



Approved by Planning Commission on 5-21-2019

**CITY OF MILLERSBURG
PLANNING COMMISSION MEETING**

4222 NE Old Salem Road
Tuesday, April 16, 2019
6:00 p.m.

Minutes

- A. CALL TO ORDER: Commission President Jimmie Kirkendall called the meeting to order at 6:00 pm.
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL:
Members Present: Jimmy Kirkendall, Steve Vogler, Dennis Gunner
John Sullivan, Connie Lepin, Anne Peltier, and Ed Perlenfein
Members Absent: Ryan Penning and Scott Stimpson
Staff Present: Jake Gabell, Deputy City Recorder; Matt Straite, City Planner; Forrest Reid, City Attorney; Kevin Kreitman, City Manager; and Janelle Booth, Assistant City Manager/City Engineer
- D. MEETING MINUTE APPROVAL
1) Planning Commission Meetings held on:
i. February 19th Planning Commission Hearing
ii. March 11th Planning Commission Hearing
1. Updates noted by Commissioner Lepin

Action: Motion to Accept Minutes as presented made by Commissioner Vogler; seconded by Commissioner Sullivan.

Corrections provided by Commissioner Lepin and noted in the record.

Commissioner Kirkendall: Aye
Commissioner Gunner: Aye
Commissioner Vogler: Aye
Commissioner Lepin: Aye
Commissioner Sullivan: Aye
Commissioner Perlenfein: Aye
Commissioner Peltier: Aye

E. QUASI-JUDICIAL PUBLIC HEARING

- 1) Public hearing on Land Use File PA 19-02 opened by President Kirkendall at 6:03 p.m. Deputy City Recorder, Jake Gabell, read disclosures. President Kirkendall finished opening the hearing.
i. Commissioner Vogler declared site contact; he drove by the property.

File No: PA 19-02 Weddle Land Partition

The applicant is requesting approval to partition a 2.94-acre lot into two lots of approximately 2.5 acres and .44 acres.

- i. Staff report was presented by Matt Straite, City Planner. A memo was handed out by Mr. Straite and added to the record.
- ii. Discussion between the Planning Commission, staff, and audience members.
 1. The applicant, Scott Weddle, explained his reasoning for the site plan as it was first presented to staff. He had an additional question about the drainage requirement in a condition of approval.
- iii. Public hearing closed at 6:14 pm by President Kirkendall.
- iv. Deliberation by the Planning Commission.
 1. Commissioner Lepin had an additional questions about access easements and a potential public road in the future with further development.

ACTION

The following Motion was made by Commissioner Perlenfein:

Based upon the findings of fact, any testimony, the conditions of approval, the memo from staff dated April 16, 2019, and staff recommendations listed in the staff report and because the proposed project satisfies the applicable criteria, I motion for the adoption of the findings from the staff report dated April 9, 2019, and further Motion that the Planning Commission approve Partitition Application No. PA 19-02, Weddle Partitition, pursuant to the conditions of approval listed in the staff report.

A seconded was given by Commissioner Peltier.

Commissioner Kirkendall: Aye
Commissioner Gunner: Aye
Commissioner Vogler: Aye
Commissioner Lepin: Aye
Commissioner Sullivan: Aye
Commissioner Perlenfein: Aye
Commissioner Peltier: Aye

- 2) Public hearing on Land Use File PA 19-04 opened by President Kirkendall at 6:19 p.m. Deputy City Recorder, Jake Gabell, read disclosures. President Kirkendall finished opening the hearing.
 - i. Commissioner Vogler declared site contact; he drove by the property.

File No: PA 19-04 Lambrecht Land Partition:

The applicant is requesting approval to partition a 7.61-acre lot into three lots of approximately 1.73 acres, 5.36 acres, and .52 acres.

- i. Staff report was presented by City Planner Matt Straite.
- ii. Discussion between the Planning Commission, staff, and audience members.
 1. Commissioner Vogler asked Mr. Straite for clarification on the road plan.
 2. The Applicant's engineer, Jason Coda of 267 NW Hickory St, summarized the project to the Commission. He stated that the

Applicant does not expect to develop parcel 2 in the near future, and proposes that parcel 3 will be developed with a single family residence. Additional clarification was given about the proposed lot lines. Mr. Coda asked City Planner Straite for clarification on how long the notice of decision is good for.

3. Robert Wrightman, 3170 Millersburg Drive, gave some history between his property and the Applicant's property, which is next door. He had some additional questions about the flood plain and wetlands. Commissioner Kirkendall responded and stated that the application does not propose a development of homes, only a partition of the property.

iii. Public hearing closed at 6:39 pm by President Kirkendall.

iv. Deliberation by the Planning Commission.

1. Commissioner Gunner asked staff to explain the connectivity of existing and future streets.

ACTION

The following Motion was made by Commissioner Sullivan:

Based upon the findings of fact, any testimony, the conditions of approval, and staff recommendations listed in the staff report, and because the proposed project satisfies the applicable criteria, I motion for the adoption of the findings from the staff report dated April 9, 2019, and further Motion that the Planning Commission approve Partition Application No. PA 19-04, Lambrecht Partition, pursuant to the conditions of approval listed in the staff report.

A seconded was given by Commissioner Perlenfein.

Commissioner Kirkendall: Aye

Commissioner Gunner: Aye

Commissioner Vogler: Aye

Commissioner Lepin: Aye

Commissioner Sullivan: Aye

Commissioner Perlenfein: Aye

Commissioner Peltier: Aye

- 3) Public hearing on Land Use File SP 18-02 opened by President Kirkendall at 6:43 p.m. Deputy City Recorder, Jake Gabell, read disclosures. President Kirkendall finished opening the hearing.

- i. All Commissioners declared site contact; they drove by the property.

File No: SP 18-02 Mid-Willamette Valley Intermodal Transfer Center:

The Applicant is proposing a facility that would transfer rail contents in shipping containers to trucks and from trucks to rail. The intent is to connect the International Port of Coos Bay with I-5 for containers and international shipping. The contents of the shipping containers will generally be agricultural, though the facility is not limited to these products. The application indicates that the facility could serve up to 76,340 containers a year. The site has been designed to accommodate cold storage as well. The application has indicated that the use, located on a portion of the old Albany Paper Mill site, will consist of:

- Two existing structures, one 60,750 square foot storage structure to be renovated to a shop and storage area, and another 7,000 square foot structure to be used as multi-use office spaces,
- Revised landscaping and site work on the project frontage,
- Offsite revisions to existing railroad track layout/design,
- Onsite revisions to the existing railroad track layout,
- Truck path revisions to the site, including the use of the existing truck queuing areas near Old Salem Road, and new truck queuing areas internal to the site,
- Two new stormwater basins,
- And a new truck loading area with a gravel finish and lighting.

The Applicant has indicated that the proposed use is Phase 1 and takes only a portion of the property. Any future use of the site outside the area identified as Phase 1 will require additional entitlements. The intermodal facility would operate on a five-day work week, each day consisting of a ten hour shift. The site would be operational 261 days of the year, accounting for weekday holidays and weekends. Although the intermodal facility will operate at these hours, the site will be inhabited 24 hours a day, 365 days a year as truckers could use it as truck stop.

- ii. Staff report was presented by Matt Straite, City Planner.
- iii. Discussion between the Planning Commission, staff, and audience members.
 1. The Applicant, David Reese of 3211st Ave Albany Oregon, gave a presentation to the Planning Commission. He explained the background, benefits, and history behind the project. Mr. Reese stated that the state of Oregon is in the final steps of approval of the funding of an intermodal facility, and the Millersburg proposal is very strong. He presented a rendering of what the project is proposed to look like. He walked the Planning Commission through the site plan and proposed improvements. Mr. Reese presented the economic benefits the project presents to the City and the Willamette Valley.
 2. Questions from the Planning Commission.
 - a. Commissioners Perlenfein and Kirkendall asked questions about future ODOT plans for an additional overpass. Mr. Reese stated that the future interchange is on ODOT's horizon, but is currently not funded.
 - b. Commissioner Gunner asked about changing the traffic plan to have all the trucks enter and exit from the south. Mr. Reese, stated that through the operational instructions that could address that concern.
 - c. Commissioner Sullivan had concerns about the overnight parking and asked if the Applicant had presented an operational plan to the City for review. Mr. Reese stated that a plan has not been presented.
 - d. Commissioner Kirkendall had questions about the operations.
 - e. Commissioner Sullivan asked what percentage of the trucks are coming from the south vs the north. Mr. Reese stated that 80-90% will be coming from the south.
 - f. Commissioner Gunner asked staff for clarification on the noise ordinance.

- v. Deliberation by the Planning Commission.
 - 1. Commissioner Sullivan stated his concerns about the overnight parking and traffic concerns.
 - 2. Commissioner Lepin stated the overnight parking would be necessary due to the amount of overnight truck traffic already in the City at Love's Truck Stop.
 - 3. City Attorney Reid explained a condition of approval that could be added to address the concerns of the public and Planning Commission. The new condition of approval would require the site to comply with all state and federal noise regulations, as well as EPA air quality regulations.
 - 4. Commissioner Sullivan stated his concerns about the lack of an operational plan and potential idle times of trucks parked overnight.
 - a. Staff Planner Straite suggested to Commissioner Sullivan that a condition of approval be added that requires signs be placed on site that state the max idle times. Commissioner Sullivan agreed with staff.
 - 5. Commissioner Kirkendall requested a condition of approval that states the site comply with all local, state, and federal rules for noise and emissions.
 - 6. City Planner Straite restated the three conditions of approval that the Planning Commission asked for:
 - a. Signs will be placed on site that state max idle times.
 - b. An operational plan to be given to and reviewed by City staff prior to occupancy that will include: height maximums of stacked containers, truck idle times, security, and traffic patterns.
 - c. The site will be required to comply with all local, state, and federal rules for noise and emissions.

ACTION

The following motion was made by Commissioner Perlenfein:

Based upon the findings of fact, any testimony, the conditions of approval, and staff recommendations listed in the staff report and because the proposed project satisfies the applicable criteria, I motion for the adoption of the findings from the staff report dated February 9, 2019, and further Motion that the Planning Commission approve Site Plan No. SP 18-02, Mid-Willamette Valley Intermodal Transfer Center, pursuant to the conditions of approval listed in the staff report including the additional the three conditions of approval stated by staff during this meeting.

A second was given by Commissioner Peltier.

Commissioner Kirkendall: Aye
Commissioner Gunner: Aye
Commissioner Vogler: Aye
Commissioner Lepin: Aye
Commissioner Sullivan: Aye
Commissioner Perlenfein: Aye
Commissioner Peltier: Aye

F. Workshop and hearing dates:

April 22, 2019 @ 6:00 p.m. – Planning Commission Hearing
April 29, 2019 @ 4:00 p.m. – Planning Commission Workshop

G. ADJOURNMENT: meeting adjourned at 8:08 p.m.

Respectfully submitted:



Jake Gabell
Deputy City Recorder

Reviewed by:



Matt Straite
City Planner

Upcoming Meetings:

April 22, 2019 @ 6:00 p.m. – Planning Commission Hearing
April 29, 2019 @ 4:00 p.m. – Planning Commission Workshop