

# Site Development Review/Conditional Use Application

**Prepared by:**  
Palm Harbor Homes  
3737 Palm Harbor Drive  
Millersburg, Oregon 97321

August 25, 2021

**Project Summary**

Request:	Application for Development Review for Palm Harbor Homes  Application for Signage along Palm Harbor Drive
Location:	3838 Palm Harbor Drive Millersburg, Oregon 97321 Linn County Assessor's Maps No. 10s03w21D, C.S.21215 Parcel 1, Parcel 2
Applicant/Owner:	Palm Harbor Homes 3737 Palm Harbor Drive Millersburg, Oregon 97321 Phone: 541-928-2083
Engineer/Planner:	Palm Harbor Homes 3737 Palm Harbor Drive Millersburg, Oregon 97321 541-730-4224 Engineer: Gary Atchison

**Exhibits:**

- A – Topo Map of home display submitted to City of Albany – 1995
- B – Topo Map of home display revised and submitted to City of Albany - 2002
- C – Topo Map showing current display – 2021
- D – Aerial Map showing current display – 2021
- E – Comp Plan Map – City of Millersburg
- F – Homes Direct Photos

I. Project Description

On behalf of Homes Direct of Oregon, Palm Harbor Homes is seeking approval for the existing home and signage display along Palm Harbor Drive. This property was leased by Homes Direct in 2013 of whom has since maintained a large display of fully furnished homes for public viewing.

- Homes direct currently employs 6 Staff members with Office space for more as the market dictates.
- The Display Center provides 13 Parking spaces and 2 handicap parking spaces on its property. With the business being located at the end of a Cul-de-Sac adequate room is available for any overflow parking and poses no issue with Chapter 3.03 requirements. If for any reason additional parking is required beyond this, the Palm Harbor Manufacturing parking lot is available for business and customer use.



- Disability Provisions are in place for accessibility into most homes. Primary pathways are min. 48" wide.



- Homes Direct displays 24 homes with the potential to display up to 26 homes, these homes are for sale and shown completed with furnishings. Temporary power is supplied to lighting fixtures only. Plumbing or any other utility is not connected. The homes are not occupied nor set-up in a permanent fashion and can be taken down any time at point of sale. Display homes are typically replaced with more current product to maintain a strong business portfolio.
- Various site improvements include utility connections, landscaping, and a storm water management system is constructed to serve both existing and proposed buildings and has been in place since 1995.
- Signage for Palm Harbor Homes has been in place since 1995. Homes Direct introduced the Burma-Shave style signage along Palm Harbor Drive in 2016. Considering these pose no obstruction or impact to any other business and has been in place prior to this code's inception, Palm Harbor Homes request that Section 3.06.030(2) be honored for their signage and if necessary variance be given as outlined in Section 3.06.130.
- Overall property usage by Homes Direct is approx. 4.88 acres.

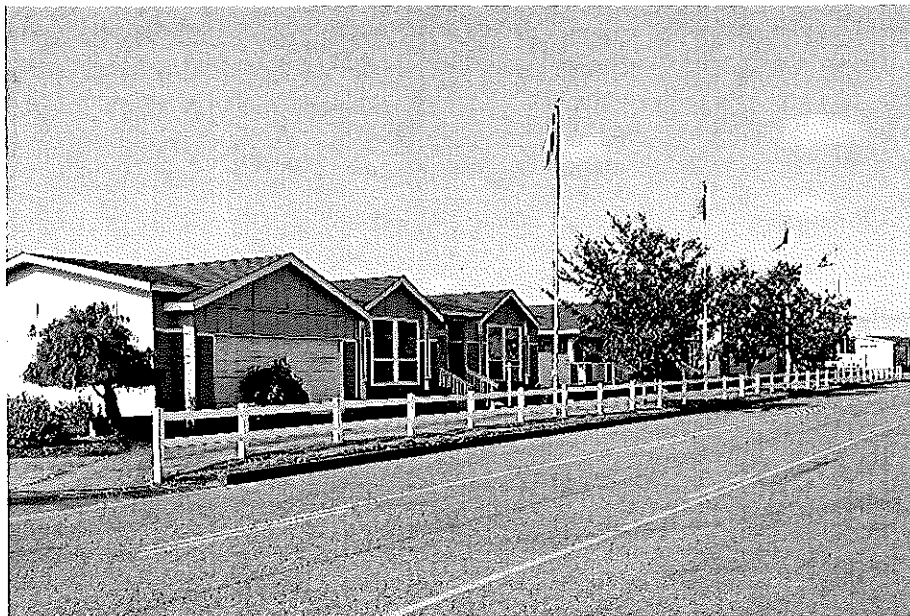
The proposed development conforms to all applicable sections of the Millersburg Development Code. This application narrative provides findings of fact that demonstrate conformance with sections 5.05.060 Development Review Decision Criteria, 2.10.050 General Industrial (GI) Dimensional Standards and 2.10.060 Development Standards chapters 3.03 thru 3.09 and 5.05 of the MDC.

Applicable criteria of the City of Millersburg Development Code will appear in *italics* followed by the applicants responses in regular font.

II. Existing Conditions

Palm Harbor Homes has had a display along Palm Harbor Drive since 1995 under the Company name Magic Living Homes. This property was leased by Homes Direct in 2013 of whom has since maintained a large display of fully furnished homes for public viewing. Traffic to this location through advertising campaigns has benefited both Palm Harbor Homes (directly across the street) along with businesses along the Old Salem Road corridor.

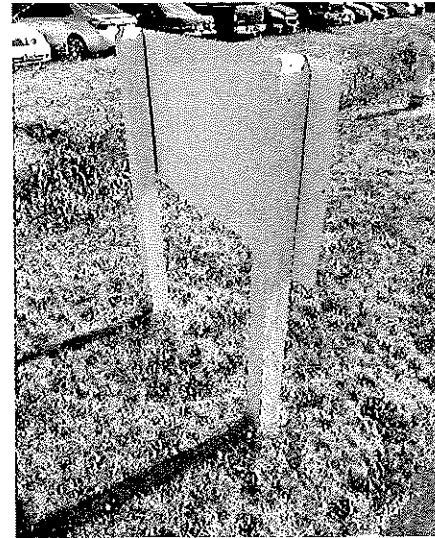
Presently, Homes Direct of Oregon displays 24 homes with the potential to display up to 26 homes. The property is exquisitely landscaped in front of the homes facing Palm Harbor Drive and homes facing the I-5 corridor.



## Palm Harbor Drive

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Signage along Palm Harbor Drive provides a welcoming entrance and a thankful exit to customers visiting both Homes Direct and the Palm Harbor Homes factory. Smaller signage indicative of the classic Burma-shave advertising also lines Palm Harbor Drive. This signage does not impose on any Utilities or Fire Hydrants and can be easily removed by simply pulling out of the ground. A large Billboard display lines the I-5 corridor giving directions and an enticing invitation for Free Factory Tours. Customers have responded positively to these which has been reflected by an increase in home sales since inception. This traffic increase benefits Homes Direct, Palm Harbor Homes and the City of Millersburg's local economy.



III. Site Development Review Decision Criteria

Decision criteria for a conditional use as outlined in Millersburg Development Code 5.05.060 provides findings of fact demonstrating compliance with these criteria below:

[5.05.060(1)] *The proposed use is allowed in the zone and complies with the underlying zone development standards.*

The subject property is zoned Commercial/Industrial. The permanent business location and majority of the display homes are positioned within the industrial segment of the property while five of the display homes are located along Palm Harbor Drive within the Commercial Zone. Per Chapter 3.14 and 31.7, Palm Harbor Homes seeks conditional/temporary use in this zone. As with Homes displayed in the Industrial Segment, these homes are for sale and shown completed with furnishings. Temporary power is supplied to lighting fixtures only. Plumbing or any other utility is not connected. The homes are not occupied nor set-up in a permanent fashion and can be taken down any time at point of sale. Display homes are typically replaced with more current product to maintain a strong business portfolio.

[5.05.060(2)] *The proposed use will not create negative impacts on the surrounding area resulting from traffic flow, noise, dust, glare, potential incompatible adjacent uses such as parking lots, or other impacts identified in the public hearing process.*

The subject property is zoned Commercial/Industrial. It is located at the end of a Cul-De-Sac on Palm Harbor Drive and across the street from the Palm Harbor Homes manufacturing facility. It is surrounded by open undeveloped property owned by Palm Harbor Homes. Conditions outlined in 5.05.060(2) should be considered non-applicable due to this property location and poses no public or environmental hazard.

[5.05.060(3)] *The City may impose conditions of approval intended to mitigate potential impacts including but not limited to:*

- a. Provisions for public utilities, including drainage and erosion control needs;*
- b. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities;*
- c. Provision for adequate noise and/or visual buffering from non-compatible uses including using site and landscaping design to provide needed buffering; and*
- d. Protections from any potential hazards.*

The property is located at the end of a Cul-De-Sac on Palm Harbor Drive remote from Old Salem Road or any housing development where heavy traffic is prevalent. The property is flat and well maintained by Homes Direct. Due to the location - noise abatement, visual buffering or protection from hazardous conditions should be considered non-applicable.

IV. General Industrial Zone (GI) Dimensional Standards

[2.10.050] *General Industrial Zone (GI) Dimensional Standards*

*Unless otherwise permitted in this Code, the following minimum dimensional standards shall be required for all development in the GI zone:*

*GI Zone Dimensional Standards*

*Minimum Lot Area*

*All Development sufficient to meet setbacks and development requirements*

*Minimum setbacks*

- All Yards* 0 feet
- Yards Adjacent to RM, RL, and RU Zones* 10 feet + 5 feet per story
- Yards adjacent to Conser Road* 30 feet + 5 feet per story
- Yards Adjacent to Old Salem Road* 10 feet south of the Murder Creek undercrossing. North of Murder Creek undercrossing, 10 feet on the rest side and 20 feet on the east side incorporating trail as identified in the most currently adopted Transportation System Plan

*Maximum Structure Height*

*Principal and Accessory building* no limit

*Maximum Lot Coverage* 100%

The subject property is zoned Commercial/Industrial. It is located at the end of a Cul-De-Sac on Palm Harbor Drive and across the street from the Palm Harbor Homes manufacturing facility. It is surrounded by open undeveloped property owned by Palm Harbor Homes. Conditions outlined in 2.10.050 should be considered non-applicable due to this property location.





V. Development Standards

Decision criteria for a conditional use as outlined in Millersburg Development Standards 2.10.060 provides findings of fact demonstrating compliance with these criteria below:

[2.10.060(1)] *Off Street Parking. Parking, driveway and loading improvements shall comply with provisions in Chapter 3.03.*

The Retail Display Center provides 13 Parking spaces and 2 handicap parking spaces on its property. With the business being located at the end of a Cul-de-Sac adequate room is available for any overflow parking and poses no issue with Chapter 3.03 requirements. If for any reason additional parking is required beyond this, the Palm Harbor Manufacturing parking lot is available for business and customer use.

[2.10.060(2)] *Signs. Signs in the GI zone shall conform to the standards contained in Chapter 3.06.*

Signage for Palm Harbor Homes has been in place since 1995. Homes Direct introduced the Burma-Shave style signage along Palm Harbor Drive in 2016. Considering these pose no obstruction or impact to any other business and has been in place prior to this code's inception, Palm Harbor Homes request that Section 3.06.030(2) be honored for their signage and if necessary variance be given as outlined in Section 3.06.130.

[2.10.060(3)] *Yards and Lots. Yards and lots shall conform to provisions contained in Chapter 3.08.*

Homes along Palm Harbor Drive and within the Retail Sales Center are temporary and on display for Sale. Conditions outlined in Chapter 3.08 should be considered no-applicable due to this scenario, however requirements for vision clearance as outlined in 3.08.060 are in compliance.

[2.10.060(4)] *Site Development Review. All new development and expansion of an existing structure or use in the General Industrial Zone shall be subject to the site development review procedures of Chapter 5.05.*

As noted previously, the subject property is zoned Commercial/Industrial. The permanent business location and majority of the display homes are positioned within the industrial segment of the property while five of the display homes are located along Palm Harbor Drive within the Commercial Zone. As with Homes displayed in the Industrial Segment, These homes are for sale and shown completed with furnishings. Temporary power is supplied to lighting fixtures only. Plumbing or any other utility is not connected. The homes are not occupied nor set-up in a permanent fashion and can be taken down any time at point of sale. Display homes are typically replaced with more current product to maintain a strong business portfolio. Per Chapter 3.14 and 3.1.7, Palm Harbor Homes seeks conditional/temporary use in this zone that will allow the freedom to change inventory without having to go through the submittal process outlined in Chapter 5.05.

*[2.10.060(5)] Landscaping. Any required or established yard shall be landscaped with trees, shrubs, and groundcover and maintained pursuant to provisions in Chapter 3.09.*

Landscaping along Palm Harbor Drive and surrounding the Retail Sales Center has been in place since 1996 and is located within Commercial/Industrial Zones. Due to the property's location it is not considered to be in a Residential or MU Zone per Chapter 3.09, therefore this requirement should be deemed non-applicable. To maintain a professional appearance however the grounds are exquisitely maintained by a professional landscaping service for Homes Direct.

*[2.10.060(6)] Residential Screening. Property abutting an RL, RU, or RM zone shall be screened with a sight-obscuring fence not less than six feet in height. This requirement shall not include the front yard.*

The subject property is zoned Commercial/Industrial. It is located at the end of a Cul-De-Sac on Palm Harbor Drive and across the street from the Palm Harbor Homes manufacturing facility. It is surrounded by open undeveloped property owned by Palm Harbor Homes. Conditions outlined in 2.10.060(6) should be considered non-applicable due to this property location.

*[2.10.060(7)] Environmental performance standards may limit placement of certain uses in the zone if the site is located within 300 feet of residentially zoned land.*

The subject property is zoned Commercial/Industrial. It is located at the end of a Cul-De-Sac on Palm Harbor Drive and across the street from the Palm Harbor Homes manufacturing facility. It is surrounded by open undeveloped property owned by Palm Harbor Homes. Conditions outlined in 2.10.060(7) should be considered non-applicable due to this property location.

VI. Additionally the project would have to address:

- *Parking Requirements from section 3.03*

As previously mentioned under 2.10.060(1) Homes Direct Display Center provides 13 Parking spaces and 2 handicap parking spaces on its property. With the business being located at the end of a Cul-de-Sac adequate room is available for any overflow parking and poses no issue with Chapter 3.03 requirements. If for any reason additional parking is required beyond this, the Palm Harbor Manufacturing parking lot is available for business and customer use.

- *Storm Drainage from Section 3.04*

Storm drainage for this property was established in 1995. Provisions have been in place for display homes along Palm Harbor Drive since 2013 with no ill effects of excessive water entering the roadway or soil erosion on said property. Please reference Exhibit A Topo Map for Civil Grades.

- *Utilities Section 3.05*

Utilities for the Primary Retail office has been in place since 1995. Power to the display homes have been installed by Electricians licensed in the State of Oregon. Other utilities such as sewage and water to these display homes are non-applicable.

- *Signage Section 3.06*

As previously mentioned under 2.10.060(2) Signage for Palm Harbor Homes has been in place since 1995. Homes Direct introduced the Burma-Shave style signage along Palm Harbor Drive in 2016. Considering these pose no obstruction or impact to any other business and has been in place prior to this codes inception, Homes Direct request that Section 3.06.030(2) be honored for their signage and if necessary variance be given as outlined in Section 3.06.130.

- *Yards and Landscaping Sections 3.08 and 3.09*

A previously mentioned under 2.10.060(5) Landscaping along Palm Harbor Drive and surrounding the Retail Sales Center has been in place since 1996 and is located within Commercial/Industrial Zones. Due to the property's location it is not considered to be in a Residential or MU Zone per Chapter 3.09, therefore this requirement should be deemed non-applicable. To maintain a professional appearance however the grounds are exquisitely maintained by a professional landscaping service for Homes Direct.

## Conclusion

This application narrative and accompanying plans demonstrate that the requested provisions from the City of Millersburg Development Code are satisfied. We respectfully request approval to maintain our current status and the ability to remove and add up to 26 display homes with no repercussions, as by doing so does not directly impact residential areas or surrounding businesses. Homes Direct will continue to be responsible for maintaining a professional appearance.

PALM HARBOR HOMES  
MODEL HOME DISPLAY CENTER

NOTE:  
1. BILLBOARD SIGN TO BE ILLUMINATED ON BOTH SIDES OF SIGN.  
2. MODEL HOMES TO BE ILLUMINATED BY GROUND MOUNTED FLOOD LIGHTS.



TYPICAL MOBILEHOME SHOW HOUSE

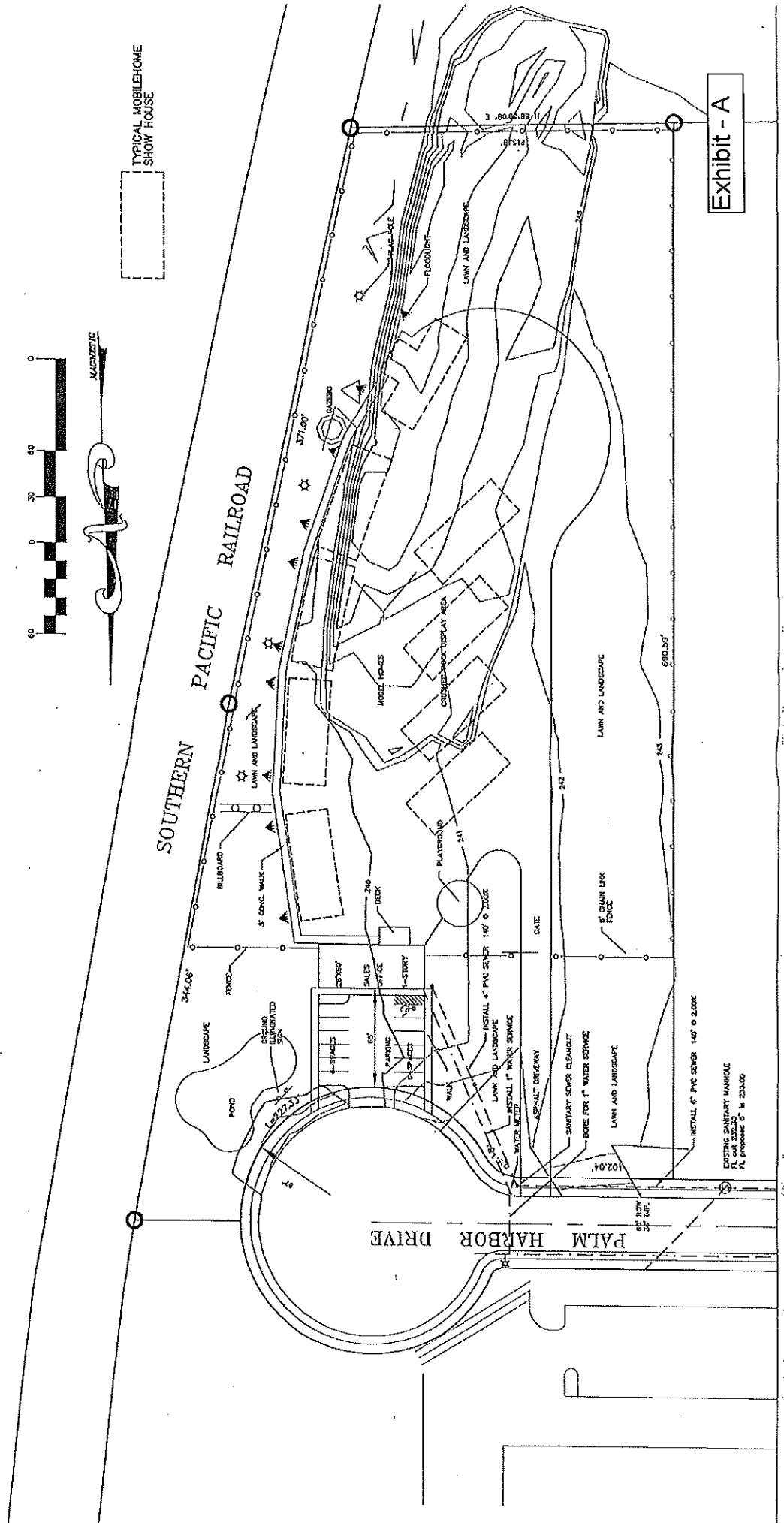
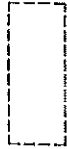
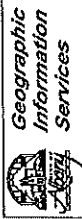


Exhibit - A



City of Millersburg, Iowa  
 Geographic Information Services  
 PO Box 200, Millersburg, IA 52051  
 (515) 782-1222

**CITY OF MILLERSBURG**

SCALE: 1" = 100'  
 CONTOUR INTERVAL: 2'  
 PHOTO DATE: MARCH 2002

THIS MAP HAS BEEN PHOTOGRAMMETRICALLY  
 DERIVED FROM AERIAL PHOTOGRAPHS  
 TAKEN AT A CHARTERED SURVEYING OFFICE  
 IN MILLERSBURG, IOWA. THE DATA  
 IS PROVIDED AS A SERVICE TO THE  
 CITY OF MILLERSBURG. THE CITY OF  
 MILLERSBURG IS NOT RESPONSIBLE FOR  
 ANY ERRORS OR OMISSIONS THAT MAY  
 OCCUR IN THIS MAP. THE CITY OF  
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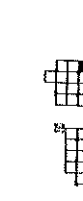
PRODUCTION DATE: 03/05/02  
 DRAWN BY: J. L. HARRIS  
 CHECKED BY: J. L. HARRIS  
 DATE: 03/05/02

HORIZONTAL AND VERTICAL MAP CONTROL  
 PROVIDED BY THE NATIONAL SYSTEMS  
 ENGINEERING CENTER, MILLSBORO, DE.  
 HORIZONTAL DATUM: NAD 83 (1981)  
 VERTICAL DATUM: NAVD 83

NOTE: APPROXIMATE LOCATION AND CENTER  
 POINTS ARE SHOWN FOR ALL STRUCTURES  
 WITHIN THE REPRESENTED PROPERTY LINES.  
 STRUCTURES ARE NOT TO BE CONSIDERED  
 AS A BASIS FOR ANY AND ALL OTHER  
 PURPOSES. FOR MORE INFORMATION,  
 CONTACT THE DESIGNER OR THE CITY OF  
 MILLERSBURG.

**SYMBOLS**

1	Contour
2	Spot Elevation
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SE 1/4 SEC. 21  
 T 10 S, R 3 W

Scale	1:25,000
Projection	UTM
Zone	18Q
Datum	NAD 83
Vertical Datum	NAVD 83
Units	Meters
Accuracy	± 1.0m
Version	1.0
Author	J. L. Harris
Editor	J. L. Harris
Reviewer	J. L. Harris
Approver	J. L. Harris
Date	03/05/02

**Exhibit - B**

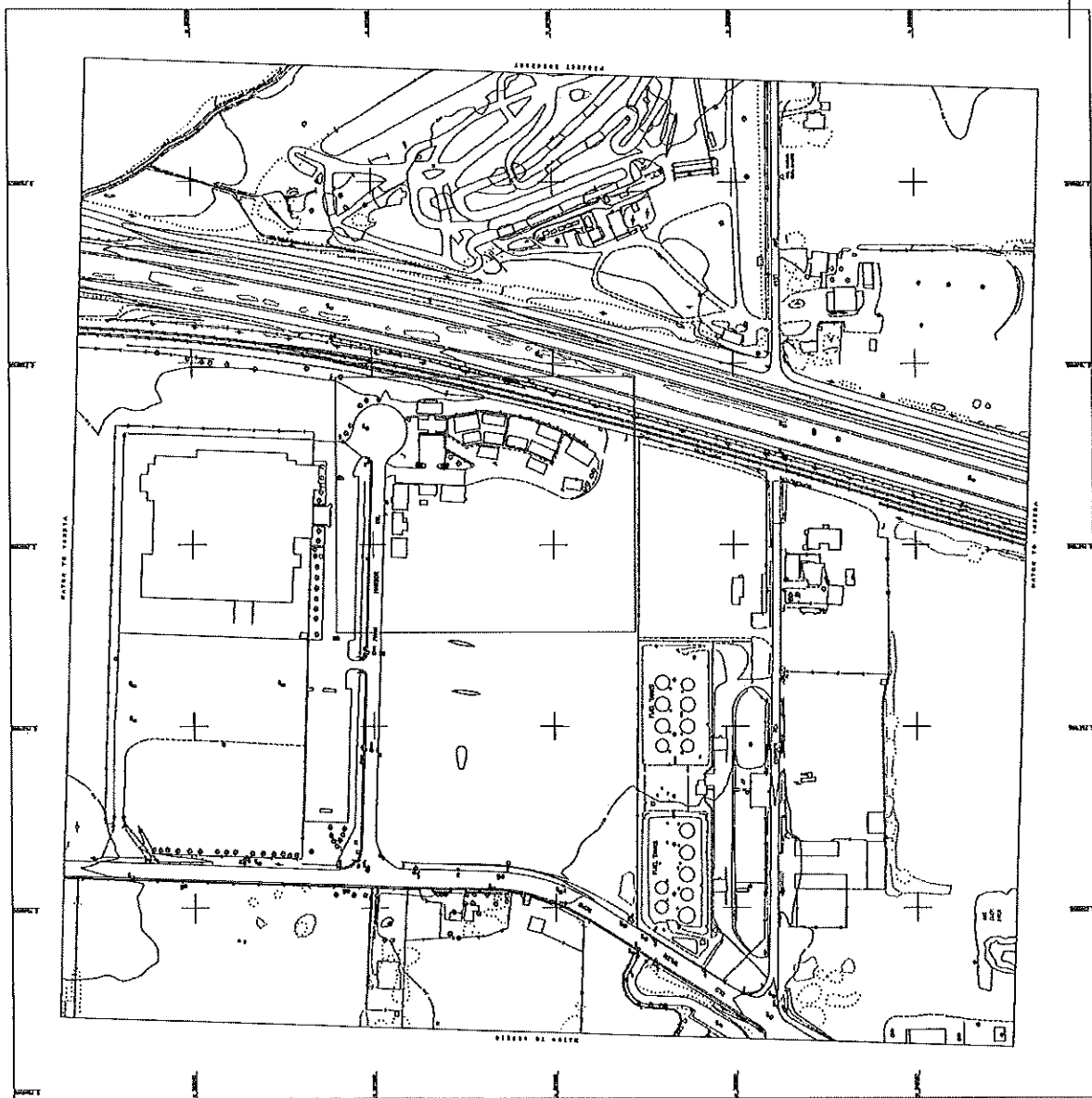
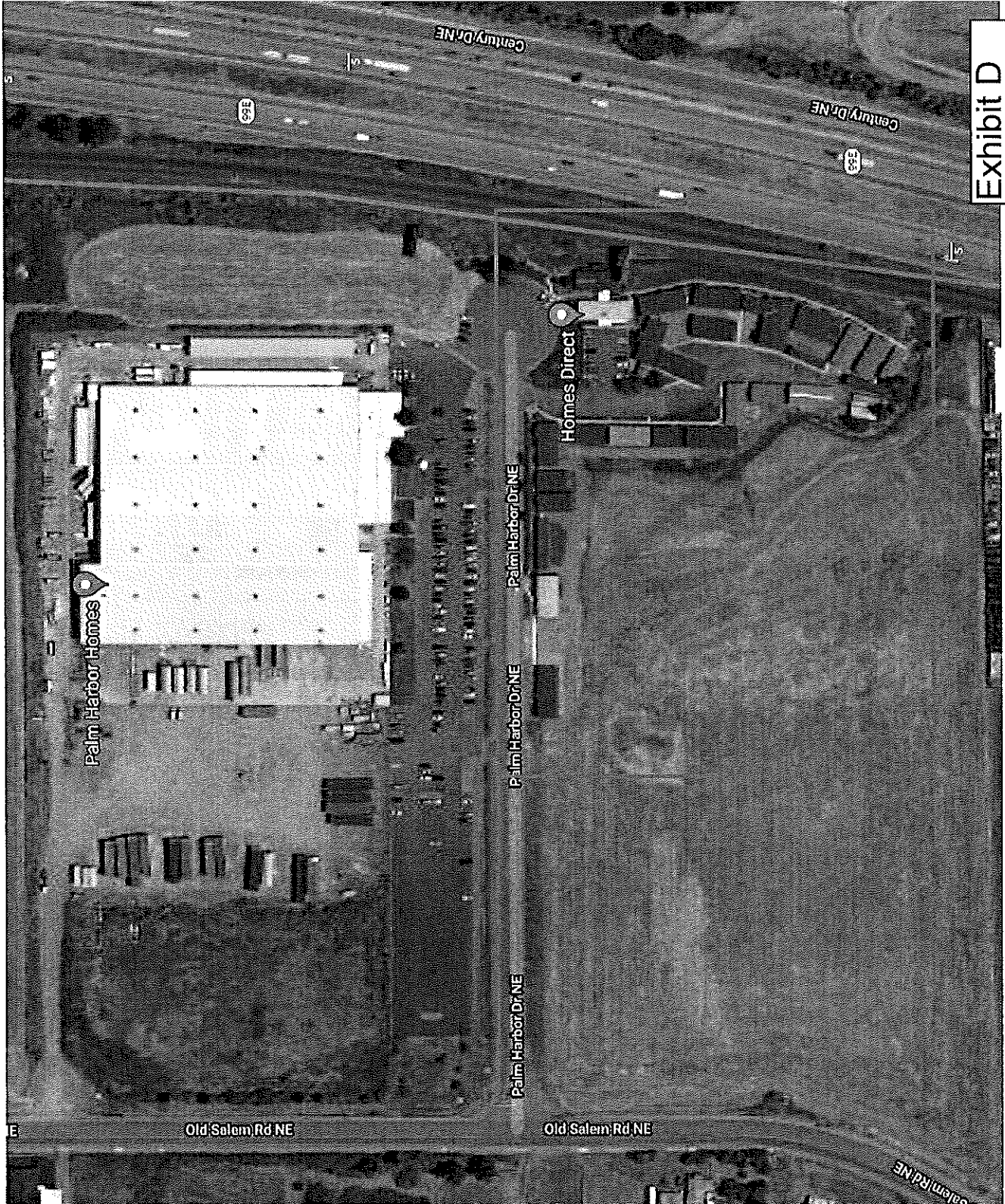









Exhibit D




# Comp Plan Map

Subject Property

## Comp Type

-  Agriculture
-  Commercial
-  Industrial
-  Public and Semi Public
-  Residential

## OTHER

-  City Limits

## City of Millersburg

0.5 0.25 0 0.5 Miles



Map Prepared Malt Straite 10.6.20

Exhibit - E



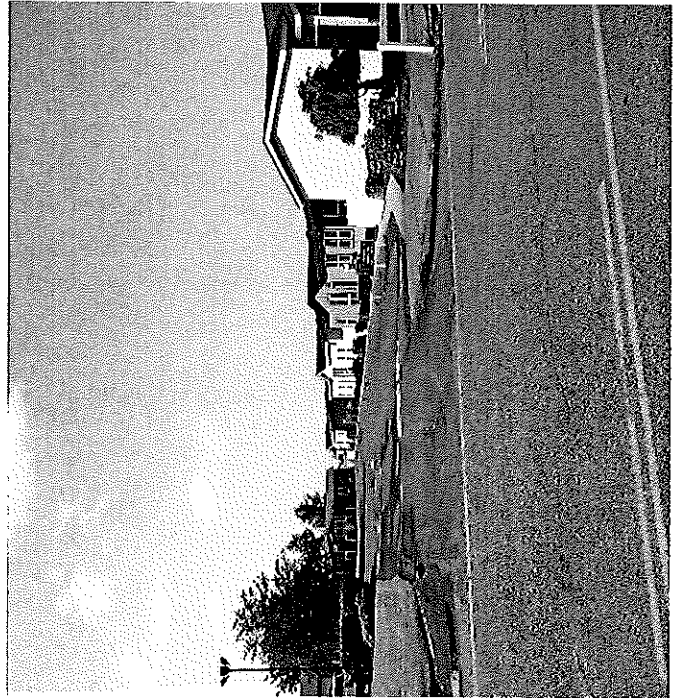
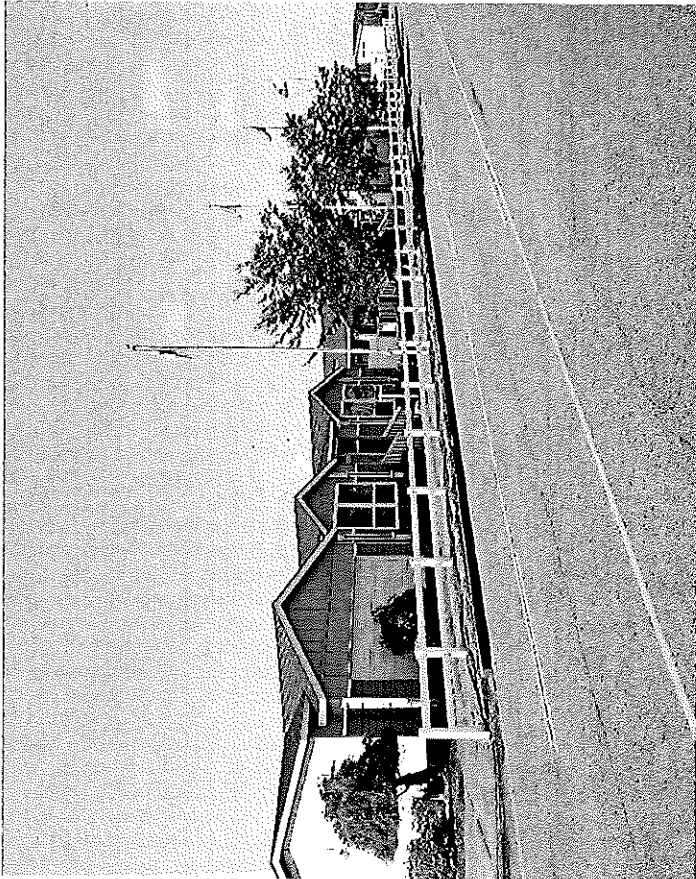
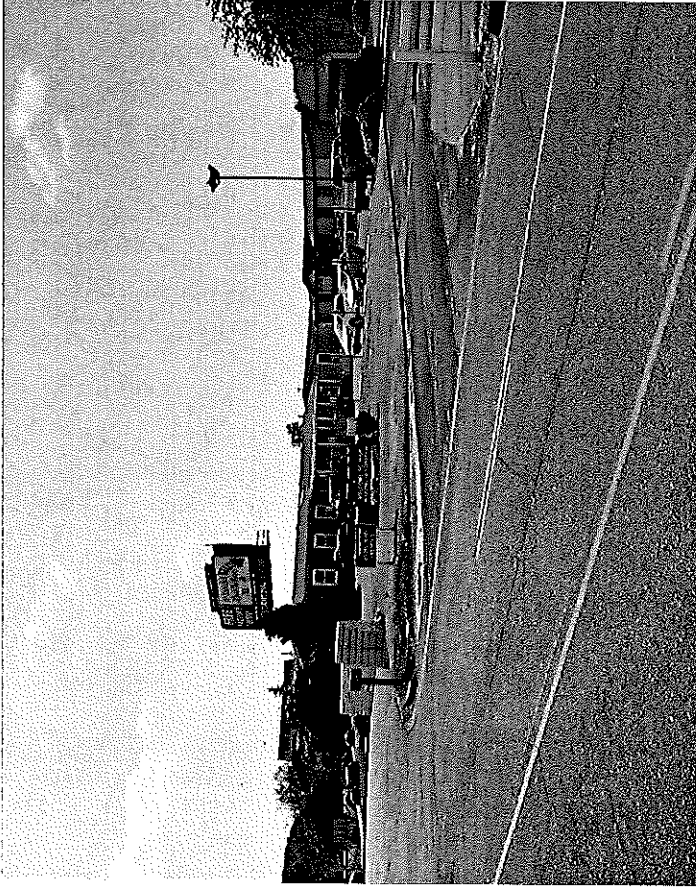


Exhibit - F