



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF ADMINISTRATIVE DECISION SPR 493-21

Benjamin and Anne Wring

DECISION DATE: March 15, 2022

APPLICANT: Benjamin and Anne Wring

OWNER: Nice Dreams, LLC

REQUEST: Applicants are requesting approval to site a mobile food vendor (e.g., food cart) pod at the subject property.

LOCATION: Property is located at 801 E. Second Street, The Dalles, and further described as 1N 13E 3 AC tax lot 2200.

**COMPREHENSIVE
PLAN AND ZONING
DESIGNATIONS:** CBC – Central Business Commercial

AUTHORITY: City of The Dalles Municipal Code, Title 10 Land Use and Development

DECISION: Based on the findings of fact and conclusions in the staff report of **SPR 493-21**, the request by **Benjamin and Anne Wring**, is hereby **approved** with the following conditions:

- 1. The applicant shall submit a final site improvement plan for the review and approval of the Community Development Director. The following items shall be addressed and included on the final plan prior to submission:**
 - a. Final plan submission must meet all the requirements of The Dalles Municipal Code, Title 10 Land Use and Development, and all other applicable provisions of The Dalles Municipal Code.
 - b. All construction/design plans for public infrastructure, improvements, or rights-of-way shall be approved by the City Engineer.
 - c. If the Applicants do not intend to install an on-site restroom facility at this time, the restroom building must be removed from the site plan and resubmitted on a revised site plan.

- d. The total landscaped areas (no less than 10% of the total parking area) must be provided and detailed on a revised site plan.
- e. No less than two (2) trees must be provided and detailed on a revised site plan.
- f. All trees shall be selected from the recommended tree list provided by the CDD Director.
- g. Parking stall and aisle dimensions must comply with TDMC 10.7.030.130 and demonstrated on a revised site plan.

2. Prior to the use of any additional Mobile Food Vendor spaces, the following improvements must be approved and inspected by City Staff:

- a. All System Development Charges must be paid for the proposed use.
- b. All damaged sidewalk panels at the corner of E. Second and Monroe Streets must be replaced per City standards. This work will require an approved Curb/Sidewalk/ Drive Approach Permit, Sidewalk Closure Permit, and Temporary Pedestrian Accessible Route Plan (TPARP) prior to beginning construction.
- c. The tree at the corner of E. Second and Monroe Streets must be removed to prevent further damage to any sidewalk panels.
- d. All hard surfaced pedestrian pathways must be constructed. This walkway shall meet the requirements of the Oregon Americans with Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes.
- e. All on-site areas used for the parking and maneuvering of vehicles shall be surfaced with material approved by the City Engineer and must be constructed.
- f. All parking spaces shall be striped.
- g. The ADA parking space must meet the requirements for van accessible parking as stated in 10.7.030.050 (B) and the accessible parking symbol painted on the parking space as well as an accessible parking sign placed in front of the space.
- h. All Conditions of Approval must be reviewed and approved by City Staff.

3. Ongoing Conditions:

- a. All development must adhere to the approved site plan for this development.
- b. No vehicle backing movements or other maneuvering within the street is allowed.
- c. All proposed lighting shall not directly illuminate adjoining properties. Lighting sources in the parking area shall be shielded and arranged so as not to produce glare in any public right-of-way, with a maximum illumination at the property line not to exceed an average horizontal foot candle of 0.3 for non-cut-off lights, and 1.0 for cut-off lights.
- d. Any substantial changes in size of the project, which affects the requirements for parking, landscaping, or public improvements, will require review of a new Site Plan Review application.

- e. All landscaping shall be maintained and irrigated to ensure survival of plant materials.
- f. All refuse storage areas must be screened from streets, access ways, and adjacent properties.
- g. The Applicant must provide no less than two (2) bicycle parking spaces on the subject property.

Signed this 15th day of March, 2022, by



Alice Cannon
Director
Community Development Department

TIME LIMITS: The period of approval is valid for the time period specified for the particular application type in City of The Dalles Municipal Code, Title 10 Land Use and Development. All conditions of approval shall be fulfilled within the time limit set forth in the approval thereof, or, if no specific time has been set forth, within a reasonable time. Failure to fulfill any of the conditions of approval within the time limits imposed can be considered grounds for revocation of approval by the Director.

Please Note! No guarantee of extension or subsequent approval either expressed or implied can be made by the City of The Dalles Community Development Department. Please take care in implementing your approved proposal in a timely manner.

APPEAL PROCESS: The Director's approval, approval with conditions, or denial is the City's final decision, and may be appealed to the Planning Commission if a completed Notice of Appeal is received by the Director no later than 5:00 p.m. on the 10th day following the date of the mailing of the Notice of Administrative Decision, **March 25, 2022**. The following may file an appeal of administrative decisions:

1. Any party of record to the particular administrative action.
2. A person entitled to notice and to whom no notice was mailed. (A person to whom notice is mailed is deemed notified even if notice is not received.)
3. The Historic Landmarks Commission, the Planning Commission, or the City Council by majority vote.

A complete record of application for administrative action is available for review upon request during regular business hours, or copies can be ordered at a reasonable price, at the City of The Dalles Community Development Department. Notice of Appeal forms are also available at The Dalles Community Development Office. The fee to file a Notice of Appeal is \$500.00. **The appeal process is regulated by Section 10.3.020.080: Appeal Procedures of The Dalles Municipal Code, Title 10 Land Use and Development.**