

AGENDA

PLANNING COMMISSION

June 16, 2022

5:30 p.m.

City Hall Council Chambers

313 Court Street, The Dalles, Oregon

Via Zoom

<https://us06web.zoom.us/j/82327794645?pwd=cld2UGhUb1BoVithR0tFUzczcWtXQT09>

Meeting ID: **823 2779 4645** Passcode: **001537**

Dial: 1-669-900-6833 or 1-253-215-8782

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. ELECTION OF VICE CHAIR
6. APPROVAL OF MINUTES – May 19, 2022
7. PUBLIC COMMENT – During this portion of the meeting, anyone may speak on any subject that does not later appear on the agenda. Five minutes per person will be allowed.
8. STAFF COMMENTS / PROJECT UPDATES
9. COMMISSIONER COMMENTS / QUESTIONS
10. QUASI-JUDICIAL PUBLIC HEARINGS
 - A. CUP 199-21, RTD Development, 2514 W. 10th Street, 2N 13E 32 DB 1100
Request: Consideration of a request to site and construct an RV Park with 20-26 spaces on a 3.6 acre parcel.
 - B. CUP 202-22, U-Haul of The Dalles, 2640 W. Sixth Street, 2N 13E 32 A 400
Request: Consideration of a request for a major modification of CUP 195-20, a previously approved storage facility and truck/trailer rental business, for the addition of six portable storage units in the existing parking lot of the subject property.

CITY OF THE DALLES

"By working together, we will provide services that enhance the vitality of The Dalles."

11. RESOLUTIONS

Resolution PC 603-22: Approval of CUP 199-21, RTD Development

Resolution PC 604-22: Approval of CUP 202-22, U-Haul of The Dalles

12. ADJOURNMENT

Meeting conducted in a room in compliance with ADA standards.

Prepared by/
Paula Webb, Secretary
Community Development Department

MINUTES

PLANNING COMMISSION MEETING

May 19, 2022
5:30 p.m.

City Hall Council Chambers
313 Court Street, The Dalles, Oregon 97058
Via Zoom / Livestream via City Website

PRESIDING: Cody Cornett, Chair

COMMISSIONERS PRESENT: Karly Aparicio, Maria Pena (arrived at 5:55 p.m.), Mark Poppoff, Nik Portela, two positions vacant

COMMISSIONERS ABSENT:

STAFF PRESENT: Director Alice Cannon, Secretary Paula Webb

CALL TO ORDER

The meeting was called to order by Chair Cornett at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Chair Cornett led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commission consensus agreed to move Staff Comments/Project Updates and Commissioner Comments/Questions to the end of the agenda.

It was moved by Aparicio and seconded by Portela to approve the agenda as amended. The motion carried 4/0; Aparicio, Cornett, Poppoff and Portela voting in favor, none opposed, Pena absent, two positions vacant.

APPROVAL OF MINUTES

It was moved by Portela and seconded by Cornett to approve the minutes of February 17, 2022 and March 17, 2022 as submitted. The motion carried 4/0; Aparicio, Cornett, Poppoff and Portela voting in favor, none opposed, Pena absent, two positions vacant.

PUBLIC COMMENT

None.

LEGISLATIVE PUBLIC HEARING

ZOA 105-22, City of The Dalles

Request: Approval of amendments to The Dalles Municipal Code Chapter 10.5.130 to bring the City's Stream Corridor Overlay Zoning regulations into compliance with State-required standards.

Chair Cornett read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias, which would prevent an impartial decision. Hearing none, Chair Cornett opened the public hearing at 5:40 p.m.

Director Cannon presented the staff report, Exhibit 1.

Commissioner Portela noted the staff report included a fourth proposed update not reflected in the presentation.

Director Cannon stated Proposed Update #4 provides definitions for incorporation into the Code. Definitions include:

- Designated Management Agency (DMA)
- Management Strategies
- Performance Monitoring
- Pollutant
- Total Maximum Daily Load (TMDL)
- Water Quality Management Plan (WQMP)

Additional definitions derived from the Department of Land Conservation and Development include:

- Fish Habitat
- Riparian Area
- Riparian Corridor
- Riparian Corridor Boundary
- Stream
- Structure
- Top of Bank
- Water Area

Director Cannon stated these definitions, if adopted, would bring the City into compliance with state law.

Chair Cornett closed the public hearing at 5:51 p.m.

Commissioner Poppoff lost the Zoom connection at 5:52 p.m.

It was moved by Cornett and seconded by Aparicio to recommend to City Council the approval of Zoning Ordinance Amendment 105-22, adopting Code amendments attached herein and adopting findings included in this staff report at the May 19, 2022 hearing.

Commissioner Poppoff regained the Zoom connection at 5:55 p.m. Commissioner Pena joined the meeting at 5:55 p.m.

The motion carried 5/0; Aparicio, Cornett, Pena, Poppoff and Portela voting in favor, none opposed, two positions vacant.

CPA 53-22, City of The Dalles

Request: Approval of Comprehensive Plan Goal 9 Revisions: Amendments and adoption of the Employment Opportunities Analysis (EOA) and Employment Buildable Lands Inventory (BLI) documents to *The Dalles Comprehensive Plan, Volume II: Background Documents*.

Chair Cornett read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias, which would prevent an impartial decision. Hearing none, Chair Cornett opened the public hearing at 6:00 p.m.

Director Cannon introduced Matt Hastie, Consultant, MIG/APG. Cannon stated after discussion in 2021 with City Council and the Planning Commission, it was decided this amendment should be adopted.

Matt Hastie provided the presentation, Exhibit 2.

Director Cannon said the updated data will be very valuable, but noted some economic dynamics have changed since the pandemic.

Chair Cornett closed the public hearing at 6:15 p.m.

It was moved by Aparicio and seconded by Portela to recommend to City Council the approval of Comprehensive Plan Amendment 53-22, adopting text amendments to Goal 9 and approving the EOA and BLI as ancillary documents attached herein and adopting findings included in the staff report at the April 21, 2022 hearing. The motion carried 5/0; Aparicio, Cornett, Pena, Poppoff and Portela voting in favor, none opposed, two positions vacant.

Director Cannon stated Mr. Hastie would again work with the City on adoption of the Housing Needs Analysis. The Analysis, completed in 2017, must be adopted by 2025. Mr. Hastie will update the data prior to adoption.

STAFF COMMENTS / PROJECT UPDATES

Director Cannon provided the following updates:

- Strategic Plan – The town hall meeting in April had great attendance. The follow-up survey garnered approximately 600 responses. The draft, discussion and adoption should be completed by the end of June.
- City Manager Matthew Klebes is very interested in the Planning Commission and may provide direction on planning initiatives.
- The Urban Renewal Agency approved a package of new development incentives which will generate interest in downtown development. Cannon added the building at 205 Washington Street will be renovated with living spaces and ground floor retail spaces. A cider shop is planned for the basement level at the rear of the structure.
- Two storefronts east of the Recreation Building were completed. An ice cream/candy shop and the Apothecary gift shop will occupy the spaces.

- Cannon has received interest in development of a multi-family, mixed-use development at the former Griffith Motors site [500 block, E. Third Street]. There is also potential interest in a natural food grocery store, bakery, and assorted businesses related to health.
- Senior Planner Dawn Marie Hert has left her position with the City. Assistant Planner Kaitlyn Cook will assume responsibility for the Historic Landmarks Commission.
- Two public hearings are scheduled for the June 16 meeting: an application for an RV Park on W. Tenth Street, and a Conditional Use application for U-Haul [2640 W. Sixth Street].
- Staff is working on revisions to the density code. Cannon hopes to return in June for a Discussion Item.
- Due to a heavy workload, it may be necessary to hold two meetings in July.
- Commissioner Easling has resigned from the Planning Commission. Commissioner Mascher's term expired; his re-appointment to the Commission is expected at the May 23, 2022 City Council meeting.

Director Cannon asked if the Commission had interest in a small social gathering following a meeting. Commission consensus was in favor of the gathering.

COMMISSIONER COMMENTS / QUESTIONS

None.

ADJOURNMENT

Chair Cornett adjourned the meeting at 6:31 p.m.

Submitted by/
Paula Webb, Secretary
Community Development Department

SIGNED: _____

Cody Cornett, Chair

ATTEST: _____

Paula Webb, Secretary
Community Development Department



Stream Corridor LUDO Amendments

ZOA 105-22

THURSDAY, MAY 17, 2022 | 5:30 PM

Stream Corridor Text Amendments - History

- September 16, 2021 - Planning Commission recommended to City Council for adoption of *Total Maximum Daily Load Implementation Plan*.
- November 22, 2021, City Council approved the Plan.

Adopted Implementation Plan includes existing management strategies :

- Education about riparian protection
- Evaluation of roads located along perennial streams
- Restoration of river shading and/or channel conditions
- Consideration of amendments to better protect riparian corridors in the City.

Total Maximum Daily Limits (TMDL)

- Municipal Code implements and regulates, references a Stream Corridor (SC) Overlay for Chenoweth Creek, Mill Creek and Threemile Creek:
 - SC Overlay zone complies with the safe harbor provisions of OAR
 - SC Overlay applies to UGB and includes the corridor extending upland 50 feet from the tops-of-bank.
 - All new development needs to be located outside of the SC Overlay.
 - 50-foot setback required for new development. Two ways it can be reduced:
 - “Stream Corridor Setback Modification”
 - “Hardship Adjustment”.
 - The CDD is proposing to modify these two exceptions in the Municipal Code by reducing the potential setbacks allowed to bring them into compliance with State Law.

The Dalles Municipal Code Article 10.5 – Stream Corridor Overlay Boundaries

10.5.130.030 Determination and Modification of SC Overlay District Boundaries

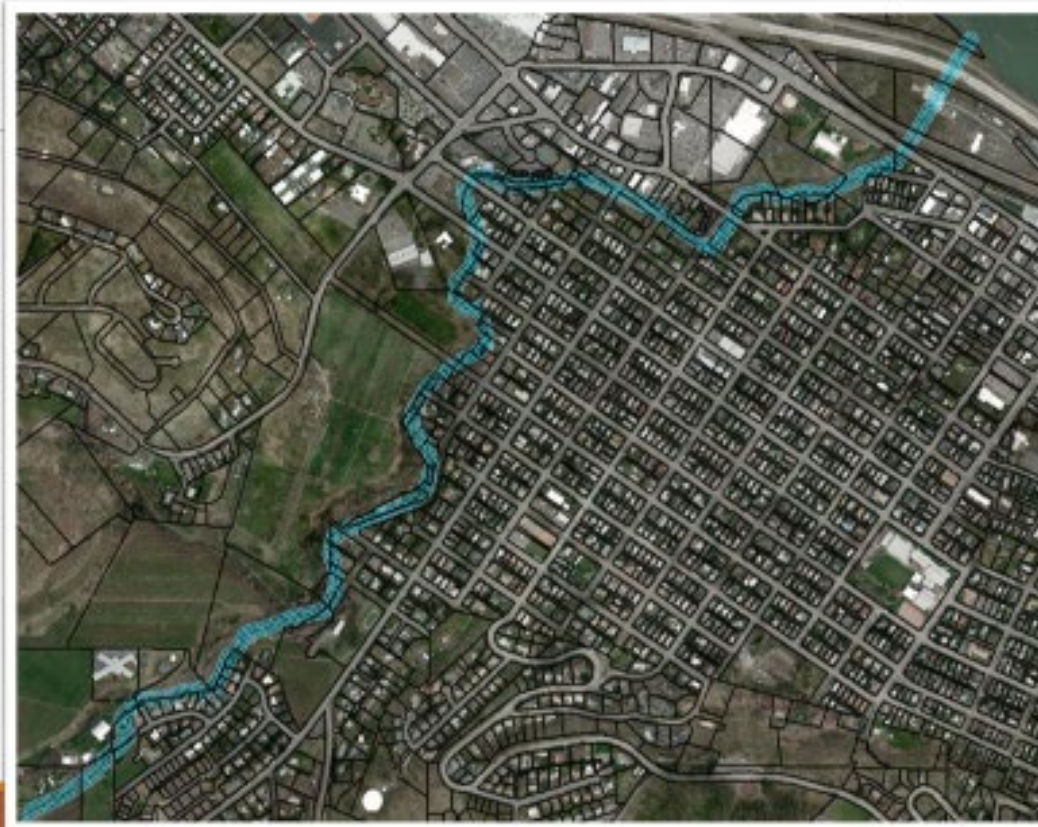
The stream corridor setbacks shall be 50 feet from the top-of-bank as shown on The Dalles Stream Corridor Inventory. An applicant for development may rely on this map to determine how a stream corridor setback affects an individual property. However, this mapped setback may be modified in two ways:

- A. Stream Corridor Delineation Process.** The Planning Director may approve a modification stream top-of-bank ("bankfull stage" or the "two year recurrence flood elevation" defined in DSL Administrative Rules (OAR 141-085-0510(5)), based on site survey prepared by a registered land surveyor. The required setback shall be revised accordingly.*

Chenoweth Creek – Stream Corridor Overlay



Mill Creek – Stream Corridor Overlay



Three Mile Creek – Stream Corridor Overlay



TMDL Text Amendment – Proposed Update #1

Remove Section 10.5.130.030(B) which currently allows for the 50-foot stream setback to be reduced by 50% when a riparian restoration plan is submitted. Removing this setback modification provision will bring our code in compliance with State of Oregon safe harbor rules and regulations. Removal of this reduction will be proposed for City Council consideration:

- ~~B. Stream Corridor Setback Modification. The Planning Director may reduce the stream corridor setback in "developed" areas shown on The Dalles Stream Corridor Inventory to 25 feet when all of the following criteria are satisfied:~~
- ~~1. The applicant agrees to restore riparian vegetation within the remaining 25 foot setback area by implementing a riparian restoration plan approved by the Planning Director.~~
 - ~~2. The riparian restoration plan shall be prepared by a wetland scientist, government agent, or other professional with expertise in riparian plants and restoration techniques acceptable to the Planning Director.~~
 - ~~3. The plan shall ensure removal of invasive plant species and replacement with suitable native plant species that will effectively shade the stream and minimize stream bank erosion.~~
 - ~~4. The plan shall include provisions for monitoring and replacement of native plants over at least a three year period.~~
 - ~~5. The Planning Director may require a riparian conservation easement for the remaining protected stream corridor.~~

TMDL Text Amendment- Proposed Update #2

Amend Section 10.5.130.030(C) that allows for a Hardship Adjustment of 67% to the 50-foot stream setback (allowed 33.5 feet). Proposal of reducing the Hardship Adjustment of 40% to the 50-foot setback (allowed 20 feet):

- A. *Hardship Adjustment. The Planning Commission may approve a hardship adjustment to the stream setback provisions of this chapter, without going through a formal variance process, under the following circumstances:*
 - 1. *Where application of the stream setback provisions of this chapter makes it impossible to build a structure (including a building, required parking and access) otherwise permitted in the underlying zoning district, the Planning Commission may allow reductions of the setback standards of the underlying zoning district by up to ~~67%~~ 40% (to permit the siting of such structures to avoid infringing on the stream setback area.*

TMDL Text Amendment - Proposed Update #3

Amend Section 10.5.130.030(C)(2), which allows 3,000 square feet of impervious surface area within the 50-foot stream setback if it is still considered impossible to build after considering the effect of a Hardship Adjustment. A maximum of 500 square feet of impervious surface area within the 50-foot setback:

2. *If, after considering the effect of hardship setback adjustments, it is still impossible to build a structure permitted in the underlying zoning district, the Planning Commission may approve up to ~~3,000~~ 500 square feet of impervious surface area within the required stream setback area, provided that:*
 - a. *The structure, parking and access area is located as far from the top of bank as reasonably possible; and*
 - b. *The applicant submits a stream corridor restoration plan prepared to the specifications set forth in Section 10.5.130.030(B).*

TMDL Text Amendment – Next Steps

- **March**
 - Submittal of formal land use application for the Zoning Ordinance Amendments.
 - Notice sent to the Department of Land Conservation and Development (DLCD)
 - City Council Discussion Item (March 28th)
 - Notice sent to Wasco County Planning.
- **May**
 - Notifications of the Legislative Public Hearings before the Planning Commission and City Council will be published in the local newspaper.
 - May 17th - Planning Commission Public Hearing
- **June**
 - June 27th - City Council Public Hearing

Economic Opportunities Analysis & Buildable Lands Inventory



Regulatory Basis

Economic Opportunities Analysis

- Projected industrial/employment uses.
- Sites needed to accommodate projected employment growth.
- 20-year supply of buildable land.

Comprehensive Plan Policies

- Economic development policies based on the EOA.
- Policies to designate adequate employment sites.
- Policies to provide necessary public facilities and transportation facilities.

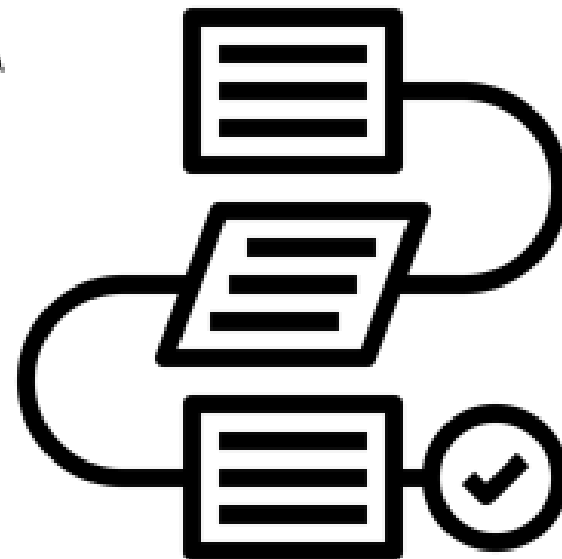
Implementation Policies and Measures

- Measures to implement adopted policies.
- Plan and zoning map and text amendments, as needed.



Background

- **September 2019**, Bridge Economic Development completed Phase 1 of the EOA - employment projections and land needs.
- **October 2020**, Angelo Planning Group (APG) completed the methodology and updated results of the 2020 Employment Buildable Lands Inventory (BLI).
- **November 19, 2020**, the Planning Commission recommended that the City Council adopt the EOA/BLI.
- **February 8, 2021**, City Council discussion on options and staff's ability to complete the amendments.
- **April 12, 2021**, City Council unanimously agreed with the Planning Commission's recommendation.

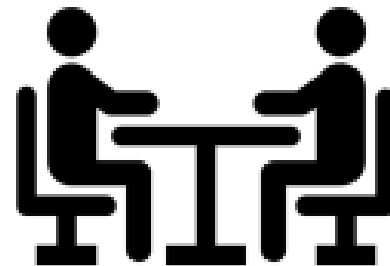


M I G



Community & Stakeholder Engagement

- Advisory committee processes
- Stakeholder coordination
- Planning Commission and City Council work sessions
- Iterative analysis, review and refinement process



M I G



Comprehensive Plan Amendments

– ***The Dalles Comprehensive Plan,
Volume II Background Documents*** to
be updated/added:

- » Economic Opportunities Analysis
(Bridge Economic Development,
2019)
- » Economic Development Action
Plan (Bridge Economics
Development, 2019)
- » Buildable Land Inventory
Memorandum (Angelo Planning
Group, 2020)



M I G



Comprehensive Plan Amendments

- **Goal #9 Economic Development** goal to be updated reflecting details included in EOA/BLI:
 - » *Purpose Statement* to be removed
 - » *Background Narrative* updated
 - » *Economic Overview* updated
 - » *Economic Forecast* updated
 - » *Economic Opportunities (2018) and Action Plan (2019-2024)* updated
 - » *Findings and Conclusions* updated
 - » *Economic Development Goals*, one item added
 - » *Goal #9 Policies* updated
 - » *Goal #9 Implementation Measures* added



M I G



Goal 9 Policy Statements

Goal 9 Policies

1. ~~Encourage the siting and growth of employers which pay family wages as identified in The Dalles Economic Opportunities Analysis (EOA).~~ Promote and support diversification of The Dalles' economic base focusing on growth of family wage jobs.
2. To the extent possible, designate within the existing UGB suitable land with site size and locational characteristics required by targeted employment ~~as set forth in the 2010 Economic Opportunities Analysis (EOA).~~
3. ~~Identify industrial sites that are immediately available and serviceable for industrial development consistent with the Goal 9 rule. Request Oregon Economic and Community Development Department (OECDD) certification for "shovel ready" industrial sites pursuant to Executive Order 03-02.~~



Goal 9 Policy Statements

Goal 9 Policies

- ~~6.~~ ~~Protect large Northwest Aluminum redevelopment sites for their intended industrial uses as identified in the EOA as set forth in Table 9-4~~
- ~~7~~5. Commercial and service uses in the City's industrial zones should be limited to small-scale retail and service uses that cater primarily to local area employees and customers and support surrounding businesses
- ~~8~~6. Plan for and make adequate public investments to meet the existing and future demands of industrial, commercial, and residential growth in The Dalles



Goal 9 Policy Statements

Goal 9 Policies (cont.)

9. Support growth of businesses that create destinations and experiences for residents of The Dalles and visitors.

~~11~~10. Encourage the continued development of the Mid-Columbia Medical Center and other health services as an important resource to the economic base of The Dalles, and as an important element in extending the perimeter of The Dalles' trade area

11. Support and encourage the Columbia Gorge Community College in providing workforce development and training to meet the needs of new and existing businesses in The Dalles.



Goal 9 Policy Statements

Goal 9 Policies (cont.)

- 20. Plan for and implement appealing streetscapes that encourage personal interaction, accommodate public gatherings, and enhance the experience of shoppers and workers.

- 23. Pursue development of higher employment densities in areas with planned or existing facilities, utilities, and transportation infrastructure

- 24. Establish streamlined permitting processes that allow for business expansions and modifications without undergoing the same level of review as new development



Goal 9 Policy Statements

Goal 9 Policies (cont.)

- 25. Ensure The Dalles has the services and amenities necessary to attract workers and provide the services they need, such as medical services, child care services, educational training opportunities, public transportation, retail and restaurants, and other necessary amenities.
- 26. Support and encourage infill and redevelopment, especially in existing commercial areas, as a way to use land and infrastructure more efficiently.
- 27. Facilitate and support business incubators and other methods to assist start-up businesses.





CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

STAFF REPORT CUP 199-21

Applicant: RTD Development

Procedure Type: Quasi-Judicial

Hearing Date: June 16, 2022

Property Owner: RTD Development LLC

Assessor's Map: Township 2 North, 13 East, Section 32 DB

Tax Lot: 1100

Address: 2514 W. 10th Street

Zoning District: "RH" High Density Residential

Prepared By: Joshua Chandler, Senior Planner

REQUEST: The Applicants are requesting approval to site and construct a Recreational Vehicle (RV) park with 26 spaces on a 3.6 acre parcel.

NOTIFICATION: Property owners within 300 feet, City Departments and Franchise Utilities.

COMMENTS RECEIVED: No comment received as of the date of this report.

REVIEW CRITERIA:

I. City of The Dalles Municipal Code, Title 10 Land Use and Development
Section 10.3.010.040 Applications

A. Acceptance

FINDING #1: The Applicant submitted a Pre-application/Site Team meeting request on July 28, 2021 for consideration of a Conditional Use Permit (CUP) application for a RV park. This meeting was held on August 5, 2021. Following the Site Team meeting, Staff requested additional information to include with the application material. On April 21, 2022, the Applicant submitted all required information. **Criterion met.**

B. Completeness

FINDING #2: The application was deemed complete on April 25, 2022. **Criterion met.**

Section 10.3.020.050 Quasi-Judicial Actions

A. Decision Types.

FINDING #3: Pursuant to The Dalles Municipal Code (TDMC), CUP applications are processed as Quasi-Judicial Actions. **Criterion met.**

B. Staff Report.

FINDING #4: This document serves as the staff report. **Criterion met.**

D. Notice of Hearing.

FINDING #5: Appropriate mailings to property owners within 300 feet and notice to affected departments and agencies were made on June 2, 2022. **Criterion met.**

Section 10.3.030.040 Review Criteria

A. City Ordinance Provisions.

FINDING #6: Provisions for the proposed development are further addressed in subsequent findings. **Criterion met.**

B. Public Facilities Capacity.

FINDING #7: A Site Team meeting was held on September 2, 2021, with Staff detailing the public facilities that exist to the site. It is the responsibility of the Applicant to determine specific site needs for the proposed development. Upsizing or upgrading of existing utilities will incur additional System Development Charges payable to the City. Additional fees will be collected through a separate building permit process. Staff will include as a Condition of Approval that all construction/design plans for public infrastructure, improvements, or rights-of-way (ROW) be approved by the City Engineer. **Criterion met with conditions.**

C. Arrangement of Site Elements.

1. Promote pedestrian, bicycle, and vehicular safety and welfare.

FINDING #8: The subject property currently lacks sidewalks and on-street parking along the W. 10th Street frontage, with such facilities existing on both sides of the property. The Applicants will be required to install half-street improvements along the entire frontage of the subject property, which will include sidewalks and on-street parking. Bicycle facilities currently exist along the entire W. 10th Street frontage. Once ROW improvements are installed, the development will contribute to the connectivity of the pedestrian and vehicular system along W. 10th Street. Staff will include as a Condition of Approval that the Applicants submit engineered plans for review and approved by the City Engineer. **Criterion met with conditions.**

2. *Preserve and maintain public amenities and significant natural features.*

FINDING #9: There were no significant natural features identified at the subject site. All existing public amenities are to remain and will not be impacted by this proposal. **Criterion met.**

3. *Avoid traffic congestion.*

FINDING #10: The subject property is located on W. 10th Street and classified in the City of The Dalles Transportation System Plan (TSP) as a “Proposed Major Collector” and “Network Street”. It is located more than one-half mile from two (2) intersections studied in the City of The Dalles Transportation System Plan (TSP) from 2017: 1) Hostetler St. / W. 6th St. and 2) Webber St. / W. 10th St.; listed as Intersections #5 (Hostetler St. / W. 6th St.) and #8 (Webber St. / W. 10th St.). As detailed in the TSP, both intersections are currently performing and have a projected (year 2035) performance rating “below applicable performance targets”, therefore, requiring no mitigation. Staff does not anticipate the proposed parking lot will generate a significant increase in traffic congestion.

The Applicants are proposing to install an internal one-way park roadway with one entrance and one exit connecting to W. 10th Street. Internal traffic patterns will encourage vehicular movement throughout the park in one direction, thus eliminating the potential for internal traffic congestion. In addition, having one entrance and one exit onto W. 10th Street will restrict the ability for multiple vehicles entering onto W. 10th Street simultaneously. Staff will include as a Condition of Approval that circulation arrows be painted on the parking lot to facilitate the movement of vehicles in a safe and efficient manner. **Criterion met with conditions.**

4. *Minimize potential adverse impacts on surrounding properties.*

FINDING #11: The Applicants are proposing to install a 6’ privacy fence along both side property lines, as well as the W. 10th Street frontage. A park host will live on-site within an existing dwelling and will be available on-call, with a proposed park office open between 9a-5p Monday through Saturday. The park will designate the hours of 10p-7a as quiet hours; all guests violating park rules will be asked to vacate the premises. In addition to park rules, all guests must adhere to the requirements of TDMC concerning public offenses, specifically addressed in Chapters 5.04, 5.08, and 5.12. It is the responsibility of the property owner to monitor such offenses. Any nuisance concerns that may arise with this development will be addressed on a complaint basis. **Criterion met.**

D. Design Standards – All Development.

2. *Parking Location.*

FINDING #12: The Applicant is not proposing any parking areas and/or lots within the front yard setback. **Criterion met.**

3. *Fences/Walls.*

FINDING #13: Staff will address fencing in subsequent findings. **Criterion met.**

4. *Parking Lot Landscaping.*

FINDING #14: Section 10.3.030.040 (D, 4) of TDMC states when more than four (4) contiguous surface parking spaces are provided, the requirements of Section 10.7.030.040, B shall apply; however, Section 10.7.030.040, B, requires screening for all surface vehicle parking lots larger than (six) 6 spaces. The Applicant is proposing five (5) contiguous off-street parking spaces, in addition to one (1) parking space at each RV parking space (26 total). **Criterion not applicable.**

5. *Pedestrian/Bicycle Circulation.*

FINDING #15: Pursuant to 10.3.030.040 (D, 5), “all primary building entrances in a development shall be connected to the public right-of-way, on-site parking, and open space areas, if any, by a network of paved walkways or sidewalks of not less than 5 feet in width.” Staff determined a pedestrian pathway was not included on the submitted site plan to provide a connection from the office/bathhouse/laundry building to the public ROW and on-site parking. To ensure pedestrian/bicycle connectivity, Staff will include as a Condition of Approval the Applicant provide a pathway from the ROW and on-site parking to the office/bathhouse/laundry building. This may be achieved through painted striping or installing at-grade concrete, provided either options be constructed and maintained for pedestrian safety, and shall meet the requirements of the Oregon Americans with Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes. The walkways must be included on a revised site plan. **Criterion met with conditions.**

6. *Building Orientation.*

FINDING #16: The Applicant is proposing one (1) office/bathhouse/laundry building for RV guests located to the rear of all RV park. This building is accessed from the internal park roadway, therefore, lacking street frontage. **Criterion not applicable.**

8. *Trim and Details.*

FINDING #17: The Applicant provided a floor plan for the proposed “bathhouse” building; however, building elevations were not provided. Staff will include as a Condition of Approval that trim be used around the windows, doors, frieze, and corners of buildings, with details used around the porch, fascia board, and window and door tops. Staff will address these requirements at the time of the building permit. **Criterion met with conditions.**

F. *Lighting.*

FINDING #18: As required per 10.3.030.040, F, 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 ROW. Maximum illumination at the property line will not exceed an average horizontal foot-candle of 0.3 for non-cut-off lights, and 1.0 for cut-off lights. Staff will include these lighting requirements as Conditions of Approval. **Criterion met with conditions.**

G. City Engineer Approval.

FINDING #19: The Applicants will be required to install half-street improvements along the entire frontage of the subject property. Staff will include as a Condition of Approval that all construction/design plans for public improvements be approved by the City Engineer prior to construction of public improvements. **Criterion met with conditions.**

J. Improvements Required of Development.

FINDING #20: Staff will address the improvements required with this development in subsequent findings. **Criterion met.**

Section 10.3.050.030 Applications

A. Applications.

FINDING #21: Digital copies of all required plans have been submitted. Staff determined no paper copies are required at this point. **Criterion met.**

B. Review.

FINDING #22: See Finding #3. Staff will include as a Condition of Approval that a detailed site plan, construction/design and landscape plan consistent with all conditions of approval included within this staff report, as well as any additional conditions of approval determined by the Planning Commission be approved by the Community Development Director and the City Engineer before approval of the final site plan. **Criterion met with conditions.**

Section 10.3.050.040 Review Criteria

A. Permitted Conditional Use. The proposed use is conditionally permitted in the zone district where it is proposed to be located.

FINDING #23: Pursuant to TDMC 10.12.020, RV parks are allowed conditionally in the I (Industrial), NC (Neighborhood Center Overlay), RH (High Density Residential), and RM (Medium Density Residential) zones. The subject property is zoned RH. **Criterion met.**

B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this Title, and any other statutes, ordinances, or policies that may be applicable.

FINDING #24: All applicable standards of TDMC are addressed within this staff report. **Criterion met.**

C. Impact. The proposed structure(s) and use(s) shall be designed and operated in such a way as to meet the standards of this Article. Impacts caused by the construction of the conditional use shall not be considered regarding a decision on the validation of the application.

1. Noise impacts across the property line shall not exceed 60 decibels. Noise related to traffic impacts shall not be included in this determination. Nothing in this Article shall modify other noise ordinance standards as adopted by the City.

FINDING #25: See Finding #12. **Criterion met.**

2. *Lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source.)*

FINDING #26: See Finding #19. **Criterion met.**

3. *Dust and other particulate matter shall be confined to the subject property.*

FINDING #27: The Applicants are proposing to install gravel, asphalt/concrete, and grass throughout the park, as well as install a six foot privacy fence along both side property lines and the W. 10th Street frontage to prevent dust and debris from neighboring properties. **Criterion met.**

4. *The following odors shall be completely confined to subject property:*
 - a. *Industrial and/or chemical grade chemicals, solvents, paints, cleaners, and similar substances;*
 - b. *Fuels; and*
 - c. *Fertilizers, manure, or other animal waste products, other than for landscape installation and maintenance.*

FINDING #28: Staff determined from the Applicants narrative that none of the above mentioned odorous items will be used on the subject property.

Criterion met.

5. *Vibrations shall not be felt across the property line.*

FINDING #29: Other than the incidental use of RVs moving throughout the park, Staff does not anticipate vibrations from the proposed use that will be felt across property lines. **Criterion met.**

6. *The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are limited to:*
 - a. *Street designation and capacities;*
 - b. *On-street parking impacts;*
 - c. *Bicycle safety and connectivity;*
 - d. *Pedestrian safety and connectivity; and*

FINDING #30: See Finding #11. The subject property is located on W. 10th Street, listed in the TSP as a Major Collector “Network Street” with future plans for sidewalk and bicycle improvements along the property frontage. The Applicants will be required to install half-street improvements along the entire frontage of the subject property, which will include sidewalks and the allowance for on-street parking. Bicycle facilities currently exist along the entire W. 10th Street frontage. **Criterion met.**

7. *In areas designated as Historic Districts, proposed development and redevelopment shall first require review and approval of the Historic Landmarks*

Commission in accordance with the procedures of Chapter 11.12 - Historic Resources.

FINDING #31: The proposed use is not located in a historic district or structure.
Criterion met.

Section 10.5.020.030 Conditional Uses

FINDING #32: See Finding #24. **Criterion met.**

Section 10.5.020.060 Development Standards

FINDING #33: Staff determined the proposal complies with setback requirements of the RH zoning district. Landscaping, access, and parking requirements will be addressed in subsequent findings. **Criterion met.**

Section 10.5.020.070 Design Standards

FINDING #34: The Applicant provided a floorplan for the proposed office/bathhouse/laundry building; however, building elevations were not provided. In addition, the Applicants are proposing to reuse an existing dwelling on-site for park host housing, as well as an existing barn which will be used for storing park maintenance equipment. Staff determined the existing structures are not clearly shown on the site plan, nor have building elevations been provided for each. Staff will include as a Condition of Approval that all design standards listed in TDMC 10.5.020.070 (C) be incorporated into the design of the office/bathhouse/laundry building as well as the existing dwelling and barn. These standards must clearly be demonstrated on future building elevations. Staff will address these requirements at the time of the building permit. In addition, Staff will include as a Condition of Approval that both the existing dwelling and barn be shown on a revised site plan. **Criterion met with conditions.**

Article 6.010 Landscaping Standards

FINDING #35: Staff will address screening and landscaping standards in subsequent findings. **Criterion met.**

Article 6.050 Access Management

FINDING #36: Staff will address access management requirement in subsequent findings. **Criterion met.**

Article 6.060 Driveway and Entrance Standards

FINDING #37: Pursuant to TDMC 10.6.060.020, no approach/entrance shall be built closer than 5' from any property line. In addition, the grade of each access point may not exceed 5% for the first 20'. Staff will include these requirements as Conditions of Approval. All additional access requirements will be addressed in subsequent findings.
Criterion met with conditions.

Article 6.100 Vision Clearance

FINDING #38: Staff will address vision clearance requirements in subsequent findings.
Criterion met.

Section 10.7.030.020 Location, Surfacing, Striping and Curb Cuts

FINDING #39: The Applicants are proposing to install one (1) parking space for each of the 26 RV parking spaces, as well as five (5) parking spaces clustered at the office/bathhouse/laundry building. All on-site areas used for the parking and maneuvering of vehicles shall be surfaced with material approved by the City Engineer. In addition, all parking spaces shall be striped. Staff will include these requirements as Conditions of Approval. Staff will address additional parking requirements in subsequent findings.

Criterion met with conditions.

Section 10.7.030.050 Accessible Parking

FINDING #40: See Finding #39. Pursuant to 10.7.030.050 (A), parking areas with 1-25 spaces shall provide one (1) ADA accessible parking space. Staff will include as a Condition of Approval that one (1) ADA parking space be provided on-site. This space must be van accessible with the accessible parking symbol painted on the parking space and an accessible parking sign placed in front of the space. **Criterion met with conditions.**

Section 10.10.040 Pedestrian Requirements

FINDING #41: The Applicants will be required to install half-street ROW improvements along the entire frontage of the subject property. TDMC 10.10.040 requires all sidewalks on collector streets have a minimum width of 5' and must extend through the site to the edge of adjacent properties. As mentioned in Finding #8, engineered plans must be submitted to the City Engineer for final review and approval, pursuant to all applicable criteria stated in TDMC and TSP. Staff will include this requirement as a condition of approval. **Criterion met with conditions.**

Section 10.10.050 Bicycle Requirements

FINDING #42: The subject property is located on W. 10th Street with existing bicycle lanes. **Criterion met.**

Section 10.10.060 Street Requirements

FINDING #43: Pursuant to TDMC 10.10.060 (C), "Where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrent with development." The Applicants will be required to install ROW improvements along the entire frontage of W. 10th Street. Staff will include this requirement as a Condition of Approval. **Criterion met with conditions.**

Section 10.10.070 Public Utility Extensions

FINDING #44: The subject property is currently connected to City services; however, additional upsizing will be required with this development. The Applicants are proposing a private internal utility system and will be responsible for continued maintenance of this system. **Criterion met.**

Section 10.12.020 Zoning

FINDING #45: See Finding #24. **Criterion met.**

Section 10.12.030 Development Standards

A. Laws and Regulations

FINDING #46: Pursuant to TDMC 10.12.030 (A), RV parks must adhere to all federal, state, and local laws and regulations. Staff will address all applicable TDMC standards within this staff report; however, it is the responsibility of the Applicants to ensure all other federal and state requirements are met. Staff will include as a Condition of Approval the Applicants contact Wasco County Building Codes and/or the State of Oregon Building Codes Division Department of Consumer and Business Services for additional permitting requirements associated with the proposed development. If any additional requirements involve modifications to RV park features, these features must be provided on a revised site plan. **Criterion met with conditions.**

B. Hazards to Property and Occupants.

FINDING #47: Staff does not anticipate any of the hazards outlined in TDMC 10.12.030 (B) will occur with this proposal. **Criterion met.**

C. Setbacks

FINDING #48: See Finding #34. **Criterion met.**

D. Access in Residential Zones

FINDING #49: The subject property is located on W. 10th Street which is listed in the TSP as a Major Collector street. Pursuant to 10.12.030 (D,4), RV parks of 10 or more spaces must provide at least two (2) vehicular exits spaced no closer than 75' (edge to edge). The Applicants are proposing two (2) drive approaches to the park, one designated as entrance and one exit, both measuring 24' (not including wings). The Applicants have provided turning templates modeling six (6) different types of RVs entering/exiting each of these drive approaches and demonstrate the need for the 24' driveway widths. Due to the existing street frontage measuring ~175' and providing two (2) 24' drive approaches, the proposed driveways have approximately 37' of separation. TDMC 10.6.050.050 provides a reduction in the required minimum separation distance between access points on collector streets where such separation is impractical, due to existing street frontage, among other conditions, provided the following requirements are met:

- “1. Public Safety. A licensed professional engineer specializing in traffic submits proof that a reasonable standard of public safety applies.
2. Elimination of Replaced Access Points. The property owner enters into an agreement with the City to close and eliminate pre-existing connections on site which are being replaced by the new access point.
3. Legal Lots of Record. The lot is a legal lot of record.”

The Applicants provided Staff with a memorandum from a licensed professional engineer for the project, will be eliminating and creating new access points with this proposal, and the subject property is a legal lot of record. Staff determined criteria #1-3 of TDMC 10.6.050.050 will be met with this proposal; therefore, the proposed access spacing is adequate for this proposal **Criterion met.**

E. Screening

FINDING #50: Pursuant to 10.12.030 (E), RV parks shall be screened with vegetation on all sides abutting ROWs and neighboring properties per the requirements of TDMC 10.11.050, which requires vegetation reach their required height within 2 years of planting. Screening must be set back 15' from the ROW and 5' from the side property lines. The Applicants are proposing to install 6' privacy fencing with ivy on each side along the front and each side property line with adequate setbacks. Staff will include as a Condition of Approval that all vegetation be maintained.

In addition, all perimeter screening must meet the vision clearance requirements of Article 6.100. As stated in Article 6.100, no plantings, walls, screens, structures, or permanent or temporary obstructions exceeding 24" in height, may be placed within the vision clearance area; in this case the 15' front setback of the subject property. This requirement would also apply to signage. In the event the Applicants would like to install park signage, Staff would recommend affixing the signs to the perimeter screening. In addition, a sign permit would be required. Staff will address the vision clearance requirements as a Condition of Approval. **Criterion met with conditions.**

F. Surfacing

FINDING #51: The Applicants are proposing to install asphalt/concrete for each of the 26 RV spaces, with crushed gravel as the surface for each additional vehicle parking space. **Criterion met.**

G. Non-Recreational Vehicle Parking Requirement

FINDING #52: The Applicants are proposing to install one (1) parking space for each of the 26 RV parking spaces, as well as five (5) parking spaces clustered at the office/bathhouse/laundry building. Pursuant to TDMC 10.12.030 (G), RV parks are permitted a maximum of one (1) parking space per RV space in addition to the number of parking spaces required for park administration; however, there is no clear definition on park administration requirements. The Applicants are anticipating 2-3 park employee positions will be created with this proposal. Staff determined the additional five (5) parking spaces to be adequate for park administration, as well as spaces for guest loading/unloading at the office/bathhouse/laundry building. **Criterion met.**

Section 10.12.040 Landscaping

FINDING #53: The Applicants submitted a landscaping plan as well as a narrative detailing the proposed landscaping improvements for the RV park. The plan includes more than 16,000 SF of landscaping, two (2) pet areas with existing shade trees, numerous shrubs, grass around each RV space, and future plans to install colorful perennial plants and flowering trees. Staff will include as a condition of approval that all landscaping be maintained and irrigated to ensure survival of plant materials. **Criterion met with conditions**

Section 10.12.050 Park Maintenance and Storage

FINDING #54: The Applicants are proposing to reuse the existing dwelling and barn on the subject property for park operations. A park host will live on-site within the existing dwelling and will be available on call. The barn will be used to store supplies,

landscaping equipment, snow blower and plow, and a golf cart for park staff. **Criterion met.**

Section 10.12.060 Length of Stay

FINDING #55: The Applicants are proposing to provide 26 RV parking spaces, eight (8) long-term stays (up to one year) and 18 short-term stays (30 days or less). Each of these spaces must be clearly identified on a revised site plan, as well as labeled at the park. In addition, all short-term stays must pay Transient Lodging Taxes to the City's Finance Department for each nightly stay. Staff will include these requirements as Conditions of Approval. **Criterion met with conditions.**

Section 10.12.070 Review Process

FINDING #56: See Finding #3. **Criterion met.**

Section 10.12.080 Review Criteria

FINDING #57: The Applicants submitted detailed site and landscaping plans in addition to narrative explaining operational aspects of the park. Staff will include as a Condition of Approval a detailed site plan, construction/design and landscape plan consistent with all conditions of approval included within this staff report, as well as any additional conditions of approval determined by the Planning Commission be approved by the Community Development Director and the City Engineer before a building permit is issued. **Criterion met with conditions.**

Section 10.10.100 Franchise Utility Installations

A. General

FINDING #58: The Applicants did not provide information regarding the installation of franchise utilities with the preliminary utility plan. All proposed franchise utilities will be required to be installed in accordance with each utility provider. Staff will include this criterion as a Condition of Approval. **Criterion met with conditions.**

RECOMMENDATION: Based on the application materials and findings demonstrating compliance with the applicable criteria, **Staff recommends approval of Conditional Use Permit No. 199-21, subject to the following conditions of approval.** Any modifications to the approved plans other than those required by this decision will require a new land use application and approval.

1. Conditions Requiring Resolution Prior to Submission of Final Plan:

- 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. A detailed site plan, construction/design and landscape plan consistent with conditions of approval included within this staff report, as well as any additional conditions of approval determined by the Planning Commission, must be approved by the Director and the City Engineer before a building permit is issued.

- c. All construction/design plans for public infrastructure, improvements, or rights-of-way shall be approved by the City Engineer.
- d. Submit engineered plans for review and approval by the Public Works Department. All design and installation of public improvements shall be installed or bonded by the Applicant in accordance with the City of The Dalles Municipal Code, Title 10 – Land Use and Development Public Improvement Procedures and the APWA standards, specifications, and drawings, as amended and adopted by the City, and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.
- e. The existing dwelling and barn must be included on a revised plan.
- f. The Applicants must contact Wasco County Building Codes and/or the State of Oregon Building Codes Division Department of Consumer and Business Services for additional permitting requirements associated with the proposed development. If any additional requirements require modifications to RV park features, these features must be provided on a revised site plan.
- g. A pedestrian pathway/sidewalk (either painting striping or at-grade concrete) from the ROW and on-site parking to the office/bathhouse/laundry must be provided on a revised plan.
- h. All RV spaces must be clearly identified as long or short term on a revised site plan.

2. Conditions Required Prior to Final Plan Approval

- a. One (1) ADA parking space must be provided on-site. Accessible parking spaces must meet the requirements for van accessible parking as stated in 10.7.030.050 (B), the accessible parking symbol painted on the parking space, as well as an accessible parking sign placed in front of the space.
- c. All circulation arrows and pedestrian pathways shall be painted on the parking lot to facilitate the movement of vehicles and pedestrians in a safe and efficient manner.
- d. All parking spaces shall be striped.
- e. All parking and maneuvering areas will be required to be hard surface and marked per the City's standards.
- f. Parking stall and aisle dimensions must comply with TDMC 10.7.030.130.
- g. All proposed landscaping must be installed.
- h. All trees shall be selected from the recommended tree list provided by the CDD Director.
- i. The Applicants will be required to install half-street ROW improvements along the entire frontage of the subject property and must extend through the site to the edge of adjacent properties.
- j. Screening must be provided on all side abutting ROWs and neighboring properties, with vegetation reaching the required height of 6' within two (2) years of planting.
- k. A pedestrian pathway/sidewalk (either painting striping or at-grade concrete) from the ROW and on-site parking to the office/bathhouse/laundry must be installed.

- l. To ensure pedestrian connectivity between each residential entryway to the ADA loading area and proposed concrete pedestrian pathway/sidewalk, a clear pedestrian pathway (striped or at-grade concrete) along the entire building front must be shown on the final plan. This pathway must be provided and installed at the time of development and prior to occupancy.
- m. All walkways shall meet the requirements of the Oregon Americans with Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes.
- n. All RV spaces must be clearly identified as long or short term.

3. Conditions Required During Construction of Public Improvements and Franchise Utilities

- a. A pre-construction meeting including the City Engineer and Construction Inspector is required prior to construction or site prep work. All public improvements shall first obtain design and construction approval from the City Engineer.
- b. The Applicant must warranty all public improvements against defect for one (1) year from the date of final acceptance by the City.
- c. All proposed franchise utilities will be required to be installed in accordance with each utility provider.

4. Conditions Required Prior to City Building Permit Approval

- a. All Conditions of Approval listed in Section #2 above.
- b. Building elevations for each of the structures, both proposed and existing, must be submitted and demonstrate compliance with 10.5.020.070. All building elevations must include trim around the windows, doors, frieze, and corners of buildings.

5. Ongoing Conditions

- a. All development must adhere to the approved site plan for this development.
- b. All proposed walking paths must be maintained to ensure safe and efficient circulation on the subject property.
- c. All 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. All landscaping must be maintained and irrigated to ensure survival of plant materials.
- e. No approach/entrance shall be built closer than 5' from any property line.
- f. All drive approaches must not exceed 5% grade for the first 20'.
- g. No plantings, walls, screens, structures, or permanent or temporary obstructions exceeding 24" in height, may be placed within the 15' front setback of the subject property.

- h. All short-term stays must pay Transient Lodging Taxes to the City's Finance Department for each nightly stay. Staff will include this requirement as a Condition of Approval.

COMMISSION ALTERNATIVES:

1. **Staff recommendation:** The Planning Commission move to adopt Resolution PC 603-22 approving Conditional Use Permit No. 199-21, with the proposed Conditions of Approval included with this report, based upon the findings of fact and conclusions of law set forth in the Agenda Staff Report.
2. If the Planning Commission desires to deny Conditional Use Permit No. 199-21, move to direct staff to prepare a resolution of denial. The Planning Commission would need to identify the specific criteria concerning this decision.



City of The Dalles
Community Development Department

313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 1125
www.thedalles.org

Office Hours -

Monday through Friday: 8:00 am - 5:00 pm



Application #: CUP 199-21
Filing Fee: \$275
Receipt #: 245292
Deemed Complete: _____
Ready to Issue: _____
Date Issued: _____

Conditional Use Permit Application

Applicant

Name: RTD Development
Address: 1020 Sunflower Street W
The Dalles, OR 97058
Phone #: 541-340-0062
Email: lmcvane@netscape.net

Legal Owner (if different than Applicant)

Name: Same
Address: ~~1020 Sunflower St W~~ mailing address
Phone #: _____
Email: _____

Property Information

Address: 2514 W. 10th St
Zone: High Density
City Limits: ☒ Yes ☐ No
Geohazard Zone: —

Map and Tax Lot: 2N 13E 32 DB 1100
Overlay: —
Size of Development: 3.6
Flood Designation: —

Project Information

☒ New Construction ☐ Expansion/Alteration ☐ Change of Use ☐ Amend Approved Plan

Current Use of Property: field
Proposed Use of Property: RV Park

Briefly Explain the Project: put in 20-26 RV spaces with electrical, water, sewer, plus Bathroom facility and extra parking with a checkin facility.
Proposed Building(s) Footprint Size (ft²): _____

Total Number of Parking Spaces Proposed: 7-10 spaces Parking Lot Landscaping Proposed (ft²): _____

Total Landscaping Proposed (ft²): _____ Percentage of Irrigated Landscaping: _____

See Reverse Side >>>

Project Information (continued)

Economic Development Information

☐ Proposed Project is in the Enterprise Zone

(for questions regarding Enterprise Zones, please contact the Assistant to the City Manager's Office at (541) 296-5481, ext. 1150)

Full Time Equivalent (FTE) jobs are currently provided: 1 full time to start with

FTE jobs are expected to be created by the proposed project: 2-3

In addition to the requirements of Article 3.010: Application Procedures, this application must be accompanied by the information required in Article 3.050: Conditional Use Permits or Article 3.060: Administrative Conditional Use Permits, contained in Title 10 Land Use and Development of the City of The Dalles Municipal Code.

Upon submission of this application, please provide the following number of copies for their associated plan review:

Site Team / Pre-Application:

- ☐ 6 - copies of concept site plan
- ☐ 1 - 11" x 17" concept site plan
- ☐ 1 - PDF of concept site plan

Official Site Plan Review Application:

- ☐ 4 - full size copies of construction detail plans
- ☐ 1 - 11" x 17" concept site plan

Signature of Applicant

Signature of Property Owner

[Signature]
Date

[Signature]
Date

Department Use Only

☐ Administrative ☐ Quasi-Judicial: PC / URA / HLC / CC | Hearing Date: _____

April 11, 2022

RE: RTD Development LLC
The Dalles RV Park Proposal
2514 W 10th ST

We would like to put an RV Park off 10th Street with 26 Sites. All sites will have parking next to the RV space with gravel 10-12 feet long with the remaining being grass. Sites 1-10 are 50 feet long so the grass will be 10 feet wide and 38 feet long. Sites 11-20 are 60 feet long so the parking will be 12 feet long by 10 feet wide and the grass will be 48 feet long and 10 feet wide. Sites 21-26 are 25 feet long and the parking will be 10 feet long and the grass will be 15 feet long and 10 feet wide. The RV pads will be concrete or asphalt depending on which is the most cost effective to put in when it comes time to pave.

We will have a dog area on the west side above site 10 this will have grass and an Oak tree or Southern Magnolia for shade. There will also be a pet area on the east upper side next to the bath house/office. There are existing pine trees that we will leave for this dog area. Once everything is in place we will decide the best placement for colorful perennial plants. We would also like to plant flowering trees such as dogwood that would blossom the same time as the cherry trees so they will be in full bloom during cherry festival.

We will make sites along the west side available for long term parking and hold it down to 8 long term sites. The customers can check out at any time with 30 day notice.

The bath house/office will be located above the park towards 13th street. There will be 2 mens shower/toilets and two womens shower/toilets. One of each of the showers toilet areas will be handicap accessible. There will also be 5-7 additional parking places for over flow and visitors to the park located on the south end of the bath house/ office. The lighting will be located around the bath house/office. The only other lighting will be on the power stations at each site on top of them that will be solar driven this will facilitate if they come in after dark they can still see the plug ins and water hook ups. The lights are soft lights and low to the ground so the light does not travel farther than 1 foot. All areas will be gravel, grass, asphalt or concrete so there should be no blowing debris and there will be chain link fence on both sides of the property with privacy slats in them to keep any debris from traveling out side the property.

We have no need or use for odorous items listed in the review criteria for our use of the property.

We have no vibrations that come into play for our use of the property.

With 26 spaces available there will be minimal impact on traffic on 10th street. They will be exiting 10th street so no on street parking will be needed. There are vehicle parking places at each site and an over flow parking area behind the office/bath house.

There will be 2 large garbage containers with fencing around them. One will be located on the south end of site 11 across the road and the other will be located on the north side of site 26.

The fence on the west side will resemble the existing fence on the east side. Chain link or metal with privacy slates inserted. We also would like to plant ivy along both sides so it will grow up the fencing and provide a nice green wall on each side.

Snow will be plowed and put on the south upper side of bathhouse and on the lower north side of the bathhouse and on the east side north of site 26. There is also room north of site 1 and site 19.

We would like to have 8 long term sites along the west side in a combination of sites 1-10.

We would also like to put a sign on the north side of site 19.

The existing structures will remain as our park host will live in the existing house. The barn on the upper side behind the house will be used to store lawn care equipment and replacement parts for underground sprinklers and other replacement items needed. This will also give a place to store snow blowers and snow plow and golf cart.

The office will be open 9-5 Monday through Saturday with a full time person living in the existing house to facilitate as "camp host" and be on call during after hours.

We are looking at 3 different online reservation companies and will push for that to be the way our guests book their site. We will also have phone in and email available. The Bathrooms will be code driven so they can be used 24/7. There will be quiet hours from 10 p.m. to 7 a.m.. Violators will be contacted and if do not cooperate will be asked to vacate.

I sent the remaining half of our fee in the mail. Let me know if we need to address any other items or need clarification on anything.

Thank you!!

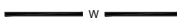
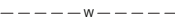
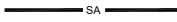
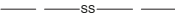

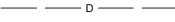

























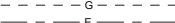

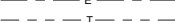







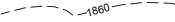






David A Griffith Robbie McVane Tammy McVane

David A Griffith 1-541-980-7873

Robbie McVane 1-541-340-9047

Tammy McVane 1-541-340-0062

PROPOSED 10TH STREET RV, LLC DEVELOPMENT FOR TAX LOT 02N-32-DB-1100

LEGEND	
NEW	EXISTING
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 SA	 SS
 DR	 D
	
	
	
	
	
	
	
	
	
	
	
	
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CE 10.1	DETAILS		
CE 10.2	DETAILS		
CE 10.3	DETAILS		
CE 10.4	FENCE DETAILS		

UTILITIES:

POWER:

NORTHERN WASCO CO. P.U.D.
2345 RIVER ROAD,
THE DALLES, OR. 97058.
PH. (541) 296-2226
CONTACT: ED ORTEGA

TELEVISION:

CHARTER COMMUNICATIONS, INC.
409 UNION STREET
THE DALLES, OR. 97058
PH. (541) 296-1146
CONTACT: DAN WALLACE

TELEPHONE:

CENTURY LINK
285 WEBBER STREET,
THE DALLES OR. 97058
PH. (541) 387-9255
CONTACT:

BUILDING OFFICIAL:

WASCO COUNTY
2705 EAST 2ND STREET
THE DALLES, OREGON 97058
PH. (541) 506-2650

STREETS (WEST 7TH STREET):

CITY OF THE DALLES,
PUBLIC WORKS DEPT.
1215 W. 1ST STREET
THE DALLES, OR. 97058
PH. (541) 506-2021
CONTACT: DALE McCABE, CITY ENGINEER

FIRE PROTECTION:

MID-COLUMBIA FIRE AND RESCUE
1400 WEST 8TH. STREET
THE DALLES, OREGON 97058
PH. (541) 296-9445
CONTACT: JAY WOOD, FIRE MARSHAL

GAS:

NW NATURAL
1125 BARGEWAY ROAD
THE DALLES, OR. 97058
PH. (541) 296-2229
CONTACT: TONYA BRUMLEY

WATER:

CHENOWITH WATER
2312 W. 8TH STREET
THE DALLES, OR. 97058
PH. (541) 296-5363

SANITARY SEWER:

CITY OF THE DALLES,
PUBLIC WORKS DEPT.
1215 W. 1ST STREET
THE DALLES, OR. 97058
PH. (541) 506-2021
CONTACT: DALE McCABE, CITY ENGINEER

PLANNING JURISDICTION:

CITY OF THE DALLES
COMMUNITY DEVELOPMENT/ PLANNING
313 COURT ST.
THE DALLES, OREGON 97058
PH. (541) 296-5481
CONTACT: DAWN HERT, PLANNER

OWNER:

RTD DEVELOPMENT LLC
1020 SUNFLOWER ST.
PH. (541) 980-7873
CONTACT: DAVID GRIFFITH

ENGINEER:

PIONEER SURVEYING AND ENGINEERING
125 E SIMCOE DRIVE
GOLDENDALE, WA 98620
PH. 509-773-4945
DUSTIN CONROY(PROJECT MANAGER)



Pioneer Surveying & Engineering, Inc.

Civil/Structural Engineering and Land Planning
125 E. Simcoe Drive
Goldendale, Washington 98620

Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,



RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

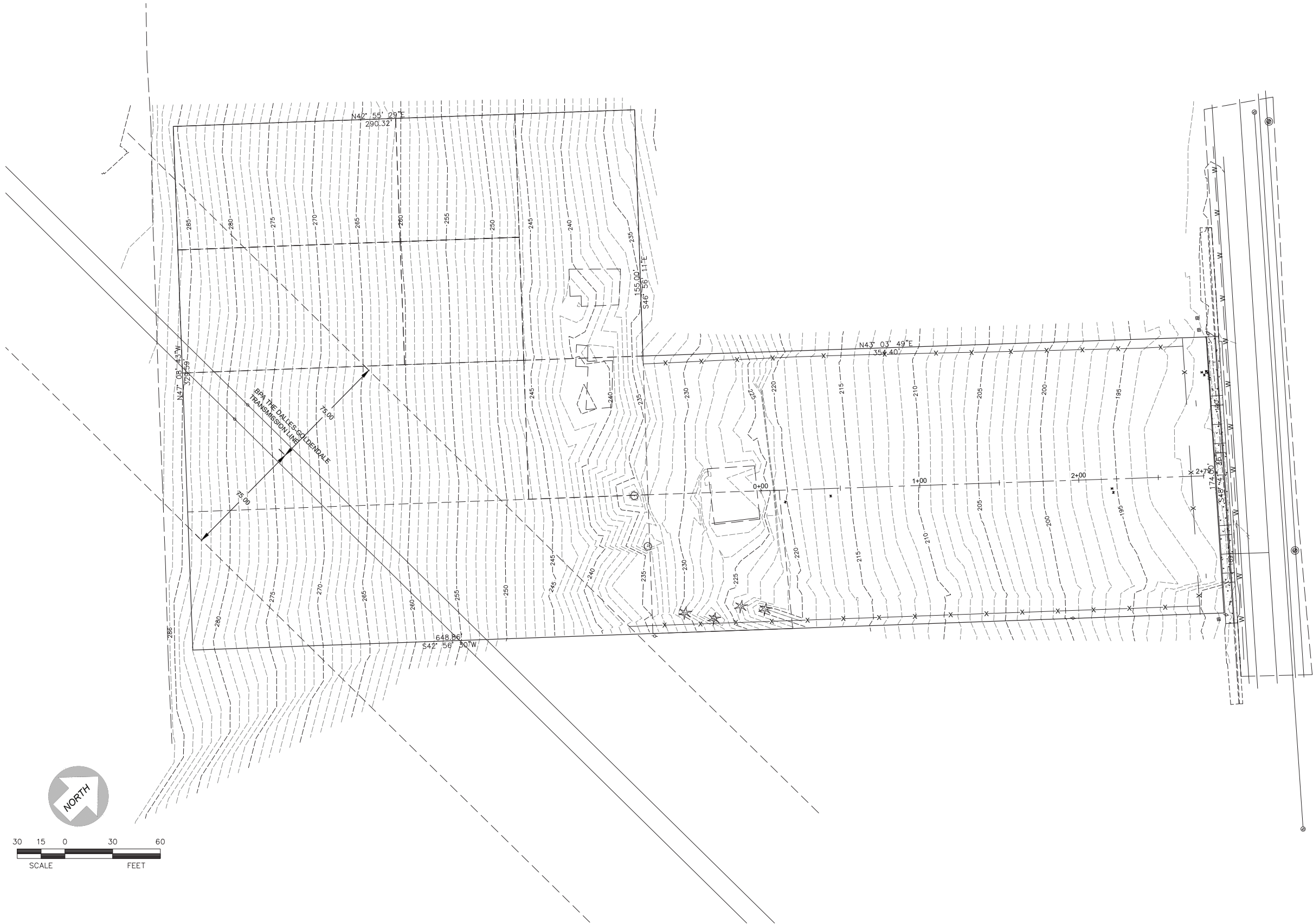
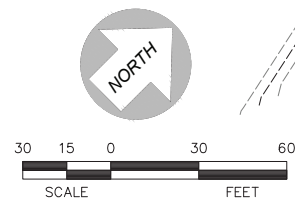
THE DALLES, OR
COVER PAGE

No.	Date	Revisions
3.0	3-15-2022	SUBMITTED FOR REVIEW
2.0	2-21-2022	SUBMITTED FOR REVIEW
1.0	12-23-2021	SUBMITTED FOR REVIEW

SHEET NO.
CE 1.0

SCALE: AS NOTED
JOB NO. REV.

21-XX



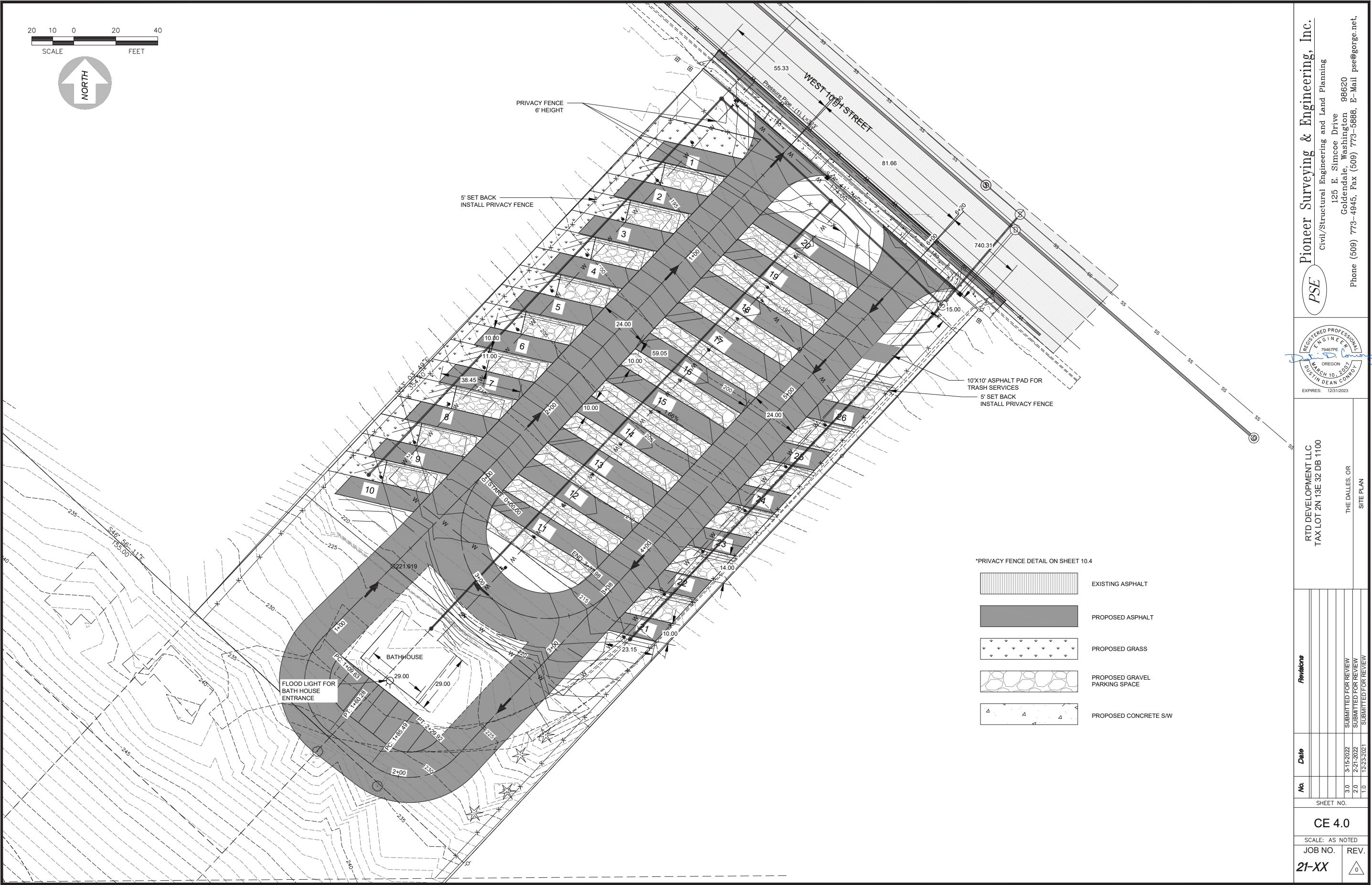
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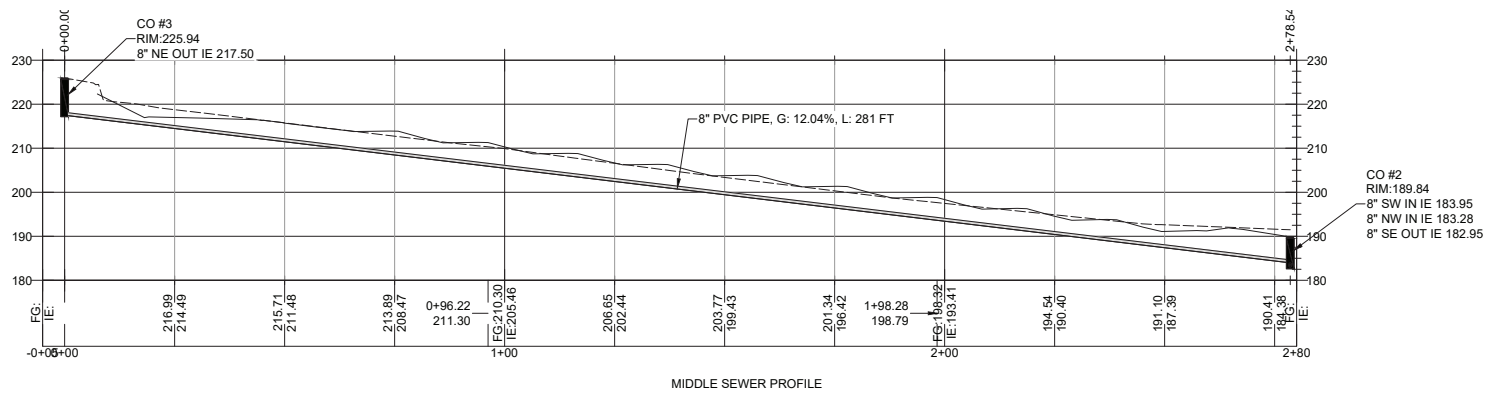
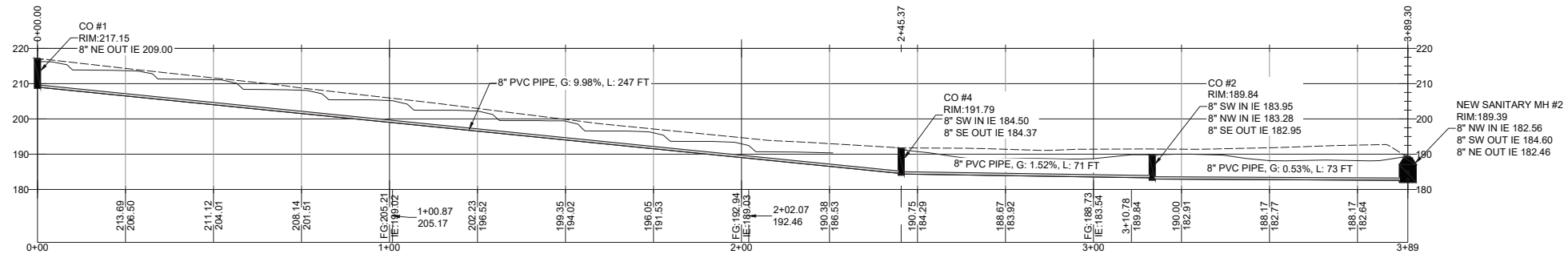
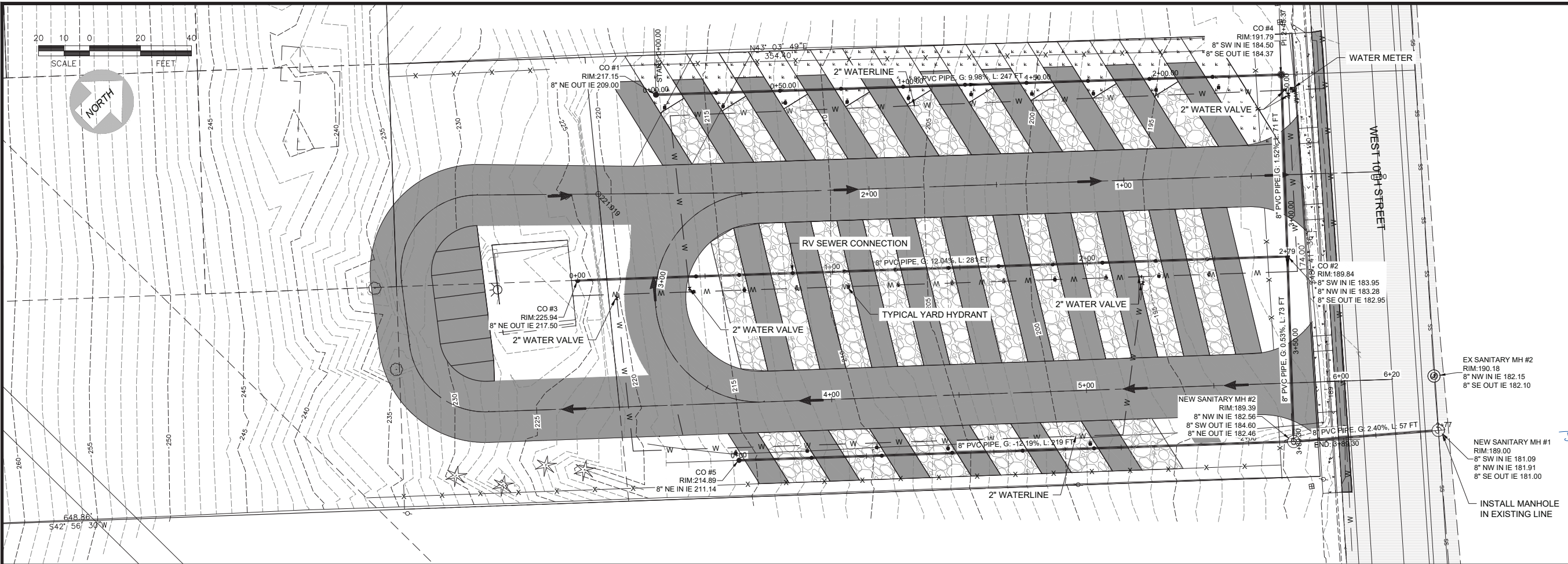
RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

THE DALLES, OR
SITE SURVEY



Pioneer Surveying & Engineering, Inc.
Civil/Structural Engineering and Land Planning
125 E. Simcoe Drive
Goldendale, Washington 98620
Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,





Pioneer Surveying & Engineering, Inc.
 Civil/Structural Engineering and Land Planning
 125 E. Simcoe Drive
 Goldendale, Washington 98620
 Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,

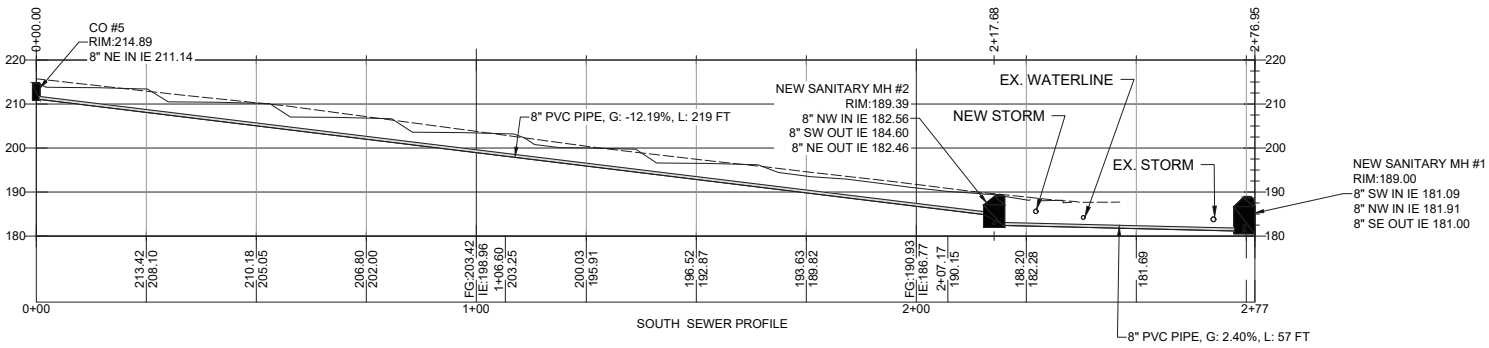
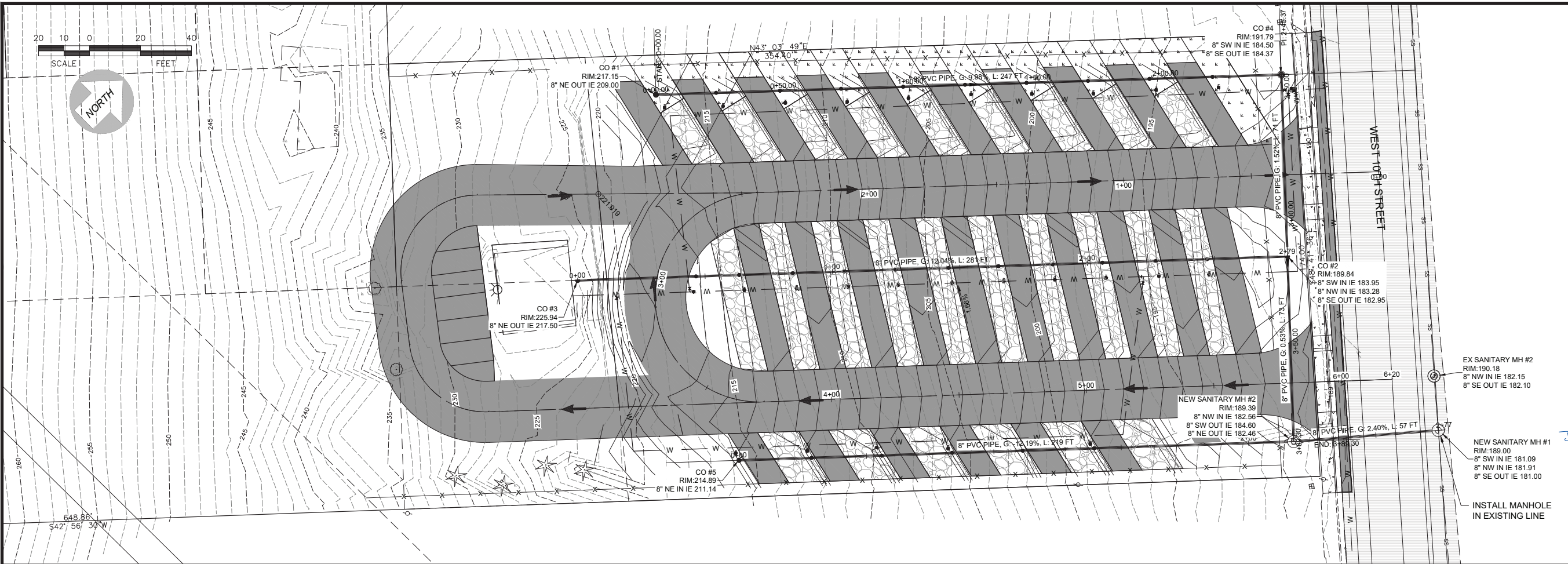


RTD DEVELOPMENT LLC
 TAX LOT 2N 13E 32 DB 1100

THE DALLES, OR
 UTILITY PLAN

No.	Date	Revisions
3.0	3-15-2022	SUBMITTED FOR REVIEW
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1.0	12-23-2021	SUBMITTED FOR REVIEW

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CE 5.0
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- SANITARY SEWER NOTES**
1. WATER LINE ELEVATION TO BE FIELD VERIFIED BEFORE START OF CONSTRUCTION BY CONTRACTOR
 2. EXISTING SANITARY SEWER LINE ELEVATIONS TO BE FIELD VERIFIED BEFORE START OF CONSTRUCTION BY CONTRACTOR

Pioneer Surveying & Engineering, Inc.
Civil/Structural Engineering and Land Planning
125 E. Simcoe Drive
Goldendale, Washington 98620
Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,

RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

THE DALLIES, OR
UTILITY PLAN

No.	Date	Revisions
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1.0	12-23-2021	SUBMITTED FOR REVIEW

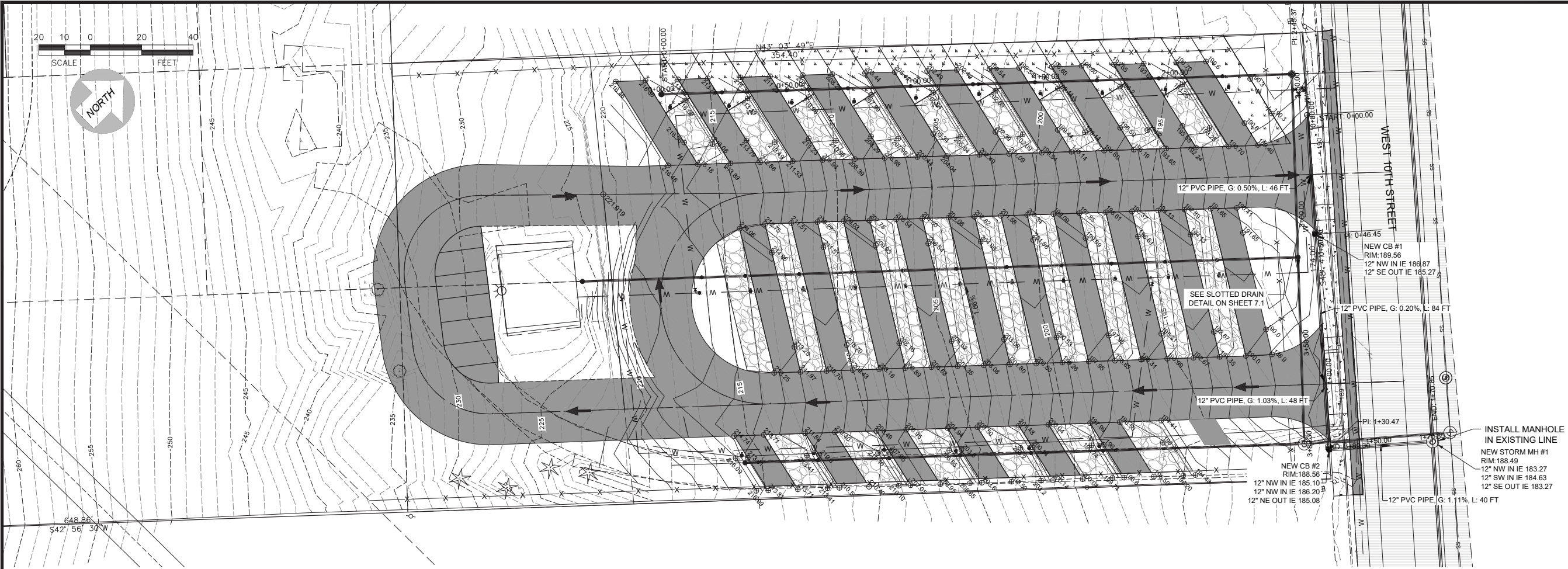
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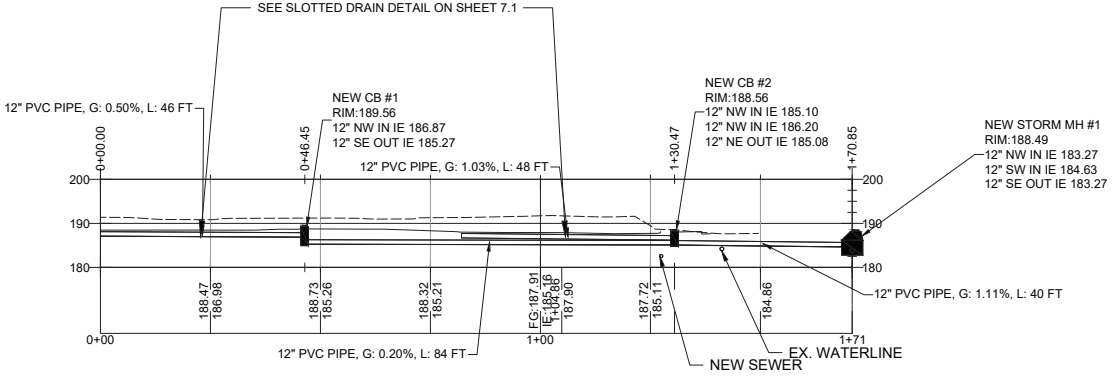
SCALE: AS NOTED

JOB NO. REV.

21-XX



- GRADING NOTES
1. NET CUT OF 1176 CUBIC YARDS
- STORM SEWER NOTES
1. EXISTING WATER LINE ELEVATION TO BE FIELD VERIFIED BEFORE START OF CONSTRUCTION BY CONTRACTOR



STORM PROFILE

Pioneer Surveying & Engineering, Inc.

Civil/Structural Engineering and Land Planning

125 E. Simcoe Drive

Goldendale, Washington 98620

Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,

PSE

REGISTERED PROFESSIONAL ENGINEER

7945TPE

OREGON

MARCH 10, 2020

DUSTIN DEAN CORRY

EXPIRES: 12/31/2023

RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

THE DALLIES, OR

GRADING AND DRAINAGE PLAN

No.	Date	Revisions
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1.0	12-23-2021	SUBMITTED FOR REVIEW

SHEET NO.

CE 7.0

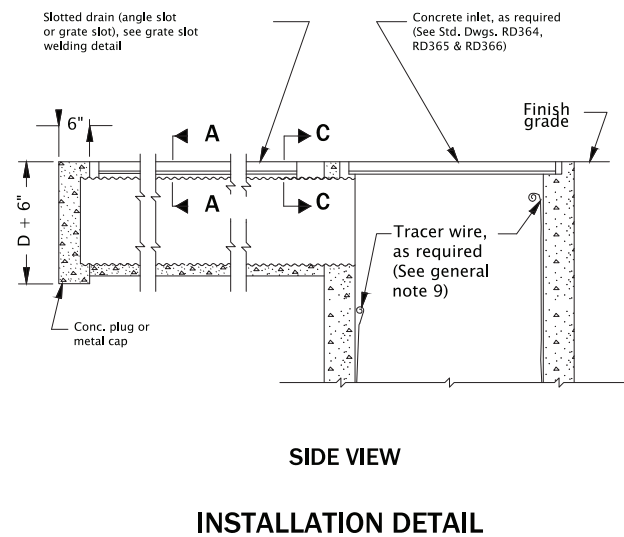
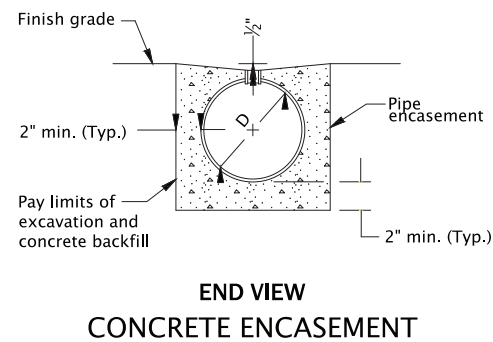
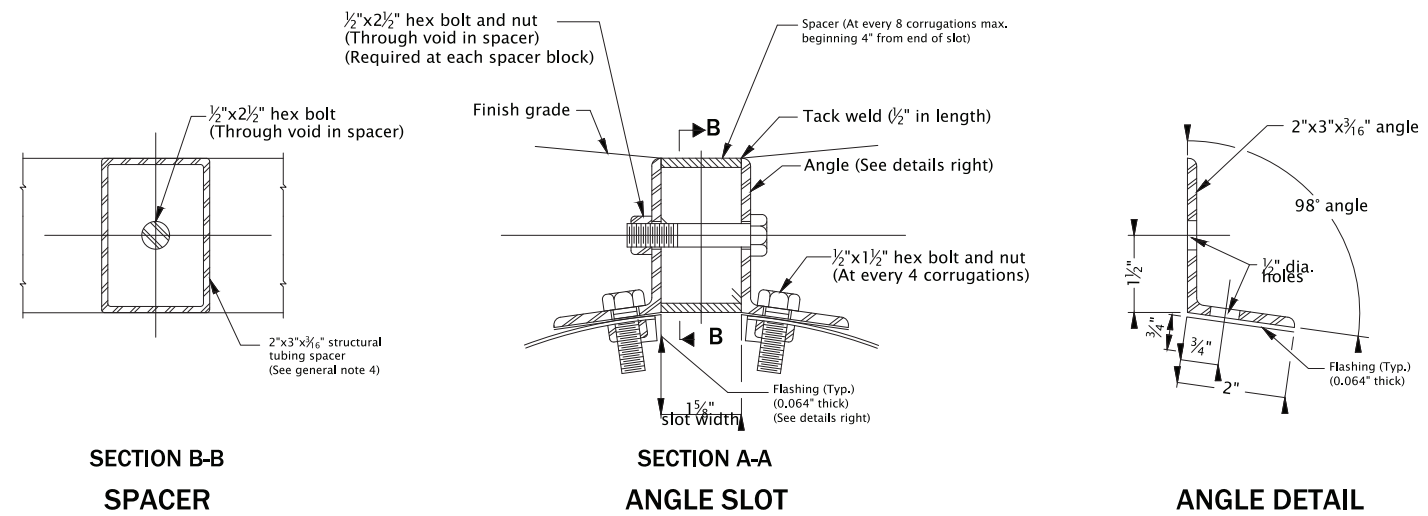
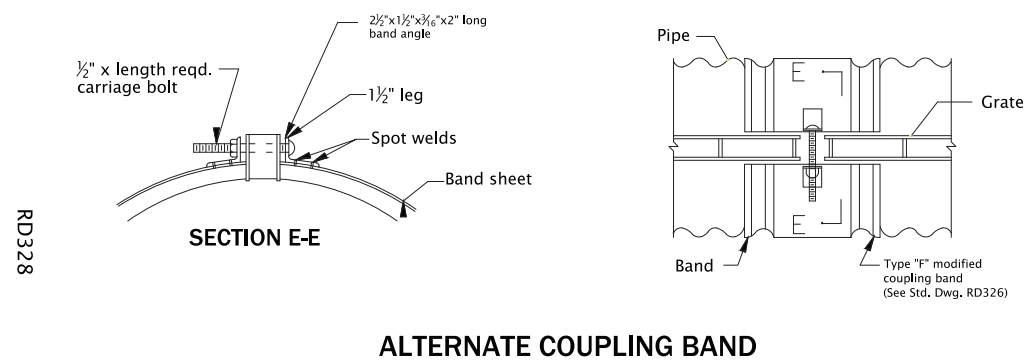
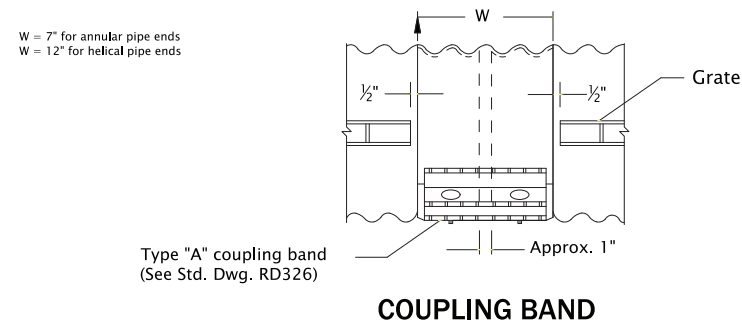
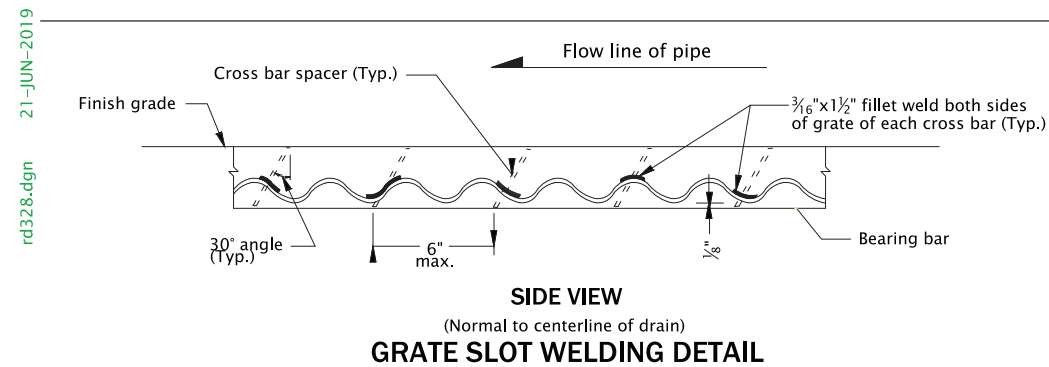
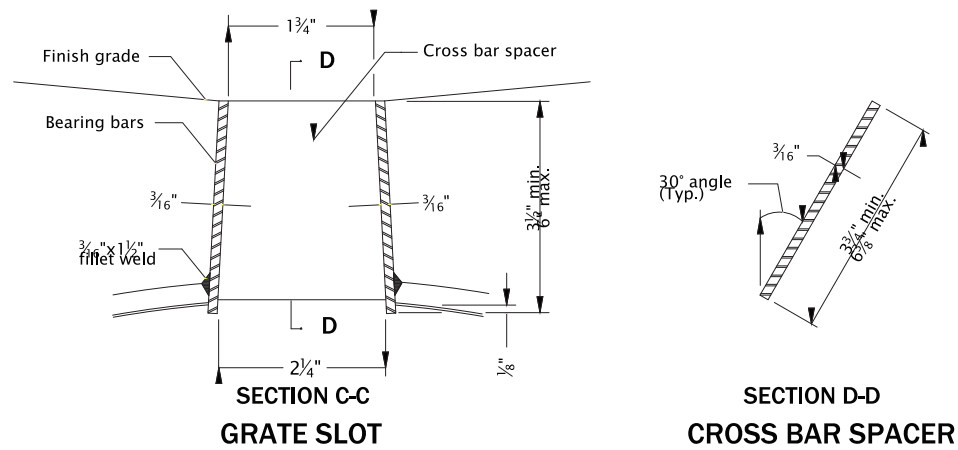
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JOB NO.

REV.

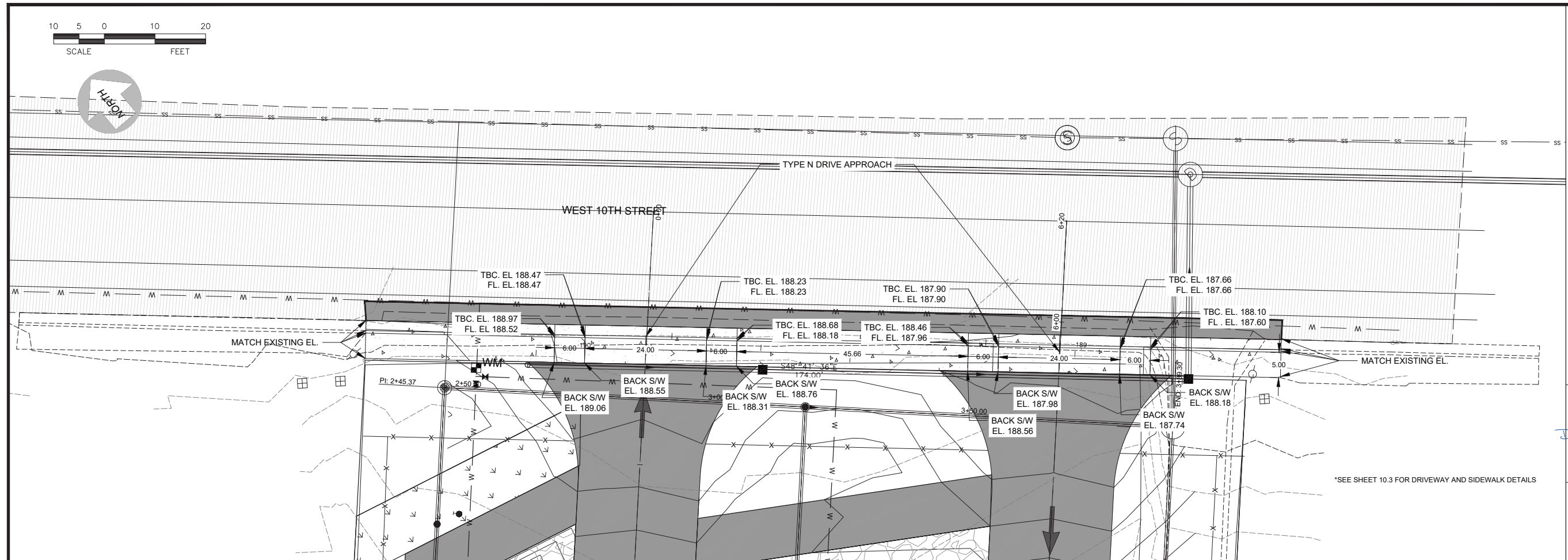
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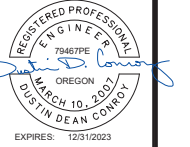
- GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

1. Drain pipe seams may be continuous helical lock seam or helical weld seam.
2. Drain sections shall be assembled with either of the coupling bands shown.
3. Units of slopped CMP drains shall be fabricated and all nuts and bolts tightened prior to beginning field installation.
4. Structural tubing to be 5.5 lb/ft. or heavier. Structural tubing shall conform to ASTM A501.
5. The cross bar spacer shall be welded to the bearing bars in such a manner as to develop a minimum tensile capacity of 12000 lbs normal to the longitudinal axis of the bearing bars.
6. The maximum variation from a straight line between the extreme top corners of the bearing bars shall be $\frac{1}{8}$ " in 20'.
7. Grate slot assemblies shall conform to the provisions of ASTM A36 and shall be galvanized after fabrication per ASTM A123. Corrugated pipe shall conform to AASHTO M36.
8. Concrete used in encasement shall be commercial grade concrete.
9. See Std. Dwg. RD336 for tracer wire details.
10. See ODOT's QPL for alternates.



Pioneer Surveying & Engineering, Inc.

Civil/Structural Engineering and Land Planning
125 E. Simcoe Drive
Goldendale, Washington 98620
Phone (509) 773-4945, Fax (509) 773-5888, E-Mail psc@gorge.net



EXPIRES: 12/31/2023

RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

SIDEWALK PLAN

No	Date	Revisions
3.0	3-15-2022	SUBMITTED FOR REVIEW
2.0	2-21-2022	SUBMITTED FOR REVIEW
1.0	12-23-2021	SUBMITTED FOR REVIEW

SHEET NO. _____

CE 8.0

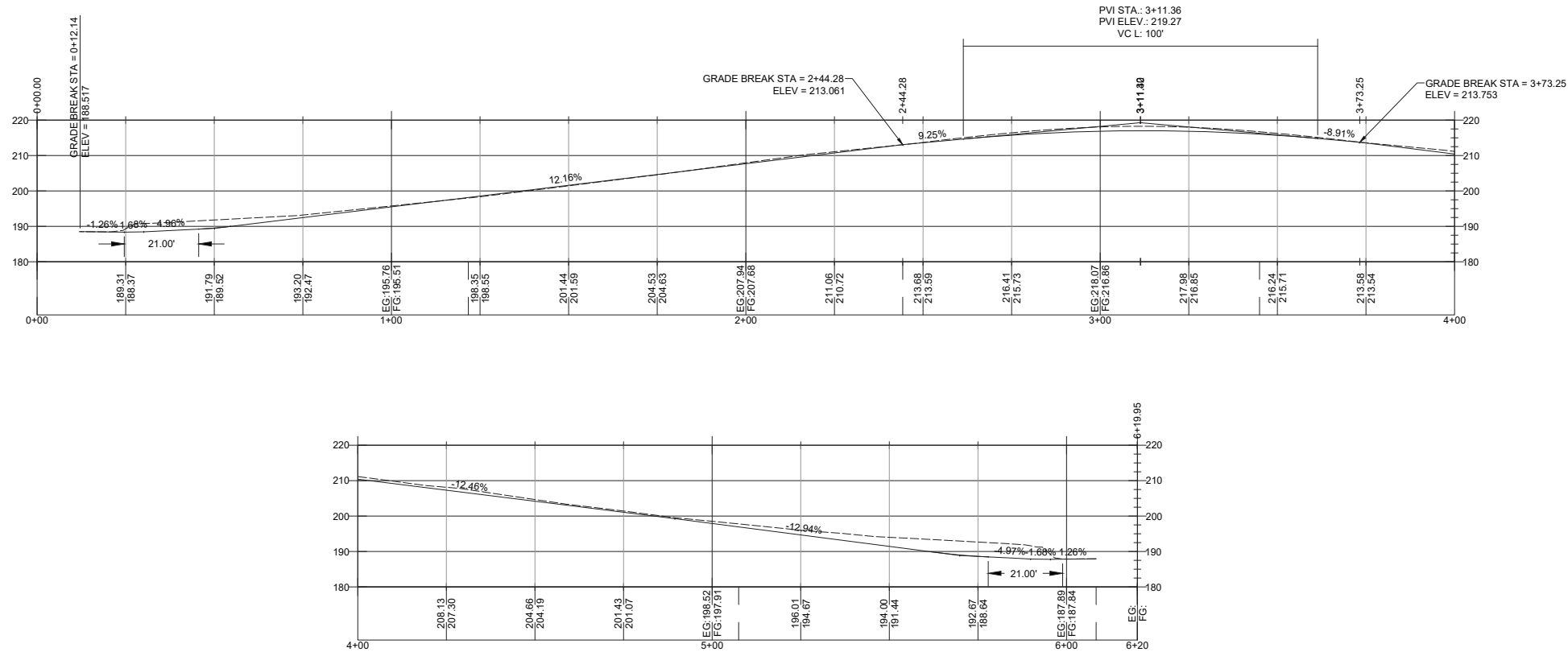
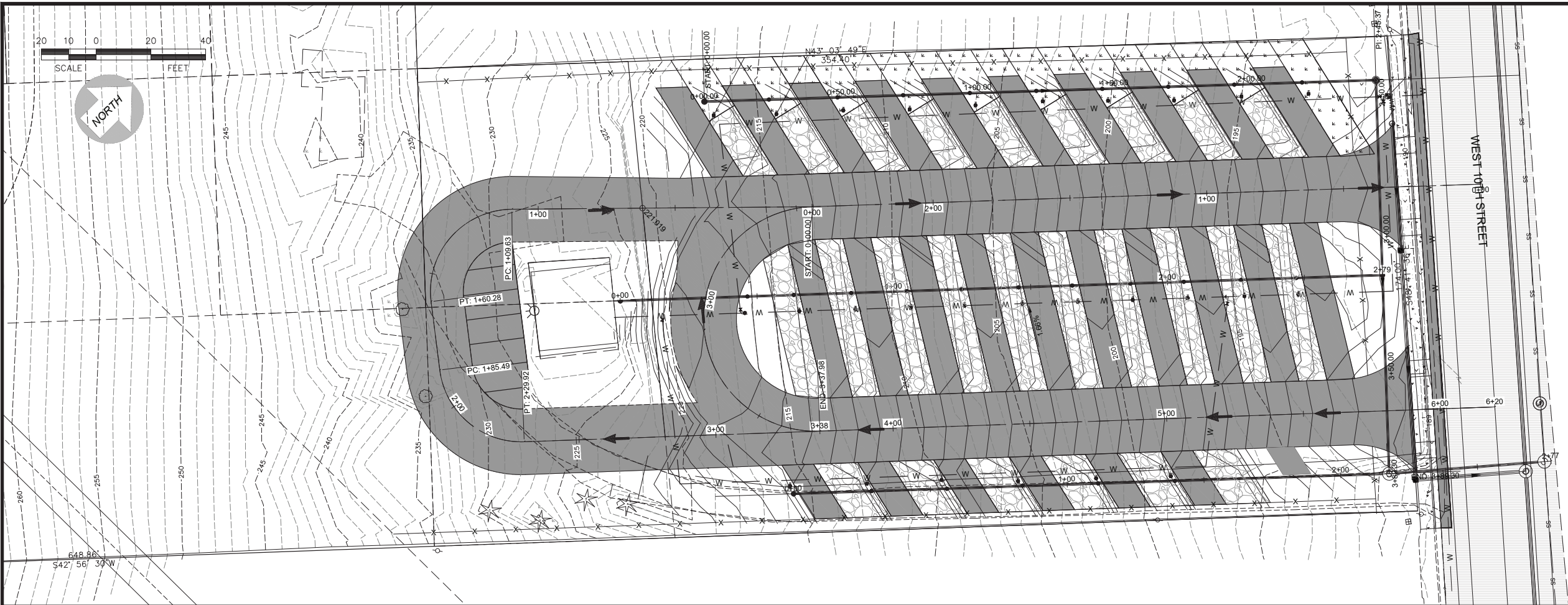
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JOB NO

REV.

21-XX





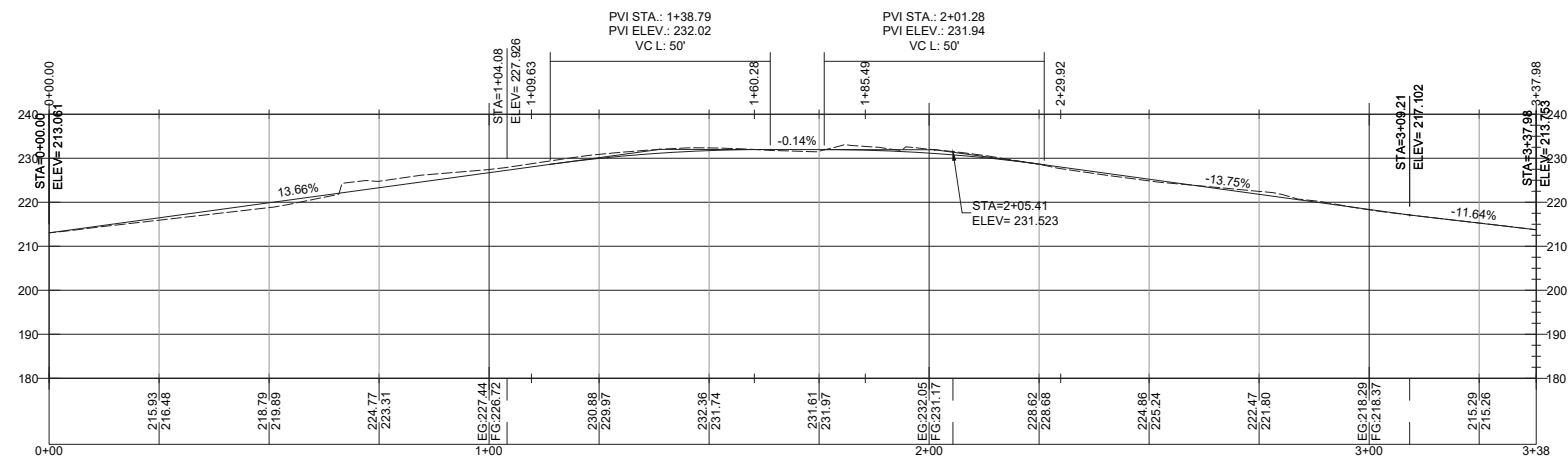
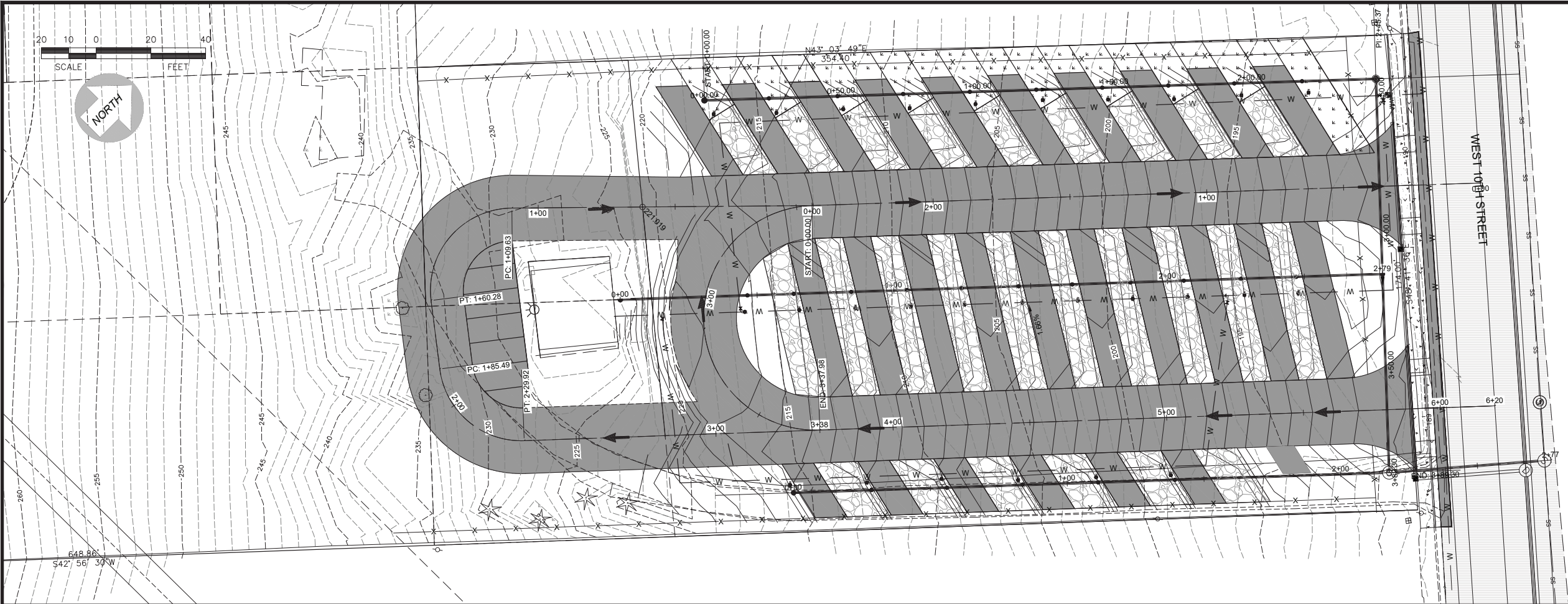
Pioneer Surveying & Engineering, Inc.
 Civil/Structural Engineering and Land Planning
 125 E. Simcoe Drive
 Goldendale, Washington 98620
 Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net



RTD DEVELOPMENT LLC
 TAX LOT 2N 13E 32 DB 1100
 THE DALLES, OR
 MAIN ROAD PLAN AND PROFILE

No.	Date	Revisions
3.0	3-15-2022	SUBMITTED FOR REVIEW
2.0	2-21-2022	SUBMITTED FOR REVIEW
1.0	12-23-2021	SUBMITTED FOR REVIEW

SHEET NO.
CE 9.0
 SCALE: AS NOTED
 JOB NO. **21-XX** REV.



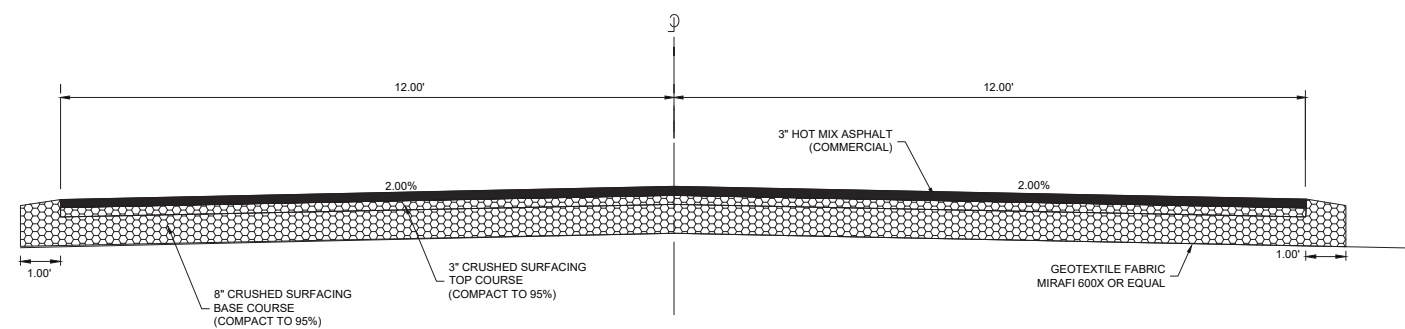
Pioneer Surveying & Engineering, Inc.
 Civil/Structural Engineering and Land Planning
 125 E. Simcoe Drive
 Goldendale, Washington 98620
 Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net



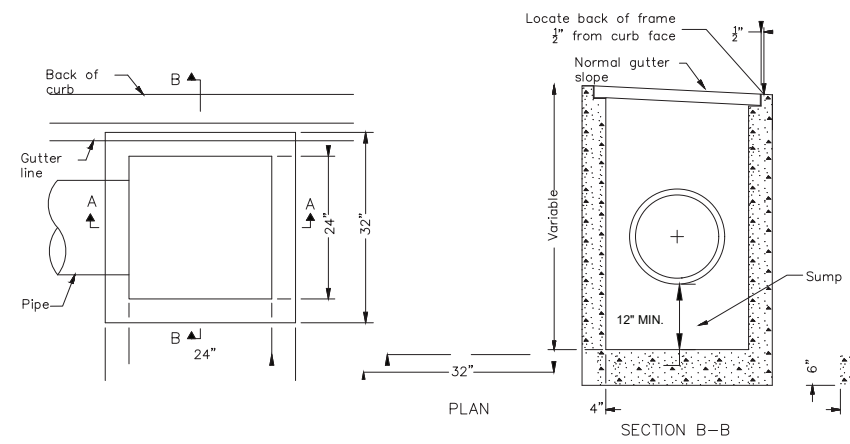
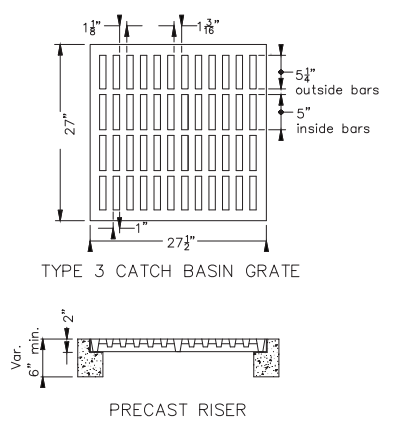
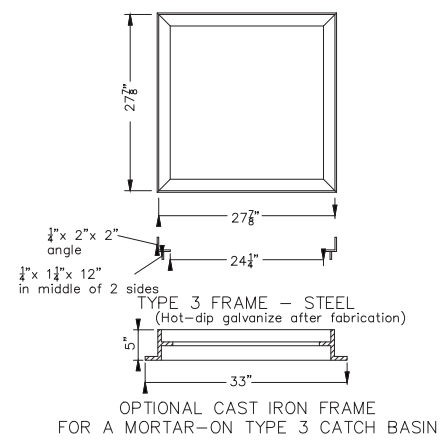
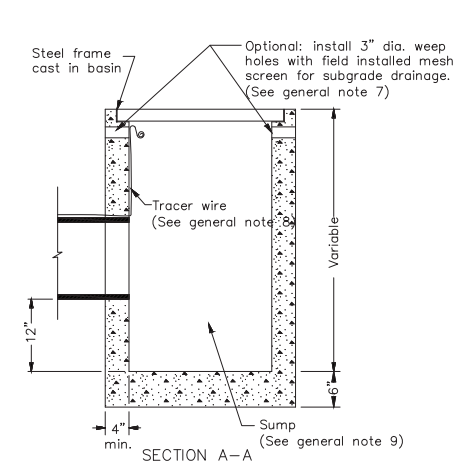
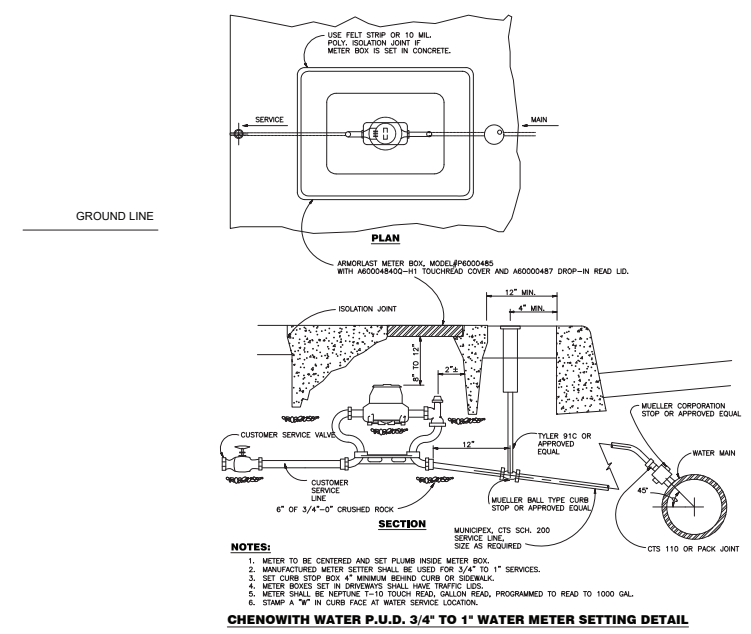
RTD DEVELOPMENT LLC
 TAX LOT 2N 13E 32 DB 1100
 THE DALLES, OR
 BATHHOUSE ROAD PLAN AND PROFILE

No.	Date	Revisions
3.0	3-15-2022	SUBMITTED FOR REVIEW
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1.0	12-23-2021	SUBMITTED FOR REVIEW

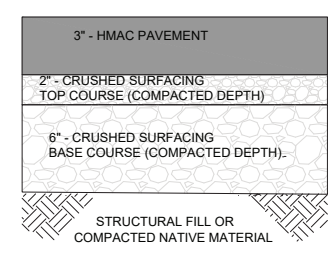
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CE 9.1
 SCALE: AS NOTED
 JOB NO. **21-XX** REV. **0**



2 MAIN ACCESS ROAD
(NOT TO SCALE)



- GENERAL NOTES FOR ALL DETAILS:
1. Catch basin & grate shall meet H20 loading.
 2. All concrete shall be commercial grade concrete.
 3. Precast walls shall be a minimum of 4" thick.
 4. For use by local agencies on low volume residential facilities as directed.
 5. Knockouts allowed for precast option.



5 HMAc DRIVEWAY AND PARKING SECTION
CE3.0 NTS

3 CATCH BASIN
CE3.0

Pioneer Surveying & Engineering, Inc.
Civil/Structural Engineering and Land Planning
125 E. Simcoe Drive
Goldendale, Washington 98620
Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,

PSE

REGISTERED PROFESSIONAL ENGINEER
7946TPE
OREGON
MARCH 10, 2009
DUSTIN DEAN CONROY
EXPIRES: 12/31/2023

RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

THE DALLIES, OR
DETAILS

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CE 10.0

SCALE: AS NOTED

JOB NO. REV.

21-XX



The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

[illegible]

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

SANITARY CLEANOUT

2020

DATE	REVISION	DESCRIPTION

2020	
DATE	REVISION DESCRIPTION



ability of the user and should not be used without consulting a Registered Professional Engineer.

ability of the user and should not be used without consulting a Registered Professional Engineer.



For pipes over 72" diameter,
see general note 3.

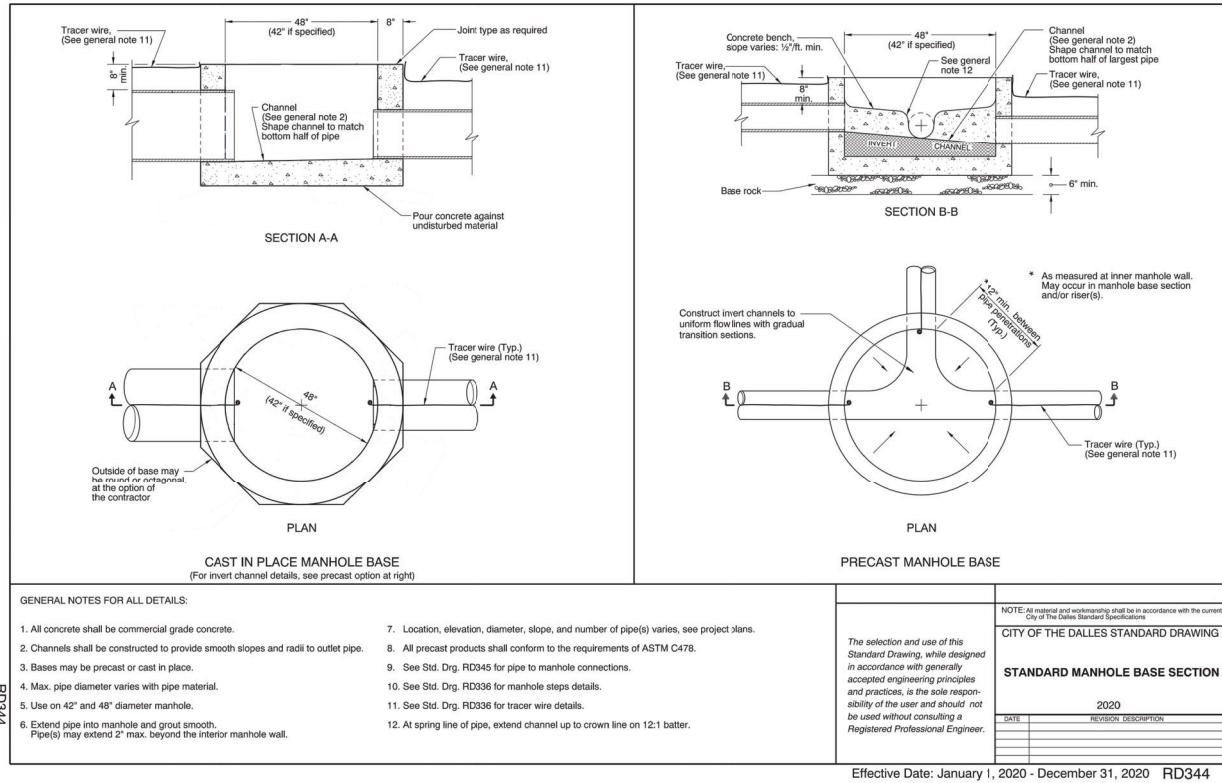
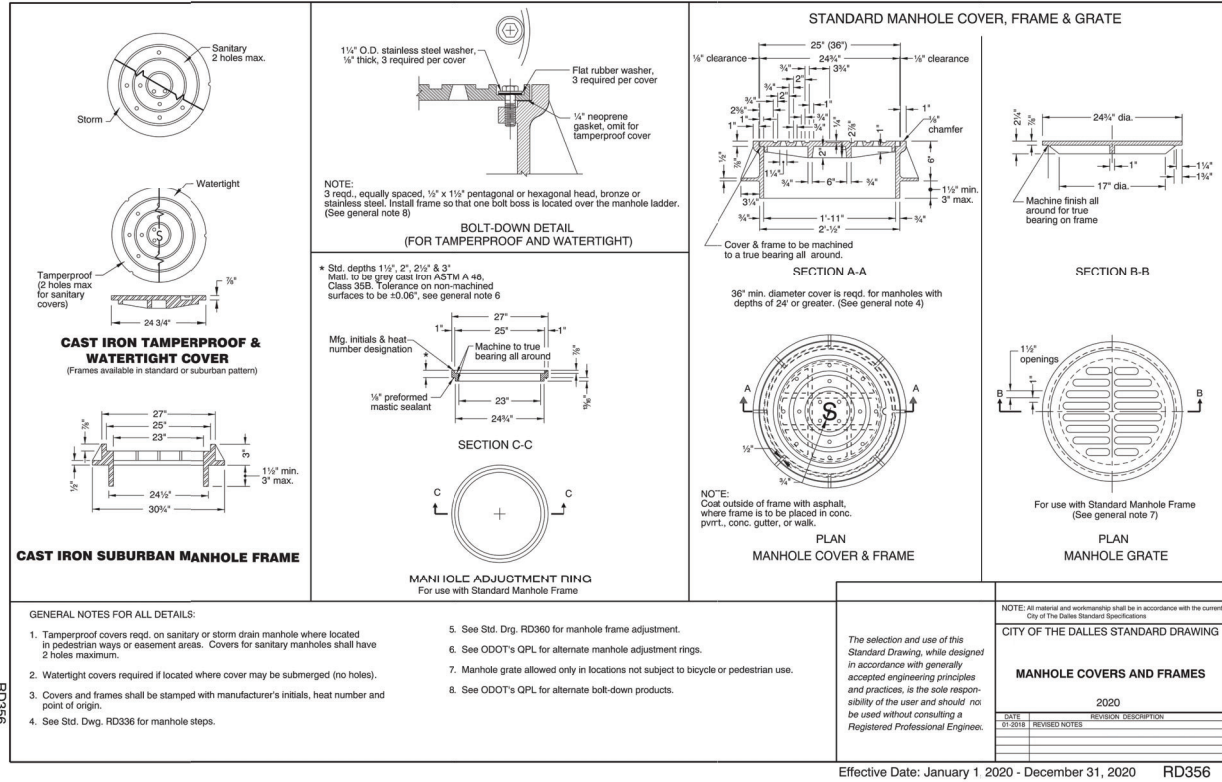
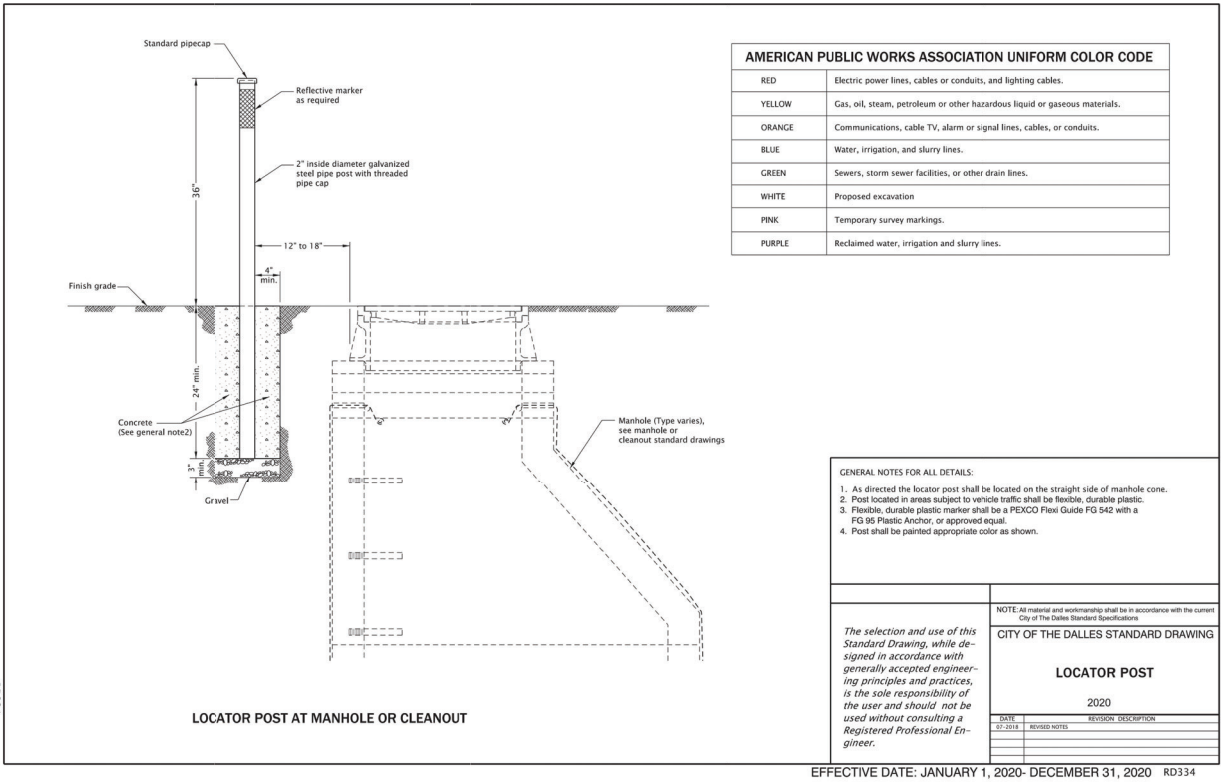
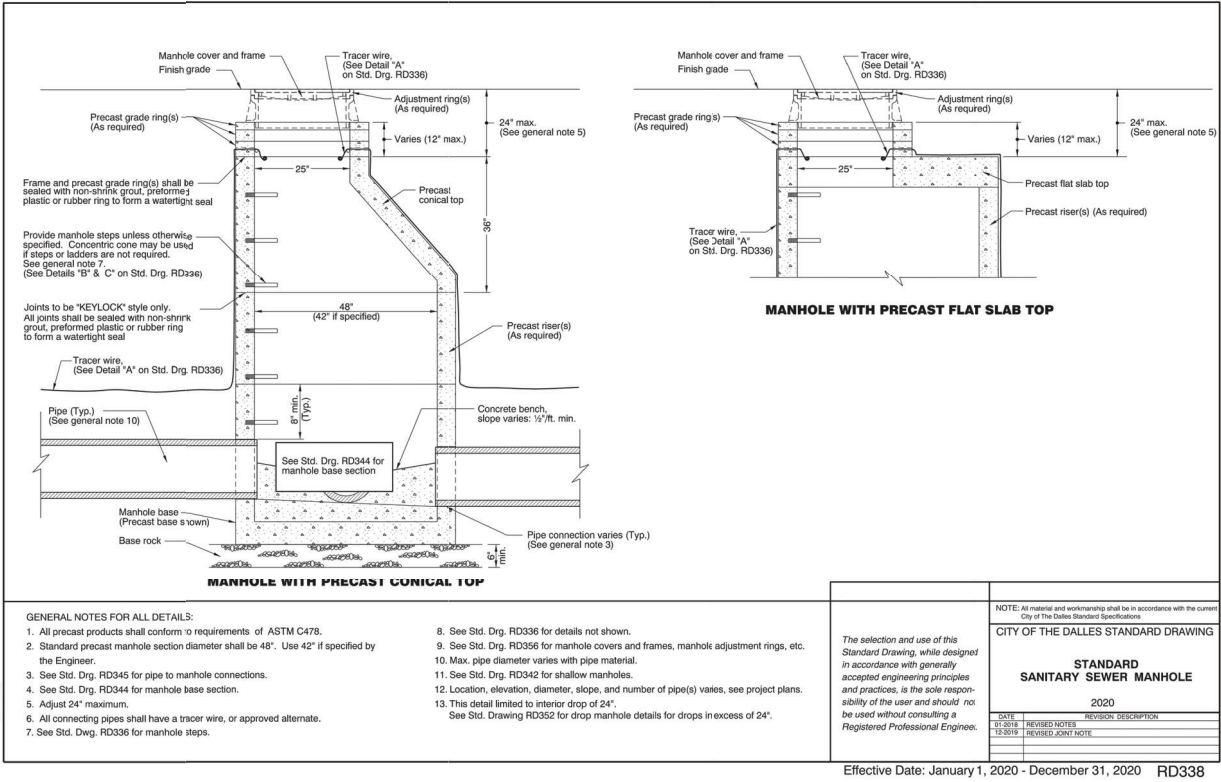
The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

**TRENCH BACKFILL, BEDDING,
PIPE ZONE AND MULTIPLE
INSTALLATIONS**

2020

DATE	REVISION	DESCRIPTION

	DATE	REVISION DESCRIPTION

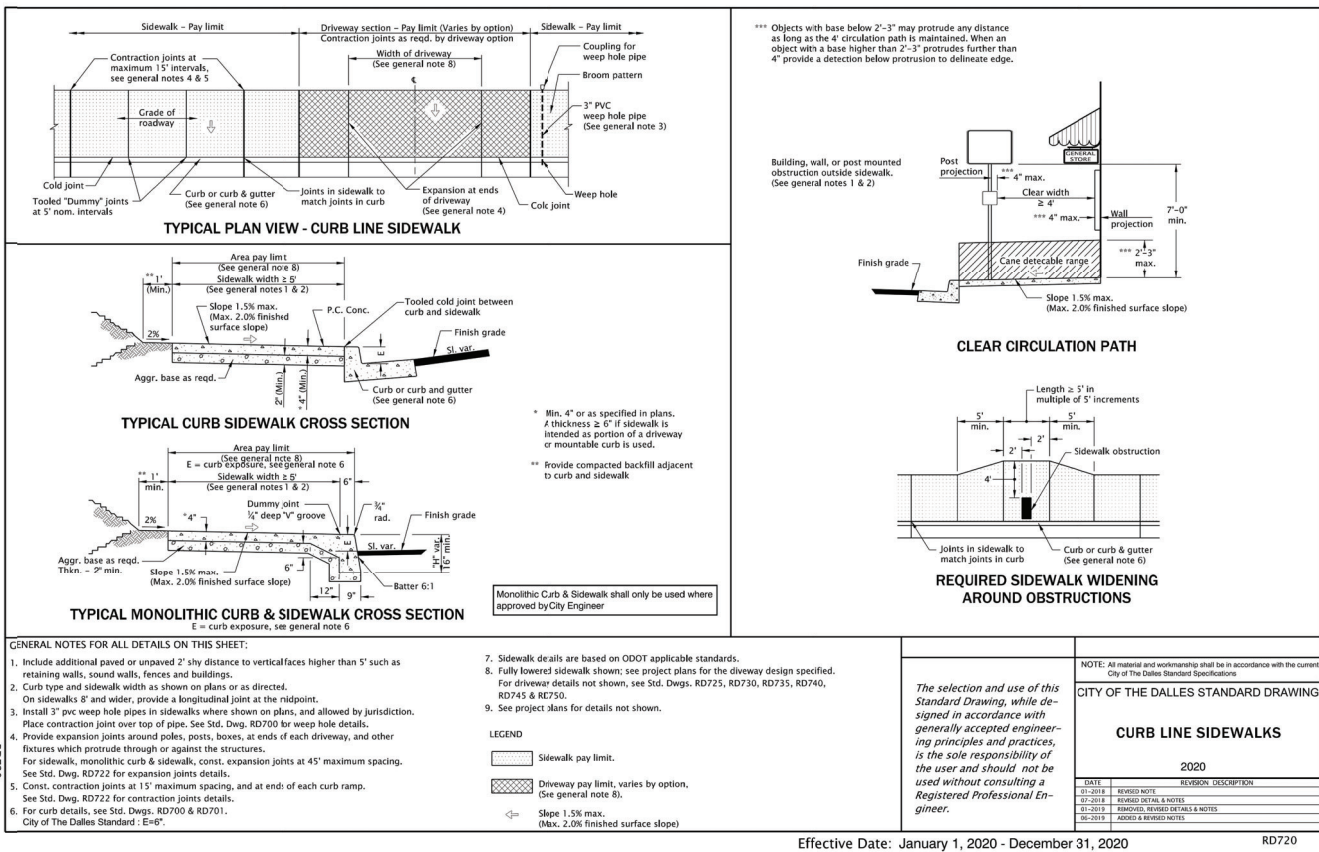
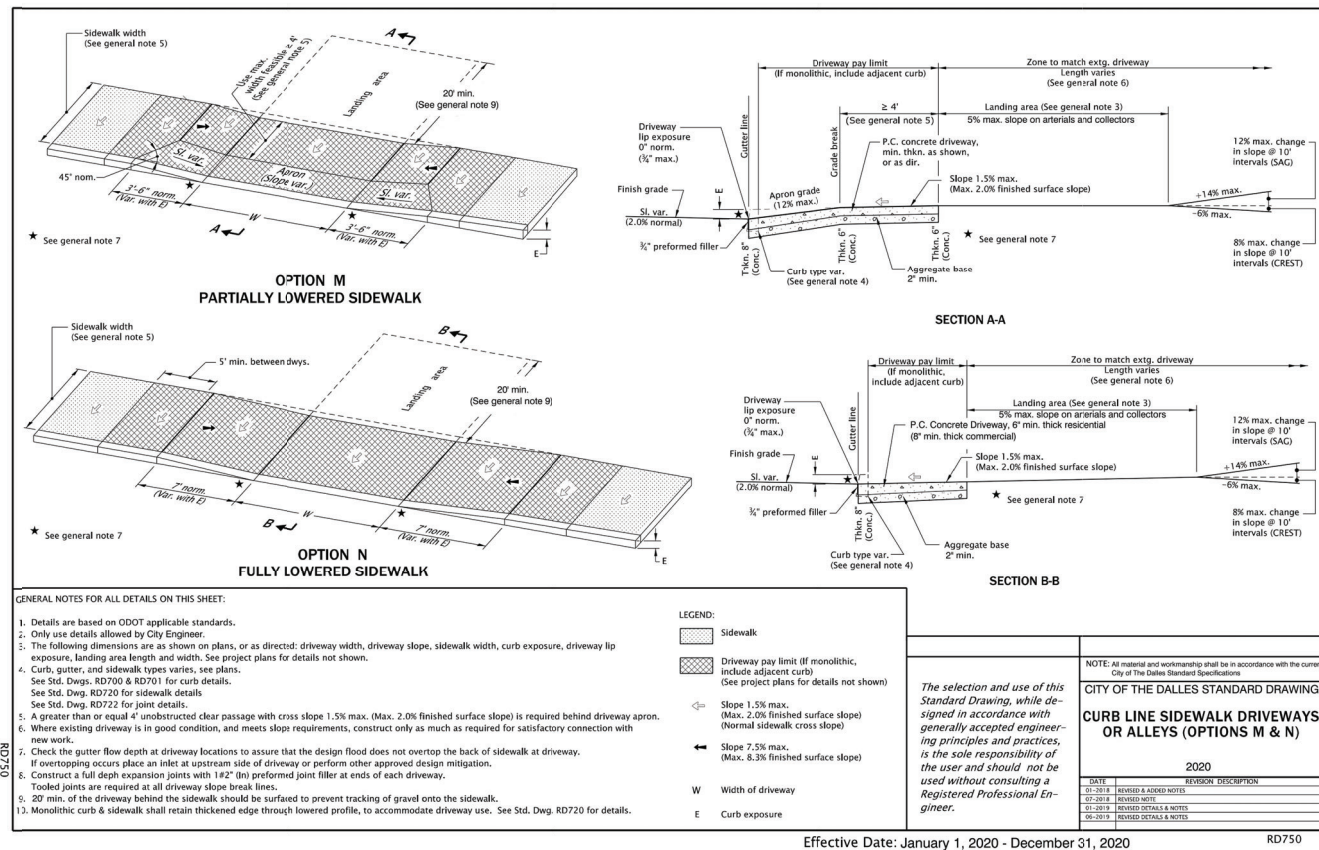
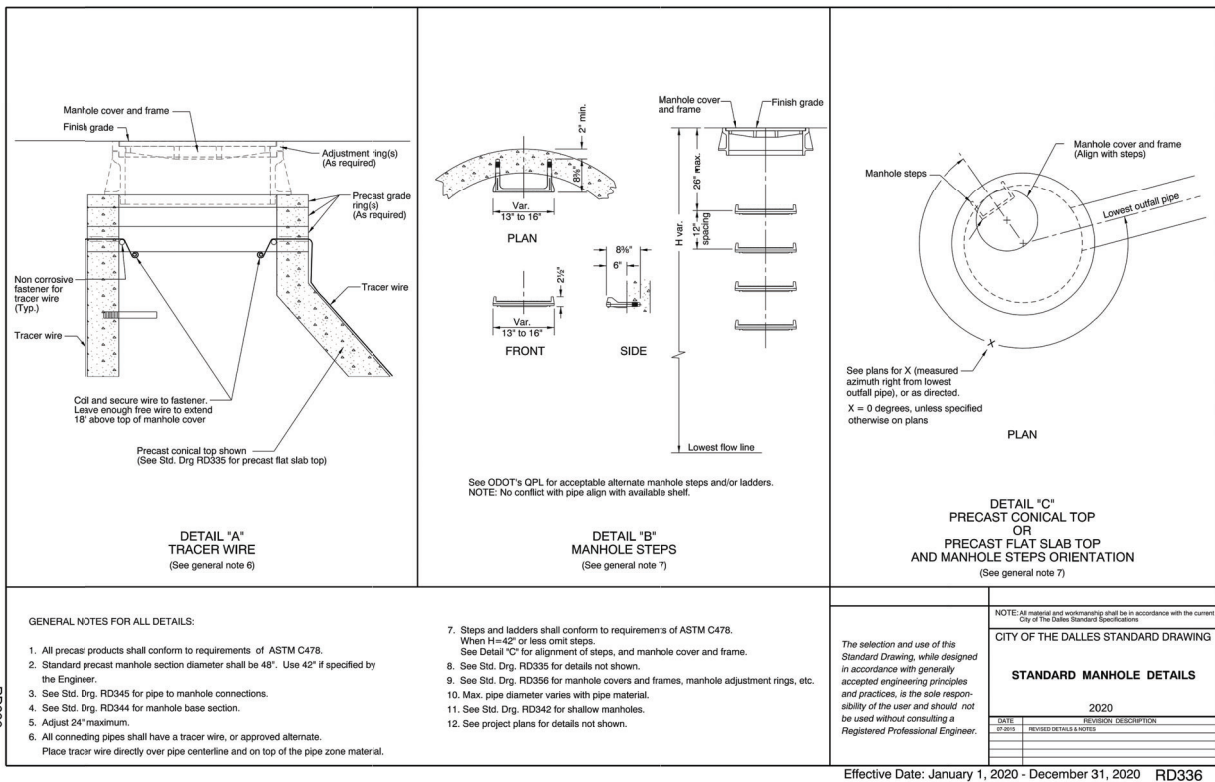
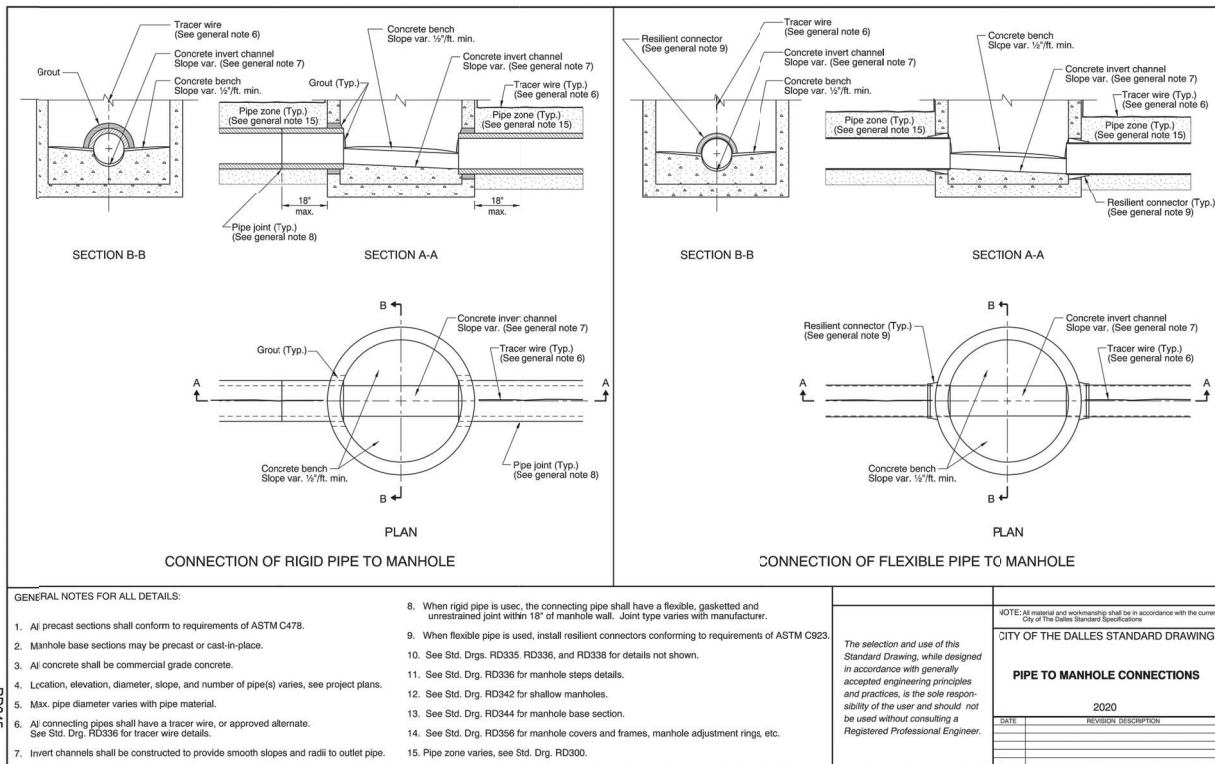


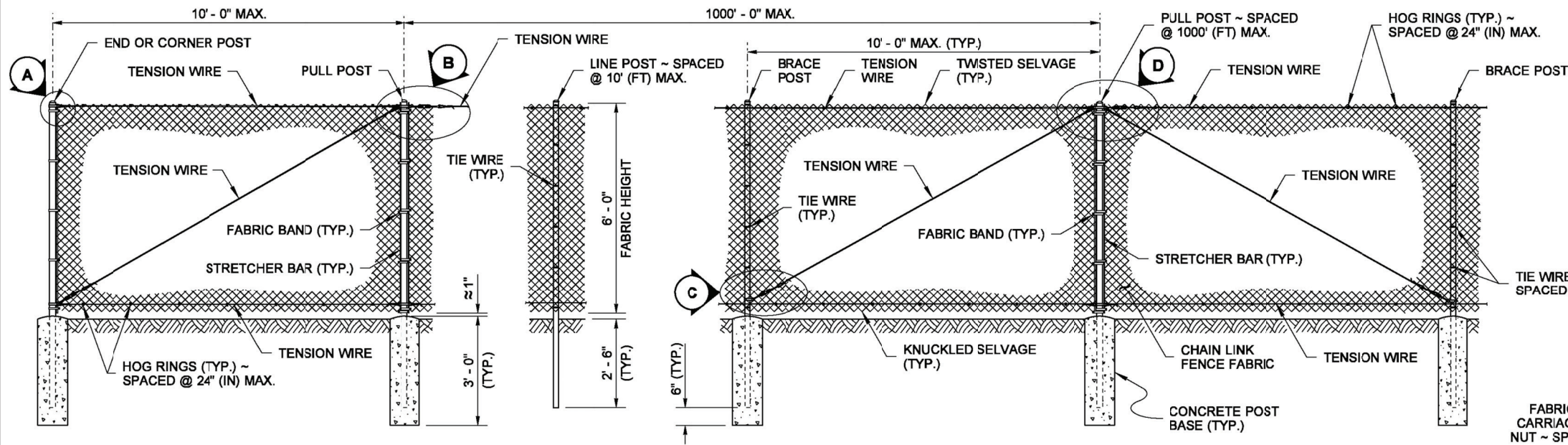
Pioneer Surveying & Engineering, Inc.
 Civil/Structural Engineering and Land Planning
 125 E. Simcoe Drive
 Goldendale, Washington 98620
 Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,

REGISTERED PROFESSIONAL ENGINEER
 7945 P.E.
 OREGON
 MARCH 10, 2007
 DUSTIN DEAN CORRY
 EXPIRES: 12/31/2023

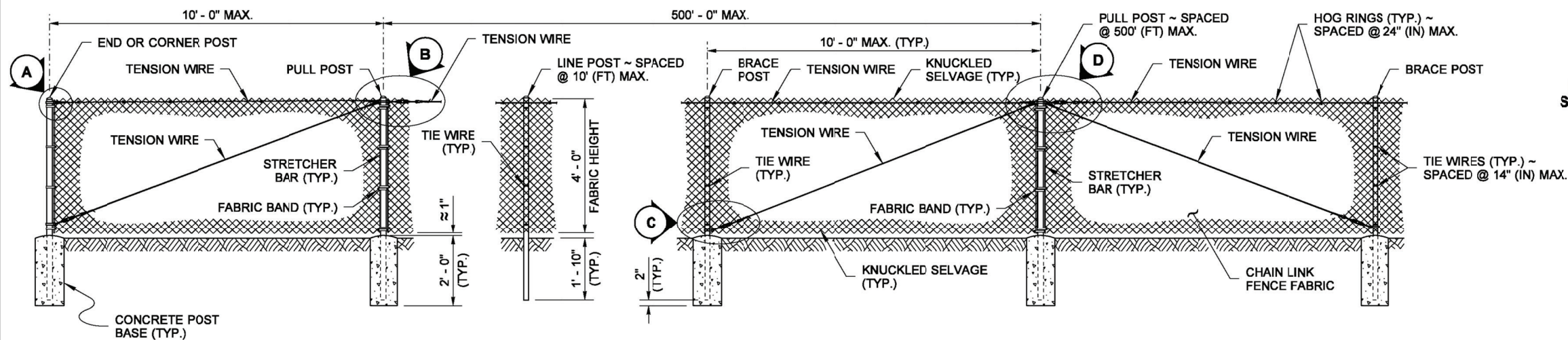
RTD DEVELOPMENT LLC
 TAX LOT 2N 13E 32 DB 1100
 THE DALLES, OR
 DETAILS

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SHEET NO.		
CE 10.2		
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21-XX		





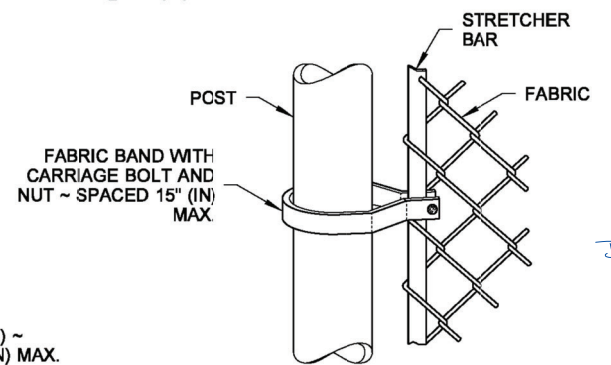
TYPE 3



TYPE 4

NOTES

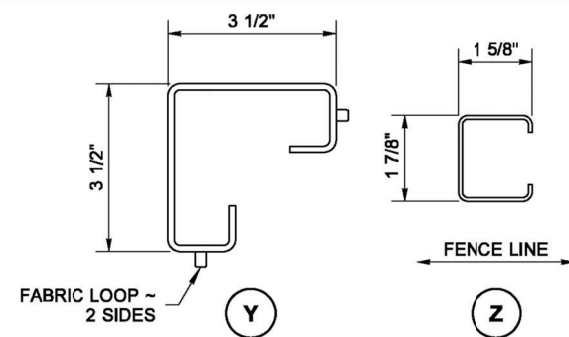
1. All concrete post bases shall be 10" (in) minimum diameter.
 2. Along the top and bottom, using Hog Rings, fasten the Chain Link Fence Fabric to the Tension Wire within the limits of the first full fabric weave.
 3. Details are illustrative and shall not limit hardware design or post selection of any particular fence type.
- INSTALL PRIVACY SLATS ACCORDING TO MANUFACTURE SPECIFICATIONS



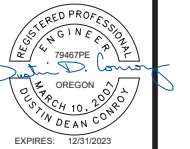
METHOD OF FASTENING STRETCHER BAR TO POST

POST AND RAIL SPECIFICATIONS

POST	PIPE	ROLL FORMED	
	NOM. SIZE (SCH. 40) I.D.	SECTION	WEIGHT (lb/ft)
END, CORNER, OR PULL POST	2 1/2" DIAM.	(Y)	5.10
LINE OR BRACE POST	2" DIAM.	(Z)	1.85



Pioneer Surveying & Engineering, Inc.
Civil/Structural Engineering and Land Planning
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Goldendale, Washington 98620
Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net



RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

THE DALLAS, OR
DETAILS

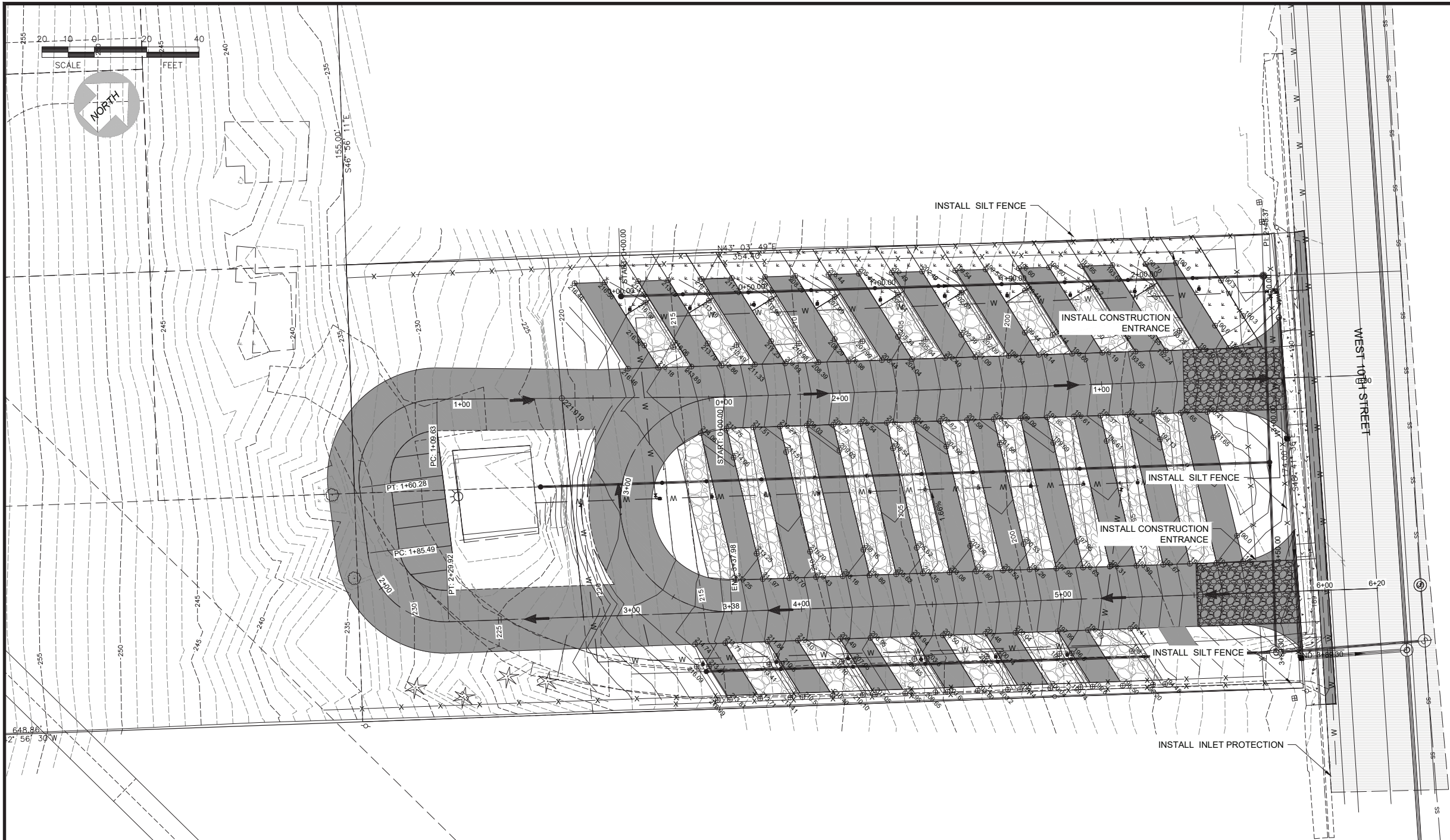
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SHEET NO.

CE 10.4

SCALE: AS NOTED
JOB NO. REV.

21-XX



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SHEET NO.	
CE 11.0	
SCALE: AS NOTED	
JOB NO.	REV.
21-XX	0

RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

THE DALLAS, OR

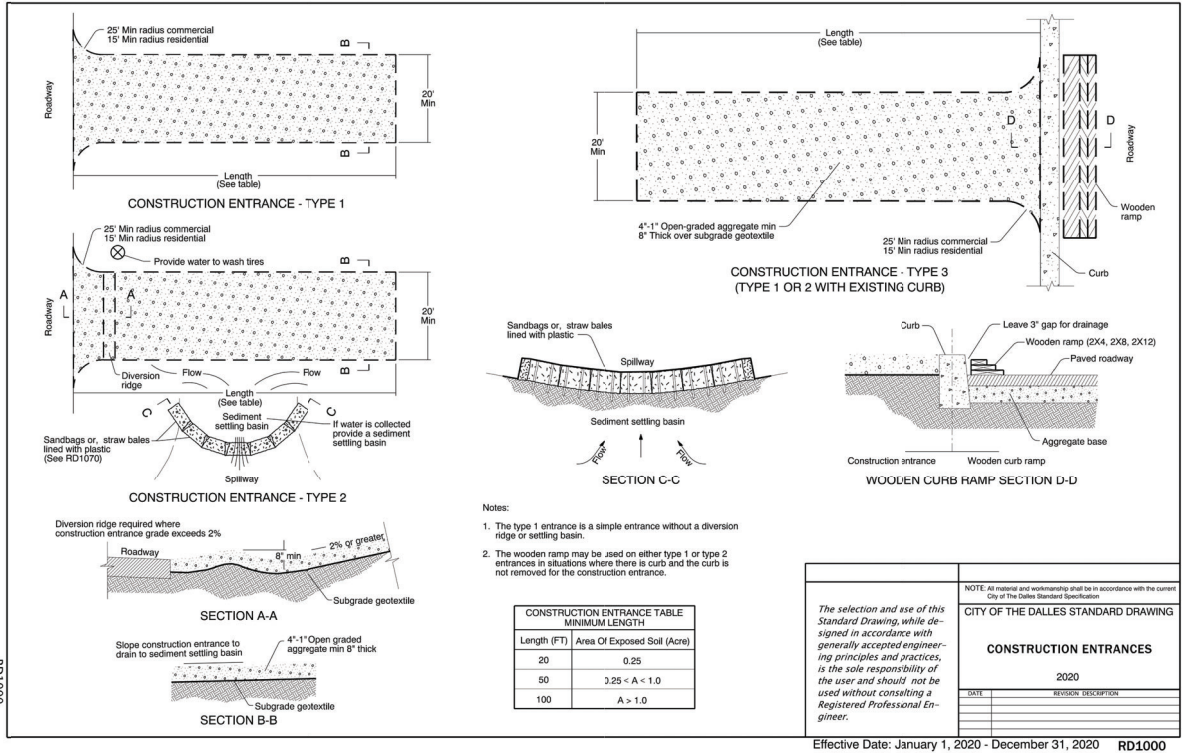
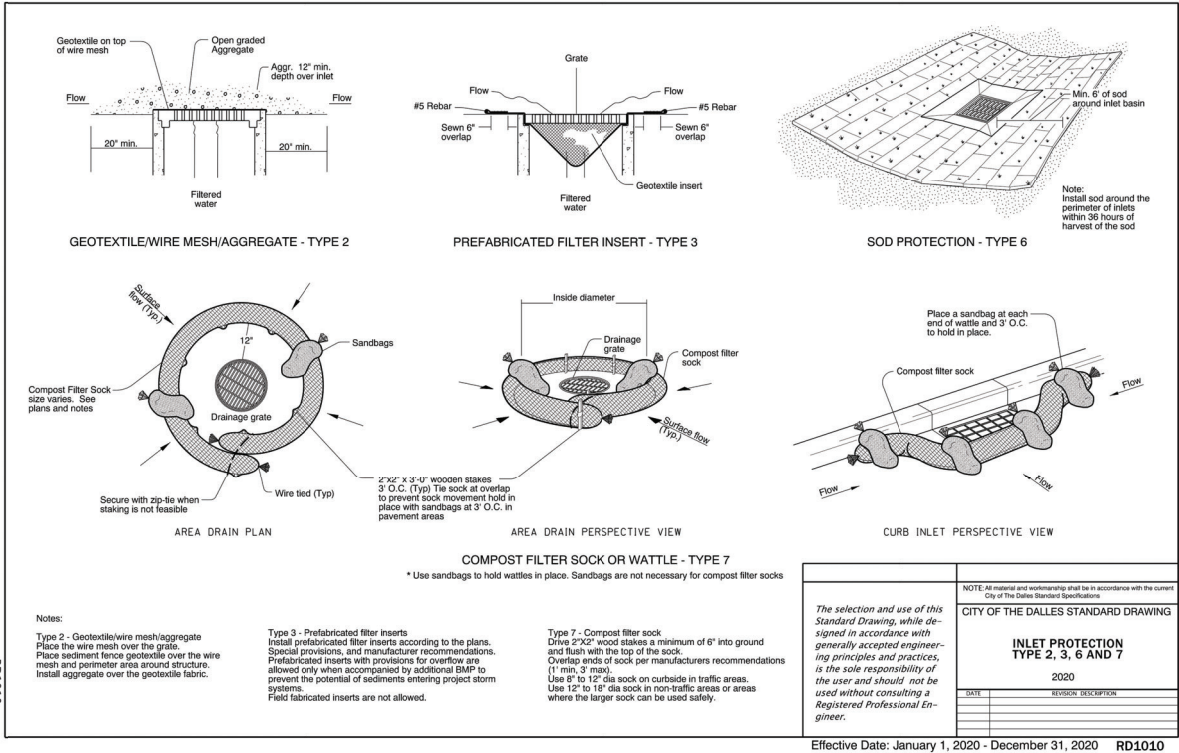
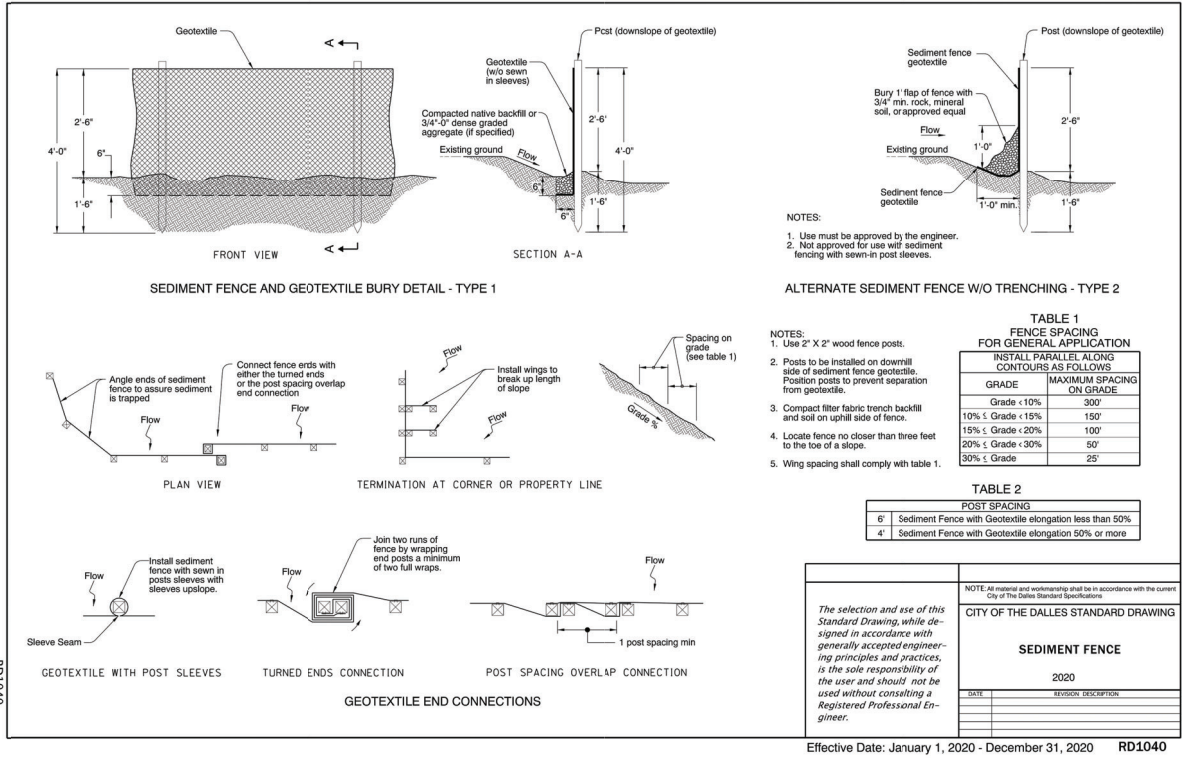
EROSION CONTROL PLAN



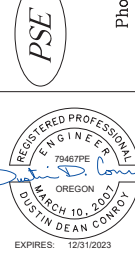
Pioneer Surveying & Engineering, Inc.
 Civil/Structural Engineering and Land Planning
 125 E. Simcoe Drive
 Goldendale, Washington 98620
 Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,

EROSION CONTROL NOTES:

1. CONTRACTORS AND BUILDERS SHALL KEEP CUTTING AND CLEARING TO A MINIMUM AND WITHIN THE PHASE UNDER CONSTRUCTION. EVERY EFFORT SHOULD BE MADE TO DISTURB AS LITTLE EXISTING VEGETATION AS POSSIBLE, AND TO REESTABLISH GOOD GROUND COVER AS SOON AS POSSIBLE AFTER GRADING.
2. SEEDING OF DISTURBED AREAS, SUCH AS CUTS, FILLS, AND STORAGE AREAS SHALL BE DONE AS SOON AS POSSIBLE AFTER USE OF THE AREA IS CONCLUDED, OR CONSTRUCTION IS FAR ENOUGH ALONG THAT THE AREA WILL NOT BE DISTURBED.
3. IF AN AREA IS NOT, OR CANNOT BE SEEDED ADEQUATELY TO PROTECT IT FROM EROSION, THEN IT SHALL BE PROTECTED BY COVERING WITH SOME PROTECTIVE MATERIAL, SUCH AS MULCH, STRAW, TARPS, PLASTIC AND CHIPPED BRUSH.
4. WHERE SEEDING FOR TEMPORARY EROSION CONTROL IS REQUIRED, FAST GERMINATING GRASSES SHALL BE APPLIED AT AN APPROPRIATE RATE (E.G. ANNUAL OR PERENNIAL RYE APPLIED AT APPROXIMATELY 80 POUNDS PER ACRE). SEEDING OF CLEARED AREAS SHALL BE ACCOMPLISHED WITHIN SEVEN DAYS UNLESS OTHERWISE STABILIZED. TEMPORARY IRRIGATION MAY BE REQUIRED TO ESTABLISH AND MAINTAIN VEGETATION. ALL DISTURBED AREAS SHALL BE SEEDED.
5. THE CONTRACTOR SHALL INSPECT ROADS DAILY AND CLEAN AS NEEDED SO THAT NO SEDIMENT IS WASHED OR CARRIED OFF SITE.
6. APPROVAL OF THIS EROSION/SEDIMENTATION CONTROL (ESC) PLAN DOES NOT CONSTITUTE AN APPROVAL OF PERMANENT ROAD OR DRAINAGE DESIGN (E.G., SIZE AND LOCATION OF ROADS, PIPES, RESTRICTORS, CHANNELS, RETENTION FACILITIES, UTILITIES, ETC.)
7. THE IMPLEMENTATION OF THESE ESC PLANS AND CONSTRUCTION, MAINTENANCE, REPLACEMENT AND UPGRADE OF THESE ESC FACILITIES IS THE RESPONSIBILITY OF THE APPLICANT/CONTRACTOR UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED, AND VEGETATION/LANDSCAPING IS ESTABLISHED.
8. THE ESC FACILITIES SHOWN ON THIS PLAN MUST BE CONSTRUCTED IN CONJUNCTION WITH ALL CLEARING AND GRADING ACTIVITIES, AND IN SUCH A MANNER AS TO ENSURE THAT SEDIMENT AND SEDIMENT LADEN WATER DO NOT ENTER THE DRAINAGE SYSTEM, ROADWAYS, OR VIOLATE APPLICABLE WATER STANDARDS.
9. THE ESC FACILITIES SHOWN ON THIS PLAN ARE THE MINIMUM REQUIREMENTS FOR ANTICIPATED SITE CONDITIONS. DURING THE CONSTRUCTION PERIOD, THESE ESC FACILITIES SHALL BE UPGRADED AS NEEDED FOR UNEXPECTED STORM EVENTS AND TO ENSURE THAT SEDIMENT AND SEDIMENT-LADEN WATER DO NOT LEAVE THE SITE.
10. THE ESC FACILITIES SHALL BE INSPECTED DAILY BY THE APPLICANT/CONTRACTOR AND MAINTAINED AS NECESSARY TO ENSURE THEIR CONTINUED FUNCTIONING.
11. THE ESC FACILITIES ON INACTIVE SITES SHALL BE INSPECTED AND MAINTAINED A MINIMUM OF ONCE A MONTH OR WITHIN THE 24 HOURS FOLLOWING A STORM EVENT.
12. STABILIZED CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE BEGINNING OF CONSTRUCTION AND MAINTAINED FOR THE DURATION OF THE PROJECT. ADDITIONAL MEASURES MAY BE REQUIRED TO ENSURE THAT ALL PAVED AREAS ARE KEPT CLEAN FOR THE DURATION OF THE PROJECT.
13. WATER WILL BE USED AS NEEDED FOR DUST CONTROL DURING CONSTRUCTION ACTIVITIES.



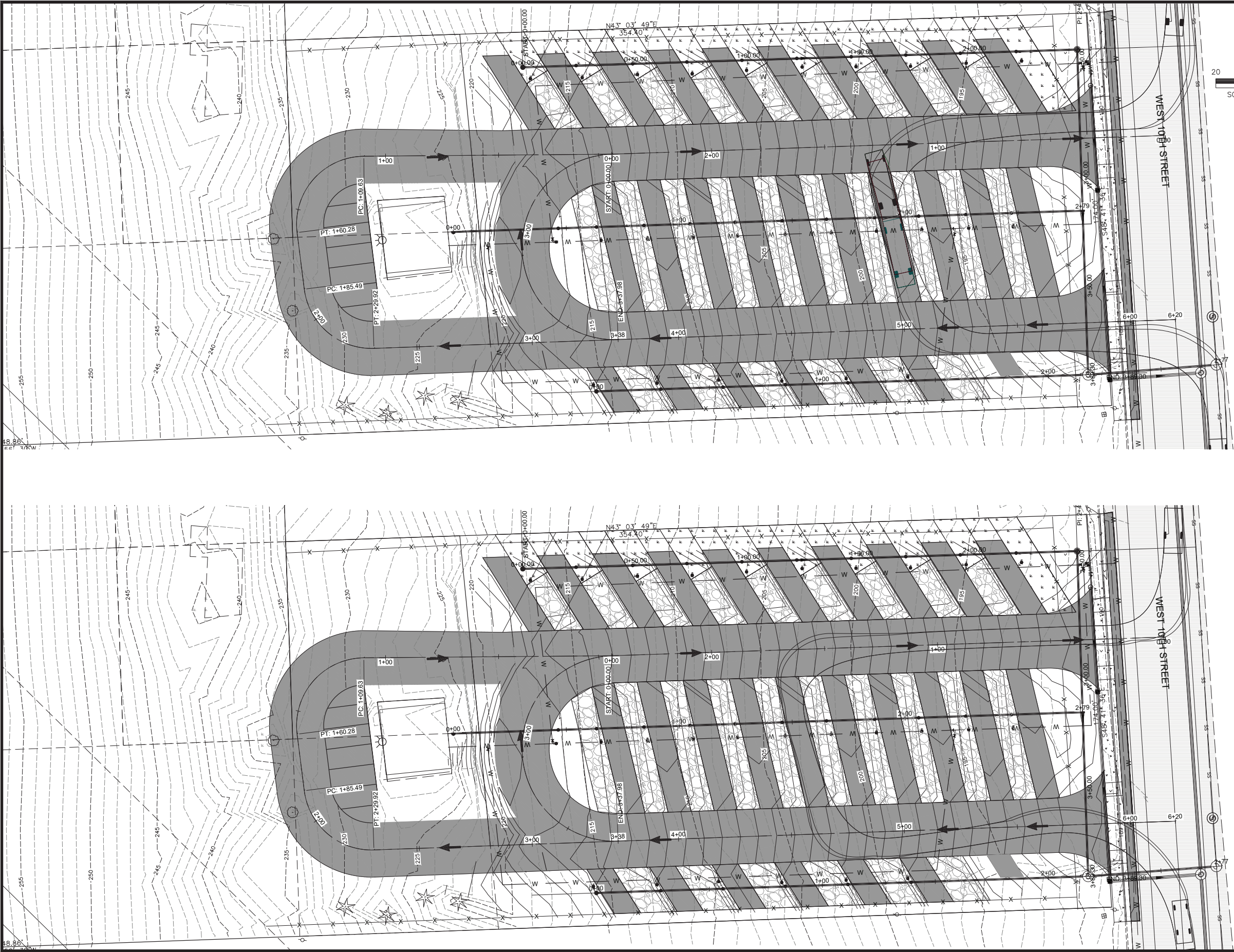
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RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100
THE DALLES, OR
EROSION CONTROL DETAILS

No.	Date	Revision
3.0	3-15-2022	SUBMITTED FOR REVIEW
2.0	2-21-2022	SUBMITTED FOR REVIEW
1.0	12-23-2021	SUBMITTED FOR REVIEW

SHEET NO.
CE 11.1
SCALE: AS NOTED
JOB NO. 21-XX
REV. 0



1. MOTOR HOME O.L. 30'

2. VEHICLE AND RV TRAILER O.L. 42'

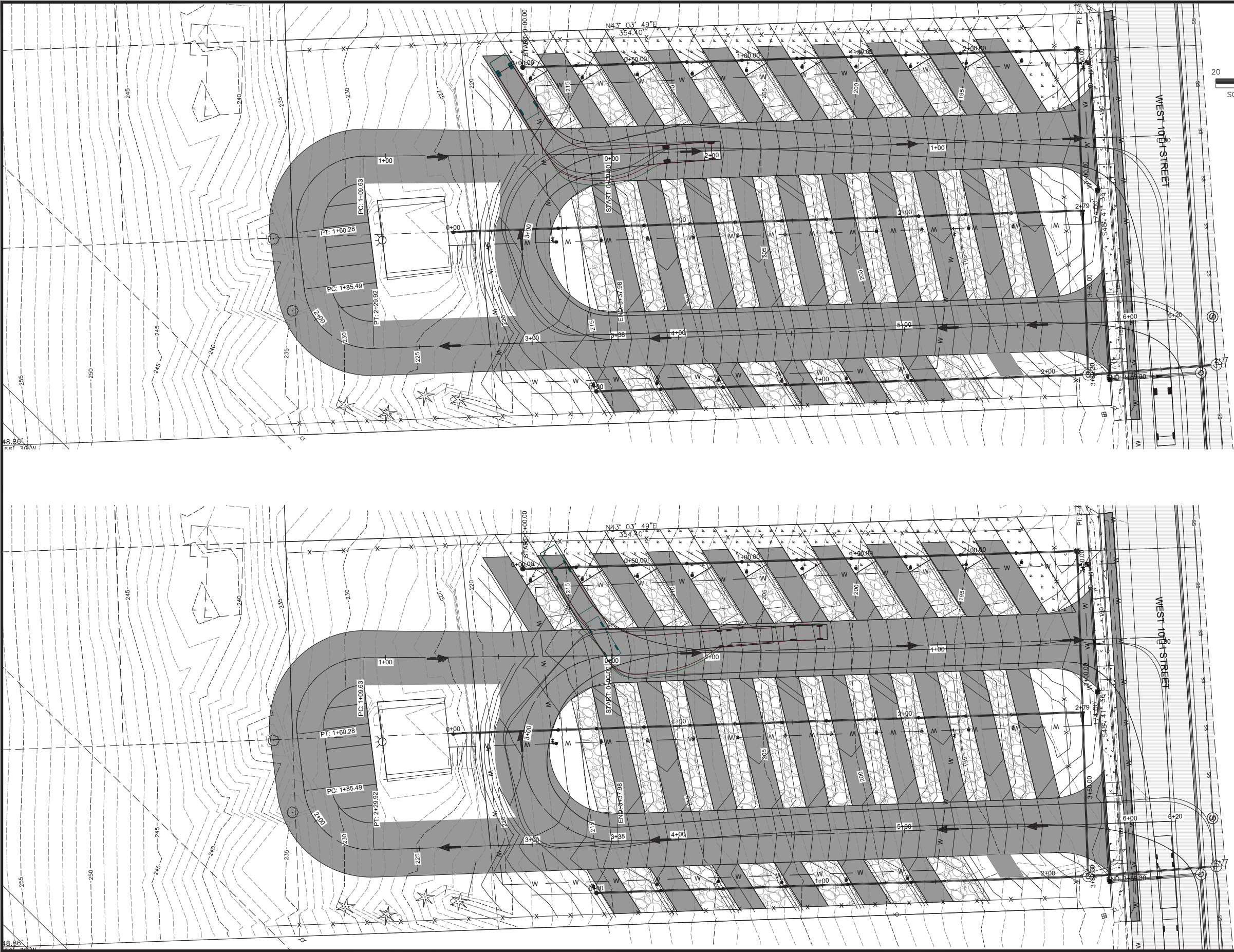
Pioneer Surveying & Engineering, Inc.
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RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100

No.	Date	Revisions
3.0	3-15-2022	SUBMITTED FOR REVIEW
2.0	2-21-2022	SUBMITTED FOR REVIEW
1.0	12-23-2021	SUBMITTED FOR REVIEW

SHEET NO.
CE 12.0
SCALE: AS NOTED
JOB NO. **21-XX** REV.



3. MOTOR HOME O.L. 30'

4. VEHICLE AND RV
TRAILER O.L. 56'

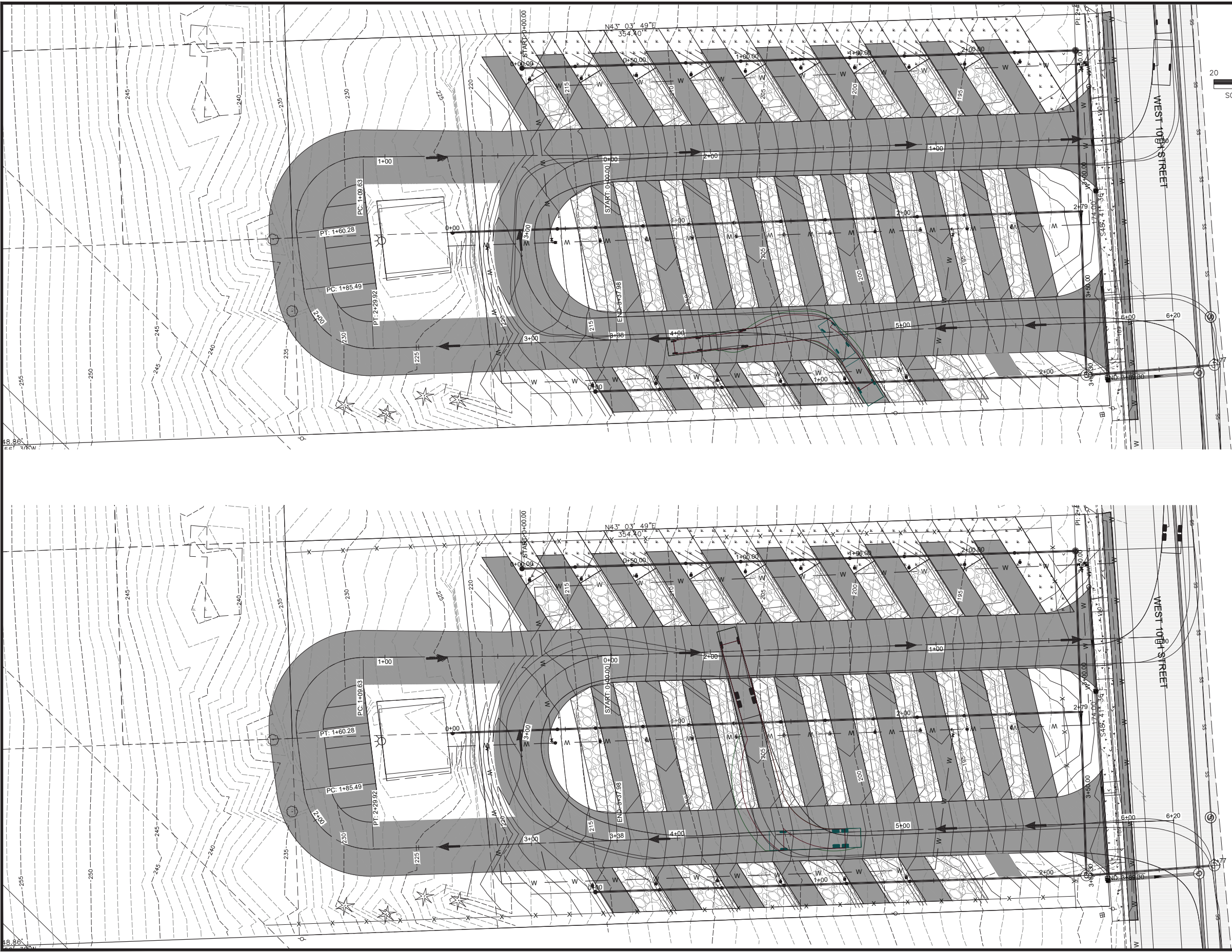
Revisions	
No.	Date
3.0	3-15-2022
2.0	2-21-2022
1.0	12-23-2021

SHEET NO.	
CE 12.1	
SCALE: AS NOTED	
JOB NO.	REV.
21-XX	0



RTD DEVELOPMENT LLC
TAX LOT 2N 13E 32 DB 1100
THE DALLES, OR
TURNING TEMPLATES

Pioneer Surveying & Engineering, Inc.
Civil/Structural Engineering and Land Planning
125 E. Simcoe Drive
Goldendale, Washington 98620
Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,
PSE



5. VEHICLE AND RV
TRAILER O.L. 42'

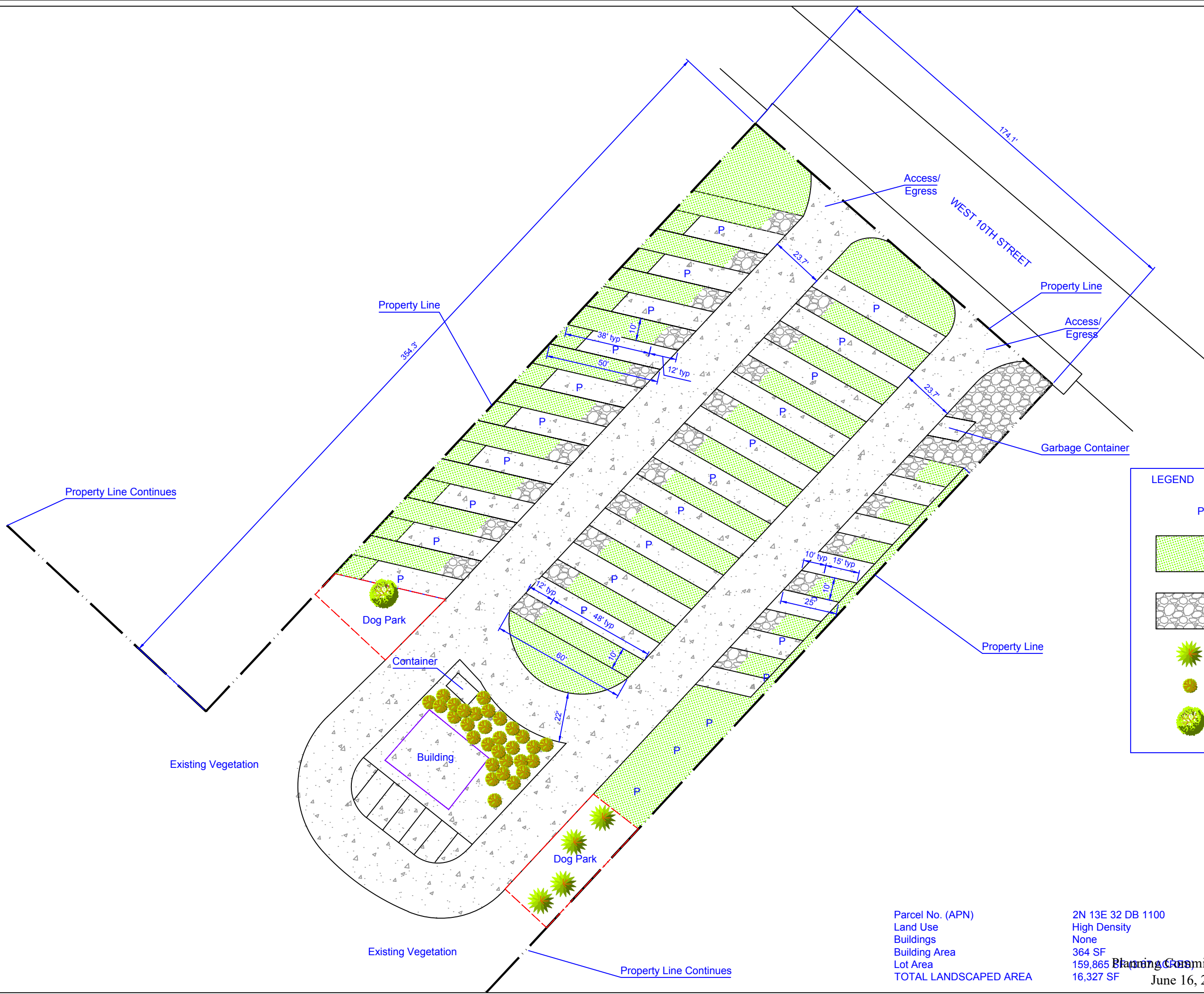
6. MOTOR HOME O.L. 40'

PSE

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Civil/Structural Engineering and Land Planning
125 E. Simcoe Drive
Goldendale, Washington 98620
Phone (509) 773-4945, Fax (509) 773-5888, E-Mail pse@gorge.net,

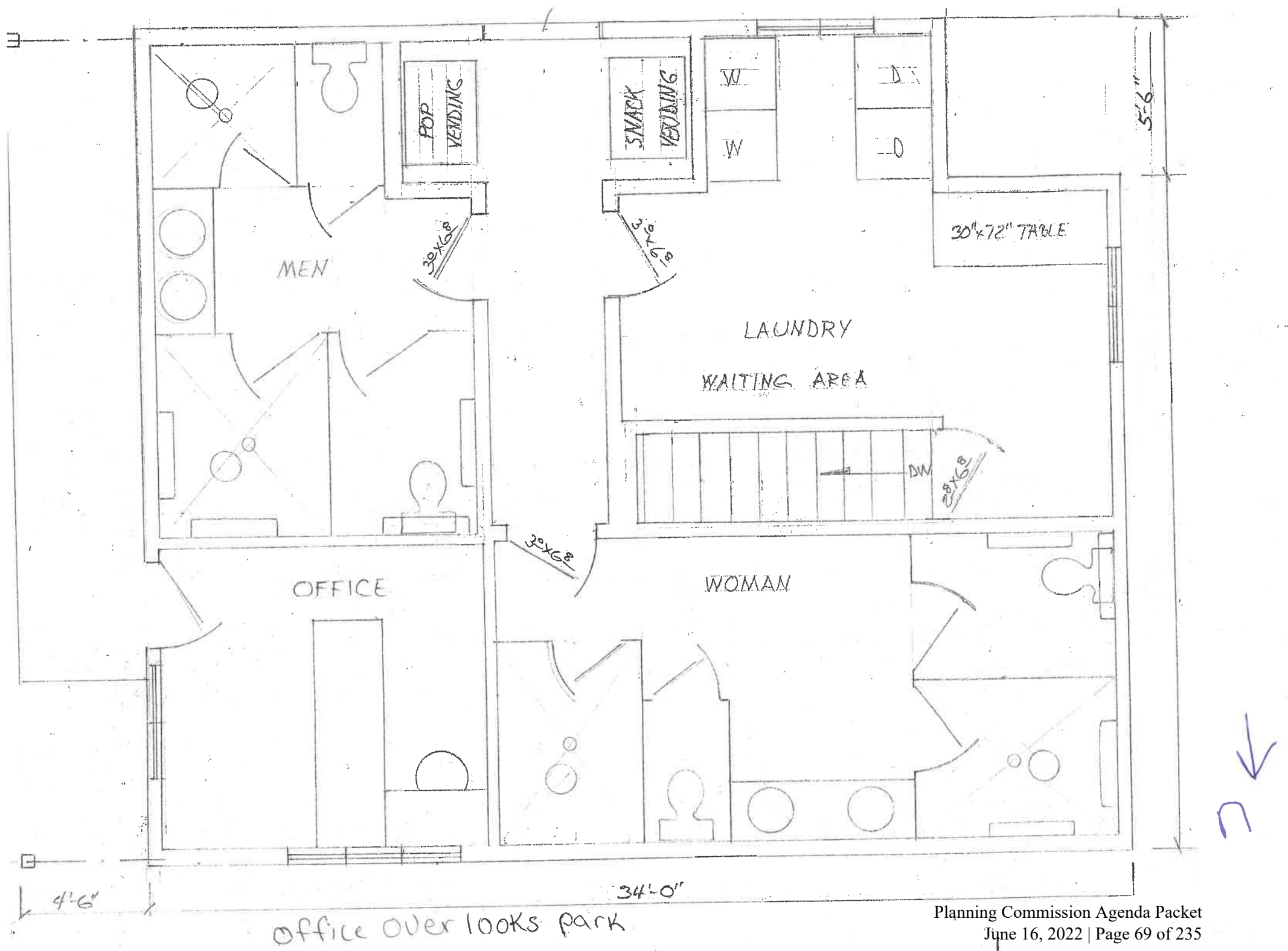


RTD DEVELOPMENT LLC TAX LOT 2N 13E 32 DB 1100		THE DALLES, OR TURNING TEMPLATES	
Revisions		SHEET NO.	
No.	Date		
3.0	3-15-2022	SUBMITTED FOR REVIEW	
2.0	2-21-2022	SUBMITTED FOR REVIEW	
1.0	12-23-2021	SUBMITTED FOR REVIEW	
CE 12.2		JOB NO. REV.	
21-XX		0	



LEGEND

P	RV Parking
	GRASS
	GRAVEL
	PINE
	SHRUB
	OAK TREE





CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

STAFF REPORT CUP 202-22

Applicant: U-Haul at The Dalles

Procedure Type: Quasi-Judicial

Hearing Date: June 16, 2022

Property Owner: AREC 34, LLC

Assessor's Map: Township 2 North, 13 East, Section 32 A

Tax Lot: 400

Address: 2640 W. 6th Street

Zoning District: "CG" General Commercial

Prepared By: Joshua Chandler, Senior Planner

REQUEST: The Applicant is requesting approval for a major modification of Conditional Use Permit (CUP) 195-20, a previously approved storage facility and truck/trailer rental business, for the addition of six (6) exterior storage units in the existing parking lot of the subject property.

BACKGROUND: The existing U-Haul facility is located at 2640 W. 6th Street occupying the site of a former general store, K-Mart. Since 2018, Community Development Department (CDD) Staff has reviewed multiple applications at the subject property for the reuse of the site. A list of these applications are below:

- CUP 190-18: Proposal for an indoor storage facility and truck and trailer rentals. *Approved on January 3, 2019. Expired January 4, 2020, due to inactivity.*
- CUP 195-20: Proposal for an indoor storage facility and truck and trailer rentals, new application request resulting from the expired CUP 190-18. *Approved on May 7, 2020.*
- Building Permit (BP) No. 332-20: Proposal for construction of interior tenant improvements to the existing structure, in addition, proposal for construction of multiple outdoor storage units (not approved through CUP 195-20). *Approved on December 7, 2020. Stop Work Order issued on property in Spring 2021 for the construction of*

outdoor storage units. Use of outdoor storage units not permitted until CUP 202-22 and subsequent building permit has been issued.

- CUP 197-21: Proposal for construction of outdoor storage units. *Submitted on March 12, 2021. Void on November 1, 2021, following 181 days of incompleteness (per ORS 227.178(4)).*
- CUP 202-22: Proposal for the major modification of CUP 195-20 for the addition of six (6) exterior storage units in the existing parking lot of the subject property. *Currently under review.*
- Sign Permits (multiple): Approval of current signage on the subject property.

NOTIFICATION: Property owners within 300 feet, City Departments and Franchise Utilities.

COMMENTS RECEIVED: Two comments received as of the date of this report.

- June 5, 2022: Norm Brock, 2630 W. 6th Street.
The comment received was in opposition of the project, citing multiple concerns including:
 - The location of the storage units are within common use areas as defined in the shopping center CC&Rs
 - Approval of this application request would nullify the CC&Rs
 - Placement of proposed/existing units and high volume of U-Haul vehicles has removed overflow parking for the other businesses
 - U-Haul has and continues to attempt limiting access to parking on that portion of the common use parking area
 - Potential for increased theft in the shopping center area
 - Approval will empower U-Haul and Coastal to continue removing common use parking for their operations, thus removing overflow parking for the other businesses
- June 9, 2022: Marcus Swift of counsel for Pomona Street, LLC, PO Box 2211, The Dalles, OR.
The comment received was in opposition of the project and requested the June 16, 2022 meeting be rescheduled in order to give the parties involved the necessary time to resolve existing legal disputes. The following concerns were included in the letter of opposition:
 - The originally approved CUP 195-20 violates several provisions of The Dalles Municipal Code
 - The actions requested by the applicant in both CUP applications 195-20 and 202-22, are in direct violation of the shopping center CC&Rs

Staff provided the Applicant a copy of the comments and encouraged the Applicant to respond. Comments have been included in the Planning Commission agenda packet.

REVIEW CRITERIA:

I. City of The Dalles Municipal Code, Title 10 Land Use and Development

Section 10.3.010.040 Applications

A. Acceptance

FINDING #1: The Applicant submitted a pre-application, Site Team request on March 22, 2022, for consideration of a Conditional Use Permit (CUP) application for a major modification of CUP 195-20, a previously approved storage facility and truck/trailer rental business, for the addition of six (6) exterior storage units in the existing parking lot of the subject property. This meeting was held on March 31, 2022. Following the Site Team meeting, Staff requested additional information to include with the application material. On May 6, 2022, the Applicant submitted all required information. **Criterion met.**

B. Completeness

FINDING #2: The application was deemed complete on May 6, 2022. **Criterion met.**

Section 10.3.020.050 Quasi-Judicial Actions

A. Decision Types.

FINDING #3: Pursuant to The Dalles Municipal Code (TDMC), CUP applications are processed as Quasi-Judicial Actions. **Criterion met.**

B. Staff Report.

FINDING #4: This document serves as the staff report. **Criterion met.**

C. Public Hearings.

FINDING #5: The public hearing is scheduled for June 16, 2022, which is within 45 days from the date the application was deemed complete. **Criterion met.**

D. Notice of Hearing.

FINDING #6: Appropriate mailings to property owners within 300 feet and notice to affected departments and agencies were made on June 2, 2022. **Criterion met.**

Section 10.3.030.040 Review Criteria

A. City Ordinance Provisions.

FINDING #7: Provisions for the proposed development are further addressed in subsequent findings. **Criterion met.**

B. Public Facilities Capacity.

FINDING #8: A Site Team meeting was held on March 31, 2022, with Staff detailing the public facilities existing on the site. Applicants are responsible for determining specific site needs for the proposed development. Upsizing or upgrading existing utilities will incur additional System Development Charges payable to the City. Additional fees will be collected through a separate building permit process. Staff will include all construction/design plans for public infrastructure, improvements, or rights-of-way (ROW) be approved by the City Engineer as a Condition of Approval. **Criterion met with conditions.**

C. Arrangement of Site Elements.

1. Promote pedestrian, bicycle, and vehicular safety and welfare.

FINDING #9: The Applicant is proposing to reconfigure the existing parking lot to accommodate the addition of six (6) exterior storage units, loading/unloading areas along the building front, and the addition of parking lot landscaping. This configuration requires slightly moving the existing shared driving lane along the building front. Staff will address this shared driving lane in subsequent findings. In addition, the Applicant is proposing to install a pedestrian walking path across the existing landscaping strip to provide access from Snipes Street to the entrance of the retail space and painting new striping from each of the three (3) ADA parking spaces to both building entrances. Staff will include these pathways be installed/painted prior to final site plan approval as a Condition of Approval. This walkway must have a width no less than 5', shall be constructed and maintained for pedestrian safety, and shall meet the requirements of the Oregon Americans with Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes. Pathways shall be constructed and maintained to ensure safe and efficient circulation for pedestrians and bicycles to the site. **Criterion met with conditions.**

2. Preserve and maintain public amenities and significant natural features.

FINDING #10: There were no significant natural features identified at the subject site. All existing public amenities are to remain and will not be impacted by this proposal. **Criterion met.**

3. Avoid traffic congestion.

FINDING #11: The subject property has three (3) existing shared driveways along Snipes Street and one (1) shared driveway along W. 6th Street. The property is located more than one-half mile from two (2) intersections studied in The Dalles Transportation System Plan (TSP): (a) Hostetler St. / W. 2nd St. and (b) I-84 EB Ramps / W. 6th St., listed as Intersections #6 (Hostetler St. / W. 2nd St.) and #7 (I-84 EB Ramps / W. 6th St.). As detailed in the TSP, both intersections are currently performing and have a projected (year 2035) performance rating *below applicable performance targets*, thus requiring no mitigation. Staff does not anticipate the proposed parking lot will generate a significant increase in traffic congestion. **Criterion met.**

4. Minimize potential adverse impacts on surrounding properties.

FINDING #12: Staff will address this criterion in subsequent findings. **Criterion met.**

D. Design Standards – All Development.

1. Scale

FINDING #13: The existing main structure is approximately 359' by 239' and is therefore required to include articulations along the building façade, which may include offsets, jogs, variation of finishes, projections, windows, bays, porches, traditional storefront elements, and/or entries. Staff has determined from the submitted building elevations multiple articulations and design elements have been

added to the structure since the original CUP 195-20 was approved. Staff will address additional design standards in subsequent findings. **Criterion met.**

2. Parking Location.

FINDING #14: The Applicant is not proposing any parking areas and/or lots within the front yard setback. **Criterion met.**

4. Parking Lot Landscaping.

FINDING #15: Staff will address parking lot landscaping in subsequent findings. **Criterion met.**

5. Pedestrian/Bicycle Circulation.

FINDING #16: See Finding #9. **Criterion met.**

6. Building Orientation.

FINDING #17: The existing main structure has building entrances facing both W. 6th and Snipes Streets, while the six (6) proposed exterior storage units have doors facing both Snipes Street and the interior parking lot accessway. **Criterion met.**

8. Trim and Details.

FINDING #18: Staff has determined from the submitted building elevations a variety of trim details incorporated around the storefront, entrances, windows, and doors. **Criterion met.**

F. Lighting.

FINDING #19: The Applicant is not proposing any additional lighting with this application; however, one light will be relocated to allow for maneuvering at the building entrance and will be located more than 200' from the nearest property line. The Applicant provided a photometric plan demonstrating lighting levels throughout the site. As required per TDMC 10.3.030.040(F), 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 ROW. Maximum illumination at the property line may not exceed an average horizontal foot-candle of 0.3 for non-cut-off lights and 1.0 for cut-off lights. Staff will include these lighting requirements as Conditions of Approval.

Criterion met with conditions.

G. City Engineer Approval.

FINDING #20: As mentioned in subsequent findings, the Applicant will be required to install ADA drive approaches at each of the three (3) existing driveways along the Snipes Street frontage. As a Condition of Approval, Staff will include all construction/design plans for public improvements be approved by the City Engineer prior to construction of public improvements. **Criterion met with conditions.**

J. Improvements Required of Development.

FINDING #21: See Finding #20. **Criterion met.**

Section 10.3.050.030 Applications

A. Applications.

FINDING #22: Digital copies of all required plans have been submitted. Staff determined no paper copies are required at this time. **Criterion met.**

B. Review.

FINDING #23: See Finding #3. Staff will require that all final plans be consistent with all Conditions of Approval included within this staff report, as well as any additional Conditions of Approval required by the Planning Commission, be approved by the Community Development Director and the City Engineer before a building permit is issued. **Criterion met with conditions.**

Section 10.3.050.040 Review Criteria

A. Permitted Conditional Use. The proposed use is conditionally permitted in the zone district where it is proposed to be located.

FINDING #24: Pursuant to TDMC 10.5.060.030, “Warehousing-retail only, storage, and distribution of equipment, commodities and products in an enclosed area, including mini-storage facilities” are permitted conditional uses within the General Commercial (CG) zoning district. **Criterion met.**

B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this Title, and any other statutes, ordinances, or policies that may be applicable.

FINDING #25: All applicable standards of TDMC are addressed within this staff report. **Criterion met.**

C. Impact. The proposed structure(s) and use(s) shall be designed and operated in such a way as to meet the standards of this Article. Impacts caused by the construction of the conditional use shall not be considered regarding a decision on the validation of the application.

- 1. Noise impacts across the property line shall not exceed 60 decibels. Noise related to traffic impacts shall not be included in this determination. Nothing in this Article shall modify other noise ordinance standards as adopted by the City.*

FINDING #26: The proposed use is an expansion of a previously approved mini-storage use at the subject property. Staff does not anticipate any additional noise impacts to surrounding properties as a result of this expansion. Any nuisance concerns that may arise with this development will be addressed on a complaint basis. **Criterion met.**

- 2. Lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source.)*

FINDING #27: See Finding #19. **Criterion met with conditions.**

- 3. Dust and other particulate matter shall be confined to the subject property.*

FINDING #28: The proposed use is an expansion of a previously approved mini-storage use at the subject property. Staff does not anticipate any excessive dust or debris generation as a result of this expansion. Any nuisance concerns that may arise with this development will be addressed on a complaint basis. **Criterion met.**

4. *The following odors shall be completely confined to subject property:*
- a. *Industrial and/or chemical grade chemicals, solvents, paints, cleaners, and similar substances;*
 - b. *Fuels; and*
 - c. *Fertilizers, manure, or other animal waste products, other than for landscape installation and maintenance.*

FINDING #29: The Applicant stated the above-mentioned odors will not be generated with this proposal. Any nuisance concerns that may arise with this development will be addressed on a complaint basis. **Criterion met.**

5. *Vibrations shall not be felt across the property line.*

FINDING #30: Staff does not anticipate any vibrations will be felt across property lines with this proposal. Any nuisance concerns that may arise with this development will be addressed on a complaint basis. **Criterion met.**

6. *The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are limited to:*
- a. *Street designation and capacities;*
 - b. *On-street parking impacts;*
 - c. *Bicycle safety and connectivity;*
 - d. *Pedestrian safety and connectivity; and*

FINDING #31: Staff will address this criterion in subsequent findings. **Criterion met.**

7. *In areas designated as Historic Districts, proposed development and redevelopment shall first require review and approval of the Historic Landmarks Commission in accordance with the procedures of Chapter 11.12 - Historic Resources.*

FINDING #32: The proposed use is not located in a historic district or structure. **Criterion met.**

Section 10.3.050.110 Major Modifications to Approved Conditional Uses

- A. *Threshold. An application for a major modification of a conditional use shall be required when one or more of the following thresholds apply:*
- 1. *Any increase in the gross floor area on properties located in a residential zoning district or within 50 feet of a residential zoning district.*

2. *An increase in the gross floor area by more than 10% or in excess of 1,000 square feet for properties not located in a residential zoning district and which are located more than 50 feet from a residential zoning district.*
3. *A change in use.*

FINDING #33: Pursuant to TDMC 10.3.050.110, an increase in the gross floor area in excess of 1,000 SF is classified as a “major modification” requiring review through the CUP process. The Applicant is proposing to install six (6) exterior storage units totaling 6,000 total SF; therefore, a CUP is required. **Criterion met.**

B. Approval. Approval of a major modification is by the Commission.

FINDING #34: See Finding #3. **Criterion met.**

C. Approval Criteria. To approve a major modification, the Commission shall consider the application the same as a new conditional use permit request.

FINDING #35: CUP 202-22 is being reviewed as a new CUP request; therefore, the entire site requires compliance with TDMC. **Criterion met.**

D. Conditions of Approval. The Commission may approve a major modification subject to any and all conditions the Commission deems necessary to satisfy the review criteria and mitigate identified impacts.

FINDING #36: Staff has included multiple Conditions of Approval with this staff report. The Planning Commission may add additional conditions to this application following its review. **Criterion met.**

Section 10.5.060.030 Conditional Uses

FINDING #37: See Finding #24. **Criterion met.**

Section 10.5.060.050 Development Standards

FINDING #38: Staff determined the proposal complies with setback requirements of the CG zoning district. Landscaping, access, and parking requirements will be addressed in subsequent findings. **Criterion met.**

10.5.060.070 Design Standards

A. Exterior Elevations.

FINDING #39: The Applicant provided building elevations of the existing structure, as well as the proposed storage buildings demonstrating compliance with the design standards outlined in TDMC 10.5.020.070. **Criterion met.**

B. Entries.

FINDING #40: See Findings #9 and #17. **Criterion met.**

C. Pedestrian Walkways

FINDING #41: See Finding #9. **Criterion met.**

Article 6.010 Landscaping Standards

Zone CG: *Site Requirement: Equal 20% of the first floor area of all structures minimum.*

FINDING #42: From the submitted plans, staff determined the total square footage of the first floor of the main structure and the six (6) exterior storage units is 95,776 SF. Pursuant to TDMC 10.6.010.070, 20% of this total square footage (19,155 SF) is required to be landscaped. The Applicant submitted plans listing a total of 39,692 SF of landscaping (34,716 SF existing and 4,976 SF proposed). A total of 82% of the landscaping will be live plant material with a mixture of shrubs, groundcover, and at least 19 proposed or existing trees throughout the subject property. Staff will include all landscaping be maintained and irrigated to ensure survival of plant materials as a Condition of Approval. **Criterion met with conditions.**

Section 10.6.050.030 General Requirements

D. Joint and Cross Sections.

FINDING #43: Staff will address joint and cross section requirements in subsequent findings. **Criterion met.**

Chapter 10.7 Parking Standards

10.7.020.010 Applicability

FINDING #44: The Applicant is proposing to reconfigure the existing parking lot to accommodate the addition of six (6) exterior storage units, loading/unloading areas along the building front, as well as the addition of parking lot landscaping. Because of this reconfiguration, Staff required the Applicant provide a detailed parking plan and parking study of the entire subdivision with the application. Pursuant to TDMC 10.7.020.010, “The provisions in this Chapter apply to all permit and development applications, including, but not limited to, new development and/or additions or modifications to existing development which increases the building(s) combined total footprint area by more than 20%.” The Applicants stated the six (6) additional storage units (6,000 SF) would increase the total footprint by ~6.7%; however, Staff determined TDMC 10.7.020.010 allows the approving authority to apply this standard to any “new development and/or additions.” **Criterion met.**

10.7.020.020 Vehicle Parking Plan Requirements

FINDING #45: Staff determined the requirements of TDMC 10.7.020.020 are demonstrated within the Applicant’s site plan and parking study. **Criterion met.**

10.7.020.030 Location and Use of Motor Vehicle Parking

D. Location.

FINDING #46: The Applicant is proposing to locate all vehicle parking spaces on the same lot as the main structure. **Criterion met.**

E. Use.

FINDING #47: Pursuant to TDMC 10.7.020.030(B),

“Required vehicle parking shall be available for the parking of operable automobiles and bicycles of residents, customers and employees and shall not be used for storage and/or sale of vehicles, materials, or for the parking of trucks or other equipment used in conducting the business or use.”

The Applicant is proposing to reconfigure the existing parking lot to accommodate for the addition of six (6) exterior storage units, loading/unloading areas along the building front, as well as the addition of parking lot landscaping. The existing parking spaces will be reclassified to accommodate the parking of fleet vehicles and equipment (a term used within the U-Haul organization as “shunting”), U-Haul customer parking, as well as shared parking for customers of all other parcels within the subdivision. In total, the Applicants are proposing 82 customer parking spaces (58 spaces for U-Haul and 24 spaces shared with adjacent businesses), 111 parking spaces for fleet vehicle and equipment shunting, and five (5) spaces at the building front for loading/unloading. Staff will include all spaces be clearly marked on-site per their assigned classification and may only be used for each specified use as a Condition of Approval; for example, overflow fleet shunting may not occupy U-Haul customer or shared parking spaces. Minimum parking and shared parking requirements will be addressed in subsequent findings.

Criterion met with conditions.

Section 10.7.020.040 Allowed Motor Vehicle Parking Reductions, Waivers, and Exemptions

FINDING #48: The Applicant is not requesting any motor vehicle reductions, waivers, or exemptions with this proposal. **Criterion not applicable.**

Section 10.7.020.050 Modifications or Expansions of Existing Uses

FINDING #49: Staff will address minimum and maximum parking requirements, as well as accessible parking space requirements in subsequent findings. **Criterion met.**

10.7.020.060 Shared Parking

FINDING #50: Pursuant to TDMC 10.7.020.060, “Two or more freestanding uses on the same, adjacent or nearby sites may satisfy the motor vehicle parking requirements of Article 7.060: Minimum and Maximum Off-Street Parking Requirements by the use of a shared parking facility.” This section provides an option for a use deficient in required parking requirements to establish a shared parking facility; however, it is not a requirement for uses demonstrating compliance with Article 7.060.

As mentioned in previous findings, the Applicant submitted a detailed parking study of all six (6) parcels included in the Columbia River Commercial Park Subdivision. This study details the minimum and maximum requirements of each use, the amount of spaces provided by each use on their respective parcels, and excess/deficiencies of each use. Of all five (5) uses, only the mobile food vendor (MFV) pod, (2638 W. 6th Street) is deficient in the number of required parking spaces (15). The MFV pod was approved in 2020 through Site Plan Review No. 475-20 with the understanding their parking deficiency could be satisfied with “Common Area” parking established in the Columbia River Commercial Park Subdivision Covenants, Conditions, and Restrictions (CC&Rs). Although the City does not enforce CC&Rs, this document evidenced a right of shared use of “Common Areas”, including parking spaces within the subdivision.

While the Applicant is not required to establish a shared parking agreement, it proposes 24 shared parking spaces directly across the shared accessway from the MFV pod, thus proving a sufficient amount of spaces for the MFV pod parking deficiency. As mentioned in previous findings, Staff will include all spaces be clearly marked on-site per

their assigned classification and may only be used for each specified use as a Condition of Approval; for example, overflow fleet shunting may not occupy the 24 shared parking spaces. **Criterion not applicable.**

Section 10.7.020.090 Fleet Motor Vehicle Parking

FINDING #51: The Applicant proposes 111 parking spaces for fleet vehicle and equipment shunting. Pursuant to TDMC 10.7.020.090, “space devoted to the parking of fleet vehicles shall be considered as outdoor storage, and will not affect required or maximum parking requirements.” **Criterion met.**

Section 10.7.020.100 Stormwater Pretreatment

FINDING #52: During the March 31, 2022, Site Team meeting, Public Works Staff confirmed the Applicant has already established an annual oil/water separator agreement. Staff will include all requirements of the agreement must be adhered to as a Condition of Approval. **Criterion met with conditions.**

Section 10.7.030.020 Location, Surfacing, Striping and Curb Cuts

FINDING #53: All on-site areas used for the parking and maneuvering of vehicles shall be surfaced with material approved by the City Engineer. In addition, all parking spaces shall be striped. Staff will include these requirements as Conditions of Approval. **Criterion met with conditions.**

Section 10.7.030.030 Internal Circulation

FINDING #54: The Applicant proposes an internal circulation plan with arrows directing vehicular movement throughout the parking lot. Staff will include circulation arrows and pedestrian pathways be painted on the parking lot to facilitate the movement of vehicles in a safe and efficient manner as a Condition of Approval. **Criterion met with conditions.**

10.7.030.040 Landscaping Requirements

A. General Provisions.

FINDING #55: From the submitted site plan, Staff determined multiple trees and shrubs either exist or are proposed in the landscaped areas of the subject property. As stated in TDMC 10.7.030.040(A)(6), “Tree species shall be chosen from the recommended tree list provided by the Director; however trees must be deciduous and capable of reaching 30 feet in height and spread at maturity.” Staff will include as a Condition of Approval all proposed tree species be selected from the recommended tree list provided by the Director. In addition, Staff will include all landscaping be maintained and irrigated to ensure survival of plant materials as a Condition of Approval. All landscaping must be installed prior to the use of the storage units. **Criterion met with conditions.**

B. Landscaping/Screening Along a Public Right-of-Way.

FINDING #56: The Applicant is proposing to maintain the existing ROW landscaping buffer along the Snipes Street frontage and install new landscaping along the W. 6th Street entrance. All landscaping shall be maintained and irrigated to ensure survival of plant materials. **Criterion met with conditions.**

C. Interior Parking Lot Landscaping.

FINDING #57: Staff determined the submitted plan set complies with the requirements of TDMC 10.7.030.040(C). **Criterion met.**

Section 10.7.030.050 Accessible Parking

FINDING #58: Pursuant to TDMC 10.7.030.050(A), parking areas with 51-75 parking spaces shall provide three (3) ADA accessible parking spaces. The Applicant proposes 58 parking spaces with three (3) ADA accessible parking spaces, one (1) of which is van accessible ADA space. Staff will include the ADA parking space be painted with the accessible parking symbol and an accessible parking sign placed in front of the space as a Condition of Approval. **Criterion met with conditions.**

Section 10.7.030.070 Vehicle Loading and Unloading

FINDING #59: The Applicant proposes to install five (5) designated loading/unloading spaces at the building front. The Applicant provided a turning template to demonstrate maneuvering into the loading/unloading spaces. **Criterion met.**

10.7.030.090 Driveways, Aisles, Clearance, Drainage, and Cross Access

A. Driveways.

FINDING #60: See Finding #20. The existing driveways occupy the front and side yard solely for the purpose of connecting the subject property to Snipes and 6th Streets. **Criterion met.**

B. Aisles.

FINDING #61: See Findings #56 and #70. **Criterion met.**

D. Drainage

FINDING #62: See Finding #54. **Criterion met.**

E. Joint and Cross Access.

FINDING #63: The subject property is located within the Columbia River Commercial Park Subdivision consisting of six (6) separate parcels of varying sizes and accessed from W. 6th and Snipes Street by five (5) shared driveways, four (4) of which are located on the subject parcel and share an accessway throughout the subdivision. Staff will include the Applicant establish a series of easements and agreements complying with the requirements of TDMC 10.6.050.030(D) for all shared driveways and accessways located on the subject property as a Condition of Approval. **Criterion met with conditions.**

Section 10.7.030.100 Parking Clusters

FINDING #64: The Applicant is not proposing any parking spaces clustered in groups of more than 35 spaces. **Criterion met.**

Section 10.7.030.110 Refuse Collection

FINDING #65: The Applicant proposes a screened refuse collection area at the northwest rear corner of the existing building. Pursuant to TDMC 10.7.030.110, “refuse collection areas shall be screened by a solid wall, fence, evergreen hedge, or a combination of these methods to screen the refuse storage area from streets, accessways,

and adjacent properties.” In addition, all refuse collection containers shall be placed on concrete pads with a positive surface drainage. Staff will include all refuse collection areas comply with TDMC 10.7.030.110 as a Condition of Approval. **Criterion met with conditions.**

Section 10.7.030.120 Outdoor Lighting

FINDING #66: See Finding # 19. **Criterion met.**

Section 10.7.030.130 Stall and Aisle Dimensions

FINDING #67: The Applicant is not proposing any compact parking spaces with this request. Staff will require stall and aisle dimensions to comply with TDMC 10.7.030.130 as a Condition of Approval. **Criterion met with conditions.**

Section 10.7.040.020 Minimum Requirements (Bicycle Parking)

A. *The required minimum number of bicycle parking spaces for each principal use is given in Article 7.060: Minimum and Maximum Off-Street Parking Requirements. Additional parking spaces may be required at common use areas.*

- Retail Trade – Bicycle: 0.3 spaces/1,000 sq. ft.
- Mini-Storage – Exempt per TDMC 10.7.040.060

FINDING #68: Referring to the use types listed in Article 7.060, Staff determined the following bicycle parking requirements for the proposed development (*per TDMC 10.6.070.020(A) “when a regulation is expressed in terms of a minimum requirement, any fractional result will be rounded up to the next consecutive whole number”*):

- Retail Trade (2,954 SF): 0.89 spaces

The Applicant proposes to install one (1) bicycle parking space near the front entry. Staff will include all bicycle parking spaces must comply with TDMC 10.7.040 as a Condition of Approval. **Criterion met with conditions.**

Section 10.7.060.010 Minimum and Maximum Off-Street Parking Requirements

- Mini-Storage
 - *Minimum: 0.5 spaces/1,000 sq. ft. floor area | Maximum: 0.75 space/1,000 sq. ft. floor area*
- Retail Trade
 - *Minimum: 3.5 spaces/1,000 sq. ft. floor area | Maximum: 5 spaces/1,000 sq. ft. floor area*

FINDING #69: Referring to the use types listed in Article 7.060, Staff determined the following bicycle parking requirements for the proposed development (*per TDMC 10.6.070.020(B) “When a regulation is expressed in terms of maximum limits, any fractional result will be rounded down to the next lower whole number”*):

- Mini-Storage (92,831 SF)
 - *Minimum: 46.41 | Maximum: 69.62*
- Retail Trade (2,954 SF)

- *Minimum:* 10.34 | *Maximum:* 14.77
- *Total:*
 - *Minimum:* **57** (rounded up from 56.75)
 - *Maximum:* **84** (rounded down from 84.39)

The Applicant proposes 58 parking spaces for customers with this development.
Criterion met.

Section 10.10.040 Pedestrian Requirements

FINDING #70: See Finding #20. **Criterion met.**

RECOMMENDATION: Based on the application materials and findings demonstrating compliance with the applicable criteria, **Staff recommends approval of Conditional Use Permit No. 202-22 subject to the following conditions of approval.** This approval is based on the Applicant's submitted plans, written narrative, and supplemental application materials received by June 9, 2022. Any modifications to the approved plans other than those required by this decision will require a new land use application and approval.

1. Conditions Requiring Resolution Prior to Submission of Final Plan:

- 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. Final plans must be consistent with all Conditions of Approval included within this staff report, as well as any additional Conditions of Approval required by the Planning Commission, be approved by the Community Development Director and the City Engineer before a building permit is issued.
- c. All construction/design plans for public infrastructure, improvements, or rights-of-way shall be approved by the City Engineer.
- d. Submit engineered plans for review and approval by the Public Works Department. All design and installation of public improvements shall be installed or bonded by the Applicant in accordance with the City of The Dalles Municipal Code, Title 10 – Land Use and Development Public Improvement Procedures and the APWA standards, specifications, and drawings, as amended and adopted by the City, and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.

2. Conditions Required During Construction of Public Improvements

- a. A pre-construction meeting including the City Engineer and Construction Inspector is required prior to construction or site preparatory work. All public improvements shall first obtain design and construction approval from the City Engineer.
- b. The Applicant must warranty all public improvements against defect for one (1) year from the date of final acceptance by the City.

3. Conditions Required Prior to Final Plan Approval

- a. All three (3) ADA drive approaches along the Snipes Street frontage must be installed.
- b. No less than three (3) ADA parking spaces must be installed. One of these spaces must meet the requirements for van accessible parking as stated in 10.7.030.050 (B). All ADA spaces must have the accessible parking symbol painted on the parking space as well as an accessible parking sign placed in front of the space.
- c. All circulation arrows and pedestrian pathways shall be painted on the parking lot to facilitate the movement of vehicles and pedestrians in a safe and efficient manner.
- d. The paved pedestrian walking path connecting the subject site to the existing sidewalk on Snipes Street must be installed. This walkway must have a width no less than 5 ft. and shall be constructed and maintained for pedestrian safety. In addition, 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. The new striping from each of the three (3) ADA parking spaces to both building entrances must be painted. This walkway must have a width no less than 5 ft. and shall be constructed and maintained for pedestrian safety. In addition, 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.
- f. All parking spaces shall be striped.
- g. All parking and maneuvering areas will be required to be hard surface and marked per the City's standards.
- h. Parking stall and aisle dimensions must comply with TDMC 10.7.030.130.
- i. All parking spaces must be clearly marked/painted on-site per their assigned classification (shunting, U-Haul customer parking, shared parking) and may only be used for each specified use.
- j. The Applicant must provide no less than one (1) bicycle parking space on the subject property.
- k. All proposed landscaping must be installed.
- l. All trees shall be selected from the recommended tree list provided by the CDD Director.
- m. The Applicant must establish a series of easements and agreements that comply with the requirements of TDMC 10.6.050.030(D) for all shared driveways and accessways located on the subject property.

4. Conditions Required Prior to City Building Permit Approval

- a. All Conditions of Approval listed in Section #3 above.

5. Ongoing Conditions

- a. All development must adhere to the approved site plan for this development.
- b. All proposed walking paths must be maintained to ensure safe and efficient circulation on the subject property.

- c. The established oil/water separator maintenance agreement established with the City's Public Works Department must be adhered to.
- d. All 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.
- e. All landscaping must be maintained and irrigated to ensure survival of plant materials.
- f. All refuse collections areas must comply with the requirements for refuse collection as stated in TDMC 10.7.030.110.

COMMISSION ALTERNATIVES:

1. **Staff recommendation:** The Planning Commission move to adopt Resolution PC 604-22 approving Conditional Use Permit No. 202-22, with the proposed Conditions of Approval included with this report, based upon the findings of fact and conclusions of law set forth in the Agenda Staff Report.
2. If the Planning Commission desires to deny Conditional Use Permit No. 202-22, move to direct staff to prepare a resolution of denial. The Planning Commission would need to identify the specific criteria concerning this decision.

From: Joshua Chandler
Sent: Thursday, June 09, 2022 4:07 PM
To: Paula Webb
Subject: FW: Notice of Public Hearing CUP 202-22

Comment #1 for U-Haul

From: Norm Brock <NormBrock@msn.com>
Sent: Sunday, June 05, 2022 11:09 AM
To: Joshua Chandler <jchandler@ci.the-dalles.or.us>
Subject: Notice of Public Hearing CUP 202-22

Josh,

I need to file an objection to this application. I have several reasons for this:

- Area where storage units are proposed (have already been built in violation of CC&R's and reportedly without proper permits) are part of the common use for the entirety of properties within the shopping center and fronting 6th street as written into the original CC&R's.
- Approval would nullify those CC&R's.
- Placement of those units and high volume of U-Haul Vehicles has removed overflow parking for the other businesses on that end of the common use parking area.
- Current property owner has and continues to attempt limiting access to parking on that portion of the common use parking area. Including at one point blocking ingress and egress to portions of parking.
- There is potential to increase theft in the shopping center area; these Units will not be fenced or secured other than individual unit locks (Coastal and other businesses are currently experiencing a high level of theft in the last several months).

My other concerns are:

- Approval will empower U-haul owners to continue to violate the CC&R's and continue to build additional units; the city has not enforced any of the violations that I have been told exist with those units.
- If this is allowed the other large retail operation (Coastal) will have justification to petition for use of the area in front of their location with expectation it will be granted and remove the overflow parking for my business thus limiting our ability to hold events and create potential issues with our neighbors.

I'm not big on interfering with another business or property owner doing what they want on their property within reason and as long as it does not hurt my business. Although my building is on the opposite end of the shopping center, I do feel allowing this would have a trickle-down effect with a long-term negative impact not just for me but for all three businesses fronting 6th St.

Personally, I would be willing to discuss some compromise in utilization of the Common Parking Area, which could allow them to retain the currently built storage units in a manner that would leave overflow parking and prevent access from being denied by U-haul. I am not willing to allow someone to break the CC&R's that

were meant to benefit everyone without showing some common courtesy by having open discussions with other owners who benefit from those CC&R's.

Best regards,

Norm Brock
Owner/Member
Lexbre Ventures
Columbia River Herbals
541-521-9757

June 9, 2022

Sent via Email and Hand Delivered

City of The Dalles
Community Development Department
Attention: Joshua Chandler
313 Court Street
The Dalles, Oregon 97058
jchandler@ci.the-dalles.or.us



Marcus J. Swift
Attorney

RE: Request for Postponement and Comments in Opposition to CUP 202-22

Dear Mr. Chandler,

This firm represents Pomona Street, LLC, ("Pomona Street") in The Dalles, Oregon, operated by Mr. Scott McKeown. This letter is in regard to the Notice of Public Hearing dated June 2, 2022, related to Conditional Use Permit application number 202-22, submitted by U-Haul Moving & Storage The Dalles ("U-Haul The Dalles"), owned by Amerco Real Estate Company and AREC 34, LLC. The current CUP application seeks to amend the previous CUP application submitted by U-Haul The Dalles and known as CUP 195-20.

Pomona Street respectfully request that the Public Hearing in this matter, scheduled for June 16, 2022, at 5:30 p.m., be set over until the parties involved have settled their disputed property matter. Specifically, please see the enclosed Complaint for Declaratory Judgment and Injunctive Relief for Breach of Covenants, Conditions, and Restrictions, filed by Pomona Street in Wasco County Circuit Court and assigned Case Number 22CV18681. Should the hearing proceed as scheduled, Pomona Street vigorously objects to the approval of CUP 202-22 for the reasons outlined in the enclosed complaint in Case Number 22CV18681.

In a letter to The Dalles City Attorney Jonathan Kara dated March 17, 2022, Pomona Street made known their objections to U-Haul The Dalles CUP application number 195-20. It remains our position that CUP application 195-20 significantly violated several provisions of Chapter 10 of the City's Land Use and Development Ordinance (LUDO). Furthermore, the actions sought by the applicant in CUP applications 195-20 and 202-22, are in direct violation of the commercial subdivisions Declaration of Covenants, Conditions, and Restrictions ("CCRs") for the property.

We strongly urge the City to set over the scheduled hearing in order to give the parties involved the time necessary to clear up existing legal disputes involving the property. Further, we strongly object to the approval of CUP application 202-22.

Regards,

Marcus J. Swift
Of Counsel for Pomona Street, LLC

Enclosures

Courtesy Copy: jkara@campbellphillipslaw.com

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASCO

POMONA STREET, LLC,

Plaintiff,

v.

AREC 34, LLC, a foreign limited liability company, AMERCO REAL ESTATE COMPANY, a foreign business corporation, U-HAUL CO. OF OREGON dba U-HAUL MOVING & STORAGE OF THE DALLES, a domestic business corporation,

Defendants.

Case No.

**COMPLAINT FOR
DECLARATORY JUDGMENT AND
INJUNCTIVE RELIEF FOR
BREACH OF COVENANTS,
CONDITIONS, AND
RESTRICTIONS**

ORS 21.135(1), (2)(f)
Fee: \$281.00

COMES NOW Plaintiff, Pomona Street, LLC (hereinafter, "Plaintiff"), and hereby alleges the following against Defendants AREC 34, LLC, Amerco Real Estate Company, and U-Haul Co. of Oregon doing business as U-Haul Moving & Storage of The Dalles (hereinafter collectively "Defendants"):

PARTIES/BACKGROUND

1.

Plaintiff is an Oregon limited liability company. Plaintiff owns real property located at 2638 W 6th St, The Dalles, Wasco County, OR 97058, (hereinafter, "Outlot 2") where it operates a collection of retail food establishments.

///

///

2.

AREC 34, LLC (hereinafter “AREC”) is a foreign limited liability company registered in the State of Oregon. Amerco Real Estate Company (hereinafter “Amerco”) is a foreign business corporation registered in the State of Oregon. U-Haul Co. of Oregon is a domestic business corporation registered in the State of Oregon. AREC and Amerco own real property located at 2640 W 6th Street, The Dalles, Wasco County, OR 97058, where they operate a business, U-Haul Moving & Storage of The Dalles, owned by U-Haul Co. of Oregon.

3.

All of the real property above exists within the within the Columbia River Commercial Subdivision (“Subdivision”) which operates as a shopping center.

4.

The real property located within the Subdivision is subject to a Declaration of Covenants, Conditions and Restrictions and Grant of Easements (hereinafter, “CC&Rs”), which was executed on August 12, 1989, and recorded in the Wasco County Deed Records on March 30, 1990. The CC&Rs were amended July 1, 1991, and on October 15, 1991. Both amendments were recorded October 21, 1991. A true and correct copy of the CC&Rs and the First and Second Amendments are attached hereto as “Exhibit 1” and are incorporated by reference herein. Among other things, the CC&Rs define the areas of the Subdivision and their conditions and restrictions.

FIRST CLAIM FOR RELIEF

(Declaratory Judgment to Enforce Covenants, Conditions and Restrictions)

Count One – Common Area Interference

5.

Plaintiff realleges and incorporates by reference paragraphs 1-4 above, as though

specifically set for the herein.

6.

Article 1.05 of the CC&Rs defines “building areas” as those areas designated and set forth as “K mart, "Food," and other similar designations upon the Site Plan, and "Outlot 1," "Outlot 2," and "Outlot 3," as designated on the Site Plan.

7.

Article 1.08 of the CC&Rs defines common areas as “those portions of the Shopping Center, including common facilities thereon, which are not building areas.”

8.

There are several shared common areas for use by all property owners within the Subdivision for vehicular and pedestrian access, ingress and egress, vehicular traffic flow, and parking for passenger vehicles.

9.

Article 3.02 of the CC&Rs states that “No use of the Shopping Center shall interfere with the use of the Common Areas within the Shopping Center for the purposes for which they were intended as provided in this Agreement or impede the free flow of vehicular or pedestrian traffic thereon.”

10.

Article 5.01 of the CC&Rs provides an exhaustive list of the only allowable uses of the common areas within the Subdivision. The list does not include the construction and installation of portable storage units and only allows parking for passenger vehicles.

11.

Article 5.02 of the CC&Rs specifically prohibits the use of the common areas for the

1 parking of trucks (other than passenger trucks).

2 12.

3 Article 5.05 of the CC&Rs states that common areas “used for parking areas and the traffic
4 circulation and flow patterns on the Common Areas shall not be changed or altered without the
5 prior written consent of the Responsible Owners and Kmart, if Kmart is then a lessee with respect
6 to the Kmart Parcel, which consent shall not be unreasonably withheld.”

7 13.

8 In or about October 2018, Defendants purchased a building located within the Subdivision,
9 designated as “Kmart” in the CC&Rs, and began developing the property for use as a U-Haul
10 storage and warehousing facility and truck rental center.

11 14.

12 Abutting the U-Haul building to the east/northeast is a large shared common area
13 (hereinafter “the Common Area”) used for parking for retailers within the Subdivision shopping
14 center.

15 15.

16 On or about July 15, 2020, Plaintiff purchased property located within the Subdivision,
17 designated as Outlot 2 in the CC&Rs, and began developing the property for use as a collection of
18 retail food establishments.

19 16.

20 On or about March 1, 2021, Defendants began constructing and installing portable storage
21 units, approximately ten feet tall by eight feet wide, in the Common Area. In addition to these
22 units, the Defendants display their rental trucks and trailers in the Common Area.

23 ///

17.

Defendants began constructing and installing the portable storage units in the Common Area without informing the Plaintiffs or seeking their input, agreement, or authorization. At some point after the construction and installation began, a representative of the Defendant verbally informed a representative of the Plaintiff about the installation. No formal notice was given.

18.

Unbeknownst to the Plaintiff, the Defendants submitted a Conditional Use Permit Application to the City of The Dalles dated March 11, 2021 (hereinafter, "CUP 197-21"), proposing to build and install the portable storage units within the Common Area. A true and correct copy of the CUP 197-21 is attached hereto as "Exhibit 2" and is incorporated by reference herein.

19.

Defendants without the prior authorization or approval of other Responsible Owners, installed three, three-inch-high by two-foot-wide traffic control devices commonly known as "speed bumps" in the Common Area in front of the Kmart space. These speed bumps are much narrower than the type typically found on public streets and driving over them is a jarring experience. Speed bumps typically found on public streets are 14 feet wide. Shoppers having driven over these bumps will be quite unlikely to do so again. Said speed bumps violate Article 3.02 of the CC&Rs as they "impede the free flow of vehicular or pedestrian traffic thereon."

20.

The Defendants' storage units and truck and trailer inventory displays impede pedestrian traffic and impede and reduce passenger vehicle parking within the Common Area. Defendants' use is a direct violation of the CC&Rs, including, but not limited to, Articles 5.01, 5.02 and 5.05.

21.

Despite numerous demands, Defendants continue to be in violation of the CC&Rs and have failed to remove their truck and trailer inventory and storage units from the Common Area. Defendants have since installed traffic control devices that impede traffic flow in the Common Area. If Defendants' violations of the CC&Rs are allowed to continue, Defendants will cause Plaintiff irreparable injury.

22.

Plaintiff has the right to make use of the Common Area for the purposes of passenger vehicle parking, ingress, egress, and vehicular and pedestrian flow. Defendants claim that Plaintiff has no such right.

23.

Plaintiff and Defendants are "persons" within the meaning and definition of "person" pursuant to ORS 28.130.

24.

Defendants refuse to acknowledge and comply with plain language and defined terms in the CC&Rs. Plaintiff requests that the Court declare the rights of the parties within the Common Area under the CC&Rs.

25.

Pursuant to ORS 28.020, Plaintiff is a person who has an interest under the CC&Rs whose rights, status, or other legal relations are affected by the CC&Rs and Defendants' actions in connection therewith, and Plaintiff may thus have determined any question of construction or validity arising under the CC&Rs.

///

26.

Plaintiffs requests a judgment declaring that Defendants' use of the Common Area is in violation of the CC&Rs.

27.

Plaintiffs demand an award of costs pursuant to ORS 28.100.

SECOND CLAIM FOR RELIEF

(Declaratory Judgment to Enforce Covenants, Conditions and Restrictions)

Count Two – Invalid Amendment to CC&Rs

28.

Plaintiff realleges and incorporate by reference paragraphs 1-27 above, as though specifically set forth herein.

29.

Upon learning of the unauthorized building and installation of portable storage units within the Common Area, Plaintiff promptly contacted representatives of the Defendants via phone and email to report their concerns about the misuse of the Common Area. Plaintiff also made the reasonable request that construction be halted until the parties could discuss the issue and come to an amiable resolution. Unfortunately, the Defendants ignored the Plaintiff's entreaties and continued constructing and installing the storage units within the Common Area.

30.

On March 9, 2021, Plaintiff's counsel sent a cease-and-desist letter to Defendants urging them to halt the construction and installation within the Common Area. On April 1, 2021, in response to the letter, counsel for Defendants provided a revised site plan and indicated they would reconfigure the location of the portable storage units and parked vehicles by moving them further

1 North, so as to reduce the impact on the Common Area. The proposed relocation was still within
2 the Common Area. A true and correct copy of the revised site plan is attached hereto as “Exhibit
3 3” and is incorporated by reference herein.

4 31.

5 To the best of the Plaintiff’s knowledge, the revised site plan was never submitted to the
6 City of The Dalles nor implemented by the Defendants.

7 32.

8 Defendants continued to use the one and a half acres of the Common Area exclusively for
9 the parking of their vehicles and the portable storage units in violation of the CC&Rs. In response,
10 Plaintiff, at their own expense, commissioned a professional appraisal of the entire Subdivision to
11 accurately determine the value of the Common Area being exclusively used by the Defendants.

12 33.

13 Using the results of the professional appraisal, Plaintiff calculated the value of the Common
14 Area being exclusively used by the Defendants at \$4,380.00 per month. On July 8, 2021, Plaintiff
15 offered to withdraw their objections to the Defendants’ exclusive use of the Common Area, in
16 exchange for the Defendants making a monthly financial contribution of \$4,380.00 into a common
17 fund to be used for the benefit of all owners within the Subdivision for common area parking lot
18 repairs, upkeep, lighting, security, landscaping, snow removal, and so on.

19 34.

20 In response to the Plaintiff’s reasonable offer, the Defendants and another property owner
21 within the Subdivision in the area known as “Food” secretly drafted and signed a purported Third
22 Amendment to the original Declaration of Covenants, Conditions and Restrictions, and Grants of
23 Easements (hereinafter, “Third Amendment”). A true and correct copy of the Third Amendment

1 is attached hereto as "Exhibit 4" and is incorporated by reference herein.

2 35.

3 Article 1.05 of the CC&Rs defines "Building Areas" as those areas designated and set forth
4 as "K mart, "Food," and other similar designations upon the Site Plan, and "Outlot 1," "Outlot 2,"
5 and "Outlot 3," as designated on the Site Plan.

6 36.

7 Article 1.10 of the CC&Rs states "Responsible Owner shall mean the Owner of a Building
8 Area, including a long-term lessee of a Building Area as provided in Paragraph 1.9 above, with a
9 Building Area thereon which exceeds 30,000 square feet."

10 37.

11 Article 12.01 of the CC&Rs states "This Declaration and any provision, covenant, or
12 easement contained herein may be terminated, extended, modified, or amended with the written
13 consent of **all** of the then Responsible Owners, including Kmart, if then a lessee with respect to
14 the Kmart Parcel, each mortgagee under mortgages covering any of the Subject Land, and each
15 beneficiary and trustee under trust deeds covering any of the subject Land;" (Emphasis added.)

16 38.

17 The Plaintiff, the owner of Outlots 1 and 3, the owner of the building area known as "Food",
18 and the Defendants, are all Responsible Owners under the definition of the CC&Rs. Per the
19 requirements of Article 12.01 of the CC&Rs, any amendment to the original CC&Rs requires
20 unanimous consent and agreement of all Responsible Owners. The Third Amendment was secretly
21 created and signed, in bad faith, by only two Responsible Owners, in direct violation of the
22 CC&Rs, and is therefore invalid.

23 ///

1 39.

2 Plaintiffs and Defendants are “persons” within the meaning and definition of “person”
3 pursuant to ORS 28.130.

4 40.

5 Pursuant to ORS 28.020, Plaintiff is a person who has an interest under the CC&Rs whose
6 rights, status, or other legal relations are affected by the CC&Rs and Defendants’ actions in
7 connection therewith, and Plaintiff may thus have determined any question of construction or
8 validity arising under the CC&Rs.

9 41.

10 Defendants absurdly claim the Costal/UHaul “Third Amendment”, signed by only two of
11 the six Responsible Parties, is valid. Pursuant to ORS 28.010 et. seq. Plaintiff is seeking a judicial
12 determination of the parties’ rights.

13 42.

14 Plaintiff requests that the Court issue a judgment declaring the “Third Amendment” to the
15 CC&Rs invalid.

16 43.

17 Plaintiff is entitled to an award of costs pursuant to ORS 28.100 and the CC&Rs.

18 **THIRD CLAIM FOR RELIEF**

19 **(Declaratory Judgment to Enforce Covenants, Conditions and Restrictions)**

20 ***Count Three – Prohibited Use of Subdivision***

21 44.

22 Plaintiff realleges and incorporate by reference paragraphs 1-43 above, as though
23 specifically set forth herein.

1 45.

2 Article 3.01 of the CC&Rs state “The Shopping Center and any portion thereof shall not
3 be used for warehousing (other than the temporary storage of fixtures, equipment, and inventory
4 by an occupant of the Shopping Center), industrial, manufacturing, or residential purposes, except
5 for the storage and/or manufacture of such goods as are required as a necessary incident to the
6 conduct of a particular retail mercantile business, business or institution or related professional
7 office, facility situated in the financial Shopping Center. In no event shall any Building Area or
8 portion thereof be used or operated for any use or purpose, and/or by any tenant or other occupant,
9 which is not consistent and compatible with the intention of the parties, at all times during the term
10 of this Agreement, to maintain and operate a first-class shopping center of a quality equal to that
11 maintained and operated in other first-class shopping centers in the State of Oregon.”

12 46.

13 Defendants’ operation of a permanent warehousing and storage facility business operation
14 in the Subdivision violates the plain language restrictions of Article 3.01 of the CC&Rs.

15 47.

16 Plaintiffs and Defendants are “persons” within the meaning and definition of “person”
17 pursuant to ORS 28.130.

18 48.

19 Pursuant to ORS 28.020, Plaintiff is a person who has an interest under the CC&Rs whose
20 rights, status, or other legal relations are affected by the CC&Rs and Defendants’ actions in
21 connection therewith, and Plaintiff may thus have determined any question of construction or
22 validity arising under the CC&Rs.

23 ///

1 49.

2 Plaintiff and Defendants disagree with respect to the interpretation of Article 3.01 of the
3 CC&Rs and, as a result, the parties rights are uncertain and in doubt. Plaintiff is legally entitled,
4 through this action for Declaratory Judgment, to have this doubt and uncertainty removed.

5 50.

6 Plaintiff requests that the Court issue a judgment declaring the Defendants' business
7 operation within the Subdivision a violation of Article 3.01 of the CC&Rs.

8 51.

9 Plaintiff is entitled to an award of costs pursuant to ORS 28.100 and the CC&Rs.

10 **FOURTH CLAIM FOR RELIEF**

11 **(Permanent Prohibitory Injunction)**

12 52.

13 Plaintiff realleges and incorporate by reference paragraphs 1-51 above, as though
14 specifically set forth herein.

15 53.

16 Plaintiff's right to use the Common Areas defined under the CC&Rs is unique and
17 Plaintiffs have no adequate remedy at law.

18 54.

19 Defendants have declared that Plaintiff's use of the Common Area can be limited and
20 restricted by way of the existence and location of the portable storage units. Defendant has
21 demonstrated that it will interfere with Plaintiff's use of the Common Area.

22 55.

23 If Defendants are not enjoined from interfering with Plaintiff's use of the Common Area

1 as allowed under the CC&Rs, Plaintiff will be substantially and irreparably harmed in that their
2 invitees and guests will not have pedestrian or vehicular access to the shared parking in the
3 Common Area, thereby reducing parking capacity for Plaintiff's business.

4 56.

5 Defendants' business operations are in violation of the CC&Rs and are not a permitted use
6 within the Subdivision. If Defendants are not enjoined from continuing their operations, Plaintiff,
7 and the other Subdivision business owners, will continue to be substantially and irreparably
8 harmed because fewer shoppers will visit the shopping center.

9 57.

10 As a matter of courtesy Plaintiff proposes allowing Defendants up to five years to find a
11 tenant whose use is compatible with the CC&Rs and to move its operation to another site.

12 **FIFTH CLAIM FOR RELIEF**

13 **(Attorney Fees)**

14 58.

15 Plaintiff realleges and incorporate by reference paragraphs 1-57 above, as though
16 specifically set forth herein.

17 59.

18 Article 10.04 of the CC&Rs states: "In the event that any suit is brought for the enforcement
19 of any provision of this Declaration or as the result of any alleged breach thereof or for a
20 declaration of rights and duties hereunder, the successful party or parties to such suit shall be
21 entitled to collect reasonable attorneys I fees from the losing party or parties and any judgment or
22 decree rendered shall include an award thereof.

23 ///

60.

Plaintiffs demand an award of attorney's fees pursuant to Article 10.04 of the CC&Rs.

Prayer for Relief

WHEREFORE, Plaintiff prays for following judgment in favor of the Plaintiff and against the Defendants as follows:

- 1) Declaring that Defendants' use of the Common Area is in violation of the CC&Rs;
- 2) Declaring that the Defendants' Third Amendment of the CC&Rs is invalid;
- 3) Declaring that the Defendants' current operations within the Subdivision are in violation of the CC&Rs;
- 4) Permanently enjoining the Defendants and their successors in interest from interfering with the shared use of the Common Area; or, in the alternative, ordering the Defendants to pay \$4,380.00 per month into a Subdivision owners' account for the benefit of all businesses sharing the common area, for a period of up to five years adjusted annually using the Consumer Price Index;
- 5) Permanently enjoining the Defendants and their successors in interest from operating a permanent storage and warehousing facility within the Subdivision; or, in the alternative, ordering the Defendants to pay \$4,380.00 per month into a Subdivision owners' account for the benefit of all businesses sharing the common area, adjusted annually using the Consumer Price Index, for a period of up to five years and until the Defendants vacate the Subdivision;
- 6) Requiring Defendants remove all speed bumps;
- 7) Awarding Plaintiff's costs pursuant to ORS 28.100;
- 8) Awarding Plaintiff's attorney's fees pursuant to Article 10.04 of the CC&Rs; and

9) For such other relief that the Court deems just and equitable.

Dated this 9th day of June, 2022.

OVERLAND LAW, LLC

s/ Marcus J. Swift

Marcus J. Swift, OSB No. 144431

Attorney for Plaintiff

Telephone: (541) 288-1628

marcus@overlandlawllc.com

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
GRANT OF EASEMENTS

This Declaration of Covenants, Conditions and Restrictions and Grant of Easements (hereinafter referred to as the "Declaration"), is made and executed as of the 12th day of August, 1989, by GFI-The Dalles Investments, Ltd., a Utah limited partnership (hereinafter referred to as "Declarant").

RECITALS:

A. Description of Subject Land. Declarant is the owner of the "Subject Land" as hereinafter defined, which Subject Land is located in Wasco County, State of Oregon, and more particularly described in Exhibit "A" attached hereto.

B. Description of Expansion Land. Declarant may, subsequent to the execution of this Declaration, acquire the "Expansion Land" as hereinafter defined, which Expansion Land is located adjacent to the Subject Land and is located in Wasco County, State of Oregon, and more particularly described in Exhibit "B" attached hereto.

C. Improvement of Subject Land. Declarant proposes to improve the Subject Land as a "Shopping Center" in one or more phases under a general plan or scheme of development and for that purpose Declarant intends to hereby create and establish certain easements, restrictions, and obligations with respect to the Subject Land.

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Return to:
Walt Gasser
74 E. 500 S Suite 200
-Countiful, Utah
84010

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Microfilm No.

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THE DALLES, OR.

MAR 30 2 40 PM '90

KAREN R. LEBRETON
COUNTY CLERKCOMPARED
INDEXEDSTATE OF OREGON, } ss
County of Wasco, }

I certify that this document was received and recorded in the

records.
Karen R. LeBreton, County Clerk
by [Signature] DeputyReturn to [Signature]EXHIBIT 1
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D. Buildings on Subject Land. Declarant and/or third parties will erect various buildings (including, but not limited to, a store located on the Building Area designated as K mart on the Subject Land, as described herein (hereinafter "K mart Parcel"), to be leased to K mart Corporation (hereinafter "K mart"), pursuant to that certain Lease (the "K mart Lease") dated the 12th day of August, 1989, as amended, or similar structures upon certain portions of the Subject Land and the Expansion Land and Declarant has set aside for future construction of structures or buildings on the Subject Land and the Expansion Land certain portions of the Subject Land and the Expansion Land (collectively the "Building Areas").

E. Common Areas. Declarant will make and provide certain roadways, sidewalks, parking areas, mall, and utility improvements and facilities, including grading, surfacing, lighting, striping, planting, installation of sewer, water, electrical, and gas lines in, under, over, and upon the Subject Land and intends for such purposes to set aside certain portions of the Subject Land (hereinafter referred to as the "Common Areas").

F. Easement and Maintenance Obligations. Declarant desires to establish and create for the benefit of each Building Area certain easements and rights-of-way for access over and upon the Common Areas, as well as obligations

of maintenance, repair, and replacement of common facilities as the same are or will be included within the Common Areas.

G. Intent and Purpose. Declarant intends by recording this Declaration, together with the exhibits attached hereto, to subject the Subject Land and all improvements situated or to be situated thereon to the provisions of this Declaration and to impose upon the Subject Land mutually beneficial restrictions for a general plan of improvement for the benefit of the Owners of all interests in the Subject Land.

NOW, THEREFORE, Declarant, as the Owner of the Subject Land for itself and its legal representatives, successors, and assigns hereby declares as follows:

ARTICLE I

DEFINITIONS

1.01. Defined Terms. Unless the context clearly indicates otherwise, certain terms as used in this Declaration shall have the meanings set forth in this Article I.

1.02. "Subject Land" shall mean the parcels of land consisting of approximately 7.87 acres located in the City of The Dalles, County of Wasco, State of Oregon, more particularly described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

1.03. "Expansion Land" shall mean the parcels of land consisting of approximately 8.11 acres, and more particularly described in Exhibit "B" which is attached hereto and by this reference incorporated herein, all Expansion Land being located in the City of The Dalles, County of Wasco, State of Oregon. In the event Declarant, or its successors and assigns, at any time within three (3) years of the date of this Declaration, acquires and purchases any part or all of the Expansion Land, that portion of Expansion Land so purchased shall be redefined for purposes of this Agreement as part of the Subject Land and shall be thereafter referred to herein as a part of the Subject Land.

1.04. "Shopping Center" shall mean all Building Areas and Common Areas collectively. The Shopping Center shall consist of one or more phases. The first phase consists of the development of the Subject Land. The second phase, if it occurs, shall consist of the development of the Expansion Land.

1.05. "Building Areas" shall mean those areas designated and set forth as "K mart," "Food," and other similar designations upon the Site Plan, and "Outlot 1," "Outlot 2," and "Outlot 3," as designated on the Site Plan.

1.06. "Site Plan" shall mean the site plan attached hereto as Exhibit "C" and by this reference incorporated herein.

1.07. "Building" shall mean the structure or structures to be constructed within the Building Areas.

1.08. "Common Areas" shall mean those portions of the Shopping Center, including common facilities thereon, which are not Building Areas.

1.9. "Owner" shall mean the owner of the fee title to a Building Area; provided further the lessee of a Building Area under a ground lease or other lease having an initial term of twenty-five (25) years or longer shall be deemed to be an "Owner" of such Building Area so long as it is designated in the lease as the "Owner" for the purposes of this Agreement.

1.10. "Responsible Owner" shall mean the Owner of a Building Area, including a long-term lessee of a Building Area as provided in Paragraph 1.9 above, with a Building Area thereon which exceeds 30,000 square feet.

1.11. "Floor Area" shall mean the area measured from exterior surface of exterior walls and from the center of common walls or interior demising partitions, and shall include mezzanines, if any.

ARTICLE II

Common Plan. Declarant by this Declaration intends to establish a common plan for the development of the Subject Land and the Expansion Land in order to insure the protection,

maintenance, and improvement of the Subject Land, and the Expansion Land (subject to the acquisition of the Expansion Land as set forth herein) and as hereinafter set forth, by this Declaration will establish certain easements, covenants, and reservations upon and subject to which the Subject Land and the Expansion Land will be used, held, leased, sold, or conveyed by Declarant which easements, covenants, and reservations are intended for the benefit of the Subject Land and the Expansion Land and each Owner of any interest therein, whether present or future, and which shall inure and pass with the Subject Land and the Expansion Land and each and every interest therein. In the event and at such time as Declarant, or its successors and assigns, acquires and purchases the Expansion Land, the common plan for the development of the Expansion Land, as set forth herein, shall be mutually binding on the Owners of both the Expansion Land and the Subject Land and the Expansion Land shall be added to, redefined, and referred to herein as part of the Subject Land. All Owners of the Subject Land hereby expressly agree and consent that, upon the recording of this Declaration with the Expansion Land, they shall be subject to and bound by this Declaration with respect to its joint application to said Expansion Land and Subject Land, as set forth herein. In the event Declarant, or its successors and assigns, does not acquire and purchase any or all of the Expansion Land, this Declaration

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shall terminate as to any of that Expansion Land which is not purchased by Declarant, or its successors and assigns, and it shall not be converted to Subject Land as hereinabove described.

ARTICLE III

LAND USE

3.01. Permitted and Prohibited Uses. Except as otherwise provided in this Declaration, the Shopping Center and any portion thereof shall be used, if at all, only for the construction, operation, and maintenance thereon of retail or wholesale mercantile businesses, including the so-called fast food or drive-through restaurants, business and professional offices, financial institutions, and related facilities common to neighborhood-community type retail shopping centers, and for Common Areas relating to and necessary to the operation of the foregoing. The Shopping Center and any portion thereof shall not be used for warehousing (other than the temporary storage of fixtures, equipment, and inventory by an occupant of the Shopping Center), industrial, manufacturing, or residential purposes, except for the storage and/or manufacture of such goods as are required as a necessary incident to the conduct of a particular retail mercantile business, business or professional office, financial institution or related facility situated in the Shopping Center. In no event shall any Building Area or portion

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thereof be used or operated for any use or purpose, and/or by any tenant or other occupant, which is not consistent and compatible with the intention of the parties, at all times during the term of this Agreement, to maintain and operate a first-class shopping center of a quality equal to that maintained and operated in other first-class shopping centers in the State of Oregon.

3.02. No Interference with Common Areas. No use of the Shopping Center shall interfere with the use of the Common Areas within the Shopping Center for the purposes for which they were intended as provided in this Agreement or impede the free flow of vehicular or pedestrian traffic thereon.

3.03. Conformity to Site Plan. Declarant, or its successors and assigns, shall develop the Shopping Center in the manner shown in the Site- Plan attached hereto as Exhibit "C". Any changes to the Exhibit "C" site plan may be made with the prior written consent of K mart and the Responsible Owners, which consent shall not be unreasonably withheld if such changes do not materially and adversely impact upon or affect traffic flow, visibility, parking upon and access with respect to the Shopping Center.

ARTICLE IVRESTRICTIONS OF USE OF BUILDING AREAS

4.01. Building Design and Construction. Each Building or other improvement (including signs) to be constructed, altered, remodeled, repaired, or reconstructed in the Shopping Center shall be architecturally harmonious and compatible with the other Buildings and improvements from time-to-time located in the Shopping Center. All construction of Buildings and modifications to the exterior of existing Buildings constructed within the Shopping Center shall be subject to the prior written approval of all Responsible Owners, which approvals shall not be unreasonably withheld. No modifications to the elevation and exterior appearances, including changes of materials and colors, for Buildings in the Shopping Center shall take place prior to such approval. All construction, alteration, and repair work relative to the Shopping Center shall be accomplished in an expeditious manner, in compliance with all laws, rules, regulations, orders, permits, approvals, and licenses of governmental authorities having jurisdiction. The Owner undertaking such work shall take all necessary measures to minimize any disruption or inconvenience caused by such work. Such work shall be accomplished in such a manner as to minimize any damage or adverse effect which might be caused by such work to any other party or to the Building Area on which the work

is being done or any other Building Area in the Shopping Center. The Owner undertaking such work shall repair at its own cost and expense any and all damage caused by such work and shall restore the affected portion of the Building Area upon which such work is performed to a condition which is equal to or better than the condition which existed prior to the beginning of such work. In addition, the Owner undertaking such work shall promptly pay all costs and expenses associated therewith and shall indemnify and hold all Owners harmless from all damages, losses, or claims, including reasonable attorneys fees, attributable to the performance of such work. Except in cases of emergency or the prior consent of the Responsible Owners, all such work shall be undertaken only after giving said Responsible Owners thirty (30) days' prior written notice of the work to be undertaken, the scope and nature of the work, the duration of the work, and the area in which the work is to be performed.

4.02. Building Height. In no event shall any Building in the Shopping Center be of a height in excess of thirty-five feet (35'), provided that any Building to be located in the Building Areas designated as Outlot 1, Outlot 2, and Outlot 3 on Exhibit "C" may be of a height not exceeding twenty-five feet (25'). For the purposes of this Section 4.02, height shall be measured from finished grade of floor to the highest point of the Building. No Building

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located in the Shopping Center shall exceed a height of one story, plus mezzanine.

4.03. Automatic Sprinklers. Every Building shall be either equipped with automatic sprinkler systems which meet all the standards of the Insurance Services Office (or other similar local organization having jurisdiction) or shall be constructed in such a manner as not to adversely affect the fire rating of any Building built upon any other Building Area. The purpose of this paragraph is to allow Buildings built on each Building Area to be fire-rated as separate and distinct units without deficiency charge.

4.04. Location of Buildings. Subject to the restrictions set forth in this Agreement, all Buildings shall be placed or constructed upon the respective Building Area in the Shopping Center only within the Building Areas as herein defined. No Buildings shall be placed or constructed in the Shopping Center within the Common Areas, except pylon signs, directional signs, bumper guards or curbs, landscape planters, lighting standards, and other landscaping or other improvements as may be required under applicable controls and regulations of the County of Wasco or the City of The Dalles, Oregon. In addition, subject to the provisions of Section 4.01, any Owner may construct, install, repair, remove, replace, and maintain sidewalks and walkways, and canopies and marquees (with signs which may be affixed thereto) which may

encroach a reasonable distance (not to exceed fifteen feet (15')) over or upon, as the case may be, the sidewalks and walkways contiguous to the Building Area. The Building in each Building Area may, but need not be developed to the full gross square footage of Floor Area as set forth on Exhibit "C"; provided, however, except as provided in the preceding sentence, no Building located on any Building Area may be extended beyond the boundaries of the Building Area as shown on Exhibit "C", nor may a Building be enlarged after it is initially contracted in such a manner that will create more gross Floor Area or reduce parking area, such as additions extending over present Common Areas, or basements, without the prior written consent of K mart and all the Responsible Owners, which consent shall not be unreasonably withheld if such additions do not materially and adversely impact upon or affect traffic flow, visibility, parking upon and access with respect to the Shopping Center and the respective Building Area.

4.05. Outlot Building Size and Location. The area designated as Outlot 1 on Exhibit "C" may be developed into not more than one (1) Building, which shall not exceed seven thousand square feet (7,000 sq. ft.) in Floor Area. The area designated as Outlot 2 on Exhibit "C" may be developed into not more than one (1) Building which shall not exceed five thousand square feet (5,000 sq. ft.) in Floor Area. The area

designated as Outlot 3 on Exhibit "C" may be developed into not more than one (1) Building which shall not exceed three thousand five hundred square feet (3,500 sq. ft.) in Floor Area. The exact location and size of the Building located on each Outlot shall be subject to the joint approval of the Owner of the Outlot and Declarant.

4.06. Maintenance of Buildings. The Owner of each Building Area in the Shopping Center shall maintain, or cause to be maintained, in a safe, clean, and tenantable condition and in good order and repair, consistent in manner and appearance with a first-class shopping center, all buildings (including, but not limited to, all loading docks, truck facilities, and compactor areas) located on its respective Building Area.

ARTICLE V

COMMON AREAS

5.01. Use of Common Areas. The Common Areas shall be used for the following purposes only:

(a) The parking of passenger vehicles and pedestrian and vehicular traffic.

(b) The installation, maintenance, and operation of underground common and/or public utilities services serving any of the Building Areas, together with and including vaults, manholes, meters, pipelines,

valves, hydrants, sprinkler controls, conduits, and related facilities on site, storm drainage piping, and retention and detention ponds, and related facilities, and sewage facilities, all of which (except hydrants) shall, to the extent reasonably possible, be even with or below the surface of the ground.

(c) The location of mail boxes, public telephones, newspaper racks, and benches for the comfort and convenience of customers, visitors, invitees, licensees, and patrons of mercantile, restaurants, business or professional establishments and occupants located or to be located upon any of the Building Areas or any portion thereof, as the Declarant and its legal representatives, successors, assigns, or grantees may from time-to-time deem appropriate.

(d) The construction, maintenance, repair, replacement, rearrangement, and reconstruction of parking sites or stalls, streets, sidewalks, ramps, driveways, lanes, curbs, gutters, traffic control areas, signals, traffic islands, and traffic and parking lighting facilities.

(e) The construction, maintenance, repair, replacement, and reconstruction of pylon signs (with appropriate underground electrical connections) , if otherwise permitted.

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(f) The construction, maintenance, repair, replacement, and reconstruction of any mall or landscaped areas including planters, planting boxes, edgers, decorative walls, and sprinklers and valves.

(g) The ingress and egress of customers, visitors, invitees, licensees, and patrons (and their vehicles) of mercantile, business, or professional establishments located on the Building Areas and to and from any public streets adjacent thereto, and the ingress and egress of delivery and service trucks and vehicles to and from the Building Areas or any portion thereof and to and from any public streets adjacent thereto, for the delivery of goods, wares, merchandise, and the rendition of services to Owners and their respective heirs, successors, grantees, assigns, and lessees.

(h) The ingress and egress of any of the persons designated in Paragraph (g) above and their vehicles, to and from any portion of any Building Area and to and from the public streets adjacent thereto.

(i) Subject to adequate provision for the uses set forth in the other paragraphs in this Section 5.01, the rearrangement and reconstruction of truck loading and unloading areas, including ramps, docks, and similar facilities and trash, refuse, and garbage container storage areas.

(j) The temporary parking of trucks, tractors, trailers, and other delivery vehicles used in conjunction with the exercise of any of the activities described in Paragraph (g) above.

(k) Subject to the foregoing limitations and restrictions, during the course of construction of any Buildings which may hereafter be constructed upon any of the Building Areas, those portions of the Common Areas immediately adjacent thereto may be used by the Owner of the Building Area, or, with such Owner's written consent, by the tenant thereof for the temporary storage of construction materials and equipment used and to be used in connection with the construction of the Building, provided that such use thereof does not unreasonably interfere with the normal use of such Common Areas; provided, however, that no such temporary storage shall be allowed on the K mart Parcel without the prior written consent of K mart if then a lessee.

5.02. Prohibited Use of Common Areas. The Common Areas shall not at any time be used for the parking of trucks (other than passenger trucks) or the loading or unloading thereof, except for the parking, loading or unloading of trucks during and in connection with construction of Buildings upon any of the Building Areas and the servicing and supplying of Building Areas; provided, however, that if at all possible such service and supplies shall be provided to the Building

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Areas from the Common Area at the rear of the Building Areas, the delivery or removal of trade fixtures, including signs, or the construction, repair, or maintenance of parking areas and improvements and facilities herein permitted, upon the condition, however, that any such use shall be confined to the portion of the Common Areas which is reasonably necessary in connection with the matters herein specified and shall be diligently and promptly completed.

5.03. Parking and Associated Areas. All driving aisles, parking aisles, driveways, and parking areas contained within the Common Areas shall be properly graded, leveled, and paved with concrete or asphalt and shall also be properly marked with painted lines for the orderly flow of traffic and the parking of motor vehicles. All parking areas within the common Areas shall be provided with appropriate access to driving aisles and driveways of adequate width.

5.04. Lighting. All parking areas within the Common Areas shall be illuminated during business hours occurring during darkness and for a reasonable period prior and subsequent thereto.

5.05. No Changes in Traffic Patterns. Following the completion of the construction of the Buildings or similar structures on the Building Areas the sizes and arrangements of those portions of the Common Areas then used for parking areas and the traffic circulation and flow patterns on the

Common Areas shall not be changed or altered without the prior written consent of the Responsible Owners and K mart, if K mart is then a lessee with respect to the K mart Parcel, which consent shall not be unreasonably withheld.

ARTICLE VI

EASEMENTS

6.01. Grant and Declaration of Reciprocal Easements. Declarant hereby grants to each and every Owner and their respective successors, assigns, mortgagees, lessees, sublessees, employees, agents, customers, licensees, and invitees, and declares for the benefit of each of the respective Building Areas within the Shopping Center permanent, mutual, reciprocal, and non-exclusive easements and rights to use the Common Areas for the purposes for which they are provided and intended, including, but not limited to, ingress, egress, access, and parking for vehicular or pedestrian traffic, upon or across the parking areas, entrances, exits, driveways, walks, or service drives located within the Common Areas and the use of storm drainage and retention facilities, landscaping, public rest rooms, if any, and other public facilities, directional signs and other areas intended for common use.

6.02. Separate Utility Lines. Declarant hereby grants to each and every Owner, respectively, nonexclusive

easements in, to, over, under, and across the Common Areas of the respective Building Areas (and those portions of said Building Areas identified as Outlots 1, 2, and 3, upon which no Building has been constructed, provided that no such easement shall encroach more than fifteen feet within any boundary of said Outlot without the prior written consent of the Owner thereof) for the installation, operation, flow, and passage, use, maintenance, repair, relocation and removal of sanitary sewers, storm drains, retention and detention ponds, water and gas mains, electrical power lines, telephone lines and other utility lines, all of such sewers, drains, mains, and lines to be underground, serving the respective Building Areas of each of the Owners. However, the easement for separate utility lines provided herein shall be limited to such portion of the Common Areas as necessary to provide reasonable utility services to each Building Area together with such area on both sides of the utility line as is the ordinary custom and practice in the industry to provide for the installation, operation, and maintenance of the utility. The easements shall be defined and placed of record in conjunction with installation. All separate utility easements shall, to the extent possible, follow the most direct route to tie into common transmission lines except where such direct route would unnecessarily disrupt or damages Buildings and/or structures located upon the Common Areas or Building Areas.

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6.03. Common Utility Lines. Declarant hereby grants to each and every Owner, respectively, nonexclusive easements in, to, over, under, and across the Common Areas of the respective Building Areas (and those portions of said Building Areas identified as Outlots 1, 2, and 3, upon which no building has been constructed, provided that no such easement shall encroach more than fifteen feet within any boundary of said Outlot without the prior written consent of the Owner thereof) for the installation, operation, flow and passage, use, maintenance, repair, relocation and removal of sanitary sewers, storm drains, retention and detention ponds, water and gas mains, electrical power lines, cable television, telephone lines and other utility lines, all of such sewers, drains, mains, and lines to be underground, for the service of Common Areas and for use in common with other parties. Declarant hereby further reserves to each and every Owner the right to grant such easements in, to, over, under, and across its respective Building Areas, for the purposes hereinabove enumerated, to such other parties as may from time-to-time be entitled thereto. Easements identifying the exact location and use of such common utility lines shall be placed of record in conjunction with the installation of the utility.

6.04. Location of Utility Easements. The location of all utility easements of the character described in this Section shall be subject to the prior written approval of the

Owner in, to, over, and under whose Building Area the same is to be located. If requested by any utility company or any Owner upon completion of construction of such utility facilities the Owners of Building Areas affected thereby shall join in the execution of an agreement, in recordable form, appropriately identifying the type and location of such respective utility facility.

6.05. Installation, Maintenance and Repair. The grantee of any of the utility easements referred to in this Section shall be responsible as between the grantor and the grantee thereof for the installation, maintenance, and repair of all sanitary sewers, storm drains, pipes and conduits, mains and liens and related equipment installed pursuant to such grant. Any such maintenance and repair shall be performed only after two (2) weeks notice to the grantor of the grantee's intention to do such work, except in the case of emergency, and any such work shall be done without cost or expense to the grantor, and in such manner as to cause as little disturbance in the use of the Common Area or Building Area as may be practicable under the circumstances.

6.06. Relocation. At any time the grantor of any of the utility easements granted pursuant to this Section shall have the right to relocate on the land of the grantor any such sewers, drains, mains, and lines and related equipment then located on the land of the grantor, provided

that such relocation shall be performed only after thirty (30) days notice of the grantor's intention to so relocate shall be given to the grantee, and such relocation: (a) shall not interfere with or diminish the utility services to the grantee; (b) shall not reduce or unreasonably impair the usefulness or function of such utility; (c) shall be performed without cost or expense to grantee; and (d) shall be made in accordance with and subject to applicable municipal ordinances, building codes, regulatory review, etc. Notwithstanding such relocation, maintenance shall be the obligation of the grantee; provided that if there shall be any material increase in such cost, the grantor shall bear such excess.

6.07. Use of Easements. The easements and rights-of-way, established by this Section, shall be for the benefit of and restricted solely to the use of the Owners and their respective successors and assigns, the lessees and sub-lessees of the Owners, mortgagees under mortgages covering any of the Subject Land, beneficiaries and trustees under deeds of trust covering any of the Subject Land and to their agents, customers, employees, licensees, and business invitees and the same is not intended and shall not be construed as creating any rights in or for the benefit of the general public; provided further that the grant herein is subject to the provisions of Section 6.08 below.

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6.08. Right to Close Common Areas. Declarant for itself and the then Owners of any portion of the Common Areas reserves the right to close temporarily all or any portion of the Common Areas to such extent as in the opinion of Declarant or the then Owners of the Common Areas is legally necessary and sufficient to prevent the dedication thereof or any accrual of any rights therein in any person other than as created hereby or in the public generally.

6.09. No Further Easements. No Owner of any real property interest in the Subject Land shall grant any easement, right-of-way, or right of use with respect to any of the Common Areas, except as provided herein. Nor shall any such person grant any easement, right-of-way, or right of use with respect to any Building Area, the fee ownership of which is not vested in said party.

ARTICLE VII

CERTAIN RIGHTS AND OBLIGATIONS OF THE DECLARANTS

7.01. The Common Areas. The Declarant, subject to the rights and duties of the Owners as set forth in this Declaration, shall be responsible for the exclusive management and control of the Common Areas and all improvements thereon and shall keep the same in a good, clean, attractive, safe, and sanitary condition, order, and repair. The Declarant shall be responsible for the maintenance and repair of the

Common Areas, including, without limitation, painting thereof, snow and ice removal, repair and replacement of surfacing and maintenance of landscaping, walkways, and driveways. In particular, the Declarant shall be responsible for the maintenance of the roads and associated improvements located or to be located in whole or in part upon the Common Areas. The specification of duties of the Declarant with respect to particular Common Areas shall not be construed to limit its duties with respect to other Common Areas, as set forth in the first sentence of this section.

7.02. Manager. The Declarant may by written contract or agreement delegate in whole or in part to a professional Manager or lessee such of the Declarant's duties, responsibilities, functions, and powers hereunder as are properly delegable.

7.03. Miscellaneous Goods and Services. The Declarant may obtain and pay for the services of such personnel as the Declarant shall determine to be necessary or desirable for the proper operation of the Common Areas, whether such personnel are furnished or employed directly by the Declarant or by any person or entity with whom or which it contracts. The Declarant may obtain and pay for legal and accounting services necessary or desirable in connection with the operation of the Common Areas, the enforcement of this Declaration, or any other matter. In addition to the

foregoing, the Declarant may acquire and pay for water, sewer, garbage collection, electrical, gas, and other necessary or desirable utility services for the Common Areas, and insurance, bonds, and other goods and services.

7.04. Reimbursement of Common Area Expenses.

Within thirty (30) days after receipt of a statement there for, each Owner agrees to reimburse Declarant for its Pro Rata Share of the direct costs, including management, for operation, maintenance, repair, and improvements of the Common Areas in the Shopping Center and liability insurance, as set forth in this section. The term "Pro Rata Share" as used in this Section shall be the fractional share determined by the fraction, the numerator of which is the total square footage of the Floor Area of the Buildings on the Owner's Building Area (which are constructed, ready and available for occupancy) and the denominator of which is the total square footage of all Buildings (which are constructed, ready and available for occupancy) in the Shopping Center; provided, however, that the formula for the Pro Rata Share of expenses for lighting standards and landscaping may be revised at Declarant's discretion to take into account a Building or Buildings longer use of said utility as a result of its longer business hours, or the Owner desires to upgrade landscaping and maintenance upon their respective Building Areas. Notwithstanding anything herein, no Owner shall be responsible

for payment until the Building constituting the Floor Area used in the formula hereunder is constructed and ready and available for occupancy. All sums assessed to any parcel pursuant to this Declaration, together with interest, collection costs, and attorneys' fees as provided herein, shall be secured by a consensual lien upon such parcel in favor of the Declarant, its successors and assigns. The purchaser of each Building Area, or portion thereof, by his acceptance of a Deed, covenants and agrees to pay Common Area Assessments imposed hereunder and consents to the imposition of a lien upon its Building Area in the event of non-payment. Declarant, its successors or assigns, may record a written notice of lien setting forth the amount of assessments, the due date, and the amount remaining to be paid upon each Building Area or portion thereof. The Declarant, its successors or assigns, may collect upon a lien in contract or by judicial foreclosure as provided for under the laws of the State of Oregon. In the event of foreclosure or any other method of collection other than foreclosure, the Owner shall be required to pay the costs and expenses of such proceeding, including reasonable attorneys' fees.

7.05. Common Area Liability Insurance. Declarant shall, at all times, maintain, or cause to be maintained, general public liability insurance against claims for personal injury or death and property damage occasioned by accident

occurring upon, in or on the Common Areas such insurance in each case to afford protection to the limits as determined adequate by the Declarant and consented by the Owners, which consent shall not be unreasonably withheld. Declarant, with the consent of the Owners, which consent shall not be unreasonably withheld, may from time-to-time increase or decrease the amounts of insurance maintained hereunder to reflect any actual and substantial decrease in the value of the dollar or increase in risk occurring after the date of this Agreement.

Each Owner shall reimburse Declarant for its Pro Rata Share of the premium for such insurance within thirty (30) days after receipt of a statement of the premium due therefor.

7.06. Real and personal property. The Declarant may acquire and hold real, personal, and mixed property of all types for the use or benefit of all of the Owners and may dispose of such property by sale or otherwise.

7.07. Rules and Regulations. The Declarant may make reasonable rules and regulations governing the use of the Common Areas, which rules and regulations shall be consistent with the rights and duties established in this Declaration and with the terms and conditions of the long-term lease of K mart, so long as K mart shall remain a tenant within the Shopping Center. The Declarant may take judicial action

against any Owner to enforce compliance with such rules and regulations or other obligations of Owners arising hereunder, or to obtain damages for noncompliance therewith, as permitted by law. In the event of such judicial action, the Declarant shall be entitled to recover its costs, including reasonable attorneys' fees, from the offending Owner.

7.08. Implied Rights. The Declarant may exercise any right or privilege given to it expressly by this Declaration or by law, and every other right or privilege reasonably implied from the existence of any right or privilege given to it herein or reasonably necessary to effectuate any such right or privilege.

ARTICLE VIII

CONDEMNATION

8.01. Condemnation. If at any time or times all or any part of the Subject Land shall be taken or condemned by any public authority under power of eminent domain, the provisions of this article shall apply. A voluntary sale or conveyance of all or any part of the Subject Land in lieu of condemnation but under threat of condemnation, shall be deemed to be a taking by eminent domain.

8.02. Proceeds. All compensation, damages, and other proceeds from any such taking by power of eminent domain (hereinafter the "Condemnation Award") attributable to the

value of any land within the Common Areas shall be payable only to the Owner thereof and no claim thereon shall be made by Owners; provided, however, that all Owners may file collateral claims with the condemning authority over and above the value of the land and improvements located within the Common Areas so taken to the extent of any damage suffered by their respective Building Areas resulting from severance of the appurtenant portions of the Common Areas so taken. The Owner of the portions of the Common Areas so condemned shall promptly repair and restore the remaining portion of the Common Areas so owned by such Owner as near as practicable to the condition of the same immediately prior to the condemnation and without contribution from any other Owner; provided, however, that the obligation to repair or reconstruct shall be limited such that the cost thereof shall not exceed the amount of the Condemnation Award payable to the Owner of the Common Areas so condemned, less said Owner's costs, including, but not limited to, attorneys' fees and court costs arising out of the condemnation proceedings.

ARTICLE IX

APPROVALS

Upon receipt by an Owner of a request for approval, such Owner shall, within thirty (30) days after receipt of such request for approval, notify in writing the party making

such request of any objections thereto (such objections to be specifically stated) and such party may within fifteen (15) days thereafter resubmit its request for approval rectifying any such objections to the appropriate Owner. The Owner shall then have an additional fifteen (15) days after receipt of said revisions to approve or disapprove same. Failure to give any written notice of disapproval within the periods provided for above shall constitute approval thereof by such Owner.

ARTICLE X

ENFORCEMENT

10.01. The right to enforce the terms, covenants, and easements contained herein shall belong only to the Owners, lessees of the Owners, if any, and to mortgagees under mortgages covering any of the Subject Land and beneficiaries and trustees under- deeds of trust covering any of the Subject Land of the Owners, provided that the lease or memorandum of lease in favor of such lessee, mortgage in favor of such mortgagee, or deed of trust in favor of such beneficiary and trustee is recorded in the office of the Recorder of Wasco County, State of Oregon.

10.02. In the event of any violation or threatened violation of any of the terms, restrictions, or covenants contained herein, any person entitled to enforce this Declaration will have, in addition to the right to collect

damages, the right to enjoin such violation or threatened violation in a court of competent jurisdiction.

10.03. If performance of any act or obligation of any party is prevented or delayed by an act of God, war, labor disputes, or other cause or causes beyond the reasonable control of such party, the time for the performance of the act or obligation shall be extended for the period that such act or performance is actually delayed or prevented by any such cause.

10.04. In the event that any suit is brought for the enforcement of any provision of this Declaration or as the result of any alleged breach thereof or for a declaration of rights and duties hereunder, the successful party or parties to such suit shall be entitled to collect reasonable attorneys' fees from the losing party or parties and any judgment or decree rendered shall include an award thereof.

10.05. It is expressly agreed that no breach or violation of this Declaration will terminate this Declaration, but this limitation will not affect, in any manner, any other rights or remedies for any breach of this Declaration.

10.06. A breach or violation of any of the terms, covenants, or restrictions of this Declaration will not defeat or render invalid the lien of any first mortgage or first deed of trust, made in good faith and for value, or any mortgages securing construction financing on the K mart Building Area

or any other Building Area, but such term, covenants, or restriction will be binding on and be effective against anyone whose title to any portion of the Subject Property is acquired by foreclosure, trustee's sale, or otherwise.

10.07. The specified remedies to which any person entitled to enforce this Declaration may resort under the terms of this Declaration are cumulative and are not intended to be exclusive of any other remedies or means of redress to which any person entitled to enforce this Declaration may be lawfully entitled in case of any breach or threatened breach of any provision of this Declaration. Failure to insist in any one or more cases upon the strict performance of any of the covenants of this Declaration or to exercise any remedy herein contained shall not be construed as a waiver or a relinquishment for the future of such covenant or remedy.

ARTICLE XI

DURATION

This Declaration and each easement, covenant, condition, and restriction hereby created shall continue for a period of fifty (50) years from the date hereof, or for such longer period so long as K mart is a lessee with respect to the K mart Parcel under the K mart Lease, unless terminated, modified, or amended by an instrument executed as herein set forth and duly recorded in the office of the Recorder of Wasco County, State of Oregon.

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ARTICLE XIIAMENDMENTS OF MODIFICATIONS

12.01. Consent to Modification. This Declaration and any provision, covenant, or easement contained herein may be terminated, extended, modified, or amended with the written consent of all of the then Responsible Owners, including K mart, if then a lessee with respect to the K mart Parcel, each mortgagee under mortgages covering any of the Subject Land, and each beneficiary and trustee under trust deeds covering any of the Subject Land; provided, however, that no termination, modification, or amendment shall be made that will restrict or limit ingress, egress, and access between Tract B, as set forth and defined in the subdivision plat pertaining to the Shopping Center as recorded with the County Clerk of Wasco County and at least one dedicated street, in violation of a statute, ordinance or provision of law; and further; provided, however, that no termination, extension, modification or amendment of this Declaration shall be effective unless a written instrument setting forth the terms thereof has been executed as herein provided, acknowledged, and recorded in the office of the Recorder of Wasco County, State of Oregon.

12.02. No Consent of Other Persons. Anything in this Article XII to the contrary notwithstanding, no lessee or licensee or any other person having any interest in the

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Subject Land other than those persons specifically designated in Section 12.01 above need consent to any termination, extension, modification, or amendment of this Declaration or any part hereof.

ARTICLE XIII

MISCELLANEOUS

13.01. Not a Public Dedication. Nothing contained in this Declaration shall be deemed to be a gift or dedication of any portion of the Subject Land to the general public or for the general public or for any public purpose whatsoever, it being the intention that this Declaration will be strictly limited to and for the purpose expressed herein.

13.02. Severability. If any clause, sentence, or other portion of the terms, covenants, or restrictions of this Declaration becomes illegal, null, or void for any reason, or is held by any Court of competent jurisdiction to be so, the remaining portions shall remain in full force and effect.

13.03. Dominant and Servient Estates. Each and all of the easements and rights granted or created herein are appurtenances to the applicable portions of the Subject Land and none of such easements and rights may be transferred, assigned, or encumbered except as an appurtenance to such portions. For the purposes of such easements and rights, the property benefited shall constitute the dominant estate, and

the particular areas of the Subject Land which respectively are burdened by such easements and rights shall constitute the servient estate.

13.04. Covenants Run with Land. Each and all of the covenants, restrictions, and provisions contained in this Declaration (whether affirmative or negative in nature) (a) are made for the direct, mutual, and reciprocal benefit of each parcel hereinabove described; (b) will create mutual equitable servitudes upon each parcel of land in the Subject Land in favor of the Subject Land; (c) will bind every person having any fee, leasehold, or other interest in any portion of the Subject Land at any time or from time-to-time to the extent that such portion is affected or bound by the covenant, restriction, or provision is to be performed on such portion; and (d) will inure to the benefit of the Declarants and their respective successors and assigns as to the respective parcels of land in the Subject Land and to the benefit of mortgagees under mortgages covering the Subject Land and beneficiaries and trustees under trust deeds covering the Subject Land.

13.05. Compliance with Laws. All Owners shall comply promptly with all federal, state, and municipal statutes and ordinances, and with all regulations, orders, and directives of appropriate governmental agencies pertaining to the use of occupancy of the Subject Land, as such statutes,

ordinances, regulations, orders, and directives now exist or may hereafter provide.

13.06. Benefit and Burden. The terms, covenants, and conditions contained herein shall inure to the benefit of and shall be binding upon the Declarant, all Owners, and any other person having any interest in the Subject Land and their respective legal representatives, successors, and assigns.

13.07. Intent and Purpose. The provisions of this Declaration, and any Supplemental or Amended Declaration, shall be liberally construed to effectuate the purpose of creating a uniform plan for the development and operation of a shopping center. Failure to enforce any provision, restriction, covenant, or condition in this Declaration, or in any Supplemental or Amended Declaration, shall not operate as a waiver of any such provision, restriction, covenant, or condition or of any other provisions, restrictions, covenants, or conditions.

13.08. Construction. Wherever used herein, unless the context shall otherwise provide, the singular number shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders. The articles and section headings set forth herein are for convenience and reference only and are not intended to describe, interpret, define, or otherwise affect the content, meaning, or intent of this Declaration or any article, section, or provision

hereof. The provisions hereof shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall no affect the validity or enforceability of any other provision hereof.

13.09. Registration of Mailing Address. Each Owner shall register from time-to-time with the Declarant its current mailing address. All notices or demands intended to be served upon any Owner may be sent by first-class U.S. mail, postage prepaid, addressed to the Owner at its registered mailing address, or, if no address has been registered, to the Building Area of such Owner. All notices or demand intended to be served upon the Declarant may be sent by first-class U.S. registered or certified mail, postage prepaid, addressed to the Declarant at its offices at 74 East 500 South, Suite 200, Bountiful, UT 84010, or to such other address as the Declarant may hereafter furnish to the Owners in writing. Any notice or demand referred to in this Declaration shall be deemed given when deposited in the U.S. mail, postage prepaid, and in the form provided for in this section.

13.10. Effective Date. This Declaration shall take effect immediately upon recording.

13.11. Owner Obligations. All obligations of each Owner under and by virtue of the provisions contained in this Declaration shall continue, notwithstanding that it may be


leasing, renting, or selling its Building Area under contract. The Owner shall have no obligation for expenses or other obligations accruing after it conveys the fee title for such Building Area to another party.

IN WITNESS WHEREOF, Declarant has duly executed this Declaration the day and year first above written.

GFI-THE DALLES INVESTMENTS,
LTD., a Utah Limited
Partnership

By: WALT GASSER & ASSOCIATES,
INC., General Partner

By:

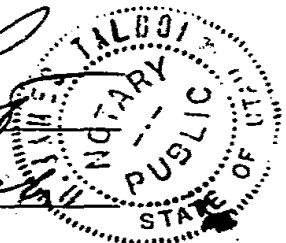

G. Walter Gasser
President

STATE OF UTAH)
:
COUNTY OF SALT LAKE)

On the 12th day of August, 1989, personally appeared before me G. Walter Gasser, the signer of the foregoing Declaration, who being by me duly sworn, did say that he is the president of Walt Gasser & Associates, Inc., the General Partner of GFI-The Dalles Investments, Ltd., a Utah limited partnership, and that he was authorized to, and did, execute the foregoing Declaration as General Partner in said partnership.


NOTARY PUBLIC

Residing in



11/09/91
My Commission Expires
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**PROPERTY DESCRIPTION
for
SESSIONS MANAGEMENT COMPANY**

**PHASE I
TRACT A**

A tract of land situated and being a portion of Lots 17, 18 and 19, SNIPES ACRES, in Sections 32 and 33, Township 2 North, Range 13 East, Willamette Meridian, County of Wasco, State of Oregon, more particularly described as follows.

Commencing at a point on the South line of the Charles W. Shaug Donation Land Claim No. 41 of said Township and Range, said point being South 89°34'05" West when measured along said DMC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission DMC No. 43 in said Township and Range, said point further being a distance of 780.00 feet when measured at right angles from the southwesterly right-of-way line of the South Frontage Road, also known as West 6th Street; thence North 19°11'55" West on a line parallel with and 780.00 feet southwesterly when measured at right angles from the southwesterly line of said Frontage Road 40.00 feet to the true point of beginning of this description; thence continuing along said line North 19°11'55" West 627.99 feet to the southerly right-of-way line of relocated Snipes Avenue as described in Instrument No. 80-3310 to Wasco County, Oregon; thence along said relocated right-of-way line on the arc of a 542.96 foot radius curve concave right 157.76 feet (the chord of which bears North 81°12'39" East 157.21 feet); thence North 89°32'05" East (South 89°59'30" East, Oregon Coordinate System Grid Bearing) 301.84 feet; thence along the arc of a 602.96 foot radius curve concave left 193.03 feet (the chord of which bears North 80°21'48" East 192.28 feet) to a point which is 150.00 feet southwesterly when measured at right angles from the southwesterly line of the said Frontage Road; thence South 19°11'55" East on a line that is parallel with and 150 feet southwesterly of said Frontage Road 265.10 feet; thence North 70°48'05" East 150.00 feet to the southwesterly line of said Frontage Road; thence South 19°11'55" East along said Frontage Road line 76.00 feet; thence leaving said line at right angles South 70°48'05" West 150.00 feet; thence South 19°11'55" East parallel with and 150 feet southwesterly of said Frontage Road 169.62 feet; thence South 70°48'05" West 164.00 feet; thence North 19°11'55" West 73.00 feet; thence South 70°48'05" West 139.00 feet; thence North 19°11'55" West 42.00 feet; thence South 70°48'05" West 197.00 feet; thence South 19°11'55" East 75.00 feet; thence South 70°48'05" West 130.00 feet to the true point of beginning of this description.

Contains 7.87 acres, more or less.

Bearings based on True North, except as noted
for Oregon Coordinate System Grid Bearing.

SUBJECT TO all rights-of-way, easements and
agreements of record.



EXHIBIT "A"

901266

EXHIBIT 1
39 of 64

**PROPERTY DESCRIPTION
for
SESSIONS MANAGEMENT COMPANY**

TRACT B

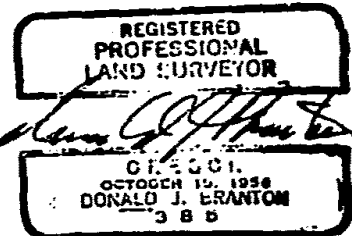
A tract of land situated and being a portion of Lots 18 and 19, SNIPES ACRES, in Section 32, Township 2 North, Range 13 East, Willamette Meridian, County of Wasco, State of Oregon, more particularly described as follows.

Beginning at a point on the South line of the Charles W. Shaug Donation Land Claim No. 41 in said Township and Range, which point is South 89°34'05" West when measured along said DLC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission DLC No. 43 in said Township and Range, said point further being a distance of 780.00 feet when measured at right angles from the southwesterly right-of-way line of West 6th Street, also known as South Frontage Road; thence North 19°11'55" West on a line which is parallel with and 780 feet southwesterly when measured at right angles from the southwesterly right-of-way of said Frontage Road, a distance of 40.00 feet; thence North 70°48'05" East 130.00 feet; thence North 19°11'55" West 75.00 feet; thence North 70°48'05" East 197.00 feet; thence South 19°11'55" East 42.00 feet; thence North 70°48'05" East 139.00 feet; thence South 19°11'55" East 73.00 feet; thence South 70°48'05" West 466.0 feet to the true point of beginning of this description.

Contains 0.87 acre, more or less.

Bearings based on True North.

SUBJECT TO all rights-of-way, easements, and agreements of record.



PHASE II EXHIBIT "B"

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EXHIBIT 1
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PROPERTY DESCRIPTION FOR SESSIONS MANAGEMENT COMPANY

TRACT C

A tract of land situated and being a portion of Lots 17, 18 and 19, SNIPES ACRES, a portion of lots 4 and 5, MISSION PARK TRACTS, a portion of Government Lot 5 in Section 32, and a portion of Government Lot 7 in Section 33, Township 2 North, Range 13 East of the Willamette Meridian, County of Wasco and State of Oregon, more particularly described as follows:

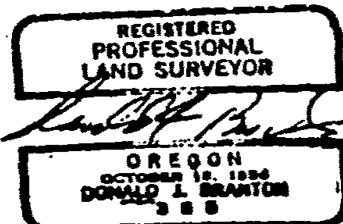
Commencing at the one-quarter corner common to said Sections 32 and 33; thence South 26°21'50" East 177.39 feet to a 5/8 inch iron rod, found at the intersection of the Northeast line of Seventh Street and the Northwest line of Myrtle Street; thence along the Northwest line of said Myrtle Street, North 48°45'30" East 644.00 feet to a point of intersection with the southwesterly right-of-way line of Frontage Road, also known as Sixth Street, said right-of-way line being 60.00 feet southwesterly from the centerline of said Frontage Road; thence along said right-of-way line on a 2351.81 foot radius curve concave to the Northeast, through a central angle of 01°39'51" (chord bears North 20°01'50" West 68.31 feet), an arc distance of 68.31 feet to Oregon State Highway Division Stationing FR 2246+76.25 P.C.; thence continuing along said right-of-way line, North 19°11'55" West 433.53 feet to the most easterly corner of that certain tract conveyed by Warranty Deed, Raymond E. Schultens to Hosts of America, Inc., recorded October 31, 1983, Microfilm No. 83-2473; thence continuing along said right-of-way line North 19°11'55" West 197.75 feet to the most northerly corner of said Hosts of America tract and the true point of beginning of this description; thence leaving said right-of-way line and along the Northwest line of said Hosts of America tract South 66°27'23" West 460.63 feet to the northwesterly corner thereof, said point being on the northwesterly line of the St. Peters Catholic Mission DLC No. 43 of said Township and Range at the northeasterly corner of the southeasterly one-half of Lot 5, Mission Park Tracts, said point further being the northeasterly corner of that tract conveyed to Walter R. Peterson and Ida M. Peterson by deed recorded July 25, 1949, in Volume 116, page 507, Deed Records of Wasco County, Oregon; thence South 48°37'05" West along the northwesterly line of said Peterson Tract 346.33 feet, more or less, to a point which is 780.00 feet southwesterly when measured at right angles from the southwesterly line of said Frontage Road; thence North 19°11'55" West along a line that is parallel and 780.00 feet southwesterly from said right-of-way 435.16 feet to the South line of the Charles W. Shaug DLC No. 41 at a point which is South 89°34'05" West when measured along said DLC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission DLC No. 43; thence North 70°48'05" East 630.00 feet to a point 150.00 feet southwesterly (when measured at right angles) from the southwesterly right-of-way of said Frontage Road; thence South 19°11'55" East parallel with and 150.00 feet southwesterly from said right-of-way 240.77 feet; thence North 66°27'23" East 150.43 feet to said right-of-way; thence South 19°11'55" East along said southwesterly right-of-way line 40.12 feet to the true point of beginning.

Contains 4.94 acres, more or less.

Bearings based on true North.

SUBJECT TO all rights-of-way, easements,
and agreements of record.

PHAC CONT. EXHIBIT "B"



901266(49)

EXHIBIT 1
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**PROPERTY DESCRIPTION
for
SESSIONS MANAGEMENT COMPANY**

LOT 1

A tract of land situated and being a portion of Lots 17 and 18, SNIPES ACRES, in Sections 32 and 33, Township 2 North, Range 13 East, Willamette Meridian, County of Wasco, State of Oregon, more particularly described as follows.

Commencing at a point on the South line of the Charles W. Shaug Donation Land Claim No. 41 of said Township and Range, said point being South 89°34'05" West when measured along said DLC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission DLC No. 43 in said Township and Range, said point further being a distance of 780.00 feet when measured at right angles from the southwesterly right-of-way line of the South Frontage Road, also known as West 6th Street; thence North 70°48'05" East on a line perpendicular to the right-of-way line of said Frontage Road 780.00 feet to the southwesterly line of the said Frontage Road; thence along said line North 19°11'55" West 245.62 feet to the true point of beginning of this description; thence leaving said line at right angles South 70°48'05" West 150.00 feet; thence North 19°11'55" West on a line parallel with and 150.00 feet southwesterly when measured at right angles from said Frontage Road line 265.10 feet to the southerly line of relocated Snipes Avenue as described in Right-of-Way Instruments 80-3310 and 81-2330 to Wasco County, Oregon; thence northeasterly along said line on the arc of a 602.96 foot radius curve concave left 6.57 feet (the chord of which bears North 70°53'05" East 6.57 feet); thence continuing along said right-of-way line North 70°51'00" East 143.43 feet to the southwesterly line of said Frontage Road; thence South 19°11'55" East along said Frontage Road 264.97 feet to the true point of beginning of this description.

Contains 0.91 acre, more or less.

Bearings based on True North.

SUBJECT TO all rights-of-way, easements and agreements of record.



PHASE II EXHIBIT "B"

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EXHIBIT 1
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**PROPERTY DESCRIPTION
FOR
SESSIONS MANAGEMENT COMPANY**

LOT 2

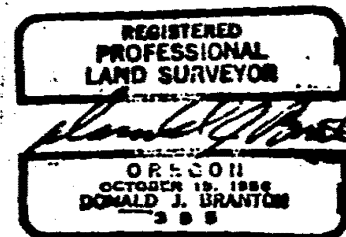
A tract of land situated and being a portion of Lot 17, SNIPES ACRES, in Section 33, Township 2 North, Range 13 East, Willamette Meridian, County of Wasco, State of Oregon, more particularly described as follows.

Commencing at a point on the South line of the Charles W. Shaug Donation Land Claim No. 41 of said Township and Range, said point being South 89°34'05" West when measured along said MLC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission MLC No. 43 in said Township and Range, said point further being a distance of 780.00 feet when measured at right angles from the southwesterly right-of-way line of the South Frontage Road, also known as West 6th Street; thence North 70°48'05" East on a line perpendicular to the right-of-way line of said Frontage Road 630.00 feet to a point 150.00 feet southwesterly when measured at right angles from the southwesterly line of said Frontage Road and true point of beginning; thence North 19°11'55" West on a line parallel with and 150.00 feet southwesterly from the southwesterly line of said Frontage Road 169.62 feet; thence North 70°48'05" East 150.00 feet to the southwesterly right-of-way line of said Frontage Road; thence South 19°11'55" East along said right-of-way line 239.00 feet; thence South 70°48'05" West 150.00 feet; thence North 19°11'55" West 69.38 feet to the point of beginning of this description.

Contains 0.82 acre, more or less.

Bearings based on True North.

SUBJECT TO all rights-of-way, easements and agreements of record.



PHASE II CONT. EXHIBIT "B"

901266

EXHIBIT 1
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PROPERTY DESCRIPTION FOR SESSIONS MANAGEMENT COMPANY

LOT 3

A tract of land situated and being a portion of Lot 17, SNIPES ACRES, and a portion of Government Lot 7, in Section 33, Township 2 North, Range 13 East, Willamette Meridian, County of Wasco, State of Oregon, more particularly described as follows.

Commencing at a point on the South line of the Charles W. Shaug Donation Land Claim No. 41 of said Township and Range, said point being South 89°34'05" West when measured along said BLC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission BLC No. 43 in said Township and Range, said point further being a distance of 780.00 feet when measured at right angles from the southwesterly right-of-way line of the South Frontage Road, also known as West 6th Street; thence North 70°48'05" East on a line perpendicular to the right-of-way line of said Frontage Road 630.00 feet to a point 150.00 feet southwesterly when measured at right angles from the southwesterly line of said Frontage Road; thence South 19°11'55" East on a line parallel with and 150 feet southwesterly from said Frontage Road 69.38 feet to the true point of beginning of this description; thence North 70°48'05" East 150.00 feet to the southwesterly right-of-way line of said Frontage Road; thence South 19°11'55" East along said right-of-way line 160.00 feet to a point which is North 19°11'55" West when measured along said right-of-way line 40.12 feet from the most northerly corner of that certain tract conveyed by warranty deed from Raymond E. Schultens to Hosts of America, Inc., recorded October 31, 1983, in Microfilm No. 83-2473, Microfilm Records of Wasco County, Oregon; thence leaving said right-of-way line South 66°27'23" West parallel with the Northwest line of said Hosts of America tract 150.43 feet; thence North 19°11'55" West 171.40 feet to the true point of beginning of this description.

Contains 0.57 acre, more or less.

Bearings based on True North.

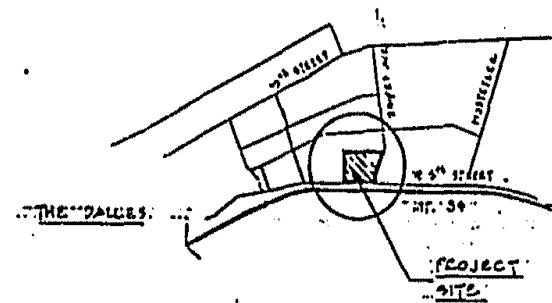
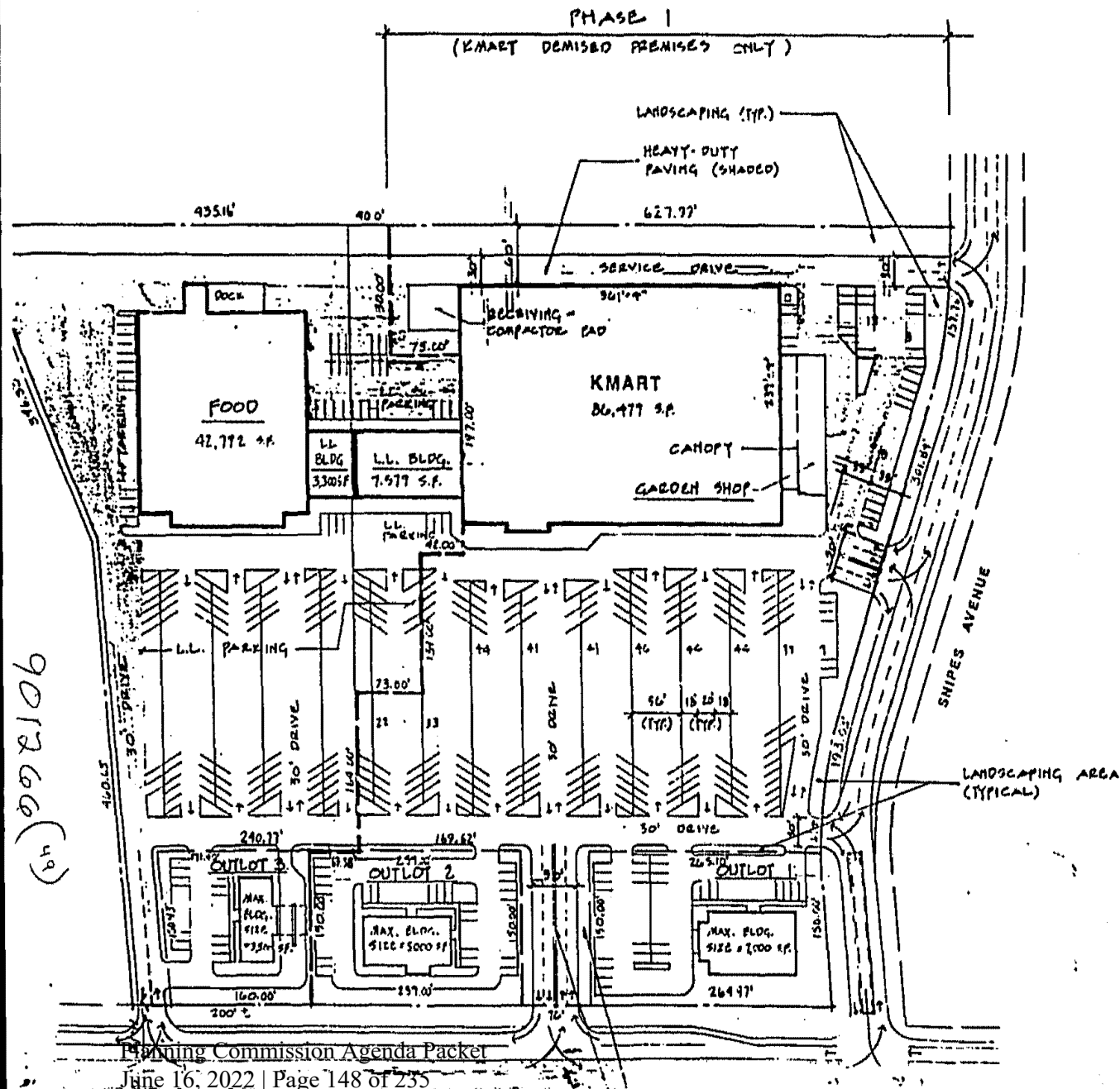
SUBJECT TO rights-of-way, easements, agreements of record.



PHASE II CONT. EXHIBIT "B"

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EXHIBIT 1
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VICINITY PLAN
NO SCALE

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS AND GRANT
OF EASEMENTS**

THIS FIRST AMENDMENT to DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS is entered into to be made effective as of the 30th day of March, 1990, by and between GFI-THE DALLES INVESTMENTS, LTD., a Utah limited partnership ("Declarant-GFI"), C. HARPER MONROE and GLORIA M. SCHULTENS, Co-Trustees and Personal Representatives ("Schultens") and KMART CORPORATION, a Michigan Corporation ("Kmart").

WHEREAS, on or about the 30th day of March, 1990, Declarant-GFI recorded the Declaration of Covenants, Conditions and Restrictions and Grant of Easements ("Declaration") executed by Declarant-GFI on August 12, 1989, pertaining to the ownership and operation of a certain shopping center containing a parcel and building located thereon known as Kmart Store #3888 located in the City of The Dalles, Oregon; which shopping center land is referred to in the Declaration as the Subject Land and is more particularly described in Exhibit "A" attached to the Declaration, and

WHEREAS, Schultens are the Owners of the Expansion Land as defined in the Declaration, which is more particularly described in Exhibit "B" attached to the Declaration.

WHEREAS, the Declarant-GFI as Owner of the Subject Land, Schultens, as Owners of the Expansion Land, and Kmart, as a Responsible Owner as defined pursuant to the terms of the

913684(11)

913684

Declaration, now desire to modify certain provisions of said Declaration.

NOW, THEREFORE, Declarant-GFI, Schultens and Kmart hereby declare and agree as follows:

1. Pursuant to Article II, the Expansion Land as defined in Paragraph 1.03 of the Declaration shall be added to, redefined, and hereafter referred to in the Declaration as part of the Subject Land, and the parties agree and consent that Schultens, as the Owners of the Expansion Land, shall be subject to and bound by the Declaration with respect to its joint application to said Expansion Land and Subject Land, as set forth in the Declaration.

2. Exhibit "A" and Exhibit "B" attached to the Declaration are hereby deleted in their entirety and replaced by the Exhibit "A-1" attached hereto and incorporated herein by this reference. From and after the effective date above stated, any reference in the Declaration to Exhibit "A" and Exhibit "B" shall mean and refer to Exhibit "A-1".

3. Exhibit "C" attached to the Original Declaration is hereby deleted in its entirety and replaced by the Exhibit "C-1" attached hereto and incorporated herein by this reference. From and after the effective date above stated, any reference in the Declaration to the "Site Plan" or to Exhibit "C" shall mean and refer to the Site Plan which is attached hereto as Exhibit "C-1", and the "Building Areas",

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the "Common Areas" and the parking space and driveway configurations as referred to in said Declaration shall mean and include the Building Areas, Common Areas, and parking and driveway configurations which are designated on the Site Plan attached hereto as Exhibit "C-1".

4. Paragraph 3.03 shall be amended by adding the following:

Notwithstanding the foregoing, the configuration of the Buildings within the Building Areas designated "Food" and the adjacent "L.L. Building" as shown on Exhibit "C" may be revised without the consent of Kmart and the Responsible Owners, provided that the total area of the Buildings thereon is not increased and the Buildings thereon are not moved forward beyond the current front line of the Food Building Area.

5. Article VII shall be amended by adding the following subparagraphs:

7.09 Separate Maintenance of Parcel. Any Owner may, at any time during the period of this Declaration, submit to Declarant-GFI, its successors or assigns, a written request to assume and be responsible, at its own cost and expense, for any portion or all of the requirements of maintenance and repair of the Common Areas within the Parcel of said Owner, as set forth and required by Declarant-GFI under the terms and provisions

of this Article VII, including upon similar request the separate metering and responsibility for lighting of the Common Area within the Parcel, provided that said Owner's assumption of said obligation or obligations for separate maintenance and repair shall be subject to and contingent upon the execution of a separate written agreement, in recordable form, between the Owner and the Declarant-GFI, its successors or assigns, which sets forth in detail satisfactory to the Declarant-GFI, its successors or assigns (a) the separate items of maintenance and repair assumed by the Owner; (b) the items of maintenance and repair not assumed by the Owner; (c) the financial arrangement with the Declarant-GFI for payment of those items assumed by the Owner; (d) the financial arrangement with the Declarant-GFI for the continuing or modified obligation for payment and/or reimbursement on those items not assumed by the Owner; (e) the covenants and agreements as to guarantee of quality of the items of maintenance and repair assumed by the Owner; and (f) the provisions for the enforcement by the Declarant-GFI and/or by the remaining Owners of the obligations for maintenance and repair, including the payment therefor under the separate maintenance agreement.

7.10 Taxes. Each Owner shall pay, or cause to be paid, unless otherwise required by the terms of any

913684 (11)

lease, directly to the tax assessor, prior to delinquency, all real property taxes and other special taxes and assessments which may be levied or assessed against the Parcel owned by said Owner, including the portion of the Common Area within such Owner's Parcel, and including any assessment attributable to appurtenant interests created by this Agreement, subject to the right of any party to contest such taxes and assessments in the manner provided by law.

6. Except as specifically amended and clarified herein, the Declaration shall remain as originally set forth in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment in triplicate effective as of the day and year first above written.



Microfilm No. **913684 (11)**

INDEXED
COMPARED

FILED WASCO CTY
THE DALLES, OR:

OCT 21 12 19 PM '91

KAREN R. LEBRETON
COUNTY CLERK

STATE OF OREGON
County of Wasco

I certify that this document was received and recorded in the

DEED

records.

Karen R. Lebreton, County Clerk

by AB Deputy

Return to KEG

5

180618

GFI-THE DALLAS INVESTMENTS, LTD.,
a Utah Limited Partnership

BY: WALT GASSER & ASSOCIATES, INC.
a Utah corporation, as the
Managing General Partner

G. Walter Gasser
G. Walter Gasser, President

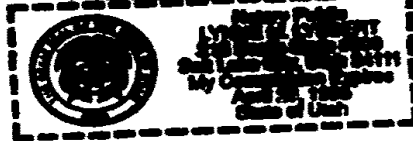
STATE OF Utah
COUNTY OF Salt Lake

On this 1st day of July, 1991, personally
appeared before me G. WALTER GASSER, who, by me duly sworn,
did say that he was the President of WALT GASSER & ASSOCIATES,
INC., a Utah Corporation, the General Partner of GFI-The
Dallas Investments, Ltd., a Utah Limited Partnership, and that
the foregoing instrument was signed on behalf of said
corporation by authority of its Bylaws or a resolution of its
Board of Directors, and said G. WALTER GASSER acknowledged to
me that said Corporation executed the same.

Lynne M. Lybhart
NOTARY PUBLIC

Residing at: Salt Lake City, UT

My Commission Expires: _____



STATE OF UTAH
COUNTY OF SALT LAKE
NOTARY PUBLIC
Lynne M. Lybhart
My Commission Expires 12/31/93

6

913684 (11)

KMART CORPORATION

By: M. L. SkilesIts: Senior Vice President

STATE OF MICHIGAN)
 : ss.
 COUNTY OF OAKLAND)

I do hereby certify that on this 12th day of June, 1991, before, Irene F. Hammond, a Notary Public in and for the County and State aforesaid, and duly commissioned, personally appeared M. L. Skiles and _____, known to me to be the Senior Vice President and _____ respectively of KMART CORPORATION, the corporation described in and which executed the foregoing instrument; that they know the seal of said corporation; that the seal affixed to said instrument is the corporate seal of said corporation; that, on behalf of said corporation and by order of its Board of Directors, they signed, sealed and delivered said instrument for the uses and purposes therein set forth, as its and their free and voluntary act; and that they signed their names thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Irene F. Hammond
 Notary Public

My commission expires:

IRENE F. HAMMOND
 Notary Public Macomb County Michigan
 My commission expires 7/24/91
 Acting in Oakland County

7

(1) 48081e

913684 (11)

C. HARPER MONROE

Dated: _____

STATE OF _____)
 :ss.
 COUNTY OF _____)

On this _____ day of _____, 1991, personally appeared before me C. HARPER MONROE, the signer of the above instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC
 Residing at: _____

My Commission Expires: _____

GLORIA M. SCHULTENS

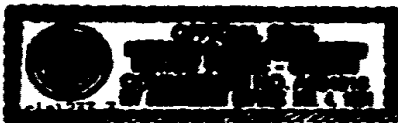
Dated: _____

STATE OF Oregon)
 :ss.
 COUNTY OF Wasco)

On this 17th day of June, 1991, personally appeared before me GLORIA M. SCHULTENS, the signer of the above instrument, who duly acknowledged to me that she executed the same.

NOTARY PUBLIC
 Residing at: _____

My Commission Expires: _____



8

913684 (11)

C. HARPER MONROE

Dated: 4-17-91STATE OF (Washington) :ss.
COUNTY OF (Cowlitz)

On this 17th day of June, 1991, personally appeared before me C. HARPER MONROE, the signer of the above instrument, who duly acknowledged to me that he executed the same.

Nadine E Shipley
NOTARY PUBLIC

Residing at: Longview, Wa

2-1-92
My Commission Expires:

GLORIA M. SCHULTENS

Dated: _____

STATE OF _____ :ss.
COUNTY OF _____

On this _____ day of _____, 1991, personally appeared before me GLORIA M. SCHULTENS, the signer of the above instrument, who duly acknowledged to me that she executed the same.

NOTARY PUBLIC

Residing at: _____

My Commission Expires: _____

8

913684 (11)

180012

A tract of land situated and being a portion of Lots 17, 18 and 19, SNIPES ACRES, a portion of lots 4 and 5, MISSION PARK TRACTS, a portion of Government Lot 5 in Section 32, and a portion of Government Lot 7 in Section 33, Township 2 North, Range 13 East of the Willamette Meridian, County of Wasco and State of Oregon, more particularly described as follows:

Commencing at the one-quarter corner common to said Sections 32 and 33; thence South $26^{\circ}21'50''$ East 177.39 feet to a $5/8$ inch iron rod, found at the intersection of the Northeast line of Seventh Street and the Northwest line of Myrtle Street; thence along the Northwest line of said Myrtle Street, North $48^{\circ}45'30''$ East 644.00 feet to a point of intersection with the southwesterly right-of-way line of Frontage Road, also known as Sixth Street, said right-of-way line being 60.00 feet southwesterly from the centerline of said Frontage Road; thence along said right-of-way line on a 2351.81 foot radius curve concave to the Northeast, through a central angle of $01^{\circ}39'51''$ (chord bears North $20^{\circ}01'50''$ West 68.31 feet), an arc distance of 68.31 feet to Oregon State Highway Division Stationing PR 2246+76.25 P.C.; thence continuing along said right-of-way line, North $19^{\circ}11'55''$ West 433.53 feet to the most easterly corner of that certain tract conveyed by Warranty Deed, Raymond E. Schultens to Hosts of America, Inc., recorded October 31, 1983, Microfilm No. 83-2473; thence continuing along said right-of-way line North $19^{\circ}11'55''$ West 197.75 feet to the most northerly corner of said Hosts of America tract and the true point of beginning of this description; thence leaving said right-of-way line and along the Northwest line of said Hosts of America tract South $66^{\circ}27'23''$ West 460.63 feet to the northwesterly corner thereof, said point being on the northwesterly line of the St. Peters Catholic Mission DLC No. 43 of said Township and Range at the northeasterly corner of the southeasterly one-half of Lot 5, Mission Park Tracts, said point further being the northeasterly corner of that tract conveyed to Walter R. Peterson and Ida M. Peterson by deed recorded July 25, 1949, in Volume 116, page 507, Deed Records of Wasco County, Oregon; thence South $48^{\circ}37'05''$ West along the northwesterly line of said Peterson Tract 346.33 feet, more or less, to a point which is 780.00 feet southwesterly when measured at right angles from the southwesterly line of said Frontage Road; thence North $19^{\circ}11'55''$ West along a line that is parallel and 780.00 feet southwesterly from said right-of-way 435.16 feet to the South line of the Charles W. Shang DLC No. 41 at a point which is South $89^{\circ}34'05''$ West when measured along said DLC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission DLC No. 43; thence continuing North $19^{\circ}11'55''$ West on a line parallel with and 780.00 feet southwesterly when measured at right angles from the southwesterly line of said Frontage Road 667.99 feet to the southerly right-of-way line of relocated Snipes Avenue as described in Right-of-Way Instrument Nos. 80-3310 and 81-2330 to Wasco County, Oregon; thence along said relocated right-of-way line on the arc of a 542.96 foot radius curve concave right 1571.76 feet (the chord of which bears North $81^{\circ}12'39''$ East 157.21 feet);

thence North $89^{\circ}32'05''$ East (South $89^{\circ}59'30''$ East, Oregon Coordinate System Grid Bearing) 301.84 feet; thence along the arc of a 602.96 foot radius curve left 199.60 feet (the chord of which bears North $80^{\circ}03'05''$ East 198.69 feet; thence North $70^{\circ}51'00''$ East 143.43 feet to the said southwesterly line of the Frontage Road; thence South $19^{\circ}11'55''$ East along said line 780.09 feet to the true point of beginning of this description.

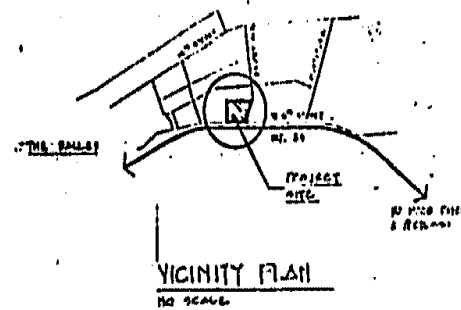
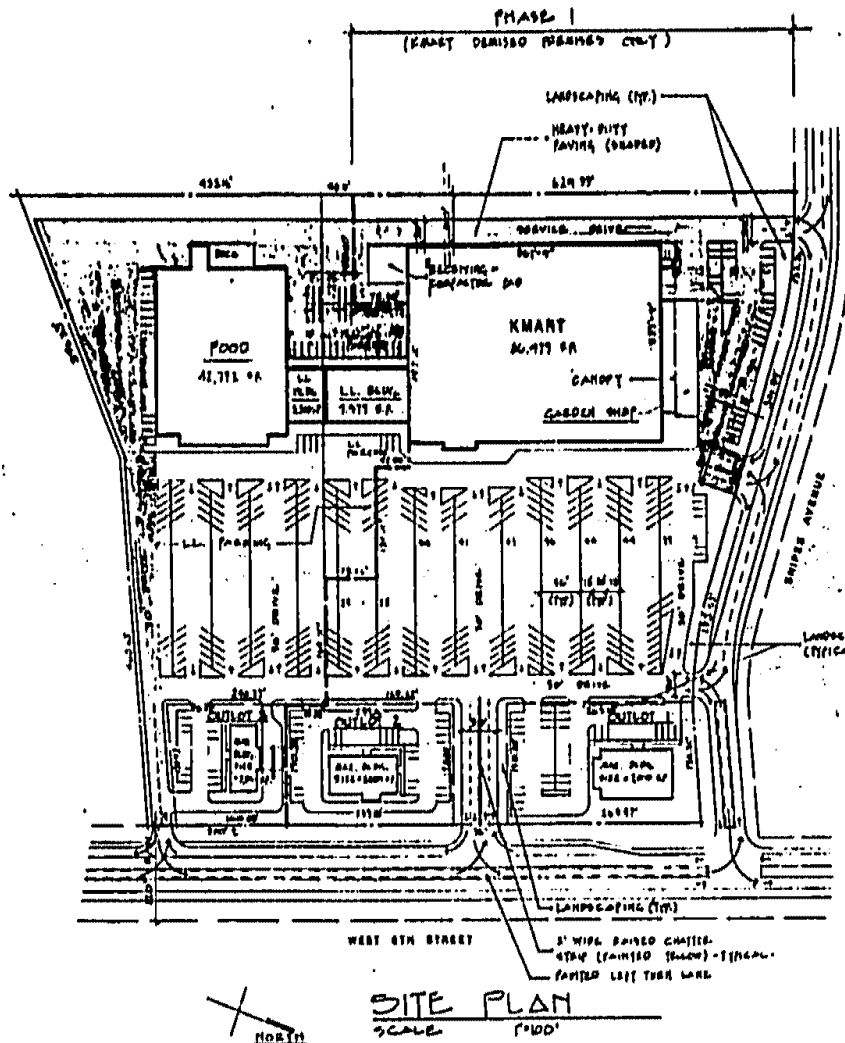
Contains 15.98 acres, more or less.

Bearings based on True North, except as noted for Oregon Coordinate System Grid Bearing.

EXHIBIT "A-1"

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EXHIBIT 1
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913684(1)

C-1

SITE AREA = 15.76 ACRES
(INCL. OUTLOTS)

KMARZ DEMISED AREA = 7.17 ACRES

PARKING = 6,472 SPACES (1.11 / 1,000 SF)
(NOT INCL. OUTLOTS)

KMARZ DEMISED PARKING = 1,100 SPACES (1.1 / 1,000 SF)
U.L. PARKING = 246 SPACES

DEVELOPER : WALT GASSER & ASSOCIATES

12 AUGUST 1991
REV. 11 OCT 1991
REV. 4 JUNE 1991

SITE PLAN

SHOPPING CENTER
THE DALLES, OREGON

DRESHER ASSOCIATES
ARCHITECT
10 EAST 100 SOUTH
SALT LAKE CITY, UTAH 84119
(801) 972-5100

Return to: KEG

**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS,
GRANT OF EASEMENTS**

This Second Amendment ("Second Amendment") to the Declaration of Covenants, Conditions and Restrictions, and Grants of Easements dated August 12, 1989 ("Original Declaration") is dated and shall be effective as of October 15, 1991 and is by GFI-THE DALLES INVESTMENTS, LTD., a Utah limited partnership (hereinafter referred to as "Declarant-GFI") and C. HARPER MONROE and GLORIA M. SCHULTENS, Co-Trustees and Personal Representatives (hereinafter referred to as "Schultens"). The Declarant-GFI and Schultens (hereinafter jointly referred to as "Declarants").

R E C I T A L S:

A. Declarant-GFI executed the Declaration as of December 12, 1989, and such Original Declaration was recorded as Document No. 901266 in the Records of Wasco County, State of Oregon and affects the land ("Subject Land") more particularly described on Exhibit "A-1" attached hereto and incorporated herein by reference.

B. Declarants executed a First Amendment to Declaration of Covenants, Conditions and Restrictions and Grant of Easements ("First Amendment") as of MARCH 30, 1990, and such First Amendment was recorded as Document No. 91-3684 in the records of Wasco County, State of Oregon.

C. Declarant-GFI, as Landlord, has executed a Lease Agreement with Kmart Corporation, as Tenant, ("Kmart Lease") dated August 12, 1989 pertaining to the lease of the Kmart Parcel, and a Memorandum of the Kmart Lease was recorded on March 30, 1990, as Document No. 901267 in the Records of Wasco County, State of Oregon.

D. Declarants desire to further amend the Declaration and First Amendment.

THE ORIGINAL DECLARATION AS AMENDED BY THE FIRST AMENDMENT IS HEREBY FURTHER AMENDED AS FOLLOWS:

1. Recital D on page 2 of the Original Declaration is hereby amended to provide that the second parcel on the Subject Land which is designated on Exhibit "A-2" to this Second Amendment as the "Market Parcel" shall be hereinafter referred to as the "Market Parcel" in the Original Declaration as amended herein.

913685

913685(8)

EXHIBIT 1
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2. Recital E on page 2 of the Original Declaration is hereby amended by deleting the phrase "(hereinafter referred to as the "Common Areas")".

3. Recital F at the bottom of page 2 of the Original Declaration is amended by inserting the parenthetical phrase "(as defined below)" after the words "Common Areas" on the last line of the page.

4. Section 4.02 on page 10 of the Original Declaration is hereby amended by deleting the first two sentences thereof and inserting in their place the following:

"In no event shall any Building in the Shopping Center (excluding the Outlots) be of a height in excess of thirty-five (35) feet. In no event shall any Building to be located in the Building Areas designated as Outlots 2 and 3 on Exhibit "C" be of a height in excess of seventeen (17) feet or contain more than one story, provided that if a Building on Outlot 2 or 3 has a double decorative protrusion on it, the square footage of such double decorative protrusion shall not exceed ten percent (10%) of the total ground floor Floor Space in the Building and the entire Building, including the double decorative protrusion shall not exceed a height of twenty-seven (27) feet. Any Building to be located in the Building Area designated as Outlot 1 may be of a height not exceeding twenty-five (25) feet. For purposes of this Section 4.02, the height of a building shall be measured from the finished grade of floor to the highest point of the Building. If a Building on Outlot 2 or 3 is intended to have a height including the decorative protrusions in excess of seventeen (17) feet, such Building shall not be constructed until the party proposing to construct the Building shall have obtained the consent of each Responsible Owner after a review of the plans and specifications (including elevation drawings). A Responsible Owner may delegate the right of approval to that Responsible Owner's tenant. The consent of the Responsible Owner or the Responsible Owner's tenant shall not be unreasonably withheld if the visibility to the adjacent streets from the Building or Buildings owned by the Responsible Owner whose consent is required is not materially impaired."

5. Section 6.02 at the top of page 18 of the Original Declaration shall be amended by deleting the phrase "the respective Building Areas ..." at the beginning of the second line of such page and substituting in its place the phrase "the Shopping Center ...".

913685(8)

6. Article VII commencing on page 23 of the Original Declaration, and as amended by the First Amendment, shall be deleted in its entirety and the following substituted:

"ARTICLE VII
COMMON AREA DEVELOPMENT, MAINTENANCE AND TAXES

7.01 Maintenance. Following completion of the improvements to the Common Areas, each Owner of a Parcel shall maintain the Common Areas in that Owner's parcel in a reasonably good condition and repair. The maintenance shall include, without limiting the generality of the foregoing, the following:

- (a) Maintaining the surfaces in a level, smooth and evenly covered condition with the type of surfacing material originally installed or such substitute as shall in all respects be equal in quality, use and durability;
- (b) Removing all papers, debris, filth and refuse and thoroughly sweeping, the area to the extent reasonably necessary to keep the area in a clean and orderly condition;
- (c) Placing, keeping in repair and replacing any necessary appropriate directional signs, markers and lines;
- (d) Operating, keeping in repair and replacing, where necessary, such artificial lighting facilities as shall be reasonably required;
- (e) Maintaining all perimeter walls in a good condition and state of repair; and
- (f) Maintaining all landscaped areas and making such replacements of shrubs and other landscaping as is necessary.

7.02 Expenses. Each Owner of a Parcel shall pay the maintenance expenses for that Parcel.

7.03 Third Party. Subject to the initial agreement of the Owner of each Parcel, a third party may be appointed as an agent of the parties to maintain all of the Common Areas of the Shopping Center in the manner outlined above. Said third party may receive for such services and agency, a fee that is mutually acceptable to all of the Owners to cover supervision, management,

228816

913685(8)

accounting and similar charges which sums are to be included in the general maintenance expense paid by the respective Owners of the Common Areas.

7.04 Taxes. Declarant-GFI agrees to pay, or cause to be paid, prior to foreclosure of any tax liens, directly to the appropriate taxing authorities all real property taxes and assessments which are levied against that part of the Shopping Center owned by it. Special assessments may be paid in installments as they accrue. Each Owner of a Parcel not owned by the Declarant-GFI shall be responsible for all real property taxes and assessments which are levied against the Parcel of such Owner.

7.05 Indemnification. Declarants and any future "Owner" hereby indemnify and save the other "Owners or Declarants" as the case may be, harmless from any and all liability, damage, expense, causes of action, suits, claims, or judgments arising from injury to person or property and occurring on their own Parcel except if caused by the act or neglect of the other party hereto.

7.06 Liability-Insurance. Declarants and any future Owner agrees to maintain, or require their tenants to maintain, at their own expense, during the full term of this Agreement, a policy of public liability and property damage insurance from a reputable company authorized to do business in the State of Oregon in which policy Declarants agree to name the other Owners as additional insureds, as their respective interests appear, and to furnish current certificates evidencing the existence of such insurance providing that such insurance shall not be canceled except after thirty (30) days written notice to the other party. Such Policy shall provide coverage in an amount not less than \$1,000,000.00 single limit combined bodily injury and property damage each occurrence, to cover all situations where any other person or persons claim bodily injury, death or property damage in or upon the common areas.

7.07 Indemnification. Declarants and any future Owners hereby releases the other, and their respective employees, agents and every person claiming by, through, or under either of them, from any and all liability or responsibility (to the other or anyone claiming by through or under them by subrogation or otherwise) for any loss or damage to any property (real or personal) owned by or belonging to the other Owners, their respective employees, agents and every person

913685(8)

claiming by, through, or under any of them, (whether by subrogation or otherwise) caused by fire or any other insured peril covered by any insurance policies for the benefit of any party, even if such loss or damage shall have been caused by the fault or negligence of another party, their employees or agents. All policies of insurance shall be written to insure all buildings, parking and common areas, service and delivery areas, improvements, contents, and all other such property (real or personal) and shall contain a proper provision, by endorsement or otherwise, whereby the insurance carriers issuing the same shall acknowledge that the insured has so waived and released its right of recovery against the other Owners and shall waive the right of subrogation which such carrier might otherwise have had against such other party or parties, all without impairment or invalidation of such insurance. The provisions of this paragraph shall be equally binding upon and inure to the benefit of any assignee or sublessee of each respective Owner.

7.08 Property Insurance. At all times during the term of this Agreement, Declarants and any future "Owner" shall keep improvements on its Parcel insured against loss or damage by fire and other perils and events as may be insured against under the broad form of Uniform Extended Coverage Clause in effect from time to time in the State in which the Owners' respective properties are located, with such insurance to be for ninety percent (90%) of the replacement value of the insured improvements. In the event of damage and destruction of any improvement on the Parcel, any Owner of such improvement shall promptly remove the debris and reconstruct and/or repair such improvements, unless all other persons then owning an interest in the Parcel consent in writing to the contrary; any mortgagee of such improvements shall permit the insurance proceeds to be used for such purposes.

7.09 Kmart Parcel. Notwithstanding anything set forth in Paragraphs 7.06, 7.07 or 7.08 to the contrary, during the term of the Kmart Lease as may be extended, the terms and conditions of the Kmart Lease as amended shall govern the responsibilities, liabilities and obligations of the Owner of the Kmart parcel and Kmart, as Tenant, for the insurance coverage pertaining to the Kmart parcel and the responsibilities, liabilities and obligations for indemnification to the other parties as set forth in Paragraph 7.07 pertaining to the Kmart parcel."

913685(8)

Except as amended herein, the Original Declaration and First Amendment shall remain in full force and effect.

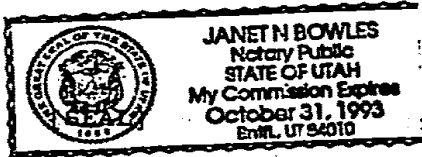
GFI-THE DALLES INVESTMENTS, LTD., a Utah limited partnership

By: WALT GASSER & ASSOCIATES, INC., General Partner

By: G. Walter Gasser
G. Walter Gasser
President

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

On the 15th day of October, 1991, personally appeared before me G. WALTER GASSER, the signer of the foregoing instrument, who being by me duly sworn, did say that he is the President of WALT GASSER & ASSOCIATES, INC., the General Partner of GFI-The Dalles Investments, Ltd., a Utah limited partnership, and that he is authorized to execute the foregoing instrument as General Partner in said partnership.



1c1a\233.4
10/11/91

Janet N. Bowles
Notary Public

913685

Microfilm No.

FILED WASCO CITY
THE DALLES, OR
OCT 21 12 21 PM '91
KAREN R. LeBreton
COUNTY CLERK
"INDEXED"
"COMPARED"

STATE OF OREGON, } ss.
County of Wasco, }

I certify that this document was received and recorded in the

DEED

records.

Karen R. LeBreton, County Clerk

by KB Deputy

Return to

KEG

OCT 11 '91 15:55 FROM ANHE

PAGE.008

C. HARPER MONROE

Dated: 10/16/91STATE OF Washington)
COUNTY OF Cowlitz) ss.

On this 16th day of October, 1991, personally appeared before me C. HARPER MONROE, the signer of the above instrument, who duly acknowledged to me that he executed the same.

[SEAL]

Annie E. D. Francisco
NOTARY PUBLIC
my commission expires 5/25/93

GLORIA M. SCHULTENS

Dated: October 14, 1991STATE OF Oregon)
COUNTY OF Wasco) ss.

On this 14th day of Oct, 1991, personally appeared before me GLORIA M. SCHULTENS, the signer of the above instrument, who duly acknowledged to me that she executed the same.

[SEAL]

Coralene K. Lindhorst
NOTARY PUBLIC
my commission expires: 10-20-92

7

913685 (8)

EXHIBIT 1
63 of 64

A tract of land situated and being a portion of Lots 17, 18 and 19, SNIPES ACRES, a portion of lots 4 and 5, MISSION PARK TRACTS, a portion of Government Lot 5 in Section 32, and a portion of Government Lot 7 in Section 33, Township 2 North, Range 13 East of the Willamette Meridian, County of Wasco and State of Oregon, more particularly described as follows:

Commencing at the one-quarter corner common to said Sections 32 and 33; thence South 26°21'50" East 177.39 feet to a 5/8 inch iron rod, found at the intersection of the Northeast line of Seventh Street and the Northwest line of Myrtle Street; thence along the Northwest line of said Myrtle Street, North 48°45'30" East 644.00 feet to a point of intersection with the southwesterly right-of-way line of Frontage Road, also known as Sixth Street, said right-of-way line being 60.00 feet southwesterly from the centerline of said Frontage Road; thence along said right-of-way line on a 2351.81 foot radius curve concave to the Northeast, through a central angle of 01°39'51" (chord bears North 20°01'50" West 68.31 feet), an arc distance of 68.31 feet to Oregon State Highway Division Stationing FR 2246+76.25 P.C.; thence continuing along said right-of-way line, North 19°11'55" West 433.53 feet to the most easterly corner of that certain tract conveyed by Warranty Deed, Raymond E. Schultens to Hosts of America, Inc., recorded October 31, 1983, Microfilm No. 83-2473; thence continuing along said right-of-way line North 19°11'55" West 197.75 feet to the most northerly corner of said Hosts of America tract and the true point of beginning of this description; thence leaving said right-of-way line and along the Northwest line of said Hosts of America tract South 66°27'23" West 460.63 feet to the northwesterly corner thereof, said point being on the northwesterly line of the St. Peters Catholic Mission DLC No. 43 of said Township and Range at the northeasterly corner of the southeasterly one-half of Lot 5, Mission Park Tracts, said point further being the northeasterly corner of that tract conveyed to Walter R. Peterson and Ida M. Peterson by deed recorded July 25, 1949, in Volume 116, page 507, Deed Records of Wasco County, Oregon; thence South 48°37'05" West along the northwesterly line of said Peterson Tract 346.33 feet, more or less, to a point which is 780.00 feet southwesterly when measured at right angles from the southwesterly line of said frontage Road; thence North 19°11'55" West along a line that is parallel and 780.00 feet southwesterly from said right-of-way 435.16 feet to the South line of the Charles W. Shaug DLC No. 41 at a point which is South 89°34'05" West when measured along said DLC line 263.60 feet from the Northeast corner of the St. Peters Catholic Mission DLC No. 43; thence continuing North 19°11'55" West on a line parallel with and 780.00 feet southwesterly when measured at right angles from the southwesterly line of said Frontage Road 667.99 feet to the southerly right-of-way line of relocated Snipes Avenue as described in Right-of-Way Instrument Nos. 80-3310 and 81-2330 to Wasco County, Oregon; thence along said relocated right-of-way line on the arc of a 542.96 foot radius curve concave right 157.76 feet (the chord of which bears North 81°12'39" East 157.21 feet);

thence North 89°32'05" East (South 89°59'30" East, Oregon Coordinate System Grid Bearing) 301.84 feet; thence along the arc of a 602.96 foot radius curve left 199.60 feet (the chord of which bears North 80°03'05" East 198.69 feet; thence North 70°51'00" East 143.43 feet to the said southwesterly line of the Frontage Road; thence South 19°11'55" East along said line 780.09 feet to the true point of beginning of this description.

Contains 15.98 acres, more or less.

Bearings based on True North, except as noted for Oregon Coordinate System Grid Bearing.

EXHIBIT "A-1"

913685(8)

EXHIBIT 1
64 of 64



City of The Dalles
Community Development Department
313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 1125
www.thedalles.org

Office Hours -

Monday through Friday: 8:00 am - 5:00 pm

Rec'd 3-12-21

PUBLIC COMMENT #2

Application #: CUP 197-21
Filing Fee: \$225
Receipt #: XBP 96025792
Deemed Complete: _____
Ready to Issue: _____
Date Issued: _____

Conditional Use Permit Application

Applicant

Name: Uhaul at The Dalles
Address: 2640 W. 6th. St.
The Dalles, OR. 97058
Phone #: 9712713589
Email: doug_green@uhaul.com

Legal Owner (if different than Applicant)

Name: Amerco Real Estate
Address: 2727 N. Central Ave.
Phoenix, AZ. 85004
Phone #: 602-263-6555
Email: info@anercorealestate.com

Property Information

Address: 2640 W. 6th. St.
Zone: _____
City Limits: ☒ Yes ☐ No
Geohazard Zone: _____

Map and Tax Lot: _____
Overlay: _____
Size of Development: _____
Flood Designation: _____

Project Information

☐ New Construction ☒ Expansion/Alteration ☐ Change of Use ☐ Amend Approved Plan

Current Use of Property: Moving and Storage

Proposed Use of Property: Moving and Storage

Briefly Explain the Project: Build portable storage units with drive up access.

Proposed Building(s) Footprint Size (ft²): 4400

Total Number of Parking Spaces Proposed: _____ Parking Lot Landscaping Proposed (ft²): _____

Total Landscaping Proposed (ft²): _____ Percentage of Irrigated Landscaping: _____

See Reverse Side >>>

EXHIBIT 2

1 of 7

1

Project Information (continued)**Economic Development Information**

☐ Proposed Project is in the Enterprise Zone

(for questions regarding Enterprise Zones, please contact the Assistant to the City Manager's Office at (541) 296-5481, ext. 1150)

Full Time Equivalent (FTE) jobs are currently provided: _____

FTE jobs are expected to be created by the proposed project: _____

In addition to the requirements of Article 3.010: Application Procedures, this application must be accompanied by the information required in Article 3.050: Conditional Use Permits or Article 3.060: Administrative Conditional Use Permits, contained in Title 10 Land Use and Development of the City of The Dalles Municipal Code.

Upon submission of this application, please provide the following number of copies for their associated plan review:

Site Team / Pre-Application:

- ☒ 6 - copies of concept site plan
☒ 1 - 11" x 17" concept site plan
☒ 1 - PDF of concept site plan

Official Site Plan Review Application:

- ☒ 4 - full size copies of construction detail plans
☒ 1 - 11" x 17" concept site plan

Signature of Applicant

Signature of Property Owner

Date

Date

Department Use Only

☐ Administrative ☐ Quasi-Judicial: PC / URA / HLC / CC | Hearing Date: EXHIBIT 2
 2 of 7

Hand-drawn diagram of a box with dimensions and material specifications:

- Dimensions:
 - Height: 6"
 - Width: 2 1/2"
 - Depth: 4"
- Material specifications:
 - 18 gauge L1 plate
 - 3" x 6" drilled tray Barret
 - 5" air outlet valve bracket

SEE ATTACHMENT
END DOOR DETAIL
DATED 10-15-20

SCALE: $3/8" = 1'-0"$

SCALE: $3/8" = 1'-0"$

10'-0"

ENAM. STEEL SIDING ABOVE END DOORS W/ FLASHING TO ROOFING ABOVE

2" x 6" 16 GA. ROOF PURLIN (TYP.)

1 1/2" x 6" 16 GA. ENL. CAP @ EXT. SIDE TEK SCREWED TO SHIPING TOP PLATES OF WALLS (TYP.)

1" THICK VINYL-FACED INSULATION + VAPOR / CONDENSATION BARRIER

12" WIDE 26 GA. 'LOCK SEAM' GALVANISED ROOFING PANELS (NOT SHOWN)

(2) PURLINS, (1) @ EA. SIDE OF RIDGE

LOCK SEAM (26 GA.) ROOFING PANELS OVER PURLIN

DOOR JAMB 12" W/ 1"

10'-0"

SCALE: $\frac{3}{8}'' = 1'-0''$

10'-0"

11'-0"

DOORS + HARDWARE AS DETAILLED BY MFR.

8'0" x 7'0" O.H. ROLL-UP DOOR

2" x 8" x 4" 16 GA. WALL STUDS OF VARYING HEIGHT

4 1/4" x 2" 16 GA. PLATES @ TOP + BTM. OF STUD WALLS

WHITE ENAM. STEEL SIDING PANELS W/ RODENT GUARD BLOCKING (TYP.)

PROVIDE 2", 16GA STRAP AT CENTER PARTITION WALL

PROVIDE 2", 16GA STRAP AT CENTER PARTITION WALL

SEE SUPPLEMENT SHEET FOR APPLICABLE DETAILS

8'0" x 7'0" O.H. ROLL-UP DOOR

SCALE: $3/8" = 1'-0"$

Hand-drawn floor plan of a deck with the following details:

- Dimensions:** 20'-0" wide by 20'-0" deep.
- Floor Joists:** 16 GA. FLOOR JOIST (2 3/8" x 6")
- End Caps:** 16 GA. END CAP @ EA. SIDE (1 3/8" x 6")
- Decking:** 3/4" CDX T&G PLYWD. DECKING, SCREWED TO FLOOR JOISTS + END CAPS (NOT SHOWN)
- Leveling:** LEVELING FEET / BRACKET @ EA. END OF EACH FLOOR JOIST (TYP.)
- Screws:** #12 screws at 6" o.c. edge and 12" o.c. field

SCALE: $\frac{3}{8}'' = 1'-0''$

Connecting Bracket to Asphalt - 4 one at each corner.

1/2" Rebar Stake
To be Driven
into Asphalt
Thru Hole

14 gauge "L" Bracket

5/8" hole

3 1/2" 4"

REGISTERED PROFESSIONAL ENGINEER
84,988
OREGON
MAY 22, 2011
LEVIR VOIGT
RENEWED: 6/30/12

Water Design
1015 S. Birchway
Eugene, OR 97401
503-690-6234

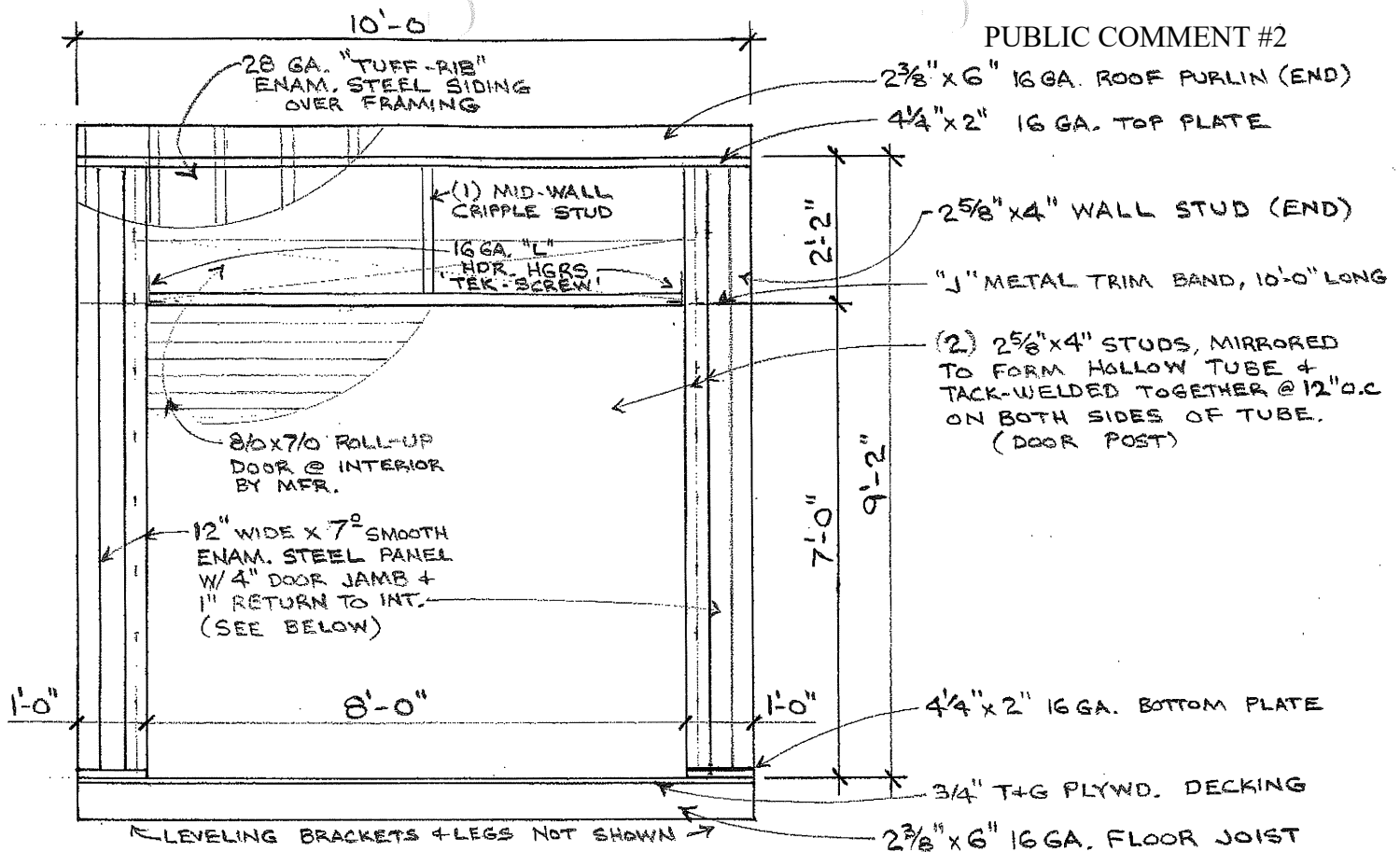
Springwater Design
 3774 S. Springwater Rd.
 Escalante, UT 87023
 (505) 830-6238
 505-630-6238

SCALE: AS NOTED	FOR: SHAWN STALCUP	EXHIBIT 2	DR. BY: Don S.
DATE: 9-25-20		30	REV. 10-15-20

STORAGE UNIT CONCEPT

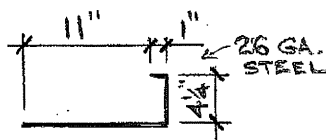
Planning Commission Agenda Packet

June 16, 2022 | Page 170 of 235



END DOOR DETAIL

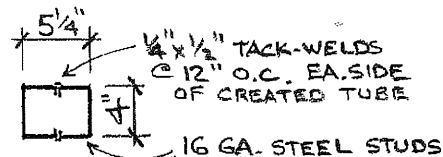
SCALE: 3/8" = 1'-0"



TRIM PANEL

SCALE: 3/4" = 1'-0"

PROVIDES EXT. FINISH FACE OF END WALL STUD & DOOR POST ASSEMBLY



DOOR POST

SCALE: 3/4" = 1'-0"

STORAGE UNIT SUPPLEMENT

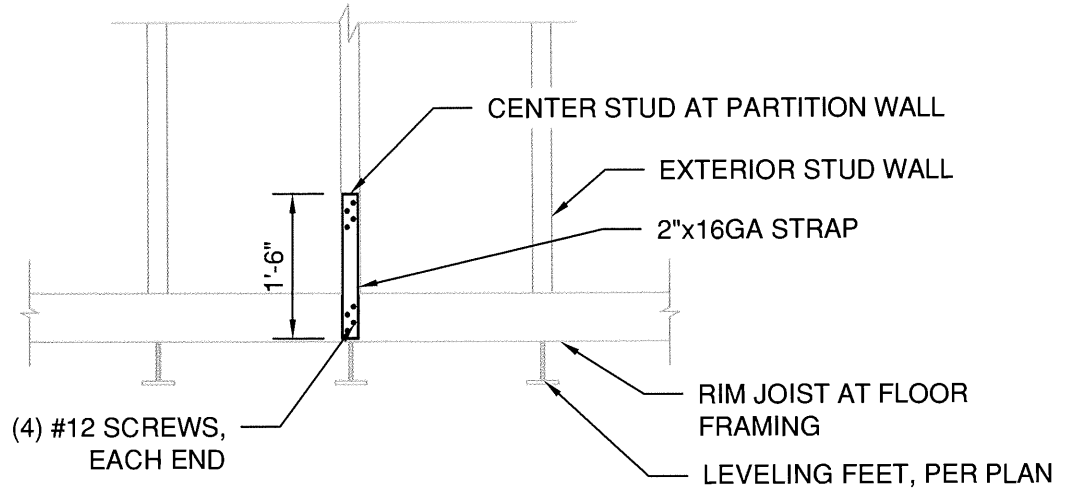
TO PLAN # 2014

DATE: OCT. 15, 2020



Springwater Design
24775 S. Springwater Rd.
Estacada, OR 97023
(503) 630-6238
503-630-6238

EXHIBIT 2
4 of 7



① **PARTITION WALL STRAP HOLD DOWN**
SCALE: 1/2"=1'-0"

STRUX
ENGINEERING LLC
PO BOX 324
209 N MCHALEY
PRAIRIE CITY, OR 97869

THE DALLES
STORAGE
THE DALLES, OREGON



RENEW: 6/30/2022



SITE AERIAL

SCALE: NTS

ZONING INFORMATION

PROJECT NAME: U-Haul of The Dalles
MUNICIPALITY: City of The Dalles
PROJECT ADDRESS: 2640 W 6th St, The Dalles, OR 97058
PERMITTED USES: Retail Store
Truck/Trailer Rental
Self-Storage
Vehicle Storage
PARKING PROVIDED: 304 SPACES

PROFESSIONAL SEAL:

PRELIMINARY DOCUMENTS,
NOT FOR CONSTRUCTION,
FOR INFORMATION ONLY

ARCHITECT LOGO:

AMERCO
REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
P: (602) 263-6502

SITE ADDRESS:

U-Haul of The Dalles
2640 W 6th St
The Dalles, Oregon 97058

SHEET CONTENTS:

Preliminary
Site Plan

804076
EXHIBIT 2

6 of 31

DATE: 04/09/2020

PROPOSED MIX									
LOCKER SIZE	INTERIOR			EXTERIOR STG & MINIS			TOTAL		
	QTY.	SQ. FT.	%	QTY.	SQ. FT.	%		SQ. FT.	%
5 x 5	72	1,800	5%	0	0	0%	72	1,800	4%
5 x 8	2	80	0%	0	0	0%	2	80	0%
5 x 10	174	8,700	24%	0	0	0%	174	8,700	19%
7 x 10	2	140	0%	0	0	0%	2	140	0%
8 x 10	1	80	0%	0	0	0%	1	80	0%
9 x 10	3	270	1%	0	0	0%	3	270	0%
10 x 10	190	19,000	51%	58	5,800	83%	248	24,800	56%
10 x 15	46	6,900	19%	8	1,200	17%	54	8,100	21%
TOTAL	490	36,970	100%	66	7,000	100%	556	43,970	100%

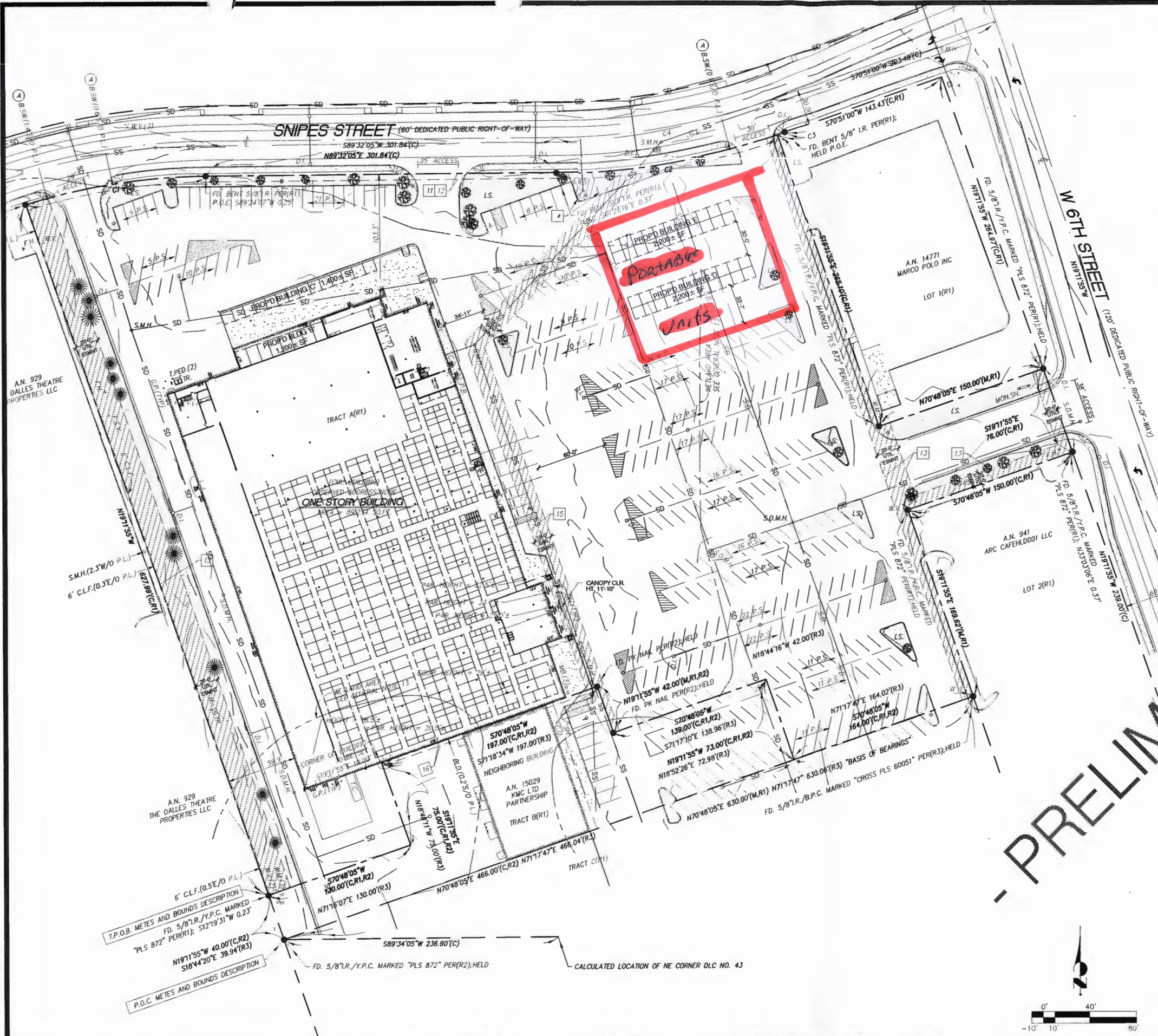
6 18 ADA LOCKERS REQUIRED/PROVIDED

U-BOX AREA 1 = 11,155± S.F.
U-BOXES = 145 (1-HIGH)
U-BOX AREA 2 = 14,995± S.F.
U-BOXES = 203 (1-HIGH)

SITE DATA

Planning Commission

Agenda Packet



SITE AERIAL

SCALE: NTS

ZONING INFORMATION

PROJECT NAME: U-Haul of The Dalles
MUNICIPALITY: City of The Dalles
PROJECT ADDRESS: 2640 W 6th St, The Dalles, OR 97058
PERMITTED USES: Retail Store, Truck/Trailer Rental, Self-Storage, Vehicle Storage
PARKING PROVIDED: 304 SPACES

PRELIMINARY

PROPOSED MIX									
LOCKER SIZE	INTERIOR			EXTERIOR STG & MINIS			TOTAL		
	QTY.	SQ. FT.	%	QTY.	SQ. FT.	%		SQ. FT.	%
5x5	72	1,800	5%	0	0	0%	72	1,800	4%
5x8	2	80	0%	0	0	0%	2	80	0%
5x10	174	8,700	24%	0	0	0%	174	8,700	19%
7x10	2	140	0%	0	0	0%	2	80	0%
8x10	1	80	0%	0	0	0%	1	80	0%
9x10	3	270	1%	0	0	0%	3	80	0%
10x10	190	19,000	51%	58	5,800	83%	248	24,800	56%
10x15	46	6,900	19%	8	1,200	17%	54	8,100	21%
TOTAL	490	36,970	100%	66	7,000	100%	556	43,970	100%

& 18 ADA LOCKERS REQUIRED/PROVIDED
U-BOX AREA 1 = 11,155± S.F.
U-BOXES = 145 (1-HIGH)
U-BOX AREA 2 = 14,995± S.F.
U-BOXES = 203 (1-HIGH)

SITE DATA

Planning Commission Agenda

REVISIONS				
NO.	DATE	INITIAL	NOTE	
9	08/20/20	NMB	REVISED PER EAS & JEREMY FRANK REVIEW 8/20/20	
10	09/01/20	NMB	REVISED PER EAS APPROVAL 08/31/20	
11	09/09/20	NMB	REVISED PER EAS P.L.N.	
12				
13				
14				
15				
16				
REVISIONS:				
PROFESSIONAL SEAL:				
PRELIMINARY DOCUMENTS, NOT FOR CONSTRUCTION, FOR INFORMATION ONLY				
ARCHITECT LOGO:				
AMERCO REAL ESTATE COMPANY				
CONSTRUCTION DEPARTMENT 2727 NORTH CENTRAL AVENUE PHOENIX, ARIZONA 85004 P: (602) 263-6502				
SITE ADDRESS: U-Haul of The Dalles 2640 W 6th St The Dalles, Oregon 97058				
SHEET CONTENTS: Preliminary Site Plan				
804076				
EXHIBIT 2				
7 of 8 P1				
CHECKED: [Signature] DATE: 04/09/2020				

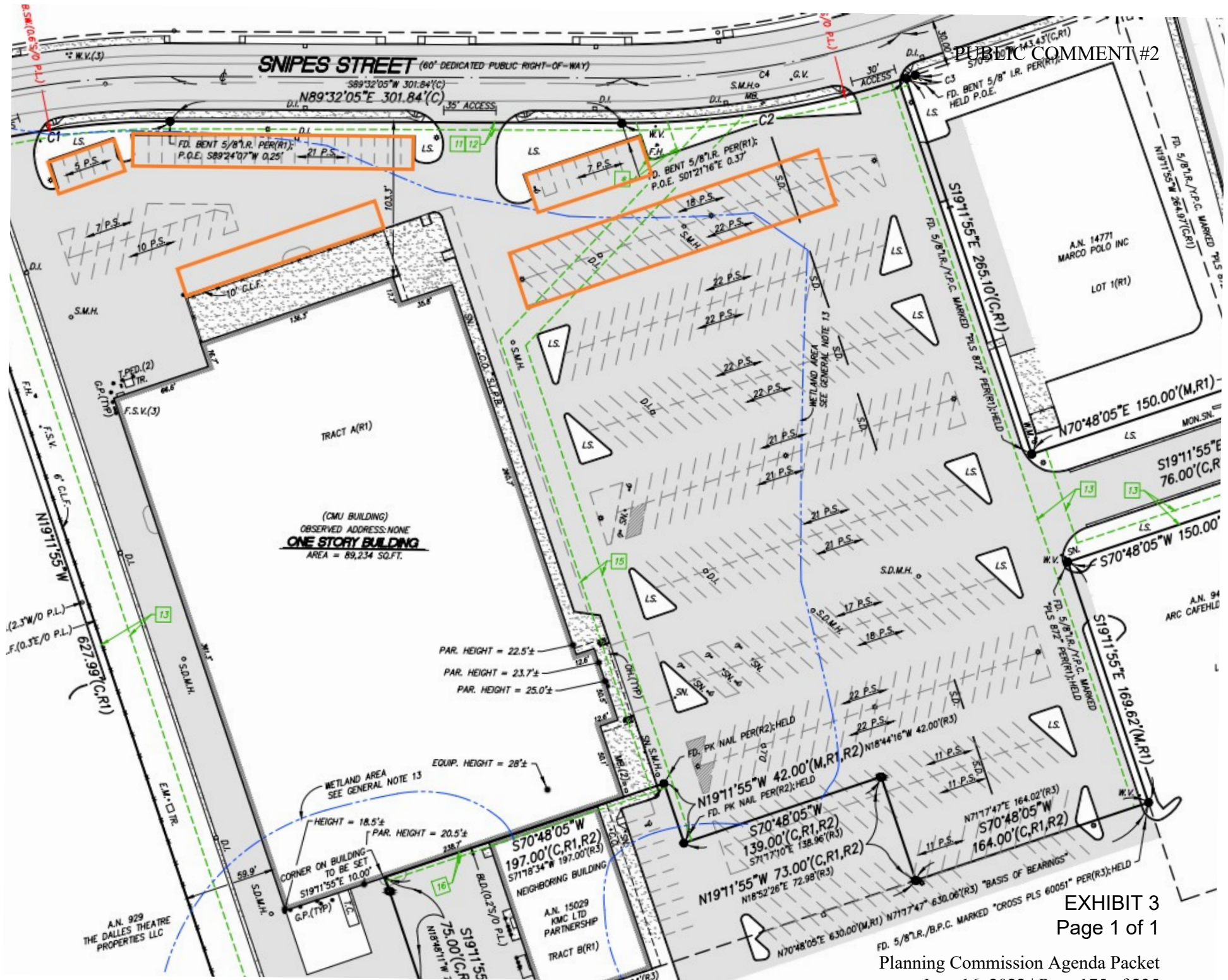


EXHIBIT 3
Page 1 of 1

**THIRD AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS,
GRANT OF EASEMENTS**

This Third Amendment ("Third Amendment") to the Declaration of Covenants, Conditions and Restrictions, and Grants of Easements dated August 12, 1989 ("Original Declaration") shall be effective as of Aug 12, 2021 and is by AMERCO REAL ESTATE COMPANY (hereinafter referred to as "AREC") and COASTAL FARM AND RANCH (hereinafter referred to as "Coastal Farm"). AREC and Coastal Farm shall hereinafter jointly referred to as the "Responsible Owners").

RECITALS:

- A. GFI executed the Original Declaration as of December 12, 1989.
- B. GFI, Schultens, and Kmart executed a First Amendment to the Original Declaration ("First Amendment") as of March 30, 1990.
- C. GFI and Schultens executed a Second Amendment to the Original Declaration ("Second Amendment") as of October 15, 1991.
- D. AREC and Coastal Farm, as the successor Responsible Owners, desire to further amend the Original Declaration by this Third Amendment.

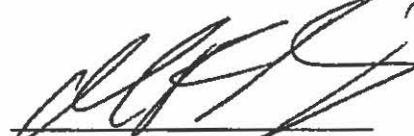
THE ORIGINAL DECLARATION, AS AMENDED BY THE FIRST AND SECOND AMENDEMENTS, IS HEREBY FURTHER AMENDED AS FOLLOWS:

- 1. Section 3.02 shall be deleted and replaced with the following:
 - 3.02. No Interference with Common Areas. No materials, supplies or equipment other than trucks, trailers, portable storage units, equipment displays, bulk stack out displays, seasonal displays that do not impede the free flow of vehicular or pedestrian traffic are permitted in the Shopping Center's Common Areas.
- 2. Exhibit "C-1" attached to the Second Amended Declaration is hereby deleted in its entirety and replaced by Exhibit "C-1" attached hereto and incorporated herein by the reference. From and after the effective date above stated, any reference in the Declaration to the "Site Plan" or to Exhibit "C-1" shall mean and refer to the Site Plan which is attached hereto as Exhibit "C-1" and the "Building Areas," the "Common Areas" and the parking space and driveway configurations as referred to in said Declaration shall mean and include

the Building Areas, Common Areas, and parking driveway configurations which are designated on the Site Plan attached hereto as Exhibit "C-1."

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment effective as of the day and year first written above.

AMERCO REAL ESTATE COMPANY


Matthew F. Braccia, President

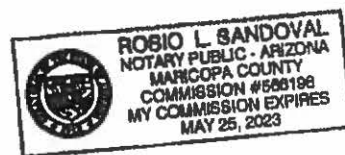
STATE OF ARIZONA

COUNTY OF MARICOPA

On this 12th day of August, 2021, Matthew F. Braccia appeared before me, duly sworn, did say that he is the President of Amerco Real Estate Company, and that the foregoing instrument was signed on behalf of said corporation by authority of its Bylaws or a resolution of its Board of Directors, and acknowledged to me that said Corporation executed the same.


NOTARY PUBLIC

Residing at: Arizona, Maricopa
county



My Commission Expires: 05/25/2023

EXHIBIT 4
2 of 3

Coastal Farm & Ranch

Byron D. Baule
Byron Baule, Vice President

STATE OF Oregon

COUNTY OF Linn

On this 9th day of August, 2021, Byron Baule appeared before me, duly sworn, did say that he is an officer of Coastal Farm and Ranch, and that the foregoing instrument was signed on behalf of said corporation by authority of its Bylaws or a resolution of its Board of Directors, and acknowledged to me that said Corporation executed the same.

Amanda Anne Peaslee

NOTARY PUBLIC

Residing at: Albany, OR

1-7-25
My Commission Expires:

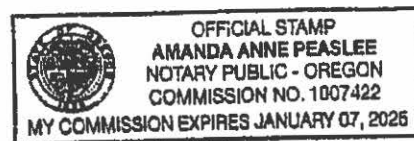


EXHIBIT 4
3 of 3



TENNESON

ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3775 CRATES WAY
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

Applicants Narrative
Conditional Use Permit # 202-22
for a
Major Modification to CUP # 195-20
--- U-Haul of The Dalles ---
May 6, 2022

City Forms (attached to end of document).....	2
Drawings (attached as a separate document).....	2
Development Description	3
Applicant's Responses	3
TITLE 10 LAND USE AND DEVELOPMENT	3
CHAPTER 10.3 APPLICATION REVIEW PROCEDURES	3
Article 3.050 Conditional Use Permits	3
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Article 7.030 General Design Standards for Surface Parking Lots	20
Article 7.040 Bicycle Parking Design Standards	31
Article 7.060 Minimum and Maximum Off-Street Parking Requirements.....	33

City Forms (attached to end of document)

Conditional Use Application – 5 pages

Drawings (attached as a separate document)

Site Plan – C-101

Parking Study – C-701

Landscape Plan (1 sheet prepared by Windswept Landscapes)

Photometric Plan (1 sheet prepared by Platt Electric)

Building Plan and Elevations (4 sheets prepared by U-Haul International)

Portable Storage Plan and Elevations (3 sheets prepared by U-Haul & TEC)
(2 sheets prepared by Springwater Design)

Development Description

The proposal includes a Major Modification to the existing Conditional Use Permit (CUP) currently allowing the U-Haul storage facility at 749 Snipes Street. The purpose of the requested modification is to include six portable, detached storage units to be located in a portion of the existing parking area. Three of the proposed storage containers are 1,400 square feet in size, the remaining three contain 600 square feet each. Sufficient on-site parking will be provided by 58 parking stalls including three ADA accessible stalls. The proposal also includes additional parking provided by shared parking agreements with adjacent businesses as well as shunting and loading areas for the existing storage facility. Additional landscaping will be included as part of this proposal along with sidewalk improvements in the Snipes Street right-of-way to comply with ADA accessibility standards. The applicant requests that the CUP and Site Plan Review (SPR) proceed concurrently. Detailed construction plans will be provided to the City upon approval of the Major Modification request.

Address: 749 Snipes Street // 2640 W 6th Street

Map and Tax Lot: 2N 13E 32 A 400

Ownership: AREC 34, LLC a subsidiary of Amerco Real Estate

Zoning: General Commercial

Applicant's Responses

TITLE 10 LAND USE AND DEVELOPMENT

CHAPTER 10.3 APPLICATION REVIEW PROCEDURES

Article 3.050 Conditional Use Permits

10.3.050.010 Purpose

A Certain uses are allowed in certain zones only conditionally. As a conditional use they are subject to specific regulations because they may have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create nuisances. A review of these proposed uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use process provides an opportunity to allow conditional uses when they serve a public good or meet a need, and to ensure that negative impacts from the use are mitigated. A conditional use permit except as allowed in Section 10.5.100.040, does not by itself cause a change in any zoning or development standards; changes to development standards for a conditional use must go through the appropriate processes, such as a variance or adjustment, as outlined elsewhere in this document.

Response: Storage facilities are listed as a Conditional Use in the General Commercial Zone. The subject currently serves as a storage facility, the purpose of this application is to allow for six portable storage containers in the existing parking area.

B Applicants for conditional uses may choose a two-stage process. First submit an application based on concept approval through the quasi-judicial conditional use process in this Article and then detailed site plans.

Response: The applicant requests that the Conditional Use Permit and the Site Plan Review proceed concurrently. Included with this narrative is a Site Plan, Parking Study, Landscape Plan, Photometric Plan and Building Plans and elevations which provide adequate information for the Planning Commission to approve the proposal. Detailed construction plans will be submitted upon approval.

10.3.050.020 Pre-Existing Uses

Pre-existing uses which after the enactment of this Title would be allowed only as conditional uses shall be required to obtain an approved conditional use permit when an increase of 10% or greater is proposed for parking areas, combined square footage of structures, or total building footprint(s) of the pre-existing conditional use. Any change to a pre-existing use which would require new conditional use review shall be processed as a new conditional use permit application in accordance with the provisions of this Article. A pre-existing use that applies for a conditional use permit and is denied retains its status as a pre-existing use. Expansions of City facilities which have been approved by the City Council after any public hearing are exempt from the requirements of this Article.

Response: The request is an expansion of an existing Conditional Use – a Major Modification is being requested.

10.3.050.030 Review Procedures

A Applications. In addition to the requirements of Article 3.010: Application Procedures, conditional use permit applications shall be accompanied by at least 15 copies of a concept site plan, and, when required, 2 copies of the detailed landscape and construction/design plans, per the provisions of Article 3.030: Site Plan Review.

Response: The requisite copies of application materials listed above have been submitted to the City per this section.

B Review.

- 1. Conditional use permits shall be processed as quasi-judicial actions, per the provisions of Section 10.3.020.050: Quasi-Judicial Actions, and approved or denied by the Commission.*
- 2. Site plan approval, and when required, detailed landscape plan and detailed construction design plan approval, per the provisions of Article 3.030: Site Plan Review, shall always be a condition of conditional use approval. Concept site plans can be submitted for review by the Commission in lieu of the detailed site plan required for building permit approval. See subsection C of this section.*
- 3. The Commission may require a performance guarantee, per the provisions of Section 10.9.040.060(I): Performance Guarantee to ensure compliance with any conditions of approval.*

Response: The procedural requirements of Criteria B. 1-3 are understood. Conformance with the Site Plan Review criteria is demonstrated in Article 3.030: Site Plan Review, below.

C *Concept Review.*

1. *The City offers a two-stage concept approval process for conditional uses. The applicant may request initial concept approval using the quasi-judicial process. If approval of the concept is granted, the applicant must then submit a detailed site plan and get final approval through the site plan review process.*
2. *Applicants choosing the concept option must provide sufficient information in the form of site plans, narratives, or other documents to allow the Commission to make an initial decision.*
3. *The Commission may impose conditions or require performance guarantees on concept approval in the same manner as for regular conditional use applications.*

Response: Concurrent review and approval of both the Conditional Use Permit and Site Plan Review is requested for this application. Sufficient information is provided within this narrative and the attached Plans to allow the Commission to make this determination. Detailed construction plans will be provided upon approval of the CUP and SPR application.

10.3.050.040 Review Criteria

A conditional use permit shall be granted if the Commission finds that the proposed use conforms with, or can be made to conform with through added conditions, any related requirements of this and other City ordinances and all of the following criteria:

- A *Permitted Conditional Use. The proposed use is conditionally permitted in the zone district where it is proposed to be located.*

Response: Storage facilities are listed as a Conditional Use within the General Commercial Zone. The proposal complies with Criterion A.

- B *Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this Title, and any other statutes, ordinances, or policies that may be applicable.*

Response: All relevant development standards of the General Commercial Zone are addressed below in the criteria contained in Article 5.060.

- C *Impact. The proposed structure(s) and use(s) shall be designed and operated in such a way as to meet the standards of this Article. Impacts caused by the construction of the conditional use shall not be considered regarding a decision on the validation of the application.*

1. *Noise impacts across the property line shall not exceed 60 decibels. Noise related to traffic impacts shall not be included in this determination. Nothing in this Article shall modify other noise ordinance standards as adopted by the City.*

Response: The proposed use is the limited expansion of an existing storage facility. No additional noise will be generated by the proposal. The request complies with Criterion 1.

2. *Lighting impacts across the property line shall not exceed 0.5 foot-candles (a foot-candle is the amount of light falling upon a 1-square-foot surface which is 1 foot away from a 1-candlepower light source.)*

Response: No additional lighting is proposed as part of this proposal. One site light will be relocated to allow for maneuvering at the building entrance, however it is located more than 200-feet from the nearest property line and has minimal impact to the illumination level at the property line. With the exception of at the driveways and shared areas the average lighting level is at or below 0.5 foot-candles at the property line. The request complies with Criterion 2.

3. *Dust and other particulate matter shall be confined to the subject property.*

Response: The proposed storage containers will not create any additional dust or particulate matter. The request complies with Criterion 3.

4. *The following odors shall be completely confined to subject property:*

a. *Industrial and/or chemical grade chemicals, solvents, paints, cleaners, and similar substances;*

b. *Fuels; and*

c. *Fertilizers, manure, or other animal waste products, other than for landscape installation and maintenance.*

Response: The proposed use will not generate any of the noted odors. The proposal complies with Criterion 4.

5. *Vibrations shall not be felt across the property line.*

Response: The proposed use will not generate any vibrations extending beyond the property line. The request complies with Criterion 5.

6. *The transportation system is capable, or can be made capable, of supporting the additional transportation impacts generated by the use. Evaluation factors shall include, but are limited to:*

a. *Street designation and capacities;*

Response: The proposed additional storage units will not have an impact on the adjacent street capacities. The request complies with Criterion a.

b. *On-street parking impacts;*

Response: 58 parking stalls are allocated on-site with an additional 24 stalls available to be shared with adjacent businesses. Please see the attached Parking Study Summary, Sheet C-701 for greater detail. The request complies with Criterion b.

c. *Bicycle safety and connectivity;*

Response: The proposal will have no impact on bicycle safety or connectivity in the area. Bicyclists will have access to the pedestrian paths providing connectivity throughout the site. The proposal complies with Criterion c.

d. *Pedestrian safety and connectivity; and*

Response: The proposal includes improvements along Snipes Street to provide ADA accessible ramps at all crossings. Additional pedestrian crossings are proposed from all proposed ADA compliant parking stalls. Please see Sheet C-101 for greater detail. The request complies with Criterion d.

e. *Transit capacity and efficiency.*

Response: The proposal will have no impact on transit capacity or efficiency. The request complies with Criterion e.

7. *In areas designated as Historic Districts, proposed development and redevelopment shall first require review and approval of the Historic Landmarks Commission in accordance with the procedures of Chapter 11.12 - Historic Resources.*

Response: The subject site is not located within a historic district. Criterion 7 does not apply.

10.3.050.110 Major Modifications to Approved Conditional Uses

A Threshold. An application for a major modification of a conditional use shall be required when one or more of the following thresholds apply:

- 1. Any increase in the gross floor area on properties located in a residential zoning district or within 50 feet of a residential zoning district.*
- 2. An increase in the gross floor area by more than 10% or in excess of 1,000 square feet for properties not located in a residential zoning district and which are located more than 50 feet from a residential zoning district.*
- 3. A change in use.*

Response: The proposed modification includes locating six portable storage units totaling 6,000 square feet of storage space on the subject site. The proposal has been deemed a Major Modification by the City of The Dalles Planning Staff.

B Approval. Approval of a major modification is by the Commission.

C Approval Criteria. To approve a major modification, the Commission shall consider the application the same as a new conditional use permit request.

D Conditions of Approval. The Commission may approve a major modification subject to any and all conditions the Commission deems necessary to satisfy the review criteria and mitigate identified impacts.

Response: The procedural requirements of Criterion B, C, and D are understood.

Article 3.030 Site Plan Review

10.3.030.010 Purpose

The purpose of the site plan review is to enable the approving authority to review development proposals for compliance with City ordinances, local standards, conformance with the Comprehensive Plan and compatibility with surrounding development, and to add any conditions of approval necessary to ensure such compliance, conformance and compatibility.

10.3.030.020 Review Procedures

Response: Not Applicable – the application will follow the Conditional Use Procedures outlined in 10.3.050.030 above.

10.3.030.030 Required Plans

Response: A Site Plan and Landscape Plan have been submitted with the application. Detailed construction drawings will be provided upon approval of this CUP and SPR request.

10.3.030.040 Review Criteria

The following criteria shall be used to approve, approve with conditions, or deny the site plan:

A City Ordinance Provisions. All the provisions from the applicable City ordinances have been met or will be met by the proposed development.

Response: As outlined in this narrative, the proposal meets or can be conditioned to meet all applicable City ordinances.

B Public Facilities Capacity. Adequate capacity of City facilities for water, sanitary sewer, storm sewer, and streets and sidewalks can and will be provided to, and where applicable, through the subject property in order to: (1) meet connectivity standards per the Transportation System Plan and other adopted plans and engineering standards of the City of The Dalles; and (2) provide for future development of surrounding property.

Response: The proposed storage units do not require additional water, nor will they generate additional storm runoff or sanitary sewer discharge. The mini-storage land use generates less than 4% of the traffic generated by the original free-standing discount store development. Thus, there will not be an impact on the existing City infrastructure. It does not impact development of surrounding properties. The request complies with Criterion B.

C Arrangement of Site Elements. Elements of the site plan are arranged to:

1. Promote pedestrian, bicycle, and vehicular safety and welfare. For housing developments this standard is met through compliance with the applicable zone standards and the requirements of this Article, as applicable.

Response: The proposal includes improvements along Snipes Street to provide ADA accessible ramps at all crossings. Additional pedestrian crossings are proposed from all proposed ADA compliant parking stalls. Please see Sheet C-101 for greater detail. The proposal will have no impact on bicycle safety or connectivity in the area. Bicyclists will have access to the pedestrian paths providing connectivity throughout the site. The proposal complies with Criterion 1.

2. Preserve and maintain public amenities and significant natural features. For housing developments this standard is met through compliance with the applicable zone standards and the requirements of this Article, as applicable.

Response: The proposal does not impact any existing public amenities or significant natural features. The request complies with Criterion 2.

3. Avoid traffic congestion. For housing developments this standard is met through compliance with subsection B, above.

Response: The project site is accessed through five driveways from public roads to avoid traffic congestion. The mini-storage land use generates less than 4% of the traffic generated by

the original free-standing discount store development. The request complies with Criterion 3.

4. *Minimize potential adverse impacts on surrounding properties. For housing developments this standard is met through compliance with the applicable zone standards and the requirements of this Article, as applicable.*

Response: As noted above the proposal reduces adverse impacts, such as traffic, to the surrounding properties. The request complies with Criterion 3.

D. Design Standards—All Development.

1. *Scale. Buildings with walls greater than 80 feet in length shall include street façades that are varied and articulated at regular 20-, 30-, 40- or 50-foot intervals along the façade to provide the appearance of smaller buildings. Articulation shall be achieved through the use of offsets, jogs, variation of finishes, projections, windows, bays, porches, traditional storefront elements, entries or other similar distinctive changes.*

Response: The proposed portable storage units do not exceed 80-feet in length and therefore this Criteria is not applicable. The existing main structure is approximately 359 feet by 239 feet in plan and, as shown in the architectural elevations provided, has a variety of articulation features such as projections, offset walls, and different finishes on the north and east sides facing the public streets. The proposal complies with Criterion 1.

2. *Parking Location. With exception of driveway parking, parking areas and parking lots shall not be located in the front yard setback.*

Response: The front yard setback in the GC-zone is zero feet. The closest parking space is more than 8-feet from the front property line; thus this criterion is met.

3. *Fences/Walls. Fences and walls in front yards and corner side yards, individually or in combination, shall be no more than 4 feet in height. A fence and wall are considered combined when located less than 5 feet apart at grade.*

Response: There are no fences or walls proposed – this criterion is not applicable.

4. *Parking Lot Landscaping. Where more than 4 contiguous surface parking spaces are provided, the requirements of Section 10.7.030.040(B): Landscaping and Screening Along a Public Right-of-Way shall apply.*

Response: A detailed Landscape Plan has been submitted with the application that demonstrates compliance with the Parking Lot Landscaping standards – this criterion is met.

5. *Pedestrian/Bicycle Circulation. All primary building entrances in a development shall be connected to the public right-of-way, on-site parking, and open space areas, if any, by a network of paved walkways or sidewalks of not less than 5 feet in width.*

Response: The submitted Site Plan identifies the proposed painted, pedestrian path that provides access to the main building entrance from Snipes Street. On-site parking can access the entrance via the paved parking lot. Criterion 5 has been met.

6. *Building Orientation. Except where a building cannot orient to a street because it is accessed from a private drive or is part of a multi-building complex and does not have street frontage, new buildings shall have their primary orientation to the street utilizing features such as front porches, windows, doorways, walkways, and traditional storefront elements.*

Response: The main building elevations provided identify the storefront and entrance facing West 6th Street and Snipes Street. The proposed portable storage buildings will have doors facing Snipes Street – thus this criterion is met.

7. Front Porches. The minimum front setback for covered front porches is 5 feet less than the standard front setback for the zone. For purposes of this standard, a covered front porch must connect to the primary building entrance.

Response: No front porches are proposed – this criterion is not applicable.

8. Trim and Details. Trim shall be used around the windows, doors, frieze, and corners of buildings. Details shall be used around the porch, fascia board, and window and door tops.

Response: As shown on the attached building elevations, there are a variety of trim details incorporated around the storefront, entrances, windows and doors. Criterion 8 is met.

E. Design Standards—Residential. In addition to the design standards for all development, the following standards shall apply to the different types of residential development:

<<<NOTE: this LUDO section has been truncated – see response below>>>

Response: This proposal does not include any Residential Development; thus, this criterion is not applicable.

F. Lighting. Proposed lighting shall not directly illuminate adjoining properties.

Response: This proposal does not include any additional site lighting. One existing light standard is being relocated approximately 60-feet; however, it has no impact to the illumination levels at the property boundaries – see attached Photometric Plan. Criterion F is met.

G. City Engineer Approval. Detailed construction/design plans for public infrastructure, improvements, or rights-of-way affected by or located within a proposed development site shall be approved by the City Engineer prior to granting a building permit as a condition of site plan review approval.

Response: Detailed construction plans of the proposed ADA ramps on the three Snipes Street entrances will be provided for City Engineer review and approval.

H. Waiver of Remonstrance. Where applicable, the applicant shall agree to waive any future rights to remonstrate against future public improvements, per the provision of Article 6.110: Waiver of Right to Remonstrate.

Response: Not Applicable

I. Deferring Approval. For all land use actions, when another public entity has primary subject matter jurisdiction, the City may defer development approval for those subjects to the entity with the jurisdiction.

Response: Not Applicable

J. Improvements Required of Development. The proposal complies with all of the applicable LUDO Chapter 10.10 standards, including, but not limited to:

Response: The only improvements proposed with this project consist of re-constructing the ADA ramps at the three entrances onto Snipes Street. Detailed construction plans will be provided to the City Engineer for review upon CUP/SPR approval (10.10.020, 030, 080, and 090). No public utility extensions (070), franchise utilities (100), public

land dedication (110), mail delivery (120) or transit facility (130) improvements are required. This proposal will comply with all applicable Chapter 10.10 standards.

1. *Section 10.10.040 Pedestrian Requirements.*

Response: Sidewalks currently exist on the public streets abutting the site and the proposed project provides for pedestrian circulation and connectivity throughout the site and to adjacent properties in the retail center. Criterion 1 is met.

2. *Section 10.10.050 Bicycle Requirements.*

Response: No public street improvements that would require bicycle facilities are proposed – this criterion is not applicable.

3. *Section 10.10.060 Street Requirements. (Ord. 21-1384; Ord. 19-1373)*

Response: No public street improvements are proposed nor was a Traffic Impact Study identified as being required – this criterion is not applicable.

Chapter 10.5 ZONE DISTRICT REGULATIONS

Article 5.060 CG General Commercial District

10.5.060.030 Conditional Uses

The following conditional uses are allowed subject to review and approval, per the appropriate provisions of either Article 3.050: Conditional Use Permits or Article 3.060: Administrative Conditional Use Permits.

K Warehousing-retail only, storage, and distribution of equipment, commodities and products in an enclosed area, including mini-storage facilities.

Response: The proposal is an expansion of the existing mini-storage facility to include six portable storage units on the subject site. The request is a Major Modification to the existing CUP allowing the mini-storage facility.

10.5.060.050 Development Standards

<i>CG General Commercial</i>	<i>Standard</i>
<i>Lot Size</i>	<i>10,000 sq. ft. minimum</i>
<i>Lot Width, Depth</i>	<i>No minimum, maximum</i>
<i>Setbacks</i>	
<i>Front Yard and Side Yard</i>	<i>None, except 10 ft. on corner lots and 15 ft. where borders a residential district</i>
<i>Rear Yard Setback</i>	<i>5 ft. minimum, 15 ft. minimum where borders a residential district</i>

<i>Building Height</i>	<i>55 ft. maximum, except 40 ft. maximum within 100 ft. of a residential zone*</i>
<i>Building Orientation</i>	<i>New buildings shall be oriented primarily toward a street or designated accessway. Building orientation shall include an entrance.</i>
<i>Pedestrian Access</i>	<i>All building entrances shall have a clear pedestrian connection to the street/sidewalk in accordance with Section 10.5.060.060(C): Pedestrian Walkways.</i>
<i>Off-Street Parking (Bicycles and Vehicles)</i>	<i>See Chapter 10.7 - Parking Standards</i>
<i>Landscaping</i>	<i>See Article 6.010: Landscaping Standards</i>
<i>Accessory Uses, Buildings and Structures</i>	<i>See Article 6.030: Accessory Development</i>
<i>Access Management</i>	<i>See Article 6.050: Access Management</i>

** The 40-ft height limitation shall not apply where there is more than a 20-foot difference in elevation between the commercial lot and the residential zone district.*

Response: The subject lot contains 342,918 square feet, exceeding the stated minimum lot size. The existing structure will maintain a 60-foot rear yard setback; the proposed portable storage units are to be located in front of the existing structure. The proposed storage units measure 10 feet in height, in compliance with the 55-foot maximum. The proposed portable storage units contain garage-style doors on both sides of each unit. The existing building, where all transactions are made, and customers served will be accessed by pedestrian crossings and sidewalks shown on the attached Site Plan. Please see Sheet C-101 for more detail. Off-street parking and landscaping requirements are addressed elsewhere in this document. The proposal complies with all Development Standards of Section 10.5.060.050.

10.5.060.060 Design Standards

A Exterior Elevations. Exterior elevations of buildings shall incorporate architectural design features such as offsets, balconies, projections, base/wall/cornice design, windows, entries, bays, seating, wall articulation, traditional storefront elements, or similar elements to preclude large expanses of uninterrupted building surfaces.

- 1. Horizontal. At least 3 architectural design features shall be incorporated along the horizontal face (side to side) of the structure.*
- 2. Vertical. At least 2 architectural design features shall be incorporated along the vertical face (top to bottom) of the structure.*

Response: The proposal is an expansion of an existing use contained in a commercial building featuring the required design features. The expansion includes six portable storage units located on the same lot as the existing structure. The storage units are non-permanent structures containing multiple garage-style doors per unit. As shown on the attached

building elevations various architectural design features are provided to comply with Criteria A.1 and 2.

B Entries.

1. Commercial and Residential. Primary entries shall face a public street or designated access drive and shall be accessed from a public sidewalk, in accordance with the provisions of subsection C below. Secondary entries may face parking lots or loading areas. Doors shall not swing into public rights-of-way.

Response: The primary structure is oriented towards West 6th Street. The proposed storage units will be oriented towards parking and loading areas on-site. No doors are proposed to swing into public rights-of-way. The request complies with Criterion B.1.

C Pedestrian Walkways. Each developed site shall include pedestrian walkway(s) designed to connect buildings and other accessible site facilities clearly and directly to adjacent public street/sidewalk(s). Walkways shall meet City standards for sidewalk construction, and be the shortest practical distance between the main entry(ies) and the public rights-of-way. If adjacent to parking where vehicles overhang the walkway, then the walkway shall be to the City standard plus 2 ½ feet in width for each side vehicles overhang. Walkways shall be distinguished from internal driveways and accessways using at-grade distinctive paving materials or other appropriate surfaces which contrast visually with adjoining surfaces. Walkways, including driveway and accessway crossings, shall be constructed and maintained for pedestrian safety, and shall meet the requirements of the Oregon Americans with Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes.

Response: Pedestrian walkways meeting the City standard width, the Oregon ADA, Structural Specialty Code and Revised Statutes provide pedestrian connectivity throughout the site. ADA compliant ramps are proposed to be located at all crossings along Snipes Street and painted crosswalks provide access to the primary building from both ADA parking stalls on site. Please reference the attached Site Plan, Sheet C-101 for greater detail. The proposal complies with Criterion C.

10.5.060.070 Exceptions To Standards

A Pedestrian Access. The following permitted and conditional uses may be exempted from the requirements for pedestrian access of this Title (but may still be required to meet federal and state requirements) as follows:

- 1. Automobile sales lots, however the sales lots must still provide for access to the sales lot from the sidewalk.*
- 2. Commercial card-lock fueling stations, where there are no mini-markets on site.*
- 3. Heavy equipment sales lots.*
- 4. Service stations where there are no mini-markets on site.*
- 5. Storage facilities and warehouses.*
- 6. Wireless communication facilities.*
- 7. Other uses which the Director determines to have no public pedestrian access needs.*

Response: No exception is requested. The proposal complies with Section 10.5.060.070

Chapter 10.7 PARKING STANDARDS

Article 7.010 Purpose

10.7.010.010 Purpose

A This Chapter describes off-street parking and loading standards and requirements. Off-street parking and loading shall be provided for all development requiring a building permit, except as exempted in this and other sections of this Title. No structures or buildings shall be occupied or used in any manner until all required parking areas are completed per approved plans, and ready for use as certified by the Director.

B Off-street parking and loading areas shall be satisfactorily maintained, per the requirements of this Chapter and other City ordinances, by the owner of the property for each building, structure, or use which is established, constructed, or altered.

C Vehicle access and circulation related to off-street parking and loading areas shall encourage smooth traffic flow with minimum hazards to pedestrian, bicycle, and other traffic. Access to, and through parking and loading areas for bicycles and pedestrians shall be by safe, direct, and convenient routes. Accommodations for safe intersections of bicycle and/or pedestrian routes with vehicle routes shall be provided. Safe and convenient vehicle routes for service vehicles and fire, life safety and other emergency vehicles shall also be provided.

D This Chapter sets minimum and maximum off-street parking requirements. Nothing in this Title requires more than the minimum required off-street parking so long as no public safety hazards are created.

Response: The request complies with the purpose and specific criteria of Chapter 10.7 as exhibited in the attached Parking Study and the responses below.

Article 7.020 General Provisions

10.7.020.010 Applicability

The provisions in this Chapter apply to all permit and development applications, including, but not limited to, new development and/or additions or modifications to existing development which increases the building(s) combined total footprint area by more than 20%

Response: The proposed storage containers would increase the total footprint by 6,000 square feet or about 6.7% of the original building footprint - significantly less than the 20% allowed. Planning Staff have determined that this Article is applicable to the proposed application.

10.7.020.020 Vehicle Parking Plan Requirements

A vehicle parking plan, drawn to a scale of 1 inch equals 50 feet (1:50) unless otherwise approved by the Director, shall accompany all development permit applications, except those for one- and two-family structures (which are subject to the appropriate requirements of Article 6.060: Driveway and Entrance Standards), and those applications which will not increase or decrease the off-street parking requirement, not change the parking area configuration, nor increase the total building footprint(s) by 10% or less. The plan shall show those elements necessary to indicate that the requirements of this Title are being met. The plan shall include, but not be limited to, the following:

- A Delineation, including dimensions, of all individual parking spaces, planting bays, walkways and islands.*
- B Safe, logical and consistent site circulation routes, including delineation of all structures and any obstacles to circulation on the site. (All circulation systems shall be designed to avoid conflicts between bicycles, pedestrians, and vehicles.)*
- C Access.*
- D Curb and curb cuts.*
- E Location and type of screening materials where required.*
- F Location and type of landscaping and parking lot trees where required.*
- G Information on abutting land uses, including location of curb cuts, existing cross access, structures and uses, and travel demand where appropriate.*
- H Grading, drainage, surface and retaining wall details.*
- I Location, type, and height of lighting fixtures.*
- J Location and details of signs, pavement markings, and bumper guards which protect sidewalks, walkways, and property lines.*
- K Accessible walkways and type and location of ramps, driveways, and other accessway crossings, including connections to buildings and sidewalks.*
- L Bicycle parking areas.*
- M Location of wheel stops where included.*
- N Location of area specified for the deposit of plowed snow.*
- O Location of, and circulation route to garbage disposal area.*
- P Location, dimensions, and surfacing of passenger and delivery loading areas.*

Response: All relevant requirements of Section 10.7.020.020 are shown on the attached Site Plan and Parking Study. Please see Sheets C-101 and C-701 for greater detail. The request complies with Section 10.7.020.020.

10.7.020.030 Location and Use of Motor Vehicle Parking

- A Location. All vehicle parking spaces shall be on the same lot as the main structure they serve or on an abutting lot. However, if the applicant demonstrates that parking on the same lot is not available, the*

approving authority may authorize the parking spaces to be on any lot within 1,000 feet walking distance from the use being served, upon written findings of compliance with the following provisions:

1. There is a safe, direct, and lighted pedestrian route between the vehicle parking area and the use being served.

Response: The provided parking areas are directly accessible to all structures by pedestrians. Please see the attached Sheet C-701 for greater detail. The request complies with Criterion 1.

2. There is an assurance in the form of a City Attorney approved deed, lease, contract or similar document that the required spaces will continue to be available for off-street parking use according to the required standards.

Response: The applicant is obligated by prior agreements to participate in a shared parking agreement with adjacent businesses as shown on the Parking Plan. A City Attorney approved document assuring the proposed parking will be maintained is to be submitted upon approval of the preliminary plan. The request complies with Criterion 2.

3. Loading areas and delivery vehicle maneuvering areas shall be located only on or abutting the property served.

Response: All five designated loading/unloading spaces are located on the subject property, directly adjacent to the existing storage facility. The proposal complies with Criterion 3.

4. Land devoted to off-site vehicle parking facilities is calculated as part of the total land area of the development proposal when determining minimum and maximum land use intensities and the number of dwelling units allowed.

Response: No off-site parking is proposed. All required parking will be provided on-site including 58 spaces dedicated to the facility and 24 shared with adjacent businesses. The request complies with Section 10.7.0220.030

B. Use. Required vehicle parking shall be available for the parking of operable automobiles and bicycles of residents, customers and employees and shall not be used for storage and/or sale of vehicles, materials, or for the parking of trucks or other equipment used in conducting the business or use. A required loading space shall not be used for any other purpose than immediate loading or unloading of goods or passengers, as appropriate.

Response: Areas dedicated to vehicles on the site are separated into distinct groups. A total of 82 parking spaces will be available for customer parking, 111 spaces will be dedicated to U-Haul fleet shunting, and five spaces will serve as loading areas. All spaces will be clearly marked and are shown on the attached Parking Study, Sheet C-701. The request complies with Criterion B.

10.7.020.040 Allowed Motor Vehicle Parking Reductions, Waivers, and Exemptions

A Right of Development. A reduction of up to 10% of the minimum off-street vehicle parking requirements established in Article 7.060: Minimum and Maximum Off-Street Parking Requirements is allowed as a right of development for all nonresidential uses.

B Reductions for Bicycle Parking. Off-street motor vehicle parking requirements for nonresidential uses established in Article 7.060: Minimum and Maximum Off-Street Parking Requirements may be reduced by 10% in addition to the reductions allowed in subsection A above, if replaced by bicycle parking over the amount required in Article 7.060: Minimum and Maximum Off-Street Parking Requirements, at the rate of 1 bicycle space for 1 vehicle space.

C Reductions for Existing Uses. Property owners of existing nonresidential development may take advantage of incentives to reduce vehicle parking below t

he minimum off-street vehicular parking standards established in Article 7.060: Minimum and Maximum Off-Street Parking Requirements as provided below:

- 1. When expansion of floor area and/or redevelopment of the site necessitates or creates an opportunity to reconfigure existing parking, the owner may take advantage of applicable vehicle parking reductions provided in subsections A and B above.*
- 2. Where pre-existing development is unable to accommodate off-street parking that is required by a proposed use change and/or an addition or modification to existing building(s), the applicant may request a conditional use approval for a parking reduction providing each of the following conditions is met. The conditional use permit shall be processed per the provisions of Article 3.050: Conditional Use Permits.*
 - a. The enlargement, modification or use change does not displace any existing off-street parking.*
 - b. The proposal is not for an existing nonconforming use.*
 - c. The applicant can demonstrate that an opportunity for shared or joint parking, as specified in this Chapter, is not reasonably available.*
- 3. Even when no expansion or redevelopment of the site is proposed, the property owner may replace up to 10% of existing parking spaces with the following:*
 - a. Additional landscaping equal to the square footage of the parking space reduction.*
 - b. On-site, publicly accessible pedestrian plazas, seating areas, shelters and/or walkways (in addition to required walkways).*
 - c. Bicycle parking in addition to the number of bicycle parking spaces required in Article 7.060: Minimum and Maximum Off-Street Parking Requirements. New bicycle parking shall conform to the design standards contained in Article 7.040: Bicycle Parking Design Standards.*
 - d. Bus shelters and other pedestrian and transit amenities located adjacent to streets with existing or planned transit routes.*

D. Off-Street Parking Waiver. Minimum off-street parking spaces required by Article 7.060: Minimum and Maximum Off-Street Parking Requirements may be waived for the following:

- 1. The property is located within the boundaries of a legally adopted parking assessment district that provides district-wide parking facilities.*
- 2. The property is located within Sub-district CBC-2 in the Central Business Commercial district, as defined in Section 10.5.050.020: Sub-Districts.*

E Non-Surface Lot Exemption. Motor vehicle parking located within, above, or beneath the building(s) it serves, or within a parking structure, is not counted toward the maximum parking limit, per Article 7.060: Minimum and Maximum Off-Street Parking Requirements, for the use served.

F Parking Management Plan. The off-street parking requirements in Article 7.060: Minimum and Maximum Off-Street Parking Requirements may be reduced or added to based on an approved parking management plan submitted by the applicant which adequately demonstrates that the plan will meet the parking needs of the proposed project without negative impact to adjacent uses. The approving authority shall approve, approve with conditions, or deny the parking management plan. The parking management plan must include the following and be prepared by a licensed professional engineer:

- 1. A parking demand analysis for the project.*
- 2. A project vicinity off-street parking supply and demand analysis.*
- 3. A shared parking analysis.*

Response: No reductions, waivers, or exemptions are requested. Section 10.7.020.040 does not apply.

10.7.020.050 Modifications or Expansions of Existing Uses

Except as specified in Section 10.7.020.040(C)(2) of this Article, where off-street parking is required by this Title, no use of land, building or structure shall be modified or enlarged without inclusion of the required motor vehicle parking and bicycle spaces for the expansion, per Article 7.060: Minimum and Maximum Off-Street Parking Requirements, and all applicable requirements for off-street loading, per Section 10.7.030.060: Passenger Drop-Off and Loading Zones. All new parking spaces shall conform to the standards and provisions of this Chapter, and the requirements of the Oregon Americans with Disabilities Act.

Response: The proposal is specifically an expansion of an existing use and sufficient parking will be made available to serve the existing and proposed storage facilities specified in Chapter 10.7. The request complies with Section 10.7.020.050.

10.7.020.060 Shared Parking

Two or more freestanding uses on the same, adjacent or nearby sites may satisfy the motor vehicle parking requirements of Article 7.060: Minimum and Maximum Off-Street Parking Requirements by the use of a shared parking facility. Applicants taking advantage of this provision are not eligible for the parking reductions per subsections 10.7.020.040(A), (B) and (C) of this Article. Shared parking is an option to the extent that the owners or operators proposing the shared parking can demonstrate the following:

A Facility Size. The size of the proposed shared parking area shall be at least as large as the number of vehicle parking spaces required by the larger(est) use per Article 7.060: Minimum and Maximum Off-Street Parking Requirements.

B Space Requirements. There are enough parking spaces to satisfy the minimum requirements, per Article 7.060: Minimum and Maximum Off-Street Parking Requirements, of all uses proposing to share the facility, or the owners or operators can show that the demand for parking in the shared facility does not materially overlap (uses primarily of a nighttime versus daytime, or weekday versus weekend nature).

C Written Instrument. A right of shared use shall be evidenced by a City Attorney approved deed, lease, contract, or similar written instrument upholding the right of shared parking.

Response: The parking requirements of this Code are satisfied by the 58 designated parking spaces. Twenty-four additional parking spaces are shared with adjacent businesses under existing agreements. The request complies with Section 10.7.020.060.

10.7.020.070 Parking In Mixed Use Development

The requirements for motor vehicle parking for mixed use development may be determined using the formula method or the parking management plan method.

A Formula Method. Mixed use development projects using this formula are not eligible for further parking reductions per Section 10.7.020.040(A) of this Article, but may take advantage of reductions per subsections 10.7.020.040(B) and (C) of this Article. For the purposes of this Article, "mixed use" development can include any mix of residential, office, commercial, or light industrial use types:

- 1. Primary Use. The primary use (largest portion of total floor area within the development) at 100% of the minimum vehicle parking required for that use per Article 7.060: Minimum and Maximum Off-Street Parking Requirements.*
- 2. Secondary Use. The secondary use or uses (second largest proportion of total floor area within the development) at 70% of the minimum vehicle parking required per Article 7.060: Minimum and Maximum Off-Street Parking Requirements.*
- 3. Subsequent Uses. Subsequent use(s) at 50% of the vehicle parking required for each use(s) per Article 7.060: Minimum and Maximum Off-Street Parking Requirements.*

B Parking Management Plan Method. A parking demand management plan may be submitted in accordance with Section 10.7.020.040(F) of this Article.

Response: The request includes additional storage capacity for an existing storage facility, no mixed-use development is proposed. Section 10.7.020.070 does not apply.

10.7.020.080 Required Carpool/Vanpool Parking

Commercial and industrial uses, government offices and facilities, educational institutions, hospitals and clinics, retirement homes, and nursing homes, all with more than 40 employees on any single shift (at the same location), and public and private educational facilities with more than 40 enrolled students above the age of 16 shall designate at least 10%, but no fewer than 2, of the long-term (4 hours or more) employee or student vehicle parking spaces for carpool/vanpool parking. These designated spaces shall be closer to the building entrances than other long-term employee or student parking except for disabled accessible parking. These spaces shall be clearly marked "Reserved - Carpool/Vanpool Only" and include hours of use, per the Manual of Uniform Traffic Control Devices.

Response: The existing storage facility is staffed by significantly less than 40 employees and the proposal will not increase the number of employees on-site. Section 10.7.020.080 does not apply.

10.7.020.090 Fleet Motor Vehicle Parking

Vehicle parking spaces required per Article 7.060: Minimum and Maximum Off-Street Parking Requirements may not be used for storage of fleet vehicles, except when a use can show that employee and fleet parking spaces are used interchangeably. For the purposes of this Title, space devoted to the parking of fleet vehicles shall be considered as outdoor storage, and will not affect required or maximum parking requirements.

Response: All designated parking spaces as required by Article 7.060 are to be clearly marked as customer parking. Fleet vehicle shunting is to be located elsewhere on-site. The proposal complies with the parking requirements of Article 7.060 as well as Section 10.7.020.090. Please see the attached Parking Plan Sheet C-701 for greater detail.

10.7.020.100 Stormwater Pretreatment

All parking areas which are designed to accommodate 25 or more vehicles, or to contain 2 or more levels, or have a minimum of 10,000 square feet of paved surface, shall be required to install an oil/water separator to treat stormwater capture before discharging to the stormwater system. The design and maintenance agreement for the oil/water separator must be reviewed and approved by the City Engineer prior to any building permits being issued. The maintenance agreement for the oil/water separator must be on file with the Public Works Department of the City of The Dalles. The property owner is required to submit annual maintenance reports to the City. (Note: Chapters 4.08 and 4.12 of this Code.)

Response: Oil/water filters are currently installed at each catch basin on the subject site to pretreat stormwater. Additional details about the design and maintenance of this system will be provided to the City Engineer upon preliminary approval of the proposal. The request complies with Section 10.7.020.100

Article 7.030 General Design Standards for Surface Parking Lots

10.7.030.010 Purpose

This Article describes the minimum design standards required for all at-grade surface vehicle parking areas. One- and two-family dwellings are exempt from these requirements.

10.7.030.020 Location, Surfacing, Striping and Curb Cuts

A Location. No vehicle parking spaces shall occupy any of the required setbacks unless the parking area is the only developed use of a legal lot of record and provided that all the other screening and landscaping requirements of this Title have been met. This requirement may be waived for the rear setback where alley access serves the subject property, provided the entire block length of the alley right-of-way is free and clear of any obstructions and adequately surfaced with an all weather material such as gravel, concrete, or asphalt. Parked vehicles shall not overhang property lines or walkways unless otherwise approved by the Director.

Response: All parking is located in front of the existing storage facility contained on the subject lot and within the required setbacks. No parked vehicles will overhang property lines or walkways. Please see Sheet C-701 for greater detail. The request complies with Criterion A.

B Surfacing. On site areas used for the parking and maneuvering of vehicles shall be surfaced with material approved by the City Engineer.

Response: All vehicle parking and maneuvering areas are surfaced with a combination of existing asphalt pavement and new asphalt pavement where the two landscape islands are to be modified. The request complies with Criterion B.

C Striping. All parking spaces shall be striped.

Response: All parking, shunting and loading areas will be striped per Criterion C.

D Curb Cuts. Curb cuts shall meet the design requirements specified by the Americans with Disabilities Act, the City Engineer, and the placement requirements specified in Article 6.050: Access Management and design requirements specified in Article 6.060: Driveway and Entrance Standards.

Response: The three curb cuts along Snipes Street are proposed to be improved with new sidewalk ramps as specified by the Americans with Disabilities Act. Detailed plans for the proposed improvement will be provided upon approval of this application. The request complies with Criterion D.

10.7.030.030 Internal Circulation

A General. Internal circulation shall be designed to facilitate movement of vehicles, bicycles and pedestrians in a safe and efficient manner, with a minimum of impervious surface coverage.

Response: The proposal utilizes the existing circulation pattern to maintain safe and efficient movement of all users. No additional impervious surfaces are proposed. The request complies with Criterion A.

B Emergency Vehicles. Safe and convenient vehicular access shall be provided for service and emergency vehicles.

Response: Emergency vehicles will continue to have convenient and safe access to the subject site at all times. The request complies with Criterion B.

C Pedestrian Walkways. Safe, efficient, and conveniently located pedestrian walkways shall be provided.

Response: Pedestrian walkways are located adjacent to the building and are provided to connect ADA accessible parking spaces to the storage facility. The request complies with Criterion C.

D Integration and Separation. Integration and/or separation of vehicle, bicycle and pedestrian circulation systems shall be appropriate to the type and size of the development and anticipated traffic flows. Accessible connections to the adjacent public sidewalk(s) shall be provided in all cases where such sidewalk exists or is required as a condition of development.

Response: Adjacent public sidewalks are accessible to the subject site. The sidewalk ramps along Snipes Street are proposed to be improved to ADA accessible standards. Additional details regarding the design will be provided upon preliminary approval of the proposal.

10.7.030.040 Landscaping Requirements

A General Provisions.

1. Motor vehicle parking lots, loading, and maneuvering areas shall be landscaped by medium and large canopied deciduous trees, mid-sized shrubs, and groundcovers to reduce the visual impact of glare, headlights, and parking lot lights from the public right-of-way and adjoining properties. The intent of a landscaped parking lot is also to break-up and screen the areas of impervious surfaces, reduce the level of carbon dioxide in areas of heavy vehicle use, return pure oxygen to the atmosphere, provide shade as a means of altering the microclimate, and generally improve the environmental and aesthetic qualities of the parking areas.

Response: The proposal includes a total of 39,692 square feet of landscaping to achieve the desired outcomes listed in Criterion 1. Please see the attached Site Plan (Sheet C-101) and Landscape Plan for greater detail.

2. Efforts shall be made through the design and layout of parking area(s) to save as many existing trees on site as possible.

Response: Two existing trees will be removed as a result of this proposal, however 14 or more will be added for a net increase. The request complies with Criterion 2.

3. All required landscaped areas shall be irrigated with a permanent irrigation system.

Response: All existing and proposed live landscaping will be irrigated. Additional details will be provided in the second stage of this proposal. The request complies with Criterion 3.

4. The property owner is responsible for the establishment and continued maintenance of parking lot landscaping in accordance with the requirements of this Article.

Response: All existing and proposed landscaping will be maintained by the owner in compliance with Criterion 4.

5. The minimum planting size for trees shall be 2.5 inches caliper at 5 feet above grade per the requirements of Section 10.6.070.100: Measuring Tree Diameter.

Response: All proposed trees will be planted in compliance with Section 10.6.070.100, specific details on tree species will be provided in the second stage of this proposal. The request complies with Criterion 5.

6. Tree species shall be chosen from the recommended tree list provided by the Director; however trees must be deciduous and capable of reaching 30 feet in height and spread at maturity.

Responses: All proposed trees will be selected from the tree list provided by the Director, specific details on tree species will be provide in the second stage of this proposal. The request complies with Criterion 6.

7. A minimum of 60% of all landscaped areas, including required planting strips and planting islands, shall be covered with trees, shrubs, and ground cover. The remaining 40% may be dry landscaped with approved materials.

Responses: Specific details regarding types of landscaping are provided in the attached landscape plan. Approximately 73% of the landscaped areas will contain trees, shrubs and groundcover in compliance with Criterion 7.

8. *Shrubs shall be at least 24 inches high at maturity and a minimum of one-gallon size at the time of planting.*

Response: All shrubs planted will comply with Criterion 8. Specific landscaping details will be provided in the second stage of this proposal.

B Landscaping/Screening Along a Public Right-of-Way. All surface vehicle parking lots larger than 6 spaces, and all maneuvering and loading areas shall provide a minimum 5-foot wide screen buffer between the parking, maneuvering or loading areas and a public right-of-way (except alleys and accessways). The screen buffer shall also be required along interior lot lines in residential neighborhoods. Where the curb or the edge of these areas is used as the tire stop for parking, the screen buffer area shall be a minimum of 7.5 feet wide. The screen buffer area shall be landscaped according to the following requirements:

1. *One of the following 2 types of buffering shall be provided (in addition to required street trees):*

a. *Planting Strip. A planting strip in the required buffer between the right-of-way and parking area. The planting strip may be pierced by pedestrian and vehicle accessways. Planting strips shall be planted with trees meeting the specie and size criteria of paragraphs (A)(5) and (A)(6) of this section, and a low level evergreen hedge no more than 48 inches in height.*

Response: Existing landscape buffers are proposed to be improved to the above standard along the Snipes Street right-of-way as well as the driveway providing access to 6th Street. Please see the attached Landscape Plan for details. The request complies with Criterion 1.

b. *Wall or Hedge. A decorative wall or evergreen hedge screen no more than 48 inches in height and established parallel to, and no nearer than 2 feet from, the right-of-way line. The area between the wall or hedge and the street/sidewalk line shall be landscaped. The wall or screening shall be designed to allow a free access to the site or sidewalk by pedestrians.*

Response: No wall or hedge is proposed, please see the attached Landscape Plan for details regarding the proposed planting strips. The request complies with Criterion 1.

2. *Visual Breaks. Visual breaks, not more than 5 feet wide, shall be provided every 30 feet within evergreen hedges abutting public rights-of-way.*

Response: No evergreen hedges are proposed, sufficient visibility will be maintained. Additional details regarding proposed landscaping will be provided in the second phase of the permitting process. The request complies with Criterion 2.

3. *Shrubs. Shrubs used for screening parking lot areas shall be planted in minimum 1 gallon container sizes, or larger, in order to achieve a desired height of 30 inches within 12 months.*

Response: Any shrubs planted will adhere to the above standard, specific species and locations of shrubs will be provided upon initial approval of this application.

C Interior Parking Lot Landscaping. In addition to buffer landscaping along the public right-of-way (excluding alleys and accessways) and along interior lot lines where required, all surface parking lots greater than 6 spaces shall include landscaping to cover not less than 10% of the interior of the parking area in accordance with the following:

1. *A planting bay shall be located at the end of each parking row and at intervals between parking rows. Planting bays shall be a minimum of 9 feet wide, to allow doors to open without damage, and a minimum of 180 square feet. Each bay shall be curbed, and planted with 1 approved tree having a clear trunk height of at least 9 feet when mature. Height of all plantings, other than trees, in planting bays is limited to 24 inches.*

Response: Planting bays are proposed at the end of all parking rows and will be curbed and planted with trees per this criterion. Please see Sheet C-101 and the Landscape Plan for more detail.

2. *All trees shall be selected from the recommended tree list provided by the Director.*

Response: All trees planted will comply with Criterion 2. Specific details regarding plant species will be provided upon approval of the preliminary plans.

3. *Trees shall not be placed within 10 feet of a public utility easement without prior approval of the City Engineer.*

Response: No trees are proposed to be planted within 10 feet of a public utility easement. The request complies with Criterion 3.

4. *Parking areas shall be separated by a 5-foot landscaped planting bed from all exterior walls that include no pedestrian entranceways or loading areas.*

Response: All parking areas are separated from exterior walls by the planting bays located at the end of each parking row. The request complies with Criterion 4.

5. *Driveways, accessways, and access drives into vehicle parking lots from public and private streets shall be bordered (both sides) by a minimum 5-foot wide landscape planter strip with approved trees planted 20 to 30 feet on center and low shrubs.*

Response: Access drives from 6th and Snipes Streets are bordered by landscape planter strips as shown on Sheet C-101 and the Landscape Plan. Additional tree planting details will be provided upon approval of the preliminary plans.

6. *Trees shall be evenly distributed throughout the parking area according to the applicable requirements of this Article and the following table:*

<i>Zone District</i>	<i>Parking Lot Tree Requirement Ratio</i>
<i>RL</i>	<i>No requirement</i>
<i>RM, RH</i>	<i>1 tree per 10 parking spaces</i>
<i>CBC</i>	<i>1 tree per 5 parking spaces</i>
<i>CLI</i>	<i>1 tree per 10 parking spaces</i>
<i>CG, CR</i>	<i>1 tree per 12 parking spaces</i>
<i>I</i>	<i>1 tree per 20 parking spaces after the first 10 spaces</i>
<i>P/OS</i>	<i>1 tree per 10 parking spaces</i>

Response: The proposal includes 58 spaces allocated specifically to the storage facility requiring approximately five trees. The proposal includes 14 trees to be planted in addition to the existing five trees that will remain. The request complies with Criterion 6 and the above table.

D. Alternate Landscaping Plan. Applicants may prepare an alternate landscaping plan for parking lots with 16 or fewer vehicle parking spaces located in the following zone districts:

CBC - Central Business Commercial

NC - Neighborhood Center Overlay

CFO - Community Facilities Overlay

RL - Low Density Residential

RH - High/Medium Density

RM - Medium Density Residential

The alternate landscaping plan and specifications shall meet the intent of the requirements in this Article and the intent of the subject zone district and is subject to approval by the approving authority.

Response: No alternative landscaping plan is proposed. Criterion D does not apply.

10.7.030.050 Accessible Parking

A General. Where required by the Oregon Americans with Disabilities Act, parking areas shall provide parking spaces and aisles which are accessible to the disabled. These accessible spaces shall be located closest to an accessible building entry. Whenever practical, the accessible route shall not cross lanes of vehicular traffic. Where the accessible route does cross vehicular traffic, the crossing area shall be distinguished from traffic lanes using at-grade distinctive paving materials or other appropriate surfaces which contrast visually with adjoining surfaces. The crossing area shall be maintained for safety and shall meet the requirements of the Oregon Americans with Disabilities Act. Location of vehicle parking shall not obstruct curb ramps or other sloped areas. Accessible parking spaces shall be minimum 9 feet wide with a 6-foot wide access aisle per single space, or between each 2 spaces. A van accessible parking space shall be at least 9 feet wide and shall have an adjacent access aisle that is at least 8 feet wide. Accessible parking spaces shall be at least 9 feet wide and shall have an adjacent access aisle that is at least 6 feet wide. The access aisle shall be located on the passenger side of the parking space except that two adjacent accessible parking spaces may share a common access aisle. Accessible parking shall be provided according to the following ratio requirements:

Response: Three accessible parking spaces meeting the above criteria are proposed. Since 58 parking spaces are proposed the request complies with the table below.

Minimum Required Number of Total Parking Spaces	Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-999	2% of total spaces
Over 1,000	20 spaces plus 1 for every 100 spaces over 1,000

B Van Accessible Parking. One in 8 accessible parking spaces, but no less than 1 space, must provide a van-accessible parking space. Van accessible parking spaces are 9 feet wide with an 8-foot wide aisle which can be shared between another 9-foot accessible space. Van accessible parking spaces shall have an additional van accessible sign mounted below the accessible parking sign. Van accessible spaces can be used by any authorized accessible vehicle.

Response: A van accessible parking space is proposed directly adjacent to the storage facility. The request complies with Criterion B.

C Marking. The accessible parking symbol shall be painted on the parking space and an accessible parking sign shall be placed in front of each space according to the Oregon Transportation Commission's Disabled Parking Standards.

Response: All accessible parking spaces will be painted with the accessible parking symbol and have proper signage. The request complies with Criterion C.

D. Medical Facilities.

1. Medical care facilities shall provide a passenger drop-off and loading zone(s) per the provisions of Section 10.7.030.060 of this Article.

2. Medical care facilities specializing in the treatment of persons with mobility impairments shall provide 20% of required parking spaces as accessible.

3. For outpatient facilities, 10% of the parking spaces, but not less than 1 space shall be accessible.

Response: No medical facilities are included in this proposal. This section does not apply.

10.7.030.060 Passenger Drop-Off and Loading Zones

Where provided, passenger drop-off and loading zones shall be located on an accessible route, shall not be less than 12 feet wide by 25 feet long, shall not have a slope exceeding 1 vertical foot for every 50 horizontal feet, shall have a vertical clearance of not less than 114 inches, and shall be designed and constructed according to the Oregon State Structural Specialty Code and the Oregon Americans With Disabilities Compliance Manual.

Response: No passenger drop-off or loading zones are proposed. This section does not apply.

10.7.030.070 Vehicle Loading and Unloading

Commercial and industrial buildings with floor area greater than 5,000 square feet shall provide for adequate on site loading area(s). Where the loading area is located such that a delivery vehicle must back directly in, a maneuvering space of 55 feet with 16 feet vertical clearance shall be provided. The CBC - Central Business Commercial zone district is exempt from these vehicle loading/unloading provisions.

Response: Vehicle loading and unloading are located in front of the storage facility. Please see Sheet C-701.

10.7.030.080 Motorcycle Parking

All multifamily dwelling developments shall provide areas sufficient to accommodate 1 motorcycle for every 10 parking spaces to park and store motorcycles and mopeds. These areas shall be clearly defined, and reserved for exclusive use by motorcycles and mopeds.

Response: The proposal does not include multifamily dwellings, therefore no motorcycle parking is required.

10.7.030.090 Driveways, Aisles, Clearance, Drainage, and Cross Access

A Driveways. Driveways shall not occupy a front yard or exterior side yard setback except to pass through the setback in order to connect parking spaces directly with the public right-of-way or as necessary for shared driveways and internal access between uses on abutting lots. Driveways are also subject to the requirements of Article 6.060: Driveway and Entrance Standards.

Response: The existing driveways occupy the front and side yard solely for the purpose of connecting the subject site to Snipes and 6th Streets. The existing driveways will not be altered by this proposal. The request complies with Criterion A.

B Aisles. Vehicle parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner.

Response: The required parking spaces are spread across six different areas to accommodate all visitors with adequate aisles between for vehicle turnaround areas. Please see Sheet C-701 for greater detail. The proposal complies with Criterion B.

C Clearance.

1. Driveways, aisles, turnaround areas and ramps shall have a minimum vertical clearance of 12 feet for their entire length and width. The clearance requirement may be reduced in parking structures.

2. Vehicle loading and unloading areas shall have a minimum vertical clearance of 16 feet.

Response: All driveways, aisles, turnarounds, ramps, and loading areas will maintain sufficient vertical clearance in accordance with Criterion C. Please see the attached Site Plan, Sheet C-101.

D. Drainage. Adequate drainage facilities shall be provided to dispose of the runoff generated by impervious surfaces of the parking area. (Roof drains shall connect directly to the storm system, and shall not flow onto parking surfaces.) Provisions shall be made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property. Stormwater pretreatment shall be required per the provisions of Section 10.7.020.090: Stormwater Pretreatment.

Response: Runoff will continue to be managed by catch basins located on site. Section 10.7.020.090 is addressed elsewhere in this document. The request complies with Criterion D.

E. Joint and Cross Access. In order to eliminate the necessity of utilizing the public rights-of-way for cross movements, surface parking lots serving commercial uses which are open to the public shall be designed in accordance with the requirements of Section 10.6.050.030(D): Joint and Cross Access.

Response: No public rights-of-way will be utilized for cross movements. Criterion E does not apply.

10.7.030.100 Parking Clusters

Vehicle parking areas shall be landscaped so as to create parking clusters of not more than 35 spaces. Auto parking clusters shall be separated by a minimum 5-foot wide landscaped area with parking lot trees planted 20 to 30 feet on center and low shrubs, or a walkway, or by buildings or building groups. Parking lot trees shall be chosen from a list provided by the Director.

Response: The 58 proposed parking spaces are clustered in a row of 6, a row of 8, a row of 11, a row of 15 and one row of 16 with two of the ADA accessible spaces located adjacent to the existing building entrance. The request complies with the requirements of Section 10.7.030.100.

10.7.030.110 Refuse Collection

Where refuse collection is provided in, or adjacent to a parking area the following shall be required:

A Screening. Refuse storage facilities shall be screened by a solid wall, fence, evergreen hedge, or a combination of these methods. Screening shall be designed to screen the refuse storage area from streets, accessways, and adjacent properties.

Response: The screened trash enclosure is located at the northwest corner of the existing building. The request complies with Criterion A.

B Placement. All refuse collection containers shall be placed on concrete pads. Pads shall have a positive surface drainage.

Response: The trash enclosure is placed on a paved surface with positive drainage. The request complies with Criterion B.

10.7.030.120 Outdoor Lighting

A General. Parking areas shall be adequately lighted where necessary for public safety and security of property.

B Shielding and Arrangement. Lighting sources shall be shielded and arranged so as not to produce glare in any public right-of-way, or otherwise constitute a nuisance on adjacent property.

C Maximum Illumination. Maximum illumination at the property line shall not exceed an average horizontal foot candle of 0.3 for non-cut-off light and 1.0 for cut-off lights.

Response: Existing light fixtures provide adequate lighting to the site and the only alteration will be relocating one pole about 61-feet to allow for maneuvering at the loading/unloading area. Please see Sheet C-101 for specific parking lot light locations and the photometric plan prepared by Platt Electric. The request complies with Section 10.7.030.120.

10.7.030.130 Stall and Aisle Dimensions

A All surface parking lots shall be designed in accordance with City standards for stalls and aisles as set forth in Figure 7-1, Off-Street Parking Dimensions. A minimum of 70% of vehicle parking stalls shall be of standards size and a maximum of 30% of vehicle parking stalls shall be compact spaces. Compact spaces shall be designed in clusters and appropriately marked "compact."

Response: All 58 parking spaces, including the three designated ADA accessible spaces comply with the dimensions set forth in Figure 7-1. No compact spaces are proposed.

B The following notes apply to Figure 7-1:

- 1. For 1 row of stalls use "C" plus "D" as minimum module width.*
- 2. Public alley width may be included as part of dimension "D," but all stalls must be on private property, off the public right-of-way.*
- 3. Use 350 square feet per vehicle to estimate available parking area for stall, aisle, and access areas.*
- 4. The minimum stall width for high turnover self-parking is 9 feet. For supermarkets and similar facilities (shoppers with packages) the minimum stall width is 9.5 feet.*
- 5. The minimum aisle width for two-way traffic and for emergency vehicle operations is 24 feet. The minimum aisle width for one-way emergency vehicle access is 20 feet.*
- 6. Where a bumper overhang area is provided (e.g., increased pedestrian walkway width, curbed islands), "C" may be subtracted from "C" to determine stall depth.*

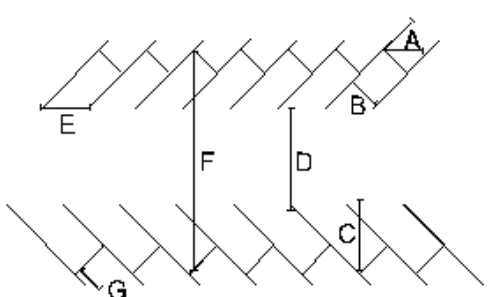
Figure 7-1

OFF-STREET SURFACE PARKING DIMENSIONS

Required Space and Aisle Dimensions in Feet

COMPACT							STANDARD					
A	B	C	D	E	F	G	B	C	D	E	F	G
60°							9.0	19.0	16.0	10.4	54.0	2.5
							9.5	19.0	15.0	11.0	53.0	2.5
	8.0	17.0	14.0	9.20	44.0	2.5	10.0	19.0	14.0	11.6	52.0	2.5
90°							9.0	18.5	26.0	9.0	63.0	3.0
							9.5	18.5	25.0	9.5	62.0	3.0
	8.0	16.5	24.0	8.0	58.0	3.0	10.0	18.5	24.0	10.0	61.0	3.0

Stall width dimensions may be distributed as follows: 70% standard spaces, 30% compact spaces. All compact spaces shall be labeled as such.



A Parking Angle

B Stall Width

C Stall Depth (no bumper overhang)

D Aisle Width between stall lines

E Stall Width parallel to aisle

F Module Width (no bumper overhang)

G Bumper Overhang

Article 7.040 Bicycle Parking Design Standards

10.7.040.010 Purpose

A Bicycle parking is required in most land use districts and categories to encourage the use of bicycles by providing safe and convenient places to park. The required number of spaces is lower for uses that do not tend to attract bicycle riders and higher for those that do. Safe and accessible bicycle parking is intended to specifically encourage employee, student, and customer related bicycle use.

B The main purpose of these design standards is to ensure that bicycle parking is visible from the street, located conveniently for cyclists, and designed to provide sufficient security from theft and damage.

Response: The proposed development is an increase in storage capacity for an existing Mini-Storage facility. This use is unlikely to attract significant bicycle traffic and is exempt per Section 10.7.040.060, however a portion (2,945 square feet) of the primary facility will be used for Retail Trade which does require provisions for bicycle parking.

10.7.040.020 Minimum Requirements

A The required minimum number of bicycle parking spaces for each principal use is given in Article 7.060: Minimum and Maximum Off-Street Parking Requirements. Additional parking spaces may be required at common use areas.

B All development shall meet the minimum requirements for bicycle parking and design per the provisions of this Chapter.

Response: Mini-storage facilities are exempt from bicycle parking requirement however the Retail component of the facility requires 0.3 bike spaces per 1,000 square feet resulting in a minimum of one bike parking space which has been located near the building entrance (Key Note 14 on sheet C-101). The request complies with the requirements of Section 10.7.040.020.

10.7.040.030 Bicycle Parking Location and Access

A Location.

- 1. Outdoor bicycle parking must be located within 50 feet of the primary building entrance(s).*
- 2. Bicycle parking may be located inside a building on a floor location which does not require stairs to access the space. Exceptions may be made for parking on upper stories within a multi-story residential building.*
- 3. Bicycle parking racks shall be located to avoid conflict with pedestrian movement and access walkways required by this Title and the State of Oregon Structural Specialty Code.*
- 4. Subject to the approval of the City Engineer, bicycle parking may be located in the public right-of-way when the parking does not conflict with pedestrian accessibility.*

B Visibility: Outdoor bicycle parking shall be visible from on-site buildings and/or the street. When the bicycle parking area is not visible from the street, directional signs shall be used to locate bicycle parking areas. Directional signs shall be approved by the Director.

C Lighting: Required bicycle parking must have a minimum lighting level of 3 foot candles.

D. Walkway. A pedestrian accessible walk must be provided between bicycle parking and the building entrance. The walk must be constructed of hard surfaced materials with a minimum width of 4 feet.

E. Amenities. Bicycle parking areas are encouraged to include a bench.

Response: The proposed bike parking space complies with the requirements of Section 10.7.040.030.

10.7.040.040 Bicycle Rack Types and Space Dimensions

Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object (i.e., a “rack”) upon which the bicycle can be locked. A list of standard bicycle racks, shelters and lockers is available from the Director. The list does not preclude other designs the Director may approve. Racks provided in required bicycle parking facilities shall ensure that bicycles may be securely locked to them without undue inconvenience in accordance with the following:

A. Security.

- 1. Bicycle racks must hold bicycles securely by means of the frame. The frame must be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels.*
- 2. Bicycle parking racks, shelters, and lockers must be securely anchored to the ground or to the structure.*

B. Accessibility. Each required bicycle parking space must be accessible without moving another bicycle.

C. Parking Space Dimensions. Bicycle parking spaces shall be at least 2 ½ feet wide by 6 feet long and, when covered, provide a vertical clearance of 7 feet. An access aisle of at least 5 feet wide shall be provided and maintained beside or between each row of bicycle parking.

D. Space Rental and Leasing. Bicycle parking spaces required by this Chapter may not be rented or leased except where required motor vehicle parking is rented or leased. At cost or deposit fees for bicycle parking are exempt from this requirement.

E. Reserved Areas. Areas set aside for required bicycle parking must be clearly marked (signed) for bicycle parking only.

Response: While not detailed the bike parking rack and space will comply with the requirements of Section 10.7.040.040.

10.7.040.050 Paving and Surfacing of Bicycle Parking Area

Outdoor bicycle parking facilities shall be surfaced with a well drained, hard surface material at least 2 inches thick (i.e. pavers, asphalt, concrete or similar material) approved by the City Engineer.

Response: The bike parking area is located on the concrete sidewalk and complies with the requirements of Section 10.7.040.050.

10.7.040.060 Exemptions

The following uses are exempted from bicycle parking requirements:

- A Temporary uses (special events, seasonal uses).*
- B Agricultural uses.*
- C Mini-storage facilities.*
- D Home businesses.*
- E Other exemptions as approved by the approving authority.*

Response: The proposed primary use is a mini-storage facility, which is exempt from bicycle parking requirements per this section, however the small area of Retail trade requires one bike parking space.

Article 7.060 Minimum and Maximum Off-Street Parking Requirements

10.7.060.010 Minimum and Maximum Off-Street Parking Requirements

Each of the use types described below are subject to the following minimum and maximum off-street parking requirements in accordance with the provisions of this Title and other City ordinances. Development which mixes more than one use type shall calculate the parking requirement based on the requirement for each of the uses. Reductions in parking requirements are allowed in Section 10.7.020.040, and further reductions may be requested through the adjustment process in Article 3.080 or through the conditional use procedure in Article 3.050. The Director shall determine similarity of use type for those uses not specifically listed:

Response: The parking requirements for a storage facility (minimum of 0.5 parking spaces and a maximum of 0.75 parking spaces per 1,000 square feet of floor area) and for retail trade (minimum 3.5 parking spaces and a maximum of 0.75 parking spaces per 1,000 square feet of floor area) apply. As the proposed building square footage includes 2,945 square feet of retail area and 92,831 square feet of mini-storage use the required minimum and maximum parking spaces are 58 and 83 respectively. The proposal includes 58 parking spaces including 3 designated ADA accessible spaces. The request complies with Article 7.060.

Use Type	Auto Parking		Bicycle Parking
	Minimum	Maximum	
RESIDENTIAL – NOT APPLICABLE			
COMMERCIAL			
Open air building materials and nurseries, equipment rental, mini-storage	0.5 spaces/1,000 sq. ft. site area	0.75 spaces/1,000 sq. ft. site area	None
Retail trade	3.5 spaces/1,000 sq. ft. floor area	5 spaces/1,000 sq. ft. floor area	0.3 spaces/1,000 sq. ft. floor area

Use Type	Auto Parking		Bicycle Parking
	Minimum	Maximum	
COMMUNITY SERVICES – NOT APPLICABLE			
INDUSTRIAL – NOT APPLICABLE			



City of The Dalles
Community Development Dept
313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 1125
www.thedalles.org

Application #: _____

Filing Fee: _____

Receipt #: _____

Deemed Complete: _____

Ready to Issue: _____

Date Issued: _____

Received: _____

Conditional Use Permit Application

Applicant

Name: _____

Address: _____

Phone #: _____

Email: _____

Legal Owner (if different than Applicant)

Name: _____

Address: _____

Phone #: _____

Email: _____

Property Information

Address: _____

Zone: _____

City Limits: Yes No

Geohazard Zone: _____

Map and Tax Lot: _____

Overlay: _____

Size of Development: _____

Flood Designation: _____

Project Information

New Construction

Expansion/Alteration

Change of Use

Amend Approved Plan

Current Use of Property: _____

Proposed Use of Property: _____

Briefly Explain the Project:

Proposed Building(s) Footprint Size (ft²): _____

Total Number of Parking Spaces Proposed: _____

Parking Lot Landscaping Proposed (ft²): _____

Total Landscaping Proposed (ft²): _____

Percentage of Irrigated Landscaping: _____

Project Information (continued)

Economic Development Information

☐ Proposed Project is in the Enterprise Zone

(for questions regarding Enterprise Zones, please contact the Assistant to the City Manager's Office at (541) 296-5481, ext. 1150)

Full Time Equivalent (FTE) jobs are currently provided: 1

FTE jobs are expected to be created by the proposed project: 6

In addition to the requirements of Article 3.010: Application Procedures, this application must be accompanied by the information required in Article 3.050 Site Plan Review, contained in Title 10 Land Use and Development of the City of The Dalles Municipal Code.

Upon submission of this application, please provide the following material:

Site Team / Pre-Application:

Completed application

Concept plan (PDF recommended)

50% application fee

Official Conditional Use Permit Review:

Remainder of application fees

Professional plans (PDF required)

Following an approved Site Plan Review determination, plans with all necessary changes must be submitted to City Staff for final review. Please provide the following number of copies for review:

1 – PDF of final plans

1 – 11" x 17" set of final plans

2 – Full size sets of construction detail plans

Following final plan review, please provide the following number of copies:

1 – PDF of final plans

2 – 11" x 17" sets of final plans

4 – Full size sets of construction detail plans

Signature of Applicant



Date

3-22-22

2 of 5

Signature of Property Owner



Date

3-22-22

LEGENDS

HATCH

	PROPOSED ASPHALT		EXISTING ASPHALT		EXISTING CONCRETE
	PROPOSED LANDSCAPING		PROPOSED CONCRETE		EXISTING GRAVEL
	EXISTING LANDSCAPING		EXISTING BUILDING		PROPOSED BUILDING
	ASPHALT TO BE REMOVED		PROPOSED GRAVEL		

EXISTING

	MH		SAN SEWER		STORM SEWER
	CATCH BASIN		CLEAN OUT		WATER LINE
	FIRE HYDRANT		WATER VALVE		WM = WATER METER
	UNDERGROUND ELECTRIC		EDGE OF PAVEMENT		TELEPHONE PEDESTAL
	GAS METER POWER		TRANSFORMER EM = ELECTRIC METER		CONTOUR LINE
	INDEX CONTOUR LINE		NATURAL GAS LINE		OVERHEAD TELEPHONE CABLE
	UNDERGROUND TELEPHONE CABLE		FIBER OPTIC		TELEPHONE CABLE
	CABLE TELEVISION		PARKING LOT LIGHT		PROPOSED TREE
	EXISTING TREE		TRAFFIC FLOW		

SITE PLAN

SCALE: 1" = 40'

KEY NOTES

- 1 PROPOSED 20'x70' PORTABLE STORAGE UNITS (3 TYP)
- 2 PROPOSED 20'x30' PORTABLE STORAGE UNITS (3 TYP)
- 3 PROPOSED LANDSCAPE ISLAND
- 4 MODIFY EXISTING LANDSCAPE AREA
- 5 RELOCATE EXISTING SITE LIGHT
- 6 PROPOSED STRIPING (TYP)
- 7 RELOCATE EXISTING 20'x70' PORTABLE STORAGE UNIT
- 8 RELOCATE AND MODIFY EXISTING 20'x50' PORTABLE STORAGE UNIT
- 9 REPLACE EXISTING ADA RAMP (6 TYP)
- 10 EXISTING LANDSCAPING TO REMAIN
- 11 TRUCK MANEUVERING LIMITS (SU-40 DESIGN VEHICLE)
- 12 FIRE APPARATUS ACCESS ROAD (~30' WIDE)
- 13 PROPOSED 8'x18' SCREENED TRASH ENCLOSURE
- 14 PROPOSED 1 BICYCLE PARKING SPACE
- 15 PROPOSED U-HAUL FRANCHISE AWNING

SHEET NOTES:

- 1 CUSTOMER ALLOCATED PARKING STALLS ARE NUMBERED (58 TOTAL).
- 2 SHUNTING/OPERATIONAL AREAS ARE IDENTIFIED WITH LETTERS.
- 3 AVAILABLE SHARED PARKING STALLS ARE IDENTIFIED WITH 'S' FOLLOWED BY A NUMBER (24 TOTAL).
- 4 SEE LANDSCAPING PLAN FOR DETAILS.

PROJECT INFO:

TAX LOT:	02N-13E-32A 400
ZONING:	CG - GENERAL COMMERCIAL
SITE AREA:	7.87 ACRES (342,918 S.F.) - 10,000 S.F. MIN.
STRUCTURE:	EXISTING MAIN: 89,776 SF. (MAIN BUILDING) EXISTING AUX: 2,400 SF. (PORTABLE) EXISTING TOTAL: 92,176 SF. PROPOSED: 3,600 SF. (PORTABLE) TOTAL: 95,776 S.F. 1st FLOOR AREA
SETBACK:	FRONT & SIDE: 0 FEET = 0 FEET (MIN.) REAR: 60 FEET > 5 FEET (MIN.)
HEIGHT:	~26 FEET < 55 FEET (MAX.)
PARKING:	SEE PARKING STUDY C-701 58 MIN. SPACES REQ'D 83 MAX. SPACES ALLOWED 82 SPACES PROVIDED (3 ADA - 24 SHARED)
LANDSCAPE:	EXISTING LANDSCAPING - 34,716 SF. PROPOSED LANDSCAPING - 4,976 SF. TOTAL LANDSCAPING - 39,692 SF. REQ'D - BUILDING - 95,776 SF. 20% OF 1st FLOOR AREA - 19,155 SF. (REQ'D MIN) REQ'D - PARKING AREA - 203,883 SF. 10% OF INTERIOR PARKING AREA - 20,388 SF. (REQ'D MIN) SUMMARY - 39,692 SF. (PROPOSED) > 39,544 SF. (REQUIRED)
IMPERVIOUS SURFACES:	BUILDINGS: 95,776 SF. CONCRETE: 8,622 SF. SIDEWALKS: 3,567 SF. ASPHALT: 195,261 SF. TOTAL: 303,226 SF.

DESIGN: K.W.C./D.O.E.

SURVEY: T.E.C.

DWG. FILE: K:\WORK\ORDERS\16234\16234.DRAWINGS\16234_PLOTTING

DATE: 4/29/2022

WORK ORDER: 16234

FOR

SITE PLAN

AMERCO -- TD U-HAUL FACILITY

749 SNIPES STREET
THE DALLES, OREGON
PLOT DATE: 4/29/2022

TENNESON ENGINEERING CORP.

CONSULTING ENGINEERS

3775 CRATES WAY
THE DALLES, OREGON 97058
PH. 541-296-9177 FAX 541-296-6657

FOR AGENCY REVIEW

RENEWAL DATE: 12/31/23

SITE PLAN

SHEET C-101

Work Order No. 16234

PARKING STUDY SUMMARY

Business Name Map and Tax Lot	Size (S.F.)	Land Use Type (Table 10.7.060.010)	Minimum Rate	Minimum Total	Maximum Rate	Maximum Total	Allocated On-Site	Excess/ Deficient
U-Haul TL 2N 13E 32 A 400	2,945	Retail Trade	3.5	11	5	14		
	92,831	Mini-Storage	0.5	47	0.75	69		
	95,776	TOTAL		58		83	82	24 Shared
Coastal TL 2N 13E 32 A 500	43,600	Retail Trade	3.5	153	5	218		
	28,750	Warehouse/Storage	0.5	15	1	28		
	72,350	TOTAL		168		246	185	17 Shared
Strip Mall TL 2N 13E 32 AD 100	9,200	Retail Trade	3.5	33	5	46	40	7 Non-Shared
KFC TL 2N 13E 33 BB 1600	1,944	Restaurants (w/ drive-through)	5	10	12	23	29	19 Non-Shared
6th Street Station TL 2N 13E 33 BC 100	5,382	Restaurants (w/o drive-through)	7	38	16	86	23	-15 Non-Shared
Columbia River Herbals TL 2N 13E 33 BC 200	2,788	Retail Trade	3.5	10	5	13	24	14 Non-Shared
TOTAL ALLOCATED REQUIRED:				317 Min.		497 Max.		
TOTAL SHARED REQUIRED:				15 Min.				
MINIMUM ALLOCATED AVAILABLE:						302		
SHARED AVAILABLE:				15 <	41			
NON-SHARED EXCESS:						40		
TOTAL PROVIDED:				317 (Min)		383 < 497 (Max)		

SHEET NOTES:

- 1
- CUSTOMER ALLOCATED PARKING STALLS ARE
NUMBERED (58 TOTAL).
- 2
- SHUNTING/OPERATIONAL AREAS ARE IDENTIFIED
WITH LETTERS.
- 3
- AVAILABLE SHARED PARKING STALLS ARE
IDENTIFIED WITH 'S' FOLLOWED BY A NUMBER
(24 TOTAL).



PARKING STUDY

SCALE: 1"= 40'

DESIGN:	K.W.C./D.O.E.	SURVEY:	T.E.C.
DWG. FILE:	K:\WORK ORDERS\16234\16234.DRAWINGS\16234_DSITE.DWG	DRAWN:	K.W.C.
DATE:	4/28/2022	WORK ORDER:	16234
PLOT DATE:	4/28/2022	SCALE:	AS NOTED

PARKING STUDY

FOR

AMERCO -- TD U-HAUL FACILITY

749 SNIPES STREET
THE DALLES, OREGON

PLOT DATE: 4/28/2022

TENNESON ENGINEERING CORP.

CONSULTING ENGINEERS

3775 CRATES WAY
THE DALLES, OREGON 97058

PH. 541-296-9177 FAX 541-296-6657

FOR AGENCY REVIEW

IF THIS BAR IS NOT ONE INCH,
THEN ADJUST SCALES ACCORDINGLY

REGISTERED PROFESSIONAL
ENGINEER
56,141/PE
OREGON
JAN 15 2002
KEVIN W. CHRISMAN
4/28/22
RENEWAL DATE: 12/31/23

PARKING

SHEET

C-701

Work Order No.
16234

NOTES

ALL PLANTING AREAS NOT COVERED BY TURF TO HAVE 2"-4" RIVER ROCK MULCH ON WOVEN WEED FABRIC. THE MULCH SHOULD BE INSTALLED AT A DEPTH THAT COMPLETELY COVERS THE WOVEN WEED FABRIC.

THE SOL LEVEL ALONG THE EDGE OF CONCRETE CURBS AND SIDEWALKS MUST BE DROPPED APPROXIMATELY 2-3 INCHES TO CREATE AN EDGE THAT WILL HOLD THE RIVER ROCK.

THE DRY CREEK BED SHOULD BE 1/2"-2" RIVER ROCK ON WOVEN WEED FABRIC WITH 4"-6" RIVER ROCK USED AS ACCENT PIECES ALONG THE EDGES.

PLANTING HOLES SHOULD BE AT LEAST TWICE THE DIAMETER OF THE ROOT BALL AND SHOULD BE AMENDED WITH A 50/50 TOPSOIL/COMPOST MIX.

WINDSHEPT LANDSCAPES

HOOD RIVER, OREGON

(541) 380-1835

OR LCB
BUSINESS #8474

OR LCB
CONTRACTOR #E044



NORTH

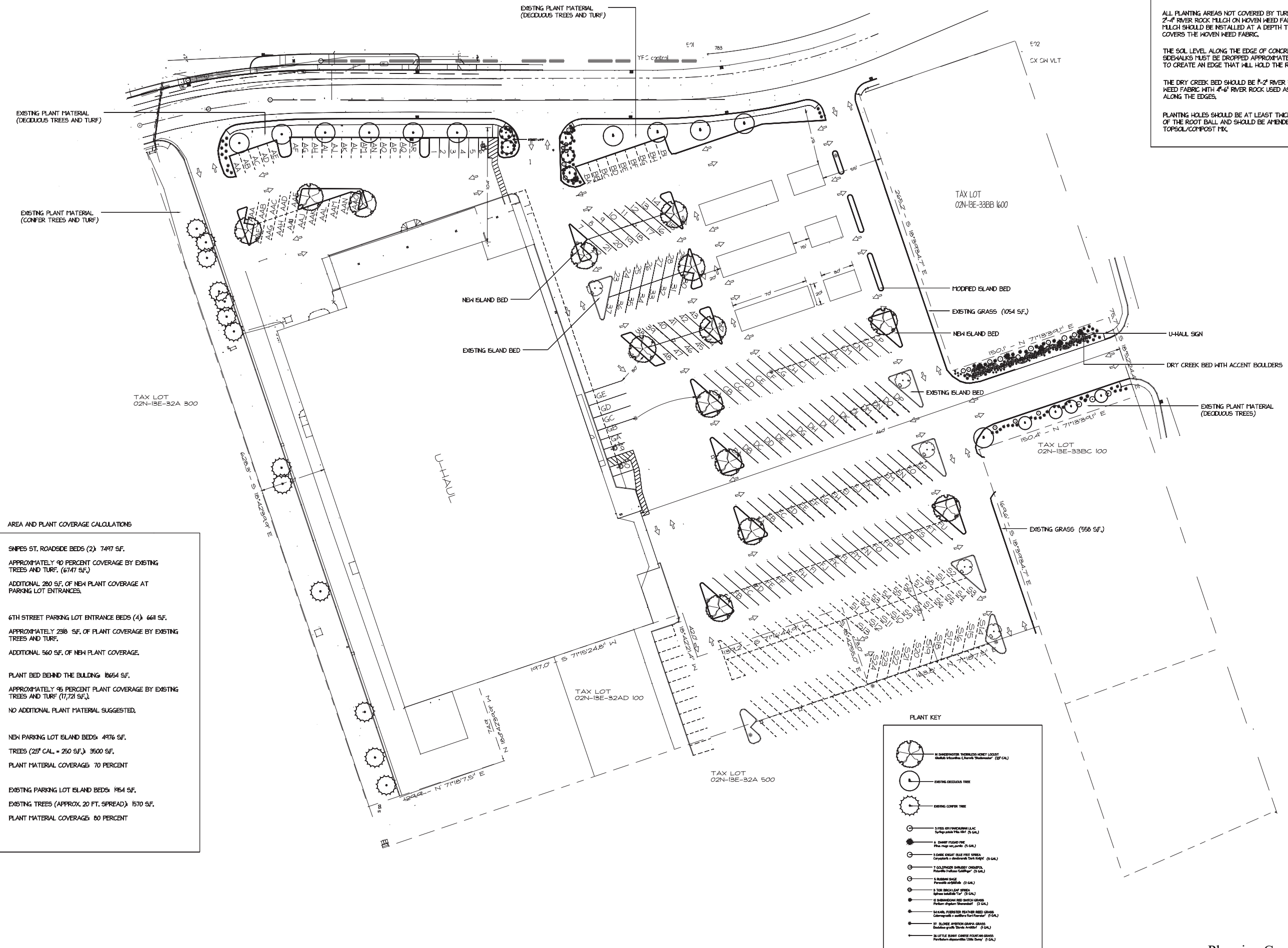
U-HAUL MOVING AND STORAGE

2846 W 6TH ST, TIGER, OREGON

SCALE
1" = 40'

DATE
APRIL 27, 2022

DRAWING #
L-01



AREA AND PLANT COVERAGE CALCULATIONS

SNIPES ST. ROADSIDE BEDS (2) 7497 SF.

APPROXIMATELY 90 PERCENT COVERAGE BY EXISTING TREES AND TURF. (6747 SF.)

ADDITIONAL 280 SF. OF NEW PLANT COVERAGE AT PARKING LOT ENTRANCES.

6TH STREET PARKING LOT ENTRANCE BEDS (4) 661 SF.

APPROXIMATELY 238 SF. OF PLANT COVERAGE BY EXISTING TREES AND TURF.

ADDITIONAL 560 SF. OF NEW PLANT COVERAGE.

PLANT BED BEHIND THE BUILDING 18654 SF.

APPROXIMATELY 46 PERCENT PLANT COVERAGE BY EXISTING TREES AND TURF (17,721 SF.).

NO ADDITIONAL PLANT MATERIAL SUGGESTED.

NEW PARKING LOT ISLAND BEDS 4976 SF.

TREES (25" CAL. = 250 SF.) 3500 SF.

PLANT MATERIAL COVERAGE 70 PERCENT

EXISTING PARKING LOT ISLAND BEDS 1854 SF.

EXISTING TREES (APPROX. 20 FT. SPREAD) 1570 SF.

PLANT MATERIAL COVERAGE 80 PERCENT

Used Auto Parts
ts store

Snipes St

Bike Parking Area
~3.0 foot-candles

Approximate U-Haul
Property Boundary

Snipes St

**U-Haul The Dalles
Photometric Plan
Illumination Levels**

Cyan - 3.0 foot-candles

Green - 2.0 foot-candles

Blue - 1.0 foot-candles

Storage

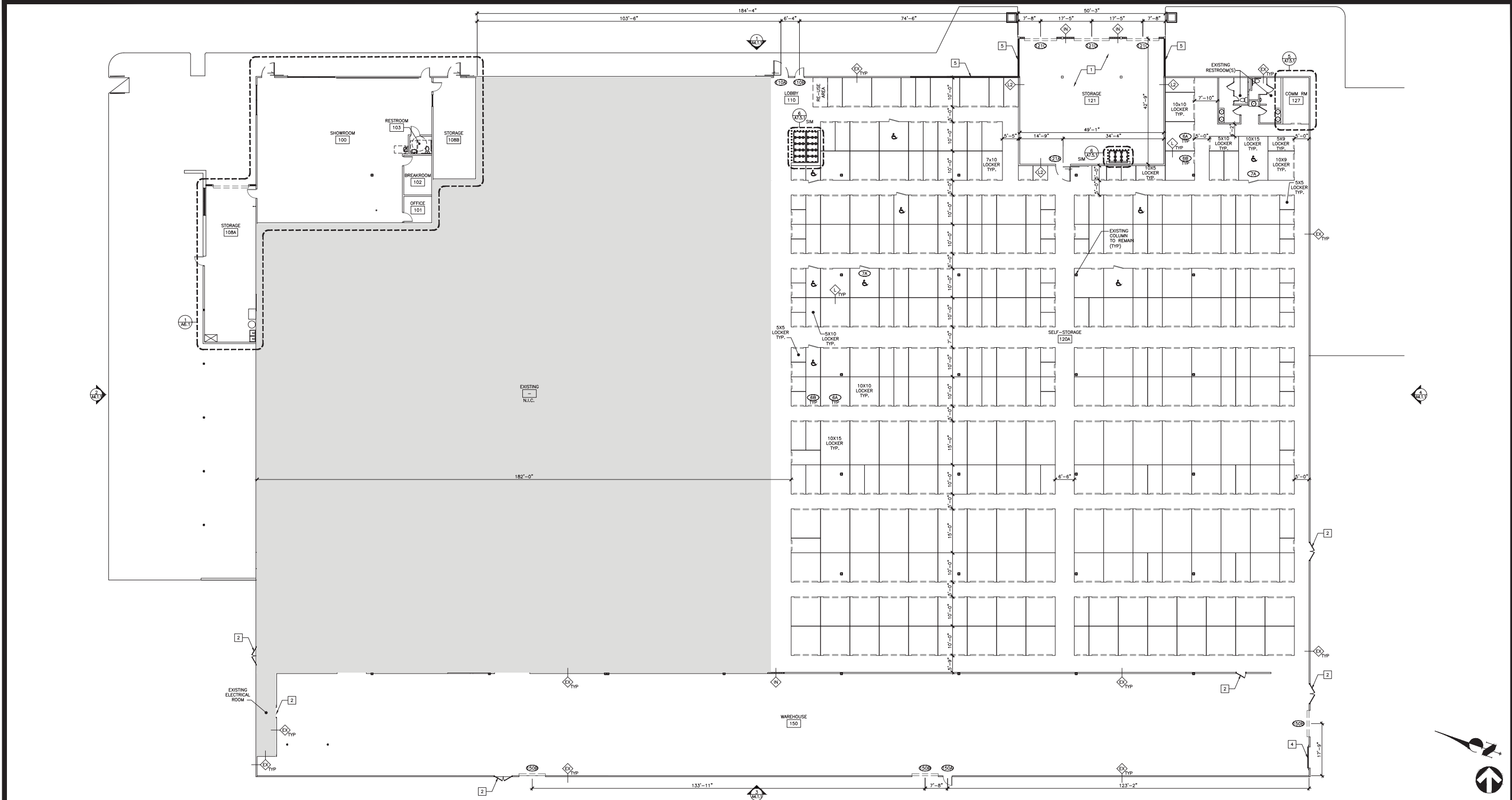
KFC
Chicken - \$

Dollar General

Tacos Tumbras
Fast Food

Bobablastie
Bubble Tea

MOMIJI JAPANESE
& CHINESE
Sushi



1 FIRST FLOOR LOCKER PLAN

6" METAL STUDS AT 24" O.C. (UNO) WITH MBCI U-PANEL OR D-PANEL AND KICK PLATE STORAGE SIDE AND 5/8" G.W.B. OTHER SIDE; UNFACED R-19 BATT INSULATION TO STRUCTURE ABOVE; G.W.B. PER NOTE 1

6" METAL STUDS AT 24" O.C. (UNO) WITH MBCI U-PANEL OR D-PANEL AND KICK PLATE SELF-STORAGE SIDE AND D-PANEL OTHER SIDE; UNFACED R-19 BATT INSULATION TO STRUCTURE ABOVE

EXISTING WALL ASSEMBLY (FIELD VERIFY)

INFILL OPENING MATCH ADJACENT WALL ASSEMBLY (FIELD VERIFY)

3-5/8" METAL STUDS AT 24" O.C. WITH SINGLE LAYER 5/8" G.W.B. EACH SIDE; UNFACED R-13 BATT INSULATION AT ALL RESTROOM WALLS TO STRUCTURE ABOVE; PROVIDE M.R. G.W.B. PER NOTE 1

NON-LOAD BEARING LOCKER PARTITION, 2-1/2"x1-5/8" CEE STUDS AT 5'-0" O.C. WITH MBCI U-PANEL ONE SIDE, PREFINISHED MBCI D-PANEL AT AISLES.

COLD FORMED METAL STUDS AT 24" O.C. (UNO) WITH MBCI U-PANEL OR D-PANEL AND KICK PLATE SELF-STORAGE SIDE AND MBCI D-PANEL AND KICK PLATE OTHER SIDE. WALL PANEL EA SIDE TO BE HELD 10" BELOW STRUCTURE/CEILING ASSEMBLY ABOVE.

6" METAL STUDS AT 24" O.C. WITH 5/8" MOISTURE RESISTANT (M.R.) G.W.B. EACH SIDE PER NOTE 1 TO STRUCTURE ABOVE.

WALL TYPE NOTES

1. WATER-RESISTANT GYPSUM WALL BOARD TO BE USED AT WET LOCATIONS (VERIFY LOCATIONS BASED ON PLUMBING WALLS AND PLUMBING FIXTURES AS SHOWN ON THE BUILDING FLOOR PLANS.)

2. PREFINISHED D-PANEL TO APPLIED OVER ALL GYPSUM WALL BOARD AT METAL STUD WALL TYPES THAT OCCUR AT AISLES (VERIFY LOCATIONS AS SHOWN ON THE BUILDING FLOOR PLANS.)

NOTES:

1. ALL SPRINKLERS, LIGHTS, ELECTRICAL CONDUITS, OVERHEAD DOOR OPENERS, HVAC, ETC., SHALL HAVE A MINIMUM CLEARANCE OF 10'-3" A.F.F. AT ROOMS 108A, 108B & 121.

2. EXISTING DOORS TO REMAIN. FIELD PAINT TO MATCH ADJACENT WALL. SEE DOOR HARDWARE NOTES ON A7.1.1.

3. EXISTING DOORS TO REMAIN. FIELD PAINT U-HAUL BLACK (P101). SEE DOOR HARDWARE NOTES ON A7.1.1.

4. EXISTING DOORS TO REMAIN AS IS. (TYP)

5. EXISTING WINDOWS TO REMAIN AS IS. (TYP)

6. IF RE-USING EXISTING CEILING GRID & TILES, REPLACE DAMAGED AS REQUIRED. RECONFIGURE GRID AS REQUIRED FOR SHOWROOM AND LOCKER CORRIDOR LAYOUTS. PER U-HAUL INTERNATIONAL STANDARD SPECIFICATIONS.

N.I.C. - EXISTING AS-IS, NOT IN CONTRACT

SHEET NOTES:

SEE TYPICAL UH STORAGE CUBICLE ASSEMBLY INSTRUCTIONS FOR STORAGE INSTALLATION REQUIREMENTS.

CONTRACTOR SHALL CONFIRM STORAGE LAYOUT PRIOR TO CONSTRUCTION. NOTIFY OWNER/ARCHITECT OF ANY DISCREPANCIES.

REFER TO SHEETS A7.1.1 & A7.2.1 FOR DOOR / WINDOW TYPES, FINISH SCHEDULE, AND RELATED NOTES.

ALL DOOR AND WINDOW DIMENSIONS ARE TO CENTERLINE OF ROUGH OPENING.

MODIFY EXISTING LIGHTING, ELECTRICAL & MECHANICAL SYSTEMS TO ACCOMMODATE STORAGE LOCKERS AND TO COMPLY WITH U-HAUL STANDARD CONFIGURATION.

REFER TO U-HAUL INTERNATIONAL (UH) STANDARD SPECIFICATIONS FOR MATERIAL AND INSTALLATION REQUIREMENTS.

SEE UH FACILITY IMAGING AND DIRECTIONAL SIGNAGE IMAGING BOOK FOR ADDITIONAL INFORMATION/REQUIREMENTS AND FINAL COLOR SELECTION.

ALL SELECTIONS ARE SUBJECT TO APPROVAL BY OWNER-NO SUBSTITUTIONS.

REVISIONS:

NO.	DATE	INITIALS	NOTES
1			
2			
3			
4			
5			
6			
7			
8			

PROFESSIONAL SEAL:

REGISTERED PROFESSIONAL ENGINEER
82032PE
ANDREW M. LASICH
NOV. 12, 2005
EXPIRES 12/31/2020
10/29/2020

ARCHITECT LOGO:

U-HAUL

U-HAUL INTERNATIONAL
CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
PH: (602) 263-6502

SITE ADDRESS:
U-Haul Moving & Storage of The Dalles
2640 W 6th St
The Dalles, OR 97058

SHEET CONTENTS:

FIRST FLOOR LOCKER PLAN

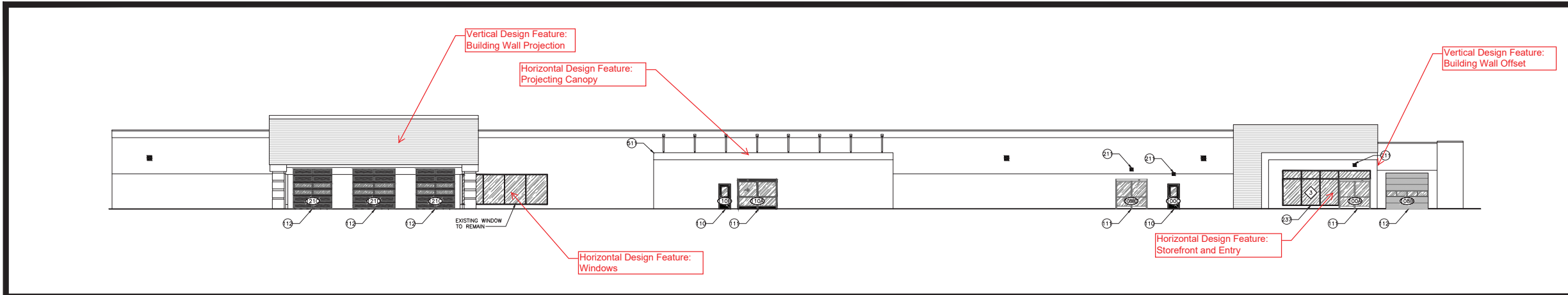
804076

DRAWN: JP
CHECKED: AML
DATE: 10/29/2020

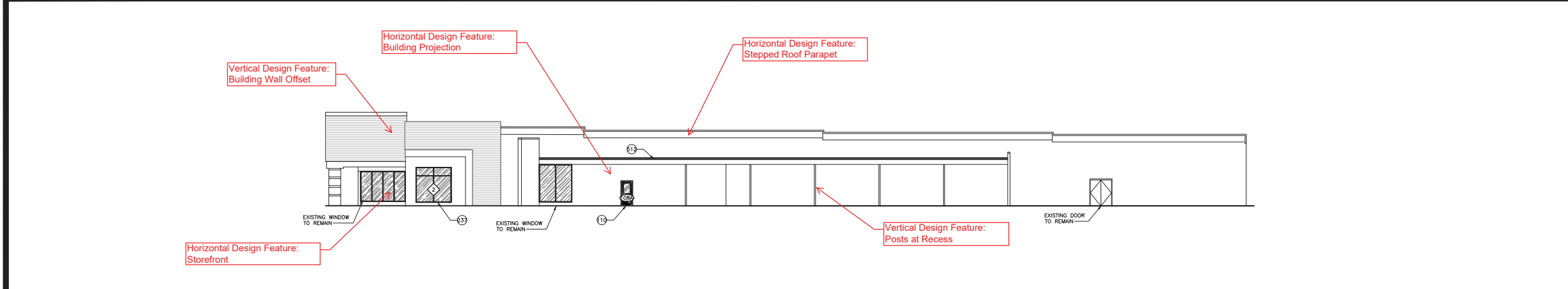
PLAN NOTES

Planning Commission Agenda Packet
June 16, 2022 | Page 219 of 235

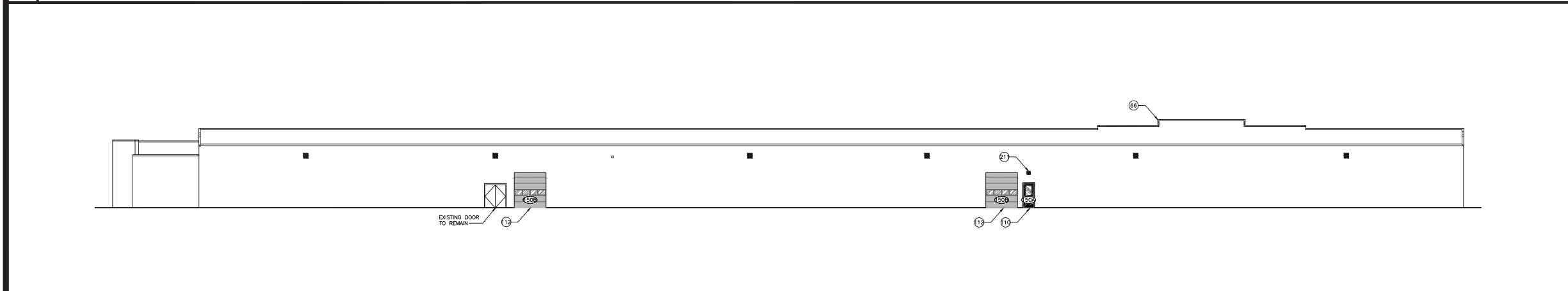
© 2020 AMERCO REAL ESTATE COMPANY



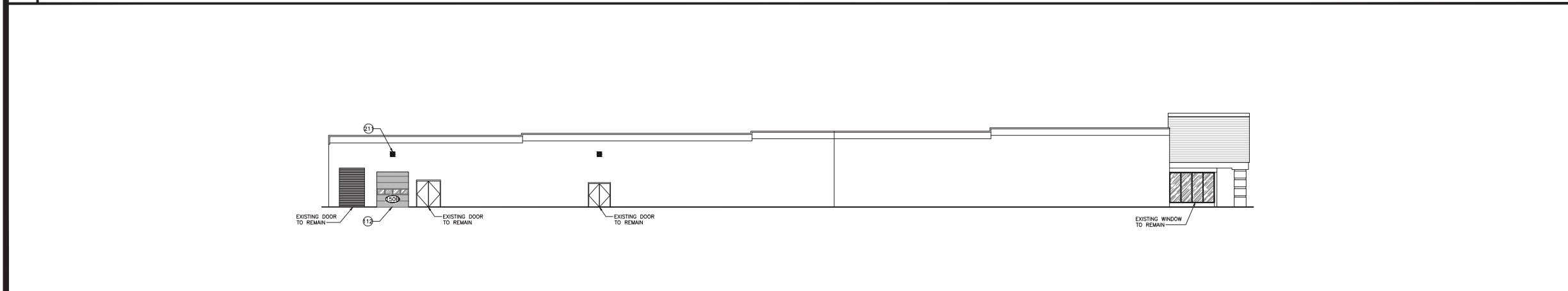
1 NORTH BUILDING ELEVATION SCALE: 1/16" = 1'-0"



2 WEST BUILDING ELEVATION SCALE: 1/16" = 1'-0"



3 SOUTH BUILDING ELEVATION SCALE: 1/16" = 1'-0"



4 EAST BUILDING ELEVATION SCALE: 1/16" = 1'-0"

- 66. ROOF LINE BEYOND
- 110. SIDE-HINGED H.M. DOOR - SEE DOOR SCHEDULE
- 111. AUTO SLIDING DOOR - SEE DOOR SCHEDULE
- 112. SECTIONAL OVERHEAD DOOR - SEE DOOR SCHEDULE
- 113. ROLL-UP DOOR - SEE DOOR SCHEDULE
- 211. WALL-MOUNTED LIGHT FIXTURE - SEE ELECTRICAL
- 237. STOREFRONT GLAZING - SEE WINDOW TYPE SCHEDULES
- 511. STEEL CANOPY (DESIGN BY CONTRACTOR)
- 512. EXISTING CANOPY TO REMAIN

KEYNOTES

PROFESSIONAL SEAL:

REGISTERED PROFESSIONAL ENGINEER
82032PE
OREGON
NOV. 12, 2005
ANDREW M. LASICH
EXPIRES 12/31/2020
10/29/2020

ARCHITECT LOGO:

U-HAUL
U-HAUL INTERNATIONAL
CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
PH: (602) 263-6502

SITE ADDRESS:
U-Haul Moving & Storage
of The Dalles
2640 W 6th St
The Dalles, OR 97058

SHEET CONTENTS:

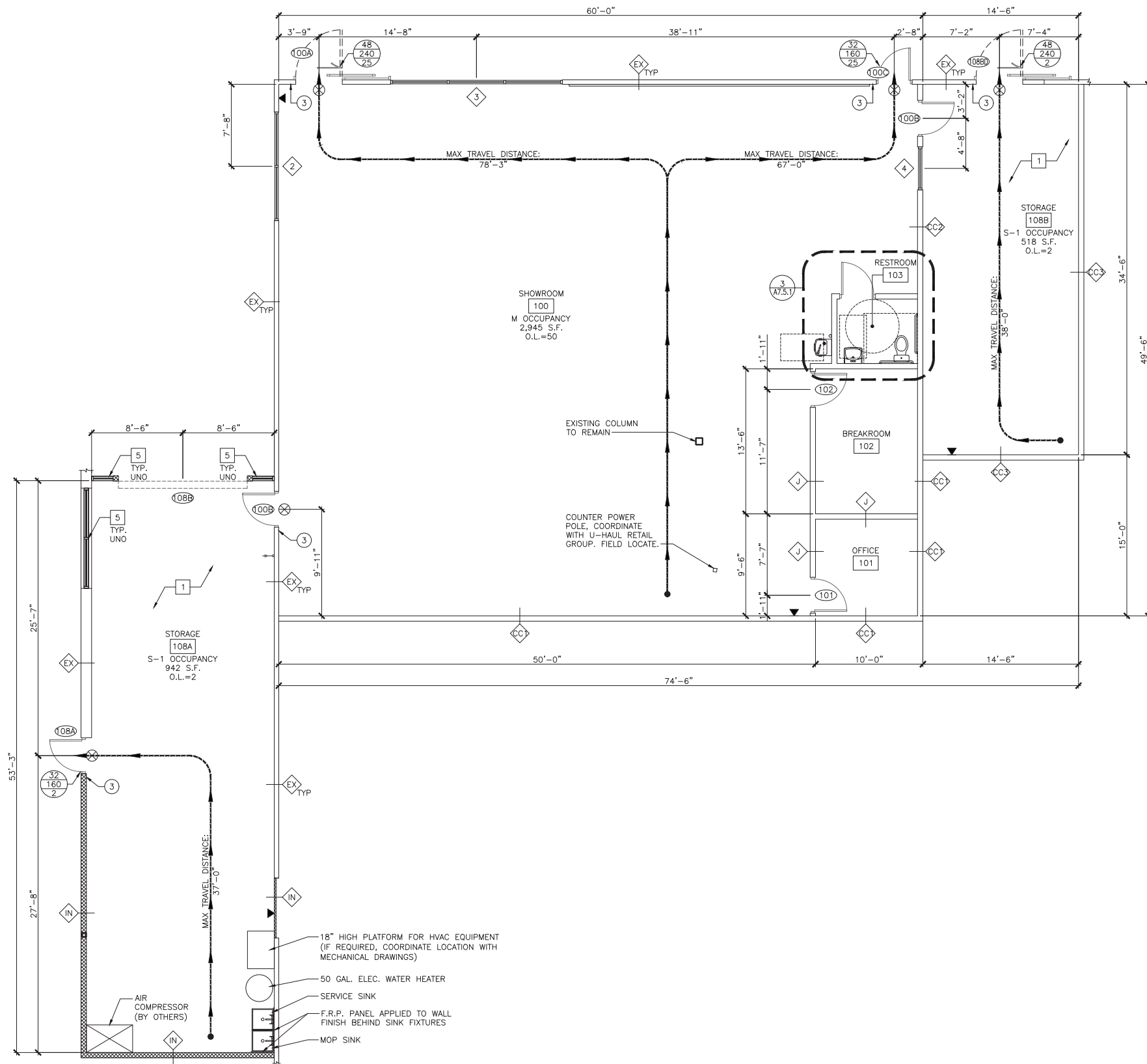
BUILDING ELEVATIONS

804076

DRAWN: JP
CHECKED: AML
DATE: 10/29/2020

Planning Commission Agenda Packet
June 16, 2022 | Page 220 of 235

SHEET NOTES:							
REFER TO SHEET A2.1.1 FOR WALL TYPES AND RELATED NOTES.							
REFER TO SHEET A7.1.1 FOR DOOR TYPES AND RELATED NOTES.							
REFER TO SHEET A7.2.1 FOR WINDOW TYPES, FINISH SCHEDULE, AND RELATED NOTES.							
ALL DOOR AND WINDOW DIMENSIONS ARE TO CENTERLINE OF ROUGH OPENING.							
MODIFY EXISTING LIGHTING, ELECTRICAL & MECHANICAL SYSTEMS TO ACCOMMODATE STORAGE LOCKERS AND TO COMPLY WITH U-HAUL STANDARD CONFIGURATION.							
REFER TO U-HAUL INTERNATIONAL (UHI) STANDARD SPECIFICATIONS FOR MATERIAL AND INSTALL REQUIREMENTS.							
SEE UHI FACILITY IMAGING AND DIRECTIONAL SIGNAGE IMAGING BOOK FOR ADDITIONAL INFORMATION/REQUIREMENTS AND FINAL COLOR SELECTION.							
ALL SELECTIONS ARE SUBJECT TO APPROVAL BY OWNER-NO SUBSTITUTIONS.							
REVISIONS:							
NO.	DATE	INITIALS	NOTES				
1							
2							
3							
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5							
6							
7							
8							



1 ENLARGED SHOWROOM EGRESS & FLOOR PLAN

SCALE: 3/16" = 1'-0"

6" METAL STUDS AT 24" O.C. (UNO) WITH MBOI U-PANEL OR D-PANEL AND KICK PLATE STORAGE SIDE AND 5/8" G.W.B. OTHER SIDE; UNFACED R-19 BATT INSULATION TO STRUCTURE ABOVE; G.W.B. PER NOTE 1	6" METAL STUDS AT 24" O.C. (UNO) WITH MBOI U-PANEL OR D-PANEL AND KICK PLATE SELF-STORAGE SIDE AND D-PANEL OTHER SIDE; UNFACED R-19 BATT INSULATION TO STRUCTURE ABOVE	3-5/8" METAL STUDS AT 24" O.C. WITH SINGLE LAYER 5/8" G.W.B. EACH SIDE; UNFACED R-13 BATT INSULATION AT ALL RESTROOM WALLS TO STRUCTURE ABOVE; PROVIDE M.R. G.W.B. PER NOTE 1	COLD FORMED METAL STUDS AT 24" O.C. (UNO) WITH MBOI U-PANEL OR D-PANEL AND KICK PLATE SELF-STORAGE SIDE AND MBOI D-PANEL AND KICK PLATE OTHER SIDE. WALL PANEL EA SIDE TO BE HELD 10" BELOW STRUCTURE/CEILING ASSEMBLY ABOVE.
6" METAL STUDS AT 24" O.C. (UNO) WITH MBOI D-PANEL STORAGE SIDE AND 5/8" G.W.B. OTHER SIDE; UNFACED R-19 BATT INSULATION TO STRUCTURE ABOVE; G.W.B. PER NOTE 1	EXISTING WALL ASSEMBLY (FIELD VERIFY)	NON-LOAD BEARING LOCKER PARTITION. 2-1/2"x1-5/8" CEE STUDS AT 5'-0" O.C. WITH MBOI U-PANEL ONE SIDE. PREFINISHED MBOI D-PANEL AT AISLES.	6" METAL STUDS AT 24" O.C. WITH 5/8" MOISTURE RESISTANT (M.R.) G.W.B. EACH SIDE PER NOTE 1 TO STRUCTURE ABOVE.
INFILL OPENING MATCH ADJACENT WALL ASSEMBLY (FIELD VERIFY)			

WALL TYPE NOTES

- WATER-RESISTANT GYPSUM WALL BOARD TO BE USED AT WET LOCATIONS (VERIFY LOCATIONS BASED ON PLUMBING WALLS AND PLUMBING FIXTURES AS SHOWN ON THE BUILDING FLOOR PLANS.)
- PREFINISHED D-PANEL TO APPLIED OVER ALL GYPSUM WALL BOARD AT METAL STUD WALL TYPES THAT OCCUR AT AISLES (VERIFY LOCATIONS AS SHOWN ON THE BUILDING FLOOR PLANS.)

TYPICAL WALL TYPE LIST

PLAN NOTES

- ALL SPRINKLERS, LIGHTS, ELECTRICAL CONDUITS, OVERHEAD DOOR OPENERS, HVAC, ETC., SHALL HAVE A MINIMUM CLEARANCE OF 10'-3" A.F.F. AT ROOMS 108A & 108B.
- NOT USED
- NOT USED
- NOT USED
- EXISTING WINDOWS TO REMAIN AS IS. (TYP)
- IF RE-USING EXISTING CEILING GRID & TILES, REPLACE DAMAGED AS REQUIRED. RECONFIGURE GRID AS REQUIRED FOR SHOWROOM AND LOCKER CORRIDOR LAYOUTS. PER U-HAUL INTERNATIONAL STANDARD SPECIFICATIONS.

- THE PATH OF EXIT TRAVEL TO EXITS IN THIS BUILDING SHALL BE IDENTIFIED BY EXIT SIGNS CONFORMING TO THE REQUIREMENTS OF I.F.C. EXIT SIGNS SHALL BE READILY VISIBLE FROM ANY DIRECTION OF APPROACH. EXIT SIGNS SHALL BE LOCATED, AS NECESSARY, TO CLEARLY INDICATE THE DIRECTION OF EGRESS TRAVEL. NO POINT SHALL BE MORE THAN 100 FEET (30480 MM) FROM THE NEAREST VISIBLE SIGN.
- EXIT SIGNS SHALL BE INTERNALLY OR EXTERNALLY ILLUMINATED. WHEN THE FACE OF AN EXIT SIGN IS ILLUMINATED FROM AN EXTERNAL SOURCE, IT SHALL HAVE AN INTENSITY OF NOT LESS THAN 5-FOOT-CANDLES (54") FROM EITHER OF TWO ELECTRIC LAMPS. INTERNALLY ILLUMINATED SIGNS SHALL PROVIDE EQUIVALENT LUMINANCE AND BE LISTED FOR THE PURPOSE.
- THE EXIT SIGNS SHALL ALSO BE CONNECTED TO AN EMERGENCY ELECTRICAL SYSTEM FROM STORAGE BATTERIES, UNIT EQUIPMENT AND THE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE ELECTRICAL CODE.
- ANY TIME A BUILDING OR PORTION OF A BUILDING IS OCCUPIED, THE MEANS OF EGRESS SERVING THE OCCUPIED PORTION SHALL BE ILLUMINATED AT THE INTENSITY OF NOT LESS THAN 1 FOOT-CANDLE AT THE FLOOR LEVEL. THE POWER SUPPLY FOR MEANS OF EGRESS ILLUMINATION SHALL NORMALLY BE PROVIDED BY THE PREMISES OF ELECTRICAL SUPPLY.
- PROVIDE TACTILE EXIT SIGNS IMMEDIATELY ADJACENT TO THE DOOR ON THE STRIKE SIDE AT 60" ABOVE FINISHED FLOOR, SO THAT THEY ARE FULLY VISIBLE WHEN THE DOOR IS IN AN OPEN OR CLOSED POSITION IN THE FOLLOWING LOCATIONS:
 - EACH GRADE LEVEL EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT WITH THE WORD, "EXIT."
 - EACH EXIT DOOR THAT LEADS DIRECTLY TO A GRADE-LEVEL EXTERIOR EXIT BY MEANS ON A STAIRWAY OR RAMP SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE FOLLOWING WORDS AS APPROPRIATE:
 - "EXIT STAIR DOWN"
 - "EXIT RAMP DOWN"
 - "EXIT STAIR UP"
 - "EXIT RAMP UP"
 - EACH EXIT DOOR THAT LEADS DIRECTLY TO A GRADE-LEVEL EXTERIOR EXIT BY MEANS OF AN EXIT ENCLOSURE OR AN EXIT PASSAGEWAY SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS, "EXIT ROUTE."
 - EACH EXIT ACCESS DOOR FROM AN INTERIOR ROOM OR AREA TO A CORRIDOR HALLWAY THAT IS REQUIRED TO HAVE VISUAL EXIT SIGN, SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS, "EXIT ROUTE."
- PROVIDE A MINIMUM OF (1) 2A-10B:C FIRE EXTINGUISHER PER 3,000 SQUARE FEET OF FLOOR AREA WITH A MAXIMUM TRAVEL DISTANCE OF 75 FEET, MOUNTED IN AN ACCESSIBLE LOCATION.
- LOCATE FIRE EXTINGUISHERS AT A MAX. TRAVEL DISTANCE OF 75'-0" APART OR PER THE DIRECTION OF THE FIRE MARSHAL. EXTINGUISHER LOCATIONS ARE NOTED BY PLAN SYMBOL.
- PROVIDE A KNOX BOX AND FIRE RISER ROOM SIGNAGE AT THE FIRE SPRINKLER RISER ROOM.
- SEE FLOOR PLANS FOR WALL INFORMATION AND FIRE RESISTANCE RATING.

- FIRE EXTINGUISHER - FINAL LOCATION AND QUANTITY TO BE FIELD VERIFIED
- EXIT SIGNS
- PATH OF EGRESS TRAVEL
- 1-HOUR FIRE RATED BARRIER
- NO EXIT - EXISTING DOOR MAINTAINED IN A CLOSED AND LOCKED POSITION
- TACTILE EXIT SIGN LOCATION
- TACTILE ACCESSIBLE EXIT SIGN LOCATION SEE T3.1 FOR MORE INFORMATION
- CLEAR WIDTH
- MAXIMUM EXIT CAPACITY
- ACTUAL EXIT CAPACITY
- TRAVEL DISTANCE ALLOWED: SEE T1.1
- MAXIMUM TRAVEL DISTANCE: 78'-3"

EGRESS NOTES AND SYMBOLS

SHEET NOTES:

REFER TO SHEET A2.1.1 FOR WALL TYPES AND RELATED NOTES

REFER TO SHEET A7.1.1 FOR DOOR TYPES AND RELATED NOTES.

REFER TO SHEET A7.2.1 FOR WINDOW TYPES, FINISH SCHEDULE AND RELATED NOTES.

ALL DOOR AND WINDOW DIMENSIONS ARE TO CENTER LINE OF ROUGH OPENING.

MODIFY EXISTING LIGHTING, ELECTRICAL & MECHANICAL SYSTEMS TO ACCOMMODATE STORAGE LOCKERS AND TO COMPLY WITH U-HAUL STANDARD CONFIGURATION.

REFER TO U-HAUL INTERNATIONAL STANDARD SPECIFICATIONS FOR MATERIAL AND INSTALL REQUIREMENTS.

SEE UH FACILITY IMAGING AND DIRECTIONAL SIGNAGE IMAGING BOOK FOR ADDITIONAL INFORMATION/REQUIREMENTS, AND FINAL COLOR SELECTION

ALL SELECTIONS ARE SUBJECT TO APPROVAL BY OWNER-NO SUBSTITUTIONS

REVISIONS:

NO.	INITIALS	NOTES
1		
2		
3		
4		
5		
6		
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8		

PROFESSIONAL SEAL:

REGISTERED PROFESSIONAL ENGINEER
82032PE
ANDREW M LASICH
NOV. 12, 2005
EXPIRES 12/31/2020
10/29/2020

ARCHITECT LOGO:

U-HAUL

U-HAUL INTERNATIONAL
CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
PH: (602) 263-6502

SITE ADDRESS:
U-Haul Moving & Storage
of The Dalles
2640 W 6th St
The Dalles, OR 97058

SHEET CONTENTS:
ENLARGED
SHOWROOM
EGRESS & FLOOR
PLAN

804076

DRAWN: JP
CHECKED: AML
DATE: 10/29/2020

A6.1

U-HAUL
MOVING & STORAGE OF THE DALLES
2640 W. 6th St. The Dalles, OR 97058



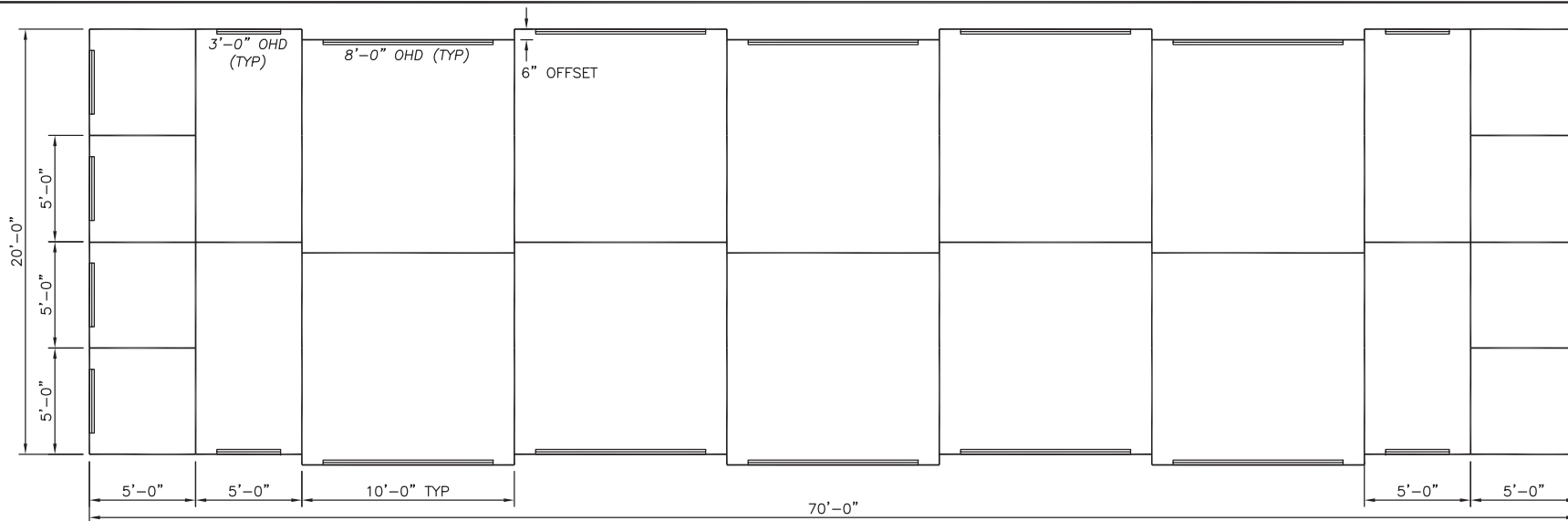
ADVERTISING & MARKETING ASSOCIATES, INC.



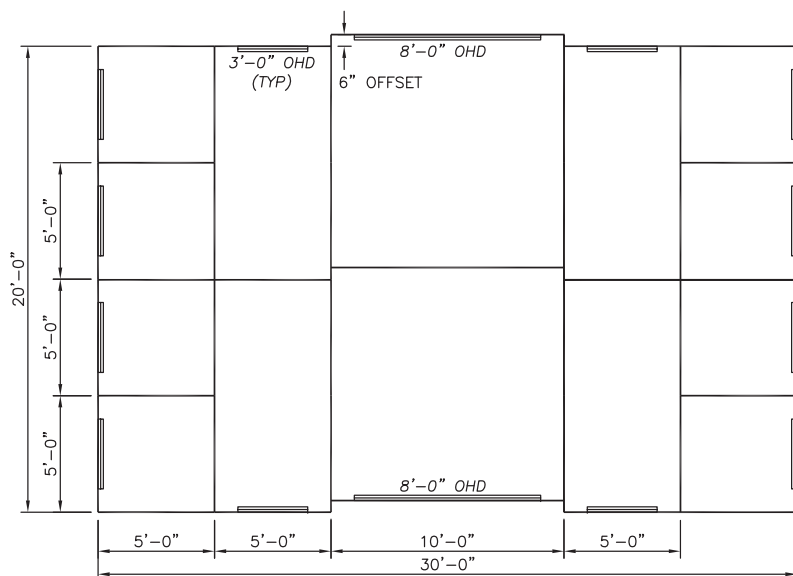
ARCHITECTURAL DESIGN & FACILITY IMAGING

September 25, 2020

Conceptual renderings are subject to change and should not be implemented.



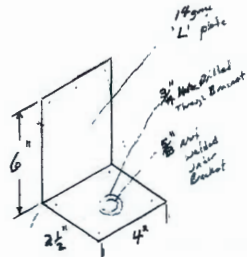
1 70'x20' FLOOR PLAN
SCALE: 3/16"=1'



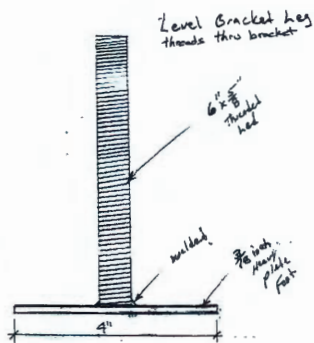
2 30'x20' FLOOR PLAN
SCALE: 3/16"=1'

Date	No.	R e v i s i o n s		By	App.
PORTABLE STORAGE UNIT FLOOR PLANS				Survey NONE	Drawn M.B.P.
FOR				Design T.E.C.	Calculation T.E.C.
AMERCO – TD U-HAUL FACILITY				DWG. No. 16234	Checked & App.
749 SNIPES STREET, THE DALLES, OREGON PLOT DATE: 5/6/2022 K:\WORK ORDERS\16200\16234\DRAWINGS\16234_storage units.dwg					
TENNESON ENGINEERING CORP.				Date 5/6/2022	Scale 3/16"=1'
CONSULTING ENGINEERS 3775 CRATES WAY THE DALLES, OREGON 97058 PH. 541-296-9177 FAX 541-296-6657				Work Order No. 16234	Sheet 1 of 1

Level Bracket Attached to floor Joist

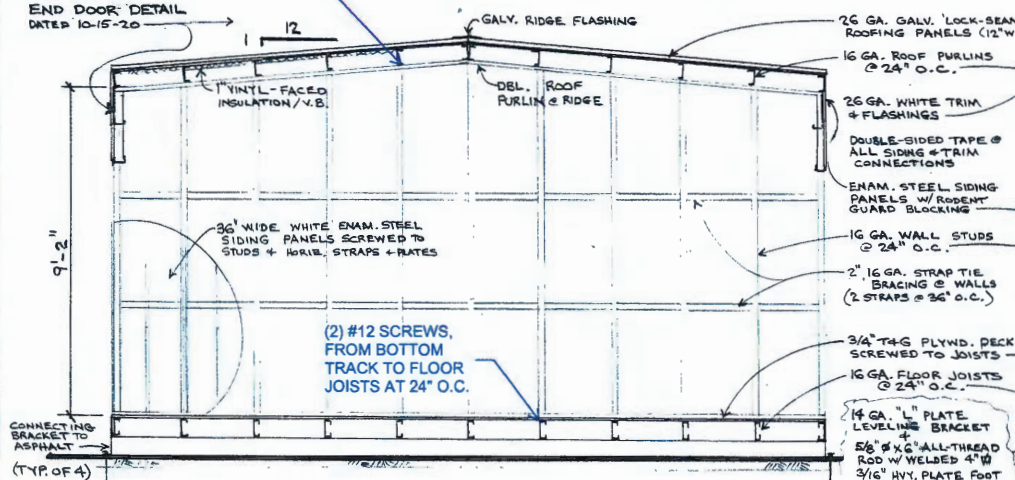


2"x18GA Cross Strapping,
Attach w/ (2) #12 screws,
each end, typ.



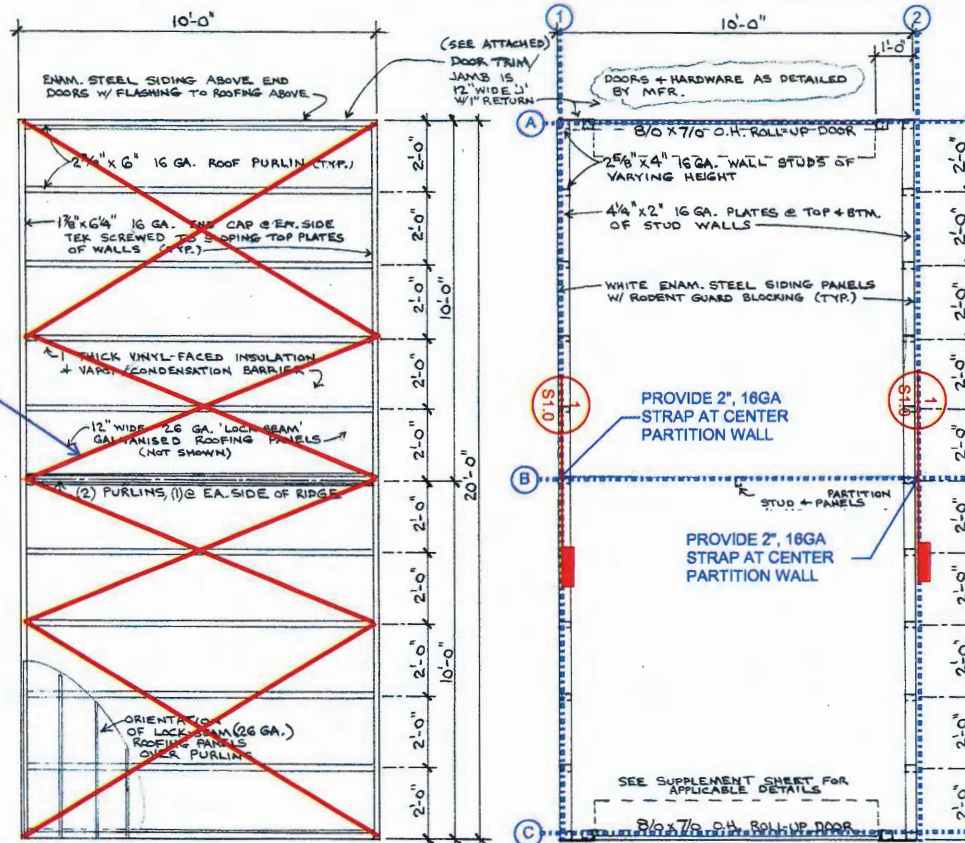
(2) #12 SCREWS,
EACH PURLIN IN
TO TOP PLATE

SEE ATTACHMENT
END DOOR DETAIL
DATED 10-15-20



LONGITUDINAL SECTION / PARTIAL ELEVATION

SCALE: 3/8" = 1'-0"

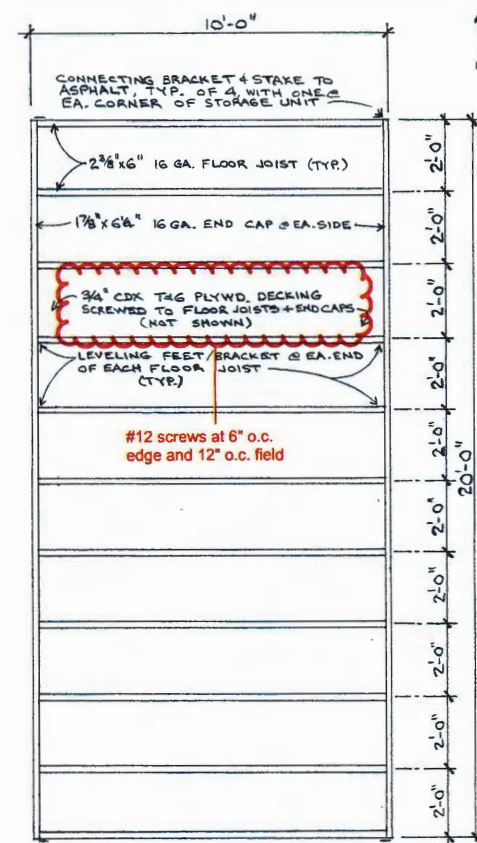


ROOF FRAMING PLAN

SCALE: 3/8" = 1'-0"

FLOOR PLAN

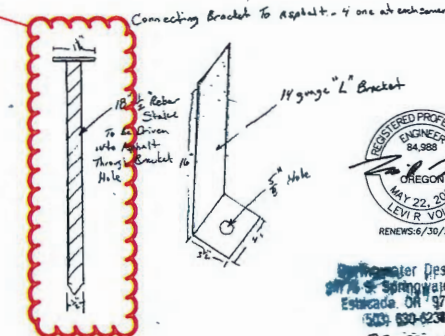
SCALE: 3/8" = 1'-0"



FLOOR FRAMING PLAN

SCALE: 3/8" = 1'-0"

USE INSTEAD, 9" PENETRATOR
SCREW ANCHOR FROM
AMERICAN EARTH ANCHORS



Springwater Design
2074 S. Springwater Rd.
Estacada, OR 97023
503-630-6238
503-630-6238

Springwater Design

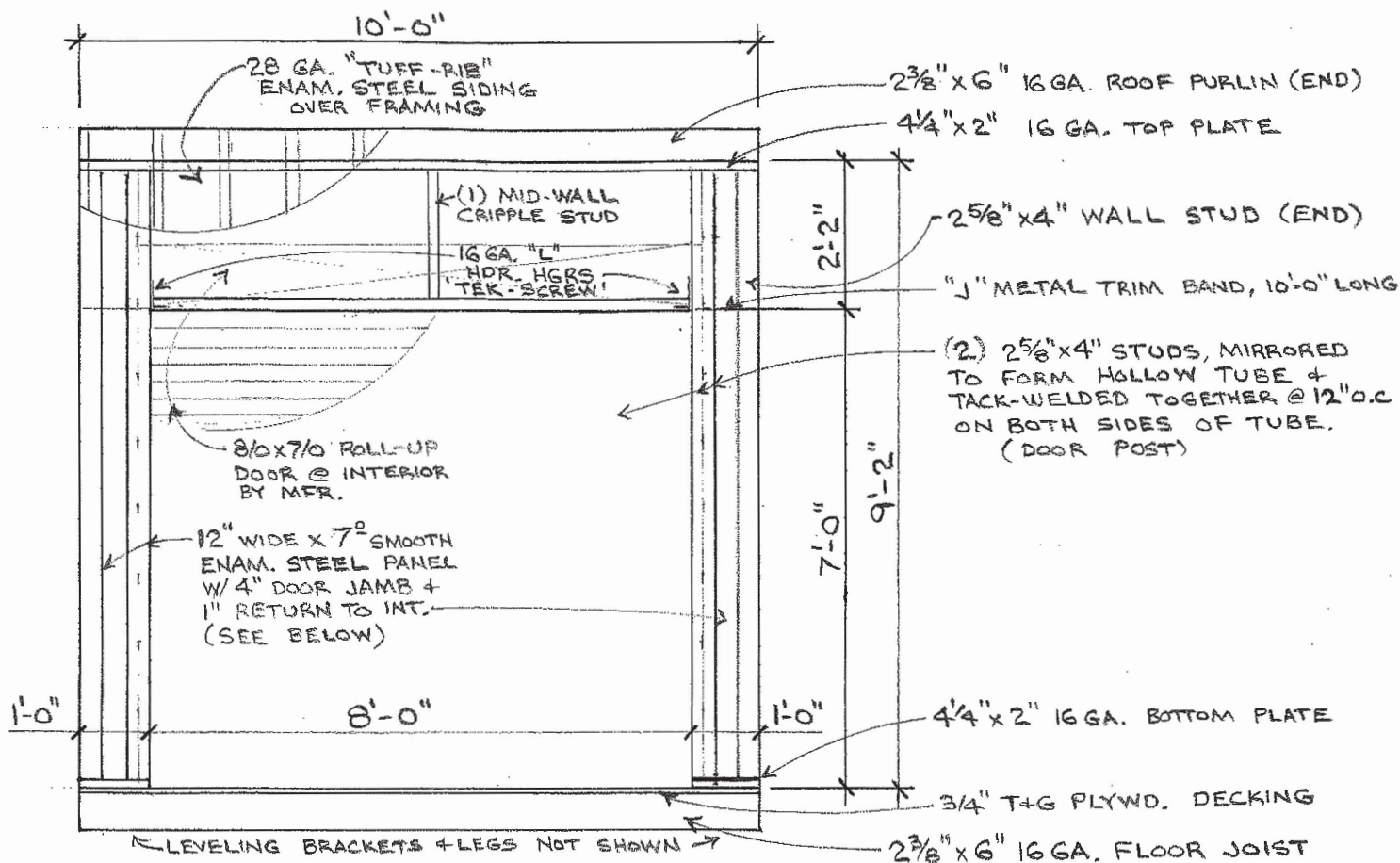
SCALE: As NOTED FOR: SHAWN STALCUP DR. BY: J. J. J.
DATE: 9-25-20 REV. 10-15-20

STORAGE UNIT CONCEPT

SUPPLEMENTAL SHEET DR. NO. 2014
REFERENCES

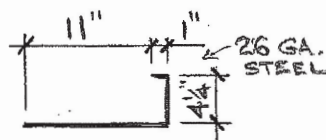
Planning Commission Agenda Packet

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END DOOR DETAIL

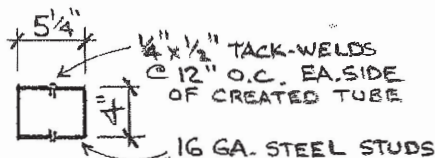
SCALE: 3/8" = 1'-0"



TRIM PANEL

SCALE: 3/4" = 1'-0"

PROVIDES EXT. FINISH FACE OF END WALL STUD & DOOR POST ASSEMBLY



DOOR POST

SCALE: 3/4" = 1'-0"

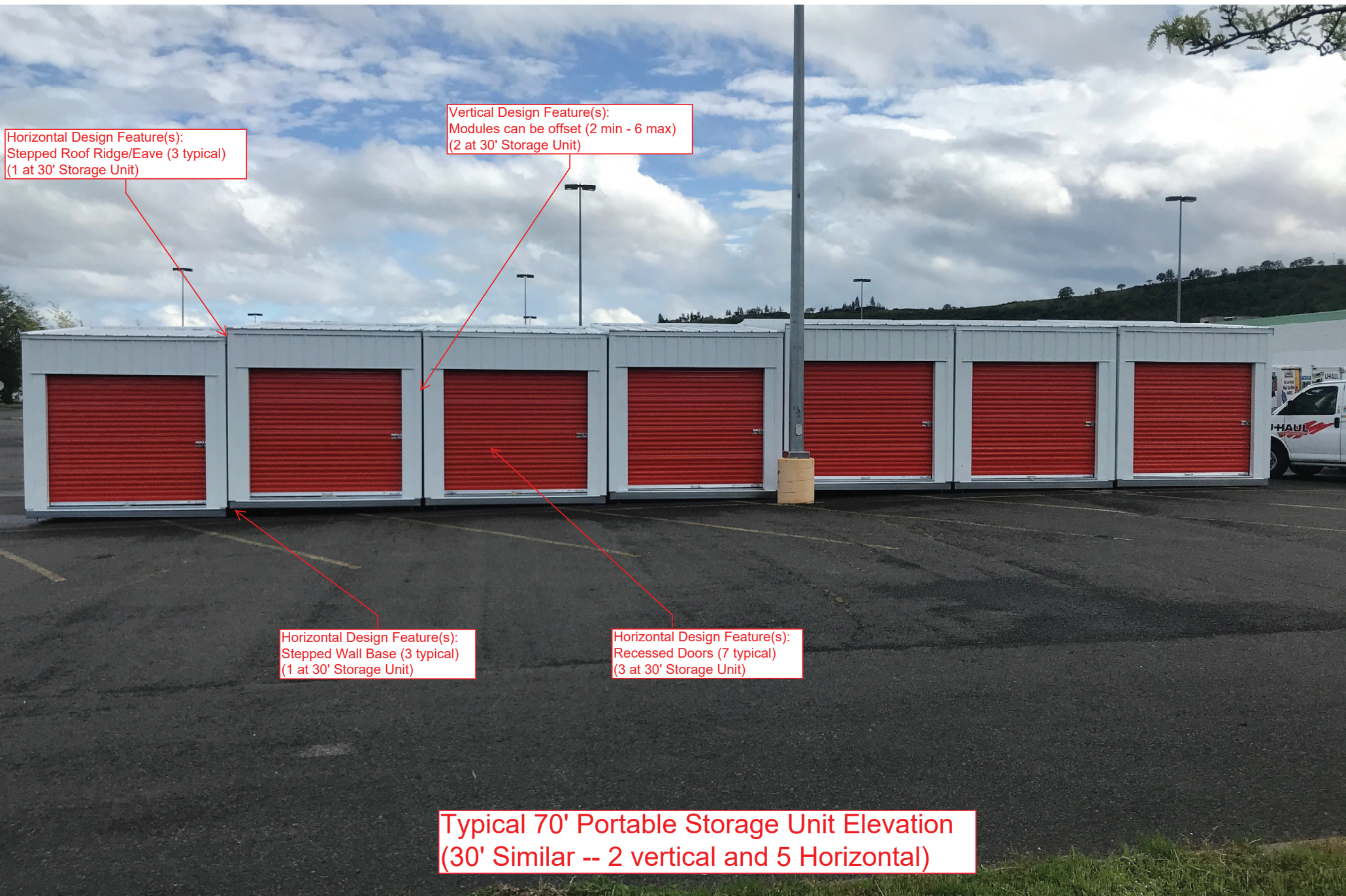
STORAGE UNIT SUPPLEMENT

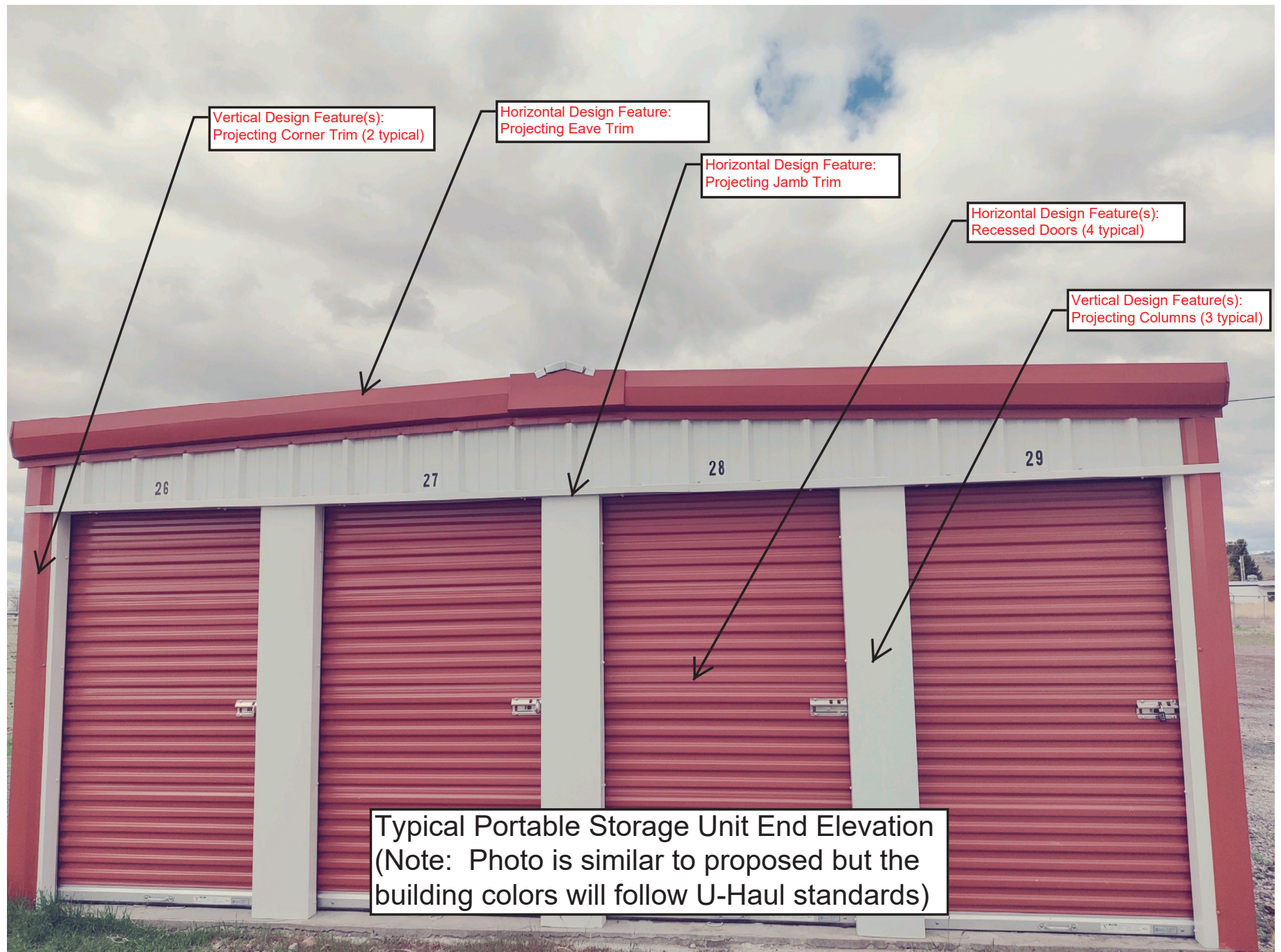
TO PLAN # 2014

DATE: OCT. 15, 2020



Springwater Design
24775 S. Springwater Rd.
Estacada, OR 97023
(503) 630-6238
503-630-6238







CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

RESOLUTION NO. PC 603-22

Approval of Conditional Use Permit Application **199-21, RTD Development, LLC**, to site and construct a Recreational Vehicle (RV) park with 26 spaces on a 3.6 acre parcel. Property is located at 2514 W. 10th Street and further described as 2N 13E 32 DB tax lot 1100. Property is zoned RH – High Density Residential.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on June 16, 2022, conducted a public hearing to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff's report of Conditional Use Permit 199-21 and the minutes of the June 16, 2022 Planning Commission meeting, 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:

In all respects as set forth in Recitals, Part "I" of this resolution, Conditional Use Permit 199-21 is hereby approved with the following conditions of approval:

A. Conditions Requiring Resolution Prior to Submission of Final Plan:

1. 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.
2. A detailed site plan, construction/design and landscape plan consistent with conditions of approval included within this staff report, as well as any additional conditions of approval determined by the Planning Commission, must be approved by the Director and the City Engineer before a building permit is issued.
3. All construction/design plans for public infrastructure, improvements, or rights-of-way shall be approved by the City Engineer.
4. Submit engineered plans for review and approval by the Public Works Department. All design and installation of public improvements shall be installed or bonded by the Applicant in accordance with the City of The Dalles Municipal Code, Title 10 – Land Use and Development Public Improvement Procedures and the APWA standards, specifications, and drawings, as amended and adopted by the City, and approved by

the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.

5. The existing dwelling and barn must be included on a revised plan.
6. The Applicants must contact Wasco County Building Codes and/or the State of Oregon Building Codes Division Department of Consumer and Business Services for additional permitting requirements associated with the proposed development. If any additional requirements require modifications to RV park features, these features must be provided on a revised site plan.
7. A pedestrian pathway/sidewalk (either painting striping or at-grade concrete) from the ROW and on-site parking to the office/bathhouse/laundry must be provided on a revised plan.
8. All RV spaces must be clearly identified as long or short term on a revised site plan.

B. Conditions Required Prior to Final Plan Approval

1. One (1) ADA parking space must be provided on-site. Accessible parking spaces must meet the requirements for van accessible parking as stated in 10.7.030.050 (B), the accessible parking symbol painted on the parking space, as well as an accessible parking sign placed in front of the space.
2. All circulation arrows and pedestrian pathways shall be painted on the parking lot to facilitate the movement of vehicles and pedestrians in a safe and efficient manner.
3. All parking spaces shall be striped.
4. All parking and maneuvering areas will be required to be hard surface and marked per the City's standards.
5. Parking stall and aisle dimensions must comply with TDMC 10.7.030.130.
6. All proposed landscaping must be installed.
7. All trees shall be selected from the recommended tree list provided by the CDD Director.
8. The Applicants will be required to install half-street ROW improvements along the entire frontage of the subject property and must extend through the site to the edge of adjacent properties.
9. Screening must be provided on all side abutting ROWs and neighboring properties, with vegetation reaching the required height of 6' within two (2) years of planting.
10. A pedestrian pathway/sidewalk (either painting striping or at-grade concrete) from the ROW and on-site parking to the office/bathhouse/laundry must be installed.
11. To ensure pedestrian connectivity between each residential entryway to the ADA loading area and proposed concrete pedestrian pathway/sidewalk, a clear pedestrian pathway (striped or at-grade concrete) along the entire building front must be shown on the final plan. This pathway must be provided and installed at the time of development and prior to occupancy.

12. All walkways shall meet the requirements of the Oregon Americans with Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes.
13. All RV spaces must be clearly identified as long or short term.

C. Conditions Required During Construction of Public Improvements and Franchise Utilities

1. A pre-construction meeting including the City Engineer and Construction Inspector is required prior to construction or site prep work. All public improvements shall first obtain design and construction approval from the City Engineer.
2. The Applicant must warranty all public improvements against defect for one (1) year from the date of final acceptance by the City.
3. All proposed franchise utilities will be required to be installed in accordance with each utility provider.

D. Conditions Required Prior to City Building Permit Approval

1. All Conditions of Approval listed in Section B above.
2. Building elevations for each of the structures, both proposed and existing, must be submitted and demonstrate compliance with 10.5.020.070. All building elevations must include trim around the windows, doors, frieze, and corners of buildings.

E. Ongoing Conditions

1. All development must adhere to the approved site plan for this development.
2. All proposed walking paths must be maintained to ensure safe and efficient circulation on the subject property.
3. All 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.
4. All landscaping must be maintained and irrigated to ensure survival of plant materials.
5. No approach/entrance shall be built closer than 5' from any property line.
6. All drive approaches must not exceed 5% grade for the first 20'.
7. No plantings, walls, screens, structures, or permanent or temporary obstructions exceeding 24" in height, may be placed within the 15' front setback of the subject property.
8. All short-term stays must pay Transient Lodging Taxes to the City's Finance Department for each nightly stay. Staff will include this requirement as a Condition of Approval.

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 mailing of this 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 16TH DAY OF JUNE, 2022.

Cody Cornett, Chair
Planning Commission

I, Alice Cannon, Community Development Director for 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 16th day of June, 2022.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ATTEST: _____
Alice Cannon
Community Development Director
City of The Dalles



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

RESOLUTION NO. PC 604-22

Approval of Conditional Use Permit Application **202-22, U-Haul of The Dalles**, for a major modification of Conditional Use Permit (CUP) 195-20, a previously approved storage facility and truck/trailer rental business, for the addition of six (6) exterior storage units in the existing parking lot of the subject property. Property is located at 2640 W. Sixth Street and is further described as 2N 13E 32 A tax lot 400. Property is zoned CG – General Commercial District.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on June 16, 2022, conducted a public hearing to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff's report of Conditional Use Permit 202-22 and the minutes of the June 16, 2022 Planning Commission meeting, 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:

In all respects as set forth in Recitals, Part "I" of this resolution, Conditional Use Permit 202-22 is hereby approved with the following conditions of approval:

A. Conditions Requiring Resolution Prior to Submission of Final Plan:

- 1. 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.
- 2. Final plans must be consistent with all Conditions of Approval included within this staff report, as well as any additional Conditions of Approval required by the Planning Commission, be approved by the Community Development Director and the City Engineer before a building permit is issued.
- 3. All construction/design plans for public infrastructure, improvements, or rights-of-way shall be approved by the City Engineer.
- 4. Submit engineered plans for review and approval by the Public Works Department. All design and installation of public improvements shall be installed or bonded by the Applicant in accordance with the City of The Dalles Municipal Code, Title 10 – Land Use and Development Public Improvement Procedures and the APWA

standards, specifications, and drawings, as amended and adopted by the City, and approved by the City Engineer, or otherwise guaranteed to be completed by the applicant to the satisfaction of the City.

B. Conditions Required During Construction of Public Improvements

1. A pre-construction meeting including the City Engineer and Construction Inspector is required prior to construction or site preparatory work. All public improvements shall first obtain design and construction approval from the City Engineer.
2. The Applicant must warranty all public improvements against defect for one (1) year from the date of final acceptance by the City.

C. Conditions Required Prior to Final Plan Approval

1. All three (3) ADA drive approaches along the Snipes Street frontage must be installed.
2. No less than three (3) ADA parking spaces must be installed. One of these spaces must meet the requirements for van accessible parking as stated in 10.7.030.050 (B). All ADA spaces must have the accessible parking symbol painted on the parking space as well as an accessible parking sign placed in front of the space.
3. All circulation arrows and pedestrian pathways shall be painted on the parking lot to facilitate the movement of vehicles and pedestrians in a safe and efficient manner.
4. The paved pedestrian walking path connecting the subject site to the existing sidewalk on Snipes Street must be installed. This walkway must have a width no less than 5 ft. and shall be constructed and maintained for pedestrian safety. In addition, 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.
5. The new striping from each of the three (3) ADA parking spaces to both building entrances must be painted. This walkway must have a width no less than 5 ft. and shall be constructed and maintained for pedestrian safety. In addition, 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.
6. All parking spaces shall be striped.
7. All parking and maneuvering areas will be required to be hard surface and marked per the City's standards.
8. Parking stall and aisle dimensions must comply with TDMC 10.7.030.130.
9. All parking spaces must be clearly marked/painted on-site per their assigned classification (shunting, U-Haul customer parking, shared parking) and may only be used for each specified use.
10. The Applicant must provide no less than one (1) bicycle parking space on the subject property.
11. All proposed landscaping must be installed.

12. All trees shall be selected from the recommended tree list provided by the CDD Director.
13. The Applicant must establish a series of easements and agreements that comply with the requirements of TDMC 10.6.050.030(D) for all shared driveways and access ways located on the subject property.

D. Conditions Required Prior to City Building Permit Approval

1. All Conditions of Approval listed in Section B above.

E. Ongoing Conditions

1. All development must adhere to the approved site plan for this development.
2. All proposed walking paths must be maintained to ensure safe and efficient circulation on the subject property.
3. The established oil/water separator maintenance agreement established with the City's Public Works Department must be adhered to.
4. All 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.
5. All landscaping must be maintained and irrigated to ensure survival of plant materials.
6. All refuse collections areas must comply with the requirements for refuse collection as stated in TDMC 10.7.030.110.

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 16TH DAY OF JUNE, 2022.

Cody Cornett, Chair
Planning Commission

I, Alice Cannon, Community Development Director for 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 16th day of June, 2022.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ATTEST: _____
Alice Cannon
Community Development Director
City of The Dalles