

**City of Sweet Home**

Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

Staff Report Presented to the Planning Commission

REQUEST: The applicant is requesting a conditional use permit to allow for self-storage, enclosed RV/boat storage, canopy parking for RV/boat, and light industrial space in an Industrial (M) Zone. Any other use that is compatible with the purpose and intent of the zone, and that would have off-site impacts that would not significantly exceed those that are typical of the other conditionally permitted uses listed in this section [SHMC 17.44.030.L]. Tax Lot 100 contains approximately 257,366 square feet and is in the Industrial (M) Zone. Tax Lot 101 contains approximately 5,831 square feet and is in the Industrial (M) Zone. Tax Lot 500 contains approximately 114,690 square feet and is pending Zone Map Amendment application ZMA22-01 amending Tax Lot 500 from Commercial Highway (C-2) Zone to Industrial (M) Zone.

Application CU22-08 is pending the decision of application ZMA22-01. Applications CU22-08 and ZMA22-01 are being filed simultaneously.

The applicant is applying for property line adjustments to combine Tax Lots 100, 101, and 500. Applications PLA22-08 and PLA22-09 were submitted on April 22, 2022. The property line adjustments are pending the approval of application ZMA22-01.

APPLICANT: Eric Lund

PROPERTY OWNER: Eric Lund

FILE NUMBER: CU22-08

PROPERTY LOCATION: Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E32AB Tax Lots 100, 101, and 500.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.44.030, 17.80.040

HEARING DATE & TIME: May 5, 2022, at 6:30 PM

HEARING LOCATION: City Hall Council Chambers at 3225 Main Street, Sweet Home, Oregon 97386

STAFF CONTACT: Angela Clegg, Associate Planner
Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov

REPORT DATE: April 28, 2022

I. PROJECT AND PROPERTY DESCRIPTION**ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:**

Property	Zoning Designation	Comprehensive Plan Designation
Subject Properties	Industrial (M) Commercial Highway (C-2)	Light Industrial
Property North	Recreation Commercial (RC) Industrial (M)	Planned Recreation Commercial
Property East	Commercial Highway (C-2)	Highway Commercial

Property South	Commercial Highway (C-2)	Highway Commercial Light Industrial
Property West	Industrial (M)	Light Industrial Planned Recreation Commercial

Floodplain Based on a review of the FEMA FIRM Maps; Panel 41043C0914G dated September 29, 2010, the subject property is not in the 100-year floodplain.

Wetlands: The subject property does show wetlands/waterways on the property that are depicted on the Sweet Home Local Wetlands Inventory and the National Wetlands Inventory Map: SSR-19A, SSR-19B, SSR-19C, SSR-19D, DSL #98-0478.

Access: The subject property has frontage along 24th Avenue.

Services: The subject property has access to City water and sewer services from 24th Avenue.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: March 28, 2022

Notice Published in Newspaper: April 6, 2022

Planning Commission Public Hearing: May 5, 2022

120-Day Deadline: July 27, 2022

Notice was provided as required by SHMC 17.12.120

II. COMMENTS

Adam Leisinger
Building Division:

The Building Program has no issues with this request.

Joe Graybill
Engineering Division:

Regarding the Conditional Use application for a self-storage on 24th Avenue, the access driveway will be off of 24th Ave. There is a 6" water line in 24th Ave to provide adequate water for onsite or fire use. Stormwater drainage will from all the impervious surfaces will need to be quality and flow controlled prior to the adjacent creek drain system. CEDD-ES have no concerns.

Trish Rice
Public Works Dept.

There is a stormwater channel across the subject property that conveys runoff from a significant area (see attached map; drainage area highlighted in blue). Public Works desires an easement to make this channel public. The project will need to confirm and comply with any applicable ODOT Rail requirements pertaining to the driveway due to the driveway's proximity to the tracks.

Chief Barringer
Sweet Home Fire
District:

The Fire District has no problem with what is going on the property. Access and maneuverability for fire as well as hydrants will have to have further discussion.

Public Comments: No comments as of the issuance of this Staff Report.

III. REVIEW AND DECISION CRITERIA

The review and decision criteria for a conditional use permit are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

A. The request complies with the requirements of the underlying zone or overlay zone, city codes, state and federal laws. [SHMC 17.80.040(A)]

Staff Findings: Tax lots 100 and 101 are in the Industrial (M) zone. Tax lot 500 is in the Commercial Highway (C-2). Tax lot 500 is pending the approval zone map amendment application ZMA22-01, amending it to the Industrial (M) zone. The applicant is requesting a conditional use permit to allow for self-storage, enclosed RV/boat storage, canopy parking for RV/boat, and light industrial space in an Industrial (M) Zone.

Chapter 17.44 Industrial Zone states: Any other use that is compatible with the purpose and intent of the zone, and that would have off-site impacts that would not significantly exceed those that are typical of the other conditionally permitted uses listed in this section [SHMC 17.44.030.L].

For this application to comply with all applicable city codes and state and federal laws, this application may require additional permits. If this application is approved, staff recommends a condition of approval that prior to operation, the applicant shall obtain all required local, state, and federal permits. The applicant shall submit copies of all required permits and licenses to the Sweet Home Community and Economic Development Department for inclusion in the record of CU22-08.

Based on the above findings, the application complies with these criteria.

B. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering, but not limited to, the following:

- 1. Building size;**
- 2. Parking;**
- 3. Traffic;**
- 4. Noise;**
- 5. Vibration;**
- 6. Exhaust and emissions;**
- 7. Light and glare;**
- 8. Erosion;**
- 9. Odor;**
- 10. Dust;**
- 11. Visibility;**
- 12. Safety;**
- 13. Building, landscaping or street features. [SHMC 17.80.040(B)]**

Staff Findings: The applicant is requesting a conditional use permit to allow for self-storage, enclosed RV/boat storage, canopy parking for RV/boat, and light industrial space in an Industrial (M) Zone.

With the approval of Zone Map Amendment application ZMA22-01 and Conditional Use application CU22-08, the applicant intends on combining Tax Lots 100, 101, and 500 into one

lot. With the approval of a property line adjustment, staff finds that the site size, dimensions, location, topography and access are adequate for the proposed use. Applications PLA22-08 and PLA22-09 were submitted on April 22, 2022.

With the above conditions, the application complies with these criteria.

- C. Any 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 that include but are not limited to those listed in this chapter. [SHMC 17.80.040(C)]**

Staff Findings: Staff has not identified any negative impacts to adjacent properties. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section IV of this report.

Based on the above findings, the application complies with these criteria.

- D. All required public facilities have adequate capacity, as determined by the city, to serve the proposed use. [SHMC 17.80.040(D)]**

Staff Findings: The subject property has access to City water and sewer in 24th Avenue.

Per the Public Works comments in Section II: There is a stormwater channel across the subject property that conveys runoff from a significant area. Public Works desires an easement to make this channel public.

Per the Staff Engineer's comments in Section II: There is a 6" water line in 24th Avenue to provide adequate water for onsite or fire use. Stormwater drainage from all the impervious surfaces will need to be quality and flow controlled prior to the adjacent creek drain system.

Based on the above conditions, the application complies with these criteria.

- E. Home occupations must meet the following standards:**

- 1. The home occupation shall be secondary to the residential use.**
- 2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.**
- 3. No materials or mechanical equipment shall be used which are detrimental to residential use of the dwelling or nearby dwellings because of vibration, noise, dust, smoke, odor, interference with the electrical grid, radio or television reception or other similar factors.**
- 4. Vehicles related to the home occupation shall be parked in a manner so as to not block any driveway or impede the safe flow of traffic.**

Staff Findings: The applicant is not proposing a home occupation.

- F. Marijuana facilities must be located in a fixed location. No temporary or mobile sites of any sort are allowed. [SHMC 17.80.040(F)]**
- G. Marijuana facilities may not have any drive-up services. [SHMC 17.80.040(G)]**
- H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school. [SHMC 17.80.040(H)]**
- I. Marijuana facilities must be sited on a property so as to be at least 100 feet from the boundary of any residentially zoned property. [SHMC 17.80.040(I)]**

Staff Findings: The applicant is not proposing to establish a marijuana facility.

- J. In approving a conditional use permit application, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this chapter, additional conditions determined to be necessary to assure that the proposed development meets the decision criteria as well as the best interests of**

the surrounding properties, the neighborhood, and the city as a whole. [SHMC 17.80.050]

Staff Findings: This provision of the SHMC allows the Planning Commission to impose conditions of approval. This is an opportunity for the Planning Commission to determine if conditions are needed to ensure compliance with the "decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole." As specified in SHMC 17.80.050, conditions could include, but are not limited to: expanding setbacks, limiting hours of operation, requiring site or architectural design features, imposing additional sign standards, and so forth.

To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval listed in Section IV of this report. These conditions are primarily a customized list of existing local, state, and federal standards that apply to the application.

K. A conditional use permit shall be void one year after the date of the Planning Commission approval if the use has not been substantially established within that time period. [SHMC 17.80.070]

Staff Findings: As required under this section, staff recommends that a condition of approval require that the conditional use permit shall be void one (1) year after the date of the Planning Commission approval if the use has not been substantially established, as defined under SHMC 17.80.070(A), within that time period. The City Planner may grant one extension of up to one year for a conditional use permit that contained a one-year initial duration upon written request of the applicant and prior to the expiration of the approved period. Requests other than a one-year request made prior to the expiration of the approved period must be approved by the Planning Commission. A conditional use permit not meeting the above time frames will be expired and a new application will be required.

IV. CONCLUSION AND RECOMMENDATION

If the Planning Commission approves this application, staff recommends that the conditions of approval listed below be required in order to ensure that the application is consistent with the findings in the Review and Decision Criteria (Section III) and as required by the Sweet Home Municipal Code and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria contained in Section III.

Recommended Conditions of Approval for CU22-08:

1. The property owner shall obtain and comply with all other applicable local, state, and federal permits and requirements.
2. Staff recommends an easement to the stormwater channel across the subject property that conveys runoff from a significant area. Staff recommends an easement to make this channel public.
3. The conditional use permit shall be void one (1) year after the date of the Planning Commission approval if the use has not been substantially established, as defined under SHMC 17.80.070(A), within that time period. The City Planner may grant one extension of up to one year for a conditional use permit that contained a one-year initial duration upon written request of the applicant and prior to the expiration of the approved period. Requests other than a one-year request made prior to the expiration of the approved period must be approved by the Planning Commission. A conditional use permit not meeting the above time frames will be expired and a new application will be required.

V. PLANNING COMMISSION ACTION

In acting on a Conditional Use permit application, the Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the

action must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section IV.

Appeal Period: Pursuant to ORS 227.175, the Planning Commission may establish an appeal period of not less than 12 days from the date the written notice of the Planning Commission's decision is mailed. Staff's recommendation is that the Planning Commission's decision on this matter be subject to a **12-day appeal period** from the date that the notice of decision is mailed.

Order: After the Planning Commission decides, staff recommends that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval if the application is approved.

Motion: After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve application CU22-08; which includes adopting the findings of fact listed in the staff report and the conditions of approval listed in Section IV of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny applications CU22-08; which includes adopting the findings of fact (specify), including the setting of a 12-day appeal period from the date of mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

VI. ATTACHMENTS

- A Subject Property Map
- B Site Plan
- C Public Works Drainage Area Map
- D Application



1 inch = 218 feet

Subject Property Map
CU22-08

Date: 3/29/22

[illegible]

NOTES & CONDITIONS

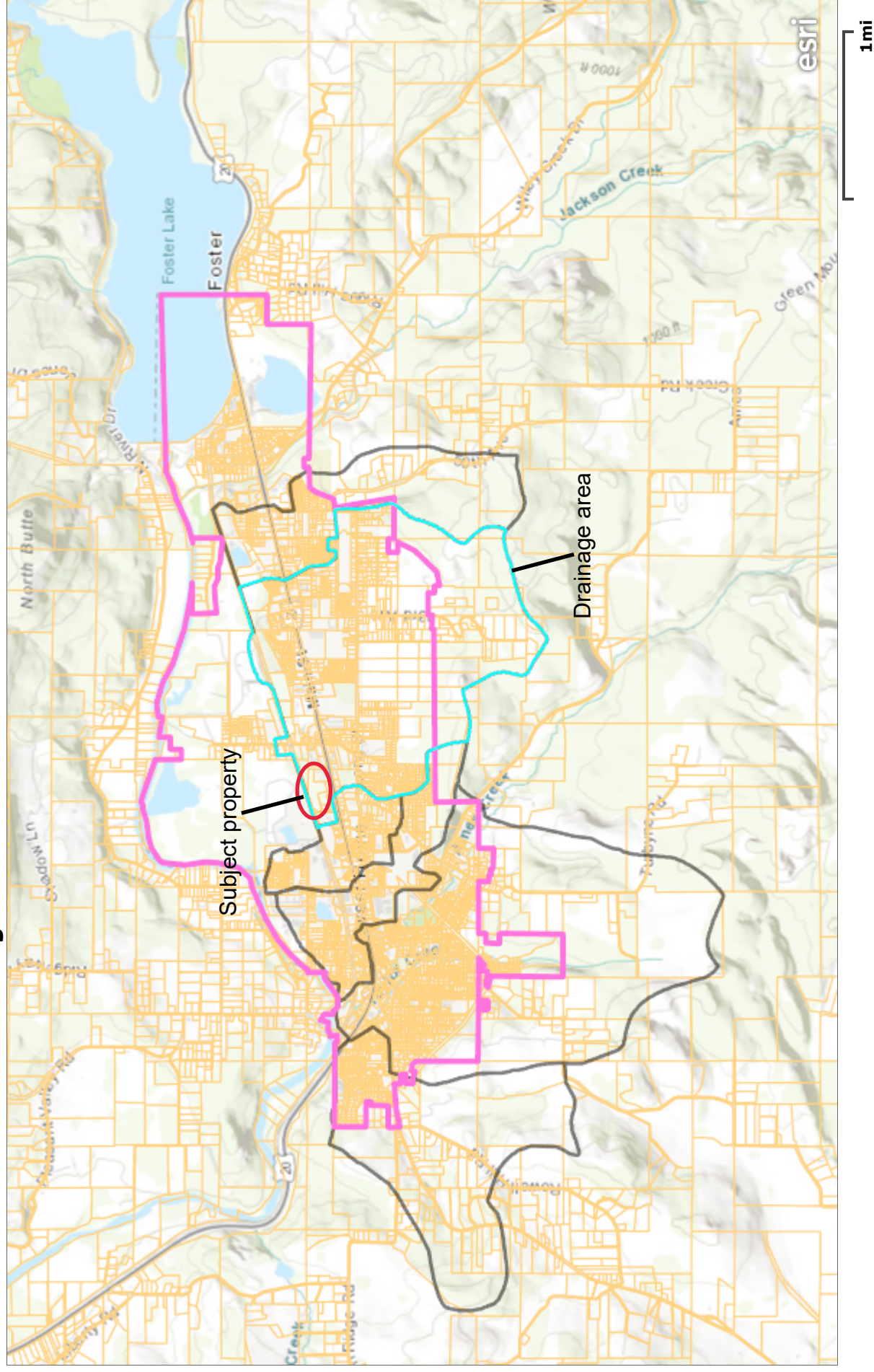


FORGE



Direct Drive Up Access		Length	SF	NRSF	Unit Count	% of Total Units	% of Total Area
Width	10	15	150	9,000	60	10.5%	8.5%
	10	20	200	9,000	45	7.8%	8.5%
	10	25	250	7,500	30	5.2%	7.0%
	10	30	300	9,600	32	5.6%	9.0%
	12	25	300	11,400	38	6.6%	25.3%
	15	40	600	18,000	30	5.2%	16.9%
	15	50	750	24,750	33	5.7%	23.3%
Subtotal Drive Up				89,250	268	47%	83.9%
AVG UNIT SIZE				333			
Inside Ground Access		Length	SF	NRSF	Unit Count	% of Total Units	% of Total Area
Width	5	5	25	2,450	98	17.1%	2.3%
	10	5	50	6,100	122	21.3%	5.7%
	10	7.5	75	1,050	14	2.4%	1.0%
	10	10	100	5,800	58	10.1%	5.5%
	10	12.5	125	1,750	14	2.4%	1.6%
Subtotal Inside Ground Access				17,150	306	53%	16.1%
AVG UNIT SIZE				56			
Office Suites				9,410			
Canopy				46,024			
Open Parking				21,890			
RV Wash Bay				2,000			
Grand Total Units Only				105,400	574	100%	100%
Average Unit SF				185			
Building Efficiency				86%			
Rental Office				422			
Total Area Storage Includes:				124,174			
Drive Up, Client Control, Suites & Office							

Sweet Home Stormwater Drainage Areas



County of Linn, Bureau of Land Management, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, METI/NASA, NGA, EPA, USDA



City of Sweet Home
Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

Application for a Conditional Use Permit

Date Received: 03.28.22
Date Complete: 03.29.22
File Number: CU22-08
Application Fee \$: 615.00
Receipt #: 4804
Hearing Date: 05.05.22

Applicant's Name:

Eric Lund

Applicant's Address:

6321 Lake Pointe Way Sweet Home, OR 97386

Applicant's Phone and e-mail:

541-223-3864 // Eric@theaxiom-group.com

Subject Property Address:

Property Owner:

Eric Lund

Owner's Address:

6321 Lake Pointe Way Sweet Home, OR 97386

Owner's Phone and email:

541-223-3864 // Eric@theaxiom-group.com

Subject Property Assessor's Map and Tax Lot:

13S01E32AB100, 101 & 500

Subject Property Size:

Subject Property: Zoning Classification

M

Comprehensive Plan Classification:

Nature of Applicants Request

Narrative describing the proposed use: Brief Description on this form and attach extra sheets if needed.

Building of self storage, fully enclosed RV/boat storage, canopy parking for RV/Boat and light industrial space. Please see narrative.

Impacts on the neighborhood: Include traffic, parking, noise, odor, dust or other impacts. Brief Description on this form.

Little to no impact

Submittal Requirements

The checklist on the other side of this application lists the required items must be submitted with this application and the Criteria the request must meet. Please address all items that apply to this request.

I certify that the statements contained on this application, along with the submitted materials, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature:

Date:

3/28/22

Property Owner's Signature:

Date:

3/28/2022

Within 30 days following the filing of this application, the City Planner will make a determination of completeness regarding the application. If deemed complete, the application will be processed.