

**Millersburg Planning Commission
November 8, 2016**

Present: Planning Commission Members Steve Vogler, Dan Nixon, Dave Post,
Anne Peltier, Connie Lepin, City Planner Don Driscoll, City
Administrator/Recorder Barbara Castillo, City Attorney Forrest Reid

The Millersburg Planning Commission was called to order by Dave Post.

MINUTES OF OCTOBER 11, 2016

Dan Nixon moved, seconded by Steve Vogler to approve the minutes of October 11, 2016. The motion passed unanimously.

PERLENFEIN SUBDIVISION TENTATIVE PLAN

Dave Post opened the Perlenfein Subdivision Tentative Plan Review. The purpose of this Review is to consider a request from Perlenfein Properties for a 12.24 Acre Urban Subdivision on property located in the Millersburg Residential Urban Conversion Zone.

Ed Perlenfein said he is requesting approval of a 31 Lot Urban Subdivision Tentative Plan containing lots that are 10,000 square feet or larger. Perlenfein originally submitted a plan showing lots that were not taking into consideration the possible future extension of Zuhlke Lane. He presented a new plan showing Zuhlke Lane as part of his plan. He said he didn't care which plan was approved, but pointed out that some of the adjoining properties were already developed and they may not want a street going along their side yard. There will be a barricade at the location where the new Waverly Drive meets the existing Waverly Drive.

Connie Lepin pointed out that Zuhlke Lane was not extended through Lot 10 which is adjacent to the properties west of the subdivision where Zuhlke Lane could in the future extend to Woods Road. Lepin said that on the Millersburg Transportation System Plan and the city's Comp Plan it shows Zuhlke Lane as a future planned collector street. It is currently a designated Local Street.

Don Driscoll agreed, but said there is nothing in either plan that states that it "has to be" a collector street. If it is not going to be reserved as a collector street, you can leave Zuhlke off.

Adjacent property owners all received notice of the original plan that show the development without Zuhlke Lane, but none of them have received the new plan showing Zuhlke Lane.

Connie Lepin said if we don't have it go through Lot 10, we will be giving away that opportunity, and said she thought the City Council should make that decision.

Forrest Reid said the city would have to approach land owners and possibly condemn property. The homes west of lot 10 are all established homes.

Don Driscoll said it won't be a collector street unless the city pays for it.

Anne Peltier said she likes the look of the plan without Zuhlke better.

Don Driscoll said that the subdivision presented by Perlenfein Properties is perfect.

Anne Peltier moved, seconded by Steve Vogler to approve the original Perlenfein Subdivision Tentative Plan request contingent upon compliance with the Conditions of Approval contained in the Staff Report. The motion passed with Anne Peltier, Dave Post, Steve Vogler and Dan Nixon voting in favor of the motion and Connie Lepin voting against the motion.

CONDITIONS OF APPROVAL

Approval of the Perlenfein Subdivision is conditioned on compliance with the following Conditions of Approval. Section references are from the Millersburg Land Use Development Code (Code).

General Requirements

1. The Perlenfein 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 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. Detailed plans for grading, drainage, stormwater detention, landscaping and irrigation, utilities, construction and lighting require City approval prior to signing the final Plat.

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** and identification of trees to be added, 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 stormwater transmission, detention and off-site receiving stream improvements in conformance with **Code Section 5.126 and Section 8.200.** The Applicant shall clarify capacity

and impacts of the proposed outflow connections and shall specify the off-site improvements necessary to accommodate the proposed subdivision drainage.

- d. Street improvement plans 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**.
 - f. CC&Rs or other specified means of maintaining common areas including the stormwater detention system and drainage ways.
3. The Applicant shall specify any adjacent property protections and shall submit the protection plans to the City for approval.
 4. The Applicant shall identify any existing primary trees to be maintained and those intended to be removed. Also any new trees to be planted.
 5. The Applicant shall comply with the fire protective standards administered by the Linn County Building Official and the Jefferson Rural Fire Protection District. Hydrant 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 the Applicant shall be notified and the non-complying elements shall be corrected and resubmitted prior to approval of the Final Plat.

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.

10. 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.
11. 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.

Street System Improvements

Alexander Lane is a designated City Collector Street that serves the proposed subdivision. Waverly Lane presently provides access to the Subdivision property, Parcel 3930.

12. The Subdivision Access 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 subdivision.
13. The Local Streets within the subdivision shall have a 52-foot right-of-way, 32-foot wide streets with a planter strip, trees and sidewalks in conformance with City Standards.
14. Street lighting and signs shall not, by size, location or color, interfere with traffic or limit visibility.
15. Termination of the Local Street abutting the Waverly Drive cul-de-sac needs clarification. If the Street is terminated short of a connection to Waverly Drive then the street curb and gutter shall be extended across the end of the street at or short of the property line.

Drainage System Improvements

16. 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 drainageway. Maintaining proper drainage and floodways is a continuing obligation of the property owners.
17. Out-flows and the capacity of the receiving drainageway shall be verified by the Applicant. An engineered drainage plan is required prior to Plat and construction approval. Verification of the type and design of the detention system shall be provided. 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. There shall be no stormwater increased impacts from the proposed development on the existing drainage system.

18. 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 detention system. Out-flows shall require detention facilities and/or other discharge controls. All storm drains shall be connected to the detention system. The method of stormwater detention shall be approved by the City Engineer. The system shall be engineered by the Applicant in conformance with City Standards to control runoff from storm events.
19. 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.

20. The proposed water system shall comply with fireflow needs for the development as determined by the Jefferson Rural Fire Protection District.
21. The Applicant shall coordinate with the City Engineer to provide verification of the existing sewer system capacity and identify any needed offsite improvements to be provided by the Applicant.
22. 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.
23. 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.
24. 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.

25. 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.**

MILLERSBURG DEVELOPMENT CODE AMENDMENT

Anne Peltier moved, seconded by Dan Nixon to send the Millersburg Development Code Amendment changing the maximum permitted size of Residential Accessory Structures from 800 square feet to 1,200 square feet to the Millersburg City Council for their approval. The motion passed with Anne Peltier, Dan Nixon, Steve Vogler and Dave Post voting in favor of the motion and Connie Lepin voting against the motion.

The meeting adjourned at 6:22 p.m.

Respectfully submitted,

Barbara Castillo
City Administrator/Recorder