

**MILLERSBURG PLANNING COMMISSION  
MARCH 10, 2015**

PRESENT: Anne Peltier, Steve Vogler, Ed Perlenfein, Dave Post, Dan Nixon, Connie Lepin, Skylar Bailey, Barbara Castillo, Don Driscoll

The Millersburg Planning Commission was called to order at 6 p.m. by Chairman Ed Perlenfein. The newest member of the Planning Commission, Connie Lepin, was introduced to the rest of the members.

**MINUTES OF SEPTEMBER 9, 2014**

*Dan Nixon moved, seconded by Anne Peltier to approve the minutes of September 9, 2014.* The motion passed.

**SMITH SUBDIVISION TENTATIVE PLAN**

The applicant, Stephan Smith, is requesting approval of a five lot Urban Subdivision Tentative Plan with urban lots containing in excess of 10,000 square feet on a 2.45 acre parcel. The proposed project is intended to be an Urban Residential Development. The property is located on Alexander Lane just west of Phase II of the Melody Acres Subdivision.

The Millersburg Lane Use Development Code and Oregon Revised Statutes Chapter 92 provide the applicable criteria for evaluation of the requested action.

The internal public street shall be a “Local Skinny Street” with a 40-foot ROW, Curb-Curb width of 20 feet, parking on one side and a 5-foot wide sidewalk on the interior side. A sidewalk on the outside may be deferred by the Planning Commission. A sidewalk on each side could be accommodated. The interior street shall end at the north property line for future continuation and shall have a hammerhead turnaround approved by the Fire District.

A letter from adjacent property owner’s Mark and Marion Ridders was read into the record. The Ridder’s are opposed to the road of the subdivision being on the west side of the subdivision, and requested it be put on the east side.

The Planning Commission also discussed item 7 under Staff Summary which states, “There should be a landscaped buffer between the Subdivision and Alexander Lane. A berm may also be utilized but no fencing should occur adjacent to Alexander Lane.”

Barbara Castillo said she has approved many fences adjacent to Alexander Lane. Don Driscoll said this was not a Code requirement, but was in other staff reports for other subdivisions.

*Dan Nixon moved, seconded by Skylar Bailey to approve the Smith Subdivision Tentative Plan request contingent upon compliance with the Conditions of Approval contained in the Staff Report with the removal of Item #7 of the Staff Summary and #10 of the Conditions of Approval.* The motion was approved unanimously.

Item #7 of the Staff Summary states, *“There should be a landscaped buffer between the Subdivision and Alexander Lane. A berm may also be utilized but no fencing should occur adjacent to Alexander Lane.”*

Item #10 states, *“An Improvement Agreement and bonding or an alternative security is required and specified in Code Sections 8.410 and 8.420 unless all of the required improvements are provided by the Applicant and approved by the City prior to signing the final Subdivision Plat.”*

The Conditions of Approval are:

The Applicant shall comply with the **Final Subdivision Plat** requirements of **Code Sections 2.330 to 2.340**. Fulfillment of the following Conditions of Approval is required prior to filing the Final Plat,

#### **General Requirements**

1. The Smith Subdivision is a private subdivision that constructs and dedicates all streets and municipal utilities to the City of Millersburg subject to acceptance by the City. Lots may be developed by the Subdivision Owner or some lots may be sold for private development. All streets within the subdivision shall be public streets following acceptance by the City.
2. The Applicant has deferred detailed development plans until approval of the Subdivision Tentative Plan and Plat. Detailed plans for grading, drainage, storm water detention, if required, landscaping and irrigation, utilities and street lighting are required.

Additional detailed information in conformance with City standards shall be submitted prior to beginning construction. Detail information shall be submitted for the following:

- a. A Grading and Landscape Plan in conformance with **Code Section 5.134** including a Landscaped Buffer along Alexander Lane unless deferred and identification of trees to be maintained or removed.
- b. A Municipal Water and Sanitary Sewer Plan and construction specifications for on-site and off-site improvements in conformance with **Code Sections 5.127, 5.128 and Code Section 8.200**.

- c. A site Drainage Plan including storm water transmission, detention, if required, and off-site receiving stream improvements in conformance with **Code Section 5.126** and **Section 8.200**.
  - d. Street improvement plans shall be in conformance with **Code Sections 5.122, 5.123, 5.124, 5.125** and **Code Section 8.200**.
  - e. A Street Lighting Plan in conformance with **Code Section 5.135** unless deferred by the Planning Commission.
  - f. CC&Rs or other specified means of maintaining common areas including a storm water detention system if required.
3. The Applicant shall specify adjacent property protections and shall submit recommendations to the City for approval. A road ROW setback may be utilized for utilities and/or landscaping.
  4. The Applicant shall identify the primary trees to be maintained and those intended to be removed.
  5. The Applicant shall comply with the fire protective standards administered by the Linn County Building Official and the Jefferson Rural Fire Protection District. Hydrants, if required and Turnaround locations shall be provided by the Applicant and approved by the Jefferson Rural Fire Protection District and the City.
  6. Compliance with the federal Americans with Disabilities Act (ADA) is the responsibility of the Applicant/Owner including sidewalk accessibility standards.
  7. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
  8. All required Certifications and CC&R's shall be recorded and identified in the Declarations on the Final Plat. Copies of all CC&R's shall be approved by the City and recorded copies shall be submitted to the City and maintained in the Record File of the application.
  9. Any Tentative Plan changes shall be submitted to the City for approval. If proposed changes are not in conformance with City Ordinances or the approved Tentative Plan dated February 7, 2015 submitted by the Applicant. The Applicant shall be notified and the non-complying elements shall be corrected and resubmitted prior to approval of the Final Plat.

### **Bonding & Warrantee**

10. The Applicant shall submit a security and warrantee proposal for approval by the City of Millersburg for all City utilities and roadways.

### **Construction Standards**

All development standards shall comply with City Ordinances unless specifically amended herein. The City of Millersburg has adopted the City of Albany Standard Construction Specifications for urban development in the City.

11. All road and municipal utility construction shall conform to the City of Albany Standard Construction Specifications specified in **Code Section 8.610**. The Applicant shall submit construction details, specifications, a construction timetable and a phasing schedule prior to beginning construction.
12. All required public improvement plans shall be approved by the City prior to beginning construction. All utilities shall remain uncovered until inspected and approved by the City. All required public improvements shall be completed and approved by the City prior to approval of the Final Plat unless an alternative Security is approved by the City in conformance with **Code Section 8.420**.

### **Street System Improvements**

Alexander Lane is a designated Collector Street that abuts the proposed development. Improvements and sidewalks have been completed on Alexander Lane.

13. The proposed subdivision shall not limit future improvements to Alexander Lane.
14. The internal street connecting to Alexander Lane shall have adequate turning radius and adequate Clear Vision Areas in accordance with **Code Section 5.122** for all vehicle ingress and egress to the property.
15. All Lots within the Smith Subdivision including corner lots shall access from the interior Local Street.
16. The internal Public Street shall be a “Local Skinny Street” with a 40-foot ROW, Curb-to-Curb width of 29 feet, parking on one side and a 5-foot wide sidewalk on the interior side. A sidewalk on the outside may be deferred by the Planning Commission. A sidewalk on each side could be accommodated. The interior street shall end at the north property line for future continuation and shall have a hammerhead turnaround approved by the Fire District.
17. A 5-foot setback shall be provided from the west property line.
18. Street lighting and signs shall not, by size, location or color, interfere with traffic or limit visibility.

### **Drainage System Improvements**

19. It is the obligation of the Applicant to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. On-site drainage is required and downstream improvements may be required to accommodate flows. The Owner shall provide proper drainage and shall not direct drainage across another property except within a continuous drainage way. Maintaining proper drainage is a continuing obligation of the property owners
20. Out-flows and the capacity of the receiving drainage way shall be verified by the Applicant. An engineered drainage plan is required prior to building permits and construction approval. Verification of the need for a detention system shall be provided, if required. The Applicant shall clarify capacity and impacts of the proposed outflow connections and specify the off-site improvements necessary to accommodate the proposed subdivision drainage. Upstream flows shall be accommodated and downstream flows must limit impacts on downstream properties.
21. Site drainage design shall limit off-site impacts to those that would occur from vacant land. All building roof drains and all impervious surfaces shall be connected to the storm drainage system. Out-flows may require detention facilities and/or other discharge controls.
22. All drainage plans, calculations and work sheets shall be reviewed and approved by the City Engineer prior to beginning construction.

#### **Utility System Improvements**

Urban level services are available to serve the proposed development including municipal water and sewer.

23. The proposed water system shall comply with fire flow needs for the development.
24. The Applicant shall coordinate with the City Engineer to provide verification of the existing sewer and water system capacities and identify needed improvements to be provided by the Applicant.
25. Project utilities shall be reviewed and approved by the City Engineer and the City of Albany Public Works Department for conformance with City Standards. Each system shall be designed and sized to accommodate urban expansion beyond the proposed development and shall conform to the City's Master Plan for water and sewer lines unless an alternative approach is presented for consideration and approval by the City.
26. The City of Albany provides permitting and inspection services to the City for the municipal water and sewer systems. All work shall remain open for inspection and approval prior to backfilling.

27. Municipal utilities shall be constructed to City standards and dedicated to the City of Millersburg. Utility easements shall permit public and serving utility access to all utilities.
28. Other public and private utilities to serve the proposed subdivision shall be coordinated and provided. All utilities shall be underground as specified in **Code Sections 5.129** and **8.200**.

### **PLACEMENT OF MAILBOXES IN SUBDIVISIONS**

In an email dated 12/7/14, Jim Lepin requested that the City consider putting something in the Millersburg Land Use Development Code requiring street lighting adjacent to mailboxes for safety reasons. Sample wording in Section 5 of the Millersburg Development Code would be, *“Mailbox pods will be installed within 25 feet of a street light and without any plant that could grow to a height over 5 feet, to be planted between the street light and the mailbox pod.”*

The Planning Commission wanted to contact the local Post Office to see if they have a standard of the mailboxes being near a street light.

Barbara Castillo will check with them regarding this issue.

### **ADMINISTRATIVE APPROVALS**

- Barbara Castillo reported that she gave Administrative Approval to Oregon Barbeque which has recently located at 744 Old Salem Road in the purple building at the corner of Kathryn Avenue and Old Salem Road. Connie Lepin asked about the customer parking for the restaurant.
- Barbara Castillo reported that she gave Administrative Approval to B & R Medical Transport. They are located at 3297 Salem Avenue, Suite 300 with overnight parking of their transport vans at 1405 Old Salem Road.

### **CITY WEBSITE**

Barbara Castillo reported that the city’s website is up and running. The address of the website is [www.cityofmillersburg.org](http://www.cityofmillersburg.org).

The meeting adjourned at 7:09 p.m.

Respectfully submitted,

Barbara Castillo  
City Administrator/Recorder

