



Planning Commission Agenda

June 17, 2025

7:00 PM

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 WULLENWABER'S ACCESSORY STRUCTURE

STAFF REPORT EXHIBITS:

Exhibit A: Application Packet

ACTION: MOTION TO APPROVE/DENY/AMEND THE VARIANCE REQUEST FOR LU 467-2025, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE STAFF REPORT OF JUNE 9, 2025. THIS MOTION IS BASED ON FINDINGS CONTAINED IN THE STAFF REPORT OF JUNE 9, 2025, AND ON FINDINGS MADE DURING DELIBERATIONS ON THE REQUEST

APPLICANT: Kent Wullenwaber

2. THE MATTER OF APPROVING A SITE PLAN REQUEST, WITH VARIANCE AND HISTORICAL ZONE REVIEW FOR A REMODEL OF THE FORMER VFW QUONSET HUT AT 160 SMITH ST., ALSO KNOWN AS 15S04W16AA05100 FOR PATRICK AND DONNELL FREEMAN, LU 468-2025

STAFF REPORT EXHIBITS:

Exhibit A: Application Packet

Exhibit B: Testimony Received – Building Official

ACTION: MOTION TO APPROVE, APPROVE WITH AMENDMENTS, OR DENY THE VFW QUONSET HUT SITE PLAN, VARIANCE, AND HISTORICAL ZONE REVIEW, LU 468-2025, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE JUNE 11, 2025 STAFF REPORT. THIS MOTION IS BASED ON FINDINGS CONTAINED IN THE JUNE 11, 2025 STAFF REPORT AND ON FINDINGS MADE DURING DELIBERATIONS ON THE REQUEST.

APPLICANT: Patrick & Donnell Freeman

OTHERS

ADJOURN

Staff Report
Harrisburg Planning Commission
Harrisburg, Oregon

THE MATTER OF A VARIANCE REQUEST FOR WULLENWABER’S ACCESSORY STRUCTURE

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APPLICANT: Kent Wullenwaber
LOCATION: 645 Quincy St. – 15S04W10CC 00700
HEARING DATE: June 17, 2025
ZONING: R-1 Single Family Residential
OWNER: Kenton Wullenwaber

BACKGROUND

Kent Wullenwaber lives on Quincy St. and has been asking the City for information in relation to a large accessory structure on his property for at least 15 years. The drawings and information that had been provided to him were based on the development code prior to the change in 2022.

INTRODUCTION

When Kent Wullenwaber asked for the site plan drawings provided by C2 Design, they were based on the original code, which allowed for a 5’ setback on the sides of property located in the R-1 zone. The current code requires a 6’ setback for structures that are 12’ or under in height. Therefore, the variance requested is to allow a structure to be

closer than the 6' requirement. The measurements are currently 5' -7 3/8" on one side, and 5'-5 3/4" on the other side.

A variance request is also needed for the size of the accessory structure. The home is currently 1622 sq. ft. The code allows for an accessory structure that doesn't exceed 50% of the floor area, which provides for a structure that is 811 sq ft or under. The shop that is planned is 1596 sq. ft and therefore exceeds the limits as allowed by HMC 18.50.150(3).

In addition, the secondary driveway will be less than 20' wide, as the side setback to the existing home is only 18' from the east property line. As such, the variance should also apply to the standard width of a driveway required by HMC 18.70.030(4).

CRITERIA AND FINDINGS OF FACT

1. 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 variance is required because the development code changed in 2022, after the property owner had the original site plan drawings created. It is not a different use, as the use remains residential.

FINDING: This criteria 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: The City has had the same setbacks and accessory structure size requirements for at least twenty years, prior to the most recent development code change. Therefore, it wouldn't be out of the question to say these are historical circumstances. The lot is not non-conforming, but it stretches from Quincy St. to Stanley St., which is unusual in comparison to the other lots in this neighborhood.

FINDINGS: This criterion is met.

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

DISCUSSION: Allowing a variance to adjust from the 6' setback to 5' and 5 ¾" is considered the minimum necessary. The accessory structure is not large for this neighborhood, especially with 455 N. 6th St on a lot only ½ a block away which has a 864 sq ft structure that is equal to 67% of its primary dwelling's size. The property just south of that also has an accessory structure that is 75% of its primary dwelling size.

FINDINGS: This criterion has been met.

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

DISCUSSION: This variance doesn't conflict with other City policies or applicable regulations. It's a simple request to allow for a structure twice the size as allowed in the current code, and to allow very little change in relation to the side setback.

FINDINGS: The criteria has been met.

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

DISCUSSION: Allowing a property owner to have a larger accessory structure than that allowed by code is not creating something that is harmful to the public interest, nor does it result in any foreseeable harm to adjacent property owners. The property at 430 N. 6th St. has a large lot and shouldn't be affected by the addition of an accessory structure located to the northeast from it.

FINDINGS: This criteria has been met.

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

DISCUSSION: This accessory structure is over 200 sq. ft., and therefore the property owner knows that building code requirements apply, which includes meeting structural engineering standards.

FINDINGS: This criteria 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.

DISCUSSION: The applicant includes addresses for other properties in the narrative shown in **Exhibit A**, that have large accessory structures that exceed the current code requirements. Those include 640 Quincy St., a newer home across

the street, with a garage that is 86% of the size of the home, 490 N. 6th St. @ 90%, 465 N. 7th St. @ 53%, and 585 Territorial St. @ 65%.

FINDINGS: Properties that are nearby and in the same neighborhood have accessory structures that are larger than allowed by the newer development code. Therefore, allowing this accessory structure to be larger than allowed by the current development code allows the owners to have the same types of structures as present on neighboring properties. This criteria 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. [Ord. 987 § 1 (Exh. A), 2022.]

DISCUSSION: The accessory structure is located in a neighborhood in which storm water is a problem. The lot immediately to the west was required to add a large amount of French drain in order to accommodate both the existing storm flow, and the additional flow that was due to the impermeable surfaces. This property also has historical storm flow that runs from the southeast corner to the northwest corner. The driveway that is located on the east side of the property will be permeable surfacing, but it's slightly higher than the yard, and which will potentially increase storm flow to the west. The property owner shows storm drainage lines crossing to a storm line that continues up the northwest side of the property. While Staff were reviewing the storm plan, the City discovered that the storm line running down the southwest corner of Stanley Lane was a private storm line in a public right-of-way. Because City PW Staff in the past allowed this, the City will resolve this issue by installing a public storm line. The cost to the City is minimal, and this will help improve the drainage in this area slightly. That helps with an additional home that has been constructed on the north side of Stanley Lane, and for the homes on the south side of Stanley to the middle of the block. The work will be done later this summer. The property owner will be required to install the french drain with clean outs in their back yard, as shown on their site plan.

The property owner also intends on adding a driveway to the secondary garage in the back yard from Quincy St. to the front of the garage. Because this is a secondary garage for the owner, and not primary, they will not be required to have a paved parking pad, nor will they be required to pave the entire driveway. They will, however, be required to pave the first 25' of the driveway, as per HMC 18.70.030(4)(d) in order to prevent gravel from being pulled out onto Quincy St. The driveway area is smaller than 20', at 18' wide. Because this is not a primary driveway, and due to the access from Stanley Lane, the City feels that a variance can also apply to the driveway standards. HFRD will allow the access from Stanley Lane, so the owner will not be required to have the secondary gravel part of the

driveway be supportive of 75,000 pounds. The property owner will need to apply for a right-of-way permit when the work is being done, as well as providing a Fire Access and Water Supply form and have it approved by HFRD, to be provided when the building permit is submitted.

Finally, development on a lot that is abutting a street generally requires that the property is brought up to code, including providing curbs, gutters, and sidewalks. Stanley Lane is not to development code standards in width, not to mention curbs, gutters and sidewalks. Therefore, the property owner will be required to fill out a waiver of remonstrance letting them know that any further development of Stanley Lane will require that they pay for these improvements to their property abutting the street.

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. This will require the installation of drainage lines as shown on the site plans provided.

Condition No. 2: Access and Circulation. Concurrent to the building permit application, the applicant shall be required to pave the first 25' of their private driveway. They will also need to obtain a right-of-way permit for the work to be completed, and provide the City with a copy of the Fire Access and Water Supply form after it has been approved by HFRD.

Condition No. 3: Waiver of Remonstrance. Concurrent with the Building Permit Application, the applicant shall pay for, and fill out a waiver of remonstrance form that will be recorded in Linn County, in relation/ in lieu of installing curbs, gutters and sidewalks on Stanley St.

FINDING: As conditioned, this criteria 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: This is a standard requirement; and the application does not include a partition plat. Therefore, the permit must be issued, and work begun, before the date of December 17, 2026. This shall be Condition of Approval No. 4.

Condition No. 4. 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 criteria has been met.

CONCLUSIONS

This property is large, and can accommodate both the larger size accessory structure, as well as additional drainage to meet storm drain requirements. It has been established that there are a number of accessory structures in this same neighborhood, that have been here for some time, including a new one located across the street; all exceed the 50% size requirement. The side setbacks are a variance of only a few inches, and the driveway will be only 18' wide due a limited side setback on the property. Because this is a secondary driveway, rather than primary, and because there is full access from Stanley Lane, this is acceptable by the City.

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

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

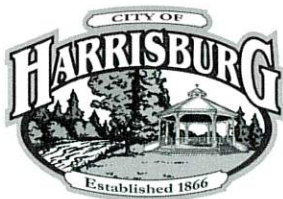
Condition No. 1: Consistency with Plans. Development shall comply with the plans and narrative in the applicant's proposal, except where modified further by the Planning Commission.

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driveway. They will also need to obtain a right-of-way permit for the work to be completed, and provide the City with a copy of the Fire Access and Water Supply form after it has been approved by HFRD.

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

LAND USE APPLICATION

STAFF USE ONLY	
File Number:	LU 467-2023
Date Received:	5-1-66
Fee Amount:	\$1,250 5-6 \$8.000001580

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 checked="" type="checkbox"/> Legal Lot Determination	<input type="checkbox"/> Zone Map Change*
<input type="checkbox"/> Zoning Ordinance Text Amendment*	

*A Pre-Application Conference with City Staff is Required

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL	
Project Description	Looking to build a shop on the back of my lot. 42' W x 38' D 4596 6
Project Name	Wullenwaber's Shop

518-25 APPLICATION IS COMPLETE AND ACCEPTED BY THE CITY.

PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name	Kent Wullenwaber		
Phone	541-513-0530	Email	Kent_63w@aol.com
Mailing Address	645 Quincy Street Harrisburg Oregon 97446		
Applicant's Signature	Kent Wullenwaber		Date
			4/23/2025
Property Owner Name	Kent Wullenwaber		
Phone	541-513-0530	Email	Kent_63w@aol.com
Mailing Address	645 Quincy Street Harrisburg Oregon 97446		
Owner Signature	Kent Wullenwaber		Date
			4/23/2025
*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	645 Quincy Street Harrisburg Oregon 97446		
General Location Description	Looking to build shop on the back of my property.		
Assessor's Map Number(s)	Related Tax Lot(s)		
Map #	15504W10CC	Tax Lot(s) #	00700
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	.39 ± 16,988.46		

LAND USE AND OVERLAY ZONES

Existing Zone(s)

B-1

Existing Comprehensive Plan Designation(s)

LOW DENSITY RESIDENTIAL

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

☒

Narrative* (address all applicable HMC review criteria)

☐

Assessor's Map with Applicable Tax Lots Highlighted

☒

Site Plan

☐

Survey / ALTA

☒

Aerial Photograph / Existing Land Use(s) Map

☐

Zoning Map (if applicable, show proposed change(s))

☐

Comprehensive Plan Map(s) (if applicable, show proposed changes))

☐

Subdivision or Partition Plat

☐

Architectural Elevations

☐

Architectural Floor Plans

☒

Utilities Plan

☐

Geotechnical Report/Site

☐

Assessment

☐

Electronic Versions of Exhibits

☐

Application Fee

☐

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

House, RV shelter and tool shed.

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

Shop to store autos in.

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

Same as it has been. I like a clean place.

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.

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:

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.

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) I am requesting a variance for the size of my shop , that has been planned for many years. The code has changed since original plans were created. New code side variance is 6 feet, previously it was 5 feet when plans were established. My side variances were set to within the old code allotment of 5'.

A variance is also requested for the square footage of my shop, as the completed square footage will be 1,596.

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; A variance is necessary due to the fact that the codes have changed recently, and when the plans were constructed the set backs were within code compliance.

Also the square footage of shop is larger than normal code allotment.

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

Yes

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

No, That is why we are requesting these variances.

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

No. - My neighbors have been aware that I intend to build a shop for a few years now.

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

Yes they are / will be

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

Yes - examples

640 Quincy Street (across the street)

490 N 6th Street

465 N 7th Street
485 N 7th Street
585 Territorial Street

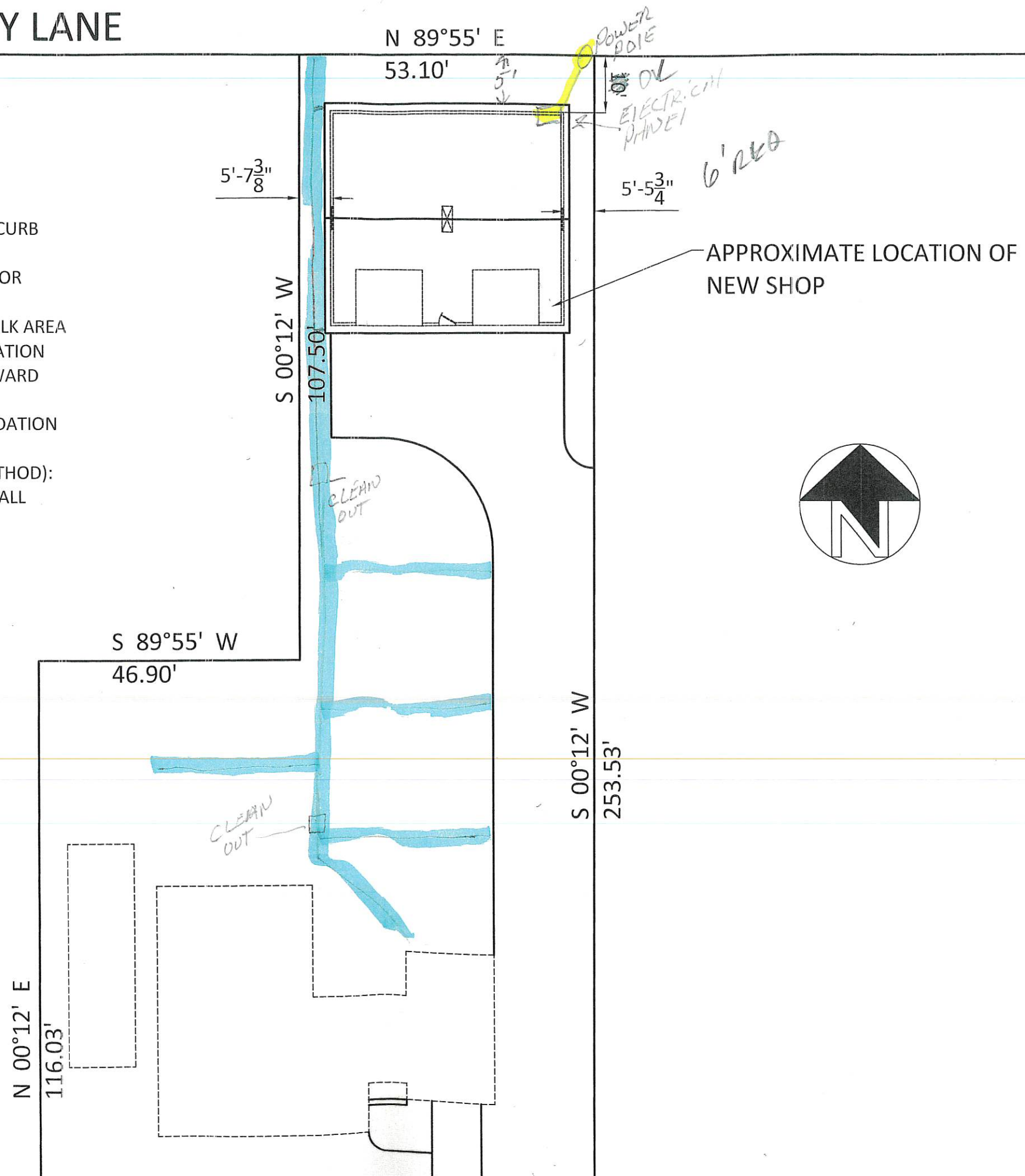
g. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or the community as a whole. [Ord. 987 § 1 (Exh. A), 2022.]

Okay

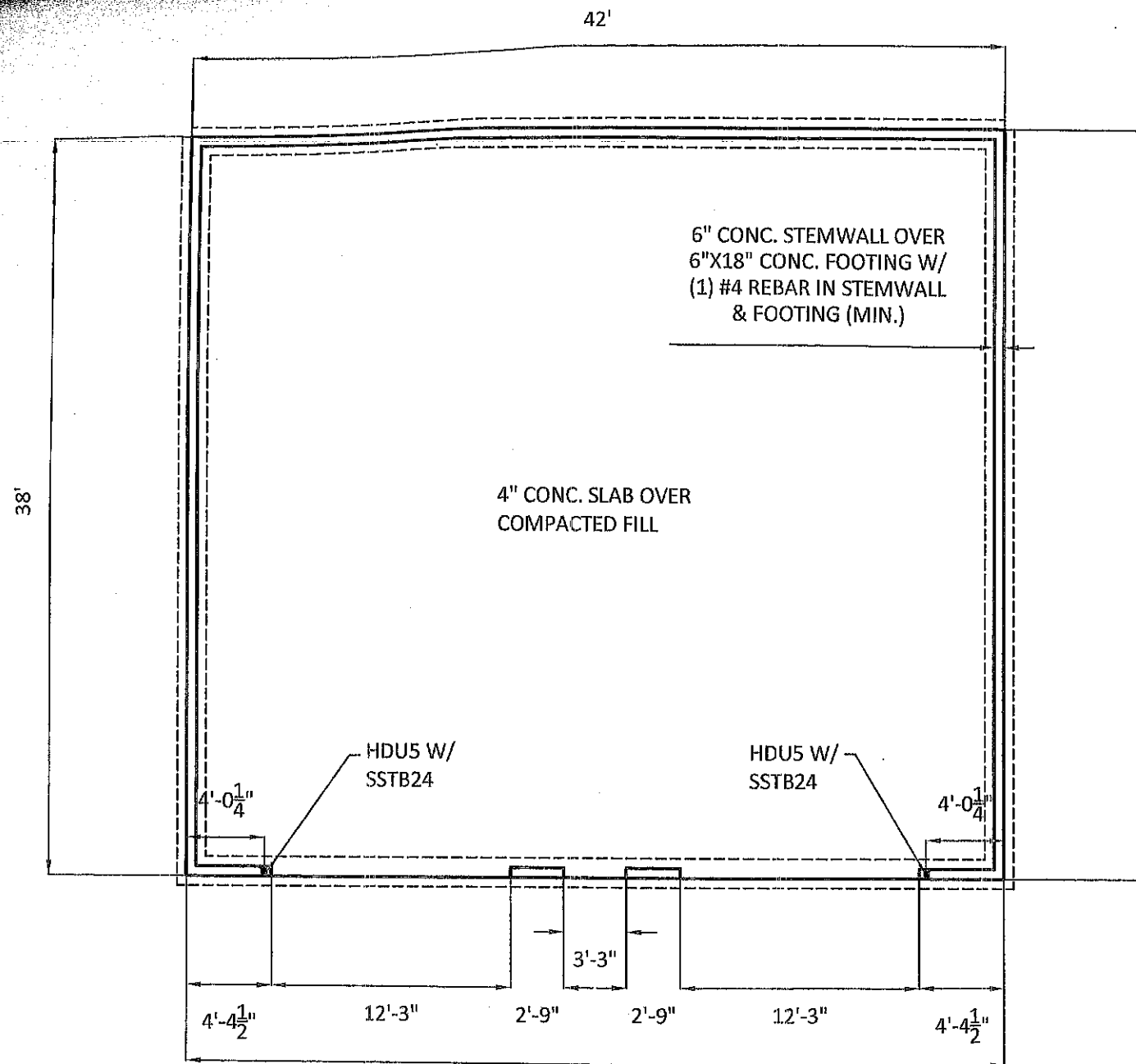
1.

1423 29th Ave SE

OWNER:
KENT WULLENWABER
645 QUINCY STREET
HARRISBURG, OREGON 97446-9621

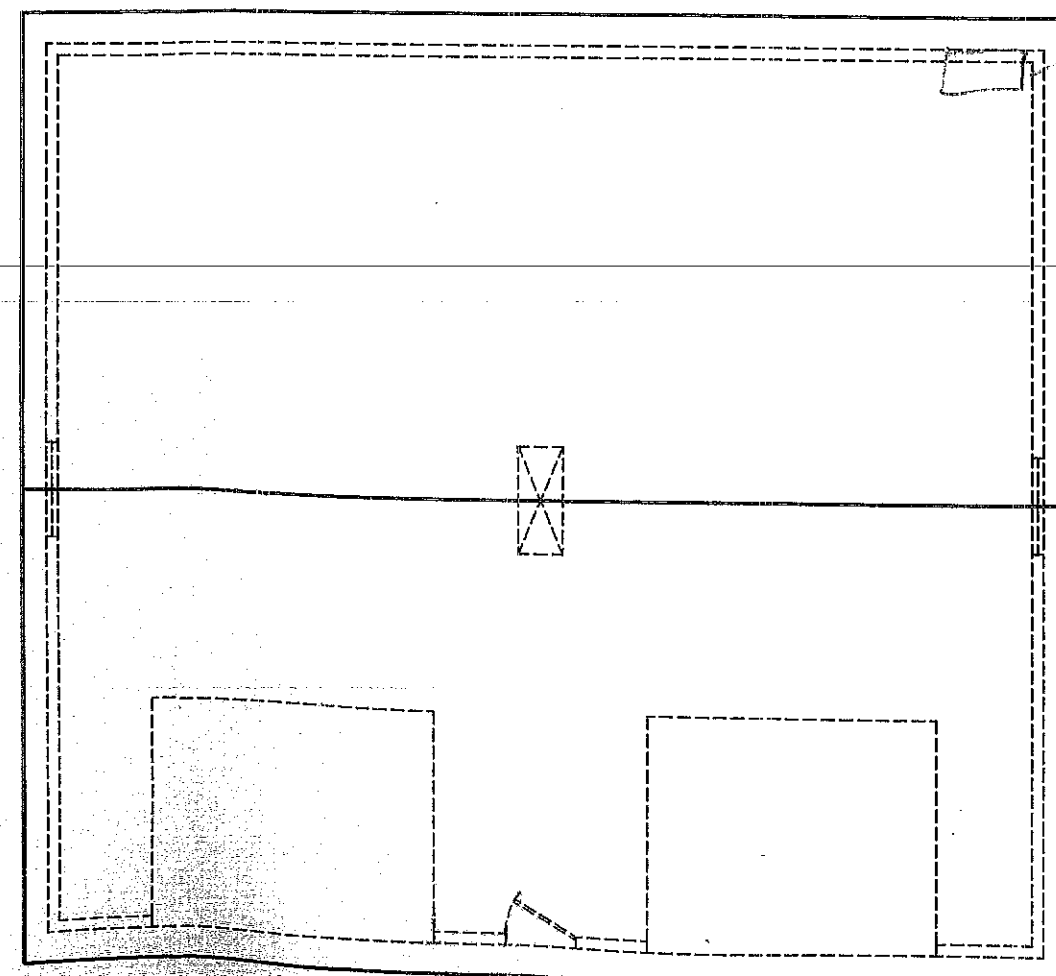
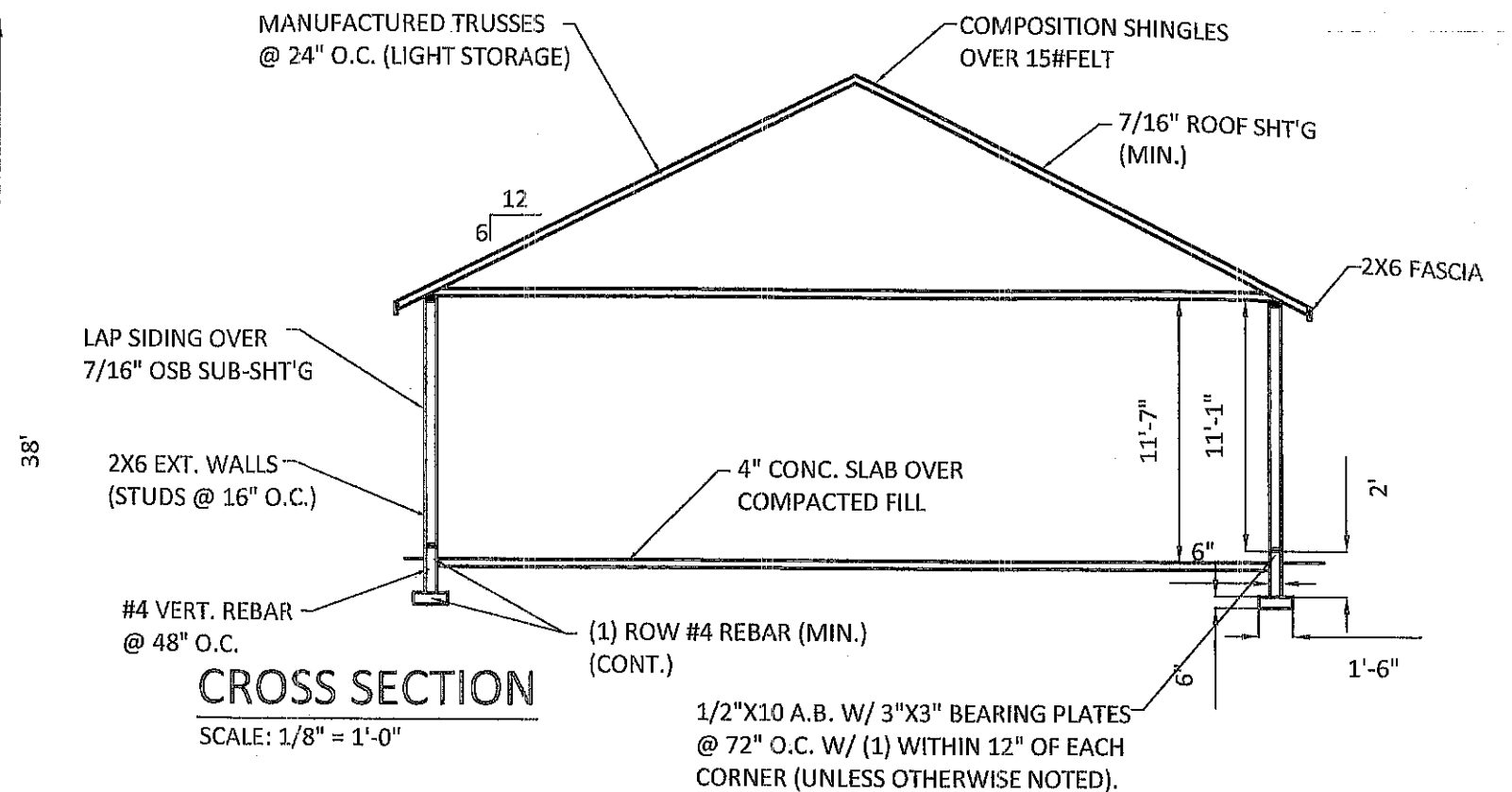


NOTE:

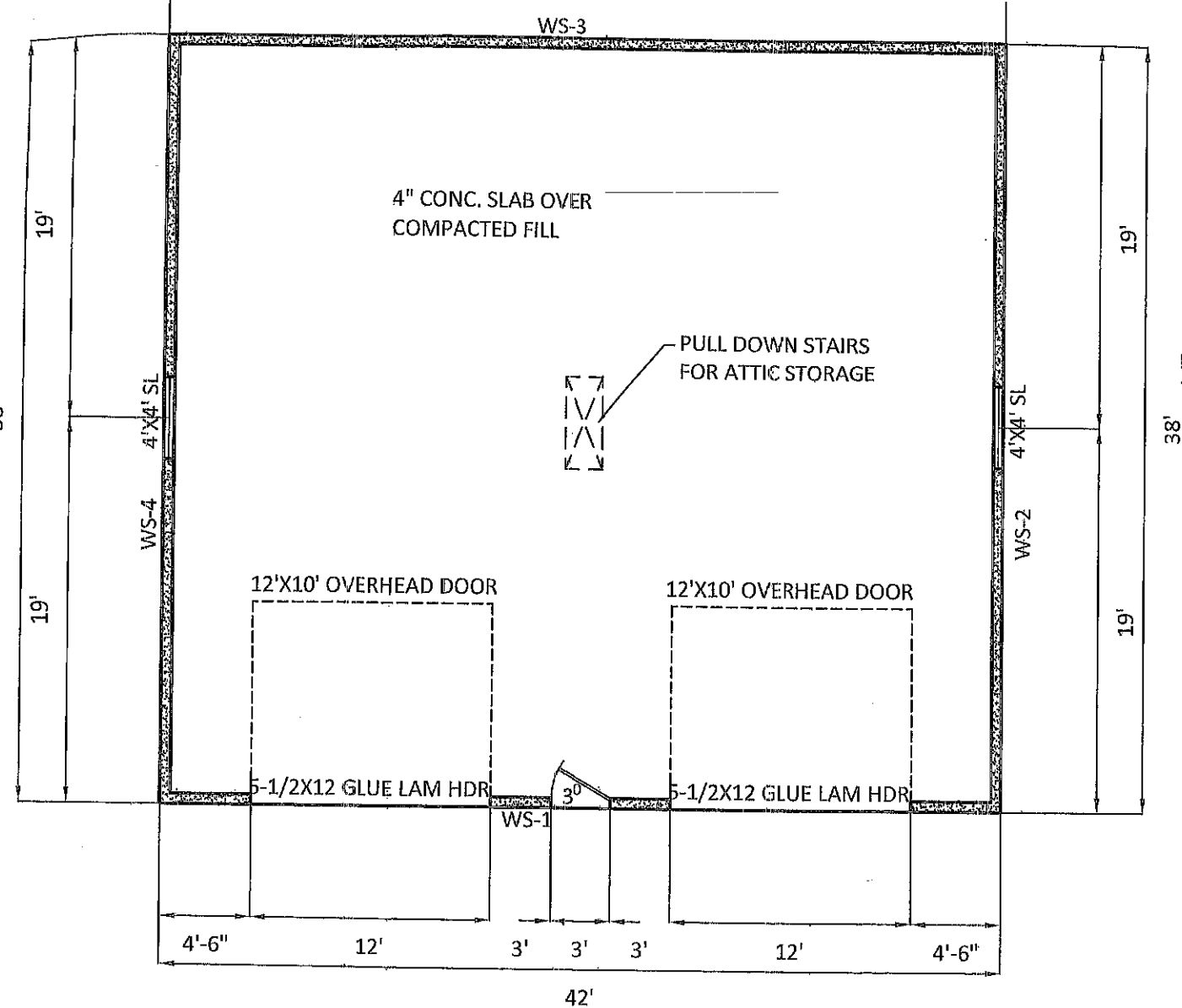


FOUNDATION PLAN

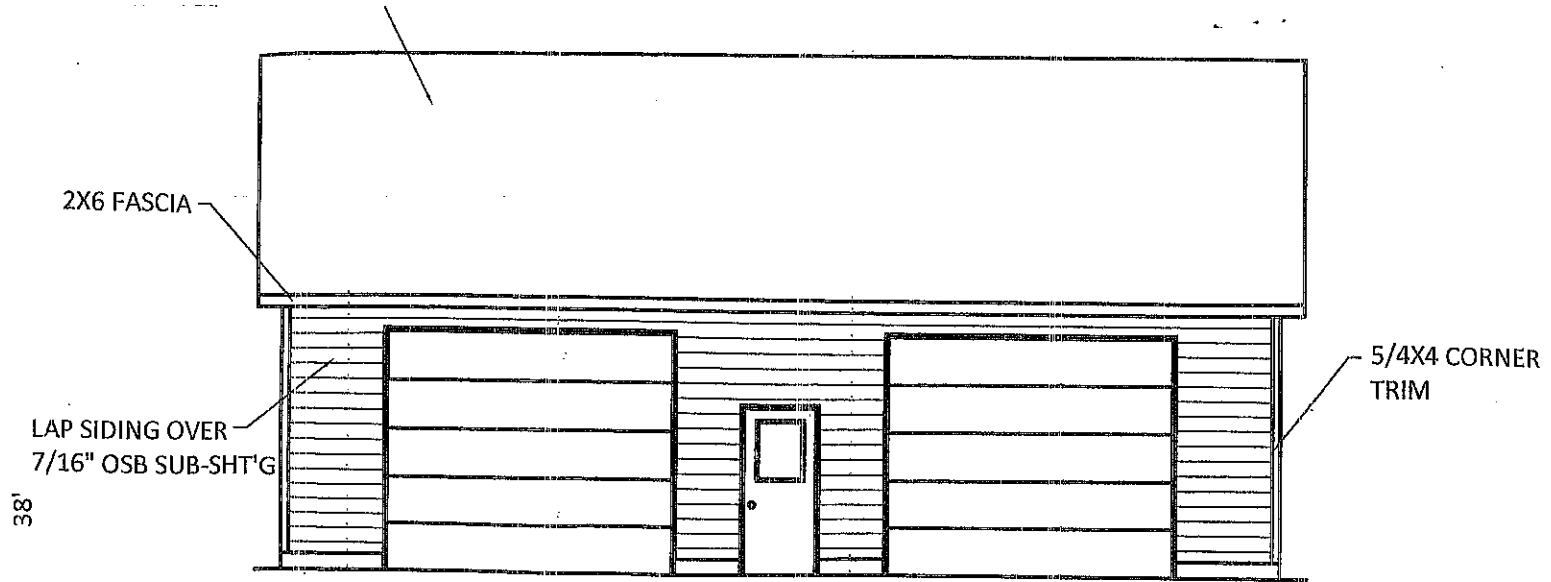
SCALE: 1/8" = 1'-0"



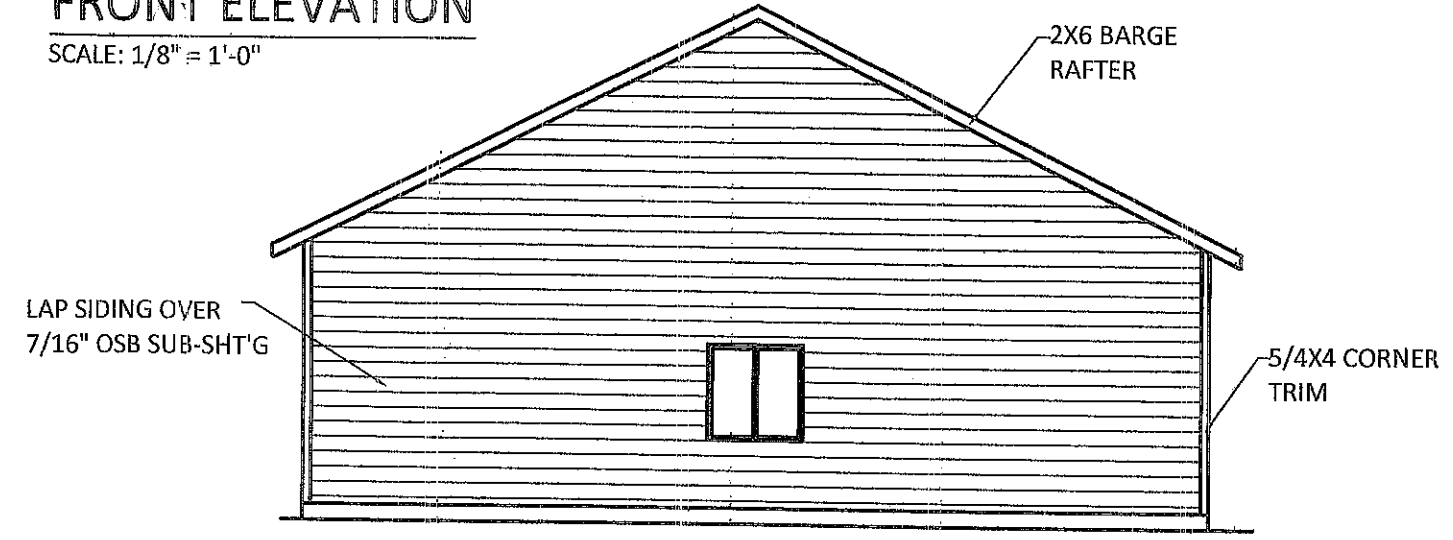
- NOTES:
- 1) COMPOSITION SHINGLES OVER 15# FELT
 - 2) MANUFACTURED TRUSSES @ 24" O.C. (LIGHT STORAGE)
 - 3) 12" RAKE EAVES
 - 4) 16" OVERHANGS
 - 5) 6:12 ROOF PITCH



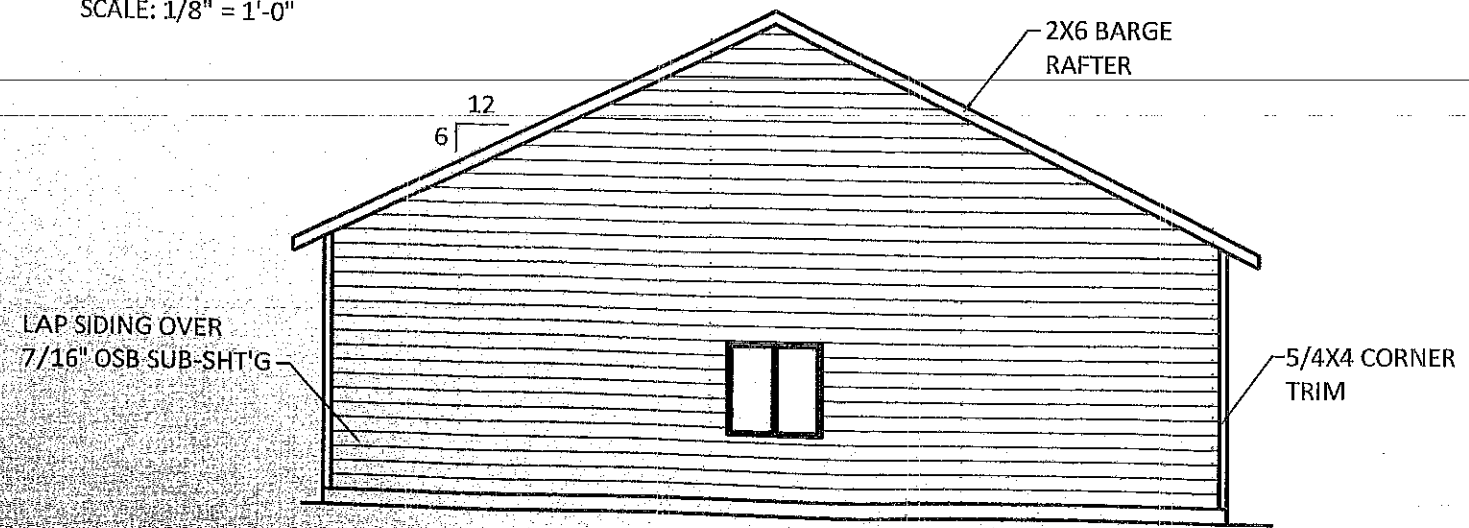
FLOOR PLAN
SCALE: 1/8" = 1'-0"



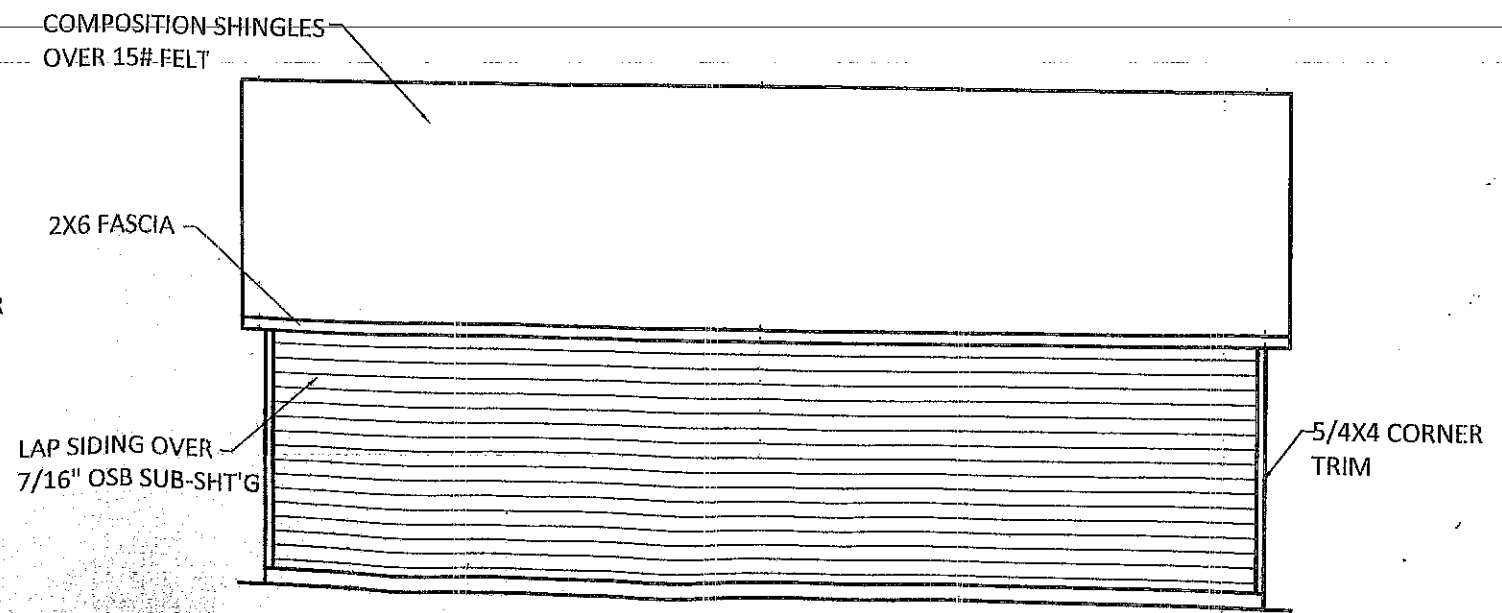
FRONT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

NOTE:
ALL WRITTEN DIMENSIONS
TAKE PRECEDENCE OVER
SCAILED DIMENSIONS

SUPER B SIZE BORDER									
NO.	1	2	3	4	5	6	7	8	9
DATE:									
PILOT SCALE:									
DWG SCALE:									
ENGINEER:									
DRAFTER:									
CHECKER:									
FILE:									
JOB:									

Staff Report

Harrisburg Planning Commission

Harrisburg, Oregon

THE MATTER OF APPROVING A SITE PLAN REQUEST, WITH VARIANCE AND HISTORICAL ZONE REVIEW FOR A REMODEL OF THE FORMER VFW QUONSET HUT AT 160 SMITH ST., ALSO KNOWN AS 15S04W16AA05100 FOR PATRICK AND DONNELL FREEMAN, LU 468-2025

STAFF REPORT EXHIBITS:

Exhibit A: Application Packet

Exhibit B: Testimony Received – Building Official

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APPLICANT: Patrick & Donnell Freeman

LOCATION: 160 Smith St., 15S04W16AA05100

HEARING DATE: June 17, 2025

ZONING: C-1 Commercial with Downtown Historical District Zone Overlay

OWNER: Patrick & Donnell Freeman Living Trust

BACKGROUND

The former VFW Quonset Hut was built in 1930. Records don't show when this structure was installed in Harrisburg, but it has been used as Ryegrass Post #2105 of the VFW for (assumed) at least 60 years. The property itself is very small, at 3,840 sq. ft. It measures slightly under 40' across, and is 100.15' deep. The Quonset hut is 1422/1450 sq. ft. This doesn't take into account the terraced area located on the east side of the property.

INTRODUCTION

The Freeman's purchased this property from the VFW/State of Oregon and intend on remodeling the structure for two purposes. The first is to convert the property to commercial based use, allowing for retail use of the front, or main section of building. They also wish to remodel the Quonset hut so that a dwelling unit is added to the south end of the building; this would allow for mixed-use development.

The Quonset hut has long been used for a fraternal order, but to the City's knowledge, other than the occasional fundraising events, and weekly meetings, hasn't ever been used as a retail sales structure. The Freeman's intend on converting the main space of the structure into commercial/retail use, with the mixed-use dwelling unit being located in the southern portion of the building. This will allow the current kitchen area to continue to be used as a kitchen for the dwelling unit. A 2-hour commercial fire wall will be added between the retail use of the structure, and the dwelling unit in the rear portion of property. A new bathroom will be added in the dwelling unit, and a bedroom will be added inside the southeast corner/interior of the structure. There are no plans for the installation of a window on the west side of the structure, as it backs up to the structure and side yard of the home located at 150 Smith St. **Exhibit A** in the agenda packet shows the site plan, including an overhead shot of the Quonset hut, and floorplan as it is now, and how it will be configured after the remodel is completed.

The interior remodel and addition of a dwelling unit to the VFW Quonset hut, is not an accessory dwelling, and therefore falls under the Harrisburg Municipal Code, section 18.50.080, Dwellings in Commercial & Mixed Employment Zones. However, sections 3(a) & (b) specifically state that new residential uses may not be located in a historical district overlay zone, unless above or below a ground-floor space. In section 3 (c), the code further states that new residential uses in the C-1 zone are not allowed except as part of a mixed-use development requiring a site plan review. A site plan is required because of the change of use of the structure, from a fraternal use to commercially based use, albeit with a mixed-use dwelling.

Because this structure is located in the downtown historical district, those design standards in HMC 18.65.050 also apply to the structure. It's very hard to create a design for the Quonset huts based upon the standards in the Harrisburg Municipal Code. This building is 95 years old, and having it look like the buildings that are listed in the historical overlay area in HMC 18.65.050(15)(a) is impractical. However, there are façade components that can be added, that are required in HMC 18.65.050(11). Those will be discussed further in this staff report.

CRITERIA AND FINDINGS OF FACT

HMC 19.15.050 Site Plan Approval Criteria.

An application for site design review shall be approved if the proposal meets all of the following criteria. The Harrisburg Planning Commission, in approving the application,

may impose reasonable conditions of approval, consistent with the applicable criteria contained herein. The first condition of approval is always that the development shall comply with the plans and narrative in the applicant's proposal, except where modified by conditions of approval approved by the Planning Commission.

1. Site Plan Criterion: 19.15.050(1) *The application is complete, in accordance with HMC 19.15.040;*

DISCUSSION: The information provided by Freeman's, and included in **Exhibit A**, includes the site analysis map, an area map with marked utilities, and proposed site plan. This is an interior remodel, although there is plenty of repair, and painting occurring with the exterior of the structure.

FINDING: This criterion has been met.

2. Site Plan Criterion HMC 19.15.050(2): *The application complies with all of the applicable provisions of Chapters [18.45](#) and [18.55](#) HMC, including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;*

DISCUSSION: The use of the property as a commercial designation is a outright permitted use in both the C-1 zone, and the historical overlay zone. The C-1 zone doesn't have a minimum square footage, and there are no requirements for minimum lot width and depth. That works well for this property, as it's 'grandfathered', having been at this location for decades. The property is quite small, at just under 4,000 sq. ft. Lot coverage is allowed up to 90%, while the actual is 38%, not counting the terrace area.

Landscape is required to be at 15%. However most of the front of the structure is solid building and terrace. The owners may add landscape elements to the terrace, such as contained plants, as well as down the sides of the building where there is space, and in the rear. The City Administrator will work with the owners to provide landscaping according to city standards. This is addressed further in this report in Condition No. 2.

Setbacks are allowed to be 0 on all sides. The building has 0 front and side setbacks, and there is approximately 31' to the property line from the rear porch. Section 18.55 doesn't apply, as this structure is not a historic resource.

FINDINGS: This criterion, as conditioned further in the staff report, has been met.

3. Site Plan Criterion HMC 19.15.050(3): *The proposal includes required upgrades, if any, to existing development that does not comply with the applicable land use district standards, pursuant to Chapter [18.25](#) HMC.*

DISCUSSION: The use of the building for a non-profit group or commercial use are allowed outright in this zone. A period of 18 months shall apply from the time of sale of the property, in which a fraternal use can be re-established without the applicant being required to file a conditional use permit.

FINDING: This criteria is not applicable, unless a fraternal use of the building shall be provided within 18 months of the time of sale to the new owners.

4. Site Plan Criterion HMC 19.15.050(4): *The proposal complies with all of the development and design standards, as applicable, including, but not limited to:*

- a. Chapter [18.70](#) HMC, Access and Circulation;**
- b. Chapter [18.75](#) HMC, Landscaping, Fences and Walls, Outdoor Lighting;**
- c. Chapter [18.80](#) HMC, Parking and Loading; and**
- d. Chapter [18.85](#) HMC, Public Facilities**

DISCUSSION: Chapter 18.70 is not applicable to the use of this building. No expansion of the footprint is being undertaken at this time. Parking for a tenant will be in the rear of the building, in the same space as used by the VFW Quartermaster and Commander. The access is from the City alleyway, which the property abuts in the rear. The property owner will need to meet ADA requirements for tenant(s) in the dwelling unit. However, the ADA Parking for customers will be on the street.

Chapter 18.75 indicates that Landscaping, as noted above, is required on this property. 15% of the size of the property will require 600 sq. ft. of landscaping. The terrace may count as part of a landscaping feature; the City hopes that the property owner might consider softening the features of the hardscape with plant containers. They are also encouraged to apply landscaping to the sides of the property, and are able to incorporate the rear area of the property around the proposed dwelling. Plantings shall otherwise incorporate the requirements of HMC 18.75.030(3), which includes trees; although it's noted that these may not be possible due to the location of utility lines on the property. Xeriscaping is encouraged. The streetscape is newer, and an addition of a street tree is not possible in this location due to the ADA ramp. Screening shall be required where outdoor storage, and garbage is being kept. Materials can be a sight-obscuring fence, wall, landscape screen, or a combination. These should be shown on the landscaping plan, or on a separate site plan. Outdoor lights being added to the business or home should also be shown on the building permit, and must be directed downward, and have full cutoff and shielding to preserve views of the night sky, and minimize excessive light spillover onto adjacent properties.

In Chapter 18.80.030, residential uses shall normally require two parking spaces; however, because this property is in the historical zone, the applicant will not be required to provide those solely for the residential use. The parking area is not required to be expanded, and therefore isn't required to be paved. However, the owner will be required to install wheel stops, perimeter curbing, bollards, or other edging to prevent vehicles from damaging buildings or encroaching into walkways, landscapes, or public right-of-way.

Chapter 18.85 is not applicable to this structure, as it is already connected to City services at this time. The building is not undergoing expansion of any sort, and with extensive 'hard' scaping in the rear of this property, it is not a candidate for further storm drainage. There is likely existing underground drainage into the drainageway in the alley in this location. This is an older part of town, and further access underground will not be beneficial to the City or to area property owners.

Condition – Landscaping: Concurrent to submission of Building Permit, property owner must submit a landscaping plan, showing the addition of 600 sq. ft., subtracting the size of the terrace and as according to requirements in HMC 18.75.030(3). The landscaping plan or a separate site plan must show screening materials and locations for garbage.

Condition – Outdoor Lighting: Concurrently shown on submission of the building permit, any additional outdoor lighting must be shown on the building permit. All lights must be directed downward, and shall not cause light spillover into adjacent residential properties.

Condition – Parking: Prior to Occupancy of either the business or dwelling unit, the property owner must provide some form of wheel stops, curbing, or bollards which will block vehicles from driving into landscaping and the structure.

FINDINGS: As conditioned, the findings in relation to landscaping, outdoor lighting, and parking have been met. Utilities are already present, and parking is not required in the historical zone, although the owner must provide ADA parking for the tenant(s) of the dwelling unit.

5. Site Plan Criteria, HMC 19.15.050.5: For nonresidential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact, shall be avoided; or where impacts cannot be avoided, they are minimized.

DISCUSSION: The property owner does not plan on any commercial or manufacturing uses that would cause light, glare, noise, odor, vibration, smoke, dust or visual impact.

FINDINGS: This criterion has been met.

6. Site Plan Criteria, HMC 19.15.050.6. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

DISCUSSION: To the City's knowledge, there are no prior land use decisions in relation to this property.

FINDINGS: The criteria has been met.

7. Site Plan Criteria, HMC 19.15.050.7. *As a condition of approval, the Planning Commission may require public improvements that are necessary to mitigate or prevent development impacts including, but not limited to, traffic, noise, odors, dust, pollution, or others that would affect surrounding existing uses or the City as a whole. [Ord. 987 § 1 (Exh. A), 2022.]*

DISCUSSION: The applicant does not plan on having any kind of tenants or commercial uses that would affect surrounding existing uses or the City as a whole. The owners reside in the Oddfellows building, and other residences, including in the other Quonset hut, are also present.

FINDINGS: This criterion has been met.

HMC 19.40.040 Variances Approval Criteria

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 and 18.55 HMC, shall not be adjusted with a variance.)*

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: Permitted uses as provided in Chapters 18.40 to 18.55 HMC are not being changed. Please note that dwelling units are allowed in the historical zone, but only as a mixed-use dwelling. In this case, it's the specific location of the dwelling unit to which a variance is being applied. With a general need for rentals and dwelling units in town, it makes sense that with a building in which it is not possible to add a second story, that an exception be made, especially because it's within the original footprint of this structure.

FINDING: This criterion is not applicable.

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

DISCUSSION: This variance is in relation to HMC 18.50.080(3)(a)(b) because of HMC 18.50.080(3)(c). The dwelling unit being requested is on a ground building floor space, where *new residential uses shall not be located*. The Oddfellows building is a good example to use when emphasizing this. It is in the City's best interest, and is normal in

most historical zones, that the bottom floors be used for retail/commercial businesses. In this case, the main use of the building will still be commercial/retail, in the front of the structure. Only the back of the structure will be transformed into a residential use.

In HMC 18.50.080(3)(b), new residential uses within the historical district overlay zone shall be permitted only above or below a ground-floor space approved for a permitted non-residential use. The Quonset huts are both unusual buildings. They are only five years short of 100-years in age, and are historical in themselves; but they are certainly not considered to be late 1800's, or early 1900's, riverfront style buildings, as envisioned by the City when these development codes were first considered. When the development code was being updated, the City also wasn't prioritizing adding dwelling units as much as it is now. The large Quonset hut already has a mezzanine level inside, with a full apartment in it. The smaller Quonset hut doesn't have this kind of an area, but does have a full sized kitchen and area in the back that can easily be converted, without detracting from the commercial space in the front, and without adding to the footprint. It's obvious that the building can't be converted to allow residential space below, or above it. Further, HMC 18.50.080(3)(c), states that *new residential uses in the C-1 zone are not allowed except as part of a mixed-use development requiring a site plan*. In this case, the owners are being required to go through a change of use from an institutional/public use to commercial/retail, and therefore are required to go through the site plan process.

FINDINGS: With the City's emphasis on providing housing, and because the main part of this structure will still be commercial/retail, it is a good candidate for the owner to be allowed to convert the back space into a dwelling unit. This building is also in an area surrounded by other residential homes. In addition, the City wants to attract businesses. Investments in buildings that can be marketed for commercial use are far easier when an owner has a tenant already present, who can help provide revenue while the owner searches for a viable business that will work well in the Harrisburg downtown core. The owners plan to 'build' to suit in the interior of the Quonset hut. As such, Staff feels that the criteria has been met.

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

DISCUSSION: There are no other policies that would be in conflict with this variance. It's in the city's best interest to gain more commercial businesses in our commercial core. By allowing this variance and use of the property, the City is more likely to get the type of investment in the building that will allow a business to be interested in it.

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 footprint of the structure that is currently in place for the Quonset hut, is not changing. There is no additional square footage being added. The property owner is converting the area in the back of the property, into residential use. There are already 3 other residential units in place nearby. This allows for mixed-use development, which encourages other investment in our downtown core.

FINDINGS: The criterion has been met.

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

DISCUSSION: In **Exhibit B**, the Planning Commission will find a comment from the Building Official. He has pointed out that they might need to install both fire sprinklers, as well as fire resistance to exterior walls on the residential unit. Dimensions were not available for him to assess this information. The owners have already planned for a 2-hour firewall between the commercial use in front, and the residential use in the rear. They are aware of these possible requirements, and will meet them if applicable. The property owners are also reminded through a development concern that System Development Charges (SDC's) are due with the issuance of the building permit, if the dwelling unit is allowed.

Condition – OSSC Building Code Requirements: With the submission of a Building Permit, the applicant/owner shall provide a design that follows OSSC building code requirements, in relation to possible sprinklers, and additional fire walls on the exterior walls of the residential unit if required. The building permit will also require a fire access and water supply information sheet and review by HFRD.

FINDINGS: The owners are aware of the requirements and are prepared to meet them if the OSSC requires it. Therefore, as conditioned 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.

DISCUSSION: This is one of the main reasons for allowing this variance to apply, to allow the property owners to add a dwelling unit to this property, even though it's on the ground floor in the historical district. The Quonset hut directly across the street from this property has a full apartment inside it. The Rampy Bank building is another example of a historical exception to the ground floor dwelling unit rule. It is one of the oldest commercial buildings in town, and has a ground floor dwelling unit attached to it. These will sometimes create a unique environment for someone to both live in, and run a business in the same building.

FINDINGS: Based on existing uses in the historical zone, which includes the other Quonset hut, and the historical use of the Rampy Bank Building, 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: This variance must be approved for a dwelling unit to be added to the property. Therefore, a condition of approval shall apply that it must be approved for this conversion to apply. Otherwise, the other conditions that have been created are applicable to the property, and are necessary to protect the best interests of the surrounding property.

Condition - Variance Approval Necessary for Dwelling Unit Remodel: The dwelling unit variance must be approved for the property owner to be allowed to convert the back area of the Quonset Hut into a dwelling unit. Without this approval, the conversion of the front area into a commercial/retail business is still applicable, and the rear area of the Quonset hut may also be used for commercial/retail uses.

FINDING: As conditioned, this criterion has been met.

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.

DISCUSSION: The owner must start the process of remodeling the former VFW building within a 18-month period from the time of approval of this variance.

Condition - 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 condition has been met.

HMC Chapter 18.65.050 Building Orientation & Design – Downtown Historic District Design Standards

1. Purpose. The following requirements are intended to create and maintain a built environment that is conducive to walking; reduces dependency on the automobile for short trips; provides natural surveillance of public spaces; and maintains the historic integrity/architectural character of the community.

DISCUSSION: This property is changing uses by transitioning from a public use for a public/fraternal order use into a commercial use/mixed use development. In the historical zone, HMC 18.65.040(1)(b) states that *'the standards respond to and reconcile the historical context of the City with more contemporary building practices'*. We may draw on the vocabulary of the City's historical districts, but can allow more contemporary interpretations of older building forms and styles scaled to fit the community. The City is expressly looking for the development of compact, walkable commercial and mixed-use districts. As per the building orientation standards for non-residential buildings, there is a primary entrance that faces the abutting street, and in the historical and C-1 zones, the structures are allowed a 0' setback. Trash storage facilities, and off-street parking are delegated to the rear of the building.

The structure has direct street level entrances reachable by an ADA accessible ramp. Windows will be replaced in the front, and will be required to meet the design standards of the downtown historical guidelines. The code specifies that there should be 30 percent transparency on side and rear elevation windows; however, that is not possible in this structure. The sides of the Quonset are corrugated steel; breaking the integrity allows for the materials to become more exposed to the elements. The back, southwest corner of the structure is blocked by a 'lean-to' storage area, and a closet that was added on to the kitchen side of the structure. The main body of the back area appears to be a mix of concrete block and brick in some areas, with panel cladding on the southeast side. The trim on windows in this area are already in a grid-pattern, but the owners may change these for windows with integrated grid panels if desired. In section (3)(f), the code does give the option for the Planning Commission to approve an exception to these standards where existing topography or building function makes compliance impractical.

In HMC 18.65.040(6), the code refers to HMC 18.65.050 for non-residential buildings located in the historical district, or in historic buildings. This structure is a legal, non-conforming structure. It is not undergoing an expansion of the current space; only a change of use/remodel, and allowing for the addition of a mixed-use development and dwelling unit in the rear of the structure. Because this is a ground-floor unit, the variance must be approved to allow the dwelling unit.

In HMC 18.65.050(11), the code does ask for at least two of the following historic façade components:

- a. Cornice or parapet;
- b. Awning or canopy;
- c. Transom;
- d. First-floor display window
- e. Center entry, perhaps recessed.

In addition, the code asks for the height, width and shape of door and window openings to be compatible with the buildings in the Historic Overlay Area. Because the historical aspect of this structure is a steel Quonset hut, there is no comparison to these structures; other than windows in the front or residential area in the rear. In HMC

18.65.050(16), the building materials for commercial construction shall include wood, brick, cast iron, and wrought iron. Therefore, the building materials being repaired should match what is currently on the building as much as possible. Repairing and replacing broken segments of the wood siding in the main living space in the rear is acceptable to meet these standards. If the owners decide that much of the paneling needs to be replaced, they are encouraged to replace it with more of a period look paneling/siding; as well as encouraged to utilize a brick façade, more in keeping with structures to the east.

In section 19 of HMC 18.65.040 it speaks of parking standards for the historical overlay zone. Parking shall be accessed from a public alley and shall not front onto a public street other than an alley, except for public parking lots. There is also no minimum number of automobile parking spaces for uses in the downtown historic district zone.

As noted in Condition No. 5, there may be OSSC Building Code Requirements for fire-wall on the exterior walls of the residential unit, and there is a possibility that sprinklers will be required.

Condition: Façade Design: Concurrent with submission of the Building Permit, the owners must show a design that has two of the historical façade components for the front of the Quonset hut, and windows shall closely match historical structures that are nearby. (These count as a first-floor display window.)

FINDINGS: Condition of Approval No. 6 already notes that the variance must be approved for the property owner to remodel and include a dwelling unit in this structure. Therefore the Façade Design Condition is also reliant on that condition being approved. With the additional condition (No. 8) being approved for this structure located in the historical overlay zone, this criteria has been met.

CONCLUSIONS

This request is for a site plan change of use, from a public/institutional/fraternal order use to commercial/retail use. It should be noted, that if for example, another VFW group or American Legion were to lease the building, and use it for both fundraising purposes, and a meeting location, then that kind of use would need to be started within 18 months of the date of sale. Otherwise, returning to this kind of use would require a conditional use permit. A VFW group could easily convert the building into a regular retail use, (coffee shop, wine shop, etc.) while using the space as a meeting area outside of retail hours. The property owner is also reminded through a development concern, that they will need to pay SDC's for the dwelling unit and should take that additional expense into consideration.

If the variance is not allowed, the conversion to retail use will still take place, and the remaining conditions are still applicable, although the OSSC building code requirements may be somewhat relaxed without a dwelling unit. While the Planning Commission did add the distinction of not allowing ground level mixed-use dwellings, the way this property owner approached the variance request does make sense, and the need for

dwelling units has increased. Allowing a property owner the ability to have revenue while investing in the commercial section of the building is ultimately valuable to the City in terms of economic development.

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 Approve the Site Plan, Variance, and Historical District Review for LU468-2025 for the former VFW Quonset hut now owned by Patrick and Donnell Freeman.

RECOMMENDED MOTION(S) The motion is located at the top of this staff report and on the Agenda.

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 by the following conditions of approval.

Condition No. 2 – Landscaping: Concurrent to submission of Building Permit, property owner must submit a landscaping plan, showing the addition of 600 sq. ft., subtracting the size of the terrace and as according to requirements in HMC 18.75.030(3). The landscaping plan must show screening materials and locations for garbage.

Condition No. 3 – Outdoor Lighting: Concurrently shown on submission of the building permit, any additional outdoor lighting must be shown on the building permit. All lights must be directed downward, and shall not cause spillover into adjacent residential properties.

Condition No. 4 – Parking: Prior to Occupancy of either the business or dwelling unit, the property owner must provide some form of wheel stops, curbing, or bollards which will block vehicles from driving into landscaping and the structure.

Condition No. 5 – OSSC Building Code Requirements: With the submission of a Building Permit, the applicant/owner shall provide a design that follows OSSC building code requirements, in relation to possible sprinklers, and additional fire walls on the

exterior walls of the residential unit if required. The building permit will also require a fire access and water supply information sheet and review by HFRD.

Condition No. 6 - Variance Approval Necessary for Dwelling Unit Remodel: The dwelling unit variance must be approved for the property owner to be allowed to convert the back area of the Quonset Hut into a dwelling unit. Without this approval, the conversion of the front area into a commercial/retail business is still applicable, and the rear area of the Quonset hut may also be used for commercial/retail uses.

Condition No. 7 - Time Limitation: The property owners must apply for a building permit within an 18-month time limit from the approval of this variance request.

Condition No. 8 - Façade Design: Concurrent with submission of the Building Permit, the owners must show a design that has two of the historical façade components for the front of the Quonset hut, and windows shall closely match historical structures that are nearby. (These count as a first-floor display window.)

DEVELOPMENT CONCERNS

DEVELOPMENT CONCERN NO. 1: SDC'S for the new dwelling unit shall be due and payable at the time the building permit is paid for.



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

LAND USE APPLICATION

STAFF USE ONLY	
File Number:	LU 4168-2025
Date Received:	5-7
Fee Amount:	2,500 PD 5725

SITE PLAN, VARIANCE & HISTORICAL

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 checked="" type="checkbox"/> Conditional Use Permit*	<input checked="" 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 checked="" type="checkbox"/> Historic Review – District	<input checked="" type="checkbox"/> Variance*
<input type="checkbox"/> Legal Lot Determination	<input type="checkbox"/> Zone Map Change*
<input type="checkbox"/> Zoning Ordinance Text Amendment*	

*A Pre-Application Conference with City Staff is Required

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL	
Project Description	Renovate the prior VFW lodge to a commercial space with a residential unit in the back area. We discussed a coffee shop or similar use to continue to drive traffic to the downtown historic district.
Project Name	160 Smith Street - VFW

PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name	Patrick & Donnell Freeman		
Phone	303-523-1015	Email	freeman_patrick@hotmail.com
Mailing Address	P.O. Box 588, Harrisburg, OR 97446		
Applicant's Signature			
		Date	3/29/25
Property Owner Name	Patrick & Donnell Freeman Living Trust		
Phone	303-523-1015	Email	freeman_patrick@hotmail.com
Mailing Address	P.O. Box 588, Harrisburg, OR 97446		
Owner Signature	Patrick and Donnell Freeman		
		Date	3/29/25
*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	160 Smith Street		
General Location Description	Prior VFW lodge located on Smith street in the downtown		
Assessor's Map Number(s)		Related Tax Lot(s)	
Map #	15S04W16AA05100	Tax Lot(s) #	327193 05100
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	NA 3,840 sq		

LAND USE AND OVERLAY ZONES

Existing Zone(s) CommericalExisting Comprehensive Plan Designation(s) COMMERCIAL-HISTORICAL

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 type="checkbox"/> Architectural Elevations |
| <input type="checkbox"/> Assessor's Map with Applicable Tax Lots Highlighted | <input checked="" type="checkbox"/> Architectural Floor Plans |
| <input type="checkbox"/> Site Plan | <input checked="" type="checkbox"/> Utilities Plan |
| <input type="checkbox"/> Survey / ALTA | <input type="checkbox"/> Geotechnical Report/Site |
| <input 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 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: 3/29/25

PLEASE TELL US MORE ABOUT THE PROPOSAL AND ITS SITE

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

Existing quonset hut (prior VFW lodge).

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

We'd like to continue to grow the main street historic downtown area with further commercial use along with a continued resident growth opportunity.

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

Open space will be maintained on a regular basis to ensure the main street is aesthetically appropriate to everyone.

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.

Not to my knowledge.

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:

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.

Criteria Document

Site Plan Criteria: (Note: In 4, below, you will see design standards that generally don't apply to the historical zone. The parking standards for historic overlay exempts you from parking. If you'd like to provide it to help out your renter, or the business lease holder, you are welcome to create it. There is a possibility that if you provide it, you might need to pave it.....but the alley is gravel, so it might be acceptable to leave it as gravel, unlike most areas in town.) Chapter 18.75 does apply.

19.15.050 Approval criteria.

An application for site design review shall be approved if the proposal meets all of the following criteria. The Harrisburg Planning Commission, in approving the application, may impose reasonable conditions of approval, consistent with the applicable criteria contained herein.

1. The application is complete, in accordance with HNC 19.15.040;
2. The application complies with all of the applicable provisions of Chapters 18.45 and 18.55 HMC, including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;
3. The proposal includes required upgrades, if any, to existing development that does not comply with the applicable land use district standards, pursuant to Chapter 18.25 HMC.
4. The proposal complies with all of the development and design standards, as applicable, including, but not limited to:
 - a. Chapter 18.70 HMC, Access and Circulation;
 - **Access will be through the alley (either direction). Most likely, this will be one resident and one vehicle**
 - b. Chapter 18.75 HMC, Landscaping, Fences and Walls, Outdoor Lighting;
 - ★ - **Not applicable per Michele**
 - **We do plan on improving/cleaning the side yards, outdoor patio and front entry with potted/hanging planting. The building and façade would benefit from some greenery. Outdoor security lighting may be upgraded as well to improve security. All applicable city rules and guidelines will be followed**
 - c. Chapter 18.80 HMC, Parking and Loading; and
 - **Alley parking will be limited to resident vehicles only – likely one vehicle due to proposed size of studio apartment**
 - **Commercial parking will be short term street parking**
 - d. Chapter 18.85 HMC, Public Facilities

(check 329-25-11
UT
APPLY)

5. For nonresidential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact, shall be avoided; or where impacts cannot be avoided, they are minimized; and

Agreed and as the neighbor to this property, we'll make sure to enforce this

6. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Agreed

7. As a condition of approval, the Planning Commission may require public improvements that are necessary to mitigate or prevent development impacts including, but not limited to, traffic, noise, odors, dust, pollution, or others that would affect surrounding existing uses or the City as a whole. [Ord. 987 § 1 (Exh. A), 2022.]

We don't anticipate any of these issues with the current scope of work

19.40.040 Variances:

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;

The variance (for added residential) is requested to continue to drive the downtown population to help support the focused effort to bring successful commercial opportunities to the main street district of downtown Harrisburg

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

Agreed

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

Agreed

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

The variance will help support the adjacent properties and the overall downtown area.

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

We plan on following all applicable building code requirements and engineering design standards.

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

This is a unique property and the variance allows us to achieve the general goal of mixed use properties in the historic downtown main street area. Due to the existing type of structure, the 2nd floor residential mixed-use layout isn't an option but the variance lets us achieve the larger goals of the community.

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.]

Look forward to discussing any conditions you may find necessary

This is the hyperlink to HMC 18.65, these are the compliance standards of the historical zone. <https://link.edgepilot.com/s/d6f1f890/BjzZRb9G2Em7Y-dZ72tbXw?u=https://www.codepublishing.com/OR/Harrisburg/%23!/Harrisburg18/Harrisburg1865.html%2318.65.050> The design of the front of the building, and how you restore the Quonset hut metal exterior, need to follow these guidelines as close as possible. These standards also apply to the residence on the south side of the Quonset hut.

We have read and understand the guidelines and will be diligent with the compliance standards of the historical zone.

HMC 18.65.050(15) – Downtown Historic District Design Standards:

15. Design Guidelines for Commercial Construction. New commercial construction and exterior improvements and rehabilitation shall comply with subsections (3) through (14) of this section, with the following emphasis:

a. The historic downtown commercial buildings shall be maintained and developed to represent a historic riverfront community of the late 1880s to early 1900s. The following buildings currently listed on the local inventory of historic properties best represent buildings from this era:

- (1) I.O.O.F. Hall, 190 Smith Street;
- (2) Rampy Building, 195 Smith Street;
- (3) Hubbell Building, 286 Smith Street; and
- (4) May and Senders Store (original three-bay arcaded facade), 125 Smith Street.

Agree with this strategy and will do our best to follow the general historical aesthetic theme of the downtown area. The building structure itself does limit our ability somewhat but we'll still make every effort to comply with this direction whenever possible.

16. Building Materials for Commercial Construction. The type of materials used shall be selected from those materials exhibited on the buildings (or similar) representing the targeted era listed in subsection (15)(a) of this section. These include wood, brick, cast iron, and wrought iron.

We will explore how to thoughtfully incorporate some of these materials into our overall exterior design

17. New Residential Construction – Design Guidelines. New residential construction and exterior improvements and rehabilitation shall comply with subsections (3) through (14) of this section, with the following emphasis:

a. The historic downtown residential buildings shall be maintained and developed to represent a historic riverfront community of the late 1880s to early 1900s. The following buildings currently listed on the local inventory of historic properties best represent buildings from this era:

Agree with this strategy and will do our best to follow the general historical aesthetic theme of the downtown area. The building structure itself does limit our ability somewhat but we'll still make every effort to comply with this direction whenever possible.

(1) E.F. Wyatt House, 353 Smith Street;

(2) Abner Waters/J.P. Schooling House, 206 South 4th Street and outbuilding;

(3) Thomas Sommerville House, 196 South 4th Street.

18. New Residential Construction – Building Materials. The type of materials for new residential construction and exterior remodeling shall be selected from those historic materials already present in the area. These include wood, brick, concrete, stucco, and cast iron. Wood is also an acceptable material to use for details and ornament.

We will explore how to thoughtfully incorporate some of these materials into our overall exterior design

19. Parking Standards for Historic Overlay. Parking standards generally applicable within the City of Harrisburg may not be appropriate for the historic district. The intent of the historic district is to have an appearance reminiscent of a time before there were automobiles and parking lots. Parking standards within the historic district shall therefore be as follows:

a. Parking shall be accessed from a public alley unless the City Planner determines this cannot reasonably be accomplished.

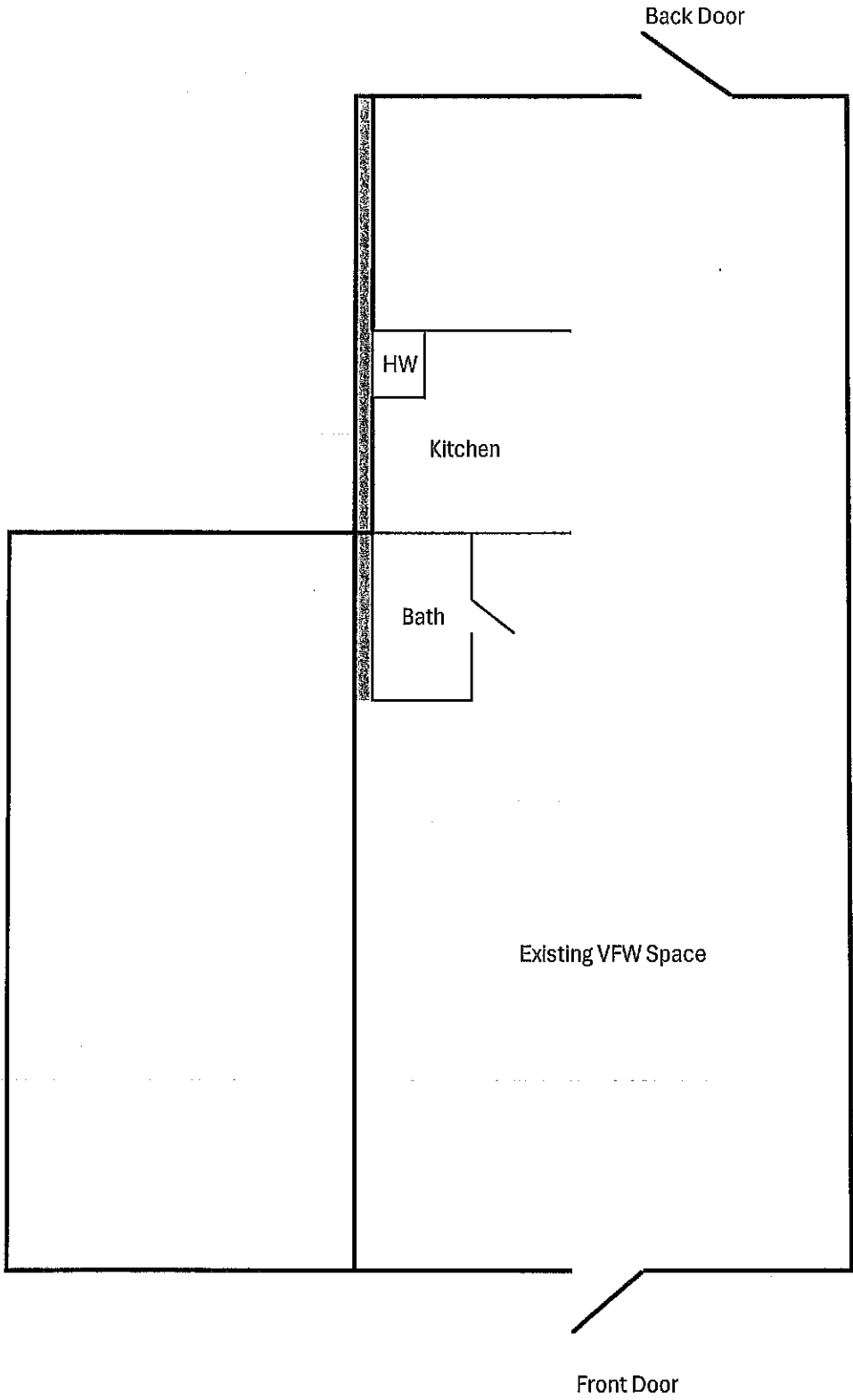
Agreed, no planned major changes here

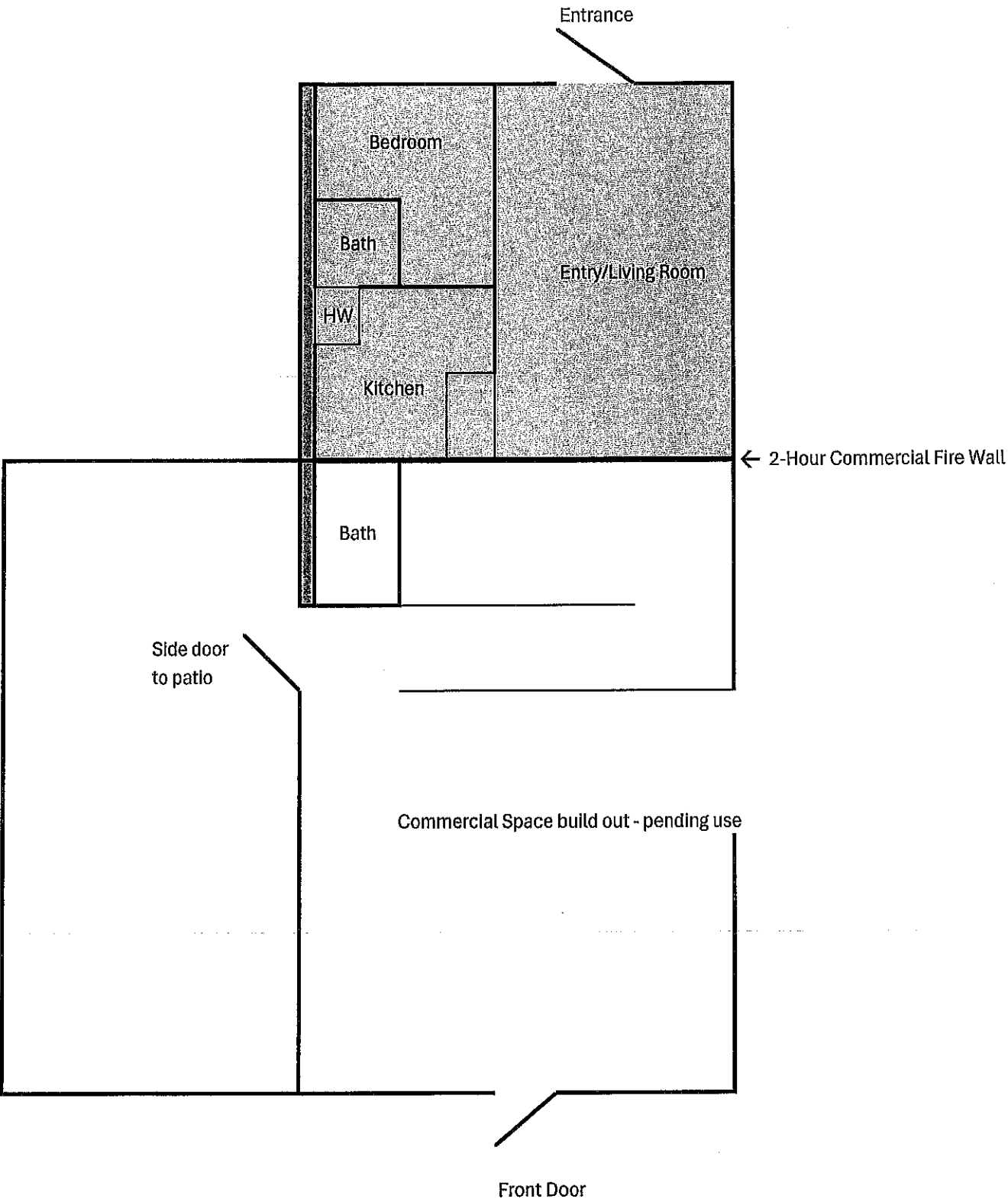
b. Parking, if provided off-street, shall not front onto a public street other than an alley except for public parking lots or when it is determined to be necessary by the City Planner.

Understood

c. There is no minimum number of automobile parking spaces for uses in the Downtown Historic District Zone. [Ord. 987 § 1 (Exh. A), 2022.]

Understood







Legend

- PublicRoadCL
- RailroadCL
- Subdivision
- TaxCodeLines
- Historical

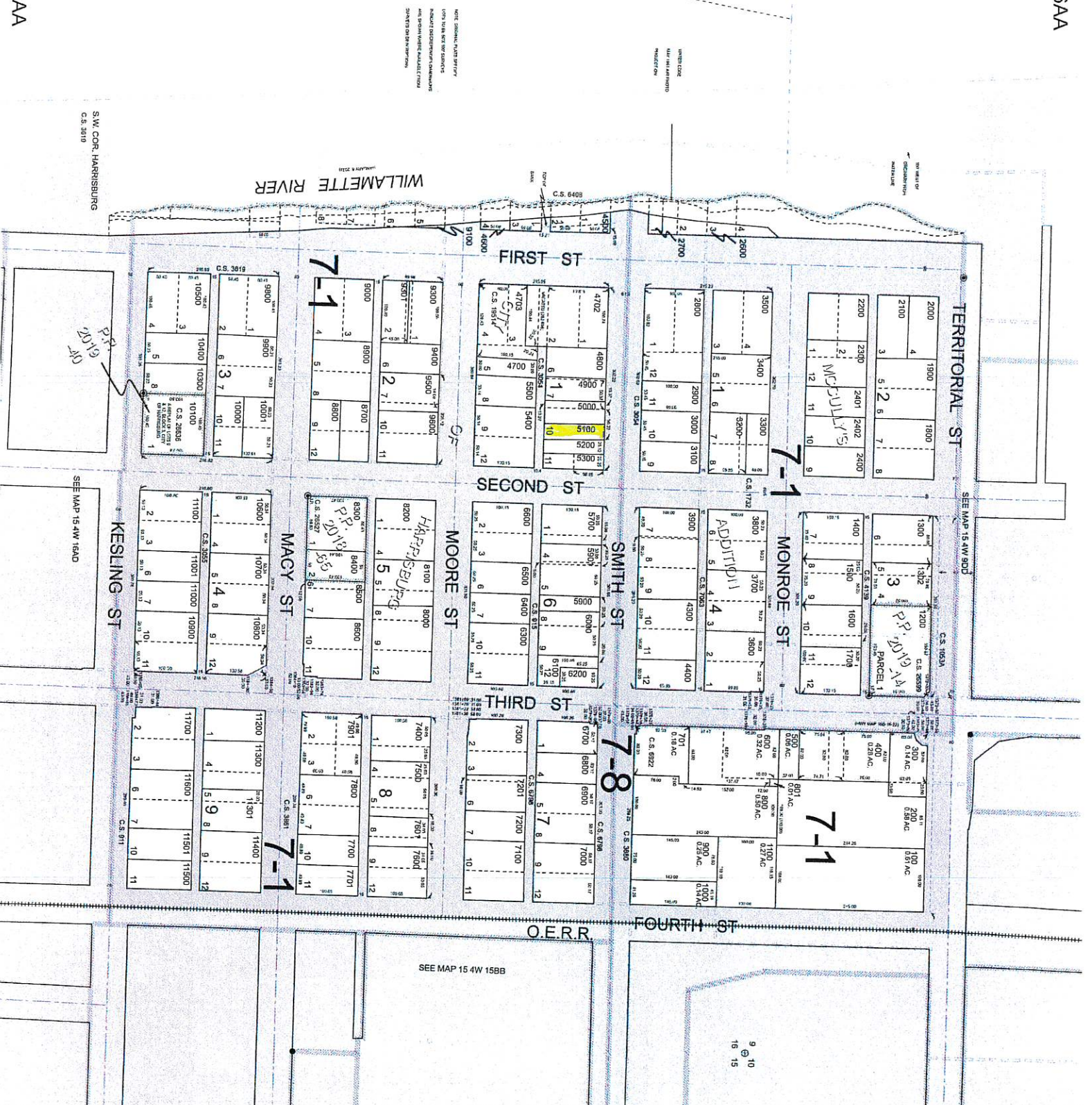
Canceled taxlots

700
4000
4100
4200
501
9700
9200
9760
1301
10200

Printed on: 4/21/2025



MAP FOR ASSESSMENT
PURPOSES ONLY

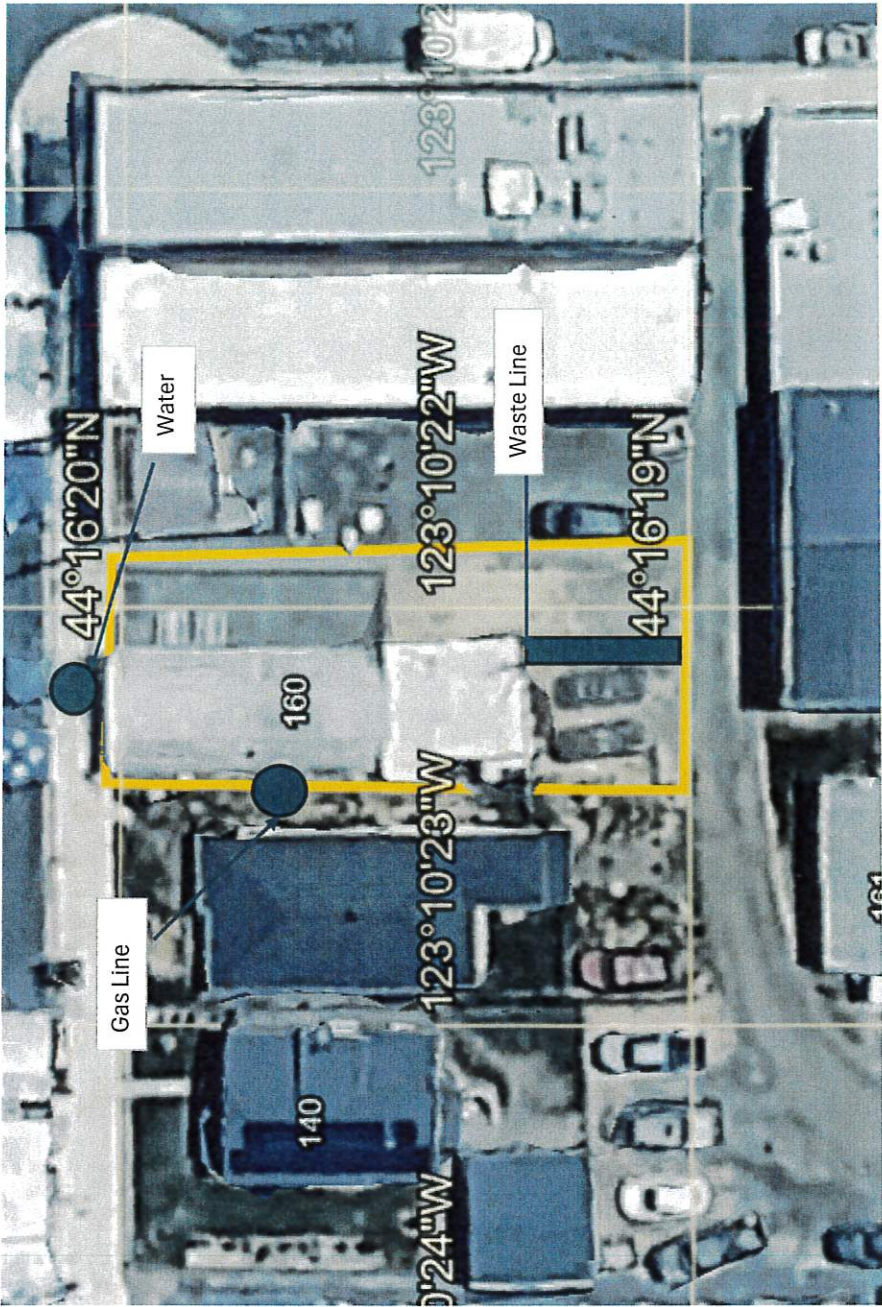


5S04W16AA

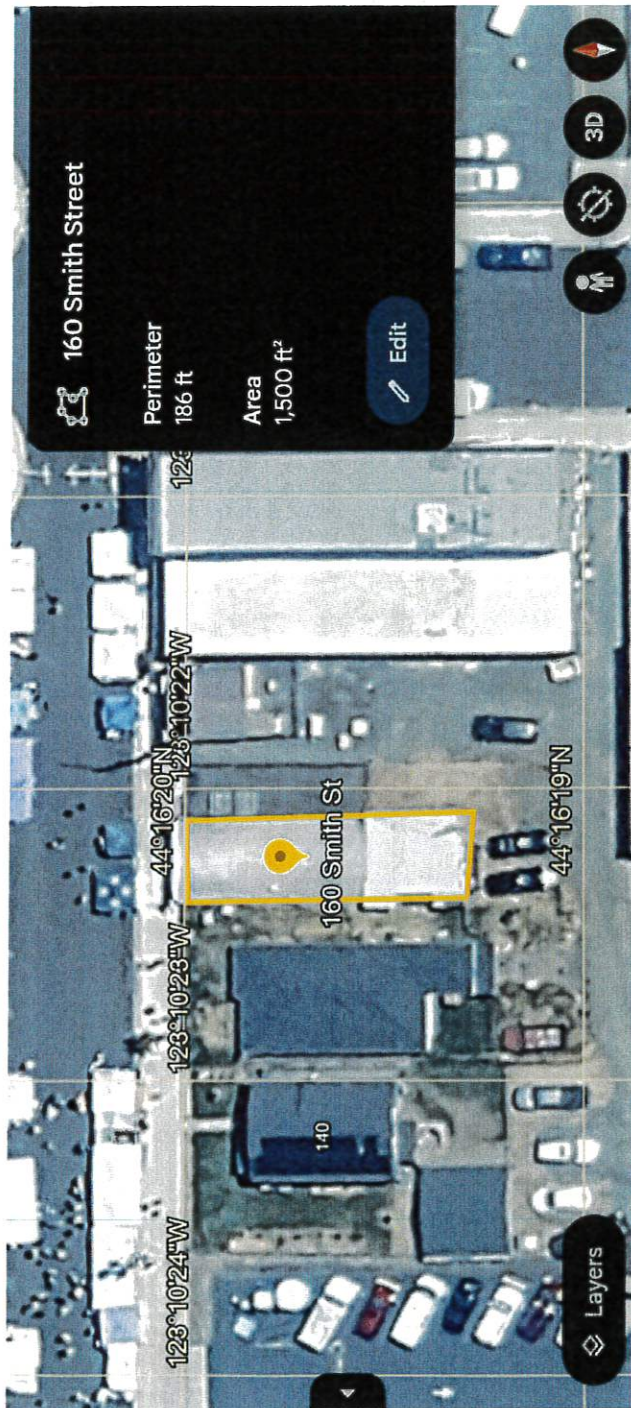
HARRISBURG
15S04W16AA

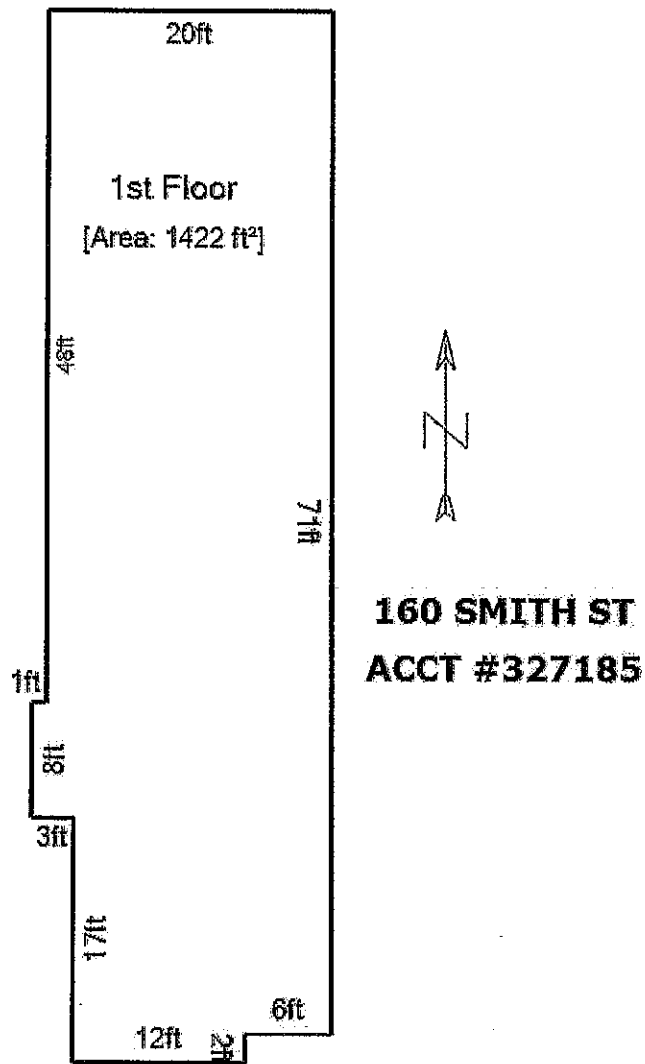
Dimensions 40 x 100
Square Footage 4000





Dimensions 21.5' x 70'
Square Footage 1505











Michele Eldridge and the City of Harrisburg,

This letter is meant to provide evidence of our relationship 'neighborhood contact'.

As you know, we have been heavily involved in trying to redevelop the downtown area. We believe in this City and realize the potential future through; continued investment, smart in-fill developments/redevelopment and a growing downtown population.

The City of Harrisburg has been instrumental in helping us drive this goal. The financial and enthusiastic approach to our projects has been amazing and encourages us to continue to push for sustained downtown growth.

Thank you again for your help/support in the past, during this project and hopefully future projects.

Thanks again,

Patrick & Donnell Freeman

Linn County
2024 Real Property Assessment Report
 Account 327185

2.

Map 15S04W16-AA-05000
Code - Tax ID 00708 - 327185

Tax Status Assessable
Account Status Active
Subtype NORMAL

Legal Descr HARRISBURG, CITY OF
 Block - 1 Lot - 7 10

Mailing PATRICK & DONNELL FREEMAN REV LIV TRUST
 FREEMAN PATRICK C & DONNELL K TR
 PO BOX 588
 HARRISBURG OR 97446

Deed Reference # 2024-12000
Sales Date/Price 10-15-2024 / \$0
Appraiser UNKNOWN

Property Class 201 MA SA NH
RMV Class 201 06 07 012

Site	Situs Address	City
	160 SMITH ST	HARRISBURG

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception CPR %
00708	Land	32,260		Land	21,070 65.3
	Impr	35,120		Impr	22,930
Code Area Total		67,380	44,000	44,000	44,000
Grand Total		67,380	44,000	44,000	44,000

Land Breakdown								
Code Area	ID #	RFPD	Plan Ex Zone	Value Source	Trend %	Size	Land Class	Trended RMV
00708	1	<input checked="" type="checkbox"/>		Market	105	3,840 SF		32,260
Code Area Total						3,840 SF		32,260

Improvement Breakdown								
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex% MS Acct	Trended RMV
00708	100	1930	823	Lodge	105	1,450		35,120
Code Area Total						1,450		35,120

Exemptions / Special Assessments / Notations	
Exemptions (RMV)	
■ ORS 307.136 - Fraternal Organizations	

Appraisal Maint 2024-TAX STATUS CHANGE TO ASSESSABLE

Comments 24MX: PROPERTY SOLD, NO LONGER NON-ASSESSABLE. RECALC'D. 6/24 NB

Michele Eldridge

From: Jason Johannesen <jjohannesen@ci.junction-city.or.us>
Sent: Wednesday, May 28, 2025 9:44 AM
To: Michele Eldridge; Lori Ross; Chuck Scholz; Caleb Smith
Cc: Bart Griffith; sean@longdel.com
Subject: RE: Harrisburg ROI for a Type III Decision on a Change of Use Site Plan, Variance to place a dwelling unit on the ground floor, and Downtown Historic District Design Standards - Deadline June 6, 2025

Michele,

I have looked this one over and would like to make sure that the applicant knows that from a building code (OSSC) perspective, they would likely need to provide fire sprinklers for the entire building (unless the building happens to already have fire sprinklers) as required per the Oregon Structural Specialty Code (OSSC) section 903.2.8. Additionally, depending on the distances from the exterior walls to the property lines they might need to provide some fire resistance rated exterior walls for the residential unit. (dimensions were not available for this review) OSSC table 705.5. Other than those items to work through, I do not see any other OSSC related issues. Thanks,

JASON JOHANNESSEN

City of Junction City Building Official
 jjohannesen@ci.junction-city.or.us
 Cell: 541 224-3593

From: Michele Eldridge <meldridge@ci.harrisburg.or.us>
Sent: Tuesday, May 27, 2025 10:16 AM
To: Lori Ross <lross@ci.harrisburg.or.us>; Chuck Scholz <cscholz@ci.harrisburg.or.us>; Caleb Smith <csmith@ci.harrisburg.or.us>
Cc: Bart Griffith <bgriff@harrisburgfire.org>; sean@longdel.com; Jason Johannesen <jjohannesen@ci.junction-city.or.us>
Subject: Harrisburg ROI for a Type III Decision on a Change of Use Site Plan, Variance to place a dwelling unit on the ground floor, and Downtown Historic District Design Standards - Deadline June 6, 2025

Good Morning;

The City has received a request for a Site Plan for a change of use from Institutional to Commercial, a variance request to allow a residential dwelling on a ground floor in the historical zone overlay district, and Downtown Historic District Design Guidelines, from Patrick & Donnell Freeman, for the former VFW property located at 160 Smith St. in Harrisburg.

Please provide any comments to me by June 6, 2025. If you have any questions, please don't hesitate to contact me.

Have a great week ahead!



Michele Eldridge, CMC

City Administrator
PO Box 378
120 Smith St.
Harrisburg, OR 97446
541-995-2200

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Public Records Law Disclosure: *This e-mail is a public record of the City of Harrisburg and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This e-mail is subject to the State Retention Schedule.*