



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

HEARING DATE: July 19th, 2016

PROJECT NUMBER: CU-2016-101

APPLICANT: Housing Works
405 SW 6th St.
Redmond OR 97756

OWNER: Crook County School District
471 NE Ochoco Plaza Dr.
Prineville OR 97754

DESIGNER: Pinnacle Architecture, Inc.
960 SW Disk Dr. Ste. 101
Bend Oregon, 97702

PROJECT REVIEWER: Joshua Smith
Senior Planner

APPLICABLE CRITERIA:

City of Prineville Code of Ordinances, Title XV – Chapter 153 – Sections: 153.009, 153.014, 153.020, 153.021, 153.037, 153.038, 153.051, 153.080 – 153.096, 153.136, 153.190 – 153.200.

FINDINGS OF FACT:

- 1. LOCATION:** The proposed use is the old Ochoco Elementary School located at the northeast corner of the area referred to as the West “Y”. Its current address is 440 NW Madras Hwy. The property is further identified as Map & Tax Lot number 15-16-06BA tax lot 00300.
- 2. PROPOSAL:** The applicant is proposing the conversion of the Ochoco Elementary School into 29 multifamily dwelling units. Existing Gym will remain as a gymnasium and existing cafeteria will be leased to an early education provider.
- 3. ZONING:** The subject property is zoned General Commercial (C2) and is designated Outlying Commercial on the Comprehensive Plan Map.
- 4. LOT OF RECORD:** The property has been determined to be a legal parcel by deed.
- 5. SITE DESCRIPTION:** The site has been utilized as a public school since 1946. There is about 46,000 sq. ft. of building consisting of the school, gym and detached cafeteria building. The site is mostly old asphalt with large grassy playing fields and landscaping around the primary school building. Below is a 2014 aerial view.



6. **RELATED APPLICATIONS:** AM-2013-101, LP-2013-101, SUB-2015-101, PA-2015-101

7. **COMMENTS:** During the notice period the City received agency comments with no opposition to the development. One verbal comment from a neighboring property was received concerned with requirements to the north side of 6th St. Staff explained that this application will not require anything of the property owners north of 6th St.

- DEQ commented that the project would require a 1200-C stormwater permit.
- Fire Department is expecting the following requirements.
 - NFPA 13 sprinkler system
 - Apparatus access on the rear playground (supporting 60,000 lbs) to within 150 feet of all portions of building.
 - Additional hydrants at 5th street entrance to property (approximately 60' in at turn) and 6th street at parking lot entrance.
 - Vault at front of building with FDC/PIV near existing hydrant.
 - Type I suppression hood system in cafeteria if cooking produces grease vapors.
- ODOT requests to review designs of the 6th St. reconstruction.

- 8. FINDINGS SUMMARY:** The applicant is proposing to convert the existing school into 29 multifamily dwelling units. The existing Gym will remain as a gymnasium for the community and residence of the complex and existing cafeteria will be leased to an early education provider. The proposed use is a Type II conditional use in the C2 zone. The project is not expected to exceed resource carrying capacities. No SDC's for sewer, water and transportation will be required as the impact on these facilities is less than or equal to the previous use as an elementary school. However, an SDC per dwelling for Parks and Recreation will be required for the additional dwelling units. The applicant shall connect the structure to City sewer and water. Any infrastructure improvements necessary to connect to sewer and water shall be constructed by the applicant to City standards, including installation of a fire suppression sprinkler systems and other infrastructure needed for fire protection. All access and parking areas shall be paved and appropriately marked. Improvements to the Hwy shall be constructed as required by ODOT. The applicant shall landscape the areas identified in the site plan. All stormwater shall be maintained onsite. Any modification of the submitted site plans shall be reviewed by the City for consistency and intent of the original plan.

Criteria: 153.009 COMPLIANCE WITH OTHER RULES AND REGULATIONS.

(A) Approval of any use or development proposal pursuant to the provisions of this chapter shall require compliance with and consideration of all applicable city, county, state and federal rules and regulations.

(B) The compliance shall be evident prior to the final approval of any affected land use or development proposal; for example, the compliance may be set forth as a condition of final approval.

(C) Specific city, county, state and federal rules and regulations that may affect a specific land use or development for which compliance therewith is required if applicable include, but are not necessarily limited to the following.

(1) Air quality standards administered by the State Department of Environmental Quality (DEQ) and/or the Federal Environmental Protection Agency (EPA).

(2) Noise pollution standards administered by DEQ and/or EPA.

(3) Water quality standards administered by DEQ, state Water Resources Department (WRD) and/or EPA.

(4) Sewage disposal regulations administered by DEQ, County Environmental Health and/or EPA.

(5) Solid waste disposal regulations administered by DEQ and/or EPA, including those applicable to hazardous wastes.

(6) Uniform Building Code administered by the City-County Building Department and State Building Codes Agency.

(7) Surface and ground water withdrawals regulated by WRD.

(8) Scenic area rules administered by the State Highway Division (OSHD), state parks and/or other state or federal agencies.

(9) Access control and management regulations administered by OSHD and/or the County Road Department.

(10) Surface mining regulations administered by the State Department of Geology and Mineral Industries (DOGAMI), DEQ and other state or federal agencies.

(11) Wild and scenic river regulations administered by the State Parks and Recreation Department (OPRD), the U.S. Bureau of Land Management (BLM) or other state and federal agencies.

(12) Cut and fill, and wetland regulations administered by the Division of State Lands (DSL).

(13) Fish and wildlife habitat protection rules administered by the State Department of Fish and Wildlife (ODFW) and/or the U.S. Fish and Wildlife Department (USFW).

(14) Applicable City and/or County ordinances, resolutions, agreements, regulating master plans or other land use decisions.

Finding 1: There may be rules and regulation at a State and Federal level that the applicant is required to comply with. City approval of this project does not supersede those requirements. DEQ has requested a 1200-C stormwater permit.

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 2:

A) The plans submitted by the applicant are the foundation of this approval. The proposal is compatible with the Comprehensive Plan by providing for needed housing.

B) The City finds the proposal is in compliance with the applicable C2 zone as a conditional use. The natural features overlay district is not affected by this project. The proposal is meeting or can meet applicable provisions through conditions of approval.

C) ODOT has reviewed the plan and representatives were present at the development review meeting. ODOT has stated that the access to the Hwy. and the bus pullout are ok to remain and the only thing they requested was to review the re-alignment of 6th St. to the Hwy. DEQ has requested the applicant apply for a 1200-C stormwater permit. The City is not aware of any other required approvals or permits from other local, state or federal agencies other than the Crook County Building Department.

D) There are no specific standards listed in section 153.083. Use limitations in the C2 zone are discussed in Finding 5.

E) The facility will not exceed resource carrying capacities for sewer, water or traffic, however; SDCs are required to be paid prior to issuance of a building permit. Sewer and water SDCs are based on the size and number of water meters needed to serve the development. At this time only the existing meters will be utilized. Unless additional meters are added no sewer or water SDCs will be assessed. A trip generation letter has been submitted for the project and reviewed by the City Engineer and ODOT. Based on the analysis the P.M. Peak trip count will be lower than that of the previous elementary school.

With a lower trip rate no traffic SDCs will be assessed. The subject property is within the Parks & Recreation District, which assesses SDCs per dwelling unit. Therefore as a condition of approval the applicant is required to pay a multifamily SDC of \$1,654/unit.

F) All uses are required to comply with local, state or federal pollution standards. If it is identified that such standards are being exceeded, measures shall be taken to come back into compliance.

Criteria: 153.051 GENERAL COMMERCIAL C-2 ZONE.

In a C-2 Zone, the following regulations shall apply.

(A) Purpose. *The purpose of the C-2 Zone is to provide for those commercial uses which are considered more desirable to be located in an area outside of the downtown commercial core area, that are more dependent upon and create the highest volumes of vehicular traffic, are considered the heaviest or most intensive type of commercial uses, which actually involve a combination of heavy commercial and light industrial type uses, which commonly involve expansive areas of outside storage and displays of products and are more traveler oriented.*

153.037 COMMERCIAL & INDUSTRIAL USE TABLE

Type II: Multifamily dwelling complexes of more than four units

Outright: Preschool/Kindergarten

Outright: Indoor Commercial recreation

Finding 3: The applicant has proposed to convert a closed elementary school into a 29 unit multifamily complex with the existing Gym to remain as a gymnasium for the community and residence and the existing cafeteria to be leased to an early education provider such as “Head Start”. The multifamily complex is a conditional use in the C2 zone and the secondary uses of the gym and early education center are outright uses. The gym is proposed to be used for the residence of the complex and the community such as it has been through Parks & Recreation programs. Any commercial use of the gym beyond Parks & Recreation programs or similar activities will require a change of use application that could require additional traffic SDCs, ODOT review of access, additional parking etc.

Criteria:

153.038 COMMERCIAL & INDUSTRIAL DIMENSIONAL STANDARDS

Street setbacks: 0 ft.

Side/rear setbacks: 0 ft.

Between Buildings: 0 ft.

Clear Vision: 25ft.

Building Height: 35ft.

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

Finding 4: The City finds that the submitted site plan meets all applicable dimensional standards. Any minor modification to these plans shall be reviewed for continued compliance. Major modifications may require a new application.

Criteria: 153.051 GENERAL COMMERCIAL C-2 ZONE.

(K) Use limitations. *In a C-2 zone, permitted uses shall be subject to the following limitations and standards:*

(1) *Except for drive-in service windows and/or as approved otherwise by the city, all business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building. Display of merchandise along the outside wall of the building shall only be permitted*

on private property, and shall not in any case preclude pedestrian use of walkways, sidewalks or other pedestrian facilities; these limitations do not apply to the outside display of merchandise during a merchants or community sponsored promotional sale, or to the outside display of merchandise confined to an area or facility designed for such purpose and approved by the city.

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

(3) 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) All business is proposed to be enclosed with no outside display of merchandise.

(2) The property does abut residential use to the north and east. The existing chain link fences will remain. With the change of use to a residential and the site improvements that are part of this application, no sight obscuring fence is required.

(3) This development is not expected to cause a nuisance. Should a nuisance be declared the owner shall correct the issue in order to bring the development back into compliance with City Ordinances.

Criteria: 153.020 SITE PLAN AND DESIGN REVIEW PROVISIONS.

(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 6: As a change of use this project is required to meet all design review criteria including infrastructure improvements. With a footprint of over 40,000 sq. ft. the project must also meet building and site design standards in section 153.021.

In meeting the design standards in section 153.021 staff finds the proposed site and building design meets the intent of section (G)(2).

Site improvements are depicted in the submitted plans. These improvements include a 17ft. right-of-way dedication to 6th St., moving power poles by PP&L, paved parking and access aisles at three different locations, closing of an access on 6th St., the reconstruction of 6th St. from their parking entrance to Hwy 26 including an 8ft. sidewalk, onsite drainage facilities, landscaping, internal sewer and water services and fire suppression requirements. Hwy 26 improvements including improved access, 6th St. connection, partial sidewalk improvements

and shortening the bus pull-out. City Sewer and water lines are already “to and through” the property. All structures shall connect to City water and Sewer per City standards. All storm water drainage shall be maintained on site. The applicant has submitted a drainage plan that meets this criteria. Parking and landscaping are further discussed in Findings 11 & 12. The applicant shall submit civil drawings of the proposed public infrastructure for review and sign off by the City engineer and Utility providers.

Criteria: 153.021 SPECIAL DESIGN REQUIREMENTS FOR BUILDINGS WITH A FOOTPRINT OVER 40,000 SQUARE FEET IN COMMERCIAL ZONES

(B) Applicability. Any development of a building with a footprint of over 40,000 square feet which is located in one of the city’s commercial zones or a building with over 40,000 square feet of retail sales area in one of the city’s industrial zones shall be processed as a Type II Conditional Use and shall be subject to conditional use criteria as well as the following special design requirements.

(D) Special design requirements for buildings with a footprint of over 40,000 square feet.

Finding 7: With the conversion of an existing building and site, some of these standards are treated with more leniency specifically when in conflict with another requirement such as right-of-way dedication. In review of the submitted site plans, building elevations and burden of proof, the applicant has shown that they can meet these standards with little deviation. Some building features are subjective in nature but most are clear and concise standards that are being met. The 5ft. & 10ft. landscape requirement along public rights-of-way are being considered flexible near the building and parking area where required right-of-way dedication makes it difficult. Staff finds that the applicant is meeting the design review standards set forth 153.021.

Criteria: 153.081 CLEAR VISION AREAS.

In all zones, a clear-vision area shall be maintained at the intersection of two streets, a street and a bike or pedestrian way and a street and an alley. A clear- vision area shall contain no plantings, sight-obscuring fences, walls, structures or temporary or permanent obstructions exceeding 2 ½’ feet in height measured from the grade of the street centerline, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of 8 feet above the grade, and trunk diameter does not exceed 18 inches.

Finding 8: The applicant’s proposal maintains clear vision at all three entrances. This criteria is an ongoing maintenance item.

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 9: All onsite lighting shall be hooded be directed down and not shine directly onto adjoining properties or public rights-of-way. The applicant has submitted a lighting plan that meets this criteria. This criteria is an ongoing maintenance item.

Criteria: 153.083 STANDARDS FOR SPECIFIC USES.

(H) Multi-family dwelling complex. A multi-family dwelling complex permitted as a conditional use shall comply with the following standards and conditions, and the compliance shall be evident prior to occupancy except as may otherwise be approved by the city.

(1) All such complexes with more than 20 dwelling units shall be so located as to have direct access onto an improved arterial or major collector street unless approved otherwise by the city.

(2) All such complexes shall provide both an improved ingress and egress.

(3) Each access road permitting two-way traffic and intersecting a public street shall have a minimum surface width of not less than 30 feet, and not less than 16 feet in width for single-lane, one-way traffic. Interior complex driveways shall not be less than 24 feet in width for two-way traffic, and not less than 12 feet in width for single-lane traffic. For interior driveways providing on-street parking, an additional eight feet of width shall be added for each parking lane or area. All access roads, driveways and parking facilities shall be improved and maintained with "durable and dustless surfaces" as defined in 153.086, and as approved by the City Superintendent of Streets.

(4) Sidewalks, walkways, bicycle paths and other pedestrian ways may be required. The walks, paths and ways shall not be less than four feet in width and shall be surfaced with concrete, asphalt, asphaltic concrete or paving bricks as approved by the City Superintendent of Streets.

(5) The complexes may be required to provide storage facilities and/or extra parking spaces as deemed necessary to provide for tenant storage of household goods, equipment, extra furnishings and/or recreation vehicles.

(6) Each complex, and each individual unit contained therein, shall be serviced with public water and sewer, electrical power, receptacles for garbage disposal and collection service, and fire hydrants shall be installed as deemed necessary by the City Fire Department.

(7) Facilities for incoming and outgoing mail shall be installed in accordance with the requirements of the U.S. Postal Service.

(8) The overall density of the complex shall not exceed the dimensional standards set forth by the applicable zone, except as approved otherwise by the city in accordance with the following factors.

(a) An increase of 5% in the maximum allowable density for dedicated and improved open space equaling 25% or more of the total land area of the development.

(b) An increase of 5% in the maximum allowable density for the development and maintenance of an approved recreation and/or common use building or other indoor facility.

(c) An increase of 5% for a developed playground area

(d) An increase of 5% for a developed recreation area including a covered picnic area, basketball and/or tennis court facilities and the like.

(e) As an incentive for development excellent, a total increase of 25% may be permitted if three or more of the foregoing are provided.

(9) A complex shall provide recreational space of at least 2,500 square feet plus 50 square feet for each unit in the complex. The recreational space shall be improved with landscaping to provide open recreation and shall be secured from driveways and parking areas. Facilities such as picnic tables, barbecues and playground equipment are recommended.

(10) For any complex permitting tenants to have recreation vehicles, camp trailers, boats and similar recreational equipment, there shall be provided a separate, designated parking area for such uses at a ratio of one space per each three units in the complex.

(11) If each unit in the complex is not provided with clothes washing and drying facilities, and there is not a private commercial coin-operated laundry facility within a reasonable walking distance, then there shall be provided within the complex a separate laundry facility providing not less than one washer and one dryer for each six units in the complex.

(12) The total land area of the complex may be required to be surrounded, except at entry and exit locations, by a sight-obscuring fence or hedge not less than six feet in height.

Finding 10:

- 1,2) The complex is proposed to have 29 units. An existing improved access to a major arterial street (Hwy 26) will remain open as a right in right out access. The existing access on 6th St. will be improved for access to the northern parking lot. An additional access that will serve as the primary access will be constructed off of Locust St. This criteria is met.
- 3) Access aprons are proposed to be 30 feet and built to City standards. Drive isles are proposed to be paved and 25 feet wide. This criteria is met.
- 4) Existing sidewalks are in good condition and vary from 5 to 7 feet on the 6th St. and Hwy frontages. New public sidewalks associated with the reconstruction of a portion of 6th street shall be 8ft. wide, consistent with a commercial zone. Two other accesses on 6th street are proposed to be closed and new matching sidewalks shall be constructed. Internal walkways will be constructed throughout the site to access buildings and public rights-of-way. This criteria is met.
- 5) The proposal does not include a standalone storage facility. Each unit will have some storage available for things like bikes and household goods. The proposal does not allow recreational vehicles, however extra parking is provided beyond city requirements. Staff does not believe additional storage is necessary for this type of managed property. This criteria is met unless conditioned otherwise by the Planning Commission.
- 6) All services are proposed and are a condition of approval. This criteria is met.
- 7) Mail boxes will be provided to meet USPS requirements.
- 8) The proposal is well under the maximum density of the property. A 29 unit facility would need a minimum of 1.1 acres, this property is just over 6 acres. This criteria is met.
- 9) With 29 units the development code would require at least 3,950 sq. ft. of recreational area. The central court yard alone provides 11,975 sq. ft. This criteria is met.
- 10) The proposal does not allow recreational vehicles. Should this change a designated parking area shall be created and screened from public view. This criteria is met.
- 11) Each unit is proposed to have its own washer and dryer. This criteria is met.
- 12) Staff does not feel a sight obscuring fence is necessary unless a neighboring property requests such a fence. These types of fences are generally used when neighboring residential uses are relatively close to one another. Staff agrees with the applicant that a sight obscuring fence would detract from the character of the site, particularly along 6th St. and Hwy 26. The property currently has a standard 6 ft. chain link fence around most of the property that is proposed to remain. This criteria is met unless otherwise conditioned by the Planning Commission.

Criteria: 153.085 OFF-STREET PARKING AND LOADING: PROVISIONS AND REQUIREMENTS.

(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.

(4) C-2, C-3, C-4 and C-5 Zones. All parking demand created by any use permitted in this zone shall be accommodated entirely on-site or off-street on another area or adjoining site within a reasonable walking distance of not more than 1,200 feet that is available for the subject use in compliance with the standards set forth herein. The location of any off-site parking area that requires pedestrians to cross an arterial or collector street or highway to obtain access to the subject use is prohibited.

(a) No use permitted in this zone shall require the backing of traffic onto a public street right-of-way to accommodate ingress or egress to any use or the premises thereof unless approved otherwise by the City.

(b) Bicycle parking shall be provided at a rate of 1 space per 12 vehicle parking spaces.

Multi-family complex	1.5 spaces per unit from 5 to 8 units; 1.25 spaces per each unit thereafter, plus 2 spaces for owner/manager.
Nursery, kindergarten	1 space per employee and adequate off-street parking and loading areas for the delivery/pickup of patrons.
Gymnasium	1 space per 300 s.f. of net square footage

Finding 11: Per the City’s parking table the 29 multifamily units would require 43 space, the early education center would require an estimated 5 spaces and the gym would require 24 space for a total of 72. The applicant is proposing 101 space plus 5 ADA spaces and 4 spaces for pickup and drop off for the early education center. The City approves the amount of parking being provided in the submitted plans. All parking and access isles shall be paved and properly marked including ADA spaces. Bicycle parking shall be provided at a rate of one space per 12 vehicle spaces.

Criteria: 153.087 LANDSCAPING REQUIREMENTS.

(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.

(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.

(E) Maintenance and plant survival. All landscaping approved or required as a part of a development plan shall be continuously maintained, including necessary watering, weeding, pruning and replacement of plant materials. Except where the applicant proposes landscaping consisting of drought-resistant plantings and materials that can be maintained and can survive without irrigation, landscaped areas shall be irrigated. If plantings fail to survive, it is the responsibility of the property owner to replace them.

Finding 12: As stated above, multifamily complexes shall provide 20% landscaping. The applicant is proposing 3.5 acres of landscaping on a 6 acre site. A large portion of this is the grass fields to the east of the building which are largely being left alone and could be used for future development. If these fields were excluded it would remove ~1.8 acres leaving ~1.7 acres of landscaping or 28% of the 6 acre site meeting the 20% criteria.

A landscape plan has been submitted showing landscaping around the buildings, in parking areas, and along public rights-of-way. Landscape buffers are being provided around parking areas that abut a residential zone to the north and the large grass fields provide a buffer for the residential uses to the east. A full list of plant species and location is also provided. The City understands that species and location can change during construction, but the basic layout and purpose of the landscaping for buffering, screening and aesthetics shall remain. Staff finds the proposed landscaped areas when properly constructed will meet the City's standards.

Criteria: 153.051 GENERAL COMMERCIAL C-2 ZONE.

(J) Signs. In a C-2 Zone, signs are permitted in accordance with the provisions set forth in Chapter 152 as amended.

Finding 13: Two monument signs are proposed for the development. One sign will be located along the Hwy 26 where the existing school sign is and the other at the entrance from Locust St. Each sign is proposed to be 15 sq. ft. on a 36 sq. ft. monument structure with a single ground mounted light. In a commercial zone one ground mounted sign is permitted per street frontage at a size limit of 1 sq. ft. for each 2 lineal feet of street frontage up to a maximum of 150 sq. ft. The property has hundreds of feet of frontage on the Hwy and 50ft. on Locust St. The proposed signs meet the required size limit on both frontages and are may be approved as part of this application.

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 14: In review of this application staff does not recommend any additional requirements, however due to testimony or written comments at the hearing the Commission may impose conditions such as those stated above to mitigate the impact.

Criteria: 153.192 EASEMENTS.

(A) Utility lines. *Easements for sewer lines, water mains, electric lines or other public utilities shall be as required by the serving entity, but in no case be less than 12 feet wide and centered on a rear and/or side lot line unless approved otherwise by the city. Utility pole anchor or guy wire easements may be reduced to 6 feet in width.*

(B) Water courses. *If a lot is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of the water course, and such further widths as deemed necessary.*

(C) Pedestrian and bicycle ways. *When desirable for public convenience, a pedestrian and/or bicycle way of not less than 5 feet in width may be required to connect to a cul-de-sac or to pass through an unusually long or oddly shaped block, or to otherwise provide appropriate circulation and to facilitate pedestrian and bicycle traffic as an alternative mode of transportation.*

(D) Sewer and water lines. *Easements may also be required for sewer and water lines, and if so required, shall be provided for as stipulated to by the City Department of Public Works.*

Finding 15: Easements for public infrastructure internal to the site shall be provided to City standards. Those easements should include on site fire hydrants and an existing sewer line along the eastern portion of the property.

Recommended Conditions of Approval: If approved the following conditions are recommended for application **Cu-2016-101** to allow the conversion of a school to multifamily dwellings in a C2 zone. 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

General Conditions

1. The applicant shall comply with the Fire Department requirements for fire flows, sprinkler systems, fire hydrants, address signs and Knox Box locks and all other UFC requirements. Both buildings are proposed to be sprinkled. If not sprinkled other infrastructure may be needed to provide adequate fire flows and building uses may be limited.
2. The applicant shall comply with the site plans as submitted and any alteration to them through the public hearings process. Any modifications of the site plan after approval shall be reviewed by City staff for compliance with City code and this approval. Major modifications as determined by the City will require a modification application.
3. All signs shall meet the code requirements of the City's sign code found in Chapter 152. Two monument signs as shown in the plans are approved as part of this application.
4. The applicant shall pay all applicable water, sewer and transportation system development charges (SDCs) prior to issuance of a building permit. The SDC for traffic is based on the applicant's traffic study. Water and sewer SDCs will be based on the number and size of the water meters needed to serve the development.
6. The applicant shall construct all onsite improvements as shown in the submittal prior to occupancy. These improvements include but are not limited to, a 17ft. right-of-way dedication to 6th St., moving power poles by PP&L, paved parking and access aisles at three different locations, closing of two accesses on 6th St. with new matching sidewalk, the reconstruction of 6th St. from their parking entrance to Hwy 26 including an 8ft. sidewalk, onsite drainage facilities, landscaping, internal sewer and water services and fire suppression requirements. Hwy 26 improvements including improved access, 6th St. connection, partial sidewalk improvements and shortening the bus pull-out.
7. The applicant shall connect to City Sewer and Water and construct any public or private infrastructure necessary to do so, to City Standards.
8. The applicant shall submit construction drawings for public infrastructure for review and sign off by the City Engineer per the City's Standards and Specifications and pay the appropriate fee for the review.

9. The applicant shall landscape the areas identified in the site plan per the submitted landscape plan. Modifications shall be reviewed by the City for consistency and intent of the original plan.
10. The applicant shall provide paved access and parking as proposed, that is properly marked including designated ADA spaces. Bicycle parking shall be provided at a rate of one space per 12 vehicle spaces.
11. Applicant shall secure any and all city, county and state permits required for the proposed development, including, but not limited to all Crook County Building Department permits and 1200-C stormwater permit if required by DEQ.

On-going Responsibilities

12. Any commercial use of the gym beyond Parks & Recreation programs or similar activities will require a change of use application that could require additional traffic SDCs, ODOT review of access and additional parking etc.
13. The applicant's proposal does not allow recreational vehicles. However if this changes a designated parking area shall be created and screened from public view with landscaping and sight obscuring fence.
14. All landscaping approved or required as a part of a development plan shall be continuously maintained, including necessary watering, weeding, pruning and replacement of plant materials. If plantings fail to survive, it is the responsibility of the property owner to replace them.
15. 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. Should a nuisance be declared the owner shall correct the issue in order to bring the development back into compliance with City Ordinances.
16. The applicant shall not allow onsite lighting to shine directly onto adjoining properties or public rights-of-way.
17. The applicant shall maintain all stormwater drainage on site and not allow it to flow onto neighboring properties or public rights-of-way. Should stormwater become an issue additional drainage basins or swales shall be provided to retain runoff.
18. The applicant is 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:


Joshua Smith
Senior Planner