



Harrisburg Planning Commission Minutes June 19, 2018, 7:00PM

The Harrisburg Planning Commission met on this date at the Harrisburg Senior Center, located at 354 Smith St, at the hour of 7:00pm. Presiding was Chairperson Todd Culver. Also present were as follows:

- Roger Bristol
- Rhonda Giles
- Kurt Kayner
- David Smid
- Kent Wullenwaber
- Youth Advisor Rocio Ruiz-Lopez
- City Administrator/Planner Brian Latta

Absent this evening were Commissioner Charlotte Thomas and City Recorder Michele Eldridge.

Approval of Meeting Minutes:

- Giles **motioned to approve the minutes, and was seconded** by Kayner. **The Planning Commission then voted unanimously to approve the minutes of May 15, 2018.**

Raven Partition (LU390)

Chairperson Culver read aloud the script as required by land use laws, along with the process of requesting a continuance, and the process to request the record remain open.

The Public Hearing was opened at the hour of 7:03pm.

Chairperson Culver asked if there were any conflicts of interest, or ex parte contact to declare.

- Chairperson Culver then added that he thought he should mention that he goes to church with Roger Raven, just to make sure that everyone knows.
- Latta noted that technically, it was not a conflict of interest or ex parte contact if you simply go to church, or go golfing together. He explained the difference between the two, and noted that if you were at church, and talked about the meeting, then that would be true ex-parte contact that he should mention.

There were no other conflicts of interest, or potential conflicts declared, and no rebuttals of such. There was also no other ex parte contacts declared, or any rebuttals of such.

Applicant's Presentation: Roger Raven, who owns the property in question, was here for the presentation; his address is 1790 Cal Young Rd in Eugene. He lived here for years, on the

property he owns on Priceboro. He moved out of town when he was married about five years ago. The property is currently a bit over 2 acres, and he's splitting it into two pieces. The 2nd lot will be just bare land. The new lot created is big enough for a house, but anything added to the property will require the extension of Siuslaw Street across the property.

- Bristol asked if the extension of the street divides the properties?
- Raven told him it roughly divides it in half. We could have split it into three pieces, but decided on only two at this time.
- Latta added that state law doesn't allow a street to divide a piece of property into separate tax lots. In this case, it will be one tax lot that contains a street.
- Bristol wanted to make sure that it's not a violation of state law or anything.
- Latta assured him it wasn't. They aren't splitting the property along the street edge.

Staff Report: Latta reviewed the conditions of approval for the Planning Commission. On Condition of Approval No. 3, he noted that the applicant would either need to be constructing the required improvements or signing a waiver of remonstrance for them.

- Chairperson Culver noted that was only for parcel 2, correct?
- Latta told him it was. The improvements could be done in a couple of different ways. He continued to review the conditions of approval as presented in the agenda.
- Chairperson Culver asked if Raven had reviewed that he would need to have his water and sewer connected to the City.
- Raven told him that sewer is connected already, and he has six months to a year to connect to water.
- Latta told him that he needs to need to have water connected prior to recording the plat.
- Raven was surprised, and said that he has to do that before selling the property?
- Latta told him it was required before recording the plat, which you have to do before selling any property.
- Raven had misunderstood and thought the buyer could do that. The surveyor was working on the plat now, so we'll get that taken care of.
- Bristol asked if there were improvements like curb, gutters, and sidewalk already on parcel 1.
- Latta told him those were already there.

Nobody present wished to provide testimony, whether in favor, in opposition, or neutral to the land use request being considered.

The Public Hearing was closed at the hour of 7:17pm.

- **Giles motioned to approve the Minor Partition, Case Number 390, subject to the conditions of approval in the June 12, 2108 staff report. This motion is based on findings presented in the June 12, 2018, staff report to the Planning Commission, and findings made by the Planning Commission during deliberations on the request. She was seconded by Kayner. The Planning Commission then voted unanimously to approve the Minor Partition, Case No. 390, for Roger Raven.**

Chairperson Culver noted for the record that anyone who wanted to appeal the decision, would be able to do so to the City Council, by a stated deadline.

Grocery Deals Expansion Site Plan Review (Land Use #391)

Chairperson Culver read aloud the script as required by land use laws, along with the process of requesting a continuance, and the process to request the record remain open.

The Public Hearing was opened at the hour of 7:20pm.

Chairperson Culver asked if there were any conflicts of interest, or ex parte contact to declare. There were no conflicts of interest, or potential conflicts declared, and no rebuttals of such. There was also no other ex parte contacts declared, or any rebuttals of such.

Applications Presentation: Hunter Ince, 3220 Kincaid St, Unit A. in Eugene, was here representing Grocery Deals. They are adding on a 2,200 s.f. addition to the store, which will be to the west. They have no objections to the stated conditions of approval. When they looked at the vehicular access criteria, they decided to do a traffic study, and found a need for an increase of 3 vehicles. They currently have 6 spaces; but have decided to provide 11 standard parking spaces, along with an ADA space. He reviewed the remaining issues as stated within Exhibits C in the agenda. They had no changes to any of the agenda and their presentation as stated.

- Bristol noted looking at the plat, is that alley he talked about, is this the outline of the alley? (Page No. 44)
- Latta told him, no, that is a buffer. That area will be landscaped, with a fence and is a buffer.
- Bristol said then it's on the east property line. So, with the planter boxes, is that all the landscaping they will have up front?
- Latta told him that had been shown on the site plan, and was in the first phase. They had had some on the east side of the building in front, on the southeast near the corner. They had some issues with their drainage, so they opted to remove the planter boxes. He understands the planting boxes will go away, and perhaps in the future, they might come back.
- Bristol asked then if that landscaping will be wedged between the end of the property at end of building.
- Latta told him it will stretch from Territorial St., to the south property line. It provides the buffering to the residential areas to the west. It's not very visible, but it does meet our requirements. It's location is based upon the issues that they are having with drainage in that front area long 3rd St.
- Wullenwaber noted then that technically, they've met our requirements, even if it's not where we'd prefer it would be.
- Latta said that is correct.

Staff Report: Latta went over the criteria with the Planning Commission. Parking was one of his main concerns. The code currently specifies that they should have a minimum of 27 spaces. However, the applicant felt that this was excessive, based upon the average number of parking spaces used with the existing use, and square footage of the current building. They conducted a study of cars throughout the day for a period of two weeks and calculated that they would need only 3 more spaces than what they have now. Based on their traffic study, which he felt was accurate, he agrees that the minimum number of spaces needed is 9. The applicant proposed 11 standard parking spaces, with one ADA van accessible space. He noted that they would need to be adding two bicycle parking spaces on their building permit, because they didn't not include those on their original plan, as required by code. Another issue will require them to do a property line adjustment; otherwise, the new addition would stretch the building over the property line. That is a condition of approval.

- Chairperson Culver asked if they were keeping the parking on Territorial like they did when it was the video store?
- Latta told him that they weren't, as they had their loading area out that side of the building.
- Bristol asked about the alleyway that he mentioned. They didn't have to pave it?

- Latta said that it would be easier to maintain in that manner, and the alley still belongs to the city, even though they will be using it to help maneuver into the new parking spaces.

Nobody present wished to provide testimony, whether in favor, in opposition, or neutral to the land use request being considered.

At the hour of 7:36pm, the public hearing was closed.

- **Giles motioned to approve the Grocery Deals Site Plan Review (LU #391), subject to the conditions of approval contained in the June 12, 2018 staff report. This motion is based on findings contained in the June 12, 2018 staff report, and on findings made during deliberations on the request. She was seconded by Kayner, and the Planning Commission voted unanimously to approve the Grocery Deals Site Plan Review.**
- Chairperson Culver wanted to make sure that the applicant understood the conditions of approval and was ok with those.
- Ince said that they did and were ok with them.

Magnuson Dental Site Plan Review, Property Line Adjustment & Historic Review (Land Use #383, 384, and 385)

Chairperson Culver read aloud the script as required by land use laws, along with the process of requesting a continuance, and the process to request the record remain open.

The Public Hearing was opened at the hour of 7:40pm.

Chairperson Culver asked if there were any conflicts of interest, or ex parte contact to declare. There were no conflicts of interest, or potential conflicts declared, and no rebuttals of such. There were also no other ex parte contacts declared, or any rebuttals of such.

Applicants Presentation: Debbie Magnuson was there to present their site plan. They are asking for a lot line adjustment, a historic review and a site plan review. There are some discrepancies on the application, as there are no living quarters. There are dressing rooms, so employees can change into their street clothes; they don't allow them to wear their scrubs outside of the office area. The area above stairs is so that they can eat and take breaks outside of the office area downstairs.

- Bristol asked if they were going to have a garage?
- Magnuson noted that they would keep their garbage in that area down there, but it wasn't really a garage.
- Chairperson Culver asked if on the property lines going north and south, that they would be changing those?
- Magnuson told him yes; those would run east to west instead.

Staff Report: Latta said this is mainly a site plan and historical review. The applicant has chosen to replicate a residential look for the historical zone, rather than a commercial look, and because there are homes that are across 3 of the corners at this intersection, he didn't have a problem with that. The only truly commercial look is on the north side of the project. He then reviewed the criteria as stated in the staff report. He did add that the property line adjustment was to correct a configuration that had been allowed back at the turn of the century. The adjustment of the property, and resultant lot configuration is preferred. The landscaping is well in excess of the minimum requirements provided by code. He noted, however, on the parking

lot, that the first spaces needed to be set back 15' from the lot line, rather than the 7' or 9' that is currently shown here. In addition, the number of spaces in the parking lot must be reduced, because the historical zone only allows half the required spots normally required in a commercial zone.

- Chairperson Culver asked if the only parking would be in the parking lot on Macy St?
- Latta told him that there is street parking on 2nd street as well. The City has planned public improvements for next summer, we will likely go out to bid in fall; therefore, it will add curbs, gutters, and sidewalks to the property.

Testimony in favor of the application: Mike Hurd was there representing Hurds Hardware. They have had recent discussions with the Magnusons; the lot line adjustment will benefit their access to their property, so they are in favor of it.

There was no testimony in opposition of the application, nor was there any neutral testimony.

The public hearing was closed at the hour of 7:55pm.

- Chairperson Culver reminded the Planning Commission that he prefers that the motions are done one at a time. He asked the applicant if they had looked at the conditions of approval and understood the requirements.
- Magnuson said that they had.
- **Giles motioned to approve the Magnuson Dental Property Line Adjustment (LU #384), subject to the conditions of approval contained in the June 12, 2018 staff report. This motion is based on findings contained in the June 12, 2018 staff report, and on findings made during deliberations on the request. She was seconded by Kayner. The Planning Commission then voted unanimously to approve the property line adjustment to change the lot configuration.**
- **Bristol then motioned to approve the Magnuson Dental Site Plan Review (LU #383), subject to the conditions of approval contained in the June 12, 2018 staff report. This motion is based on findings contained in the June 12, 2018 staff report, and on findings made during deliberations on the request. He was seconded by Kayner, and the Planning Commission voted unanimously to approve the Site Plan Review for Magnuson Dental.**
- **Wullenwaber then motioned to approve the Magnuson Dental Historic Review (LU #385), subject to the conditions of approval contained in the June 12, 2018 staff report. This motion is based on findings contained in the June 12, 2018 staff report, and on findings made during deliberations on the request. He was seconded by Kayner, and the Planning Commission voted unanimously to approve the Historic Review for Magnuson Dental.**

Others:

- Latta told the Planning Commission that he was close to having the next section of code amendment done, but it will likely be after July because we have several land use reviews that have been submitted, and they have priority over the code amendments. He's also working on a couple of large grants, which have deadlines during the same time period.
- Latta then said that this is the last night for our Youth Advisor, Rocio Luiz-Ropez. He told her that we are going to miss her; and thanked her for helping us out this year. He then presented her with a plaque to thank her for her service.
- Rocio said thank you for allowing her to serve on the Planning Commission. She had learned a lot in the last year.
- The Planning Commission all thanked her for her service as well.

With no further business to discuss, the Planning Commission meeting adjourned at the hour of 8:05pm.

Planning Commission Chairperson

City Recorder

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Minor Partition (LU #390) to divide one residentially developed property into two parcels, and to dedicate right-of-way for the future extension of Siuslaw Place.

LOCATION: 905 Priceboro Drive, Tax Lot 4203 of Linn County Assessor's Map 15S04W15

HEARING DATE: June 19, 2018

ZONING: R-2 (Medium Density Residential)

**APPLICANT/
OWNER:** Roger Raven
1790 Cal Young Road, Apt. 179
Eugene, OR 97401

APPEAL DEADLINE: July 2, 2018, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on June 19, 2018, 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 June 19, 2018, 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 \$425.00.

EFFECTIVE DATE: July 2, 2018, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: A Minor Partition shall be effective for one year from the date of approval. If the applicant has not submitted the final plat for approval within six months of approval, the preliminary plat shall be resubmitted to the Planning Commission for additional review (see HMC 17.25.010(1)). Where the Planning Commission finds that conditions have not changed, at its discretion and without a public hearing, the Commission may extend the period one time for a period not to exceed one additional year.

Unless appealed, this Minor Partition approval will expire on July 2, 2019.

A handwritten signature in black ink, appearing to read "Todd Culver", written over a horizontal line.

Todd Culver
Planning Commission Chair

CONDITIONS OF APPROVAL

1. Consistency with Plans – Development shall comply with the plans and narrative in the applicant's proposal identified as **Attachment A**, except as modified by this approval or the conditions of approval below.
2. Siuslaw Place Right-of-Way Dedication – Prior to or concurrent with recording the final plat, the applicant shall dedicate 50 feet of right-of-way for the westward extension of Siuslaw Place through the development site.
3. Street and Sidewalk Improvements – Prior to or concurrent with recording the final plat, the applicant shall either:
 - a. Construct the street improvements including travel lanes, curbs, gutters and sidewalks along the full frontage of Siuslaw Place; or
 - b. Provide the City with a signed waiver of remonstrance for the street improvements including travel lanes, curbs, gutters, and sidewalks. The waiver shall be for proposed parcel 2 and will run with the land, and not the developer or current property owner.
4. Water Service – Prior to recording the final plat, the applicant shall pay to have a water service installed to proposed parcel 1.
5. Water Main Improvement – Prior to or concurrent with recording the final plat, the applicant shall either:
 - a. Extend the 8 inch water main in Siuslaw Place through the development site; or
 - b. Provide the City with a signed waiver of remonstrance for extending the 8 inch water main through the development site inside of the Siuslaw Place right-of-way. The waiver shall be for proposed parcel 2 and will run with the land, and not the developer or current property owner.
6. Sewer – Prior to recording the final plat, the applicant shall have sewer service installed to proposed parcel 1.
7. Sewer Main Improvement – Prior to or concurrent with recording the final plat, the applicant shall either:
 - a. Extend the 8 inch sewer main in Siuslaw Place through the development site; or
 - b. Provide the City with a signed waiver of remonstrance for extending the 8 inch sewer main through the development site inside of the Siuslaw Place right-of-way. The waiver shall be for proposed parcel 2 and will run with the land, and not the developer or current property owner.
8. Final Plat – The applicant shall prepare a final plat for recording the proposed partition, consistent with the requirements in HMC 17.25.

DEVELOPMENT RELATED CONCERNS

(These are not conditions of approval, but will be required with building permits)

- A.** Any driveway in excess of 100 ft. in length will need to be able to support emergency vehicles up to 50,000 pounds.
- B.** Any driveway in excess of 100 ft. in length will need to be hard-surfaced for the first 25 feet from the edge of the right-of-way.

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of Site Plan Review to construct a 2,200 sq. ft. addition to an existing retail building, and provide off-street parking, on-site buffering, and landscaping.

LOCATION: Tax Lots 1200 and 1301 of Linn County Assessor's Map 15S04W16AA

HEARING DATE: June 19, 2018

ZONING: C-1 (Commercial)

**APPLICANT/
OWNER** Heidi Miller
295 N. 3rd Street
Harrisburg, OR 97446

APPEAL DEADLINE: July 2, 2018, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on June 19, 2018, 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 June 19, 2018, 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 \$425.00.

EFFECTIVE DATE: July 2, 2018, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: Site Plan Review approvals shall be effective for one year from the date of approval. If the applicant has not begun the work associated with the approval within one year, all approvals shall expire. Where the Planning Commission finds that conditions have not changed, at its discretion and without a public hearing, the Commission may extend the period one time for a period not to exceed one additional year.

Unless appealed, this Site Plan Review approval will expire on July 2, 2019.

A handwritten signature in black ink, appearing to read "Todd Culver", written over a horizontal line.

Todd Culver
Planning Commission 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. **Property Line Adjustment** – Prior to issuance of building permits, the applicant shall apply for and obtain all approvals to remove the common property line separating Tax Lots 1200 and 1301 of Linn County Assessor's Map 15S04W16AA, dated 11/1/2017.
3. **Erosion & Sediment Control Plan** – Prior to the issuance of 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 from impacting the City's drainage system or other properties.
4. **Construction Security** – Prior to issuance of building permits, the applicant shall submit a plan identifying security measures that will be taken to prevent public access to areas of the site where potentially dangerous construction activities will be taking place.
5. **Landscape and Irrigation Plan** – Prior to the issuance of building permits, the applicant shall submit for review and approval a landscape and irrigation plan showing what type of landscaping will be provided and how the landscaped areas will be irrigated.
6. **Bicycle Parking Spaces** – Prior to the issuance of building permits, the applicant shall include two off-street bicycle parking spaces on the building permit plans, consistent with the provisions in HMC 18.85.060. The bicycle parking spaces shall be installed prior to building occupancy.
7. **Fence Permit** – Prior to or concurrent with the issuance of building permits, the applicant shall provide the City with a fence permit for the 6-ft. tall fencing along the west property line, and surrounding the trash and recycling enclosure area. The fencing shall be installed prior to building occupancy for the proposed addition.

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

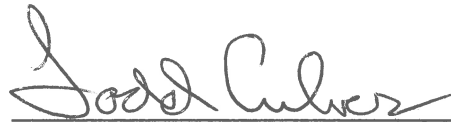
- REQUEST:** The applicant requests approval of Site Plan Review to construct a roughly 4,400 sq. ft. dental office building, and provide off-street parking, and landscaping. The applicant requests a Property Line Adjustment to adjust an east to west property line which divides the property evenly north and south, to a new property line dividing the property into two parcels east and west. The Historic Review application will ensure the proposed development is compatible with the historic structures in the H-1 (Historic) Zone.
- LOCATION:** 205 Macy Street, and identified as Tax Lots 8300 and 8400 of Linn County Assessor's Map 15S04W16AA
- HEARING DATE:** June 19, 2018
- ZONING:** C-1 (Commercial) with and H-1 (Historic Overlay)
- APPLICANT/
OWNER** Norm and Debby Magnuson
2745 Delta Oaks Drive
Eugene, OR 97408
- APPEAL DEADLINE:** July 2, 2018
- DECISION:** The Harrisburg Planning Commission conducted a public hearing on June 19, 2018, and voted to approve the requests, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the June 19, 2018 Staff Report to the Planning Commission, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.
- APPEALS:** The decisions 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 \$425.00 plus actual expenses for appealing a Planning Commission to the City Council.

EFFECTIVE DATE: December 4, 2017, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: Site Plan Review, Property Line Adjustment and Historic Review approvals shall be effective for one year from the date of approval. Where the Planning Commission finds that conditions have not changed, at its discretion and without a public hearing, the Commission may extend the effective period one time for a period not to exceed one additional year.

Unless appealed, this Site Plan Review, Property Line Adjustment and Historic Review approval will expire on July 2, 2019.

A handwritten signature in black ink, reading "Todd Culver", written over a horizontal line.

Todd Culver
Planning Commission 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. **Deeds** – Prior to issuance of building permits for the dental clinic, deeds based on a metes and bounds legal description for all adjusted Tax Lots from the property line adjustment shall be recorded with Linn County Recorder's Office.
3. **Boundary Survey Map** – The Certified Boundary Map that reflects the approved property line adjustment shall be reviewed by the City and signed by the City Planner and the City Engineer. The map shall then be filed with the Linn County Surveyor.
 - a. The Certified Boundary Survey shall include signature blocks for the Harrisburg City Planner and City Engineer, and shall reference the City's land use case number LU 384.
 - b. The Certified Boundary Map shall include all easements affecting the proposed property.
 - c. Copies of the recorded deeds and filed survey map shall be provided to the City of Harrisburg by the applicant following recording.
4. **Utility Connections** – Prior to issuance of building permits, the applicant shall apply for water and sewer services and pay for any required connection charges.
5. **Erosion & Sediment Control Plan** – Prior to the issuance of 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 from impacting the City's drainage system or other properties.
6. **Construction Security** – Prior to issuance of building permits, the applicant shall submit a plan identifying security measures that will be taken to prevent public access to areas of the site where potentially dangerous construction activities will be taking place.
7. **Demolition Permit** – Prior to or concurrent with submission of building permits, the applicant shall submit for review and approval a demolition permit for the demolition of the existing pump house building from the site.
8. **Landscape and Irrigation Plan** – Prior to the issuance of building permits, the applicant shall submit for review and approval a landscape and irrigation plan showing what type of landscaping will be provided and how the landscaped areas will be irrigated.
9. **Parking Spaces** – Prior to the issuance of building permits, the applicant shall reduce the provided parking to 9 spaces and shall ensure all parking complies with the 15-ft. setback requirement in HMC 18.95.100(4)(b).

10. **Bicycle Parking Spaces** – Prior to the issuance of building permits, the applicant shall include one off-street bicycle parking space on the building permit plans, consistent with the provisions in HMC 18.85.060. The bicycle parking space shall be installed prior to building occupancy.