

**MILL CITY PLANNING COMMISSION**  
**Meeting of September 21, 2021**

Planning Commission members present: Chair Marge Henning, Jim Grimes, Woody Koenig, David Leach, Caitlin Purdy and Debbie Schenck. Sandy Lyness was excused.

Staff in attendance: Planning Advisor David Kinney.

City Council Representatives: None.

Agency/Applicant Representatives: Kathleen Rustead.

Citizens: Roel Lundquist.

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

**ELECTION OF OFFICERS:**

Debbie Schenck nominated Marge Henning for Chair. Woody Koenig seconded the nomination. Unanimous approval to appoint Marge Henning as Chair.

Chair Henning nominated Debbie Schenck for Vice Chair. Unanimous approval to appoint Debbie Schenck as Vice Chair.

M. Kinney advised that City Recorder Stacie Cook will remain as Secretary.

**APPROVAL OF MINUTES:** *Woody Koenig moved, seconded by Debbie Schenck to approve the minutes of June 15, 2021. The motion carried, (6:0).*

**PUBLIC COMMENT:** None.

**PUBLIC HEARING:** File No. 2021-07    Site Review – Duplex  
Applicant:    Jim Clough, Benchmark Builders, LLC  
Location:    Corner SW 7<sup>th</sup> Ave and SW Cedar St

Chair Henning opened the public hearing at 6:36 p.m. with the procedures for the land use hearing. Chair Henning called for any potential conflicts of interest, bias or ex parte contact. None stated.

**APPLICANT’S PROPOSAL:** Kathleen Rustead, applicant’s representative, stated that she represents Jim Clough. The proposal is to construct a duplex. Mr. Clough is open to doing whatever is necessary to make the development work, including dealing with the interceptor tank that is already on the parcel.

Ms. Schenck asked for more information on the existing interceptor tank. Mr. Kinney said that when the sewer system was installed the property was owned by the same person as one of the homes to the south. Rather than installing the tank on the home parcel, the property owner gave permission for the tank to be placed on the vacant parcel adjacent to the home. The City's code does not allow for more than one tank on a parcel. However, due to setback requirements, the only viable option is to allow for the existing tank to remain. The property owner will need to grant an easement for the existing tank so that the homes that the tank serves have a legal right to access the tank.

Mr. Kinney said that the recommended conditions need to be changed to require a ten foot setback from the south property line to allow for enough room for the easement.

**STAFF REPORT:** Mr. Kinney said that there are a number of references to four duplexes on Ivy Street that should not be in the staff report. In addition, Mr. Kinney went through some errors regarding street width and utilities that needed to be included/modified.

A final landscaping plan if shrubs are to be installed will need to be submitted to the City.

Chair Henning asked if a non-remonstrance agreement is needed. Mr. Kinney said that the likelihood of this area ever being fully developed is extremely low and, therefore no need for an agreement.

**PROPONENT'S TESTIMONY:** None.

**OPPONENT'S TESTIMONY:** None.

**GENERAL TESTIMONY:** Roel Lundquist, SW Broadway St, asked if vegetative screening will be required. Mr. Kinney said that a fence or vegetative screening are options. A fence is in place. Vegetation is not proposed.

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

**APPLICANT'S REBUTTAL:** None.

**STAFF SUMMARY:** Mr. Kinney said that the conditions need to be modified to require a ten foot setback on the south property line and that an easement for the existing interceptor tank be recorded.

**CLOSE OF HEARING:** Chair Henning closed the public hearing at 6:34 p.m. and called for deliberation.

**DELIBERATION:** *Woody Koenig moved, seconded by Caitlin Purdy to approve the site plan for Jim Clough, Benchmark Builders, to construct a duplex on the vacant lot at the SE corner of SW 7<sup>th</sup> Avenue and SW Cedar Street, and to direct the staff to modify the findings of fact, conclusions and recommended conditions of approval for File No. 2021-07. The motion carried, (6:0).*

**OLD BUSINESS:** Mill City Falls Park – Overlook and Public Plaza Concept Design Review: Mr. Kinney said that Linn County agreed to do a portion of this work after determining that there would be dollars remaining in the TIGER grant. This will allow the City to add a trellis to the project and will ensure additional lighting in the area.

**NEW BUSINESS:** North Santiam Canyon Wastewater Facilities Master Plan: Mr. Kinney said that the Council had a presentation on September 14 on this plan and gave a brief overview of how the facility is planned for the Mill City/Gates area. Mr. Kinney said that a gravity flow system is most likely what will be constructed.

The potential for new housing growth will put a strain on Mill City's already tight capacity with the sewer plant so there is a need for a facility plan in order to identify what my need to be done to Mill City's plant in order to accommodate the growth.

Mr. Kinney said that if the creation of the sewer district system takes longer than anticipated, the Planning Commission may have decisions to make about what to recommend to the Council for additional growth. DEQ has stated that they will not require a moratorium on building, but may begin fining if the City goes over the permitted capacity and require an agreement that the matter would be dealt with in a specific time frame.

Set Training Date for Interested Planning Commission Members: Mr. Kinney said that he has a presentation for new members as well as those who would like a refresher. Potential dates will be emailed out for members to comment on.

#### **INFORMATIONAL ITEMS:**

City Recorder Report: None.

Mill City Water Main Improvements – 1<sup>st</sup> Avenue & SW Ivy Street: Mr. Kinney said that the main in 1<sup>st</sup> Avenue is done except for a curb return on the corner of SE Whitten Road. SW Ivy Street is almost complete. Additional work is being done soon in 1<sup>st</sup> Avenue between SE Ivy Street and SW Ivy Street in order to install connections for the next phase of the project.

TIGER Grant – SW Broadway and RR Bridge Status: SW Broadway Street paving is complete. The pathway between the park and the bridge will not be finished until after paving is completed. Street trees have not come in and lights are on back order.

The Railroad Bridge painting will be done over the next three to four weeks, after which electrical and railing will be installed. Railing is also on back order, which may keep the bridge from being opened up longer than anticipated.

Grant Award: Storm Drainage Legislative Funding (ARPA) - \$2.9 Million: The City received a \$2.9 Million grant for storm drainage improvements from the legislature, which replaces funding that the City received in the last legislative session but lost due to loss of lottery dollars.

The first element of this project will be a Storm Drainage Master Plan, which the Planning Commission will be involved in. Storm work will be done in the basin on the SW side of town. Work for the storm connected to Freeman Meadows Subdivision is also included in the original scope of work.

2019-09 Freeman Meadows – Final Engineering Plan Submittals: Mr. Kinney said that there has been no movement on this project.

Prospective Applications:

*Subdivision: SW 8<sup>th</sup> Avenue & SW Spring Street* – Developers have purchased this property and have filed a variance application for lot width.

*Site Review: TapHouse, Hwy 22 & NE 4<sup>th</sup> Avenue (Old Texaco Station)* – Staff is aware of this potential application but it is unknown when it will come in. The biggest issue that will have to be addressed is parking. The proposal shows parking on the east side of the parcel with no access off of the highway.

Upcoming Hearings:

*Variance: Lot Dimensions (Lot Width) – SW 8<sup>th</sup> Avenue & SW Spring Street* – Wednesday, October 20, 2021.

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

**OTHER BUSINESS:** None.

The meeting was adjourned at 7:57 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 20<sup>th</sup> day of October 2021