



Staff Report Presented to the Planning Commission

REQUEST: The applicant is requesting a conditional use permit to allow the lease of approximately 3,200 square feet of City Hall to the Community Services Consortium (CSC). The lease will include office space, parking, indoor storage space and outdoor storage space. The services offered by CSC will include but are not limited to: Supportive services and case management for veterans and families, SNAP training and employment program, community career coaching, job search assistance, resource navigation, work experience programs, WIOA youth programs (Workforce Innovation and Opportunity Act), seasonal utility assistance, forest fuels reduction/defensible space crews, and assorted programs as they become available. Should the conditional use be approved, the CSC has proposed to assist the applicant with renovations to the office space. The applicant is applying for a Conditional Use per SHMC Chapter 17.24.040(D): 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. Tax Lot 101 contains approximately 5.03 acres and is in the Public Facility (PF) Zone.

APPLICANT AND

PROPERTY OWNER: The City of Sweet Home

FILE NUMBER: CU24-03

PROPERTY LOCATION: 3225 Main Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E33B Tax Lot 00101.

REVIEW AND

DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.24.040, 17.104, 17.126.

HEARING DATE & TIME: November 7, 2024, at 6:30 PM

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

STAFF CONTACT: Angela Clegg, Planning & Building Manager
 Phone: (541) 818-8029; Email: aclegg@sweethomeor.gov

REPORT DATE: October 31, 2024

I. PROJECT AND PROPERTY DESCRIPTION

ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Public Facility (PF)	Public Facility
Property North	Commercial Highway (C-2) Residential High Density (R-3)	Highway Commercial

Property East	Commercial Highway (C-2) Residential Low Density (R-1) Residential High Density (R-3)	Highway Commercial High Density Residential
Property South	Commercial Highway (C-2)	High Density Residential
Property West	Commercial Highway (C-2)	High Density Residential

Floodplain Based on a review of the FEMA flood insurance rate map; Panel 41043C0914G, dated September 29, 2010, the subject property is not in the Special Flood Hazard Area.

Wetlands: Based on a review of the City of Sweet Home Local Wetlands Inventory and a review of the National Wetlands Inventory Map, the subject property does not contain inventoried wetlands.

Drainage channel SSR-7E is located in the far southwest corner of the subject property. There will be no impact to this channel with the proposed conditional use.

Access: The subject property has frontage and access from Main Street.

Services: The subject property has existing City water and sewer services in Main Street.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: September 24, 2024

Notice Published in Newspaper: October 2, 2024

Planning Commission Public Hearing: November 7, 2024

120-Day Deadline: January 15, 2025

Notice was provided as required by SHMC 17.126.01

II. COMMENTS

Ray Grundy

Building Division: Building has no concerns at this time. All renovations/construction require permitting as the structure is commercial.

CEDD Engineering: No comments as of the issuance of this Staff Report.

Blake Patterson

Public Works Dept. No comments from Public Works.

Natalie Bauer

Linn Co Assessor: If the City leases any of its property the property becomes taxable per ORS 307.110. If the City does lease space out, they are to notify the county assessor within 30 days after the date of the lease. If the lessee can qualify for an exemption they may apply between January 1 and April 1 to avoid a late filing penalty. If the lessee has any questions about the application process they can reach out to the Linn County Assessor's office. Only the portion leased to CSC will be taxable.

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.

17.104.050 DECISION CRITERIA

A Conditional Use shall be approved if the applicant provides supporting evidence that all the requirements of this Development Code relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

A. The use is listed as a conditional use in the underlying district and complies with the development requirements of the underlying zone.

Staff Findings: The applicant is requesting a conditional use permit to allow the lease of approximately 3,200 square feet of City Hall to the Community Services Consortium (CSC). The lease will include office space, parking, indoor storage space and outdoor storage space.

The applicant is applying for a Conditional Use per SHMC Chapter 17.24.040(D): 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. The purpose of the Public Facility zone is to provide areas appropriate for specific public and semi-public uses and to ensure their compatibility with adjacent uses. It is intended that this zone be applied to individual parcels shown to be an appropriate location for a certain public or semi-public use.

The proposed use shall comply with the development standards listed in SHMC Chapter 17.24.060. Staff finds the proposed use and services provided by CSC compatible with the purpose and intent of the Public Facility Zone.

Based on the above information, staff finds the application complies with these criteria.

B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features.

Staff Findings: The east side of City Hall was not renovated prior to the 2019 move from 1140 12th Avenue. Since 2019 the east side of the building has been used for storage only. Based on the list of services submitted by CSC, supplemental to the application (attachment C), CSC is proposing to provide in-kind services and assist the City with renovations to the area subject to the Conditional Use. No external renovations are proposed with this application.

The site size, shape, location, topography, location of improvements, and natural features are adequate for the proposed use.

Based on the above information, staff finds that the application complies with these criteria.

C. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use.

Staff Findings: Staff finds that the proposed lease to Community Services Consortium (CSC) is timely. CSC is proposing to provide in-kind services and assist the City with renovations to the area subject to the Conditional Use. There is access to the building from Main Street, and a public bus stop located on the northeast side of the front parking lot, providing convenient transportation access for all residents.

Per SHMC 17.44.060(O) 1 bike space per every 20 vehicle spaces, 1 parking space per 800 square feet, plus 1 parking space per 2 employees are required. The entire building is 12,705 square feet, requiring 16 parking spaces. City Hall currently staffs 11 employees, requiring and additional 6 parking spaces. The number of staff that will be employed by CSC and working from the proposed space is unknown. However, the existing parking lot provides 67 regular parking spaces, 4 handicap parking spaces, and 5 bicycle spaces. Subtracting the number of parking spaces required for City Hall square footage and staff, leaves approximately 52 spaces available for CSC. Staff finds that there is adequate parking for the proposed use.

City water, storm water and sewer services are existing for the site.

There is no existing or planned external development for the site that will be affected by the planned use.

Based on the above information, staff finds that the application complies with these criteria.

D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.

Staff Findings: Abutting the subject property to the north is Main Street (Highway 20), abutting the subject property to the west is a vacant lot, abutting the property to the south is a vacant lot and multi family residential, and abutting the property to the east is an undeveloped park and residential neighborhood. The proposed use will not alter the character of the surrounding area.

Based on the above information, staff finds that the application complies with these criteria.

E. 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.

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 information, staff finds that the application complies with these criteria.

17.104.060 CONDITIONS OF APPROVAL

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.

A. These conditions may include, but are not limited to, the following:

1. **Requiring larger setback areas, lot area, and/or lot depth or width;**
2. **Limiting the hours, days, place and/or manner of operation;**
3. **Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor or dust;**
4. **Limiting the building height, size or lot coverage, or location on the site;**
5. **Designating the size, number, locations and/or design of vehicle access points, parking areas, or loading areas;**
6. **Increasing the number of required parking spaces;**
7. **Requiring street rights-of-way to be dedicated and streets, sidewalks, curbs, planting strips, pathways or trails to be improved, so long as findings in the development approval indicate how the dedication and/or improvements, if not voluntarily accepted by the applicant, are roughly proportional to the impact of the proposed development;**
8. **Limiting the number, size, location, height and lighting of signs;**
9. **Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;**
10. **Requiring fencing, screening, landscaping, berms, drainage, water quality facilities or other facilities to protect adjacent or nearby property, and the establishment of standards for their installation and maintenance;**
11. **Designating sites for open space or outdoor recreation areas;**
12. **Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and historic or cultural resources;**
13. **Requiring ongoing maintenance of buildings and grounds;**
14. **Setting a time limit for which the conditional use is approved.**

B. Uses existing prior to the effective date of this Chapter and classified in Title 17 as a conditional use shall meet the criteria for modification of approved plans and developments.

C. The Planning Commission may require the applicant of an approved conditional use permit to enter into an agreement with The City for public facility improvements.

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. 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.

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 CU24-03:

1. The property owner and tenant shall complete all building renovations within one year of the date of the approval of Application CU24-03.
2. The property owner and tenant shall obtain and comply with all applicable local, state, and federal permits and requirements. 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 CU24-03.

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 CU24-03; 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 application CU24-03; 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 Map
- C. Application
- D. Duck Hollow HOA Comment

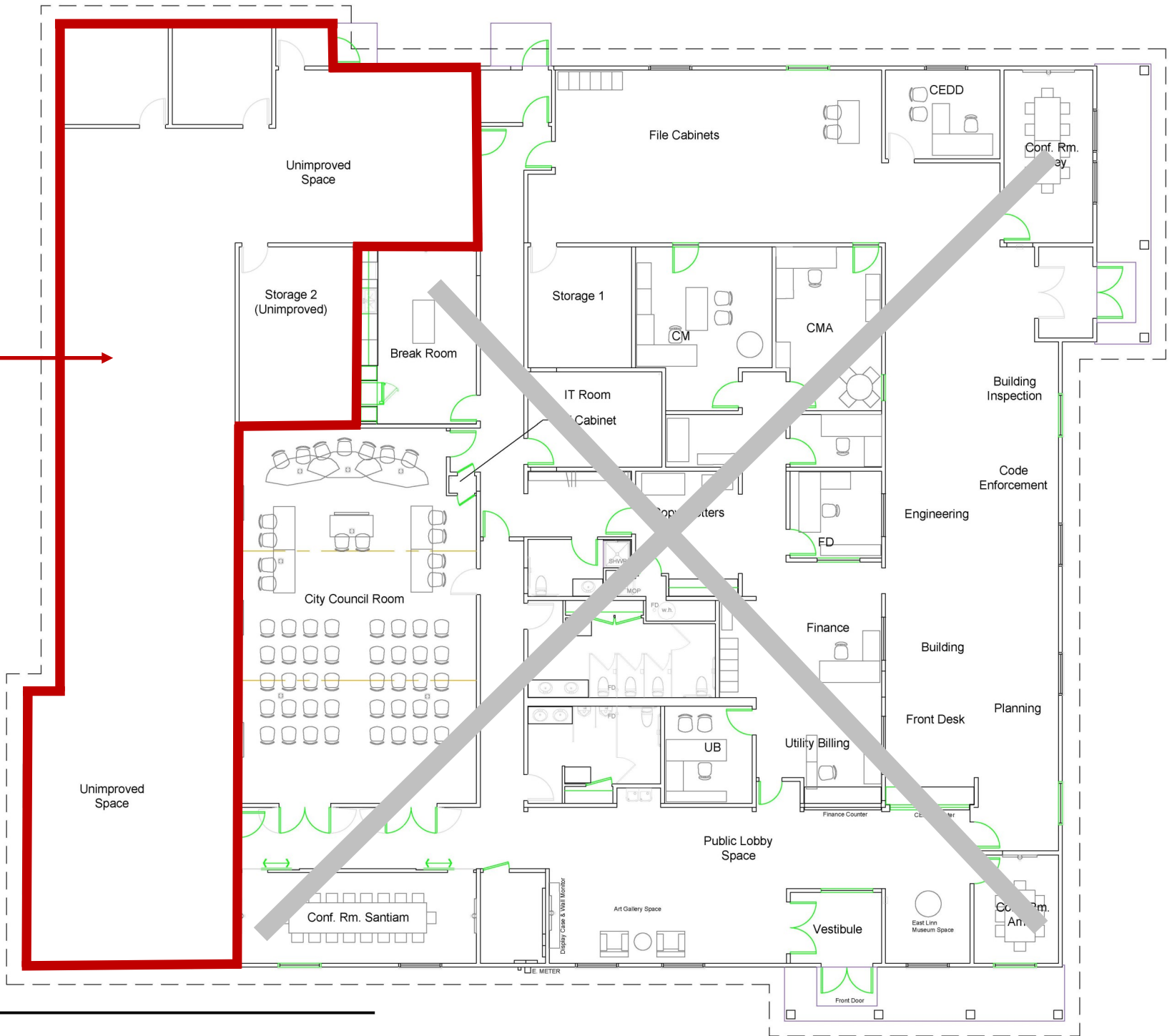


1 inch = 109 feet

CU24-03
Subject Property Map

Date: 9/18/24

**Proposed
Area
for Lease**





Land Use Application

- Adjustment
- Annexation
- Comprehensive Plan Map Amendment
- Conditional Use
- Home Occupation
- Interpretations
- Nonconforming Uses
- Partition
- Property Line Adjustment
- Site Development Review
- Subdivisions and Planned Developments
- Text Amendments
- Variance
- Zone Map Amendment

Date Received: 09.17.24
 Date Complete: 09.24.24
 File Number: CU24-03
 Application Fee: —
 Receipt #: —
 Planning Commission Hearing Date: 11.07.24
 City Council Hearing Date: N/A

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

Applicant's Name: City of Sweet Home
 Applicant's Address: 3225 Main Street, Sweet Home, OR 97386

Applicant's Phone Number: 541-367-8969
 Applicant's Email Address: cpretty@sweethomeor.gov

Property A

Owner's Name: City of Sweet Home
 Owner's Address: 3225 Main Street, Sweet Home, OR 97386
 Owner's Phone Number: 541-367-8969
 Owner's Email: jogden@sweethomeor.gov
 Property Address: 3225 Main Street, Sweet Home, OR 97386
 Assessor's Map and Tax Lot: 13S01E33B 00101
 Property Size Before: 5.03 acres Property Size After: 5.03 acres
 Zoning Classification: PF Comprehensive Plan: PF

Property B

Owner's Name: _____
 Owner's Address: _____
 Owner's Phone Number: _____
 Owner's Email: _____
 Property Address: _____
 Assessor's Map and Tax Lot: _____
 Property Size Before: _____ Property Size After: _____
 Zoning Classification: _____ Comprehensive Plan: _____

Nature of Applicant's Request

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

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: [Signature]
 Property Owner's Signature: [Signature]
 Property Owner's Signature: _____
 Property Owner's Signature: _____

Date: 9/17/2024
 Date: 9/17/2024
 Date: _____
 Date: _____



APPENDIX D

CONDITIONAL USE

A conditional use is one which is generally acceptable as a land use activity in a particular zone, but due to certain aspects of the activity, buffering, screening, time limitations or other conditions are necessary to ensure compatibility with adjacent property. Conditional uses are presumed to be allowed unless conditions to ensure their compatibility cannot be established. [SHMC 17.104.010]

Conditional Use shall be reviewed in accordance with the Type III review procedures specified in Chapter 17.126. [SHMC 17.104.020]

An application for a conditional use shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.126 [SHMC 17.104.030]

SHMC 17.104.040 SUBMITTAL REQUIREMENTS

The applicant is required to submit a summary for each of the following applicable criteria and submit the summary as a narrative with the Land Use Application. (Attach extra sheets, if needed)

The applicant shall prepare and submit an application, site plan, and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. The site plan shall show pertinent information to scale to facilitate the review of the proposed development.

- A. The following general information shall be shown on the site plan:
 - Vicinity map showing all streets, property lines and other pertinent data to locate the proposal.
 - North arrow and scale of drawing.
 - Tax map and tax lot number or tax account of the subject property.
 - Dimensions and size in square feet or acres of the subject property.
 - Location of all existing easements and City utilities (water, sanitary sewer, storm drainage) within the property.
 - Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.
 - A site plan clearly indicating the proposed location of the proposed conditional use including the dimensions of any existing, expanded, or new structure proposed to house the conditional use along with all site improvements including parking, lighting, screening, landscaping, etc.

B. Is the use listed as a conditional use in the underlying district and does it comply with the development requirements of the underlying zone? Explain:

17.24.040(D): 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.

- C. Are the characteristics of the site suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features? Explain:

The City of Sweet Home proposes to lease the east wing of the subject building to the Community Services Consortium. The lease will include office space, parking, indoor storage space and outdoor storage space. Th subject property has approximately 70 available parking spaces, including 4 handicap accessible spaces, and ____ sf of available office space.

- D. Is the proposed development timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use? Explain:

The development is timely and is part of the existng plans for the vacant portion of City Hall. CSC will assist the City with the necessary renovations for occupancy as part of their lease agreement. There are existing facilities and services to the building. Development will not require changes to the transportation systems.

- E. The applicant shall address how the proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.

The proposed use will not alter the character of the surrounding area. Any requested outdoor storage will be in compliance with City code and the lease agreement.

- F. The applicant shall address how 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.

There will be no negative impacts to adjacent properties or on the public. Mitigation will not be required.

CSC East Wing Lease-Sweet Home City Hall

Contact: Sharee Cooper, Senior Operation Manager

scooper@communityservices.us

List of CSC Services to be offered; in-kind trade, and information for Exhibit's A & B

CSC List of services to be offered:

- Supportive services and case management for veterans and families
- SNAP Training and employment program
- Community career coaching
- Job search assistance
- Resource Navigation
- Work Experience Programs
- WIOA Youth Programs (Workforce Innovation and Opportunity Act)
- Seasonal utility assistance
- Forest fuels reduction/defensible space crews
- Assorted programs as they become available.

In-kind Services

In terms of in-kind services, we would like to offer fuels reduction services, to be delivered by our Workforce Development fuels reduction crews 10 days a year. This kind of fuels reduction work is valued at \$2000 per day, depending on the kind of fuels reduction work being completed. Our fuels reduction crews are able to work on public or private land. Their work is oriented toward wildfire prevention through the creation of defensible space, and/or the reduction of surface, ground, ladder and aerial fuels in areas within the Wildland Urban Interface (WUI). Fuels reduction on property within a WUI is especially important because of its proximity to timberlands (commercial, wilderness or private). These kinds of fires, as we have seen in recent years, may lead to catastrophic wildfires and loss of life, property and valuable human infrastructure. Our work would include: felling and bucking hazard trees (or thinning trees within crowded stands); brushing, trimming, pruning surface and ladder fuels, chipping and hauling away debris (or dispersing chips as needed/requested). We can also set aside and deliver firewood for community use (e.g., residents who can't afford firewood or who have other barriers to obtaining firewood). We would work with Sweet Home Public Works/ Fire to write fuels reduction prescriptions based on Oregon State Fire Marshall standards.

Exhibit A: Authorized Use

- Parking area (Exhibit A):
 - Vehicles: 4-5 CSC vehicles & multiple privately owned staff vehicles (POV).
 - Project Equipment such as Chipper, dump trailer and/or cargo trailer
 - 1 Conex Box: CSC's Emergency Management Conex box
 - 1 Storage shed and trailer
- (I didn't see an Exhibit A either but should probably be clarified to include more than just office work on site). We don't have any shop space or tool storage but I'm guessing we can put that outside (and probably should).

Exhibit B:

- Renovations/additions by City
 - Front entrance construction (East Wing)
 - 2 single-use bathrooms + shower in each.
 - Plumbing and electric for washer/dryer
 - Electrical/plumbing for break room
 - Construct solid wall where council door is located in the east wing.
 - HVAC
- Renovations by CSC:
 - Floor finish
 - Cubicle/office space modifications (as needed/desired)
 - Ceiling (as needed or desired) + Materials
 - Paint + materials
 - Cabinets/countertop for breakroom
 - Appliances



Duck Hollow

Homeowners Association

Planning Commission Members,

The Duck Hollow Homeowners Association has reviewed the notice you sent regarding the lease request by the Community Services Consortium (CSC) at City Hall and adjacent to our association members properties. We are left with a number of questions/concerns regarding how this property will be used and the impact that use will have on our subdivision due to the broad nature of services that CSC potentially could provide. We encourage planning commission members to strongly consider the impact these services might have on our homeowners and their properties. This would include increased foot traffic, transient activity, loitering and access to our subdivision while people await services, the potential for increased criminal activity, unauthorized access to our wetland areas, increased noise pollution for adjacent properties, and the potential for future undisclosed services to impact the safety and standard of living for our association members. We urge the planning commission to fully disclose what services will be allowed and assess the impact those services will have on our homeowners. We also formally request that no residential services associated with CSC be allowed as part of the lease. We have fought hard to prevent residential services associated with CSC from being permitted on the property in previous attempts by service providers associated with the consortium. We would be happy to discuss our concerns with you in person and will have a representative at the November 7th meeting.

Respectfully,

A handwritten signature in black ink, appearing to read 'Eric Stutzer'. The signature is stylized and cursive.

Eric Stutzer
Duck Hollow HOA
President

PO Box 535
Sweet Home, OR 97386
duckhollowHOA@gmail.com

