

RESOLUTION NO. P.C. 81-86

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF THE DALLES REGARDING
CONDITIONAL USE PERMIT #35-85, FOR A
CHILD CARE CENTER AND PRE-SCHOOL ON EAST
14TH AND EAST 15TH STREET AT KELLY AVENUE.

I. Recitals:

(A) The applicant submitted a request on November 4, 1985,
for the following:

1. Modification of previously approved Conditional Use Permit for 812 E. 15th St. to allow an increase from 10 to 18 children at any given time.
2. Conversion of two duplexes for child care and pre-school for up to 60 children.

(B) The Planning Commission of the City of The Dalles has heretofore, on December 19, 1985, conducted a public hearing to consider Conditional Use Permit application #35-85, relating to the following described property:

Township 1N, Range 13, Section 10BA
Tax Lots 701 and 800

The Planning Commission continued discussion to the January 2, 1986 meeting.

(C) Said property is located in the R-2, Multiple Family Residential District.

(D) On December 31, 1985, the applicant amended the application to request use of the one duplex at 808/812 E. 14th. At this time the applicant further clarified the total number of children as follows:

<u>Maximum At Any Time</u>		<u>Maximum During 24 Hour Period</u>	
House	18	28 ¹	18 daytime 6 evening (to midnight) 4 through the night
Duplex	30	30 ²	15 at pre-school, 1-4 P.M. 15 for child care during daytime
TOTAL	<u>48</u>	<u>58</u>	

Notes: ¹The split between shifts is an estimated number with the applicant assuming the maximum 18 children during the daytime period.

²The applicant proposed only daytime use of the duplex and the evening/night use would be in the house.

On this date the applicant submitted a revised parking plan, showing 10 perpendicular spaces along E. 15th St.

- (F) Section 31 (Conditional Use Permit) of The Dalles Zoning Ordinance requires that the Commission make findings of fact and state the reasons for its action.

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

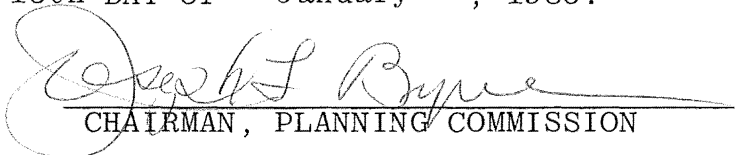
- (A) In all respects as set forth in Recitals, Part "I" of this Resolution.
- (B) The application is approved, in part, to permit an increase in the number of children from 10 to 18 for the existing structure because this proposal is consistent with the Conditional Use criteria. Approval is subject to the following conditions:
 - 1. Compliance with requirements of the City Fire Marshall.
 - 2. Compliance with Children's Services Division standards and requirements.
 - 3. Execution of an agreement for 15th Street improvements.
- (C) The request for conversion of the duplex at 808/812 E. 14th is denied. The proposal does not meet the criteria for the granting of a Conditional Use Permit as set forth in Sec. 31(D) of The Dalles Zoning Ordinance as follows:
 - 1. The use will endanger the public safety if located where proposed and developed.
 - (a) Proposed parking (for up to 9 staff during the peak time) shown on the applicant's revised plot plan is not adequate. Access and egress for the proposed parking lot does not meet zoning standards. Problems with the proposed parking include:
 - 1. Zoning Ordinance prohibits backing movements or other maneuvering within a street for groups of more than three parking spaces. The proposed parking plan would require a variance.
 - 2. The street is too narrow (30' curb-to-curb) for the 90° spaces shown on the site plan. Backing movements would be into both lanes of traffic. Angle parking (e.g. 45° or 60°) does not fit with the traffic flow on East 15th Street.

- (b) There are no provisions for off-street loading and unloading of children.
- (c) East 15th Street (Kelly to G Street) is substandard and is not adequate to handle anticipated traffic. Although the first 100 feet of 15th Street (east of Kelly) would be improved as a C.U.P. condition, the remaining distance easterly to G Street would remain unimproved. With reference to the latter, the Commission received property owner and staff testimony that E. 15th St. is narrowed to one traffic lane when cars are parked on both sides.
2. The use does not meet all required conditions and specifications set forth in the R-2 zone. As described in criteria #2, the proposal does not meet zoning ordinance parking standards.
3. The location and character of the use, if developed according to the plan as submitted for approval, will not be in harmony with the area in which it is to be located and in general conformity with The Dalles Comprehensive Plan.

The intensity and character of the proposed use is not typical of residential areas in The Dalles considering: (1) the relatively large number of children and staff on a small parcel(s) (11,000 square feet on two sides of a street); and (2) the 24 hour operation. There is little buffer/setback/open space area between the proposed indoor and outdoor activity areas and neighboring residences.

- (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.

ADOPTED AND APPROVED THIS 16th DAY OF January , 1986.


CHAIRMAN, PLANNING COMMISSION

I, Jack Lesch, Secretary to the Planning Commission of the City of The Dalles, do hereby certify that the foregoing Resolution was passed at a Regular Meeting of the Planning Commission of the City of The Dalles, held on the 16th day of January , 1986.

AYES: COMMISSIONERS: Byrne, O'Herron, Donnell, Walker, Earl.

NOES: COMMISSIONERS: none.

ABSENT: COMMISSIONERS: Zukin, Hawkins.

ABSTAIN: COMMISSIONERS: none.

ATTEST:


Secretary, Planning Commission