



City of Mill City

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Mill City, Oregon 97360

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MILL CITY PLANNING COMMISSION AGENDA

Regular Meeting

Tuesday – July 18, 2017 6:30 p.m.

City Hall – 444 S. First Avenue

MILL CITY, OREGON 97360

1. **Call to Order and Flag Salute – 6:30 p.m.** Chair Ann Carey
2. **Approval of Minutes:** June 20, 2017 Regular Meeting
3. **Election of Officers for 2017-2018**
 - a. Chair
 - b. Vice-Chair
 - c. Appointment of Secretary – Planning Consultant and City Recorder

4. **Public Comment:**

We welcome you to today's regular monthly meeting of the Mill City Planning Commission. This is an open meeting of the Commission and you are invited to observe the meeting.

If you wish to speak to the Planning Commission regarding an issue which is not on the agenda, the Commission provides time at the beginning of each meeting to listen to public comments. The chairperson will ask for public comment. When you are recognized, please state your name, address and briefly explain the issue you wish to discuss. Depending on the nature of the issue, the Planning Commission may address the issue during this meeting, table the issue to a future meeting or may request that you speak with the City Recorder or Planning Consultant outside the meeting.

4. **Public Hearings:** None scheduled.

5. **Presentations:** None scheduled.

6. **Old Business**

- a. Marion County Natural Hazards Mitigation Plan – Mill City Annex
- b. Baughman Lot Line Adjustment – City Council Review
- c. FEMA/NMFS Willamette Basin - Biological Opinion / Flood Management lawsuit
- d. Railroad Bridge Restoration – SOB Update (Dave Leach)
- e. Other

7. New Business

8. Informational Items

- a. City Recorder Report
- b. Planning Consultant Time Report
- c. New and Prospective Applications - Potential Site Plan Review
- d. Other

9. Adjournment

Upcoming Planning Commission Meetings (All meetings at City Hall)

- | | | |
|-----------------------------|---------|-----------------------------------------------|
| Tuesday, August 15, 2017 | 6:30 PM | Regular Meeting |
| Tuesday, September 19, 2017 | 6:30 PM | Regular Meeting |
| Tuesday, October 17, 2017 | 6:30 PM | Regular Meeting (David Kinney – out of state) |

MILL CITY PLANNING COMMISSION
Meeting of June 20, 2017

Planning Commission members present: Chair Ann Carey, Woody Koenig, Marge Henning, Grant Peterson and Frances Villwock. Commissioners Dennis Chamberlin and David Leach were excused.

Staff in attendance: Planning Advisor David Kinney.

City Council Representatives: None.
Agency Representatives: None.
Citizens: None.

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

APPROVAL OF MINUTES:

The Planning Commission reviewed the minutes of the May 16, 2017 meeting. *Marge Henning moved, seconded by Fran Villwock, to approve the minutes of May 16, 2017. The motion carried unanimously (5:0).*

NOMINATION OF OFFICERS:

Marge Henning nominated Ann Carey to serve as Chair of the Planning Commission. There were no other nominations.

Ann Carey nominated Frances Villwock to serve as Vice-chair of the Planning Commission. There were no other nominations.

Planning Consultant David Kinney and/or City Recorder Stacie Cook serve as the secretary to the Planning Commission.

After discussion, Chair Ann Carey stated the Commission will accept additional nominations and vote on officers at the next regular meeting on July 18, 2017.

FUTURE MEETING DATES:

The Commission briefly discussed future meeting dates. Mr. Kinney informed the Commission he will be out of state on the regular scheduled meeting dates in October 2017 and January 2018. The Commission also discussed holding occasional morning meetings if Linn County, Marion County or other agency staff attend meetings to discuss Mill City projects.

PUBLIC COMMENT: None.

PUBLIC HEARINGS: None scheduled.

OLD BUSINESS:

Ordinances 393 and 394 – Annexations and Repeal of Ordinances 342 and 343

Mr. Kinney reported the City Council has approved the 1st reading of the ordinances to repeal Ordinances 342 and 343 that were adopted in 2006 and 2007. The annexations approved by these two ordinances were not approved by the Oregon Department of Revenue and the ordinances did not take effect.

Proposed Ordinances 393 and 394 correct the errors in the old ordinances. The Oregon Department of Revenue has reviewed and approved the maps and legal descriptions for the new ordinances. The City Council completed a 1st reading on June 13, 2017 and a second reading and adoption are scheduled for the June 27, 2017 council meeting. Chair Ann Carey will do a final editorial review of the new ordinances.

Ordinances 395 – Boughman/Lucas Urban Growth Boundary Amendments

Mr. Kinney reported the City Council has approved the 1st reading of the of the Boughman-Lucas Comprehensive Plan map amendments and urban growth boundary (UGB) amendments. Final adoption is scheduled for June 27, 2017. After city approval, the applicant will file his application with Linn County. Grant Peterson inquired how long it may take for Linn County to act. Mr. Kinney responded that it may take Linn County four to six-months to review the proposal and decide on the applications. Woody Koenig noted the City will probably not see a subdivision application until after January 1st. The Commission then discussed the benefits of having a pre-application discussion with the applicants.

Marion County Natural Hazards Mitigation Plan (Mill City Addendum)

At the February 21, 2017 Kathleen Silva, Marion County Emergency Management Coordinator, did a brief presentation on Marion County's proposal to update the county-wide natural hazards mitigation plan. At that meeting she indicated Marion County will provide the City with an updated copy of the Mill City Addendum to the county-wide hazards mitigation plan. In May 2017, the Marion County Emergency Management staff and its consultant completed the update. FEMA has completed a review of the plan and has tentatively approved it.

Marion County Emergency Management has requested the City Council adopt a resolution concurring with the Marion County Natural Hazards Mitigation Plan (NMHP) and the City of Mill City addendum. A copy of the Mill City Addenda is included in the PC Packet.

The Commission discussed the reasons Marion County is updating the county-wide natural hazards mitigation plans and addenda for each city in Marion County. By adopting an updated NHMP, Marion County and its cities become eligible for planning and hazard mitigation grants from FEMA. The Planning Commission members expressed some concerns that the plan document adds duties and responsibilities on the City that city staff will not be able to complete. The Commission agreed that it can serve as members on the local steering committee. Chair Ann Carey announced the City Council will consider a resolution adopting the Mill City addendum to the NHMP at a July city council meeting.

Variance Decision Procedures:

Planning Commission Grant Peterson has asked why the Planning Commission needs to hold a public hearing and make decision to approve/deny a variance request. Mr. Kinney and the Planning Commission reviewed the decision requirements for different types of land use applications.

Prior Land Use Decisions

1. Oregon Connections Academy. Mr. Kinney reported the Oregon Connections Academy has completed their ODOT access requirements, the project is completed and the file is closed.
2. Subway. Mr. Kinney reported that Subway has not completed their ODOT access improvements and the project is not complete. ODOT is following up with the property owner.
3. Blaylock Mini-Storage. The City has received a letter from Mark Elligsen, project engineer, confirming the drainage and parking lot grading were completed in compliance with the approved plans. This project is complete. Commissioner Villwock expressed her dissatisfaction with the gravel parking area and drainage. Chair Carey and Mr. Kinney noted the City has modified the parking lot paving requirements for future commercial developments.
4. Dollar General. Public Works Director Russ Foltz and Mr. Kinney are monitoring this project for compliance with the site plan approval. The contractor encountered significant subsurface water and utility conflicts and has had to obtain engineering review and approval for the modifications.

NEW BUSINESS:

West Broadway Street Improvements (1st to 8th Street) – Linn County Roads Survey & Design

In 2016 the City Council asked the Planning Commission to assist with the review of any street and streetscape design for West Broadway Street improvements.

County Engineer Chuck Knoll, Linn County Roads Department, has notified the City that they have started survey work on W. Broadway Street from the N. Santiam Bridge west to 8th St. The survey will also include some side streets – 2nd, 3rd, 4th and SW Cedar Street and portions of the pedestrian path.

Commissioner Grant Peterson asked for clarification of the Planning Commission's responsibilities in working with Linn County to review the project scope, conceptual plans and improvements. Mr. Kinney responded the city council has asked the Planning Commission to work with Linn County's engineering staff to look at the conceptual design, sidewalks, pedestrian crossings, connection to the recreational trail and streetscape issues.

County engineering staff will do preliminary engineering and cost estimates over the next 6-8 months and will also look for new funding opportunities for the project. No date has been set for construction yet, but may be summer 2019.

OTHER BUSINESS:

City Recorder Report: City Recorder Stacie Cook has provided a City Recorder report.

Planning Consultant Billing: Mr. Kinney provided copies of his billings for April & May 2017.

Pending Applications: There are no pending applications.

BUSINESS FROM THE PLANNING COMMISSION: None.

Post Office Building Maintenance: Chair Ann Carey expressed concern with the site and building maintenance at the U. S. Post Office building. The site is an eyesore and does not represent the community well. After discussion, Woody Koenig stated he would talk with the Derelict and Dangerous buildings committee and suggest the City contact the property owner about cleaning up the site. Grant Peterson indicated that if the property owner and postal service staff do not maintain the site, a small volunteer crew could be organized to clean up the site.

The next meeting of the Planning Commission will be July 18, 2017 at 6:30 p.m.

The meeting was adjourned at 8:20 p.m.

Prepared by:



David W. Kinney, Planning Advisor and
Stacie Cook, MMC, City Recorder/Planning Secretary

Minutes approved by the Planning Commission on the ____ day of _____ 2017.

David W. Kinney
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Email: dwkinney@wvi.com

July 11, 2017

To: Chairman Ann Carey and Planning Commissioners
From: David W. Kinney, Planning Consultant
In RE: New and Old Business Items for July 18, 2017 Meeting

3. Election of Officers:

The Planning Commission will elect new officers to serve from July 1st to June 30th of the following year. David Kinney and Stacie Cook normally serve as the Secretary for the Commission.

6. Old Business:

a. Marion County Natural Hazards Mitigation Plan – Mill City Addendum.

In June, the Planning Commission reviewed the Marion County Hazard Mitigation Plan – Mill City Addendum. On June 27th, the City Council adopted a resolution concurring with the document and designating the Planning Commission as the Mill City Steering Committee. Stacie and I have reviewed the County’s “final” draft and made several corrections. When we receive it back from Marion County we will share it with the Planning Commission.

I will discuss the “Action Items” with Stacie Cook and Kathleen Silva, Marion County Emergency Management. After those conversations, I will add an agenda item for August or September to review the action items that should be reviewed by the Planning Commission in the next year.

Action Requested: None, information only.

b. File 2017-03 Baughman Lot Line Adjustment.

In May 2017, the City Council reviewed my decision on this lot line adjustment. The applicant, Scott Baughman, disagreed with one of the conditions of approval and requested the City Council reconsider the decision. Enclosed is a memo to the City Council that outlines the issue. I expect the City Council will make a decision on July 11th.

Action Requested: None, information only.

c. FEMA/NMFS Willamette Basin Biological Opinion / Flood Management lawsuit

In April 2016, the National Marine Fisheries Service (NMFS) issued a biological opinion (BiOp) concluding FEMA and Oregon cities and counties have not adequately protected endangered salmon and steelhead in Oregon.

The conclusion of the BiOp is that Oregon's cities will need to modify their flood plain management programs to protect salmon and steelhead from harm. New regulations will apply to riparian zones along the river, cuts & fills, protection of spawning habitats and better management of storm drainage. New development within the 100-year flood plain will have stricter regulations.

A new lawsuit has been filed in the past 60-days. This puts the BiOp on hold. FEMA and DLCD's flood management program staff will not require cities to modify flood plain regulations and permit processes until this lawsuit works its way through the courts.

Action Requested: None, information only.

d. Railroad Bridge Restoration (SOB) Project Update.

Dave Leach and I will provide an update on the SOB's project to renovate and restore the railroad bridge.

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July 6, 2017

To: Mayor Kirsch & City Council
From: David W. Kinney, Planning Consultant
In RE: 2017-03 Baughman Lot Line Adjustment – Notice of Decision

At the June 13, 2017 city council meeting, the Council pulled this item for discussion when the applicant indicated he had concerns with the City's conditions of approval. A copy of the May 11th Notice of Decision is attached.

The applicant should be given an opportunity to present his concerns or comments with the decision. The City Council may uphold or modify the decision.

Conditions in Question:

3. Easements:
 - a. Sewer Easement: The plat maps shall include a note referencing the existing sanitary sewer easements by Linn County Reel and Page number.
 - b. Storm Sewer Easement: The plat map for Parcel 3 shall either include a note referencing the existing storm sewer easement for the 24" CMP that crosses the parcel or provide for a new easement. If no easement exists, the applicant shall show a 25' wide storm sewer easement for the existing 24" CMP.
 - c. Private Utility Easement: A 5' wide PUE shall be shown on the plat maps adjacent to the north side of SE Fairview Street for the new Parcel 2 and Parcel 3.

Applicant Concerns:

Mr. Baughman contacted me by phone in May 2017 expressing his concerns with the 25' width of the storm sewer easement. He stated he did not object to an easement, but a 25' wide easement was too wide and may make it difficult to develop the property in the future. I responded that the recommended width was due to the 12' depth of the existing storm sewer. I asked Scott to check the depth of the outlet pipe where it discharges on the bank. Russ Foltz and I verified the storm sewer depths last week.

Public Works Design Standards - Basis for the Requirement for a 25' Storm Sewer Easement.

Prior to issuing the decision, the City Engineer and I discussed the location and depth of the 24" CMP pipe that crosses the property. The storm sewer is 12' deep at the MH in SE Fairview Street. The storm sewer is 12' to 14' deep as it crosses the property before it discharges at an open outlet on river bank.

Under the City’s PWDS, Section 3.12, a 28’ wide easement is required for a 24” storm sewer pipe that is 12’+ deep. The City Engineer and I concluded a 25’ wide easement will suffice and allow for a large excavator to perform maintenance or allow for the installation of a parallel storm pipe in the future.

Excerpt from Mill City Public Works Design Standards - Storm Drainage

Section 3.12 Alignment and Location

d. Location in Easements and Easement Widths

Minimum Easement Widths. Unless otherwise specified or authorized by the City, the minimum easements width for storm drains shall be as follows:

MINIMUM STORM DRAIN EASEMENT WIDTHS		
Storm Drain Pipe Diameter	Depth to Invert	
	Easement Width for Pipe ≤ 6’ deep	Easement Width for Pipe >6’ deep
10” – 15”	12 feet	12 feet plus 2 feet for each foot (or fraction thereof) deeper than 6 feet to invert
18” – 24”	16 feet	16 feet plus 2 feet for each foot (or fraction thereof) deeper than 6 feet to invert
Larger than 24”	20 feet	20 feet plus 2 feet for each foot (or fraction thereof) deeper than 6 feet to invert
Note: Easements shall be a constant width between manholes or other in-line structures. Easement width shall be based on the deepest portion of the line between such structures.		

City Council Review and Action:

The City Council may:

1. Uphold the decision and keep the conditions of approval as written.
2. Modify the decision and reduce the width of the storm sewer easement.
3. Modify the decision and remove the easement requirement.

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Client: City of Mill City

Month: June 2017

Land Use Applications															Miles
Date	Start Time	End Time	Total	Admin	FY 2018 Budget	SOB RR Bridge	Planning General	Dollar General	2017-02 UGB Amendmt	2017-03 Baughman LLA	2017-04 Ord 342/343	No Charge	Total	Work Activities	
6/2/2017	12:35	1:35	1.00				1.00						1.00	Hannah Jones 150 SE Kingwood Avenue; 126/136 SW 4th Avenue pre-app review.	
6/5/2017	6:00	6:30	0.50								0.50		0.50	Prep Readoption of Annexation Ordinances	
6/5/2017	6:45	7:15	0.50								0.50		0.50	Prep Readoption of Annexation Ordinances : Emails to DOR, John Newberg and Stacie Cook	
6/6/2017	9:30	9:45	0.25								0.25		0.25	Meet w/ Leland Ohrt to review Annexation Ordinance of Volunteer Fire property.	19
6/6/2017	9:45	11:00	1.25				1.25						1.25	Review various planning items with Stacie Cook: Krokoski, Aerni setback, Ordinance 342/343 repeal and readoption; budget Baughman LLA (easement for storm sewer); Linn County TSP review; Baughman - Lucas ordinance.	
6/6/2017	1:15	1:20	0.10									0.10	0.10	Respond to Stacie email re: Independent Press building and permits.	
6/6/2017	1:40	1:55	0.25						0.25				0.25	Email Ordinances to Jeff Tross re: Baughman-Lucas UGB Amendments.	
6/7/2017	9:45	12:00	2.25			2.25							2.25	SOB Meeting w/ Bob Hirte to review project costs;	38
6/7/2017	3:30	6:00	2.50						1.75		0.75		2.50	2017-02 UGB Amendment Adoption Memo and Ordinance; 2017-xx Ord 342 Repeal & Replacement Memo and Ordinances -- Revisions Email docs to Stacie Cook and Jeff Tross w/ memo to Jeff re: changes to ordinances.	
6/9/2017	10:00	11:30	1.50				0.50					1.00	1.50	Meeting w/ Chuck Knoll @ Linn County Roads Dept. re: Linn County TSP; Mill City RR Bridge Restoration Project; W. Broadway project; 2017-02 Baughman-Lucas Subdivision project.	
6/9/2017	3:15	4:45	1.50		1.50								1.50	Compile 2017-2018 Budget - EXCEL for Stacie & Jennette	
6/12/2017	12:00	2:00	2.00									2.00	2.00	Recompile budget - lost EXCEL file; Email to Stacie Cook	
6/13/2017	8:30	9:00	0.50								0.50		0.50	Email from Elise Bruch re: Annexation Ordinance #1 readoption. Email to John Newberg w/ corrections;	
6/13/2017	11:50	12:05	0.25				0.25						0.25	Prepare PC Packet for 6-20-2017 meeting	
6/13/2017	12:05	12:20	0.25								0.25		0.25	Email from Elise Bruch re: Annexation Ordinance #2 readoption. Email to John Newberg w/ corrections; Received John Newberg corrections; modified Ordinance #1 - resubmitted to Elise Bruch @ DOR for her review.	
6/13/2017	12:30	2:30	2.00				1.75					0.25	2.00	Prepare PC Packet for 6-20-2017 meeting	
6/13/2017	2:30	2:45	0.25								0.25		0.25	Received John Newberg corrections; modified Ordinance #2 - resubmitted to Elise Bruch @ DOR for her review.	
6/13/2017	5:55	7:55	2.00						1.50		0.50		2.00	City Council Mtg - Readoption of Annexation Ordinances (1st reading); 2017-02 Baughman-Lucas (UGB & CP Map Amend - 1st reading); Review Elise Bruch review of Ordinance #1 revisions; Send email to John Newberg requesting final changes.	38
6/14/2017	9:45	12:30	2.75				1.50					1.25	2.75	Linn County Engineering - Survey and engineering meeting - re: W. Broadway and RR Bridge.	38
6/14/2017	1:30	3:30	2.00								2.00		2.00	Review John Newberg's revisions to Ordinance #1, edit per Mill City Volunteer Firefighter's Association comments and resubmit to Elise Bruch, Oregon Department of Revenue. Prepare June 27th adoption memo to City Council.	
6/20/2017	10:00	11:40	1.50						1.00		0.50		1.50	DOR Approval of Ordinance #1; Finalize adoption memos for all Ordinances 393, 394 and 395; Email to City, Jeff Tross, John Newberg and request Ann Carey review ordinances prior to City printing copies for the Council meeting.	
6/20/2017	2:00	3:30	1.50				0.50					1.00	1.50	Checkin with Stacie re: current issues. Review building plans for architectural design standards for home in Santiam Pointe. Site visit to fire hall site prior to meeting with Joanne & Mike Hebing re: skate park; Prep DRAFT PC minutes;	

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Land Use Applications														Miles	
Date	Start Time	End Time	Total	Admin	FY 2018 Budget	SOB RR Bridge	Planning General	Dollar General	2017-02 UGB Amendmt	2017-03 Baughman LLA	2017-04 Ord 342/343	No Charge	Total		Work Activities
6/20/2017	3:30	4:30	1.00	1.00									1.00	Skate Park - Discussion w/ Joanne Hebing, Mike Hebing and Stacie Cook re: proposal to have DREAMLAND develop a skate park concept design. Advised them to request City Council concur with their prior decision to use the old fire hall as a skate park site. REcommended modifications to agreement with DREAMLAND for initial concept design services.	
6/20/2017	4:30	5:15	0.75	0.75									0.75	Scott Baughman re: Public Works Building design and elements.	
6/20/2017	6:30	8:30	2.00				2.00						2.00	Planning Commission meeting	
6/21/2017	9:00	9:30	0.50				0.50						0.50	PC Minutes Preparation	
6/21/2017	2:45	3:05	0.30						0.30				0.30	2017-02 Notice of Ordinance Adoption for Ords 393, 394 & 395	
6/21/2017	3:10	3:25	0.25				0.25						0.25	Review RADA gas station site plan - Hwy 22. Code interpretation - no site plan review required by City.	
6/21/2017	3:30	4:00	0.50	0.25								0.25	0.50	Review Voluntary Compliance Agreement for Derelict buildings.	
6/22/2017	12:00	12:15	0.25						0.25				0.25	Respond to Chuck Knoll prelim review of SE Fairview conceptual plan. Forward emails to Stacie Cook, Darrin Lane and Jeffrey Tross.	
6/22/2017	12:15	12:25	0.20									0.20	0.20	Emails to Chuck Knoll & Danielle Gonzalez re: RR Bridge Funding exploration.	
6/23/2017	9:30	9:50	0.30							0.30			0.30	Review Subdivision code requirements for easements; Review PWDS Section 3.12.d "Storm Easement Width" - 28' recommended for 12' deep storm sewer.	
6/23/2017	9:50	10:00	0.15					0.15					0.15	Dollar General: Respond to Stacie email re: replat of DG site. Review 8-26-2016 prelim review of plat and send response to Stacie.	
6/26/2017	11:00	11:30	0.50	0.25						0.25			0.50	Review storm sewer location SE Fairview; Russ Foltz re: PW Building plans and next steps.	
6/26/2017	12:00	4:30	4.50	4.50									4.50	Finance Clerk interviews	38
6/28/2017	9:45	11:45	2.00			2.00							2.00	SOB Grants Committee meeting;	19
													-		
			39.80	6.75	1.50	4.25	9.50	0.15	5.05	0.55	6.00	6.05	39.80		190

Hours	Rate	Total
33.75	70	2,362.50
190	0.55	104.50
		2,467.00

	Admin	FY 2018 Budget	SOB RR Bridge	Planning General	Dollar General	2017-02 UGB Amendmt	2017-03 Baughman LLA	2017-04 Ord 342/343	No Charge	Total
Hours	472.50	105.00	297.50	665.00	10.50	353.50	38.50	420.00		
Expenses	20.90	-	31.35	31.35	-	20.90	-	-		
Total	493.40	105.00	328.85	696.35	10.50	374.40	38.50	420.00		2,467.00