



Rules of Conduct for Public Hearings

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.

NOTICE OF PUBLIC MEETING CITY OF MILLERSBURG PLANNING COMMISSION

Tuesday, April 16, 2019
6:00 p.m.

Agenda

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. MEETING MINUTES APPROVAL

- 1) Planning Commission Meetings held on:
 - i. February 19th Planning Commission Hearing
 - ii. March 11th Planning Commission Hearing

E. QUASI-JUDICIAL PUBLIC HEARINGS

- 1) 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 1.98 acres and .96 acres.
- 2) 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.
- 3) 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:

- i. *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,*
- ii. *Revised landscaping and site work on the project frontage,*
- iii. *Offsite revisions to existing railroad track layout/design,*
- iv. *Onsite revisions to the existing railroad track layout,*
- v. *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,*
- vi. *Two new stormwater basins,*
- vii. *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.

F. CITY PLANNER UPDATE

G. ADJOURNMENT

Upcoming Meeting:

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

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



**CITY OF MILLERSBURG
PLANNING COMMISSION MEETING**

4222 NE Old Salem Road
Tuesday, February 19, 2019
6:00 p.m.

Minutes

- A. CALL TO ORDER: Commission President Jimmie Kirkendall called the meeting to order at 6:15 pm.
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL:
Members Present: Jimmy Kirkendall, Ryan Penning, Steve Vogler, Dennis Gunner
John Sullivan, Connie Lepin, Scott Stimpson arrived at 6:23 p.m.
Members Absent: Anne Peltier and Ed Perlenfein
Staff Present: Jake Gabell, Deputy City Recorder; Matt Straite, City Planner; and
Forrest Reid, City Attorney
- D. MEETING MINUTE APPROVAL
1) Planning Commission Meeting and Work Sessions held on:
i. January 7, 2019 Planning Commission Work Session
ii. January 14, 2019 Planning Commission Work Session
iii. January 15, 2019 Planning Commission Meeting

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

Corrections provided by Commissioner Lepin and noted in the record.

Commissioner Kirkendall: Aye
Commissioner Penning: Aye
Commissioner Gunner: Aye
Commissioner Vogler: Aye
Commissioner Stimpson: Not present
Commissioner Lepin: Aye
Commissioner Sullivan: Aye

- E. File No: SP 18-02 Mid-Willamette Valley Intermodal Transfer Center: The applicants have requested a continuance to a date certain, April 16th, 2019. President Kirkendall requested a motion for continuance for SP 18-02 at 6:22 p.m.

Action: Motion to Continue PA 19-03 to a Date Certain, April 16th, 2019, made by Commissioner Vogler; seconded by Commissioner Gunner.

Commissioner Kirkendall: Aye
Commissioner Penning: Aye
Commissioner Gunner: Aye
Commissioner Vogler: Aye
Commissioner Stimpson: Not present
Commissioner Lepin: Aye

Commissioner Sullivan: Aye

F. QUASI-JUDICIAL PUBLIC HEARING

- 1) Public hearing on Land Use File PA 19-01 opened by President Kirkendall at 6:27 p.m. Deputy City Recorder, Jake Gabell, read disclosures. President Kirkendall finished opening the hearing.
 - i. Commissioners Gunner, Sullivan, Kirkendall, and Vogler all declared site contact; they drove by the property.

File No: PA 19-01 Smith Land Partition: *The applicant is requesting approval to partition 0.9 acres (42,732 square feet) into 3 residential lots of 13,296 square feet, 11,396 square feet, and 17,753 square feet.*

- i. Staff report was presented by Matt Straite, City Planner.
- ii. Discussion between the Planning Commission, staff, and audience members.
 1. The applicant, Steve Smith, explained his ideas for the project and what he plans on building. He stated that he has no objections to the proposed conditions of approval.
 2. City Engineer, Janelle Booth, answered questions the Planning Commission had about the current well on the property and what will be required of the applicant. She stated that the well can remain in place as long there is backflow prevention and it meets other conditions.
 3. Commissioner Vogler had questions about cutting Alexander Lane to add utilities. Janelle Booth clarified the patching standards the City has adopted.
- iii. Public hearing closed at 6:40 pm by President Kirkendall.
- iv. Deliberation by the Planning Commission.
 1. Commissioner Stimpson led a discussion involving the driveway requirements.
 2. Commissioner Vogler asked about the conditions of approval provided by Albany Fire Department. Matt Straite clarified that the applicant will satisfy all of the Fire Department conditions prior to final approval of the plat.

Action: Motion to Approve PA 19-01 made by Commissioner Gunner with the Attached Conditions; seconded by Commissioner Vogler.

Commissioner Kirkendall: Aye
Commissioner Penning: Aye
Commissioner Gunner: Aye
Commissioner Vogler: Aye
Commissioner Stimpson: Aye
Commissioner Lepin: Aye
Commissioner Sullivan: Aye

2) Public hearing on Land Use File PA 19-03 opened by President Kirkendall at 6:46 p.m. Deputy City Recorder, Jake Gabell, read disclosures. President Kirkendall finished opening the hearing.

- i. Commissioners Stimpson and Sullivan have known the applicant for several years, and Commissioner Vogler is a member of the same group as the applicant's engineer. All Commissioners present reported site contact and have driven by the site.

File No: PA 19-03 Wills Land Partition: *The applicant is requesting approval to partition 4.93 acres into 3 residential parcels - parcel 1 is proposed to be 178,627 square feet (4.1 acres), parcel 2 is proposed at 19,432 square feet (0.44 acres), and parcel 3 is proposed at 16,503 square feet (0.37 acres).*

- i. Staff report was presented by Matt Straite, City Planner.
 - 1. An additional memo was given to the Planning Commission and added to the public record.
- ii. Discussion between the Planning Commission, staff, and audience members.
 - 1. Commissioner Lepin had a question about the condition of approval that requires lots 1 and 3 to connect to sanitary sewer. Mr. Straite clarified the condition of approval.
 - 2. Commissioner Gunner had questions about the current well and septic. The applicants stated that they do plan to maintain the well for irrigation and will abandon the septic.
 - 3. Commissioner Gunner and President Kirkendall had questions about the condition of approval that involves the potential road dedication.
 - 4. Commissioner Stimpson asked about the buildable area of lot 1; the applicant's engineer stated that he did not know the exact area, but that it is over 20,000 square feet.
 - 5. Kyle Latimer, the applicant's engineer, and the applicant, Steve Wills, stated that they do not have any objections to any of the proposed conditions of approval.
 - 6. Commissioner Lepin asked about the number of driveways that are proposed off Millersburg Drive. Mr. Straite stated that staff considered requiring the current home to connect to the new driveway but it was decided not to be proposed.
 - 7. Don Miller, 2720 Millersburg Drive, stated that he is the neighbor to the applicant and has no objections to the proposed land use action.
- iii. Public hearing closed at 7:07 pm by President Kirkendall.
- iv. No additional deliberation between the Planning Commission members.

Action: **Motion to Approve PA 19-03 made by Commissioner Stimpson with the Proposed Conditions of Approval and the Additional Conditions of Approval in the memo added this day; seconded by Commissioner Vogler.**

Commissioner Kirkendall: Aye
Commissioner Penning: Aye
Commissioner Gunner: Aye
Commissioner Vogler: Aye
Commissioner Stimpson: Aye

Commissioner Lepin: Aye
Commissioner Sullivan: Aye

F. City Planner Update

City Planner Straite spoke to the Planning Commission about the following:

- A joint meeting with the Millersburg City Council on March 11, 2019.
- The submission of an application for the Evening Star manufactured home park.
- The next code revision workshop.

G. Workshop and hearing dates:

Planning Commission Workshop will be on Monday, March 18th, 2019 at 6:00 p.m.

Planning Commission hearing on Tuesday, March 19th, 2019 is now canceled.

Planning Commission Workshop on one of the following dates: 3/25, 3/26, or 3/28

H. ADJOURNMENT: meeting adjourned at 7:15 p.m.

Respectfully submitted:

Reviewed by:

Jake Gabell
Deputy City Recorder

Matt Straite
City Planner

Upcoming Meetings:

February 25, 2019 @ 6:00 p.m. – Planning Commission Workshop

March 11, 2019 @ 6:00 p.m. – Joint Planning Commission and City Council meeting

March 18, 2019 @ 6:00 p.m. – Planning Commission Work Session

These notes are not final until approved by the Planning Commission.



JOINT PUBLIC MEETING CITY COUNCIL & PLANNING COMMISSION

Monday, March 11, 2019
6:00 p.m.

Agenda

A. CALL TO ORDER: Called to order by Planning Commission President Jimmie Kirkendall at 6:01 p.m. Mayor Jim Lepin called the City Council to order at 6:02 p.m.

B. ROLL CALL

Planning Commission

Members Present: Jimmy Kirkendall, Steve Vogler, Dennis Gunner, John Sullivan, Connie Lepin, Scott Stimpson, Anne Peltier, Ed Perlenfein

Members Absent: Ryan Penning

City Council

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, and Don Miller

Staff Present: Kimberly Wollenburg, City Recorder; Matt Straite, City Planner; and Forrest Reid, City Attorney

C. PLEDGE OF ALLEGIANCE

Mayor Lepin provided some basic instructions regarding the process of the joint Planning Commission and City Council public hearing. He then introduced Matt Straite, City Planner, who went into detail regarding the process and how both public hearings would be handled. Next, he went over the disclosure statements. No members from either the Planning Commission or City Council noted any conflicts

D. QUASI-JUDICIAL PUBLIC HEARING

City Planner Straite introduced the item under discussion which is file DC 19-01, a Manufactured Home Park Text Change where the City of Millersburg is proposing to remove 'Manufactured Home Park' as a conditional use from the Rural Residential 10 Acre Minimum – Urban Conversion (RR-10-UC) and Rural Residential 2.5 Acre Minimum – Urban Conversion (RR-2.5-UC) zones. The use would no longer be permitted by right or by conditional use within these zones. The Manufactured Home Park use would remain in the Urban Residential zone.

1. City Planner Straite presented the staff report and information regarding the current zoning and the uses permitted in those zones. He

noted that staff is proposing the removal of one permitted use, the ability to place manufactured home parks, from both zones. After he reviewed the staff report, he noted that staff had received comments and feedback from the public after the staff report was finalized. He provided copies of the documents submitted.

2. Discussion between the Planning Commission and staff. Planning Commissioner Lepin asked for clarification of the definition of a specific term.
3. Mayor Lepin opened up the hearing for public comment. Two members of the audience had signed up to speak but declined to speak. City Attorney Reid asked City Manager Kevin Kreitman to provide the current population of Millersburg: 2315 as of July 1, 2018.

Mayor Lepin put the City Council into recess as of 6:25 p.m. Planning Commission President Kirkendall opened deliberation by the Planning Commission.

1. Commissioner Peltier asked about the fact that Mr. Eddings (the manufactured home park applicant) said he wasn't notified and if the reason was because he recently purchased the property. City Attorney Reid went over the process of Linn County Assessor's update to the records.
2. Commissioner Simpson said he just wanted to make things on the record that this amendment was discussed nine months ago, even before working on the code update, that several Commissioners had considered the allowance of manufactured home parks in the two zones.

After discussion regarding motion format, the following action was taken:

Action: Motion to Approve Recommendation of Application No. DC 190-01 to the Millersburg City Council made by Commissioner Stimpson; seconded by Commissioner Peltier.

Commissioner Kirkendall:	Aye
Commissioner Penning:	Absent
Commissioner Gunner:	Aye
Commissioner Vogler:	Aye
Commissioner Stimpson:	Aye
Commissioner Lepin:	Aye
Commissioner Sullivan:	Aye

President Kirkendall put the Planning Commission into recess at 6:30 p.m. Mayor Lepin reopened the City Council meeting as of 6:31 p.m. Mayor Lepin asked the City Council to deliberate on Application No. DC 19-01.

City Planner Straite noted that the Ordinance was revised due to a change in the title, not the narrative. Councilor Cowan commented that he supports the text change amendment and thanked the Planning Commission for the work they've been doing to revise the Land Use Development Code.

Action: **Motion to Approve the Planning Commission's Recommendation to Adopt a Text Change Amendment to the Land Use Development Code and Approve Ordinance 146 including Emergency Provision to make Effective Immediately made by Councilor Scott Cowan; seconded by Councilor Dave Harms.** Ordinance 146

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor Don Miller: Aye

City Planner Straite explained how the appeal process works.

E. ADJOURNMENT

Mayor Jim Lepin adjourned the City Council at 6:38 p.m.

President Kirkendall adjourned the Planning Commission at 6:40 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager



Proposal: The applicant is requesting approval to partition a 2.94-acre lot into two lots of approximately 1.98 acres and .96 acres.

I. BACKGROUND

- A. Applicant: Scott & Darla Weddle
3353 NE Millersburg Drive
Albany, OR 97321
- B. Project Location: 3303 NE Millersburg Drive
10S 3W 16CA Tax Lot 0500
- C. Review Type: Pursuant to the Millersburg Land Use Development Code (Code Section 2.320), the proposed partition requires a public hearing before the Planning Commission. The Planning Commission is scheduled to hear the application on April 16, 2019. Any appeal of the Planning Commission decision will be considered by the City Council. Any appeal of the City Council's decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).
- D. Public Notice and Hearing: Notice of the April 16, 2019 Planning Commission hearing was mailed to all property owners within 100 feet of the proposed location, and posted in City Hall on February 27, 2019.
- E. Review Criteria: Article 2 §2.328 Subdivisions
- F. Current Zoning: Rural Residential 2.5 Acre Minimum- Urban Conversion (RR-2.5-UC)
- G. Proposed Zoning: N/A
- H. Property Size: 2.94 Gross Acres
- I. Background: Based on aerial images, since at least 2000, the property has featured two buildings. Because the application is requesting a partition, the existing structures are not of concern for the purposes of this application. The proposed land division will not alter the state of either structure, and both structures shall comply with property line setback requirements. Staff is not aware of any other applications on the site.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The project was transmitted to the following agencies/departments on February 26, 2019: City of Albany, Albany Fire Department, Linn County Sheriff Office (LCSO), City of Millersburg Engineer, State Department of State Lands (DSL), Pacific Power, Linn County Planning and Building Department, United States Postal Service, Northwest Natural Gas, and PacifiCorp. To date, the following comments have been received:

- Albany Fire provided comments, all of which were inserted as conditions of approval for future development on the site.
- City of Millersburg Engineer comments

Public:

Notice of the April 16, 2019 hearing was mailed to all property owners within 100 feet of the property. To date, no written comments or phone calls have been received by staff.

III. CRITERION

CITY OF MILLERSBURG DEVELOPMENT CODE

Article 2

SECTION 2.328 TENTATIVE SUBDIVISION OR PARTITION DECISION CRITERIA

A Subdivision or Partition Tentative Plan shall be approved by the Planning Commission. Approval shall be based upon compliance with the submittal requirements specified above and the following findings:

- (1) That the proposed land division, development or use does not conflict with the City's Comprehensive Plan or Statewide Planning Goals.**

ANALYSIS: The proposed partition creates housing which is called for in both the Comprehensive Plan and the State Goals. A more detailed review of the Comprehensive Plan is located later in this report. In summary, the project is compatible with the Comprehensive Plan and State Planning Goals.

FINDING: Based on the analysis above, the project meets the criterion.

- (2) That the proposed land division complies with the standards of the land use zone and does not conflict with city codes and ordinances that are applicable to the land division.**

ANALYSIS: Parcel 1 is proposed as approximately 1.98-acres or 86,248 square feet, and parcel 2 is proposed as approximately .96-acres or 41,817 square feet. Because the zoning has a minimum lot size of 2.5 acres, both parcels shall be considered "urban" lots, and thus would be required to comply with urban

standards which mandate a 10,000 square foot minimum lot size. All lots will be required to connect to water and sewer when they are built out. The parcel with the existing home will be required to connect to water and sewer prior to recording the final plat. A condition of approval has been added to assure this.

The code does not specifically require an existing home on a substandard lot to connect to water and sewer at the time the lot is being created. However, approval of this partition without a requirement to connect to water and sewer (in order to comply with the urban standards) would leave the City in a position of *creating* substandard-nonconforming lots. As such, this partition includes conditions of approval requiring the existing home to connect to water and sewer prior to City approval of the final partition plat.

FINDING: Based on the analysis, with the proposed conditions of approval, the project meets the criterion.

CONDITIONS OF APPROVAL:

- Proposed Parcel 1 must connect to city water and sewer prior to approval of the final plat. Parcels 2 must connect to city water and sewer prior to issuance of building permits. City water and sewer are available in Millersburg Drive. Applicant shall be responsible for all costs associated with making utility connections.
- Water and sewer connection permits are required for connections to public water and sewer. System Development Charges (SDCs) are due at the time of connection.

(3) That the proposed land division complies with the standards and requirements of ORS Chapter 92 and the recording requirements of the Linn County Surveyor.

ANALYSIS: ORS Chapter 92 regulates subdivisions and partitions in the State of Oregon. The regulations require a city or county to draft its own regulations in order to have local authority to approve or act on subdivision applications. The City of Millersburg has adopted local policies and procedures to regulate subdivisions to comply with Chapter 92. Other aspects of State Chapter 92 still apply; however, they generally pertain to circumstances that do not relate to the approvals of subdivisions by cities. Chapter 92 does not include any criteria specific to the approval of a subdivision. The proposed application is consistent with all provisions of Chapter 92.

FINDING: Based on the analysis above, the project meets the criterion.

(4) That any undeveloped portion of the proposed land division can be developed in accordance with City ordinances.

ANALYSIS: The application is proposing to divide the existing lot into two parcels. No undeveloped portion of the existing lot is precluded from development and can be developed in accordance with City ordinances. Both parcels will be over the minimum lot size required by the zone. The lots could be divided further in the

future consistent with City ordinances. It should be noted, that additional curb cuts (driveways) onto Millersburg Drive will not be permitted as this is an Arterial. The proposed map shows a shared driveway; however, additional division of the property would likely require a road.

FINDING: Based on the analysis above, the project meets the criterion.

(5) That the proposed land division does not preclude development on adjoining properties.

ANALYSIS: The proposed partition is creating two parcels. Both parcels will front public streets. Additionally, all lots surrounding the property have adequate access. The proposed partition, or any possible future partition of the property, would not preclude a neighbor from maintaining access to their property. The proposed map shows a shared driveway; however, additional division of the property would likely require a road.

FINDING: Based on the analysis above, the project meets the criterion.

(6) That the proposed street plan is in conformance with City standards and provides the most economic, safe and efficient circulation of traffic in relation to the existing City street system and does not have an adverse impact on pedestrian, bicycle and vehicular safety.

ANALYSIS: Streets for the development are regulated by Section 5.123. The applicant is not proposing a street for access, nor is one required as all proposed parcels front public streets. The proposed map shows a shared driveway; however, additional division of the property would likely require a road. A condition of approval has been added to clarify this.

FINDING: Based on the analysis above, with the condition of approval, the project meets the criterion.

CONDITION OF APPROVAL: No additional driveways off Millersburg Drive shall be constructed. Driveways shall conform to Section 5.120 of the Millersburg Land Use Development Code.

(7) That water, wastewater disposal and utilities are available and have the capacity to serve the proposed development or use in compliance with the Albany Construction Standards adopted the City of Millersburg.

ANALYSIS: Proposed Parcels 1 and 2 must connect to City water and sewer as they are both urban lots. The .96 acre parcel will connect when developed. The second parcel will be required to connect to water and sewer prior to the map recording. City water and sewer are available on NE Millersburg Drive. The applicant shall be responsible for all costs associated with making utility connections.

FINDING: Based on the analysis above, the project meets the criterion.

- (8) **That the proposed utilities do not preclude extension beyond the proposed land division to accommodate future growth.**

ANALYSIS: All existing utilities are sized to be able to accommodate the additional two connections. The utilities will be located in a public right of way. As such, the proposed partition will not limit future development.

FINDING: Based on the analysis above the project meets the criterion.

- (9) **That the land division will not cause adverse impacts to existing or proposed drainageways including flow disruptions, flooding, contamination or erosion and that required drainage facilities are provided that have the capacity to support the proposed development or use.**

ANALYSIS: The City Engineer has indicated that there are no storm water concerns with this property, and that all storm water needs will be addressed using existing public storm water facilities (Millersburg Drive).

FINDING: Based on the analysis above, the project meets the criterion.

- (10) **That the land division will not cause adverse impacts, potential hazards or nuisance characteristics as identified in Section 2.140, Item 21 of the Application Site Plan and complies with the applicable standards of all regulatory agencies having jurisdiction.**

ANALYSIS: The characteristics identified in Section 2.140 include hazards and nuisances produced by the project specifically identifying noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare, and electromagnetic interference. Because this is a residential partition, none of these hazards are anticipated. Isolated incidents involving individual homes may occur in the future, but will be subject to appropriate enforcement of applicable rules and law.

FINDING: Based on the analysis above, the project meets the criterion.

- (11) **That the land division will not cause adverse impacts to special site features identified in Section 2.140, Item 15 of the Application Site Plan.**

ANALYSIS: The site is generally flat and devoid of any topographic, rock outcropping, or other significant features. According to the County GIS system, the rear of the lot features potential wetlands. However, as this is a partition no adverse impacts to this feature are expected.

FINDING: Based on the analysis above, the project meets the criterion.

IV. STANDARDS

The proposed land division design complies with all the specifications and design requirements of Chapter 4, specifically the RR 2.5-UC zone, and Chapter 5, Development Standards.

V. CITY OF MILLERSBURG COMPREHENSIVE PLAN

The City of Millersburg Comprehensive Plan implements the 19 State Goals. Based on staff review, the project is consistent with all goals and policies of the Comprehensive Plan. The following are *relevant and pertinent* criteria from the Comprehensive Plan.

Section 9.100 Planning

Overall Policy 2. All development proposals shall be within the safe carrying capacity of the air, water and land resources of the development site, the City of Millersburg, and the Albany-Millersburg Growth Area.

ANALYSIS: The use of the land at the Comprehensive Plan level was designated in part based on the ability of the land to function for that particular use. PA 19-02 is consistent with the Comprehensive Plan/Zoning designation. In addition, the project was transmitted to several State, Regional, County, and City organizations for review, which includes the ability for all departments to communicate on environmental concerns.

FINDING: Based on the analysis above, the project meets the policy.

Section 9.400 Housing

Housing Need Policy 1. The City recognizes the need for an adequate supply of sound, decent and attractive housing which includes a variety of types and designs which are responsive to community needs.

ANALYSIS: The proposed project will provide additional housing for the City.

FINDING: Based on the analysis above, the project meets the policy.

Section 9.500 Land Use

Residential Land Use Policy 2. When urban development occurs, the City shall encourage compact residential development within the existing Residential District to provide more efficient land utilization and to reduce the cost of housing, public facilities and services.

ANALYSIS: In the City of Millersburg, the smallest permitted lot size is 10,000 sq. ft. The proposed project will be converting rural area into urban area, which means that they will be connecting the proposed units to City water and sewer. The project is required to connect both parcels to City water and sewer.

FINDING: Based on the analysis above, the project meets the policy.

Residential Land Use Policy 9. New residential subdivisions shall pay the costs of capital improvements needed to support the development.

ANALYSIS: The project has been conditioned to provide all needed utilities to support the development.

FINDING: Based on the analysis above, with conditions of approval, the project meets the policy.

VI. RECOMMENDATION

Based on the above findings of fact, and the conditions of approval, the proposed project satisfies the applicable criteria and staff recommends the Planning Commission approve Partition Application No. PA 19-02, Weddle Partition, pursuant to the conditions of approval listed below.

VII. ALTERNATIVE RECOMMENDATION

Should the Planning Commission elect not to approve the proposed development, they could continue the item for further discussion or deny the application citing the specific criteria not satisfied by the application.

VIII. CONDITIONS OF APPROVAL

General Conditions

1. Development and construction on the site shall conform substantially to the tentative partition development plans submitted by the applicant and included in this staff report, except as modified in the conditions below, and shall conform specifically to final construction plans reviewed and approved by the City Engineer and the Building Official (Linn County). All plans shall comply with the applicable building, planning, engineering, and fire protection codes of the City of Millersburg.
2. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
3. 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 plat.
4. Current or future property owner may be assessed street improvement fees for frontage along NE Millersburg Drive if/when those streets are improved.

Prior to Approval of the Final Plat

5. The Final Plat shall be submitted for review by City staff prior to recording said plat with the County. The plat shall be drawn by a licensed land surveyor.
6. Proposed Parcel 1 must connect to City water and sewer prior to approval of the final plat. Parcels 2 must connect to City water and sewer prior to issuance of building permits. City water and sewer are available in Millersburg Drive. Applicant shall be responsible for all costs associated with making utility connections.
7. Water and sewer connection permits are required for connections to public water and sewer. System Development Charges (SDCs) are due at the time of connection.
8. LUDC Section 5.126(7) states, "Storm water runoff rates for new developments shall not exceed bare land runoff rates" and 5.126(7)(g) states, "Runoff from impervious surfaces must be collected and transported to a natural or public drainage facility with sufficient capacity to accept the discharge."

The developer is required to provide a site-specific drainage plan, including means to detain peak flows so that runoff rates for the new development do not exceed bare land runoff rates, along with supporting calculations to collect, route, and discharge storm water to an approved discharge point. The drainage plan must be approved by the City Engineer prior to recording the Final Plat. The drainage plans shall conform to the Albany Engineering site design standards, to the satisfaction of the City Engineer.

9. All roof drains and yard drainage must be piped or trenched to an approved discharge point. Improved lots may not drain onto neighboring properties. Applicant must provide proposed drainage plan for approval.
10. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the new created lot as measured by an approved route of travel around the exterior of the structure with dead-end lengths not exceeding 150 feet long unless an approved turnaround is provided. (OFC 503.1.1, OFC 503.2.5 and OFC, Appendix D 103.4)
11. This proposed project is located within a "Protected area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area will be required to be served by a public water system. The Fire Flow required for shall be as specified in Appendix B of the Fire Code. (OFC 507.3)
12. Inadequate fire approach & access to water supply:

If the Fire Official determines that there is an inadequate fire apparatus access condition or an inadequate fire water supply for one or more parcels of the proposed division, in lieu of providing adequate fire apparatus access or supply and acting in conformance to the standards set forth in OAR 918-480-0125, the Uniform Alternate Construction Standard for One and Two Family Dwellings, the Building Official will select one or more of the following standard(s) to address the inadequacies pertaining to structures built on the

affected parcels. The first choice is to have the buildings on the lots affected protected by a NFPA 13D fire suppression system.

- a. Installation of an NFPA Standard 13D fire suppression system;
- b. Installation of a partial NFPA Standard 13D fire suppression system;
- c. Installation of additional layers of 5/8 inch, Type-X gypsum wallboard;
- d. Installation of fire-resistive compartmentalization of dwellings to limit the spread of fire by use of fire-resistant building elements, components, or assemblies. Fire resistance ratings shall be determined in accordance with the Oregon Structural Specialty Code;
- e. Installation of fire-resistive exterior wall covering and roofing components; or
- f. Provide fire separation containment in accordance with the default standards as set forth in the Wildland-Urban Interface rules adopted by the Oregon Department of Forestry (See OAR 629-044-1060).

IX. NOTICES TO THE APPLICANT

The applicant should also be aware of the following standards and processes that are required for development. These are not part of the decision on this land use case and are provided as a courtesy to the applicant. Please contact City Hall with any questions.

1. A right-of-way permit is required for any work in the public right-of-way, including utility connections, sidewalks, and driveways. All pavement patching work shall conform to the City of Millersburg Trench Backfill and Pavement Patching Standards. All work within the public right-of-way shall be performed by a licensed contractor and conform to the Albany Standard Construction Specifications, except as modified by the City of Millersburg Pavement Patching Standards.
2. Driveways shall conform to Section 5.120 of the Millersburg Development Code, with individual driveway slopes not exceeding a grade of 14%.
3. No additional driveways off Millersburg Drive shall be constructed. Driveways shall conform to Section 5.120 of the Millersburg Land Use Development Code.
4. A demolition permit shall be obtained from the City prior to demolishing or moving any structures.
5. Decks, fences, sheds, building additions, and other site improvements shall not be located within any easement unless otherwise authorized in writing by the City Engineer.
6. The Final Plat shall include any required access or utility easements.
7. All agreements required as conditions of this approval must be signed and recorded.
8. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies, even if not specifically required by this decision.

9. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
10. **This approval is valid for a period of two (2) years from the date of the decision notice.** Extensions may be granted by the City as afforded by the Millersburg Development Code.
11. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
12. If required, any existing wells, septic systems, and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by Linn County, and provide verification of such to the City Engineer.
13. The submittal by the applicant for Final Plat review and approval shall include but not be limited to the following: a final plat application; final plat review fee; narrative identifying how the required conditions of approval have or will be met; three copies of the Final Plat; and any other materials required to demonstrate compliance with the conditions of approval.
14. The Final Plat shall show the City Manager as the City's approving authority within the signature block of the Final Plat and all private access easements, utility easements, and/or special use easements as required for the development of the site. A plat note shall reference an easement and maintenance agreement or similar document, to be recorded with the plat, for the joint maintenance of any common private utility lines, common driveway improvements, or other common amenity or perimeter fencing. The language of such plat note and associated document shall be reviewed and approved by the City Planner.
15. Prior to issuance of building permits, an electronic version of the Final Plat must be submitted to the City Planner.
16. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
17. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
18. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. All construction equipment and materials shall not be stored in public right-of-way. Failure

to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.

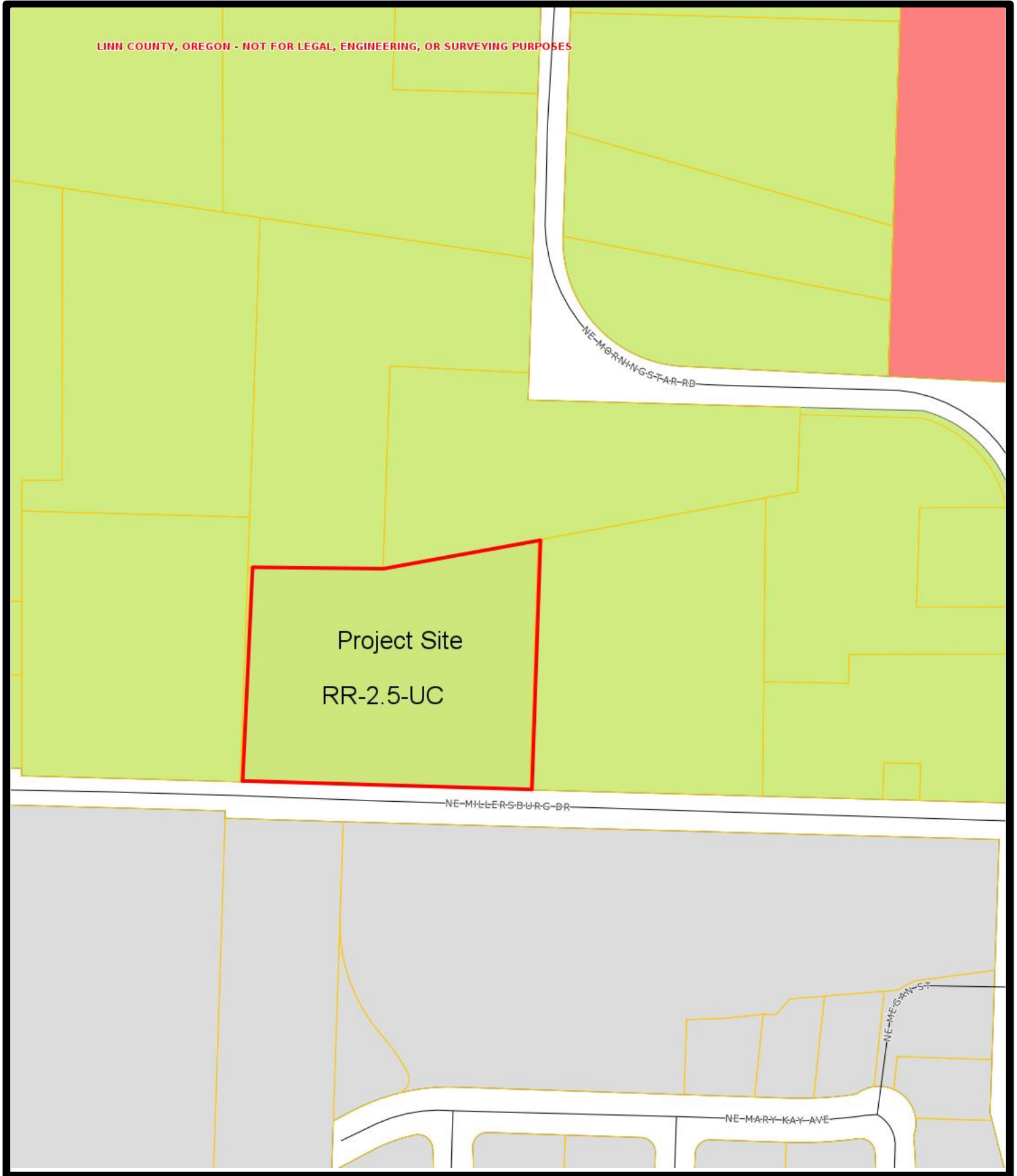
19. If required, any existing wells, septic systems, and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by Linn County, and provide verification of such to the City Engineer.

20. Wetlands and FEMA floodplain may be present on the site. Work within wetlands and floodplain is subject to the requirements of the Authority Having Jurisdiction (AHJ).

X. EXHIBITS

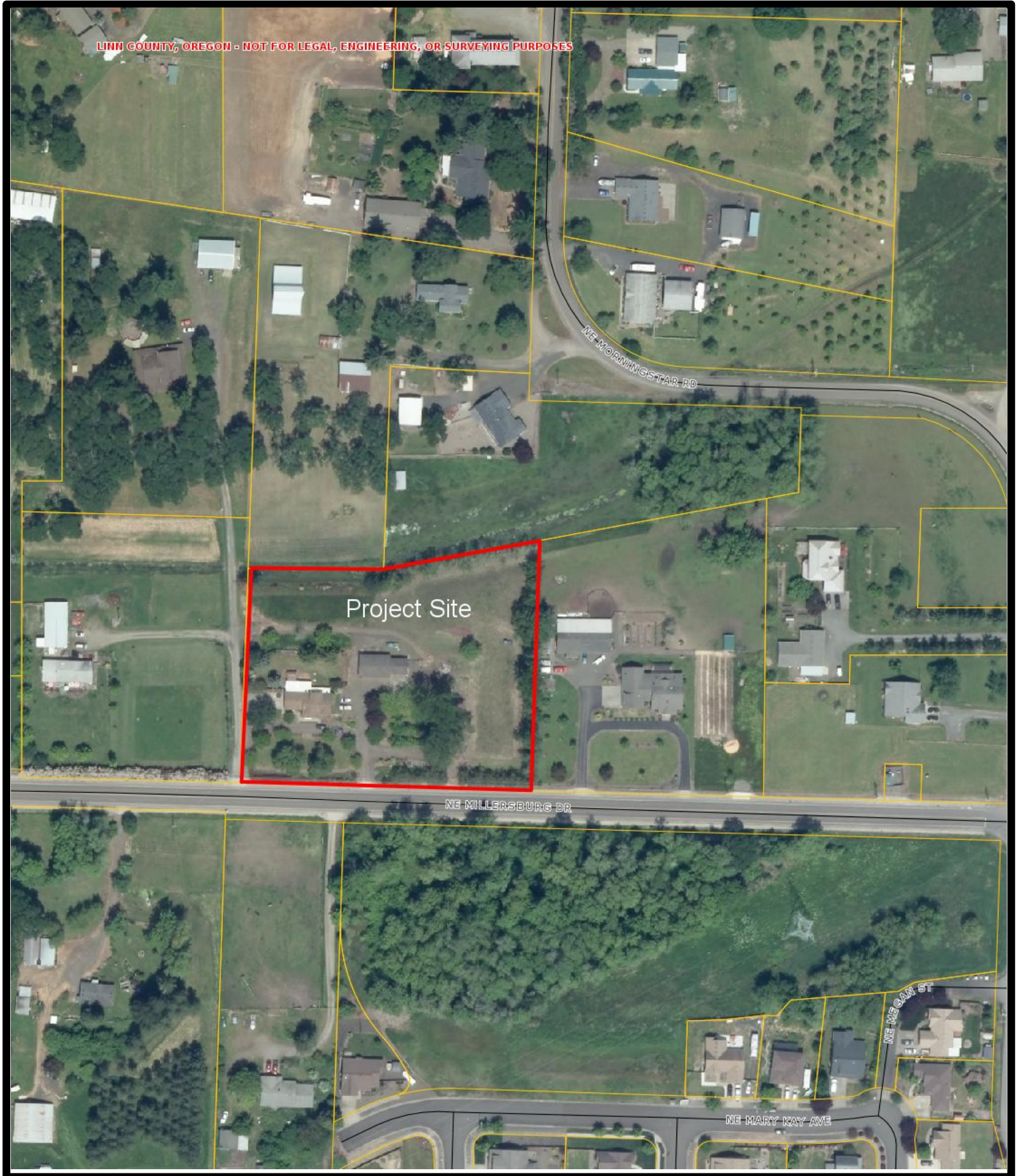
- A. Zoning Map
- B. Vicinity Map
- C. Applicant's Site Plan/Map
- D. Applicant's Narrative
- E. City Engineering comments dated 3/3/19
- F. Notice of Public Hearing

PA 19-02 Zoning Map



This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain usability of the information.

PA 19-02 Vicinity Map

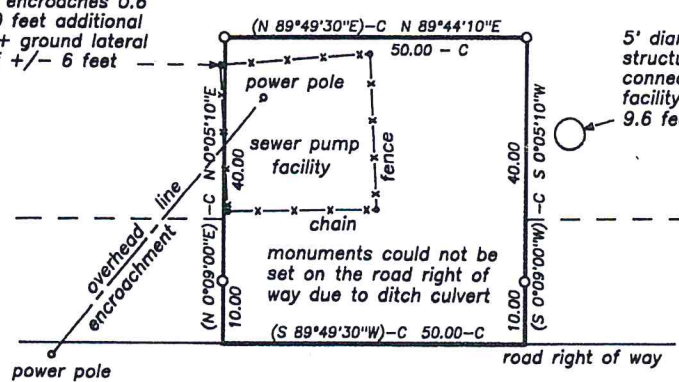


This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain usability of the information.

Property Line Adjustment and Partition Plat No 2001-09
for

Scott Weddle
in the S. E., and S. W. Quarters of Section 16
and the John Meeker Donation Land Claim No. 60
Township 10 South, Range 3 West, W.B.& M.
Linn County, Oregon
Scale: 1" = 60' February 9, 2001

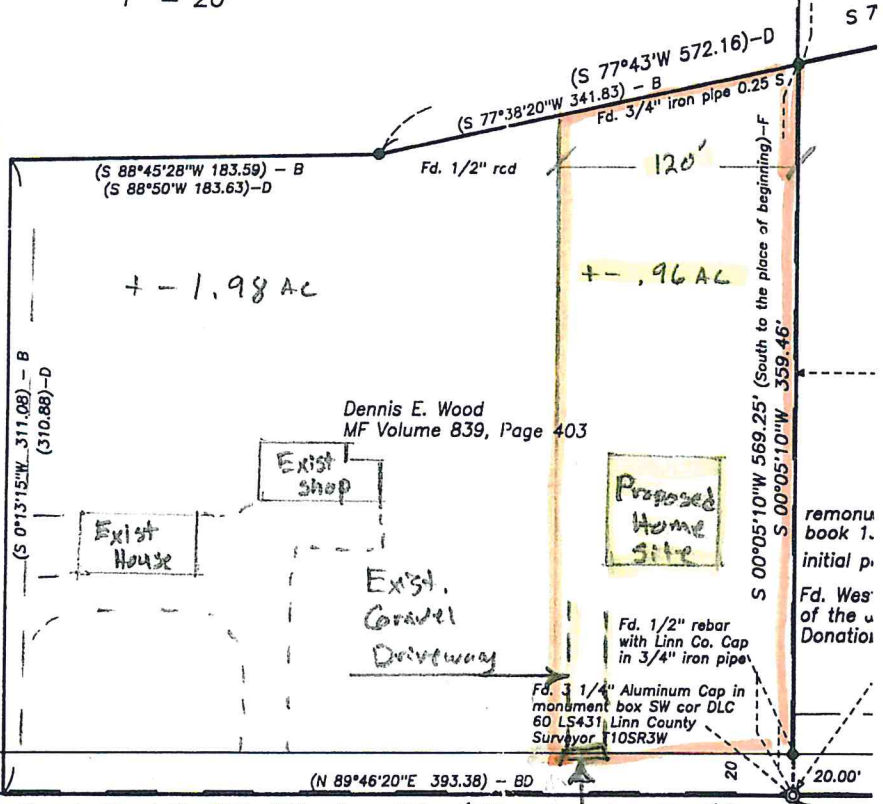
City fence encroaches 0.6 feet + 1.0 feet additional overhead + ground lateral support of +/- 6 feet



Detail
1" = 20'



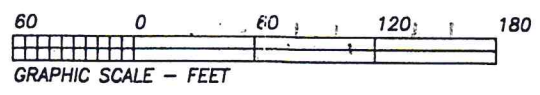
Southeast corner of the John Fenn Donation Land Claim # 69
G.P.S. Station 93186. Northing 386750.645, Easting 7535292.282
remonumentation
book 14, page 235



90'+

JOB NAME: Weddle, Scott
COORD. FILE: ws8904 SCREEN FILE: ws8904
ACTIVE LAYERS: 1,21-26,38-41,50
PLOTTED: 2/13/1 2:00 pm JOB #: 001025

Moore Surveying
424 Second Avenue Southeast



NARRATIVE

Scott & Darla Weddle
3353 Millersburg Dr NE
Albany, OR 97321

RE: Land partition application
3303 Millersburg Dr NE
Township 10 south, range 3 west, TL 500

We are proposing to the planning commission a land partition for the purpose of creating one new residential building lot (approximately 1acre) on our existing 2.94 acre parcel. The zoning for our property is currently RR-2.5UC which allows for the creation of new lots of 10,000 sq. ft. or greater. The proposed lot and the original parcel, would both be greater than the minimum size (see plat) thus complying with city code and zoning requirements and would be consistent with the Comprehensive Plan of the City of Millersburg as demonstrated by area development along the Millersburg Drive arterial. Lot sizing will allow for plenty of room to build a new SFR structure and future out buildings with the ability to meet set back and conformance requirements of articles 4 & 5 of the city code.

The newly created lot is not affected by any known wetlands conditions, and is currently used as pasture land. The lot would be served by existing city utilities available at the Millersburg Dr. frontage.

We feel this proposal fits well with the direction that the surrounding community has been going in for the last 3-5 years and utilizes out property to its highest and best use. Thank you for your consideration.

Scott & Darla Weddle

TO: Matt Straite, City Planner
FROM: Janelle Booth, Millersburg City Engineer
DATE: April 3, 2019
SUBJECT: PA 19-02 - Engineering Comments

Engineering has reviewed the above project and has the following comments:

1. Proposed Parcel 1 must connect to city water and sewer prior to approval of the final plat. Parcels 2 must connect to city water and sewer prior to issuance of building permits. City water and sewer are available in Millersburg Drive. Applicant shall be responsible for all costs associated with making utility connections.
2. Water and sewer connection permits are required for connections to public water and sewer. System Development Charges (SDCs) are due at the time of connection.
3. A right-of-way permit is required for any work in the public right-of-way, including utility connections, sidewalks, and driveways. All pavement patching work shall conform to the City of Millersburg Trench Backfill and Pavement Patching Standards. All work within the public right-of-way shall be performed by a licensed contractor and conform to the Albany Standard Construction Specifications, except as modified by the City of Millersburg Pavement Patching Standards.
4. No additional driveways off of Millersburg Drive shall be constructed. Driveways shall conform to Section 5.120 of the Millersburg Land Use Development Code.
5. If required, any existing wells, septic systems and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by the Linn County and provide verification of such to the City Engineer.
6. All roof drains and yard drainage must be piped or trenched to an approved discharge point. Improved lots may not drain onto neighboring properties. Applicant must provide proposed drainage plan for approval.
7. LUDC Section 5.126(7) states, "Stormwater runoff rates for new developments shall not exceed bare land runoff rates" and 5.126(7)(g) states, "Runoff from impervious surfaces must be collected and transported to a natural or public drainage facility with sufficient capacity to accept the discharge."

The Developer is required to provide a site-specific drainage plan, including means to detain peak flows so that runoff rates for the new development do not exceed bare land runoff rates, along with supporting calculations to collect, route, and discharge stormwater to an approved discharge point. The drainage plan must be approved by the City Engineer prior to recording the final plat. The drainage plans shall conform to the Albany Engineering design standards, to the satisfaction of the City Engineer.

8. The Final Plat shall include any required access or utility easements.
9. All agreements required as conditions of this approval must be signed and recorded.
10. Wetlands may be present on the site. Work within wetlands is subject to the requirements of the Authority Having Jurisdiction (AHJ).
11. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies, even if not specifically required by this decision.



NOTICE OF PUBLIC HEARING
April 16, 2019, 6:00 p.m.
City Council Chambers
4222 Old Salem Road NE,
Millersburg, Oregon, 97321

The **MILLERSBURG PLANNING COMMISSION** will hold a public hearing at the above time and place to consider the request described below. The request may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comment or may appear and testify at the hearing. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specific information to allow the Commission an opportunity to respond to the issue will preclude your ability to appeal the decision to the Land Use Board of Appeals based on that issue.

The application, all documents and evidence submitted by or on behalf of the applicant and the applicable criteria are available for inspection at no cost or copies are available for a minimal cost. A staff report relating to the proposal will be available seven days prior to the public hearing. For further information, contact Millersburg City Hall at (541) 928-4523.

APPLICANTS: Scott & Darla Weddle
LOCATION: 3353 Millersburg Dr (see map opposite page)
TAX LOT: Township 10 South; Range 3 West; Section 16CA; Tax Lot 500
PARCEL SIZE: 2.94 Acres
ZONING: Rural Residential 2.5 Acre Minimum- Urban Conversion
REQUEST: The application proposes to divide 2.94 acres into 2 Parcels.
CRITERIA: Millersburg Development Code; Article 2 § 2.328
FILE No.: PA 19-02

The location of the hearing is accessible to people with disabilities. If you need any special accommodations to attend or participate in the hearing, please notify City Hall twenty-four hours before the meeting. For further information, please contact City Hall at (541) 928-4523.



PA 19-02 Vicinity Map



This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain usability of the information.



Proposal: 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. BACKGROUND

- A. Applicant: Lisa Lambrecht
3268 NE Millersburg Drive
Albany, OR 97321
- B. Project Location: 3268 NE Millersburg Drive
10S 3W 16 Tax Lot 1203
- C. Review Type: Pursuant to the Millersburg Land Use Development Code (Code Section 2.320), the proposed partition requires a public hearing before the Planning Commission. The Planning Commission is scheduled to hear the application on April 16, 2019. Any appeal of the Planning Commission decision will be considered by the City Council. Any appeal of the City Council's decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).
- D. Public Notice and Hearing: Notice of the April 16, 2019 Planning Commission hearing was mailed to all property owners within 100 feet of the proposed location, and posted in City Hall on March 5, 2019.
- E. Review Criteria: Article 2 §2.328 Subdivisions
- F. Current Zoning: Rural Residential 10 Acre Minimum- Urban Conversion (RR-10-UC)
- G. Proposed Zoning: N/A
- H. Property Size: 7.61 Gross Acres
- I. Background: Based on aerial images, since at least 1996, the property has featured a single-family home and a shed. Because the application is requesting a partition, the existing structures are not of concern for the purposes of this application. The proposed land division will not alter the state of either structure, and both structures shall comply with property line setback requirements. The property was partitioned previously, however, this is allowed as long as there is more than 1 year between partitions. Staff is not aware of any other applications on the site.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The project was transmitted to the following agencies/departments on January 22, 2019: City of Albany, Albany Fire Department, Linn County Sheriff Office (LCSO), City of Millersburg Engineer, State Department of State Lands (DSL), Pacific Power, Linn County Planning and Building Department, United States Postal Service, Northwest Natural Gas, and PacifiCorp. To date, the following comments have been received:

- Albany Fire provided comments, all of which were inserted as conditions of approval.
- City of Albany responded saying they have no comments.
- City of Millersburg Engineering comments.

Public:

Notice of the April 16, 2019 hearing was mailed to all property owners within 100 feet of the property. One letter was submitted. The full letter is attached.

- Mr. and Mrs. Wrightman, a neighbor to the east of the site, submitted a letter indicating that activity on the applicants property has caused flooding on their land and introduced contaminants into their water supply. The letter also states that the introduction of additional homes to the area will further the pollution of their water supply. While staff sympathizes with the concerns, the action of the applicant has no bearing on the application to divide the property. Additionally, all new homes will have to comply with State and local water discharge requirements, preventing any pollution of the water.

III. CRITERION

CITY OF MILLERSBURG DEVELOPMENT CODE

Article 2

SECTION 2.328 TENTATIVE SUBDIVISION OR PARTITION DECISION CRITERIA

A Subdivision or Partition Tentative Plan shall be approved by the Planning Commission. Approval shall be based upon compliance with the submittal requirements specified above and the following findings:

- (1) That the proposed land division, development or use does not conflict with the City's Comprehensive Plan or Statewide Planning Goals.**

ANALYSIS: The proposed partition creates housing which is called for in both the Comprehensive Plan and the State Goals. A more detailed review of the Comprehensive Plan is located later in this report. In summary, the project is compatible with the Comprehensive Plan and State Planning Goals.

FINDING: Based on the analysis above, the project meets the criterion.

- (2) **That the proposed land division complies with the standards of the land use zone and does not conflict with city codes and ordinances that are applicable to the land division.**

ANALYSIS: Parcel 1 is proposed as approximately 1.73-acres or 74,845 square feet, Parcel 2 is proposed as approximately 5.36-acres or 233,656 square feet, and Parcel 3 is proposed as approximately 0.52-acres or 23,002 square feet. Because the zoning has a minimum lot size of 10 acres, all three parcels shall be considered "urban" lots, and thus would be required to comply with urban standards which mandate a 10,000 square foot minimum lot size. All lots will be required to connect to water and sewer when they are built out.

The Code does not specifically require an existing home on a substandard lot to connect to water and sewer at the time the lot is being created. However, approval of this partition without a requirement to connect to water and sewer (in order to comply with the urban standards) would leave the City in a position of *creating* substandard-nonconforming lots, in this case Parcel 1. As such, this partition includes conditions of approval requiring the existing home to connect to water and sewer prior to City approval of the final partition plat.

FINDING: Based on the analysis, with proposed conditions of approval, above the project meets the criterion.

CONDITIONS OF APPROVAL:

- Proposed Parcel 1 must connect to city water and sewer prior to approval of the final plat. Parcels 2 and 3 must connect to city water and sewer prior to issuance of building permits. City water and sewer are available in Mary Kay Avenue and Lauren Avenue. Applicant shall be responsible for all costs associated with making utility connections.
- A sewer main extension in Mary Kay is required for sewer connection of Parcels 1 and 2. Extension of the public sewer main requires a Private Construction of Public Infrastructure (PCPI) permit, shall be designed by a registered engineer in the state of Oregon, and shall be performed by a licensed contractor conforming to the Albany Standard Construction Specifications. Applicant shall be responsible for all costs associated with the design and installation of the public sewer main.
- Water and sewer connection permits are required for connections to public water and sewer. System Development Charges (SDCs) are due at the time of connection.

- (3) **That the proposed land division complies with the standards and requirements of ORS Chapter 92 and the recording requirements of the Linn County Surveyor.**

ANALYSIS: ORS Chapter 92 regulates subdivisions and partitions in the State of Oregon. The regulations require a city or county to draft its own regulations in order to have local authority to approve or act on subdivision applications. The City of Millersburg has adopted local policies and procedures to regulate subdivisions to comply with Chapter 92. Other aspects of State Chapter 92 still apply; however, they generally pertain to circumstances that do not relate to the approvals of subdivisions by cities. Chapter 92 does not include any criteria specific to the approval of a subdivision. The proposed application is consistent with all provisions of Chapter 92.

FINDING: Based on the analysis above, the project meets the criterion.

(4) That any undeveloped portion of the proposed land division can be developed in accordance with City ordinances.

ANALYSIS: The application is proposing to divide the existing lot into three parcels. No undeveloped portion of the existing lot is precluded from development and can be developed in accordance with City ordinances. All parcels will be over the minimum lot size required by the zone. Additionally, the West Valley Estates subdivision located to the west of the site, is currently constructing a street stub that terminates at the western property boundary, along the western edge of proposed Parcel 2. This will allow additional access opportunities in the event that Parcel 2 further divides in the future. Parcel 1, and 2 could be divided further in the future consistent with City ordinances.

FINDING: Based on the analysis above, the project meets the criterion.

(5) That the proposed land division does not preclude development on adjoining properties.

ANALYSIS: The proposed partition is creating three parcels. Parcel 1 will front NE Millersburg Drive, Parcel 2 can access NE Mary Kay Ave and Parcel 3 will have access on NE Lauren Ave. All lots surrounding the property have adequate access. The proposed partition or any possible future partition of the property would not preclude a neighbor from maintaining access to their property.

FINDING: Based on the analysis above, the project meets the criterion.

(6) That the proposed street plan is in conformance with City standards and provides the most economic, safe and efficient circulation of traffic in relation to the existing City street system and does not have an adverse impact on pedestrian, bicycle and vehicular safety.

ANALYSIS: Streets for the development are regulated by Section 5.123. The applicant is not proposing a street for access, nor is one required as all proposed parcels front public streets.

FINDING: Based on the analysis above, the project meets the criterion.

- (7) **That water, wastewater disposal and utilities are available and have the capacity to serve the proposed development or use in compliance with the Albany Construction Standards adopted the City of Millersburg.**

ANALYSIS: Proposed Parcels 1, 2, and 3 must connect to City water and sewer when homes are constructed. City water and sewer are available on NE Millersburg Drive, within Mary Kay Avenue, and within Lauren Avenue. Applicant shall be responsible for all costs associated with making utility connections.

FINDING: Based on the analysis above, the project meets the criterion.

- (8) **That the proposed utilities do not preclude extension beyond the proposed land division to accommodate future growth.**

ANALYSIS: All existing utilities are sized to be able to accommodate the additional two connections. The utilities will be located in a public right of way. As such, the proposed partition will not limit future development.

FINDING: Based on the analysis above, with the proposed condition of approval, the project meets the criterion.

- (9) **That the land division will not cause adverse impacts to existing or proposed drainageways including flow disruptions, flooding, contamination or erosion and that required drainage facilities are provided that have the capacity to support the proposed development or use.**

ANALYSIS: The City Engineer has indicated that there are no storm water concerns with this property, and that all storm water needs will be addressed using existing public storm water facilities.

FINDING: Based on the analysis above, the project meets the criterion.

- (10) **That the land division will not cause adverse impacts, potential hazards or nuisance characteristics as identified in Section 2.140, Item 21 of the Application Site Plan and complies with the applicable standards of all regulatory agencies having jurisdiction.**

ANALYSIS: The characteristics identified in Section 2.140 include hazards and nuisances produced by the project specifically identifying noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare, and electromagnetic interference. Because this is a residential partition, none of these hazards are anticipated. Isolated incidents involving individual homes may occur in the future, but will be subject to appropriate enforcement of applicable rules and law.

FINDING: Based on the analysis above, the project meets the criterion.

- (11) **That the land division will not cause adverse impacts to special site features**

identified in Section 2.140, Item 15 of the Application Site Plan.

ANALYSIS: The site is generally flat and devoid of any topographic, rock outcropping, or other significant features except some wetlands located on the southern edge of the property. According to the County GIS system, the southern portion of the property features possible wetland and drainage and a drainage. However, the partition will not cause adverse impacts to the wetlands and drainage ways. Future development on the parcels must obtain the proper permits.

FINDING: Based on the analysis above, the project meets the criterion.

IV. STANDARDS

The proposed land division design complies with all the specifications and design requirements of Chapter 4, specifically the RR 10-UC zone, and Chapter 5, Development Standards.

V. CITY OF MILLERSBURG COMPREHENSIVE PLAN

The City of Millersburg Comprehensive Plan implements the 19 State Goals. Based on staff review, the project is consistent with all goals and policies of the Comprehensive Plan. The following are *relevant and pertinent* criteria from the Comprehensive Plan.

Section 9.100 Planning

Overall Policy 2. All development proposals shall be within the safe carrying capacity of the air, water and land resources of the development site, the City of Millersburg, and the Albany-Millersburg Growth Area.

ANALYSIS: The use of the land at the Comprehensive Plan level was designated in part based on the ability of the land to function for that particular use. PA 19-04 is consistent with the Comprehensive Plan/Zoning designation. In addition, the project was transmitted to several State, Regional, County, and City organizations for review, which includes the ability for all departments to communicate on environmental concerns.

FINDING: Based on the analysis above, the project meets the policy.

Section 9.400 Housing

Housing Need Policy 1. The City recognizes the need for an adequate supply of sound, decent and attractive housing which includes a variety of types and designs which are responsive to community needs.

ANALYSIS: The proposed project will provide additional housing for the City.

FINDING: Based on the analysis above, the project meets the policy.

Section 9.500 Land Use

Residential Land Use Policy 2. When urban development occurs, the City shall encourage compact residential development within the existing Residential District to provide more efficient land utilization and to reduce the cost of housing, public facilities and services.

ANALYSIS: In the City of Millersburg, the smallest permitted lot size is 10,000 sq. ft. The proposed project will be converting rural area into urban area, which means that they will be connecting the proposed units to City water and sewer. The project is required to connect both parcels to City water and sewer.

FINDING: Based on the analysis above, the project meets the policy.

Residential Land Use Policy 9. New residential subdivisions shall pay the costs of capital improvements needed to support the development.

ANALYSIS: The project has been conditioned to provide all needed utilities to support the development.

FINDING: Based on the analysis above, with conditions of approval, the project meets the policy.

VI. RECOMMENDATION

Based on the above findings of fact, and the conditions of approval, the proposed project satisfies the applicable criteria and staff recommends the Planning Commission approve Partition Application No. PA 19-04, Lambrecht Partition, pursuant to the conditions of approval listed below.

VII. ALTERNATIVE RECOMMENDATION

Should the Planning Commission elect not to approve the proposed development, they could continue the item for further discussion or deny the application citing the specific criteria not satisfied by the application.

VIII. CONDITIONS OF APPROVAL

General Conditions

1. Development and construction on the site shall conform substantially to the tentative partition development plans submitted by the applicant and included in this staff report, except as modified in the conditions below, and shall conform specifically to final construction plans reviewed and approved by the City Engineer and the Building Official (Linn County). All plans shall comply with the applicable building, planning, engineering, and fire protection codes of the City of Millersburg.

2. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
3. 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.
4. The applicant shall comply with all requirements shown in the Albany Fire letter (Exhibit F) dated March 7, 2019.
5. Current or future property owner may be assessed street improvement fees for frontage along NE Millersburg Drive, NE Lauren Ave, or NE Mary Kay Ave if/when those streets are improved.

Prior to Approval of the Final Plat

6. The Final Plat shall be submitted for review by City staff prior to recording said plat with the County. The plat shall be drawn by a licensed land surveyor.
7. Proposed Parcel 1 must connect to city water and sewer prior to approval of the final plat. Parcels 2 and 3 must connect to city water and sewer prior to issuance of building permits. City water and sewer are available in Mary Kay Avenue and Lauren Avenue. Applicant shall be responsible for all costs associated with making utility connections.
8. A sewer main extension in Mary Kay is required for sewer connection of Parcels 1 and 2. Extension of the public sewer main requires a Private Construction of Public Infrastructure (PCPI) permit, shall be designed by a registered engineer in the state of Oregon, and shall be performed by a licensed contractor conforming to the Albany Standard Construction Specifications. Applicant shall be responsible for all costs associated with the design and installation of the public sewer main.
9. LUDC Section 5.126(7) states, "Stormwater runoff rates for new developments shall not exceed bare land runoff rates" and 5.126(7)(g) states, "Runoff from impervious surfaces must be collected and transported to a natural or public drainage facility with sufficient capacity to accept the discharge."

The developer is required to provide a site-specific drainage plan, including means to detain peak flows so that runoff rates for the new development do not exceed bare land runoff rates, along with supporting calculations to collect, route, and discharge storm water to an approved discharge point. The drainage plan must be approved by the City Engineer prior to recording the final plat. The drainage plans shall conform to the Albany Engineering Design Standards, to the satisfaction of the City Engineer.

10. Water and sewer connection permits are required for connections to public water and sewer. System Development Charges (SDCs) are due at the time of connection.

11. All roof drains and yard drainage must be piped or trenched to an approved discharge point. Improved lots may not drain onto neighboring properties. Applicant must provide proposed drainage plan for approval.
12. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the new created lot as measured by an approved route of travel around the exterior of the structure with dead-end lengths not exceeding 150 feet long unless an approved turnaround is provided. (OFC 503.1.1, OFC 503.2.5 and OFC, Appendix D 103.4)

If several lots share an emergency vehicle access, before the City will approve issuance of a building permit for this parcel, the applicant must provide the Building Official with evidence that the following will occur before construction materials are brought on to the site (OFC 503):

- An Emergency Vehicle Access Easement recorded on the affected parcels identifying that said easement shall be maintained by the owners and for purposes of ingress and egress to provide, without limitation, fire protection, ambulances and rescue services, and other lawful governmental or private emergency services to the premises, owners, occupants, and invitees thereof, and said easement shall made part of any submittal.
- A "no-parking" restriction must be placed over the private access road and any additional areas on the property the Fire Marshal determines must be restricted for fire apparatus access.

13. Dead-end fire apparatus roads in excess 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4).

The proposal does not indicate a fire department turnaround. Future plans shall show an approved turnaround.

14. The fire apparatus roadways for this project accessing the site from the public way and serving two or more residential structures are required to be provided and maintained with a minimum 20 feet wide improved surface. (OFC 503.2.1) The width of the improved surface may be reduced to 16 feet for those portions serving only two residential structures.
15. Turning radii for all fire apparatus access roads shall be provided and maintained at no less than 30 feet inner and 50 feet outer (OFC 503.2.4 & Appendix D 103.3).
16. The road surface for all private fire apparatus access roads shall be all weather and capable of supporting an imposed load from fire apparatus of at least 75,000 pounds as verified by a qualified State of Oregon licensed design professional. (OFC 503.2.3 & Appendix D, 102.1). The Designer of Record shall provide written certification to the Albany Fire Department upon completion of all private access road construction.

17. The Albany Fire Department does not accept the use of Grasscrete, Geoblock, or other engineered surface pavers that allow for grass to grow up through the pavers to meet the requirement as an all-weather surface.
18. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area will be required to be served by a public water system. The Fire Flow required shall be as specified in Appendix B of the Fire Code (OFC 507.3).

The location and spacing requirements for fire hydrants are based on four project-specific criteria:

- a. The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
- b. The calculated "fire flow" of the proposed building(s).
- c. The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the properties.
- d. The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.

The requirements for fire hydrants for this proposed project will be based on the following requirements:

- a. Fire hydrant location: All portions of buildings constructed shall be located within 400 feet (600 feet for residential and fire sprinkler protected buildings) of a fire hydrant located on a fire apparatus access road using an approved route of travel (OFC 508.5.1)
- b. Required fire hydrant spacing will be based upon your required Fire Flows as determined by OFC Appendix C105.1 and Table C105.1. Please note that dead end roads require a reduced spacing.
- c. Existing fire hydrant spacing. In addition, OFC Section C105.10, requires the placement of additional hydrants along all of your required fire access roads that are adjacent to any proposed building (and any future additions) and circulating through your private property with spacing requirements per Appendix C 105.1. (See 2012 ICC Commentary, Appendix C-1, Section C103.1).

19. Inadequate fire approach & access to water supply:

If the Fire Official determines that there is an inadequate fire apparatus access condition or an inadequate fire water supply for one or more parcels of the proposed division, in lieu of providing adequate fire apparatus access or supply and acting in conformance to the standards set forth in OAR 918-480-0125, the Uniform Alternate Construction Standard for One and Two Family Dwellings, the Building Official will select one or more of the following standard(s) to address the inadequacies pertaining to structures built on the affected parcels. The first choice is to have the buildings on the lots affected protected by a NFPA 13D fire suppression system.

- a. Installation of an NFPA Standard 13D fire suppression system;

- b. Installation of a partial NFPA Standard 13D fire suppression system;
 - c. Installation of additional layers of 5/8 inch, Type-X gypsum wallboard;
 - d. Installation of fire-resistive compartmentalization of dwellings to limit the spread of fire by use of fire-resistant building elements, components, or assemblies. Fire resistance ratings shall be determined in accordance with the Oregon Structural Specialty Code;
 - e. Installation of fire-resistive exterior wall covering and roofing components; or
 - f. Provide fire separation containment in accordance with the default standards as set forth in the Wildland-Urban Interface rules adopted by the Oregon Department of Forestry (See OAR 629-044-1060).
-

IX. NOTICES TO THE APPLICANT

The applicant should also be aware of the following standards and processes that are required for development. These are not part of the decision on this land use case and are provided as a courtesy to the applicant. Please contact City Hall with any questions.

1. A right-of-way permit is required for any work in the public right-of-way, including utility connections, sidewalks, and driveways. All pavement patching work shall conform to the City of Millersburg Trench Backfill and Pavement Patching Standards. All work within the public right-of-way shall be performed by a licensed contractor and conform to the Albany Standard Construction Specifications, except as modified by the City of Millersburg Pavement Patching Standards.
2. Driveways shall conform to Section 5.120 of the Millersburg Development Code, with individual driveway slopes not exceeding a grade of 14%.
3. A demolition permit shall be obtained from the City prior to demolishing or moving any structures.
4. Decks, fences, sheds, building additions, and other site improvements shall not be located within any easement unless otherwise authorized in writing by the City Engineer.
5. The Final Plat shall include any required access or utility easements.
6. All agreements required as conditions of this approval must be signed and recorded.
7. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies, even if not specifically required by this decision.
8. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.

9. **This approval is valid for a period of two (2) years from the date of the decision notice.**
Extensions may be granted by the City as afforded by the Millersburg Development Code.
10. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
11. If required, any existing wells, septic systems, and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by Linn County, and provide verification of such to the City Engineer.
12. The submittal by the applicant for final plat review and approval shall include but not be limited to the following: a final plat application; final plat review fee; narrative identifying how the required conditions of approval have or will be met; three copies of the Final Plat; and any other materials required to demonstrate compliance with the conditions of approval.
13. The Final Plat shall show the City Manager as the City's approving authority within the signature block of the Final Plat and all private access easements, utility easements, and/or special use easements as required for the development of the site. A plat note shall reference an easement and maintenance agreement or similar document, to be recorded with the plat, for the joint maintenance of any common private utility lines, common driveway improvements, or other common amenity or perimeter fencing. The language of such plat note and associated document shall be reviewed and approved by the City Planner.
14. Prior to issuance of building permits, an electronic version of the Final Plat must be submitted to the City Planner.
15. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
16. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
17. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. All construction equipment and materials shall not be stored in public right-of-way. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.

18. If required, any existing wells, septic systems, and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by Linn County, and provide verification of such to the City Engineer.
19. Wetlands and FEMA floodplain may be present on the site. Work within wetlands and floodplain is subject to the requirements of the Authority Having Jurisdiction (AHJ).

X. EXHIBITS

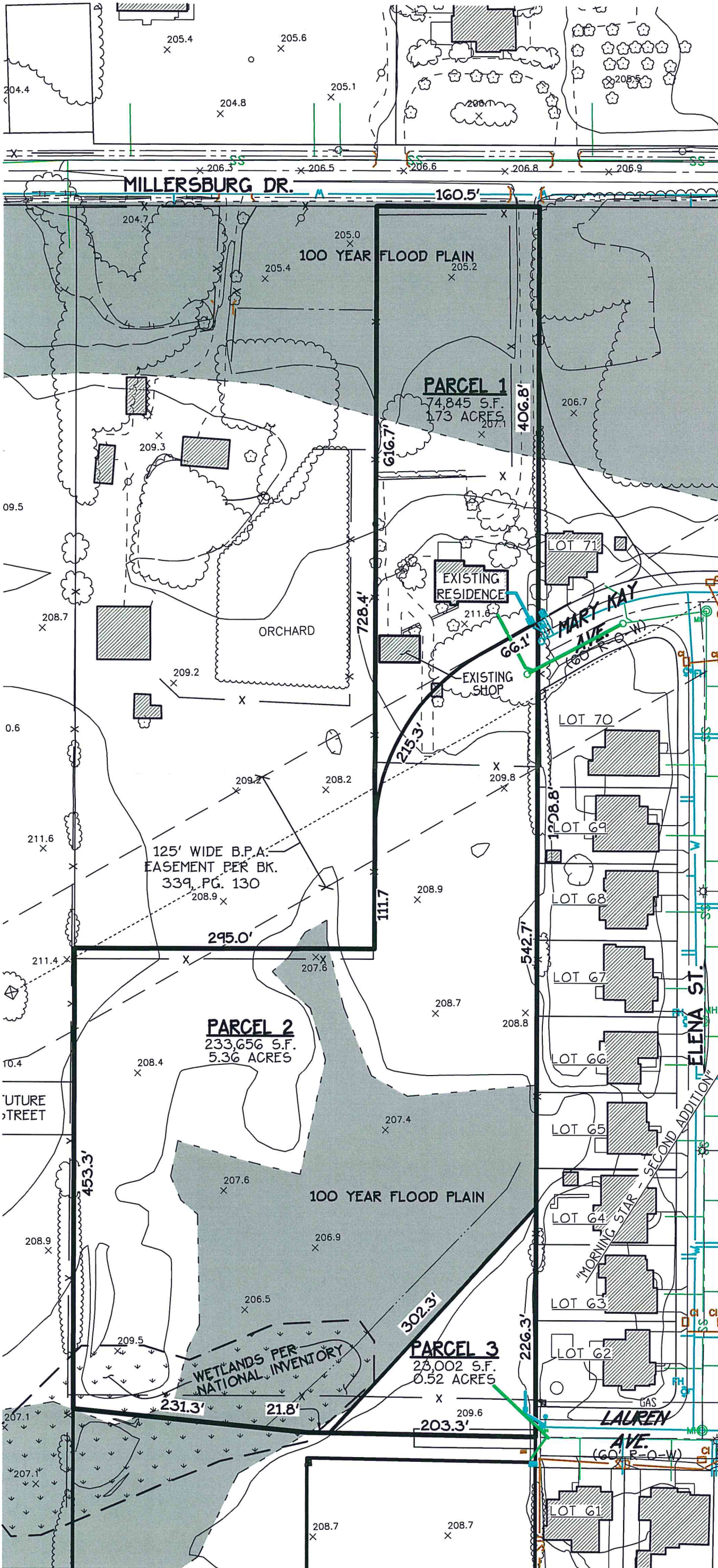
- A. Zoning Map
- B. Vicinity Map
- C. Applicant's Site Plan/Map
- D. Applicant's Narrative
- E. City Engineering comments dated 4/3/19
- F. Albany Fire Department comments dated 3/7/19
- G. City of Albany Planning email dated 3/6/19
- H. Mr. and Mrs. Wrightman dated March 25, 2019
- I. Notice of Public Hearing

PA19-04 Zoning Map



This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain usability of the information.

TENTATIVE PARTITION PLAT
 FOR
LISA M. LAMBRECHT
 LOCATED IN
 SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
 CITY OF MILLERSBURG, LINN COUNTY, OREGON
 FEBRUARY 11, 2019



OWNER/APPLICANT:

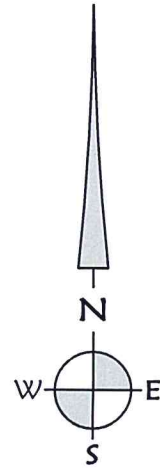
LISA M. LAMBRECHT
 3268 NE MILLERSBURG DR
 ALBANY, OR 97321

SURVEYOR:

K+D ENGINEERING
 276 NW HICKORY ST.
 ALBANY, OR 97321

TAX LOT:

TAX LOT 1203
 MAP 105-03W-16



0 100 200 FT.

SCALE: 1" = 100'

LEGEND:

- 208.9 X EXISTING GROUND ELEVATION
- WETLANDS PER NATIONAL INVENTORY
- EXISTING FLOOD PLAIN BOUNDARY

Date: 2/11/2019 Time: 11:05
 Scale: 1"=100'
 File: dwg\2013\13-71-a\13-71-a_tpp.dwg (George)



K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 725
 Albany, Oregon 97321
 (541) 928-2583

OWNER/APPLICANT:

LISA M. LAMBRECHT
3268 NE MILLERSBURG DR
ALBANY, OR 97321

TAX LOT:

TAX LOT 1203
MAP 105-03W-16

PROPOSED UTILITIES, PARCEL 1

FOR
LISA M. LAMBRECHT

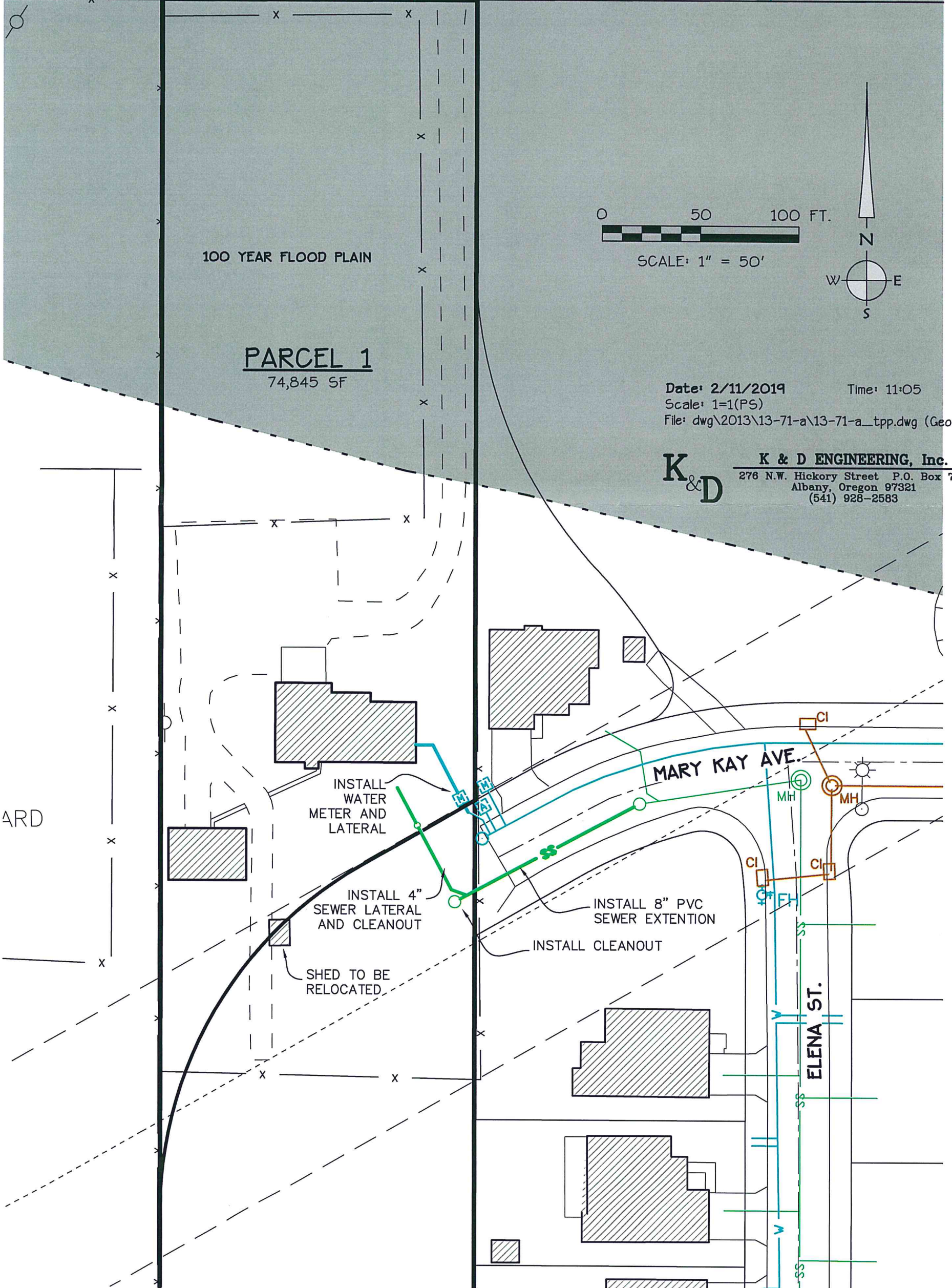
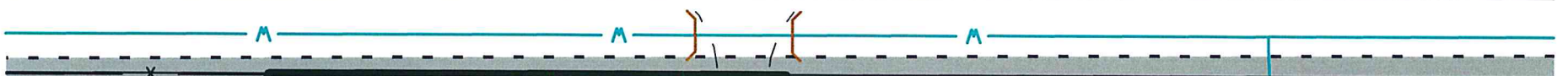
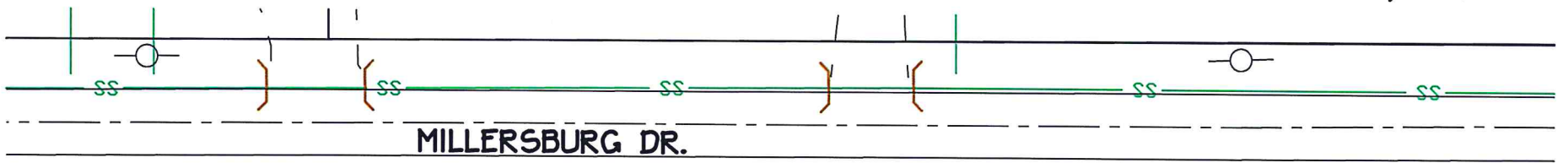
LOCATED IN

SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

FEBRUARY 11, 2019

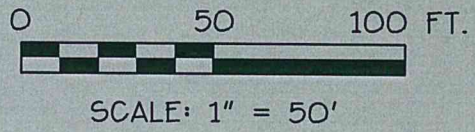
LEGEND:

 EXISTING FLOOD PLAIN
BOUNDARY

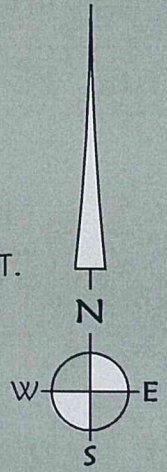


100 YEAR FLOOD PLAIN

PARCEL 1
74,845 SF



SCALE: 1" = 50'



Date: 2/11/2019 Time: 11:05
Scale: 1=1(P5)
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K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

ARD

OWNER/APPLICANT:
 LISA M. LAMBRECHT
 3268 NE MILLERSBURG DR
 ALBANY, OR 97321

TAX LOT:
 TAX LOT 1203
 MAP 105-03W-16

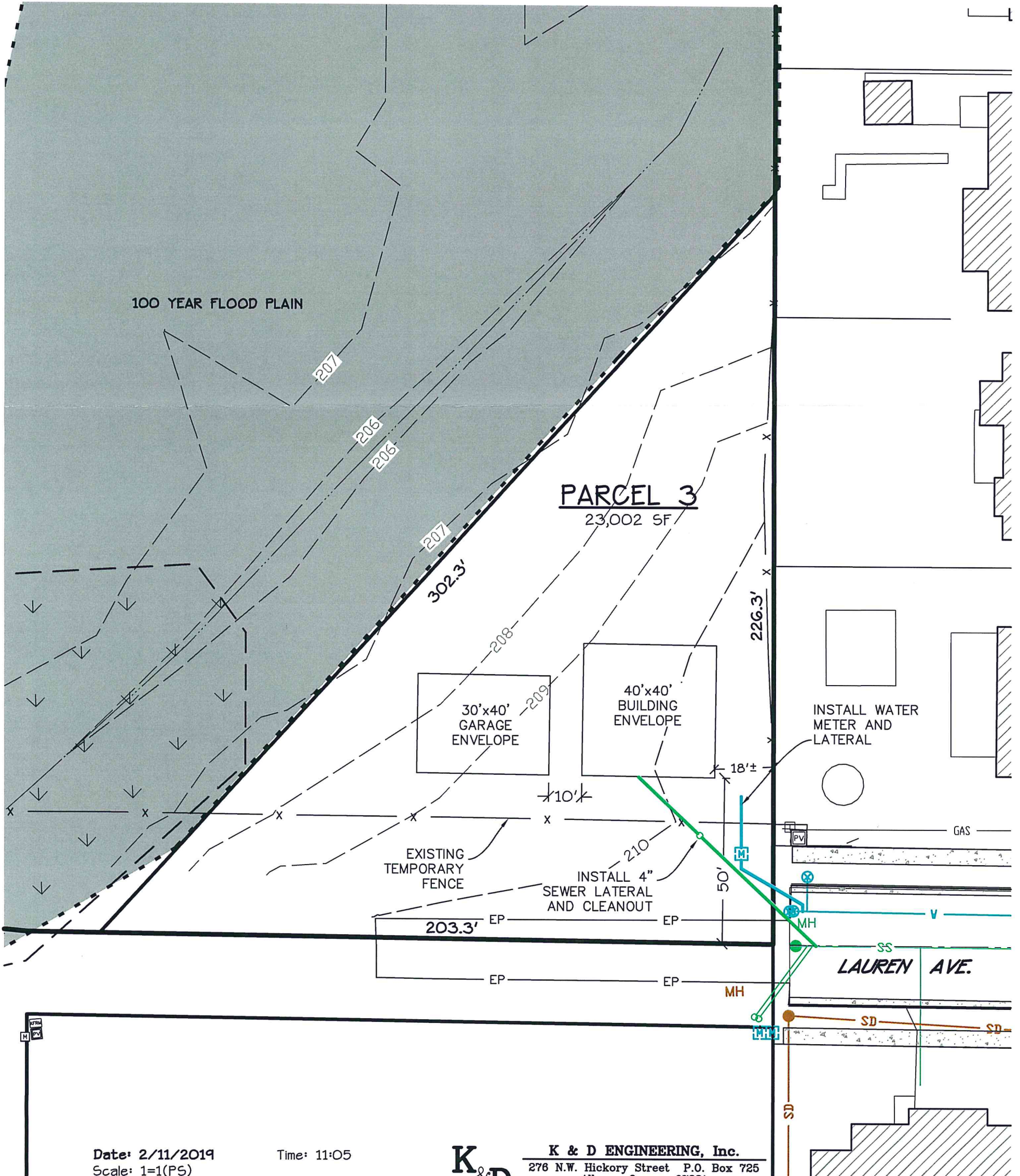
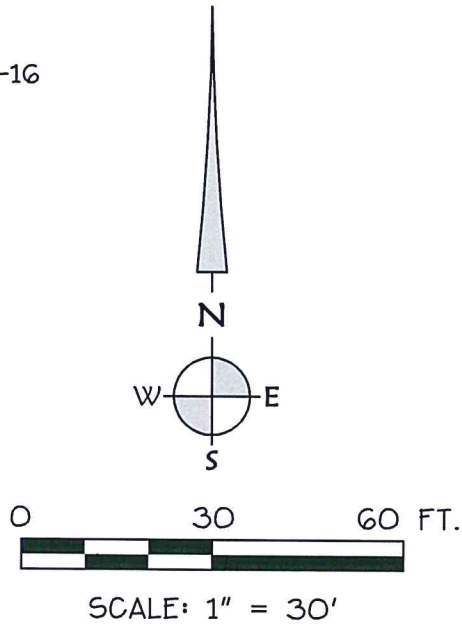
PROPOSED UTILITIES, PARCEL 3

FOR
LISA M. LAMBRECHT
 LOCATED IN
 SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
 CITY OF MILLERSBURG, LINN COUNTY, OREGON
 FEBRUARY 11, 2019

SURVEYOR:
 K+D ENGINEERING
 276 NW HICKORY ST.
 ALBANY, OR 97321

LEGEND:

-  WETLANDS PER NATIONAL INVENTORY
-  EXISTING FLOOD PLAIN BOUNDARY



Date: 2/11/2019 Time: 11:05
 Scale: 1=1(PS)
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K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 725
 Albany, Oregon 97321
 (541) 928-2583

Written Statement
Lambrecht Partition
3268 NE Millersburg Drive
Tax Lot 1203 of Assessor Map "T. 10 S., R. 3 W., Sec 16"

Project Narrative:

The Applicant proposes a partition to divide an existing 7.61 acre property into three parcels. The subject property has an existing residence and out buildings. The existing residence has a private well and septic system. Proposed Parcel 1 contains the existing residence and is large enough to be further divided in the future. Proposed Parcel 2 is being created so that it can be further divided and developed at a future date. Proposed Parcel 3 is being created for a single family residence, the topography and natural features (flood plain and wetlands) limit this Parcel from being divided in future.

Millersburg Development Code Section 2.326:

- 1) The proposed partition will have a total of three parcels. Parcel 1 will contain the existing single family residence (which could be further divided), Parcel 2 will be created for future development of single family residences and Parcel 3 will be created for a new single family residence. The existing residence is provided water by a private well. Water main lines are located in Millersburg Drive, at the end of Mary Kay and at the end of Lauren Ave. The future residence on proposed Parcel 3 will be connected to City water at the end of Lauren Ave., as shown on the tentative plat, as part of the building permit process. Because of costs to hook up the existing house to City water the Applicant would like to explore if there are any options available to keep the existing house on the well, if at all possible, and not have to connect to City water, but if required to hook up to city services, the Applicant will connect to the existing main line at the end of Mary Kay.

- 2) The proposed partition will have a total of three parcels. Parcel 1 will contain the existing single family residence (which could be further divided), Parcel 2 will be created for future development of single family residences and Parcel 3 will be created for a new single family residence. The existing residence is on a private septic system. Sewer main lines are located in Millersburg Drive, at the end of end of Lauren Ave. and about 100 feet easterly of the end of Mary Kay. The future residence on proposed Parcel 3 will be connected to City sewer at the end of Lauren Ave., as shown on the tentative plat, during the building permit process. The existing residence on proposed Parcel 1 is on a private septic system. The costs of extending the main line 100 feet down Mary Kay and then to hook up the existing house to City sewer will be a major hardship for the Applicant. The Applicant also believes that extending the sewer to the end of the street should have been the responsibility of the previous development and objects to being financially responsible and required to extend a sewer main line that should have been a requirement of the neighboring development. The Applicant proposes that

the City extend the sewer main to the end of Mary Kay as should have been required by the neighboring development and at which time the Applicant will connect to the sewer main with a private service. Option 2 would be to allow the existing residence to remain on the existing septic system until Mary Kay is extended by a future development at which time the existing house will be connected to the City sewer. If options 1 and 2 are not approvable by the City, the Applicant will try to find the resources to connect to the sewer at Millersburg Drive or extend the sewer main in Mary Kay and connect with a new lateral.

- 3) The Applicant will not have CC&Rs for the proposed partition
- 4) The Applicant does not propose any public dedications for streets, pedestrian or bike ways, parks or open space.
- 5) There are no public improvements for the proposed partition.
- 6) The Applicant is the fee owner of the subject property and will sign the declaration on the final plat.
- 7) Proposed Parcels 1 and 2 can be further divided but the Applicant does not have a current final plan for additional partitions or division of the subject property.

Millersburg Development Code Section 2.328 (decision criteria):

- 1) The Applicant proposes to partition a 7.61 acre residential property into 3 Parcels. The subject property has an existing residence and out buildings. The property is zoned RR-10-UC. Proposed Parcel 1 will be residential with the ability to be further divided. Proposed Parcel 2 will be vacant with the ability to be further divided. Proposed Parcel 3 will be a single family residential property. The Applicant is not aware of any conflicts with the City Comp Plan of Statewide Goals.
- 2) The Subject property is in a RR-10-UC zone. The new parcels created by the proposed partition are for existing and future residential use. Proposed Parcel 1 is 1.73 acres. Proposed Parcel 2 is 5.18 acres and proposed Parcel 3 is 0.73 acres all of which exceed the minimum lot size of 10,000 SF
- 3) The final partition plat will comply with all requirements per ORS Chapter 92, Linn County Surveyor requirements and City of Millersburg requirements.

- 4) Proposed Parcels 1 and 2 could be further divided and proposed Parcel 3 will be a single family residential property. The Applicant does not have a current final plan for future partitions or divisions of the subject property. Further development of the proposed parcels will be addressed with future applications, at this time there is no remainder property.
- 5) Property to the east is a fully developed residential subdivision (MORNING STAR), this proposal does not adversely affect the development of the property to the east. Properties to the South are residential properties created by a 2014 partition that have direct access to Lauren Ave, this proposal does not adversely affect the development of the properties to the south. Property to the west is an approved subdivision that is currently under construction, this proposal does not adversely affect the development of the property to the west. Properties to the north access Millersburg Drive by private driveways, this proposal does not adversely affect further develop the properties to the north.
- 6) The Applicant plans to use the existing driveway for access for proposed Parcel 1. Mary Kay and the street that is under construction for the new subdivision to the west will provide access for proposed Parcel 2 when it is further developed. A private driveway off the end of Lauren Av. will provide access for proposed Parcel 3. No street improvements are proposed with this application.
- 7) The existing residence is on a private well and septic system. Water and Sewer mains are located in Millersburg Drive, Mary Kay and Lauren Av. The applicant proposes to serve the new Parcel 3 with sewer and water by connecting to the main lines located in Lauren Av., as shown on the tentative plat. Proposed Parcel 2 will remain undeveloped at this time, but when it is further developed it will connect to main lines at Mary Kay and the new road that is under construction at the west property line. Because of costs to hook up the existing house to City sewer and water the Applicant would like to explore if there are any options available to keep the existing house located on proposed Parcel 1 on the well and septic, if at all possible, and not have to connect to City services, but if required to hook up to city services, the Applicant will connect to the existing main lines at Millersburg Drive or Mary Kay.
- 8) The proposed utilities are private service laterals, the Applicant does not propose any public utilities unless it is required to extend the sewer main in Mary Kay to the Applicants property. That extension of approximately 100 feet would be a public line.
- 9) The subject property is already developed with an existing residence, driveway and out buildings. The proposed partition will give the Applicant the ability to construct a new single family residence and improvements associated with that residence (proposed Parcel 3). The Applicant does not propose any changes to the natural drainage and will take necessary erosion control measures for any future construction.

- 10) The proposed partition will divide an existing residential property into three parcels. Proposed Parcel 1 will contain an existing residence and can be further divided in the future. Proposed Parcel 2 will be a vacant property to be further divided in the future. Proposed Parcel 3 will be a new single family residence. The Applicant is not aware of any special emissions, potential hazards or nuisances that need to be addressed for development of single family residences.
- 11) The subject property contains Special Flood Hazard Areas and wetland areas per the FEMA FIRM maps and the National Wetland inventory as shown on the tentative plat. Proposed Parcel 1 contains an existing residence and there is no further development for the proposed parcel at this time. Proposed Parcel 2 will be developed in the future and impacts to special features will be addressed at that time. Proposed Parcel 3 will be developed to avoid impacting the wetland area and the elevations of new structures will be above the 100 year base flood elevation.
- 12) The construction area for the new residence (proposed Parcel 3) gently slopes northwesterly towards an existing drainage way and will only require minimal grading for construction of the new residence. No new construction Parcels 1 and 3 is proposed at this time.
- 13) No trees will be impacted by the proposed development.
- 14) The Applicant plans to avoid any construction activities in the wetland areas.

TO: Matt Straite, City Planner
FROM: Janelle Booth, Millersburg City Engineer
DATE: April 3, 2019
SUBJECT: PA 19-04 - Engineering Comments

Engineering has reviewed the above project and has the following comments:

1. Proposed Parcel 1 must connect to city water and sewer prior to approval of the final plat. Parcels 2 and 3 must connect to city water and sewer prior to issuance of building permits. City water and sewer are available in Mary Kay Avenue and Lauren Avenue. Applicant shall be responsible for all costs associated with making utility connections.
2. A sewer main extension in Mary Kay is required for sewer connection of Parcels 1 and 2. Extension of the public sewer main requires a Private Construction of Public Infrastructure (PCPI) permit, shall be designed by a registered engineer in the state of Oregon, and shall be performed by a licensed contractor conforming to the Albany Standard Construction Specifications. Applicant shall be responsible for all costs associated with the design and installation of the public sewer main.
3. Water and sewer connection permits are required for connections to public water and sewer. System Development Charges (SDCs) are due at the time of connection.
4. A right-of-way permit is required for any work in the public right-of-way, including utility connections, sidewalks, and driveways. All pavement patching work shall conform to the City of Millersburg Trench Backfill and Pavement Patching Standards. All work within the public right-of-way shall be performed by a licensed contractor and conform to the Albany Standard Construction Specifications, except as modified by the City of Millersburg Pavement Patching Standards.
5. Driveways shall conform to Section 5.120 of the Millersburg Land Use Development Code.
6. If required, any existing wells, septic systems and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by the Linn County and provide verification of such to the City Engineer.

7. All roof drains and yard drainage must be piped or trenched to an approved discharge point. Improved lots may not drain onto neighboring properties. Applicant must provide proposed drainage plan for approval.
8. LUDC Section 5.126(7) states, "Stormwater runoff rates for new developments shall not exceed bare land runoff rates" and 5.126(7)(g) states, "Runoff from impervious surfaces must be collected and transported to a natural or public drainage facility with sufficient capacity to accept the discharge."

The Developer is required to provide a site-specific drainage plan, including means to detain peak flows so that runoff rates for the new development do not exceed bare land runoff rates, along with supporting calculations to collect, route, and discharge stormwater to an approved discharge point. The drainage plan must be approved by the City Engineer prior to recording the final plat. The drainage plans shall conform to the Albany Engineering design standards, to the satisfaction of the City Engineer.

9. The Final Plat shall include any required access or utility easements.
10. All agreements required as conditions of this approval must be signed and recorded.
11. Wetlands may be present on the site. Work within wetlands is subject to the requirements of the Authority Having Jurisdiction (AHJ).
12. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies, even if not specifically required by this decision.



TO: Matt Straite, City Planner
FROM: Lora Ratcliff, Senior Deputy Fire Marshal
DATE: March 7, 2019
SUBJECT: 3268 Millersburg Dr NE – Residential Land Partition - Fire Department Comments

The fire department has reviewed the above project for conformance to the 2014 Oregon Fire Code (OFC) per your request and has the following comments:

****These comments apply to future development & additions only****

1. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the new created lot as measured by an approved route of travel around the exterior of the structure with dead-end lengths not exceeding 150 feet long unless an approved turnaround is provided. (OFC 503.1.1, OFC 503.2.5 and OFC, Appendix D 103.4).

If several lots share an Emergency Vehicle Access, before the City will approve issuance of a building permit for this parcel, the applicant must provide the Building Official with evidence that the following will occur before construction materials are brought on to the site (OFC 503):

An Emergency Vehicle Access Easement recorded on the affected parcels identifying that said easement shall be maintained by the owners and for purposes of ingress and egress to provide, without limitation, fire protection, ambulances and rescue services and other lawful governmental or private emergency services to the premises, owners, occupants and invitees thereof and said easement shall made part of any submittal.

A “no-parking” restriction must be placed over the private access road and any additional areas on the property the Fire Marshal determines must be restricted for fire apparatus access.

2. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4).

The proposal does not indicate a fire department turnaround. Future plans shall show an approved turnaround if required.

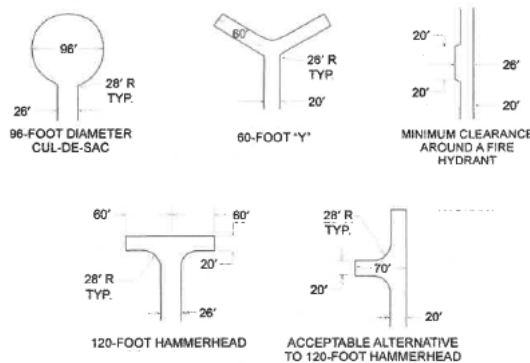


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

Page 2
April 9, 2019

3. The fire apparatus roadways for this project accessing the site from the public way and serving two or more residential structures are required to be provided and maintained with a minimum 20 feet wide improved surface. (OFC 503.2.1) The width of the improved surface may be reduced to 16 feet for those portions serving only two residential structure.
4. Turning radii for all fire apparatus access roads shall be provided and maintained at no less than 30 feet inner and 50 feet outer (OFC 503.2.4 & Appendix D 103.3)
5. The road surface for all private fire apparatus access roads shall be all weather and capable of supporting an imposed load from fire apparatus of at least 75,000 pounds as verified by a qualified State of Oregon licensed design professional. (OFC 503.2.3 & Appendix D, 102.1). The Designer of Record shall provide written certification to the Fire Department upon completion of all private access road construction.

The Albany Fire Department does not accept the use of Grasscrete, Geoblock or other engineered surface pavers that allow for grass to grow up through the pavers to meet the requirement as an all-weather surface.

6. This proposed project is located within a “Protected Area” as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area will be required to be served by a public water system. The Fire Flow required for shall be as specified in Appendix B of the fire code. (OFC 507.3)

The location and spacing requirements for fire hydrants are based on four project-specific criteria:

- The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
- The calculated “fire flow” of the proposed building(s)
- The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the properties.
- The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.

The requirements for fire hydrants for this proposed project will be based on the following requirements:

- a. Fire hydrant location: All portions of buildings constructed shall be located within 400 feet (**600 feet for residential** and fire sprinkler-protected buildings) of a fire hydrant located on a fire apparatus access road using an approved route of travel. (OFC 508.5.1)
- b. Required fire hydrant spacing will be based upon your required fire flows as determined by OFC Appendix C105.1 and Table C105.1. Please note that dead end roads require a reduced spacing.
- c. Existing fire hydrant spacing. In addition, OFC Section C105.10; requires the placement of additional hydrants along all of your required fire access roads that are adjacent to any proposed building (and any future additions) and circulating through your private property with spacing requirements per Appendix C 105.1. (See *2012 ICC Commentary*, Appendix C-1, Section C103.1).

7. INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY

If the Fire Official determines that there is an inadequate fire apparatus access condition or an inadequate fire water supply for one or more parcels of the proposed division, in Lieu of providing adequate fire apparatus access or supply and acting in conformance to the standards set forth in **OAR 918-480-0125**, the Uniform Alternate Construction Standard for One and Two Family Dwellings, the Building Official, will select one or more of the following standard(s) to address the inadequacies pertaining to structures built on the affected parcels. The first choice is to have the buildings on the lots affected, protected by a NFPA 13D fire suppression system.

- a. Installation of an NFPA Standard 13D fire suppression system;
- b. Installation of a partial NFPA Standard 13D fire suppression system;
- c. Installation of additional layers of 5/8 inch, Type-X gypsum wallboard;
- d. Installation of fire-resistive compartmentalization of dwellings to limit the spread of fire by use of fire-resistant building elements, components or assemblies. Fire resistance ratings shall be determined in accordance with the Oregon Structural Specialty Code;
- e. Installation of fire-resistive exterior wall covering and roofing components; or
- f. Provide fire separation containment in accordance with the default standards as set forth in the Wildland-Urban Interface rules adopted by the Oregon Department of Forestry (See OAR 629-044-1060).

Lora Ratcliff
541-917-7728
Lora.ratcliff@cityofalbany.net

LAR/lar

PA 19-04

X DELETE ← REPLY ⇐ REPLY ALL → FORWARD ⋮



Martineau, David <David.Martineau@cityofalbany.net>

Mark as unread

Wed 3/6/2019 8:14 AM

To: Matt Straite;

[Bing Maps](#)

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Matt,

The City of Albany Planning Division has no comments regarding this proposal. Thanks for the opportunity to review and comment.

David



David Martineau

Planning Manager
541-917-7561 phone | 541-917-7598 fax

Community Development

City of Albany, Oregon
333 Broadalbin St SW, Albany, Oregon 97321

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NOTICE OF PUBLIC HEARING
April 16, 2019, 6:00 p.m.
City Council Chambers
4222 Old Salem Road NE,
Millersburg, Oregon, 97321

The **MILLERSBURG PLANNING COMMISSION** will hold a public hearing at the above time and place to consider the request described below. The request may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comment or may appear and testify at the hearing. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specific information to allow the Commission an opportunity to respond to the issue will preclude your ability to appeal the decision to the Land Use Board of Appeals based on that issue.

The application, all documents and evidence submitted by or on behalf of the applicant and the applicable criteria are available for inspection at no cost or copies are available for a minimal cost. A staff report relating to the proposal will be available seven days prior to the public hearing. For further information, contact Millersburg City Hall at (541) 928-4523.

APPLICANTS: Lisa Lambrecht
LOCATION: 3268 Millersburg Dr. (see map opposite page)
TAX LOT: Township 10 South; Range 3 West; Section 16; Tax Lot 1203
PARCEL SIZE: 7.61 Acres
ZONING: Rural Residential 10 Acre Minimum- Urban Conversion
REQUEST: The application proposes to divide 7.61 acres into 3 Parcels.
CRITERIA: Millersburg Development Code; Article 2 § 2.328
FILE No.: PA 19-04

The location of the hearing is accessible to people with disabilities. If you need any special accommodations to attend or participate in the hearing, please notify City Hall twenty-four hours before the meeting. For further information, please contact City Hall at (541) 928-4523.



Proposal: 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.

I. BACKGROUND

- A. Applicant: Linn Economic Group
- B. Location: 3160, 3251, and 3435 NE Old Salem Road.
- C. Review Type: The proposed Site Development Review requires a hearing before the Planning Commission. The Planning Commission is scheduled to hold a hearing on the application on February 19, 2019. The Planning Commission decision can be appealed to the City Council. Any appeal of the City Council's decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).
- D. Public Notice and Hearing: Notice was mailed to all property owners within 100 feet of the proposed location, posted in City Hall on January 4, 2019, and posted on the City's website here - <http://cityofmillersburg.org/planning-commission/>

- E. Review Criteria: Article 2 §2.400(2) Site Plan Review Criteria
- F. Current Zoning: General Industrial (GI)
- G. Proposed Zoning: N/A
- H. Property Size: The project will utilize a portion of the existing property. Identified as Phase 1, the proposed use will use 56.36 acres of the 131.91 acre property.
- I. Background: The following was provided by the applicant in their narrative:

The 2017 Oregon Legislature authorized funding for a truck-to-rail transloading facility in the mid-Willamette Valley through the ODOT Connect Oregon program. The Albany-Millersburg Economic Development Corporation (AMEDC) identified the former Albany Paper Mill properties as a viable candidate to site the facility, given the access to two rail lines, interstate highway, and proximity to shippers. AMEDC formed the Linn Economic Development Group (LEDG) to manage the effort.

This application focuses on the former Albany Paper Mill site on the east side of Old Salem Road. See Exhibit B. Western Kraft opened the Albany Paper Mill in 1955 to produce kraft paper from leftover wood fibers and wood chips from sawmills. It would eventually expand to occupy approximately 75 acres of the 131.91-acre property. Albany Paper Mill was sold to Willamette Industries in 1967, to Weyerhaeuser in 2002, and to International Paper (IP) in 2008. It closed in late 2009. Demolition of the former paper mill and related buildings took place over a four-year period from 2011 to 2015. Two buildings remain.

The property is situated in the City of Millersburg. The Millersburg Land Use Development Code regulates the use of land within the city limits. The subject property is designated as General Industrial on the Millersburg Zoning Map. See Exhibit D. The proposed Intermodal Transfer Center is a permitted use, subject to Site Plan Review.¹ The Millersburg Land Use Development Code classifies the decision process for Site Plan Review as a Limited Land Use Decision.² The authority to render a decision on Site Plan Review is vested in the Planning Commission.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The applicant's materials were transmitted to the following agencies/departments on January 2, 2019: City of Albany, Albany Fire Department, Linn County Sheriff's Office, City of Millersburg Engineer, Oregon Department of State Lands (DSL), PacificCorp, Linn County Planning and Building Department, Linn County GIS, Northwest Natural Gas, United States Postal Service, and Republic Services. To date, the following comments have been received:

- Department of State Lands email dated January 15, 2019 - Conditions added
- City Engineer memo dated February 5, 2019 - Conditions added
- ODOT email dated January 15, 2019 – No conditions requested
- Albany Fire letter dated January 4, 2019 - Conditions added

Public:

Notice of the February 19, 2019 hearing was mailed to all property owners within 100 feet of the property. To date, no written comments have been received by staff.

III. CRITERION

CITY OF MILLERSBURG DEVELOPMENT CODE

The applicable site plan review criteria are from section 2.400(2). The information below is in addition to a narrative provided by the applicant and included as Exhibit D.

(2) Decision Criteria. After an examination of the Site and prior to approval, the Planning Commission must make the following findings:

(a) That the proposed development or use does not conflict with the City's Comprehensive Plan.

ANALYSIS: Section 9 of the Comprehensive Plan contains a list of Land Use Goals and Policies. Section V of this report goes through the pertinent policies from the Comprehensive Plan. In summary, based on staff's review, the project is consistent with the plan. It should be noted, as discussed in more detail below, the project must implement a required trail along the project's frontage with Old Salem Road. The plans do not show the trail; however, a condition of approval requires that one be added. This is required in order to comply with many goals and policies of the Comprehensive Plan.

FINDING: Based on the analysis above, with conditions of approval noted below, the project meets the required criteria.

PROPOSED CONDITIONS OF APPROVAL:

- Prior to issuance of building permits, the applicant shall submit for review and approval a revised site plan showing the following:
 - A Shared Use Path/Trail shall be added to the site plan, to the satisfaction of the City Planner, that shows a trail spanning the improved property along Old Salem Road, consistent with the Transportation System Plan (TSP).
- Prior to occupancy the applicant shall construct the Shared Use Path/Trail as required by the City's TSP.

(b) That the proposed development or use complies with the standards of the land use zone and does not conflict with city codes and ordinances that are applicable to the application.

ANALYSIS: Based on staff's review of the intermodal center, the project meets all zoning ordinance requirements and development standards from the Millersburg Zoning Code. Ordinance 94 addresses noise and potential noise nuisances in the City. Due to the nature of the proposed use, moving shipping containers from trains to trucks and vice versa, there exists the potential of noise from the project. The site is about 2,220 feet from the nearest residential use on Conser Road, or about 1,400 feet to the nearest residence outside the City on the east side of I-5. The applicant's narrative has indicated that the noise will be addressed with the

planned landscaping. The applicant did not submit a noise study to confirm this. As such, staff is proposing the addition of a condition of approval to have the applicant submit a noise study within 6 months of starting operations showing that noise levels at the nearest residential property within and outside the City meet acceptable noise levels.

FINDING: Based on the analysis above, with the proposed conditions of approval, the project meets the criterion.

PROPOSED CONDITIONS OF APPROVAL: Within 6 months of starting operations at the facility, the applicant shall provide staff with a noise study showing that noise level measurements emitting from the standard operations of the facility, at the nearest residential properties both inside the City and outside the City (across I-5), are acceptable pursuant to Ordinance No. 94.

(c) That the proposed development will not have an adverse impact on traffic flow or to pedestrian, bicycle and vehicular safety, and future street right-of ways are protected.

ANALYSIS: The applicant has provided a traffic study. The traffic analysis provides an evaluation of the impacts that the proposed facility would have on the City transportation system. The study proposes that the project continue to use the three existing access points, along Old Salem Road, which were already constructed for the previous use. This access featured truck stacking space, which will remain. The study uses the maximum amount of container movement that will be permitted with this permit—38,170 containers per year—in order to evaluate the worst-case possible impacts. The analysis also studies future possible improvements to the interchange points along I-5. The study has recommended an alternative access point to the site for staff and non-truck traffic, one that would align with Arnold Road; though it explains that the existing access, while 350 feet south of Arnold Road, will still be safe to use. Additionally, the study suggests alternative striping for the intersection of Old Salem Road and Century Drive. This is outside the City limits. ODOT submitted a letter supporting the alternative intersection design, but wished to retain the flexibility to waive the requirement should they deem the change not necessary. See proposed condition of approval below. Overall, the study indicated that the proposed project would not impact traffic to the point where any significant mitigation (road construction or signalization) is needed.

However, the study did not include any analysis of pedestrian or bike requirements. Though bike lanes already exist on both sides of Old Salem Road, the TSP planned for a multi-use shared trail on the east side of the road as shown on, and required by, figure 9 of the TSP. This figure shows the required path on the east side of Old Salem Road. The project is not showing this required trail on the site plans as required in order to be consistent with the City's adopted Transportation System Plan. Therefore, as shown, the project is not consistent with the City's TSP. In order to assure the project complies with the TSP, conditions of approval have been added to require the inclusion of the trail on the final site plans. Construction of the trail would be required prior to the issuance of occupancy permits.

FINDING: Based on the analysis above, with conditions of approval, the project meets the required criteria.

PROPOSED CONDITIONS OF APPROVAL:

- Prior to occupancy, pursuant to a recommendation from the traffic study and ODOT, the intersection of Old Salem Road and Century Road shall be reconfigured to a traditional intersection geometry and control. The revisions will eliminate northbound left turning trucks from blocking southbound traffic and eastbound left turning trucks from blocking northbound left turning vehicles. The recommended intersection control and configuration is illustrated in the traffic study on Figure 16. ODOT or the City can waive this requirement.
- As recommended by the traffic study, any future project within the undeveloped area near Arnold Lane must relocate the passenger vehicle access currently located to the north of the truck queuing area along Old Salem Road such that the access aligns with Arnold Lane.

(d) That proposed signs or lighting will not, by size, location, color or operation, have an have an adverse impact on traffic, limit visibility or have an have an adverse impact on adjacent properties.

ANALYSIS: The applicant's narrative explains that onsite direction signs are proposed. No other monument signage or otherwise is shown on the plans. Sign permits will be required for any signage not shown on this plan. The project site proposed the addition of lighting in the parking areas and rail yard. None will impact any neighboring property.

FINDING: The project meets the criteria.

(e) That water, wastewater disposal and utilities are available and have the capacity to serve the proposed development or use and can be extended in the future to accommodate future growth beyond the proposed land division.

ANALYSIS: The site previously featured a paper mill. Two buildings remain on site, and both are already connected to all required utilities. All utilities are available on the site.

FINDING: Based on the analysis above, the project meets the required criteria.

(f) That the proposed development or use does not have an adverse impact on existing or proposed drainageways including flow disruptions, flooding, contamination or erosion and required drainage facilities are provided that have the capacity to serve the proposed development or use.

ANALYSIS: The applicants are proposing the addition of two new stormwater basins. Conceptually the locations of these are acceptable. Additional details are needed to assure the basins function properly. A host of conditions of approval have been added to assure that the stormwater basins function properly, including a requirement for a stormwater basin study.

FINDING: Based on the analysis above, with the proposed conditions of approval, the project meets the required criteria.

(g) That the proposed development will not have an adverse impact, potential hazards or nuisance characteristics as identified in Section 2.140, Item 21 of the Application Site

Plan consistent with the standards of the Zoning District and complies with the applicable standards of all regulatory agencies having jurisdiction.

ANALYSIS: Section 2.140 Item 21 explains that the applicant is required to identify any emissions that may result from the application. In this case, the only emissions that are anticipated are the exhaust from the planned 300+ additional truck trips per day as identified in the traffic study. The State of Oregon is responsible for monitoring the emissions for diesel trucks, consistent with requirements from the EPA. All trucks using the facility will be required to comply with EPA standards. Additionally, the area surrounding the site is designated Industrial. The proposed use is consistent with other industrial uses near the site.

FINDING: Based on the analysis above, the project meets the required criteria.

(h) That the proposed development or use does not conflict with the standards of other regulatory agencies having jurisdiction.

ANALYSIS: Staff transmitted the project to several different agencies for review. The City Engineer and Albany Fire requested conditions to be added. Those have been added. The DSL and ODOT request some modifications to conditions. Those edits have been made. No other comments were received indicating any conflicts with standards of other jurisdictions.

FINDING: Based on the analysis above, the project meets the required criteria.

IV. STANDARDS

The proposed design complies with all the specifications and design requirements of Chapter 4, specifically the GI zone setbacks, and Chapter 5, Development Standards. The following analysis summary is provided for items that required additional explanation and/or additional conditions of approval to show clear consistency:

SECTION 5.119 WETLANDS & RIPERIAN AREAS

The City of Millersburg requires all applicants to identify riparian areas, wetlands, and floodplains on the application. All applications are required to comply with State Law and with the standards required by this code.

ANALYSIS: The Linn County GIS system shows that some wetlands could be on the site. Staff transmitted the project to the Department of State Lands (DSL) for review. A reply email is attached to this staff report. DSL indicated that they anticipated a study to be submitted to them for concurrence. The applicant indicated that a study has not been commissioned. Based on the layer data shown on the Linn County GIS system, and the follow up email from DSL, staff has added a condition of approval requiring delineation of the site for possible wetlands, to the satisfaction of the City Engineer. Any study will need to be reviewed for concurrence by the DSL.

FINDING: Based on the analysis above, with conditions of approval, the project meets the standard.

PROPOSED CONDITIONS OF APPROVAL: Prior to the issuance of building or grading permits the applicant shall provide a wetland delineation study and concurrence from the Department of State

Lands, to the satisfaction of the City Engineer. The City Engineer has the ability to waive this requirement.

SECTION 5.122 TRANSPORTATION STANDARDS

(1) General Provisions

(c) Development proposals shall provide their proportional share of the transportation infrastructure necessary to accommodate the proposal, and to ensure the practicality and efficiency of providing adequate services to and through the subject area.

(d) Development proposals shall address the transportation needs of the community by planning for improvements to existing and new transportation facilities to accommodate the vehicle, bicycle, and pedestrian needs of the community, as established by the Millersburg Transportation System Plan.

(e) Development proposals within the City shall comply with the Millersburg Street Plan contained in the Millersburg Comprehensive Plan, including the Millersburg Transportation System Plan.

ANALYSIS: As explained above, the project is not in conformance with the City's Transportation System Plan because it does not show the TSP required shared trail on the east side of Old Salem Road. Staff proposes conditions of approval for the approval and construction of the required trail. With the conditions of approval, the project complies. The trail must be constructed prior to occupancy of the site.

FINDING: Based on the analysis above, with conditions of approval, the project meets the standard.

(4) Existing Street Improvements

(a) Proposed development on property that is served by an existing public street or right of way that does not meet the City's adopted street standards shall improve the existing street or right of way to accommodate the proposal and bring the street into compliance with City Standards.

ANALYSIS: As explained above, the project is not in conformance with the City's Transportation System Plan because it does not show the TSP required shared trail on the east side of Old Salem Road. A TSP includes standards for streets and trails, including all requirements for trails such as the trail required in the TSP for the east side of Old Salem Road. With the conditions of approval, the project complies. The trail must be constructed prior to occupancy of the site.

FINDING: Based on the analysis above, with conditions of approval, the project meets the standard.

(5) Street Design Considerations for Subdivision, Partition, Site Plan Review, Conditional Use or variance approval:

(a) Street Trees shall be provided as specified in Section 5.134

ANALYSIS: See analysis for Section 5.134 below.

FINDING: Based on the analysis below, with conditions of approval, the project meets the standard.

SECTION 5.134 LANDSCAPING

All properties shall be landscaped and maintained according to the standards contained herein.

(2) Tree Plantings. Tree plantings in accordance with the following standards are required:

a. Street Tree Minimum spacing

- 1. Large Canopy Trees- 50 feet**
- 2. Medium Canopy Trees- 30 feet**

b. Parking Lot Minimum Tree spacing

- 1. Medium Canopy Trees- 1 tree per 8 cars**
- 2. Large Canopy Trees- 1 tree per 12 cars**

e. Trees may not be planted under the following conditions unless approved by the City

- 1. Three feet from permanent hard surface paving or walkways unless using special planting techniques and specifications approved by the City**
- 3. Large Canopy Trees- 1 tree per 12 cars**

ANALYSIS: The application did not include a landscape plan. A condition of approval has been added to require a landscape plan that fully conforms with all provisions of Section 5.134.

FINDING: Based on the analysis above, with conditions of approval, the project meets the standard.

PROPOSED CONDITIONS OF APPROVAL:

- Prior to the issuance of any building permits, the applicant shall submit full, detailed landscape plans for staff review. Said landscape plans shall fully conform with all provisions of Section 5.134 including street trees and parking area landscaping.
- All required landscaping shall be installed prior to occupancy.

SECTION 5.135 EXTERIOR LIGHTING

Street lighting shall be provided in all subdivisions and in all commercial and industrial parking lots unless exempted by the Planning Commission as part of the City's review procedures.

(3) On-site lighting is required to protect the safety and welfare of employees, occupants, users, customers, and the general public. Exterior lighting shall be provided in parking lots and may be provided elsewhere.

ANALYSIS: The application materials showed existing lighting to remain in the parking areas. Additionally, the applicant's narrative explained:

Existing exterior lighting would illuminate employee parking lots and transloading facilities. Seven new 5-head LED lights are proposed to be added to the railyard. Additional lights would be introduced if necessary. Lighting is designed to not face directly or reflect glare into on-coming traffic along Old Salem Road or adjacent

residences or residential districts. Lights within the airport overlay will be directed downward as to avoid creating hazards for pilots.

While the new lighting in the loading is shown, the existing lighting in the parking areas do not seem to sufficient to satisfy Section 5.135(3) shown above. The truck parking area is intended to allow overnight truck parking, intended for the drivers to be able to sleep inside the vehicles. As such, lighting is essential to provide safety for occupants. To assure compliance with this standard a condition of approval has been added to require a lighting plan be submitted showing that the entire parking area (truck and passenger) will be fully lighted with down facing, shielded lighting to assure compliance with the airport requirements.

FINDING: Based on the analysis above, with conditions of approval, the project meets the standard.

PROPOSED CONDITIONS OF APPROVAL: Prior to the issuance of building permits, the applicant shall submit full, detailed lighting plans and lighting schedules (cut sheets) for staff review. Said lighting plans shall fully conform with all provisions of Section 5.135.

V. CITY OF MILLERSBURG COMPREHENSIVE PLAN

City of Millersburg Comprehensive Plan

The City of Millersburg Comprehensive Plan implements the 19 State Goals. Based on staff review, the project is consistent with all goals and policies of the Comprehensive Plan. The applicant's narrative, starting on page 3, goes into extensive detail on the project's compatibility with the requirements of the comprehensive plan. Staff concurs with the applicant's findings and includes them as part of the record. As explained above, the shared use path/trail required by the Transportation System Plan has been added as a condition of approval and is required in order to comply with the provisions of the Comprehensive Plan. Specifically this is required to comply with Section 9.590 Goal 1 and 2 and Industrial Policies 1, 3, 4, 2, 3, 4, 5, 6, 7, 10, 11, Open Space and Scenic Resources Policies, 1, 6, 7, 8, Section 9.690 Parks Policies 3, and 7 as well as compliance with the Transportation System Plan which is, by extension, a part of the Comprehensive Plan.

VI. RECOMMENDATION

Based on the above findings of fact, and the conditions of approval, the proposed project satisfies the applicable criteria, and staff recommends the Planning Commission approve Application No. SP 18-02 pursuant to the conditions of approval listed below.

VII. ALTERNATIVE RECOMMENDATION

Should the Planning Commission elect not to approve the proposed development, they could continue the item for further discussion or deny the application citing the specific criteria not satisfied by the application.

VIII. CONDITIONS OF APPROVAL

General Conditions:

1. This land use approval shall substantially comply with the submitted preliminary site plans included as Exhibit C, except as indicated in the following conditions. Additional development or change of use may require a new development application and approval.
2. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
3. 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 construction.
4. All new construction of public infrastructure, including roads, water, sewer, and storm drainage, must be submitted for review and approval by the City of Millersburg through a Private Construction of Public Infrastructure (PCPI) permit. All work within the public right-of-way shall be designed by a licensed engineer and performed by a licensed contractor in conformance with the Albany Standard Construction Specifications as adopted by the City of Millersburg or the Linn County requirements where within the Old Salem Road right-of-way. The plans shall be in substantial conformance with the tentative map and demonstrate the placement of all existing and proposed utilities underground.
5. Any public utilities required to serve the site must be constructed by the applicant and accepted by the City. Any lines crossing Old Salem Road must conform to Linn County requirements. All portions of water, sewer, or stormwater utilities constructed within public road right-of-ways shall be public.
6. Applicant is required to construct a sidewalk or path along the eastern side of Old Salem Road, consistent with the City of Millersburg Transportation System Plan (TSP).
7. Any required street signage and street lighting shall be approved by the City Engineer and installed.
8. All agreements required as conditions of this approval must be signed and recorded.
9. Install or replace, to Linn County specifications, all sidewalks, curb ramps, or driveways which are damaged, deteriorated, or removed by construction along Old Salem Road frontage.
10. Proposed landscape buffers may not be adequate to address all noise concerns. Applicant shall conduct a post construction noise study to demonstrate there are no noise impacts of concern to the City at the interface between the residential and industrial zones caused by this project. Additional noise mitigation measures may be required.
11. As recommended by the traffic study, any future project within the undeveloped area near Arnold Lane must relocate the passenger vehicle access currently located to the

north of the truck queuing area along Old Salem Road such that the access aligns with Arnold Lane.

Prior to Building Permit:

12. Prior to the issuance of building or grading permits the applicant shall provide a wetland delineation study and concurrence from the Department of State Lands, to the satisfaction of the City Engineer. The City Engineer has the ability to waive this requirement.
13. Prior to the issuance of any building permits, the applicant shall submit full, detailed landscape plans for staff review. Said landscape plans shall fully conform with all provisions of Section 5.134 including street trees and parking area landscaping.
14. Prior to the issuance of any building permits, the applicant shall submit full, detailed lighting plans and lighting schedules (cut sheets) for staff review. Said lighting plans shall fully conform with all provisions of Section 5.135.
15. Prior to issuance of building permits, the applicant shall submit for review and approval a revised site plan showing the following:
 - A Shared Use Path/Trail shall be added to the site plan, to the satisfaction of the City Planner, that shows a trail spanning the improved property along Old Salem Road, consistent with the Transportation System Plan.

Prior to Any Ground Disturbing Activity:

16. The applicant's engineer is required to provide a site-specific drainage plan to temporarily collect, route, and treat surface water and ground water during each construction phase. The construction plans shall specifically identify how the storm drainage system and erosion sediment control measures will be phased during construction, such that at any time during construction the approved plans shall be capable of providing full erosion and sediment control, collection, routing, and treatment of stormwater runoff and ground water. No site construction will be allowed to take place if the storm drainage system and erosion sediment control measures are not installed per plan and functioning properly.
17. Obtain a 1200C Erosion Control Permit for all the disturbed ground, both on and offsite that is in excess of one acre in addition to meeting all Albany Construction Standards (ACS). The applicant shall follow the latest requirements from the Department of Environmental Quality (DEQ) for NPDES 1200-C Permit submittals. A copy of the approved and signed permit shall be provided to the City prior to any ground disturbing activities.
18. Applicant shall design stormwater detention facilities as required to meet city standards. Stormwater calculations shall be submitted to the City Engineer for review and approval. If applicable, design stormwater detention basins per the criteria in the City of Albany Engineering Standards E.8.00 – Stormwater Detention, except "City of Albany" shall be replaced with "City of Millersburg." Maintenance of detention basin shall be the responsibility of the applicant.

19. Stormwater from the southern part of the project area discharges to Murder Creek. Stormwater from the northern portion of the project area discharges to an unnamed tributary of Murder Creek that flows beneath Old Salem Road. Applicant shall be responsible for any required industrial stormwater discharge permits.

Prior to Occupancy:

20. Prior to occupancy the applicant shall construct the Shared Use Path/Trail as required by the City's TSP.

21. Prior to occupancy, pursuant to a recommendation from the traffic study and ODOT, the intersection of Old Salem Road and Century Road shall be reconfigured to a traditional intersection geometry and control. The revisions will eliminate northbound left turning trucks from blocking southbound traffic and eastbound left turning trucks from blocking northbound left turning vehicles. The recommended intersection control and configuration is illustrated in the traffic study on Figure 16. ODOT or the City can waive this requirement.

22. All required landscaping shall be installed prior to occupancy.

23. Prior to occupancy the applicant shall provide a clearance letter from the Albany Fire Department indicating the all items listed in their January 4, 2019 letter have been satisfied. Specifically the following noted items must be addressed:

a. The Fire Department has reviewed the above project for conformance to the 2014 Oregon Fire Code (OFC) per your request and has the following comments:

- i. All newly constructed buildings 50,000 square feet in size or larger shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the Albany Police and Fire Departments' communication systems the exterior of the building [see OFC Appendix J]. (OFC 510; OSSC 915)
- ii. Commercial developments which exceed three stories or 30' in height or have a gross building area of more than 62,000 square feet shall be provided with at least 2 means of fire apparatus access. These access points shall be remotely separated by at least ½ the length of the maximum overall diagonal dimension of the property or area served. (OFC Appendix D104.1 & 104.3)

Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

- iii. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an approved route of travel around the exterior of the structure. (OFC 503.1.1)

- iv. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4)
- b. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102, and this area is currently served by a public water system. The fire flow required for shall be as specified in Appendix B of the Fire Code. (OFC 507.3)
- c. The location and spacing requirements for fire hydrants are based on four project-specific criteria:
 - i. The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
 - ii. The calculated "fire flow" of the proposed building(s).
 - iii. The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the property.
 - iv. The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.
- d. The requirements for fire hydrants for this proposed project will be based on the following requirements:
 - i. Fire hydrant location: All portions of buildings constructed or moved into the City shall be located within 400 feet (600 feet for fire sprinkler-protected buildings) of a fire hydrant located on a fire apparatus access road using an approved route of travel. (OFC 508.5.1)
 - ii. Required hydrants based on the required fire flow as calculated in accordance with OFC 503.7 and OFC Appendix B. The minimum number of fire hydrants is determined by OFC Table C105.1.
 - iii. Required fire hydrant spacing will be based upon applicant's required fire flows as determined by OFC Appendix C105.1 and Table C105.1. Please note that dead end roads require a reduced spacing.
 - iv. Fire hydrant spacing along new/required fire apparatus access roads. In addition, OFC Section C103.1 requires the placement of additional hydrants along all of applicant's required fire access roads that are adjacent to any proposed building (and any future additions) and circulating through applicant's private property with spacing requirements per Appendix C 105.1. (See 2009 ICC Commentary, Appendix C-1, Section C103.1)

Within 6 months of the start of operation:

- 24. Within 6 months of starting operations of the facility, the applicant shall provide staff with a noise study showing that noise level measurements emitting from the standard operations of

the facility, at the nearest residential properties both inside the City, and outside the City (across I-5), are acceptable pursuant to Ordinance No. 94.

IX. NOTICES TO THE APPLICANT

The applicant should also be aware of the following standards and processes that are required for development. These are not part of the decision on this land use case and are provided as a courtesy to the applicant. Please contact City Hall with any questions.

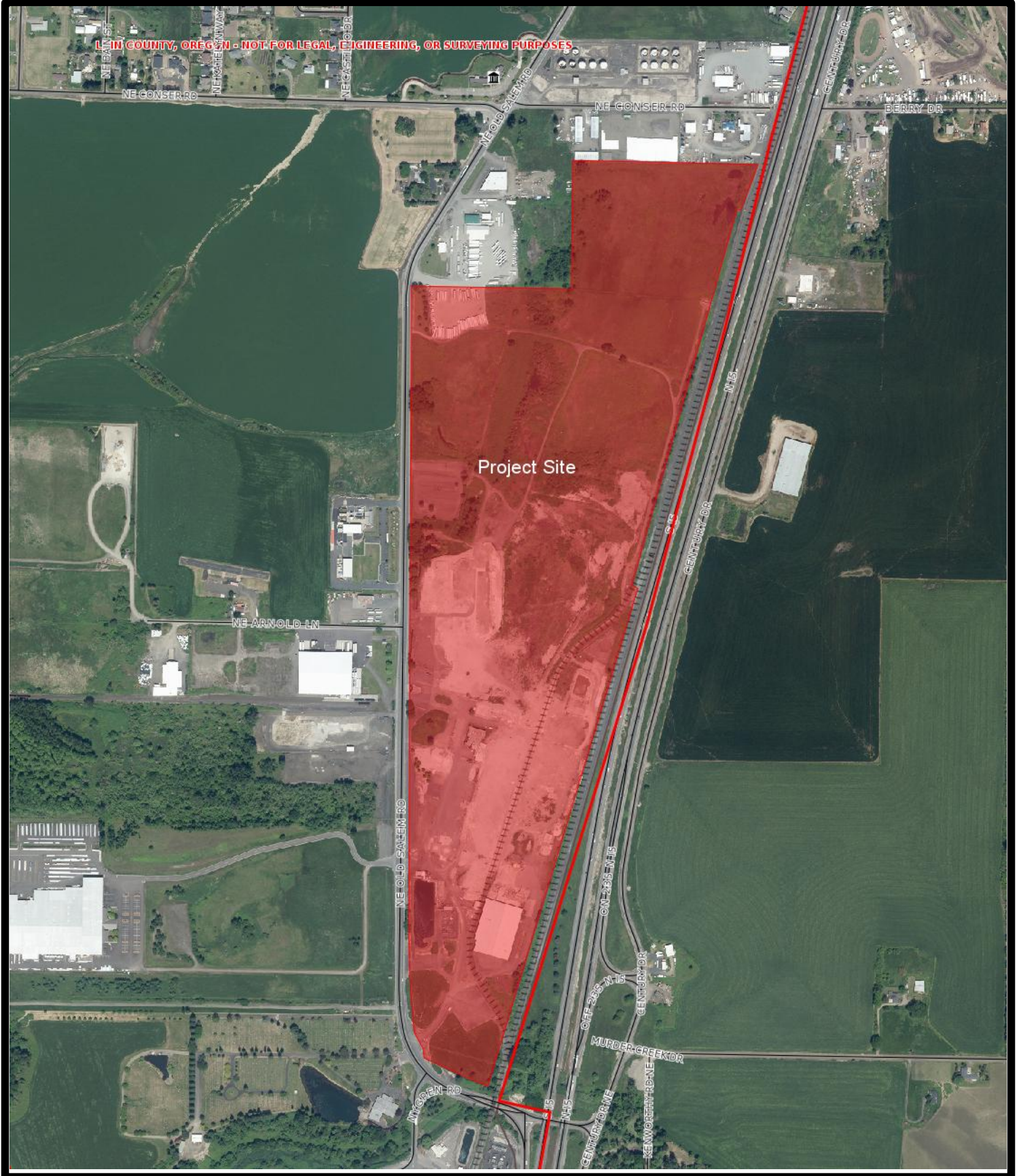
1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. The developer is responsible for all costs associated with any remaining public facility improvements and shall ensure the construction of all public streets and utilities within and adjacent to the tentative map as required by these conditions of approval, to the plans, standards, and specifications of the City of Millersburg.
3. Any grading in excess of 50 cubic yards requires a City of Millersburg Grading Permit.
4. **This approval is valid for a period of two (2) year from the date of the decision notice.** Extensions may be granted by the City as afforded by the Millersburg Development Code.
5. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
6. Placement of construction trailers on the subject property shall require a Temporary Use Permit per Section 6.164 of the Millersburg Development Code.
7. This approval does not negate the need to obtain permits, as appropriate, from other local, state, or federal agencies, even if not specifically required by this decision.
8. Retaining walls within public easements or the public right-of-way shall require engineering approval. Retaining walls with a height of 4 feet or higher located on private property will require a permit from the building department.
9. The applicant shall comply with the fire protective standards administered by the Linn County Building Official and the Albany Fire Department. Hydrant and turnaround locations shall be provided by the applicant and approved by the Albany Fire Department and the City.
10. In the event there is engineered fill on any public roads or lots, the applicant's soils engineer and testing lab shall obtain and record compaction tests and submit results for the review and approval of the City Engineer.
11. Decks, fences, sheds, building additions, and other site improvements shall not be located within any easement unless otherwise authorized in writing by the City Engineer.

12. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
13. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
14. All construction sites shall be maintained in a clean and sanitary condition at all times including construction debris, and food and drink waste. All waste shall leave the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.

X. EXHIBITS

- A. Zoning Map
- B. Vicinity Map
- C. Applicant's Site Plan and Description (sheets 0.0 through 1.6)
- D. Applicant's Narrative
- E. Applicant's Traffic Study (not included in this packet due to size, but can be viewed online at <http://cityofmillersburg.org/current-planning-applications/>)
- F. Consent of landowner to proceed with application
- G. Department of State Lands email dated January 15, 2019
- H. City Engineer memo dated February 5, 2019
- I. ODOT email dated January 15, 2019
- J. Albany Fire letter dated January 4, 2019
- K. Public Hearing Notice

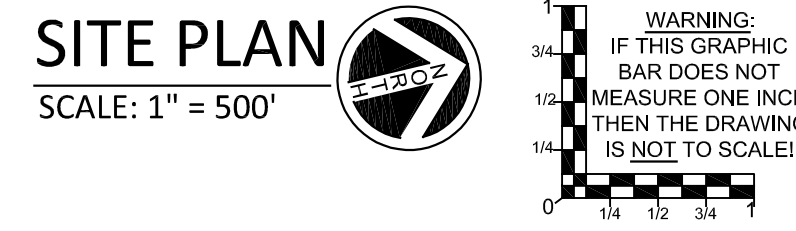
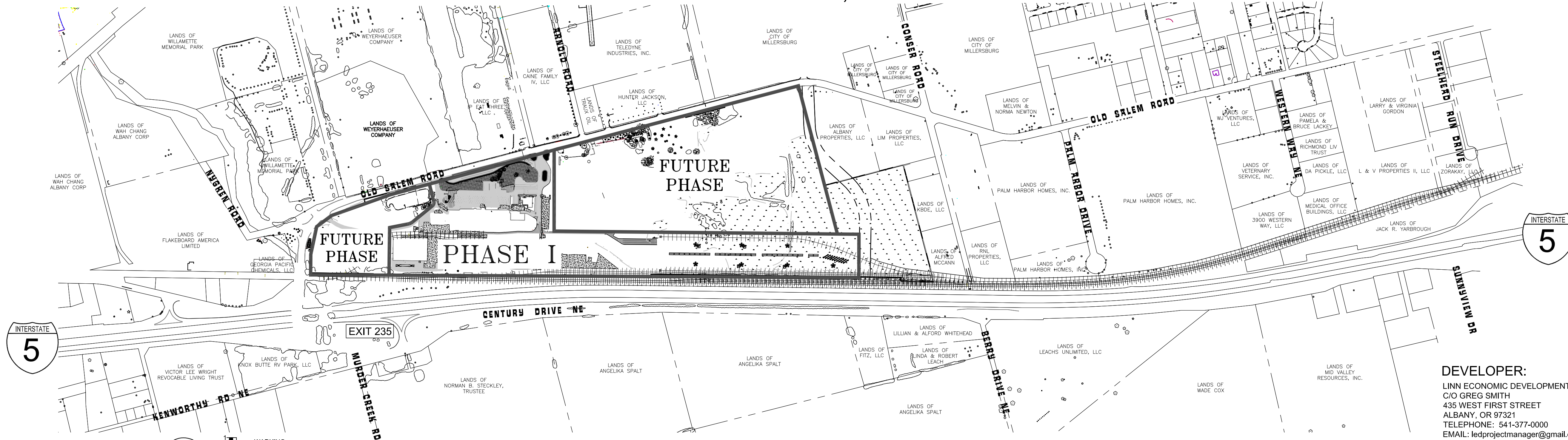
Vicinity SP 18-02



This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain usability of the information.

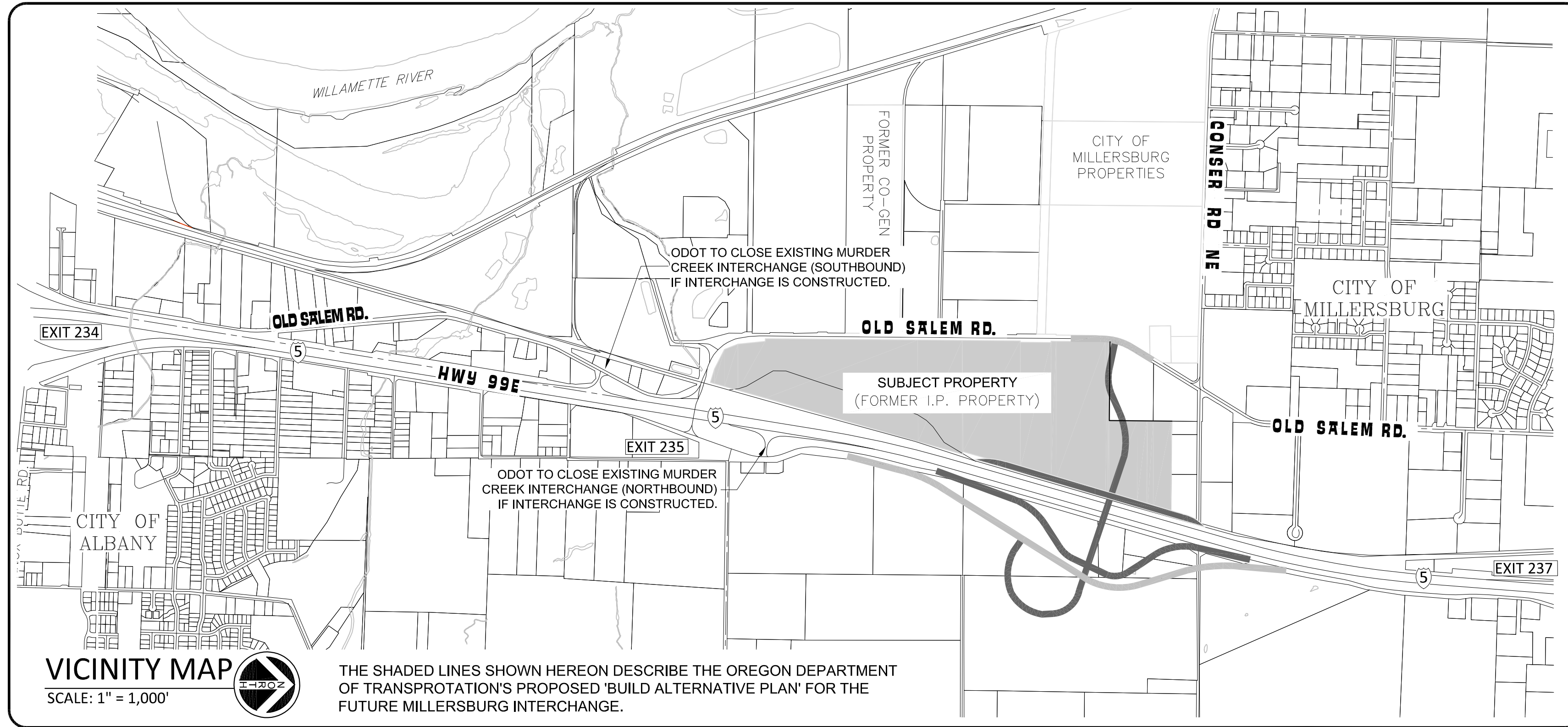
LINN ECONOMIC DEVELOPMENT GROUP MID-WILLAMETTE VALLEY INTERMODAL CENTER

MILLERSBURG, OREGON



GENERAL NOTES:

- THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- NO SITE PREPARATION, SITE DISTURBANCE, BACK EXCAVATION OR OTHER CONSTRUCTION SHALL BE COMMENCED UNTIL ALL PERMITS REQUIRED BY OTHER LAWS, ORDINANCES, RULES OR REGULATIONS SHALL HAVE BEEN ISSUED.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE. ANY AND ALL DAMAGES DONE TO EXISTING UTILITIES DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPETENTLY REPAIRED AT HIS/HER EXPENSE.
- NO DEBRIS SHALL BE BURIED ON THIS SITE.
- THE OWNER SHALL PROCURE ALL PERMITS. THE CONTRACTOR SHALL CONFORM TO ALL PERMITS AND INSPECTIONS REQUIRED BY THE CITY, COUNTY, ODOT, AND OTHER AGENCIES AS REQUIRED.
- CONTRACTOR SHALL PROVIDE ALL BONDS AND INSURANCE REQUIRED BY PUBLIC AND/OR PRIVATE AGENCIES HAVING JURISDICTION.
- UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER, CONSTRUCTION OF ALL PUBLIC FACILITIES SHALL BE PERFORMED BETWEEN 7:00 A.M. AND 6:00 P.M., MONDAY THROUGH FRIDAY.
- ANY INSPECTIONS BY THE PROJECT ENGINEER, CITY, COUNTY, OR OTHER AGENCIES SHALL NOT, IN ANY WAY, RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPROVED CONSTRUCTION DRAWINGS, PROJECT REPORTS, PROJECT SPECIFICATIONS, APPLICABLE CODES AND AGENCY REQUIREMENTS.
- CONTRACTOR SHALL PROCURE AND CONFORM TO CITY OF MILLERSBURG EROSION AND SEDIMENT CONTROL PERMIT FOR CONSTRUCTION ACTIVITIES.
- THE CONTRACTOR SHALL COORDINATE AND PAY ALL COSTS ASSOCIATED WITH CONNECTING TO EXISTING UTILITY FACILITIES.
- CONTRACTOR SHALL PROVIDE ALL MATERIALS, EQUIPMENT, MANPOWER AND FACILITIES REQUIRED FOR TESTING ALL UTILITY PIPING IN ACCORDANCE WITH CITY STANDARDS AND/OR THE CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.



FLOOD PLAIN NOTE:

THIS SITE IS LOCATED WITHIN ZONE "X", OUTSIDE OF 1% AND 0.2% ANNUAL CHANCE FLOODPLAIN AS DESIGNATED ON THE FLOOD INSURANCE RATE MAPS (FIRM) NUMBERS:
41043C0216G - LAST REVISED SEPTEMBER 29TH, 2010
41043C0212H - LAST REVISED DECEMBER 8TH, 2016

ZONING:

GENERAL INDUSTRIAL

DEVELOPER:

LINN ECONOMIC DEVELOPMENT GROUP
C/O GREG SMITH
435 WEST FIRST STREET
ALBANY, OR 97321
TELEPHONE: 541-377-0000
EMAIL: ledprojectmanager@gmail.com

CIVIL ENGINEERING:

REECE & ASSOCIATES, INC
C/O DAVID J. REECE, PE
321 FIRST AVENUE EAST SUITE 3A
ALBANY, OR 97321
TELEPHONE: 541-926-2428
EMAIL: dave@r-aengineering.com

SURVEYOR:

K&D ENGINEERING, INC.
276 NW HICKORY STREET
ALBANY, OR 97321
TELEPHONE: 541-928-2583
EMAIL: dwatson@kdeng.com

VERTICAL DATA:

THE SITE BENCHMARK IS A SCRIBE IN THE WEST CURB LOCATED NORTH OF ANEMONE STREET (ELEVATION = 118.93 NGVD88). THIS BENCHMARK WAS ESTABLISHED USING LINCOLN COUNTY GEODETIC CONTROL NUMBER COR9079 AND CONVERTING ITS NGVD29 ELEVATION TO NGVD88 USING "VERTCON".

HORIZONTAL DATA:

THE PROPERTY LINES SHOWN HEREON ARE FROM A SURVEY MAP OF THE INTERNATIONAL PAPER SITE AS PREPARED BY WILLAMETTE INDUSTRIES, INC. ENGINEERING DEPARTMENT (DWG #MISC-94-3278-P-01) DATED APRIL 24, 1995. THIS IS NOT A BOUNDARY SURVEY.

UTILITY DATA:

EXISTING UTILITIES ARE FROM A FIELD SURVEY PERFORMED BY K&D ENGINEERING IN 2018 AND FROM THE ABOVE REFERENCED SURVEY MAP OF THE INTERNATIONAL PAPER SITE.

WATER SYSTEM:

WATER DISTRIBUTION IS BY THE CITY OF MILLERSBURG

SANITARY SEWER:

SANITARY SEWER IS BY THE CITY OF MILLERSBURG

SHEET INDEX:

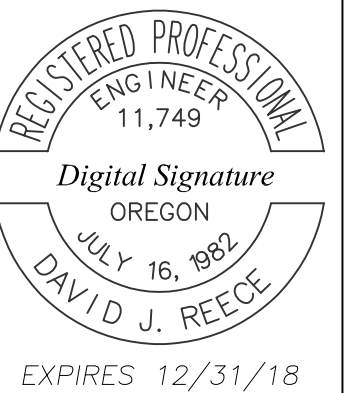
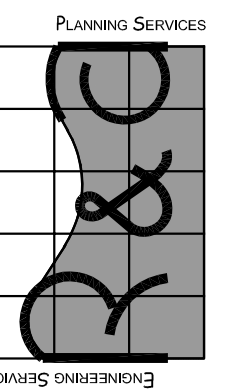
SHEET 0.0	COVER SHEET
SHEET 0.1	EXISTING SITE CONDITIONS
SHEET 0.2	RIGHT-OF-WAY ACQUISITION PLAN
SHEET 1.0	PHASE I SITE DEVELOPMENT
SHEET 1.1	PHASE I OFFICE AND ENTRANCE
SHEET 1.2	PHASE I RAIL YARD - SOUTH
SHEET 1.3	PHASE I RAIL YARD - CENTRAL
SHEET 1.4	PHASE I RAIL YARD - CENTRAL (CONT.)
SHEET 1.5	PHASE I RAIL YARD - NORTH
SHEET 1.6	PHASE I SIGNAGE PLAN



Know what's below.
Call before you dig.

ATTENTION EXCAVATORS:
OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. YOU MUST NOTIFY THE CENTER AT LEAST TWO BUSINESS DAYS BUT NOT MORE THAN TEN BUSINESS DAYS BEFORE COMMENCING AN EXCAVATION.
CALL: 800-668-4001

Reece & associates, inc.
321 first avenue east, suite 3a
albany, oregon 97321
phone: 541-926-2428
fax: 541-926-2456



MID-WILLAMETTE VALLEY INTERMODAL CENTER

COVER SHEET

LINN ECONOMIC DEVELOPMENT GROUP
MILLERSBURG, OREGON

No.	PLAN REVISIONS	DATE	BY

R&A PROJECT NO.
LED1801

DATE 11-12-18
DESIGNED M. RICCIPELLI
ENGINEER D. REECE
CHECKED R. CATLIN
SCALE AS INDICATED

SHEET NUMBER

0.0



SITE PLAN REVIEW APPLICATION
for
MID-WILLAMETTE VALLEY INTERMODAL TRANSFER CENTER



Linn Economic Development Group
An Affiliate of Albany-Millersburg Economic Development Corporation

Reece & associates, inc.

December 6th, 2018

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PROPOSAL SUMMARY

Request: Site Plan Review application for Intermodal Transfer Center.

Locations: 3251, 3435 NE Old Salem Road, Albany, Oregon
10s03w28 - TL 400

Applicant: Linn Economic Development Group Contact: Greg Smith
435 First Avenue West (541) 377-0000
Albany OR 97321 ledgprojectmanager@gmail.com

Owner: IP Three Eat LLC
c/o International Paper Company
PO Box 2118
Memphis TN 38101

Engineers: Reece & Associates, Inc. Contact: David J. Reece, PE
321 1st Avenue Suite 3A (541) 926-2428
Albany OR 97321 dave@r-engineering.com

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- B. Vicinity Map
- C. Assessors Maps
- D. Zoning Map
- E. Airport Approach and Clear Zone Plan
- F. Traffic Assessment
- G. Full Size Site Plans

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I. BACKGROUND

The 2017 Oregon Legislature authorized funding for a truck-to-rail transloading facility in the mid-Willamette Valley through the ODOT Connect Oregon program. The Albany-Millersburg Economic Development Corporation (AMEDC) identified the former Albany Paper Mill properties as a viable candidate to site the facility, given the access to two rail lines, interstate highway, and proximity to shippers. AMEDC formed the Linn Economic Development Group (LEDG) to manage the effort.

This application focuses on the former Albany Paper Mill site on the east side of Old Salem Road. See Exhibit B. Western Kraft opened the Albany Paper Mill in 1955 to produce kraft paper from leftover wood fibers and wood chips from sawmills. It would eventually expand to occupy approximately 75 acres of the 131.91-acre property. Albany Paper Mill was sold to Willamette Industries in 1967, to Weyerhaeuser in 2002, and to International Paper (IP) in 2008. It closed in late 2009. Demolition of the former paper mill and related buildings took place over a four-year period from 2011 to 2015. Two buildings remain.

The property is situated in the City of Millersburg. The Millersburg Land Use Development Code regulates the use of land within the city limits. The subject property is designated as General Industrial on the Millersburg Zoning Map. See Exhibit D. The proposed Intermodal Transfer Center is a permitted use, subject to Site Plan Review.¹ The Millersburg Land Use Development Code classifies the decision process for Site Plan Review as a Limited Land Use Decision.² The authority to render a decision on Site Plan Review is vested in the Planning Commission.³

A pre-application consultation was conducted on May 9, 2018 and this application ensued. This narrative describes how the proposed Intermodal Transfer Center complies with all applicable provisions of the Code. In this narrative, references to Code sections are denoted by the symbol for 'section' (§) followed by the applicable section number, for example §1.110. Quotations of applicable law are shown in *italics*, except footnotes use standard text.

II. EXISTING CONDITIONS

¹ §4.133(2)(b) states: "Industrial Buildings and Uses. All manufacturing, warehousing, wholesaling, compounding, assembling, processing, storing, researching, treating, or testing or any combination thereof of items, materials or goods is permitted subject to the conditions and standards of this Code."

² §3.200(4) states in part: "The 1991 Oregon Legislature added ORS 197.195 to Chapter 197 to provide provisions for a final decision or determination made by a city pertaining to a site within its urban growth boundary that concerns: (b) Approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to, site reviews and design reviews."

³ §3.200(4) states in part: "A Limited Land Use Decision is a form of discretionary decision that does not require a public hearing and is not subject to the requirements of ORS 197.763 for quasi-judicial public hearings, but is subject to the requirements of ORS 227.173 for a Planning Commission Limited Land Use Decision review of an application. Examples of limited land use decisions in this Code that require a review by the Planning Commission include, but are not limited to, Subdivision and Partition Tentative Plans specified in § 2.320 and Site Plan Reviews specified in § 2.400."

Intermodal Transfer Center

The proposed Intermodal Transfer Center is proposed on a portion of the 131.91-acre site of the former Albany Paper Mill on the east side of Old Salem Road. The site has an existing industrial rail spur approximately 2,900 feet long that connects to the Union Pacific Railroad (UPRR) mainline at both ends of the spur. See Exhibits B and C.

The sites has frontage on and direct access to Old Salem Road which intersects with Interstate 5 at the South Jefferson interchange approximately 2.4 miles north, the Murder Creek interchange approximately 0.8 miles south, and the Knox Butte interchange approximately 2.5 miles south. The Oregon Department of Transportation (ODOT) proposes a future closure of the Murder Creek interchange and the View Crest interchange and a new Millersburg interchange over the northern portion of the site.⁴

The site is situated on a broad terrace on the floor of the Willamette Valley. It has gentle to moderate south and southwest facing slopes.

Municipal and franchise utilities are located along Old Salem Road.

All lands in the vicinity of the site are zoned General Industrial by the City of Millersburg. A portion of the site, approximately 450 feet of the south end, is subject to Airport Approach standards. See Exhibit E. No other Special Area Standards apply.

Table 1 lists the uses of adjacent properties.

DIRECTION	ADJACENT USES
North	Storage yard owned by Oregon Plastic Tubing (KBDE LLC) Western Trailer Conser Road
East	UPRR I-5
South	Old Salem Road Arauco Duraflake Particleboard
West	Old Salem Road Willamette Memorial Park Weyerhaeuser Albany Distribution Center Camco Manufacturing Inc. Pelletrox Truck Shop Vacant industrial buildings (formerly Peak Sun Silicon) Farmland owned by City of Millersburg Gardner Trucking Callisto Integration R.J. Reimers Co. Residence (3924 NE Old Salem Rd) Firehouse Corner Deli & Market

III. SITE PLAN REVIEW DECISION CRITERIA

⁴ Oregon Department of Transportation Region 2 headquarters, [I-5: South Jefferson Interchange to US 20 Interchange Design Baseline Evaluation](#), December 2015.

COMPLIANCE WITH MILLERSBURG LAND USE DEVELOPMENT CODE - [ARTICLE 2]

A. Does Not Conflict with Comprehensive Plan⁵

The Millersburg Comprehensive Plan is the guide for land use in the City of Millersburg. A discussion of the goals and policies that are applicable to the proposed project follows.

Planning

Goals & Objectives

1. *To encourage development in a planned and considered manner consistent with the community's general health, safety and welfare.*

Policies & Recommendations

1. *The Comprehensive Plan is the controlling planning instrument for the City of Millersburg. All other land use, development and management plans shall be in conformance with the Plan.*
2. *The adopted Comprehensive Plan Policies shall be considered the City's official guide for decisions on specific development proposals and shall be maintained as an on-going decision making guideline for planning .and development of the City.*
3. *Each adopted policy represents the-City's official stand with regard to a specific issue.*
21. *Most development proposals within the City require review and approval by the Planning Commission. The criteria and procedures utilized for evaluation have been formalized in the Code, so decisions and actions are consistently applied to the maximum extent possible without loss of the individual project evaluation advantages afforded by the review process.*

In following paragraphs, this narrative addresses the applicable policies on a number of topics of interest to the City of Millersburg: Environment, Population & Economy, Housing, Land Use, Public Facilities & Services, and Growth Management. The above Planning policies provide the framework and context for the application of these policies. This narrative is offered to the Planning Commission in the context of Site Plan Review to demonstrate how the proposed project complies with applicable policies of the Comprehensive Plan and provisions of the Land Use Development Code. In some cases, the policies have been codified into the Code. To avoid duplication of response text in this narrative where a Code provision mirrors a policy, the conclusions are summarized in the policy section and a more detailed explanation set forth in response to the Code provision.

Environment

Overall Goals

To recognize the opportunities and constraints posed by the natural environment; to protect the unique resources of the area; and to ensure that future development will not result in adverse impacts on the natural resource base.

Overall Policies

1. *The City shall strive for continual and substantial progress toward improving the quality of the local environment by supporting strict enforcement of all applicable environmental quality standards and regulations in cooperation with Linn County, the State Department of Environmental Quality and the Federal Environmental Protection Agency and shall notify the governing agencies of any identified violations or potential problems.*

⁵ §2.400(2)(a): That the proposed development or use does not conflict with the City's Comprehensive Plan.

- 2. All development proposals shall be within the safe carrying capacity of the air, water and land resources of the development site, the City of Millersburg and the Albany-Millersburg Urban Growth Area.*

The site has been heavily impacted by past industrial use. Although these impacts occurred prior to environmental standards, the proposed project conforms to local, state, and federal regulations to the extent practical. The proposed use would have nominal effect on the carrying-capacity of the air, water and land resources of the City and Urban Growth Area. All required permits will be secured and maintained as required by law.

Topography and Drainage

- 1. Development proposals for sites with slopes that exceed 15 percent shall submit engineering investigations for review and approval of the City to ensure that no environmental problems will result from the development.*
- 2. Natural drainage channels shall be protected from disruption.*
- 3. Flooding areas, particularly areas within the Intermediate Regional Flood Zone on the Willamette River and Cox, Crooks, Murder, Truax and Burkhart Creeks, shall be maintained in open land uses that are compatible with floodway hazards.*
- 7. Drainage courses shall be protected and maintained as natural greenway buffers wherever practicable.*

Water Resources

- 5. Proposals for future industrial development shall include plans for protection of existing on-site water resources.*

Slopes do not exceed 15 percent. A natural drainageway collects runoff from the northwest portion of the site and flows through a culvert under Old Salem Road. This drainageway would be protected by buffers. There is no regulatory floodplain.

Natural Vegetation, Fish and Wildlife

- 2. Specifically, the natural vegetation resources of the Willamette River flood plain, Cox, Crooks, Murder, Truax, and Burkhart Creeks, and the stands of natural vegetation along the Burlington Northern rail lines and roads, and the tree stands in the residential areas of the community should be preserved.*
- 3. Riparian vegetation along the Willamette River and adjacent to lakes, streams and ponds shall be preserved or restored to the maximum extent possible to protect water quality and the wildlife habitat associated with riparian corridors.*
- 8. Development proposals for residential, commercial or industrial developments shall recognize the value of existing on-site natural vegetation and shall inventory and preserve these resources to the maximum extent feasible.*

The site does not contain natural vegetation resources of the Willamette River flood plain, Cox, Crooks, Murder, Truax, and Burkhart Creeks. The extent of riparian vegetation near the drainageway on the northwest portion of the site would be protected. Any proposed encroachment would be preceded by an on-site inventory and analysis of significance.

Air

- 1. The City of Millersburg shall comply with all Federal Clean Air Act requirements, Environmental Protection Agency regulations and Department of Environmental Quality air quality regulations.*

All aspects of the operation would be subject to state and federal air quality regulations.

Noise

- 3. The noise impact of future development proposals shall be considered in the City's project review procedures.*
- 5. Vegetative buffers shall be encouraged for proposed stationary noise sources, such as an industrial operation.*
- 6. Vegetative buffers should also be created around existing industrial operations.*

Vegetative buffers are proposed for sound attenuation and beautification.

Population & Economy

Goals & Objectives

- 2. To help ensure the economic health and vitality of the Albany/Millersburg Urban Area.*
- 3. To encourage a diversified economic base for the area that broadens and improves long-term employment opportunities.*
- 4. To maintain Millersburg's role as a major employment center for the Albany-Millersburg Urban Area, the County and the State of Oregon.*
- 5. To provide support for existing Millersburg business activities while encouraging new business locations in support of community needs.*

Policies & Recommendations

- 1. The City shall continue to actively encourage industrial and business developments that can help improve the economy of the City, the Albany-Millersburg area, Linn County and the State.*
- 2. The City shall encourage commercial and industrial developments that are compatible with maintaining the area's environmental resources and the livability of the community.*
- 5. Future industrial and commercial developments shall utilize available urban services to the maximum extent possible to prevent pollution or other health hazards from occurring.*
- 6. The City shall cooperate with industrial and commercial developments to assist in providing a level of urban services appropriate to their needs.*
- 10. The City of Millersburg shall work cooperatively with the City of Albany, Linn County and the Albany-Millersburg Economic Development Corporation to ensure a continually improving economy for residents of the County.*

The proposed Intermodal Transfer Center would help address shipping activities in the Mid-Willamette Valley. Oregon's economy is significantly connected to its export and import capabilities. Our ability to move commodities to domestic and international markets allow Oregon businesses to remain competitive in an ever-increasing global market. Reliable freight logistic solutions are needed to help keep small and medium companies competitive, especially in the Willamette Valley where products have low-profit margins.

The LEDG proposal calls for the development and construction of an intermodal transfer center at the former International Paper (IP) mill property in Millersburg. Centrally located in the

Willamette Valley, the site can be the intermodal connection for truck-to-rail and eventually truck-to-rail to the marine highway system and short-sea shipping. This is achieved through the site's locational advantages, which allow for the smooth access of commodities from I-5 to the UPRR. The site also provides a rail connection to the Oregon International Port of Coos Bay. Together these options offer immediate solutions for businesses looking to ship east and west to domestic and international markets. It also supports the development of future opportunities which can build Oregon's import/export capacity and leverage federal funding.

Following Governor Kate Brown's International Trade and Logistics Initiative Recommendations,⁶ the Oregon State Legislature approved \$100,000 in funding to conduct a feasibility study for a Willamette Valley intermodal facility.⁷ Conducted by EcoNorthwest, at the request of the Oregon Business Development Department (Business Oregon), the study indicated a proposed facility will primarily serve the valley's natural resource industry sector. This includes straw, hay, pulp, lumber and wood products, seeds and grains, potatoes, and nursery stock. The study shares the facility could serve up to 76,340 containers per year. Moreover, LEDG has received additional interest from various industries should a cold storage option be available at the facility. The study notes such an impact would have direct public and private benefits, including transportation system efficiencies that translate to private cost benefits, and reduced pollution, congestion, and wear and tear on the highway system.

Housing

Goals & Objectives

To provide a housing policy plan which seeks to increase opportunities for all citizens of the community to enjoy safe, decent and sanitary housing at affordable prices.

These Goals and Objectives do not apply because the proposed project is industrial in nature, not residential.

Land Use

Goals & Objectives

- 1. To provide a land use policy plan which sets forth the suitable kinds, amounts, and intensities of use to which land in various parts of the City should be put.*
- 2. To create and maintain an efficient and aesthetically pleasing living and working environment for city residents.*

Policies & Recommendations

Industrial Land Use

- 2. All industrial development shall strictly comply with the environmental quality standards of the State of Oregon, including all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality and any other public agency having regulatory jurisdiction.*

⁶ Governor Kate Brown's International Trade and Logistics Initiative Recommendations and Report; February 26, 2016.

⁷ Feasibility of an Intermodal Transfer Facility in the Willamette Valley, Oregon; Executive Summary; Page 16; Conducted by EcoNorthwest; December 14, 2016.

3. *Industrial developments shall not result in disruptions to residential or other areas due to excessive traffic, noise and pollution or otherwise detract from the livability of the community.*
4. *Approval of future industrial development proposals shall be contingent upon the assessed environmental impacts, the community's capacity to accommodate growth and the demand for public services.*
5. *Proposed industrial developments shall be subject to the "Site Plan Review" procedures of the Code.*
6. *Industrial proposals shall provide sufficient parcel size for building setbacks, expansion, off-street parking and loading, natural buffers and landscaping, and controlled access locations.*
7. *Review of industrial development proposals shall include consideration of the relationship of the proposal to Millersburg's transportation and utility systems, relationship to other land uses, environmental impacts, and adequacy of landscaping for the proposed use.*
11. *Industrial uses that minimize visual conflicts, noise, traffic and environmental degradation and are compatible with adjacent land uses and the livability of the community, shall be encouraged.*

The site is located centrally in the City's General Industrial District in an area that has supported industrial use for 60 years. It is insulated from nearby residential areas by intervening lands. Adjoining properties are designated for industrial use. However a history of industrial use and a map assignment do not enough. Site Plan Review is an individualized examination to verify that the site can be developed in a manner that addresses the range of interests promoted by the City and other agencies. This process should impose conditions to secure and maintain permits and other approvals required by local, state, and federal agencies. Conditions should also be crafted to minimize short and long term impacts on the community.

Public Facilities & Services

Goals & Policies

Overall Goal

To provide a public facilities policy plan as a guide for the efficient development of future community facilities, utilities, and services consistent with long range community needs.

Parks

7. The City shall develop programs for landscaping and beautification that encourages street trees and landscaping of community streets, pedestrian ways and bike paths.

Sewerage Facilities

2. The city shall provide sewer service only within the planned service area capability of the collection system and the agreed treatment capacity provided under the Albany/Millersburg wastewater treatment agreement. The city may provide sewerage service to requesting areas within it's service capacity, provided all costs are paid by the applicant or benefitting property owners.

Storm Drainage

- 2. As part of the city's project review process, private developments shall be required to submit detailed drainage plans in conformance with the city's drainage program.*
- 3. Storm drainage plans shall be reviewed to determine the impacts of projects on existing and future land use and on the natural environment.*

4. *Open drainage courses that can function as linear greenways shall be preserved as open space wherever possible in lieu of creating covered storm drains.*

Solid Wastes

2. *Industrial waste disposal activities within the city shall not result in adverse environmental impacts or adverse impacts on adjacent land uses.*

Fire Protection

4. *Millersburg industries should implement fire safety measures recommended by the appropriate fire protection district.*
5. *Proposals for new industrial development potential impacts on the existing fire districts.*
6. *Subdivisions, Major Land Partitions, and industrial development proposals shall be submitted to the appropriate fire district for review and recommendation.*

Energy and Communication Systems

1. *Electric power distribution systems, telephone and cable television lines shall be located underground in all future developments.*
2. *Development of a conversion schedule should be encouraged to convert existing overhead utilities to underground service in the future.*

The proposed site plan utilizes existing public facilities on Old Salem Road and existing service connections to each site. New landscaping would be planted. Storm drainage patterns would not be altered.

Growth Management

Goals & Objectives

4. *To provide conservation and development policies for the orderly and efficient development of the community.*

Policies & Recommendations

Phased Urban Growth Program

4. *Before building or land use requests are approved, the City shall ensure that development proposals are within the City's service capability and the carrying capacity of the area's environmental resources.*

Public Facilities Capability

3. *The City shall ensure that development proposals within its jurisdiction identify needed public facilities as part of the City's project review procedures.*

Environmental Quality

1. *The City shall require development proposals within its jurisdiction to identify potential impacts on the air, water, and land resources of the area and shall ensure that proposals are within the safe carrying capacity of the environment through the City's protect review procedures.*
3. *Landscaping shall be included as an integral part of site and street developments.*
4. *The City shall require protection of natural drainage channels and natural vegetation resources and require maintenance of them as an open space resource, where possible.*

Carrying capacity would not be compromised because overall service impacts would be reduced from previous levels imposed by the Paper Mill. The proposed use is consistent with development standards that regulate the use of land zoned for industrial use.

B. Consistent with Standards⁸

A detailed review of consistency of the project with standards of the General Industrial Zone and other standards of Articles 5, 6, and 7 of the Millersburg Land Use Development Code are provided elsewhere in this narrative, and are hereby incorporated by reference for purposes of compliance with this criterion.

C. Adequate Transportation System⁹.

The site has frontage on and direct access to Old Salem Road, classified as an Arterial in the Millersburg transportation system.¹⁰ Old Salem Road is fully improved to the standards for a three lane Arterial with a 12-foot travel lane in each direction, a 14-foot center turn lane, 6-foot bike lanes on each side, and curb and gutter on each side. There is a 5-foot sidewalk behind the curb on the west side. The posted speed is 50 MPH. There are bike lanes on both sides and a sidewalk on the west side. Eight driveways provide access to Site 1.

The site will include overnight parking for 100 trucks and 45 parking spaces for employees. However, there is only a need for anywhere between 4-10 employees to operate the site. This leaves plenty of parking left, if the remaining office space is rented to outside businesses.

A traffic assessment¹¹ was conducted by Sandow Engineering. See Exhibit F. The findings and conclusions of that report are incorporated here by reference.

Sandow Engineering in their Mid-Willamette Valley Intermodal Facility Traffic Impact Analysis determined that the intermodal facility would receive approximately 150 trucks for exporting goods and 35 trucks for importing goods each day, totaling in 185 trucks per day. Each individual truck will generate two trips – one in and one out, resulting in a total of 370 trips per day. the truck trips are anticipated to be primarily from Interstate-5, with roughly 35 percent of trips traveling to and from I-5 North and 35 percent of trips traveling to and from I-5 South.

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.

⁸ §2.400(2)(b): That the proposed development or use complies with the standards of the land use zone and does not conflict with city codes and ordinances that are applicable to the application.

⁹ §2.400(2)(c): That the proposed development will not have an adverse impact on traffic flow or to pedestrian, bicycle and vehicular safety, and future street right-of-ways are protected.

¹⁰ City of Millersburg, Millersburg Transportation System Plan, Volume 1, Figure 2, page 7, December 2016.

¹¹ §5.122(5)(f): All new commercial or industrial uses, multi-family residential uses, subdivisions, and manufactured dwelling parks, including expansion of existing uses shall submit for City approval a Traffic Assessment, which shall include the following: 1. Location of access points; 2. Estimates of the amount of traffic that will utilize the above access points; 3. Effect that the proposed development will have on traffic movement of both vehicles and pedestrians; 4. The identification of all improvements that will be required to maintain adequate traffic flow; 5. Access approval by the Linn County Road Department; 6. Additional details or a Traffic Impact Study, may be required by the City if impacts warrant.

D. Signs and Lighting¹²

Two types of signs are proposed. Freestanding on-site signs on the property would identify the site as the intended destination for shippers. On-site directional signs at driveways would designate the type of traffic intended for each driveway, for example, trucks entry, trucks exit, service vehicles, or employee vehicles. These signs would be illuminated.

Existing exterior lighting would illuminate employee parking lots and transloading facilities. 7 new 5-head LED lights are proposed to be added to the railyard. Additional lights would be introduced if necessary. Lighting is designed to not face directly or reflect glare into on-coming traffic along Old Salem Road or adjacent residences or residential district. Lights within the airport overlay will be directed downwards as to avoid creating hazards for pilots.

Detailed plans for sign design will be submitted to the City for permitting.

¹² §2.400(2)(d): That proposed signs or lighting will not, by size, location, color or operation, have an have an adverse impact on traffic, limit visibility or have an have an adverse impact on adjacent properties.

E. Utilities¹³

Utilities that are available are water, sanitary sewer, and electrical power.

Water. The City of Millersburg provides water to the site. There is a 20-inch diameter ductile iron water main on the west side of Old Salem Road. Fire hydrants are spaced at regular intervals along the road. Existing on-site water mains supply the domestic needs for restrooms and break rooms in the existing buildings, but no process water is needed.

Sanitary Sewer. The City of Millersburg provides sanitary sewer service to the site. Existing on-site wastewater collection mains serve the domestic needs for restrooms and break rooms in the existing buildings, but no process wastewater would be produced.

Power. Pacific Power overhead lines follow the Old Salem Road corridor. Existing service to on-site exterior lights and to the remaining buildings would be maintained.

F. Drainage¹⁴

The existing on-site collection system conveys stormwater to the public system along Old Salem Road. No changes are proposed.

G. Adverse Impacts¹⁵

Operating characteristics of the Intermodal Transfer Center were evaluated for the type and extent of emissions, potential hazards, and nuisance characteristics. The essential function of the facility will be to shift freight between trucks and railcars. It is a distribution center with limited freight storage. The freight would arrive and depart in bulk containers; some freight may be containerized on-site or broken from containers on-site. There would be no manufacturing, processing, extraction, treating, production, compounding, assembling, researching, or testing of raw materials, semi-refined materials, or finished goods. Therefore the operating characteristics are defined solely by the movement of trucks, trains, and container handlers. These are motor vehicles driven by internal combustion engines that generate noise and emissions. Rail operations are regulated by the Federal Railroad Administration. Trucks are regulated by the Motor Carrier Transportation Division of ODOT. Vehicle operators are responsible for maintaining their own licenses and permits to move freight to and from the site in a manner that protects the public health and welfare. Once out of the public right-of-way and onto the site, the site operator's operational manual and workplace safety and health rules administered by Oregon OSHA is designed to protect the

¹³ §2.400(2)(e): That water, wastewater disposal and utilities are available and have the capacity to serve the proposed development or use and can be extended in the future to accommodate future growth beyond the proposed land division.

¹⁴ §2.400(2)(f): That the proposed development or use does not have an adverse impact on existing or proposed drainageways including flow disruptions, flooding, contamination or erosion. on drainage-ways and required drainage facilities are provided that have the capacity to serve the proposed development or use.

¹⁵ §2.400(2)(g): That the proposed development will not have an adverse impact, potential hazards or nuisance characteristics as identified in § 2.140, Item 21 of the Application Site Plan consistent with the standards of the Zoning District and complies with the applicable standards of all regulatory agencies having jurisdiction.

health and safety of workers. The extent of off-site migration of emissions, potential hazards, and nuisance characteristics is minimal. The large area of each site is such that noise, emissions, and dust generated by these vehicles would be generally contained on-site and would not be noticeable to the nearest residence which is more than 2,900 feet north and northeast of the site.

H. Other Agencies¹⁶

The proposed Intermodal Transfer Center is being developed to operate in compliance with the standards of state and federal agencies noted above.

IV. GENERAL INDUSTRIAL ZONE DEVELOPMENT STANDARDS

COMPLIANCE WITH MILLERSBURG LAND USE DEVELOPMENT CODE - [ARTICLE 4]

Table 2 lists the Development Standards for the General Industrial Zone¹⁷ are applicable to the proposed Intermodal Transfer Center.

¹⁶ §2.400(2)(h): That the proposed development or use does not conflict with the standards of other regulatory agencies having jurisdiction.

¹⁷ Summarized from §4.133(4).

Table 2, GI Zone Development Standards

DESCRIPTION	STANDARD	PROPOSED
Max. lot impervious surface coverage	80% or per PC	See site plan
Yard Setbacks:		
Exterior yards	20-ft landscaped	See site plan
Interior yards	10-ft landscaped to residential 0-ft to commercial/industrial	n/a: no residential abutting See site plan
Identified streets	If ROW dedication required	See §5.117
Max. building height	Per Planning Commission	See site plan
Access	From arterial or collector	Old Salem Road is an arterial. Arnold Road is a local access road for industrial use only.
Capacity of city roads	Mitigate traffic impacts	See §5.122

In addition to the GI Zone Development Standards, other code standards that may apply. See the following comments addressing Article 5 Development Standards, Article 6 Use Standards, and Article 7 Special Area Standards.¹⁸

V. DEVELOPMENT STANDARDS

COMPLIANCE WITH MILLERSBURG LAND USE DEVELOPMENT CODE - [ARTICLE 5]

The Development Standards set forth in Article 5 are applicable to all developments within the City of Millersburg.¹⁹

- A. Plan Conformance.**²⁰ There is no Official Area Development Plan for these sites.
- A. Height Standards.**²¹ There is no fixed maximum building height in the General Industrial Zone. It is determined by the Planning Commission at the time of Site Plan Review.
- B. Building Height Exceptions.**²² No building height exceptions are proposed.
- C. Building Projection Exceptions.**²³ No building projection exceptions are proposed.
- D. Lot Size.**²⁴ This standard does not apply because no land division is proposed.
- E. Lot Size Exceptions.**²⁵ No lot size exceptions are proposed.

¹⁸ See §4.133(5)

¹⁹ See §5.100

²⁰ See §5.110

²¹ See §5.111

²² See §5.112

²³ See §5.113

²⁴ See §5.114

²⁵ See §5.115

- F. Yard Setbacks.**²⁶ The site plan for the site comply with the yard setbacks for the General Industrial Zone.
- G. Yard Setback Exceptions.**²⁷ The 20-foot exterior yard along Old Salem Road is measured from a line parallel to and 40 feet offset from the centerline of Old Salem Road, or one-half the 80-foot right-of-way width established by this Section.
- H. Drainageway Setbacks.**²⁸ There are no fish-bearing streams or all year-round flowing streams on the site. A minimum 15-foot setback will be maintained from the center of the drainageway.
- I. Wetlands & Riparian Areas.**²⁹ The National Wetlands Inventory map for both sites is based on historic aerial photography dating back to 1982. However subsequent grading and expansion of the woodchip stockpile eliminated much of that drainageway.
- J. Parking.**³⁰ On-site parking is provided for employees. No customers come to the site.
Off-Street Parking Requirements.³¹ Off-street parking is provided at rate of one space per employee. The site will include overnight parking for 100 trucks and 45 parking spaces for employees. However, there is only a need for anywhere between 4-10 employees to operate the site. This leaves plenty of parking left, if the remaining office space is rented to outside businesses.
- K. Transportation Standards.**³²

General. The proposed site plan accounts for transportation needs of the proposed use and the public.

Millersburg Street Plan Conformance. The proposed site plan relies on existing streets for site access. No new streets are planned through either site.³³ Old Salem Road is fully improved to the Millersburg standard for a three lane arterial section except the west side sidewalk is curb tight (no landscape strip) and no sidewalk on the east side. Linn County is the road authority. Arnold Road is an improved street from Old Salem Road westerly to the north line of the site. It is partially improved along the Camco frontage with 30-foot pavement with curb and gutter on the south side, within a 52-foot right-of-way.

Pedestrian & Bicycle. There are existing bicycle travel lanes on both sides of Old Salem Road. No sidewalk is planned on the east side of Old Salem Road because of conflicts with truck queuing and turning movements along the frontage of the site.³⁴

²⁶ See §5.116

²⁷ See §5.117

²⁸ See §5.118

²⁹ See §5.119

³⁰ See §5.120

³¹ See §5.121

³² See §5.122

³³ City of Millersburg, Millersburg Transportation System Plan, Figure 2, Page 17, David Evans and Associates, Inc., December 2016.

³⁴ Ibid, Figure 10, page 21.

Project B1 is an Aspirational Project in the Millersburg TSP calls for a “10- to 12-foot-wide bicycle and pedestrian path parallel to Old Salem Rd from the north city limit to the south city limit and within existing right-of-way” for the purpose of “pedestrian connectivity, safety, and active living”.³⁵ The project labeled B1 on Figure 9 on page 19 does not extend from the north city limit to the south city limit. There is no apparent destination on either end and the project would not continue to other paths or trails. The intended use of this project for bicycles seems to duplicate the existing bicycle lanes in both directions on Old Salem Road. Pedestrian use is also duplicated by the sidewalk along Old Salem Road. There is no transportation impact of the proposed Intermodal Transfer Center that could not be met by existing facilities.

The site will not comply with the Shared-use Path as it is more beneficial to the City of Millersburg to place the path on the opposing side of the street. Due to the length of frontage of the site, the shared-use path would not provide access to any pedestrian focused properties. While placing the shared-use path on the far side of the street would provide access to a greater number of properties and direct access to City Hall.

Existing Street Improvements. No additional right-of-way is warranted to Arnold Road or Old Salem Road. Old Salem Road is fully improved; no improvements are needed. Arnold Road is functional for the proposed use. Improvements may be warranted if supported by a rough proportionality analysis.

Access Management. The site has an excess of 25 feet of frontage on Old Salem Road and Arnold Road, respectively. The results of a traffic assessment conducted by Sandow Engineering are discussed elsewhere in this narrative.

Clear Vision Areas. These are designated at all driveways for driver safety.

- L. Streets.**³⁶ The portion of the site south of the industrial spur also has frontage on and direct access to Old Salem Road. The portion lying north of the industrial spur have frontage on Arnold Road. Arnold Road is an improved street from Old Salem Road westerly to the north line of the site. It is partially improved along the Camco frontage with 30-foot pavement and curb and gutter on the south side, within a 52-foot right-of-way.
- M. Sidewalks.**³⁷ There is a 5-foot sidewalk on the west side of Old Salem Road directly behind the curb without a landscape strip. There is no sidewalk on Arnold Road.
- N. Bikeways.**³⁸ Bikeways exist on both sides of Old Salem Road. The proposed Intermodal Transfer Center would not benefit from on-site bikeways.
- O. Storm Drainage.**³⁹ The existing stormwater collection system along Old Salem Road conveys stormwater to the public system along Old Salem Road.
- P. Water.**⁴⁰ Municipal water is available to the site from the City of Millersburg. There is a 20-inch diameter ductile iron water main on the west side of Old Salem Road and a 12-inch ductile iron

³⁵ Ibid, Table 5, page 28.

³⁶ See §5.123

³⁷ See §5.124

³⁸ See §5.125

³⁹ See §5.126

water main on the south side of Arnold Road. Fire flows are provided to six existing hydrants along Old Salem Road and six existing hydrants on Arnold Road. There is adequate volume and pressure for on-site fire protection and to accommodate restrooms and break rooms in the proposed facilities. No process water would be consumed by the proposed use.

- Q. Sanitary Sewers.**⁴¹ Municipal sewer service is available to the site from the City of Millersburg. An 8-inch gravity sewer exists approximately 1,400 feet south of the intersection of Arnold Road and proceeds westerly across the site along the south side of the industrial rail spur to a point of intersection with a 21-inch main on the east side of the PNWR. This gravity collection system has adequate capacity to accommodate restrooms and break rooms in the proposed facilities. No process wastewater would be generated from the proposed use.
- R. Utilities.**⁴² Overhead utilities on the west side of Old Salem Road currently serves the site. Overhear utilities also exist on the north side of Arnold Road to serve the site.
- S. Easements.**⁴³ No easements are proposed.
- T. Blocks.**⁴⁴ This section does not apply because the land would not be divided by this application.
- U. Building Sites.**⁴⁵ Existing buildings are served by connections to the municipal water and sewer systems. No additional building sites are proposed.
- V. Grading.**⁴⁶ Any grading would direct stormwater runoff to stormwater collection facilities.
- W. Landscaping.**⁴⁷ Existing landscaped areas will be enhanced to the extent feasible without compromising safety and security of the site.
- X. Exterior Lighting.**⁴⁸ Existing on-site lighting would be retained for the security of employees and equipment.
- Y. Signs.**⁴⁹ Site identification and vehicle directional signs would be installed per code requirements.

VI. USE STANDARDS

COMPLIANCE WITH MILLERSBURG LAND USE DEVELOPMENT CODE - [ARTICLE 6]

The proposed Intermodal Transfer Center is an industrial use. Therefore, the following Use Standards set forth in Article 6 do not apply.

§6.110 Residential Accessory Uses

⁴⁰ See §5.127

⁴¹ See §5.128

⁴² See §5.129

⁴³ See §5.130

⁴⁴ See §5.131

⁴⁵ See §5.132

⁴⁶ See §5.133

⁴⁷ See §5.134

⁴⁸ See §5.135

⁴⁹ See §5.136

- §6.120 Home Occupation Standards
- §6.130 Residential Care Home Standards
- §6.140 Residential Care Facility Standards
- §6.150 Multiple-family Housing Standards
- §6.160 Manufactured Dwelling Use
- §6.170 Recreation Vehicle Park Standards
- §6.210 Public & Semi-Public Use Standards
- §6.310 Commercial Use Standards
- §6.311 Neighborhood Commercial Center
- §6.312 Street Frontage Commercial
- §6.313 Parking Frontage Commercial
- §6.314 Mixed Use Commercial
- §6.410 Agricultural Use Standards
- §6.510 Historic Preservation Use Standards

VII. SPECIAL AREA STANDARDS

COMPLIANCE WITH MILLERSBURG LAND USE DEVELOPMENT CODE - [ARTICLE 7]

- A. Flood Hazard Area.**⁵⁰ The Flood Hazard Area Standards do not apply because the site is located outside a mapped flood hazard area as shown on Flood Insurance Rate Maps 41043C0212H and 41043C0216G, both effective September 29th, 2010.
- B. Wetland & Riparian Area.**⁵¹ The site does not contain wetland or riparian area; this standard does not apply.
- C. Willamette Greenway Area.**⁵² The Willamette Greenway Area Standards do not apply because the site is located outside the mapped Willamette River Greenway Boundary as shown on the Comprehensive Plan.⁵³
- D. Airport Approach Area.**⁵⁴ The Albany Municipal Airport is located approximately 1.6 miles south of the project site. The airport has a single runway oriented in a north-south direction.

⁵⁰ §7.100(2)(b): The areas of special flood hazard identified by the Federal Insurance Administration in the "Flood Insurance Study" for the City of Millersburg and the Flood Insurance Rate Maps (FIRM), #410284 0001B-0002B dated June 15, 1982, and any revision thereto are adopted by reference and declared to be a part of this Code. The Flood Insurance Study is on file at the Millersburg City Hall, 4222 Old Salem Road N.E., Millersburg, Oregon 97321.

⁵¹ §7.200(9): The WR Special Area Standards shall apply to the property in addition to the standards of Primary Zone when a designated wetland or riparian area has been identified on the property.

⁵² §7.300(2)(a) states in part: The provisions of this § shall apply to all lands within the Willamette River Greenway Boundary of the City of Millersburg as shown on the official City zoning map.

⁵³ City of Millersburg, Comprehensive Plan 2001, Exhibit M-14.

⁵⁴ §7.400 states in part: The purpose of the Airport Approach (AA) Standards is to apply additional development standards to properties that lie within the air approaches to the Albany Airport. These development requirements are intended to prevent establishment of air space obstructions in air approaches.

The runway is lighted and equipped to support day and night operations in both visual and instrument weather conditions. Federal aviation rules define the protected airspace around an airport through a combination of imaginary surfaces. These surfaces encompass all land with 9,000 feet of the runway. The project site is located approximately 8,550 feet north of the runway for the Albany Municipal Airport. Therefore, the southernmost 450 feet is subject to the provisions of AA Area Standards as set forth in this Section. Table 3 describes the Airport Approach standards that are applicable to the proposed Intermodal Transfer Center.

Table 3, Airport Approach Area Standards

DESCRIPTION	STANDARD	PROPOSED
Height Restrictions	Conical Surface: maximum 472 feet at outer edge, decreasing at a 20:1 slope.	See site plan
Prohibited sources of Interference	Electrical interference with navigational signals or radio communication between the airport and aircraft; make it difficult for pilots to distinguish between airport lights and others; glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards; or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport	None anticipated. All lighting directed downward. Glare shields installed. No emissions or smoke. No bird attractions on-site. None anticipated.
Noise Construction	Declaration of anticipated noise levels. Sound buffering for noise sensitive uses.	Located outside 55 to 60 Ldn area. Not a noise sensitive use.

- E. Radon Impacted Area.**⁵⁵ The Radon Impacted Area Standards do not apply because the site is located outside the mapped area boundaries.
- F. Planned Development Area.**⁵⁶ The Planned Development Area Standards do not apply because PD has not been approved by the City in prior land use decisions and the current applicant does not request the PD designation.

⁵⁵ §7.500(1): The City shall record a notice in the Linn County public records that legally describes the area subject to the Radon Impacted Area, including a map showing the area’s boundaries, state that the area is subject to the requirements of the Radon Impacted Area and that the Radon Impacted Area requires radon resistant construction methods and testing. The provisions of § 7.500 shall apply to all areas described in the recorded notice and map.

⁵⁶ §7.600(1)(a): The City or a property owner may request a PD Area Standard in combination with any Primary Zone or other Area Standards in accordance with the application requirements of §§ 2.110 through 2.140 and the Conditional Use procedures of § 2.500 and the requirements of §§ 7.600 contained herein.

VIII. CONCLUSION

This application narrative and the application documents demonstrate that all applicable provisions of the Millersburg Land Use Development Code are satisfied, and therefore respectfully request approval of the requested Site Plan Review application.

R&a December 6th, 2018

KEVIN J. HAVENS
SENIOR COUNSEL CORPORATE REAL ESTATE
AND GLOBAL SUPPLY CHAIN

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February 5, 2019

Mr. Matt Straite, City Planner
City of Millersburg, Oregon
4222 NE Old Salem Road
Albany, OR 97321
541-928-4523

RE: Consent to the LEDG-Millersburg Site Plan Application

Mr. Straite:

By way of introduction, my name is Kevin Havens and I am an in-house attorney for International Paper Company (successor-by-dissolution of IP EAT THREE, LLC) ("IPCO").

Please accept this letter as confirmation that IPCO consents to the Linn Economic Development Group's (an affiliate of Albany-Millersburg Economic Development Corporation) ("LEDG") application for its proposed Mid-Willamette Valley Intermodal Transfer Center, which will be located on certain property currently owned by IPCO located in Linn County, Oregon ("Property").

Please note that IPCO is consenting to the LEDG's application in its capacity as current fee owner of the Property, and that in providing said consent, IPCO does not assume any of the obligations under said application, and that any construction on or improvements to the Property will be made by the LEDG, but only after the successful sale of the Property from IPCO to the LEDG

Please feel free to contact me if you have any questions.

Sincerely,


Kevin J. Havens

Senior Counsel Corporate Real Estate and Global Supply Chain

RE: SP 18-02 Project review request

[X DELETE](#) [← REPLY](#) [↶ REPLY ALL](#) [→ FORWARD](#) [...](#)

BROWN Lauren <Lauren.BROWN@state.or.us>

Wed 1/2/2019 2:20 PM

[Mark as unread](#)**To:** Matt Straite;**Cc:** LANDRUM Carrie <carrie.landrum@state.or.us>; JARVIE Kirk <kirk.jarvie@state.or.us>;

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Matt-

Thank you for the opportunity to comment. I noticed in the application material that there are wetlands mapped on the site plan. It is my understanding that these wetlands were mapped this past summer by the Acker Group but a wetland delineation has not been submitted yet. Once the report is received and concurred with, then the applicant will know which wetlands are jurisdictional and if a state permit is required or not.

Carrie Landrum is Aquatic Resource Coordinator for Linn County but will be out of the office for most of this month. Please let me know if you have any other questions.

Thanks,

Lauren Brown, Wetland Ecologist
Aquatic Resource Coordinator
[Oregon Department of State Lands](#)
503.986.5218 Desk
503.302.3290 Cell

From: Matt Straite <mstraite@cityofmillersburg.org>**Sent:** Wednesday, January 2, 2019 1:10 PM**To:** corcutt@linnsheff.org; dsterling@co.linn.or.us; Billers@nwnatural.com; d6b@nwnatural.com; cbonn@co.linn.or.us; Scott.Seaton@pacificorp.com; jeff.r.lehmeyer@usps.gov; Chris.LaBelle@cityofalbany.net; Janelle Booth <jbooth@cityofmillersburg.org>; planninglist@cityofalbany.net; Lora.ratcliff@cityofalbany.net; sshortes@co.linn.or.us; or.97208amsportland@usps.gov; sbarnett@co.linn.or.us; staylor@co.linn.or.us; Lauren.BROWN@state.or.us; Bill.W.JOHNSTON@odot.state.or.us; cary.goodman@odot.state.or.us; Kim Wollenburg <kwollenb@cityofmillersburg.org>**Subject:** SP 18-02 Project review request

TO: Matt Straite, City Planner
FROM: Janelle Booth, Millersburg City Engineer
DATE: February 5, 2018
SUBJECT: SP 18-02 - Engineering Comments

Engineering has reviewed the above project and has the following comments:

General Conditions

1. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
2. 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 Plat.

Prior to Any Ground Disturbing Activity

3. The Applicant's engineer is required to provide a site-specific drainage plan to temporarily collect, route, and treat surface water and ground water during each construction phase. The construction plans shall specifically identify how the storm drainage system and erosion sediment control measures will be phased during construction, such that at any time during construction the approved plans shall be capable of providing full erosion and sediment control, collection, routing and treatment of storm water runoff and ground water. No site construction will be allowed to take place if the storm drainage system and erosion sediment control measures are not installed per plan and functioning properly.
4. Obtain a 1200C Erosion Control Permit for all the disturbed ground, both on and off site that is in excess of one acre in addition to meeting all Albany Construction Standards (ACS). The applicant shall follow the latest requirements from DEQ for NPDES 1200-C Permit submittals. A copy of the approved and signed permit shall be provided to the City prior to any ground disturbing activities.

Comments

5. All new construction of public infrastructure, including roads, water, sewer, and storm drainage, must be submitted for review and approval by the City of Millersburg through a Private Construction of Public Infrastructure (PCPI) permit. All work within the public right-of-way shall be designed by a licensed engineer and performed by a licensed contractor in conformance with the Albany Standard Construction Specifications as adopted by the City of Millersburg or the Linn County requirements where within the Old Salem Road right-of-way. The plans shall be in substantial conformance with the tentative map and demonstrate the placement of all existing and proposed utilities underground.
6. Any public utilities required to serve the site must be constructed by the Applicant and accepted by the City. Any lines crossing Old Salem Road must conform to Linn County requirements. All portions of water, sewer, or stormwater utilities constructed within public road right-of-ways shall be public.
7. Applicant is required to construct a sidewalk or path along the eastern side of Old Salem Road, consistent with the City of Millersburg Transportation System Plan (TSP).
8. Any required street signage and street lighting shall be approved by the City Engineer and installed.
9. All agreements required as conditions of this approval must be signed and recorded.
10. Install or replace, to Linn County specifications, all sidewalks, curb ramps, or driveways which are damaged, deteriorated, or removed by construction along Old Salem Road frontage.
11. Applicant shall design stormwater detention facilities as required to meet city standards. Stormwater calculations shall be submitted to the City Engineer for review and approval. If applicable, design stormwater detention basins per the criteria in the City of Albany Engineering Standards E.8.00 – Stormwater Detention, except "City of Albany" shall be replaced with "City of Millersburg." Maintenance of detention basin shall be the responsibility of the Applicant.
12. Stormwater from the southern part of the project area discharges to Murder Creek. Stormwater from the northern portion of the project area discharges to an unnamed tributary of Murder Creek that flows beneath Old Salem Road. Applicant shall be responsible for any required industrial stormwater discharge permits.

13. Proposed landscape buffers may not be adequate to address all noise concerns. Applicant shall conduct a post construction noise study to demonstrate there are no noise impacts of concern to the City at the interface between the residential and industrial zones caused by this project. Additional noise mitigation measures may be required.
-

VIII. NOTICES TO THE APPLICANT

1. The Applicant shall comply with the fire protective standards administered by the Linn County Building Official and the Albany Fire Department. Hydrant locations and access requirements shall be provided by the Applicant and approved by the Albany Fire Department and the City.
2. A demolition permit shall be obtained from the City prior to demolishing or moving any structures.
3. All required signage and lighting shall be approved by the City Engineer and Linn County where within Old Salem Road right-of-way and installed.
4. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
5. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
6. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.
7. Wetlands and FEMA floodplain are present on the site. Work within wetlands and floodplain is subject to the requirements of the Authority Having Jurisdiction (AHJ).

8. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies, even if not specifically required by this decision.

Re: Millersburg Case SP 18-02 Applicant: Linn Econ Dev Group ODOT DRS 8797 Hwy 001 NB1 MP 235.62

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ⋮



Matt Straite


Tue 1/15/2019 9:41 AM

Mark as unread

Show all 14 recipients

To: LINER Duane J <Duane.J.LINER@odot.state.or.us>;
Cc: FELDMANN James <James.FELDMANN@odot.state.or.us>; PUDEWELL Jae <Jae.PUDEWELL@odot.state.or.us>; SHANKLE Richard A <Richard.A.SHANKLE@odot.state.or.us>; BLAIR Keith P <Keith.P.BLAIR@odot.state.or.us>; UPTON Dorothy J <Dorothy.J.UPTON@odot.state.or.us>; NELSON Brian S * Scott <Brian.S.NELSON@odot.state.or.us>; COLE Terry D <Terry.D.COLE@odot.state.or.us>; ...

Thank you, we will add this to the file.

Matt Straite
City Planner
City of Millersburg
541.928.4523


From: LINER Duane J <Duane.J.LINER@odot.state.or.us>
Sent: Tuesday, January 15, 2019 7:34 AM
To: Matt Straite
Cc: FELDMANN James; PUDEWELL Jae; SHANKLE Richard A; BLAIR Keith P; UPTON Dorothy J; NELSON Brian S * Scott; COLE Terry D; WAHL Carla S; DETERING Lynn; MOREY Brian T; WEEKS Kendal J; CRAWFORD Savannah; ROSENBLAD Jerry
Subject: Millersburg Case SP 18-02 Applicant: Linn Econ Dev Group ODOT DRS 8797 Hwy 001 NB1 MP 235.62

Matt,

I have reviewed the Notice of Application and Request for Comments regarding case file SP 18-02, applicant: Linn Econ Dev Group, and have the following comments:

- It is recommended that the City require, subject to ODOT’s review and approval, the proposed intersection reconfiguration of the Old Salem Road / Century Drive intersection as described in section 7.2 Intersection Geometry / Recommendations and depicted in Figure 16 of the Traffic Impact Analysis dated August 30, 2018 by Sandow Engineering. To make the proposed changes, the applicant will need to make application to ODOT. Application shall identify all proposed striping & sign changes, identify the proposed design vehicle, and include vehicle turning templates for all movements at the intersection. Application shall be submitted to: ODOT District 4 Attn: Permit Specialist 3700 SW Philomath Blvd Corvallis OR 97330.
- Any work in ODOT highway right of way needs ODOT review and approval. If there is any other work proposed in ODOT highway right of way, approval for such work would need to be obtained. The process to request approval is through the ODOT permit application process.



TO: Matt Straite, City Planner
FROM: Lora Ratcliff, Senior Deputy Fire Marshal
DATE: January 4, 2019
SUBJECT: SP-18-02 – 3251/3435 NE Old Salem - New Intermodal Transfer Facility-
Albany Fire Department Comments

The fire department has reviewed the above project for conformance to the 2014 Oregon Fire Code (OFC) per your request and has the following comments:

1. All newly constructed buildings 50,000 square feet in size or larger shall have *approved* radio coverage for emergency responders within the building based upon the existing coverage levels of the Albany Police and Fire Department communication systems the exterior of the building [see OFC Appendix J]. (OFC 510; OSSC 915)
2. Commercial developments which exceed three stories or 30' in height or have a gross building area of more than 62,000 square feet shall be provided with at least 2 means of fire apparatus access. These access points shall be remotely separated by at least ½ the length of the maximum overall diagonal dimension of the property or area served. (OFC Appendix D104.1 & 104.3).
Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.
3. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an approved route of travel around the exterior of the structure. (OFC 503.1.1)
4. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4)
5. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area is currently served by a public water system. The Fire Flow required for shall be as specified in Appendix B of the fire code. (OFC 507.3)
6. The location and spacing requirements for fire hydrants are based on four project-specific criteria:
 - The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
 - The calculated "fire flow" of the proposed building(s)
 - The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the property.
 - The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.

The requirements for fire hydrants for this proposed project will be based on the following requirements:

- a. Fire hydrant location: All portions of buildings constructed or moved into the City shall be located within 400 feet (600 feet for fire sprinkler-protected buildings) of a fire hydrant located on a fire apparatus access road using an approved route of travel. (OFC 508.5.1)
- b. Required hydrants based on the required fire flow as calculated in accordance with OFC 503.7 and OFC Appendix B. The minimum number of fire hydrants is determined by OFC Table C105.1.

Matt Straite
SP-18-02 – 3251/3435 NE Old Salem - New Intermodal Transfer Facility-
Albany Fire Department Comments

Page 2
January 4, 2019

- c. Required fire hydrant spacing will be based upon your required fire flows as determined by OFC Appendix C105.1 and Table C105.1. Please note that dead end roads require a reduced spacing.

- d. Fire hydrant spacing along new/required fire apparatus access roads. In addition, OFC Section C103.1; requires the placement of additional hydrants along all of your required fire access roads that are adjacent to any proposed building (and any future additions) and circulating through your private property with spacing requirements per Appendix C 105.1. (See 2009 ICC Commentary, Appendix C-1, Section C103.1).

LAR/lar

Lora Ratcliff
541-917-7728
Lora.ratcliff@cityofalbany.net



NOTICE OF PUBLIC REVIEW
February 19, 2019, 6:00 p.m.
City Council Chambers
4222 Old Salem Road NE,
Millersburg, Oregon, 97321

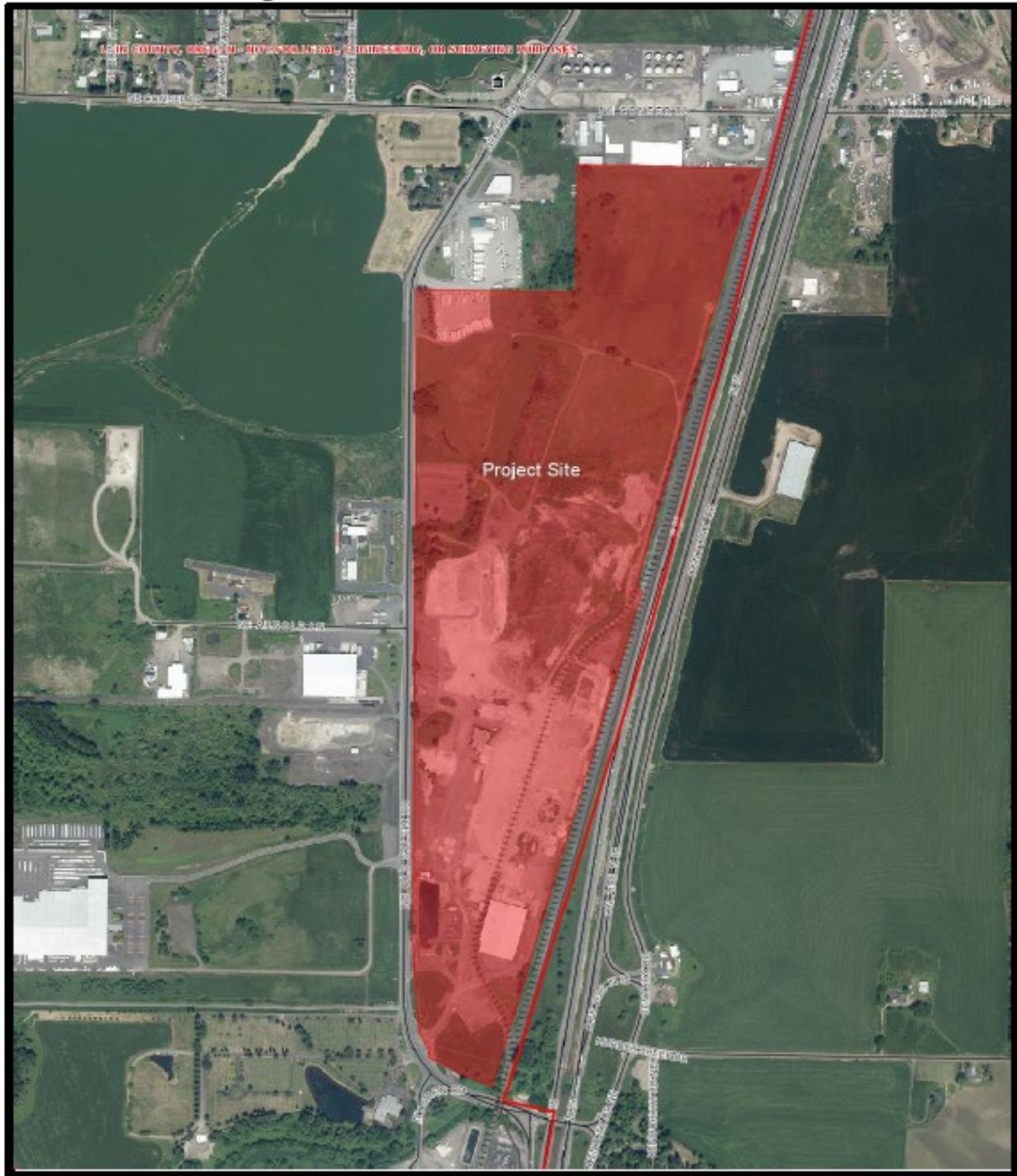
The **MILLERSBURG PLANNING COMMISSION** will hold a Hearing at the above time and place to consider the request described below. The request may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comment. Failure of an issue to be raised or failure to provide sufficient specificity to afford the Commission an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

The application, all documents and evidence submitted by or on behalf of the applicant and the applicable criteria are available for inspection at no cost or copies are available for a minimal cost. A staff report relating to the proposal will be available seven (7) days prior to the public hearing. For further information, contact Millersburg City Hall at (541) 928-4523.

- APPLICANTS:** Linn Economic Group Development Group, Greg Smith
- PROJECT LOCATION:** 3251, 3435 NE Old Salem Road (former Albany Paper Mill site)
- TAX LOT:** Township 10 South; Range 3 West; Section 28; Tax Lot 0400.
- PARCEL SIZE:** 131.91 acres (only a portion of the property is to be used for this permit)
- ZONING:** General Industrial (LI)
- REQUEST:** The applicant is proposing a Site Plan Review (SP 18-02) for an intermodal transfer facility which proposes to transfer containerized goods from truck to rail to be eventually shipped to the coast. The project includes rail improvements offsite.
- CRITERIA:** Millersburg Development Code; Section 2.400(2).
- FILE No.:** SP 18-02

The location of the meeting is accessible to the disabled. If you need any special accommodations to attend or participate in the meeting, please notify City Hall twenty-four (24) hours before the meeting. For further information, please contact City Hall at (541) 928-4523.

Vicinity SP 18-02



This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain usability of the information.

Traffic Impact Analysis

Intermodal Transfer Facility



RENEWAL 06/30/20

Kelly Sandow PE

Eugene, Oregon
August 30, 2018

SANDOW
ENGINEERING
160 Madison Street, Suite A
Eugene Oregon 97402
541.513.3376
sandowengineering.com
project # 5718

BACKGROUND

Linn Economic Development Group is proposing the development of an Intermodal Transfer Facility (ITF) in Millersburg, Oregon on tax lot 400 of MAP 10S-03W-28. The site consists of approximately 131.91 acres and is mostly vacant. A 60,00 SF warehouse currently exists on site which is anticipated to remain and be repurposed for the ITF use.

The proposal is to use the site as an intermodal transfer facility where goods grown and produced in Oregon will be brought in on semi-trucks and loaded onto rail containers to be shipped via rail to ports and other shipping locations outside of the Willamette Valley.

This traffic analysis provides an evaluation of the impacts that the proposed transfer facility would have on the adjacent transportation system.

RECOMMENDATIONS

The following are the recommendations for transportation improvements as part of the ITF project.

Site access

It is recommended that the site utilize 3 of the existing access points to the site.

The southern access as would utilize an existing access onto Old Salem Road. This access is ingress only and allows for a significant amount of off-street queuing and storage. This access is already designed for truck movements. Once the new interchange is built, this access would likely no longer be necessary, and the trucks can access the site from the northern access.

The northern most existing access to the site should be developed as the primary truck access. The access should be developed to allow for full-movement access. This access will serve as the primary access with the existing interchange configuration and with the interchange that will be built just to the north minimizing the amount of time trucks will be on Old Salem Road. Until the new interchange is built, the north access will encourage trucks to/from I-5 north of the site to use the South Jefferson Interchange and not the Murder Creek Interchange since the time/distance traveled will be shorter.

A third access is recommended for use by employees and other passenger cars. It is recommended that this access aligns with Arthur Road. However, there are a significant amount of utilities within the recommended access location. The existing access location 350 feet to the south is a suitable alternative if relocating the utilities is not feasible. The site access should be designed for full truck access in the event it is needed.

Old Salem Road/Century

It is recommended that this intersection is reconfigured to a traditional intersection geometry and control. The revisions as recommended in this report will eliminate northbound left turning trucks from blocking southbound traffic and eastbound left turning trucks from blocking northbound left turning vehicles. The recommended intersection control and configuration is illustrated in Figure 16.

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APPENDIX A: DRIVEWAY TRUCK TURNING TEMPLATES

APPENDIX B: INTERSECTION TRUCK TURNING TEMPLATES

1.0 BACKGROUND

Linn Economic Development Group is proposing the development of an Intermodal Transfer Facility (ITF) in Millersburg, Oregon on tax lot 400 of MAP 10S-03W-28. The site consists of approximately 131.91 acres and is mostly vacant. A 60,00 SF warehouse currently exists on site which is anticipated to remain and be repurposed for the ITF use.

The proposal is to use the site as an intermodal transfer facility where goods grown and produced in Oregon will be brought in on semi-trucks and loaded onto rail containers to be shipped via rail to ports and other shipping locations outside of the Willamette Valley.

This traffic analysis provides an evaluation of the impacts that the proposed transfer facility would have on the adjacent transportation system.

2.0 PROPOSED SITE USAGE

The site, tax lot 400 of map 10S-03W-28, contains approximately 131.91 acres and is zoned for Industrial use. Figure 1 illustrates the site location. The most recent use of the site was the former International Paper (IP) facility. The site was vacated in 2009, and most of the buildings on site were removed. A 60,000 sf warehouse building remains on site near the main entrance that will be used for the ITF. The former use of the site was a production facility with a high number of daily deliveries by semi-trucks (200+ daily) and a large number of employees (350 employees).

The proposed use of the site is a transfer station that will allow semi-trucks to offload goods produced within Oregon onto rail where the products/shipping containers will be shipped by rail to ports outside the Willamette Valley. It is anticipated that a majority of products shipped via rail will include straw, pulp, lumber and wood products, seeds and grain, potatoes, and nursery stock. These types of products are grown, harvested, and produced within Oregon and are typically shipped along Interstate 5 (I-5) and Interstate 5 (I-205) corridors throughout Oregon. The proposed transfer station will ultimately reduce truck traffic along the I-5 and I-205 corridors by shifting interstate shipping methods from solely semi-truck to shipping by rail.

The proposed usage of the site is anticipated to have up to 10 employees and approximately 180 trucks daily. This usage is below the level of traffic previously experienced from the IP site. Therefore, the intersectional and capacity impacts will be less than what was experienced from the previous use of this site. It is anticipated that there would be no more than 50 trucks accessing the site during the peak hour. With employee shift change the total vehicles using the site is less than 60 during the peak hour.

Major truck routes to/from the site will likely occur from Interstate-5 (I-5), Highway 99, and Highway 20 with occasional truck usage from local streets, such as Conser Road, connecting the rural areas to Millersburg. Site access to/from I-5 will be via the Murder Creek interchange (exit 235) and via the South Jefferson interchange (exit 238) as they are the closest full access interchanges. Access to/from the interchanges to the site will be from Old Salem Road. Figure 2 illustrates the anticipated truck routing to/from the site from the I-5 interchanges.

ODOT has recently prepared an evaluation of the I-5 Corridor between the South Jefferson Interchange and the US 20 Interchange. This study has identified the need to construct a new interchange, the “Millersburg Interchange,” and the removal of the Murder Creek and Viewcrest Interchanges. The new Millersburg Interchange will provide more direct access to the site and will likely be the primary route for trucks to/from I-5 once completed. Figure 3 illustrates the truck routing with the new Millersburg Interchange.

While the exact specifics of the ITF operation are not known, the Environmental Feasibility Study¹ prepared by EcoNorthwest identifies several feasible operating scenarios. These potential scenarios are:

1. Scenario 1: Short-Line Rail 3-Day/Week Service. Under this scenario, a short-line rail carrier would haul 50 containers northbound per week, distributed across three train runs (approximately 17 containers per haul). From the Portland-Vancouver area, these containers would be hauled by a Class I carrier to the Ports of Seattle and Tacoma.

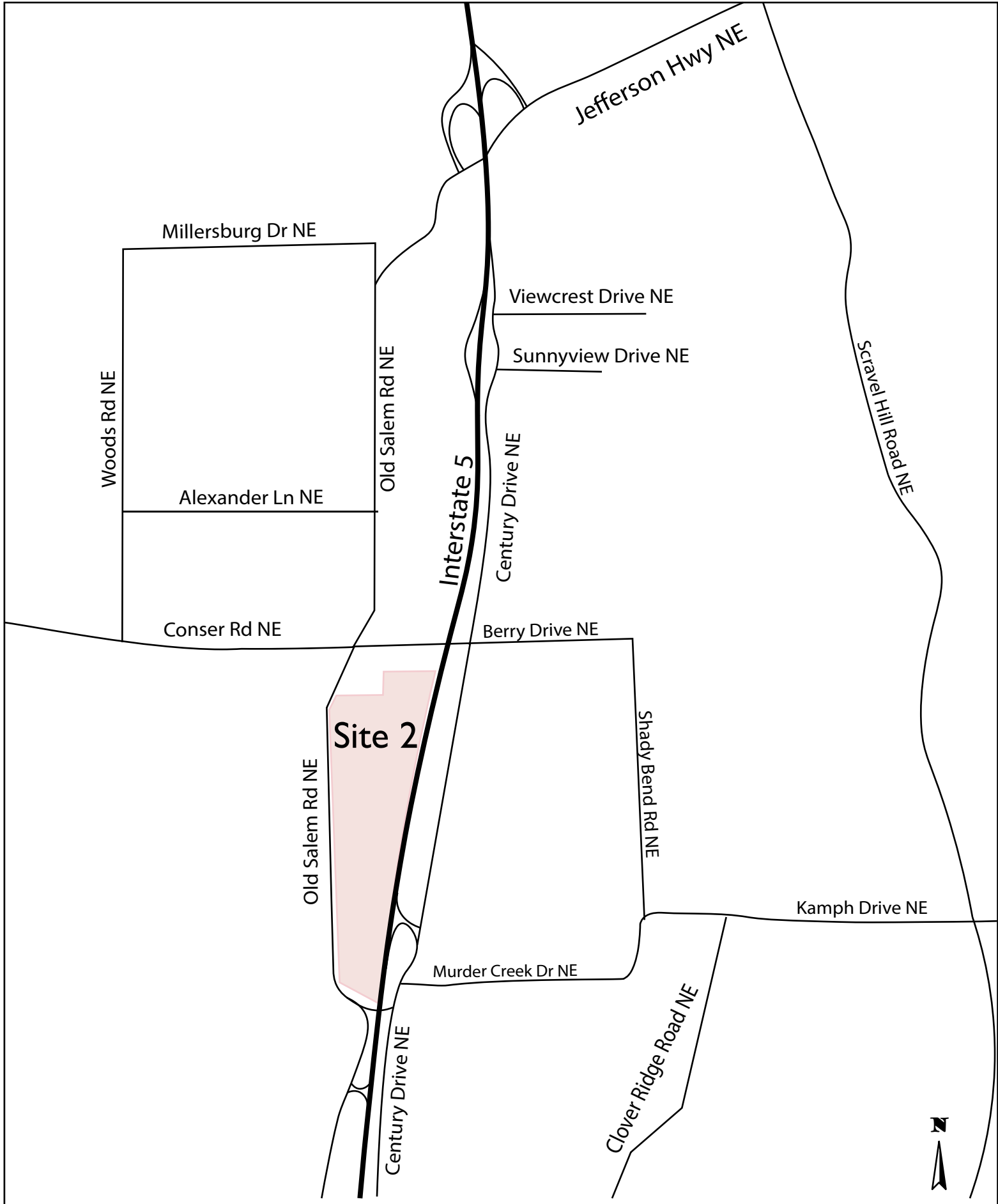
2. Scenario 2: Short-Line Rail 5-Day/Week Service. Under this scenario, a short-line rail carrier would haul 600 containers northbound per week, distributed across five train runs (approximately 120 containers per haul). From the Portland-Vancouver area, these trains would be hauled by a Class I carrier to the Ports of Seattle and Tacoma.

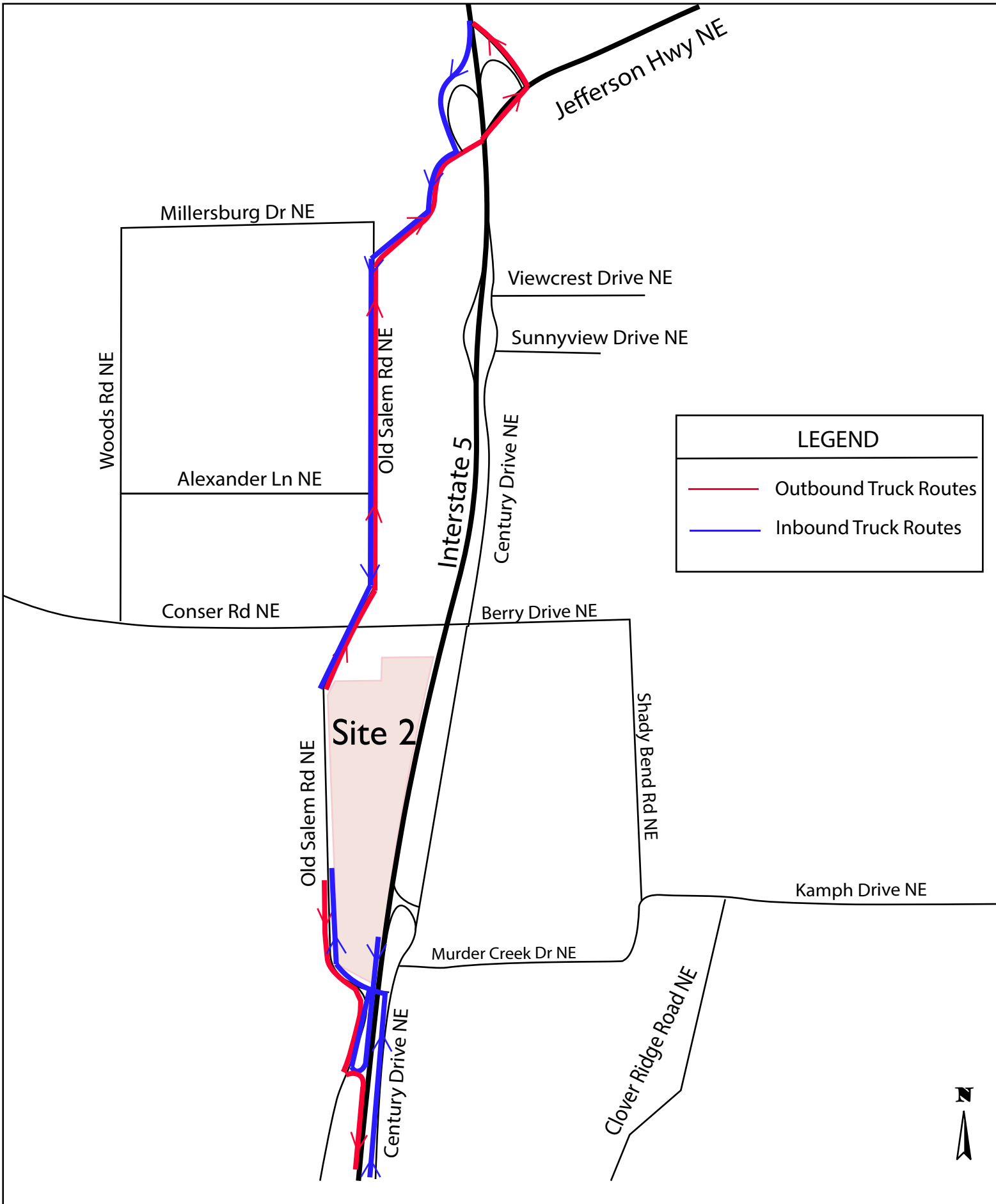
3. Scenario 3: Class I Rail 1 Day/Week Service. Under this scenario, Union Pacific Railroad would haul 200 containers northbound from the ITF each week on one 200-container (double stack) train, and an equal number of imports or empty containers south per week. This is the minimum frequency needed to feasibly accommodate shippers, and the minimum size train Union Pacific would operate.

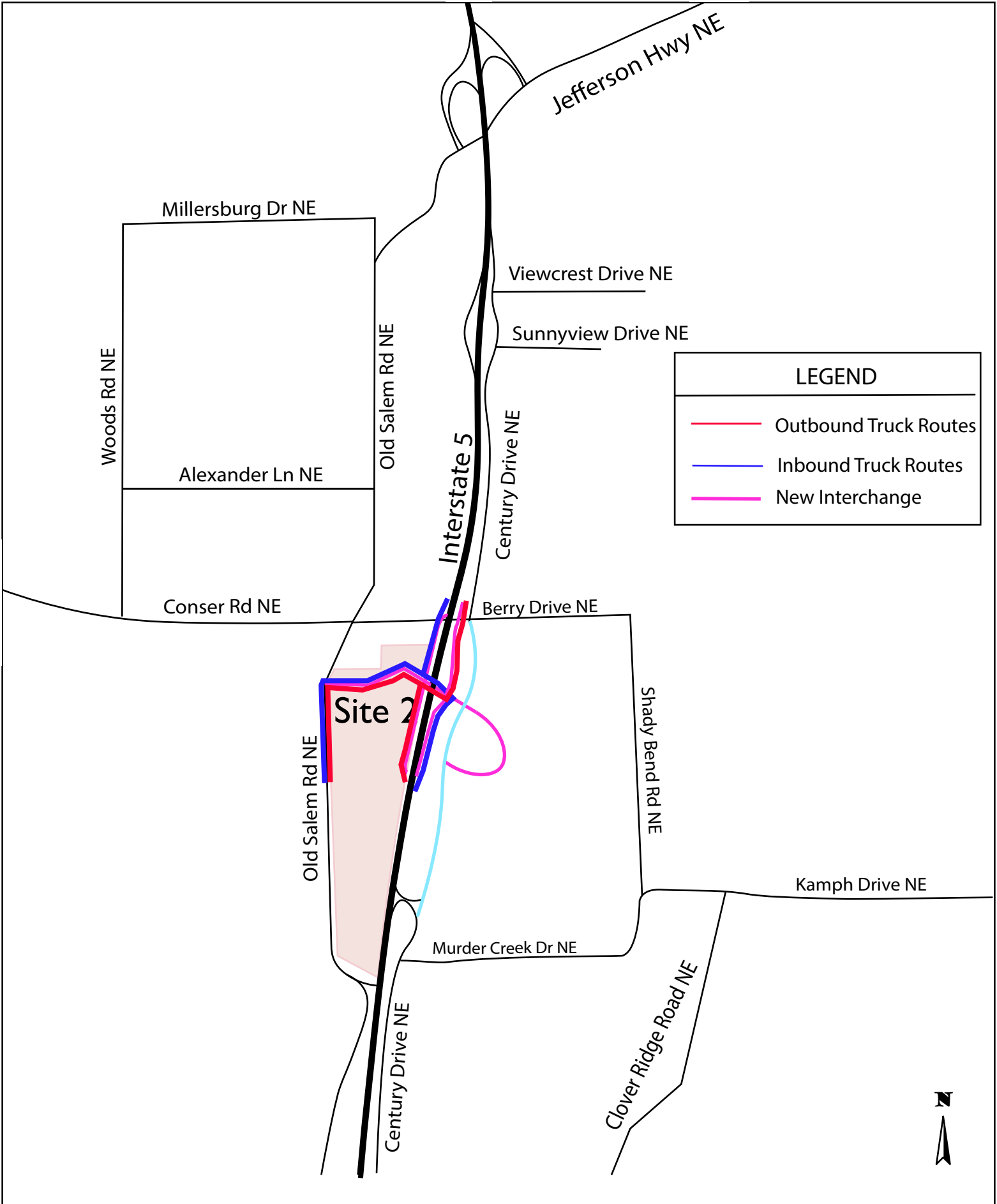
4. Scenario 4: Class I Rail 3-Day+/Week Service. Under this scenario, Union Pacific Railroad would haul approximately 733 containers northbound from the ITS each week on three or more 200-container (double stack) trains, and an equal number of imports or empty containers south per week. This is the number of containers identified in the market analysis, spread over three trains, meeting Union Pacific’s minimum train size per week. The service could operate either 3 trains per week with approximately 245 containers per train, or 4 trains per week with approximately 183 containers per train.

This traffic analysis evaluates the impacts under the maximum number of shipping containers being processed through the site at Scenario 4 levels of 3 trains per week for 38,170 exported containers/year.

¹ Feasibility of an Intermodal Transfer Facility in the Willamette Valley, Oregon; EcoNorthwest; December 14, 2016







Mid-Willamette Valley Intermodal Facility

Figure 3: Truck Routes with Interchange Improvements

3.0 EXISTING INFRASTRUCTURE

The proposed site is located at Tax Lot 400 of map 10S-03W-28. The site is bordered by Old Salem Road to the West and South, Interstate 5 to the East, and Industrial lands to the North. Major roadways used by project traffic are Old Salem Road, Century Drive, and Interstate-5. The existing conditions for the roadways are described in the following.

Old Salem Road

The site fronts on and will take access from Old Salem Road. Old Salem Road will be the primary route for truck traffic between I-5, Highway 99, Highway 20, and the site. Old Salem Road is classified as an arterial street within Millersburg Transportation System Plan (TSP). Figure 4 illustrates the street classifications as per the City of Millersburg TSP. Old Salem Road consists of one lane in each direction, center turn lane, bike lanes, curb and gutter on both sides, and a sidewalk along the west side (north of the Willamette Memorial Park Cemetery). The street cross-section is 6' bike lanes, 12' travel lanes, and 14' center turn lane.

The site currently has multiple access points from Old Salem Road. Several of the access points have been specifically designed for truck movements and truck queuing to minimize the impacts to Old Salem Road.

Century Drive

Century Drive connects Old Salem Road to the Murder Creek Interchange northbound on/off ramps and Old Salem Road to Knox Butte Road/Knox Butte Interchange. Century Drive could also be used to serve Northbound truck traffic from the Knox Butte exit (exit 234). Century Drive is within ODOT's jurisdiction and is classified as a frontage road. Century Drive is one 12' travel lane in each direction with 3.5' shoulders on both sides and no sidewalks.

I-5 Murder Creek interchange

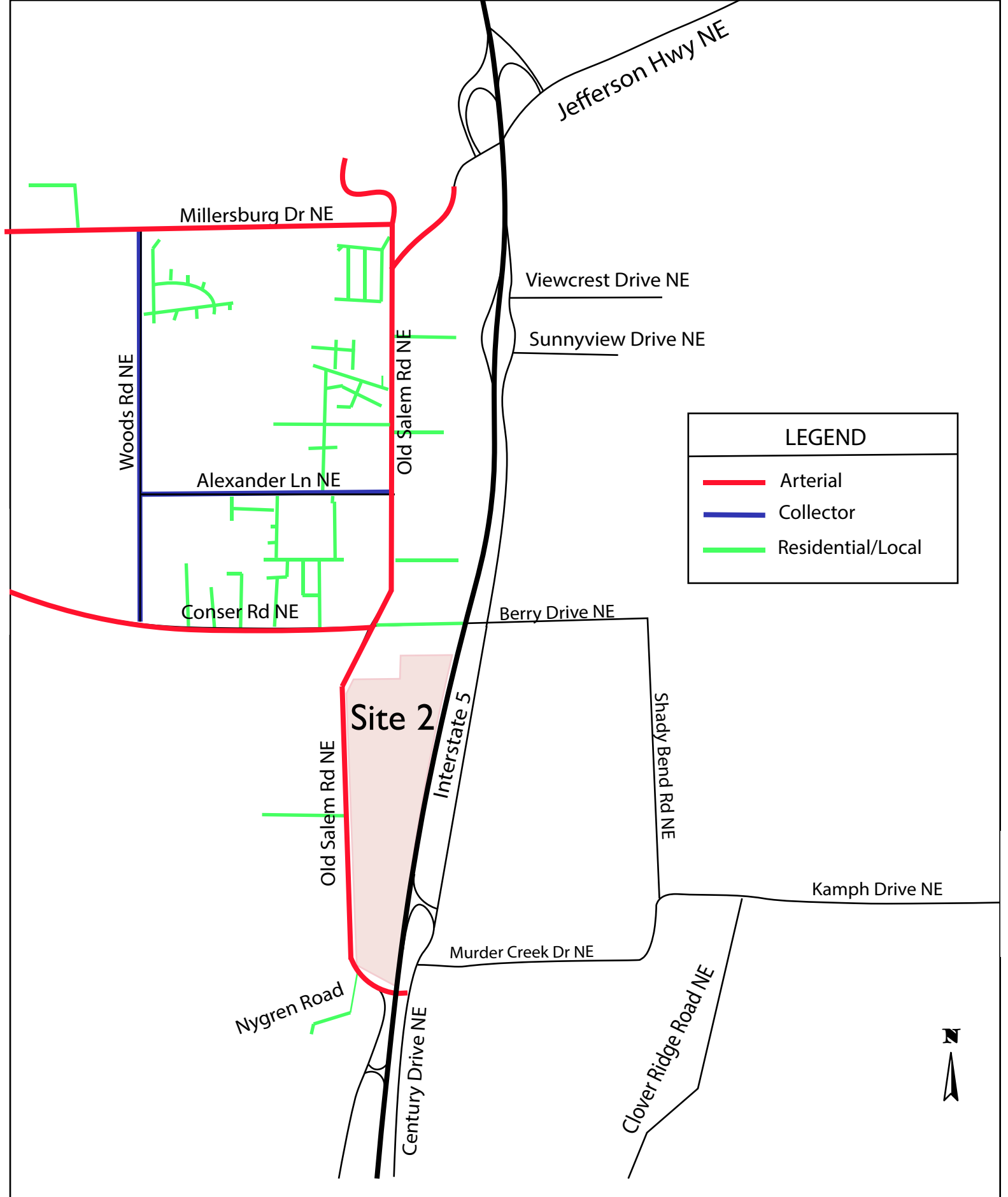
The closest interchange to the project site is the Murder Creek interchange. This interchange is full-movement allowing movements on/off for both North and Southbound traffic. There is easy access from Murder Creek interchange to the site via Old Salem Road. All movements at the interchange are stopped controlled before entering Old Salem Road and Century Drive.

I-5 South Jefferson interchange

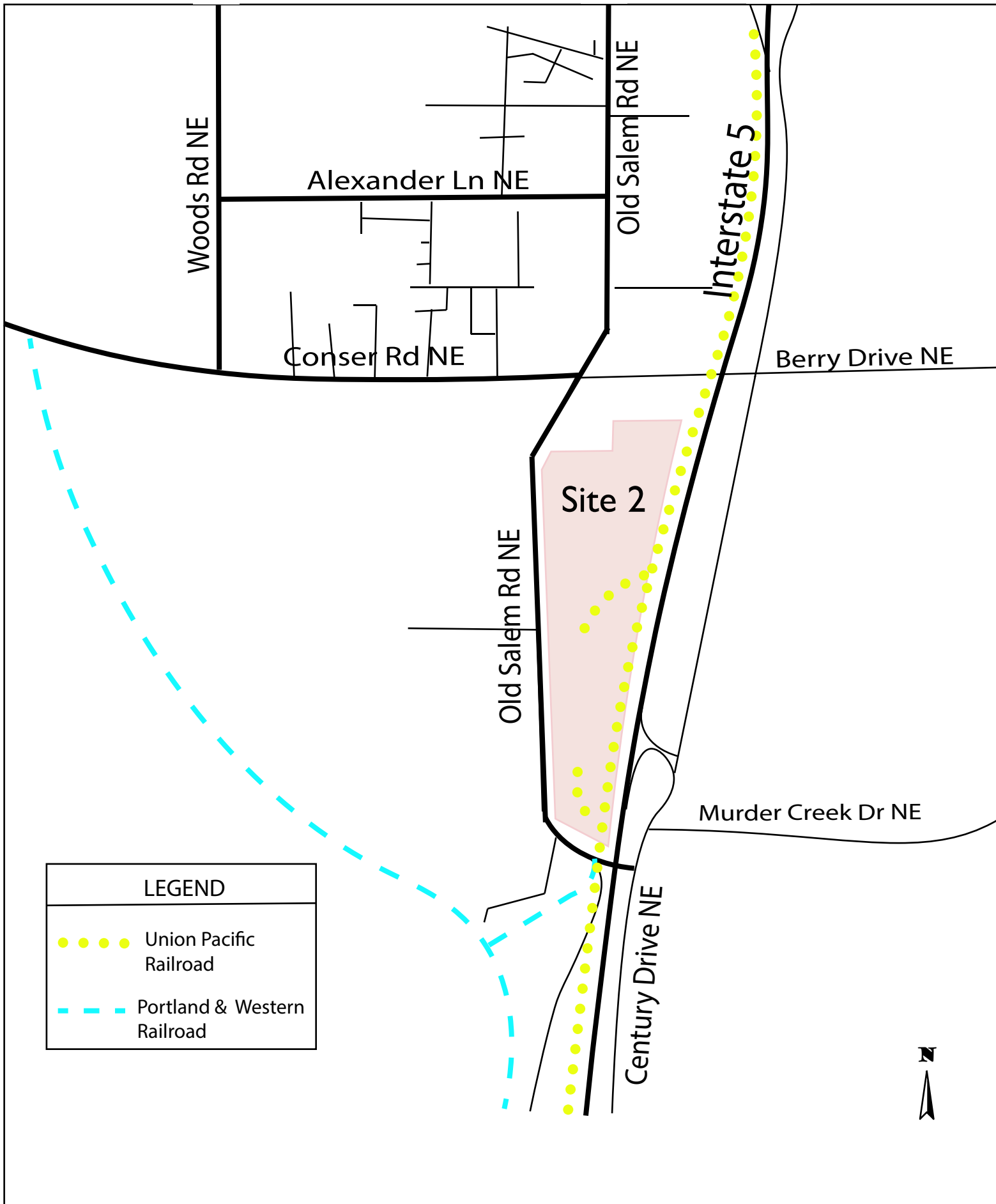
South Jefferson interchange is located approximately 1.75 miles north of the site. The interchange is full access allowing the movements onto/off of I-5 in both northbound and southbound direction. Access to the site is via Old Salem Road. All movements at the interchange are stopped controlled before entering Old Salem Road,

Railroad

Union Pacific Railroad (UP) has a mainline rail between the site and I-5 with a spurs entering the site. Portland & Western (PW) has a mainline rail line less than a mile to the west. There is a spur that connects PW & UP rail lines. Figure 5 illustrates the location of the rail lines.



LEGEND	
—	Arterial
—	Collector
—	Residential/Local



4.0 FUTURE BACKGROUND ROADWAY IMPROVEMENTS

The City of Millersburg, ODOT, and the recent Traffic Impact Analysis prepared for the Love’s Travel Stop have identified several future roadway/transportation improvement projects to address current and future capacity and safety concerns. The following describes the planned improvement projects.

City of Millersburg Projects

The City of Millersburg 2016 Transportation System Plan (TSP) evaluated roadways and intersections within the UGB. The TSP has identified several projects to address existing and future deficiencies within the ITF travel area. Table 1 provides a list of the improvements and Figure 6 provides an illustration of the improvements.

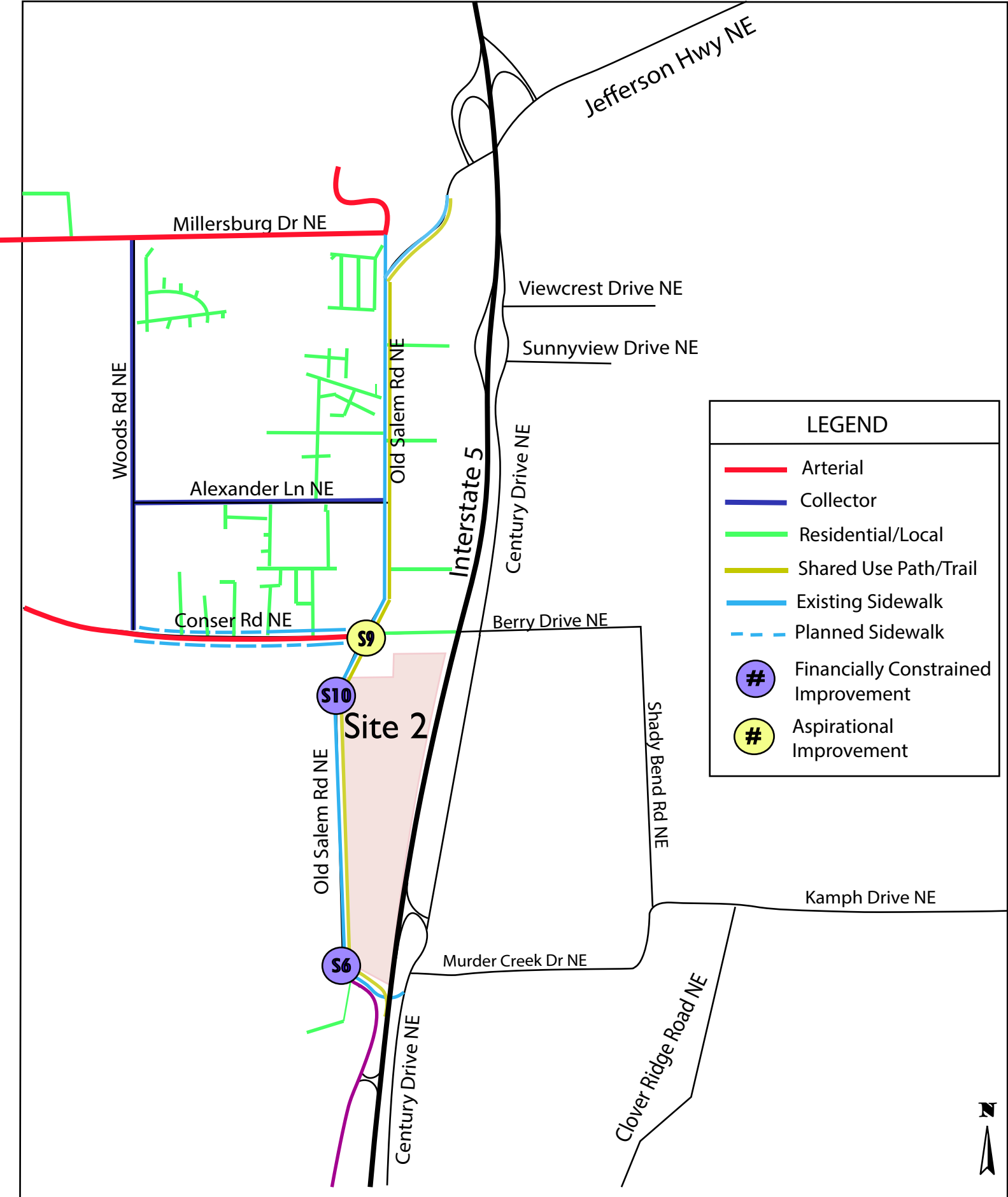
TABLE 1: CITY OF MILLERSBURG PLANNED IMPROVEMENT PROJECTS

ID	Improvement
<i>TSP FINANCIALLY CONSTRAINED PROJECTS</i>	
B4	Old Salem Rd Shoulder Lanes (interim project)-widen shoulders for bike access
B5	Conser Rd Bicycle Lanes-extend bike lanes to city limits
P5	Conser Rd Sidewalks-extend sidewalks to city limits
P6	Old Salem Rd Sidewalks-construct new sidewalk along the west side
<i>TSP ASPIRATIONAL IMPROVEMENTS</i>	
S3	Reconstruct Old Salem Rd to arterial cross section
S9	Realign Conser Rd at Old Salem Rd
S10	Future I-5 Interchange Connection-add roadway from Old Salem Road to new Millersburg interchange
B1	Old Salem Rd Shared-Use Path-construct a 10-12 foot bicycle and pedestrian path parallel to Old Salem Rd
P3	“Four Lakes” Trail-construct path along the east side of the Willamette River

As depicted in Table 1 and Figure 6, the City of Millersburg has identified the need to extend the bike lanes and sidewalks along Conser Road west to the city limits. The city has also identified the need to realign Conser Road at Old Salem Road to a standard 4-way intersection.

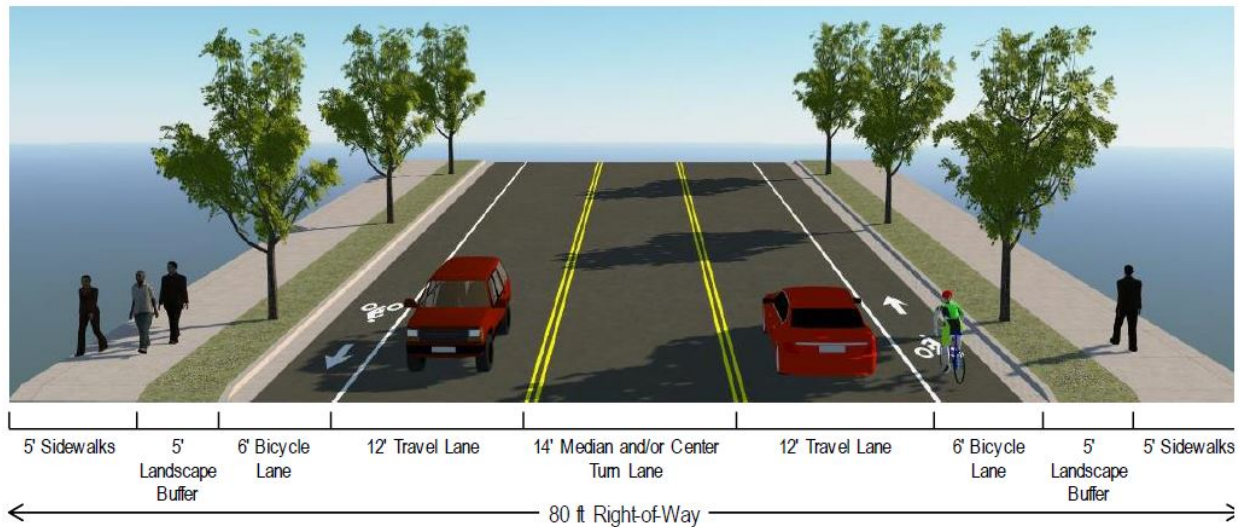
The city has identified the need to reconstruct Old Salem Road to the current street standard as identified in the TSP and show in Figure 7 below. The projects for Old Salem Road include infilling of missing sidewalks and widening of the shoulders for bike use.

Additionally, the city has identified the need for a 10-12 foot multi-use path parallel to Old Salem Road. While the description of the project (T31) does not identify where in the right of way the multi-use path will be located, the map within the TSP depicts the path along the east side of Old Salem Highway.



LEGEND	
—	Arterial
—	Collector
—	Residential/Local
—	Shared Use Path/Trail
—	Existing Sidewalk
- - -	Planned Sidewalk
#	Financially Constrained Improvement
#	Aspirational Improvement

FIGURE 7: CITY OF MILLERSBURG ARTERIAL CROSS-SECTION



Development Driven Projects

The approved and in progress development of Love’s Travel Stop (located just South of the South Jefferson Interchange) has identified the following mitigation needs to the system.

TABLE 2: DEVELOPMENT DRIVEN IMPROVEMENT PROJECTS

Location	Improvement
I-5 Northbound Ramp at Jefferson Highway	- Installation of all-way stop-control - Installation of Eastbound left-turn lane

From the traffic study, it would appear that the all-way stop-control is recommended for the year 2018 (year of opening), and the left turn lane is needed prior to the year 2040.

ODOT Projects

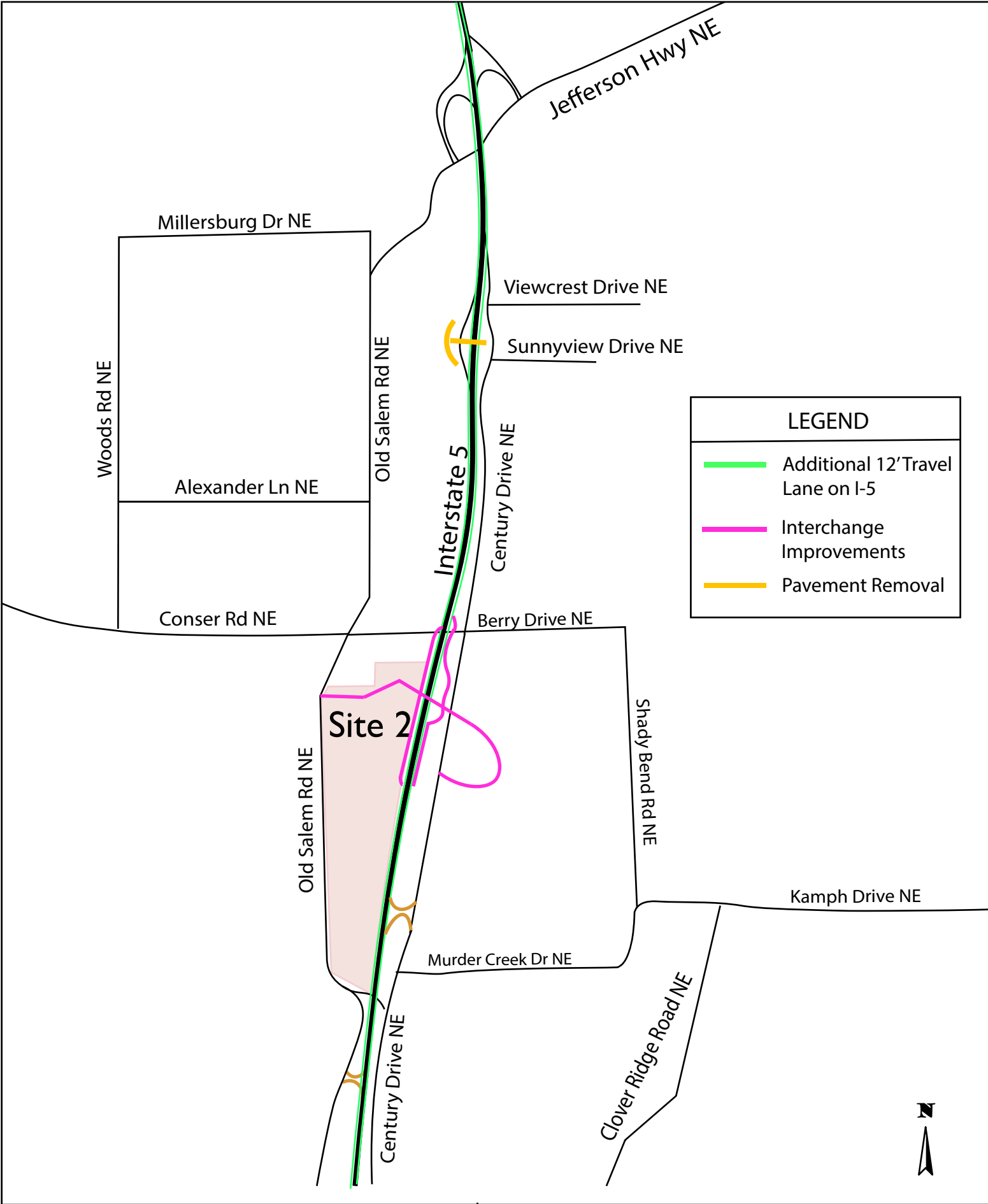
Recently ODOT has completed an evaluation of the interchange along I-5 between the South Jefferson Interchange (MP 238) and the US-20 interchange (MP 233.2). The evaluation identified that there are existing and future geometric deficiencies, safety concerns, and capacity constraints that are triggering the need for interchange improvements.

The following is a list of the recommended improvements as per the evaluation. Figure 8 illustrates the anticipated interchange improvements.

TABLE 3: ODOT INTERCHANGE IMPROVEMENTS

Improvement
- Add 1 additional travel lane on I-5 from MP 238 to MP 233
- Construct a new interchange at MP 236-“Millersburg Interchange”
- Close Viewcrest and Murder Creek interchange
- Improve Old Salem Road to current design standard
- Improve Century Drive to design standard
- New street connection from interchange to Old Salem Road

The study did not identify the timeline for improvements to the interchange, and the improvements are not listed in the 2018-2021 ODOT STIP.



5.0 TRANSFER FACILITY VEHICLE USAGE

The estimation of trips to/from the proposed ITF and routes of travel are described in the following.

5.1 TRIP GENERATION

The number of semi-truck trips and types of vehicles generated by the site will vary with the seasons, demand of products, and contracts with the shipping companies. However, EcoNorthwest² provided a feasibility study of usage for a transfer site in the Willamette Valley. Within the study, it was determined that an ITF within the Willamette Valley could export 38,170 40-foot shipping containers each year. Additionally, the ITF could provide an import of goods to distribution centers of about 9,000 containers per year. The number of daily and peak hour truck and employee trips to the site are estimated using the operational data and expected shipping usage described in the EcoNorthwest feasibility study.

Daily Trips

The EcoNorthwest feasibility study determined that the site could export 38,170 shipping containers and import about 9,000 shipping containers per year. The feasibility study assumed the site would be operational for 5 days per week and would be operational for about 10 hours a day. Assuming for typical weekday holidays, there is an average of 261 working days per year. At 261 working days per year, the ITF would receive 150 trucks for exporting products and 35 trucks for the imported products daily. This is equal to 185 trucks accessing the site per day. As a conservative analysis, it is estimated that each container is one truck trip.

The EcoNorthwest assumed a minimal number of employees on site (2 employees). However, the traffic estimate was prepared assuming up to 10 employees during full operation.

The vehicle trip estimate is provided in Table 4.

² Feasibility of an Intermodal Transfer Facility in the Willamette Valley, Oregon; EcoNorthwest; December 14, 2016.

TABLE 4: DAILY SITE TRIP GENERATION

Import containers/year	38,170
Working days/year	261
Containers/day	150
Number of trucks/day *	150
Export containers/year	9,000
Working days/year	261
Containers/day	35
Number of trucks/day *	35
Number of Employees	10
Trips by trucks**	370
Employee trips***	20
Total daily trips	390

* Assume single trailer trucks- 1 container/truck

** Each truck has 2 trips- 1 in, 1 out

*** Each employee makes 2 trips- 1 in, 1 out

Peak Hour Trips

As per the EcoNorthwest feasibility study, the site is anticipated to run 10-hour shifts. For the purposes of the study, the 10 employees on shift at the start and end of the day are assumed to all enter during the AM period and exiting during the PM peak hour. While it is likely that the shift change will occur outside the peak hour, for the purpose of this study they were assumed to occur during the peak hours.

The truck traffic will deliver/pickup throughout the day based on trip logistics, seasonal fluctuations, and other factors. The ITE Trip Generation Manual provides an estimation for this type of land use (ITE Land Use Code-030 Intermodal Truck Terminal). The estimate peak hour trips during the AM and PM peak hour are illustrated in Table 5.

TABLE 5: PEAK HOUR TRIPS

Land Use	Size	Rate	Trips	In	Out
AM					
ITE LUC 030- Intermodal Truck Terminal	60 KSF	1.97	118	56	62
PM					
ITE LUC 030- Intermodal Truck Terminal	60 KSF	1.87	112	58	54

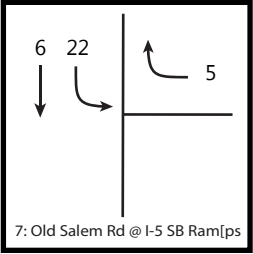
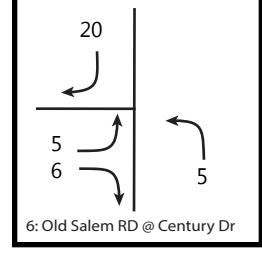
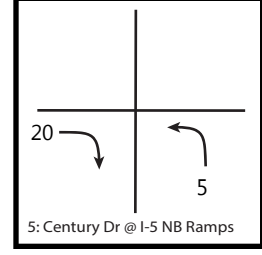
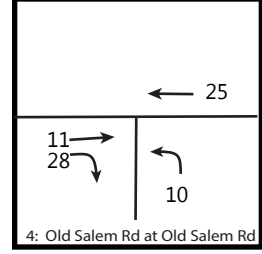
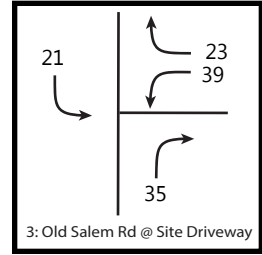
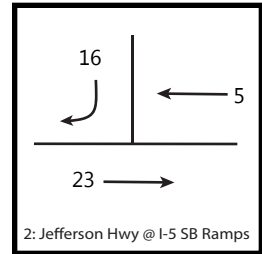
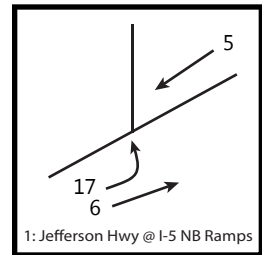
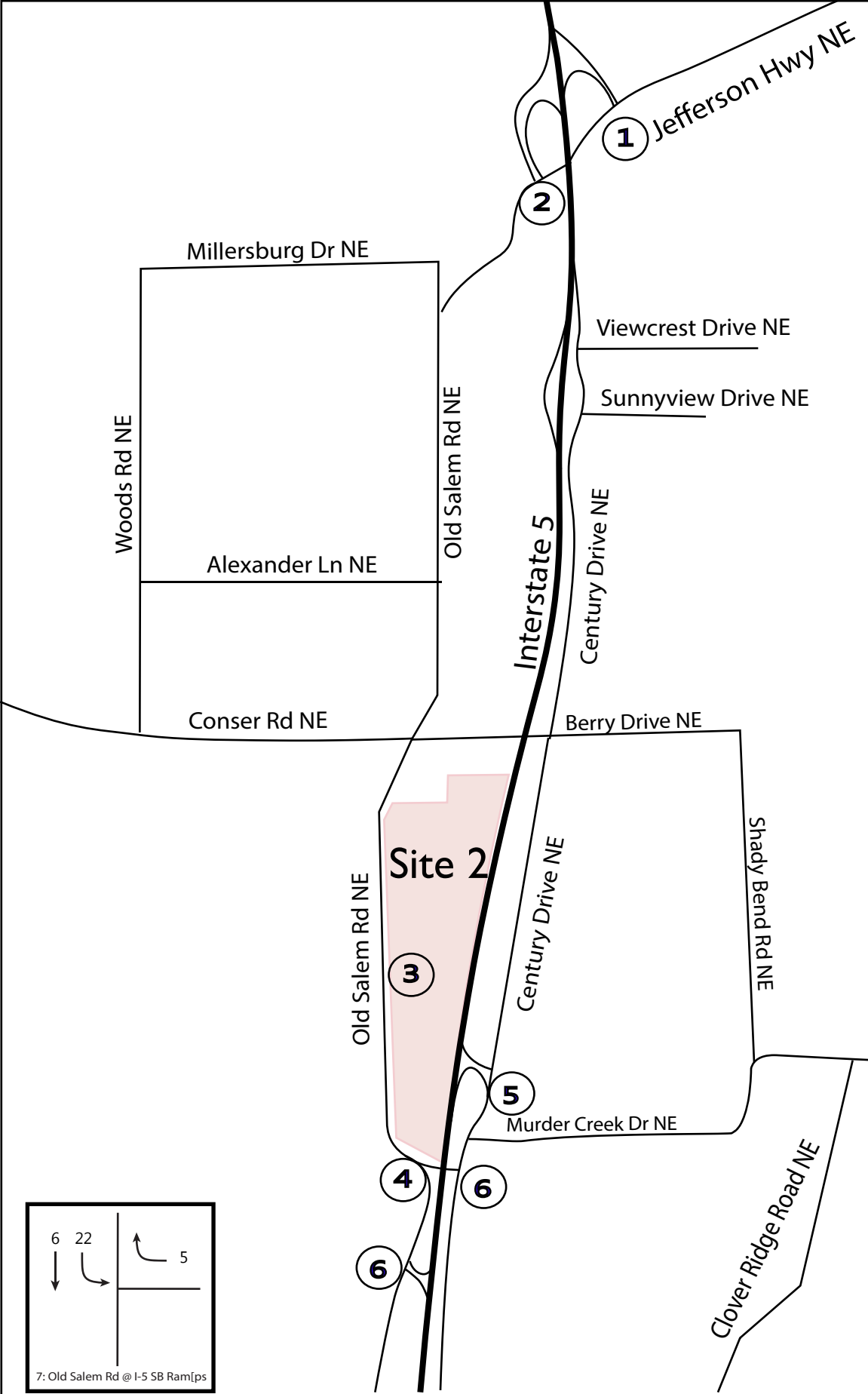
Trip Distribution

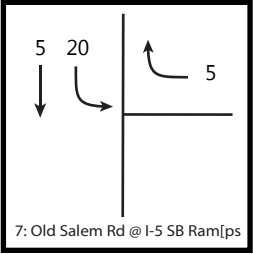
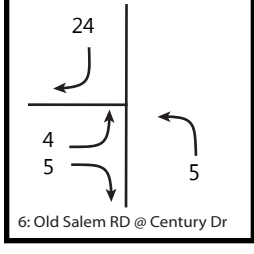
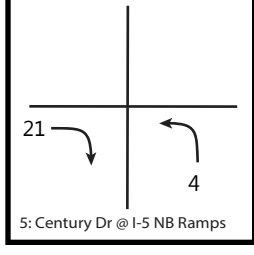
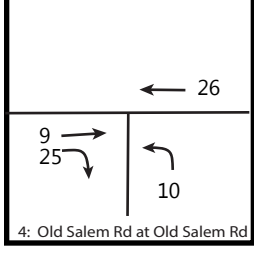
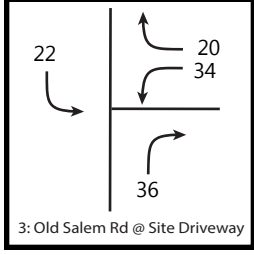
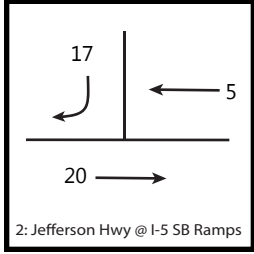
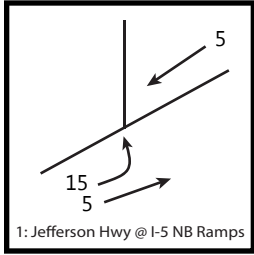
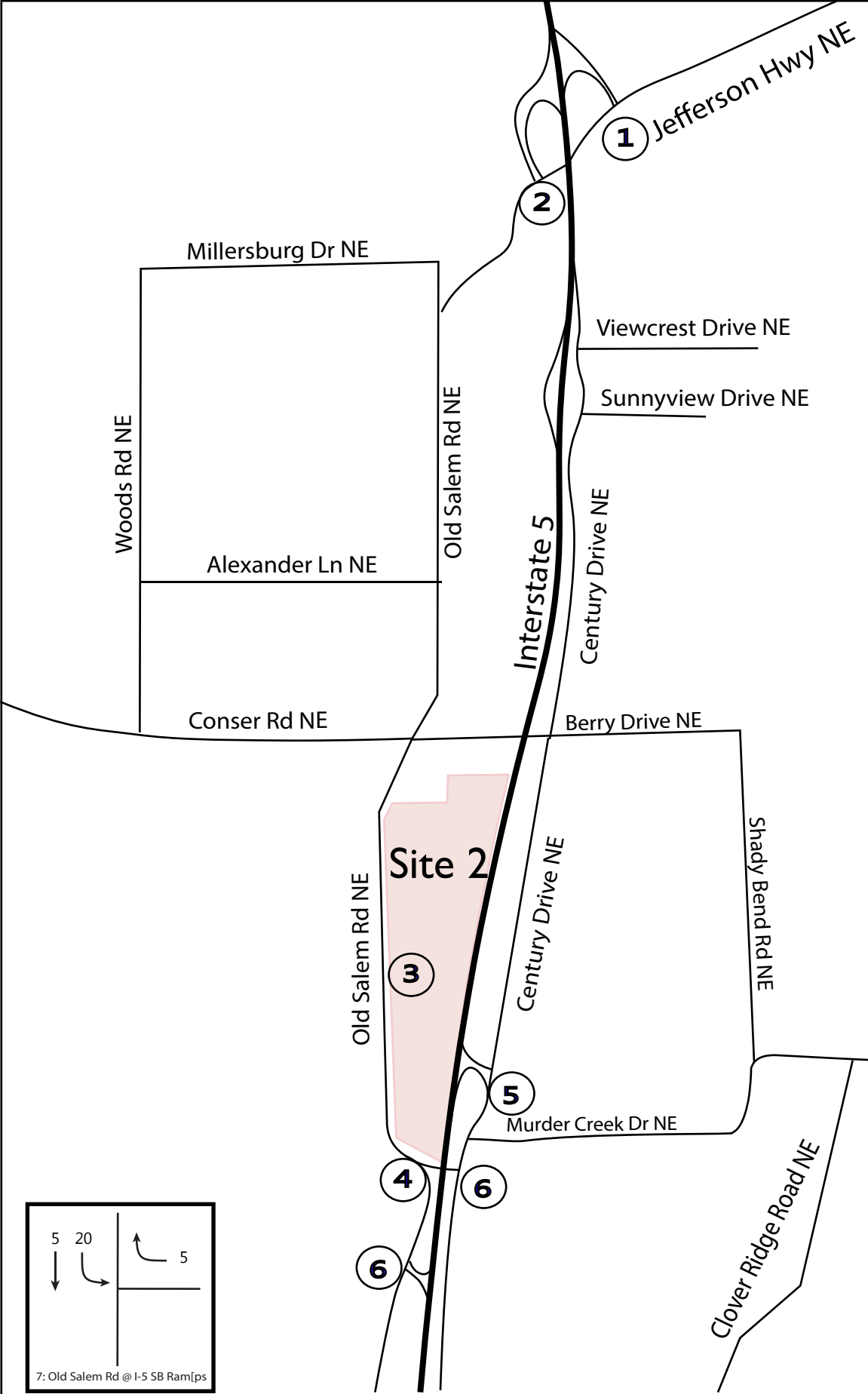
Trucks to/from the site are anticipated to be primarily from I-5. However, there will be some truck usage from Highway 99 and Highway 20.

The anticipated trip distribution is as follows:

- 10% to/from Highway 99 North
- 10% to/from Highway 99 South
- 10% to/from Highway 20 (east of I-5)
- 35% to/from I-5 North
- 35% to/from I-5 South

The estimated trip distribution for the AM Peak Hour is shown in Figure 9 and in Figure 10 for the PM Peak Hour. The trip distribution assumed truck routes based on the shortest path of travel for both distance and drive time.





6.0 SITE ACCESS

The previous use of the site served a substantial number of employees and trucks. Therefore, multiple access points were developed. Figure 11 illustrates the location of the existing site access points.

While the site will need to continue to provide access for both trucks and employees, the need for so many access points is not necessary for this particular project. The recommendation is to remove/block all additional access points that are not specifically needed for daily operations of the site as described in the following.

The closest interchange/access to I-5 to the site is to the south at the Murder Creek interchange. Therefore, it is anticipated that a majority of the vehicles will access the site to/from the south via this interchange. However, once the Millersburg interchange is completed, truck access will be to/from the north via the new interchange. Therefore, the access location and design considers both the existing access to/from the south at the Murder Creek Interchange and the future access to/from the north at the Millersburg Interchange.

The site access was evaluated for truck turning movements, queuing for trucks, capacity, the location of adjacent driveways and roadways and safety considerations and recommends the following:

- **Utilization of the existing south access for truck traffic:** IP developed an access on the south end of the property that is currently designed to allow for truck movements into the access from both the north and south directions. The access has a large queuing area for trucks to queue off-site and off the roadway. Figure 12 illustrates the access location. Appendix A contains the truck turning templates. The access will serve as an entrance only. Once the new interchange is built, this access will likely not be utilized as frequently as the recommended north access as the north access will be the closest access to the new interchange.
- **Utilization of the existing north access for truck traffic:** The most northerly existing access will be the closest access to the new interchange, and therefore, could be the main entrance for truck traffic once the interchange is developed. The access should be developed for full movement allowing both ingress and egress of trucks. Figure 13 illustrates the proposed access location. Appendix A contains the truck templates. This access would be used for all exiting truck traffic.
- **Utilization of the existing main entrance for all traffic:** The existing main entrance to the site is designed to allow for truck movements into and out of the site. However, the site access is located about 350 feet south of Arnold Road. This distance is far enough away from the intersection that there would not be any turning movement conflicts and will not result in any adverse queuing or other operational conflicts. However, the ideal location would be the alignment of the access to Arnold Road. The access should be located to align with Arnold Road. However, there are a substantial amount of utilities at the location where the access is recommended. If the utilities cannot be reasonably located, then the existing main entrance 350

feet to the south will operate sufficiently. Either access location should be used for employee and other passenger vehicles. However, the access should be designed to allow for truck movements. Figure 14 illustrates the proposed access.



Mid-Willamette Valley Intermodal Facility

Figure 11: Existing Access Locations



LEGEND



- South Access
- Existing Driveways



Mid-Willamette Valley Intermodal Facility


Figure 12: South Access

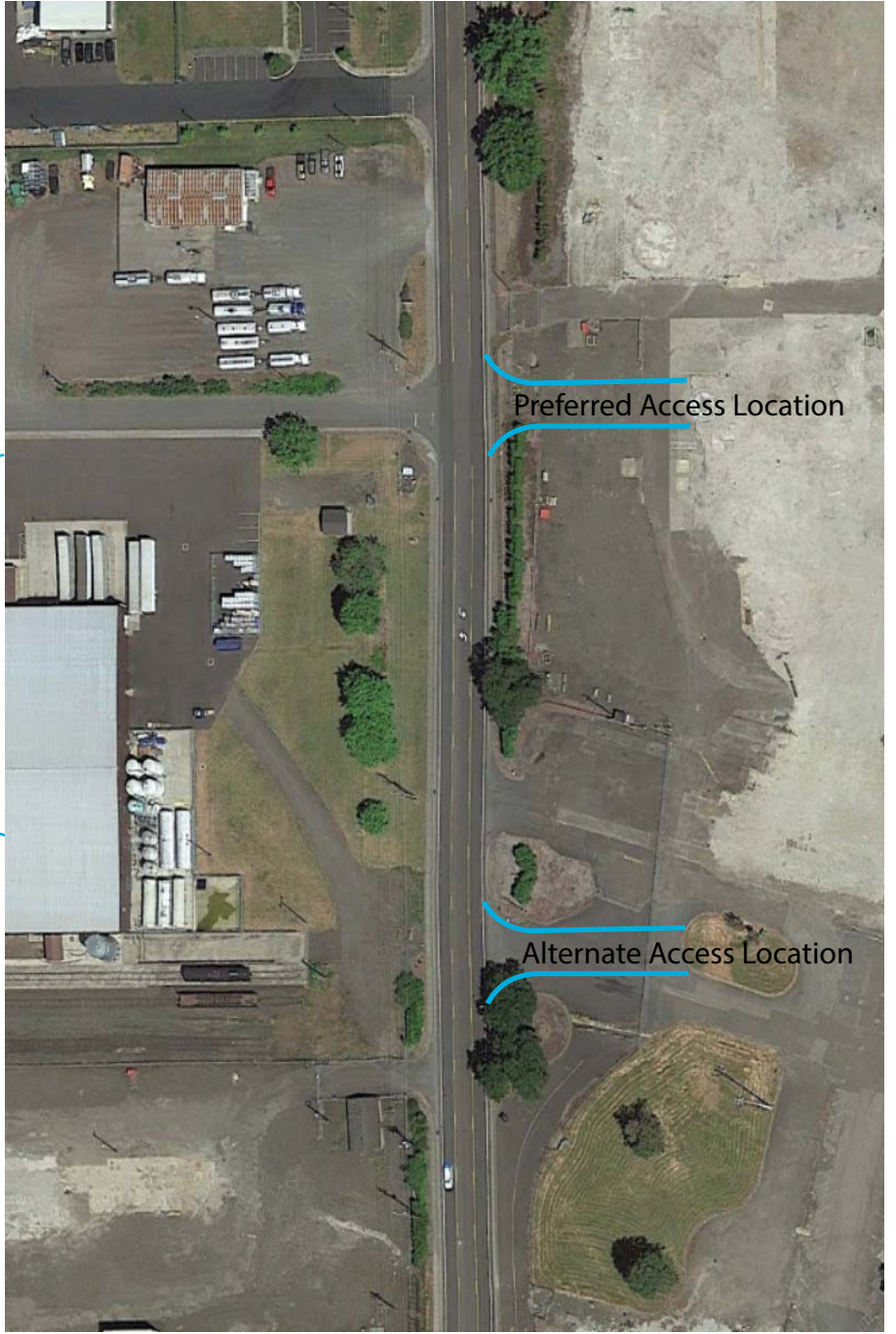


LEGEND	
	North Access
	Existing Driveways





LEGEND	
	Employee Access
	Existing Driveways



Mid-Willamette Valley Intermodal Facility

Figure 14: Employee Access

7.0 OFF-SITE IMPACTS

7.1 INTERSECTION CAPACITY

As shown in Section 5.0, the site is anticipated to generate 118 trips in the AM peak hour and 112 trips during the PM peak hour with full operation. Based on the estimated trip generation as illustrated in Figures 9 and 10. All of the intersections will receive less than 50 trips during either of the peak hours. The typical threshold for triggering an evaluation is the addition of more than 50 trips from a development. Therefore, the intersections fall below warranting a capacity evaluation.

Additionally, the previous use of the site facilitated 350 employees and heavy usage by truck traffic. The ITF proposal will generate less traffic on a daily and hourly basis than what was generated by the previous use of the IP site. Therefore, the impacts of the ITF on the adjacent system will be less than the impacts from the previous IP use.

The Loves Travel Stop TIA evaluated conditions at the northbound and southbound ramps at the South Jefferson Interchange. The TIA determined that the southbound ramps operate at a v/c 0.16 at the opening of the project and at a v/c 0.25 through the year 2040 with the completion of the project. There is sufficient capacity at the southbound ramp intersection to facility the small amount of additional traffic from the proposed ITF. The TIA determined that the northbound ramp would need an all-way stop-controlled configuration as well as an eastbound left turn lane. With the proposed mitigation from Love's Travel Stop, the northbound ramp intersection is projected to operate at a 0.77 through the year 2040. The mobility standard for this intersection is 0.85. There is sufficient capacity at this intersection for the additional low volume of traffic from the ITF site.

The ODOT I-5 South Jefferson to US 20 evaluation³ and recommendations were prepared using traffic count data taken 2008 while the IP site was in full operation. The results of the analysis show that the intersection operation for Old Salem Road at Century Drive and Old Salem Road at Conser Road will operate at a LOS B through the year 2035. There is sufficient capacity at these intersections for the additional of traffic from the ITF site. Additionally, the ODOT report indicates that the intersections of Old Salem Road at Old Salem Road will operate at a LOS F in the year 2035 if the new interchange is not completed. The construction of the new interchange will improve the intersection operation to a LOS C. With the new interchange the truck traffic to/from the ITF site will be diverted to the north and very little will utilize this intersection. Therefore, it is anticipated that there will be no impact to this intersection by the ITF facility.

³ I-5: South Jefferson Interchange to US 20 Interchange Design Baseline Evaluation; Oregon Department of Transportation; December 2015.

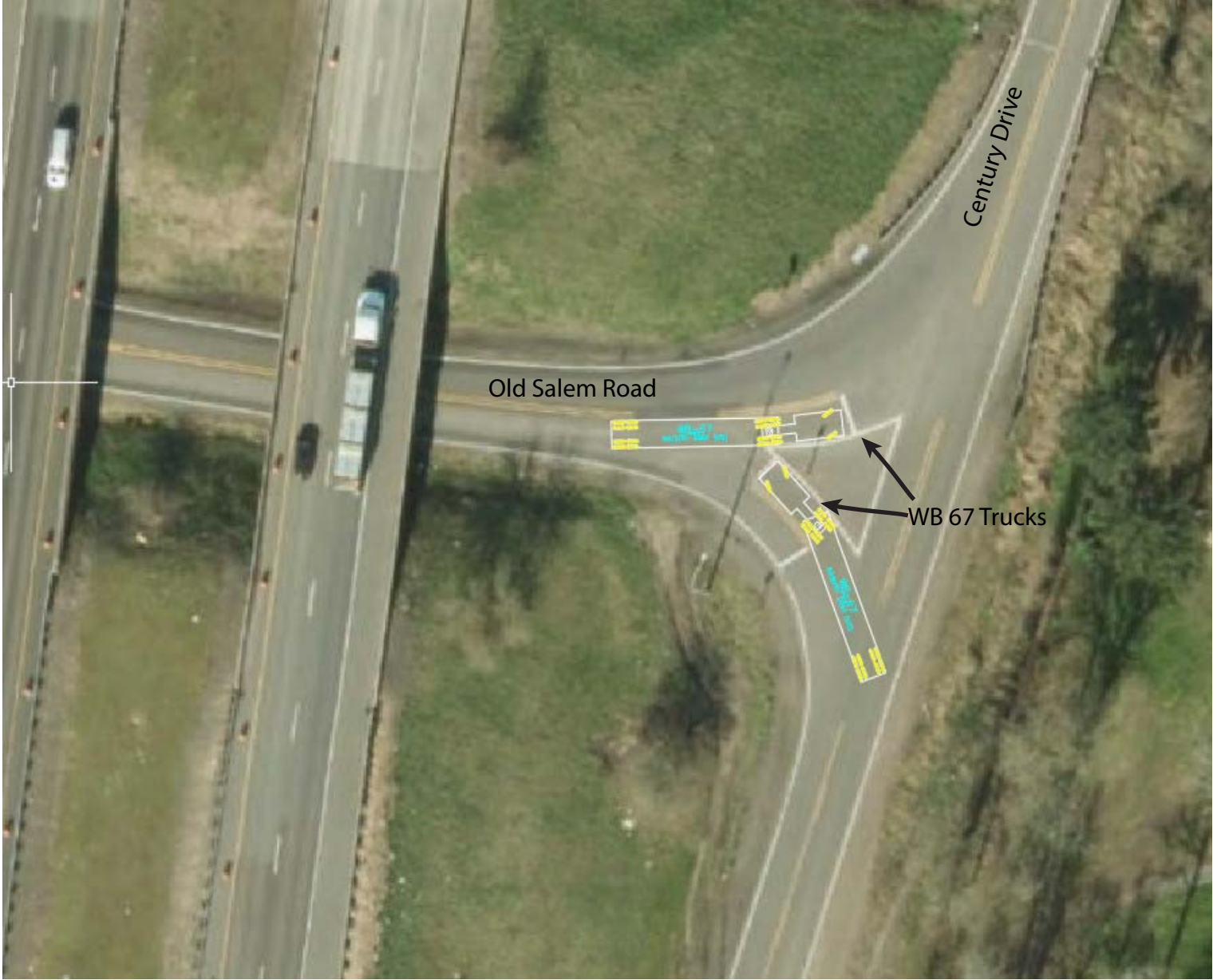
7.2 INTERSECTION GEOMETRY

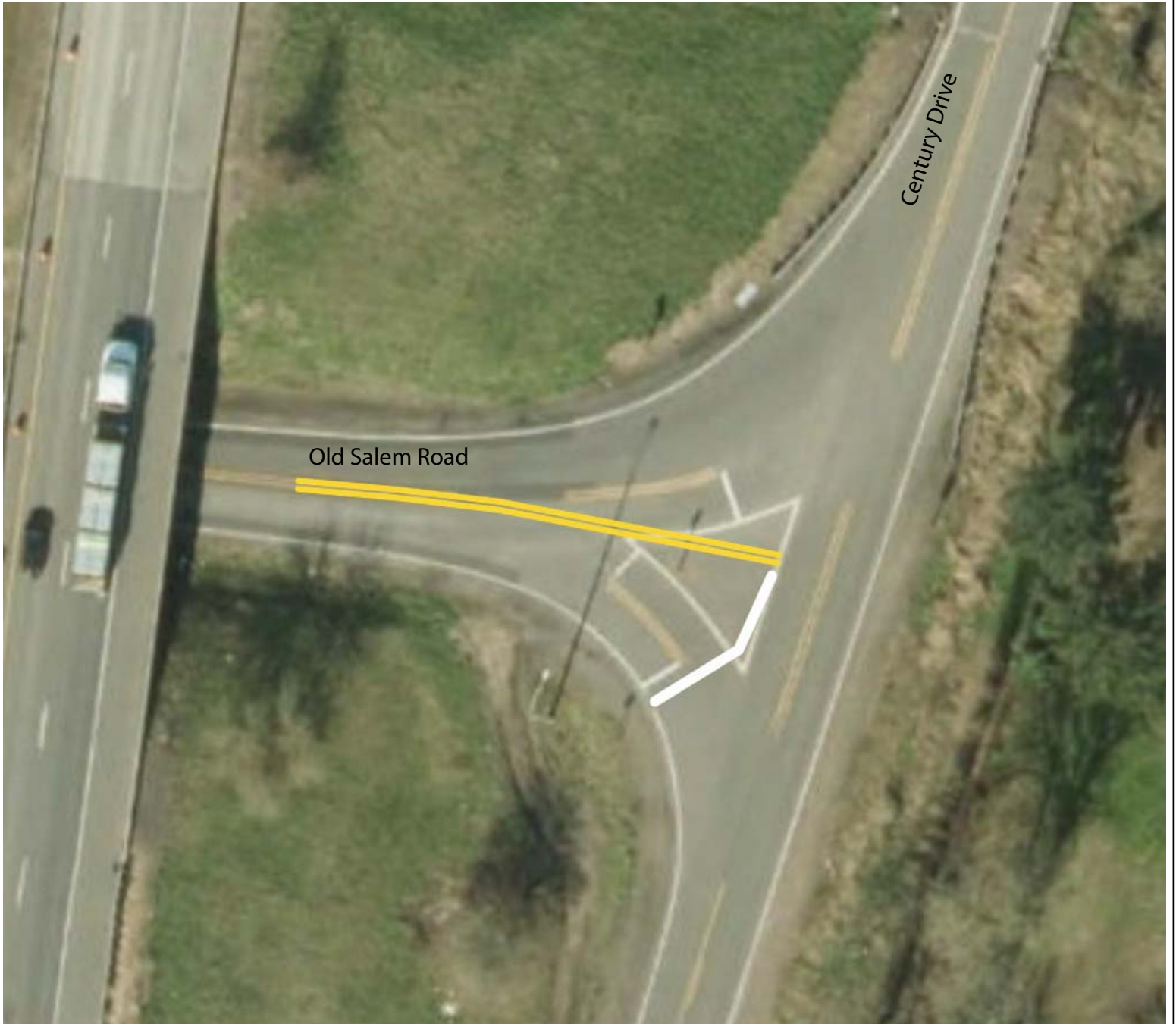
The intersections within the study area were evaluated for geometric deficiencies and safety concerns. In general, all movements to and from the interchanges and at intersections between the interchanges and the site have acceptable intersection controls and geometry for the anticipated truck traffic. The intersection of Old Salem Road/Century Drive has a non-typical configuration that could be adversely impacted by the truck traffic. Appendix B contains the truck turning templates for the intersections.

Old Salem Road/Century Drive:

Due to the geometry and stop control configuration at the intersection of Old Salem Road/Century Drive truck movements have the potential to cause a safety concern. The intersection of Old Salem Road/Century Drive is a T-intersection where the eastbound traffic is stop-controlled as it enters Century Drive. What is potentially problematic, is the northbound left turn has a stop sign about halfway through the turn. Any truck larger than a WB 40 stopped at this stop sign will have the rear of the truck overhang into the southbound lane of Century Drive. Additionally, the eastbound left turn overlaps the northbound left turn movements. A truck stopped to make an eastbound left turn will block the movement for a northbound left turn. Figure 15 illustrates the existing intersection geometry and intersection control.

It is recommended that this intersection be reconfigured to a traditional intersection geometry and control. The recommended intersection control and configuration is illustrated in Figure 16.





7.2 RECOMMENDATIONS

The following are the recommendations for transportation improvements as part of the ITF project.

Site access

It is recommended that the site utilize 3 of the existing access points to the site.

The southern access as shown in Figure 12 would utilize an existing south access onto Old Salem Road. This access is ingress only and allows for a significant amount of off-street queuing and storage. This access is already designed for truck movements. Once the new interchange is built, this access would likely no longer be necessary, and the trucks can access the site from the northern access.

The northern most existing access to the site should be developed as the primary truck access. Figure 13 illustrates the site access. The access should be developed to allow for full-movement access. This access will server as the primary access with the existing interchange configuration and with the interchange that will be built just to the north minimizing the amount of time trucks will be on Old Salem Road. Until the new interchange is built, the north access will encourage trucks to/from I-5 north of the site to use the South Jefferson Interchange and not he Murder Creek Interchange since the time/distance traveled will be shorter.

A third access is recommended for use by employees and other passenger cards. It is recommended that this access aligns with Arthur Road. However, there are a significant amount of utilities within the recommended access location. The existing access location 350 feet to the south is a suitable alternative if relocating the utilities is not feasible. The site access should be designed for full truck access in the event it is needed. Figure 14 illustrates the proposed location.

Old Salem Road/Century

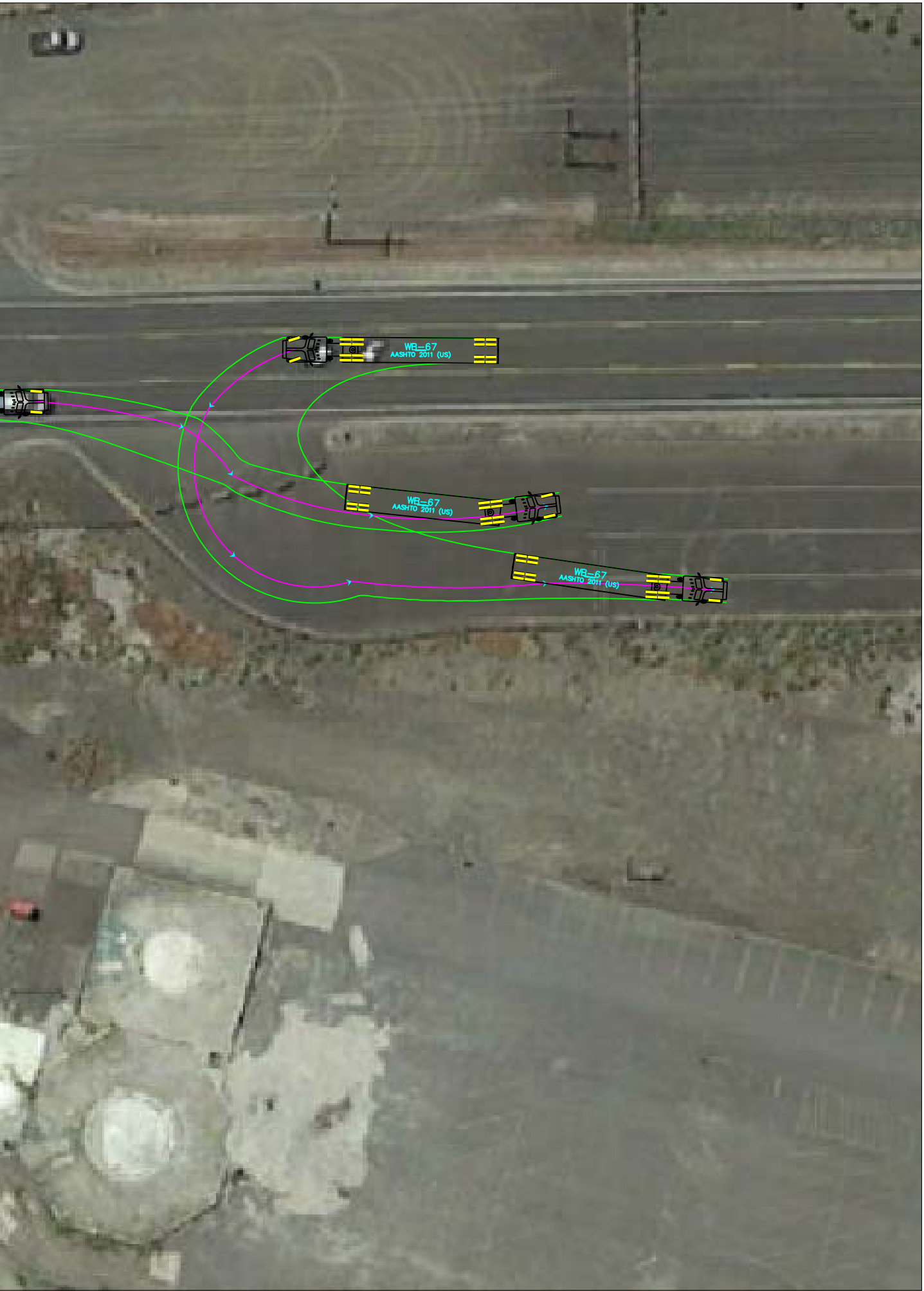
It is recommended that this intersection is reconfigured to a traditional intersection geometry and control. The revisions as recommended in this report will eliminate northbound left turning trucks from blocking southbound traffic and eastbound left turning trucks from blocking northbound left turning vehicles. The recommended intersection control and configuration is illustrated in Figure 16.

Intermodal Transfer Facility



North Access

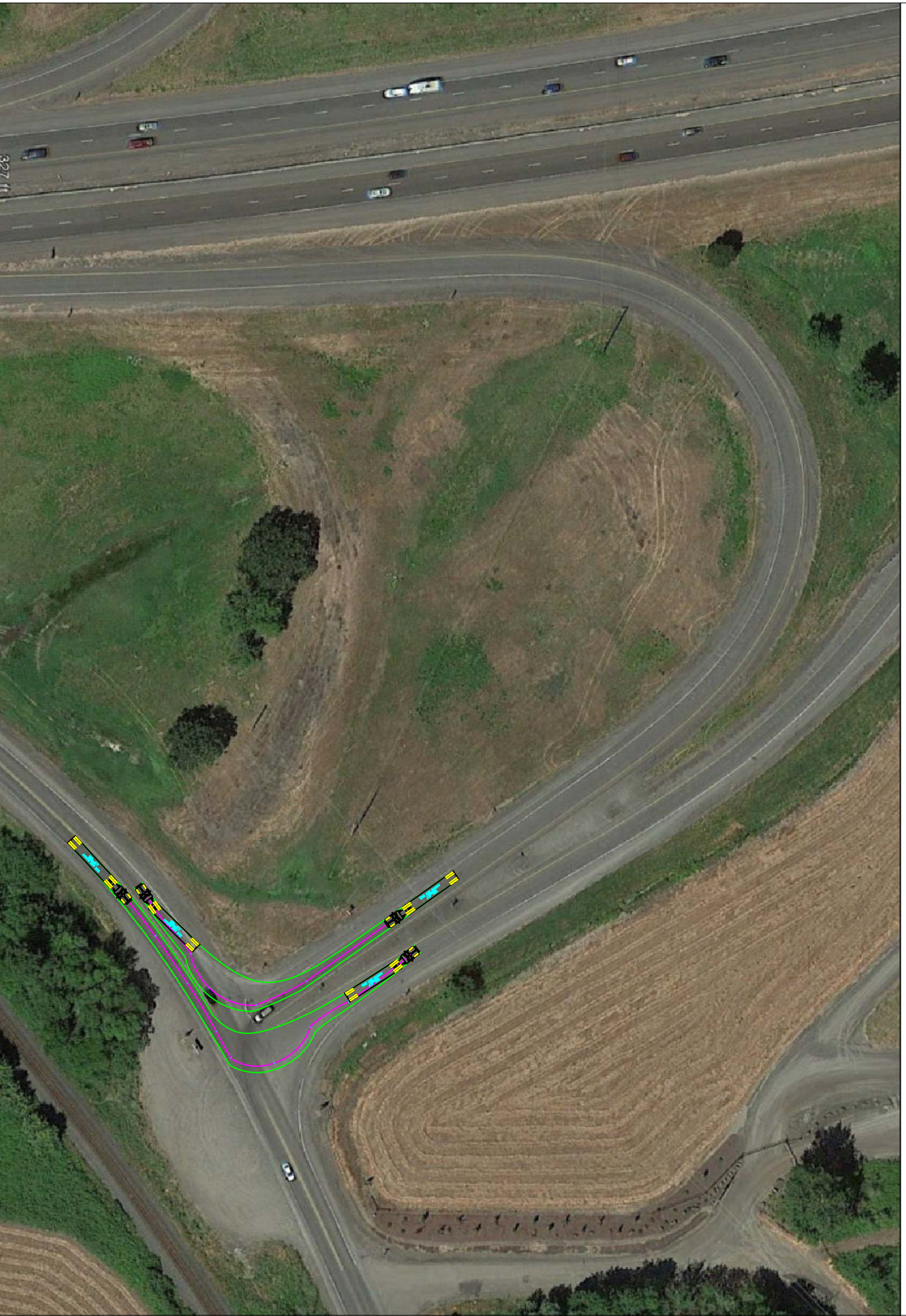
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South Access

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Intermodal Transfer Facility



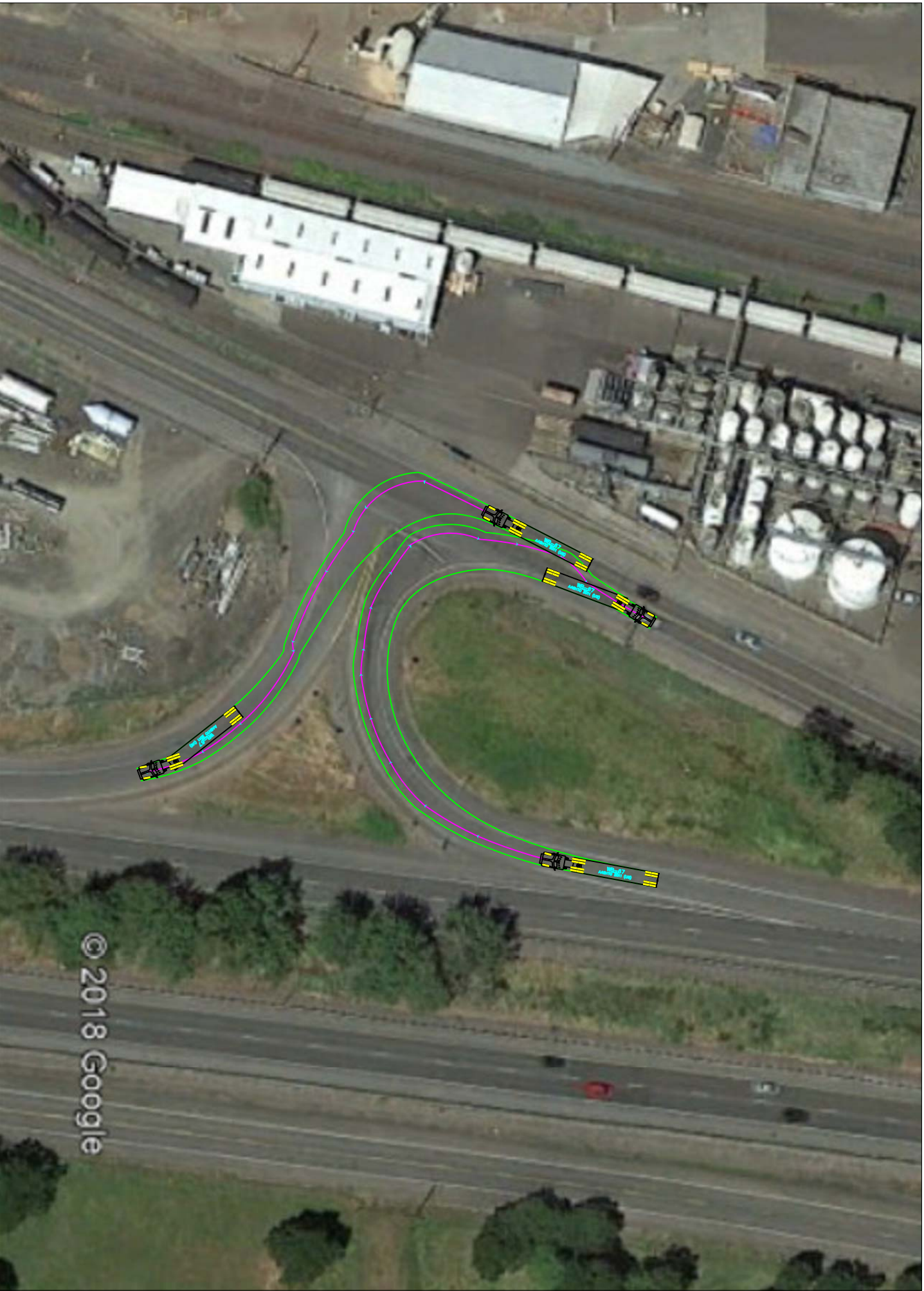
South Jefferson at NB Ramps

SANDOW ENGINEERING



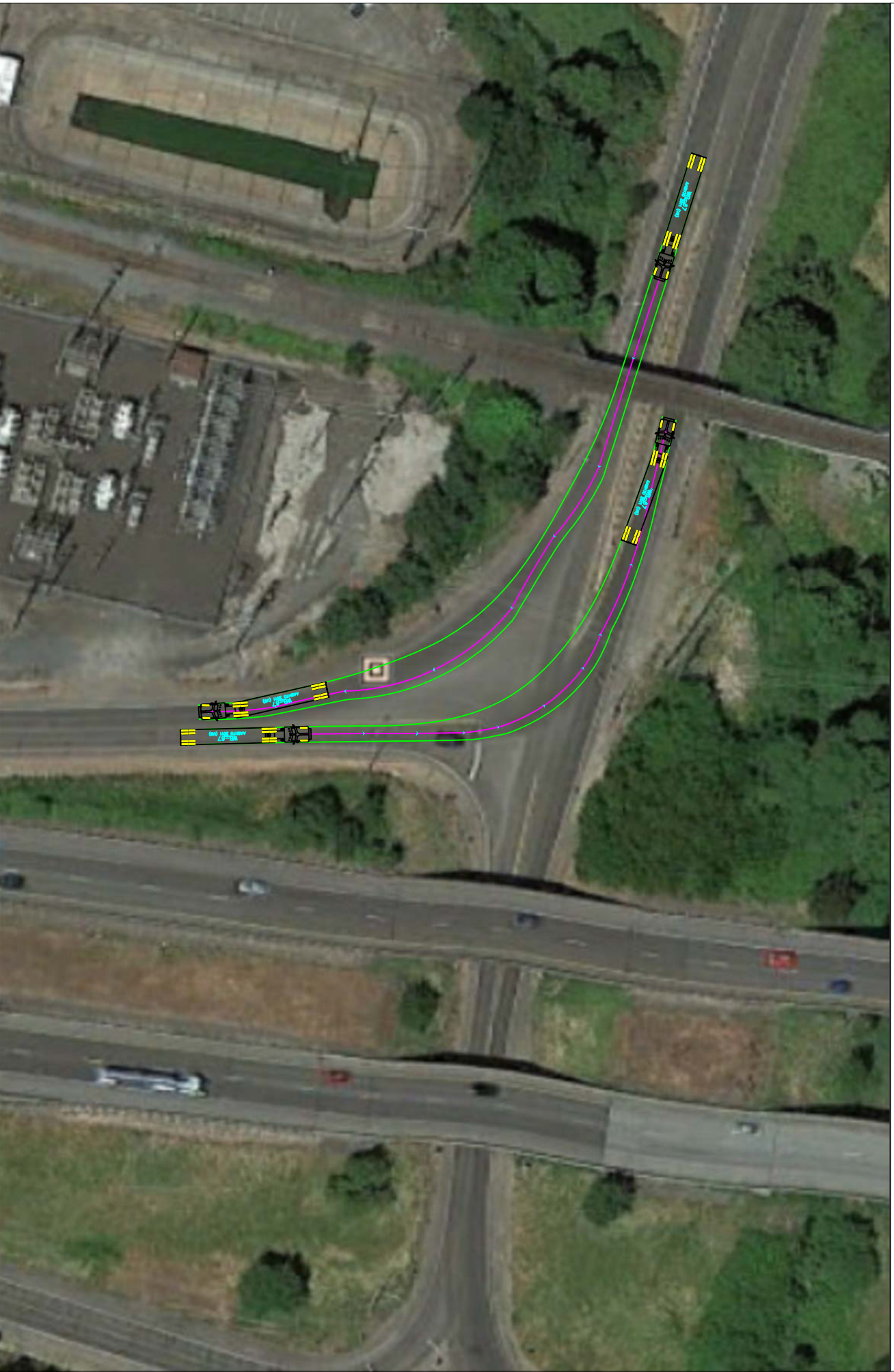
South Jefferson at SB Ramps

SANDOW ENGINEERING



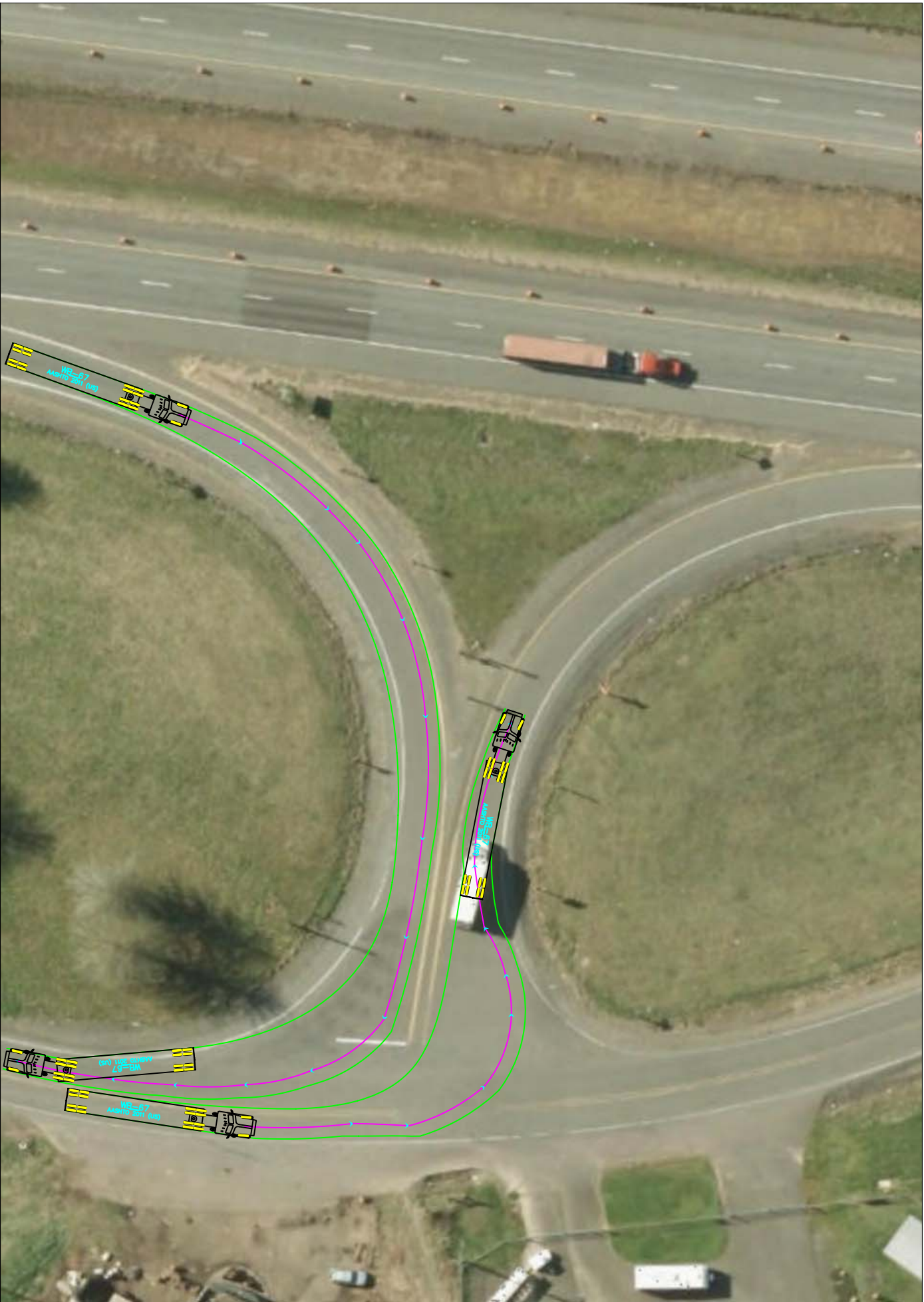
Old Salem Road at SB Ramps

SANDOW ENGINEERING



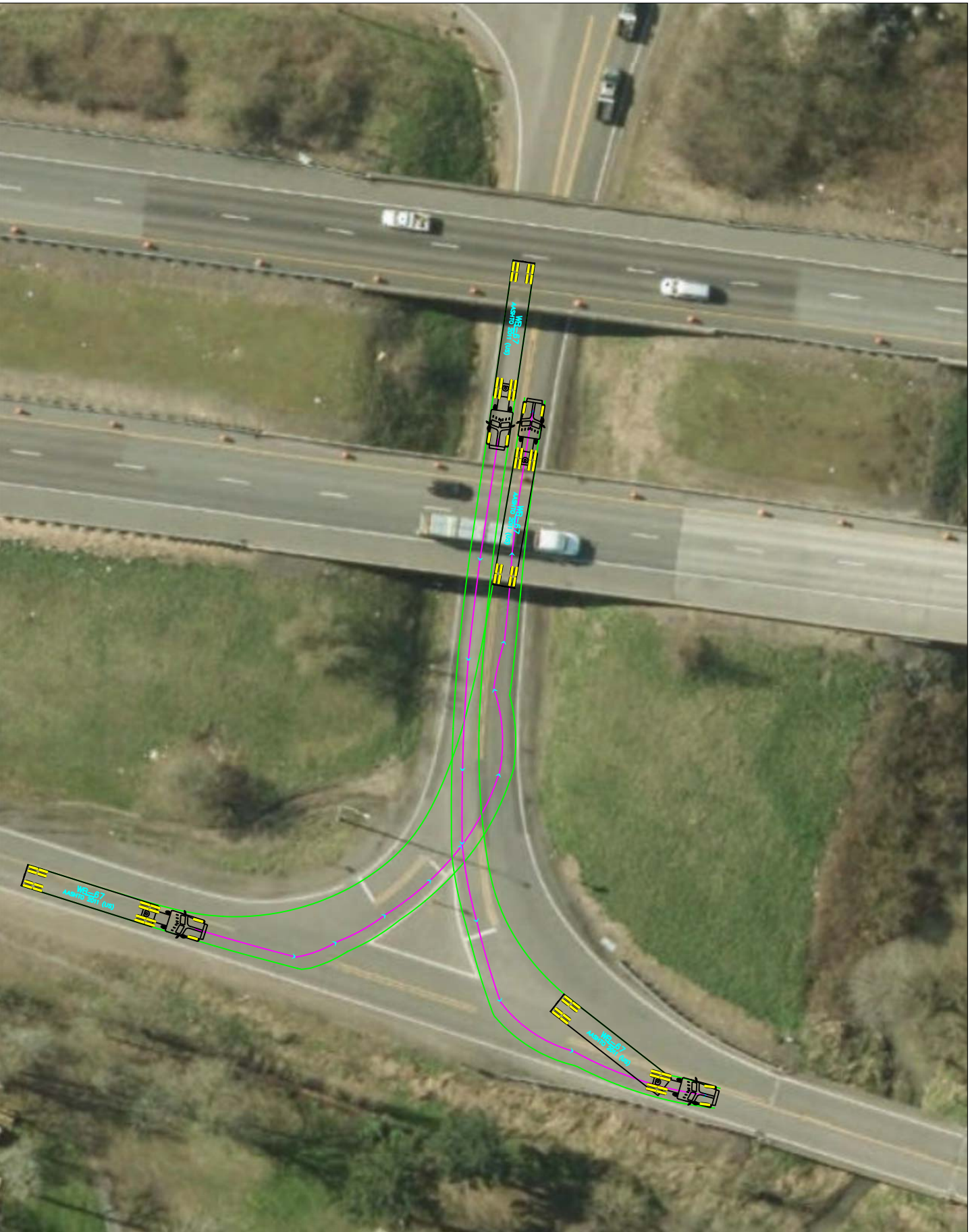
Old Salem Road at Old Salem Road

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Century at NB Ramps

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Old Salem Road at Century

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Old Salem Road at Century

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