



**CITY OF YAMHILL  
CITY PLANNING COMMISSION MEETING  
Tuesday – June 4, 2019  
7:00 PM**

**Minutes**

**Public Hearing – Planning Commission**

**1. Call to Order –Roll Call**

The Yamhill Planning Commission meeting was called to order at 7:00 pm by Chair Prendergast.

**ROLL CALL:**

Members present: Commissioners Prendergast, Moore, Fox, Player and Braddock.

City staff present: City Recorder Gilmore, City Planner John Morgan

**2. Flag Salute:**

Chair Prendergast led the flag salute with all those present participating.

**3. Public Hearing:**

**A. Public Hearing on Conditional Use Permit Application – CUP 19-01**

This is an application for a conditional use permit to allow operation of a registered preschool and tutoring center in an existing house in a R-2 Single Family zone located at 240 N. Cedar Street, Yamhill.

Chair Prendergast opened the Public Hearing for Conditional Use Case # 19-01 at 7:03pm and reviewed the purpose of the Commission and the procedures for the Public Hearing. There were no objections to jurisdiction. Prendergast asked those in attendance if there were any objections to the hearing notice or jurisdiction to hear this case, none followed. It was noted that no Commissioner declared Ex parte contact, conflict or bias.

City Planner, John Morgan presented the staff report for the proposed condition use.

Conditional uses are uses that otherwise would be permitted in a zone, but they may have potential impacts on the surrounding area which warrant imposing conditions of approval that are designed to mitigate those impacts. Conditional Use applications can

be denied when it is determined the potential impacts are so great there is no reasonable way to mitigate them.

The requested use is listed in Yamhill Development Code Section 10.16.030 – Conditional Use, as follows:

*10.16.030(A)(1) – Public, semi-public, parochial and privately-owned kindergartens or day nurseries, provided the residential character of the building is unchanged.*

The proposed pre-school and tutoring center will be operated by the resident of the home next door to the existing home on the subject property. It is proposed the facility will be used as a preschool in the morning and tutoring center, known as a youth development program, in the afternoon. A maximum of 10 children will be enrolled in each program.

The facility will be recorded with the State of Oregon as a preschool. “Preschool Recorded Programs serve children 36 months to 5 years of age, are primarily educational and no child is in the facility more than four hours per day.”

The tutoring is known as a youth development program which will also be recorded with the State of Oregon, in this case as a School-Age Recorded Program. “School-age Recorded Programs serve child from first grade to 13 years of age, provide youth development activities that are extracurricular in nature and do not take the place of parental care.”

The single-family residence has a double width driveway long enough to allow parking for two cars on the property and possibly two additional before the street surface. The house is on the corner of Cedar and Buttercup Streets. Neither street has curbs or sidewalks in this area. However, there is a significant graveled shoulder on both the Cedar and Buttercup frontages that has historically been used for parking for the house. This shoulder is approximately 15’ wide along Cedar in front of the house and 10’ wide along Buttercup.

Staff does not perceive any potential impacts from the proposed use requiring significant mitigation recognizing the driveway and the significant amount of shoulder available for parking should be adequate for staff parking and pick-up and drop-off of Children. However, it is recommended the frontage along Cedar be signed by the applicant for pick-up and drop-off only, and parking be limited to the driveway and the Buttercup Street frontage.

The applicant Bridget Neal, who resides at 790 E Buttercup was in attendance and available for questions. Neal introduced herself and her background is a substitute teacher for first, second, third grade and Special Ed at Yamhill/Carlton Elementary School and is trained in dyslexia and sensory approaches and also has a Bachelor of Arts degree. Neal has a vision for our community to provide needed services to help children who may need extra help with tutoring, have a special need or need a pre-

kindergarten class. Neal stated the plan is to have a pre-kindergarten program in the am and the pm with a limited number of students but prefers not to be limited to only 10 students per program. It was noted that the State requirements do not limit students to 10. Also planned is a tutoring program available between 3:00pm and 6:00pm and possible Saturday special programs such as a Cooking or Art class for a small number of children. Neal showed consideration for the traffic flow that may be impacted and would keep the traffic as minimal and organized as possible.

Gary Neal commented that the Staff Report listed the property as next door to the home of the operator but stated that they do live close but are approximately 300 yards away.

It was noted that no correspondence was received in opposition of allowing the preschool and tutoring center.

Marie Harmon of Cedar Street, Yamhill stated opposition with some concerns for the impact on traffic in the area. Harmon indicated that the idea for a preschool and tutoring center is a wonderful idea and feels it would be a great benefit for Yamhill but is concerned about the location which is near her home. Harmon feels the area already has issues with speeding vehicles and having approximately 10 students dropped off and picked up three times a day for the different programs will impact the neighborhood greatly. Harmon reiterated that she isn't against the approval and loves the idea of the center as it is terribly needed in Yamhill, but it is unfortunate where the location is and suggests a solution could be more police patrol in the area to slow traffic flow.

Commissioner Fox questioned the impact of a child-care facility on East First Street that was approved August of 2018. Two Commissioners that live nearby feel there has been no negative impact and City Staff has no record of any complaints or concerns.

Chair Prendergast closed the Public Hearing at 7:45pm.

The Commission deliberated on the operating hours of the Center and limiting the number of students enrolled in each program. After discussion, the Commission agreed that the students should be limited to 10 per program with business hours being between 8:30am and 6:00pm, Monday through Saturday. Consensus was that the applicant could always re-apply for a conditional use permit in the future to request an increase for the limit of students at the center. The commission would like to monitor the traffic impact before considering more than a 10-student limit.

Motion by Moore seconded by Fox, to approve Conditional Use Application, CUP 19-01, adopting the findings of fact of the Planning Commission's staff report subject to the conditions of approval from the staff report and also to include operating hours between 8:30am and 6:00pm Monday through Saturday and directs staff to prepare an Order for the signature of the Chair.

Roll Call: Ayes: Moore, Player, Braddock, Prendergast and Fox  
Nays: None

Motion Carried.

Morgan noted that the Planning Commission's action may be appealed to the City Council within 15 days of the effective date of this decision by anyone who participated in the public hearing by written or oral means.

**Regular Meeting – Planning Commission**

Chair Prendergast opened the Regular meeting at 8:00pm

**4. Public Comment:**

None Received.

**5. New Business:**

A. None Scheduled.

**6. Unfinished Business:**

A. None Scheduled.

7. A. Approval of Planning Commission Minutes from April 2, 2019.  
There were no members in opposition to the minutes.

Fox made motion, seconded by Player to approve minutes.

Roll Call: Ayes: Prendergast, Moore, Braddock, Player and Fox  
Nays: None

The Motion Carried.

B. Schedule next Planning Commission Meeting.

Consensus is to tentatively schedule the next meeting for Tuesday, August 6, 2019.

**8. Information/Announcements:**

A. None Received

**9. Adjournment: 8:10pm**

Fox made motion to adjourn,  
All in favor, meeting adjourned at 8:10pm

Respectfully Submitted:  
Lori Gilmore  
City Recorder/Treasurer