



NOTICE OF ADMINISTRATIVE DECISION
SPR 536-23

Luminous Enterprises, Inc.

DECISION DATE: July 16, 2024

APPLICANT: Luminous Enterprises, Inc.

PROPERTY OWNER: Luminous Enterprises, Inc.

REQUEST: Applicant is requesting approval for construction of a 6-unit multi-family dwelling along with 14 parking spaces (8 exterior), maneuvering area, 6-space bicycle parking, trash enclosure, and landscaping.

LOCATION: The subject property is located at the intersection of W. 9th and Myrtle Streets and further described as 2N 13E 32 DA tax lot 2401.

COMPREHENSIVE PLAN AND ZONING DESIGNATIONS: RM – Medium Density Residential

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

DECISION: Based on the findings of fact and conclusions in the staff report of **SPR 536-23**, the request by **Luminous Enterprises, Inc.** is hereby **approved** with the following conditions:

1. Conditions Requiring Resolution Prior to Final Plan Approval:

- a. Final plan submission must meet all requirements of The Dalles Municipal Code, Title 10 Land Use and Development, and all other applicable provisions of The Dalles Municipal Code.
- b. The Applicant shall modify the width of both driveways on a revised site plan to clarify that the drive entrances are both 24 feet wide at the level of the street pavement which is the maximum width allowed.
- c. The Applicant modify the proposed development to ensure overall lot coverage does not exceed the 60% lot coverage area requirement.

- d. If applicable, all construction/design plans for public infrastructure, improvements, or ROW shall be approved by the City Engineer.
- e. Lighting shall be consistent with TDMC 10.7.030.120 and shall be included with the site plan.
- f. Lighting shall be detailed on the building elevations to demonstrate illumination of the exterior stairways.
- g. Revised plans must be submitted detailing that each rear uncovered stairway is protected by a covering, canopy, or enclosure from rain, sun, snow and natural elements.
- h. Revised plans must be submitted detailing that each dwelling unit include a front building entrance cover.
- i. Revised building elevations must be submitted to ensure the sides of the building elevations include articulations that comply with TDMC 10.3.030.040(2)(e).
- j. Revised building elevations must be submitted to ensure the sides of the building elevations include horizontal lines such as belt courses, bellybands, and change in materials or color that extends the width of all exterior walls.
- k. Parked vehicles shall be parked in such a way as not to overhang property lines or walkways.
- l. The Applicant shall revise the site plan for interior parking lot landscaping to clarify that the 10% landscaping for their interior parking lot is being met and that one tree is provided not less than 10 feet from the nearest utility line.
- m. The Applicant shall detail on the site plan the location of no less than one (1) motorcycle parking space on the revised plan.
- n. A minimum 60% of all landscaped area (Applicant states 5,716 square feet) be covered with trees, shrubs, and ground cover. The remaining 40% may be dry landscaped with approved materials.
- o. A drainage plan must be provided to demonstrate the site stormwater drainage system clearly and how water is being retained on-site or directly connected to the City's storm system.
- p. As a condition of approval an irrigation system plan must be provided with sufficient operating details with the final submittals.

2. Conditions Requiring Resolution Prior to Building Permit Approval:

- a. A detailed site plan, construction/design and landscape plan consistent with the conditions of approval included within this Staff Report must be approved by the Director and the City Engineer before a building permit is issued.
- b. All construction/design plans for public infrastructure, improvements, or rights-of-way required with this development must be approved by the City Engineer.
- c. All System Development Charges shall be paid.

- d. Plans submitted with the building permit shall be consistent with the approved Site Plan Review.

3. Conditions Required Prior to Construction:

- a. Prior to the installation of public facilities, a pre-construction meeting is required between the City and the Applicant.

4. Conditions Required During Construction:

- a. The Applicant shall take effective action to prevent the escape of sediment from the site by installation of erosion and sediment control measures and practices prior to, and concurrent with, land disturbing activities.
- b. The Applicant shall prevent the formation of any airborne dust nuisance and shall be responsible for any damage resulting from failure to do so.
- c. All refuse collection areas must comply with the requirements for refuse collection as stated in TDMC 10.7.030.110.
- d. The Applicant shall surface all parking and maneuvering areas with paving material approved by the City Engineer.
- e. The Applicant shall stripe all parking spaces.
- f. Staff will include as a condition of approval that 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.
- g. All mail delivery facility locations and construction must be approved by the City Engineer and Post Office.
- h. All ADA parking shall comply with TDMC 10.7.030.050 Accessible Parking. 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.

5. Conditions Required Prior to Occupancy:

- a. Landscaping shall be installed per the provisions of TDMC Article 6.010.
- b. The Applicant will be required to make any needed repairs to the existing ROW improvements, should any damages occur during the site construction process.

6. Ongoing Conditions:

- a. All development must adhere to the approved site plan for this development.
- b. As a condition of approval parked vehicles may not overhang property lines or walkways.
- c. As a condition of approval, upon completion of all ROW improvements, the City Engineer, or designee, will conduct a final inspection of all improvements to ensure they meet City standards before the City formally accepts them for ownership, operation or maintenance. Applicant shall warranty all public improvements against

any defects and workmanship provided for a period of one year from the date of the City's final acceptance of the work.

- d. All proposed lighting shall not directly illuminate adjoining properties. Lighting sources in the parking area shall be shielded and arranged to prevent glare in any public ROW, 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, buffering, and screening must be adequately maintained and irrigated to ensure the survival of plant materials.
- f. All pedestrian walkways connecting to and within the development shall meet the requirements of the Oregon Americans With Disabilities Act, the State of Oregon Structural Specialty Code, and the Oregon Revised Statutes.

Signed this 16th day of July, 2024 by



Joshua Chandler
Director
Community Development Department

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

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

APPEAL PROCESS: The Director's approval, approval with conditions, or denial is the City's final decision, and may be appealed to the Planning Commission if a completed Notice of Appeal is received by the Director no later than 5:00 p.m. on the 10th day following the date of the mailing of the Notice of Administrative Decision, **July 26, 2024**. The following may file an appeal of administrative decisions:

1. Any party of record to the particular administrative action.
2. A person entitled to notice and to whom no notice was mailed. (A person to whom notice is mailed is deemed notified even if notice is not received.)

3. The Historic Landmarks Commission, the Planning Commission, or the City Council by majority vote.

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