

RESOLUTION NO. P.C. 105-89

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES APPROVING NONCONFORMING USE PERMIT #4-89, A REQUEST TO POSTPONE CONSTRUCTION OF OFF-STREET PARKING DEVELOPMENT STANDARDS IN THE LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT AT 3002 EAST SECOND STREET

I. Recitals.

- A. The Planning Commission of the City of The Dalles has heretofore, on April 20, 1989, conducted a public hearing to consider Nonconforming Use Permit #4-89, relating to the following described property:
- Tax Lot #1302, in Section 1, Township 1N,  
Range 13E
- B. Said property is located in the M-1 (Light Industrial) zoning district.
- C. Ordinance No. 80-986, as amended, provides for the enlargement of nonconforming structures if a nonconforming use permit is secured.
- D. Ordinance No. 88-1092 provides a procedure for nonconforming use permits.
- E. The applicant, Wayne and Laurel Lease, request a Nonconforming Use Permit to postpone construction of off-street parking development standards, including parking lot paving, aprons and catch basins, and connection with Wasco County storm sewers.
- F. Ordinance No. 88-1092, Section 30.3, C., states that when approving or denying a permit, "the Commission, before it grants or denies a Use Permit shall make findings of fact and state the reasons for its action with respect to such permit. Such findings of fact shall include a determination that the change, expansion, alteration or reconstruction of the nonconforming use will have no greater adverse impact on the neighborhood considering:
1. The character and history of the development and of development in the surrounding area.
  2. The comparable degree of noise, vibration, dust, odor, fumes, glare or smoke detectable at the property line.
  3. The comparative numbers and kinds of vehicular trips to the site.
  4. The comparative amount and nature of outside

storage, loading and parking.

5. The comparative visual appearance.
6. The comparative hours of operation.
7. The degree of service or other benefit to the area.
8. Other factors which tend to reduce conflicts or incompatibility with the character or needs of the area.

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. A Nonconforming Use Permit #4-89 to postpone construction of off-street parking development standards is hereby approved for two years at which time the need for said improvements will be reviewed. This approval is given for the following reasons:
  1. A nonconforming structure cannot be "enlarged, extended, reconstructed or structurally altered unless a use permit is first secured in each case" or the improvements are in compliance with the Zoning Ordinance.
    - a. The applicants have applied for a nonconforming use permit to postpone off-street parking development standards as required by the Zoning Ordinance.
  2. Ordinance No. 88-1092 requires that the change, expansion, alteration or reconstruction of the nonconforming use will have no greater adverse impact on the neighborhood considering:
    - a. The character and history of the development and of development in the surrounding area.
      - (1) The parcel in question is zoned similar to other businesses in the area. Some adjacent businesses do not meet paving standards.
    - b. The comparable degree of noise, vibration, dust, odor, fumes, glare or smoke detectable at the property line;
      - (1) It does not appear that the expansion

would create an increase in these conditions over the existing development on the site.

- c. The comparative numbers and kinds of vehicular trips to the site.
  - (1) The expansion is not expected to increase vehicular traffic. The applicant proposes to construct a building for inside storage of existing company vehicles.
- d. The comparative amount and nature of outside storage, loading and parking;
  - (1) The site plan demonstrates the expansion will have a similar amount of outside storage, loading and parking when compared.
- e. The comparative visual appearance;
  - (1) Visual appearance will be improved by providing for indoor storage of vehicles.
- f. The comparative hours of operation;
  - (1) Hours of operation will not increase.
- g. The degree of service or other benefit to the area;
  - (1) The site receives City water and sewer services and increased use is not anticipated.
- h. Other factors which tend to reduce conflicts or incompatibility with the character or needs of the area.
  - (1) This criteria does not apply.

C. The Planning Commission approves Nonconforming Use Permit #4-89 to postpone construction of off-street parking development standards in the Light Industrial Zone for two years, at which time the need for said improvements will be reviewed. Approval is with the following condition:

- 1. The applicant must sign a waiver of remonstrance for the future improvement of East Second Street.

D. The Secretary of the Commission shall (1) certify to

the adoption of the Resolution; and (2) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles.

ADOPTED AND APPROVED THIS 4TH DAY OF MAY, 1989.

  
Chairman, Planning Commission

I, Jack Lesch, Secretary to the Planning Commission of the City of The Dalles, do hereby certify that the foregoing Resolution was passed at a Regular Meeting of the Planning Commission of the City of The Dalles, held on the 4th day of May, 1989.

AYES: COMMISSIONERS: Byrne, Farner, Miller, Peickert & Turner.  
NOTES: COMMISSIONERS: None.  
ABSENT: COMMISSIONERS: Cutler & Earl.  
ABSTAIN: COMMISSIONERS: None.

ATTEST:

  
Secretary, Planning Commission