

RESOLUTION NO. P.C. 114-90

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES, APPROVING SITE PLAN NO. 90-90, CONDITIONAL USE PERMIT NO. 55-90 AND VARIANCE NO. 54-90 TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL CARE FACILITY

I. **RECITALS:**

- A. The Planning Commission of the City of The Dalles has heretofore, on February 15, 1990, conducted a public hearing to consider Conditional Use Permit no. 55-90, Variance no. 54-90 and Site Plan no. 90-90 relating to the following described property:

Township 1 North, Range 13 East, Section 1, tax lot number 3200 (north of Columbia View Drive, across from the Calvary Baptist Church).

- B. Said property is located in an R-2 multi-family residential district. Applicant proposes to construct a Residential Care Facility.
- C. Residential Care Facilities are allowed as a conditional use in the R-2 District.
- D. Section 29 (Site Plan Review) and Section 31 establish procedure for approving site plan applications and granting conditional use permits and variances.

II. **RESOLUTION:** Now Therefore, be it FOUND, DETERMINED and RESOLVED by the Planning Commission of the City of The Dalles, as follows:

- A. In all respects as set forth in Recitals, Part "I" of this Resolution.
- B. The application requesting approval of Site Plan no. 90-90, Conditional Use Permit no. 55-90 and Variance no. 54-90 for a residential care facility is hereby approved based upon the following findings of fact and conclusions of law.

Site Plan Review Criteria

1. Zoning Ordinance: The use complies with The Dalles Zoning Ordinance as it is determined to meet all R-2 Zone design and site plan approval standards as established in Chapter III, section 8.2 and Chapter X, Section 29 (E).

Findings:

- a. The Planning Commission has determined that a residential care facility is allowed as a conditional use as set forth in Chapter III, Section 8.2 (B) 5.
- b. The Dalles Comprehensive Plan Goal #10, Housing says "promote and provide an adequate supply of safe, healthy and affordable housing for all members of the community in a variety of housing types, recognizing the needs and desires of the community's residents."

Conclusion: All provisions of the zoning ordinance and other applicable City ordinances are complied with.

2. Traffic congestion is avoided, and pedestrian and vehicular safety and welfare are protected.

Findings:

- a. The site plan is arranged in such a way as to provide adequate circulation on the site and will avoid traffic congestion through the use of two entrances and exits.
- b. A comparison of similar residential care facilities in other communities indicates approximately 70% of the residents will not have automobiles. A staff analysis estimates that the number of trips per day per unit will be four (4) compared to 10 trips per day for single family residential development.
- c. Sidewalks will be constructed to City specifications to protect pedestrians.
- d. The easterly access drive will be aligned with existing streets.
- e. Lighting is provided to illuminate the access ways and sidewalks.

Conclusion: Traffic congestion will be avoided and pedestrian and vehicular safety and welfare are protected.

Findings:

- a. The building is set back over 150 feet from the cliff line which complies with a provision in the Comprehensive Plan requiring a setback of 75 feet from Columbia View Heights.

Conclusion: Significant features and public amenities are preserved and maintained.

3. There will be minimal adverse effect on surrounding property.

Findings:

- a. The use of the property as a residential care facility will create less traffic than single family residential development.
- b. The height of the building will not exceed 35 feet.

Conclusion: There will be minimal adverse effect on surrounding property.

4. Proposed lighting is arranged to direct light away from adjoining property.

Finding: The lighting fixtures are shown to have shields that will protect adjoining property.

Conclusion: Proposed lighting is arranged to direct light away from adjoining property.

5. Proposed signs will not interfere with traffic or limit visibility by size, location, or illumination.

Finding: The proposed sign is 8' x 4' and is internally lighted.

Conclusion: Proposed signs will not interfere with traffic or limit visibility by size, location, or illumination.

Conditional Use Criteria (Section 31 (D) 1-3)

1. A determination that the use will or will not endanger the public health, or safety if located

where proposed and developed and that the use will or will not allow conditions which tend to generate nuisance and conditions including but not limited to noise, glare, odor, or vibrations.

Findings:

- a. Noise and traffic impacts will be negligible as most residents will not have cars.
- b. City storm, sewer and sanitary services are available to the site.

Conclusions: The use will not endanger the public health or safety.

2. That the use does or does not meet all required conditions and specifications set forth in the zone where it proposes to locate.

Finding: The proposal meets all conditions of the R-2 Zone except for off-street parking standards. A variance for eight (8) off-street parking spaces has been granted.

Conclusion: The use meets all required conditions with the granting of a variance for off-street parking.

3. That the location and character of the use, if developed according to the plan as submitted for approval, will or will not be in harmony with the area in which it is to be located and in general conformity with The Dalles Comprehensive Plan.

Findings:

- a. A residential care facility is allowed as a conditional use in the R-2 Zone.
- b. The use complies with Goal 10 of The Dalles Comprehensive Plan.
- c. The height and exterior of the buildings will not detract from the quality of the neighborhood and the duplexes provide a buffer zone between the facility and adjacent property owners.

Conclusion: The use is in harmony with the area and in conformance with The Dalles Comprehensive Plan.

Variance Criteria

1. That the granting of a variance will not be contrary to the intent of this ordinance, or to the public safety, health and welfare.

Finding:

- a. The intent of the parking ordinance is to provide adequate parking.
- b. The applicant has provided information of comparable developments which document reduced parking needs of residential care facilities. This information shows that approximately 70% of residential care facility residents do not have automobiles.

Conclusion: The granting of a variance will not be contrary to the intent of this ordinance or the public safety, health and welfare.

2. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

Findings:

- a. A significant portion of the site cannot be built on due to special cliff set back requirements.
- b. The applicant desires to provide as much open space as possible so that development will be harmonious with the surroundings.

Conclusion: Special circumstance apply to the subject property due to topography and surroundings

- C. Based upon the above Findings of Fact and Conclusions of Law, the Planning Commission for the city of The Dalles hereby grants approval of the site plan subject to the following conditions:

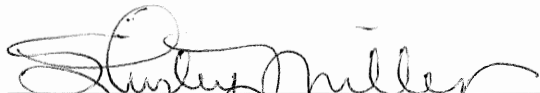
1. Construct fire hydrants and sprinkler connection as required by the Fire Department.
2. Building must be under a sprinkler system to satisfy hydraulic characteristics of existing

water mains.

3. Approval is subject to the granting of a variance for off-street parking.
4. Preparation of a hydrology analysis by a licensed engineer for entire site to determine adequacy and size of storm water system. Design shall be based on maximum intensity precipitation for 24 hour period for The Dalles area. The analysis shall be subject to approval of the City Utilities Department.
5. Install street lights based on recommendation of the City Operations and Public Utility District.
6. Payment of System Development Charges as required by City ordinance.
7. Construction of an access road to the rear of the property that will accommodate fire department equipment to standards established by the City.
8. Provision of sidewalks that meet City standards.
9. Buildings shall comply with the 75 foot setback from Columbia View Heights cliff line.
10. Conditions number 1 through 9 are to be completed prior to occupancy of the facility.
11. Applicant is required to submit a landscaping/irrigation plan for approval to the Community and Economic Development Department. Landscaping is to be completed no later than six months after occupancy of the facility.

- D. The Secretary of the Commission shall (a) certify to the adoption of the Resolution and (b) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles.

APPROVED AND ADOPTED THIS 15TH DAY OF MARCH, 1990.



Shirley Miller, Chairman
Planning Commission

I, Paul Koch, Secretary to the Planning commission of the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the Regular Meeting of the Planning Commission of the City of The Dalles, held on the 1st day of March, 1990.

AYES: Shirley Miller, Terry Turner, Bud Earl, Ken Farner, Carri Morris

NO'S: None

ABSENT: Carol Cutler

ABSTAIN: None

ATTEST: _____
Secretary, Planning Commission