

RESOLUTION NO. 94-R-584

A RESOLUTION APPROVING A PARKING LOT DESIGN AFTER AN APPEAL. (PACIFIC COURT AT 340-360 PACIFIC AVENUE)

WHEREAS, the Planning Commission approved a conditional use permit for the Southern Oregon Health Care/Hospice office with the requirement for 11 of the 24 available parking spaces; and

WHEREAS, the Pacific Coast Audiology Center office was allowed as a permitted use which used 4 of the 24 available parking spaces; and

WHEREAS, the Planning Commission approved conditional use permits for the EVE Insurance Agency, which required 12 parking spaces, on August 16, 1994 and Chicknell Dental Office on September 6, 1994, which required 5 parking spaces, each with the condition that the new 34 space parking lot design be constructed; and

WHEREAS, the Planning Commission's condition for the 34 space parking lot design was appealed by the building owner to the City Council; and

WHEREAS, the City Council heard the appeal in a public hearing on September 26 and October 24, 1994 and granted approval of the original 24 space parking lot design; and

WHEREAS, the City Council added the following condition of approval to the conditional use approval for the insurance company and the dentists office:

"At the end of a one year period from the date of this approval, the city has the right to review the parking conditions on the subject property and to take action to correct the conditions if necessary, including rescinding the conditional use permit if the parking conditions cannot be remedied in any other manner"; and

WHEREAS, the City Council makes the following findings:

- 1. The building is located in the I-P (Industrial Park) Zone.**
- 2. The building was originally designed with 24 parking spaces.**
- 3. Section 92 Off-Street Parking And Loading Regulations, Subsection 040 Number of spaces required, of the Land Development Code requires office uses to have one (1) parking space for each 400 square feet of floor area and one (1) space for each two (2) employees.**
- 4. Section 92 Off-Street Parking And Loading Regulations, Subsection 040.H, of the Land Development Code, states: "Other uses not specifically listed above shall furnish parking as required by the planning commission. In determining the off-street parking requirements for said uses, the commission shall use the above requirements as a general guide, and shall determine the minimum number of parking spaces required to avoid undue interference with the public use of streets and alleys".**
- 5. The proprietor of the health care office has stated that the facility has only 5 employees that work full time at the office and other staff members are there only long enough to pick up supplies and for monthly staff meetings.**
- 6. The proprietor of the insurance office has stated that the insurance agency was for wholesale purposes only and did not do retail insurance sales and did not generate customer traffic and that they only had 5 employee's at the office.**

WHEREAS, the Council makes the following conclusions:

- 1. Although the health care and the insurance facilities are office uses, the requirement for parking spaces based on a combination of floor area and employees is to allow for customer parking as well as employee parking. Since these uses are not walk in customer generating businesses, they are considered to be a use not specifically defined in Section 92.040.A - G and thus fall under the provisions of Section 92.040.H.**

2. Under the provisions of Section 92.040.H, the health care facility would require one space for each employee in the office plus sufficient spaces for out of office employees who are picking up supplies and receiving assignments. A total of 9 parking spaces will suffice for this use.

3. The insurance office has five employees and generates no walk in customer traffic and therefore would require parking for 5 employees only.

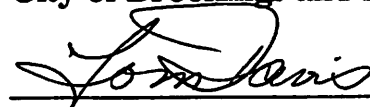
4. The total parking spaces required for the health care office, insurance office, hearing center and dentist office, will be 23 parking spaces and the original parking design of 24 spaces is sufficient pursuant to the information provided by the building tenants.

5. The condition of approval added by the City Council to allow a review of the parking situation in a one year period and to require corrections if necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Brookings City Council approves the original 24 space parking design for the subject building, based on the findings and conclusions stated above and subject to the Conditions of Approval as approved by the Planning Commission and with the addition of the following conditions:

"At the end of a one year period from the date of this approval, the city has the right to review the parking conditions on the subject property and to take action to correct the conditions if necessary, including rescinding the conditional use permit if the parking conditions cannot be remedied in any other manner"

PASSED by the Council of the City of Brookings and signed by the Mayor this 14th day of November, 1994.



Mayor Tom Davis

ATTEST:



Beverly S. Shields
City Recorder