

**Millersburg Planning Commission  
May 12, 2015**

Present: Planning Commissioners Skylar Bailey, Dave Post, Ed Perlenfein, Dan Nixon, Anne Peltier, Steve Vogler, Connie Lepin, Pat Edwards, City Planner Don Driscoll, City Administrator/Recorder Barbara Castillo

The Millersburg Planning Commission was called to order at 6:30 p.m. by Chairman Ed Perlenfein.

**MINUTES OF APRIL 15, 2015**

*Steve Vogler moved, seconded by Dave Post to approve the minutes of April 15, 2015 as written and sent out.*

**WJ VENTURES PARTITION & SITE PLAN REVIEW REQUEST**

The Millersburg Planning Commission reviewed a request from George Wells of WJ Ventures for a two parcel land partition and Site Plan Review for a 21,000 square foot manufacturing building on property located in the Millersburg Limited Industrial Zone at 5151 NE Old Salem Road. The building will house Industrial Power Systems, LLC that designs, and manufactures industrial hydraulic systems for the wood, steel and other industries requiring fluid power equipment including support products. Shipping containers 8 x 60 feet will be stored for a limited time before use.

The existing site has a paved access and parking area, landscaping and a storm-water detention pond that will be maintained. Offices, manufacturing rooms and employee facilities will be provided in a new building. There will be approximately 20 people and there won't be any walk in trade. The time of operation will be 7am to 5pm Monday through Friday. Estimated trips per day is 50.

The existing parcel is 3.87 acres, and they propose to divide it into two parcels. They would occupy the front parcel 1 of 2 acres and sell the remaining parcel of 1.87 acres.

George Wells said they are currently located in Albany but have outgrown their space. They design, build, install and service their products. They also have small satellite offices in Portland, Medford and Cottage Grove.

The City received a statement from the Linn County Road Department with two comments:

- A Commercial access review will be required by the Linn County Road Department.
- How will access to the remaining parcel (parcel 2) be provided?

Ed Perlenfein declared a conflict of interest because he is selling the property to the applicant.

Dan Nixon declared a conflict of interest because he works for the insurance company the applicant uses, but declared he does not handle the account and can make an impartial decision on the request.

*Steve Vogler moved, seconded by Skylar Bailey to approve the WJ Ventures Partition and Site Plan Review request subject to compliance with the Conditions of Approval hereby adopted. The motion passed with Ed Perlenfein abstaining from voting.*

#### **CONDITIONS OF APPROVAL**

Approval of the **WJ Ventures Partition & Site Plan Review** is contingent upon compliance with the Conditions of Approval contained herein. The applicable Code Sections of the **Millersburg Code** are noted.

1. **A public access and utility easement and maintenance agreement for the shared access road between Parcels 1 and Parcel 2 is required.** The proposal shall clearly specify the responsibilities for joint use of specified facilities and the maintenance responsibilities of each property owner. The proposal and agreements shall be approved by the City prior to recording the Partition Plat and before beginning any construction activity on the site. A copy of the signed agreements shall be given to the City for their record copy of this request.
2. The following applicable detailed information shall be submitted to the City for the Record File prior to beginning work on the property.

Fire Protection Facilities - **Jefferson Fire Protection District Standards.**

The identification of any flammable or potentially hazardous materials stored on site is required.

**Linn County Road Access Permits.**

**Linn County Building Permits – Cod Section 2.200**

Storm Drainage - **Code Sections 5.126, 5.118 & 5.119.**

Water System Improvements - **Code Section 5.127.**

Sewer System Improvements – **Code Section 5.128.**

Utilities & Lighting - **Code Section 5.129 & 5.135.**

Grading - **Code Sections 5.133 & 5.134.**

Landscaping & Fencing - **Code Section 5.134.**

Signs – **Code Section 5.13.**

3. The **Linn County Building Official** and the **Jefferson Fire Protection District** has authority for fire protection. Fire Protection Systems and Access locations shall be provided by the Applicant and approved by the Fire Protection District including access to gated areas. Fire protection standards for the building shall be approved by the **Linn County Building Official**. Fire protection requirements shall be submitted to the City for inclusion in the Record File of the Application.
4. Building Permits are issued by the **City of Millersburg** and administered by the **Linn County Building Official**. Copies of the approved **Building Permit** shall be submitted to the City for inclusion in the Record File of the Application.
5. Site lighting and signs shall not, by size, location or color, interfere with traffic or limit visibility in accordance with **Code Sections 5.135 & 5.136**. Lighting and signage design shall be submitted for approval by the City Administrator and inclusion in the Record File of the Application.
6. Some Landscaping has been provided. In accordance with **Code Sections 5.134** additional Landscaping may be needed and provided if and when requested by the City. If requested, Plans shall be submitted to the City for approval by the City Administrator.

7. The Applicant shall provide adequate off-street parking to serve the intended use in conformance with **Code Section 5.120** of the Millersburg Land Development Ordinance.
8. Site utilities shall be constructed to City standards and utility easements shall be provided to permit access to all utilities. Utilities shall be reviewed and approved for conformance with City Standards by the City Engineer
9. The proposed water system shall comply with fire-flow needs for the development as specified by the Jefferson Fire Protection District.
10. Other public and private utilities to serve the proposed development shall be coordinated and provided. All utilities shall be underground as specified in **Code Section 5.129**
11. 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 adjacent drainageways. Maintaining proper drainage is a continuing obligation of the property owners.
12. Outflows from both Parcels 1 and 2 and the capacity of the receiving drainageway shall be verified by the Applicant and approved by the City Engineer. Out-flows may require detention facilities and possibly other discharge controls. The method of stormwater discharge shall be reviewed and approved by the City Engineer prior to beginning construction.
13. Temporary storage of Shipping Containers is approved in the paved area of the site subject to City oversight and correction of any problems that might occur.
14. The Applicant shall comply with the County Recording requirements for the **Partition Plat** specified in **Code Section 2.330** of the Code following approval of the Tentative Plan by the City. Copies of the recorded Plat documents shall be delivered to the City for inclusion in the **Record File** of this Application.
15. Compliance with the federal Americans with Disabilities Act (ADA) is the responsibility of the Applicant/Owner including sidewalk accessibility standards.

### **SERIAL LAND PARTITIONING**

Don Driscoll told the Planning Commission that Jim Lepin is going to request the City Council to request the Planning Commission to draft language to limit the ability to use the land partition process in a way that can result in some number of homes to be constructed without becoming a subdivision or having to comply with certain subdivision criteria.

Don Driscoll said the City already has wording in the Land Use Development Code that addresses standards for private streets. Driscoll said the width of the road easement would have to be wide enough for a public street.

After much discussion, *Dave Post moved, seconded by Anne Peltier to direct Don Driscoll to develop a plan for dealing with serial partitions in the future.* The motion passed.

**CHIEF ZEILMAN**

Jefferson Fire District Chief Jon Zeilman told the Planning Commission that the Jefferson RFPD does not have the legal authority to interpret nor enforce the development code within the City of Millersburg. Any decisions based on a development code and within the city of Millersburg rests entirely upon the elected officials of that city. Zeilman was asked for his opinion regarding the recent Cowan driveway access as it relates to access for emergency vehicles. Zeilman said that although the private road does not meet the legal standards for using emergency apparatus, it is his OPINION that given that there are two driveways on opposite sides, to be located midway along the roadway, this should provide adequate turnaround spacing for emergency apparatus and no further requirements for access or egress will be required.

The meeting adjourned at 7:26 p.m.

Respectfully submitted,

Barbara Castillo  
City Administrator/Recorder