



Planning Commission Meeting Minutes March 17, 2020

Chairperson: Tod Culver, Presiding
Commissioners Present: Roger Bristol, Rhonda Giles (Via Conference Call), and Jeremy Moritz and Youth Advisor Quinton Sheridan.
Staff Present: City Planner Jordan Cogburn, and City Recorder/Asst. City Administrator Michele Eldridge. (City Administrator John Hitt was also in the audience.)
Absent: Commissioners Kurt Kayner, David Smid, and Kent Wullenwaber
Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

CALL TO ORDER AND ROLL CALL at 7:00PM

CONCERNED CITIZEN(S) IN THE AUDIENCE. All were present for the item on the agenda.

APPROVAL OF MINUTES

Moritz motioned to Approve the Minutes of February 18, 2020 and was seconded by Bristol. The Planning Commission voted unanimously to approve the minutes from February 18, 2020.

THE MATTER OF THE FREEMAN VARIANCE AND HISTORIC ALTERATION PERMIT APPLICATIONS (LU 411-2019 & LU 416-2019)

Chairperson Todd Culver read aloud the order of proceedings, and noted that this is a continuance, and the process to keep the record open.

At the hour of 7:02PM, the Public Hearing was opened.

Culver asked if there were any Conflicts of Interest, or Ex Parte contacts. There were none declared; nor were there any rebuttals of such.

Culver 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 of how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.

Staff Report: Cogburn noted that at the last meeting, the Planning Commission voted to postpone the decision and requested additional information, relative to whether or not the garage door will be on the 2nd St. side, or the alley side. We received a letter from the State Historic Preservation Office (SHPO), which stated that they would prefer the location of the garage to be from the street side, where there was already an opening, rather than a location from the alley, which has the potential to further deteriorate the building. The Planning Commission also voted that they wanted to have some choices of doors, all of which would be acceptable to the Freeman's. SHPO had already stated that the types of designs that were submitted were acceptable. It is up to the Planning Commission to review the material and decide if they should want to approve the request.

- Bristol asked if the issue was their access from the current door to the alley, or was the issue with the side entrance?
- Cogburn told him that they want to both alter the building's façade, as well as require a variance to allow the garage to be closer to the alley than what is allowed by code.
- Donnell Freeman, who as the applicant was present tonight, said that they went to Overhead Door, who had the different types of plans available, and picked out three different options. All are façade doors that fit the time period appropriate for the building. They included the information for the building and did the due diligence with the structural engineer. They will be happy with any of those three options.
- Moritz said that our concerns were in relation to whether access should be allowed from the front, or from the side. SHPO has made it clear that they want access to be from the front entrance, rather than the side. We had also told them to come back with some ideas of what designs they wanted for the door. At the juncture, it looks like the SHPO says that they don't want access to come from their alley, so the only option they have is to widen the current opening.
- Cogburn told him that's a standard point of view. Historical findings are Harrisburg specific. These can meet the minimum bar, or you can require a more historical and period look. It's a preference.
- Moritz asked for clarification that it can be a preference, but it's not mandatory.
- Cogburn told him that was correct.
- Moritz said that it's been shown that if they try to access the garage from the alley, that they can't turn a car.
- Chairperson Culver said that you can't. Maybe his mom's Prius could, but most cars can't. That doesn't make sense; and it's not a wise option. The letter we have from Joyce at SHPO states that they are fine with the front access, and the variance is required for how close that access is to the alley. Then he agrees with the rest of the Planning Commission, that we aren't going to choose the actual door they will install, but we appreciate the options to verify that they meet that period look.
- Donnell Freeman said that Overhead Door is local, but the company is also available on a regional basis. They were willing to help, and we have a lot of real options.
- Moritz added that one of the things they were talking about with this building, is that it's a model for future restoration projects in the historical zone, so once a decision is made on this, it can be used as a precedent.

Bristol asked for more information in relation to the alley, and Moritz told him that they asked if they cut a hole for a garage in the alley, whether the structure would support the opening. Bristol was then concerned about widening the opening in the front, and Freeman told her that

the structural engineer approved the larger opening for the front of the building. Some more questions were asked, but most were in relation to the pictures in the current agenda, where it was confirmed that one of the pictures was of a similar property in the same zones as this one. Freeman noted that we worded it as an example of where the distance to the alley in the historical zone is not met, similar to their situation.

The Planning Commission Chairperson asked for testimony in favor of this land use request, testimony in opposition, and neutral testimony. Nobody in the audience had any testimony to provide.

Moritz asked if our goal was in meeting the aesthetics of the time period. Chairperson Culver told him yes, we are trying to preserve that aesthetic, while also operating in the modern world; so how do you blend it? Precedent is important. Obviously, the challenge is that it is an old building, and there is nothing else like it. He is comfortable with the three choices that they've provided to us. Bristol told her that she might have an issue with not having an arch. However, Freeman told him that it will be the squared off style that it has now; the garage doors look arched. The Planning Commission spoke for a while in relation to the arches compared to a squared off look, and Freeman said that she will try to keep it uniform to the same look as in the other openings. Chairperson Culver said that we have looked at the fact that the door will be square, but because it's sitting under another window, he's not bothered by it, because it has limiting affects towards the door. We just want to make sure that we've addressed it. Moritz added that if another issue like this arises, we've made it clear that each building is subject to its own criteria. We are not comparing each building, because it's not necessarily subject to what the other buildings have done. Commissioner Giles, participating via conference call, had nothing to add.

Bristol said that this is a balancing act. If you look at an old building, and are a purist, then the building will sit there empty forever. You have to compromise to make it functional, and preserve what we can, but can allow a modification to make it useful. He felt this was a good job in doing that, although he's not certain he fully understands it. Chairperson Culver liked it and likes the idea of what we did. Moritz asked a question about the choices that they had indicated on the agenda, and Freeman says that you can pick what you want, but the pictures you see on paper doesn't always pop out what its actually going to look like. You pick the height, the opening, and then start looking at colors. But they are sticking to the carriage door from that time period.

Moritz asked if we should have them submit to us what door they decide on, or are we ok with whatever option they choose? He doesn't want them to be super limited. Freeman said that they are options. They choose the opening, and decide on an arch top, or square top. They want an arched look for the carriage door. The 2nd option is then two toned or stained, and they chose stained. Then they look at windows. They'd be happy to kick over their final choice for review. City Administrator John Hitt, in the audience, said that staff can approve this, and make sure it's consistent and historically balanced. You could also have it come back if you prefer. Eldridge referred them to page No. 84, where they could clearly see the choices the Freeman's had made. Hitt said that you can make it a condition of approval that staff can approve the final design. Chairperson Culver asked if Freeman was ok with that option, and she said that they were. Moritz said that he knows it's easy to bounce back and forth, that's why he wanted to make sure we are on the same page.

Chairperson Culver noted that the conditions of approval only apply to the historical alteration, and not the variance. We can add 'in accordance with the final approval of staff' to the historical alteration motion. Freeman asked if she should just submit it to John then, to which she received consent, and then asked about the time limit in which to complete this. Cogburn told her it would be a year.

Bristol then returned to the picture they had in the agenda; is the window shown in the picture blanked out? Freeman told him it was covered with plywood because it's unsafe. The windows are broken, as shown on pg. 34. She believes that they were having that fixed. The ultimate goal is to not replace the window; only the glass. Bristol asked then if the header will be squared. He was trying to think of the arched windows, and that it would be more consistent with the rest of the windows, but that would be with the upper windows. Freeman agreed and said what they have planned is consistent with the other doors. Chairperson Culver agreed with that. Bristol said that he thought the bottom door would be better arched, but he may have been mistaken; the squared top to the door would be more consistent with the other doors. Chairperson Culver told him he was correct.

Bristol said then that option 1 would be more consistent with the other doors. Freeman said that was correct; they would keep it squared up at the top. The carriage door is their favorite. Chairperson Culver said that they all have flat tops. Bristol asked again, that we don't have to say we like any specific options the best. He didn't walk all the way around the building, but they did drive up to the building. Chairperson Culver told him that the lady from SHPO didn't give a recommendation. Instead, she just recommended we don't punch in a new hole for a new door in the alley. Freeman said that was correct. They also don't indicate colors; those are up to the owners and/or city's. Cogburn stated that since this is an existing opening, wider than the other door, that it won't interfere with the window above, but will also have a wider installation with a flat top, that isn't arched. They are also choosing the carriage doors that look like they swing out, but they don't.

- **Moritz motioned to approve the Freeman Historic Alteration Request (LU 411), in accordance with the conditions of approval, and change to number two to reflect that the garage door choice will be in accordance with the Planning Commission decision, and will be approved by staff; and based on findings presented in the March 17, 2020 Staff Report to the Planning Commission, and on findings made by the Commission during deliberations on the request at the March 17, 2020 Public Hearing. Bristol seconded the motion, and the Planning Commission voted unanimously to approve the Freeman Historic Alteration Request (LU411).**
- **Moritz then motioned to approve the Freeman Variance Request (LU 416), based on findings presented in the March 17, 2020 Staff Report to the Planning Commission, and on findings made by the Planning Commission during deliberations on the request at the March 17, 2020 public hearing, with the addition to Condition Number Two, and with the final approval given by staff. Bristol seconded, and the Planning Commission voted unanimously to approve the Freeman Variance Application (LU 416).**

OTHERS: None

ADJOURN – 7:48PM

Chairperson

City Recorder

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

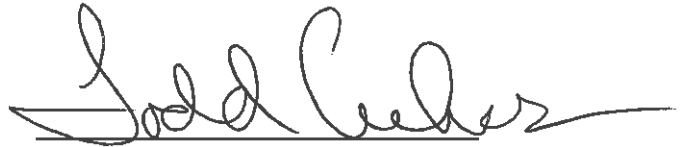
- REQUEST:** The applicant requests a Historic Alteration Permit and Variance approval associated with Harrisburg Land Use Files: LU-411 and LU-416. This is a request for Historic Alteration Permit to modify the exterior of a historic structure and a Variance to the access spacing standards.
- The applicant seeks Planning Commission approval to widen an existing opening to allow for the interior off-street parking for the future residential use. The applicant also seeks approval for a 14-foot variance to the access spacing standard of 24 feet in order to access the interior off-street parking areas.
- LOCATION:** 190 Smith Street, and known as tax lot 5300 of Linn County Assessor's Map 15S04W16.
- HEARING DATE:** March 17, 2020
- ZONING:** C-1, Commercial and H-1 Harrisburg Historic District
- APPLICANT/
OWNER:** Clyde the Glide, LLC
310 S. Williams Street
Denver, CO 80209
- APPEAL DEADLINE:** March 27, 2020, at 5:00 p.m.
- DECISION:** The Harrisburg Planning Commission conducted a public hearing on March 17, 2020, and voted to approve the request, subject to the included conditions of approval. The Planning Commission adopted the findings contained in the March 17, 2020 Staff Report, 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: March 28, 2020, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: The Historic Alteration Permit and concurrent Variance applications shall be effective for one year from the date of approval. If the applicant has not begun work on the subject site within the allotted year, the applications shall be resubmitted to the Planning Commission for additional review. 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 Variance will expire on March 17, 2021.

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

Planning Commission Chairperson

CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Applicant shall comply with the plans and narrative in the applicant's proposal except as modified by Planning Commission or the conditions of approval below.
2. **Garage Door Conversion** – Applicant shall comply with installation of the garage door choices as decided by the Planning Commission at the meeting of March 17, 2020; and in accordance with final approval by staff.
3. **Right-of-Way Permit** – Applicant shall apply for a Right-Of-Way Permit in order to locate the curb cut needed for access to the garage opening, and will work with the Public Works Director in following the City's specifications for driveway access prior to occupancy.