



Planning Commission Agenda  
January 21, 2025  
7:00 PM

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Chairperson: Todd Culver  
Commissioners: Rhonda Giles, Jeremy Moritz, Kurt Kayner, Kent Wullenwaber, Susan Jackson, Joe Neely and Youth Advisor Taylor Tatum  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**PUBLIC NOTICES:**

1. *This meeting is open to the public and will be tape-recorded.*
2. *Copies of the Staff Reports or other written documents relating to each item on the agenda are on file in the office of the City Recorder and are available for public inspection.*
3. *The City Hall Council Chambers are handicapped accessible. Persons with disabilities wishing accommodations, including assisted listening devices and sign language assistance are requested to contact City Hall at 541-995-6655, at least 48 hours prior to the meeting date. If a meeting is held with less than 48 hours' notice, reasonable effort shall be made to have an interpreter present. The requirement for an interpreter does not apply to an emergency meeting. ORS 192.630(5)*
4. *Persons contacting the City for information requiring accessibility for deaf, hard of hearing, or speech-impaired persons, can use TTY 711; call 1-800-735-1232, or for Spanish voice TTY, call 1-800-735-3896.*
5. *The City of Harrisburg does not discriminate against individuals with disabilities and is an equal opportunity provider.*
6. *For information regarding items of discussion on this agenda, please contact City Administrator Michele Eldridge, at 541-995-2200.*
7. *Masks are not required currently. The City does ask that anyone running a fever, having an active cough or other respiratory issues, not to attend this meeting.*
8. *If you would like to provide testimony, and are unable to attend, please contact the City Recorder. We can accept written testimony up until 5:00 on the day of the meeting and can also call someone during the meeting if verbal testimony is needed.*

**CALL TO ORDER AND ROLL CALL**

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** (Please limit presentation to two minutes per issue.)

**PUBLIC HEARING**

**1. THE MATTER OF A VARIANCE REQUEST FOR OREGON COMMUNITY CREDIT UNION AND GIBSON & GIBSON, LLC**

**STAFF REPORT EXHIBITS:**

Exhibit A: Staff Report & Notice of Decision for Special Permit

Exhibit B: Application Packet

**ACTION: MOTION TO APPROVE THE VARIANCE REQUEST FOR LU 462-2024, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE STAFF REPORT OF JANUARY 13, 2025. THIS MOTION IS BASED ON FINDINGS CONTAINED IN THE STAFF REPORT OF JANUARY 13, 2025, AND ON FINDINGS MADE DURING DELIBERATIONS ON THE REQUEST**

**APPLICANT: Oregon Community Credit Union**

**WORK SESSION**

**2. THE MATTER OF VIEWING APPROVED TYPE I AND II REQUESTS**

**STAFF REPORT EXHIBITS:**

Exhibit A: Type I – Lot Line Adjustment

**ACTION: FOR YOUR INFORMATION**

**APPROVED TYPE I AND II APPLICATIONS**

**OTHERS**

**ADJOURN**

# Staff Report Harrisburg Planning Commission Harrisburg, Oregon

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## THE MATTER OF A VARIANCE REQUEST FOR OREGON COMMUNITY CREDIT UNION AND GIBSON & GIBSON, LLC

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**APPLICANT:** Oregon Community Credit Union

**LOCATION:** 315 Kesling St. – 15S04W16AA 11700

**HEARING DATE:** January 21, 2025

**ZONING:** C-1 Commercial

**OWNER:** Gibson & Gibson, LLC

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### BACKGROUND

Gibson & Gibson, LLC owns the two lots that Dari-Mart operates from, as well as the property containing the Java Joy Coffee Kiosk, located at 375 S. 3<sup>rd</sup> St. Dari-Mart has worked with the Oregon Community Credit Union (OCCU) at other locations, allowing a drive-up ITM (Interactive Teller Machine) kiosk. The most recent land use action on this property was the site plan for the coffee kiosk (2019), known as Java Joy. That business was purchased by the new owner, who kept the business name, but leases the site. The parking spaces existing on the property were for the original 2005 Nina’s Pony Espresso site plan. The development code was quite different then, and the owner of Nina’s had expressed a desire to add on to the original kiosk to allow people to sit outside at the coffee shop. The existing parking spaces are not required for either Java

Joy or for Dari-Mart, who also owns a parking lot in front of the Harrisburg Dari-Mart branch.

**INTRODUCTION**

The owners previously applied for a Special Use Permit for the ITM kiosk to be on this property. The copy of the staff report, and site plan, are shown in **Exhibit A**; this permit has been approved, although there is a remote possibility that someone could still possibly appeal the permit. An applicant for a land use procedure with two different types of development, is not required to ‘bundle’ them together. In this case, the owner chose to move onwards with development of the ITM, while this variance application goes through the land use process. The variance request is only for the signage on this property. This will allow them to start developing the site, although they may not install the signs in the design shown in the application (**Exhibit B**), until they receive approval of this variance request for the two over-height illuminated signs.

Harrisburg’s Sign code is located in HMC 18.90. In commercial and industrial zones, a business is allowed one illuminated sign, not to exceed 32 square feet, and not more than 10 feet in height, and one non-illuminated sign not to exceed 64 square feet and not more than 12 feet in height. OCCU wishes to install 4 signs. Two are within code allowances; they may install these without any further permits, other than those meeting building code. Two additional illuminated signs are proposed to be on the ITM tower, at 15’3” height above grade. Both proposed signs are 8 square feet, far less than the maximum allowance of 32 square feet allowed by code.

**CRITERIA AND FINDINGS OF FACT**

- 1. **18.90.030 Allowed Signs by zone:**
  - 2. **Commercial & Industrial Zones**
    - a. **One illuminated sign not to exceed 32 square feet and not more than 10 feet in height.**
    - b. **One nonilluminated sign not to exceed 64 square feet and not more than 12 feet in height.**
    - c. **All signs must be set back from public right-of-way and neighboring property lines four feet.**

**DISCUSSION:** The applicant wishes to install 4 signs total; 3 will be illuminated, and one will be a standard sign. The height allowance for a commercial sign is 12’; the height of the two illuminated signs is 15’3” above grade. The applicant must obtain approval by the Planning Commission to allow for these signs both at that height, at 3’3” over the normal height allowance, as well as the fact that they are illuminated.

**FINDINGS:** By filing this variance request, the applicant is meeting the requirements of the HMC.

2. **CRITERION: HMC 19.40.040 Variances.**

**1. Applicability. A variance is a code adjustment that does not otherwise meet the criteria under HMC 19.40.030. (Permitted uses, as provided in Chapters 18.40 to 18.55 HMC, shall not be adjusted with a variance.)**

**DISCUSSION:** This request is in relation to code requirements present in HMC 18.90. Therefore, the ability for the applicant to apply for a variance is applicable.

**FINDING:** This criterion is applicable and has been met.

**2. Approval Criteria. The Planning Commission through a Type III procedure may approve a variance upon finding that it meets all of the following criteria:**

**a. The variance is necessary because the subject code provision does not account for special or unique physical or historical circumstances of the subject site, existing development patterns, or adjacent land uses. If an existing lot or development is nonconforming, the City may accept the nonconforming status as sufficient evidence of a hardship for purposes of approving a variance under this section;**

**DISCUSSION:** This variance is being requested due to the height of the signs on the sign tower of the ITM, and because there are two additional illuminated signs than what is allowed in this zone. The sign height being requested is not excessive, and as the applicant has already pointed out, is in line with the Key Bank sign located directly across from the project site on 3<sup>rd</sup> St. That sign was installed during a site plan process, while using previous development code standards. However, there are many other commercial signs in Harrisburg’s 3<sup>rd</sup> St. corridor, which are near this height as well. The addition of the sign tower in this location does have clear visibility, and is adjacent to two 20’ light poles that will illuminate the kiosk drive through corridor. Considering historical, and adjacent land uses, Staff does feel that there are extenuating circumstances for which this variance should be allowed.

**FINDINGS:** This criterion has been met.

**b. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site;**

**DISCUSSION:** The physical circumstances of this site dictates that in order to be seen from the 3<sup>rd</sup> St. corridor, the applicant does need to raise the height of this sign. The only other locations for signs would likely result in vision clearance problems, therefore, Staff does feel that the height request is valid, and is the minimum necessary to address these physical circumstances. The signs will face Kesling, Macy, and 3<sup>rd</sup> Streets.

**FINDINGS:** This criterion has been met.

***c. The variance does not conflict with other applicable City policies or other applicable regulations;***

**DISCUSSION:** The variance doesn't conflict with other applicable city policies or any other regulations, including those from ODOT. The applicant applied for a special permit for the location of the ITM unit at this location. That permit was approved, although technically, it could be appealed if the appellant meets that criteria. ODOT has not responded to any of the information sent by the City.

**FINDINGS:** This criterion has been met.

***d. The variance will result in no foreseeable harm to adjacent property owners or to the public interest;***

**DISCUSSION:** The variance doesn't cause harm to adjacent property owners. Notice was sent to everyone within 200' of the property, for both this variance request, as well as for the special permit. Unless someone comes to the public hearing, we've not had any kind of response. The applicant has also provided a photometric plan, shown in their application in **Exhibit B**. The plan allows for no light spillover onto the abutting residential parcel. There are two small light poles in this location as well; which should assist with additional security in this area.

**FINDINGS:** This criterion has been met.

***e. All applicable building code requirements and engineering design standards shall be met;***

**DISCUSSION:** The applicant must apply for a building permit for this ITM, and during that process, any requirements for engineering will be conveyed to the applicant by the building official.

**FINDINGS:** This criterion has been met.

***f. The variance is necessary for the preservation and enjoyment of the same property rights as possessed by owners of other property in the same zone; and***

**DISCUSSION:** In order to have the same property rights as possessed by owners of other adjacent commercial properties, and throughout the 3<sup>rd</sup> St. corridor, the variance should be allowed

**FINDINGS:** This criterion has been met.

***g. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or the community as a whole. [Ord. 987 § 1 (Exh. A), 2022.]***

**DISCUSSION:** The applicant must adhere to the Harrisburg Commercial Sign code in HMC Chapter 18.90, unless this variance request is allowed. Staff doesn't feel that there are any conditions that should apply, other than requiring the applicant to comply with the plans and narrative in the applicant's proposal, or the expiration of this approval, except where modified further by the Planning Commission.

**Condition No. 1: Consistency with Plans.** Development shall comply with the plans and narrative in the applicant's proposal, except where modified further by the Planning Commission.

**FINDING:** As conditioned, this criterion has been met.

**3. Criterion: HMC 19.40.050 Expiration.**

- 1. Approvals granted under this chapter shall expire if not acted upon by the property owner within 18 months of the City approving the variance. Where the owner has applied for a building permit or final plat, has made site improvements consistent with an approved development plan (e.g., site design review or preliminary subdivision plan), or provides other evidence of working in good faith toward completing the project, the City Administrator may extend an approval accordingly. [Ord. 987 § 1 (Exh. A), 2022.]***

**Discussion:** The property owner must file a building permit within 18 months of the City approving the variance, as shown in Condition No. 2.

**Condition No. 2. Time Limitation:** The property owners must apply for a building permit within an 18-month time limit from the approval of this variance request.

**Finding:** As conditioned, this criterion has been met.

**CONCLUSIONS**

The applicant requests approval of a variance for exceeding the commercial sign height requirements, as well as increasing the number of allowed illuminated signs. Because the ITM kiosk is located behind another business, it's important to the applicant for traffic to see the signs at this location. Other sign locations on this same lot would likely only result in vision clearance issues. There are two other signs, one that is illuminated, and one non-illuminated sign, that do meet Harrisburg sign code requirements. There

are also other businesses in town who exceed both the height requirement of the new code, as well as in the number of illuminated signs. All existing signs have been installed prior to the new development code, and are considered legal, non-conforming. The elevation of the new signs are only 3’3” over the normal height allowance, and are not excessively tall. Rather than a monopole, the owner has chosen a sign tower that integrates with the rest of the ITM, and therefore is more compatible with residential properties to the east and south.

**PLANNING COMMISSION ACTION**

The Planning Commission has three options with respect to the subject applications. They can:

- 1. Approve the request;
- 2. Approve the request with conditions; or
- 3. Deny the request.

Based upon the criteria, discussion, and findings of facts above, Staff recommends the Planning Commission motion to approve a variance for LU 462-2024 to allow for a height differential of 3’3” over the current 12’ height allowance for commercial signs, as well as allowing two additional illuminated signs at the ITM site.

**RECOMMENDED MOTION(S)**

Consistent with staff’s recommendation to the Planning Commission, the appropriate motions are shown at the top of this staff report.

**RECOMMENDED CONDITIONS OF APPROVAL**

**Condition No. 1: Consistency with Plans.** Development shall comply with the plans and narrative in the applicant’s proposal, except where modified further by the Planning Commission.

**Condition No. 2. Time Limitation:** The property owners must apply for a building permit within an 18-month time limit from the approval of this variance request.





## **NOTICE OF A TYPE II ADMINISTRATIVE DECISION**

SPECIAL USE PERMIT FOR CASE NO. 2024-2

APPROVAL WITH CONDITIONS

EFFECTIVE DATE: **JANUARY 24, 2025**

1.

### **CASE NO. 2024-2: OCCU HARRISBURG DRIVE UP ITM (INTERACTIVE TELLER MACHINE) KIOSK**

#### **SITE LOCATION:**

The subject site is located adjacent to 375 S.3<sup>rd</sup> St.; pending an address of 315 Kesling St. It is also known as tax lot 11,700 of Linn County Assessors Map 15S04W16AA. The drive-up kiosk will be located on the east side of the existing parking lot. Existing parking spaces were related to the original coffee kiosk from 2006; current development standards will apply to this use as well as parking for employees of Java Joy. Entry will be from Kesling St., with the exit from the alleyway, whether east or west. Drivers waiting for use of the ITM will be queued on the east side of the machine; headlights will face the Dari-Mart store. The driveway/access for Java Joy will remain as it currently is. The applicant will use the existing paving but will add the raised platform that will hold the kiosk, and signs. The applicant has filed for a separate variance, which is requested for the height of the signs that are planned on either side of the planned kiosk.

**APPLICANT:** Oregon Community Credit Union  
Matt Wilson  
2880 Chad Dr  
Eugene, OR 97408

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

**DECISION DATE:** January 9, 2025

#### **REQUEST:**

The applicant requests approval to place a drive-up ITM (Interactive Teller Machine) on a previously developed lot, located adjacent to Java Joy, and the Dari-Mart Store in Harrisburg.

#### **WHOM TO CONTACT FOR MORE INFORMATION:**

Michele Eldridge, City Administrator, at (541) 995-2200, or [meldridge@ci.harrisburg.or.us](mailto:meldridge@ci.harrisburg.or.us), or Lori Ross, at (541)995-6655, [lross@ci.harrisburg.or.us](mailto:lross@ci.harrisburg.or.us).

Mailing Address: City of Harrisburg, PO Box 378, Harrisburg, OR 97446; Office Location: City Hall, 120 Smith Street

#### **DECISION:**

The City of Harrisburg has approved this request for a Type II, Special Use Permit, for the installation/construction of an OCCU ITM Kiosk, to be located at 315 S. 3<sup>rd</sup> St. This decision is not a land use action as defined by ORS 197.015. The criteria and standards used for "S: 'special' uses in each zone do not encompass discretion. There is therefore no appeal to the State Land Use Board of Appeals. The decision can be appealed to the Planning Commission, consistent with the provisions in HMC 19.10.030. An appeal of the Planning Commission decision can then also be referred to the City Council, as applicable.

**PLEASE TURN OVER FOR MORE INFORMATION**

**DECISION-MAKING CRITERIA:**

The City Administrator has evaluated this request based on specific review criteria from the Harrisburg Municipal Code (HMC) and other applicable requirements. The staff-identified criteria for this land use decision are found in HMC 18.50.200; Special Use Standards in the C-1 Zone, and is based on development and building standards as per HMC 18.45.040(5). The City has not received any testimony in relation to this request, other than the City Traffic Engineer asking if Staff had witnessed traffic issues from the entrance on Kesling St. for the existing building. Applicable Standards are as follows:

- a. Traffic. The traffic generated by the proposed use shall not exceed the greater of twice that of a 1,500-square-foot convenience store or equal to a 1,000-square-foot fast food restaurant.**
- b. All other City development and building standards as per HMC [18.45.040\(5\)](#) must be met.**
- c. Parking. "S" rated uses in the commercial zones must provide adequate off-street parking to demonstrate compatibility with existing uses. Parking in excess of two times that of a 1,000-square-foot convenience store must be provided on site.**
- d. Total site area, including structures, parking and landscaping, cannot exceed two acres.**
- e. Uses may not begin prior to 6:00 a.m. nor continue after 10:00 p.m.**
- f. Noise generation may not exceed a measured average of 75 dB.**

Staff has determined that the applicant has met the standards as specified in HMC 18.50.200, and in 18.45.040(5), as further conditioned below.

- a. Traffic is generated from an entry point on Kesling St., which is a local street. Traffic is far below that of a convenience store. This standard has been met.
- b. City development and building standards as per HMC 18.45.040.5 are met, both through these standards, and as conditioned below.
- c. Parking is based off the table shown in HMC 18.80.030.1 and is adequate for the existing coffee kiosk; there are no staff parking requirements for this application as the ITM will not be staffed, and is not a building. This standard has been met. However, as per HMC 18.80.030(4), off-street parking areas shall contain wheel stops, perimeter curbing, bollards or other edging. In addition, for safety purposes, a directional arrow shall be painted in the queue lane to avoid someone approaching the kiosk from the north. These are not shown on the site plan and are therefore conditioned.
- d. The total lot area is 9,879 sq. ft; this includes structures, parking and landscape. This standard has been met.
- e. The ITM audio service will operate between 7:30am and 6:00pm, which is within the criterion standards, which have been met.
- f. Noise generated should average below the 75 dB requirements, based on average vehicles waiting for access, and the mechanical fan on the ITM. This standard has been met.

Landscaping requirements have been met as shown on landscape plan LA.1 of the site plan; additional plantings on the reduced landscaping on the east side of the lot are designed to help provide additional screening to the fence between this use, and the existing residential home to the east. In addition, traffic queued at the ITM will be facing north, and therefore have their headlights aimed toward Dari-Mart. Parking, screening, and lighting, as shown in the remaining site plan, are adequate for this use. All proposed lighting is directed downwards as required by code.

Storm Drainage will continue to be collected in the existing catch basin, and is not affected by the 418 sq. ft. addition to impervious surfacing. Page C2.0 of the site plan shows that there will be curb cuts for drainage in the raised pavement island that the ITM unit will be placed on, as the City has requested. Also, on Page C2,

the applicant shows that the existing power pole will remain in place, and has suggested that overhead power will be in place between the power pole and the ITM unit. However, as per HMC 18.85.060(2), all utilities shall be located underground. This shall be conditioned, unless there is a technical reason that Pacific Power is not able to extend the line underground.

A separate variance application has also been received by the City to address allowed signs by code. The sign code for commercial signage allows one illuminated sign not to exceed 10' in height, and one nonilluminated sign that is not to exceed 12' in height. The two illuminated signs are proposed at 15'-3", which exceed the height limitation. The requested signs exceed the City's commercial sign code requirements. As conditioned below, the applicant shall be required to comply with the Harrisburg commercial sign code, unless their variance application is approved by the Planning Commission.

As per the City's code allowances, conditions listed below shall apply to this special use permit request:

**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. The applicant must follow all development and building standards as per HMC 18.45.040(5).
3. Prior to Construction, paint for existing parking lot spaces on this tax lot shall be removed in their entirety.
4. Concurrently with Construction of the ITM Kiosk, and as per the site plan proposal, 2 parking spaces shall be added on the west side of the proposed ITM kiosk. These spaces shall be marked adequately with traffic paint, in addition to the ADA striping. A north directional arrow shall also be provided in the drive lane for the ITM kiosk in order to eliminate confusion and to improve safety for drivers.
5. Storm Drainage shall be addressed as shown on page C 2.0 of the applicant's site plan, with curb weep holes or curb cuts allowing drainage to the catch basin in the center of the tax lot.
6. As per HMC 18.85.060(2), the power line to the ITM shall be placed underground during the construction process.
7. The applicant shall adhere to the Harrisburg Commercial Sign code in HMC Chapter 18.90 unless otherwise modified and approved through a variance application through the Harrisburg Planning Commission.

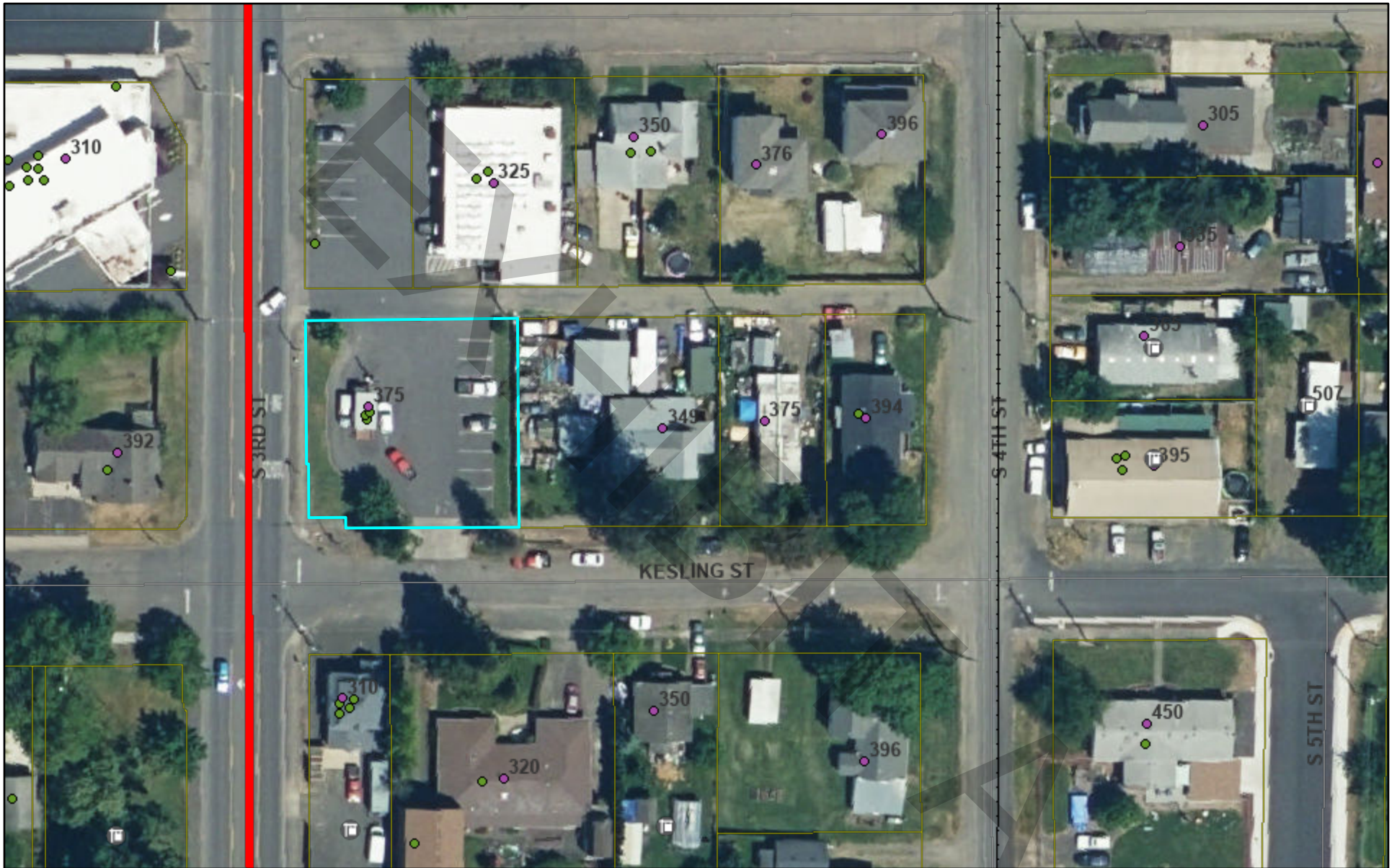
The staff reports in relation to these standards are available in the file, and on-line. As a public record, they are available for public review at City Hall without charge; copies will be provided upon request at a reasonable charge. The Harrisburg Municipal Code is available on the City's website (<http://www.codepublishing.com/or/harrisburg/>). This decision shall become final on January 24, 2025, unless the decision is appealed pursuant to subsection (4) of HMC 19.10.030.

The decision may only be appealed by those people who have legal standing to appeal a Type II administrative decision, as provided in HMC 19.10.030(4)(a). A notice of appeal must be received by the City Recorder by 5:30pm on January 23, 2025. A notice of appeal to the Planning Commission requires a fee of \$1,000. The notice of appeal must provide identification of the decision being appealed, including the date of decision, a statement demonstrating the person filing the notice of appeal has standing to appeal, a statement explaining the specific issues being raised on appeal; and if the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period. The scope of the appeal is limited, as per HMC 19.10.030(4)(c). The hearing on appeal follows the same requirements for a Type III review, as per HMC 19.10.030(4)(d).

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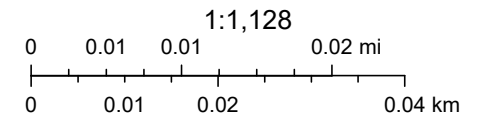
Mail: January 13, 2025, or prior to applicants  
Post: To website, as Notice of Administrative Decision

# 315 Kesling St.



1/9/2025, 7:10:08 PM

- Sales
- Permits
- Railways
- Highways
- Roads
- City Limits
- Tax Lots
- County Boundary



Linn County GIS, City of Albany, City of Brownsville, City of Galesburg, City of Halsey, City of Harrisburg, City of Idanha, City of Lebanon, City of

Map created using the Linn County Oregon web mapping

November 14, 2024

City of Harrisburg  
Planning and Building Department  
PO Box 378  
Harrisburg, Oregon 97446

RE: OCCU Harrisburg – ITM Sign Height (202228/1.3)  
**Variance – Cover Letter**

**Assessor's Map:** 15S04W16AA  
**Tax Lots:** 11700  
**Property Address:** Not yet assigned but adjacent to 375 South 3<sup>rd</sup> Street  
**Property Owner:** Gibson & Gibson, LLC  
125 East 6<sup>th</sup> Street  
Junction City, Oregon 97448  
541.998.2388  
Contact: Kurt Straube  
kstraube@darimart.com  
**Applicant:** Oregon Community Credit Union  
2880 Chad Drive  
Eugene, Oregon 97470  
541.681.6401  
Contact: Matt Wilson, Vice President  
MWilson@myoccu.org  
**Applicant's Representative:** TBG Architects + Planners  
375 West 4<sup>th</sup> Avenue, Suite 204  
Eugene, Oregon 97401  
541.687.1010  
Contact: Zach Galloway or Kristen Taylor  
zgalloway@tbg-arch.com or ktaylor@tbg-arch.com

On behalf of the applicant, Oregon Community Credit Union, enclosed is a Variance Application for two additional illuminated signs that are approximately 15'-3" in height located on the same site as the drive-through coffee kiosk at 375 South 3<sup>rd</sup> Street on the northeast corner of South 3<sup>rd</sup> Street and Kesling Street. In accordance with the Type III application submittal requirements, the following attachments are provided for review by the City staff and Planning Commission.

Variance Application Form – 1 Copy

Site Plan (8½" x 11") – 1 Copy

Attachments – 1 Copy  
Written Statement

City of Harrisburg  
November 14, 2024  
Page 2 of 2

ATTACHMENT A Tax Assessor's Map  
ATTACHMENT B Property Description

Plan Sets – 1 Copy  
T1 Title Sheet  
LA.1 Landscape Plan  
A1.1 Site Plan  
A2.1 Partial Enlarged Site Plan & Exterior Elevations  
SL-1 Photometric Plan

If you have any questions, please do not hesitate to call me at your convenience. Thank you for your time and consideration of this proposal.

Sincerely,



Zach Galloway, AICP  
Senior Planner

ZG/KT

cc: Matt Wilson, Vice President, *Oregon Community Credit Union*  
Kurt Straube, *Gibson & Gibson, LLC*  
Anna Backus, PE, *KPFF Consulting Engineers*  
Kelly Sandow, PE, *Sandow Engineering*  
David Dougherty, ASLA, *Dougherty Landscape Architects*

Z:\PROJ\202228 OCCU Harrisburg ITM Kiosk\Corresp\Agency\Variance\202228-VAR\_CvrLtr.docx



City of Harrisburg  
120 Smith Street  
Harrisburg, OR 97446  
Phone (541) 995-6655  
[www.ci.harrisburg.or.us/planning](http://www.ci.harrisburg.or.us/planning)

### LAND USE APPLICATION

STAFF USE ONLY	
File Number:	462-2024
Date Received:	11.26.24 - Final
Fee Amount:	\$1,500

APPLICATION TYPE	
<input type="checkbox"/> Annexation*	<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Comprehensive Plan Amendment*	<input type="checkbox"/> Partition/Replat*      Minor      Major
<input type="checkbox"/> Conditional Use Permit*	<input type="checkbox"/> Site Plan Review*
<input type="checkbox"/> Historic Permit*	<input type="checkbox"/> Site Plan Review – Parking Only
<input type="checkbox"/> Resource Alteration	<input type="checkbox"/> Subdivision/Replat*
<input type="checkbox"/> Resource Demolition	<input type="checkbox"/> Vacation of street, alley or easement
<input type="checkbox"/> Historic Review – District	<input checked="" type="checkbox"/> Variance*
<input type="checkbox"/> Legal Lot Determination	<input type="checkbox"/> Zone Map Change*
*A Pre-Application Conference with City Staff is Required	<input type="checkbox"/> Zoning Ordinance Text Amendment*

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL	
Project Description	<p>The current request is for a Type III Variance application approval for two additional illuminated signs mounted on the tower element of the ITM kiosk unit at 15'-3" in height above grade, which exceeds the allowed single illuminated sign at 10-foot sign height.</p> <p>The sign is located on the same site as the coffee kiosk located at 375 South 3rd Street and is part of a proposed project including a drive-through ITM kiosk unit with associated parking, landscaping and other site infrastructure submitted under a separate Type II Land Use Application.</p>
Project Name	OCCU Harrisburg - Sign Variance

**PRIMARY CONTACT AND OWNER INFORMATION**

Applicant's Name

Phone  Email

Mailing Address

Applicant's Signature

Date

Property Owner Name

Phone  Email

Mailing Address

Owner Signature

Date

\*If more than one property owner is involved, provide a separate attachment listing each owner or legal representative and their signature.

**PROPERTY DESCRIPTION**  
(general vicinity, side of street, distance to intersection, etc.)

Street Address

General Location Description

Assessor's Map Number(s)  Related Tax Lot(s)   
Map #  Tax Lot(s) #

The Assessor's Map Number (Township, Section and Range) and the Tax Lot Number (parcel) can be found on your tax statement, at the Linn County Assessor's Office, or online at <http://linn-web.co.linn.or.us/propertywebquerypublic/>

Lot Area  [Project site area applies to 11700 only]



**PRIMARY CONTACT AND OWNER INFORMATION**

Applicant's Name

Phone  Email

Mailing Address

Applicant's Signature  Date

Property Owner Name

Phone  Email

Mailing Address

Owner Signature  Date

\*If more than one property owner is involved, provide a separate attachment listing each owner or legal representative and their signature.

**PROPERTY DESCRIPTION**  
(general vicinity, side of street, distance to intersection, etc.)

Street Address

General Location Description

Assessor's Map Number(s)  Related Tax Lot(s)

Map #  Tax Lot(s) #

The Assessor's Map Number (Township, Section and Range) and the Tax Lot Number (parcel) can be found on your tax statement, at the Linn County Assessor's Office, or online at <http://linn-web.co.linn.or.us/propertywebquerypublic/>

Lot Area

**LAND USE AND OVERLAY ZONES**

Existing Zone(s)

Existing Comprehensive Plan Designation(s)

Please select any of the following zone overlays or natural areas that apply to the subject site:

- Historic Overlay
- Willamette River Greenway
- Floodplain
- Riparian Corridors
- Wetlands

\*Please include a discussion in the project narrative indicating how these overlays affect your proposal. For more information about any of these overlays, please contact the City Planner at (541) 995-6655.

**CHECK THE BOX NEXT TO INCLUDED EXHIBITS**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Narrative* (address all applicable HMC review criteria) | <input checked="" type="checkbox"/> Architectural Elevations        |
| <input checked="" type="checkbox"/> Assessor's Map with Applicable Tax Lots Highlighted     | <input type="checkbox"/> Architectural Floor Plans                  |
| <input checked="" type="checkbox"/> Site Plan [24"x36" (Arch D) sheet]                      | <input type="checkbox"/> Utilities Plan                             |
| <input checked="" type="checkbox"/> Survey / ALTA   | <input type="checkbox"/> Geotechnical Report/Site                   |
| <input checked="" type="checkbox"/> Aerial Photograph / Existing Land Use(s) Map            | <input type="checkbox"/> Assessment                                 |
| <input type="checkbox"/> Zoning Map (if applicable, show proposed change(s))                | <input checked="" type="checkbox"/> Electronic Versions of Exhibits |
| <input type="checkbox"/> Comprehensive Plan Map(s) (if applicable, show proposed changes))  | <input checked="" type="checkbox"/> Application Fee                 |
| <input type="checkbox"/> Subdivision or Partition Plat                                      | <input type="checkbox"/> Other                                      |

\*A written narrative is required for all application types. Typical drawings sizes are 24"X36", 11"X17", or 8.5"X11". Sizes of required drawings will depend on the type and scope of applications involved. Contact the City Planner to verify requirements. On your plans, include the following: property lines, points of access for vehicles, pedestrians, and bicycles, water courses, any natural features (wetlands, floodplain, etc.), existing and proposed streets and driveways, parking areas, utilities, pedestrian and bike paths, and existing easements. Please note there are additional specific graphic and narrative requirements for each application type. Refer to the Harrisburg Municipal Code for more information.

A Pre-application Conference is Required with City Staff prior to turning in your land use application. Please contact the City Administrator, or City Recorder/Assistant City Administrator to make an appointment. Date of Appointment:

**PLEASE TELL US MORE ABOUT THE PROPOSAL AND ITS SITE**

1. Are there existing structures on the site?  Yes  No If yes, please explain

The site includes an existing drive-through coffee shop of approximately 135 square feet. A new drive-through ITM kiosk is proposed on the east side of the site

2. Indicate the uses proposed and describe the intended activities:

The Variance will allow a sign that exceeds the 10-foot sign height limit in the C-1 zone. The proposed signs are mounted on the structure of the ITM and is approximately 15'-3" in height. Two additional signs more than allowed are proposed.

3. How will open space, common areas and recreational facilities be maintained?

The proposed Variance does not affect open space, common areas, or recreational facilities.

4. Are there previous land use approvals on the development site?  Yes  No If yes, please include a discussion in the project narrative describing how the prior approvals impact your proposal.

The City approved the existing 135-square foot, drive-through coffee shop in 2006.

5. Have you reviewed the Oregon Fire Code Applications Guide in relation to your land use request?  Yes  No Do you have questions about any element of these requirements? If yes, please explain:

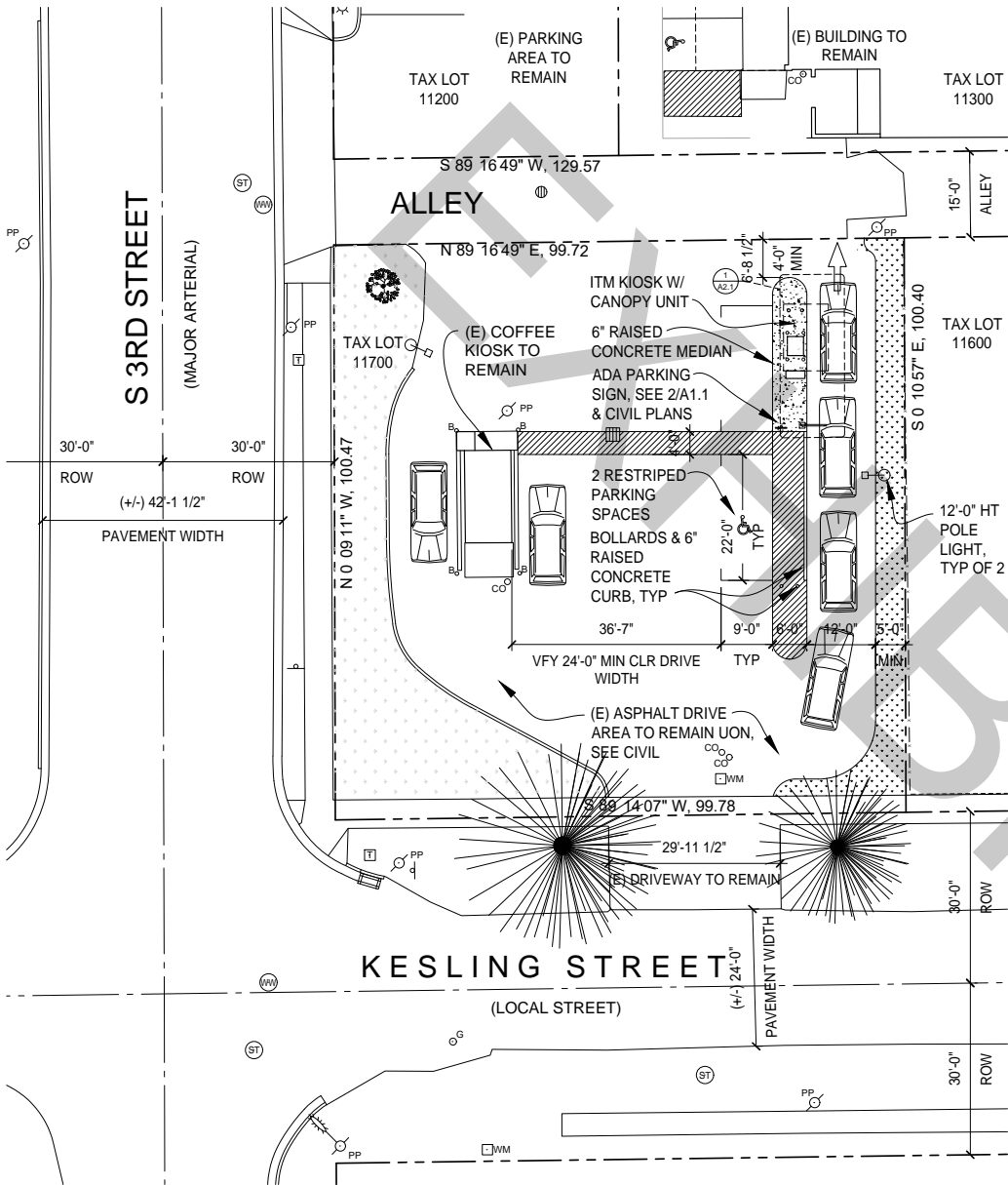
N/A

**AUTHORIZATION FOR STAFF & DECISION MAKERS TO ENTER LAND**

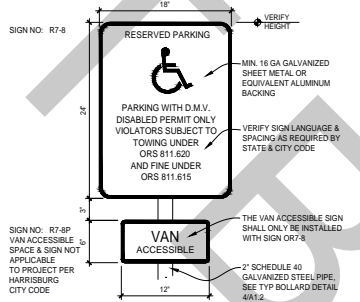
City staff, Planning Commissioners, and City Councilors are encouraged to visit the sites of proposed developments as part of their review of specific land use applications. Decision maker site visits are disclosed through the public hearing process. Please indicate below whether you authorize City staff and decision makers to enter onto the property(-ies) associated with this application as part of their site visits.

I authorize City staff and decision makers to enter onto the property(-ies) associated with this application.

I do not authorize City decision makers to enter onto the property(-ies) associated with this application.



1 SITE PLAN  
1" = 10'-0"



2 TYP ADA PARKING SIGN  
1-1/2" = 1'-0"

GENERAL NOTES

- ALL PUBLIC IMPROVEMENTS AS REQUIRED WILL BE PRIVATELY CONSTRUCTED AND SHALL CONFORM TO THE 2017 OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION AS ISSUED BY THE OREGON DEPARTMENT OF TRANSPORTATION.
- OUTDOOR LIGHTING WILL COMPLY WITH CITY STANDARDS AT THE TIME OF BUILDING PERMIT SUBMITTAL AND BUILDING OCCUPANCY. EXACT OUTDOOR LIGHTING SPECIFICATIONS WILL BE SUBMITTED AT THE TIME OF THE BUILDING PERMIT APPLICATION.

PARKING CALCULATIONS

VEHICLE PARKING

VEHICLE PARKING CALCULATIONS ARE PROVIDED FOR THE DEVELOPMENT SITE

VEHICLE PARKING SPACES REQUIRED (MHC TABLE 18.80.0303.1)

EXISTING RESTAURANT USE	1,200 SF GROSS FLOOR AREA	1 SPACE
PROPOSED ITM BANK USE	133 SF 200 SF	1 SPACE
PROPOSED (E) COFFEE KIOSK TO REMAIN	133 SF 200 SF	1 SPACE
PROPOSED (E) ASPHALT DRIVE AREA TO REMAIN UON, SEE CIVIL	133 SF 200 SF	1 SPACE
TOTAL VEHICLE PARKING SPACES REQUIRED		4 SPACES
TOTAL VEHICLE PARKING PROPOSED		4 SPACES
2 PARALLEL SPACES TO BE RESTRIPTED		2 SPACES
STANDARD (9'-0" X 22'-0")		1 SPACE
ACCESSIBLE (9'-0" X 22'-0" W/ 6'-0" ACCESS AISLE)		1 SPACE

BICYCLE PARKING

THE PROPOSED ITM BANK KIOSK IS A VEHICLE CENTERED USE WITHOUT A BUILDING SO BICYCLE PARKING IS NOT REQUIRED.

LEGEND

- (E) BUILDING FOOTPRINT
- EXISTING PROPERTY LINE
- (E) LANDSCAPE AREA TO REMAIN, SEE LANDSCAPE
- LANDSCAPE AREA, SEE LANDSCAPE
- ON-SITE PEDESTRIAN CROSSWALK STRIPING
- RAISED CONCRETE ISLAND, UON
- (E) TREE TO REMAIN, SEE SURVEY
- (E) STREET TREE TO REMAIN, SEE SURVEY
- SLP FOR ALL UTILITY INFORMATION SEE THE SURVEY, DEMO PLAN, AND CIVIL DRAWINGS



HARRISBURG ITM KIOSK  
OREGON COMMUNITY CREDIT UNION  
TYPE II LAND USE APPLICATION  
SOUTH 3RD STREET & KESLING STREET  
HARRISBURG, OREGON 97446

SITE PLAN

PROJECT #	202228
DRAWN	BR/KGT
CHECKED	KT
DATE	11.12.2024

SHEET **A1.1**

FOR REFERENCE ONLY

November 14, 2024

City of Harrisburg  
Planning and Building Department  
PO Box 378  
Harrisburg, Oregon 97446

RE: OCCU Harrisburg – ITM Sign Height (202228/1.3)  
**Variance – Written Statement**

**Assessor's Map:** 15S04W16AA  
**Tax Lots:** 11700  
**Property Address:** Not yet assigned but adjacent to 375 South 3<sup>rd</sup> Street  
**Property Owner:** Gibson & Gibson, LLC  
125 East 6<sup>th</sup> Street  
Junction City, Oregon 97448  
541.998.2388  
Contact: Kurt Straube  
kstraube@darimart.com  
**Applicant:** Oregon Community Credit Union  
2880 Chad Drive  
Eugene, Oregon 97470  
541.681.6401  
Contact: Matt Wilson, Vice President  
MWilson@myoccu.org  
**Applicant's Representative:** TBG Architects + Planners  
375 West 4<sup>th</sup> Avenue, Suite 204  
Eugene, Oregon 97401  
541.687.1010  
Contact: Zach Galloway or Kristen Taylor  
zgalloway@tbg-arch.com or ktaylor@tbg-arch.com

## WRITTEN STATEMENT

### I. VARIANCE REQUEST SUMMARY

In accordance with the Type III application submittal requirements, this written statement describes a proposed Variance request for the number of illuminated signs and sign height, and it demonstrates that the proposal complies with the approval criteria under Harrisburg Municipal Code (HMC) 19.40.040(2). The proposal is subject to the Type III application review process per HMC 19.10.040.

The subject request is for approval of a Variance application for two additional illuminated signs with sign height to exceed the maximum 10-foot height limit in Commercial zones.

The proposed two additional illuminated signs are to be mounted at a height of 5'-3" above grade on the north and south facades of the tower element as part of a drive-through ITM (interactive teller machine) use that was submitted under a separate Type II Land Use application. The plan set for the proposed project as part of the required Type II application submitted on November 13, 2024 illustrates the ITM kiosk unit with the ITM enclosure, canopy, tower element, the allowed signs (one illuminated sign on the east side of the ITM enclosure and one non-illuminated sign on the west side of ITM enclosure) as well as the proposed two additional illuminated signs on the tower element. The proposed drive-through ITM is located on the same site adjacent to the existing coffee kiosk at 375 South 3<sup>rd</sup> Street.

The City sign code includes standards for the Commercial zones at HMC 18.90.030(2), as excerpted below in bold, italicized font.

**18.90.030 Allowed signs by zone.**

- 2. **Commercial and Industrial Zones.** ...
  - a. **One illuminated sign not to exceed 32 square feet and not more than 10 feet in height.**
  - b. **One nonilluminated sign not to exceed 64 square feet and not more than 12 feet in height.**
  - c. **All signs must be set back from public right-of-way and neighboring property lines four feet.**

As outlined below, the proposed ITM kiosk unit includes 4 signs. There are two proposed, code allowed signs on the ITM enclosure. There are also two additional illuminated signs proposed on the ITM tower element. One sign faces north toward the existing retail store (DariMart) on the adjacent parcel and the other sign faces south toward drivers approaching the ITM kiosk. These two illuminated signs are the subject of the Variance request, as described below. Both of these signs are about 6 square feet mounted at a maximum of 15'-3" height above grade.

Code Compliant Signage

- The ITM enclosure includes one illuminated and one nonilluminated sign.
  - The nonilluminated sign is applied to the west elevation of the ITM enclosure facing South 3<sup>rd</sup> Street. The sign area is about 36 square feet, which is less than the maximum 64 square feet. The sign height is proposed at about 7 feet above grade, which is less than the allowed 12 feet.
  - The illuminated sign is on east elevation of the ITM enclosure facing the drive-through lane. The sign area is 8 square feet, which is less than the maximum 32 square feet. The sign height is proposed at about 7 feet above grade, which is less than the allowed 12 feet.
- Both signs comply with HMC 18.90.030(2) and are not subject to the Variance request.

Sign Variance

- The ITM kiosk includes a tower element south of the ITM enclosure. An illuminated 8 square feet sign is proposed to be placed on each side of the tower about 15'-3" above the adjacent asphalt drive-aisle surface grade.
- The Variance request addresses number of signs, height and sign illumination.
  - The Variance request is for the signs to be placed at 15'-3" above the adjacent grade.
  - The signs are to be illuminated. The Variance request is for 3 total illuminated signs.
- As noted above, the two additional illuminated signs as part of this Variance request are approximately 8 square feet, which is well below the maximum 32 square feet in area.

Additional details regarding the Variance are provided in the plan, this written statement, and the associated attachments.

**II. SITE INFORMATION**

**Location and Site Context:** The proposed project is located at the northeast corner of the intersection of South 3<sup>rd</sup> Street and Kesling Street. Refer to the attached Site Plan. The site is relatively flat and is currently developed with an asphalt parking lot and an existing drive-through coffee kiosk. There are two existing street trees located in the Kesling Street public right-of-way and one tree in the planting bed located between the coffee kiosk and the public sidewalk on South 3<sup>rd</sup> Street, which are proposed to remain. The two smaller trees located in the existing planting bed along the east side of the site are proposed to be removed and replaced with new landscaping. This existing landscape bed is proposed to be slightly narrowed with new landscaping to accommodate the ITM drive-through located along the east side of the site. Refer to the Survey and Landscape Plan for more information.

**Tax Lot:** Public records identify the site as Tax Lot 11700 of Linn County Assessor’s Map 15S04W16AA. Refer to the attached Tax Assessor’s Map.

**Legal Description:** Refer to the attached Property Description.

**Site Area:** The site totals 0.23 acres, or 9,879 square feet according to the County Assessment and Taxation records.

**Address:** The ITM kiosk does not have an address yet, but it is located adjacent to the coffee kiosk on the same site with the address 375 South 3<sup>rd</sup> Street, Harrisburg, Oregon 97446.

**Ownership:** The site is owned by Gibson & Gibson, LLC. OCCU is the applicant developing the drive-through ITM kiosk on the site.

**Plan Land Use Designation:** The parcel is designated Commercial in the Harrisburg Comprehensive Plan. The parcel is located within the Harrisburg Urban Growth Boundary (UGB) and City limits.

**Zoning:** The parcel is zoned Commercial (C-1). Properties to the west (across South 3<sup>rd</sup> Street), north, and south are also zoned Commercial (C-1). Property to the east is zoned Medium Density Residential (R-2).

**Environmental:** Per the Flood Insurance Rate Map (FIRM), the site is located in area X, which is determined to be outside of the 500-year flood area. Refer to the attached Flood Insurance Rate Map 41043C1118G.

**Surrounding Land Uses/Access:** The site is located within the Harrisburg Urban Growth Boundary on the east side of South 3<sup>rd</sup> Street and north of Kesling Street.

There is a commercial building (Key Bank) located northwest of the site on the west side of South 3<sup>rd</sup> Street. A single-family dwelling is directly across South 3<sup>rd</sup> Street from the site. Although zoned Commercial, there is a residential dwelling on the parcel directly south of the site across Kesling Street. The property to the north is developed with a Dari Mart, which is under the same ownership as the project site.

There is an alley along the north side of the site with access to South 3<sup>rd</sup> Street and parcels to the east. The site has two existing access connections that are both proposed to remain: a driveway to Kesling Street on the south and an access connection to the alley on the north. The primary entrance to the proposed drive-through will be via the existing driveway on Kesling Street. Drivers exiting the drive-through facility use the alley to reach South 3<sup>rd</sup> Street.

### III. BACKGROUND OF THE SITE

In 2006, the site was developed with an asphalt parking lot and a 135-square foot drive-through coffee kiosk. Per available public records, there are no other applicable land use applications or development permits for the site.

The proposed drive-through ITM kiosk unit was submitted under a separate Type II Land Use Application on November 13, 2024. The Type II Land Use Application is an administrative review that receives staff review and decision.

### IV. TYPE III VARIANCE APPROVAL CRITERIA

This section is organized by outlining the applicable land use code standards and the Variance approval criteria in **bold italics**, followed by proposed findings in normal text.

***HMC 19.10.040 Type III procedure (quasi-judicial review – public hearing).  
Type III decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council, except the Planning Commission makes a recommendation to the City Council for quasi-judicial amendments to the zoning map and***



**development code, and the City Council decides those requests after conducting their own public hearing.**

**1. Application Requirements.**

**a. Application Forms. Applications requiring quasi-judicial review shall be made on forms provided by the City Administrator.**

Finding: A signed Variance application form is included with the submittal materials. This application requirement is met.

**b. Submittal Information. The City Administrator shall advise the applicant on application submittal requirements. At a minimum, the application shall include all of the following information:**

- (1) The information requested on the application form;**
- (2) Plans and exhibits required for the specific approval(s) being sought;**
- (3) A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail;**
- (4) Information demonstrating compliance with prior decision(s) and conditions of approval for the subject site, as applicable;**
- (5) The required fee;**
- (6) Evidence of neighborhood contact, as applicable, pursuant to this section.**

Finding: The application materials include the evidence necessary to demonstrate compliance with the applicable Variance approval criteria. The evidence includes this written statement, attachments supporting the findings, and relevant drawings and plans that depict the requested Variance for the proposed tower element signs. The application fee is provided at the time of application submittal. There is no applicable requirement to contact a local neighborhood group. The application submittal requirements are met.

**HMC 19.40.040 Variances.**

**1. Applicability. A variance is a code adjustment that does not otherwise meet the criteria under HMC 19.40.030. (Permitted uses, as provided in Chapters 18.40 to 18.55 HMC, shall not be adjusted with a variance.)**

Finding: The Variance request is for two illuminated signs on the tower element of the ITM kiosk unit located approximately 15'-3" above the drive-through asphalt grade. The tower element is is about 16'-2" in height. Per HMC 18.90.030(2), developments in commercial zones are allowed "one illuminated sign not to exceed 32 square feet and not more than 10 feet in height". The Adjustment process allows "up to a 10 percent increase ... in a quantitative (numerical) standard". The 10 percent increase enabled per HMC 19.40.030(1)(f) is not sufficient to allow the two proposed tower-mounted illuminated signs in addition to the one code allowed illuminated sign on the ITM enclosure (3 total illuminated signs). Similarly, a 10 percent increase in the maximum allowed 10-foot sign height, only allows an 11-foot height. The Applicant requests the Variance because the preferred total number of signs and sign height do not otherwise meet the Adjustment criteria. The Variance application is applicable to the current request.

**2. Approval Criteria. The Planning Commission through a Type III procedure may approve a variance upon finding that it meets all of the following criteria:**

- a. The variance is necessary because the subject code provision does not account for special or unique physical or historical circumstances of the subject site, existing development patterns, or adjacent land uses. If an existing lot or development is nonconforming, the City may accept the nonconforming status as sufficient evidence of a hardship for purposes of approving a variance under this section;**

Finding: The Applicant – Oregon Community Credit Union (OCCU) – is developing small drive-through ITM kiosk unit to better serve members throughout the state of Oregon. The number of signs and sign height of the OCCU ITM kiosk unit is based on common sign height standards throughout the state. The number of signs and 10-foot height standard is less than that found in many jurisdictions. In addition to the uniquely low height standards, the site location has unique characteristics that warrant the Variance. The site design is intended to retain and coexist with the existing successful drive-through coffee kiosk. The proposed OCCU drive-through ITM kiosk unit is placed to the rear of the site. The additional sign height and illumination improves visibility and allows drivers to clearly see the drive-through lane entrance off of Kesling Street and the drive-through exit on the alley. The proposed sign height is based on clear visibility for drivers and the design of the overall ITM kiosk unit, which includes the ITM enclosure and canopy with structural supports – the tower element is one of the structural elements supporting the canopy. . Lastly, the Variance request results in two additional signs that are consistent with the height of other pole-mounted illuminated signs in the area, namely the adjacent Key Bank that has a freestanding illuminated sign that is greater than the codified 10-foot height limit. The Variance request is consistent with existing commercial signs that support adjacent land uses in the immediate vicinity. This criterion is met.

- b. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site;**

Finding: As described above, the Variance request will allow the two illuminated signs to be placed at approximately 15'-3" above the adjacent drive-through asphalt grade. The existing drive-through coffee kiosk is proposed to remain on the site and the ITM kiosk unit is ideally placed on the eastern half of the site to efficiently use the site and allow for a shared drive aisle between the drive-throughs. When viewed from South 3<sup>rd</sup> Street, the ITM kiosk unit is behind both the DariMart parking lot, coffee kiosk, and the drive-through lanes serving the coffee kiosk. The tower element signage does not face South 3<sup>rd</sup> Street or the adjacent residential property to the east. As stated above, the additional sign height and illumination improves visibility and allows vehicles to clearly see the drive-through lane entrance off of Kesling Street and the drive-through exit on the alley. The additional illumination complements the ITM operating characteristics, which will extend into the evening hours. The ITM kiosk will function as a conventional ATM 24 hours a day and the virtual teller services will be available until 6:30 pm. The proposed height and illuminated signs address the physical circumstances of the site and ITM operations. This criterion is met.

**c. The variance does not conflict with other applicable City policies or other applicable regulations;**

Finding: The Variance request is limited to the number of signs, sign height, and illumination. The Applicant is not aware of conflicts with any other City policies or regulations. This criterion is met.

**d. The variance will result in no foreseeable harm to adjacent property owners or to the public interest;**

Finding: The Variance request allows an illuminated sign height that is consistent with existing, illuminated commercial signs in the immediate vicinity. There is no foreseeable harm to adjacent property owners or to the public interest. The site is zoned C-1, and it abuts to the east a residentially zoned lot. As stated above, the proposed two tower element signs face north and south toward the C-1 zoned lots, not towards the adjacent residential property located to the east. As demonstrated on the attached Photometric Plan, there is no light spillover onto the abutting residential parcel. An existing, sight-obscuring fence provides screening, and the proposed landscaping between the fence and drive-through lane improves the existing screening. These site design elements mitigate potential off-site effects. The Applicant does not identify an element that might cause harm to the public interest. The Variance request allows two additional signs that are consistent with existing illuminated commercial signs in the immediate vicinity. The Photometric Plan demonstrates that there is no light spillover from the proposed project onto the public rights-of-way or adjacent residential property (note that most of the light represented in the Photometric Plan is from the two proposed about 12-foot height pole lights, which are required by code and desired by the applicant for security); although, both of which are illuminated by existing streetlights. This criterion is met.

**e. All applicable building code requirements and engineering design standards shall be met;**

Finding: The Variance is limited to the number of signs, sign height, and illumination. The proposed signs are mounted on a tower element that is affixed to the drive-through ITM kiosk unit. The proposed project for the ITM kiosk unit was submitted to the City for review under the Type II application process. The proposed project is subject to all applicable building code and engineering design standards. The Applicant understands that building and sign permits are applicable, as are any applicable building code and engineering design standards relevant to the sign. This criterion is met.

**f. The variance is necessary for the preservation and enjoyment of the same property rights as possessed by owners of other property in the same zone; and**

Finding: The Variance request results in 2 illuminated signs, in addition to the 2 code allowed illuminated sign (east face of ITM) and nonilluminated sign (west face of ITM) on the ITM enclosure, that are consistent with the height and illumination of other pole-mounted signs in the area, namely the adjacent Key Bank that has a freestanding illuminated sign that is greater than the codified 10-foot height limit. The Applicant has also reviewed other signs in the C-1 zone located along South 3<sup>rd</sup> Street. There are

City of Harrisburg – Variance  
November 14, 2024  
Page 8 of 8

numerous illuminated signs, both pole- and wall-mounted, that exceed the number of sign and the maximum 10-foot height limit for illuminated signs. The Variance request results in two illuminated signs that are consistent with existing commercial signs in the immediate vicinity. Based on this contextual review of existing signs in the same C-1 zone, the Variance request allows the Applicant to erect two additional signs similar to those possessed by owners of other property in the same zone. This criterion is met.

- g. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or the community as a whole.***

Finding: The Applicant understands that it is within the purview of the Planning Commission to apply conditions to an approval. As described above, the Variance request has addressed all approval criteria; therefore, we request that the Variance application be approved without additional conditions.

**V. Conclusion**

Based on the information and findings contained in this written statement, associated attachments and drawings, the proposed Variance application meets the approval criteria contained in the Harrisburg Municipal Code. Therefore, the Applicant requests that the Planning Commission approve the proposed Variance to number of signs, sign height and illumination standards as presented. Both the applicant and the applicant's representative are available for questions as necessary.

If you have any questions about the above application, please contact TBG Architects + Planners at 541.687.1010.

ZG/KT

- cc: Matt Wilson, Vice President, *Oregon Community Credit Union*
- Kurt Straube, *Gibson & Gibson, LLC*
- Anna Backus, PE, *KPFF Consulting Engineers*
- Kelly Sandow, PE, *Sandow Engineering*
- David Dougherty, ASLA, *Dougherty Landscape Architects*

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### **Attachment Contents**

ATTACHMENT A	Tax Assessor's Map
ATTACHMENT B	Property Description

EXHIBIT B



# OCCU HARRISBURG ITM KIOSK

## OREGON COMMUNITY CREDIT UNION SOUTH 3RD STREET & KESLING STREET HARRISBURG, OREGON 97446



### BUILDING OWNER

**GIBSON & GIBSON LLC**  
125 E 6TH STREET  
JUNCTION CITY, OREGON 97448  
PHONE: (541) 998-2388  
  
CONTACT: KURT STRAUBE  
EMAIL: kstraube@darimart.com

### ARCHITECT

**TBG ARCHITECTS + PLANNERS**  
132 EAST BROADWAY, SUITE 200  
EUGENE, OREGON 97401  
PHONE: (541) 687-1010 FAX (541) 687-0625  
  
CONTACT: JF ALBERSON (EXT 118)  
EMAIL: jf@tbg-arch.com

### CONTRACTOR

**McKENZIE COMMERCIAL**  
865 WEST 2ND AVENUE  
EUGENE, OREGON 97402  
PHONE: (541) 343-7143  
  
CONTACT: CHAD BLILLIE  
EMAIL: cbillie@mcmail.biz

### CONSULTANTS

**MAE ENGINEERING**  
STRUCTURAL ENGINEER  
1355 OAK STREET, SUITE 200  
EUGENE, OREGON 97401  
PHONE: (541) 494-9080  
  
CONTACT: BRIAN OVERSTAKE  
EMAIL: brian@mae-engineers.com

**KPFF CONSULTING ENGINEERS, INC.**  
CIVIL ENGINEER  
800 WILLAMETTE STREET, SUITE 400  
EUGENE, OREGON 97401  
PHONE: (541) 684-4902  
  
CONTACT: ANNA BACKUS  
EMAIL: Anna.Backus@kpff.com

**DOUGHERTY LANDSCAPE ARCHITECTS INC.**  
LANDSCAPE ARCHITECT  
474 WILLAMETTE STREET, SUITE 305  
EUGENE, OREGON 97401  
PHONE: (541) 683-5803  
  
CONTACT: DAVID DOUGHERTY  
EMAIL: David@dladesign.com

**SSW ENGINEERS INC.**  
SURVEYOR  
2350 OAKMONT WAY, SUITE 105  
EUGENE, OREGON 97401  
PHONE: (541) 495-8383  
  
CONTACT: MIKE DAHRENS  
EMAIL: miked@sswengineers.com

**REVOLUTION ELECTRIC, INC.**  
ELECTRICAL DESIGNER  
480 SHELLEY STREET, SUITE B  
SPRINGFIELD, OREGON 97477  
PHONE: (541) 505-8351  
  
CONTACT: JEFF HATLEBERG  
EMAIL: jeff@revolutionelectric.net

### TENANT & APPLICANT

**OREGON COMMUNITY CREDIT UNION**  
2880 CHAD DRIVE  
EUGENE, OREGON 97408  
PHONE: (541) 681-6401  
  
CONTACT: MATT WILSON  
EMAIL: mwilson@myOCCU.org

### ABBREVIATIONS

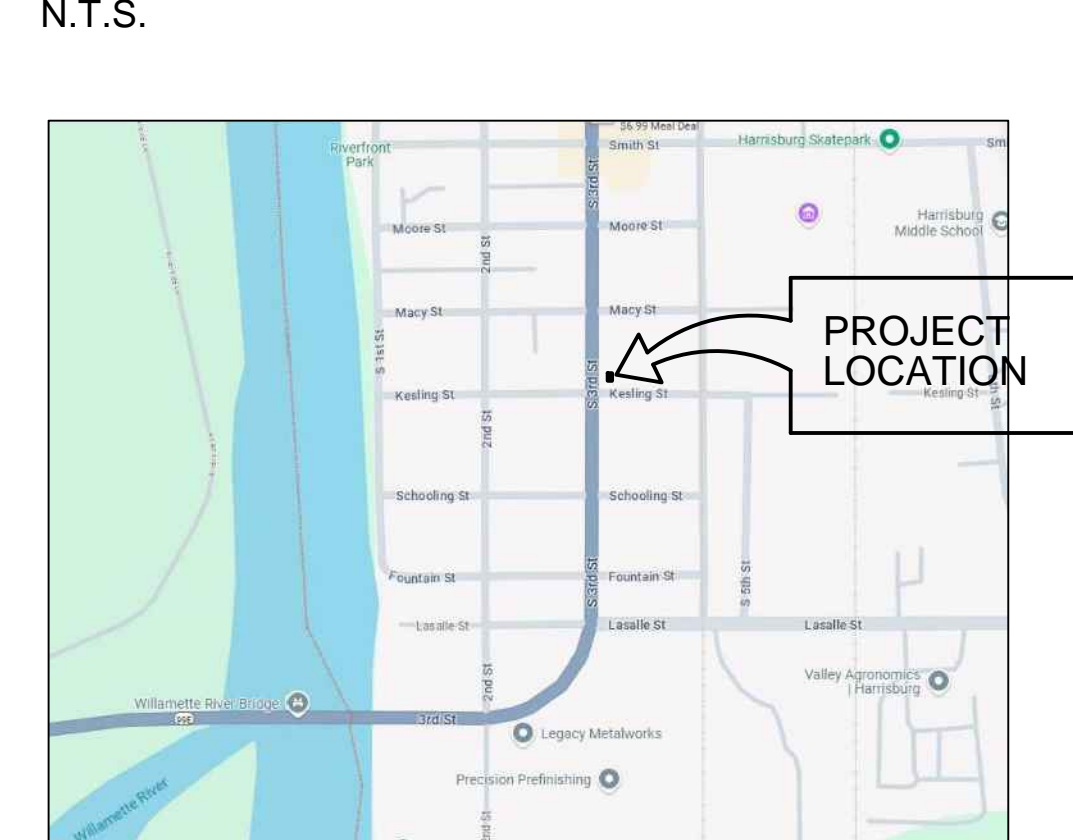
&	AND	LAM	LAMINATE
∠	ANGLE	LAV	LAVATORY
@	AT	MATL	MATERIAL
∅	CENTERLINE	MAX	MAXIMUM
∅	DIAMETER	MB	MARKER BOARD
#	PLUS OR MINUS	MECH	MECHANICAL
(E)	DEGREE	MFR	MANUFACTURER
AB	POUND OR NUMBER	MH	MANHOLE
A/C	EXISTING	MIN	MINIMUM
ACT	ANCHOR BOLT	MIRR	MIRROR
AD	AIR CONDITIONING	MISC	MISCELLANEOUS
AFF	ACOUSTICAL CEILING TILE	MTD	MOUNTED
AHU	AREA DRAIN	MTL	METAL
ALUM	ABOVE FINISHED FLOOR	NIC	NOT IN CONTRACT
ARCH	AIR HANDLING UNIT	NO	NUMBER
ASF	ALUMINUM	NTS	NOT TO SCALE
BCS	ARCHITECTURAL	OC	ON CENTER
BD	ALUMINUM STOREFRONT	OD	OUTSIDE DIAMETER
BLKG	BOARD	OFCI	OWNER FURNISHED CONTRACTOR INSTALLED
BM	BLOCKING	OFD	OVER FLOW DRAIN
BOT	BEAM	OFF	OFFICE
CB	BOTTOM	OFOI	OWNER FURNISHED OWNER INSTALLED
CBB	CATCH BASIN OR CHALKBOARD	OPP	OPPOSITE
CG	CEMENT BACKER BOARD	P-?	PAINT COLOR
CJ	CORNER GUARD	PCC	PRECAST CONCRETE
CLG	CONTROL JOINT	PERF	PERFORATED
CLO	CEILING	PL	PROPERTY LINE
CLR	CLOSET	PLAM	PLASTIC LAMINATE
CMU	CLEAR	PLYWD	PLYWOOD
COL	CONCRETE MASONRY UNIT	PR	PAIR
CONC	CLEANOUT	PS	PROJECTION SCREEN
CONT	COLUMN	PTD	PAPER TOWEL DISPENSER
CORR	CONCRETE	QT	QUARRY TILE
CPT	CONTINUOUS	R	RADIUS OR RISER
CT	CORRIDOR	RA	RETURN AIR
DBL	CARPET OR CARPET TILE	RB	RESILIENT BASE
DEPT	CERAMIC TILE	RD	ROOF DRAIN
DF	DOUBLE	REF	REFRIGERATOR
DIA	DEPARTMENT	REIN	REINFORCED
DIM	DRINKING FOUNTAIN	REQD	REQUIRED
DISP	DIAMETER	RESIL	RESILIENT
DN	DIMENSION	RM	ROOM
DS	DISPENSER	RO	ROUGH OPENING
DWG	DIVISION OR DIVIDE	SCD	SEAT COVER DISPENSER
EA	DOWN	SCHED	SCHEDULE
EJ	DOWNSPOUT	SD	STORM DRAIN OR SOAP DISPENSER
ELEC	DRAWING	SECT	SECTION
ELEV	EACH	SHT	SHEET
EQ	EXPANSION JOINT	SIM	SIMILAR
EP	ELECTRICAL	SND	SANITARY NAPKIN DISPOSAL
EQ	ELEVATOR	SNV	SANITARY NAPKIN VENDOR
EQUIP	EDGE OF SLAB	SPEC	SPECIFICATION
EXH	ELECTRICAL PANEL	SQ	SQUARE
EXIST	EQUAL	SST	STAINLESS STEEL
EXT	EQUIPMENT	STD	STANDARD
FA	EXHAUST	STL	STEEL
FD	EXISTING	STOR	STORAGE
FE	EXTERIOR	STRUCT	STRUCTURAL
FEC	FIRE ALARM	SUSP	SUSPEND
FHC	FLOOR DRAIN	SV	SHEET VINYL
FIN	FIRE EXTINGUISHER	T&G	TONGUE & GROOVE
FLR	FIRE EXTINGUISHER CABINET	TEL	TELEPHONE
FLUOR	FIRE HOSE CABINET	THRU	THROUGH
FOC	FINISH	TO	TOP OF
FOF	FLOOR	TOC	TOP OF CURB
FOS	FLUORESCENT	TOS	TOP OF STRUCTURE OR SLAB
FT	FACE OF CONCRETE OR CURB	TOW	TOP OF WALL
FT	FACE OF FINISH	TPD	TOILET PAPER DISPENSER
FTG	FACE OF STUD	TPTN	TOILET PARTITION
FTG	FOOT OR FEET	TYP	TYPICAL
GA	FOOTING	UN	UNLESS OTHERWISE NOTED
GALV	GAUGE	URINAL	URINAL
GB	GALVANIZED	VCT	VINYL COMPOSITION TILE
GB	GRAB BAR	VERT	VERTICAL
GWB	GYPSSUM WALL BOARD	VEST	VESTIBULE
HB	HOSE BIBB	VFY	VERIFY
HD	HAND DRYER	VIF	VERIFY IN FIELD
HDWD	HARDWOOD	WI	WITH
HM	HOLLOW METAL	WC	WATER CLOSET or WOOD CEILING
HORIZ	HORIZONTAL	WD	WOOD
HR	HOUR	WDF	WOOD FLOORING
HSS	HOLLOW STRUCTURAL STEEL	WDP	WOOD VENEER FACED PANELING
HT	HEIGHT	WR	WASTE RECEPTACLE
HVAC	HEATING, VENTILATION, AIR CONDITIONING	WTO	WITHOUT
ID	INSIDE DIAMETER	WOM	WALK OFF MAT
INSUL	INSULATION	WP	WATERPROOF
INT	INTERIOR	WSCOT	WAINSCOT
		WWF	WELDED WIRE FABRIC

NOTE: THIS LIST IS INCOMPLETE. VERIFY ABBREVIATIONS WITH ARCHITECT

### DRAWING INDEX

TITLE SHEET	T1
<b>LANDSCAPE ARCHITECT</b>	
LA.1	LANDSCAPE PLAN (FOR REFERENCE ONLY)
<b>ARCHITECTURAL</b>	
A1.1	SITE PLAN (FOR REFERENCE ONLY)
A2.1	PARTIAL ENLARGED SITE PLAN & EXTERIOR ELEVATIONS
<b>ELECTRICAL</b>	
SL-1	PHOTOMETRIC PLAN (FOR REFERENCE ONLY)

### VICINITY MAP



### LEGAL DESCRIPTION

ASSESSOR'S MAP 15504W16AA  
TAX LOT 11700

### BASIS OF DESIGN

**PROJECT DESCRIPTION:** INSTALLATION OF A DRIVE-THROUGH ITM KIOSK WITH CANOPY UNIT INCLUDING ASSOCIATED PARKING, LANDSCAPING, UTILITIES & OTHER SITE INFRASTRUCTURE.

**THE PROPOSED DRIVE-THROUGH USE** REQUIRES A TYPE II LAND USE APPLICATION. A SEPARATE TYPE III VARIANCE REQUEST IS PROPOSED FOR 2 ADDITIONAL ILLUMINATED 8 SF SIGNS ON THE ITM KIOSK TOWER ELEMENT BOTH AT 15'-3" ABOVE GRADE.

**SITE AREA:** 9,879 SF  
**GROSS PROJECT AREA:** +/- 3,276 SF  
**STRUCTURE:** NOT OCCUPIABLE  
**BUILDING CODE:** 2003 IBC W/ OREGON AMENDMENTS

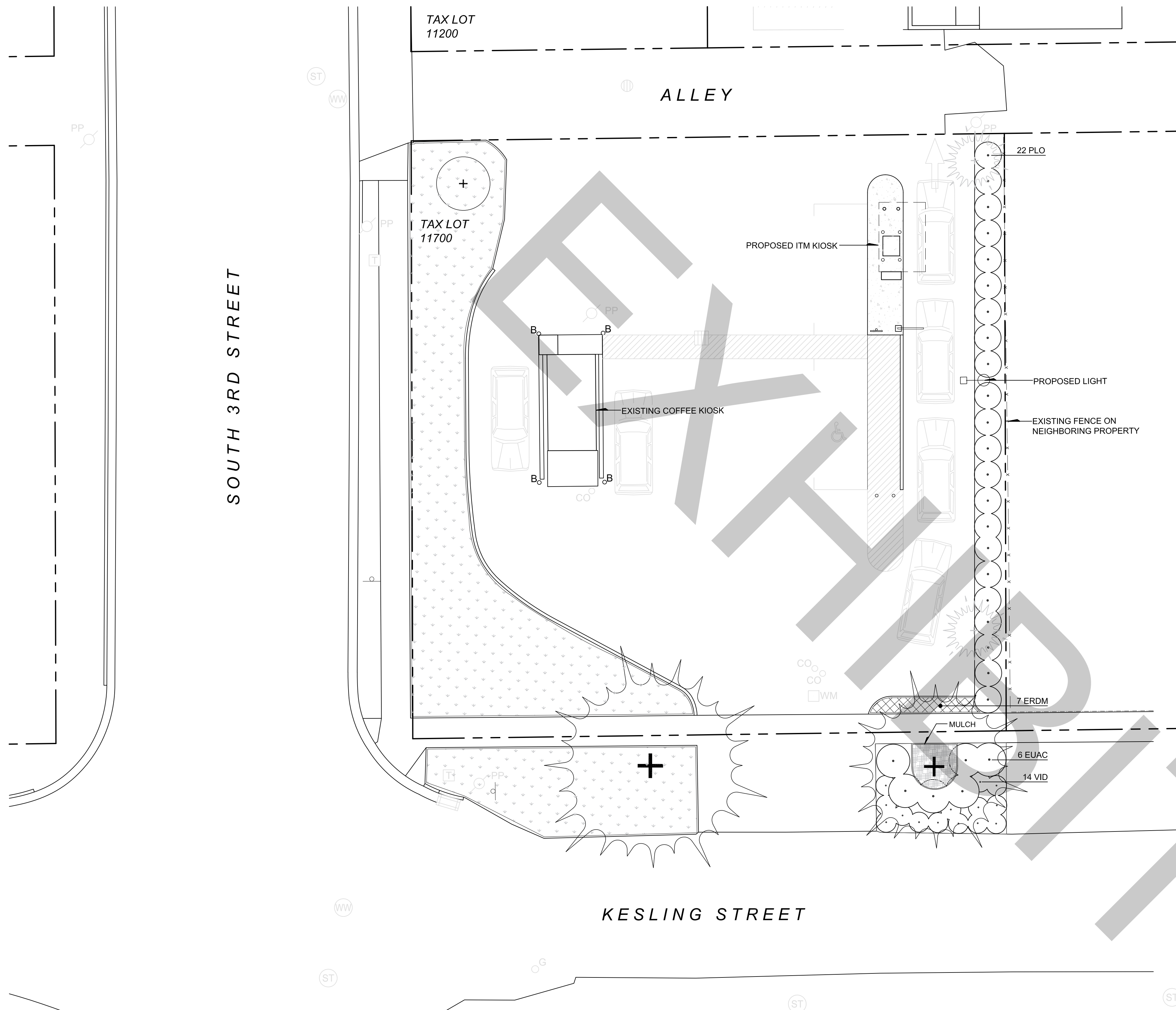
### SYMBOLS

DETAIL REFERENCES	DWG. NO.	(X)
	SHEET NO.	(X)
SECTION REFERENCES	DWG. NO.	(X)
	SHEET NO.	(X)
KEY NOTE		(X)
LEVEL TAG		0'-0" XXX
REVISION TAG		(X)

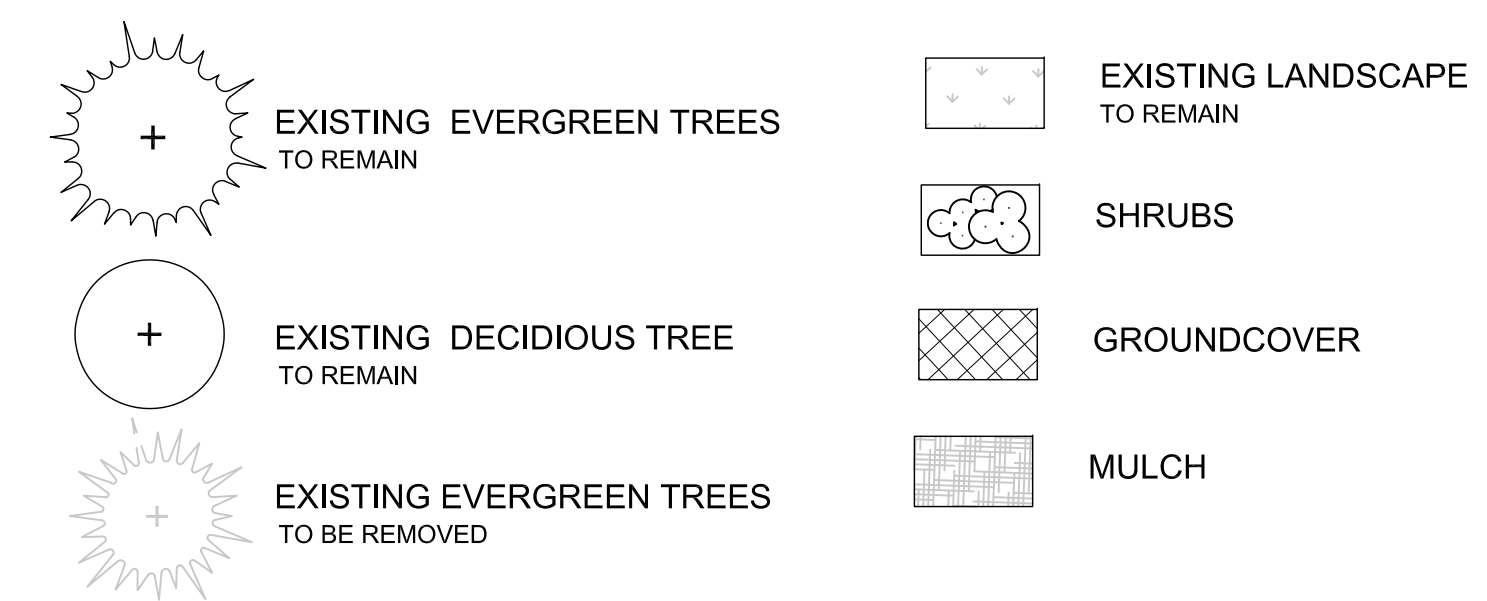
**HARRISBURG ITM KIOSK**  
**OREGON COMMUNITY CREDIT UNION**  
**TYPE III VARIANCE APPLICATION**  
**SOUTH 3RD STREET & KESLING STREET**  
**HARRISBURG, OREGON 97446**

### TITLE SHEET

PROJECT #	202228
DRAWN	KGT
CHECKED	KT
DATE	11.14.2024
SHEET	<b>T1</b>



### PLANTING LEGEND



### PLANT SCHEDULE

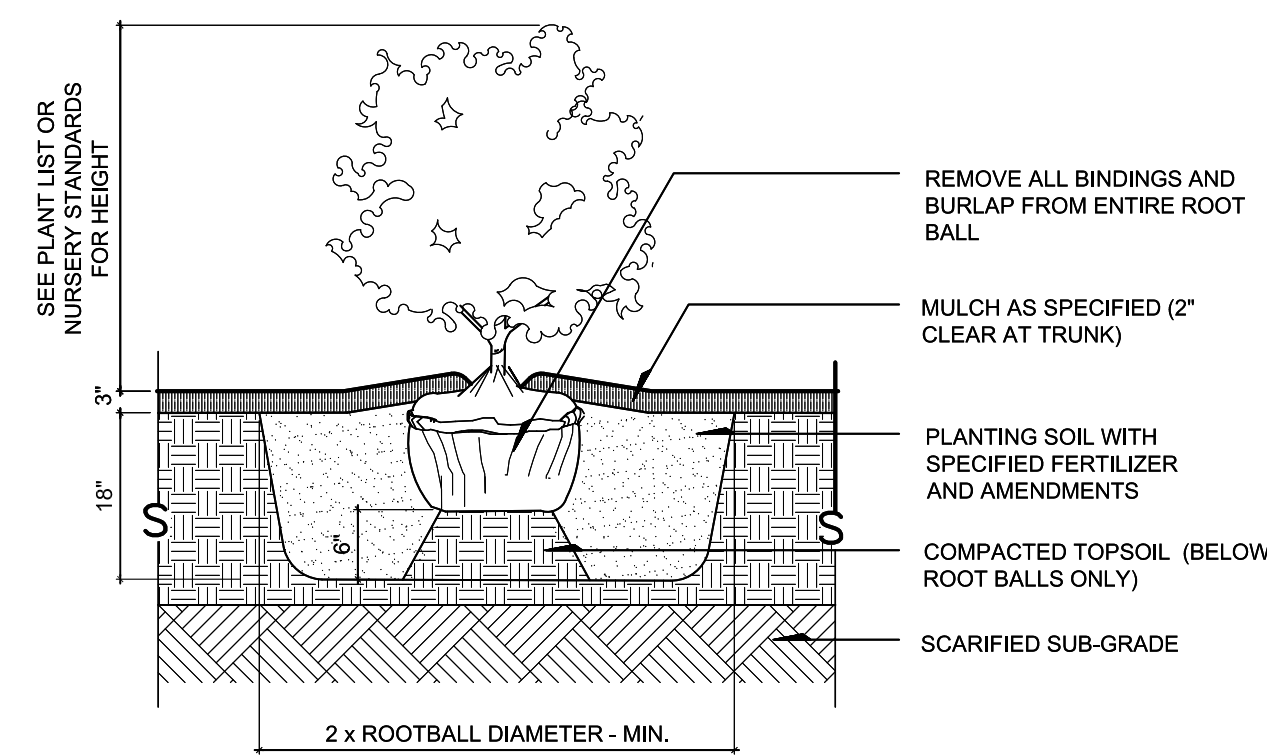
KEY	QTY.	BOTANICAL NAME	COMMON NAME	MIN. SIZE	COMMENTS
<b>SHRUBS</b>					
EUAC	6	<i>Euonymus alata 'Compacta'</i>	Compact Burning Bush	5 gal	matching, full
PLO	22	<i>Prunus laurocerasus 'Otto Luyken'</i>	Otto Luyken English Laurel	5 gal.	matching, full
<b>SMALL SHRUBS &amp; GROUNDCOVERS</b>					
ERDM	7	<i>Erica x darleyensis 'Mediterranean White'</i>	Mediterranean White Heath	1 gal.	matching, full, 10" o.c.
VID	14	<i>Viburnum davidii</i>	David Viburnum	3 gal.	matching, full

### GENERAL NOTES

- PLANTINGS AS DESIGNED ARE INTENDED TO MEET SPECIFIC REQUIREMENTS, NO SUBSTITUTIONS OR SIZE CHANGES PERMITTED WITHOUT APPROVAL BY LANDSCAPE ARCHITECT.
- NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO THE FOLLOWING INSPECTIONS - SEE SPECIFICATIONS:
  - PLANT BED AND LAWN SUB BASE / EXCAVATION
  - FINISHED GRADING AT LAWNS AND PLANT BEDS
  - PLANT MATERIAL ON-SITE INSPECTION
  - PLANT MATERIAL LAYOUT REVIEW
- PLANT LIST QUANTITIES ARE FOR CONTRACTOR CONVENIENCE ONLY. VERIFY ACTUAL QUANTITIES ON PLAN.
- SEE ARCHITECTURAL SHEETS FOR SITE PLAN

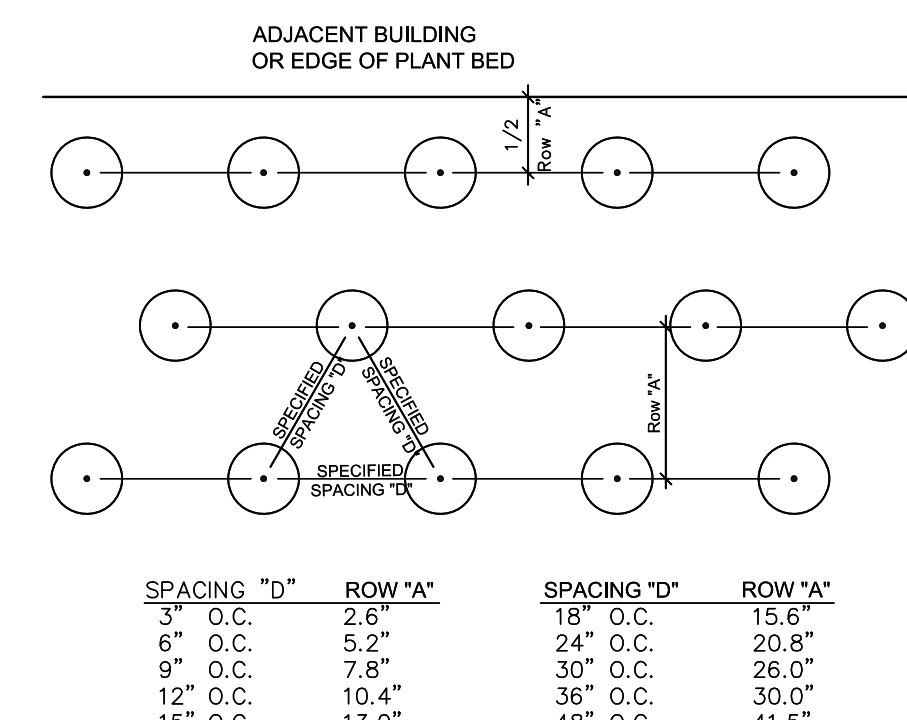
### IRRIGATION SYSTEM DESCRIPTION

- NEW IRRIGATION SYSTEM TO BE DESIGN BUILD BY CONTRACTOR.
- PROVIDE AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM FOR ALL NEW PLANT BED AREAS.
- PROVIDE HEAD TO HEAD COVERAGE.
- PROVIDE SEPARATE ZONES FOR DIFFERENT SOLAR ORIENTATIONS.
- PROVIDE HEAD LAYOUT TO MINIMIZE OVERSPRAY ONTO PAVED SURFACES.
- PROVIDE BACKFLOW PREVENTER AS REQUIRED BY CODE.



1 TYPICAL SHRUB PLANTING SECTION  
LA.1

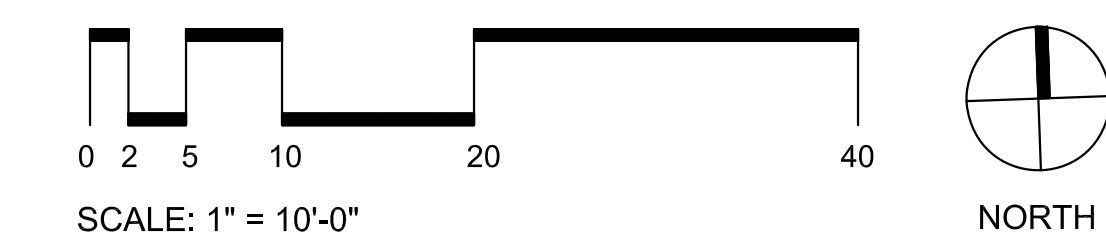
SCALE: 1/2" = 1'-0"



2 GROUNDCOVER SPACING DIAGRAM PLAN  
LA.1

NTS

### LANDSCAPE PLAN



SCALE: 1" = 10'-0"

**DLA**  
DOUGHERTY  
LANDSCAPE  
ARCHITECTS  
474 Willamette Street  
Suite 305  
Eugene, Oregon 97401  
P 541.683.5803  
F 541.683.8183  
www.DLAdesign.com

FOR  
REFERENCE  
ONLY

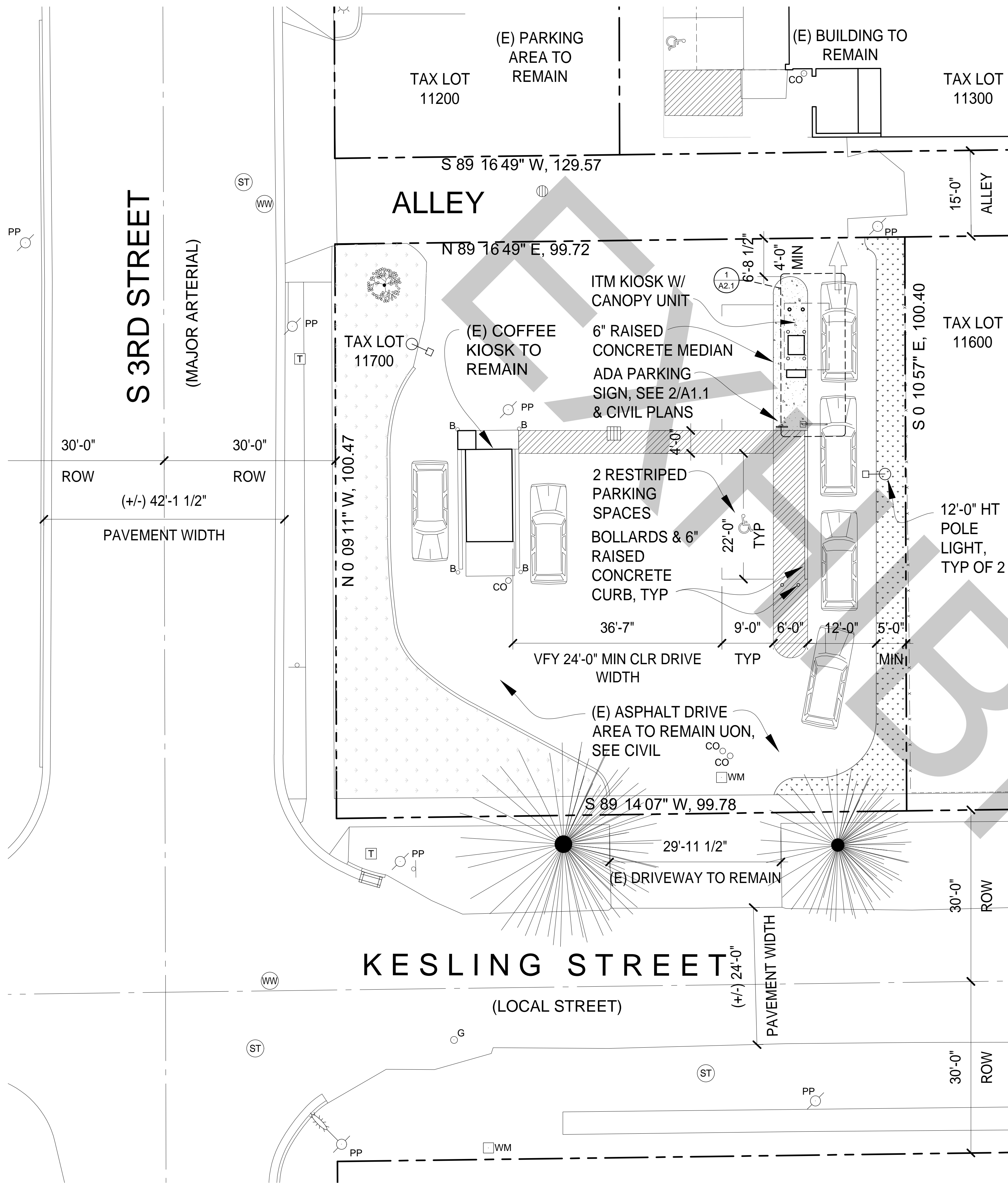
HARRISBURG ITM KIOSK  
OREGON COMMUNITY CREDIT UNION  
TYPE II LAND USE APPLICATION  
SOUTH 3RD STREET & KESLING STREET  
HARRISBURG, OREGON 97446

LANDSCAPE  
PLAN  
REGISTERED  
279  
David J. Dougherty  
LANDSCAPE ARCHITECT  
OREGON

PROJECT # 202228  
DRAWN LMS  
CHECKED DJD  
DATE 11.12.2024

SHEET  
**LA.1**





**GENERAL NOTES**

- ALL PUBLIC IMPROVEMENTS AS REQUIRED WILL BE PRIVATELY CONSTRUCTED AND SHALL CONFORM TO THE 2017 OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION AS ISSUED BY THE OREGON DEPARTMENT OF TRANSPORTATION.
- OUTDOOR LIGHTING WILL COMPLY WITH CITY STANDARDS AT THE TIME OF BUILDING PERMIT SUBMITTAL AND BUILDING OCCUPANCY. EXACT OUTDOOR LIGHTING SPECIFICATIONS WILL BE SUBMITTED AT THE TIME OF THE BUILDING PERMIT APPLICATION.

**PARKING CALCULATIONS**

VEHICLE PARKING CALCULATIONS ARE PROVIDED FOR THE DEVELOPMENT SITE

VEHICLE PARKING SPACES REQUIRED (HMC TABLE 18.80.0303.1)	
EXISTING RESTAURANT USE	1: 200 SF GROSS FLOOR AREA
PROPOSED ITM BANK USE	135 SF/200 SF
(EQUIPMENT/NOT HABITABLE SPACE BUT PARKING PROVIDED CONSERVATIVELY FOR MAINTENANCE PROVIDER)	1: 300 SF
	10 SF/300 SF
TOTAL VEHICLE PARKING SPACES REQUIRED	1 SPACE
TOTAL VEHICLE PARKING PROPOSED	2 SPACES
2 PARALLEL SPACES TO BE RESTRIPE STANDARD	(9'-0" X 22'-0")
ACCESSIBLE	(9'-0" X 22'-0" W/ 6'-0" ACCESS AISLE)
	1 SPACE

**BICYCLE PARKING**  
THE PROPOSED ITM BANK KIOSK IS A VEHICLE CENTERED USE WITHOUT A BUILDING SO BICYCLE PARKING IS NOT REQUIRED.

**TBG**  
ARCHITECTS  
+ PLANNERS

132 East Broadway, Suite 200  
Eugene, Oregon 97401  
p: 541.687.1010  
f: 541.687.0625

REGISTERED ARCHITECT  
ALBERSON  
EUGENE, OREGON  
STATE OF OREGON

FOR REFERENCE ONLY

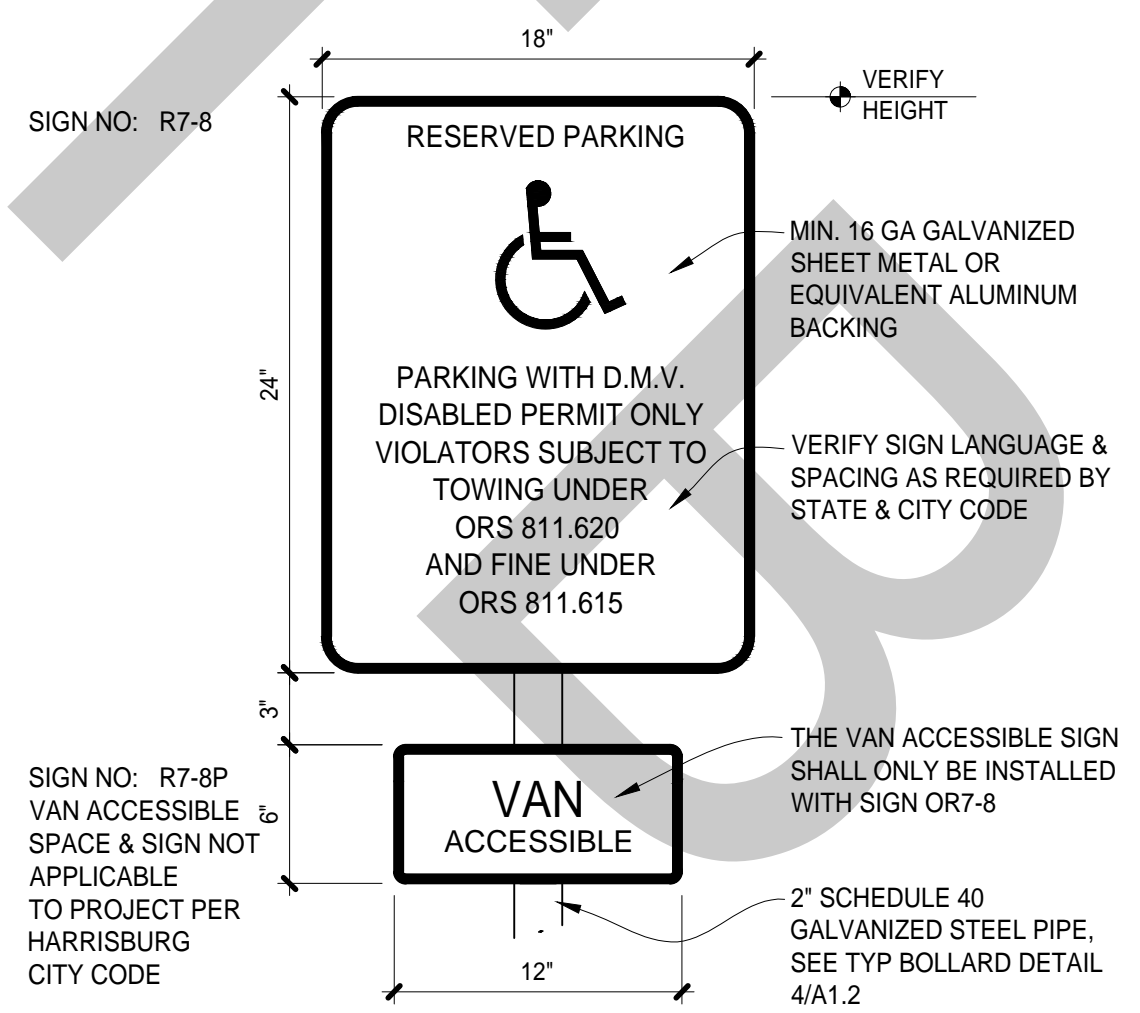
**HARRISBURG ITM KIOSK**  
**OREGON COMMUNITY CREDIT UNION**  
TYPE II LAND USE APPLICATION  
SOUTH 3RD STREET & KESLING STREET  
HARRISBURG, OREGON 97446

**SITE PLAN**

PROJECT #	202228
DRAWN	BR/KGT
CHECKED	KT
DATE	11.12.2024

SHEET **A1.1**

**1 SITE PLAN**  
1" = 10'-0"



THE ACCESSIBLE PERSON PARKING SIGN IS USED TO DESIGNATE A PARKING SPACE FOR VEHICLES WITH A DMV PERMIT AS STATED. THIS IS THE STANDARD SIGN FOR USE OF THE STATE HIGHWAY SYSTEM.

**2 TYP ADA PARKING SIGN**  
1-1/2" = 1'-0"

**LEGEND**

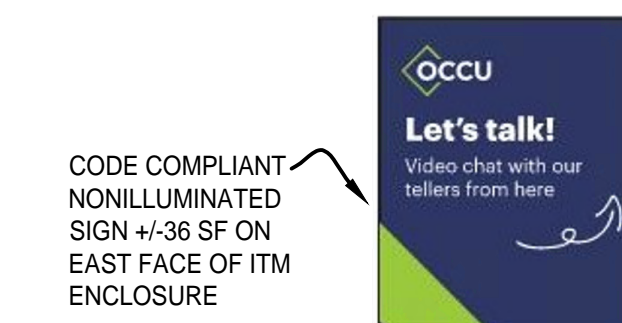
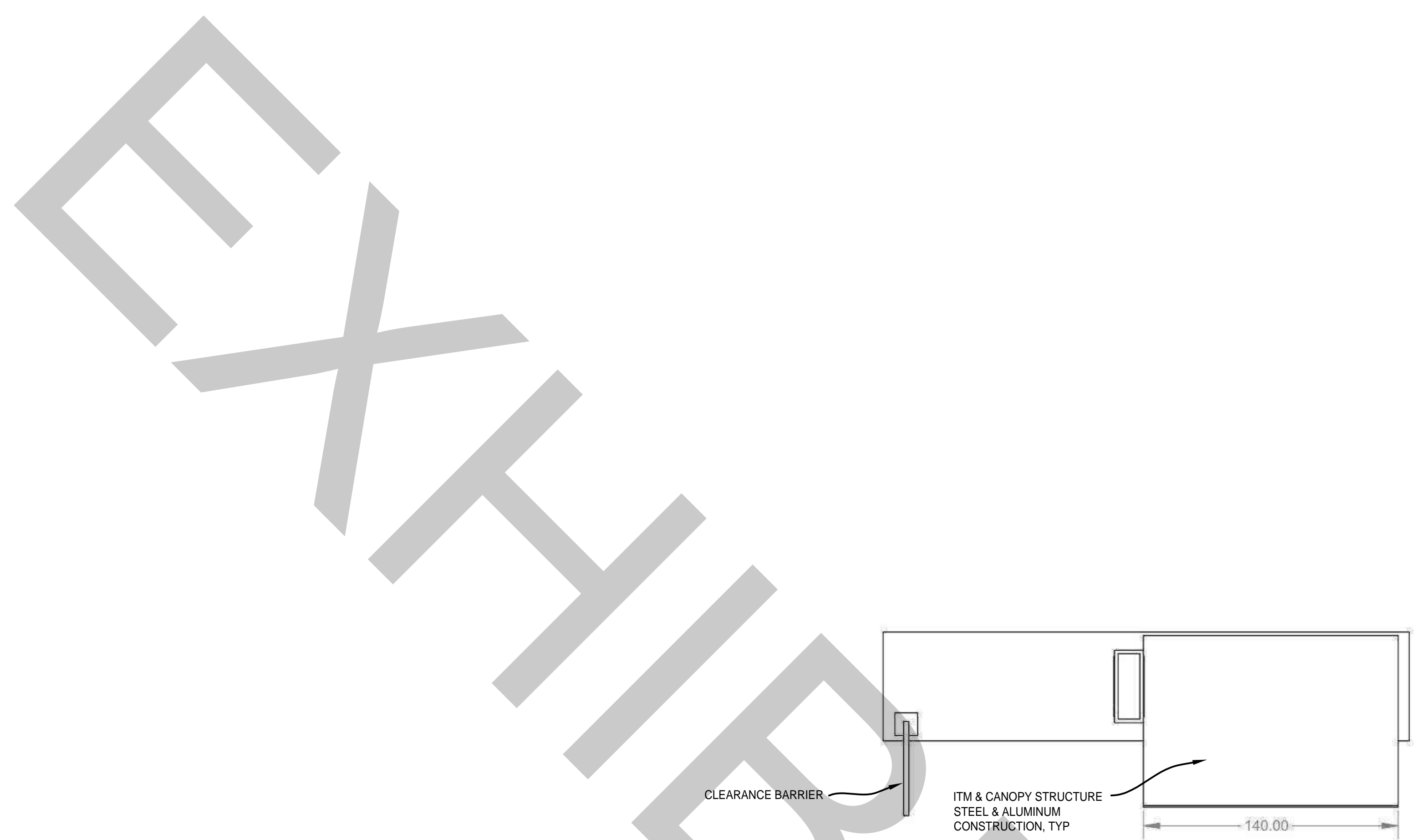
- (E) BUILDING FOOTPRINT
- EXISTING PROPERTY LINE
- (E) LANDSCAPE AREA TO REMAIN, SEE LANDSCAPE
- LANDSCAPE AREA, SEE LANDSCAPE
- ON-SITE PEDESTRIAN CROSSWALK STRIPING
- RAISED CONCRETE ISLAND, UON
- (E) TREE TO REMAIN, SEE SURVEY
- (E) STREET TREE TO REMAIN, SEE SURVEY
- FOR ALL UTILITY INFORMATION SEE THE SURVEY, DEMO PLAN, AND CIVIL DRAWINGS

**GENERAL NOTES**

1. ARCHITECTURAL ELEVATIONS, FINISHES AND DIMENSIONS (EXCEPT FOR PROPOSED ILLUMINATED SIGN HEIGHT, WHICH WILL BE EVALUATED IN SEPARATE VARIANCE APPLICATION) ARE PRESENTED SCHEMATICALLY FOR REFERENCE ONLY AND ARE SUBJECT TO CHANGES AT THE TIME OF BUILDING PERMIT SUBMITTAL, AT WHICH TIME PLANS WILL MEET RELEVANT CODE STANDARDS.



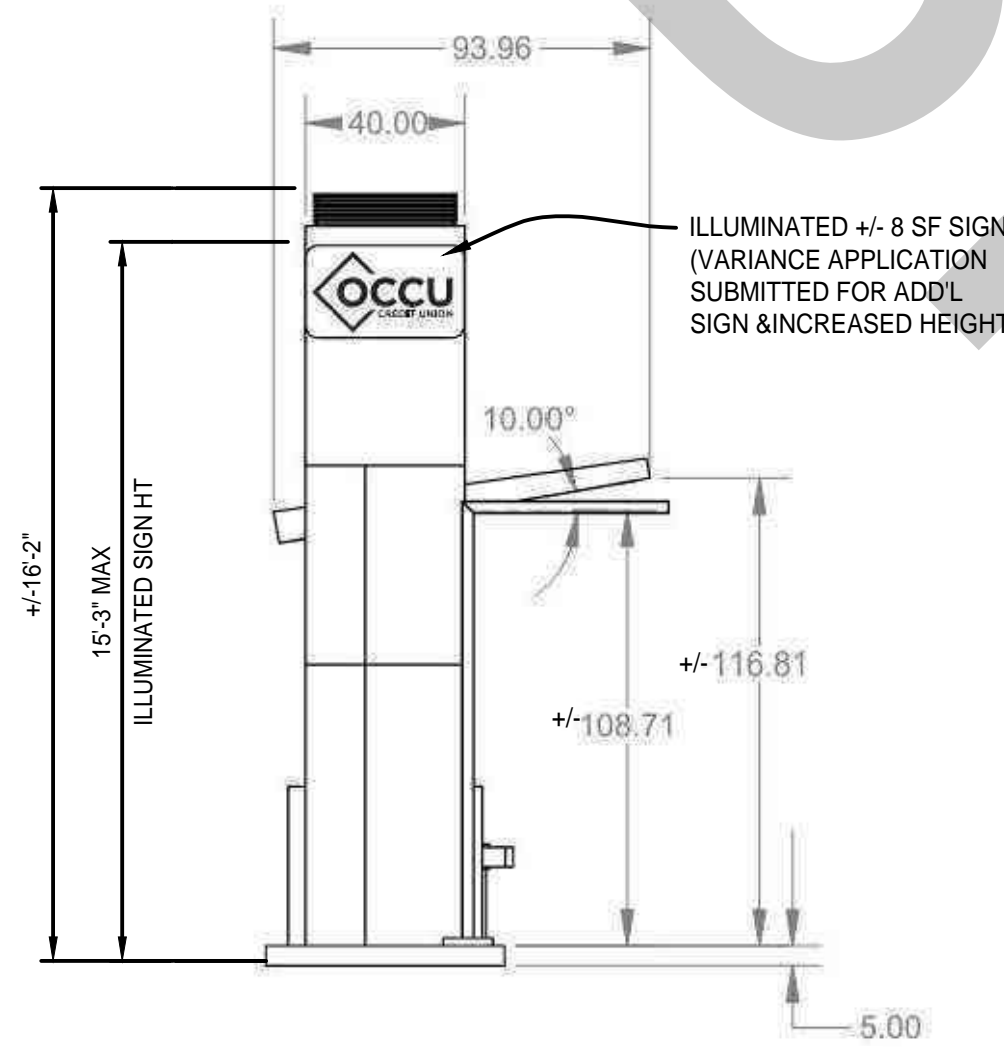
ARCHITECTS  
+ PLANNERS  
132 East Broadway, Suite 200  
Eugene, Oregon 97401  
p: 541.687.1010  
f: 541.687.0625



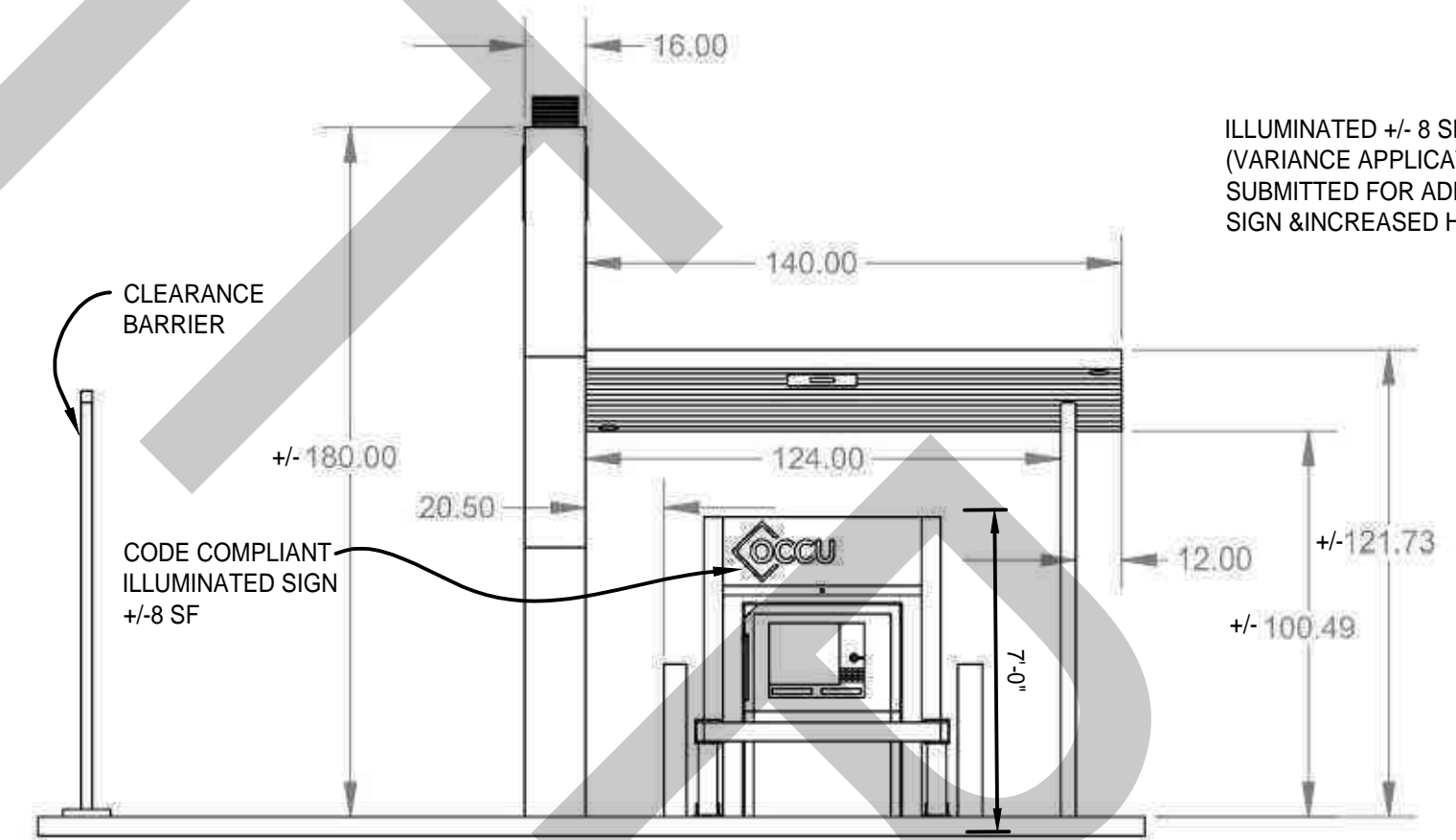
CODE COMPLIANT  
NONILLUMINATED  
SIGN +/-36 SF ON  
EAST FACE OF ITM  
ENCLOSURE

**2 PARTIAL ENLARGED SITE PLAN**  
A2.1 1/4"=1'-0"

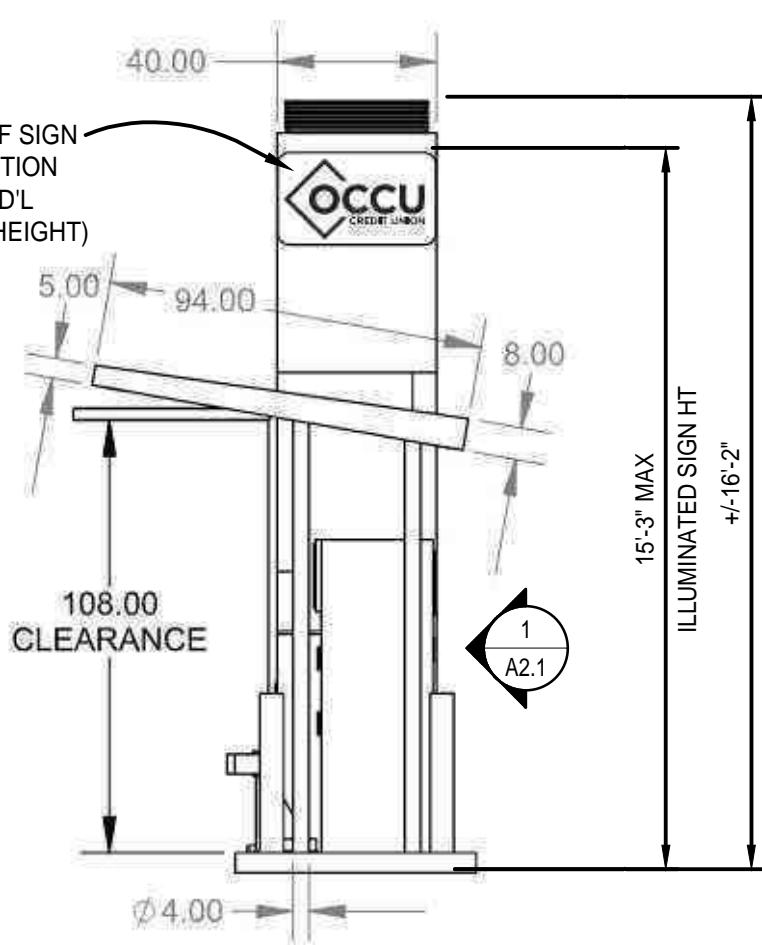
**1 WEST SIGN ELEVATION**  
A2.1 NTS @ WEST FACE OF ITM ENCLOSURE



**5 SOUTH ELEVATION**  
A2.1 1/4"=1'-0"



**4 EAST ELEVATION**  
A2.1 1/4"=1'-0"



**3 NORTH ELEVATION**  
A2.1 1/4"=1'-0"

**HARRISBURG ITM KIOSK**  
**OREGON COMMUNITY CREDIT UNION**  
TYPE III VARIANCE APPLICATION  
SOUTH 3RD STREET & KESLING STREET  
HARRISBURG, OREGON 97446

**PARTIAL ENLARGED SITE PLAN & EXTERIOR ELEVATIONS**

PROJECT # 202228  
DRAWN KGT  
CHECKED KT  
DATE 11.14.2024

SHEET **A2.1**



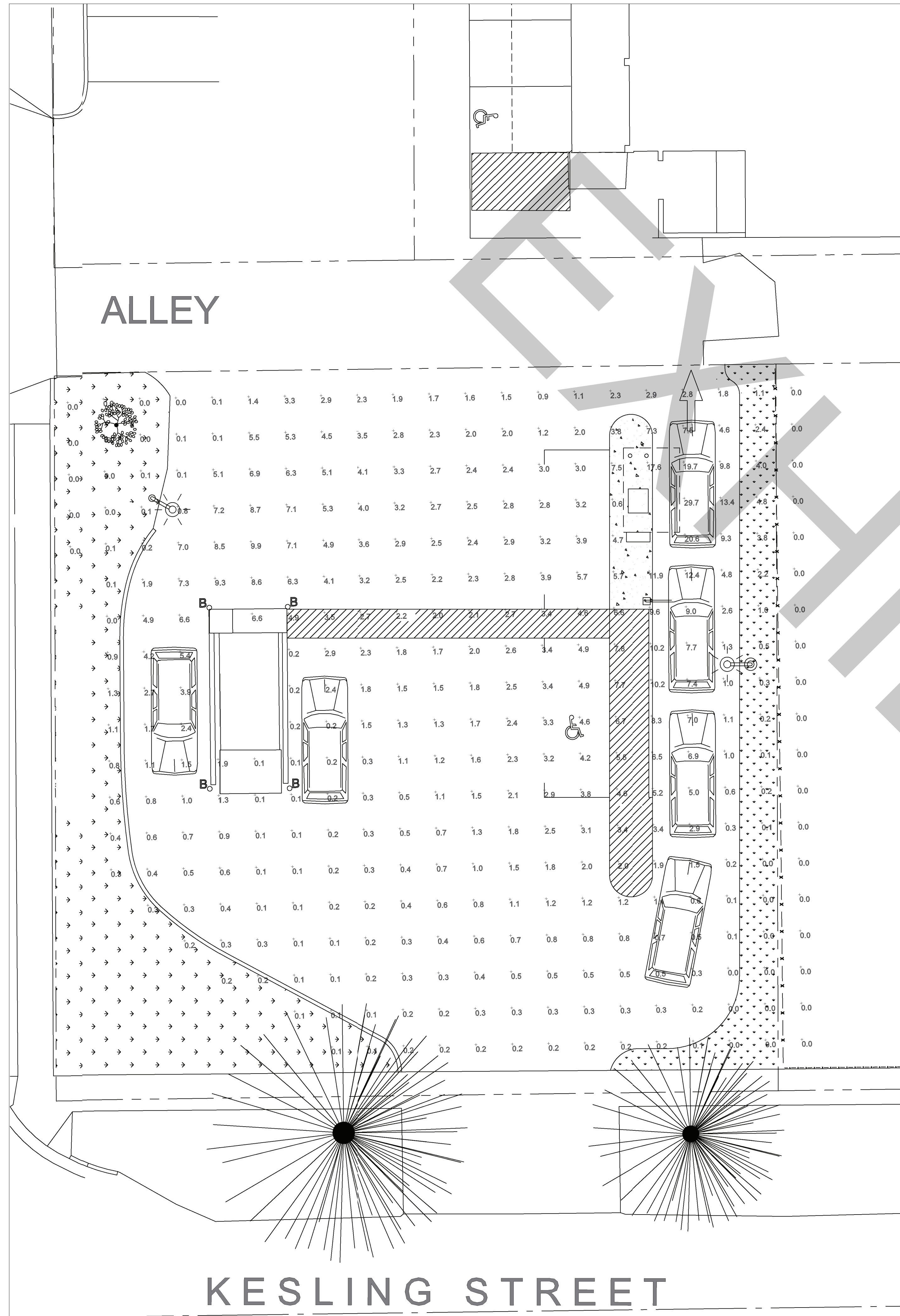
FOR  
REFERENCE  
ONLY

**HARRISBURG ITM KIOSK**  
**OREGON COMMUNITY CREDIT UNION**  
TYPE II LAND USE APPLICATION  
SOUTH 3RD STREET & KESLING STREET  
HARRISBURG, OREGON 97446

**OUTDOOR LIGHTING PHOTOMETRIC PLAN**

PROJECT # 6056  
DRAWN KS  
CHECKED KS  
DATE 11.12.2024

SHEET **SL-1**



Light Fixture						
Symbol	Manufacturer	Catalog Number	Description	Number of Fixtures	Mounting Height	Mounting Type
	Lithonia Lighting	DSX1_LED_P3_30K_70CRI_BLC4_MVOLT	Parking Lot Lighting: Pole mounted LED light fixture or fixture with equivalent standards. Light fixture to be 50-100 Watts/5000-9600 lumens. Light fixture to have Type IV Backlight Control	2	12 ft	Top of Pole

Photometric Results Reported as Footcandle (Fc)



# Staff Report Harrisburg Planning Commission Harrisburg, Oregon

---

## THE MATTER OF VIEWING APPROVED TYPE I AND II REQUESTS

### STAFF REPORT EXHIBITS:

Exhibit A: Type I – Lot Line Adjustment

### ACTION: FOR YOUR INFORMATION

### APPROVED TYPE I AND II APPLICATIONS

---

#### BACKGROUND

As noted when the Planning Commission reviewed and approved the new development code, there are now Type I and II Administrative decisions and applications that are not automatically routed to the Planning Commission. We didn't have a meeting in December to share the first Type I application with the Planning Commission. This was a lot line adjustment for 942 S. 9<sup>th</sup> St.

Approved Decisions Attached: **Type I-Lot Line Adjustment for 942 S. 9<sup>th</sup> St.**  
**Type II-Special Use Permit for OCCU ITM Kiosk**

Type I and II applications are those in which the applicant must meet the criteria that is shown in the development code. Administrative decisions are made in relation to existing standards. If the applicant can't show that they are meeting those standards, then the application isn't processed. Staff can be more restrictive than the standards; by placing conditions on the approval, but if the applicant meets the requirements of the code, then there is no reason to bring it to the Planning Commission. If an applicant has a problem with the conditions that are placed on their application, then they also have the ability to appeal that decision to the Planning Commission.

Another approved decision is shown as Exhibit A in the Variance Request, that the Planning Commission previously reviewed tonight. This is a good example of where discretion comes into the decision making on these types of applications. If Staff had received any comments from the neighbors or agencies in relation to the OCCU ITM

Kiosk, then Staff would have referred the decision to the Planning Commission, rather than processing it administratively.

Pending Type I and II Applications: **Type II – Setback Adjustment for 892 S. 9<sup>th</sup> St.**

Staff plans to show only approved administrative decisions, while pending applications haven't yet been approved, and are still outstanding. These will be shown at future meetings.

# Staff Report Harrisburg Type I Application Review & Decision Harrisburg, Oregon

**THE MATTER OF A LOT LINE ADJUSTMENT REQUEST FOR 942 S. 9<sup>TH</sup> ST.**

**STAFF REPORT EXHIBITS:**

Exhibit A: Application & Supporting Documents

**APPLICANT:** Andrew Johnson for TerraTech Lane Surveyors LLC

**LOCATION:** 942 S. 9<sup>th</sup> St., 15S04W15DB, Tax Lots 8400 & 13700

**REVIEW DATE:** November 18, 2024

**ZONING:** R-2

**OWNER:** Annette Casper, 942 S. 9<sup>th</sup> St.

## **BACKGROUND**

In 2020, the applicant purchased a large sized plat located to the west of her home, which is located in the Marcus Landing Subdivision. She has asked to modify her lot dimensions in order to better utilize the property in the large lot located to the west.

This request removes the western lot line of her home's lot, and merges it with the much larger property located to the west.

## **CRITERIA AND FINDINGS OF FACT**

### **HMC 19.20.120 – Property Line Adjustments**

#### **1. Submission Requirements**

- **Request is on a City Land Use Form**
- **Contains a Preliminary Lot Line Map drawn to scale, identifying all existing and proposed lot lines, dimensions, footprints and dimensions of existing structures, including accessory structures, fences and walls, location and dimensions of driveways and public &**

**private streets within or abutting subject lots, and any other information deemed necessary.**

**Discussion:** The request provided is on a City Land Use Application as required by code. The enclosed map with the application is drawn to scale, and includes the current site map drawn, as well as a proposed map, which shows all existing and proposed lot line and dimensions, including the accessory structures, driveways, and showing public street locations.

**Finding:** This application has met the requirements of HMC 19.20.120(1)

**2. Approval Criteria. The City Administrator shall approve or deny a request for a property line adjustment in writing, based on all of the following criteria:**

**a. Parcel Creation. No additional (new) parcels or lots are created by the lot line adjustment;**

**b. Lot Standards. All resulting lots conform to the applicable lot standards of the zoning district (Chapter 18.45 HMC) including lot area, dimensions, setbacks, and coverage. As applicable, all lots and parcels shall conform the City of Harrisburg floodplain overlay; and**

**c. Access and Road Authority Standards. All lots conform to the standards or requirements of Chapter 18.70 HMC, Access and Circulation, and all applicable road authority requirements are met. If a lot is nonconforming to any City or road authority standard, it shall not be made less conforming by the property line adjustment.**

**Discussion:** There are no additional parcels or lots created by this lot line adjustment. The lot standards are a minimum 5,000 sq. ft. for the lot, with 45' minimum width and 75' minimum length, which has also been met. Lot coverage allowance is 55%, and actual with all structures is 4.5%. The setbacks are presumed legal, nonconforming according to the current development code standards. There is no SFHA overlay in this area of town. The applicant must comply with the plans and narrative as shown in their proposal.

In relation to HMC Chapter 18.70, all lots conform to the standards of HMC 18.70, and all applicable road authority requirements of the City of Harrisburg are met. The applicant has an existing agreement with the City, entitled Harrisburg Siuslaw Place Development Agreement 2020, which has been recorded in Linn County. This agreement remains in place, and is still applicable to allowed uses on this property.

The current code standards in relation to accessory structures in HMC 18.50.150 only allow 3 accessory structures per legal lot, unless they are under 200 sq. ft., and not more than 15' in height. With the lot line adjustment, the applicant currently has two accessory structures in this area, plus an additional 3 accessory structures that

are under the square footage requirement. The applicant should know that they have only one more accessory structure that they are allowed, unless it is under 200 sq. ft. This is a development concern.

**Condition No. 1 - Consistency with Plans:** – Development shall comply with the plans and narrative in the applicant’s proposal, except where modified by the conditions of approval.

**Finding:** This criterion, as conditioned, and as required for a lot line adjustment has been met.

**Recording Property Line Adjustments.**

a. **Recording.** Upon the City’s approval of the proposed property line adjustment, the applicant shall record the property line adjustment documents with Linn County within 60 days of approval (or before the decision expires) and submit a copy of the recorded survey map to the City, to be filed with the approved application.

b. **Time Limit.** The applicant shall submit a copy of the recorded property line adjustment survey map to the City within 15 days of recording and prior to any application being filed for a building permit on the reconfigured lots. [Ord. 987 § 1 (Exh. A), 2022.]


**DISCUSSION:** The applicant shall have the property line adjustment plat recorded at Linn County within 60 days of approval, which is based on today’s date. The deadline is January 18, 2025. The applicant shall be required to provide a copy of the recorded property line adjustment survey map within 15 days of recording at the County.

**Condition No. 2 - Recording of Final Plat:** Applicant shall record the final plat at Linn County on, or prior to January 18, 2025. A copy of the plat shall be provided to the City of Harrisburg within 15 days of recording the final version.

**FINDING:** As conditioned, the criteria have been met.

**DECISION:**

Based upon the criteria, discussion, and findings of facts above, Staff find that the applicant has met the requirements, as conditioned for a lot line adjustment for property located at 942 S. 9<sup>th</sup> St., otherwise known as 15S04W15DB Tax Lots 8400 & 13700.

 11-18-2024

City Administrator – Michele Eldridge November 18, 2024

***This is a Ministerial Decision, which is signed under the authority of the City Administrator. It is not a land use decision as defined by ORS 197.015, and***



*therefore not subject to an appeal with the State Land Use Board of Appeals. The applicant can appeal this decision to the Planning Commission, as well as any person within, or owning property within 200' of the property. This is based only upon evidence of clear and compelling error(s) on the part of the City Staff. Any written appeals must be filed with the City Recorder within 10 business days of approval by the City Administrator. That date is December 2, 2024.*

**CONDITIONS OF APPROVAL**

**Condition No. 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.

**Condition No. 2 – Recording Final Plat:** Applicant shall record the final plat at Linn County on, or prior to January 18, 2025. A copy of the plat shall be provided to the City of Harrisburg within 15 days of recording the final version.

HARRISBURG

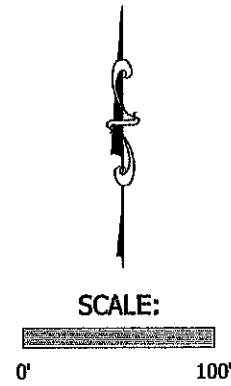
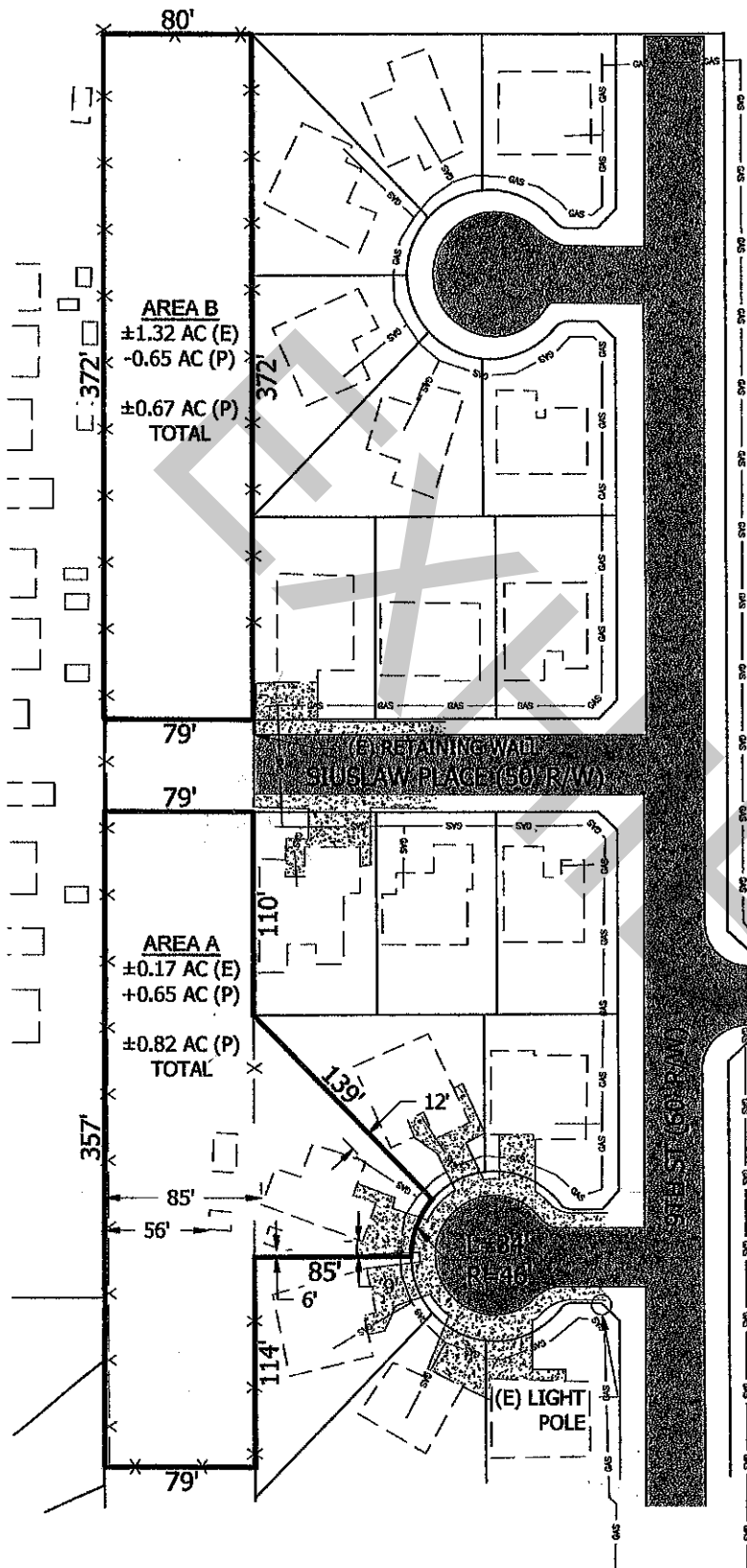
### PROPERTY INFORMATION

**AREA A**  
 ZONING:  
 LAND USE:  
 OWNER:  
 ASSESSORS MAP:  
 TAX LOT:

R-2: MULTI-FAMILY RESIDENTIAL  
 RESIDENTIAL  
 ANNETTE CASPER  
 15S04W15DB  
 8400

**AREA B**  
 ZONING:  
 LAND USE:  
 OWNER:  
 ASSESSORS MAP:  
 TAX LOT:

R-2: MULTI-FAMILY RESIDENTIAL  
 VACANT  
 ANNETTE CASPER  
 15S04W15DB  
 13700



SCALE:



### LEGEND

- CONCRETE HATCH
- PAVEMENT HATCH
- BOUNDARY
- LOT LINE
- BUILDING OUTLINE
- EXISTING FENCE
- GAS LINE
- R/W
- AC
- (A)
- (P)

### TENTATIVE PROPERTY LINE ADJUSTMENT MAP

SHEET 1  
 OF 1  
 SCALE: AS NOTED

PROJECT  
 24-008 CASPER PLA  
 EXHIBIT DATE  
 11/06/24

ANNETTE CASPER  
 942 S 9TH ST  
 HARRISBURG, OR 97446

TERRATECH  
 LAND SURVEYORS  
 735 WALNUT ST  
 LEBANON, OREGON 97355  
 458-278-5932

C.S. 26535  
PARTITION PLAT 2018- 68

for  
ROGER R. RAVEN

in the  
SOUTHWEST 1/4 OF SECTION 15,  
TOWNSHIP 15 SOUTH, RANGE 4 WEST  
WILLAMETTE MERIDIAN, CITY OF HARRISBURG,  
LINN COUNTY, OREGON

JUNE 19, 2017

CITY OF HARRISBURG CASE No. LU-390

APPROVALS

*Denise Gifford* 11-14-2018  
Engineer, City of Harrisburg date  
*Joel Cukic* 11/30/18  
Chair, Planning Commission date  
City of Harrisburg  
*Thomas J. Conroy* 12/5/18  
Linn County Surveyor date

ASSESSOR'S STATEMENT

I hereby certify that pursuant to O.R.S. 92.095 all ad valorem taxes, fees and other charges required by law to be placed on the 2018-2019 tax roll, which became a lien or will become a lien during this tax year on this partition, but not yet certified to the tax collector for collection have been paid to me this 4<sup>th</sup> day of DECEMBER, 2018.  
by *United Ben Deputy*  
Linn County Tax Collector and Assessor

DECLARATION

Know all persons by these presents that Roger R. Raven, is the owner the tract of land described on this Partition Plat, and more particularly described in the accompanying Surveyor's Certificate, and have caused same to be surveyed and platted into parcels as shown hereon.

I hereby dedicate to public use forever the street right-of-way as shown hereon and referred to as Siuslaw Place.  
*R.R.* 11-9-18  
Roger R. Raven date

NARRATIVE

The purpose of this survey was to divide the land described in Linn County Deed Document recorded as Volume 1107, Page 470 into 2 parcels per our Clients request as per City of Harrisburg Case File No. LU-390. I held the monuments at (A) and (B) to determine the north line and held as his Basis of Bearings as per Partition Plat 2017-53. I then held the monuments at (C) and (D) for the east and west lines, though slightly off of the north line as shown hereon. I found the Donation Land Claim corners at (E) and (F) and along with the calculated position at (G) and the monument at (H) I was able to determine the true centerline of County Road No. 232 (Priceboro Road), then holding 30' I determined the north right-of-way line of said Road and found the monument at (I) fit nicely of which I held for the west line. I held the monument at (J) for the east line although I found it to be north of the right-of-way line as shown hereon. The actual centerline along with the calculated point at (G) was determined from CS 23016.

SURVEYOR'S CERTIFICATE

I, Theodore James Langton, a Registered Professional Land Surveyor in the State of Oregon, hereby declare that I have correctly surveyed and have found or set proper monuments defining the corners of Parcels 1 and 2, and have accurately described the tract of land as follows:

Beginning at a 5/8" iron rod on the north right-of-way line of County Road No. 232 (Priceboro Road), said rod lying on the southeast corner of Parcel 2 of Partition Plat 2003-14; thence leaving said right-of-way line and along the east line of said Parcel, N 00°12'52"W 119.14 feet to a point on the south line of Lot 13, Highview Addition To Harrisburg Oregon, said point lying N00°12'52"W 0.14 feet from a 1-1/4" iron pipe; thence said south line N 89°37'47"E 79.97 feet to the northwest corner of Lot 2 and the north corner of Lot 3, Marcus Landing Subdivision, a Subdivision in Linn County, Oregon, said corners lying N 00°08'23"W 0.27 feet from a 5/8" iron rod; thence along the west line said Marcus Landing, S 00°08'23"E 1151.00 feet to a 5/8" iron rod at the southwest corner of Lot 23 said Marcus Landing, said rod lying on the North right-of-way line of said Priceboro Road; thence along said right-of-way line S 89°29'51"W 78.50 feet to the point of beginning;  
Containing 2.04 acres, more or less.

RECORDER'S STATEMENT

State of Oregon )  
s.s.  
County of Linn )  
I hereby certify that this partition plat was received and duly recorded by me in the Linn County Record of Partition Plats as Plat No. 2018- 68, on this 5<sup>th</sup> day of December, 2018, at 9:09 o'clock AM, Target Sheet recorded in Deed Records Document Number 2018- 21150.

By: *Heidi Bates Deputy Clerk*  
State Bruckenniller  
Linn County Clerk

ACKNOWLEDGEMENT

STATE OF OREGON )  
s.s.  
COUNTY OF Benton )  
Signed and attested before me on this 9<sup>th</sup> day of November, 2018, by Roger R. Raven  
*Cassandra M. Mulkey* signature of Notary  
Cassandra M. Mulkey printed name of Notary  
Notary Public - State of Oregon  
Commission No. 952816  
My Commission Expires 08/07/2020

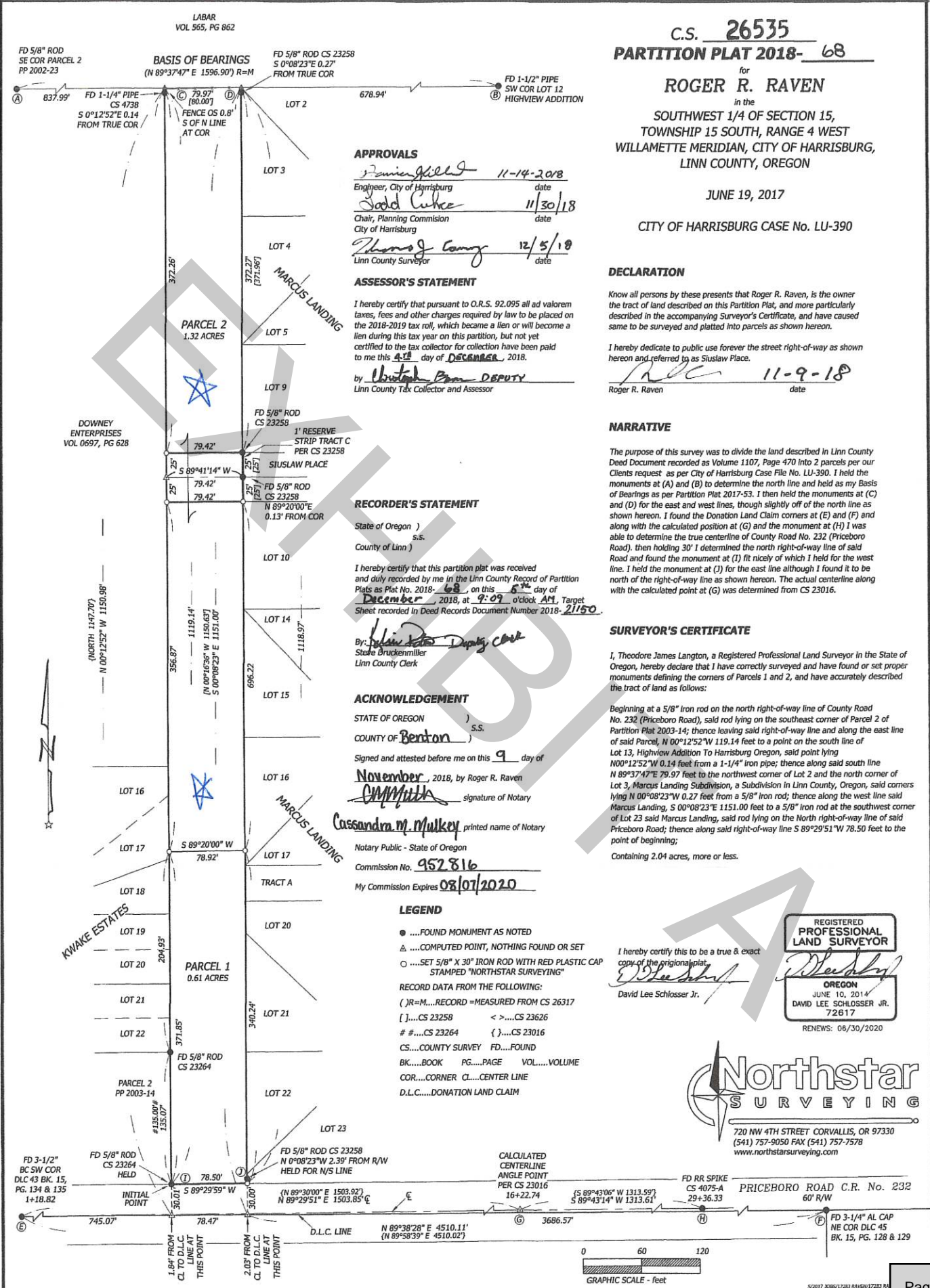
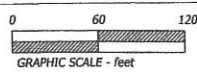
LEGEND

- .....FOUND MONUMENT AS NOTED
  - △ .....COMPUTED POINT, NOTHING FOUND OR SET
  - .....SET 5/8" X 30" IRON ROD WITH RED PLASTIC CAP STAMPED "NORTHSTAR SURVEYING"
- RECORD DATA FROM THE FOLLOWING:  
( ) R=M.....RECORD =MEASURED FROM CS 26317  
[ ] .....CS 23258 < > .....CS 23626  
# # .....CS 23264 { } .....CS 23016  
CS.....COUNTY SURVEY FD.....FOUND  
BK.....BOOK PG.....PAGE VOL.....VOLUME  
COR.....CORNER CL.....CENTER LINE  
D.L.C.....DONATION LAND CLAIM

I hereby certify this to be a true & exact copy of the original plat.  
*David Lee Schlosser Jr.*  
David Lee Schlosser Jr.

REGISTERED PROFESSIONAL LAND SURVEYOR  
*Theodore James Langton*  
OREGON  
JUNE 10, 2014  
DAVID LEE SCHLOSSER JR.  
72617  
RENEWS: 06/30/2020

Northstar SURVEYING  
720 NW 4TH STREET CORVALLIS, OR 97330  
(541) 757-9050 FAX (541) 757-7578  
www.northstarsurveying.com



FOR ASSESSMENT AND TAXATION ONLY

N.W. 1/4 S.E. 1/4 SEC. 15 T. 15S. R. 4W. W.M. Linn County 1" = 100'

SEE MAP 15-4W-15CA

SEE MAP 15-4W-15

SHADDONWOOD

HARRISBURG



SEE MAP 15 4W 15

SEE MAP 15 4W 15

Cancelled Nos.  
10401  
12801  
6500  
9000  
11400  
11800



SOMMERVILLE LOOP

TRACT	ACRES	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
1	13800	13800	13900	14000	14100	14200	14300	14400	14500	14600	14700	14800	14900	15000
2	13900	13900	14000	14100	14200	14300	14400	14500	14600	14700	14800	14900	15000	
3	14000	14000	14100	14200	14300	14400	14500	14600	14700	14800	14900	15000		
4	14100	14100	14200	14300	14400	14500	14600	14700	14800	14900	15000			
5	14200	14200	14300	14400	14500	14600	14700	14800	14900	15000				
6	14300	14300	14400	14500	14600	14700	14800	14900	15000					
7	14400	14400	14500	14600	14700	14800	14900	15000						
8	14500	14500	14600	14700	14800	14900	15000							
9	14600	14600	14700	14800	14900	15000								
10	14700	14700	14800	14900	15000									
11	14800	14800	14900	15000										
12	14900	14900	15000											

SEE MAP 15-4W-15

15S04W15DB HARRISBURG

D. DAVID J. COLLIER, CERTIFY THAT THIS IS AN EXACT COPY OF THE FINAL PLAT AS SHOWN.

DAVID J. COLLIER PLS 2562



**MARCUS LANDING SUBDIVISION**  
 LOCATED IN SE 1/4 OF SEC. 16, T15S, R4W, WM  
 CITY OF HARRISBURG, LINN COUNTY, OREGON  
 JULY, 2001  
 SHEET 1 OF 2

C.S. 232258

**LINE TABLE**

LINE	LENGTH	BEARING
L1	14.16	S45°11'25"W
L2	14.12	S44°48'36"E
L3	14.16	S45°11'25"W
L4	14.12	S44°48'36"E
L5	14.16	S45°11'25"W
L6	14.12	S44°48'36"E
L7	14.16	S45°11'25"W
L8	14.12	S44°48'36"E
L9	14.16	S45°11'25"W
L10	14.12	S44°48'36"E
L11	14.16	S45°11'25"W
L12	14.12	S44°48'36"E

\* SEE AFFIDAVIT OF INTEREST  
 MODIFICATION RECORDED  
 JUNE 1, 2004 IN LINN COUNTY  
 DEED RECORDED IN PL. VOL. 1586,  
 PAGE 649

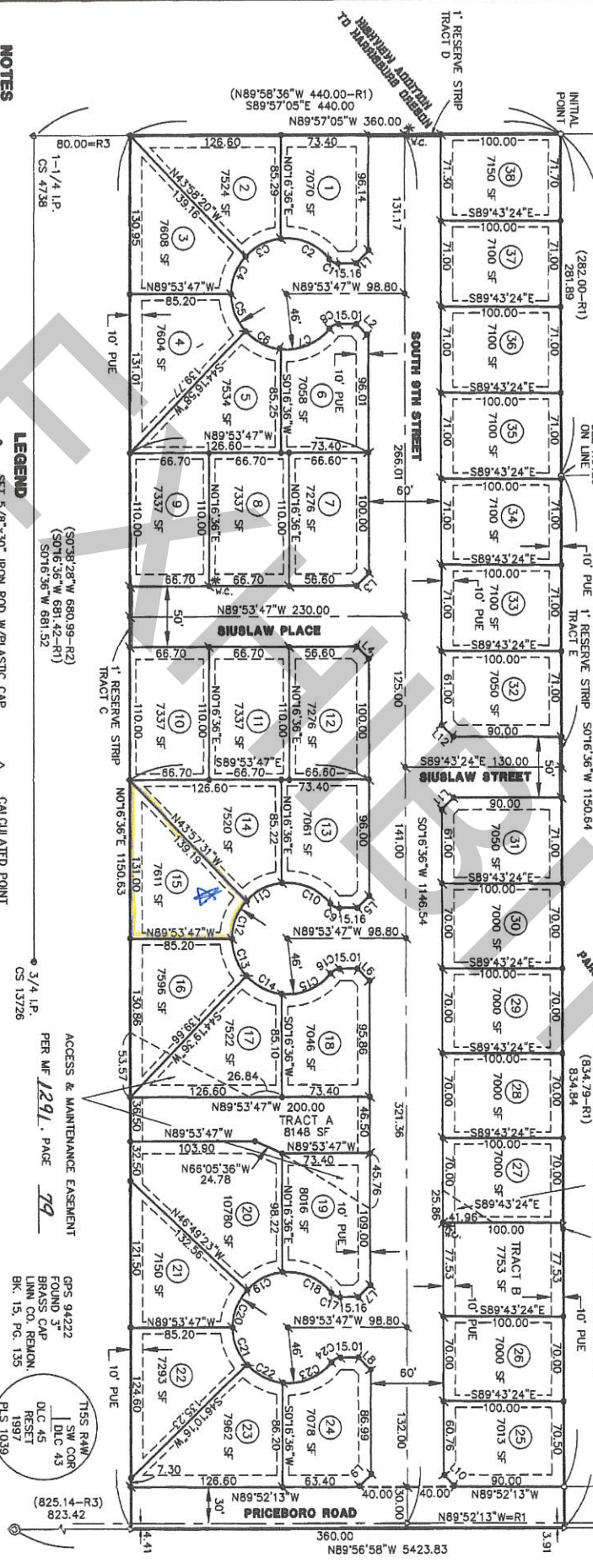
**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD BR./DIST
C1	10.00	511°19'04"	8.96	N67°01'18"W 43.82
C2	46.00	56°53'10"	45.67	N67°01'18"W 43.82
C3	46.00	42°06'00"	33.80	S67°29'07"W 33.04
C4	46.00	42°06'00"	33.99	S271°16'10"W 33.22
C5	46.00	42°06'00"	33.71	S205°32'12"E 33.22
C6	46.00	42°06'00"	33.80	S67°29'07"E 33.04
C7	46.00	57°13'56"	45.95	N67°24'01"E 44.06
C8	10.00	511°19'04"	8.96	N67°01'18"W 43.82
C9	10.00	511°19'04"	8.96	N67°01'18"W 43.82
C10	46.00	56°53'10"	45.67	N67°01'18"W 43.82
C11	46.00	42°06'00"	33.80	S67°29'07"W 33.04
C12	46.00	42°06'00"	33.99	S271°16'10"W 33.22

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD BR./DIST
C13	46.00	41°58'09"	33.71	S205°32'12"E 33.22
C14	46.00	42°06'00"	33.80	S67°29'07"E 33.04
C15	46.00	57°13'56"	45.95	N67°24'01"E 44.06
C16	10.00	511°19'04"	8.96	S64°26'39"W 8.66
C17	10.00	511°19'04"	8.96	S64°26'39"W 8.66
C18	46.00	56°53'10"	45.67	N67°01'18"W 43.82
C19	46.00	42°06'00"	33.80	S67°29'07"W 33.04
C20	46.00	42°06'00"	33.99	S271°16'10"W 33.22
C21	46.00	41°58'09"	33.71	S205°32'12"E 33.22
C22	46.00	42°06'00"	33.80	S67°29'07"E 33.04
C23	46.00	57°13'56"	45.95	N67°24'01"E 44.06
C24	10.00	511°19'04"	8.96	S64°26'39"W 8.66

**ACCESS & MAINTENANCE EASEMENT**  
 5/8" x 30" LR. W/RED CAP STAMPED  
 PER M.F. 1291. PAGE 79  
 (834/79-R1)  
 ON LINE DUE TO CONCRETE



- NOTES**
- PUBLIC UTILITY EASEMENTS (PUEs) ARE 10' FROM R/W. PUEs ARE 10' FROM THE SUBDIVISION BOUNDARY EXCEPT LOTS 9, 10, AND 38 WHERE THE PUEs ARE 5' FROM THE BOUNDARY. PUEs ARE 5' FROM INTERIOR LOT LINES EXCEPT ALONG TRACTS A & B WHERE THE PUEs ARE 10' FROM THE LOT LINES.
  - CUL-DE-SACS ARE PART OF SOUTH 9TH STREET.
  - ELEVATION OF BENCHMARK BASED UPON BRASS CAP FOUND AT SW CORNER OF DIC NO. 43 HAVING AN ELEVATION OF 314.56.

- LEGEND**
- ▲ SET 5/8" x 30" IRON ROD W/PLASTIC CAP STAMPED PLS 2552, OR AS NOTED
  - ( ) SET 5/8" x 30" IRON ROD W/PLASTIC CAP STAMPED PLS 2552 TO BE POST MONUMENTED BY 12-31-02
  - FOUND 5/8" IRON ROD W/ PLASTIC CAP STAMPED PLS 653, CS 22693
  - FOUND IRON PIPE AS NOTED
  - ⊙ FOUND BRASS CAP AS NOTED
  - △ CALCULATED POINT
  - ( ) DENOTES RECORD DATA, SEE RECORD NO. BELOW
  - R1 RECORD INFORMATION PER C.S. 22693, LAND PARTITION PLAT NO. 2000-13
  - R2 RECORD INFORMATION PER C.S. 13726
  - R3 RECORD INFORMATION PER C.S. 22693, DEED VOLUME 1134, PAGE 03
  - = MEASURED DATA EQUALS RECORD DATA

REGISTERED PROFESSIONAL LAND SURVEYOR  
 DAVID J. COLLIER  
 OREGON  
 LICENSE NO. 1997  
 PLS 1039

Pacific Surveying, Inc.  
 1155 R4W SW COR  
 FOUND 3" BRASS CAP  
 LINN CO. REMON.  
 BK. 15, PG. 135  
 PLS 1039  
 GPS 94222  
 FOUND 3" BRASS CAP  
 LINN CO. REMON.  
 BK. 15, PG. 135  
 PLS 1039  
 TISS R4W  
 SW COR  
 DIC 43  
 RESET  
 1997  
 PLS 1039  
 (825.14-R3)  
 823.42

TAX MAP 15 AW 15 #4200 & 4201 INK: HP 51640A, PLOTTER: HP 450C, MYLAR: BF 7804 U