A maintenance and operation agreement for the Private Drive will need to be deed recorded with each parcel.
 - 5. The entire driveway to these partitions shall be constructed by the applicant of these partition requests, at their own expense, prior to signing the first building permit on any of the six lots created by this partition, partition number 188-01, and partition number 175-01.
 - 6. The entire radius of West Scenic Drive (the exact location and extent to be approved by the City) shall be established as a no parking area on both

sides of the street. Additionally, the section of West Scenic Drive that abuts the N.E. property line of tax lot 8100, for its entire length, shall be a no parking area. This shall be installed by the applicant of these partition requests, at their own expense, prior to signing the first building permit on any of the six lots created by this partition, partition number 188-01, and partition number 175-01.

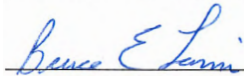
7. This partition shall be referred to the Traffic Safety Commission so they may address the traffic safety concerns in a more formal manner.

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 18th DAY OF OCTOBER 2001.



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 18th day of October 2001.

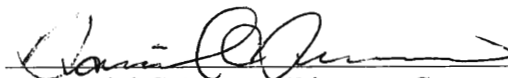
AYES: Lavier, Thomas, Bryant

NOES: Ahlberg

ABSENT: Poppoff

ABSTAIN: None

ATTEST:



Daniel C. Durow, Director, Community Development Dept.