



Cindy Pastorino
330 Meadow Lark Way
Central Point, OR 97502

July 17, 2017

City of Central Point
Planning Commission
140 S. 3rd Street
Central Point, OR 97502

Dear City of Central Point Planning Commission:

RE: Objection to Granting Conditional Use Permit for Imagination Station within the Residential Single-Family (R-1-10) Zoning District

When I purchased my home in a peaceful residential neighborhood at 330 Meadow Lark Way, Central Point, I never imagined I would be writing to the Central Point Planning Commission a short two years later. Alas, I am not imagining that a proposed preschool, the Imagination Station, is seeking a conditional use permit to operate in an accessory structure directly adjacent to my home and backyard.

When we first moved to Central Point after living over 40 years in Juneau, Alaska, we had many options. The decision was not easy, but after exploration and research we decided on the Rogue Valley. We looked at many different properties in different communities: Talent, Medford, Jacksonville, Eagle Point, Ashland, Shady Cove—we chose Central Point. We feel very blessed to have found our beautiful home with a lovely backyard on a quiet cul-de-sac in a neighborhood where people show pride in home ownership. Please understand how disappointing it is for us to have our little slice of paradise compromised.

After the initial adjustment period of such a major move, we have been very pleased with the Central Point community. We enjoy attending the 4th of July and Holiday parades, activities in the parks, events at the Expo, walking about the town, and supporting local schools, charities, and businesses. We have good neighbors and feel we are good neighbors and citizens.

My husband and I are retired teachers; combined we have over 45 years of teaching experience in public schools. While we have been committed to children's success and enjoyed our careers as teachers, we would never have chosen a property in such close proximity to a daycare, preschool, elementary, middle or high school.

Because of its proposed location, I'm concerned my property will be the one most impacted. After reviewing Central Point Municipal Code, I've learned I have legitimate claims to object to the granting of this conditional use permit. Due to the close proximity to my property and the impact the preschool will have on the quality of life in my home and backyard, I request the Central Point Planning Commission deny the applicant's conditional use permit. I believe the for-profit business to be incompatible with a Residential Single-Family zoning district.

Location

Central Point Municipal Code states conditional uses require special consideration so that they may be properly located with respect to the objectives of the zoning title and their effect on surrounding properties. Given its proposed location, this business will have a **negative effect** on our property. (CPMC 17.76.010)

How close will the proposed Imagination Station be from our property?

- Approximately 4 feet from the fence
- Approximately 14 feet from the patio
- Approximately 32 feet from the living room & dining room
- Approximately 40 feet from the master bedroom & bathroom

Unfortunately, all of our home's major living space faces this proposed business. Our living room, dining room, master bedroom, newly remodeled master bathroom, and patio all face its direction. It will be hard for us to escape the sound. (CPMC 17.76.040, C.) & (CPMC 17.76.040, D.)

Please refer to the enclosed pictures from our side of the fence to visually realize the close proximity to our property. The building beyond the fence is the proposed Imagination Station. The yard where the children will be playing is on the immediate other side of the fence.

Noise

If you have or have had children please remember when they were 4 year olds. Now take your one 4 year old and multiply by 6. This will be the amount of sound generated by the students.

We enjoy our peaceful Residential Single-Family zoning district neighborhood. Yes, there are several barking dogs and we can hear a lot of the activities going on, but these are neighborhood sounds (not for-profit business sounds) and are to be expected. Sound carries. Sound is powerful. I believe a person has the right to peace and quiet in her own home and yard.

The applicant states in her findings *"In the winter most activities will be inside, so noise should be held to a minimum."* Key words "should be held to a minimum" not "will be." She goes on to state *"Any outdoor activities would take place between 9 am to 12 pm, most neighbors are awake or at work during those hours so it will not be a disruption."* If outdoor activities are held between 9 am till 12 pm that means that the noise from 6 preschoolers playing in the yard could potentially be for 3 solid hours, 3 days a week! The applicant should not make the assumption that most neighbors are awake at this time (neighbors' sleeping habits are not her concern nor should they be dictated by her business noise.) Nor should the applicant make the assumption that most neighbors are at work at this time (we are retired and we know other neighbors that are retirees too). Contrary to her claim, the noise from this business will be a disruption to our lives. (CPMC 17.76.040, E.8.)

Hours

The hours of the preschool also relate to my noise concerns. The hours proposed are 9 am till noon. Does this mean no kids will be onsite until 9 am or will they be allowed to be dropped off earlier (say 8:30)? Will they be all gone by noon or will they be allowed to stay later (say 1:00)? My point is, what assurances do we have the preschool will only be in operation 3 hours a day? I fear logistically it will be more than 3 hours a day. (CPMC 17.76.040, E.8.)

Size

I have concerns regarding the size of the preschool. When the applicant first approached me to see how I felt about her proposed business, she indicated eight 4-year olds would be her target. In her written proposal she states *"Since the building is 400 square feet, I can have up to 11 kids at one time."* In another paragraph she states *"According to Municipal Code, for the preschool located at 917 Mendolia Way it can have up to 15 kids."* Although she is currently applying for the conditional use permit for 6 children, if approved, what assurances are there that the preschool wouldn't grow to 15 children, more than doubling the noise from more children, more parents, and therefore more traffic noise as well. (CPMC 17.60.190, C.8)

Building & Yard

While the applicant has determined the site/structure to be appropriate, one of the windows directly faces and is within 4 feet of our shared fence. Noise from this window will come directly to our house. One of the two doors is clearly visible from our property and is very close. Noise coming from the opening and shutting of this door would have an impact. You'll see this window and door in our enclosed pictures. (CPMC 17.76.040, C), (CPMC 17.60.190, C.5.)

Regarding the yard the children will play in, the applicant states, *"There is lawn and garden boxes in the backyard as well as 30' by 35' slab of concrete. The concrete slab is located between the house and preschool so there is a noise barrier for the neighbors behind."* I'm not sure how this concrete slab will provide a noise barrier, the structure is 4 feet from our shared fence. While she claims the fence will help with any excessive noise I'm not as confident the fence will mitigate the noise of preschoolers and their teacher in any significant way. (CPMC 17.76.040, E.7.)

In her findings the applicant states *"four big trees against the back fence will significantly reduce any noise from the preschool."* I'm not convinced the arborvitae trees will significantly reduce noise from preschoolers and their teacher in any notable way. (CPMC 17.76.040, E.7.)

The accessory structure for this business may have been permitted back in 1999, but I believe that a preschool business was **not** the intent when it was permitted. There was no conditional use permit granted for building our home. That is, our home was permitted because it meets the intent of a structure in a Residential Single-Family zoning district.

Alternative Locations

I was told by the city it would be a good idea to come up with possible alternative locations. I have found other locations in more appropriately zoned locations and I'm sure the applicant can too. While these locations may not be as economically attractive, there is a cost to doing business that the applicant should have to pay, not her neighbors.

Closing

Honestly, I'm disappointed to be put in the position of having to take a side that is neighbor vs neighbor. I didn't move here to be a neighborhood activist. Being as I oppose the proposed conditional use permit I'm concerned that hard feelings could possibly come about between me and my neighbor. I'm certain this is not the intent of a residentially zoned neighborhood, but it is the awkward position I now find myself in, one I never imagined I would be in when I purchased my property. All I want to do is live peacefully and quietly in my beautiful home in the fair city of Central Point. I want to be a good neighbor, but given the circumstances I must object to granting this conditional use permit. This just isn't an appropriate business for a Residential Single-Family zoning district so close that it is literally in my backyard.

I respectfully request the City of Central Point Planning Commission deny the conditional use permit for the Imagination Station located at 917 Mendolia Way.

Sincerely,



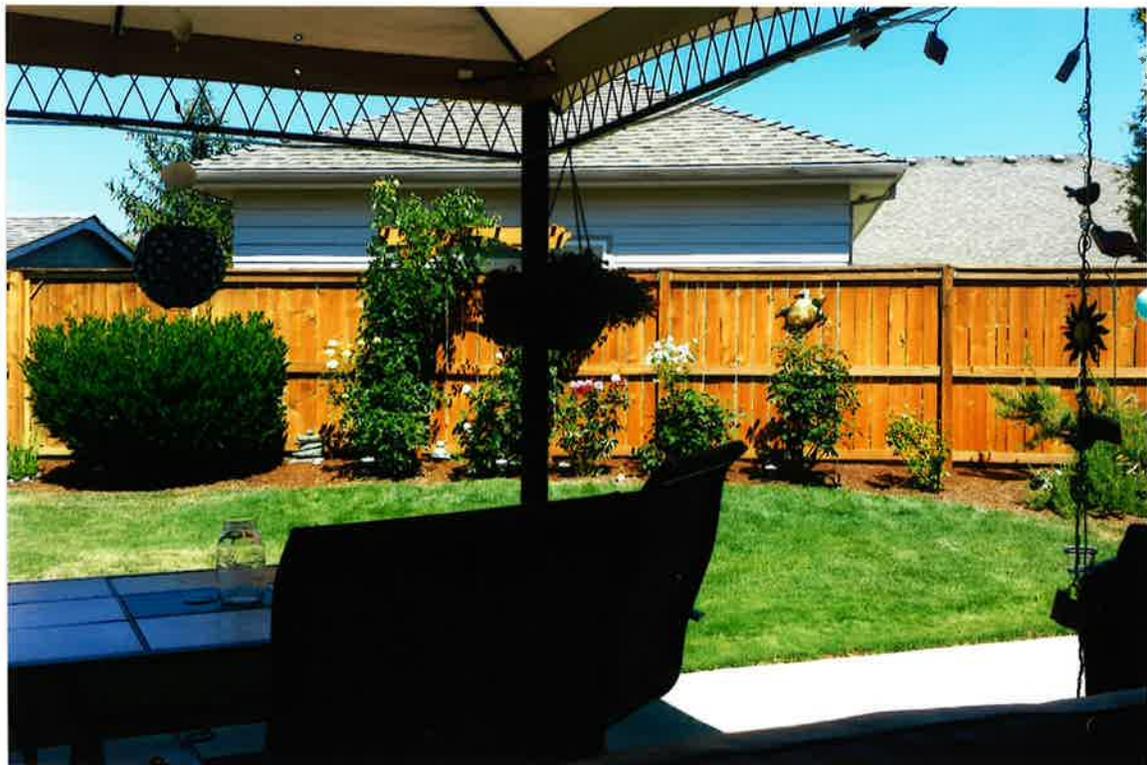
Cindy Pastorino
Retired Teacher
330 Meadow Lark Way
Central Point, OR 97502

Enclosures: Pictures

Pastorino's View



From Dining Room ↑

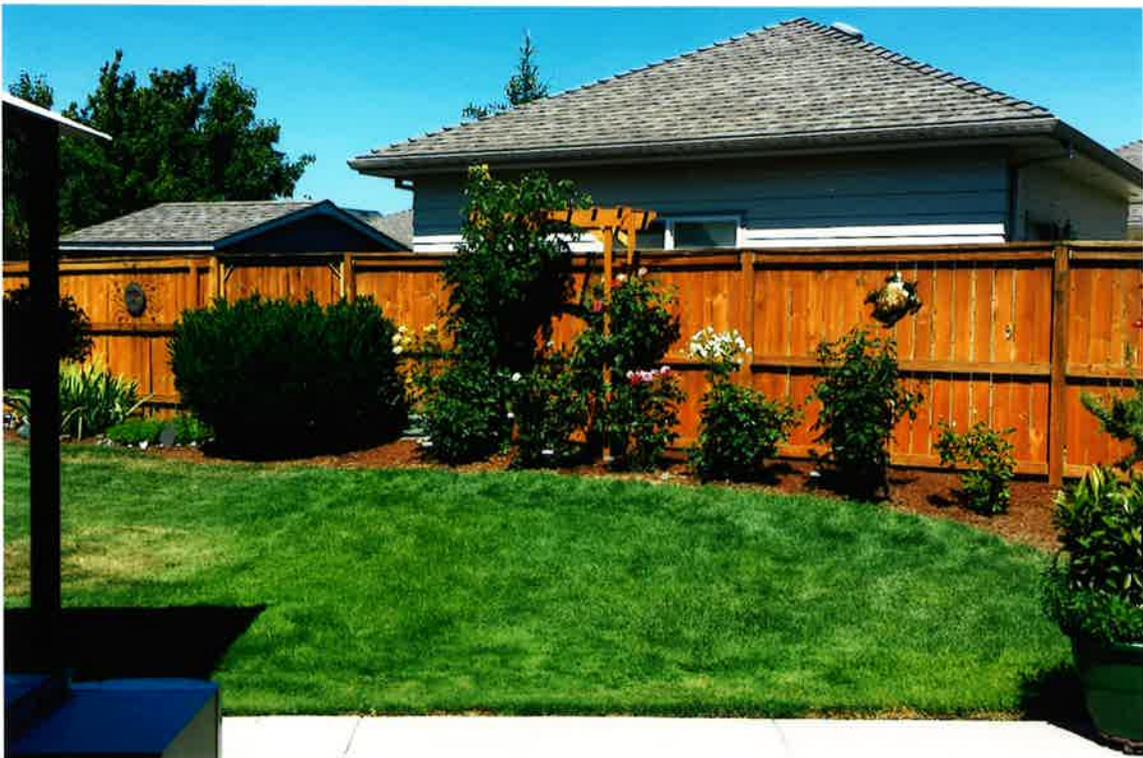


From Living Room

Pastorino's View



Note Window + Door



From Patio

Pastorino's View

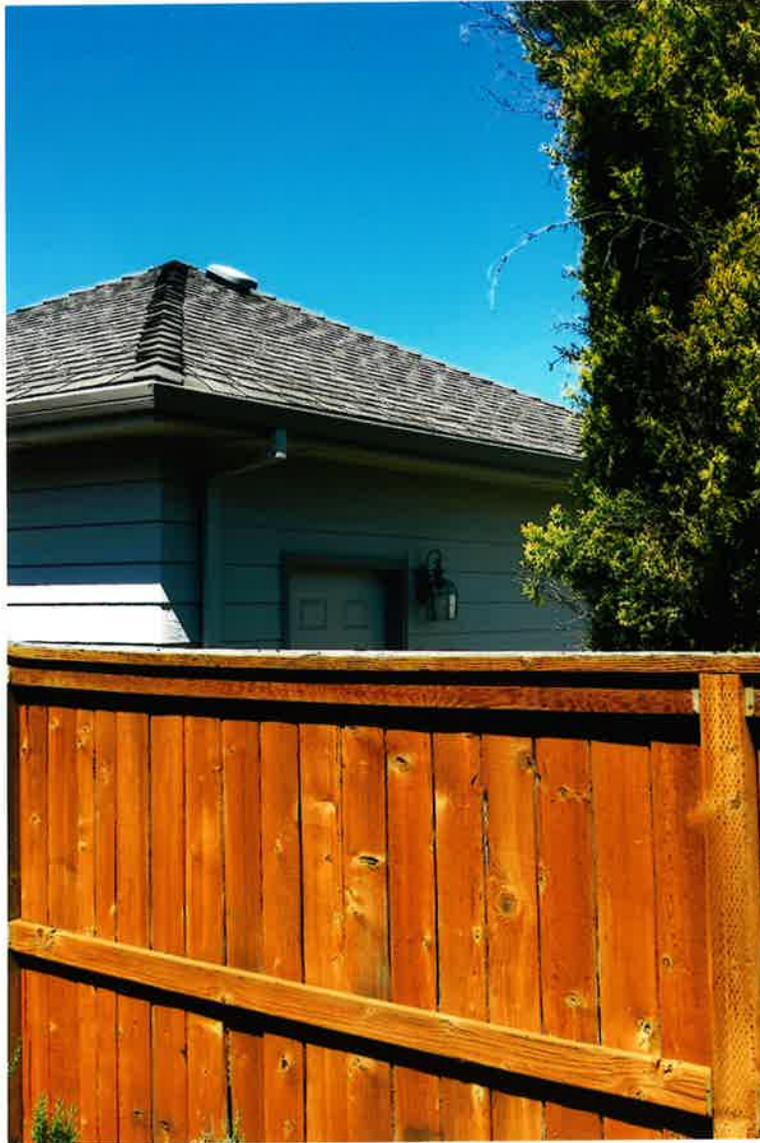


From Master Bedroom



Applicant's proposed sound abatement

Pastorino's View



Side door