

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Site Plan Review and Variance to construct a roughly 7,200 sq. ft. construction office, warehouse, and equipment storage building, which includes a 2,448 sq. ft. residential structure, located on the 2nd floor of the warehouse office. A Variance has been requested in relation to allowing a gravel parking lot, rather than a paved parking area as required by the new development code.

LOCATION: Tax Lot 213 of Linn County Assessor's Map 15S04W16D

HEARING DATE: September 19, 2023

ZONING: M-1 (Limited Industrial) & M-2 (Heavy Industrial)

APPLICANT: Vincent Ferris
893 Smith St.
Harrisburg, OR 97446

OWNER: VFC Holdings, LLC
893 Smith St.
Harrisburg, OR 97446

APPEAL DEADLINE: October 2, 2023, at 10:00 a.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on September 19, 2023 and voted to approve the site plan request, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the Staff Report of the September 19, 2023, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

APPEALS: The decision may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above.

Specific information on the requirements for an appeal or a copy of the complete file of this land use action may be obtained at Harrisburg City Hall. There is a fee of \$750.00.

EFFECTIVE DATE: September 21, 2023, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: A Site Plan Review is effective for a period of 18 months from the date of approval. Approval shall lapse if a building permit application for the project has not been submitted, or construction on the site is in violation of the approved plan. The City Administrator, upon written request by the applicant, may grant a written extension of the approval period not to exceed 18 additional months, based on:

1. No changes are made on the original approved plan
2. The applicant can show intent of initiating construction on the site within the 18-month extension period;
3. There have been no changes to the applicable code provisions on which the approval was based. If there have been changes to the applicable code provisions, and the subject plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required;
4. The applicant demonstrates that failure to obtain building permits and substantially begin construction within 18 months of site design approval was beyond the applicant's immediate control.
5. In the event of a declaration of emergency by the State of Oregon or Harrisburg City Council, then the City Administrator can grant a second extension ending the sooner of 12 months or termination of the declared emergency.

Modifications to site plans/approved plans and development are subject to City review and approval under Chapter 19.30HMC.

~~The Variance request shall expire at the end of 18 months. Where the property owner has applied for a building permit, or made site improvements consistent with an approved development, or provides other evidence of working in good faith towards completing the project, the City Administrator may extend an approval accordingly. The Variance request was denied by the Planning Commission, and therefore has been removed.~~


Jeremy Moritz
Planning Commission Vice-Chair

CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, except where modified by the following conditions of approval.
2. **Water Connection** - Prior to submission of the building permit, the applicant will be required to pay for a secondary water line in order to accommodate additional services on the property. A water meter fee will be due and payable when the building permit is picked up. *The installation of the water line can be constructed concurrently with the new structure.*
3. **Landscaping** – Applicant shall be required to add an additional 2,166 sq. ft. of landscaping to their location of choice on the property.
4. **Landscaping Plan** – Concurrently with the submission of the building permit, applicant will provide the City with a landscaping plan showing where the additional 2,166 sq. ft. of landscaping will be located and provide a basic landscaping plan showing what kind of landscaping is being provided.
5. **Outdoor Lights** – Concurrently with the submission of the building permit, applicant will provide elevation drawings that show the location of the outdoor lights on the new structure. Applicant shall use the same outdoor lights that are present on the existing structure.
6. ~~**Variance for Paving Requirement**~~ – ~~Prior to submission of the Building Permit, a variance must be approved by the Planning Commission in order for the applicant to avoid being required to pave the parking area, or the driveway.~~ Note: The Planning Commission voted 3 to 2 in favor of denying the variance request, as the applicant has stated that they are planning on installing a paved parking lot and driveway.
7. **ADA and Access Route Paving** - Concurrent with submission of the Building Permit, applicant shall show on the parking plan the location of the ADA space, and access route, which must be paved.
8. **Parking Lot Details** – Concurrent with submission of the Building Permit, applicant shall show the parking plan, with the details in relation to location, size, and dimensions of each space, as well as installation of wheel stops, edging, or other perimeter treatment. All markings shall be provided on the gravel surface. *The Parking Plan shall include driveway location and details.*
9. **Building Permit Plans** – Concurrent with the submission of the building permits, the applicant shall have an architect listed on the plans, as per ORS 671.010 section 2.c.
10. **Erosion & Sediment Control Plan** – Prior to, or concurrent with the building permits, the applicant shall submit for review and approval an erosion and sediment control plan that demonstrates how the applicant will prevent sediment and runoff from the earthwork entering the storm water system or impacting other properties. This plan shall be reviewed and approved by the City's Public Works Director.

DEVELOPMENT/BUILDING CODE REQUIREMENTS

Development/Building Code Requirement No. 1. As per Exhibit B, the applicant is put on notice that depending upon how the structure is built, sprinklers might be required to be added to this structure. A larger water line and meter might be required in order to accommodate a sprinkler system.