



CITY OF SWEET HOME PLANNING COMMISSION AGENDA

REVISED

July 01, 2021, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

The Planning Commission will hold a Regular Planning Commission meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. In order to protect residents, staff, and elected officials due to the novel COVID-19 virus, the frequency and length of public meetings, including the Planning Commission, boards and City Council, will be minimized. Non-urgent and non-essential City business with expected public feedback will be postponed whenever possible. Individuals attending public meetings in person will be limited to the first six people, required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home Planning Commission is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the Planning Commission meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 541-367-5128, choose option #1 and enter the meeting ID 509 335 15# to be logged in to the call.

This video stream and call in options are allowed under Planning Commission rules, meet the requirements for Oregon public meeting law, and has been approved by the Mayor as Chairperson of the meeting. All votes will be conducted by Roll Call Vote.

Call to Order and Pledge of Allegiance

Roll Call of Commissioners

Public Comment. This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.

Public Hearings

Extension Request for SD20-01: Length of extension request: Phase 1 - November 18, 2022 and Phase II - November 18, 2023. Reason for the extension request: delays associated with the preparation, submittal, and approval of a Joint Corps, DSL, and DEQ permit application.

Application CU21-08: The applicant is requesting a conditional use permit to allow the construction of an approximately 25,650 square feet, 24-unit assisted living facility, and up to 3 units of an independent living triplex of approximately 5,300 square feet. The additional assisted living building or pod will attach and be connected to the existing 44-unit facility. Per SHMC 17.24.030 (E): A hospital is permitted as a conditional use. The subject property contains approximately 299,464 square feet and is in the Residential Low Density (R-1) zone.

Application CU21-09: The applicant is requesting a conditional use permit to allow for the construction of an approximately 28,200 square feet memory care facility consisting of 48 beds and 23 additional parking spaces. Per SHMC 17.24.030 (E): A hospital is permitted as a conditional use. Per the approval of the pending Partition Application P21-11, the subject property will contain approximately 385,506 square feet and is in the Commercial Highway (C-2) zone. Application CU21-09 is pending the approval of P21-11. Application P21-11 is being filed simultaneously with Application CU21-09.

Application CU21-10: The applicant is requesting a conditional use permit to allow for the construction of an approximately 15,000 square feet medical office building including access, a helicopter pad and approximately 60 additional parking spaces. Per SHMC 17.36.030 (E), 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. After the approval of the pending Partition Application P21-11, the subject property will contain approximately

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

170,755 square feet and is in the Commercial Highway (C-2) zone. Partition Application P21-11 is being filed simultaneously with Application CU21-10.

- a) [SD21-01 Request for an Extension](#)
- b) [CU21-08 Staff Report](#)
- c) [CU21-09 Staff Report](#)
- d) [CU21-10 Staff Report](#)

Staff Updates on Planning Projects:

Planning Commissioner Comments: This is an opportunity for Planning Commissioners to address topics that are not listed on the agenda

Adjournment

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
 - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:
READ: "The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue."
- Declarations by the Commission:
 - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
 - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
 - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
 - Review of application
 - Discussion of relative Criteria that must be used
 - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony

- Applicant's Testimony
- Proponents' Testimony
 - Testimony from those wishing to speak in favor of the application
- Opponents' Testimony
 - Testimony from those wishing to speak in opposition of the application
- Neutral Testimony
 - Testimony from those that are neither in favor nor in opposition of the application.
- Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
 - Motion
 - Approval
 - Denial
 - Approval with Conditions
 - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
 - Recommendation made by Planning Commission—City Council makes final decision.

If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.



City of Sweet Home

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

Land Use Approval Extension

File: SD-20-01
Applicant: Joesph Fennimore; Creekside DKV, LLC 5514 Commercial St., Salem, OR 97306; (971) 718-1198; joe@dalesremodeling.com
Application Description: Duck Hollow III Phase I and Phase III

Property Address: Unassigned

Assessor's Map and Tax Lot: Linn County Tax Map No. 13S-01E-33B Tax Lot 1800

Date of Original Planning Commission Approval: September 25, 2020

Original Expiration Date: September 25, 2021

Length of Extension Request: Phase I - November 18, 2022 and Phase II November 18, 2023

Reason for Extension Request: Delays associated with the preparation, submittal, and approval of a Joint Corps, DSL, and DEQ permit application.

Deciding Party:

- ☐ Planning Official (One year or less)
☒ Planning Commission (More than one year)

Date of Decision: _____

New Approval Deadline: _____

The land use application approval shall be void after the **New Approval Deadline** if the use has not been substantially established as defined in the Sweet Home Municipal Code (SHMC). All other terms and conditions of the land use approval remain unchanged.

Planning Commission Representative (If applicable)

Date

Community and Economic Development Director

Date

**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 the construction of an approximately 25,650 square feet, 24-unit assisted living facility, and up to 3 units of an independent living triplex of approximately 5,300 square feet. The additional assisted living building or pod will attach and be connected to the existing 44-unit facility. Per SHMC 17.24.030 (E): A hospital is permitted as a conditional use. The subject property contains approximately 299,464 square feet and is in the Residential Low Density (R-1) zone.

APPLICANT: Samaritan Health Services, Inc.

PROPERTY OWNER: Mid-Valley Healthcare, Inc.

FILE NUMBER: CU21-08

PROPERTY LOCATION: 5050 Mountain Fir Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E27C Tax Lot 2511.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.24.030, 17.80.040

HEARING DATE & TIME: July 1, 2021 at 6:30 PM

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

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

REPORT DATE: June 24, 2021

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

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Residential Low Density (R-1)	Mixed Use Residential
Property North	Residential Low Density (R-1) Commercial Highway (C-2)	Mixed Use Residential
Property East	Residential High Density (R-2)	Planned Recreation Commercial
Property South	Residential High Density (R-2)	High Density Residential
Property West	Residential Low Density (R-1) Commercial Highway (C-2)	High Density Residential Highway Commercial

Floodplain Based on a review of the September 29, 2010 FEMA FIRM Maps; Panel 41043C0916G, the subject property is located outside of the 100-year floodplain.

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.

Access: The subject property has frontage and access along Mountain Fir Street.

Services: The property is connected to City water and sewer services.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice: June 7, 2021

Notice Published in Newspaper: June 9, 2021

Planning Commission Public Hearing: July 1, 2021

120-Day Deadline: October 2, 2021

Notice was provided as required by SHMC 17.12.120

II. COMMENTS

Building Division: The Building Program has no issues with this request.

Engineering Division: Regarding the Conditional Use 21-08 for Samaritan Health Services Inc expansion. Adding additional Assisted Living Facility and Independent Living capacity will connect to the existing city services. The roadway network are all private driveways and parking lots. The proposed plan indicates an additional driveway/fire lane access to the new building addition. The City Water system runs through the parking lot from Mountain Fir Street to Main St in an easement, outside the main building and the location for the new 3-unit Independent Housing building, so connections are readily available. The sanitary sewer system is a private collection network between all the buildings that tie into the City system at the intersection of Main St and 49th Avenue. CEDD-ES has no concerns with the Conditional Use application.

Public Works Dept. The water system on site is public and is available for connection. The sewer system on site is private and is owned by the applicant. Stormwater detention may be required upon development.

Sweet Home Fire District: The Fire District has no issues with this request.

Public Comments: See Attachment C

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. The applicant's findings are included in their written statement included in Attachment D.

- 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: The subject property is in the R-1 Zone. The applicant is requesting a conditional use permit to allow the construction of an approximately 25,650 square feet, 24-unit assisted living facility, and up to 3 units of an independent living triplex of approximately 5,300 square feet. The additional assisted living building or pod will attach and be connected to the existing 44-unit facility. Per SHMC 17.24.030 (E): A hospital is permitted as a conditional use in the Residential Low Density (R-1) Zone.

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 CU21-08.

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 the construction of an approximately 25,650 square feet, 24-unit assisted living facility, and up to 3 units of an independent living triplex of approximately 5,300 square feet. The additional assisted living building or pod will attach and be connected to the existing 44-unit facility.

Public Comment: Samaritan Health Services, Inc. current lighting for street and housing on Mountain View (Fir) are intrusive to the homes on Mimosa Circle on the south side of Mountain View (Fir), requiring additional light blocking drapes because of the light placement on the Samaritan property. We feel additional lighting for the new construction will add to light pollution to the homes on Mimosa Circle. Samaritan's additional housing and staff will increase the traffic on Mountain View (Fir). A noise abatement requirement should be addressed and required.

Staff finds that the site size, dimensions, location, topography and access are adequate for the proposed use. When submitting building permits, staff recommends that the applicant submit a lighting and traffic plan for review.

With the above conditions, the application complies with this criterion.

- 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. In order to ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section V of this report.

When submitting building permits, staff recommends that the applicant submit a lighting and traffic plan for review.

With the above conditions, the application complies with this criterion.

- 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 is currently served by City water and sewer. Staff finds that the proposed use has adequate capacity.

The application complies with this criterion.

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

- 1. The home occupation shall be secondary to the residential use.**

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

- 2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.**

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

- 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.**

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

- 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)]**

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

- G. Marijuana facilities may not have any drive-up services. [SHMC 17.80.040(G)]**

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

- H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school. [SHMC 17.80.040(H)]**

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

- 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 in order 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.

In order to ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of development listed in Section V 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 CU21-08:

1. The Assisted Living Facility and Independent Living Triplex will be conducted in a manner consistent with the representations made by the applicant in the application and hearing process.
2. Vehicles related to the Assisted Living Facility and Independent Living Triplex shall be parked in a manner so as to not block any driveway or impede the safe flow of traffic.
3. The applicant shall provide a lighting plan acceptable to the Sweet Home Municipal Code requirements of 17.44.090.
4. The property owner shall obtain and comply with all other applicable local, state, and federal permits and requirements.

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 V.

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 CU21-08; 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 CU21-08; 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.

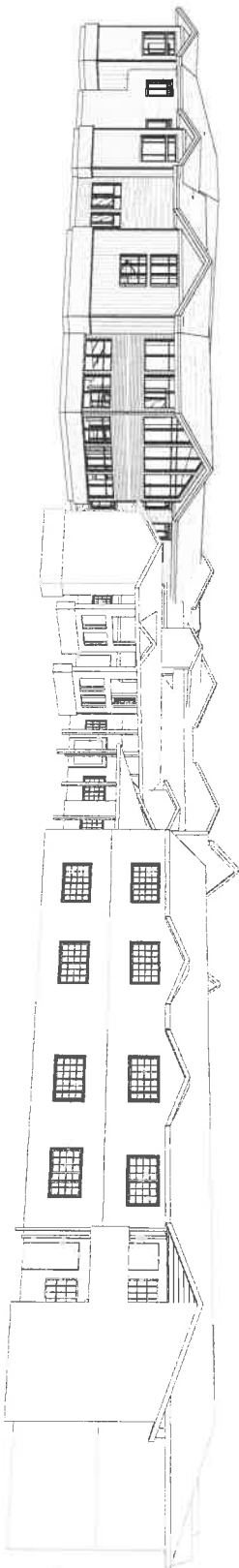
VI. ATTACHMENTS

- A Site Plan
- B Subject Property Map
- C Public Comments
- D Application

WILEY CREEK AL ADDITION & TRI-PLEX

LAND USE SUBMITTAL

05.27.2021



DRAWING INDEX

GENERAL	0001	COVER SHEET
ARCHITECTURAL	AS01	SITE PLAN
	AS02	ASSISTED LIVING ADDITION - PLAN 1
	AS02	ASSISTED LIVING ADDITION - PLAN 2
	AS01	ASSISTED LIVING ADDITION - ELEVATIONS
	AS01	INDEPENDANT LIVING TRI-PLEX PLANS & ELEVATIONS

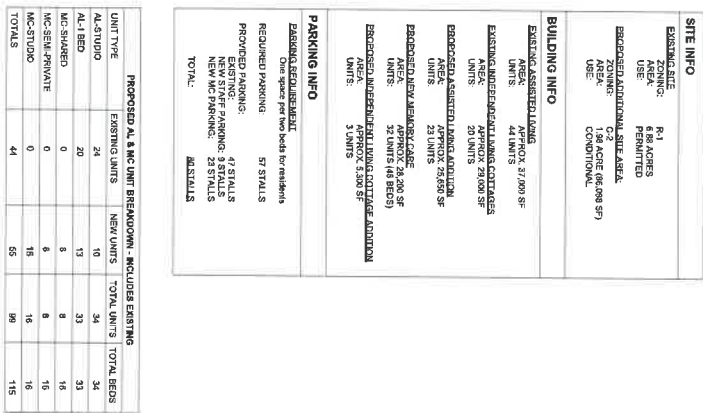
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WILEY CREEK AL ADDITION & TRI-PLEX
5050 MOUNTAIN FIR ST.
SWEET HOME OREGON
COVER SHEET

PROJECT TEAM

Client	Architect	Structural Engineer	Mechanical Engineer	Electrical Engineer
Wiley Management, Inc. 1600 Howe St SE, Suite 150 Salem, OR 97302 Contact: Douglas Sproul Phone: (503) 391-1888 Email: doug@wileymanagement.com	Steele Associates Architects, LLC 665 NW Oak Pine #150 Bend, OR 97703 Contact: Andy Hanna Phone: (541) 382-7862 Email: andy@steele-arch.com	Adrian Vance Engineering 33 Franklin Ave. Bend, OR 97703 Contact: John Fischer Phone: (541) 621-1145 Email: jfisc@adrianvance.com	Adrian Vance 1935 Shwartz Rd. Salem, OR 97301 Contact: Oliver Raab Phone: (503) 365-2334 Email: oliver@adrianvance.net	Adrian Vance 1935 Shwartz Rd. Salem, OR 97301 Contact: Oliver Raab Phone: (503) 365-2334 Email: oliver@adrianvance.net



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SWEET HOME OREGON

ASSISTED LIVING ADDITION - PLAN 1

ADDITION AREA BREAKDOWN (APPROX.)	ASSIGNED LIVING UNITS
LEVEL ONE: 13,600 SF	EXISTING UNITS: 44 UNITS
LEVEL TWO: 12,800 SF	NEW UNITS: 14 UNITS
TOTAL ADDITION AREA: 26,400 SF	ONE BED: 11 UNITS
	TOTAL: 23 UNITS
	TOTAL AL UNITS: 67 UNITS

1 ASSISTED LIVING ADDITION - PLAN 1

$$1/8'' = 1'-0''$$

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LAND USE SUBMITTAL

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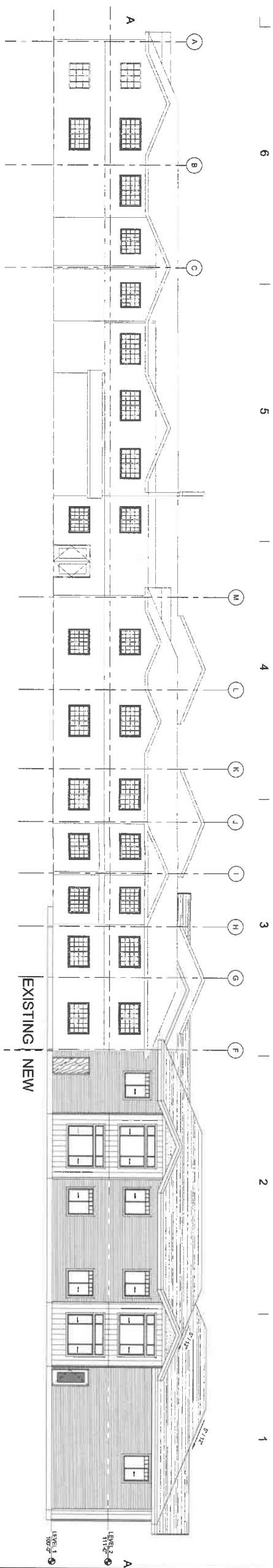
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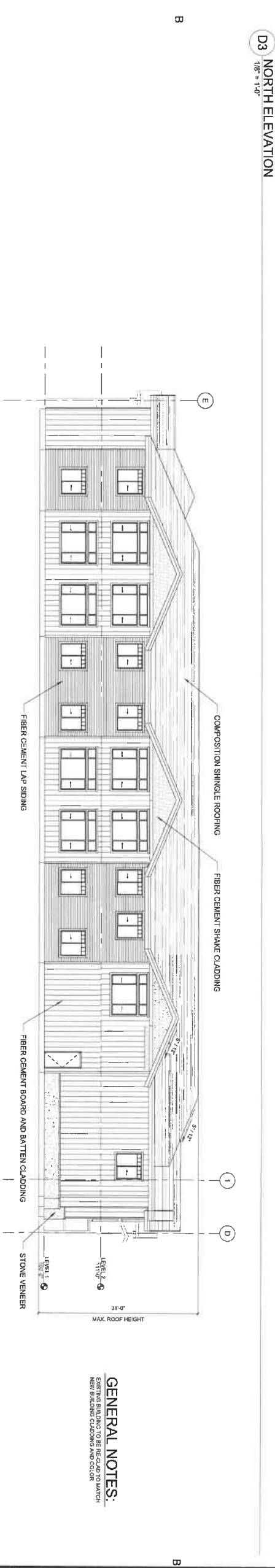
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ASSISTED LIVING
ADDITION - PLAN 2

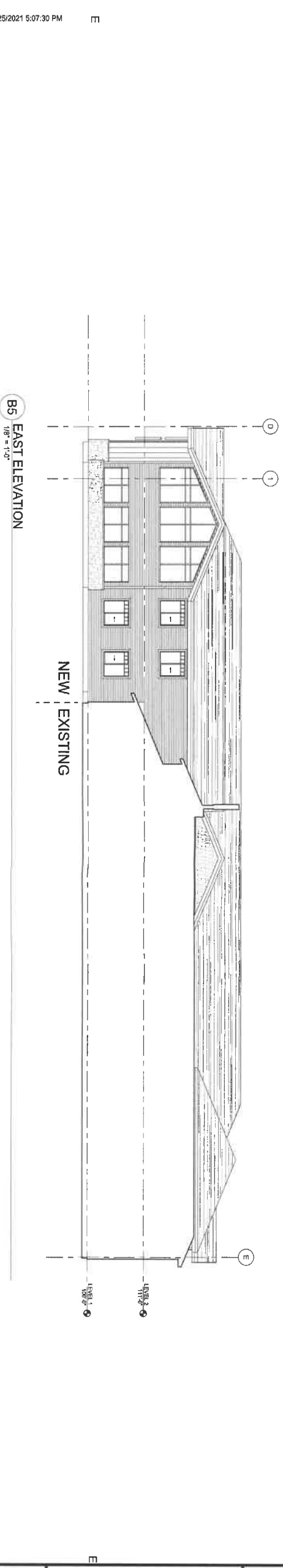
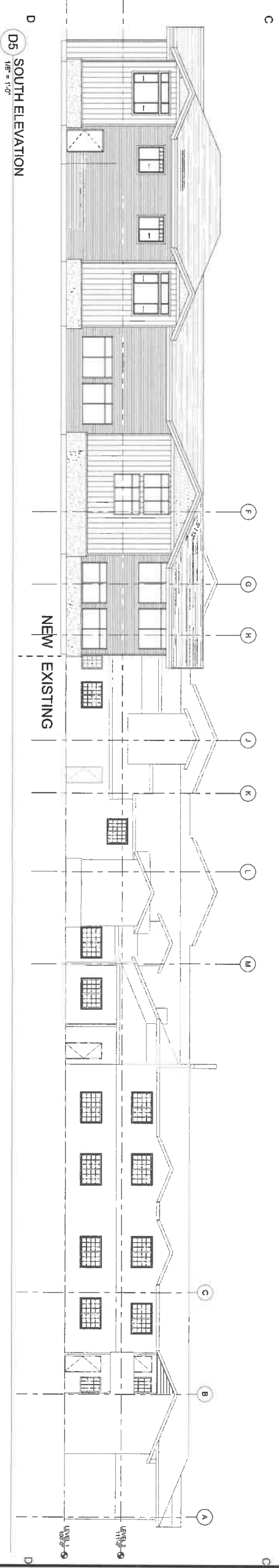
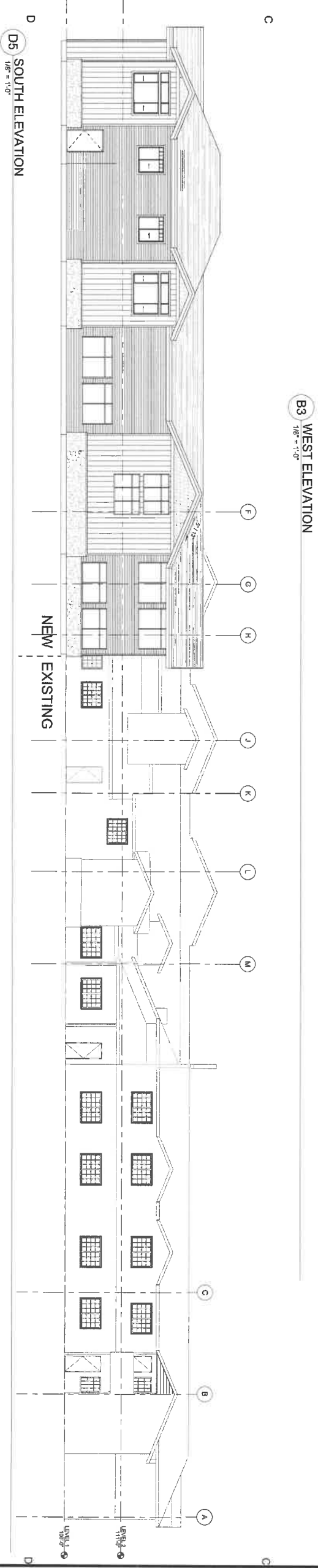


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GENERAL NOTES:
EXISTING BUILDING TO BE RE-CLAD TO MATCH
NEW BUILDING CLADDING AND COLOR

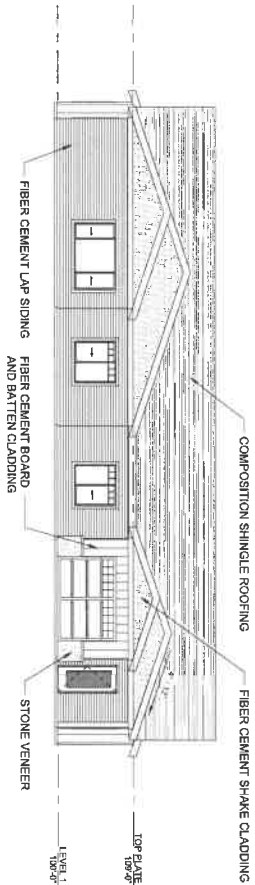


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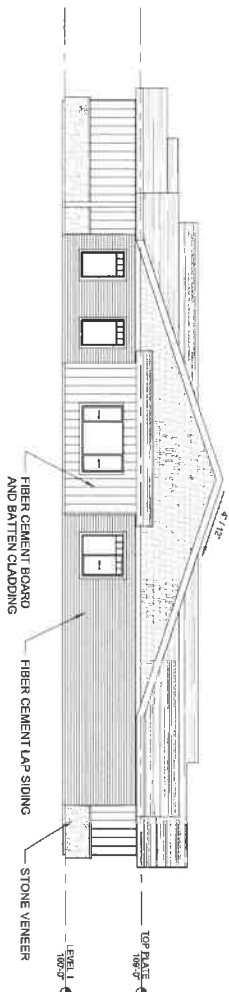
WILEY CREEK AL ADDITION & TRI-PLEX
5050 MOUNTAIN FIR ST.
SWEET HOME OREGON
ASSISTED LIVING ADDITION - ELEVATIONS

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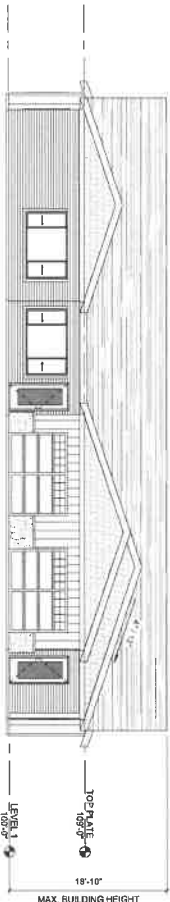
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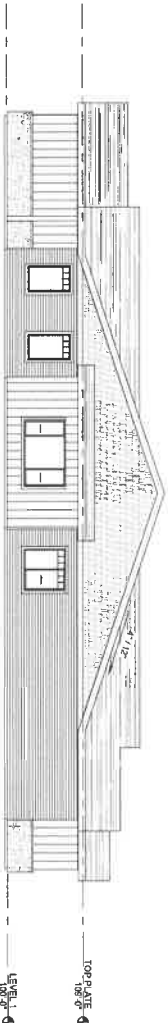
B6 WEST ELEVATION
1/8" = 1'-0"



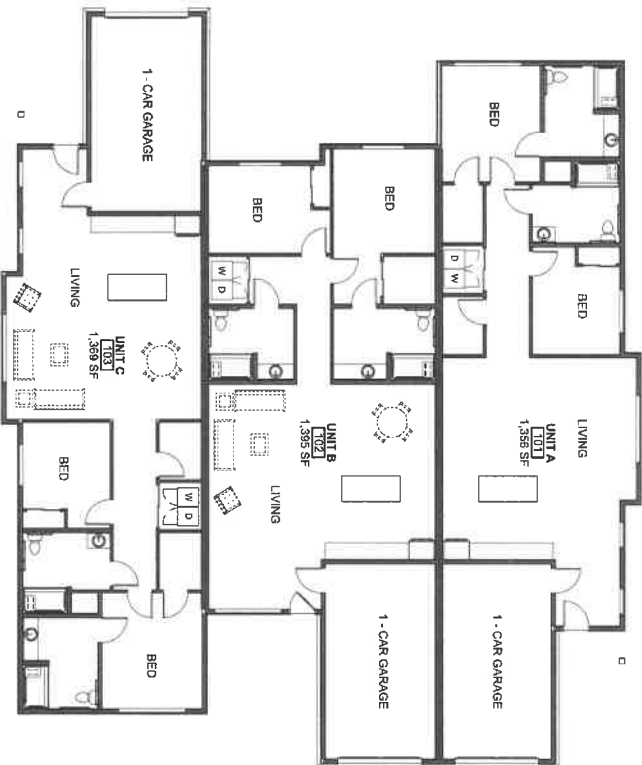
C6 SOUTH ELEVATION
1/8" = 1'-0"



D6 EAST ELEVATION
1/8" = 1'-0"



E6 NORTH ELEVATION
1/8" = 1'-0"



E3 LEVEL 1 - PLAN
1/8" = 1'-0"

NOT FOR
CONSTRUCTION

CERTIFIED TRUE
STEELE ARCHITECTS
ARCHITECTS
21107 01
DATE: 05/27/2021
BY: JMS
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1567 SW CHANDLER AVE. 203 BEND, OR 97702
541.382.3667 www.steele-arch.com

WILEY CREEK IL TRIPLEX
SWEET HOME, OR
SWEET HOME OREGON
INDEPENDANT LIVING TRIPLEX PLANS & ELEVATIONS

DATE: 21107 01
05/27/2021
BY: JMS
CHECKED BY: JMS
DRAWN BY: JMS
PROJECT NO. A301
INDEPENDANT LIVING TRIPLEX PLANS & ELEVATIONS



1 inch = 143 feet

Subject Property Map
13S01E27C 02511

Date: 6/4/21

July 17, 2021

Community and Economic Development Department
3225 Main St.
Sweet Home, Oregon 97386

Angela Clegg Associate Planner:

File Number: CU21-09, P21-11, CU21-010, PLA21-11.

We request that the planning department consider the following:

Light Pollution:

Samaritan Health Services, Inc. current lighting for street and housing on Mountain View are intrusive to the homes on Mimosa Circle on the south side of Mountain View, requiring additional light blocking drapes because of the light placement on the Samaritan property.

We feel additional lighting for the new construction will add to light pollution to the homes on Mimosa Circle. We ask that the planning department investigate and require a lighting system that is less intrusive to the surrounding properties.

Noise Pollution:

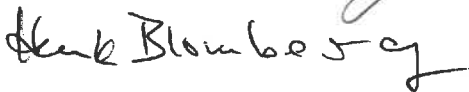
Samaritan's additional housing and staff will increase the traffic on Mountain View. A noise abatement requirement should be addressed and required.

Sincerely,

Diane Blomberg



Hank Blomberg



4918 Mimosa Circle

Sweet Home, Oregon 97386

**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: 06.01.21
Date Complete: 06.04.21
File Number: CU21-08
Application Fee \$: 615.00
Receipt #: 4396
Hearing Date: 07.01.21

Applicant's Name:
Samaritan Health Services, Inc.

Applicant's Address:
3600 NW Samaritan Dr. Corvallis, OR 97330

Applicant's Phone and e-mail:
541-768-4478 / tjacobsen@samhealth.org

Subject Property Address:
5050 Mountain Fir St. Sweet Home, OR 97386

Subject Property Assessor's Map and Tax Lot:
13S01E27C & 02511

Subject Property Size:
8.85 acres after property line adjustment

Subject Property: Zoning Classification
R1 (Low Density Res)

Property Owner:
Mid-Valley Healthcare Inc.

Owner's Address:
3600 NW Samaritan Dr. Corvallis, OR 97330

Owner's Phone and email:
541-768-4478 / tjacobsen@samhealth.org

Comprehensive Plan Classification:
Mixed-Use Residential

Nature of Applicants Request

Narrative describing the proposed use: Brief Description on this form and attach extra sheets if needed.
Approximate 25,650 sf addition to existing assisted living facility; new 3 unit independent living cottage; additional parking.

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

Additional traffic at HWY 20 and 49th Street intersection. All required parking will be provided on site. No unanticipated noise, odor, or dust impacts.

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.

DocuSigned by:

Applicant's Signature:

Date: 5/27/2021

807A87207E5E45C...

Tyler Jacobsen, General Counsel

Property Owner's Signature:

Date: 5/27/2021

807A87207E5E45C...

Tyler Jacobsen, General Counsel

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.

Wiley Creek MC/AL/IL CUP Narrative:

Wiley Creek Memory Care Facility:

Narrative describing proposed use: The construction of a memory care facility consisting of up to 48 beds and approximately 28,200 square feet.

Impacts on the neighborhood: Impacts on the neighborhood will be limited to minimal traffic impact of visitors and employees facilitated by the additional parking to be developed. Given that this is a natural coexisting product to the already existing facility, other impacts such as noise, odor and dust will be minimal, if not unnoticeable.

Proposed Plan of Business Operation: The day-to-day operation of a memory care facility including, but not limited to personal care services such as meals, housekeeping, transportation, medicating, and assistance with activities of daily living are available as needed.

Wiley Creek Assisted

Narrative describing proposed use: The construction of an additional up to 24 units assisted living of approximately 25,650 square feet and up to 3 units of an independent living triplex of approximately 5,300 square feet. The additional assisted living building or pod will attach and be connected to the already existing 44-unit facility.

Impacts on the neighborhood: Impacts on the neighborhood will be limited to minimal traffic impact of visitors and employees facilitated by the additional parking to be developed. As this is an addition to an already existing facility, impacts such as noise, odor, and dust, if any, will likely be undetectable.

Proposed Plan of Business Operation: The day-to-day operation of an assisted and independent living facility including, but not limited to personal care services such as meals, housekeeping, transportation, medicating, and assistance with activities of daily living are available as needed.

**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 the construction of an approximately 28,200 square foot memory care facility consisting of 48 beds and 23 additional parking spaces. A memory care facility may be approved per SHMC 17.36.030 (K): 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. Per the approval of the pending Partition Application P21-11, the subject property shall contain approximately 385,506 square feet and is in the Commercial Highway (C-2) zone.

Application CU21-09 is pending the approval of P21-11. Application P21-11 is being filed simultaneously with Application CU21-09.

APPLICANT: Samaritan Health Services, Inc.

PROPERTY OWNER: Mid-Valley Healthcare, Inc.

FILE NUMBER: CU21-09

PROPERTY LOCATION: 5050 Mountain Fir Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E27C Tax Lot 2510.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.36.030, 17.80.040

HEARING DATE & TIME: July 1, 2021 at 6:30 PM

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

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

REPORT DATE: June 24, 2021

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

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Commercial Highway (C-2)	Mixed Use Residential
Property North	Residential Low Density (R-1) Commercial Highway (C-2)	Mixed Use Residential
Property East	Residential Low Density (R-1) Residential High Density (R-2)	Mixed Use Residential Planned Recreation Commercial
Property South	Residential High Density (R-2)	High Density Residential
Property West	Residential Low Density (R-1) Commercial Highway (C-2)	High Density Residential Highway Commercial

Floodplain	Based on a review of the September 29, 2010 FEMA FIRM Maps; Panel 41043C0916G, the subject property is located outside of the 100-year floodplain.
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.
Access:	The subject property has frontage and access along 49 th Avenue and Mountain Fir Street.
Services:	The property has access to City water and sewer services in 49 th Avenue and Mountain Fir Street.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice:	June 7, 2021
Notice Published in Newspaper:	June 9, 2021
Planning Commission Public Hearing:	July 1, 2021
120-Day Deadline:	October 2, 2021
Notice was provided as required by SHMC 17.12.120	

II. COMMENTS

Building Division:	The Building Program has no issues with this request.
Engineering Division:	Regarding the Conditional Use 21-09 for Samaritan Health Services Inc development of a Memory Care Facility. The new Memory Care Facility will connect to the existing private street of Mountain Fir. The roadway network are private driveways and parking lots. The proposed plan indicates a new parking lot off Mountain Fir for the Memory Care. The City Water system runs through Mountain Fir Street in an easement, connections are readily available. The sanitary sewer system is a private collection network between all the buildings that tie into the City system at the intersection of Main St and 49 th Avenue. CEDD-ES has no concerns with the Conditional Use application.
Public Works Dept.	Mountain Fir St is a private street. The water system on site is public and is available for connection. The sewer system on site is private and is owned by the applicant. Stormwater detention may be required upon development.
Sweet Home Fire District:	The Fire District has no issues with this request.
Public Comments:	See Attachment C

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: The subject property is in the C-2 Zone. The applicant is requesting a conditional use permit to allow for the construction of an approximately 28,200 square foot memory care facility consisting of 48 beds and 23 additional parking spaces. Per SHMC 17.36.030 (K): 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

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 CU21-09.

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 the construction of the construction of an approximately 28,200 square foot memory care facility consisting of 48 beds and 23 additional parking spaces.

Public Comment: Samaritan Health Services, Inc. current lighting for street and housing on Mountain View (Fir) are intrusive to the homes on Mimosa Circle on the south side of Mountain View (Fir), requiring additional light blocking drapes because of the light placement on the Samaritan property. We feel additional lighting for the new construction will add to light pollution to the homes on Mimosa Circle. Samaritan's additional housing and staff will increase the traffic on Mountain View (Fir). A noise abatement requirement should be addressed and required.

Staff finds that the site size, dimensions, location, topography and access are adequate for the proposed use. When submitting building permits, staff recommends that the applicant submit a lighting and traffic plan for review.

With the above conditions, the application complies with this criterion.

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. In order to ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section V of this report.

When submitting building permits, staff recommends that the applicant submit a lighting and traffic plan for review.

With the above conditions, the application complies with this criterion.

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. Staff finds that the proposed use has adequate capacity.

The application complies with this criterion.

E. Home occupations must meet the following standards:

1. The home occupation shall be secondary to the residential use.

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

2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.

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

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.

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

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)]

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

G. Marijuana facilities may not have any drive-up services. [SHMC 17.80.040(G)]

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

H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school. [SHMC 17.80.040(H)]

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

- 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 in order 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.

In order to ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of development listed in Section V 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 CU21-09:

1. The Memory Care Facility will be conducted in a manner consistent with the representations made by the applicant in the application and hearing process.
2. Vehicles related to the Memory Care Facility shall be parked in a manner so as to not block any driveway or impede the safe flow of traffic.
3. The applicant shall provide a lighting plan acceptable to the Sweet Home Municipal Code requirements of 17.44.090.
4. The property owner shall obtain and comply with all other applicable local, state, and federal permits and requirements.

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 CU21-09; 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 CU21-09; 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 Site Plan
- B Subject Property Map
- C Public Comments
- D Application

6

5

4

3

2

1

A

B

C

D

E

SANTIAM HIGHWAY/ US 20

49TH AVE

MOUNTAIN FIR ST.

20' FRONT SETBACK

10-20' REAR SETBACK

FUTURE 4 STORY
MEDICAL OFFICE
BY OTHERS
APPROX. 15,000 SF

FUTURE BUILDING

EXISTING
PROPERTY LINE

15' REAR SETBACK

PROPOSED AL
ADDITION

EXISTING AL POD

EXISTING AL POD

EXISTING AL
COTTAGE

EXISTING AL
COTTAGE

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COTTAGE

EXISTING AL
COTTAGE

EXISTING AL
COTTAGE

EXISTING AL
COTTAGE

SITE INFO	
EXISTING SITE	R1
AREA	6.88 ACRES
USE	PERMITTED
EXISTING BUILDING	EXISTING BUILDING
AREA	1.88 ACRES (66,098 SF)
USE	CONVENTIONAL
BUILDING INFO	
EXISTING ASSOCIATED BUILDING	APPROX. 37,000 SF
UNITS	44 UNITS
EXISTING ASSOCIATED BUILDING	APPROX. 70,000 SF
UNITS	20 UNITS
EXISTING ASSOCIATED BUILDING	APPROX. 15,000 SF
UNITS	23 UNITS
EXISTING ASSOCIATED BUILDING	APPROX. 15,000 SF
UNITS	15 UNITS (19,000 SF)
EXISTING ASSOCIATED BUILDING	APPROX. 15,000 SF
UNITS	3 UNITS

PROPOSED AL & MC UNIT BREAKDOWN - INCLUDES EXISTING				
UNIT TYPE	EXISTING UNITS	NEW UNITS	TOTAL UNITS	TOTAL BEDS
AL STUDIO	24	10	34	34
AL-1 BED	20	13	33	33
MC SHARED	0	6	6	16
MC SEMI-PRIVATE	0	6	6	16
MC STUDIO	0	16	16	16
TOTALS	44	55	99	115

PARKING INFO

EXISTING REQUIRED PARKING

REQUIRED PARKING

EXISTING REQUIRED PARKING

NEW MC PARKING

TOTAL

NOT FOR
CONSTRUCTION

STEELE
architecture interiors planning

ASSOCIATES ARCHITECTS LLC
1587 SW CHANDLER AVE. 303
541.382.9867 FAX 541.385.8816 www.steele-arch.com

PROPOSED SWEET HOME/ WILEY
CREEK AL & MC SITE PLAN

SITE PLAN

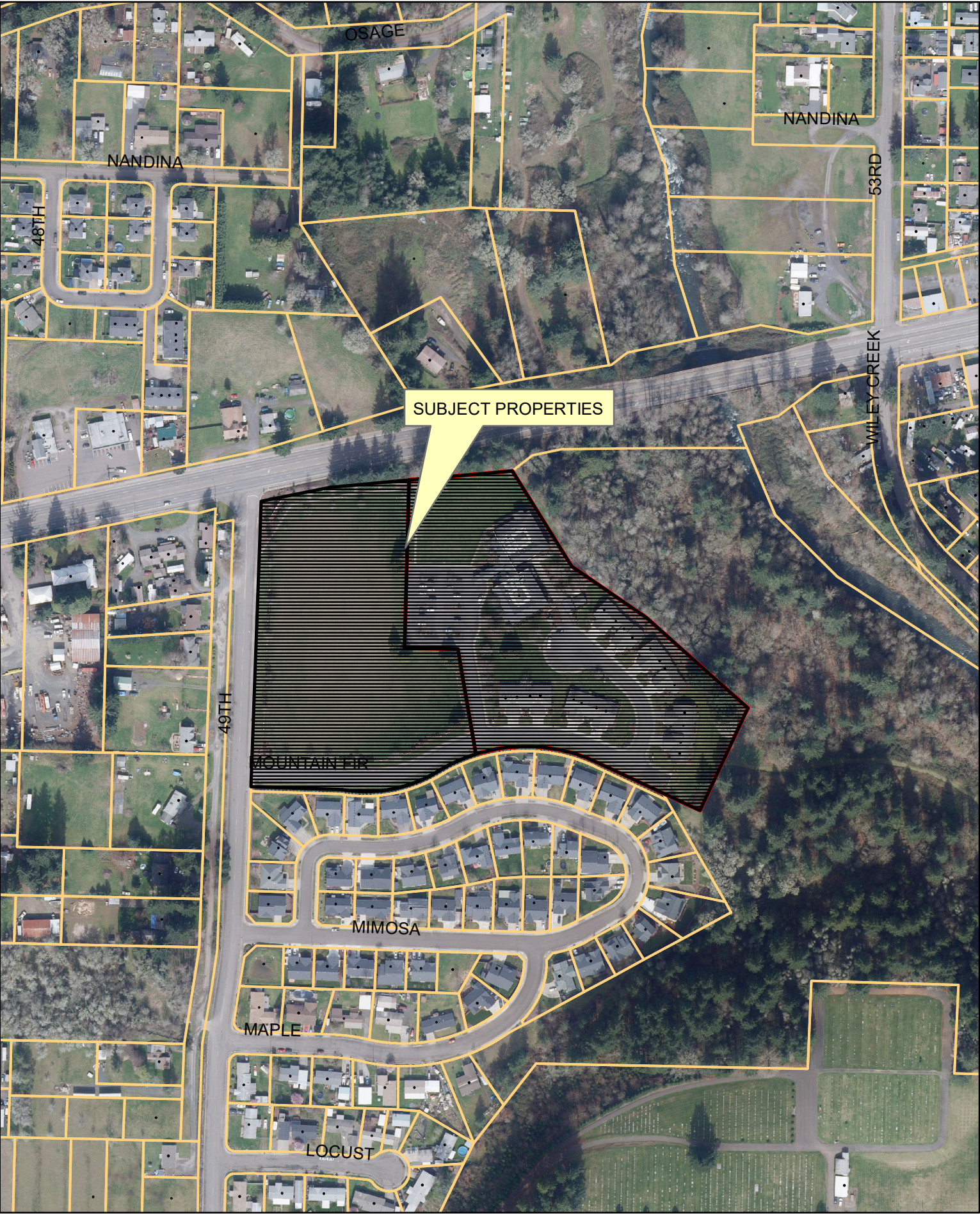
1 SITE PLAN CUP APPLICATION

1/32" = 1'-0"

AS101
SITE PLAN

5/25/2021 4:56:39 PM

LAND USE



1 inch = 271 feet

CU21-09
Subject Property Map

Date: 6/4/21

July 17, 2021

Community and Economic Development Department

3225 Main St.

Sweet Home, Oregon 97386

Angela Clegg Associate Planner:

File Number: CU21-09, P21-11, CU21-010, PLA21-11.

We request that the planning department consider the following:

Light Pollution:

Samaritan Health Services, Inc. current lighting for street and housing on Mountain View are intrusive to the homes on Mimosa Circle on the south side of Mountain View, requiring additional light blocking drapes because of the light placement on the Samaritan property.

We feel additional lighting for the new construction will add to light pollution to the homes on Mimosa Circle. We ask that the planning department investigate and require a lighting system that is less intrusive to the surrounding properties.

Noise Pollution:

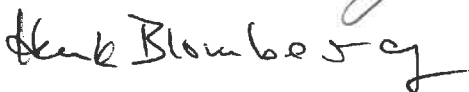
Samaritan's additional housing and staff will increase the traffic on Mountain View. A noise abatement requirement should be addressed and required.

Sincerely,

Diane Blomberg



Hank Blomberg



4918 Mimosa Circle

Sweet Home, Oregon 97386



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: 06.01.21
Date Complete: 06.04.21
File Number: CU21-09
Application Fee \$: 1015.00
Receipt #: 4397
Hearing Date: 07.01.21

Applicant's Name:
Samaritan Health Services, Inc.

Applicant's Address:
3600 NW Samaritan Dr. Corvallis, OR 97330

Applicant's Phone and e-mail:
541-768-4478 / tjacobsen@samhealth.org

Subject Property Address:
5050 Mountain Fir St. Sweet Home, OR 97386

Subject Property Assessor's Map and Tax Lot:
13S01E27C & 02510

Subject Property Size:
8.85 acres after property line adjustment

Subject Property: Zoning Classification
C2 (Highway Commercial)

Property Owner:
Mid-Valley Healthcare Inc.

Owner's Address:
3600 NW Samaritan Dr. Corvallis, OR 97330

Owner's Phone and email:
541-768-4478 / tjacobsen@samhealth.org

Nature of Applicants Request

Narrative describing the proposed use: Brief Description on this form and attach extra sheets if needed.
New approximate 28,200 sf memory care facility; additional parking.

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

Additional traffic at HWY 20 and 49th Street intersection. All required parking will be provided on site. No unanticipated noise, odor, or dust impacts.

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.

DocuSigned by:

Applicant's Signature:

Tyler Jacobsen
B07A87207E5E45C...
Tyler Jacobsen, General Counsel

Date: 5/27/2021

Property Owner's Signature:

Tyler Jacobsen
B07A87207E5E45C...
Tyler Jacobsen, General Counsel

Date: 5/27/2021

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.

**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 the construction of an approximately 15,000 square foot medical office building including access, a helicopter pad and approximately 60 additional parking spaces. Per SHMC 17.36.030 (E), 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. After the approval of the pending Partition Application P21-11, the subject property will contain approximately 170,755 square feet and is in the Commercial Highway (C-2) zone.

Partition Application P21-11 is being filed simultaneously with Application CU21-10.

APPLICANT: Samaritan Health Services, Inc.

PROPERTY OWNER: Mid-Valley Healthcare, Inc.

FILE NUMBER: CU21-10

PROPERTY LOCATION: One lot west of 5050 Mountain Fir Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E27C Tax Lot 2510.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.36.030, 17.80.040

HEARING DATE & TIME: July 1, 2021 at 6:30 PM

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

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

REPORT DATE: June 24, 2021

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

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Commercial Highway (C-2)	Mixed Use Residential
Property North	Residential Low Density (R-1) Commercial Highway (C-2)	Mixed Use Residential
Property East	Residential Low Density (R-1) Residential High Density (R-2)	Mixed Use Residential Planned Recreation Commercial
Property South	Residential High Density (R-2)	High Density Residential
Property West	Residential Low Density (R-1) Commercial Highway (C-2)	High Density Residential Highway Commercial

Floodplain	Based on a review of the September 29, 2010 FEMA FIRM Maps; Panel 41043C0916G, the subject property is located outside of the 100-year floodplain.
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.
Access:	The subject property has frontage and access along 49 th Avenue and Mountain Fir Street.
Services:	The property has access to City water and sewer services in 49 th Avenue and Mountain Fir Street.

TIMELINES AND HEARING NOTICE:

Mailed/Emailed Notice:	June 7, 2021
Notice Published in Newspaper:	June 9, 2021
Planning Commission Public Hearing:	July 1, 2021
120-Day Deadline:	October 2, 2021
Notice was provided as required by SHMC 17.12.120	

II. COMMENTS

Building Division:	The Building Program has no issues with this request.
Engineering Division:	Regarding the Conditional Use 21-10 for Samaritan Health Services Inc development of a Medical Office Building and Helicopter Pad. The new Office and Helicopter development will connect to the public street of 49 th Avenue and the private parking lot of the Assisted Living Facility. There will be two driveways created to connect with 49 th Avenue. Both driveways are well beyond the 40ft minimum access to the Main St and 49 th Ave intersection. The proposed plan indicates the helipad will be adjacent to the parking lot, and between the existing and proposed buildings. The City Water system runs in 49 th Avenue, as well as in the driveway and parking lot for the Assisted Living Facility in an easement, so connections are readily available from either source. The sanitary sewer system is a private collection network between all the buildings that tie into the City system at the intersection of Main St and 49 th Avenue. CEDD-ES has no concerns with the Conditional Use application.
Public Works Dept.	Water and sewer are available for connection in 49 th Ave. Stormwater detention may be required upon development.
Sweet Home Fire District:	The Fire District has no issues with this request.
Public Comments:	See Attachment C

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. The applicant's findings are included in their written statement included in Attachment D.

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: The subject property is in the C-2 Zone. The applicant is requesting a conditional use permit to allow for the construction of an approximately 15,000 square feet medical office building including access, a helicopter pad and approximately 60 additional parking spaces. Per SHMC 17.36.030 (K): 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

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 CU21-10.

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 the construction of an approximately 15,000 square feet medical office building including access, a helicopter pad and approximately 60 additional parking spaces.

Public Comment: Samaritan Health Services, Inc. current lighting for street and housing on Mountain View (Fir) are intrusive to the homes on Mimosa Circle on the south side of Mountain View (Fir), requiring additional light blocking drapes because of the light placement on the Samaritan property. We feel additional lighting for the new construction will add to light pollution to the homes on Mimosa Circle. Samaritan's additional housing and staff will increase the traffic on Mountain View (Fir). A noise abatement requirement should be addressed and required.

Staff finds that the site size, dimensions, location, topography and access are adequate for the proposed use. When submitting building permits, staff recommends that the applicant submit a lighting and traffic plan for review.

With the above conditions, the application complies with this criterion.

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. In order to ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval that are listed in Section V of this report.

When submitting building permits, staff recommends that the applicant submit a lighting and traffic plan for review.

With the above conditions, the application complies with this criterion.

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. Staff finds that the proposed use has adequate capacity.

The application complies with this criterion.

E. Home occupations must meet the following standards:

1. The home occupation shall be secondary to the residential use.

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

2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.

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

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.

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

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)]

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

G. Marijuana facilities may not have any drive-up services. [SHMC 17.80.040(G)]

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

H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school. [SHMC 17.80.040(H)]

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

- 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 in order 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.

In order to ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of development listed in Section V 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 CU21-10:

1. The Medical Office Building and Helicopter Pad will be conducted in a manner consistent with the representations made by the applicant in the application and hearing process.
2. Vehicles related to the Medical Office Building and Helicopter Pad shall be parked in a manner so as to not block any driveway or impede the safe flow of traffic.
3. The applicant shall provide a lighting plan acceptable to the Sweet Home Municipal Code requirements of 17.44.090.
4. The property owner shall obtain and comply with all other applicable local, state, and federal permits and requirements.

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 V.

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 CU21-10; 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 CU21-10; 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 Site Plan
- B Subject Property Map
- C Public Comments
- D Application



ATTACHMENT 'B'

JOB NO. 21400 DRAWN BY: DEVCO DRAWING:	SHEET TITLE: SITE PLAN	PROJECT: WILEY CREEK MEDICAL OFFICE BUILDING	devco engineering inc. Corvallis Oregon (541) 757-8991 245 NE CONIFER, P.O. BOX 1211 CORVALLIS, OR 97339 WWW.DEVCOENGINEERING.COM © COPYRIGHT 2021 DEVCO ENGINEERING, INC. ALL RIGHTS RESERVED.	DRAWING STATUS:	DATE:	No.	REVISION:	DATE:
		☐ PRELIMINARY			△	ADD. HELIPAD	06/07/21	
		☒ SUBMITTED		05/28/21	△			
		☐ BID SET			△			
		☐ PERMIT SET			△			
		☐ CONST. SET			△			
		☐			△			
		☐			△			



1 inch = 197 feet

CU21-10
Subject Property Map

Date: 6/4/21

July 17, 2021

Community and Economic Development Department
3225 Main St.
Sweet Home, Oregon 97386

Angela Clegg Associate Planner:

File Number: CU21-09, P21-11, CU21-010, PLA21-11.

We request that the planning department consider the following:

Light Pollution:

Samaritan Health Services, Inc. current lighting for street and housing on Mountain View are intrusive to the homes on Mimosa Circle on the south side of Mountain View, requiring additional light blocking drapes because of the light placement on the Samaritan property.

We feel additional lighting for the new construction will add to light pollution to the homes on Mimosa Circle. We ask that the planning department investigate and require a lighting system that is less intrusive to the surrounding properties.

Noise Pollution:

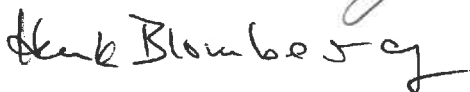
Samaritan's additional housing and staff will increase the traffic on Mountain View. A noise abatement requirement should be addressed and required.

Sincerely,

Diane Blomberg



Hank Blomberg



4918 Mimosa Circle

Sweet Home, Oregon 97386



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: 06.01.21
Date Complete: 06.04.21
File Number: C221-10
Application Fee \$: 615.00
Receipt #: 4398
Hearing Date: 07.01.21

Applicant's Name: Samaritan Health Services, Inc.
Applicant's Address: 3600 NW Samaritan Dr. Corvallis, OR 97330
Applicant's Phone and e-mail: 541-768-4478 / tjacobsen@samhealth.org
Subject Property Address: Unassigned

Property Owner: Mid-Valley Healthcare Inc.
Owner's Address: 3600 NW Samaritan Dr. Corvallis, OR 97330
Owner's Phone and email: 541-768-4478 / tjacobsen@samhealth.org

Subject Property Assessor's Map and Tax Lot: 13S01E27C & 02510

Subject Property Size: 3.92 acres after property line adjustment

Subject Property: Zoning Classification C2 (Highway Commercial)

Comprehensive Plan Classification: Mixed-Use Residential

Nature of Applicants Request

Narrative describing the proposed use: Brief Description on this form and attach extra sheets if needed.
Approximate 15,000 square foot medical office building and related parking.

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

Additional traffic at HWY 20 and 49th Street intersection. All required parking will be provided on site. No unanticipated noise, odor, or dust impacts.

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.

DocuSigned by:

Applicant's Signature:

Date: 5/20/2021

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Tyler Jacobsen, General Counsel

Property Owner's Signature:

Date: 5/20/2021

B07A87207E5E45C...
Tyler Jacobsen, General Counsel

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.