



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT FINAL DECISION (APPROVAL)

CONSENT DATE: September 20th, 2016

HEARING DATE: August 16th, 2016

PROJECT NUMBER: LP-2016-100

APPLICANT/OWNER: Robert Komlofske
P.O. Box 1547
Prineville OR 97754

SURVEYOR: Kelso Land Surveying
730 NW 3rd Street
Prineville OR 97754

PROJECT REVIEWER: Joshua Smith
Senior Planner

APPLICABLE CRITERIA:

City of Prineville Code of Ordinances, Title XV, Chapter 153 including but not limited to sections 153.009, 153.014, 153.036 - 153.038, 153.051, 153.080 -153.097, 153.136, 153.160, 153.164, 153.190 - 153.200.

FINDINGS OF FACT:

1. **PROPOSAL:** A 3 parcel partition on commercially zoned property previously used as a 7 unit trailer park, for the purpose of building duplexes on each parcel.
2. **LOCATION:** 831 NW 2nd Street, Map & Tax lot 15-16-06BA 01800
3. **ZONING:** The subject property is zoned General Commercial (C2).
4. **SITE DESCRIPTION:** The parcel is located at the corner of NW 2nd Street and Meadow Lakes Dr. It has historically been used as a 7 unit trailer park, with the last of the trailers being removed in the spring of 2016. The site is currently vacant, a 2014 aerial of the site is shown below.



LP-2016-100
Robert Komlofske

5. **LOTS OF RECORD:** The site is a legal lot of record by deed recorded at the Crook County Clerk's office.
6. **COMMENTS:** No property owners within the notice area submitted comments. Comments from City departments were expressed in the incomplete letter sent on 6/17/2016. After revisions to the proposal, Public Works commented on needing to determine how public utilities would be connected.
7. **FINDING SUMMARY:** The proposed land partition is an outright use and may affect the purpose of the C2 zone due to proposed parcel sizes. The parcel sizes are proposed for residential use which does deviate from the purpose of the C2 zone but is allowed as a conditional use if approved by the Planning Commission. The purpose of this application is to determine whether the proposed use of residential in a commercial zone is appropriate in this location or if the property should be maintained for commercial activity. This partition is in compliance with the General Commercial (C2) zone and can also meet the dimensional standards of the General Residential (R2) zone for the proposed duplexes. The Partition will include shared access easements and ROW dedications to meet City street standards. Finding 5 discusses criteria and factors to consider when developing residential in a commercial zone. If approved proper access and public services will need to be constructed to each parcel. SDC credits from the previous trailer park shall be applied to new construction.

8. **HEARING SUMMARY:**

Staff - Staff gave a presentation describing the property, the requirements for the partition and how the proposed duplexes will be oriented on each parcel. Staff explained the need for right-of-way dedications, setback requirements, sidewalk constraints and the need to expand the access easement on parcels 1 & 2 for better maneuvering of vehicles. Staff then went through the various criteria that the Planning Commission should consider when reviewing this proposal. There was a brief discussion with the Commission about the uses in the area and the future potential of NW 2nd St. with regard to traffic.

Applicant - The applicant's representative began by clarifying why Meadow Lakes Dr. is not centered in the right-of-way. He discussed the right-of-way dedications, setbacks, building orientations, fence lines, landscaping and access easement. The Commission asked some questions about setbacks, fence lines and vision clearance at the intersection.

Public Comments: There were no agency or citizen comments for or against the application.

Commission Deliberations - During deliberations several Commissioners mentioned that the proposal was a great idea and a good fit for the area. One Commissioner noted that at one point in the past the City desired to have commercial the full length of 3rd and 2nd street, however at this time it would appear that building duplexes now is a better option than denying the application and hoping for commercial development in the future.

Decision – Bob Orlando made a motion to approve the application as written. Bob Spaulding seconded the motion and the motion passed with 4 in favor and none opposed.

DECISION: Application **LP-2016-100** to allow a partition for the purpose of building residential duplexes in a C2 zone is **approved**. 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:

CONDITIONS OF APPROVAL

General Conditions:

1. Prepare the final plat in accordance with Oregon State law regarding partitions. Submit the final map to the City of Prineville for approval and signature. A final partitioning map shall be prepared by a licensed professional and recorded within 1 year of this approval or the partition shall be deemed void.

Prior to signing final Plat:

2. The partition shall be platted to conform to the intent of the tentative plan and to ensure that the proposed development of duplexes can meet all setbacks, drainage, frontage, utility and access requirements as specified in the R2 zone.
3. The NW 2nd Street access point shall be constructed to properly align with the joint access easement for the two interior parcels. The second access on NW 2nd Street shall be removed and replaced with a sidewalk to match existing. All required infrastructure shall be constructed to City standards or bonded for prior to signing the final plat.
4. The applicant shall dedicate all proposed right-of-way as shown in the tentative plan. 10.5 feet on NW 2nd Street and 5 feet on Meadow Lakes Dr.
5. The applicant shall pay the final plat fee.

With new construction:

6. Any Development on the newly created parcels needing water or sewer is required to connect to the City's municipal water and sewer system.
7. Upon development, all the costs associated with extending water, sewer and other utilities shall be the responsibility of the applicant.
8. All applicable connection fees and System Development Charges (SDCs) shall be paid concurrent with any building permit. Credits toward SDCs for the previous trailer park shall be initially assessed on the first duplex then the second and third if credits remain.
9. A Site Plan Application and approval is required prior to the construction of any new structures on the subject properties.

