

**MILL CITY PLANNING COMMISSION**  
**Meeting of January 15, 2019**

**The Planning Commission began the meeting with a site visit at 4:30 p.m. to the SE Fairview property being considered for action during tonight's public hearing.**

Planning Commission members present: Chair Ann Carey, Marge Henning, Woody Koenig, David Leach and Grant Peterson.

Staff in attendance: Planning Advisor David Kinney and City Recorder Stacie Cook.

City Council Representatives: None.

Agency Representatives: None.

Citizens: Scott Baughman.

The meeting was called to order at 6:30 p.m. Chair Ann Carey led the pledge of allegiance.

**APPROVAL OF MINUTES:** *Grant Peterson moved, seconded by Woody Koenig to approve the minutes of December 18, 2018. The motion carried, (5:0).*

**PUBLIC COMMENT:** None.

**PUBLIC HEARINGS:** File No. 2018-12/2018-13  
Applicant: Scott Baughman  
Proposal: Minor Partition (SE Fairview) & Land Use Action on the N. Santiam River  
Location: 100-200 Block SE Fairview Street (east of City Hall)

Chair Carey read through the quasi-judicial public hearing requirements and opened the public hearing at 6:34 p.m.

Chair Carey called for any potential conflicts of interest, bias or ex parte contact. Being none, Chair Carey turned the hearing over to Planner Dave Kinney.

**APPLICANT'S TESTIMONY:** Scott Baughman, applicant, said that the storm line sits between lots 1 and 2. Center of pipe will be the lot line with a ten foot setback on both sides for maintenance to the storm line. The first house does have room to push back toward the river if it is preferable to the City. The next partition is planned for next year for one more house and the final lot possibly a commercial office space. Each house is roughly 1600 sq ft; 3 bed, 2 bath. Mr. Baughman said that he is trying to create space beside each home for parking.

**STAFF REPORT:** Mr. Kinney said that the Planning Commission did a site visit at 4:30 p.m. today. There are a few minor changes to the staff report the biggest being that the easement has been changed to between lots 1 and 2 instead of lots 2 and 3 as shown in the staff report.

The water line needs to be bored under the existing roadway and minimal cuts need to be in the road. There is a storm sewer line that crosses the parcels, which requires a 20' wide easement for maintenance.

Staff recommendation is to approve both applications. If the Planning Commission approves the applications they will need to be done with two separate motions.

The site plan approval will allow for a building permit to be applied for right now for parcel three but no other permit can be issued until the plat is recorded.

The large lot at the end can be partitioned in the year 2020 as there can only be one partition application to a property in a single year.

The setback to the garage on parcel two will be a minimum of 22'.

Conditions of approval are recommended as follows:

File No. 2018-12 – Minor Partition

1. Partition approval expires February 1, 2020.
2. The partition survey must be recorded with Linn County no later than January 31, 2020. Plat must show parcels 1, 2 and 3 as shown on approved partition map; sewerage system easement and reference to recorded sewer easement on final plat; provide 20' wide storm drainage easement granted to City of Mill City centered on the boundary between Parcel 1 and 2 and; provide 30' wide riparian easement on final plat.
3. All public improvement requirements must be complied with prior to City sign off on the plat including; Type B Public Works Construction Permit, Restoration and replacement of all pavement curbs and sidewalks, as needed – no street cuts permit for water service line crossings; Install individual water services to each parcel prior to or concurrently with building permit for each parcel.

File No. 2019-13 – Site Plan Approval (2 Single-Family Homes)

1. Site plan for single-family home on proposed Parcel 2 modified to have a setback of 18' to the front of the house 25' to the front of the garage. Parcel 3 approved as shown on attached site plan map.
2. City may issue one SFR building permit prior to recording of partition plat. No other building permits issued until partition plat has been filed and recorded with Linn County Surveyor.
3. Site Plan approval will expire on February 1, 2020 at 4:00 p.m. if no application for building permits for new homes on Parcel 2 and Parcel 3 filed.
4. All public works requirements must be met including: install new water services with bores under street; record sewer easement for each parcel prior to issuance of building permit; obtain permits and install individual sewer interceptor tanks; replace any sidewalk panels and curbs removed for installation of driveways or utilities; storm drainage must be

detained or retained on site using low impact storm water management or roof gutters directed to a curb outlet – no drainage may run over sidewalk; ROW construction permit and PWDS complied with.

5. Riparian easement must be maintained including no removal of existing trees or native plants or riparian vegetation and no construction or maintenance of man-made structure, fence, deck, or facility within the riparian easement.

**PROPONENT’S TESTIMONY:** None.

**OPPONENT’S TESTIMONY:** None.

**GENERAL TESTIMONY:** None.

**QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION:** None.

**APPLICANT’S REBUTTAL:** Mr. Baughman asked about the recommended riparian of 40’-50’. Mr. Kinney said that it depends on how you measure as to what the riparian setback would be. As we begin looking at the land further east of this area it will be a different situation and likely will require a new study.

**STAFF SUMMARY:** None.

**CLOSE OF HEARING:** Chair Carey closed the public hearing at 7:08 p.m. and called for Planning Commission deliberation.

**PLANNING COMMISSION DELIBERATION:**

*Woody Koenig moved, seconded by Dave Leach to approve the minor partition application of Scott Baughman and to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission’s deliberations and adopt the conditions of approval for File No. 2018-12. The motion carried, (5:0).*

*Woody Koenig moved, seconded by Marge Henning to approve the site plans for Scott Baughman, SBC Construction Inc., to construct two new single-family dwellings on Parcels 2 and 3 of the proposed Minor Partition (TL 804) in the 100-200 block of SE Fairview Street, to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission’s deliberations and adopt the conditions of approval for File No. 2018-13. The motion carried, (5:0).*

**PRESENTATIONS:** None.

**OLD BUSINESS:**

File No. 2017-02 Baughman-Lucas Annexation – Ordinance w/Legals & Map to DOR: Mr. Kinney said that a draft ordinance for the annexation of the Baughman-Lucas Annexation was sent to Boatwright for review. If there are no issues then the Council will be asked to do the first reading

at the January 22, 2019 meeting. A final reading will be done at the February 12, 2019 meeting.

The next step is a subdivision proposal in order to do any development on the lots. There will be a need to submit information on the sewer system and how it will be affected by the development.

Nuisance Ordinance Amendments - City Council Action Scheduled January 22, 2019: Mr. Kinney said that the City Attorney reviewed the nuisance code changes and made a recommendation for minor changes with one larger; addition of language to be able to cite a chronic offender into municipal or circuit court.

Mr. Kinney said that the noise ordinance will be looked at by the sub-committee next for possible change to the City's code.

Landlord/Tenant Code Amendments & Enforcement Discussion: Discussion in February.

### **NEW BUSINESS:**

2018 Annual Report – Review DRAFT: Consensus to forward the 2018 Annual Report to the City Council. This will be on the February 12, 2019 agenda.

2019 Work Program – Discussion: This will be reviewed briefly at the February meeting before forwarding to the City Council.

### **INFORMATIONAL ITEMS:**

City Recorder Report: City Recorder Stacie Cook provided a report on the following:

1. Public Works Building
2. Public Works Staff
3. Budget Committee Vacancies

Tiger Grant Agreement: The jurisdictional transfer agreement for the bridge is still being worked on. The Tiger Grant Agreement is on hold until the federal shutdown is over. This has the potential to put the design significantly behind schedule.

#### Current Applications:

File No 2017-02 – Baughman-Lucas Annexation

File No. 2018-09 – Trio Tavern Zone Change to Commercial. Council Approved January 8, 2019

#### Prospective Applications:

Santiam Sports Center – Site Plan Review (future gas station)

**BUSINESS FROM THE PLANNING COMMISSION:** None.

**OTHER BUSINESS:** None.

The meeting was adjourned at 7:43 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 19<sup>th</sup> day of February, 2019.