



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF REPORT

File No.: AM-2023-101

Applicant: High Desert Christian Academy
P.O. Box 1453
Prineville, OR 97754

Owner: John Evanski III
2884 S. Cherry Avenue
Fresno, CA 93706

Location/Zoning: 1201 NE Elm Street. This will include the Old Hospital, new police station and City water tanks. Map and Tax lots 141632CB00100, 101, 102, 103, 300 & 1100. The property is currently zoned Limited Residential (R1).

Proposal/Purpose: The Applicant is requesting approval of a zone change from Limited Residential (R1) to General Residential (R2). The primary purpose of the zone change is to allow the use of the property as a school which is currently not an allowed use in the R1 limited residential zone. Without the zone change the conditional use application for the school (CU-2023-101) cannot be processed. Residential use tables are part of this report to compare how the zone change will affect the allowable uses on the property.

Criteria: ORS – 227 & 197, OARs – 660-009, 660-012, 660-015, City Comprehensive Plan, Land use Code Chapter 153 sections 153.012, 153.230 – 153.236 & 153.252.

Related Applications: Cu-2023-101

Notice DLCD/Neighbor: 5/1/2023

Newspaper Notice: Planning Commission Notice – 5/23/2023

Public Hearing: Planning Commission – 6/6/2023

Staff Reviewer: Joshua Smith,
Planning Director

Background: Pioneer Memorial Hospital was originally built in 1950 by the community. There have been subsequent additions to the hospital, but the original building still stands and the property remains largely the same. Since the advent of the State land use system in the 70's, all known zoning documentation of the property indicates that it has always been zoned residential along with the neighborhood to the East. The R1 zone itself has applied since at least 1980 and has had no significant changes since its adoption by Ordinance 807. After the acquisition and construction of a new hospital in 2014 by the St. Charles Health System, the old Hospital has remained largely vacant. The buildings themselves are functional; however, the owners have struggled to find a compatible use within the existing R1 zone due to the limitations of the zone and the size and nature of the facility.

Staff Findings:

Criteria: City land use code - Amendments 153.230 – 236

Finding 1: The applicant has submitted applications for a zone change and conditional use application. The conditional use application is contingent upon approval of the zone change; therefore, in accordance with 153.012 the notice and hearing have been consolidated. The staff reports and decisions will remain separate for tracking and filing purposes. The applications include a traffic study and a burden of proof addressing applicable State Statutes, Oregon Administrative Rules (OARs) and the goals and objectives of the City's Comprehensive Plan. Staff finds the application meets the submittal requirements.

Criteria: City land use code – 153.012, 153.035 - 036 & 153.045 - 046

Finding 2: The applicant is proposing a zone change from Limited Residential (R1) to General Residential (R2) for the primary purpose of allowing the use of a school which is currently not an allowed use in the R1 zone. The option of a text amendment to allow public and private schools in the R1 zone was discussed; however, remaining in the R1 zone would continue to significantly limit the use of the property. The R2 zone allows a larger variety of housing types and some commercial uses, but still requires conditional use application to ensure compatibility through a public hearing process and conditions of approval for the most significant types of uses. Exhibit 'A' is a copy of the residential use tables (153.035) showing the difference in uses between the zones.

Criteria: City Comprehensive Plan Chapters 1, 2, 7

Finding 3: The applicant's submittal addresses the appropriate chapters in the City's Comprehensive Plan. In review of the responses to the various code sections, staff agrees with the applicant's findings and adds the following analysis:

- **Chapter 1, Community Characteristics:** Goal 1 of this chapter specifically refers to improving the function of residential neighborhoods and designing "Complete Neighborhoods". These types of neighborhoods include areas for schools, transit and residentially oriented services. The existing structures (old hospital) have the ability to provide these types of uses through the City's conditional use process in the R2 zone, but are currently not available in the R1 zone. The subject property is buffered on all sides by City streets making it a practical place for schools, daycare and some professional commercial uses without effecting the adjacent neighborhood.
- **Chapter 2, Urban Land Uses and Zoning Regulations:** Goal 1 of this chapter lists values and policies for each zone category. Within the residential zone section there are policies listed below that speak to the need for conditional use options and compatibility standards. The concept changing residential zones and not simply requesting a commercial zone, is to allow for more conditional use options without drastically changing the allowable uses of the area and therefore; limited the effect to the existing residential neighborhood. These additional options will allow the applicant greater ability to repurpose the old hospital facility while ensuring compatibility through a public hearing process and conditions of approval.

- *Residential zones must include outright permitted and conditional uses adequate to develop “complete” neighborhoods and suitable living environments.*
- *Residential zones that include compatibility standards to facilitate transitions between new and established uses will help to alleviate the pressures of growth upon existing community residents.*
- *Update local land use regulations to include compatibility standards that will accommodate new development while minimizing the disruption to the existing community.*
- Chapter 7, Housing: The goal of the housing chapter is to provide opportunities for a wide range of housing types. The current R1 zone does not accomplish this goal, though it does have its place in preserving established neighborhoods. The old hospital site is not an established neighborhood, nor does it directly abut one. The site is surrounded by City streets providing a buffer from the established neighborhood to the east. The site is connected to major road systems and is in close proximity to the downtown core and other commercial services. The R1 zone significantly limits the use of the property. It is logical that this site will someday develop with a higher density of housing as well as some commercial uses within the old hospital. The R2 zone is well suited for this purpose. The R2 zone allows a larger variety of housing types and some commercial uses, but ensures compatibility through a public hearing process and conditions of approval for the most significant types of uses. Housing policies that support this zone change are listed below.
 - *The City shall apply zoning designations and standards that create opportunities for wide variety of housing types, including but not limited to single-family detached homes, manufactured homes, duplexes, triplexes, four-plexes, townhomes, apartments, accessory dwelling units, cottage cluster housing, recreational vehicle parks, and mixed commercial and residential use.*
 - *The City shall encourage development of higher density and multifamily housing in close proximity to services and major transportation corridors or other areas designated for this use and limit low-density housing in these locations.*
 - *The City shall allow for a mix of residential uses with other compatible uses in appropriate locations.*
 - *The City shall encourage efficient use of residential land within the Urban Growth Boundary.*
 - *The City shall regularly monitor its supply of buildable land and shall provide a sufficient amount of residential land to accommodate residential growth.*

Criteria: OARs – 660-012, 660-015

Finding 4: The applicant's submittal addresses the appropriate Oregon Administrative Rules (OARs) for transportation and the state wide planning goals. In review of the responses to the various code sections, staff generally agrees with the applicant's findings and adds the following analysis:

- OAR 660-012, Transportation Planning: The purpose of this rule is to provide and encourage a safe, convenient, and economic transportation system. It ensures that when a zone is changed, the allowed land uses are consistent with performance requirements in the City's transportation system plan (TSP). The applicant has provided a traffic assessment with a summary and conclusions. As indicated in these findings the functional classification of the roadways serving the property will not change due to this proposal. Traffic impact of any new development would be reviewed again during the site plan review process and may limit development or require additional mitigating improvements.
- OAR 660-015, Statewide Planning Goals: The purpose of this rule is to outline the 19 state wide planning goals that all land use laws in Oregon are based on. The applicant effectively addresses how the proposal conforms to each applicable state wide planning goal. City staff agrees with the applicant's findings with no additional analysis.

Staff Conclusions and Recommendation:

Staff recognizes the difficulty of repurposing the old hospital building and that the limitations within the R1 zone are contributing to that difficulty. A change to the R2 zone allows for an increase in use that is appropriate for the area and does not change the Comprehensive Plan designation for the property. Staff concludes the applicant has shown enough justification to approve the zone change.

Staff supports recommending this zone change to City Council for approval with no specific conditions.

EXHIBITS

Exhibit A – Zone use tables

Exhibit B - Proposed Map Change

Exhibit C - Burden of Proof

Exhibit D - Transportation Impact analysis