



Planning Commission Meeting Minutes
June 21, 2022

Vice-Chairperson: Jeremy Moritz, Presiding
Commissioners Present: Susan Jackson, Kurt Kayner, Joe Neely, and Rhonda Giles
Absent: Todd Culver and Kent Wullenwaber
Staff Present: City Administrator/Planner Michele Eldridge, Finance Officer/Deputy City Recorder Cathy Nelson, and Planning Consultant John Hitt (via Zoom) *
Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

CALL TO ORDER AND ROLL CALL: Order was called at 7:00pm by Vice-Chairperson Jeremy Moritz.

CONCERNED CITIZEN(S) IN THE AUDIENCE. Everyone present were there for items on the agenda.

APPROVAL OF MINUTES

Giles motioned to approve the minutes and was seconded by Jackson. The Planning Commission then voted unanimously to Approve the Minutes for May 17, 2022.

PUBLIC HEARING

THE MATTER OF THE REDWOOD RENTALS PRELIMINARY PARTITION (LU 443-2022), VARIANCE (LU445-2022), AND SITE PLAN (LU 444-2022) APPLICATIONS.

Vice-Chairperson Jeremy Moritz read aloud the order of proceedings, and noted the procedures for a continuance, and the process to keep the record open.

At the hour of 7:04PM, the Public Hearing was opened.

Moritz asked if there were any Conflicts of Interest or any Ex Parte contacts.

None stated.

There were no rebuttals in relation to Conflicts of Interest, or Ex Parte Contacts.

Moritz then read aloud the criteria that were relied upon for this land use hearing and noted additional copies of criteria near the door. He also directed the audience on how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.

STAFF REPORT: Eldridge gave a brief background of the application for the Redwood Rentals property. A variance will be required for parcels two (2) and three (3).

Eldridge highlighted the recommended conditions of approval found on page 22-18 of the agenda packet. Another condition is recommended and will be added as Condition No. 14, which will state, Applicant will meet with fire marshal for approved fire access prior to submitting any building permits.

Eldridge shared that all criterion for the Variance Permit has been met.

- Moritz asked why they couldn't have a second exit instead of one access point. Eldridge stated that they could work with the adjacent owners and Bart to see if they could agree on a second access point.
- Moritz asked if it still needs a fence with the 5 ft buffer. Eldridge said it does and is part of Condition No. 9.
- Neely asked if the Fire Chief was okay with the east side of the property closed. Eldridge said that Condition No. 14 address that issue. Neely followed-up by asking about the road access and if pedestrian lanes are required. Eldridge stated that there is nothing in our current code that would require a designated pedestrian lane.
- Jackson inquired about how far the house was off the driveway. Eldridge said they are 6 feet back and the requirement is only 5 ft.

APPLICANTS TESTIMONY: Applicant, Ken Graton and John Herrera, addressed the Planning Commission. Herrera said the reason for portioning into three (3) parcels was to allow for selling in the future.

- Neely asked if the pond shown on the application was a ditch with a pump. Graton said it was a pipe that will allow for drainage and was part of Condition No. 8.
- Jackson asked where a 2nd car could be parked. Herrera said the parking lot would hold additional parking.

TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY WAS ASKED FOR. No testimony of any kind supplied, nor were there any rebuttals.

The public hearing was closed at the hour of 8:01 pm.

- **Kayner motioned to approve the Redwood Rentals Variance Request (LU 445-2022). He was seconded by Giles. The Planning Commission then voted unanimously to approve the Redwood Rentals Variance Request (LU 445-2022), subject to the conditions of approval in the June 16, 2022, staff report to the Planning Commission, findings made by the Commission during deliberations on the request at the June 21, 2022 Public Hearing.**
- **Giles motioned to approve the Redwood Rentals Minor Partition Request (LU 443-2022). She was seconded by Kayner. The Planning Commission then voted unanimously to approve the Redwood Rentals Minor Partition Request (LU 443-2022), subject to the conditions of approval in the June 16, 2022, staff report to the Planning Commission and adding Condition No. 14, and**

findings made by the Commission during deliberations on the request at the June 21, 2022, Public Hearing.

- Jackson motioned to approve the Redwood Rentals Site Plan Request (LU 444-2022). She was seconded by Neely. The Planning Commission then voted unanimously to approve the Redwood Rentals Site Plan Request (LU 444-2022), subject to the conditions of approval in the June 16, 2022, staff report to the Planning Commission and adding Condition No. 14, and findings made by the Commission during deliberations on the request at the June 21, 2022, Public Hearing.

Planning Commission took a recess at 8:13pm. Convened again at 8:19pm. Kurt Kayner left at 8:14pm. Quorum was still met, and meeting continued.

WORK SESSION

THE MATTER OF REVIEWING THE HARRISBURG ZONING & DEVELOPMENT CODE AFTER REVIEW BY MIG (MOORE IACAFANO GOLTSMAN, INC.) AND CONSULTANT JOHN HITT.

STAFF REPORT: Hitt explained that they would be going over the 2nd half of the Zoning and Development Code. One difference from the draft previously reviewed is that there will only be two (2) types of partitioning instead of three (3). Staff will come back with a clean draft for the July meeting and hold a Public Hearing in August.

Hitt Highlighted the following sections:

- Page 52 through 96 address parking standards. There are no minimum number of parking spots in the Historic District.
- Page 70 defines off street parking.
- Page 72 specifies electric charging station standards for commercial and multi-dwellings. The current court trends are leaning towards making more requirements for electric charging stations.
- Page 76 allows for private-owned streets.
- Page 78 is completely replaced with page 79.
- Page 98 allows the applicant or staff to take any plan to the Planning Commission through the Type II Process.
- Page 100 this section is only effective for 10 days.
- Page 111 sets the time limit to 90 days.
- Page 137 on Major Modifications and is reviewed through the Type III process that is done with the Planning Commission.
- Page 138 on Minor Modifications is reviewed through a Type II Process.
- Page 142 added adjustments and variances.

Eldridge pointed out that Page 125, Section D address the Emergency Vehicle Access that was discussed during the Public Hearing.

- Neely asked if they could add an identified paved pedestrian lane requirement on flag lots with multi family dwellings. Hitt said he would research how to address it.

Eldridge asked if Commission wanted to increase multi family dwellings found on Page 67 from two (2) to fifteen (15) spaces per dwelling. Commission wants to keep it at two (2).

Rhonda Giles left at 9:18pm. NO QUORUM REMAINED.

OTHERS

- None discussed.

With no further discussion, the meeting was adjourned at the hour of 9:25 pm.

Chairperson

City Recorder

City of Harrisburg
PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Minor Partition (LU 443), Site Plan (LU 444) and Variance (LU 445) to divide an approximately 31,799 square foot lot into three residential lots. The Variance is required for proposed parcel 2 and 3 due to insufficient street frontage, and the lot depth exceeding standards.

LOCATION: The subject site is located at 775 S. 6th St. and is known as tax lot 3400 of Linn County Assessor's Map 15S04W15BC.

HEARING DATE: June 21, 2022

ZONING: R-3 (High Density Residential)

APPLICANT: Ken Graton
94841 Hwy 99E
Junction City, OR 97448

OWNER: Redwood Rentals
94841 Hwy 99E
Junction City, OR 97448

APPEAL DEADLINE: July 2, 2022 at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on June 21, 2022, 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 21, 2022, 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: July 3, 2022, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: A Minor Partition, Site Plan and Variance 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 3, 2023.



Planning Commission Chairperson

RECOMMENDED 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 of the conditions of approval below.
2. **Reciprocal Access Easement**. The final plat shall include reciprocal access, private utility and franchise utility easements for the benefit of proposed parcels 2 and 3. A Shared Maintenance Agreement must also be specified within the final plat, which outlines how the driveway, swale, and parking areas will be maintained by both users.
3. **Water Services** – Prior to recording the final plat, the applicant shall pay to have water service extended to each of the properties.
4. **Sewer Services** – Prior to recording the final plat, the applicant shall pay to have sewer service extended to each of the properties.
5. **Variance Requirement** – Prior to the Minor Partition Approval, a Variance must be approved by the Planning Commission which will allow a flag lot that exceeds the lot depth requirement in relation to two-and-one-half times the average width. In addition, the variance shall be applied to allow the lots to abut upon 6th street for a width of less than 25 feet.
6. **Mailbox Receptacle** – Prior to the occupancy of any of the residential units in the multi-family dwellings, a receptacle for the delivery of mail, in a design approved by USPS shall be installed.
7. **Parking Plan** - Prior to recording the final plat, applicant shall provide Staff with a revised parking plan showing the addition of one additional parking space, as well as a plan showing where no parking signs will be posted in the garage/parking area of this development.
8. **Storm Water** - Prior to Final Plat approval, the developer shall submit an engineered stormwater management and detention plan, showing no impact on neighboring properties beyond historical storm water flow. This plan must be approved by the City Engineer.
9. **Screening/Fence** – Prior to the submission of any building permits, the applicant shall submit a plan showing their proposal and design for a continuous fence or wall a minimum of six feet in height, or a plan for berms or trees that can be reasonably expected to provide an adequate buffer within three years of planting.
10. **Erosion and Sediment Control** - Concurrent with the Building Permit Applications, the applicant must show their plans that will prevent sediment runoff from entering the City’s streets or impacting surrounding properties. These plans must be approved by the Public Works Director

11. **Security Measures** – Prior to recording the Final Plat, the applicant shall submit a revised site plan showing what kinds of security fences will be installed around the perimeter of the property in order to adequately protect the general public from injury. This plan must be approved by the Public Works Director, and the temporary fencing must be installed prior to groundwork commencing on the property.
12. **Landscaping**: Prior to submitting any building permit, the applicant shall be required to submit a landscaping plan to the City Administrator, showing the types of plants, shrubs and trees to be added to the property, as well as showing how the landscaping shall be maintained, and be kept alive.
13. **Refuse Containers**: Concurrent with the Building Permits being submitted; the applicant shall include on their site plan for Parcel No. 2 what kind of screening will be applied to the refuse area shown on the site plan, as well as providing adequate space and container placement for recycled materials. State of Oregon Building Code regulations will apply dependent upon the type of screening being proposed.
14. **Fire Access**: Prior to submitting a building permit, the applicant shall meet with the local fire marshal and develop a fire access over the east rear yard. Applicant shall provide a copy to the City showing the final solution/modification that meets HFRD requirements.

DEVELOPMENT RELATED CONCERNS

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

- A. Installation of water and sewer services** - The developers will be required to coordinate with the Public Works Director for the installation of water and sewer services as the elevation of this property might be problematic. (Development Related Concern).
- B. HMC 15.05.030 Excavation and grading – General provisions** – Because of the extensive drainage patterns in this area, the applicant is hereby notified that fill in excess of 20 cubic yards, that is more than one foot in depth on a buildable lot, or that impacts drainage on another lot, will trigger the requirement to obtain a fill permit through the City of Harrisburg.