



# CITY OF SWEET HOME PLANNING COMMISSION AGENDA

October 17, 2024, 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.

## Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

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## Meeting Information

The City of Sweet Home 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 meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 971-203-2871, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: 265 017 664 000

## 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.

## Meeting Minutes:

- a) [2024-09-19 Planning Commission Meeting Minutes](#)

## Public Hearings

- a) [CU24-02 Staff Report](#)

## Staff Updates:

**Round Table Discussions** (Committee comments about topics 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.

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*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.*

## 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 PLANNING COMMISSION MINUTES

September 19, 2024, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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## Meeting Information

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## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM

## Roll Call of Commissioners

### PRESENT

Joe Graybill  
Nancy White  
Eva Journey (online)  
Laura Wood

### ABSENT

Jamie Melcher  
Henry Wolthuis

### STAFF

Blair Larsen, Community and Economic Development Director  
Angela Clegg, Planning & Building Manager  
Adam Leisinger, Special Projects Manager  
Cecily Hope Pretty, Interim Assistant City Manager  
Jason Ogden, Interim City Manager/Chief of Police

### GUESTS

Colin McArthur, Cameron McCarthy, 106 E Broadway, Eugene, OR 97401  
Elizabeth Auvil, Cameron McCarthy, 106 E Broadway, Eugene, OR 97401  
Nancy Patton, 3041 Foothills Dr, Sweet Home, OR 97386  
Brandell Braatz, 1530 Tamarack St #9, Sweet Home, OR 97386  
Donna Brown, 1080 12th Ave, Sweet Home, OR 97386  
Judy Goodenough, 1060 12th Ave, Sweet Home, OR 97386

**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.

None

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*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.*

## Meeting Minutes:

- a) 2024-09-05 Planning Commission Meeting Minutes

A motion to approve the September 6, 2024 meeting minutes was made by Commissioner Graybill, seconded by Commissioner White

Yea: 4

Nay: 0

Absent: 2

## Public Hearings

- a) Sweet Home Park System Plan

The Public Hearing was opened at 6:32 PM

Commissioner Wood read the application summary and asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Director Larsen gave an introduction and introduced our consultants, Colin and Elizabeth, from Cameron McCarthy. The consultants gave a presentation to the planning commissioners.

Commissioner Graybill asked informed the consultants that there is a more updated waterways map. Graybill also asked if the consultants had considered the Foster Lake area. Colin explained that the Foster Lake area is owned by the Corp of Engineers, and the plan mentions partnerships, but focuses primarily on City limits properties. Director Larsen informed the Commissioners that staff have met with the Corp and discussed future partnerships and cooperation. Commissioner Wood asked if the cost estimates included staff maintenance. Colin stated that they did not explicitly include costs for operations and maintenance for each park that comes online, but it does include all the costs necessary to bring a project online including such things as planning, engineering, etc. Colin reminded the Commissioners that these are 10 to 20 year plans and operations and maintenance costs will change. Commissioner Journey asked about police surveillance and how that affect police staffing. She also stated that she is pleased to see the report. Director Larsen commented about park security. He stated that all future park plans will include security cameras. Commissioner White asked how likely the grants and improvement bonds will be to get and does the report prioritize based on funding. Colin stated that the priorities were based on what the community stated that they wanted and funding was considered based on community needs.

Testimony in Favor: Nancy Patton, a member of the Park & Tree Committee, testified in favor of the Park System Plan.

Testimony in Opposition: None

Neutral Testimony: None

The Public Hearing was closed at 7:06 PM

Commissioner White stated that she agrees with the information and direction in the plan, Commissioner Wood and Graybill agreed. Director Larsen stated for the record the the document is a planning and aspirational documents and reflects what the community wants. The list of projects and costs are not an obligation and all budget items will go through the budget community and City Council for approval. This document communicates to the Council, the community and future funders what the community wants. Commissioner Journey recommended they move it to the City Council.

A motion to recommend the Park System Plan to the City Council was made by Commissioner White, seconded by Commissioner Graybill.

Yea: 4

Nay: 0  
Absent: 2

b) Application CU24-01 Staff Report

The public hearing was opened at 7:11 PM

Commissioner Wood read the application summary and asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Planning & Building Manager Clegg presented the staff report and asked if there were any questions.

Commissioner Graybill asked if the concerns from the Fire Chief will be addressed through the building permit process or through a condition of approval. Clegg stated that some of the concerns have already been addressed and she included those items in the staff report. Other items will be addressed in the permit process. Special Projects Manager Leisinger stated that he can speak to the Commissioners about the renovations after the meeting since it doesn't apply to the conditional use application. Commissioner Graybill asked if the use applies to the upper and lower levels of the building or just the upper level? Director Larsen stated that at this time it is only the upper floor.

Testimony in favor: None

Testimony in opposition: Judy Goodenough, Donna Brown, and Brandell Braatz testified on behalf of the Hope Center. They are all concerned about safety and security for their tenants. The Hope Center is a home for women and children who live their due to unsafe circumstances in their past. They heard that mental health services would be offered at the site. Staff assured them that they have not heard of any mental health facilities were being offered. The women have noticed more homeless activity around the subject building since Ridgeway Health started occupying it. They have had increased amounts of vandalism and have had to call law enforcement more in the last few months. Brandell is concerned that there will be a zoning change in the future that would allow drug and alcohol and mental health services. Director Larsen confirmed that there is not a zone change being proposed, just a change a use, and no mental health or substance abuse services will be permitted. If there were anything other than wellness center proposed, the applicant would have to come back to the Commissioners for approval.

Neutral Testimony: None

The public hearing was closed at 7:36 PM

Commissioner Wood stated that she is companionate about the Hope Center concerns, however she believes that having a tenant in the building will allow for safer conditions. Having tenants in the building strengthens the ability to remove unwanted individuals and will allow more eyes to keep watch on the property. Commissioner Graybill agreed with Commissioner Wood that having more tenants will help improve the safety of the property and discourage unwanted activities in the area. Commissioner Journey recognized that the Hope Center is housing vulnerable women and children. Journey stated that she recognizes that vandalism has occurred that the Commission has not control over, but she does think that having someone in the building will discourage unwanted activity. Commissioner Wood asked about the exterior improvements that the City will increase lighting and cameras around the building. Manager Clegg stated that the improvements will be included under a building permit, and not a part of the Conditional Use application. Director Larsen stated that he is willing to stay after the meeting and discuss the security concerns that are not a part of the application. Larsen stated that they would work closely with law enforcement to improve the conditions. Commissioner Wood asked who people would contact if they see concerns. Larsen stated that people can contact the City with concerns and they will either take care of the concern or contact the appropriate person to take care of the concerns.

Commissioner Wood stated that she hopes the Ridgeway staff will assist with the security of the building.

A motion to approve Application CU24-03 was made by Commissioner Graybill, seconded by Commissioner White.

Yea: 4

Nay: 0

Absent: 2

**Staff Updates:**

Manager Clegg stated that there will be no meeting on October 3rd, but there are two conditional use applications being heard on October 17th and November 7th.

Manager Clegg reminded the Committee of the Harvest Festival on October 5th.

Director Larsen updated the Commission on the change of date for the combined Transportation System Plan workshop with the City Council. It will be held on Tuesday, October 8th at 5:00 PM in Council Chambers. The workshop has been difficult to schedule, so if they can't attend please let staff know. There needs to be a quorum of the Commission to move forward.

**Round Table Discussions** (Committee comments about topics not listed on the agenda)

None

**Adjournment**

The meeting was adjourned at 7:52 PM

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Laura Wood, Chairperson  
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Planning and Building Manager



**Staff Report Presented to the Planning Commission**

**REQUEST:** The applicant is requesting a conditional use permit to allow for the former Fir Lawn Lutheran Church to be used as the American Legion Timber City Post 133. The applicant is applying for a Conditional Use per SHMC Chapter 17.10.040 (B): Houses of worship, club, lodge, fraternal organization. Tax Lot 200 contains approximately 49,654 square feet and is in the Residential Low Density (R-1) Zone.

**APPLICANT:** American Legion Timber City Post 133  
**PROPERTY OWNER:** Fir Lawn Lutheran Church, Inc.  
**FILE NUMBER:** CU24-02  
**PROPERTY LOCATION:** 109 W Holley Rd, Sweet Home, OR 97386; Identified on the Linn County Assessor’s Map as 13S01E31CB Tax Lot 00200.  
**REVIEW AND DECISION CRITERIA:** Sweet Home Municipal Code Section(s) 17.10.040, 17.104, 17.126.  
**HEARING DATE & TIME:** October 17, 2024, at 6:30 PM  
**HEARING LOCATION:** City Hall Council Chambers at 3225 Main Street, Sweet Home, Oregon 97386  
**STAFF CONTACT:** Angela Clegg, Associate Planner  
 Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov  
**REPORT DATE:** October 10, 2024

**I. PROJECT AND PROPERTY DESCRIPTION**

**ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:**

Property	Zoning Designation	Comprehensive Plan Designation
Subject Property	Residential Low Density (R-1)	Low Density Residential
Property North	Residential Low Density (R-1)	Medium Density Residential
Property East	Residential Low Density (R-1)	Low Density Residential
Property South	Residential Low Density (R-1)	Low Density Residential
Property West	Residential Low Density (R-1)	Low Density Residential

**Floodplain** Based on a review of the FEMA flood insurance rate map; Panel 41043C0913G, dated September 29, 2010, the subject property abuts the Special Flood Hazard Area from on the south and east property lines.

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 from Holley Road and 1<sup>st</sup> Avenue.

Services: The subject property has access to City water and sewer services in Holley Road and 1<sup>st</sup> Avenue.

**TIMELINES AND HEARING NOTICE:**

Mailed/Emailed Notice: September 11, 2024  
Notice Published in Newspaper: September 18, 2024  
Planning Commission Public Hearing: October 17, 2024  
120-Day Deadline: January 8, 2025  
Notice was provided as required by SHMC 17.126.01

**II. COMMENTS**

**Ray Grundy**

**Building Division:** Building department has no comments or concerns at this time. It is up to the applicant to ensure all proper building permits are obtained for remediation of the structure, and a certificate of occupancy is issued before the building is habitable.

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

**Blake Patterson**

**Public Works Dept.** No comments from Public Works.

**Sweet Home Fire District:**

No comments as of the issuance of this Staff Report.

**Public Comments:** 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.

**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 subject property is in the Residential Low Density zone. The applicant is requesting a conditional use permit to allow for the former Fir Lawn Lutheran Church to be



used as the American Legion Timber City Post 133. The applicant is applying for a Conditional Use per SHMC Chapter 17.10.040(B): Houses of worship, club, lodge, fraternal organization. The proposed use shall comply with the development standards listed in SHMC Chapter 17.10.060.

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

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

Staff Findings: Property Line Adjustment application PLA23-03 was approved for Fir Lawn Lutheran Church on October 30, 2023, separating the church property from the single family residence. The applicant, American Legion Timber City Post 133, is in the process of purchasing the church property from Fir Lawn Lutheran Church. There are no changes to the site proposed with this conditional use application.

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

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

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

Staff Findings: Staff finds that the proposed American Legion post is timely. There is no additional development planned for the site. Fir Lawn Lutheran Church caught fire on February 25, 2023. The American Legion shall renovate the damaged portions of the building through the building permit process once ownership is obtained. The American Legion shall not occupy the building until a Certificate of Occupancy is issued by the City of Sweet Home Building Department. Staff recommends a condition of approval that the applicant shall complete all building renovations and repairs within one year of the date of the approval of Application CU24-02. If the applicant is unable to complete renovations within one year, they may apply for an extension from the building department. The applicant shall obtain and comply with all applicable local, state, and federal permits and requirements. The applicant shall submit copies of all required permits and licenses to the Sweet Home Community and Economic Development Department for inclusion in the record of CU24-02.

Per SHMC 17.44.060(D) Vehicle and Bicycle Parking Space Requirements for a Club or Lodge: Spaces sufficient to meet the combined minimum requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc. 2 bicycle spaces per 20 vehicle spaces are required. Per SHMC 17.44.060(D) Vehicle and Bicycle Parking Space Requirements for public assembly, churches, auditorium, stadium, theater: 1 space per 4 seats or every 8 feet of bench length, or 60 sq. ft. of area w/o fixed seats. 1 bicycle space per 20 vehicles spaces are required. Staff recommends a condition of approval to comply with the parking standards of SHMC 17.44.060(D).

There is access to the building from Holley Road and 1<sup>st</sup> Avenue. City water, storm water and sewer services are existing for the site.

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

With the above conditions, staff finds that the application complies with these criteria.

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

Staff Findings: Abutting the subject property in all directions are residential neighborhoods. The subject property was historically used as a house of worship. Staff finds that the use of the subject property as an American Legion Hall will be similar in use to that of a church. Fraternal organizations are in the same use category as houses of worship per SHMC 17.10.040(B). Staff finds that the proposed use will not alter the character of the surrounding area.

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

- E. Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.***

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

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

#### **17.104.060 CONDITIONS OF APPROVAL**

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

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

- 1. Requiring larger setback areas, lot area, and/or lot depth or width;***
- 2. Limiting the hours, days, place and/or manner of operation;***
- 3. Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor or dust;***
- 4. Limiting the building height, size or lot coverage, or location on the site;***
- 5. Designating the size, number, locations and/or design of vehicle access points, parking areas, or loading areas;***
- 6. Increasing the number of required parking spaces;***
- 7. Requiring street rights-of-way to be dedicated and streets, sidewalks, curbs, planting strips, pathways or trails to be improved, so long as findings in the development approval indicate how the dedication and/or improvements, if not voluntarily accepted by the applicant, are roughly proportional to the impact of the proposed development;***
- 8. Limiting the number, size, location, height and lighting of signs;***
- 9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;***

10. **Requiring fencing, screening, landscaping, berms, drainage, water quality facilities or other facilities to protect adjacent or nearby property, and the establishment of standards for their installation and maintenance;**
11. **Designating sites for open space or outdoor recreation areas;**
12. **Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and historic or cultural resources;**
13. **Requiring ongoing maintenance of buildings and grounds;**
14. **Setting a time limit for which the conditional use is approved.**

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

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

Staff Findings: This provision of the SHMC allows the Planning Commission to impose conditions of approval. This is an opportunity for the Planning Commission to determine if conditions are needed to ensure compliance with the "decision criteria as well as the best interests of the surrounding properties, the neighborhood, and the city as a whole. To ensure compliance with the standards listed in the SHMC, staff has included proposed conditions of approval listed in Section IV of this report. These conditions are primarily a customized list of existing local, state, and federal standards that apply to the application.

#### **IV. CONCLUSION AND RECOMMENDATION**

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

##### **Recommended Conditions of Approval for CU24-02:**

1. The applicant shall complete all building renovations and repairs within one year of the date of the approval of Application CU24-02.
2. The applicant shall obtain and comply with all applicable local, state, and federal permits and requirements. The applicant shall submit copies of all required permits and licenses to the Sweet Home Community and Economic Development Department for inclusion in the record of CU24-02.
3. The applicant shall comply with the parking standards of SHMC 17.44.060(D).

#### **V. PLANNING COMMISSION ACTION**

In acting on a Conditional Use permit application, the Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section IV.

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

matter be subject to a **12-day appeal period** from the date that the notice of decision is mailed.

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

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

1. Move to approve application CU24-02; 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 applications CU24-02; 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
- C. Public Comment



W HOLLEY RD

SUBJECT PROPERTY

1ST AVE

Subject Property Map  
CU24-02

Date: 9/10/24

N  
1 inch = 48 feet





**Land Use Application**

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

Date Received: 09.05.24  
 Date Complete: 09.10.24  
 File Number: CU24-03  
 Application Fee: 650.00  
 Receipt #: 5773  
 Planning Commission Hearing Date: 10.17.24  
 City Council Hearing Date:     

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

Applicant's Name: American Legion timber  
 Applicant's Address: PO Box 134 Sweet Home City  
OR 97386 Post 133

Applicant's Phone Number: 541-554-6376  
 Applicant's Email Address: Katsander.sen17@gmail.com

**Property A**  
 Owner's Name: Fir Lawn Lutheran Church Inc  
 Owner's Address: 109 W Holley Sweet Home  
 Owner's Phone Number: 541-409-1029 Mindy Lee-Realtor  
 Owner's Email: ~~ml@fir-lawn.org~~  
 Property Address: 109 W Holley Rd Sweet Home

**Property B**  
 Owner's Name: \_\_\_\_\_  
 Owner's Address: \_\_\_\_\_  
 Owner's Phone Number: \_\_\_\_\_  
 Owner's Email: \_\_\_\_\_  
 Property Address: \_\_\_\_\_

Assessor's Map and Tax Lot: 13501E31CB 00200  
 Property Size Before: 8516 sqft 1.11 acres Property Size After: 8516 sqft 1.11 acres  
 Zoning Classification: R1 zone Comprehensive Plan: \_\_\_\_\_  
wood density

Assessor's Map and Tax Lot: \_\_\_\_\_  
 Property Size Before: \_\_\_\_\_ Property Size After: \_\_\_\_\_  
 Zoning Classification: \_\_\_\_\_ Comprehensive Plan: \_\_\_\_\_

**Nature of Applicant's Request**  
 Narrative describing the proposed land use action: Brief description on this form and attach extra sheets if needed.  
for the American Legion, Timber City, Post 133

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

Applicant's Signature: Barbara Moody - President  
 Property Owner's Signature: Robert D. Cinsworth - Treasurer  
 Property Owner's Signature: American Legion timber City  
 Property Owner's Signature: Kat Sanderson-Cox, Commander Post 133  
1st Vice Commander Post 133

Date: 09-04-24  
 Date: 09-04-24  
 Date: 09-04-24  
 Date: 09-04-24

Barbara Moody  
 Robert D. Cinsworth  
 American Legion timber City  
 Kat Sanderson-Cox  
 1st Vice Commander Post 133



**APPENDIX D**

**CONDITIONAL USE**

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

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

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

**SHMC 17.104.040 SUBMITTAL REQUIREMENTS**

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

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

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

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

1710.040K We will not be a church but rather a NON-PROFIT  
 Veterans group: American Legion, Timber City Post 133  
 Sweet Home, OR 97386 (P.O. Box 134)

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

*It is compatible with our use. The burned portion will be replaced (the roof) and refurbished (the electrical) by the owners insurance prior to closing.*

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

*We are changing the use of the building to American Legion Services as soon as it's purchased. It will be good for us, and the community.*

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

*We are only restoring the inside and will erect a new US Flag Pole.*

F. The applicant shall address how any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.

*No impacts that we are aware of.*





**Land Use Application**

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

Date Received: \_\_\_\_\_  
 Date Complete: \_\_\_\_\_  
 File Number: \_\_\_\_\_  
 Application Fee: \_\_\_\_\_  
 Receipt #: \_\_\_\_\_  
 Planning Commission Hearing Date: \_\_\_\_\_  
 City Council Hearing Date: \_\_\_\_\_

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

Applicant's Name: \_\_\_\_\_  
 Applicant's Address: \_\_\_\_\_

Applicant's Phone Number: \_\_\_\_\_  
 Applicant's Email Address: \_\_\_\_\_

**Property A**

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

**Property B**

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

**Nature of Applicant's Request**

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

\_\_\_\_\_  
 \_\_\_\_\_

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

Applicant's Signature: Barbara Moody - President  
 Property Owner's Signature: Robert D. Clensworth - Treasurer  
 Property Owner's Signature: \_\_\_\_\_  
 Property Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_

## Angela Clegg

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**From:** Tim Walker <timsplace@centurytel.net>  
**Sent:** Monday, October 7, 2024 3:49 PM  
**To:** Angela Clegg  
**Subject:** : Conditional Use for American Legion at Fir Lawn Lutheran Church

*Greetings Committee Members,*

*Thank you for informing the local neighborhood about the special use application submitted by the American Legion to occupy/use the Fir Lawn Lutheran Church as a new meeting place. Please accept the following input.*

- 1.) The activities of the American Legion are very different from those of the Lutheran Church. In the 17 years that I have lived here, the Lutherans have always assembled for Sunday services. Additionally, the Lutheran women met once weekly to sew quilts. The only evening activities included Easter and Christmas services. The American Legion, on the other hand, meets throughout the week and into the evening hours.*
- 2.) This change is not compatible with the surrounding R-1 zone. It will disturb the peace of the adjacent and surrounding neighborhoods, especially in the evenings and with the serving of alcoholic beverages, which the Lutheran congregation never did. This is not acceptable in the middle of a residential neighborhood. Please ask yourselves if it would be acceptable next door to your homes.*
- 3.) Allowing a corporate destination such as this will increase certain 'risks' that are inherent in residential neighborhoods. Risks such as those occurring between increased traffic (cars, trucks, motorcycles) and children, pedestrians, and bicycles. This is not fair to those who reside in this neighborhood. Remember, this location is surrounded by R-1 homes. I think it is safe to say that these neighbors never anticipated a dramatic and risky change such as this.*
- 4.) 'Spot zoning' such as this is what zoning is supposed to prevent. This is a case of what the overall zoning principles are intended to prevent. It also creates an unacceptable precedent when future zoning principles are challenged, especially when commercial properties are readily available in Sweet Home's commercial areas.*
- 5.) Over the years, the Fir Lawn Lutheran Church has opened its doors to several non-profit organizations such as The Red Cross and Winter Warming Shelters. These sorts of activities have been problematic with issues arising such as trespassing on and theft from adjacent R-1 properties.*
- 6.) Finally, this church was closed after the fire that seemed to have started in the church lobby. To my knowledge, repairs have not been made to the structure and/or the electrical systems. Are we not putting the cart before the horse when we discuss future plans for this building?*

*Respectfully Submitted,*

*Timothy Walker, 1061 1st Avenue, Sweet Home, Oregon 97386, (541) 367-1954  
timsplace@centurytel.net*