

**May 10, 2012**  
**Ellensburg City Planning Commission – Regular Meeting Minutes**  
**City Council Chambers**

Members Present: Vice Chair Sarah Bedsaul, Bill Beattie, Beverly Heckart, Gretchen Thatcher, Fred Padjen,  
Members Absent: Bob Hood  
Others Present: Planning Supervisor Lance Bailey, Gordon Thatcher, Michelle Moran, John Bellford

**Public Hearing**

**1) Moran, Child Day Care (C12-08)**

The quasi-judicial pre-hearing notice was read by Bruce Simpson

Planning Supervisor Bailey presented the staff report. Michelle Moran has submitted a conditional use application for an amendment to a conditional application that was approved in 2009 (C09-04) to operate a child day care in the Residential Office (R-O) zone. The application approved in 2009 limited the total number of children to 66. The current application is requesting an amendment to the original approval that would allow for an increase in the number of children allowed. EMC 13.18.060 allows child day care centers as a conditional use in R-O zone when approved by the Planning Commission at a public hearing. The child day care center is located at 102 North Ruby Street.

The applicant is requesting an amendment to the approval of C09-04 to allow for an increase in the number of children allowed at the child day care center. The approval of C09-04 limited the number of children to 66. The City's zoning code regulations do not typically limit the number of children allowed for an approved day care use, that number is regulated by the WA State Department of Early Learning, and by the City Building Department's occupancy code.

Section 13.04.27 of the Zoning Ordinance defines Conditional Use as:  
"a use that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning district as special exceptions, if specific provision for such special exception is made in this title."

Notice of the conditional use application was mailed to property owners within 300 feet of the proposed site on Tuesday, May 1. Notice of the Public Hearing was also published in the legal section of the Daily Record on Tuesday, May 1.

City Departments were routed the application and attachments for comment on Tuesday, May 1. No comments were received

Michelle Moran testified on behalf of the application. She is the owner of Creative Kids Learning Center, which has been in business since 2004. She is requesting that the conditional use be amended to eliminate the limitation on number of children which was contained in the conditional issued in 2009. The state regulates the occupancy of a day care based on square footage, as does the City's building

codes. The City's building code state allows 1 person per 35 square feet. The square footage of the building is 5833, providing an occupant load of 166. The state also regulates the number of children allowed in a day care. The building has a fire alarm and fire suppression system that was installed when she opened the business in that building. They are not proposing to expand the existing building.

John Bellford testified in opposition to the proposed application. He lives diagonally from the day care and stated that there is a lot of noise generated at the location. He testified that other neighbors have also mentioned to him that they have been affected by the noise. He was asked if he had any documentation from the other neighbors, and he replied that he didn't.

The Planning Commission suggested that the parties create a dialogue to potentially address some of the noise issue. What has been presented as a part of the conditional use application seems to be legal and within the criteria for requirements of the business.

**Motion:**

**Beverly Heckart moved that that C12-08 be approved with the following conditions:**

- 1) **All previous conditional use permits for 102 N Ruby Street be revoked**
- 2) **The day care center be allowed as a conditional use at 102 N Ruby Street**
- 3) **The approval of the conditional use permit not be construed to contravene any requirements of the WA State Department of Early Learning or State and City building codes.**

**The motion was seconded**

**The motion passed 6-0**

**Public Meeting**

- 1) **Continued discussion on the Land Development Code Update**

A handout was provided to the Commission that summarized the issues which had been presented by email for their consideration.

**Motion: Adopt the suggested changes as previously discussed.**

**Section 15.54.060 Townhouse design standards (p. 5-69)**

**A. Purpose**

**Add a number 6. To promote visit-ability**

**E. Building design**

**1. (Leave 1 as written.)**

**2. Repetition with variety [See Figures 15.54.060 (E) (2) and 15.54.060 (E) (3)**

**Townhouse developments shall employ at least one (delete "or more") of the following "repetition with variety" guidelines**

**Remove (a)**

**Thus (b) becomes (a)**

**Remove (c)**

**Thus (d) becomes c.**

**3. Add Visit-able Housing**

**a. Townhouse developments provide opportunities to provide visit-able housing.**

**b. Such housing may introduce variety through units that observe the following requirements:**

- 1. One zero-step entrance;**
- 2. Interior doors, including bathrooms, with 32 inches or more of clear passage space;**
- 3. Each hallway has a width of 36 inches and is level, with ramped or beveled changes at each door threshold;**
- 4. At least a half bath (preferably a full bath) on the first floor;**
- 5. At least one bedroom on the first floor.**

**In Figure 15.54.060 (E) (2) p. 70, remove the first two figures on the right-hand side and add a one-story figure that illustrates variety of one-story buildings.**

**Rationale:**

**This change would take account of the numerous examples from the past where townhouses have presented a uniform facade to the street and avoided a jumbled design that will distract rather than please the eye. It will still allow for variety and also for occasions to introduce visit-able housing.**

**The motion was seconded and passed by a vote of 6-0.**

**Other Business**

The Planning Commission was informed that Bruce Simpson was resigning his position on the Commission, and this will be his final meeting.

The meeting was adjourned at 6:35pm

Respectfully submitted  
Lance Bailey