



Planning Commission Meeting Minutes
April 19, 2022

Vice-Chairperson: Jeremy Moritz, Presiding
Commissioners Present: Kent Wullenwaber, Susan Jackson, Joe Neely, and Kurt Kayner
Absent: Todd Culver, and Rhonda Giles
Staff Present: City Administrator/Planner Michele Eldridge, Finance Officer/Deputy City Recorder Cathy Nelson, and Public Works Director Chuck Scholz
Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

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

Planning Commission was introduced to newly appointed member Joe Neely.

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

PUBLIC HEARING

THE MATTER OF THE SHADOWOOD PRELIMINARY 13-LOT, RESIDENTIAL SUBDIVISION (LU 439-2022).

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 7:05 PM, 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 previous application for the Shadowood Subdivision. She stated that this was an unusual situation. The owner was not able to get the final plat submitted before the extension expired. The subdivision has already been approved by the Planning Commission and most of the conditions are already met. They are still proposing on creating ten (10) high-density lots, for five (5) common wall duplexes. Two (2) larger lots will also be created. Eldridge highlighted the following.

- The City Planner and Engineer have eliminated the 5' planter utility strip requirement to allow for more parking.
 - Moritz asked what precedents are set for future roads. Scholtz stated that new developments will create more parking on Sommerville Loop due to being a collector street and not a residential street. Eldridge pointed out that street conditions are found in Condition #6.
- The Revised Conditions of Approval were handed out to the Planning Commission and applicant as attached.
- South 9th Street will be extended on the north side of Sommerville Loop, in 2022-2023, which will ease congestion on Sommerville Loop.
- Lot #13 is shown on page 38 on the agenda packet is a conceptional lot layout.
- Condition #4 requires a DEQ 1200-C permit, or that the plat contains language that notifies potential buyers that they must obtain one.
 - Moritz asked if this requirement meant that every lot created from Lot # 13 would need a DEQ 1200-C permit unless they do it now. Eldridge said that was correct. The owner will need to get written notice to buyers if they choose to not provide it now. Most developers choose to provide all of these approvals; this was a little unusual.
- Eldridge received an email from the Department of State Lands (DSL) that added another condition, that the applicant would need to show the relation of the subdivision plat to the wetlands as submitted to DSL. The applicant has been made aware and agrees to meet the condition.
- Storm lines will be culverted. The applicant had wanted to provide open storm lines in their original application packet, but was required in the last subdivision conditions of approval to place them underground.

APPLICANTS TESTIMONY: Applicants representative, Steven Wood, stated that he has seen and agrees to all of the updated conditions.

TESTIMONY IN FAVOR WAS ASKED FOR: None given.

TESTIMONY IN OPPOSITION WAS ASKED FOR: None given.

NEUTRAL TESTIMONY WAS ASKED FOR: Resident Cary Powell stated that his property abuts the new development. He wants to clarify that there will be an open pipe placed along with a ditch inlet to allow his stormwater to flow correctly. Scholtz said this is required by State ORS and will be a requirement.

The public hearing was closed at the hour of 7:46 pm.

- **Kayner motioned to approve with conditions as modified the Shadowood Subdivision application (LU 439-2022). He was seconded by Neely. The Planning Commission then voted unanimously to approve the Shadowood Subdivision application (LU 439-2022), subject to the modified conditions of approval in the April 11, 2022, staff report. This motion is based on findings**

presented in the April 11, 2022, staff report, and on public written and oral comments made on or about this application, and after due deliberation of the Harrisburg Planning Commission on this 19th Day of April 2022.

NEW BUSINESS

THE MATTER OF A ONE-TIME EXTENSION FOR THE SKIP TRACER & LADS SITE PLAN TO CONSTRUCT A 7,500 SQ. FT. EQUIPEMENT STORAGE BUILDING ON THE NORTH SIDE OF THEIR LOT LOCATED AT 23767 PEORIA ROAD.

STAFF REPORT: Eldridge gave a brief background on the original application. They ran out of time and are requesting an extension to complete their original plan.

- **Kayner motioned to allow a one-year extension of the Skip Tracer & Lads site plan to May 1, 2023. He was seconded by Wullenwaber. The Planning Commission then voted unanimously to allow a one-year extension of the Skip Tracer & Lads site plan to May 1, 2023.**

OTHERS

- Eldridge reported that the Woodhill Crossing project is not moving forward. The property is back on the market to be sold.

With no further discussion, the meeting was adjourned at the hour of 7:55 pm.

Chairperson

City Recorder

City of Harrisburg
PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a proposed subdivision entitled Shadowood Subdivision (LU 439-2022) to create 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: April 19, 2022

ZONING: R-2 (Medium Density 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: May 2, 2022, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on April 19, 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 April 19, 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 \$425.00.

EFFECTIVE DATE: May 3, 2022, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: A Final Plat must be provided to the City within six months after the preliminary subdivision plat is approved. 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 approval period one time for a period not to exceed one additional year.

Unless appealed, this Subdivision approval will expire on May 3, 2023.



Jeremy Moritz
Planning Commission Vice-Chair

RECOMMENDED 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. **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.
3. **Fire Hydrants** – The Fire Hydrant shall be installed to the specifications of the City and the Fire Marshal in the location as shown on Public Improvements Sheet G00.
4. **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. Prior to any site disturbance, the applicant shall submit and gain approval for a DEQ 1200-C permit. Alternatively, the applicant shall provide written notice on the final plat to the buyer of the lots that no grading or other work will be allowed in the subdivision, to the north of the right-of-way, on private property, until the builder provides a DEQ 1200-C permit.
5. **Stormwater** – Applicant shall prepare and submit a stormwater impact drainage study demonstrating no post development increase runoff during peak conditions relative to pre-development rates. Stormwater detention shall be designed and constructed with the public improvements.
6. **Street Improvements:** Prior to the issuance of any Building Permits, the applicant is required to comply with the street plans in Sheet G0.0 as shown in Exhibit C.
7. **Street Trees:** Prior to any excavating, grading, or construction, the applicant shall submit a Street Tree list to the Public Works Director, showing one tree to be planted per residential lot. The developer shall pay to the City the street tree fees concurrently with the warranty bond and development agreement.
8. **Wetlands:** Prior to the submission of a Final Plat, Applicant shall provide the city with a site plan/plat in scale, showing the location of the proposed subdivision in relation to the wetlands shown on the approved DSL delineation report.
9. **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.

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 fire hydrants, manholes, sidewalks, street signs and mail receptacles. These items shall be completed prior to any occupancy of any dwelling units.
- 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 – EXTENSION OF TIME

REQUEST: The applicant requests approval of Site Plan Review to construct a roughly 7,500 sq. ft. equipment storage building near the northern end of the property. No new parking or site improvements are proposed.

LOCATION: Tax Lot 606 of Linn County Assessor's Map 15S04W09

HEARING DATE: April 19, 2022

ZONING: M-2 (Heavy Industrial)

**APPLICANT/
OWNER:** Brandon Tracer, on behalf of
Skip Tracer & Lads
PO Box 527
Harrisburg, OR 97446

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

DECISION: The Harrisburg Planning Commission conducted a public hearing on April 19, 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 April 19, 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 \$425.00.

EFFECTIVE DATE: May 3, 2023, 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 May 3, 2023.



Jeremy Moritz
Planning Commission Vice-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. **Building Permits** – Prior to construction, the applicant shall obtain all necessary building permits for the construction of the proposed addition.
3. **Erosion & Sediment Control Plan** – Prior to the issuance of building permits, the applicant shall submit for review and approval an erosion and sediment control plan that demonstrates how the applicant will prevent sediment and runoff from the earthwork from impacting the City's drainage system or other properties.