



**Staff Report Presented to the Planning Commission**

**REQUEST:** The applicant is requesting a conditional use permit to construct a fuel station containing two (2) gasoline pumps, and one underground fuel storage tank in the south parking lot of the Hilltop Market, north of Highway 20. The applicant is applying for Conditional Use per SHMC 17.20.040 (I): Other uses compatible with the purpose and intent of the zone, and whose off-site impacts would not significantly exceed those of the other conditionally permitted uses listed in this section. Tax Lot 1900 contains approximately 23,522 square feet (0.54 Acres) and is located in the Commercial Highway (C-2) zone.

**APPLICANT AND**

**PROPERTY OWNER:** Grishma, Inc.

**FILE NUMBER:** CU25-02

**PROPERTY LOCATION:** 4824 Hwy 20, located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor’s Map as 27CB, Tax Lot 1900.

**REVIEW AND**

**DECISION CRITERIA:** Sweet Home Municipal Code Section(s) 17.20.040 (I), 17.104, 17.126

**HEARING DATE & TIME:** January 15, 2026, 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:** January 8, 2026

**I. PROJECT AND PROPERTY DESCRIPTION**

**ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:**

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Commercial Highway (C-2)	Highway Commercial
Property North	Commercial Highway (C-2)	Highway Commercial Low Density Residential
Property East	Commercial Highway (C-2)	Highway Commercial
Property South	Commercial Highway (C-2)	Highway Commercial High Density Residential
Property West	Commercial Highway (C-2)	Highway Commercial

Floodplain Based on a review of the FEMA flood insurance rate map; Panel 41043C0916G, dated September 29, 2010, the subject property is not in the Special Flood Hazard Area.

Wetlands: Based on a review of the Statewide 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 on Highway 20.

Services: The subject property has City water and sewer services.

**TIMELINES AND HEARING NOTICE:**

Mailed/Emailed Notice: December 8, 2025

Notice Published in Newspaper: December 17, 2025

Planning Commission Public Hearing: January 15, 2026

120-Day Deadline: March 18, 2026

Notice was provided as required by SHMC 17.126.01

**II. COMMENTS**

**Building Division:** No comments as of the issuance of this Staff Report.

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

**Blake Patterson  
Public Works Dept.** Check with Building Official on storm drainage requirements. No comments from Public Works at this time.

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

**III. REVIEW AND DECISION CRITERIA**

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

**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 construct a fuel station containing two (2) gasoline pumps, and one underground fuel storage tank in the south parking lot of the Hilltop Market, north of Highway 20.

The applicant is applying for a Conditional Use Permit pursuant to SHMC Chapter 17.20.040(l), Other uses compatible with the purpose and intent of the zone, and whose off-site impacts would not significantly exceed those of the other conditionally permitted uses listed in this section. The purpose of the C-2 zone is to provide areas suitable and desirable

for highway related commercial enterprises intended to meet the business needs of area residents and highway travelers. The C-2 zone is appropriate in areas along or near U.S. Highway 20 east and west of downtown Sweet Home which have developed with commercial activities, or which have potential for such activity as long as sufficient vehicular access control is maintained.

The proposed use shall be required to comply with the development standards set forth in SHMC Chapter 17.20.060. Staff finds that the proposed fuel station meets the applicable development standards and is compatible with the purpose and intent of the Commercial Highway Zone.

Based on the above findings, staff concludes that the application complies with the applicable conditional use 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: Unless otherwise specified by this Development Code, the following minimum dimensional standards apply to all development within the C-2 (Commercial Highway) zone. There is no minimum lot area or minimum lot width. Required setbacks in the C-2 zone are as follows: a 20-foot front yard setback, a 0-foot interior side yard setback, a 20-foot street side yard setback, and a 0-foot rear yard setback. Where a side or rear yard abuts a residential zone, a minimum 10-foot setback is required. The maximum allowed structure height is 35 feet, and the maximum lot coverage is 100 percent.

Most fuel stations within the Sweet Home city limits include convenience or mini-mart uses, and the proposed development is consistent with this pattern. Additionally, there are no fuel stations located on the east end of Sweet Home, making this an appropriate and desirable location for the proposed use

Staff finds that the site's size, shape, location, topography, existing improvements, and natural features are adequate to accommodate the proposed use.

Based on these findings, staff concludes that the application complies with the applicable approval criteria, including the requirement that the characteristics of the site are suitable for the proposed use.

***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: The applicant is requesting a conditional use permit to construct a fuel station containing two (2) gasoline pumps, and one underground fuel storage tank in the south parking lot of the Hilltop Market.

The proposed development is considered timely, as adequate transportation systems, public facilities, and public services currently exist or are planned to serve the subject site. The property is located within the C-2 (Commercial Highway) zone along U.S. Highway 20, an area specifically intended to accommodate highway-oriented commercial uses with sufficient vehicular access. The proposed fuel station is located within the existing parking area of an established commercial use and will utilize existing access, circulation, and infrastructure.

Therefore, staff finds that the proposed development is timely given the availability and capacity of transportation systems, public facilities, and services in the area affected by the use.

- 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: The subject property abuts Commercial Highway properties on all sides. There are multi-family residential units to the northeast of the property but not directly abutting the subject property.

The proposed use is compatible with the surrounding development and will not alter the character of the area or interfere with the continued use of neighboring properties.

Based on this information, staff finds that the application meets the applicable 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 recommend 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 CU25-02:**

1. The applicant/property owner shall show safe and adequate vehicular access on the building permit site plan.
2. The applicant/property owner shall demonstrate that their development meets fire code, environmental and hazardous materials standards.
3. The applicant/property owner shall obtain and comply with all applicable local, state, and federal permits and requirements. Copies of all required permits and licenses shall be submitted to the Sweet Home Community and Economic Development Department for inclusion in the record for CU25-02.

#### **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 recommend 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 CU25-02; 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 CU25-02; 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. Application



SUBJECT PROPERTY

HWY 20

49TH AVE

48TH LP



1 inch = 105 feet

Subject Property Map  
CU 25-02  
4824 Hwy 20

Date: 11/17/25



# Site Analysis and Site Plan for:

4824 HWY 20, SWEET HOME, OR 97386

## 1. Project Overview

The proposal is to develop a **modern fueling facility with an upgraded Hill-Top Market convenience store** at the existing commercial property along **Highway 20**. The attached site plan illustrates a **double fueling forecourt** between Highway 20 and the Hill-Top Market building, with **clearly separated entry/exit drives**, organized parking, and generous landscaping.

## 2. Site Analysis (Existing Conditions & Context)

### 2.1 Location & Surrounding Uses

- The site fronts directly on **Highway 20**, a primary east–west arterial serving local and regional traffic.
- Land uses along this corridor are predominantly **highway-oriented commercial**, with scattered residential properties behind or across from the corridor.
- The parcel is currently occupied by **Hill-Top Market**, an operating convenience store, with existing parking and driveway access to Highway 20.

### 2.2 Access & Circulation

- Highway 20 provides the only vehicular access to the property.
- The concept plan organizes access as:
  - **Entry/Exit drive on the west side** of the site (two-way traffic).
  - **Entry/Exit drive on the east side** (two-way traffic).
- This **bi-directional loop** minimizes conflict points, provides good visibility for drivers, and allows vehicles to circulate around the fueling area and market without backing into traffic.

### 2.3 Topography, Drainage, and Utilities

- The site is generally **flat to gently sloping**, suitable for drive aisles, parking, and fueling pavement with minor grading.

- Existing development and roadway ditches indicate that onsite drainage currently flows toward Highway 20 and/or to the rear of the property; final grading and stormwater controls will be designed to **capture and treat runoff within the site**.
- As an existing commercial use, the property is already served by **underground water, municipal sanitary sewer, electrical power, and communications**. These services will be reused and upgraded as needed to accommodate the fueling facility.

## 2.4 Opportunities & Constraints

### Opportunities

- High visibility and direct access from Highway 20.
- Existing commercial building footprint that can be retained or upgraded.

### Constraints

- Direct frontage on a state highway requires **careful driveway spacing, queuing, and sight-distance** design.
- Fuel storage and dispensing must comply with **fire code and environmental regulations**, including setbacks from property lines and buildings.

## 3. Conceptual Site Plan Description (Based on Drawing)

### 3.1 Overall Organization

From north to south (top of the drawing down):

1. **Highway 20** – existing paved roadway.
2. **15-Foot Setback towards HWY 20** – green band on the site map shows 15 feet setback that will be paved for allowing the traffic to the pump.
3. **Fueling Area (Forecourt)** – paved forecourt with canopy and pump islands.
4. **Underground Storage Tank (UST) Zone** – centered behind pumps.
5. **Hill-Top Market Building** – existing convenience store building.
6. **Customer Parking Lot** – striped parking in front of the store, including an **accessible stall near the main entrance**.

This arrangement creates a **clear, linear sequence** from street → fueling → parking → store.

### 3.2 Vehicular Circulation

- **Entry/Exit:**  
Vehicles enters/exits from Highway 20 via the **western driveway** or the **eastern driveway** shown on the map using orange color.
- **Fueling Forecourt:**  
Vehicles move into the **central fueling pad** with pump islands under a canopy. The drive aisles allow vehicles to pull forward after fueling and merge into the exit path without reversing.
- **Service & Delivery:**  
The looped circulation around the site allows **vehicles** to enter, service pumps and USTs, and exit by following the same two-way system, avoiding backing movements near public areas.

### 3.3 Fueling Facilities & Underground Storage Tank

- **Fueling Area:**  
The beige forecourt zone contains the **canopy structure** and **fuel dispensers**, centrally located between the two driveway legs. This area is designed to be **highly visible from Highway 20** while still behind the 15-ft setback.
- **UST Location:**  
The **Underground Storage Tank** is shown as a clearly defined, landscaped pad **behind the pump islands** in the middle of the forecourt.
  - This keeps the tanks **away from property lines** and allows safe, direct access for tanker trucks.
  - The plan anticipates **bollards, spill containment, and oil-water separation** as part of detailed design.

### 3.4 Building & Parking Layout

- **Hill-Top Market Building:**
  - Located in the lower portion of the site, centered on the main axis of the fueling area.
  - The front door faces south toward the pumps and is connected by a short, direct walking path.
- **Parking Lot:**

- A row of standard stalls is provided in front of the building, with an **ADA accessible space** and striped loading aisle directly adjacent to the store entrance.
- Additional stalls can be established along the east/west side of the building.
- Drive aisles are sized to allow comfortable two-way traffic and easy backing into/out of stalls.

### 3.5 Pedestrian Circulation & Safety

- Pedestrians arriving from **Highway 20** or adjacent sidewalks can use:
  - A defined crossing across HWY 20 already in place by ODOT.
- The layout keeps **pedestrian paths short and direct**, minimizing conflicts with vehicle turning movements.
- The canopy and building orientation allow for **good natural surveillance and lighting** across the entire forecourt and parking area.

### 3.6 Landscaping & Visual Screening

- The plan includes:
  - **Perimeter planting** around the fueling area and the market building, including corner landscape beds and islands that visually break up pavement.

This landscaping improves the appearance of the facility from the highway and neighboring properties while helping with stormwater infiltration and heat-island reduction.

### 3.7 Lighting, Safety, and Operations (Conceptual)

- The canopy will have **recessed, full-cutoff LED lighting** directing light downward onto the fueling area.
- Pole lights in the parking lot will be **shielded and aimed** to avoid glare on adjacent properties and Highway 20.
- The clear, two-way circulation pattern, good sightlines, and separation of fueling/parking areas support **safe and efficient operations**.

#### 4. Design Intent

The proposed site plan for Hill-Top Market organizes the development into a clear sequence from Highway 20 to the store: a 15-foot landscaped setback, a central fueling forecourt with canopy and dispensers, a centrally located underground storage tank area, and an upgraded Hill-Top Market convenience store with front and side parking. Vehicular access is provided by a two-way **entry/exit drive on the west and east**, creating a safe loop circulation pattern for customers and delivery trucks. The plan emphasizes safety, visibility, and compatibility with the Highway 20 corridor through generous landscaping, clear pedestrian connections, and controlled lighting, while maintaining efficient access for regional traffic and local neighborhood customers.

# HWY 20

