



**CITY OF MILLERSBURG  
PLANNING COMMISSION MEETING**

4222 NE Old Salem Road  
Tuesday, May 19<sup>th</sup>, 2020  
6:00 pm

**Minutes**

A. CALL TO ORDER: Commission Chair Jimmie Kirkendall called the meeting to order at 6:04 pm.

B. ROLL CALL:

Members Present: Jimmy Kirkendall, Connie Lepin, Dennis Gunner, Steve Vogler, Mark Raum, Anne Peltier, and Ryan Penning. Steve Vogler joined the meeting at 6:24 pm.

Members Absent: None

Staff Present: Matt Straite, City Planner; Jake Gabell, Deputy City Recorder; Janelle Booth, Assistant City Manager/City Engineer; Kevin Kreitman, City Manager; Forrest Reid, City Attorney; and Wallace Lien, City Planning Attorney

C. MEETING MINUTE APPROVAL

1) April 21<sup>st</sup>, 2020 meeting minutes

**ACTION**

**The following motion was made by Commissioner Vogler**

I motion to accept the minutes as presented.

**A second given by Commissioner Peltier.**

**Chair Kirkendall: Yes**

**Commissioner Gunner: Yes**

**Commissioner Lepin: Yes**

**Commissioner Peltier: Yes**

**Commissioner Penning: Yes**

**Commissioner Raum: Yes**

**Motion Passed: 6/0**

D. Virtual meeting overview provided by City staff.

E. QUASI-JUDICIAL PUBLIC HEARING

1) Public hearing on Land Use File PA 20-01 introduced by Chair Kirkendall at 6:09 pm.

**ACTION**

**The following motion was made by Commission Raum**

I motion to reopen the Record in Case Number PA 20-01 for the single purpose of accepting a letter from the applicant's attorney dated May 5, 2020, and upon entry of that letter into this Record, the Record should then be again closed so we may deliberate.

**A second was given by Commissioner Peltier**

Proposal: The applicant is requesting approval to partition a 2.44-acre parcel into three lots of approximately 0.93 acres, 1.21 acres, and 0.30 acres with access from NE Senora Drive and NE Trask Lane.

- i. Staff report was presented by Matt Straite, City Planner; a memo from the applicant's attorney was distributed to the Planning Commission.
- ii. Record closed at 6:17 pm by Chair Kirkendall.
- iii. Discussion between Planning Commissioners with questions for staff.
  - a. Further discussion between staff and Planning Commissioners. Topics included requiring the road, cost of developing the larger lot in the future, non-remonstrance agreements, the width of the proposed hammerhead,

## **ACTION**

### **The following Motion was made by Commissioner Lepin:**

I move for the approval of Partition Application Number PA 20-01, based on the findings of fact and conclusions in the April 14, 2020 Staff Report, subject to the conditions of approval set forth below (which supersede the proposed conditions listed in the April 14 Staff Report) including General Condition 4 which does not require the construction of a new road to serve the proposed lots with a change that both parcels two and three would have a waiver of remonstrance but that parcel two would be the only one that would participate in future road construction costs.

### **A second was given by Commissioner Penning.**

Further discussion between Planning Commissioners on the road and who should bear the future cost.

<b>Chair Kirkendall:</b>	<b>No</b>
<b>Commissioner Gunner:</b>	<b>Yes</b>
<b>Commissioner Lepin:</b>	<b>Yes</b>
<b>Commissioner Peltier:</b>	<b>No</b>
<b>Commissioner Penning:</b>	<b>Yes</b>
<b>Commissioner Raum:</b>	<b>No</b>
<b>Commissioner Vogler:</b>	<b>No</b>
<b>Motion Failed:</b>	<b>3 / 4</b>

## **ACTION**

### **The following Motion was made by Commissioner Raum:**

I move for the approval of Partition Application Number PA 20-01, based on the findings of fact and conclusions in the April 14, 2020 Staff Report, subject to the conditions of approval set forth below (which supersede the proposed conditions listed in the April 14 Staff Report) including General Condition 4 which does not require the construction of a new road to serve the proposed lots.

### **A second was given by Commissioner Peltier.**

Further discussion between Planning Commissioners on the road and who should bear the future cost.

<b>Chair Kirkendall:</b>	<b>Yes</b>
<b>Commissioner Gunner:</b>	<b>No</b>
<b>Commissioner Lepin:</b>	<b>No</b>
<b>Commissioner Peltier:</b>	<b>Yes</b>

**Commissioner Penning: Yes**  
**Commissioner Raum: Yes**  
**Commission Vogler: Yes**  
**Motion Passed: 5 / 2**

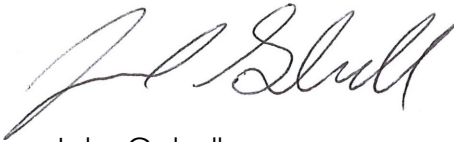
F. City Planner and Staff Updates

- 1) City Planner Matt Straite reviewed the staff memo that was included in the meeting packet, "New process for Partitions and Subdivisions."
  - i. Discussion between staff and the Planning Commission on the effects of the change, and a review of the Needed Housing Act.

G. Meeting adjourned by Commission Chair Kirkendall at 7:05 pm.

Respectfully submitted:

Reviewed by:



Jake Gabell  
Deputy City Recorder



Matt Straite  
City Planner