

**MILLERSBURG PLANNING COMMISSION
AUGUST 11, 2015**

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

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

MINUTES OF JULY 14, 2015

Dave Post moved, seconded by Anne Peltier to approve the minutes of July 14, 2015 as written and sent out. The motion passed unanimously.

ELECT NEW PRESIDENT OF PLANNING COMMISSION

Ed Perlenfein said that at the last meeting, he told everyone that he wanted to step down as Chairman of the Millersburg Planning Commission due to time restraints. Perlenfein said the project he thought would be taking up a lot of his time, is no longer an issue, and he would like to continue as Chairman of the Planning Commission until the next time the Planning Commission would be voting for President if Dave Post would agree to stay on as Vice President. (Barbara Castillo informed the Planning Commission that the head of the Planning Commission is actually the President and Vice President and not Chairman and Vice-Chairman as referred to for many years.)

It was the consensus of the Planning Commission that Ed Perlenfein remains as President until the first meeting in 2017.

TKP ENGINEERING CONDITIONAL USE PERMIT & PROPERTY LINE ADJUSTMENT

President Ed Perlenfein opened the TKP Engineering Conditional Use Public Hearing and announced the purpose of this Public Hearing is to receive testimony on an application from TKP Engineering. The Applicant is requesting approval of a Conditional Use and Property Line Adjustment request for two Warehouses located in the Limited Industrial Zone.

No conflict of interest or ex-parte contacts were announced.

Don Driscoll gave the staff report. Don Driscoll reported the applicant is requesting approval for two 21,600 sq. ft. warehouses that will be leased. A property line Adjustment is also requested. The proposal includes complete site development with paved parking for 43 vehicles. Also included in the site development is 24,964 sq. ft. of landscaping and 47,458 sq. ft. of compacted gravel for Operational Yards. Although there is no exterior storage proposed, it is assumed that a leased warehouse would include exterior storage items and truck parking requiring a Conditional Use in the City's Limited Industrial Zone – LI subject to Planning Commission approval. The Millersburg Lane Use Development Code provides the applicable criteria for evaluation of the requested action.

Steve Vogler said he would like to see the apron on Old Salem Road paved farther than 25 feet to prevent gravel and dirt going out on Old Salem Road.

The applicant said he would have no problem with this, and could make the apron 40 feet.

No one spoke in favor or against the application.

The hearing was closed at 6:30 p.m.

Steve Vogler moved, seconded by Skylar Bailey to approve the Steelhead Run Warehouses Conditional Use Request subject to compliance with the adopted Conditions of Approval with the addition of adding a 40 foot in length apron from Old Salem Road. The motion passed unanimously.

Anne Peltier moved, seconded by Dave Post to approve the Steelhead Run Warehouse property line adjustment as presented in the application. The motion passed unanimously.

CONDITIONS OF APPROVAL

Approval is granted for the **Steelhead Run Warehouses Conditional Use Request** subject to compliance with the following Conditions of Approval. The applicable Sections of the **Millersburg Code** are noted.

1. Any changes or additions shall be submitted to the City for administrative approval and inclusion in the Record File of this Application.
2. Information on site storage of supplies, products, equipment and trucks shall be submitted to the City for the Record File as they occur.
3. The following detailed information if applicable shall be submitted to the City for the Record File:
 - Number of stored equipment or vehicles - **Code Sections 2.140 (22).**
 - Fire Protection - **Jefferson Fire District & Fire Marshall Requirements.**
 - Building Permit – **Millersburg/Linn County Building Department.**
 - Old Salem Road Access Requirements – **Linn County Road Department.**
 - Utilities & Lighting - **Code Section 5.129 & 5.135.**
 - Oil & Solvent spill protection - **Code Sections 2.140 (22)**
 - Storm Drainage – **Code Section 5.126.**
 - Landscaping - **Code Section 5.134.**
 - Signs – **Code Section 5.136**
4. The extent of emissions and potential nuisance characteristics shall be clearly identified and approved and shall be submitted to the City for the Record File as they occur. This includes future fuel and oil storage and use. Copies of all required federal or state permits that may be required shall be filed in the Record File of this Application.
5. The Applicant shall comply with the fire protective standards administered by the Linn County Building Official and the Jefferson Fire Protection District. Fire Protection Systems may be required. If required, copies shall be provided to the City for inclusion in the Record File of this application.
6. 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 to the City Administrator for approval and inclusion in the Record File of the Application. **Freeway oriented billboard signs are prohibited.**
7. All site access shall occur from the Steelhead Run Drive or Old Salem Road as shown. Access and access improvements require approval from the Linn County Road Department and the Jefferson Fire Protection District. If required, copies shall be provided to the City for inclusion in the Record File of this application.
8. The Applicant shall provide adequate off-street parking to serve the intended use in conformance with **Code Section 5.200.**
9. The Applicant shall maintain adequate Clear Vision Areas in accordance with **Code Section 5.122 (6)** for all vehicle ingress and egress to the property.

10. Municipal utilities shall be constructed to City standards and utility easements shall be provided to permit public and serving utility access to all utilities. 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. The Applicant shall provide protections to avert and correct ground contamination from solvents, oils or other elements. It is the obligation of the Applicant to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. 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.
12. Storm water discharge facilities are required. The Applicant shall provide the required storm water discharge facilities including Catch Basins and Detention Ponds. Proposed storm water facilities shall be reviewed and approved by the City prior to beginning construction.
13. Compliance with the federal Americans with Disabilities Act (ADA) is the responsibility of the Applicant/Owner.
14. A 40 foot paved apron on the Old Salem Road entrance to the property is required.

TPI PORTABLE TOILET COMPANY CONDITIONAL USE PUBLIC HEARING

President Ed Perlenfein opened the public hearing to receive testimony on an application from TPI Portable Toilets. The applicant is requesting approval of a Conditional Use request for a Portable Toilet Facility located in the Limited Industrial Zone.

No conflict of interest or ex parte contacts were announced.

Perlenfein announced that the applicable criteria for the decision will be addressed in the Staff Report.

Don Driscoll presented the Staff Report. The applicant is requesting Conditional Use approval for a Portable Toilet Delivery Facility that includes open storage of shipping containers, portable toilets and truck parking. Also included is a portable office that will be moved to an existing concrete pad located on the Phase 2 property. The exterior storage of the portable toilets and other containers and truck parking is a Conditional Use in the City's Limited Industrial Zone – LI subject to Planning Commission approval.

There are no water or sewer connections planned. Driscoll told the Planning Commission they could require him to be connected to both water and sewer.

Brad Wilson told the Planning Commission that a portable toilet will be used for restroom requirements. Sewer is a bit of a sticky issue. In the portable toilet and septic industry, some companies have attempted to save expenses by dumping illegally into the City's sewer system. All of TPI's waste is currently hauled to the City of Corvallis municipal waste facility as the City of Albany has refused to allow anyone to dump at its' facility. Wilson said if the City of Millersburg has a proposal for dumping TPI's septic and portable toilet waste, we would be interested to hear about it. In the short term, it seems easier and simpler to continue dumping waste in Corvallis, while removing all reasonable suspicion of illegal dumping.

There was no testimony in favor or in opposition to the application.

The City did receive an email from Elstor regarding the setback from their east property line where a fence will be built. They are concerned that if a fence is put up, there wouldn't be enough room on the east side of their building for fire protection.

Connie Lepin asked what they do when you transfer the waste. Wilson said that human waste is not considered toxic waste and they would dilute the area with water and put lime on it. Wilson didn't think there would be any occasions when this would occur.

Whether or not a restroom would be required in their mobile office would be a decision the Linn County Building Department would have to make.

The hearing closed at 6:45 p.m.

Skylar Bailey moved, seconded by Anne Peltier to approve the TPI Portable Toilet's Conditional Use Request for exterior storage of materials, portable toilets and truck parking subject to compliance with the adopted Conditions of Approval. The motion passed unanimously.

CONDITIONS OF APPROVAL

Approval may granted for the **TPI PORTABLE TOILETS** Request subject to compliance with the following Conditions of Approval. The applicable Sections of the **Millersburg Code** are noted.

1. Any changes or additions shall be submitted to the City for administrative approval and inclusion in the Record File of this Application.
2. The following applicable detailed information shall be submitted to the City for the Record File if they apply to the Application:
 - Maximum number of stored equipment or vehicles - **Sections 2.140 (22).**
 - Fire Protection Requirements - **Jefferson Fire District Requirements.**
 - Building Permit – **Millersburg/Linn County Building Department.**
 - Old Salem Road Access Requirements – **Linn County Road**
 - Utilities& Lighting - **Section 5.129 & 5.135.**
 - Oil & Solvent spill protection - **Sections 2.140 (22)**
 - Landscaping - **Section 5.134.**
 - Signs – **Section 5.136**
3. Open storage of equipment and trucks is hereby approved subject to compliance with the Conditions of Approval. **The number and type of on-site stored items and vehicles shall be provided for the Record File..**
4. **Paved drives and storage areas are hereby deferred.** The Applicant shall pave all drive and display areas as required if and when requested by the City.
5. The extent of emissions and potential nuisance characteristics shall be clearly identified and approved by the City and Fire District. This includes fuel and oil storage and use. **Cleaning and wash-down activities need to be identified.**
6. **The type and condition of the proposed Portable Office requires approval by the Linn County Building Department and the City of Millersburg.**
7. The Applicant shall comply with the fire protective standards administered by the Linn County Building Official and the Jefferson Fire Protection District. Fire Protection Systems may be required depending upon site utilization. If required, copies shall be provided to the City for inclusion in the Record File of this Application.

8. 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 to the City for approval and inclusion in the Record File of the Application. **Freeway oriented billboard signs are prohibited.**
9. All site access shall occur from the 30-foot Easement. Access approval from the Linn County Road Department may be required for the Old Salem Road access. If required, copies shall be provided to the City for inclusion in the record file of this Application.
10. The Applicant shall provide adequate off-street parking to serve the intended use in conformance with **Section 5.200** of the Millersburg Land Development Ordinance.
11. The Applicant shall maintain adequate Clear Vision Areas in accordance with **Code Section 5.122 (6)** for all vehicle ingress and egress to the property and from Old Salem Road.
12. **Municipal utilities including power, lighting, water and sewers are required unless deferred by the Planning Commission.** Utilities shall be constructed to City standards and utility easements shall be provided to permit public and serving utility access to all utilities. 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**
13. The Applicant shall provide protections to avert and correct ground contamination from solvents, oils or other elements. It is the obligation of the Applicant to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. 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.
14. **Storm water discharge facilities are hereby deferred** unless problems occur. The Applicant shall provide the required storm water discharge facilities if and when requested by the City. Proposed storm water facilities shall be reviewed and approved by the City Engineer prior to beginning construction.
15. **The Three large Douglas Fir trees proposed for removal in Phase 2 requires City Approval.**
16. Compliance with the federal Americans with Disabilities Act (ADA) is the responsibility of the Applicant/Owner.

OREGON BARBEQUE PARKING PLAN

The Planning Commission reviewed the parking plan for the Oregon Barbeque Company.

Connie Lepin was concerned that six of the parking places were on grass and not in a paved or graveled area.

It was the consensus of the Planning Commission to write the owner of OBC a letter informing them the paving or graveling of this parking area would be deferred by the Millersburg Planning Commission until it became a problem with mud.

The Planning Commission also discussed if there was a requirement for restroom facilities for a restaurant with outside seating and decided this was an issue for the Linn County planning and Building Department and not a city issue.

WELD SCHOOL PROPERTY

Barbara Castillo reported that the Weld School has moved off the property as of last Saturday. The owner of the property, Elaine Kutsch, has purchased the building also and plans to lease the building and property to a company that installs truck or bed liners in pickups.

MARTIAL ARTS GYM

Barbara Castillo reported that Joy Edwards has leased the building at 1305 NE Old Salem Road for a Martial Arts Gym.

LAND USE PARTITION EXTENSION

It was the consensus of the Millersburg Planning Commission to approve a request by Danny and Angela Dederda to approve a one year extension of their approval to partition a 10,000 sq. ft. parcel at 4944 Old Salem Road.

The meeting adjourned at 7:18 p.m.

Respectfully submitted,

Barbara Castillo
City Administrator/Recorder