

MILL CITY PLANNING COMMISSION
Meeting of February 18, 2020

Planning Commission members present: Chair Ann Carey, Dennis Chamberlin, Marge Henning, Woody Koenig, David Leach, and Sandy Lyness. Grant Peterson was excused.

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

City Council Representatives: None.

Agency/Applicant Representatives: Scott Baughman.

Citizens: Gary Swanson.

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

APPROVAL OF MINUTES: Marge Henning noted that there is a missing word on the top of page two in the sentence “Mr. Baughman said there is storm....” Mr. Kinney said that this should say infiltration.

Sandy Lyness moved, seconded by David Leach to approve the minutes of January 21, 2020 as amended. The motion carried, (6:0).

PUBLIC COMMENT: None.

PUBLIC HEARING: File No. 2020-01
Applicant/Property Owner: Scott Baughman
Proposal: Minor Partition
Location: 100 Block SE Fairview Street, Mill City

Chair Carey opened the public hearing at 6:32 p.m. Chair Carey read the procedures for land use hearing asking if there were objections to the notice that was sent in this case. None stated. Chair Carey asked for any conflicts of interest, bias or ex parte contact. Being none, the applicant’s presentation was called for.

APPLICANT’S PROPOSAL: Scott Baughman, applicant, said that his plan is to divide the parcel into two site, with the east parcel planned as a single family home. No plans have been made for the west parcel. The house plans are already set and have taken into account the ten foot setback from the storm line.

STAFF REPORT: Mr. Kinney said that this is the parcel adjacent to City Hall. The east parcel does include a storm line, which the applicant has indicated has been addressed with the house siting. Utilities are available to the properties. The lots comply with the subdivision standards. Recommended conditions include:

1. Partition approval granted subject to the completion of partition survey within one year from the date of Council approval and compliance with all conditions of approval. Minor partition will expire March 1, 2021.
2. Minor partition survey map must be recorded with Linn County no later than March 1, 2021 and must show parcels 1 and 2, and easements and deed covenants for existing sewerage system and 20' side storm drainage easement granted to the City of Mill City on Parcel 2.
3. All public works requirements must be completed prior to approval of the final plat including permits, restoration of pavement, curbs and sidewalks as needed, no street cuts permitted for water service line crossings. Individual water and sewer services and interceptor tanks shall be installed concurrently with issuance of building permits.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: None.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Dennis Chamberlin asked if there are any restrictions on parking on the north side of SE Fairview Street. Mr. Kinney said that there are not restrictions at this time but the Planning Commission is on record as recommending that the Council look at parking if it becomes an issue in the future.

Chair Carey asked how far it is from the back of the house to the top of the slope. Mr. Baughman said that the tight side is 13 feet.

APPLICANT'S REBUTTAL: Mr. Baughman said that he shows a 20 foot garage setback but will try to make it 25 feet.

STAFF SUMMARY: Staff recommends approval of the application.

CLOSE OF HEARING: Chair Carey closed the hearing at 6:44 p.m. and called for deliberation.

DELIBERATION: *Sandy Lyness moved, seconded by Woody Koenig to approve the minor partition application for Scott Baughman, SBC Construction, Inc. File No. 2020-01, and to adopt the findings of fact, conclusions and recommended conditions of approval. The motion carried, (6:0).*

PUBLIC HEARING: File No. 2020-02
Applicant/Property Owner: City of Mill City
Proposal: Site Plan Review – Reid House Parking Lot
Conceptual Plan
Location: 500 Block NE Alder Street, Mill City

Chair Carey opened the public hearing at 6:45 p.m. Chair Carey read the procedures for land use hearing asking if there were objections to the notice that was sent in this case. None stated. Chair Carey asked for any conflicts of interest, bias or ex parte contact.

David Leach stated that he reviewed trees on the site for recommended removal and is a member of The Reid House Committee. Mr. Kinney asked Mr. Leach if he feels he can make an unbiased decision. Mr. Leach said that he feels that he can.

APPLICANT'S PROPOSAL: The Reid House Committee Chair, Gary Swanson spoke on behalf of the City stating that parking has been identified as one of the biggest issues for development of The Reid House. An architect has sketched a draft parking lot layout to allow for the most parking spaces while keeping the area clean.

Mr. Kinney asked if there was discussion of the Committee about the number of spaces that would be needed to accommodate the use. Mr. Swanson said that it is hard to determine but the space is limited, which should minimize the number of parking spaces needed.

STAFF REPORT: Mr. Kinney said that because of the lot layout the traffic flow must be one way. The Hwy 22 Access Plan will not allow access onto the highway. A driveway access is approved with the Access Plan just south of the intersection of NE 5th Avenue and Hwy 22.

There were not comments from ODOT, however, Marion County did respond, stating that for City's that don't have adopted access management, the typical driveway access from the highway would be 150 feet from the intersection. The Hwy 22 Access Management Plan supersedes this. The second comment from Marion County was that the alley may need to be vacated. This is publicly owned, though, which allows for the City to develop it without doing so.

The City must look at several code requirements when developing the parking lot. The clear vision area is one code, which is easy to comply with by planting low plantings within the area. Off street parking must be paved and meet design standards for size. The Fire Department provided comments regarding the ability to turn a fire truck through. This would be the case for large pick-up trucks as well. The design should be modified to try to gain as much turning radius as possible.

The City does not have a standard for this type of use, but in looking at codes within other cities, it seems that around 21 spaces would meet the needs of usage proposed. If a parking lot is developed there should be lighting installed and should be down lighting so as not to affect the neighboring properties.

There are a number of trees which may need to be removed in order to develop a parking lot. Mr. Kinney asked David Leach if he proposes keeping any trees within the area. Mr. Leach said that there are a few trees that may be able to be salvaged but many are rotten or planted too close to continue to be viable. Any remaining trees would need to be kept untouched within the soils.

Mr. Kinney said that this is a conceptual plan. If approved, a series of conditions of approval would need to be addressed. Mr. Kinney said that he would suggest that the plans come back

before the Planning Commission for consideration before final approval is given. The conditions of approval include:

1. Conceptual site plan approved as shown on map, dated and stamped by the City of Mill City Planning Department and subject to the completion of the final engineering design for parking, storm drainage and required street improvements and compliance with all conditions of approval. Site plan will expire on June 30, 2021.
2. City shall design and construct public improvements at the corner of NE 5th Avenue and NE Alder Street. Improvements will be designed and installed in accordance with City PWDS. Type B Construction permit must be obtained for work within the public right-of-way. City or contractor must obtain public works construction permit for any work performed in the Marion County right-of-way.
3. Water service, meter and backflow prevention device must be installed if irrigation system is installed.
4. Storm drainage must be designed and constructed on site including detention and water quality improvements for new parking lot and off site facilities.
5. Driveway approach constructed on NE 5th Avenue and pavement overlay from Hwy 22 ROW to NE Alder Street section/
6. Street frontage improvements on NE Alder Street including, curb, sidewalk and pavement widening along parking lot frontage to the east end of the Reid House property, as required by Marion County Public Works Department with a minimum of a curb and sidewalk.
7. Lighting shall be designed with decorative lights within the parking lot and from parking lot to The Reid House site.

Mr. Kinney said that the plans should come back before the Planning Commission before construction could occur.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: Dan Wittekind, Albany, OR, stated that he owns the apartments just south and west of the proposed parking lot. The area is what his tenants use as a back yard and the trees provide the only shade that is available. Mr. Wittekind said that if there is a parking lot then it will invite people to park in it who may not otherwise have done so. This could cause an increase in danger for tenants and may cause issues with his existing parking during events.

GENERAL TESTIMONY: None.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Chair Carey asked how buffering and fencing can be addressed behind the apartment building.

Woody Koenig asked if egress off of Hwy 22 must be 150 feet. Mr. Kinney said that for cities that do not have adopted standards that would be the distance, however, Mill City has an agreement with ODOT that have approved driveway locations.

Mr. Koenig asked if fencing or landscaping is planned with the parking lot. Mr. Swanson said that the vision of the committee was to include landscaping.

Marge Henning said that she has concerns about parking for the home between the proposed parking lot and The Reid House, asking what they will do for parking if curbs and sidewalks are installed. Mr. Kinney said that this is the challenge on NE Alder Street because it is so narrow.

Chair Carey asked how the parking would be dealt with when there is an event at The Reid House since the purpose of this development would be for The Reid House events. Mr. Kinney said that the City has police powers for this kind of instance.

Chair Carey asked if the Planning Commission is reserving the right to review the final plans. Mr. Kinney said that if the Planning Commission proceeds with approval of the conceptual plan, it requires coming back to the Planning Commission with final plans. The Planning Commission has the option of keeping the hearing open until final plans are submitted at a subsequent date. This would require re-notifying everyone. Chair Carey said that this is what she would prefer.

Scott Baughman, SW Whitten Rd, asked if NE 5th Avenue would have to have improvements. Mr. Kinney said that the buildings along NE 5th Avenue are very close which makes it hard to install improvements so it would be unlikely that this would be required. Mr. Baughman asked about ODOT frontage. Mr. Kinney said that the City will need to speak with ODOT to see if sidewalk along the frontage will be required.

Marge Henning said that she would like to have signage addressed for this site, stating that it is important to have entry signs and possibly one that says public parking. Chair Carey said that she said that she would like to have a sandwich sign that says Reid House Event Parking Only.

APPLICANT'S REBUTTAL: None.

STAFF SUMMARY: Mr. Kinney said that if the final set of plans are to come back then a tentative approval to the conceptual parking lot design should be given along with a statement that a new hearing will be held once the final design has been submitted. The final design shall include all of the items discussed this evening, including exact location, building setbacks, screening, fencing, signage, lighting and usage of the parking lot and regulations the City will have for special events and how to handle potential public nuisances.

CLOSE OF HEARING: Chair Carey closed the hearing at 7:38 p.m. and called for deliberation.

DELIBERATION: *Sandy Lyness moved, seconded by Marge Henning to approve a tentative conceptual site plan for the City of Mill City, File No. 2019-02, for the Reid House parking lot improvements, to bring the final site plan back for a new hearing upon completion and to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission's deliberations and adopt modified conditions of approval. The motion carried, (6:0).*

PRESENTATIONS: None.

OLD BUSINESS:

2020-2021 Work Program: Mr. Kinney said that he modified the work program document to put the most imperative within the first ten items and those that could be done if time allows in the next five.

Marge Henning said that she would like to see number ten focused on work sessions for the Public Works Master Plan.

Sandy Lyness said that she believes number nine is important.

Chair Carey moved, seconded by Marge Henning to adopt the 2020-2021 Work Program. The motion carried, (6:0).

NEW BUSINESS: None.

INFORMATIONAL ITEMS:

City Recorder Report – Mrs. Cook provided a report on the following items:

1. TIGER Grant Update
2. IGA – Marion County Community Prosperity Initiative and Canyon Project Fund
3. Public Works Building Update

BUSINESS FROM THE PLANNING COMMISSION: None.

OTHER BUSINESS: None.

The meeting was adjourned at 8:04 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 18th day of February 2020