



Harrisburg Planning Commission Minutes
October 20, 2015

The Harrisburg Planning Commission met on this date at City Hall, located at 120 Smith St.; at the hour of 6:57 p.m. Presiding was Chairperson Todd Culver. Also present were as follows:

- David Smid Jr.
- Kent Wullenwaber
- Francisco Garcia Mendez
- Youth Advisor Karina Ruiz-Lopez
- City Administrator/Planner Brian Latta
- City Recorder/Asst. City Administrator Michele Eldridge

Absent this evening were Vice-Chair Charlotte Thomas, Roger Bristol, and Kurt Kayner.

Approve Minutes from September 15, 2015

- Wullenwaber **motioned to approve the minutes, and was seconded** by Smid. **The Planning Commission then voted unanimously to approve the minutes of September 15, 2015.**

H.A.R.T. Family Resource Center Commercial Day Care Facility – LU346

A Public Hearing was opened at the hour of 7:00 p.m.

The chair described the order of testimony, and process to request a continuance, and asked for any declarations of conflict of interest, or ex parte contacts. There were none. He then reviewed the applicable criteria and process of testimony and appeal.

Applicants Presentation: Latta introduced Josh Ressler, who is a board member of the H.A.R.T. Family Resource Center. The H.A.R.T. Center is transitioning to a non-profit agency, and as such, is required to apply for a state license for the preschool. Josh Ressler said that we are splitting off from the City, and becoming a 501(C)(3) means that we are no longer part of a public agency. That requires them to obtain a state license for the preschool component of H.A.R.T.

Staff Report: Latta said that as part of the City, the preschool portion of H.A.R.T. was exempt from licensing requirements. Since they are breaking off, they have to have the licensing in effect by June of 2016. A Conditional Use Permit is required for this type of facility in a commercial zone. The City Council has approved the H.A.R.T. Resource Center to operate in the Cedar Square Building. He reviewed the criteria and findings of fact for the property. He noted the proposal satisfies all of the criteria. There are no conditions recommended with the project, and he has recommended approval.

There was no testimony offered for those in favor, in opposition, or neutral. Therefore, the public hearing was closed at the hour of 7:07 p.m.

- Garcia-Mendez **motioned to approve the H.A.R.T. Center Conditional Use Permit (LU #356), based on findings contained in the October 13, 2015 staff report, and on findings made during deliberations on the request. He was seconded by** Wullenwaber, and the **Planning Commission voted unanimously to approve the H.A.R.T. Family Resource Center Conditional Use Permit to operate a state approved pre-school facility at this location.**

Historic Review for the Enoch Hoult House (LU347)

A Public Hearing was opened at the hour of 7:13 p.m.

The chair described the order of testimony, and process to request a continuance, and asked for any declarations of conflict of interest, or ex parte contacts. There were none. He then reviewed the applicable criteria and process of testimony and appeal.

Applicants Presentation: David & Amy Lindstrom own the home located at 895 S. 6th St. They love the home, but it is deteriorating. The people who have owned it in the past have had good intentions, but they didn't stay true to the home's history, and didn't use good materials. Most of the features of the home aren't truly old. Right now, the only original parts of the house are the front door, and only two of the windows on the 2nd story. They plan on updating the roof with metal roofing, install all new siding, and replace the windows and doors. They are especially replacing the front porch on the property, since it's really deteriorating. They want an open porch feel, and had submitted photos of homes that are similar to the look that they are creating (**Please see Addendum No. 1**). Amy Lindstrom said that originally, the home had a widow's walk. They plan to do this work in phases.

- Smid asked why they had to come to the Planning Commission for this issue. The home isn't located in the historical zone.
- Latta said that it is not located in the historical zone, but it is on the City's historic home and building list. It was built in 1863 for Enoch Hoult, and is one of the oldest homes in the City. Enoch Hoult actually helped to write the state constitution. There are about 15 buildings on the historic building list. This is an alteration permit being requested. You

are allowed to be alter historic resources as long as the alterations are historically compatible, with the original materials and features of the home.

- Smid asked if anyone had approached the City on any of the prior changes to the home.
- Latta told him no, there had not been any permits applied for in the past.
- Garcia-Mendez said that to confirm for the phases approach, you are replacing the roofing first?
- D. Lindstrom told him that it's the roof, siding, windows and trim. He added that the metal roofing is a much cheaper alternative to composition roofing. It is also a lighter material, which is better for the structure of the home.

Staff Report: Latta said that the first set of criteria in this application is the historic renovation of this home. They have three primary alterations that they are making, with the roof, the siding, and the front porch remodel. In the materials he submitted to the City, he didn't talk about replacing the front porch, so if they plan on replacing the porch, then they will need to submit that plan to him for an administrative review. The roofing itself is not historical, and the current siding is vinyl. They are not removing anything architecturally significant. The pitch of the roof is very steep. Architecturally, composition shingles are comparative to the types of shingles they had then, but he felt the metal roofing materials is sufficient. It doesn't detract or devalue the historical value of the home. The siding will continue the lap look. Right now, it has an 8" reveal; the new would very hard to tell from the original materials. He didn't feel comfortable with them removing the front porch balcony. The original was smaller, and didn't have a roof. He therefore imposed that condition of approval, because they did not submit plans for it. The windows are non-historic, so he has no problems with the replacement of it. Technically, we aren't sure when the other changes were made. Anything over 50 years old is considered historic, but it may not be a 'historical' feature, and changes made previously don't have any historic value. Even the front porch deterioration is noted in the historical report of the home. Criteria No. 6 requires that if it is necessary to replace deteriorated architectural features that new materials should match in terms of composition design, color and texture. Therefore, he is requiring that. They are moving in that direction, so staff didn't really feel that the criteria No. 7 applied, because the applicants are not proposing to replace any missing architectural feature of the original construction. Staff is in favor of granting approval of this project. There are two conditions; the first is that they must obtain a building permit, and the second is to submit the plans to him for administrative review for when they plan on repairing or replacing the porch.

There was no testimony given, in favor, in opposition, or neutral; therefore, the public hearing was closed at the hour of 7:33 p.m.

- **Wullenwaber motioned for approval of the Enoch Hoult House Historic Review Application, (LU 347), with the recommended conditions of approval one and two, and based on the findings contained in the October 13, 2015 staff report, and findings made during deliberations on the request. The development related concern in relation to this request if that any new architectural features that are proposed to be constructed to the Enoch Hoult House are subject to a historical**

review application and approval. He was seconded by Smid, and the Planning Commission voted unanimously to approve the application for the Enoch Hoult House Historic Review.

Consideration of a CUP Extension Request for Diamond Hill Paintball (LU305)

A Public Hearing was opened at the hour of 7:37 p.m.

The chair described the order of testimony, and process to request a continuance, and asked for any declarations of conflict of interest, or ex parte contacts. There were none. He then reviewed the applicable criteria and process of testimony and appeal.

Applicant's Presentation: Audrey Whiddon, 1070 S. 6th St., said that she is the owner of Diamond Hill Paintball. They operate two days a week, and sometimes in the summer, they are open in the evenings. It's a part-time business. The proposed estimates for the infrastructure improvements here are really hard to meet right now. She was working on some financing to purchase property in the area, and the Fire Department wasn't able to get their levy passed, so we entered into another lease agreement to give her time to purchase property. She has been quoted around \$42,000 or so to make these improvements. She would love to have paved driveway and parking areas, bathrooms, and sidewalks, but it isn't feasible right now. She is asking for an extension of time.

- Chairperson Culver asked then what this is, is a request for an extension of a year?
- Latta told him that it would be until December of 2016.

Staff Report: Latta said that he hates to use the word termination in the report in his introduction, but that's how the code refers to it. If a land use is not started, or conditions of approval are not met, the Planning Commission after a public hearing can vote to suspend, terminate, or revoke approval for the action. That's what we are here for, to decide if we should revoke, suspend, or modify the previous decision. He included criteria one for reference for the Planning Commission; technically, it only applies to projects where construction doesn't start, and in this case, they are operating. The second criterion lists the fact that the Planning Commission can extend the land use approval for up to one year in some cases. Staff agrees with the applicant, that it doesn't make sense for leased property, and a leased use, because the Fire District has plans to ultimately develop the property. Because the deadline is a little over a year out, he felt that was appropriate.

- Chairperson Culver said that we have no copies of the minutes from December when we decided this, so he's not sure what the time limit was before, and how hard it was to meet that.
- Latta said that he did consider those when he made his proposal. Again, this is a temporary use. The question, is how temporary, with the Fire District applying for a bond measure. He thinks the Planning Commission was amenable on time, to allow it to be deferred.

Testimony in Favor:

- Bob Bronson, of 865 Sommerville Loop, is currently President of the Harrisburg Fire/Rescue District Board. He supports the extension request; this has worked well for the community. They plan to go forward with the election, and hope that in 2016, it will be heard in May or November. They need to move the station, because the main rescue facility is right next to a couple of major hazards in the community. That's in relation to hazardous materials, and being located adjacent to a high speed section of rail. When Whiddon approached them, it was a win-win situation. The land is just sitting there, and now they have income from it. She offered us \$1,000 a month. He is a frequent walker, and a place like Sommerville Loop has a tremendous amount of walkers; therefore, he thinks with no sidewalks here, it doesn't hurt anything, and it's reasonable to ask for a one year extension.
- Hurley Lynn Heckart, of 1025 Heckart Lane, said that he is in favor of the Paintball business on the property. It's beneficial to the Fire/Rescue District, and he's here to support that.
- Kevin Schmaal, of 24069 Tandy Lane, said that he's also on the Fire Board, and is in favor of this extension. We've seen the benefits of having a business there, and Whiddon's done a good job with it. It brings a lot back into the community. Those people all eat and drink here, and spend money in town. His other issue is with sidewalks; they shouldn't be pushed into putting in sidewalks there. There are no other sidewalks on that side of 6th St. Yes, if we put in a fire station, or other buildings come in, there will be a need for sidewalks; he actually considers a sidewalk to be a bit of hazard there, because there are no crosswalks, and that would encourage people to cross the road. He felt it could be a safety issue.
- Bart Griffith, the Harrisburg Fire/Rescue Chief, of 920 Red Clover Court, said that to reiterate what Whiddon already said, any sidewalks or paving that is installed, will have to be pulled out if they are able to build a fire station there. Pavement that the district would install there has a much heavier rating than standard use. In addition, with the access points on the sidewalk, the entire portion in front of the proposed station, in front of 7 bays, will be slanted towards the road. The majority of anything put in here will have to be pulled out. The expense of installation would be wasted.

There was no further testimony, either in opposition, or neutral; the Public Hearing was therefore closed at the hour of 7:52 p.m.

- Wullenwaber was in favor of giving them the extension without doing a sidewalk.
- Garcia-Mendez asked why we are adding this motion if we decide to approve this?
- Chairperson Culver said that we have to have a deadline on it, because the ordinances are there for safety, so things don't drag out forever. These are really the same conditions as before; so this is just an extension of it.
- Wullenwaber asked if they approve it, and they don't put them in now, then if they are still there after a year, they will have to put them in.

- Latta said right. If the Fire District tries for another levy or a bond, and if it's unsuccessful, then this would be rolled backwards, because it will be put on ice again. They can offer to sell Whiddon the property, and the original conditions would be applied, which as property owner, she would be in favor of. So those are there, by an extension deadline. Either the business is there permanently, and installs the improvements, or, if not, they have to do it by that deadline. That being said, they can operate the paintball facility beyond December 2016, if they entered into another land use process. At the end of the extension, we could require another CUP. That isn't stated, but it does apply.
- Garcia-Mendez was confused; this is a temporary use. It can be purchased, or it may be a fire station later on, so why should sidewalks be required.
- Latta said that the Fire District isn't required to put them in, if they were going to own it for a long period of time, and nothing was on it. If they decided to sell the property to her, then she would install it. On the flip side, if we didn't have this requirement, and they decide to sell it to her, then she has the land use without being required to install the sidewalks, which isn't up to code. Do we want to remove that requirement?
- Chairperson Culver asked if the dates were right.
- Latta thought so. The condition says that before this date, you have to complete the improvements in Conditions of Approval 1 and 2. Those are the original conditions, and we aren't changing that. The third condition is really the one that applies. They can also go back through another CUP process before the deadline next year.
- Smid then **motioned to approve the request for an extension to Conditional Use Permit LU #305 subject to the conditions of approval. This motion is based on findings contained in the October 2015 staff report, and on findings made during deliberations on the request. The conditions of approval include no. 3, which is prior to December 31st, 2016, the applicant must complete the improvements identified in the other conditions. He was seconded by Wullenwaber, and the Planning Commission voted unanimously to allow the extension of the current use, with the improvements to the infrastructure being required to be installed by December 31st, 2016.**

Other:

- Latta introduced our new Planning Commission Youth Advisor, Karina Ruiz-Lopez, and introductions were made around the table.

100-acre Park

- Latta told the Planning Commission that we had a recent meeting with the consultant, and held an open house for the park, to determine what the citizens want to see there. He pointed out the map in the room. The acreage there is actually 132 acres. There is a community survey currently open, that asks those questions; it really generated a lot of interest when it was first opened. Parks take a long time to develop; this one wouldn't even be possessed by us until 2019 at the earliest. It's a very exciting project. We are

now working through the feasibility study, and will need to work with Linn County, and consider a nature conservancy or restoration. The Planning Commission will be involved with the adoption of the feasibility study when it is completed.

Boat Ramp News

- Latta told the City Council that he met with Council last week, and one of the items we covered was how hard we are working on getting the regulation to move gravel out of the way on the boat ramp. In short, the DSL (Department of State Lands) said yes, you can move it, but the Army Corp of Engineers was less amenable to his points. Therefore, he sent letters off to our representatives in Congress. He suggested that we are exempt to some of the regulations that they are quoting. He doesn't know how successful we will be, so we will continue down that path. The ConnectOregon program, allows grants for multi-modal transportation needs; that's for anything that is drivable other than vehicles. The state budgeted \$45 million to that project. Our region includes the counties of Lane, Linn and Benton. Each of those areas, of which there are five, get 5% of the money available. The smallest award last year was \$15,000, and the largest was \$8 million. In 2007, we received a grant from the OSMB (Oregon State Marine Board), to improve the boat ramp, put in floating docks, and sidewalks, etc.; we got permits at that time from both the Army Corp of Engineers, and the DSL. One condition the Corp had, included sediment control. We would have to install a silt fence in the current of the river, which would require more money than what we had. The OSMB gave us \$100,000 than what we asked for because of that. That project, of course, died. He decided to apply for the ConnectOregon grant to revive that project. We've already been through the permitting process, so he has relative confidence that it will be allowed. We asked for an estimate of the project cost from the engineer, who told us it would roughly cost \$450,000.

The ConnectOregon grant requires a 30% match requirement, which would be about \$135,000. He therefore called OSMB, and told them that we were trying to revive that, and they were very excited about the project. It's perfect for them. He reminded them of the previous amount that they had committed to the project before, and asked them for \$120,000, with the City contributing \$15,000. They thought it was great, and they are meeting this week to decide on that. It's still not official, but it's likely. He told them that they were willing to give us \$245,000 before, and now you can get the same project for only \$120,000. They were quite amenable. The deadline for the grant is November 20th, at 5:00pm. We are getting involvement from Linn County, the Fire Department, and Lane County Search and Rescue. We will also work with local businesses. The original permit allowed us to move gravel, and to deposit it down river, which they prefer.

- Wullenwaber said that Knife River used to dredge the area on the other side of the bridge all the time, and used the rock.
- Latta thought that there would be opportunity to use the rock, and we will talk about that. We won't know the results of the grant until August of 2016. But he knows that the OSMB has been involved, and he doubts that there are many marine projects being

proposed through the grants, so he thinks it will have a lot of appeal. We had a permit issued to us, so we know we can get another one, and for this exact project. It's already engineered, with very little modifications being required.

- Smid said that you weren't around ten years previously, when we dealt with all this. How did he come about with that revelation? What made him think that way?
- Latta said that people come in and talk with him all the time, especially boaters. He knows in the past, that the last administrator was really frustrated. The main issue was the state getting in the way, because they felt that the sediment stirred up could destroy the fish population. He was aware of that, and read through it, and it just seemed like the stars aligned. If the state has \$45 million for these types of projects, then we can maybe leverage some of that for our community. He originally wanted to improve 4th street, to have separate lanes with the rails there. However, while the grant could allow work on the rail system, it wouldn't apply to the street. You can also use these funds for running trails, transit, trains, etc. You can't use it for operations, but you can make capital purchases; for instance, we could purchase a bus through this, and talked about improving transportation through Harrisburg.
- Smid thought that was great!
- Chairperson Culver said we spend a lot of time working on that project. In winter, when that huge gravel bar arrived, it really brought major depression. It was devastating when they pulled the plug on the existing ramp.
- Latta said that even when we got approval for the permit then, the rock had already doubled in size.
- Smid asked if we would be able to work on connecting a river path from the park up to Life Bible.
- Latta thought it was identified in the Parks Master Plan. It may not be feasible to do what they suggested, because you would have to tear down homes, but there are visions for a connected trail network. He talked about the safe paths to school program, and how the funds could be used for that as well. The state has a biennial cycle, so we could apply for more funds in 2017. To qualify, the projects have to be attractive, and provide economic or safety benefits. For now though, we are focusing on the boat ramp.

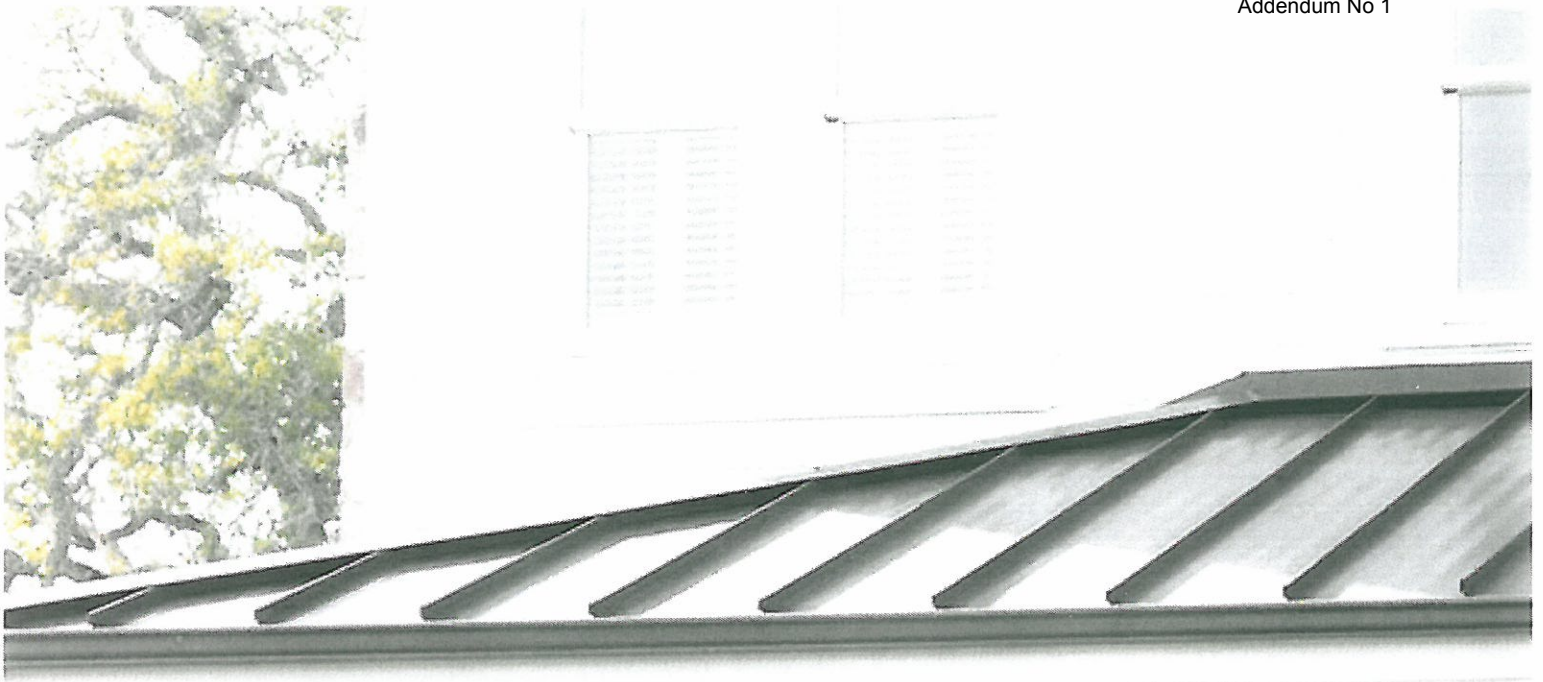
With no further business to discuss, the Planning Commission adjourned at the hour of 8:27p.m.

Chairperson

City Recorder









City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Conditional Use Permit application to operate a State licensed commercial day care facility for the H.A.R.T. Family Resource Center Preschool.

LOCATION: 430 Smith Street

HEARING DATE: October 20, 2015

ZONING: C-1 (Commercial)

APPLICANT: Edie Moro, on behalf of the H.A.R.T. Center

OWNER: City of Harrisburg

APPEAL DEADLINE: October 30, 2015, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on October 20, 2015, and voted to approve the request. The Planning Commission adopted the findings contained in the Staff Report of the October 20, 2015, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

APPEALS: This 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 \$350 plus actual expenses for appealing a Planning Commission to the City Council.

EFFECTIVE DATE: October 30, 2015, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: Land use approvals shall be effective for one year from the date of approval. If the applicant has not begun the work or initiated the use 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, the Conditional Use Permit approvals will expire on October 30, 2016.

A handwritten signature in black ink, reading "Todd Culver". The signature is written in a cursive style with a horizontal line underneath the name.

Todd Culver
Planning Commission Chair

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Historic Alteration Permit to modify the Enoch Hoult House. The modifications include a roof replacement, siding replacement, and removal of the front porch and balcony.

LOCATION: 895 S. 6th Street

HEARING DATE: October 20, 2015

ZONING: R-2 Medium Density Residential

APPLICANT: David Lindstrom

OWNER: Same as Applicant

APPEAL DEADLINE: October 30, 2015, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on October 20, 2015, and voted to approve the request. The Planning Commission adopted the findings contained in the Staff Report of the October 20, 2015, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

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Unless appealed, the Historic Alteration Permit approvals will expire on October 30, 2016.

A handwritten signature in cursive script, reading "Todd Culver", written over a horizontal line.

Todd Culver
Planning Commission Chair

CONDITIONS OF APPROVAL

1. **Building Permits** – Prior to development, the applicant shall obtain all required permits necessary for the construction of the proposed development. The building permits shall be consistent with the proposal (LU 347), as approved by the Planning Commission.
2. **Architectural Features / Building Elements** – The applicant shall restore and/or replace the porch and 2nd story balcony. The porch and balcony shall be repaired or replaced with materials of a similar composition, texture, and be historically compatible in terms of design and style. Prior to repairing or replacing architectural features or building elements, the applicant shall submit a plan for the repair or replacement for administrative review and approval of the City Planner.

DEVELOPMENT RELATED CONCERNS

- A. **New Architectural Features** – Any new architectural features proposed to be constructed to the Enoch Hoult House are subject to a Historic Review application and approval.

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of an extension request for a Conditional Use Permit (Land Use 305) to operate a paintball facility.

LOCATION: 1170 S. 6th Street

HEARING DATE: October 20, 2015

ZONING: M-1 / M-2 Limited Industrial / Heavy Industrial

APPLICANT: Audrey Whiddon

OWNER: Harrisburg Fire and Rescue District

APPEAL DEADLINE: October 30, 2015, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on October 20, 2015, and voted to approve the request. The Planning Commission adopted the findings contained in the Staff Report of the October 20, 2015, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

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initiated the use 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, the Conditional Use Permit approvals will expire on October 30, 2016.

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)** A sidewalk shall be installed in the public right-of-way along South 6th Street, adjoining the involved property, by June 30, 2015, unless the property is no longer being used by that time for the proposed use.
- 2)** All areas where vehicles are being maneuvered or parked on the proposed property shall be hard surfaced by June 30, 2015, unless the property is no longer being used by that time for the proposed use.
- 3)** Prior to December 31, 2016, the applicant shall have completed the improvements identified in Conditions 1-2, or the land use approval shall be revoked.