

City of Harrisburg
PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a proposed Preliminary subdivision plat entitled Castleberry Crossing Subdivision (LU 455-2024 & LU 456-2024) to create a 53-parcel subdivision, with two storm detention tracts.

LOCATION: The subject site is located south side of Sommerville Loop, addressed as 930 Sommerville Loop. It is also known as tax lot 3700 of Linn County Assessor's Map 15S04W15.

HEARING DATE: February 20, 2024

ZONING: R-2 (Medium Density Residential) and R-1 (Single-Family Residential)

APPLICANT: Hayden Homes
Heather Dewolf & Craig Smith
2464 SW Glacier Place, Ste 110
Redmond, OR 97756

OWNER: Izetta Labar M Trust/David Labar
930 Sommerville Loop
Harrisburg, OR 97446

APPEAL DEADLINE: March 4, 2024 12:00pm

DECISION: The Harrisburg Planning Commission conducted a public hearing on February 20, 2024, and voted to approve the request, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the Staff Report of the February 20, 2024, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

APPEALS: People with legal standing to appeal are the applicant or owner of the subject property, and any person who testified orally or in writing during the subject public hearing before the close of the public record. 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 \$1,000.00.

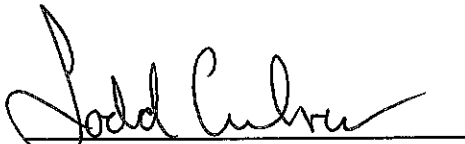
EFFECTIVE DATE: March 4, 2024, after 5:00pm, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: A Final Plat must be provided to the City within six months after the preliminary subdivision plat is approved.

If the applicant has not submitted the final plat for approval within two years of the approval of the preliminary plat as provided by HMC 19.20.070. The preliminary plat shall lapse if a final plat has not been submitted or other assurance provided, pursuant to HMC 19.20.090 within the two-year period.

MODIFICATIONS & EXTENSIONS:

The applicant may request changes to the approved preliminary plat or the conditions of approval following the procedures and criteria provided in Chapter 19.30 HMC. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant written extensions of the approval period of a Type III Procedure not to exceed one year per extension, provided that the applicant follows all criteria as required in HMC 19.20.030(3).


Todd Culver
Planning Commission Chair

RECOMMENDED CONDITIONS OF APPROVAL

1. The Applicant shall provide to the Linn County surveyor the proposed subdivision plat name to verify the plat name is not already recorded for another subdivision and that it satisfies the provisions of ORS Chapter 92.
2. The Applicant and the City of Harrisburg shall enter into a mutual agreement for the placement and completion of all required infrastructure and utilities, including permanent access and maintenance of storm drain detention and easement areas by the City with funding assistance for the first 5 years of maintenance, provided by the applicant during the development agreement process.
3. Prior to recording the Final Plat, the owner is required to complete the storm detention facilities to specifications, subject to acceptance through the normal engineering approvals by the City Engineer. After acceptance by the City, the owner must deed both Storm Tracts A and B to the City of Harrisburg in the Final Plat process.
4. The Applicant shall provide to the City any required wetland-related permit approvals from State and/or Federal agencies prior to beginning site preparation activities on the subject site.
5. At the time of Final Plat application submittal, a final site plan shall be provided that demonstrates compliance with the 50-foot minimum driveway approach spacing standard for the co-located driveway approaches on the R-2 zoned portion of the site on Sommerville Loop (HMC 18.70.030(7)).
6. Provide a final site plan signed and sealed by the engineer of record that shows vision clearance triangles on the three intersections (Sommerville Loop & South 9th Street, Sommerville Loop & Santiam Street, and Santiam Street & South 9th Street) as well as both sides of the 'curve' on Santiam Street within the project area to demonstrate compliance with this criterion. If the applicant is relying on vision clearance area on private property, show an associated easement area to be recorded as part of the Final Plat application process.
7. Provide a final landscape plan signed and sealed by the design professional of record.
8. Provide the outdoor lighting plan signed and sealed by the engineer of record.
9. Extend Sommerville Loop public improvements to the eastern and western extent of the site's property line based on the City of Harrisburg Engineering Design Standards Manual, Collector Street Standards outlined in the tentative Plan Engineering Comments technical memorandum by the City Engineer.

10. Provide public improvements in the Sommerville Loop right-of-way that comply with most of the requirements of HMC Table 18.85.020.3., by removing the planter strip, and providing a 5' sidewalk, .5' curb, and a 14.5' parking lane.
11. Provide public improvements in the Santiam Street and South 9th Street rights-of-way that comply with HMC Table 18.85.020.3., by adjusting the length of the lots that are abutting both sides of the local streets by ½' in length and providing 8' parking lanes on both sides of the street.
12. Provide the required street tree planting funds to the City of Harrisburg, consistent with the provisions of HMC Chapter 12.20, and Council Fee Resolutions to implement the landscape plan within the public street right-of-way consistent with the City's approved street tree planting list.
13. At the time of submitting the required privately engineered public improvement construction plans and specifications, the Applicant shall include a safe pedestrian connection across the Sommerville Loop collector street to the public sidewalk system north of the development, such as a Rectangular Rapid Flashing Beacon and the associated public improvements and traffic control devices for review and approval by the City Engineer. The privately engineered public improvement construction plans and specifications need to be complete and approved before any construction starts on the project.
14. Provide an updated stormwater management plan and drainage report signed and sealed by the engineer of record that demonstrates that a 25-year storm event can be accommodated by the proposed stormwater system to be reviewed and approved by the City Engineer.
15. In accordance with the requirements of HMC 18.85.060(2)(b), all utilities shall be placed underground prior to the issuance of the first building permit.
16. All proposed easements shall be provided at the time of Final Plat application submittal. The proposed easements shall be referenced on the final plat and recorded accordingly.
17. The Applicant shall acquire all required permits, including but not limited to those related to demolition and site preparation, building, electrical, mechanical, and plumbing, before beginning construction of different project components, public improvements as required by HMC Title 15.
18. The Applicant shall provide an acceptable plan for the installation of items provided in design specifications, including but not limited to the number, type and location of fire hydrants, manholes, sidewalks, street signs, and mail receptacles. These items shall be provided to the City Engineer prior to starting construction of the infrastructure of this subdivision.

OTHER DEVELOPMENT CONSIDERATIONS (*Informational Only*)

1. The proposed fencing along the northern property line of Lot 1 does not comply with City standards. Per HMC 18.75.040(3)(a)(i), the maximum fence height in street-side yard setbacks is 4-feet, or the proposed 6-foot fence must be setback not less than 3-feet from the property line.
2. A separate Development Agreement (DVA) between the Applicant and the City of Harrisburg will be required before any construction begins. The Development Agreement will include bond and deposit requirements, as well as other engineering requirements.
3. Submission of Final Plat – Applicant shall submit a Final Plat application consistent with HMC 19.20.090 within two years of the final approval of the preliminary plat.
4. Development shall comply with the plans and narrative in the applicant's proposal, except where modified by the recommended conditions of approval.
5. If there are any wells on the property that will not be used, they shall be properly abandoned by a licensed well driller.
6. Requirements herein imposed upon the Applicant may be imposed upon a developer or builder if the developer or builder has accepted the responsibility in a written document, and the City of Harrisburg is satisfied that it will not have any adverse impact on bonding requirements or other guarantees of compliance.
7. All public improvements, including but not limited to, traffic control devices, detailed storm detention and conveyance system, sanitary sewer conveyance system, water distribution system, and roadway design details, are subject to review and approval under a future review of the privately engineered public improvement construction plans and specifications. The privately engineered public improvement construction plans and specifications need to be complete and approved before any construction starts on the project.
8. At the time of Final Plat and development permit application submittals, all documents need to be stamped and signed by applicable licensed professionals, including but not limited to architectural, engineering, and landscape plans and technical reports and memorandums like the Storm Drainage Report and Sight Distance Memorandum.
9. A Joint Maintenance Agreement addressing the shared walls and driveways of townhomes in the R02 zone will be recorded with the deeds of the property prior to occupancy being allowed in the homes.

