



## Planning Commission Meeting Minutes October 15, 2019

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The Harrisburg Planning Commission met on this date at the Harrisburg Municipal Center, located at 354 Smith St., at the hour of 7:00pm. Presiding was Chairperson Todd Culver. Also present were Commissioners David Smid, Rhonda Giles, Jeremy Moritz, and Kent Wullenwaber. Newly appointed Youth Advisor Quinton Sheridan was also present. Staff present was the contract City Planner, Jordan Cogburn, and City Recorder/Asst. City Administrator Michele Eldridge. Absent this evening were Commissioners Kurt Kayner and Roger Bristol.

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** All present were here for items on the agenda, or to simply observe the meeting.

Eldridge introduced Contract Planner Jordan Cogburn, who would be at all the future Planning Commission meetings. She noted that he had recently been the senior planner at Junction City, and that we were very lucky that he started working with the City Engineer. He is familiar with our region and will be a great addition to City Staff. In addition to Cogburn, Eldridge also introduced Quinton Sheridan, our newest Youth Advisor. She hadn't expected him to start this evening but appreciated his attendance at the meeting. She then introduced the Interim City Administrator John Hitt, who was also in the audience this evening as an observer.

### **APPROVAL OF MINUTES**

- Wullenwaber **motioned to Approve the Minutes of June 18, 2019 and was seconded by Giles. The Planning Commission then voted unanimously to approve the minutes of June 18, 2019.**

### **A PUBLIC HEARING FOR THE MATTER OF THE DOCKERY VARIANCE APPLICATION (LU 415-2019)**

Chairperson Culver read aloud the script as required by land use laws, along with the process for requesting a continuance, as well as that to request that the record stay open.

The Public Hearing was opened at 7:04pm

Chairperson Culver asked if there were any conflicts of interest to declare, or any ex parte contact. There were none, and no rebuttals of such.

**Applicants Presentation:** Gwendolyn Dockery was here this evening and said that they had applied for the variance for the street frontage, but apparently, they hadn't applied for the variance for the width of the property. She was here to answer any questions.

- Jeremy Moritz asked if this was based on the last meeting then, when we had this as a condition for approval.
- Eldridge said it was, but that the width of the property hadn't been brought up until that last meeting. Because the width of the property wasn't noticed previously, we were required to notify other property owners of the variance for the width of the property.
- Moritz wasn't sure with the variance, but it sounds like it's only needed for a reduction of 5'.

**City Planner Presentation:** Cogburn noted that this is related to the partition request for 972 Sommerville Loop. The Planning Commission decided to close that particular request, with the variance approved for the lot frontage along a city street as well as a partition request. The partition was conditioned upon the approval of the variance to reduce the lot size. The minimum lot size is 60' and the property width is 55'. They are simply restating this partition to the smaller size. He wasn't sure how this jurisdiction brings attention to the criteria for this type of application.

- Chairperson Culver told him the high points of what happened at the last meeting.
- Cogburn said then the application was received with the width as it was but wasn't noticed for that.
- Moritz asked then if the variance is because the property should be a minimum of 60' wide.
- Cogburn told him that was correct.
- Chairperson Culver explained that with these types of land locked lots, we have to determine how to best use the land for building. Sometimes in the past, we've made these decisions that the right way to use these properties, is to allow the partition. We had to decide if this type of thing would be acceptable.
- Moritz asked if their driveway would ever be a street.
- Eldridge told him no; through streets would be Heckart Lane to the east, or 9<sup>th</sup> St. to the west.
- Moritz asked then if it wouldn't affect their driveway.
- Eldridge told him no, not at all; Staff would have brought it up when first talking with the applicant, and it would be included as a requirement in the staff report.

**Chairperson Culver asked if there was testimony in favor for the variance request, in opposition, or neutral testimony. There was none. He then closed the public hearing at the hour of 7:12pm.**

- **Smid motioned to approve the Dockery Variance Application (LU 415-2019). This motion is based on findings presented in the October 8, 2019 staff report to the Planning Commission and findings made by the Commission during deliberations on the request. Giles seconded the motion, and the Planning Commission unanimously voted to approve the Dockery Variance Application, and to allow the width of the property to be 55'.**

**A PUBLIC HEARING FOR THE MATTER OF THE SCOTT SITE PLAN REVIEW APPLICATION (LU 412-2019)**

**Chairperson Culver read aloud the script as required by land use laws, along with the process for requesting a continuance, as well as that to request that the record stay open.**

**The Public Hearing was opened at 7:14pm**

**Chairperson Culver asked if there were any conflicts of interest to declare, or any ex parte contact. There were none, and no rebuttals of such.**

**Applicants Presentation:** Josh Scott, said that he was the owner of the Java Joy Coffee Kiosk. As show in the report, there had been some traffic flow issues. But those were cleared up in the findings. They were fine with the conditions of approval, which were to paint some stripes, and directional signage to direct traffic flow to Macy and Kesling streets, and the entrances on those two streets.

- Wullenwaber asked if this was the old location of the last coffee kiosk?
- Chairperson Culver told him yes, it was.

**Staff Report:** Cogburn said that this was a type 3 application, for a standard commercial site. The criteria used was HMC 18.95. This is a pretty straight forward application, there had been a pre-existing use, but there have been no changes to that site since the last kiosk was removed. We did get a letter of concern from ODOT. He read it out loud, so that it's part of the record; it matched the letter that was shown in the agenda. Under HMC 18.95, there are no standards for queueing lengths; in addition, the prior use of this site was of a similar nature. There were no concerns submitted over that by either ODOT or the City, so with this one, he doesn't feel those conditions will exceed that. Those recommendations don't necessarily apply to us in Harrisburg, and as presented by the applicant, are fairly straight forward.

- Chairperson Culver said that in 2005, he didn't remember getting any comments from ODOT, he was surprised that they thought that there would be an impact.
- Cogburn said that he felt that the average daily trips would be just a little over 100 trips and is well below the threshold that would require a traffic study.
- Chairperson Culver said in 2005, we had 3 applicants for coffee shops along the highway, so we had wondered then how that was going to work out.

**Chairperson Culver then asked for testimony in favor of the application, in opposition, and for neutral testimony. There was none, so the public hearing was closed at 7:21pm.**

- **Giles motioned to approve the Java Joy Coffee Kiosk Site Plan Review (LU 412-2019), subject to the conditions of approval contained in the October 8, 2019 staff report. This motion is based on findings presented in the October 8, 2019 Staff Report to the Planning Commission and on findings made by the Commission during deliberations on the request. Wullenwaber seconded the motion.**
- Smid asked when they will open up.
- Josh Scott told him the kiosk is already built, they are just waiting for the building permit process.
- Wullenwaber said that at least all the utilities should be in.
- Smid asked how many people he would be employing?

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- Scott told him one per shift, and two during the busiest traffic. It would mostly be him and his wife.
- Smid said then you would have 4 employees total.
- Scott said that there would be 3 of us full time.
- **The Planning Commission then voted unanimously to approve the Java Joy Coffee Kiosk with the proposed Conditions of Approval.**

#### **THE MATTER OF THE MCCRACKEN TIMELINE EXTENSION REQUEST (LU 394-2018)**

**Staff Report:** Cogburn noted that this was a timeline extension request for McCracken Trucking. The extension is in relation to the site plan for their property located on S 2<sup>nd</sup> St., for a 66,000 sq. ft trucking facility. This was approved on Oct 1<sup>st</sup> last year. The city code allows for a one-time extension of the approval, if it is made within one year. This request was submitted within a few days of the deadline. This is a fairly standard allowance. The only time we wouldn't be allowing an extension, is if there are changes in the municipal code. We aren't planning on any within this time frame. There are no additional fees or process.

- Chairperson Culver asked if we knew that they would still be considering the move here?
- Eldridge said that she had connected with Mr. McCracken; business wasn't good this year, but they were still very interested in the property.
- Smid noticed that they had graded the property.
- Chairperson Culver said that he had no problem with allowing this extension.
- **Moritz motioned to approve the McCracken Land Use Approval Timeline Extension Request (LU394-2018) for a year with a new expiration date of October 1, 2020. This motion is based on findings presented in the October 8, 2019, staff report to the Planning Commission, and findings made by the Commission during deliberations on the request. He was seconded by Smid, and the Planning Commission voted unanimously to approve the extension of time for the McCracken Land Use Approval.**

#### **OTHERS:**

- Cogburn said that he was talking with a developer who was looking at a potential subdivision of townhomes, which would have a zero-lot line. It would have a through street and might have duplexes as well. The engineer has lots of questions in terms of infrastructure.

**With no further business to discuss, the Planning Commission meeting was adjourned at 7:32pm.**

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Chairperson

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City Recorder

**City of Harrisburg**  
**PLANNING COMMISSION**

**NOTICE OF DECISION**

**REQUEST:** The applicant requests approval of a Variance (LU #415-2019) to reduce the minimum lot width of the property located at 972 Sommerville Loop to 55'.

**LOCATION:** Linn County Assessor's Map 15S 04W 15BD, Tax Lot 13400

**HEARING DATE:** October 15, 2019

**ZONING:** R-1 (Low Density Residential)

**APPLICANT**

Mathew Dockery  
972 Sommerville Loop  
Harrisburg, OR 97446

**OWNER**

Mathew Dockery  
972 Sommerville Loop  
Harrisburg, OR 97446

**APPEAL DEADLINE:** October 28, 2019

**DECISION:** The Harrisburg Planning Commission conducted a public hearing on October 15, 2019 and voted to approve the request. The Planning Commission adopted the findings contained in the October 8, 2019 Staff Report to the Planning Commission, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions. Criteria relied upon for review is found in HMC 18.115.020.

**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:** October 28, 2019, unless an appeal has been filed with the City Recorder.

**EFFECTIVE PERIOD:** Variance 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 period one time for a period not to exceed one additional year.

Unless appealed, this Variance approval will expire on October 28, 2020.



Todd Culver  
Planning Commission Chair

**City of Harrisburg**  
**PLANNING COMMISSION**

**NOTICE OF DECISION**

**REQUEST:** The applicant requests approval of Site Plan Review (LU 412-2019) to place a 128 sq. ft. coffee kiosk on 10,000 sq. ft. of property located at 375 S. 3<sup>rd</sup> St.

**LOCATION:** Tax Lots 11700 of Linn County Assessor's Map 15S04W16AA

**HEARING DATE:** October 15, 2019

**ZONING:** C-1 (Commercial)

**APPLICANT**  
Josh Scott  
94982 Christensen Rd  
Eugene, OR 97405

**OWNER**  
Kurt Straube  
125 E 6<sup>th</sup> St.  
Junction City, OR 97448

**APPEAL DEADLINE:** October 28, 2019, at 5:00 p.m.

**DECISION:** The Harrisburg Planning Commission conducted a public hearing on October 15, 2019, 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 October 15, 2019, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions. Criteria relied upon for review is found in HMC 18.95.060.

**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:** October 28, 2019, 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 October 28, 2020.



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. **Directional Signage** – The applicant shall install permanent directional signage for the two queuing lanes, indicating the directional flow of traffic and stacking, prior to issuance of a certificate of occupancy. Queuing lanes shall not interfere with parking area drive aisles.

**City of Harrisburg**  
**PLANNING COMMISSION**

**NOTICE OF DECISION**

**REQUEST:** The applicant requests a timeline extension for a Site Plan Review (LU #394-2018) and Conditional Use Permit (LU #396-2018) for the development of a 66,000 sq. ft. warehouse and trucking facility on roughly 5 acres of property located at the end of S. 2<sup>nd</sup> St, and addressed as 930 S. 2<sup>nd</sup> St.

**LOCATION:** Linn County Assessor's Map 15S 04W 16D, Tax Lot 210

**HEARING DATE:** October 15, 2019

**ZONING:** M-2 (General Industrial)

**APPLICANT**

Curtis McCracken  
3147 NW Front Street  
Portland, OR 97296

**OWNER**

MMF Warehouse LLC  
1240 SE Case Ave  
Roseburg, OR 97470

**APPEAL DEADLINE:** October 28, 2019

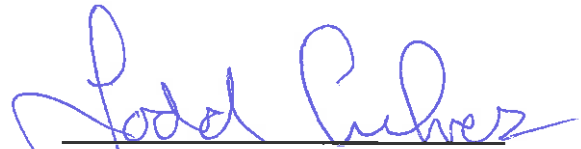
**DECISION:** The Harrisburg Planning Commission conducted a public hearing on October 15, 2019 and voted to approve the request. The Planning Commission adopted the findings contained in the October 8, 2019 Staff Report to the Planning Commission, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions. Criteria relied upon for review is found in HMC 18.125.050.

**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:** October 28, 2019, unless an appeal has been filed with the City Recorder.

**EFFECTIVE PERIOD:** This Site Plan and Conditional Use Permit Approval is effective for one year from the date of approval with a new expiration date of October 1, 2020.

This approval will expire on October 1, 2020. If the applicant has not submitted a building permit, and commenced construction in a substantial manner by the date of October 1, 2020, then the applicant will be required to file for new site plan and conditional use permit.



Todd Culver  
Planning Commission Chair