



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

HEARING DATE: March 15th, 2022

PROJECT NUMBER: CU-2022-100

APPLICANT: Crook County
300 NE 3rd Street
Prineville, OR 97754

OWNER: Gregory P Lynch
1400 NE Barnes Butte Rd
Prineville, OR 97754

PROJECT REVIEWER: Joshua Smith - Planning Director
Casey Kaiser - Senior Planner

APPLICABLE CRITERIA:

City of Prineville Code of Ordinances, Title XV, Chapter 153, including but not limited to sections 153.009, 153.014, 153.020, 153.037, 153.038, 153.050, 153.081 – 153.082, 153.085-153.092, 153.118, 153.135-153-138, 153.190-200

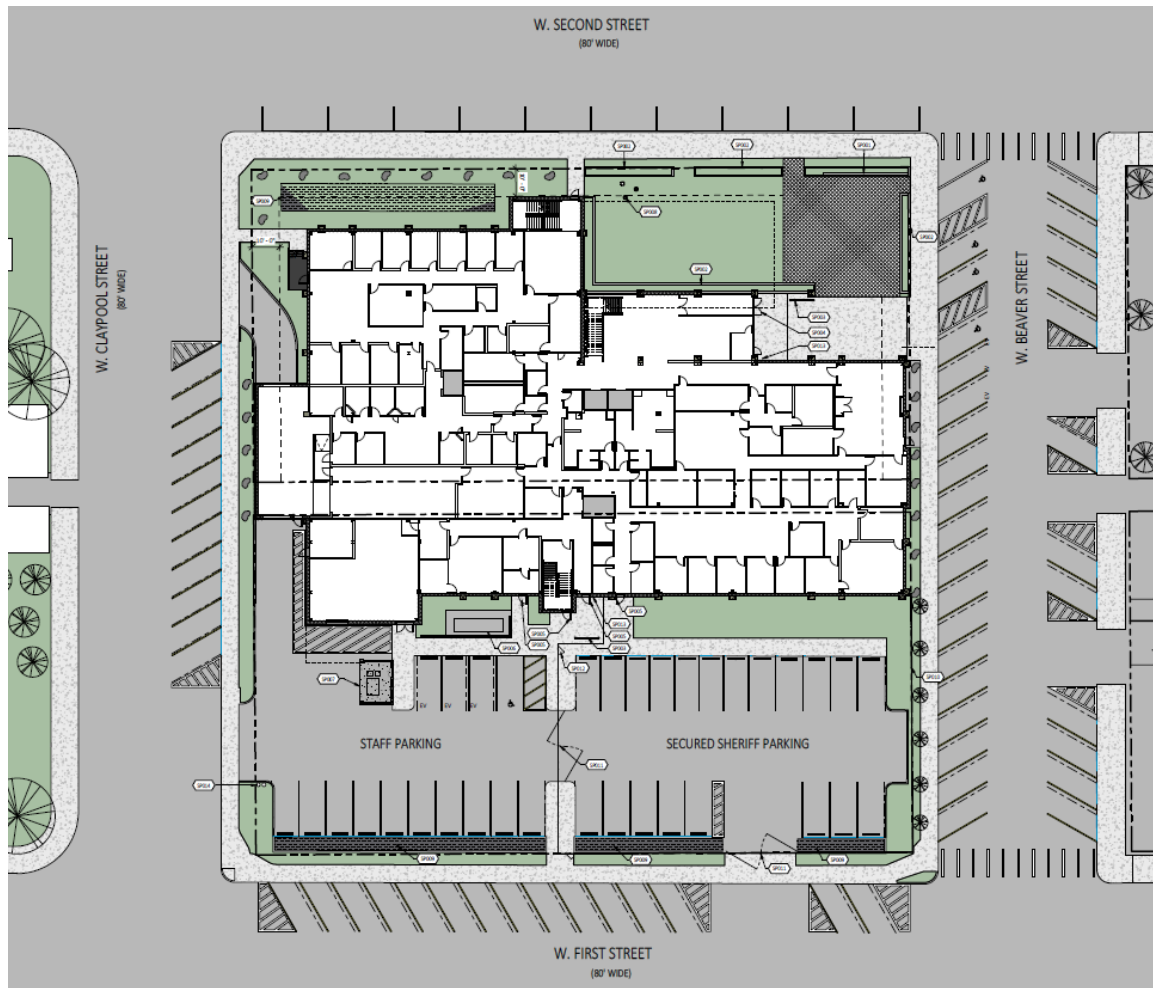
FINDINGS OF FACT:

- 1. LOCATION:** 260 NW 2nd Street, further identified as Map 15-16-06AA, Tax Lots 00900, 01200 & 01400.
- 2. ZONING:** The subject property is zoned Central Commercial, (C1) and is designated Core Commercial on the Comprehensive Plan map.
- 3. LOT OF RECORD:** The properties are legal lots of record by deed.
- 4. SITE DESCRIPTION:** The site consists of 3 tax lots that make up an entire block in the downtown area. There is an existing building known as the “old bowling alley” located on the northern half of the site that is tax lot 00900. An alley currently bisects the property running east to west. The southern half of the property which includes tax lots 01200 & 01400 is vacant. (A 2021 Aerial Image is below)



5. **PROPOSAL:** The applicant is requesting approval to construct a justice center in the C1 Central Commercial Zone. The proposal includes the construction of a justice center building and associated site improvements including parking, landscaping, lighting and utilities. The building is proposed to exceed the C1 zone height limit of 45 feet. The applicant is proposing a maximum height of 63 feet at the highest point of the elevator/roof access. Images from the applicant's site plan are shown below.





6. **COMMENTS:** No written or verbal comments were received from neighboring property owners within the required notice area.

The Fire Department commented they will require a site plan that includes code provisions found in their Crook County Code Guide and the plan will need to be signed by CCFR before County Building will issue permits.

Community Development commented that the City Council has reviewed the changes to Beaver St. with no objections. Public works review the proposed public improvements and commented the sewer line within the alley will need to be relocated and the alley will need to be vacated.

7. **FINDING SUMMARY:** The applicant (Crook County) is applying to construct a Justice Center and related site improvements. Crook County is a public entity and the facility is being built to house public services including court functions and other operational functions generally related to the public administration of justice. As a public facility it is allowed in the C1 Central Commercial Zone pending review and approval through the Type II Conditional Use process.

The proposed Justice Center is meeting all the dimensional standards of the zone except the height limitation. The building is proposed to exceed the C1 zone height limit of 45 feet. The applicant is proposing a maximum height of ~63 feet at the highest point of the elevator/roof access. Staff finds the proposed height is not likely to adversely impact surrounding properties or effect the scenic qualities of the neighborhood. The proposal is meeting parking, landscaping, access, and circulation standards. Overall the architectural features of the building and the proposed site improvements are creating an attractive building and site that should generally enhance the neighborhood.

The proposed use does not exceed public carrying capacity of water and sewer services. The building will be connected to public water and wastewater facilities. The applicant has provided a traffic study demonstrating the capacity of the public street system to accommodate the additional traffic. Sidewalks are being constructed along a portion of the property that are 5' in width. The C1 zone calls for a minimum of a 10' width for sidewalks with narrower dimensions allowed under special circumstances. Staff finds the narrower sidewalks can function effectively in the locations and for the limited distances they are proposed.

Staff finds the proposed Justice Center development is meeting or can meet the requirements and intent of the City of Prineville Land Use Code in accordance with the findings of this report and with the recommended conditions of approval.

Criteria: 153.014 GENERAL CRITERIA

In determining whether or not any application shall be approved or denied, it shall be determined that the following criteria are either met or can be met through compliance with specific conditions of approval.

(A) The proposal is compatible with the City Comprehensive Plan and applicable policies set forth thereby.

(B) The proposal is in compliance with the requirements set forth by the applicable primary zone, by any applicable combining or overlay zone, and other provisions set forth by this chapter that are determined applicable to the subject use.

(C) That, for a proposal requiring approvals or permits from other local, state and/or federal agencies, evidence of the approval or permit compliance is established or can be assured prior to final approval.

(D) The proposal is in compliance with specific standards, conditions and limitations set forth for the subject use in the applicable zone, this section and this chapter.

(E) That no approval be granted for any use which is or expected to be found to exceed resource or public facility carrying capacities.

(F) For any use which is found to require compliance with air, water, land, solid waste and/or noise pollution standards, that the compliance be a condition of approval and compliance therewith shall be a continuing condition.

Finding 1:

A) The proposal is compatible with the Comprehensive Plan based on providing for community public services.

B,D) The proposal does or can comply with the C1 Central Commercial zone through the recommended conditions of approval.

C) It is a standard condition of approval that an applicant receives all other applicable local, state and/or federal agencies permits.

E) This use will not exceed resource carrying capacities. The building will connect to city water and wastewater services. A sanitary sewer line will need to be relocated which the applicant and City shall coordinate. The applicant has submitted a traffic study demonstrating the capacity of existing streets and intersections to carry the traffic without additional upgrades. The applicant is proposing to convert the adjacent section of NW Beaver Street to a one way to maximize on street parking. Traffic SDCs will be assessed based on the City's review of the final Traffic Study. Water and Sewer SDCs will be assessed based on the difference between the size of the existing water meters and the size of the needed water meter.

F) This section is covered under standard conditions of approval requiring approval or permits from local, state and federal agencies and to comply with all relevant portions of the City's code of ordinance.

Criteria: 153.020 SITE PLAN AND DESIGN REVIEW PROVISIONS

(A) Purpose.

(1) *The purpose of the design review provisions of this chapter is to ensure that development within the city complies with standards and limitations set forth within the applicable zoning regulations, other city standards and requirements, and with applicable county, state and federal regulations. It is also the intent of these provisions that some level of review be exercised regarding the aesthetics of developments for the goal of maintaining the desirable character and living quality of the community or of specific areas within the community. The overall community character and living quality is defined by the following: keeping buildings in scale; honoring the beauty and ecology of the city's natural setting; and recognizing that historical and natural features are an integral part of the community's overall character.*

(B) Applicability. *The following uses and developments shall be subject to the provisions of this section:*

(1) *All new development and changes of use. A building permit shall not be issued prior to approval by the City. Site clearance activities such as grading, excavation or filling shall not be permitted unless specifically allowed by the City prior to approval.*

(D) Improvements Required. *Uses requiring a design review application shall be subject to public improvements and or site improvements. Improvement requirements and standards are found in section 153.194 and the City's Standards and Specifications. Public improvements and site improvements include but are not limited to the following:*

(1) Streets. *Right of Way dedication, street extensions, sidewalks, access management. Double frontage lots may require improvements on both frontages.*

(2) Utilities. *Connection to municipal water and sewer and other utilities as necessary.*

(3) Landscaping. *Per standards set forth in section 153.087.*

(4) *Paved parking including access and maneuvering areas as set forth in section 153.085 and 153.086.*

(5) Storm Water Drainage. *Per the City's Standards and Specifications.*

Finding 2: As a new development this proposal is subject to design review.

1) All vehicle access will occur from adjacent local streets. No additional ROW dedication will be necessary. The applicant is proposing to construct sidewalks along all street frontages around the site. The C1 zone requires a 10ft. sidewalk unless approved otherwise through a conditional use approval. Second Street and a short section of Beaver St. will be the full 10ft., while the rest of the block is reduced to 6ft. as the zone transitions to residential to the south. Part of the reason for this reduction is to provide security barriers along the building without

changing the building design. Staff finds that a 6ft. sidewalk on the sides and rear portion of the block is adequate to serve the area as it is at the edge of the commercial zone and will have less concertation of pedestrian activity.

2) The proposed development will connect to the City's water and sewer system. The property has existing water and sewer connections as well as other private utilities that will likely be replaced. The applicant shall comply with applicable developer requirements in section 153.194.

3) Landscaping standards in section 153.087 are discussed further in Finding 9.

4) Parking requirements are discussed in Finding 6.

5) All drainage shall be maintained on site. If the drainage is found to be inadequate corrective action shall be taken to remedy the problem.

Criteria: 153.037 COMMERCIAL & INDUSTRIAL USE TABLE

C1 Zone –

T2 Conditional Use:

Government structures such as fire or other emergency service station, armories, maintenance or storage facilities and other uses not specifically listed in another section.

Finding 3: The proposed development is a Government Structure. In reviewing this application for compatibility with the C1 zone it was determined their proposed use of a Justice Center is allowed as a Type II Conditional use in the zone.

Criteria: 153.038 COMMERCIAL & INDUSTRIAL DIMENSIONAL STANDARDS

Minimum Setbacks (ft.): *Structures may be built to property line.*

Building height: *45ft. (heights greater than the standard shall be approved as a Type II Cond. Use)*

Lot coverage: *Determined by the ability to meet parking, landscaping, clear vision, drainage, Public Works standards and other applicable dimensional standards.*

153.118 EXCEPTIONS TO BUILDING HEIGHTS.

(A) *The following types of structures or structural parts are not subject to the building height limitations of this chapter: chimneys, cupolas, tanks, church spires, belfries, domes, derricks, monuments, fire and hose towers, observation towers, transmission towers, smokestacks, flagpoles, radio, cellular and television towers, masts, aerials, cooling towers, water towers, elevator shafts, windmills, conveyors, mill related apparatus and other similar projections.*

Finding 4: The proposed development is meeting the required dimensional standards of the C2 Zone. Portions of the building are being built to the lot lines which is allowed in the zone. The proposal is meeting parking, landscaping, clear vision, public works, and other applicable standards or can with the recommended conditions of approval.

The highest point of the building is the elevator shaft which is at ~63 feet. Staff finds the elevator shaft is allowed to exceed the 45 ft. as an exception specifically allowed by section 153.118. Small portions of the building articulate to ~52 and ~57 feet, while the majority of the building is at ~49 ft. The height exception can be allowed as part of the Type II Conditional Use application. Staff finds the overall building height is not likely to negatively impact any neighboring property owners or the surrounding area.

Criteria: 153.050 CENTRAL COMMERCIAL ZONE C1 ZONE

(K) Use limitations: *In a C1 zone, permitted uses shall be subject to the following limitations and standards:*

(1) *All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for drive-in windows as may be approved by the Planning Commission. Display of merchandise along the outside wall of the building shall not in any case impede parking or preclude pedestrian use of walkways, sidewalks and the like; these limitations do not apply to the outside display of merchandise during a merchants or community sponsored promotional sale.*

(2) *All building frontages or primary entrances shall be constructed to the sidewalk of the primary or higher order street. In the case of a corner lot where a building has no entrances on the side street, landscaping shall be provided as a buffer to the sidewalk. Exemptions to this rule include extensions to the streetscape that include outdoor seating for restaurants, cafés, bakeries etc. or plazas open to the public.*

(3) *All nonresidential uses permitted in this zone shall be screened from abutting properties in a residential zone by a sight-obscuring fence except as otherwise approved by the city.*

(4) *Nuisance. No structure or land shall be occupied or used for any purpose which creates or causes to be created any public nuisance, including but not limited to excessive odor, dust, noise, vibration, flashing light or any hazard to the general health, safety and welfare of the area.*

Finding 5:

1) This section is intended to promote clean and attractive businesses. The proposed building is attractive and makes use of a variety of materials and finishes that complement each other and will contribute to the overall attractiveness of the neighborhood. This is considered typical for this type of facility and in no way detrimental to the commercial zone or surrounding properties.

2) There are two vehicle access points to the site that provide employee parking access as well as the access to the sally port. Both vehicle entrances are proposed to be constructed to the sidewalks. All surrounding streets are local streets of the same order. Landscaping is being provided as a buffer around the entire perimeter of the site.

3) There is a residential zone immediately south of the property separated by an 80ft. right-of-way and 2 residential properties to the west of the project also separated by an 80 ft. right-of-way. The proposal includes sidewalk and landscaping along the southern and western street frontages. With the street, sidewalk, and landscaping the property is effectively buffered from the adjacent residential uses.

4) The proposed use is not declared a nuisance nor is it expected to create a nuisance. The site shall maintain a clean and attractive appearance.

Criteria: 153.082 ONSITE LIGHTING.

(A) *As part of any application for a development or any use within the City, all on-site lighting shall be designed, located, shielded or deflected, so as not to shine directly onto adjoining properties, impair the vision of a driver of any vehicle or be a hazard to aircraft operations within the area.*

Finding 6: All onsite lighting shall be shielded and directed downward and not allowed to shine onto adjacent properties or public rights of way. The applicant shall coordinate all pedestrian scale and public lighting with the City to ensure continuity with the City's preferred design and lighting models.

Criteria: 153.083 STANDARDS FOR SPECIFIC USES

(L) Public or private facilities, utilities and services.

(1) Public facilities including, but not limited to, utility substations, sewage treatment plants, storm water and water lines, water storage tanks, radio and television transmitters, cell towers, electrical generation and transmission devices, fire stations and other public facilities shall be located so as to best serve the community or area with a minimum impact on neighborhoods, and with consideration for natural aesthetic values.

(2) Structures shall be designed to be as unobtrusive as possible.

(3) Wherever feasible, all utility components shall be placed underground.

Finding 7:

1) The location of the Justice Center was selected to be centrally located such as to best serve the community. Street parking and access surrounds the facility providing easy access from multiple directions. The building is designed to be both functional and attractive and follows a style similar to many modern office buildings and professional uses. The proposal is anticipated to have a minimal impact on the surrounding properties and neighborhoods compared to what could be developed commercially. It is understood that there will be an increase in traffic; as the property has had no significant use for decades. The design is intended to minimize impacts to residential uses as much as possible.

2) The proposed building is attractive and makes use of a variety of materials and finishes that complement each other and will contribute to the overall attractiveness of the neighborhood. This is considered typical for this type of facility and in no way detrimental to the commercial zone or surrounding properties. To maintain an attractive appearance, staff recommends black vinyl fencing be used for the security area similar to the County Jail.

3) All existing and new utility components shall be placed underground.

Criteria: 153.085 OFF-STREET PARKING AND LOADING

PROVISIONS AND REQUIREMENTS.

(A) The provision and maintenance of off-street parking and loading facilities are continuing obligations of the property owner. No building permit shall be issued until plans are submitted and approved by the city that show property that is and will remain available for exclusive use as off-street parking and loading facilities as required by this section and this chapter. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the required parking and loading facilities set forth by this section and this chapter. It is not, however, the intent of these provisions to require off-street parking and loading facilities in a manner as to unreasonably limit improvements to existing structures and uses, particularly in that area identified as the downtown core commercial area.

(B) Applicability. Unless exempted by this section, all construction, reconstruction, enlargement of a structure or at the time a use is changed in any zone off-street parking facilities shall be provided in accordance with the requirements set forth by this section and section 153.086.

(D) Specific Parking Requirements by Zone.

(3) C-1 Zone. More specifically, the provisions of this section shall be exempted for uses permitted outright in a C-1 Zone, which occupy an existing building on a parcel of land which contains no room for parking. For those parcels of land which do have room for parking, the standards of this section shall apply.

(a) All employee and customer parking shall be provided entirely off-street on an area or facility, public or private, designated for such use, unless otherwise approved by the City Planning Commission.

(b) In the event that the City has established a process for a parking in lieu of fee, this fee may be used to reduce required parking in accordance with the policy. This fee would then be used for future public parking facilities.

(c) *Redevelopment of existing second and third floor uses, including residential uses shall also be exempt from the parking requirements.*

(d) *Required parking for new construction shall utilize alleys to the greatest extent possible primarily placing required parking at the rear of the structure and not along the primary or higher order street.*

(e) *Bicycle parking shall be provided with all new construction at a minimum of 2 spaces per use. Consolidation of Bicycle racks per block is allowed.*

Finding 8: The proposal includes 14 unsecure parking stalls plus 20 secure parking stalls for the sheriff's department onsite. Street parking adjacent to the site includes 34 stalls along 1st, Claypool, and 2nd street. Beaver Street is proposed to be converted to a one-way with 31 parking stalls. Bike parking spaces (8) are proposed at the main entrance and the rear entrance. All proposed parking is shown to be hard surface, either concrete or asphalt paving.

The applicant is proposing adequate parking for the anticipated number of employees. Table 153.085 doesn't specifically address parking for this type of facility; however, staff finds the parking proposed by the applicant is adequate for the anticipated number of employees and visitors. There is also additional on-street parking across the street on 2nd that is currently underutilized and Claypool St. could also be re-developed for additional parking if necessary.

Criteria: 153.087 LANDSCAPING REQUIREMENTS.

The following minimum landscape requirements are established for all developments subject to design review plan approval, unless approved otherwise by the reviewing authority.

(A) *Landscaping defined. Required landscaping may include, but is not limited to, a combination of any of the following materials: living plant material such as trees, shrubs, groundcover, flowers and lawn (including native vegetation); and nonliving materials such as benches, walkways and courtyards, consisting of brick, decorative rock or other decorative materials.*

(B) *Existing vegetation. Existing site vegetation may be utilized to the maximum extent possible consistent with building placement and the applicable proposed landscape plan.*

(C) *Area required. Minimum area requirements may include requirements for landscaping around buildings, along fence lines, in parking and loading areas, outdoor recreational use areas and screening and buffering areas. Except as approved otherwise by the reviewing authority, the area required for landscaping is expressed as a percentage within the zone dimensional tables and/or the following:*

(1) Multifamily dwellings & complexes: 20%.

(2) Downtown Enhancement Plan C-1 Zone.

(3) Parking lots. Parking areas shall be required to be landscaped in accordance with the following minimum requirements

(a) In commercial and residential developments, parking areas shall be divided into bays of 12 spaces and between or at the end of each parking bay a curbed planter containing at least 16 square feet shall be required. Parking areas less than 12 spaces may require curbed planters as part of the landscape standard.

(b) Each planter should contain at least 1 tree and ground cover. An applicant may submit alternate plans for review and approval.

(c) The areas shall be designed to be protected from being damaged by vehicles using the parking area.

(d) Clear vision at the intersection within a parking area shall be maintained to provide adequate vision of vehicles and pedestrians.

(e) Unless sidewalks are provided adjacent to a structure, customer or resident parking areas should be separated from the exterior wall of a commercial or residential structure by a minimum 4 foot strip of landscaping.

(f) Where a parking, loading or driveway area serving a multi-family, commercial, industrial or government use abuts a public right-of-way of a collector or arterial street or a local street across from a residential zone, or abuts a residential zone, a screen planting or other approved landscaped planter strip may be required between the parking area and the right-of-way without encroaching into a clear vision area or sidewalk.

(4) Buffering and screening. Requirements for buffering and screening may exceed the area requirement listed above. When required, buffering and screening areas shall conform to the following minimum requirements.

(a) Purpose. The purposes of buffering and screening requirements are to reduce the impacts of a proposed use on adjacent uses and zones which provide for different types of uses. The reviewing authority may waive or reduce the requirements where existing topography or vegetation is appropriate or otherwise negates the effectiveness or intended purpose or benefits of the buffering and screening.

(b) An aesthetic and/or noise reducing landscaped buffer may be required between land uses as follows.

(1) Commercial uses abutting a residential zone, public recreation area or use, institutional use, scenic resource, noise sensitive use or public right-of-way.

(2) Industrial uses abutting residential or commercial zones, public recreation area or use, institutional use, scenic resource, noise sensitive use or public right-of-way.

(c) A buffer or screening area may only be occupied by screening utilities and landscaping materials, but the same may be located within the required yard or setback requirements provided vision clearance requirements are complied with.

(d) In lieu of the foregoing requirements, an applicant may provide for landscaping and screening, including plantings, fences, walls, walks and other features designed to afford the same degree of buffering as the standards above. A plan and specifications for an alternative shall be reviewed and approved by the reviewing authority with jurisdiction over the approval of the applicable use.

Finding 9: A preliminary landscape design was provided with the applicant's proposal. The landscape plan shows landscaped islands throughout onsite parking areas per the standards of this section. Landscape strips are proposed around the majority of the perimeter of the site and contain an attractive mix of groundcover, grasses, shrubs and trees. Landscaping is also proposed at various locations bordering the building providing an aesthetically pleasing transition and buffering from adjacent streets and onsite parking areas. Landscape areas bordering the building are proposed to contain a mixture of grasses and shrubs. The trash Enclosure and generator yard are not located within the setback and both are shown to be screened from view.

Staff finds the landscape design meets the requirements of this section and will add to the overall attractiveness of the development and surrounding area. The City understands that this landscape plan is conceptual and there may be a desire to change the plan as the project is constructed. Major changes to the proposed plan as determined by the City, shall be submitted in map form or writing for an informal City review and approval to ensure the plan is meeting the intent of the City's buffering standards.

Criteria: 153.136 SPECIFIC CONDITIONS.

In addition to the standards and conditions set forth in a specific zone, this subchapter, this chapter and other applicable local, county, state and/or federal regulations, additional conditions may be imposed which are found to be necessary to avoid a detrimental impact on adjoining properties, the general area or the city as a whole, and to otherwise protect the general welfare and interests of the surrounding area, the city as a whole and the general public. No condition may be imposed which violates federal or state law with regard to needed housing. The conditions may include, but are not limited to, the following.

(A) Limiting the manner in which the use is conducted, including restricting the time an activity may take place, and restrictions to minimize environmental impacts such as noise, vibration, air or water pollution, glare and odor.

(B) Establishing a special setback or other open space requirements, and increasing the required lot size or other dimensional standards.

(C) Limiting the height, size or location of a building or other structure or use.

(D) Increasing street width and/or requiring improvements to public streets and other public facilities serving the proposed use, even including those off-site but necessary to serve the subject proposal.

(E) Designating the size, number, improvements, location and nature of vehicle access points and routes, and requiring pedestrian and/or bicycle ways.

(F) Limiting or otherwise designating the number, size, location, height and lighting of signs and outdoor or security lighting, and the intensity and/or direction thereof.

(G) Requiring diking, screening, fencing or other improvements or facilities deemed necessary to protect adjacent or nearby properties, and establishing requirements or standards for the installation and maintenance thereof.

(H) Protecting and preserving existing trees, other vegetation and water, scenic, historic, archaeological, unique, landmark or other natural or manmade significant resources.

Finding 10: Staff recommends all street and pedestrian scale lighting installed in public rights of way shall be coordinated with the City and shall utilize City's preferred fixtures. Staff recommends Black vinyl fencing for the security fencing similar to the County Jail.

Staff does not recommend any additional specific conditions however the City of Prineville Planning Commission may add additional conditions based on the criteria above.

Recommended Conditions of Approval: If approved the following conditions are recommended for the Justice Center application **CU-2022-100**. Such an approval is subject to the submitted plans, findings stated in the staff report, those conditions contained within and the following conditions of approval set forth below:

RECOMMENDED CONDITIONS OF APPROVAL

1. The plans submitted by the applicant and the improvements depicted therein are the foundation of this approval. The improvements and services required under the City's standards and specifications and land use code are anticipated to be constructed, and may not be called out directly in this report.
2. The applicant shall adhere to the general concept of the submitted landscape plan. The City understands that this landscape plan is conceptual and there may be a desire to change the plan as the project is constructed. Major changes to the proposed plan as determined by the City, shall be submitted in map form or writing for an informal City review and approval to ensure the plan is meeting the intent of the City's buffering standards.
3. The applicant shall provide black vinyl fencing or equivalent for the security area similar to that used at the County Jail facility.


4. The applicant shall comply with the Fire Department requirements for fire flows, sprinkler systems, fire hydrants, address signs, Knox Box locks and all other UFC requirements. The applicant shall coordinate with the Crook County Fire Department in this endeavor.
5. The applicant shall not exceed a maximum height of 64 feet with any portion of the proposed building.
6. All existing and new utilities shall be placed underground.
7. Prior to building permit the applicant shall start the process to vacate the alley vacated and prior to occupancy the sewer line shall be relocated and the properties shall be consolidated into one property.
8. The applicant shall maintain the site in a clean and attractive manner and maintain all drainage on site.
9. The applicant shall not create a nuisance because of noise, smoke, odor, dust or gas or anything else listed in the C1 zone or that which is declared to be a nuisance by the City.
10. The applicant shall secure any and all Federal, State, City and County permits required for the proposed use, including, but not limited to all County Building Department permits. The applicant is also required to comply with all relevant portions of the City of Prineville Code of Ordinances.

MOTION IN FAVOR

The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Favor of this Application. I Move that the application be **APPROVED**, subject to the Conditions of Approval as they have been finalized, and based upon the Findings of Fact in favor of the application.

MOTION IN OPPOSITION

The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Opposition to this Application. I Move that the request be **DENIED** based upon Findings of Fact in opposition to the application.

Written By: 
Casey Kaiser
Senior Planner