

**CITY OF COBURG PLANNING  
PO BOX 8316 Coburg, OR 97408**

**STAFF REPORT  
Extension Request for Restaurant & Brewery “Willamette Forks” Site Design  
Review (SR 01-22)**

Report Date: April 10, 2024

**I. BASIC DATA**

Applicant/Property Owners: Stephen & Colleen Sheehan  
3913 Aerial Way  
Eugene, OR 97402

Assessor’s Map and Tax Lots #: Assessor’s Map 16-03-33-23 Tax Lot 04200

Situs Address: 91032 S Willamette Street, Coburg, OR 97408

Comprehensive Plan Designation: Traditional Residential (TR)

Current Zoning: Central Business District (C-1), Architecturally Controlled Area, Historic District and Downtown District overlay

**II. REQUEST**

The request is for an extension of the approval period for the site review application (SR 01-22) for Willamette Forks, a restaurant and brewery located at 91032 S. Willamette St.

**III. SUMMARY OF PLANNING COMMISSION MEETING MARCH 20<sup>th</sup>, 2024**

This request was presented to the Planning Commission at the March 20<sup>th</sup>, 2024 regular meeting. The Commission requested additional information from the applicant addressing the extension criteria d. from Article XI Section H. of the Coburg Zoning Code Ordinance A-200-L which reads, *d. The applicant demonstrates that failure to obtain building permits and substantially begin construction within one year of site design approval was beyond the applicant’s control.* The Commission also requested clarification on the proposed use as they discussed there may be a discrepancy between the original site review proposed uses and what the applicant stated on the application for the extension request. The applicant provided a response to the Commission’s request for additional information which can be found in Attachment A.

**IV. BACKGROUND**

The original site review application was processed concurrently with a conditional use permit application (SR 01-22 & CUP 01-22), which the Planning Commission approved with conditions on February 15, 2023. The decision was final on March 10, 2023 once the 14 day appeal period passed after the mailing date of the notice of decision. Site Design Review approvals are effective for a period of one year. The site review approval period ends March 10, 2024. The

applicant submitted a written request to the Planning Commission for an extension on March 6<sup>th</sup>, 2024. The written request for an extension and application are Attachment A. The original staff report and findings can be found in Attachment B for reference.

## **V. APPROVAL CRITERIA AND ANALYSIS FOR EXTENSION TO SITE DESIGN REVIEW APPROVAL PERIOD**

### **Article XI. Land Use Review and Site Design Review**

#### **H. Development in Accordance with Permit Approval; Modifications; Permit Expiration**

***3. Extension. The Planning Commission shall, upon written request by the applicant, grant a written extension of the approval period not to exceed six months; provided that:***

***a. No changes are made on the original approved site design review plan;***

**FINDING:** Applicant stated that no changes have been made to the original approved site design review plan as stated in Attachment A. Criterion satisfied.

***d. The applicant can show intent of initiating construction on the site within the six month extension period;***

**FINDING:** Applicant stated that they are committed to initiating construction within the requested six month extension.

***e. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; and***

**FINDING:** Applicant stated that there have been no changes to applicable code provisions and the plan remains compliant with all relevant regulations. Staff needs to clarify that the Downtown District overlay zone was adopted on September 27, 2022 by Ordinance A-200-L, the Coburg Zoning Code, which was after the original application was received. While the subject property is now subject to the Downtown District overlay requirements, there are no new regulations that would apply to the site review approval because existing, historic structure is not being altered in footprint, height or mass. The expired plan complies with the applicable code provisions. Criterion met.

***d. The applicant demonstrates that failure to obtain building permits and substantially begin construction within one year of site design approval was beyond the applicant's control.***

**FINDING:** Applicant stated the delay in obtaining building permits and commencing construction was due to circumstances beyond their control. The applicant did not provide details to demonstrate the failure to obtain building permits and begin construction was beyond their control but offered to provide further details if necessary.

**Updated Finding with additional information from applicant:** Applicant has demonstrated that failure to obtain building permits was beyond their control. Criterion satisfied.

## **VI. INFORMATIONAL ITEMS**

The extension of the approval period is not to exceed six months. If granted, the expiration for the approval period would become September 10, 2024. There are no code provisions to provide additional extensions.

No changes can be made to the original site review plan. This is an extension for the original approval.

## **VII. Findings of Fact to be Signed by Chair**

The findings for the written extension request are included in this staff report. Should Planning Commission grant the extension, any changes to the findings will have to be reflected in the findings signed by the Planning Commission Chair.

## **VIII. ATTACHMENTS**

**Attachment A** – Applicant’s materials: application form and original written request plus additional information requested by Planning Commission

**Attachment B** – Staff Report and Findings for site review SR 01-22 (original site review)

# ATTACHMENT A

Re: Extension request

Stephen Sheehan <[stephen@elkhornbrewery.com](mailto:stephen@elkhornbrewery.com)>

Thu 4/4/2024 9:13 AM

To:WINNER Megan <[Megan.Winner@ci.coburg.or.us](mailto:Megan.Winner@ci.coburg.or.us)>

**CAUTION:** This email originated from outside the organization. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Some reason it sent that email without me finishing it. Here's the entire email:

ATTN: Planning Committee

Criteria d.: The reasoning of why we were unable to begin construction within one year of the site design approval was due to:

-We had three different contractors start on the bidding out of the building, with no one willing to take on the project.

Contractor 1: Moved to Arizona during the project bid.

Contractor 2: Said the project was too much of an unknown with it being an historical site and backed out.

Contractor 3: Was confident about doing the project and led us on for months, only to tell us this winter that he picked up a bunch of apartment contracts and now didn't have the time to start the project.

We now have found McIntyre Construction, where Tyler McIntyre is currently finishing up the bid by the end of this week, giving us the ability to meet with the bank next Wednesday to start on construction costs and build our loan out.

In regards to the second request - no changes are being made to the approved site review application.

On Thu, Apr 4, 2024 at 9:05 AM Stephen Sheehan <[stephen@elkhornbrewery.com](mailto:stephen@elkhornbrewery.com)> wrote:

ATTN: Planning Committee

Criteria d.: The reasoning of why we were unable to begin construction within one year of the site design approval was due to:

-We had three different contractors start on the bidding out of the building, with no one willing to take on the project.

On Fri, Mar 29, 2024 at 12:07 PM WINNER Megan <[Megan.Winner@ci.coburg.or.us](mailto:Megan.Winner@ci.coburg.or.us)> wrote:

Hi Stephen,

Sure hope this message finds you in good spirits! I'm reaching out to give you an update on your extension request for your site review application (SR 01-22). At the March 20<sup>th</sup> Planning Commission meeting, the Commission continued the decision to the next meeting because some issues were identified that include:

- The Planning Commission would like additional information on criteria *d. The applicant demonstrates that failure to obtain building permits and substantially begin construction within one year of site design approval was beyond the applicant's control.* The Planning Commission expressed that more details would better demonstrate this criterion is met.
- The Planning Commission expressed there may be a discrepancy in the uses stated on your application and the uses of the approved site review. As a reminder, this extension is for the original approval (SR 01-22) and no changes can be made to the approved site review application as part of this extension request.

Feel free to reach out if I can provide anything further at this time.

Best,

Megan Winner  
Planner  
City of Coburg  
541.682.7862

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**Stephen Sheehan**

[stephen@elkhornbrewery.com](mailto:stephen@elkhornbrewery.com)

541.543.0393

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**Stephen Sheehan**

[stephen@elkhornbrewery.com](mailto:stephen@elkhornbrewery.com)

541.543.0393



Planning Department
TYPE II
Land Use Application – Limited Land Use

Date Received 3-6-2024

(For official use only)
Application Number

Date Paid & Receipt # N/A

Application Type (CHECK ONE)

- Appeal to Planning Commission
Change in Use
Code Interpretation/Determination
Master Planning – Minor Modification
Property Line Consolidation
Site Review – commercial/industrial
Site Review – historic structure
Site Review – manufactured home park
Site Review – Minor
Temporary Use Permit
Variance – Building Permit Residential Design Standard
Other Limited Land Use: Written extension request for site review SR 01-22

IMPORTANT: Any application determined to need Planning Commission, i.e. becomes Type III, must be submitted 45 days prior to the next Planning Commission meeting to meet notice requirements.

PRINT CLEARLY AND COMPLETE ALL SPACES

Applicant Information

Name Stephen Sheehan
Daytime Phone (541) 543-0393
Mailing Address 32744 Macy St. Coburg
Email Stephen@eikhornbrewery.com
Contact Person Stephen
Contact Daytime Phone SAME

Site Information

Street Address 91032 Willamette St. COBURG, OR 97408
Map & Tax Lot #
Total Area (sq. ft./acres)

If more than one lot:

Map and Tax Lot # Total Area
Map and Tax Lot # Total Area
Map and Tax Lot # Total Area

If applicable:

Present Use(s) of Property vacant
Proposed Use(s) of Property Bakery/Gen store/Restaurant
For appeal, associated land use application number (e.g. SR-04-18) SR 01-22

**Property Owner Information**

Name Stephen Sheehan Daytime Phone \_\_\_\_\_  
Mailing Address "SAME" Email \_\_\_\_\_  
Contact Person \_\_\_\_\_ Contact Daytime Phone \_\_\_\_\_

Is there more than one applicant or site associated with this application? If so, check here.  **ATACH A SEPARATE SHEET WITH ADDITIONAL APPLICANT AND SITE INFORMATION**

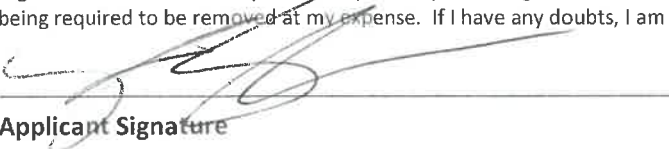
**ATTACH THE FOLLOWING DOCUMENTAION WITH YOUR APPLICATION: OFFICIAL COMPLETENESS CHECK**

- Written legal description of the property(ies)  \_\_\_\_\_
- Copy of Assessor's Map, highlight property(ies) (8.5" x11" or 11" x 17" SIZE)  \_\_\_\_\_
- \* Written statement addressing all applicable Zoning District Criteria  \_\_\_\_\_
- Site Plan and/or Engineered Drawings (see site plan checklist)  \_\_\_\_\_
- Preliminary Title Report and supporting documentation  \_\_\_\_\_
- Septic Approval from Lane County Sanitarian  \_\_\_\_\_
- Is the property in the flood plain? YES  NO

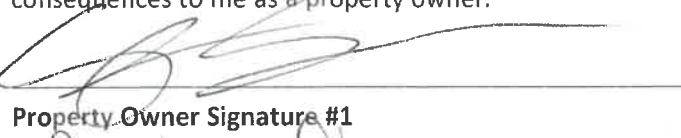
*\* Written Statements must be in the form of factual statements or findings of fact and supported by evidence. List the findings criteria In the Coburg Zoning Code (Ord. A-200-H) and develop evidence that supports it.*

I hereby certify that the statements and information contained in this application, including the attached drawings and the required findings of fact, are in all respects true and correct. I understand that all property pins must be shown on the drawings and visible upon site inspection. In the event that the pins are not shown or their location found to be incorrect, the owner assumes full responsibility.

I further understand that if this request is subsequently contested, the burden will be on me to establish: that I produced sufficient factual evidence at the hearing to support this request; that the evidence adequately justifies the granting of the request; that the findings of fact furnished by me are adequate, and further that all structures or improvements are properly located on the ground. Failure in this regard will result most likely in not only the request being set aside, but also possibly in any structures being built in reliance thereon being required to be removed at my expense. If I have any doubts, I am advised to seek competent professional advice and assistance.

 Date: 3/7/24  
**Applicant Signature**

As owner of the property involved in this request, I have read and understood the complete application and its consequences to me as a property owner.

 Date: 3/7/24  
**Property Owner Signature #1**

Stephen Sheehan  
**Print Name**

 Date: 3/7/24  
**Property Owner Signature #2**

Colleen Sheehan  
**Print Name**

3/5/2024

**Request for Extension from the Planning Commission**

Willamette Forks LLC

91032 Willamette St. Coburg, OR 97408

MAR 06 2024

Received by  
City of Coburg

3/5/2024

Planning Commission – Coburg, OR

Dear Planning Commission,

I am writing to formally request an extension of the approval period for our project under Willamette Forks LLC. Our original site design review plan was approved on March 10 2023, and we are now seeking an extension to the approval period in accordance with Section 3 of the approval conditions.

The specific conditions outlined in Section 3 for granting an extension are as follows:

a. No changes are made to the original approved site design review plan; b. The applicant can demonstrate intent to initiate construction on the site within the six-month extension period; c. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; d. The applicant demonstrates that failure to obtain building permits and substantially begin construction within one year of site design approval was beyond the applicant's control.

We confirm that our project fully complies with the conditions outlined above:

a. Our original approved site design review plan remains unchanged. b. We are fully committed to initiating construction within the proposed six-month extension period. c. There have been no changes to the applicable Code provisions on which our approval was based, and our plan remains compliant with all relevant regulations. d. The delay in obtaining building permits and commencing construction was due to circumstances beyond our control, which we will be happy to provide further details on if necessary.

Given the above, we respectfully request an extension of the approval period for our project not to exceed six months from the original expiration date. This extension will allow us the necessary time to finalize preparations and begin construction as planned.

We appreciate your consideration of our request and look forward to your favorable response. Should you require any further information or documentation, please do not hesitate to contact us.

Thank you for your attention to this matter.

Sincerely,

Stephen Sheehan

Willamette Forks LLC





## ATTACHMENT B

### VII. DECISION

**FINAL ORDER & DECISION  
of the  
PLANNING COMMISSION of the City of Coburg**

**Restaurant & Brewery "Willamette Forks" Site Design Review & Conditional Use Permit  
SR 01-22 & CUP 01-22**

**A. The Planning Commission finds the following:**

1. The Planning Commission has reviewed all materials relevant to the "Willamette Forks" site review and conditional use permit that has been submitted by the applicant regarding this matter for Assessor's Map 16-03-33-23 Tax Lot 04200 including the criteria, findings, and conclusions within the proposed final order and attached staff report.
2. On **February 15, 2023** the Planning Department recommended **CONDITIONAL** approval of the proposal after sending neighbor notice to adjacent properties on February 3, 2023, and agency referral on May 16, 2022. Notice was sent in accordance with O.R.S. 197.195(3) and Coburg Zoning Ordinance No. A-200-L, Article X.D.3.
3. A Notice of Appeal shall be filed with the City Planning Official or designee within 14 days of the date the Notice of Decision was mailed.
4. The applicant will need to satisfy the conditions as contained herein.
5. If no appeal is filed within 14 days of the date Notice of Decision was mailed, the decision shall become final.



**Mr. Jim Bell, Chair, Coburg Planning Commission**

**Dated Signed:** 2/23/23

**Date Mailed:** 2.24.23

**CITY OF COBURG PLANNING  
PO BOX 8316 Coburg, OR 97408**

**STAFF REPORT  
Restaurant & Brewery “Willamette Forks” Site Design Review & Conditional Use  
Permit  
SR 01-22 & CUP 01-22**

Report Date: February 8, 2023

**I. BASIC DATA**

Applicant/Property Owners: Joseph Moore, GMA Architects/  
Stephen & Colleen Sheehan  
3913 Aerial Way  
Eugene, OR 97402

Assessor’s Map and Tax Lots #: Assessor’s Map 16-03-33-23 Tax Lot 04200

Situs Address: 91032 S Willamette Street, Coburg, OR 97408

Comprehensive Plan  
Designation: Traditional Residential (TR)

Current Zoning: Central Business District (C-1) (Architecturally Controlled Area  
& Historic District)

**II. REQUEST**

The proposal is for a site design review and conditional use permit for a restaurant and brewery called “Willamette Forks” on S Willamette Street near the intersection with Pearl Street. The property has two existing structures: the Zacariah Pollard House and an accessory structure and is listed as a historic site in the Oregon historic site database (Attachment B). The proposed use in the existing Pollard House includes restaurant and bar amenities. The proposed use in the existing accessory structure includes a storage room and flexible serving station. The applicant proposes to retain and repurpose the existing buildings proposed with no increase in building height, and minimal increase in building footprint. The applicant proposes a new accessory structure to include manufacturing space for a brewery. Proposed alterations include site work to reconfigure parking and landscape areas, accessibility upgrades for vehicle and pedestrian access, upgrades to the building exterior for access and safety, and interior remodel. Design for proposed uses prioritizes maintaining the historic character of the existing buildings and surrounding neighborhood, as shown on the plans in the applicant’s materials (Attachment A).

**III. BACKGROUND**

The subject property is zoned Central Business District within the Architecturally Controlled Area and Historic District overlay and contains a Comprehensive Plan Map designation of Traditional Residential. The subject property contains existing access and frontage on S. Willamette St. The subject property abuts tax lots 16-03-33-23-04000, 16-03-33-23-03800, 16-

03-33-23-09100 which are zoned Central Business District and 16-03-33-23-09100, 16-03-33-23-09200 and 16-03-33-23-04100, which are zoned Traditional Residential. The existing structures are currently vacant and were most recently used for retail.

#### **IV. APPROVAL CRITERIA AND ANALYSIS FOR SITE DESIGN REVIEW & CONDITIONAL USE PERMIT**

##### **Article VII – District Regulations. Central Business District (C-1)**

###### **2. Uses and Structures.**

###### ***a. Permitted Principal Uses and Structures (subject to Site Design Review provisions in ARTICLE XI)***

- (1) Business and Professional Offices***
- (2) Civic uses and facilities such as government offices and facilities, libraries, community centers and fire stations***
- (3) Clubs, Lodges, Fraternities and similar uses***
- (4) Mixed-use development (a residential use with another permitted use), subject to standards in Article VIII.M***
- (5) Personal services(e.g., childcare, catering/food services, restaurants, dry cleaners, barbershops and salons, and similar uses) up to a 10,000 square foot footprint.***
- (6) Public parking lots and structures***
- (7) Public parks, playgrounds and recreational facilities***
- (8) Retail and Wholesale Stores and Shops, provided that:***
  - (i) Yard setbacks and other open areas shall not be used for the storage of business inventory, merchandise, equipment, or building materials, or for any scrap or salvage operation, storage or sale.***
  - (ii) The footprint of the building is no larger than 10,000 square feet.***
  - (iii) For wholesale uses: The ground floor facing the principal commercial street shall be used only for commercial sales or business or professional offices.***
- (9) Banks, lending and financial institutions, without drive-up facilities***
- (10) Existing agricultural, horticultural, and livestock uses(no new uses). Agricultural, horticultural, and livestock uses in operation on the effective date of this Code shall be deemed nonconforming uses and shall continue to operate subject to the provisions of ARTICLE VI of this Code.***
- (11) Single-family Dwellings on individual lots with frontage on a local or collector street, or on individual lots with frontage on an arterial street where the single-family dwelling existed before January 1, 2018.***
- (12) Except as prohibited under subsection c. below, multi-family dwellings subject to the design standards of ARTICLE VIII.L.4***
- (13) Mobile food carts, subject to obtaining a business license and certain standards in ARTICLE VIII.N***

**FINDING:** The proposed use for a restaurant and brewery is a permitted principal use (5). The proposed footprint of all structures combined is equal to approximately 3,400 square feet, less than the 10,00 square foot requirement. Criterion met.

***b. Permitted Accessory Uses and Structures***

***(1) All accessory uses normal and incidental to the uses permitted in this district.***

**FINDING:** The Pollard House (approximately 2,286 sq. ft.) will primarily be used as a restaurant with outdoor seating located at the patio areas. The existing structure to the west of the site (approximately 200 sq. ft.) is proposed to be used as a storage space and is accessory to the restaurant use. In addition, a new 980 sq. ft. building will provide two additional restrooms to serve the restaurant and approximately 721 sq. ft. of brewery space. The brewery will produce beer and spirits intended to be served at the restaurant, therefore is a normal and incidental use to the restaurant and an allowed use. Criterion met.

***c. Conditional Uses. The following uses require a conditional use permit under the procedure, criteria, and standards of ARTICLE X.III***

***(7) Alteration or demolition of identified historical resource as listed in the Coburg Comprehensive Plan and/ or in Article IX***

**FINDING:** While the proposed use is permitted per Article VII.C.2.a.(5), the applicant proposes selective alterations and additions to the Pollard House. The Pollard House is identified as a historical resource due to being registered in the National Historic District, an Oregon Historic Site, as well as listed on the Coburg reconnaissance level survey (RLS) of historic resources. The proposal therefore requires a Conditional Use Permit to be applied for concurrently with Site Design Review due to the historic component of the structure. Criterion met.

***d. Prohibited Uses***

***(6) Any permitted or conditional use that creates odor, dust, smoke, noise, or vibration that is perceptible beyond the property boundaries.***

**FINDING:** The existing Pollard house will be used as a restaurant. As stated in the applicant's narrative (Attachment A), similar uses exist in the neighborhood and the restaurant will produce a similar amount of noise and odor as established restaurants in the area. The site is designed such that outdoor dining occurs between the Pollard House and the accessory brewery structure. As such the restaurant and is not expected to create any perceptible odor, dust, smoke, noise, or vibration beyond the property boundaries.

Brewing operations in the new accessory building will be by in large contained within the building and is a small operation consisting of three fermenters. Beer will be stored in kegs and fermentation vessels. Proofed down spirits will be stored in barrels or a stainless steel fermenters which will be contained within the Brewery building. Brewing and activities related to brewing that happen on site are not expected to create perceptible odor, dust, smoke, noise or vibration beyond the property boundaries.

A nominal amount of milling will occur outside of the brewery building in the interior courtyard. Milling will occur during regular business hours between 9:00am and 5:00pm. Milling will produce a minimal amount of dust. The site is designed such that milling will occur between the Pollard House and the new accessory building preventing odor, dust, smoke, noise, or vibration

from being perceptible beyond the property line. Criteria met.

### **3. Building or Structural Height Standards**

**a. All buildings in the C-1 district are permitted to be up to 35 feet in height.**

**FINDING:** No change to the existing building heights are proposed. The existing Pollard House is approximately 27 feet tall. The proposed height of the new accessory building is approximately 22 feet. Criterion met.

### **4. Lot Dimensions**

**a. The minimum lot frontage shall be 25 feet.**

**FINDING:** No proposed change to existing lot boundaries. The existing lot frontage is approximately 131 feet. Criterion met.

**b. The minimum lot size shall be 1,500 sq. feet.**

**FINDING:** No proposed change to existing lot size. Existing lot is approximately 19, 600 square feet. Criterion met.

### **5. Maximum Lot Coverage**

**a. One hundred percent coverage is allowable when minimum loading space, landscaping, setbacks and parking are provided.**

**FINDING:** The proposed development occurs on existing lot and meets required and allowable lot areas, coverage, and dimensions. Criterion met.

### **6. Minimum Yard Requirements. All setbacks shall comply with applicable standards of the Uniform Building Code and Uniform Fire Code.**

#### **a. Front Yards**

**(1) Front yards shall not be required except where specified setbacks are established for road widening purposes.**

**(2) The maximum setback for a building façade shall be 15 feet. For non-residential uses on Willamette Street, this standard is met when at least 80 percent of the building frontage is placed within the maximum setback. For commercial uses along other streets, the minimum building frontage that shall be placed within the maximum setback shall be at least 50 percent of the lot frontage.**

**FINDING:** There is no change to the location of existing historic Pollard House proposed. The building sits approximately 85 feet away from the property line. This condition is allowed to be maintained per Article VI.D. Non-Conforming Structures. A parking area is existing between the Pollard House and the street. To maintain the Pollard House and existing site features the new brewery structure is located in line with the Pollard House and maintains the existing setback on site. Criterion met.

***b. Side Yards - Side yards shall not be required except:***

***(1) Where specified setbacks are established for road widening purposes.***

**FINDING:** No road widening setbacks are established on the subject property, therefore the no side yard is required on the subject property. Criterion not applicable.

***c. Rear Yards***

***(1) Rear yards shall not be required, except that where a non-residential use abuts the Residential District, a 10-foot rear yard shall be required.***

***(2) No structural improvements, except road surfacing, shall be allowed within 10 feet of the centerline of an alley.***

**FINDING:** A 10-foot rear yard setback is required and provided due to Tax Lot 4100, which abuts the western edge of the subject property and is zoned Traditional Residential. The existing Pollard House is approximately 10'-9" from the rear property line. The proposed Brewery is 52'-2" from the rear property line. The existing accessory structure is approximately 3'-0" from the rear property line. The applicant proposes the existing accessory structure to be left in place as an existing nonconforming structure. Criteria met.

***9. Pedestrian Amenities.***

***All new development shall be required to provide a minimum of two of the following pedestrian amenities:***

***a. Outdoor seating options, e.g., benches, or tables with chairs***

**FINDING:** The proposed site alterations includes a raised patio with tables and chairs as part of the restaurant.

***b. Extra wide sidewalks or courtyards that can be used as small plazas. These may be combined with water features and/ or benches to create attractive public spaces***

**FINDING:** No proposed change to existing sidewalk width or alterations to existing sidewalk. Proposed alterations to include a courtyard with a patio and garden. New landscaping provided at public sidewalk.

***c. Planters, garden areas, and pocket parks that include: (1) sitting space***

**FINDING :** Proposed alterations to include a courtyard with a patio and garden. New landscaping provided at public sidewalk.

***d. Weather protection, e.g., pedestrian-scaled awnings or canopies***

**FINDING:** Existing Pollard House includes a large, covered patio. No alterations proposed to existing covered areas.

***e. Other opportunities or open spaces, e.g., in rooftop courtyards, entranceways***

**FINDING:** Proposed alterations include a courtyard between the Pollard House and the proposed accessory Brewery structure. Courtyard to include pedestrian pathways, landscaping, and water feature. Criterion met.

#### **10. Building Orientation**

**All buildings shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:**

**a. Compliance with the setback standards in Section 6.**

**FINDING:** The existing historic Pollard House is setback approximately 85' from the property line facing Willamette St. Due to the historic nature of the building and site no proposed change to existing parking, other than refurbishment, and building setbacks proposed. In order to create safe site circulation and conform to existing conditions on site new proposed accessory structure is set back in line with the existing Pollard House. Criterion met.

**b. All buildings shall have their primary entrance(s) oriented to the street. "Oriented to the street" means that the building entrance faces the street, or is connected to the street by a direct and convenient pathway not exceeding 60-feet in length. Streets used to comply with this standard are public streets or private streets that contain sidewalks and street trees.**

**FINDING:** The primary entrance to the restaurant is proposed to be oriented towards Willamette Street. The primary entrance for the new accessory brewery will also be oriented to Willamette Street. Criteria met.

**c. Off-street parking, drives or other vehicle areas shall not be placed between buildings and streets where building placement complies with this standard.**

**FINDING** The parking area is existing between the Pollard House and Willamette Street. No proposed change to location of existing parking areas. Criteria not applicable.

**d. On corner lots, buildings and entrances shall be oriented to the street with the higher functional classification; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.**

**FINDING:** The subject property is not located on a corner lot. Criteria not applicable.

#### **11. Historic Building Design**

**The following historic building exterior design elements are required for all new construction and major renovations in order to maintain and improve the historic storefront character of the downtown. Historic Structures are also subject to the conditional use criteria in Article XIV.**

**FINDING:** The proposed development includes minimal alterations to the existing historic façade of the Pollard House. The following design elements are proposed for the accessory brewery structure.

**a. Decorative doors, transom and clerestory windows.**



**FINDING:** The proposed Brewery building includes clerestory windows and two decorative sliding doors as well as transom windows and glazed entry doors. Criteria met.

***b. Windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district.***

**FINDING** The proposed Brewery building includes windows with painted trim of a similar width and detail to those commonly used on other historic buildings in the C-1 district. This trim is included at siding transitions, openings, and corners. Criterion met.

***c. 40-80 percent of ground floor façade facing the street, measured horizontally, shall have windows. The lower edge of these windows shall be no more than 30 inches above the sidewalk.***

**FINDING** The proposed Brewery building includes a glazed entry door and large decorative sliding door of the ground floor façade facing. As stated in the applicant's narrative, due to the length of this façade, it would be burdensome structurally to include additional windows on the ground floor. The majority of the facades facing the street consists of the Historic Pollard House. Criterion met.

***d. The pitch and style of rooflines shall be comparable to existing historic rooflines, such as a 4 in 12 pitch.***

**FINDING:** The proposed roof pitch at the Brewery building 9:12 and is constant with the historic Pollard House on site. Criterion met.

***e. Surface detailing is required for blank walls (permitted on non-street facing facades only) and shall include offsets, windows, siding, murals, or other similar features.***

**FINDING:** The proposed blank wall is on the north property line. Due to proximity to the property line, offsets, siding etc. are not feasible or allowed. Criterion not applicable.

***f. Weather protection for pedestrians (awnings or canopies). Lighted or bubble awnings are not allowed.***

**FINDING:** A large, covered patio is provided at the Pollard House. The proposed brewery acts as an accessory structure and is not used by the public. Criteria met.

## **ARTICLE VIII. SUPPLEMENTARY DISTRICT REGULATIONS**

### **ARTICLE VIII.B.2 OFF-STREET PARKING REQUIREMENTS**

#### **B. Parking Regulation**

##### ***2. Off-Street Parking Requirements.***

###### ***a. Parking Area Design.***

***(1) All public or private parking spaces, except those required in conjunction with a single-family or two-family dwelling on a single lot, shall be designed and***

***laid out to conform with the requirements of this Code and the Planning Commission.***

***(2) Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be served by a service drive so that no backward movements or other maneuvering of a vehicle within a street, other than an alley, shall be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrians, bicycles, and vehicular traffic on the site.***

**FINDING:** Proposed rehabilitation of the parking area retains the two existing driveway access locations such that no backward movement is required within a street. One access will serve as an exit only and one as an entrance only, in compliance with Lane County Transportation requirements. The revised site plan for this development shows an ‘entry only’ at the north access point to Willamette Street and an ‘exit only’ at the south access driveway. Lane County Transportation Planning supports these changes and recommends that the City include this as a condition of approval, particularly since the TIA still includes references and analysis which reflects two full access driveways. Therefore, staff recommend a condition of approval to be clear that the proposed plan is for the restricted accesses and circulation plan shown on the latest site plan.

Existing trees, new landscaping, and historic foundation stones provide a buffer between existing pedestrian sidewalk and parking drives to provide maximum safety in access and for pedestrian, bicycle, and vehicular traffic on site. A dedicated service drive for trash/ loading access is located to the south of the property.

**Condition of Approval #1:** Driveway access will include an ‘entry only’ (ingress) at the north access point to Willamette Street and an ‘exit only’ (egress) at the south access driveway.

***d. Exceptions and Reductions to Off-Street Parking Requirements***

***(1) The Central Business District (C1) is exempt from the minimum parking requirements of Section 2(b), except that off-street parking shall be provided for employees and work vehicles that are stored on site, as follows:***

- (i) All new commercial development, including change of use, in the C-1 district that requires one or more employees shall provide a number of on-site parking spaces equal to the greatest number of employees that will be on site at any particular time. The Planning Official shall determine the number of required offstreet parking spaces for a proposed use, or expansion of a use, based on information submitted by the applicant.***
- (ii) One off-street parking space shall be provided for each work vehicle. “Work vehicles” are those vehicles associated with the business that are stored on-site or that are parked on-site for any period of time during regular work hours.***
- (iii) The determination by the Planning Official of the number of spaces required under subsection (i) and (ii) shall be provided in writing, based on written evidence submitted by the applicant.***
- (iv) The Planning Official may waive or reduce off-street parking***

**requirements in accordance with Section 2(d)(3)**

**FINDING:** The Central Business District (C-1) is exempt from the minimum parking requirements of Section 2(b), except that off-street parking shall be provided for employees and work vehicles. The applicant claims Exception 2(d)(1) with the understanding that the number of employees on site at any time will be less than eight. Thirteen parking spaces are proposed, including one van accessible handicap parking space as seen on the revised proposed site plan dated December 2022 (Attachment A). There are no anticipated work vehicles associated with this use. Criteria met.

**5. Bicycle Parking**

**a. Bicycle parking requirements shall apply to all developments that require a site plan or amended site plan for new development, changes of use, and building expansions and remodels that require a building permit, as follows:**

**(2) Non-Residential Parking. There shall be a minimum of one bicycle space for every seven motor vehicle spaces. At least half of all bicycle parking spaces shall be sheltered. Bicycle parking provided in outdoor areas shall be located near the building entrance, similar to vehicle parking spaces, unless existing development on site precludes that option. Fractions shall be rounded to the nearest whole number.**

**b. Bicycle Parking Facilities Design Standards**

**(1) Bicycle parking facilities shall either be stationary racks which accommodate bicyclist's locks securing the frame and both wheels, or lockable rooms or enclosures in which the bicycle is stored.**

**(2) Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet wide, and seven feet high. Upright bicycle storage structures are exempted from the parking space length standard.**

**(3) A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.**

**(4) Bicycle racks or lockers shall be anchored to the surface or to a structure.**

**(5) Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking. The cover shall leave a minimum 7-foot overhead clearance and shall extend over the entire parking space. If a bicycle storage area is provided within a building, a sign shall be placed at the area indicated that it is for bicycle parking only.**

**(6) Bicycle parking shall not interfere with pedestrian circulation.**

**FINDING:** Two bicycle parking spaces required. Proposed design includes four bicycle parking spaces to the south of the existing covered porch on the front of the building. Criteria met.

## 6. Vehicular Parking Area Improvements

**All public or private parking areas, which contain four or more parking spaces, and outdoor vehicles sales areas, shall be improved according to the following:**

**a. All vehicular parking areas shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement concrete, or other approved materials as specified by the Planning Official.**

**(1) Vehicular parking areas as a part of a proposed development shall incorporate driveway designs and methods that reduce storm water run-off. Design methods include, but are not limited to: porous concrete, turf pavers, plastic grid systems, or ribbon driveways.**

**FINDING:** Proposed parking improvements include new asphaltic concrete surface. Criteria met.

**b. All vehicular parking areas, except those in conjunction with a single-family or duplex dwelling, shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.**

**FINDING:** Proposed design grades vehicular parking areas to drain to catch basins for stormwater filtration. Proposed design does not drain stormwater over the public sidewalks or onto any abutting public or private property. Criterion met.

**c. All vehicular parking areas, except those required in conjunction with a single family or two family dwelling, shall provide a substantial bumper or curb stop which will prevent cars from encroachment on abutting private or public property.**

**FINDING:** Proposed parking spaces include one parking bumper to prevent cars from encroaching on pedestrian paths and structures. Existing curbs or planters prevent vehicular traffic from encroachment on abutting properties. Criterion met.

**d. All vehicular parking areas and service drives shall be enclosed along any interior property which abuts any residential district, with a 70 percent opaque, site- obscuring fence, wall or hedge not less than three (3) feet nor more than six (6) feet in height, but adhering to the visual clearance and front and interior yard requirements established for the district in which it is located. If the fence, wall or hedge is not located on the property line, said area between the fence, wall or hedge and the property line shall be landscaped with lawn or low-growing evergreen ground cover. All plant vegetation in this area shall be adequately maintained by a permanent irrigation system, and said fence, wall or hedge shall be maintained in good condition. Screening or plantings shall be of such size as to provide the required degree of screening within 24 hours after installation. Adequate provisions shall be maintained to protect wall, fences, or plant materials from being damaged by vehicles using said parking areas. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or**

*adjacent residential district or use.*

**FINDING:** As stated in the applicant's narrative, the interior property line on the south side of the property is obscured by an existing fence and landscaping greater than 3'-0" tall. Interior property line on the north side proposed to be obscured by plantings approximately 5'-0" tall and are maintained by a permanent irrigation system. Screening will be provided by plantings within 24hrs of installation and shall be at least 70% opaque. Criteria met.

***e. Any lights provided to illuminate any public or private parking area or vehicular sales area shall be shielded and so arranged as to reflect the light away from any abutting or adjacent property or public right of way.***

**FINDING:** No change to existing illumination is proposed. Criterion not applicable.

***f. All vehicular parking spaces shall be appropriately and substantially marked.***

**FINDING:** Vehicular parking spaces shall be marked with 4" wide white striping on contrasting black asphalt. Criterion met.

### ***C. Pedestrian and Bicycle Access and Circulation.***

***2. Pedestrian access to transit facilities shall be provided from new commercial, employment, and multi-family residential development while existing developments shall provide safe and accessible pedestrian access to transit facilities when a site changes uses or is retrofitted.***

***3. Internal pedestrian and bicycle systems shall connect with external existing and planned systems, including local and regional travel routes and activity centers such as schools, commercial areas, parks and employment centers.***

**FINDING:** The proposed project includes pedestrian access to transit facilities (bus stops) on Willamette St. The subject property is located in the heart of the downtown commercial area. The applicant is proposing to enhance the pedestrian crosswalk located at the south corner of the subject property with striping and signage per Lane County Transportation Planning feedback. Staff recommends the applicant work with Lane County Transportation Planning on the crosswalk enhancements as a condition of approval. Criterion conditionally met.

**Condition of Approval #2:** Signage and striping details for the pedestrian crosswalk shall be worked out during the final design and facility permit application process with Lane County.

### ***D. Sign Regulations See Coburg Sign Ordinance A-155 (reprinted 01/30/01)***

**FINDING:** The applicant is not proposing any signs at this time. The applicant may submit for a sign permit sometime in the future, at which time any proposed signs will be reviewed for compliance with Ordinance A-155 when a sign/building permit application is submitted.

### ***E. Streets, Alleys and Other Public Way Standards***

***1. Improvements to City Streets shall conform to the standards as set forth in this section.***

**FINDING:** The applicant is not proposing any improvements to City streets nor are improvements to City streets required as part of the proposal. Criterion not applicable.

**F. Other Public Improvements**

**5. Sewage. All buildings within the city limits must connect to the city sewer system.**

**FINDING:** The proposed development will connect to city sewer. Criterion met.

**6. Water Supply. All lots and parcels in any land division shall be served by the Coburg Water system.**

**FINDING:** The subject property is served by the Coburg water system and has sufficient water pressure for the proposed project. Criterion met.

**I. Screening Standards for Multi-Family, Commercial and Industrial Development**

**1. Unless otherwise specified in this code, screening shall be required:**

**a. When commercial or industrial districts abut residential districts**

**FINDING:** As stated in the applicant's narrative, the interior property line on the south side of the property is obscured by an existing fence and landscaping greater than 3'-0" tall. Interior property line on the north side proposed to be obscured by plantings approximately 5'-0" tall and are maintained by a permanent irrigation system. Screening will be provided by plantings within 24hrs of installation and shall be at least 70% opaque. Criteria met.  
This criterion does not apply.

**b. For outdoor mechanical devices**

**FINDING:** There are no ground level outdoor mechanical devices subject to screening requirements. This criterion does not apply.

**c. For outdoor storage yards and areas**

**FINDING:** The proposed development does not include any outdoor storage yards or areas. Criterion not applicable.

**d. For trash receptacles**

**FINDING:** A six-foot-tall wooden fence screen is proposed for the trash receptacle at the rear of the property, as shown on the site plan (Attachment A). Criteria met.

**e. For multi-family developments**

**FINDING:** The proposal does not include multi-family developments. This criterion is not applicable.

**f. Parking areas with more than two off-street spaces**

**FINDING:** Existing parking area does not require additional screening. This criterion is not applicable.

**2. Screening shall be a non-see through or sight-obscuring fence, evergreen hedge, or decorative wall (i.e., masonry or similar quality material) shall be erected along and immediately adjacent to the abutting property line.**

**FINDING:** As stated in the applicant's narrative, the interior property line on the south side of the property is obscured by an existing fence and landscaping greater than 3'-0" tall. Interior property line on the north side proposed to be obscured by plantings approximately 5'-0" tall and are maintained by a permanent irrigation system. Screening will be provided by plantings within 24hrs of installation and shall be at least 70% opaque.

**3. Trash receptacles. Trash receptacles shall be oriented away from adjacent buildings and shall be completely screened with an evergreen hedge or solid fence or wall of not less than feet in height.**

**FINDING:** A six-foot-tall wooden fence screen is proposed for the trash receptacle at the rear of the property, as shown on the site plan (Attachment A). Criteria met.

## **ARTICLE XI. LAND USE REVIEW AND SITE DESIGN REVIEW**

### **E. Site Design Review - Application Submission Requirements**

**2. Site Design Review Information. In addition to the general submission requirements for a Type III review ARTICLE X.D an applicant for Site Design Review shall provide the following additional information, as deemed applicable by the City Planning Official. The Planning Official may deem applicable any information that he or she needs to review the request and prepare a complete staff report and recommendation to the approval body:**

**c. Architectural drawings. Architectural drawings showing one or all of the following shall be required for new buildings and major remodels:**

**(1) Building elevations (as determined by the City Planning Official) with building height and width dimensions;**

**(2) Building materials, colors and type;**

**(3) The name of the architect or designer.**

**FINDING:** See Attachment A for the building plans and architectural drawings submitted as part of the concurrent site design review and conditional use permit application process.

**e. Landscape plan. A landscape plan may be required and at the direction of the City Planning Official shall show the following:**

**(1) The location and height of existing and proposed fences, buffering or screening materials;**

***(2) The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;***

***(3) The location, size, and species of the existing and proposed plant materials (at time of planting);***

***(4) Existing and proposed building and pavement outlines;***

***(5) Specifications for soil at time of planting, irrigation if plantings are not drought-tolerant (may be automatic or other approved method of irrigation) and anticipated planting schedule;***

***(6) Other information as deemed appropriate by the City Planning Official. An arborist's report may be required for sites with mature trees that are protected under The City's tree Ordinance.***

**FINDING:** Conceptual landscaping showing proposed and existing landscaping elements can be seen on the proposed landscaping plan included in the applicant's materials (Attachment A). Criterion met.

***i. Traffic Impact Study, when required, shall be prepared in accordance with the road authority's requirements. See ARTICLE X., Section I, for relevant standards.***

**FINDING:** The City did require a traffic impact study be completed by the applicant as part of the proposal. The applicant has hired Sandow Engineering, a registered traffic engineer, to complete that assessment. In the applicant's traffic study, it is found that all studied intersections operate within the mobility standards with and without the development traffic and the addition of development traffic does not substantially increase queuing conditions.

The applicant's TIA scope was reviewed and agreed upon by Lane County and the City of Coburg. The analysis concluded that all intersections within the study area will continue to operate within the City's mobility standards and will not require further mitigation. Please see the attached TIA (Attachment C) for analysis and conclusions. The TIA was prepared in accordance with the road authority's requirements, and therefore meets these criteria.

The applicant's TIA was reviewed by Lane County Transportation Planning (LCTP) and the City Engineer. Both concurred with the analysis. Engineering found some inconsistencies in the TIA that are not expected to significantly change the outcome of the report, however should be included into a final record TIA. Staff recommend the applicant incorporate the following into the TIA:

- Introduction, section 1.2 refers to retention of each access as unrestricted, while the site plan and trip distribution shows one-way drives, with the north DWY as an ingress and the south as an egress. Making this adjustment may help deal with the county's concerns regarding the proposed retention of both driveways.
- Trip Generation included in Table 3 does not match the numbers provided on Figure 5 (Trip Distribution)
- Table 3: 27 entering/20 exiting
- Figure 5 (and others with total traffic at the driveways): 42 in/33 out
- The text at the end of section 4.3 describes Figs 6 – 2022, Fig 7- 2023, and Fig 8 – 2028, yet the figures display 2021 (Fig 6), 2022 (Fig 7) and 2027 (Fig 8). The included



SYNCHRO output files are consistent with the figures included (2021, 2022, and 2027). There may be additional references to the incorrect future year included in the report, and I noticed that the Queuing Table and the right-turn lane sections also referred to 2028.

- Figures 7 and 8 show an additional entering trip at the north driveway from the south via left-turn and an extra egress trip turning right at the south driveway. These are in addition to what is displayed on Figure 5.
- Figure 7 is missing the site generated traffic contribution at the southbound through approach at Willamette/Pearl.

**Condition of Approval #3:** Applicant will incorporate City Engineer comments into the final record TIA.

**F. Site Design Review Approval Criteria. The review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:**

**1. The application is complete, as determined in accordance with ARTICLE X Types of Applications and ARTICLE XI.E, above.**

**FINDING:** The application for site design review and a conditional use permit submitted by GMA Architects on behalf of Stephen and Colleen Sheehan has been found to be complete for processing. Criterion met.

**2. The application complies with all of the applicable provisions of the underlying Land Use District and Supplementary District Regulations (ARTICLE VII & VIII), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;**

**FINDING:** As found and discussed in this staff report, the application complies with all of the applicable provisions of the underlying Land Use District (Central Business District, Architecturally Controlled Area, and Historic District Overlay) and the Supplementary District Regulations. Criterion met.

**3. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with ARTICLE VI, Non-Conforming Uses;**

**FINDING:** The application complies with all of the applicable provisions of the underlying Land Use District (Central Business District, Architecturally Controlled Area, and Historic District Overlay) and the Supplementary District Regulations.

**4. The application complies with all of ARTICLE VII District Regulations and ARTICLE VIII Supplementary District Regulations and other standards as applicable;**

**FINDING:** As discussed and found in this staff report, the proposal complies with the District Regulations of ARTICLE VII District Regulations and VIII Supplementary District Regulations and other standards as applicable.

**5. Existing conditions of approval required as part of a prior Land Division (ARTICLE XII), Conditional Use Permit (ARTICLE XIII), Master Planned Development (ARTICLE XIV) or other approval shall be met.**

**FINDING:** There are no existing conditions of approval required to be met. Criterion not applicable.

## **ARTICLE XIII CONDITIONAL USE PERMITS**

**D. Conditional Use Permits - Criteria, Standards and Conditions of Approval**  
**The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria in 1-3.**

### **1. Use Criteria.**

- a. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;**
- b. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval;**
- c. All required public facilities have adequate capacity to serve the proposal; and**
- d. Formula-Based Businesses less than 10,000 sq ft may be allowed if it does not adversely impact the character of downtown based on consideration of the following criteria:**
  - 1. The availability of other similar uses within the district and within the vicinity of the proposed project;**
  - 2. The formula-based establishment will contribute to the small business and entrepreneurial environment;**
  - 3. The proposed use, together with its design and improvement, is consistent with the unique historic character of Coburg, and would preserve the distinctive visual appearance and shopping experience of Coburg for its residents and visitors;**
  - 4. The formula-based establishment will serve an appropriate balance, and be mutually beneficial to surrounding businesses by contributing to the economic health of the whole district;**
  - 5. The existing commercial vacancy rates within the district and within the vicinity of the proposed project.**

**FINDING:** As discussed throughout this report, staff find the proposed use, site conditions, and public facilities are acceptable. Criteria met.

**2. Site Design Standards. The Site Design Review approval criteria (ARTICLE XI.F) shall be met.**

**FINDING:** See previous section on Article XI

**3. Conditions of Approval. The City may impose conditions that are found**

*necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:*

- a. Limiting the hours, days, place and/or manner of operation;*
- b. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust;*
- c. Requiring larger setback areas, lot area, and/or lot depth or width;*
- d. Limiting the building or structure height, size or lot coverage, and/or location on the site;*
- e. Designating the size, number, location and/or design of vehicle access points or parking areas;*
- f. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;*
- g. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;*
- h. Limiting the number, size, location, height and/or lighting of signs;*
- i. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;*
- j. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;*
- k. Requiring and designating the size, height, location and/or materials for fences;*
- l. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;*
- m. Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district non-remonstrance agreement for the same.*

**FINDING:** Staff recommend five conditions of approval that are listed in the subsequent section. Planning Commission may impose additional conditions.

## **V. CONDITIONS OF APPROVAL**

**Condition of Approval #1:** Driveway access will include an ‘entry only’ (ingress) at the north access point to Willamette Street and an ‘exit only’ (egress) at the south access driveway.

**Condition of Approval #2:** Signage and striping details for the pedestrian crosswalk shall be worked out during the final design and facility permit application process with Lane County.

**Condition of Approval #3:** Applicant will incorporate City Engineer comments into the final record TIA.

**Condition of Approval #4:** The outdoor patio not connect to the historic fabric of the Pollard House per Heritage Committee

**Condition of Approval #5:** Prior to the commencement of construction activities, the applicant shall submit for and obtain the required building permits.

## **VI. INFORMATIONAL ITEMS**

Any signs will require a sign permit and must adhere to Ordinance A-155.\

Site Design Review approvals shall be effective for a period of one year from the date of approval. The approval shall lapse if:

- a. A public improvement plan or building permit application for the project has not been submitted within one year of approval; or
- b. Construction on the site is in violation of the approved plan.

The Planning Commission shall, upon written request by the applicant, grant a written extension of the approval period not to exceed six months; provided that:

- a. No changes are made on the original approved site design review plan;
- b. The applicant can show intent of initiating construction on the site within the six month extension period;
- c. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; and
- d. The applicant demonstrates that failure to obtain building permits and substantially begin construction within one year of site design approval was beyond the applicant's control.

## **VII. Findings of Fact to be Signed by Chair**

The findings of fact in support of approval, with all conditions of approval are attached to this staff report, should Planning Commission approve the proposal. Any changes to the findings at the hearing or a denial decision will have to be reflected in the findings of fact to be signed by the Planning Commission Chair.

## **VIII. ATTACHMENTS**

**Attachment A** – Applicant's materials

**Attachment B** – Oregon Historic Site Database form

**Attachment C** – Traffic Impact Analysis

**Attachment D** -- Notice materials

**Attachment E** -- Final Order to be signed by Chair, if approved.