



Planning Commission Meeting Minutes September 23, 2021

Chairperson: Todd Culver, Presiding
Commissioners Present: Jeremy Moritz, Susan Jackson, and Kurt Kayner (*attended via phone*)
Absent: Rhonda Giles, Kent Wullenwaber, and Roger Bristol
Staff Present: City Administrator/Planner Michele Eldridge, and Finance Officer/Deputy City Recorder Cathy Nelson
Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

CALL TO ORDER AND ROLL CALL: Order was called at 7:00pm by Chairperson Todd Culver.
CONCERNED CITIZEN(S) IN THE AUDIENCE. Everyone present were there for items on the agenda.

APPROVAL OF MINUTES

Moritz motioned to approve the minutes for August 25, 2021 and was seconded by Jackson. The Planning Commission then voted unanimously to Approve the Minutes for August 25, 2021.

OLD BUSINESS

THE MATTER OF APPROVING THE TIME LIMIT ON THE SHADOWOOD SUBDIVISION (LU 421-2021) FOR A PERIOD NOT TO EXCEED ONE YEAR.

STAFF REPORT:

Eldridge gave a brief background on the previous subdivision applied for in February 2021. The developer, Rich Wood/Wood Construction & Development LLC asked for an extension to submit platt. They are asking for an additional year. The original conditions approved changed based on our engineer's decision. The streetlights no longer need to be provided and prior to the submission of a Final Plat the Applicant shall amend his application drawings, (sheet 5) to show a 5.5' wide sidewalk, a planter/utility area of approximately 5.5' wide showing the addition of street trees as required in HMC 12.20, and at least 7.5' feet of new asphalt adjacent to the existing paved surface. Trees must be from the approved street tree list and shall not be a maple tree. Submit to the city's Director of Public Works for his approval, prior to any excavating, grading or construction.

- Moritz asked if the changes were included in the agenda. Eldridge replied that they are not. She is verbally informing them of the changes. Moritz then asked if there was a protocol on the number of streetlights required. Eldridge stated there was.

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The City's Engineer was the one who made the changes to the conditions after physically going and assessing the current lighting.

- **Moritz motioned to approve the Shadowood Subdivision Land Use approval time-line extension request (LU 421-2021) for a year with a new expiration date of March 3, 2022. This motion is based on the findings presented in the September 23, 2021 staff report to the Planning Commission and findings made by the Commission during deliberations on the request and was seconded by Kayner. The Planning Commission then voted unanimously to approve the Shadowood Subdivision Land Use approval time-line extension request (LU 421-2021) for a year with a new expiration date of March 3, 2022. This motion is based on the findings presented in the September 23, 2021 staff report to the Planning Commission and findings made by the Commission during deliberations on the request.**

PUBLIC HEARING

THE MATTER OF A HISTORIC RESOURCE ALTERATION REVIEW.

Chairperson Todd Culver 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 7:16PM, the Public Hearing was opened.

Culver 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.

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 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 highlighting that if any more historical features were found, the owner will notify the City Administrator and restoration will be on a case-by-case basis.

- Moritz asked if the owner was going to cover both layers of siding. Applicant Robert Duncan replied that he is going to use the original siding as sub-siding.

APPLICANTS TESTIMONY: Applicant Robert Duncan addressed the Planning Commission. He described some of the work already done in the interior of the historic home.

- Jackson asked how he would reproduce the scallop siding. Applicant stated that he was a woodworker by trade and felt confident that he could fix and reproduce what was needed to keep the historical integrity of the home.

TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY WAS ASKED FOR.

In Favor:

None given.

In Opposition:

None given.

Neutral:

None given.

No rebuttal of testimony or additional questions for the public.

The public hearing was closed at the hour of 7:28 pm.

- **Moritz motioned to approve as conditioned, the historical alteration of the W.L. Tyler House (LU 433-2021). He was seconded by Kayner. The Planning Commission then voted unanimously to approve as conditioned, the historical alteration of the W.L. Tyler House (LU 433-2021) subject to conditions of approval contained in the September 23, 2021 Staff Report and after due consideration of written and oral public testimony and findings made by the commission during deliberations on the application.**

WORK SESSION

THE MATTER OF REVIEWING SECTION 5 – DEFINITIONS AND FINALIZING THE REVIEW OF THE DRAFT CODE IN ITS ENTIRETY.

STAFF REPORT:

Eldridge handed out the complete draft code. John Hitt could not make it to this meeting due to personal issues. He has asked to move the final review to Tuesday, November 2nd and we can tentatively cancel the meeting on November 16th, unless something comes up that needs to be addressed before the December meeting. The Planning Commission agreed to the new meeting date.

All definitions have been updated and discussed previously.

- Jackson asked if the landscaping in the new code was getting changed to the 30% requirement. Eldridge said that is correct.

The Planning Commission was asked to review the entire code before the November 2nd meeting and bring any issues back. If nothing is brought back, we will start working on the Public Hearing requirements.

- Moritz asked if the new code was available online. Eldridge clarified that the old code is on the website and is codified. When the new code is uploaded it will be watermarked as “draft” or “unapproved” so that residents do not get confused.

Eldridge noted that the biggest change is getting Harrisburg into compliance with State Code. The state and DLCDD will also have to review and approve the new code.

- Moritz stated that it will be nice to have a book on hand and a cleaner code available during meetings.

OTHERS

- Eldridge handed out an update on the Woodhill Subdivision. It is not a finished issue. They are losing two (2) more lots due to storm drainage and wetland issues. Because this is a radical change of more than ten (10) lots and losing one (1) street from the original application, she felt that it will have to come back to the Planning Commission for reapproval. She asked if the Planning Commission agreed with her decision. *The Planning Commission concurred with her and would definitely want to see the changes.* The previous engineer is no longer working on this project, so there is a new engineer now. In addition, the developer is possibly going to sell the project to a different developer.

With no further discussion, the meeting was adjourned at the hour of 7:58 pm.

Chairperson

City Recorder

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests a timeline extension for filing a final subdivision plat for the previously approved subdivision entitled Shadowood Subdivision (LU 425-2021), which creates a 13-parcel subdivision.

LOCATION: The subject site is located adjacent and to the east of 995 Sommerville Loop and is also known as tax lot 3000 of Linn County Assessor's Map 15S04W15.

HEARING DATE: September 23, 2021

ZONING: R-2 (Multi-Family Residential) and R-3 High Density Residential)

APPLICANT Wood Construction & Development LLC
Richard Wood
5125 NW Greenwood Ave
Redmond, OR 97756

OWNER: William R. Wood
PO Box 3500-130
Sisters, OR 97759

APPEAL DEADLINE: October 7, 2021, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public meeting on September 23, 2021 and voted to approve the request to extend the time for submitting a final plat for the Shadowood Subdivision. The Planning Commission adopted the findings contained in the Staff Report of the September 23, 2021 Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions. Conditions of Approval on the original Notice of Decision still apply to the proposed subdivision, with the exception of those that have been modified

by the City. Notes by the Planner have been included in the conditions below.

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.

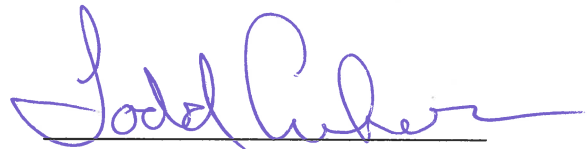
EFFECTIVE DATE:

October 8, 2021, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD:

The Final Plat for the Shadowood Subdivision must be provided to the City within a year of the original approval date. If the applicant has not submitted the final plat for approval within this year of approval, the preliminary plat shall be resubmitted to the Planning Commission for additional review (see HMC 17.25.010(1)). No further extensions are allowed.

Unless appealed, this Subdivision approval will expire on March 3, 2022.



Todd Culver
Planning Commission Chairperson

CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, and all applicable land use and building code requirements contained in HMC Chapters 15, 17 & 18, except where modified by the following conditions of approval.
2. **Street Lights** - Prior to the submission of a Final Plat, the Applicant shall submit a street light plan as directed and acceptable to the City's Director of Public Works. *(Planners note: Street Lights on Sommerville Loop are acceptable as they are, and the developer does not currently need to provide these.)*
3. **Public Infrastructure** - Prior to the submission of a Final Plat the Applicant shall comply with all of the public utilities, ROW and easement requirements of HMC Titles 12 & 13. All utilities shall be located underground.
4. **Fire Hydrants** - Prior to the submission of a Final Plat the Applicant shall meet with an officer of the Harrisburg Rural Fire District to determine the exact number, size and types of required fire hydrants and shall call out same on a Preliminary Plat Map, 12 x 17, or larger.
5. **Excavating and Grading** - Applicant shall comply with Excavating and Grading provision as required by HMC 15.05.030 and the permitting procedures of HMC 15.05.040-070.
6. **Revised Application Drawings:** Prior to the submission of a Final Plat the Applicant shall amend his application drawings, (sheet 5) to show a 5.5' wide sidewalk, a planter/utility area of approximately 5.5' wide showing the addition of street trees as required in HMC 12.20, and at least 7.5' feet of new asphalt adjacent to the existing paved surface. Trees must be from the approved street tree list and shall not be a maple tree. Submit to the city's Director of Public Works for his approval, prior to any excavating, grading or construction. *(Planners Note: This condition has been revised; the planter strip/landscape is omitted, curb and gutter are joined to the sidewalk in its current shown location and asphalt is extended to the gutter. The sentence in relation to trees is still valid at this time.)*
7. **Submission of Final Plat** - Applicant shall submit a Final Plat application consistent with HMC 17.25, within six months of this approval, unless an extension is timely requested and granted. *(Planners note: This condition is revised, as per the new expiration date of March 3, 2022.)*

OTHER DEVELOPMENT CONSIDERATIONS:

- a. If there are any wells on the property that will not be used, they shall be properly abandoned by a licensed well driller.

- b. A separate Development Agreement (DVA) between 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.
- c. 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 streetlights (type to be approved by the Public Works Director), fire hydrants, manholes, sidewalks, street signs and mail receptacles. These items shall be completed prior to any occupancy, except that sidewalks shall be installed prior to the occupancy of the lot.
- d. 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.
- e. Applicant shall acquire all required building, electrical, mechanical, and plumbing permits before beginning construction as required by HMC 15.05.010 &.020.

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Historic Alteration Permit to modify the W.L. Tyler House. The applicant is removing cedar shakes that are not original to the home and is replacing them with redwood and cedar lap siding in the same dimensions as the original siding, which is still the bottom layer of siding on the home. Some architectural embellishments in the form of scalloped siding that were original to the home will be exposed and will be restored.

LOCATION: 185 N. 4th Street

HEARING DATE: September 23, 2021

ZONING: C-1 Commercial – Grandfathered Residential Use

APPLICANT: Robert & Donna Duncan

OWNER: Same as Applicant

APPEAL DEADLINE: October 7, 2021, at 5:00 p.m.

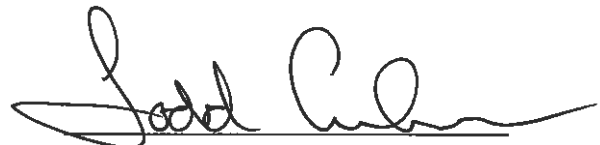
DECISION: The Harrisburg Planning Commission conducted a public hearing on September 23, 2021 and voted to approve the request. The Planning Commission adopted the findings contained in the Staff Report of the September 23, 2021, Planning Commission meeting, and portions of the minutes from the meeting 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 \$750 plus actual expenses for appealing a Planning Commission decision to the City Council.

EFFECTIVE DATE: October 8, 2021, 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 Historic Alteration Permit approval will expire on October 8, 2022.

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

Todd Culver
Planning Commission Chair

CONDITIONS OF APPROVAL

- A. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal.
- B. **Discovery of Additional Historical Architectural Features** - If the applicant finds any other types of historically accurate siding not already uncovered during this project, then they will be required to verify with the City Planner whether or not it is historically accurate. If it is in the style of Queen Anne, the applicant will be encouraged to expose and repair it, unless it is deteriorated beyond repair.