

RESOLUTION NO. P.C. 49-84

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES APPROVING VARIANCE #22-83, A REQUEST TO VARY THE OFF-STREET PARKING REQUIREMENTS FOR THE WILLIAMS BUILDING AT E. FOURTH AND WASHINGTON.

I. Recitals:

- (A) The Planning Commission of the City of The Dalles has heretofore, on November 17, 1983 and December 1, 1983, conducted a public hearing to consider Variance #22-83 relating to the Williams Building located on:

Lot 2, Block 7 of Bigelow Addition

The Williams Building is located at the intersection of E. 4th St. and Washington St.

- (B) Said property is located within the CB (Central Business Commercial) zoning district. The building is occupied by office use and by Treaty Oak Education Center.
- (C) Applicable parking standards and the deficit in off-street parking are as follows:

Schools (public and private other than elementary and day care):
1 space for each 5 seats (total capacity) @ 85 seats ÷ 5 = 17 spaces.

Administrative and professional office: 1 space for each 400 sq. ft. of gross floor area @ 4750 sq. ft. ÷ 400 = 12 spaces.

Parking required for classroom space	= 17 spaces
for office space	= <u>12+</u>
TOTAL for both floors	= 29 spaces
MINUS parking provided	= <u>11-</u>
<u>DEFICIT</u>	= 18 spaces

- (D) Reasons for the parking deficit were summarized in the Staff Report as follows:

1. The building was constructed in 1963 when Zoning Ordinance No. 634 was in effect. This ordinance had no off-street parking standards for offices in the Commercial District.
2. At the time the Zoning Ordinance first required off-street parking the Williams Building, which was being used for office space, became nonconforming in terms of parking standards as follows:

Total required for both floors	= 20
Minus off-street spaces	= <u>11-</u>
<u>DEFICIT</u>	= 9

3. Office space was converted to classroom space between 1980 and 1982. Zoning standards for both the office and Treaty Oak classroom space at the present time are shown in the left hand column and after proposed classroom expansion, the right hand column.

	OFF-STREET SPACES =	<u>PRESENT</u>	<u>1984</u>
Treaty Oak @ 1 space for each 5 students	=	17	23
Professional Office space	=	<u>12+</u>	<u>10+</u>
TOTAL for both floors	=	<u>29</u>	<u>33</u>
MINUS existing on-street spaces	=	<u>11-</u>	<u>11-</u>
DEFICIT	=	<u>18</u>	<u>22</u>

- (E) Conversion of office space to classroom space increases the deficit by 13 parking spaces.
- (F) Section 27 (A), paragraphs (1) and (2) of the Zoning Ordinance states that parking standards apply to intensified uses of existing buildings.
- (G) Section 32 (Variances) of The Dalles Zoning Ordinance requires that the Commission review the Variance application with respect to specific circumstances for approval.

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 a variance of parking standards is hereby approved for the following reasons (reference Section 32 criteria):

1. There are special circumstances or conditions applicable to the property involved or to the intended use of this property that do not apply to other property in the same vicinity and zone:

The property is smaller (50' X 100') than downtown lots where other destination/higher traffic generating uses (such as larger department stores, banks, the Court House, and grocery stores) are located. The relatively small lot minimizes the ability to provide extensive off-street parking. Eleven spaces were provided at the time the building was constructed although none was required at that time.

2. There are difficulties and unnecessary hardships which will be created by the strict application of the Ordinance (the difficulties or hardships must be due to special circumstances or exceptional characteristics of the property):

Strict application of the Ordinance standards would limit the use of the building to office and retail space. There were no off-street parking standards when the building was constructed in 1963, and at construction the owner provided 11 spaces.

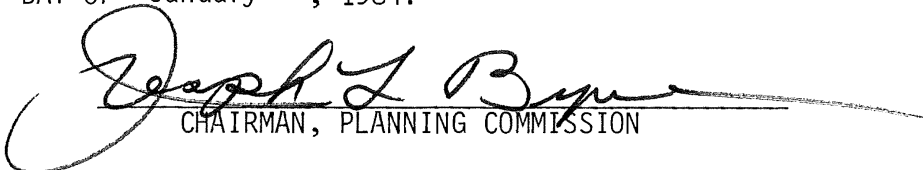
3. The variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the property is located:

The property is located in the area of the Central Business District where exceptions to off-street parking requirements may be made, according to the City Comprehensive Plan (General Commercial Standards, page 178).

4. Approval of the variance would not be detrimental to public health and welfare and be contrary to the intent of the Ordinance:
- (a) The property is located 600 feet from a public parking lot located at 5th and Court Streets. This distance falls within the range (400 to 900 feet) typically given as a rule of thumb for the maximum acceptable walking distance for parkers with destinations in a core area. Parking standards for many of the commercial uses are relaxed in The Dalles central business district because of availability of public parking.
 - (b) A Treaty Oak representative said that the school encourages staff and students to use the public lots.
 - (c) There are characteristics of Treaty Oak that lessen peaks in parking demand. Some of the classroom time is for self-paced individual study at staggered times. Representatives of Treaty Oak testified that a characteristic of the school was non-traditional classes whereby there may be few students in a classroom using a computer terminal; although occasionally these rooms would be at capacity.
 - (d) There was some written testimony from area business people that the presence of Treaty Oak is beneficial to downtown business.
 - (e) An on-street parking survey of the Williams Building vicinity, which was described by staff at the hearing, indicated available parking at peak times.

- (C) 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 5th DAY OF January , 1984.


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 5th day of January , 1984.

AYES: COMMISSIONERS: Ward, Donnell, Honald, Northrop, Elliott
NOES: COMMISSIONERS: none
ABSENT: COMMISSIONERS: Matthew
ABSTAIN: COMMISSIONERS: none

ATTEST:


Secretary, Planning Commission