

## **CONDITIONAL USE APPLICATION – FINDINGS OF FACT**

### **Cub House Preschool**

**Business owners:** Ashley Crofton and Malorie Mitchell

**Address of property:** 81 Freeman Court, Central Point, Jackson County, Oregon

**Business owner contact phone:** (541) 778-1111

#### **17.76.010 Purpose.**

We are requesting a conditional use permit to run a preschool at the property located at 81 Freeman Court, Central Point, Jackson County, Oregon.

#### **17.76.011. Application.**

We have attached a Pre-Application Application, a Conditional Use Permit Application and all associated fees and required documents.

#### **17.76.020 Information required.**

- A. The name of the preschool shall be Cub House Preschool.
- B. The owners of the business will be Ashley Crofton and Malorie Mitchell who will lease the property from the property owner who is JI Beatty LLC.
- C. The property is located at 81 Freeman Court, Central Point, Jackson County, Oregon.
- D. We have attached the legal description and floor plan of the building which does not require any structural improvements to run the business.
- E. We have provided statements of our findings proving compliance with each of the applicable provisions required to grant the conditional use permit (below).

#### **17.76.040 Findings and conditions.**

A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code.

**Finding:** The property where the preschool will be located was built with a permit when the building was built. It is 3,984 square feet on 0.57 Acres. The State of Oregon requires 35 square feet of usable space per child. Since the building is 3,984 square feet with approximately 2,500

square feet of usable space, it allows for approximately 72 children at the preschool. The children will have an adequate amount of outdoor play area and access to a bathroom as well.

**Conclusion:** No structural modifications to the building are necessary.

**B.** That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use.

**Finding:** The preschool is located off Freeman Road, a public street that is well maintained by the city. The proposed preschool will not generate a significant amount of traffic that street improvements would be required. The largest number of cars at pickup and drop-off would be 26, and we have enough spaces and turn around room to accommodate that. We do not anticipate all 26 parents dropping off and picking up their child at the same time with a large window of pickup and drop-off time. Parents can drop-off their child from 7:30 am-9am, and pickup from 3:30 until 5:00pm.

The Central Point Municipal Code states that one space per employee plus one space per five children the facility is designed or intended to accommodate. According to the Municipal Code, for the preschool being located at 81 Freeman Court, Central Point, Jackson County, Oregon it can have allows for approximately 72 children.

**Conclusion:** The site has adequate access to Freeman Road, a public street, and the street is in adequate condition to accommodate traffic to the site.

**C.** That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location and improvements on the site; vehicular ingress, egress, and internal circulation; setback; height of the building and structures; walls and fences; landscaping; outdoor lighting; and signs.

**Finding:** The hours for the preschool will be Monday through Friday 7:30 a.m. to 5:00 p.m. The activities will be primarily inside so noise should be held to a minimum. Any outdoor activities would take place between 9:00 a.m. to 5:00 p.m. There is a walkway directly to the building entrance. The fence around outdoor space will be six feet tall and borders the property line which will also help with any excessive noise.

**Conclusion:** The building is built to code so there should be no effect on abutting properties. The fence that is surrounding the outdoor space will reduce any noise from the preschool.

**D.** That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section.

**Finding:** A fire extinguisher, smoke detector, and carbon monoxide alarm are present. We will have evacuation drills once a month to ensure the safety of the children. An inspection on the fire extinguisher will be completed annually. The State of Oregon says that each child needs 35 square feet. Since the property is 3,984 square feet, we can have allows for approximately 72

children at one time. We plan to start with about 26 children with three teachers, so our ratio would comply. Background checks are required for any adult that is interacting or on the facility where children are present. All necessary background checks are completed. We meet the State of Oregon preschool staff to student ratio.

**Conclusion:** All applicable local, state, and federal health and safety regulations are satisfied, and the proposed use will not be detrimental or injurious to the property or the surrounding neighborhood.

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13.

**Finding:** The lot is 0.57 acres. The site is 3,984 square feet.

**Conclusion:** There is sufficient indoor and outdoor space to meet the requirements of a preschool.

2. Increasing Street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use.

**Finding:** The street width is wide enough to accommodate the preschool daily use.

**Conclusion:** No modifications to streets, traffic signals, or signs would be needed.

3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use.

**Finding:** The requirement for parking is one spot per employee and one spot per five children. There are 23 usable parking spots which more than meet the requirements of three teachers and 26 children and allows for the opportunity to grow.

**Conclusion:** Off-street parking would not be needed due to available parking spots.

4. Regulation of points of vehicular ingress and egress.

**Finding:** The cars can enter and exit from Freeman Court from Freeman Road.

**Conclusion:** No changes to accommodate vehicle ingress and egress are needed.

5. Requiring landscaping, irrigation systems, lighting, and a property maintenance program.

**Finding:** The landscaping, irrigation system, lighting and property maintenance are done by the property owners and will continue to be done by the property owners.

**Conclusion:** Landscaping, irrigation systems, lighting and property maintenance will not require any changes.

6. Regulation of signs and their locations.

**Finding:** A sign displaying the name of preschool will be on top of the building and a small sign will be hung where children enter.

**Conclusion:** The sign will not disturb surrounding neighbors.

7. Requiring fences, berms, walls, landscaping, or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility, or other undesirable effects on surrounding properties.

**Finding:** A six-foot fence will be around the outdoor space.

**Conclusion:** The property will require the fence to be put in but will be done so by the property owner.

8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions.

**Finding:** We plan to operate the preschool Monday through Friday 7:30 a.m. to 5:00 p.m. so most neighbors are awake during these hours. Outside play will be limited but only occur during the hours of 9:00 a.m. to 5:00 p.m.

**Conclusion:** Time of operation will not affect the community or surrounding neighbors.

9. Establish a time period within which the subject land use must be developed.

**Finding:** The building is already built and not in need of any structural modifications.

**Conclusion:** Not applicable since no development is needed.

10. Requirement of a bond or other adequate assurance within a specified period of time.

**Finding:** The structure of the proposed preschool already exists and therefore does not require a bond.

**Conclusion:** Not applicable since no development is needed.

11. Such other conditions that are found to be necessary to protect the public health, safety, and general welfare.

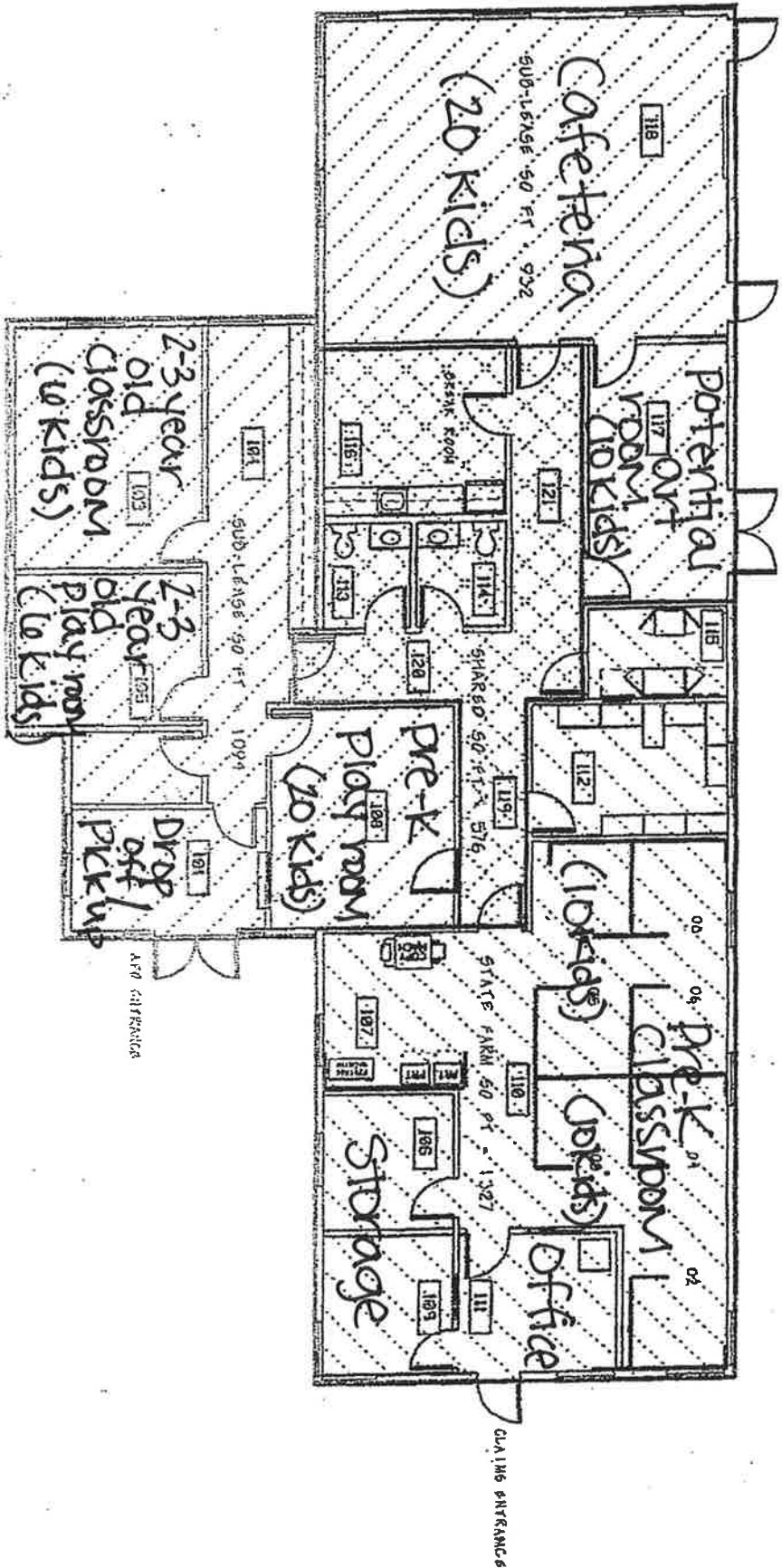
**Finding:** The preschool will not affect the public health, safety, and general welfare.

**Conclusion:** The preschool complies with all requirements to protect public health, safety, and general welfare.

12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190.

**Finding:** The proposed preschool is not in a home and a business license will be obtained prior to operation.

**Conclusion:** All criteria will be satisfied.



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