



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

12/11/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Brookings Plan Amendment
DLCD File Number 016-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, December 24, 2009

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

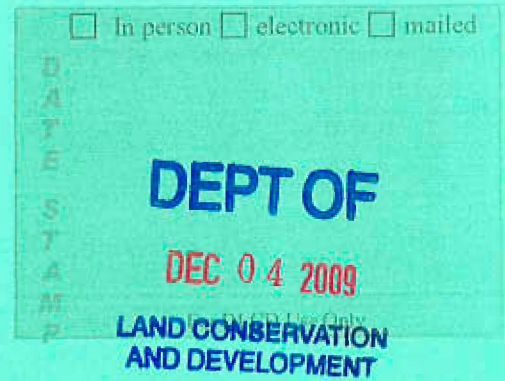
***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Dianne Morris, City of Brookings
Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<paa> YA

Notice of Adoption

**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**



Jurisdiction: **City of Brookings**

Local file number: **CPZ-1-09**

Date of Adoption: **12/2/2009**

Date Mailed: **12/3/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/6/2009

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Comprehensive Plan and Zone change from Multi- Family Residential (R-3) to General Commercial (C-3).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Residential**

to: **Commercial**

Zone Map Changed from: **R-3**

to: **C-3**

Location: **In the vicinity of 5th St. and Easy St.**

Acres Involved: **4**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 016-09 (17749) [15873]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Oregon of Dept. of Transportation.

Local Contact: **Dianne Morris**

Phone: (541) 469-1138 Extension:

Address: **898 Elk Dr.**

Fax Number: **541-469-3650**

City: **Brookings**

Zip: **97415-**

E-mail Address: **dmorris@brookings.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

AN ORDINANCE AMENDING THE)
COMPREHENSIVE PLAN DESIGNATION)
ON A PARCEL OF LAND LOCATED ON)
MAP 41-13-06AC, TAX LOT 100 AND 41-13-)
06AD, TAX LOT 700; FROM RESIDENTIAL) *ORDINANCE NO. 09-O-647*
TO COMMERCIAL AND THE ZONING)
FROM R-3 (MULTI-FAMILY)
RESIDENTIAL) TO C-3 (GENERAL)
COMMERCIAL) .

Sections:

Introduction.

- Section 1. Comprehensive Plan designation to Commercial.**
- Section 2. Zoning Map amendment to General Commercial (C-3) .**

The city of Brookings ordains as follows:

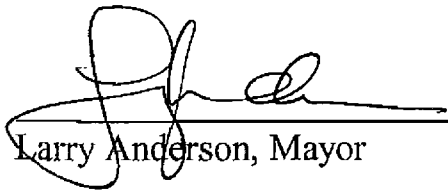
Section 1. Amendment to the Comprehensive Plan to designate property Commercial. The Comprehensive Plan of the City of Brookings is amended to show that the property described in Exhibit "A", attached, is designated as Commercial.

Section 2. Amendment to the Zoning Map to designate property C-3 (General Commercial) the Zoning Map of the City of Brookings is amended to show that the property described in Exhibit "A", attached, is zoned C-3 (General Commercial)

(See Exhibit A)

First Reading: Dec.2, 2009
Second Reading: Dec. 2, 2009
Passage: Dec. 2, 2009
Effective Date: Jan. 2, 2009

Signed by me in authentication of its passage this 2nd day of December, 2009.


Larry Anderson, Mayor

ATTEST:

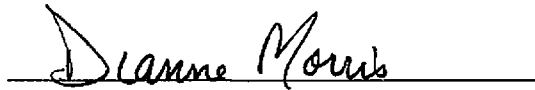

For Joyce Heffington, City Recorder

EXHIBIT A

PARCEL I: That certain tract of land lying in Lot 8, Section 6, Township 41 South, Range 13 West, Willamette Meridian, City of Brookings, Curry County, Oregon, described as follows:

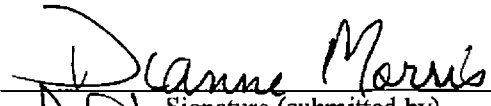
Beginning at an iron pipe driven on the South boundary of the County road at a point due North 1319 feet from the Southwest corner of said Lot 8; thence due South 849 feet, more or less, to the center of a creek; thence Northerly, following up the center of the channel of said creek to the South boundary of the County road; thence South 89 degrees 23' West 75 feet, more or less, to the place of beginning.


EXCEPTING THEREFROM that portion thereof lying North of the South line of the parcel of land described in the deed t Virgil L. Nading, et ux, recorded December 1, 1970, Book of Records 17, Page 484.

PARCEL II: That certain tract of land lying in the Southwest quarter of the Northeast quarter of Section 6, Township 41 South, Range 13 West, Willamette Meridian, City of Brookings, Curry County, Oregon, described as follows: Beginning at an iron pipe driven at a point 589.1 feet North and 1078.0 feet East of an iron pipe marking the interior quarter section corner of said Section 6; thence due North 540.0 feet; thence North 89 degree 23' East 242.0 feet; thence due South 540.0 feet to an iron pipe; thence South 89 degree 23' West 242.0 feet to the place of beginning.

CITY OF BROOKINGS
COUNCIL AGENDA REPORT

Meeting Date: October 26, 2009



Signature (submitted by)


City Manager Approval

Originating Dept: Planning Dept.

Subject: Request for Comprehensive Plan Change from Residential to Commercial and a zone change from Multi-Family Residential (R-3) to General Commercial (C-3) on property located on Map 41-13-06AC, Tax Lot 100, and Map 41-13-09AD, Tax Lot 700.

Recommended Motion: Staff recommends approval of the File CPZ-1-09 changing the Comprehensive Plan designation from Residential to Commercial and the zone from R-3 to C-3.

Financial Impact: None.

Background/Discussion: This zone change is needed to accommodate parking needs for a medical clinic to be constructed on an adjacent parcel. This is proposed as a "qualified zone change" with conditions of approval to be made a part of the Final Order. These conditions of approval will mitigate issues with future development and consider compatibility with adjacent uses.

After reviewing the attached Staff Report, Applicant's findings, and testimony at their October 6, 2009 hearing, the Planning Commission recommends approving the above requested Comprehensive Plan and Zone Change with the addition of one more condition of approval. The Planning Commission recommends the Applicant be required to re-pave the existing Hawthorne Street paved road surface after completion of the construction project. Two written comments were also considered at the meeting. Exhibit B, is a letter stating concerns regarding the R-3 inventory and City streets. These were addressed in the Staff Report and orally by the Planning Director. Exhibit C, expressed concerns of the Hawthorne Street residents. The Planning Commission added the condition of approval to re-pave Hawthorne St. in response to these concerns.

Attached is the Staff Report describing this application and a draft Final Order for your review.

Policy Considerations: None.

Attachment(s):

- 1) Staff Report
- 2) Exhibit B – Pat Sherman letter
- 3) Exhibit C – Hawthorne St. concerns and photos .
- 4) Final Order

continued to 12-2

CITY OF BROOKINGS PLANNING COMMISSION
STAFF AGENDA REPORT

SUBJECT: Comprehensive Plan/Zone Change
 FILE NO: CPZ-1-09
 HEARING DATE: October 6, 2009

REPORT DATE: September 24, 2009
 ITEM NO: 7.1

GENERAL INFORMATION

APPLICANT: Curry General Hospital.

REPRESENTATIVES: John Bischoff, Wildwood Planning Consultants.
 Dave Kitchen, Agent.

REQUEST: A Comprehensive Plan Map change from Residential to Commercial and a Zone Change from Multiple-Family residential (R-3) to General Commercial (C-3).

TOTAL LAND AREA: 4.17 ac.

LOCATION: South of the terminus of Hawthorne St. and bordered by Macklyn Creek on the east, the subject property is directly north of a commercially zoned parcel that borders 5th St. and, if approved, this parcel would be combined with the subject property.

ASSESSOR'S NUMBER: 41-13-06AC, Tax Lot 100 and 41-13-06AD; Tax lot 700.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: R-3, Multiple- Family Residential, (6,000 sq. ft. minimum lot size).

PROPOSED: C-3, General Commercial.

SURROUNDING: R-3 to the north, east, and west and General Commercial (C-3) to the south.

COMP. PLAN: Residential.

LAND USE INFORMATION

EXISTING: Vacant.

PROPOSED: Portion of a parking area to serve a future medical clinic.

SURROUNDING: Parcel to the west is vacant. Macklyn Creek borders the subject property to the east with both single family and multifamily residences beyond the creek. To the north on Hawthorne St. are single family residences. The parcel to the south is vacant.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.

APPLICABLE CRITERIA

Land Development Code – Ordinance No. 06-O-572
Chapter 17.140 – Amendments

BACKGROUND INFORMATION

The subject property is an irregularly shaped, 4.1 acre parcel of land located south of the terminus of Hawthorne St, a block long street that connects to Easy St. The property, comprised of two tax lots, is accessed by Hawthorne St., which has a 50 ft. right-of-way with a paved road surface, in poor condition, and having no curb, gutter, or sidewalks. The eastern boundary is Macklyn Creek. The topography is generally moderate with steep slopes adjacent to the creek. The Applicants future development plans involve vacating lot lines between the 2 subject tax lots and the parcel to the south and siting a medical clinic on the southern parcel and part of the required parking area located on the subject property (**Exhibit 2**).

The property is zoned R-3 (Multi-Family Residential) The area surrounding it is also zoned R-3 except to the south which is the vacant C-3 parcel slated to be a part of the future development. The C-3 zoned parcel is adjacent to 5th St. and the main access would be located on this parcel. City services are available to the subject property (**Attachment A**).

PROPOSED PLAN and ZONE CHANGE

Amendments to the Comprehensive Plan and zoning maps are governed by Chapter 17.140 of the Brookings Municipal Code (BMC). The Applicant is requesting a comprehensive plan/zone change from a residential designation (R-3) to a commercial designation (C-3).

ANALYSIS

The subject property is adjacent to the C-3 zoned parcel to the south which abuts City Hall and the Elks Lodge. In addition, to the north of the C-3 parcel are other commercially zoned (Professional Office) and developed properties. The C-3 designation is appropriate for the proposed use, as a medical clinic is a use allowed outright in the this zone.

The City recently had an inventory of commercial and industrial lands completed in an Economic Opportunity Analysis (EOA) document. It identified an excess of commercial sites of certain sizes – less than 1 acre, 2 to 5 acres, and 10 to 20 acres. It also noted a deficit of 2 commercial sites in the 5 to 10 acre size. If this application is approved it would provide one of the needed sites being a total of 8 acres when combined with the C-3 parcel to the south. Staff used our Geographic Information System (GIS) to research the inventory of R-3 zoned land within City limits and the Urban Growth Boundary. That analysis is found in **Attachment B** and shows there is more than an adequate supply of available R-3 zoned land to serve future needs in the next 20 years.

CRITERIA TO ADDRESS

The issues to be considered in this Comprehensive Plan and Zone Change are found in 17.140.040 and are listed and discussed below:

Compatibility of the proposed zoning designation with the surrounding land uses.

- The subject property is adjacent to other C-3 zoned property which would become part of the proposed medical clinic development. The nearby Elks Lodge, City Hall and the commercial uses on 5th St. are similar in intensity and compatible with a medical clinic. Macklyn Creek, forming the eastern boundary for the subject property, provides a physical and visual barrier to residential uses on the east side beyond the creek. The Applicant has conferred with Or. Dept. of Fish and Wildlife (ODFW) and will leave the vegetation from the top of the bank to the creek (50 ft. +) undisturbed to provide habitat and a riparian vegetation buffer for the creek (**Attachment C**). To the north on Hawthorne St. are four residences and the parcel to the west is vacant, residentially zoned land. To lessen impacts from traffic noise and lights, Staff is recommending a buffer area of 30 ft. on the northern and western boundary with a fence or vegetated barrier on those property lines. In addition, the Applicant is proposing to use Hawthorne St. as an emergency exit only. This will also lessen impacts to the 4 residences located on the north adjacent to that street. This proposal is supported by City Staff as seen in **Attachments D and A**, from the Fire Chief and Public Works.

Impacts on City Services and Streets.

- City sewer, water, and storm drainage facilities have been considered for the project and **Attachment A** is confirmation regarding this from Public Works Department. Prior to issuing a building permit, infrastructure plans would need to be submitted and approved by the City Engineer.
- As described above, Hawthorne St. is proposed to be used only as an emergency exit and as such will be gated. Due to the limited use, Public Works has not required improvements to Hawthorne St. The main access will be through the southern C-3 zoned parcel to 5th St. Or. Dept. of Transportation (ODOT) has submitted written comments (**Attachment E**). In the City's Transportation System Plan (TSP) the intersection of 5th St. and Chetco Ave. was evaluated considering the build-out of the C-3 zoned parcel that is the site of the proposed medical clinic and found to be adequate at the present time. The subject property is only slated for a portion of the parking area to serve the clinic, therefore this zone change will not increase expected impacts to the intersection. If in the future other facilities were proposed

for the subject property, a traffic impact study considering impacts to the intersection would need to be done, as stated in ODOT's letter. 5th St. itself is considered to have an adequate level of service to accommodate the commercial use as proposed. When building permits are issued for the proposed clinic, curb, gutter, sidewalk, and any needed paving will be required on 5th St. adjacent to the frontage on the C-3 zoned parcel.

Conformance with the Comprehensive Plan, provisions of the Code, and any applicable Statewide Planning Goals.

The Applicant's Representative has provided findings addressing the criteria, Comprehensive Plan and Statewide Planning Goals (**Attachment F**). Staff addresses the applicable Goals as follows:

- **Goal 5, Natural Resources.**

Finding: Macklyn Creek borders the subject property on the east. The Applicant has conferred with ODFW and will leave the existing vegetation from the top of the bank on the slope to the creek to protect water quality and provide habitat. There is also a small pond located near the eastern boundary that will remain undisturbed.

Conclusion: As stated above, consideration has been given to protection of the natural resources on the subject property.

- **Goal 6, Air, Water, and Land Resource Quality.**

Findings: The Applicant had a wetland delineation done on the subject property and the C-3 zoned parcel to the south and the Department of State Lands (DSL) has issued a concurrence letter. (**Attachment G**). The only designated wetland is located in the southwestern area of the C-3 zoned parcel. If future development will impact Macklyn Creek or the wetland or other creek areas on the C-3 zoned parcel, the Applicant will need to apply to DSL and the Army Corp of Engineers for approval.

Conclusion: The wetland delineation and coordination with DSL has determined the proposed development will comply with the State Agency requirements.

- **Goal 7, Areas Subject to Natural Disasters and Hazards.**

Findings: Due to steep slopes adjacent to Macklyn Creek and other areas on the C-3 zoned parcel, the Applicant submitted a geologic hazard report and engineered plans, as required by Chap. 17.100, BMC, which the City Engineer reviewed and approved (**Attachment H**). Only one site on the subject property, in the area of the proposed parking lot, had geologic concerns about possible settling. Prior to the issuing of a development permit for construction, engineered plans dealing with concerns stated in the geologic report will be required.

Conclusion: Geologic concerns have been identified and future development will be required to comply with Chapter 17.100, Hazardous Building Sites, BMC.

- **Goal 9, Economy.**

Findings: This zone change will increase the available commercially zoned land of a size the recently completed EOA study indicated a need for. In addition, the proposed use as a medical clinic will provide a needed service in the community.

Conclusion: The zone change will provide a needed commercial site in the 5 to 10 acre size. The proposed clinic will provide new jobs and needed medical services for the community.

- **Goal 10, Housing:**

Findings: The zone change will reduce the available R-3 zoned land by approximately 4 acres. As shown in the analysis of available R-3 land (**Attachment B**) there is ample R-3 zoned land supply for the next 20 years.

The subject property is adjacent to residentially zoned property on three sides. Macklyn Creek forms a buffer along the eastern boundary. Staff has recommended a 30 foot buffer adjacent to the residential land on the north and west.

Conclusion: As shown by the analysis in this report, this zone change will not negatively impact the availability of R-3 zoned land.

Staff is recommending that the approval be “qualified” with a condition requiring a buffer be maintained on the north and west of the subject property to mitigate any impacts to residential uses.

- **Goal 12, Transportation:**

Findings: Hawthorne St., is substandard but will only be used as an emergency exit. Access to the subject property will be provided from 5th St. Improvements on the 5th St. frontage will be required as part of the approval of the construction project. The level of service on 5th St. is adequate to serve the proposed future development. The TSP considered the use of the C-3 zoned property that will be part of the proposed development. The subject property is to be used to supply part of the parking area for the clinic. Other future development on the subject property would be subject to additional analysis of the intersection of 5th St. and Chetco Ave and mitigation may be required at that time.

Conclusion: The limitation concerning future development on the subject property as described in ODOT’s written comments (**Attachment E**) needs to be incorporated in the approval of this zone change application. Staff is recommending the approval be “qualified” with attached conditions.

Criteria to address 17.140.050, Qualified Comprehensive Plan Map and/ or Zone Change.

There are two conditions of approval considered important to include in the approval of this application.

- The first is requiring a buffer area adjacent to the north and western property lines of the subject property. The Hawthorne St. access must be gated and only used as emergency access. This is considered necessary to protect the residential use of the adjacent properties from potential light and noise generated by the commercial uses.
- The second recommended condition of approval is the limitation on the use of the subject property to the proposed parking area until further study on the intersection of 5th St. and Chetco Ave. is done and a mitigation plan is in place for the increase in traffic.

FINDINGS AND CONCLUSIONS

1. Applicant has filed a complete application requesting a Comprehensive Plan/ Zone Change from Residential (R-3) to Commercial (C-3) on the 4.17 acre subject property. The application is supported by findings of fact and conclusion of law and evidence submitted by

Applicant's Agent (**Attachment F**) as well as Staff's analysis addressing the criteria.

2. The subject property is presently vacant and the proposed use will be limited to part of the parking area needed to serve a medical clinic on adjacent property. The approval will be conditioned to require further study of the intersection of 5th St. and Chetco Ave. at such time as any additional commercial development is proposed for the subject property. This is needed to protect public safety and the City's infrastructure.
3. City water, sewer, and storm drainage are available to the subject property.
4. The requested commercial zoning designation is appropriate as the proposed use is allowed outright in the C-3 zone. To assure compatibility with adjacent residentially zoned property on the north and west a condition of approval will require a 30 foot buffer and fence or vegetation along those property lines and use of Hawthorne St. access for emergencies only.

RECOMMENDATION

Staff recommends **APPROVAL** of File No. CPZ-1-09, based on the findings and conclusions stated in the staff report and with the following conditions of approval:

- A 30 foot buffer area adjacent to the north and western property lines of the subject property must be left free of any commercial uses. A 6 foot high fence or vegetative plantings providing a visual barrier must be in place prior to the issuing of a Certificate of Occupancy for the clinic structure on the adjacent property. The Hawthorne St. access must be gated and used for emergency access only. This is considered necessary to protect the residential use of the adjacent properties from potential light and noise generated by the commercial uses.
- The use of the subject property is limited to the proposed parking area until further study on the intersection of 5th St. and Chetco Ave. is done and a mitigation plan is in place for the increase in traffic.

The Planning Commission will need to make a recommendation on this application to the City Council.



City of Brookings

898 Elk Drive, Brookings, OR 97415

(541) 469-1138 Fax (541) 469-3650

dmorris@brookings.or.us

MEMO

To: City Council and Mayor
Gary Milliman, City Manager

FROM: Dianne Morris, Planning Director

DATE: November 13, 2009

SUBJECT: CPZ-1-09 - Applicant, Curry General, requesting zone change for two parcels from Residential (R-3) to Commercial (C-3).

This hearing was continued to allow for additional written comments. Exhibits E and F have been distributed in the weeks following the initial hearing. This packet, Exhibit G, contains the final written materials for this application. The public testimony portion of the hearing was closed at the initial hearing. The Council will hear no further testimony but will deliberate to a decision at the December 2, 2009 continued hearing.

Exhibits E and F contained statements about whether an emergency room can be legally sited on the property adjacent to the two parcels that are the subject of this application.

This Exhibit G contains the Applicant's response to statements made in Exhibits E and F. Staff agrees with the Applicant's response and has these additional comments:

- A site for a medical clinic is the planned use for the adjacent property. Whether an emergency room is ever a part of that facility is a matter for the Applicant and the State Agencies to deal with. Staff never considered an emergency room in determining that the application met the required criteria and Statewide Goals.
- Approval of this zone change would limit the use of the subject property to only a small parking area to serve the adjacent property until such time as a traffic study determines what possible mitigation is needed at the 5th St. and Chetco Ave. intersection. At that time, other uses listed in the C-3 zone would be allowed.
- Goal 9, Economy. Any commercial use has the potential to provide jobs and services needed in the community. With this zone change the City would also be gaining a commercial site in the 5-10 acre size. A recent study revealed a shortage of commercial sites of this size.
- Goal 10, Housing. This zone change would reduce the inventory of R-3 zoned land. Staff did an inventory and needs analysis considering the next 20 years and found there is considerably more than an adequate supply of R-3 parcels.



City of Brookings

898 Elk Drive, Brookings, OR 97415

(541) 469-1138 Fax (541) 469-3650

dmorris@brookings.or.us

- In zone change applications it is important to have an idea of the proposed use to both determine if it's a use allowed in the particular zone, and if it's appropriate to attach conditions of approval to mitigate any impacts. In this case the proposed use will be a parking lot to serve a proposed medical clinic that is allowed outright on the C-3 zoned parcel to the south. This is an allowed use and there are some proposed conditions of approval to ensure compatibility with the surrounding area.
- Other criteria to consider in a zone change request concern adequate utilities and facilities, as well as the balance in our inventory of various zones. These criterion were each addressed in the Advance Packet received by Council prior to the initial hearing.

Staff recommends approval of CPZ-1-09. Staff has prepared a new draft Final Order incorporating language about the need for paving on Hawthorne St. to connect with existing driveways as discussed in the initial hearing.

Attachments Final Order for CPZ-1-09

RECEIVED

DC
1:30 pm NOV 18 2009

CITY OF BROOKINGS

CURRY

We're All About Caring

General Hospital Health Network

94220 Fourth Street, Gold Beach OR 97444

541.247.3000

November 11, 2009

Diane Morris
Planning Director
City of Brookings
898 Elk Drive
Brookings, OR 97415

RE: CZP-1-09

With regards to MS Sherman's letter of September 24 regarding Comprehensive Plan goals 10 and 12 I believe the findings of the Planning Commission address how our proposed clinic relates to these goals.

With regards to her letter of November 4 and Goal 9 of the Comprehensive Plan, a medical clinic supports the Brookings economy in this manner;

- a) Part of the selection criteria for the General Contractor was the ability to employ local skilled and semi skilled trades, and to purchase as much building material locally. Construction costs are estimated at \$8 million, and the construction project is expected to provide employment for up to 15 workers.
- b) The clinic currently employs approximately 30 staff, most of who live in Brookings. The new clinic will employ some additional 15 staff with hourly wages between \$14 to \$35 depending on qualifications.
- c) Access to health care services is an integral component of sustainable economic development. The table below indicates the median collections for professional charges (based on the 2008 Medical Group Management Association Physician Compensation and Production Survey) for the physicians Curry Health District has now in Brookings, and will have once the new clinic is ready for service

Specialty	Current Future	% time in Brookings	Median Professional Fee Collection – Annual	Total
Midlevel Practitioner (4)	C	100%	220,000	880,000
Urologist	C	20%	662,204	132,440
Internal Medicine	C	100%	275,808	275,808

1/2


Family Practice	C	75%	374,925	281,193
Pediatrics	C	100%	406,865	406,865
Psychiatry	C	100%	196,684	196,684
Orthopedics	C	50%	797,705	398,852
Internal Medicine	F	50%	275,808	137,904
General Surgery	F	50%	535,803	267,901
Cardiology (Non Invasive)	F	100%	568,695	568,695
Total				3,546,342

This represents \$3.5 million in professional fee revenue that stays in Brookings and not migrating to Crescent City, Gold Beach or Medford.

d) With regard to Ms. Sherman's claim that an Emergency Department can not exist outside of a hospital; this is a regulatory issue that the District has taken up with the state's Department of Human Services. Federal regulations allow for provider (hospital) based off campus emergency departments, a number of other states license them, and we expect that the State will allow us to go forward in the future. However the Emergency Department is only a relatively small component of the scope of services to be provided at the Clinic. The District feels this argument is not material to the re-zoning issue at hand.

Sincerely,

CURRY HEALTH DISTRICT


 William I McMillan, MBA FACHE
 CEO

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