



# City of Prineville

## DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

### STAFF REPORT

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**HEARING DATE:** February 7<sup>th</sup>, 2017

**PROJECT NUMBER:** CU-2017-101

**APPLICANT:** Lutheran Community Services Northwest (LCSNW)  
4040 S 188<sup>th</sup> Suite 300  
Sea Tac, WA 98188-5070

**OWNER:** Pioneer Memorial Hospital-Prineville  
384 SE Combs Flat Rd.  
Prineville OR 97754

**ATTORNEY:** Liz Dickson  
Dickson Hatfield, LLC  
747 SW Mill View Way  
Bend OR 97702

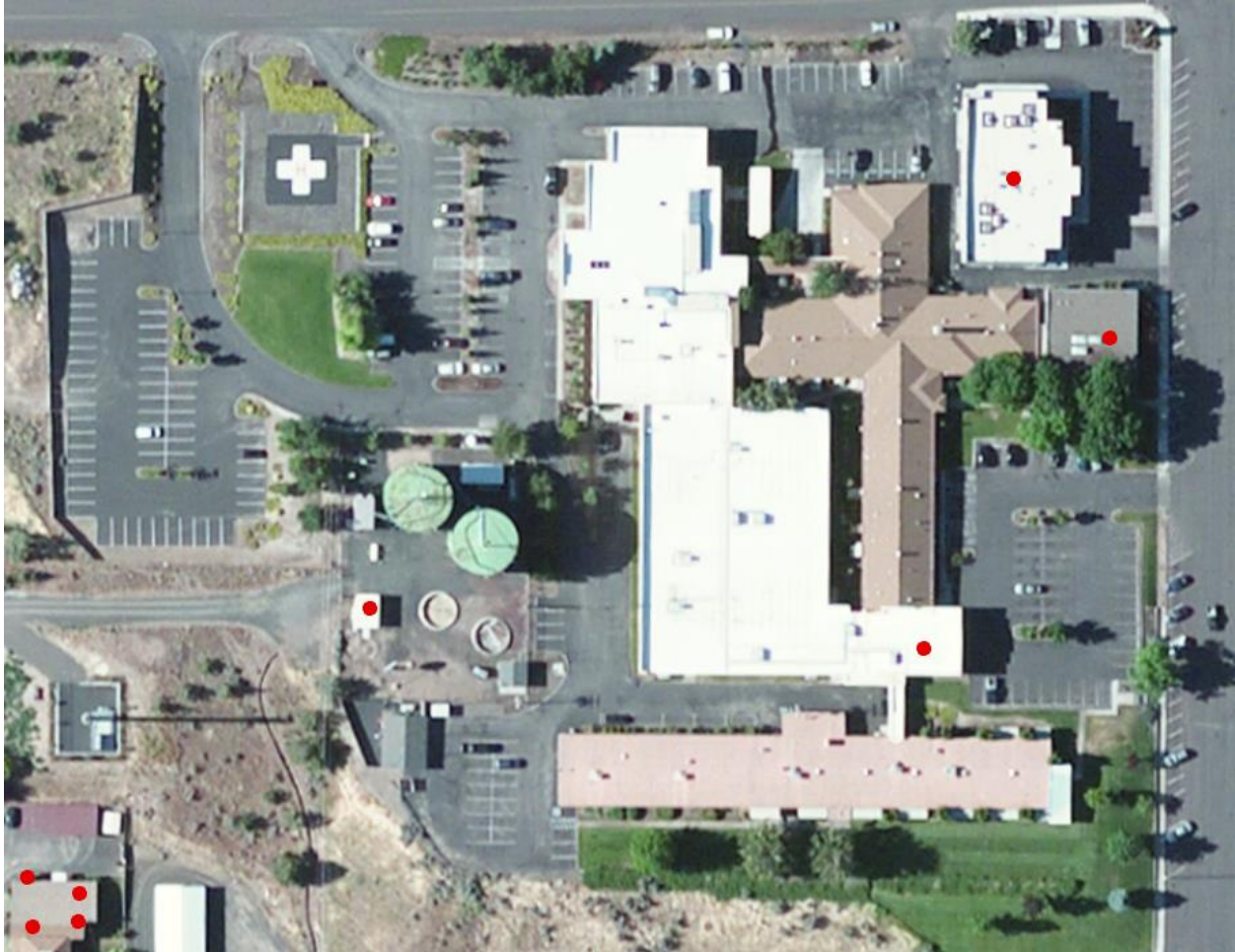
**PROJECT REVIEWER:** Joshua Smith  
Senior Planner

**APPLICABLE CRITERIA:**

City of Prineville Code of Ordinances, Title XV – Chapter 153 – Sections: 153.009, 153.014, 153.020, 153.035, 153.045, 153.083(O), 153.085, 153.135 – 153.138, 153.190 – 153.200.

**FINDINGS OF FACT:**

- 1. LOCATION:** 1103 & 1201 NE Elm St. Map & Tax Lot 14-16-32CB 100, 101 & 102.
- 2. PROPOSAL:** LCSNW is requesting approval of a conditional use permit to allow a hospital and medical services facility in the old Pioneer Memorial Hospital building.
- 3. ZONING:** The subject property is zoned Limited Residential (R1).
- 4. LOT OF RECORD:** The parcel has been determined to be a legal parcel by recorded deeds.
- 5. SITE DESCRIPTION:** This is the old Pioneer Memorial Hospital site which has served Prineville since 1950. The site was purchased by the St. Charles Medical Center several years ago and was closed in 2015 when St. Charles opened a new hospital on the Ochoco Lumber site. A 2014 aerial view of the site is found on page 2 of this report.



6. **COMMENTS:** No Comments were received from neighboring properties.
7. **FINDINGS SUMMARY:** The R1 zone allows for the proposed uses via the Type II conditional use permit process, where the Planning Commission makes a decision on the request. Staff believes the application is generally consistent with the City land use code, based on the fact that the structures and infrastructure already exist and the proposed uses are very similar to the previous use of Pioneer Memorial Hospital (PMH). This change of use is based on the uses and similar uses listed in the applicant's supplemental burden of proof. The applicant is proposing to utilize the existing facilities for a hospital and medical services which appears to not change the existing characteristics of the neighborhood. The proposed use does not change parking and landscaping at the site, leaving the site looking unchanged and similar to the previous Pioneer Memorial Hospital use. With similar uses being proposed minus emergency services and surgical activities, the existing parking is deemed sufficient for the proposed uses. Due to the lack of maintenance of the facility, landscaping may need to be replaced or repaired and the parking area may need to be re-painted and signed including ADA signs.

**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:** Staff finds that 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.

**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) Staff finds the proposal is compatible with the Comprehensive Plan by providing needed activities and services that are lacking in the community. The needed activities and services are identified in Chapter 5 (Economy) and Chapter 8 (Public Services) of the City's Comprehensive Plan.
  - B) The City finds the proposal is in compliance with the applicable R1 zone as a conditional use. The proposal is meeting or can meet applicable provisions through conditions of approval process. The natural features overlay district is not affected by this project.
  - C) 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 and Crook County Fire and Rescue Department.
  - D) There are specific standards for hospitals that listed in section 153.083(O) that will be addressed later in this report.
  - E) The proposed change of use is considered to be of equal or lessor impact with regard to water, sewer and traffic than the previous use of Pioneer Memorial Hospital (PMH). Unless additional water meters are added no sewer or water SDCs will be assessed. No traffic SDC will be assessed unless a future use is determined to exceed the previous use, of Pioneer Memorial Hospital.
  - F) All uses are required to comply with local, state or federal pollution standards.

**Criteria: 153.045 LIMITED RESIDENTIAL R-1 ZONE.**

*In an R-1 Zone, the following regulations shall apply.*

*(A) Purpose. The purpose of the R-1 Zone is to preserve the existing characteristics of certain residential areas within the city which are predominantly single family, owner occupied, conventional type housing; for example, the Ochoco Heights and Northridge Areas.*

**153.035 RESIDENTIAL USE TABLE**

*Type II: Community building or use owned and operated by a public or non-profit agency or organization.*

*Type II: Hospital or other medical service facilities.*

- Finding 3:** The R1 zone allows for the propose uses as indicated above as a type II conditional use. The application is made easier by the fact that the structures and infrastructure already exist and the proposed uses are very similar to the previous use of Pioneer Memorial Hospital (PMH). The applicant is proposing to utilize the existing facilities and will therefore not change the existing characteristics of the neighborhood. The facility has remained vacant for more than a year since the hospital moved to Combs Flat Road. If the facility were to remain vacant it has the potential to become a blight on the neighborhood and community.

**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.*

**(C) Exemptions.** *The following are exempt from the site and building design review process.*

**(4) Changes of uses that occupy an existing building or site that is either similar to the previous use or of equal or lesser impact to the site with regard to water, sewer and traffic as determined by the Planning Director and City Engineer.** *A change of use application may be required to make this determination (converting a residence to a commercial use is always considered a greater impact). Conditional use procedures still apply for those applications that require it. As a conditional use improvements may be required that are exempted in this section.*

**Finding 4:** This change of use is exempt from design review, as it is occupying an existing building with a similar impact to the previous use with regard to water, sewer and traffic.

**Criteria: 153.083 STANDARDS FOR SPECIFIC USES.**

**(0) Church, hospital, nursing home, convalescent home, retirement home, and elderly assisted housing complex.** *Such uses may be approved only after consideration of the following factors.*

**(1) Sufficient areas provided for the building, required yards, and off-street parking** *(related structures and uses such as a manse, parochial school or parish house are considered separate principal uses and additional lot areas shall be required therefore.*

**(2) Location of the site relative to the service area.**

**(3) Probable growth and needs therefore.**

**(4) Site location relative to land uses in the vicinity.**

**(5) Adequacy of accesses to and from principal streets together with the probable effect on the traffic volumes and patterns of abutting and nearby streets.**

**(6) Such uses or related buildings shall be at least 10 feet from a side or rear lot line abutting an existing residential use in a commercial or industrial zone, and 20 feet from a side or rear lot line abutting a residential zone.**

**(7) Such uses may be required to provide sound-insulating screening and/or construction methods if found to be within an area of influence of an existing commercial or industrial use which is considered incompatible with a noise sensitive use.**

**(8) Such uses may be built to exceed the height limitations of the zone in which it is located to a maximum height of 50 feet if the total floor area of the building does not exceed the area of the site and if the yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.**

**(9) Such uses should provide for, and may be required to provide, outside sitting and/or exercise areas in sufficient areas to accommodate patient or resident loads.**

**Finding 5:** With proposed uses similar to that of a hospital, staff felt these criteria should be addressed. With no new structures or buildings, staff believes the related criteria are not applicable based on the fact that:

1) Parking and landscaping related to Pioneer Memorial Hospital is unchanged. With similar uses being proposed minus emergency services and surgical activities, the existing parking is deemed sufficient for the proposed uses. Due to the lack of maintenance of the facility landscaping may need to

be replaced or repaired and the parking area may need to be re-painted and signed including ADA signs.

2) The facility is located near the center of the community it will be serving.

3) Should the facility need to expand, there is additional vacant land to the west of the existing facility away from the residential neighborhood.

4) The site location was chosen because of the existing facilities. Land uses in the area are mostly residential.

5) Existing accesses off of Elm St. and Loper Ave. will be utilized. No new access is proposed.

6,7,8) Not applicable because they are specific to the existing structure.

9) Sufficient area exists to provide outside sitting and exercise areas should they be needed. City staff does not recommend making this a requirement of the proposal.

**Criteria: 153.135 AUTHORIZATION TO GRANT OR DENY.**

*Uses designated in this chapter as conditional uses may be permitted, enlarged or otherwise altered when authorized in accordance with the standards and procedures set forth in this chapter. In the case of a use existing prior to the effective date of this chapter, a change in use, enlargement or alteration of such use shall conform to the provisions of a conditional use if so classified. An application for a conditional use may be approved, modified, approved with conditions or denied by the designated reviewing authority.*

(A) *A conditional use that is utilizing an existing building may be transferred to a new owner or user for the same type of use. Conditions of the approval shall still apply.*

(B) *A conditional use that is utilizing an existing building may be transferred to a new owner or user for a similar type of impact as determined by the Planning Director. A change of use application shall be required and may be referred to the Planning Commission if one or more concerns are received or if 3 or more Commissioners believe the application warrants a Commission review.*

**Finding 7:** This section of criteria gives the reviewing authority the ability to approve, modify, approve with conditions or deny the 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 8:** The Commission has the ability to impose additional conditions based on the criteria above. Unless there is specific testimony that would make a condition necessary to mitigate the circumstance, staff does not recommend any additional conditions.

**Recommended Conditions of Approval:** If approved the following conditions are recommended for application **Cu-2017-101** to allow a change of use from a hospital to a medical services facility. 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 applicant shall comply with the Fire Department requirements for access, fire flows, sprinkler systems, fire hydrants, address signs and Knox Box locks and all other UFC requirements.
2. This change of use is based on the uses and similar uses listed in the applicant's supplemental burden of proof as shown below. Additional uses are determined by the City to be outside the scope of these uses and may require a new application.
  - Clinic-based integrated health services;
  - Individual and group-based behavioral health clinical outpatient services for both adults and children (in separate functions);
  - Contracted (St. Charles) outpatient physician and nursing services;
  - Individual and group-based substance abuse services for outpatients; and
  - Health services administration.
3. Any signage shall meet the code requirements of the City's sign code found in Chapter 152.
4. The applicant shall pay all applicable water and sewer SDCs if the number and/or size of the water meter is changed. SDCs for traffic are not required with the proposed change of use. If the application is modified traffic SDCs may be required after being re-evaluated for traffic impact.
5. The applicant shall maintain existing landscaping and parking areas. The parking area shall be marked to City standards including ADA signage and any landscaping that has been damaged shall be replaced. Modifications to the landscaping or parking area shall be reviewed by the City for compliance with the land use code.

6. 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.


**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