

In the matter of the decision of the City)
Planning Commission to deny the Special)
Permit to operate an eight room dormitory)
in an existing 2,240 sq. ft. residential)
structure in the R-3A zone, and a variance)
to waive three parking spaces (89-149)


NOTICE OF DECISION
AND
FINDINGS OF FACT

At its regular meetings of May 25, 1989, and June 8, 1989, the City Planning Commission considered testimony regarding the above entitlements. The Commission initiated its intent to deny the above entitlements based upon findings of fact due June 22, 1989. Based upon documentary and oral evidence at the public hearings, the Planning Commission denied the special permit and variance requests based upon the findings of fact which follow:

Findings of Fact

1. The proposed project is not based on sound principles of land use in that:
 - a. the project was illegally converted into a rooming and boarding/dormitory type of use and has been operating for 2 1/2 years without a special permit; and
 - b. City records identify this use as a single-family residence
 - c. the site lacks sufficient parking and on-site amenities necessary to service an eight room dormitory and apartment unit
 - d. *the site lacks adequate useable open space. (Staff Amended)*

2. The project will be detrimental to public health, safety, and welfare, and will result in the creation of a nuisance, in that:
 - a. the existing structure is in violation of the building code requirements; and
 - b. loitering and noise at the subject site was identified by public testimony
 - c. there is an over-concentration of tenants in one household with limited lodging areas *and common living area; (Staff Amended)*
 - d. the existing dormitory use could cause a parking shortage in the neighborhood



Approved by the Planning
Commission on June 22, 1989,
for the June 8, 1989, meeting



CHAIRPERSON