



## City Council Business Meeting Minutes August 11, 2020

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Council President: Mike Caughey, Presiding  
Councilors Present: Kimberly Downey, Robert Boese, Adam Keaton, Randy Klemm, and Charlotte Thomas  
Staff Present: City Administrator John Hitt, City Recorder/ACA Michele Eldridge, and Public Works Director Chuck Scholz.  
Absent: Mayor Robert Duncan  
Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

**CALL TO ORDER AND ROLL CALL** by Council President Mike Caughey at the hour of 6:30pm.

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

**THE MATTER OF MEETING WITH A MEMBER REPRESENTATIVE FROM LCSO**

- No representatives were present from the Linn County Sheriff's Office.

**THE MATTER OF THE PRESENTATION OF A TRAFFIC REPORT FROM THE COBURG POLICE DEPARTMENT**

- No representatives were present from the Coburg Police Department.

**THE MATTER OF THE BUCHER APPLICATION FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONCURRENT REZONE APPLICATION (LU 421-2020) AND ORDINANCE NO. 975, "AN ORDINANCE AMENDING THE HARRISBURG COMPREHENSIVE PLAN MAP AND ZONING MAP TO REZONE LAND INSIDE THE URBAN GROWTH BOUNDARY OF THE CITY OF HARRISBURG."**

Council President Mike Caughey reviewed the case title and summary of proceedings. He shared the process to request a continuance, as well as the process to request that the record stayed open.

At the hour of 6:35pm, a Public Hearing was opened.

**Caughey asked if there were any Conflicts of Interest, or any Ex Parte Contact to report. There were none, and no rebuttals of such.**

**STAFF REPORT:** Hitt reviewed the information in the staff report, and pointed out the application which was not included in the Council Agenda (Please see Addendum No. 1) He noted that the property was extremely small, at only 5,000 sq. ft. If the application is approved, and the applicant builds a home here as planned, then the applicant must install a sidewalk on Fountain St. The Planning Commission has previously approved a variance, which is not being reviewed by Council. This was in relation to the width of the property, which is required to be 60' at the front building line. With a lot only 50' wide, that obviously wouldn't be possible. That approval is contingent upon this Plan Map and Rezone application being approved.

Hitt noted that the criteria used are in the Council Agenda, and that the application was initiated by the applicant. All public notices required by the code were followed. Most of the statewide planning goals were not relevant to this land use request. He reviewed the ones that were. While the property is zoned commercial, which allows for mixed use dwellings, this request is for the property to be entirely residential. The property is too small to have many commercial uses that would be significant. He pointed out that the residential use is consistent with the properties located to the west and to the north, and all facilities are available to this lot. The Planning Commission recommended approval for this request. There are four options in front of City Council, and he recommends the first option.

- Klemm asked if the conditions of approval were approved by the Planning Commission and was told by Hitt that they had a different set of conditions that were applied.
- Keaton asked if the slight modification to the comprehensive land use map was expensive, or does it cost the same?
- Hitt shared that it must still be reported to the DLCD (Department of Land Conservation and Development).
- Keaton thought Comprehensive Plan Map changes were fairly expensive and time consuming.
- Eldridge explained that regardless of size, the public notices to DLCD, to property owners within 300' of this area, and in the newspaper were required. With those, and the substantial work going into the staff report, it cost Anthony Bucher around \$2,000 or so. She didn't have the amount memorized.

**APPLICANTS TESTIMONY:** Anthony Bucher told the City Council that the parcel is small, but he does have a house plan that will fit on the property. He plans on a single-family dwelling. He just needed to change the zoning so that he could build this home.

- Klemm asked if he had proposed to staff that he wanted the R-2 designation.
- Bucher told him that the commercial zoning doesn't allow a residential use by itself, and that the zoning this property was abutting is what must be applied to the property.
- Boese asked him about the sidewalk requirement.

- Bucher confirmed that the sidewalk will be on Fountain St, where there is already a curb cut. They will be accessing the garage from LaSalle St.

**TESTIMONY IN FAVOR:** Caughey noted that he had a letter that had been received by the City, from Jeff Haag, who owns property in Harrisburg, and received a notification from the City. He read it in its entirety. (Please see Addendum No. 2). The letter was in support of the proposed residential use.

**TESTIMONY IN OPPOSITION, OR NEUTRAL TESTIMONY:** Nobody present provided any kind of testimony in relation to this request.

**The public hearing was closed at the hour of 6:58pm.**

Thomas commented that she walked to that property, and it's smaller than anything she's seen when she was on the Planning Commission. That first house is the only one nearby. Keaton said with the property not being on Hwy 99, it wouldn't be very desirable as a commercial property. Thomas agreed, and that there would be more parking in that heavily populated area, in comparison to what there would be with a residential use. Downey said that she couldn't understand why it was zoned as commercial. Keaton added that there is a commercial corridor along Hwy 99; these older parcels were all one lot at one time, that all went with the historical home. If it was still one parcel, then it would have been worth more as a commercial property. Thomas agreed, and said parking could have been applied there with more property. Keaton felt it was the use that made the most sense. Caughey agreed and thought it a better use of the land.

- Thomas **MOTIONED TO APPROVE THE BUCHER COMPREHENSIVE PLAN MAP AMENDMENT AND CONCURRENT REZONE APPLICATION (LU 421), SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE AUGUST 4 STAFF REPORT. THIS MOTION IS BASED ON RECOMMENDATIONS MADE BY THE PLANNING COMMISSION ON JULY 21, 2020, AND FINDINGS MADE BY THE CITY COUNCIL DURING DELIBERATIONS ON THE REQUEST AT THE AUGUST 11, 2020 PUBLIC HEARING. She was seconded by Keaton, and the City Council voted unanimously to approve the comprehensive plan map amendment and concurrent rezone application.**
- Thomas then **MOTIONED TO APPROVE ORDINANCE NO. 975, "AN ORDINANCE AMENDING THE HARRISBURG COMPREHENSIVE PLAN MAP AND ZONING MAP TO REZONE LAND INSIDE THE URBAN GROWTH BOUNDARY OF THE CITY OF HARRISBURG".** She was **seconded** by Downey.
- Hitt asked if anyone had an issue with the ordinance, and informed the City Council that we are allowed to accept the ordinance by reading the title twice, as long as nobody objected; otherwise, we would need to read the whole thing. None of the Council members had any issues with this Ordinance.
- **The City Council voted unanimously to approve Ordinance No 975, and thereby completing the process of amending the Harrisburg Comprehensive Plan Map and Zoning Map for the property submitted in the land use application.**

- **Caughey noted for the record that the City Council has made a final decision on this matter; if anyone wants to appeal the decision, they will need to do so through the State Land Use Board of Appeals.**

## NEW BUSINESS

### THE MATTER OF IMPROVEMENTS TO LASALLE STREET FROM 6TH TO EAST OF 9TH STREET

**STAFF REPORT:** Scholz had handed out a copy of the bid results (Please see Addendum No. 3), to Council. The history of LaSalle St. between 6<sup>th</sup> and 9<sup>th</sup> is that it had been continually maintained by crack sealing, and over-layment, and the time had come to strip it down, over-excavate it, and start with a fresh road bed. The water line in this area is being replaced and will kick off plenty of other water lines that feed off of here. He told City Council that there was a real mess with water lines in the intersection of 6<sup>th</sup> St., from when they did that public improvement project. This will clean all of that up. There will be some sidewalk work, as well as driveways, on the east side of 9<sup>th</sup> St. on LaSalle St. Staff stated that the project comes under the engineers estimates, and the company being recommended is one they've worked with before. Staff recommends that council follows the engineer's recommendation.

- Boese asked about all the storm water that is in the field across from Jack McClure's property (Corner of LaSalle St. and 6<sup>th</sup> St.). There is water standing there all year long.
- Scholz said that they affectionately call that Lake LaSalle. This is not a city storm drain line; it's a private one that collapsed. There are three owners of that storm drain line; they couldn't get in there during the winter to fix it. The contractor will now be able to fix that. He noted that the repair will alleviate flooding of upstream neighbors. He had to contact the company's involved and have them take care of it.
- Caughey asked when work would start on this project?
- Scholz told him that there are some delays due to the laws in relation to RFPs, but they should be able to start in September.
- Valdean Prater, in the audience, was here to see this being approved. She's waited for 33 years to see this. (She lives on the east side of 9<sup>th</sup> St. on LaSalle) They have so many potholes, that she can't count the number of times she has had her tires re-balanced.
- Scholz added that with the extension of the street to this part of LaSalle east of 9<sup>th</sup>, that we are preparing to upsize the line, based on the development being planned there. When asked, he noted that Sommerville already had upsized storm lines. He liked this project being completed, as it puts us up over the fire code responsibilities, we have for the school.
- Keaton **motioned to award the contract to Wildish Construction Co in the amount of \$765,881.25.**
- Thomas noted that the Engineer didn't mention the type of project it was. She added for the record that this was the waterline replacement and street improvement for LaSalle St.
- Keaton was **then seconded** by Klemm. The **City Council voted unanimously to award the LaSalle St. waterline replacement and street improvements to Wildish Construction for \$765,881.25.**

### THE MATTER OF APPROVING THE CONSENT LIST

- *Caughey commented that he had a question on the payment approval report and asked for that to be pulled for discussion.*
- Downey then **voted to approve the City Council Minutes, and Library Board Minutes, and was seconded by Caughey. The City Council then voted unanimously to approve the City Council Minutes.**
- Eldridge noted that while the motion included the Library Board minutes, only the Library Board could approve those. The motion didn't need to be remade in this case.
- Caughey then asked why there was a bill from Cobalt Computers for almost \$8,000?
- Eldridge said that it was work to do with the servers, email server, and firewalls.
- Caughey then **motioned to accept the Expense Report for the month of July 2020. Downey seconded the motion, and the City Council voted unanimously to approve the Expense Report for July.**

#### **CITY ADMINISTRATOR VERBAL REPORT:**

1. Finance Officer Candidate Search: Hitt noted that the candidate search has concluded; and a contingent offer of employment has been made to Cathy Nelson, who is the City Recorder (Administrator) of the City of Waterloo. We are in the midst of background checks, but she has accepted the offer, and is scheduled to start in September.

2. Update on MVP/RAIN: Hitt commented that for this, several other cities, along with Harrisburg, are part of this economic development partnership. Lebanon was not able to meet their share of the financial obligation, and therefore, several other cities offered to increase their shares. Harrisburg was listed for \$3,800, and he proposed we pay \$5,000. The total bill is for \$50,000. The goal of the partnership is to work on economic development for our region, including training sessions, marketing, and compiling information that is high tech. RAIN is working on these programs.

- Caughey asked if that request should come to the City Council for approval.
- Hitt said that it should; and Eldridge added that it had as of last year.
- Klemm asked about Lebanon, and why they couldn't give the amount they were going to.
- Hitt told them that they ran into some financial issues and were paying the lions share of the costs. This will cover the rest of this fiscal year and will provide for more activities.
- Downey asked if he had talked, or if RAIN had talked, with any of the businesses in Harrisburg.
- Hitt told her that he understood that there were several start-ups that they helped.
- Downey asked him to keep touch on that. They called in a get together, and she was the only person who showed up, other than RAIN and Brian. If nobody showed up but her, and businesses aren't using their services, then we should opt out. She would leave that up to his discretion. She wants to make sure that our businesses, and citizens are getting benefit from the program. The event was in a good location, and there were good snacks, but no businesses. Last November, there was a really large one at Key Bank, and there were at least 4 or 5 people from Harrisburg there; she liked that one.
- Boese asked her how long ago that was?
- Downey thought it was last summer.
- Boese asked if they sent information to the City.
- Hitt said that there was a founder's celebration next week being scheduled.
- Thomas asked to see that information

- Eldridge added that the summer event that Kim was at was at J&S Art Gallery. Corey was actually scheduled to come and present to Council in March, right when COVID started. That's been put on hold.
- Downey said that is what she wanted to see and hoped they could be here to present to them in the future.

3. HRA Minor Amendment: Hitt said that even with Scholz spending money, that we would likely have money left over in the HRA. He hopes to bring information to Council in September about possibilities of increasing our indebtedness.

- Caughey asked if Scholz would have a list of projects to add?
- Scholz said that once he saw Johns list, he will figure out what he will be able to do.

4. PW Construction Report: Scholz gave a quick update. At Macy & 2<sup>nd</sup> St., we found that there was no base under the street, which needed to be redone. We haven't worked much with Delta before, but they are moving alone. LaSalle St. will start shortly, and we have survey work that finished up for 8<sup>th</sup> Place and Eagles Way. Those are only water line replacements. Both of those come off of LaSalle St. We are surveying 9<sup>th</sup> St. to Diamond Hill Rd, and on Diamond Hill between 9<sup>th</sup> and 7<sup>th</sup> St. We are early in the design work for 6<sup>th</sup> St. as well, from Territorial St. to Dempsey. He has 3 engineering firms he is working with right now, and he is extremely happy with how that is going.

- Boese asked if they would see the reservoirs any time soon?
- Scholz told him no; we have to get those through design before we can do that, and there is a lot of geo work that must be done for those. There will be one on the south end of town and one on the north end, that will go with Well No. 9.
- Boese asked if there was a target date for that.
- Scholz didn't have his notes for that here. We are hoping that Well No. 9 will match the flow in Well No. 8. If so, it will be a bigger reservoir than what will be in the south side of town, so that we can get rid of Well No. 5. It will put us in good shape for 20 to 30 years and more.
- Klemm asked what the completion was on Macy & 2<sup>nd</sup> St?
- Scholz told him mid to late October, for the segment by Hurds, and then they will switch to 2<sup>nd</sup> from Moore to Smith, which should be done by May 30<sup>th</sup>. Mid-June is the planned completion.
- Downey hoped that it would be done before the 4<sup>th</sup> of July, as she knows that is a full weekend next year.
- Keaton asked that it sounds like there aren't road bases for a lot of roads in town. How many have the proper base? Does that affect the previous amounts he worked out?
- Scholz told him its too soon to know. He doesn't think it will change his 2016 assessment. Road construction costs generally increase by 20% every year, so they can expect that. Its all a guessing game. On some streets, we can improve them without a rip out. Others could have a crack seal, which will give them another ten years of life. We have some of those coming up after LaSalle.
- Boese noted that the same spot on Hwy 99 is slumping again. (Discussed previously in Council, and located near Territorial and 3<sup>rd</sup> St.)
- Scholz said that he's TV'd the sewer line, which is from 1911. Its 16' deep and its not our pipe causing the problem. It's probably clay there, and too much heavy traffic.
- Boese then asked about the crossing at Smith and Hwy 99.

August 11, 2020

- Scholz told him that is stalled at ODOT. They've caused issues in several places, and he's had to remove that project from the HRA plans. He would say that they are at least 5 years out.
- Keaton, who is on the Cascades West Area Commission on Transportation, said that they are just now looking at the 2024/2027 schedule right now. It's done far in advance, and then when they plan on coming some place like Harrisburg in 8 years, it can get kicked out, because something in Portland has to be done.
- Scholz agreed and said that with the state shortfall in gas taxes, we can figure that work won't be done there.
- Keaton asked if it would affect the bridge work planned, and Scholz told him that its still planned.

**OTHER ITEMS:** Hitt and City Council talked briefly about the legislative priorities that were chosen by City Council. 3 of their top choices out of 4 are in the top 5 chosen by all cities. Mental Health was the one that Council hadn't included, that was in the LOC top priorities.

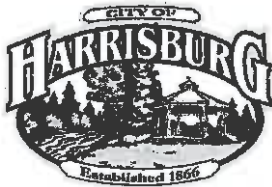
**ADJOURN:** With no further business to discuss, the City Council was adjourned at 7:56pm.

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Mayor

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City Recorder



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

## LAND USE APPLICATION

The City of  
Harrisburg

STAFF USE ONLY	
File Number: LU 421-2020 (ZONE)	Date Received: JUN 1 6 2020
Fee Amount: LU 421-2020 (Var) \$ 2,175-	RECEIVED

APPLICATION TYPE	
<input type="checkbox"/> Annexation*	<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Comprehensive Plan Amendment*	<input type="checkbox"/> Partition/Replat*      Minor      Major
<input type="checkbox"/> Conditional Use Permit*	<input type="checkbox"/> Site Plan Review*
<input type="checkbox"/> Historic Permit*	<input type="checkbox"/> Site Plan Review – Parking Only
<input type="checkbox"/> Resource Alteration	<input type="checkbox"/> Subdivision/Replat*
<input type="checkbox"/> Resource Demolition	<input type="checkbox"/> Vacation of street, alley or easement
<input type="checkbox"/> Historic Review – District	<input checked="" type="checkbox"/> Variance*
<input type="checkbox"/> Legal Lot Determination	<input checked="" 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	This city lot is currently zoned commercial. It is a small lot surrounded by residential structures. Our proposal is to change zoning to/for residential use.
Project Name	The Fountain




### PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name **ANTHONY BUCHER**

Phone **541-321-2815** Email **ATBUCHER\_T1@YAHOO**


Mailing Address **P.O. BOX 436 HARRISBURG, OR**

Applicant's Signature  Date **6-6-2020**

Property Owner Name **ANTHONY BUCHER**

Phone **541-321-2815** Email **ATBUCHER\_T1@YAHOO**

Mailing Address **P.O. BOX 436**

Owner Signature  Date **6-6-2020**

\*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 **260 FOUNTAIN ST, HARRISBURG**

General Location Description **SCHOOLINGS ADDITION  
LOT 4401**

Assessor's Map Number(s) **15S04W16AD** Related Tax Lot(s) **4401**

Map # **15S04W16AD** Tax Lot(s) # **4401**

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 **LOT 4401**

## LAND USE AND OVERLAY ZONES

Existing Zone(s)

C 1

Existing Comprehensive Plan Designation(s)

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

☐

Historic Overlay

☐

Willamette River Greenway

☐

Floodplain

☐

Riparian Corridors

☐

Wetlands

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

## CHECK THE BOX NEXT TO INCLUDED EXHIBITS



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: 6-7-20

PLEASE TELL US MORE ABOUT THE PROPOSAL AND ITS SITE

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

N/A

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

To legally place a single family residence per city requirements once residential zoning is approved.

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

New sidewalks and approaches will be placed, and all city setbacks adhered to.

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.

N/A

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

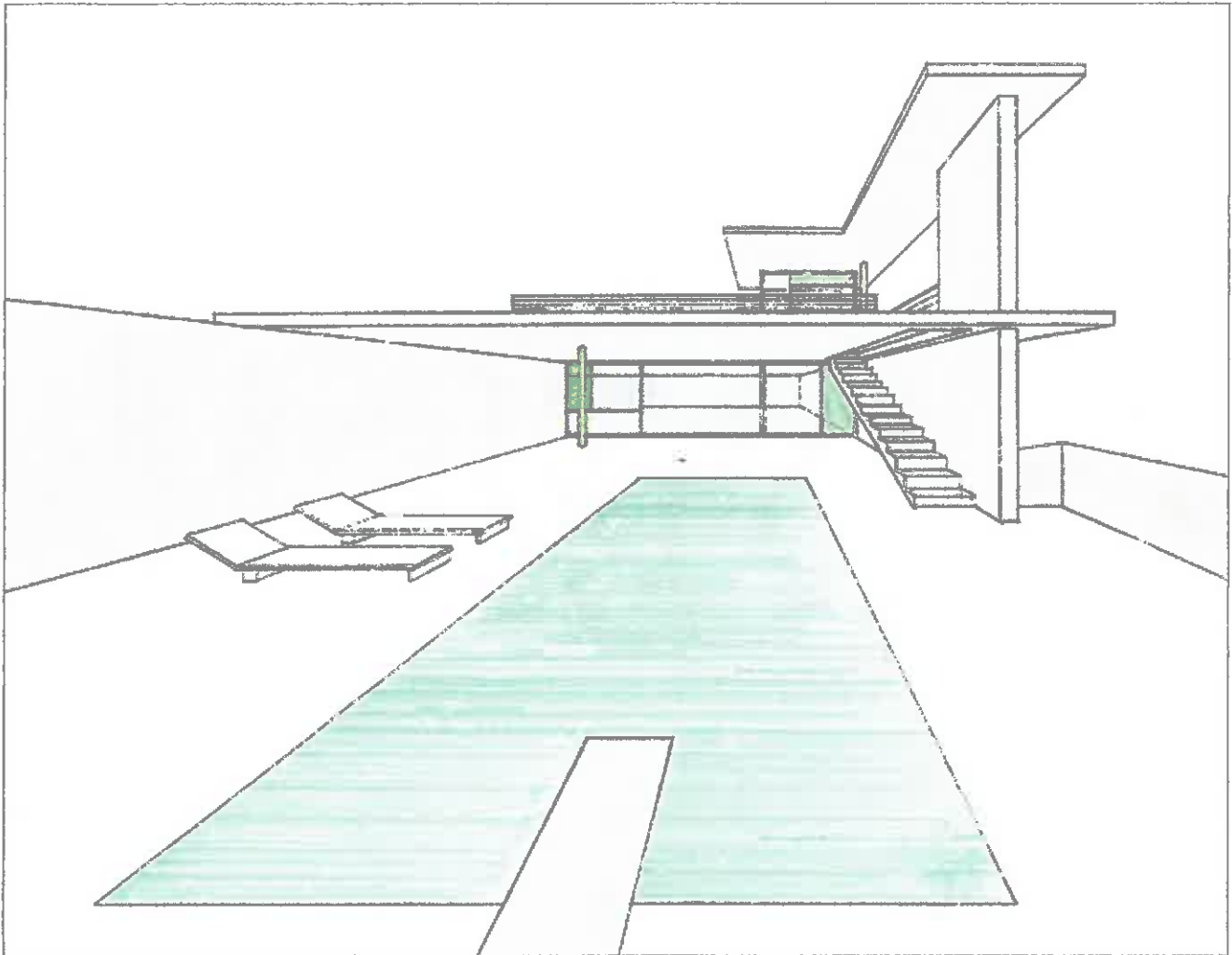
City staff, Planning Commissioners, and City Councilors are encouraged to visit the sites of proposed developments as part of their review of specific land use applications. Decision maker site visits are disclosed through the public hearing process. Please indicate below whether you authorize City staff 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.

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## THE FOUNTAIN



# Project Proposal

Prepared for: City of Harrisburg

Prepared by: Anthony Bucher

June 16th, 2020

541-321-2815

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## THE FOUNTAIN

# PURPOSE

This proposal and variance request is for lot 4401 located in the schoolings addition, also known as 260 Fountain St. The request of this land application is to convert the existing commercial zoning to residential use, and grant a variance for future development of a single family home.

### 18.120.010 Amendment authorization and procedures

1. (d) I am the property owner
2. As the property owner I have filed an application with the City Recorder pursuant to 18.125.100. Additionally I have paid the filing fee in addition to the application, pursuant to 18.125.100.

### 18.120.020 Public Hearings

1. The application is being provided on June 16th, 2020. This is more than 35 days in advance of the Planning Commission public meeting scheduled for July 21, 2020.

### 18.05.110 Criteria for approval

1. The proposed amendment is consistent with and does not alter the intent of the applicable sections of the comprehensive plan. The adjacent property is zoned R2 and this request for similar zoning will be consistent with surrounding areas.
2. The other locations in the city that are currently zoned C1 have merit and are either being used based on that criteria or options for C1 uses are available. This parcel of land is only 5000sq'. The C1 zoning on this size of parcel makes this land almost unusable without a zoning change.
3. The adjacent land uses include R2 zoning. There will not be an adverse affect to adjacent properties or land use patterns in the area. All adjacent land is currently used as residential.
4. There will be no significant negative impact upon any public or private facilities or services in the area. The proposed amendment will allow for a single family dwelling, which is our plan and would be consistent with neighboring properties.
5. There will be no negative impact to the street or other transportation facilities in the area. There will be improvements made to both areas. This will include sidewalks where there are currently none. As well as appropriate sized approaches and utility connections.

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## THE FOUNTAIN

6. The lot is flat in nature. Any drainage is either currently to the adjacent properties, the street with dirt and debris, or through soaking into the soil. The placement and building of a single family home will allow for drainage of the home and the lot, through newly installed perf pipe and underground gutter systems. These will be connected to the street storm drain system, thus improving conditions on the involved parcel and the adjacent ones. There are no development limitations. The parcel and its current soil has no type of fill and has never been built on or disturbed.

## COMPREHENSIVE PLAN CONSIDERATIONS

### Goal 10:

Per the comprehensive plan and the goals laid out by the city, there is a desire and emphasis on providing single family housing. This amendment proposal, variance and building of a single family home will help contribute to the overall City of Harrisburg comprehensive plan.

### Goal 14:

Goal 14 involves urbanization within the existing UGB and the development of new UGB areas. I will attempt to address all aspects of infill and urbanization, and not UGB development guidelines, as they do not pertain to this amendment.

The plan for this panel of land is the building of a single family residence. There is ample space for the building based on all city code requirements, with the exception of the below variance on lot frontage. The comprehensive plan calls for orderly and efficient growth through logical, phased expansion. We believe this proposal does that without creating any adverse growth or sprawling issues.

The proposed use of this vacant lot to provide housing and tax base to the City of Harrisburg falls in line with managed growth. It will contribute to rather than detract from the economics and well-being and livability of the community

### **Items for consideration:**

A2. Encourage urban growth inside the UGB - this proposal is inside the UGB.

Annexation - none

Utility Extension - 1. This development proposal is only taking place where services are available. There is no new extension of services.

Coordinated land use controls:

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Within this proposal there are no City or County agreements that have been violated. The joint approval process of the City Administrator, the Planning Commission and the City Council address the items around development in regards to the land use control systems.

Amendment Procedures - 1. No amendments of the comprehensive plan or UGB, are necessary.

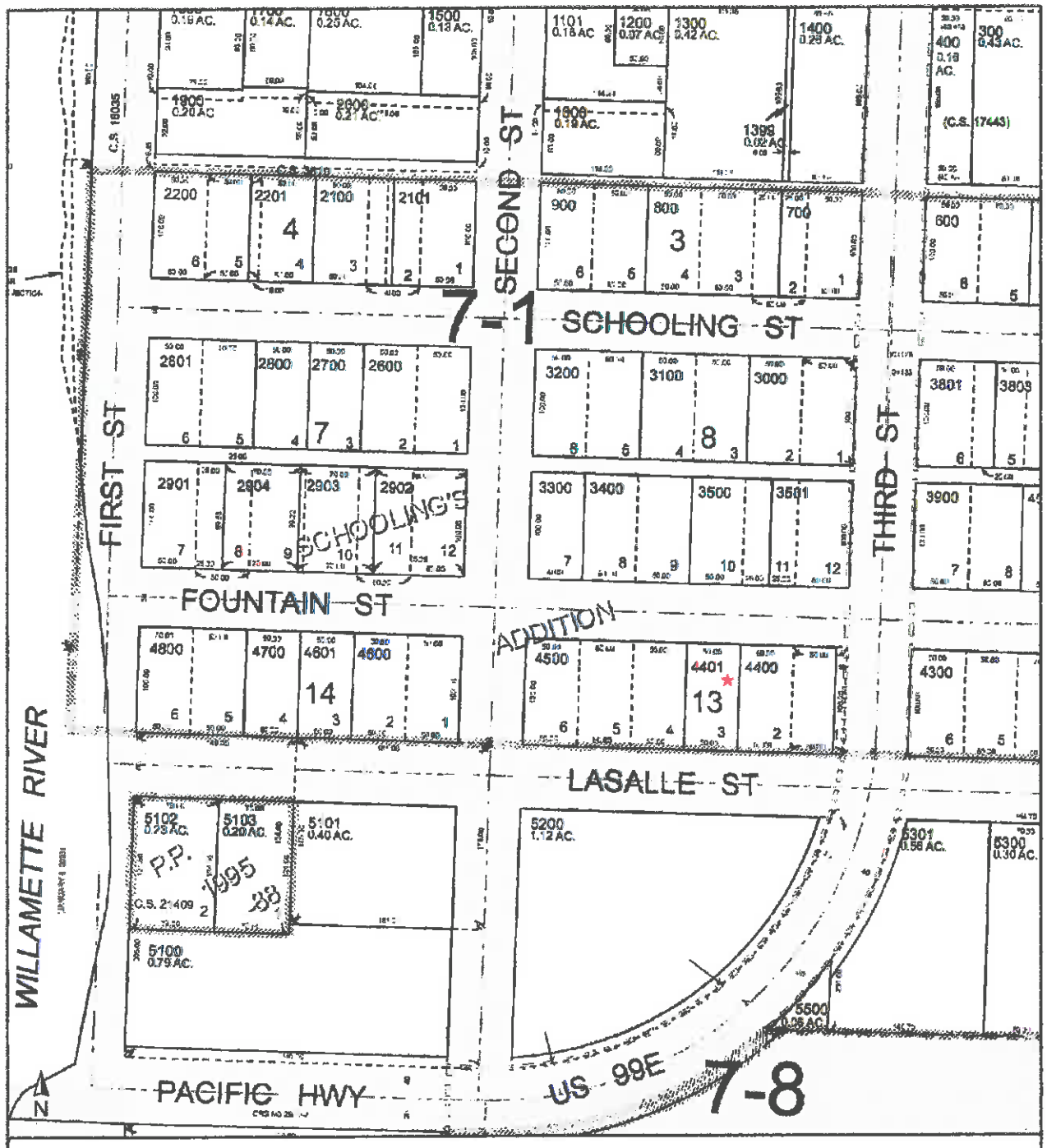
### **VARIANCE:**

#### **18.115.020 Criteria**

1. The unique circumstance of this lot is the frontage width. Adjacent properties that are zoned residential have structures on them, but have the same 50' width as this lot. The current code is 60' frontage. Allowing a residential structure on this lot width of 50' will fall in line with adjacent properties. This is an element that is outside my control as an owner to modify on my own to make use of the property.
2. This variance is necessary for the preservation and enjoyment of the same property rights as possessed by owners of other properties in the same zone. Residential use is found in this area on lots of the same or similar size.
3. There would be no violation of any goals or policies within the comprehensive plan. This request will allow for the infill of an otherwise vacant and unusable lot.
4. There is no special privilege being given or considered by the approval of this variance.
5. There is no violation of any provision in Ord 906-1 2012, or Ord 882-8.020 2010.

Thank you for your time and consideration,

Anthony Bucher

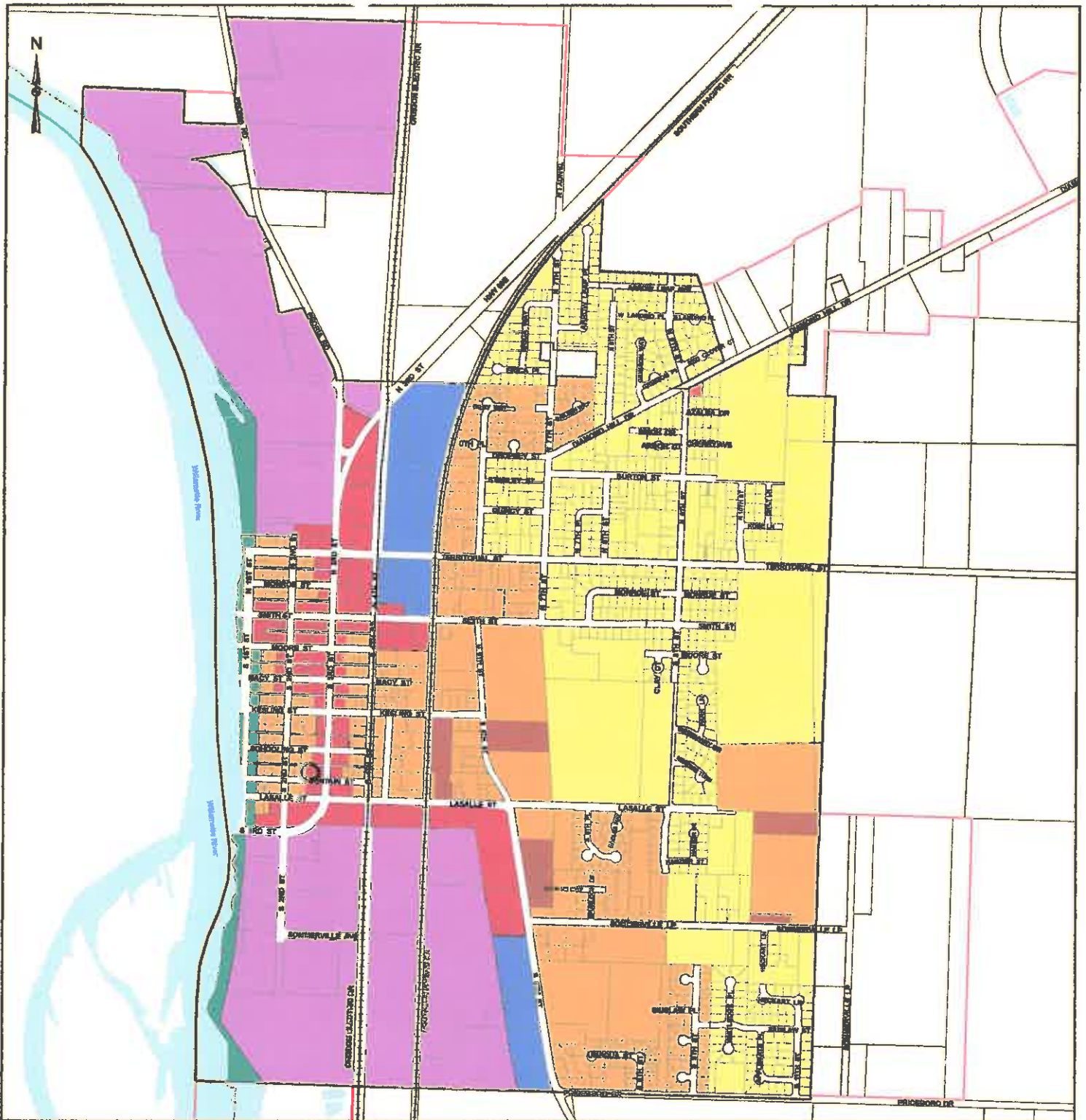


First American Title™

**ParcelID: 0918190**  
**260 Fountain St**  
**Harrisburg, OR 97446**

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.





#### Linn County Disclaimer

The data contained in this map was designed for assessment and planning purposes only and not for precise engineering-level mapping. As such, it is subject to error and/or omission. Linn County disclaims any liability as to the accuracy or completeness of the data.

## Zoning

City of Harrisburg, Oregon

Effective Date: April 8, 2014

1 inch = 283 feet

0 250 500 1,000 1,500 2,000 2,500 Feet

#### Legend

##### City Zoning

- C-1, COMMERCIAL
- M-1, LIMITED INDUSTRIAL
- M-2, GENERAL INDUSTRIAL
- R-1, SINGLE-FAMILY RESIDENTIAL
- R-2, MULTI-FAMILY RESIDENTIAL
- R-3, MULTI-FAMILY RESIDENTIAL
- GREENWAY SPECIAL PURPOSE DISTRICT

- City Limits
- UgB
- taxlots

FOUNTAIN

WATER

POWER

SIDEWALK

↑  
N

Proposed Home  
30' x 50'

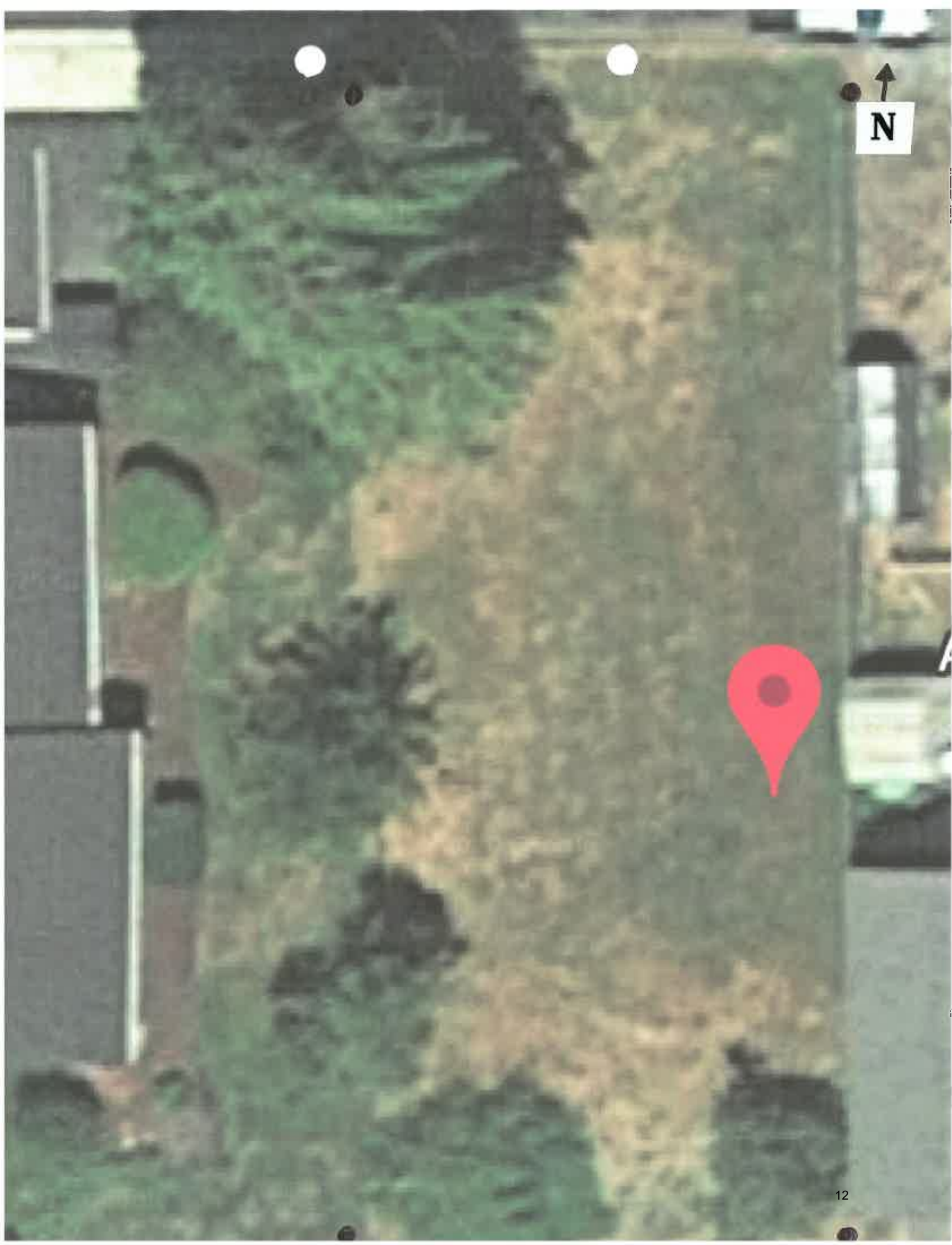
LOT 4401  
5000 SQ'

DRIVEWAY

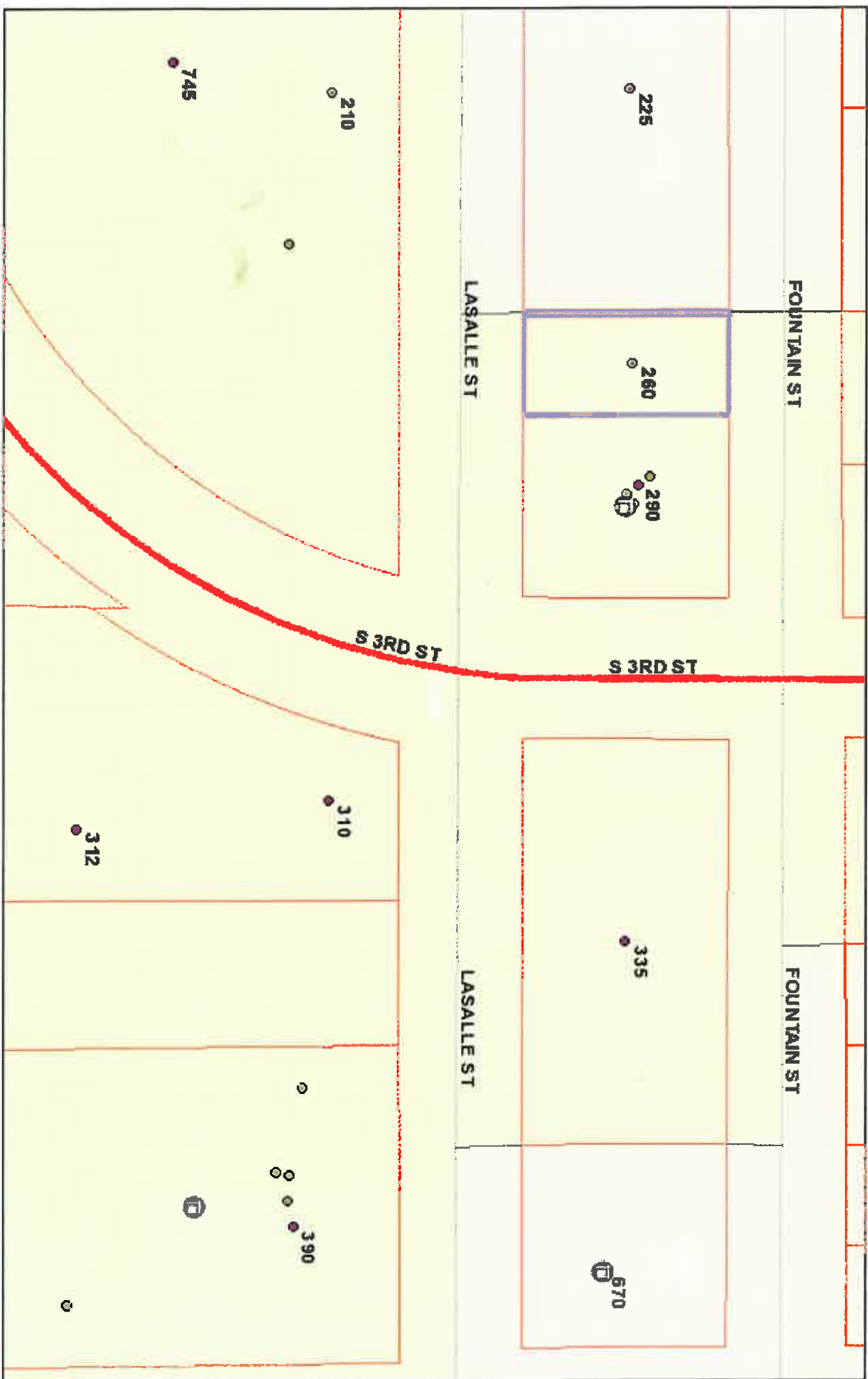
SIDEWALK

SEWER

LASALLE



# 260 Fountain St., Harrisburg, Oregon



6/18/2020, 6:05:55 PM

- Sales
- Elevation Certificates
- Address
- LOMAs
- Permits
- Railways
- Highways
- Tax Lots
- Roads
- County Boundary
- City Limits
- City Zoning
- C-1, COMMERCIAL

1:1,128  
0 0.01 0.01 0.02 0.02 mi  
0 0.01 0.01 0.02 0.04 km  
Linn County GIS

This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the

Map created using the Linn County Oregon web mapping application



Public Hearing July 24, 2020

To: City of Harrisburg Ok. City Council

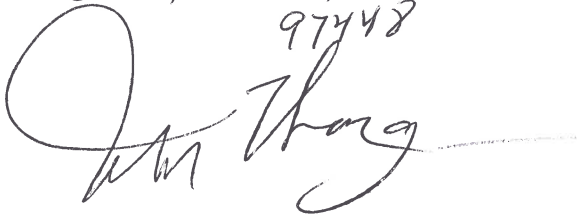
Re: Case Butler Rezone (LU 421-2020)

I received a land use Notice re: 260 Fountain St., as I am considered an affected property owner. I own property on Schooling St, Third St. and 5th St.

I took a moment and drove by the subject property at 260 Fountain St. That parcel appears to be Undeveloped and underused. It is a very small lot and not suited well for Commercial Zoning. In my Opinion, that would be a great lot for a small duplex or Townhome or? Just about anything!, so as an affected property Owner I support the Comp plan redesignation and rezone 100%

Thank you

Jeffrey Haag  
27430 8th St.  
Junction City Ok  
97448



P.S. Forgive my handwriting  
I think my windows 98 has the Covid 19,  
I'm hoping Computer will die soon! ☺

August 10, 2020

City of Harrisburg  
120 Smith Street  
Harrisburg, OR 97446  
Attn: Chuck Scholz, Public Works Director



**RE: LaSalle Street Waterline Replacement & Street Improvements Notice of Apparent Low Bidder and Engineer's Recommendation for Award of Contract**

The City received the following bids for the LaSalle Street Waterline Replacement & Street Improvements project.

1. <u>Wildish Construction Co.</u>	\$ <u>765,881.25</u>
2. <u>H&amp;J Construction, Inc.</u>	\$ <u>818,744.84</u>
3. <u>North Santiam Paving Co.</u>	\$ <u>959,950.00</u>
4. <u>RiverBend Construction, Inc.</u>	\$ <u>1,110,741.75</u>

I have reviewed all bid packages and found all to be complete and responsive.

I recommend that the contract be awarded to Wildish Construction Co. in the amount of \$765,881.25.

Sincerely,

Branch Engineering Inc.  
Damien Gilbert, P.E.  
City Engineer

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# City of Harrisburg CITY COUNCIL

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## NOTICE OF DECISION

**REQUEST:** The applicant requests approval of a Comprehensive Plan Map Amendment and concurrent Rezone (LU #421) of a property located at 260 Fountain St., from Commercial to Medium Density designation and C-1 Commercial to R-2 Medium Density Residential zoning.

**LOCATION:** 260 Fountain St. 15S-04W-16AD Tax Lot 4401 of Linn County Assessor's Map

**ZONING:** C-1 (Commercial) – Pending Amendment to a R-2 (Medium Density Residential)

**APPLICANT/: OWNER:** Anthony & Tina Bucher  
PO Box 436  
Harrisburg, OR 97446

**HEARING DATE:** August 11, 2020

**APPEAL DEADLINE:** September 1, 2020.

**DECISION:** The Harrisburg Planning Commission conducted a public hearing on July 21, 2020, and voted to recommend approval of the requests to the City Council, subject to conditions of approval. The Planning Commission adopted the findings contained in the July 13, 2020 Staff Report to the Planning Commission, and portions of the minutes from the meeting that

demonstrated support for the Planning Commission's actions.

The City Council conducted a public hearing on August 11, 2020, and voted to approve the land use request, No. LU-421, subject to the Conditions of Approval. The City Council adopted the findings contained in the August 4 Staff Report to the City Council, and portions of the minutes from the meeting that demonstrated support for the City Council's actions.

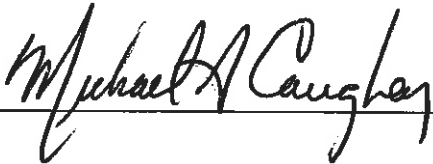
**APPEAL:**

A Final Decision of the City Council may be appealed to the Oregon Land Use Board of Appeals (LUBA) by filing a notice of intent to appeal with LUBA not later than 21 days after the decision becomes final.

**EFFECTIVE PERIOD:**

September 1, 2020, if no appeals to LUBA are filed within the appeal period.

CITY COUNCIL PRESIDENT/MAYOR PRO-TEM:



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## CONDITIONS OF APPROVAL

1. **Survey:** Property Boundaries must be surveyed and established.
2. **Building Permits:** Any subsequent development meets all required building and development codes except as may be waived by an approved variance.