

RESOLUTION NO. P.C. 330-95

APPROVING CONDITIONAL USE PERMIT 90-95 TO
CONSTRUCT A FUEL STATION AND A MINI-MART

I. RECITALS:

A. The Planning Commission of the City of The Dalles has, on this day, conducted a public hearing to consider the above request for use of property located between Taylor and Monroe Streets and East 2nd and 3rd Streets, described as 1N-13E-3DB, tax lots 600, 800, 900, 1000, 1100, & 1200.

B. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.

C. Staff Report Conditional Use Permit No. 90-95 and the minutes of the July 6, 1995, Planning Commission meeting upon approval, provide the basis for this resolution and are herein attached 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. Conditional Use Permit No. 90-95 is hereby approved with the following conditions:

1. All requirements of the City Utilities and Fire Departments, and the Oregon State Building Codes Office and the Oregon Department of Transportation shall be met.

2. The proposed 45' curb cut on 3rd Street is subject to ODOT approval. The proposed 22' curb cut shall be deleted. Any areas not affected by curb cuts shall be reconstructed as standard sidewalks under City Public Works Department approval.

3. All landscaping shall be completed prior to occupancy, and shall be maintained in a healthy state. An extension may be granted to complete landscaping due to the onset of winter, in which case only temporary occupancy can be granted.

4. Any future signs require a separate sign permit.

5. All requirements of Section 27, "Off-street Parking" shall be met, including drainage, curbs, landscaping, striping and lighting of the parking area.

6. A revised site plan shall be submitted by the applicant to detail the parking and landscape areas. The plan shall specify all proposed and existing plant materials and heights, and a redesign of parking areas, reversing the stall angles south of the market

and deleting the 4 stalls in the alley. The plan shall indicate a stop sign and at the alley intersection with Taylor. The revised plan shall be submitted for department approval prior to issuance of a building permit.

7. A grading and drainage plan shall be submitted for approval by the Public Works department prior to issuance of a building permit.

8. The 20' public alley shall remain unobstructed.

9. Standard 5' sidewalk to be required along East 3rd Street frontage.

III. APPEALS, COMPLIANCE, AND PENALTIES

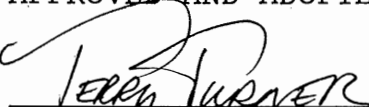
A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 36 of the Zoning Ordinance, and must be filed with City Clerk with in ten (10) days of the date of resolution.

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 \$2,500 per day for the violation period and/or imprisonment in the County jail for a term not to exceed one (1) year.

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 6th DAY OF JULY, 1995



Terry Turner, Chairman

I, Scott Keillor, Secretary to the Planning Commission 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 6th day of July, 1995.

AYES: Farner, Turner, Maier, Quinn, Peters, Hoffman
NOES: None
ABSENT: Barrett
ABSTAIN: None

ATTEST:  _____ Secretary