



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5490
COMMUNITY DEVELOPMENT DEPT.

AGENDA CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

THURSDAY, AUGUST 2, 2012

6:00 PM

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes: June 21, 2012
- V. Public Comment (Items not on the Agenda)
- VI. **Quasi-Judicial Hearing:**
APPLICATION NUMBER: VAR 119-12; Flagstone, LLC; Application to obtain approval for a second freestanding sign. The property is located at 3325 Columbia View Drive, The Dalles, Oregon, and is further described as Township 1 North, Range 13 East, Map 1 AC, tax lot 500. Property is zoned "NC" Neighborhood Center Overlay District.
- VII. Resolution
P.C. Resolution No. 524-12; Flagstone, LLC; VAR 119-12
- VIII. Staff Comments
- IX. Commissioner Comments/Questions
- X. Next scheduled meeting date: August 16, 2012
- XI. Adjournment

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, June 21, 2012

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Mark Poppoff, Dennis Whitehouse, Mike Zingg, Jeff Stiles, Chris Zukin

BOARD MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Senior Planner Richard Gassman, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Zukin and seconded by Zing to approve the agenda as submitted. The motion carried unanimously.

APPROVAL OF MINUTES:

It was moved by Whitehouse and seconded by Stiles to approve the April 26, 2012 Joint Planning Commission meeting minutes as submitted. The motion carried unanimously.

It was moved by Whitehouse and seconded by Zingg to approved the May 17, 2012 City of The Dalles Planning Commission minutes. The motion carried unanimously.

PUBLIC COMMENT:

None

LEGISLATIVE HEARING:

Application Number ZOA 82-12, City of The Dalles; Request: Amendments to the City of The Dalles Land Use and Development Ordinance #98-1222.

Senior Planner Gassman reported that staff received one comment regarding the proposed amendments from Kandie Robinson, 755 Division Street, Space 325, The Dalles, Oregon.

Senior Planner Gassman brought it to the Planning Commission's attention that an additional item #21 was added to the list regarding designated mobile home park play areas. Gassman advised that the State removed this provision for a designated play area several years ago, but the City has a requirement very similar to the State's former requirement. To his knowledge, Gassman, stated, there is currently only one mobile home park in The Dalles that was created after the City's designated play area requirement was established. The mobile home park owner that has the play area wants to convert that area into a mobile home space, but as the Land Use and Development Ordinance (LUDO) stands

now, the play area is a City requirement. Gassman advised that staff was bringing this code to the Planning Commission's attention to decide whether to keep or remove the local code provision. The mobile home park that made the request now has residents 55+ years old, but the park was not designated as such when it was created. Gassman pointed out that the mobile home park owner would need to go through a site plan review to have the space usage changed.

Chair Lavier asked how a determination is made as to whether or not children under the age of 14 reside in a mobile home park. Senior Planner Gassman answered that there were a couple of ways to determine that: 1) some parks are designated as 55 years and older, and there is a presumption there are no children; and 2) a visit to the park in person could be scheduled to see if there are children present and/or talk to the park manager.

Chair Lavier asked if the mobile home park owner who submitted the comment could theoretically declare she would not accommodate children under 14 and change the play area to a mobile home space. Senior Planner Gassman said the applicant has stated that. Commissioner Stiles commented that mobile home parks for occupants 55 years and older are not required to exclude children altogether, the requirement typically is that 80% of the occupants must be 55+ years old. Lavier asked if the applicant could publicly or legally declare that she would not accommodate children under 14 years of age. Stiles said he doubted they could exclude such children because of Fair Housing laws.

Commissioner Poppoff asked if there was a similar City requirement for apartments. Gassman stated the City does not require a play area for apartment complexes. Poppoff commented that if the City does not require a designated play area for apartment tenants, then maybe there should be no such requirement for a mobile home park. After further discussion, it was stated that the current mobile home park owner has one child under the age of 14, and she would be willing to move out of the mobile home park if children residing in the park became the determining factor that would prevent a manufactured home from being placed in the vacant park lot.

Commissioner Zingg asked staff what brought about the Section 5 change regarding the 40 ft. maximum height within 100 ft. of a residential zone. Senior Planner Gassman reported the subject came up during hearings and discussions for the Oregon Military Department Readiness Center. There was some concern about the fact that, in the Community Facility Overlay (CFO) Section 5.100, there were no minimum setbacks required for buildings constructed in the "CFO". Therefore, Gassman explained, a very large building could be constructed very close to a residential area. At the same time, the Planning Commission wished to place a maximum height restriction on buildings in the CFO; otherwise, in essence, Gassman explained, a 65 ft. building could be constructed next to a residential zone. The amended language in Section 5 at least allows for some kind of a buffer near a residential zone, Gassman reported. Commissioner Zukin asked if this was the only zone with the height limitation. Gassman said there is a similar code in the "GC" General Commercial zone where the maximum building height is 55 ft. with a 40 ft. maximum height exception within 100 ft. of a residential zone.

Commissioner Zingg commented that the Planning Commission is going through a lengthy process to try to expand the Urban Growth Boundary. If that does not take place, Zingg suggested, then the only alternative is to go up. Chair Lavier said that in a case like that, the Planning Commission could revisit the height limitations. Lavier further stated that in order for the LUDO to be a living document that has value, the City needs to have the ability to allow the LUDO to grow as the community grows.

Gassman pointed out that the Planning Commission allowed the building height maximum to go up from the maximum height of 55 ft. to 75 ft. with a Conditional Use Permit in the "CBC" (Commercial Business District). The CUP would allow the Commission the ability to condition architectural features, setbacks from other buildings or streets, or other site plan features, Gassman explained. Commissioner Zukin emphasized that the proposed LUDO amendment pertains only to buildings within the Community Facilities Overlay Districts which is a relatively small amount of land within the City.

Commissioner Stiles asked for an explanation regarding the amendment in Section 18, the amendment of a one year timeline for the installation of improvements on new developments. Senior Planner Gassman explained the LUDO is very clear on improvement requirements for new construction, however the code does not indicate any sort of a completion timeline for the improvements. The proposed amendment, Gassman said, places a timeline for improvements to be completed and gives the City a better handle when it comes to enforcement. Commissioner Zukin stated he did not agree with the amendment; improvements had been an ongoing issue for the City for 10 years where some waivers of remonstrance had not been recorded. Zukin indicated the proposed amendment adding a timeline was silly because it could create a situation where someone developing a piece of property could be required to put in improvements, for instance a section of sidewalk, and there could possibly be nothing around it for years. Zukin stated he would like to see it removed from the list for now and possibly discussed as a separate issue at a later date. Senior Planner Gassman clarified that the recording of the waivers of remonstrance was a mess, but not because the City did not want to record them. The City recorded them for a while, then the City was told by the State that the waivers could not be recorded for a period of five or six years. Then later, the State lifted that mandate, and the City was able to record them again, Gassman explained.

After further discussion, the motion was made by Zukin and seconded by Stiles to remove Section 18 from the proposed LUDO amendment list at this time and handle it as a separate matter at another time. The motion carried unanimously.

Senior Planner Gassman recommended after this group of LUDO amendments was completed, the Planning Commission could bring the discussion back on the proposed improvements timeline requirement and possibly hear a presentation on some actual case scenarios of why the timeline amendment was suggested.

Commissioner Stiles asked for the purpose for the amendment of Section 19, mailbox clusters. Senior Planner Gassman explained that the State adopted a new requirement that all jurisdictions should have a local code regarding mailbox clusters that would be consistent with provisions in the Oregon Structural Specialty Code. So rather than adopting identical language to building codes language that would subsequently need to be changed frequently, the proposed amendment states the City's code requirements will be consistent with the Oregon Structural Specialty Code, Gassman stated.

Commissioner Stiles asked for the reasoning behind the amendment change to Section 17 regarding Mark Yinger's geohazard study. Senior Planner Gassman explained that, in Yinger's study, there would be certain areas of properties where a geohazard report would be required prior to development. Yinger, Gassman said, refined and made the geohazard area smaller and more refined and added three areas where ground water discharge was identified. Because of his findings, Gassman stated, the ground water discharge areas would also require a geohazard report prior to development.

Commissioner Stiles stated the geohazard report process was lengthy and hindered some developments because of time and expense. Gassman answered that was why Yinger's study was redone. The new study reduced the recognized geohazard area by approximately 50 percent. Stiles asked if ODOT or State agencies could come back and require the geohazard reports that would now be outside the geohazard area. Gassman believed it was only a City requirement, not State or ODOT.

Rich Williams, 1212 Blakely Drive, The Dalles, Oregon, asked for an explanation of Section 14 regarding residential local streets and alleys and what caused this proposed amendment. Senior Planner Gassman explained that there are many driveways in the older part of town that do not meet current driveway code requirements. The current code requires driveways to be five feet away from the neighbors' property line, and many of the older driveways were built on property lines. Gassman stated many people come into the Planning Department wanting to upgrade driveways from gravel to pavement, and Planning cannot issue a permit unless the property owner moves the existing driveway over, and that is not a good solution. The proposed language would allow property owners to proceed as long as there would be a three foot wing, and the City would allow a reduced driveway width with the Director's approval. Gassman reported this proposed language would be an attempt to make the code more flexible. Williams asked if the language pertained to single family residences only. Gassman replied that it could apply to commercial, but it mostly was formed for single family dwellings.

Jennifer Blevins, 1212 Blakely Drive, The Dalles, Oregon, asked if the Director, as his discretion, could give relief to any property owner whose driveway exceeded the code's maximum width allowance. Gassman answered that, with this proposed language, the Planning Director could not, at his discretion, give relief or vary the maximum width of a driveway. If a property owner wanted to build a driveway that exceeded the maximum width allowed, the property owner would need to apply for a variance and go through the public hearing process before the Planning Commission, Gassman stated.

It was moved by Whitehouse and seconded by Zukin to recommend to City Council the approval of the proposed LUDO amendments, excluding Section 18. The motion carried unanimously.

RESOLUTION:

Resolution No. P.C. 523-12, City of The Dalles, ZOA 82-12

It was moved by Zukin and seconded by Whitehouse to adopt Resolution No. P.C. 523-12 amending the Land Use and Development Ordinance #98-1222 as amended. The motion carried unanimously.

STAFF COMMENTS:

Senior Planner Gassman reported that there was no update on the appointment of a new Planning Commissioner.

COMMISSIONER COMMENTS:

Commissioner Poppoff asked if gravel installed next to sidewalk areas and planter areas could be replaced with another kind of material such as bark chips or grass that would not be prone to being a trip hazard to pedestrians. City Attorney Parker said it could possibly be a nuisance issue if the City received many complaints, but to date that had not occurred. Senior Planner Gassman said he would relay Commissioner Poppoff's concern to Public Works.

Commissioner Poppoff inquired about the grading taking place at 10th and Webber. Senior Planner Gassman advised that the contractor had approved permits from the City.

Commissioner Whitehouse asked that if Columbia Gorge Community College received its funding for the college's portion of the Readiness Center, and plans showed their portion of the building to be in front of the Armory instead of part of the armory, would another Planning Commission hearing be necessary for a review. Senior Planner Gassman advised another review before the commission would not be necessary because the applicant had indicated that plan at the last review.

NEXT SCHEDULED MEETING DATE:

July 5, 2012

ADJOURNMENT:

The meeting was adjourned at 7:10 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.

Bruce Lavier, Chairman

**City of The Dalles
Staff Report**

Variance 119-12

Flagstone, LLC

Prepared by: Dick Gassman, Senior Planner 

Procedure Type: Quasi-Judicial

Hearing Date: August 2, 2012

Assessor's Map: Township 1 North, Range 13 East, Map 1AC, tax lot 500

Address: 3325 Columbia View Drive

Comprehensive Plan "NC" Neighborhood Center Overlay

Zoning District: "NC" Neighborhood Center Overlay

City Limits: Inside

Request: To obtain approval for a second freestanding sign where only one is allowed.

BACKGROUND INFORMATION

The subject property is developed with Flagstone, a retirement home consisting of several buildings with various levels of assistance. On site there is an existing monument sign. The Land Use and Development Ordinance (LUDO) allows only one monument sign, which falls under the definition of a freestanding sign. The applicant is requesting a variance to allow a second monument sign, as shown on the attached elevation detail.

NOTIFICATION

Property owners within 300 feet, City Departments, franchise utilities, Mid-Columbia Fire & Rescue, Wasco County Health Department, and State Building Codes were mailed a notice on July 18, 2012, as required by 3.020.050 D.

COMMENTS

No comments on the proposal were received as of the date this report was written.

RECOMMENDATION

Approval of this variance application, with conditions.

A. LAND USE AND DEVELOPMENT ORDINANCE 98-1222

Section 3.010.040 Applications

B. Completeness.

FINDING #1: The application was found to be complete on July 16, 2012. The 120-day State mandated decision deadline is November 13, 2012. The hearing is within the required time line. Criterion met.

Section 3.020.050 Quasi-Judicial Actions

A. Decision types. 4. Variances:

FINDING #2: This application is for a Variance per LUDO Section 3.070. Variances are processed as quasi-judicial hearings per section 3.070.020. B. Criterion met.

B. Staff Report. The Director shall prepare and sign a staff report for each quasi-judicial action, which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval with conditions, or denial.

FINDING #3: The staff report will detail criteria and standards relevant to a decision, all facts will be stated, and explanations given. This will be detailed through a series of findings directly related to relevant sections and subsections of the ordinance as they relate to this request. Criterion met.

C. Public Hearings. The quasi-judicial process requires a public hearing within 45 days from the date the application is deemed complete.

FINDING #4: The application was deemed complete on July 16. The 45 day period ends August 31, 2012. The public hearing is scheduled for August 2, 2012. 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 July 18, 2012. A public notice was published in the Chronicle on July 22, 2012. Criterion met.

Section 3.070.020 Review Procedures

A. Applications. Variance applications shall be accompanied by at least 15 copies of the concept site plan, and a written statement which specifically addresses the review criteria.

FINDING #6: The required plans and written statement have been submitted. Criterion met.

Section 13.070.060 Variances and Appeals

A. The Planning Commission of the City of The Dalles shall act on all requests for variances and appeals of sign permit determination by the Director.

FINDING #7: The hearing on this variance application is being heard by the Planning Commission. Criterion met.

B. The Planning Commission shall conduct hearings for appeal and variance matters in the same manner and shall apply the same standards as are used for variance hearings conducted pursuant to this ordinance.

FINDING #8: The decision criteria shall be the same as for all variances as provided for in Section 3.070.030. Criterion met.

E. In exercising its appeal or variance authority, the commission may attach such conditions to either as it determines to be necessary to achieve the purposes stated in Section 13.010.010 of this Ordinance.

FINDING #9: The Commission may attach conditions based on the provisions of Section 13.010.010. Criterion met.

Section 3.070.030 Review Criteria

A variance to the requirements of this Ordinance shall be granted only in the event that each of the following circumstances is found to exist:

A. The proposed variance will not be contrary to the purposes of this Ordinance, policies of the Comprehensive Plan, or any other applicable policies and standards adopted by the City.

FINDING #10: LUDO Section 13.040.020 determines the sign allowance in the NC zone. That section, in essence, allows one freestanding sign up to a maximum of 32 square feet and not exceeding eight feet in height. The proposed sign structure is within the height limitation and the actual sign is less than 20 square feet. With the size of the development and the number of buildings on site, a second freestanding sign within the code limitations, is not contrary to the purposes of this Ordinance or other regulations. Criterion met.

B. Exceptional or extraordinary circumstances apply to the subject property which do not apply generally to other property in the same zone or vicinity. Such circumstances are a result of lot size or shape, topography, or circumstances over which the applicant has no control.

FINDING #11: This is a large site, much larger than most parcels in the NC zone. In addition to the large parcel, the lot is substantially developed. An additional freestanding sign will help direct residents and guests. Criterion met.

C. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as owners of other property the same zone or vicinity.

FINDING #12: Without the variance the applicant would be able to have one freestanding sign, but given the size of the property and the number and size of the buildings, a second sign is justified. Criterion met.

D. The conditions or circumstances justifying the variance have not been willfully or purposely self-imposed, and do not result from a violation of this Ordinance since its effective date.

FINDING #13: The size of the lot was not self imposed. The City encourages owners to fully develop their lots. In doing so, the City should allow appropriate signage. Criterion met.

E. The proposed variance will not substantially reduce the amount of privacy enjoyed by users of neighboring land uses if the variance were not allowed.

FINDING #14: The variance will not reduce privacy by neighboring uses. Criterion met.

F. The proposed variance is the minimum variance which would alleviate the difficulty.

FINDING #15: The proposed variance is the minimum needed to allow this sign. Criterion met.

RECOMMENDATION:

Approve the request, with conditions.

IF APPROVED, RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant will obtain a sign permit.
2. This sign is restricted to 32 square feet in size and eight feet in height.

VARIANCE APPLICATION

CITY OF THE DALLES
Community Development Department
313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 1125
Fax (541) 298-5490
www.ci.the-dalles.or.us



Date Filed 7/16/12
File# VAR 119-12
Date Deemed Complete 7/16/12
Hearing Date
Approval Date
Permit Log #
Other Cross Reference#

APPLICANT

LEGAL OWNER (If Different than Applicant)

Name Flagstone, LLC (Andy Bremmeyer, NCARB)

Name Flagstone, LLC

Address 7600 NE 41st Street, Suite 330
Vancouver, Washington 98662

Address 7600 NE 41st Street, Suite 330
Vancouver, Washington 98662

Telephone # (360) 892-9090, ext. 203

Telephone # (360) 892-2920

E-mail Address AndyB@WedgwoodServices.com

*If applicant is not the legal owner, attach either [1] owner consent letter, or; [2] copy of earnest money agreement, or; [3] copy of lease agreement.

PROPERTY INFORMATION

Address 3325 Columbia View Drive, East

Map and Tax Lot Tract 1, Kargl Elwood and Geiger minor partition, by Tenneson Engineering IN 13E 1AC & L 500

Size of Development Site 160,984 sf (3.70 Acres)

Zone District/Overlay Neighborhood Commercial (NC)

Comprehensive Plan Designation

REQUEST

- [X] New Construction [] Expansion/Alteration [] Change of Use [] Amend Approved Plan

Brief Explanation: This application is requesting a variance, for one additional 32 sf monument (secondary) sign, in addition to the existing 32 sf monument sign. The site is very large, and contains six building structures, permitting three forms of elderly congregate living. - Independent Living, Assisted Living, and Memory Care (Alzheimer's). The additional sign, would be beneficial to both the public, inquiring about residence, and would help define and direct, what the business provides, within the three levels of care, throughout the site.

JUSTIFICATION OF REQUEST

1. What are the special circumstances (size, shape or topography of lot, location of surroundings) that do not apply to other properties in the same vicinity and zone?

Large site, with expansive frontage, and landscaping.

2. What difficulties and unnecessary hardships will be created without a variance to the Ordinance?

With three levels of care, within six building structures, provided on site, one sign does not describe, market, nor direct the public, inquiring about residence, in a clear and defined manner.

3. Explain why the variance will not be detrimental to the public safety, health and welfare.

This variance will not adversely affect the public safety, health, and welfare, in any manner, as the proposed location is near the mid point of the long, 565' frontage on which it is proposed.

4. Explain why this variance, if granted, would not be contrary to the intent of the Zoning Ordinance.

The size and height of the proposed sign conforms with the current use in the sign ordinance.(No. 92-1153, section 4.020(2))

PARKING INFORMATION

Total Number of Spaces Proposed ⁰_____ Total Number of Handicap Spaces Proposed ⁰_____

Total Number of Compact Spaces Proposed ⁰_____ What material will be used for the surface of the parking area ⁰_____.

LANDSCAPING INFORMATION

Total Square Footage Landscaping Proposed ⁰_____ Percent of Landscaping Irrigated ⁰_____

ECONOMIC DEVELOPMENT INFORMATION

Proposed Project is located in the Enterprise Zone

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

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

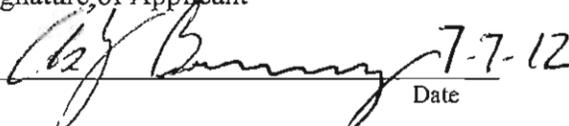
UTILITIES

How will the site be served with water and sewer?

Water: City Water Chenoweth Irrigation Private Well

Sewer: City Sewer Private Septic

Signature of Applicant

 7-7-12
Date

Signature of Property Owner*

Date

* Notarized Owner Consent Letter may substitute for signature of property Owner

NOTE: **This application must be accompanied by the information required in Section 3.070: Variance, contained in Ordinance No. 98-1222, The City of The Dalles Land Use and Development Ordinance.**

PLANS SUBMITTED:

At least 15 copies of concept site plan.

2 copies detailed landscape plans

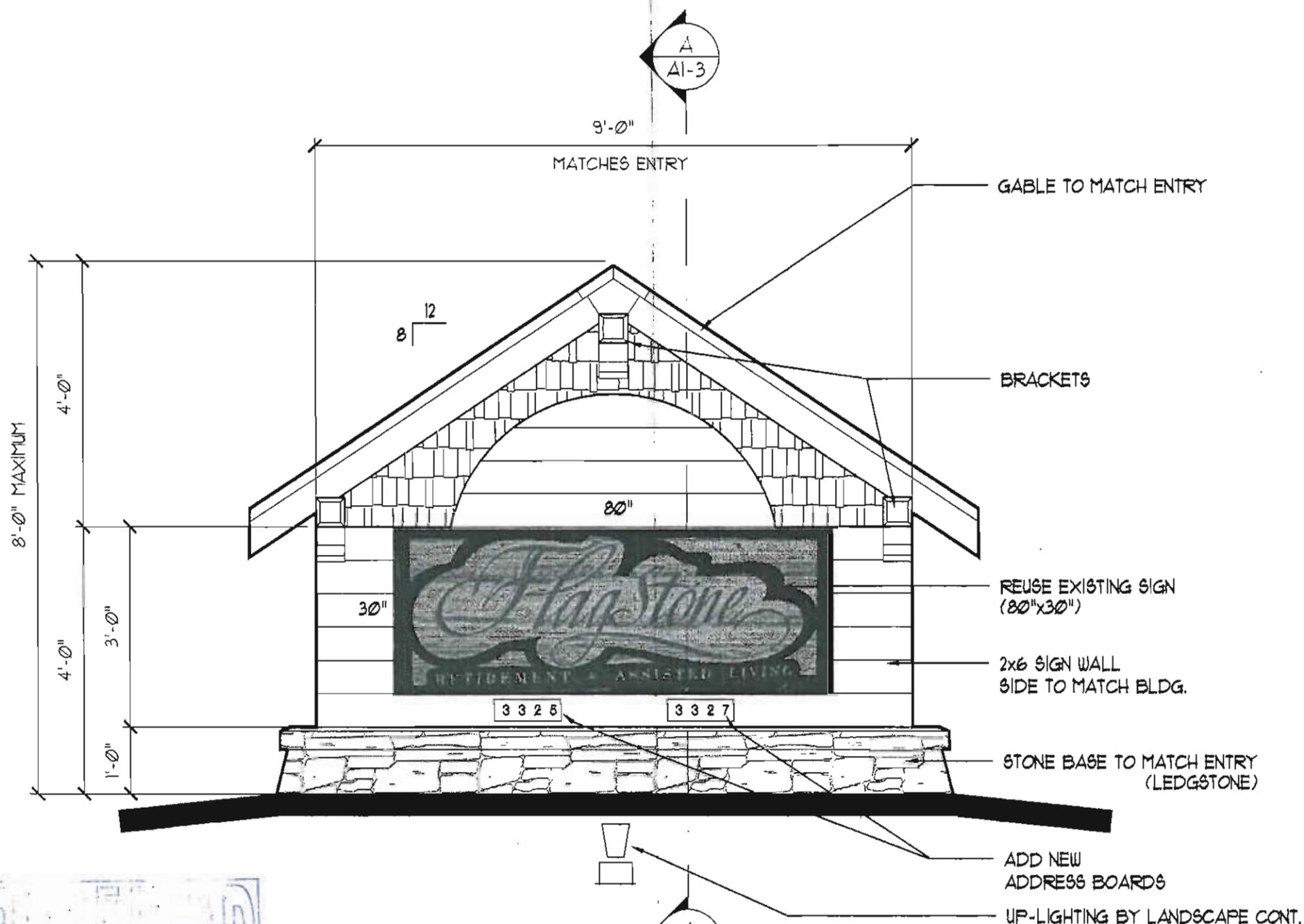
2 copies construction detail plans

INFORMATION REQUIRED WITH APPLICATION

There are 3 types of plan information that can be combined on the same plan or separated onto different plans and reviewed at different times through the approval process. The minimum plan requirements which must accompany a Site Plan Review Application are those specified in the Concept Site Plan below.

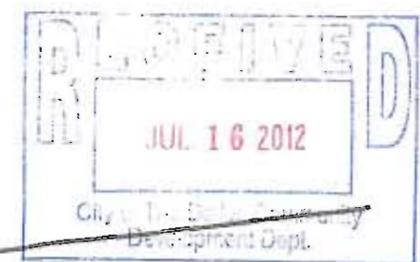
1. Concept Site Plan. The concept site plan shall clearly indicate all of the following information applicable to the particular development proposal.

- Project Name
- A separate vicinity map indicating location of the proposed development.
- Scale – The scale shall be at least one inch equals 50 feet (1:50), unless a different scale is authorized by the Director.



SIGN ELEVATION

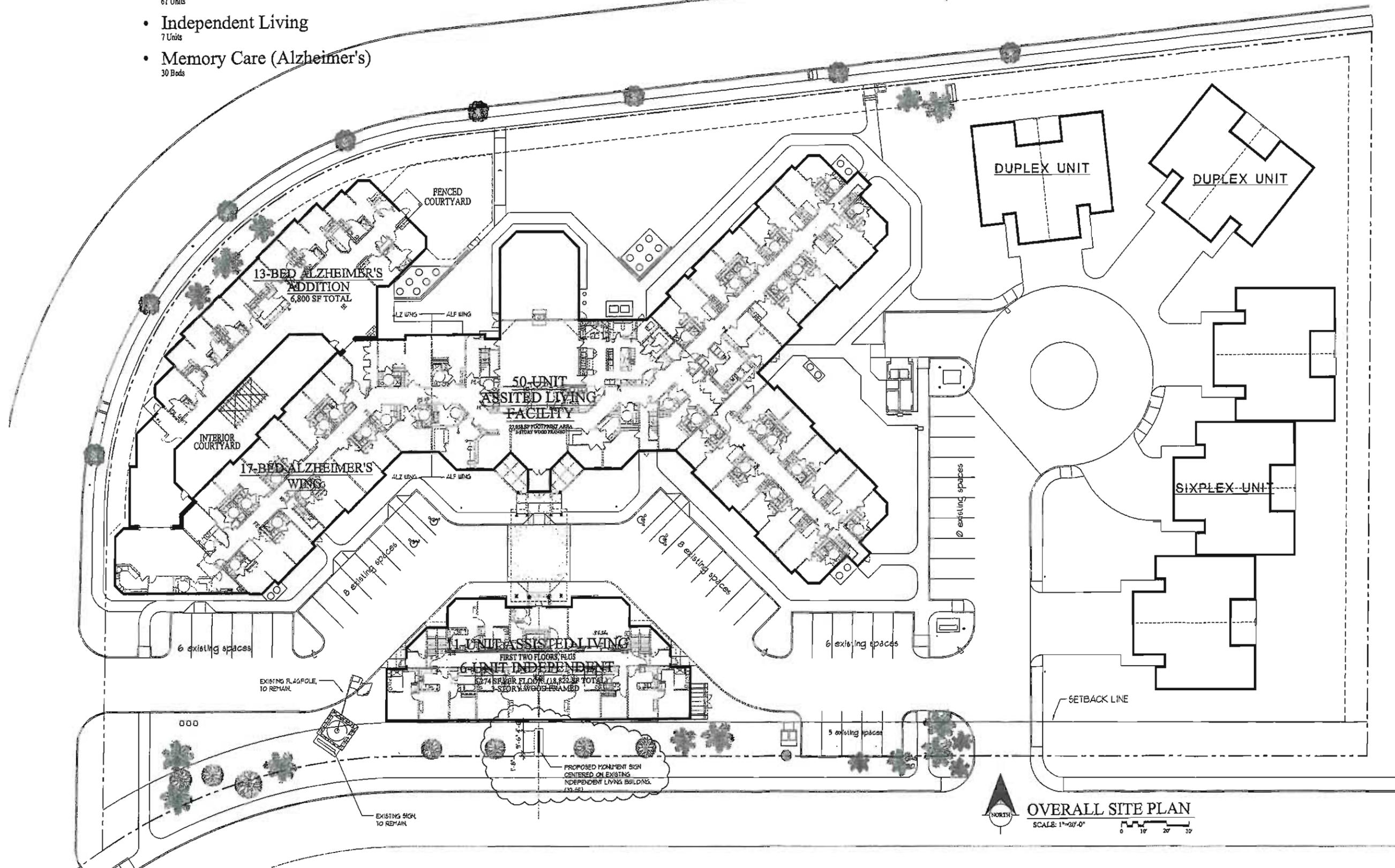
SCALE: 1/2" = 1'-0"



Flagstone Senior Living

The Dalles, Oregon

- Assisted Living
61 Units
- Independent Living
7 Units
- Memory Care (Alzheimer's)
30 Beds



WEDSWOOD
ARCHITECTURAL SERVICES
Lyle Andrew Brummeyer, Architect
7800 N.E. 41st Street, Suite #330
Vancouver, Washington 98682
(562) 892-9090
FAX (509) 250-2388
www.WedgwoodServices.com

STATES LICENSED:

Washington	Wyoming
Oregon	New Mexico
Michigan	Texas
Colorado	Arizona
Florida	Nevada
Utah	Montana
Georgia	Missouri
Idaho	

FLAGSTONE SENIOR LIVING

SIGN VARIANCE

3325 Columbia View Drive
The Dalles, Oregon

SCALE: 1"=20'-0"
DATE OF ISSUE: July 1, 2012

DESIGN DOCUMENTS	_____
APPROVAL	_____
PERMITS DOCUMENTS	_____
BID DOCUMENTS	_____
CONTRACT DOCUMENTS	_____
REVISIONS	
▲ DATE	SUBJECT
▲	
▲	
▲	

PROPOSED SITE/SIGN PLAN

SHEET NO.
A1-1

PROJECT NO.
1211

OVERALL SITE PLAN
SCALE: 1"=20'-0"
0 10' 20' 30'

RESOLUTION NO. P.C. 524-12

Approval of Variance application VAR 119-12 of Flagstone, LLC requesting approval for a second freestanding sign. The property is located at 3325 Columbia View Drive, The Dalles, Oregon, and is further described as Township 1 North, Range 13 East, Map 1 AC, tax lot 500. The property is zoned "NC" Neighborhood Center Overlay.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on August 2, 2012 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 Variance 119-12 and the minutes of the August 2, 2012 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:

- A. In all respects as set forth in Recitals, Part "I" of this resolution. Variance 119-12 is hereby approved with the following conditions of approval:
 - 1. The applicant will obtain a sign permit.
 - 2. This sign is restricted to 32 square feet in size and eight feet in height.

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 2nd DAY OF AUGUST, 2012

Bruce Lavier, Chairman
Planning Commission

I, Dan Durow, 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 2nd day of AUGUST, 2012.

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST: _____
Dan Durow, Community Development Director
City of The Dalles