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## **CITY OF MILLERSBURG PLANNING COMMISSION MEETING**

**This meeting will be conducted remotely. See instructions below to join.**

**March 16, 2021 @ 6:00 p.m.**

### **Agenda**

**Instructions for joining the meeting by computer or phone are attached to this agenda. If you do not have access to a phone or computer, or need additional support, please contact City Hall prior to 5:00 p.m. on Thursday, January 19th.**

**Meeting link to join via computer:**

**<https://aspenuc.accessionmeeting.com/j/1167791701>**

**Phone number to join meeting: 503-212-9900**

**Meeting ID: 116 779 1701**

A. CALL TO ORDER

B. ROLL CALL

C. MEETING MINUTE APPROVAL

- 1) Planning Commission Meeting held on:
  - i. January 19, 2020 Planning Commission Meeting.

D. QUASI-JUDICIAL PUBLIC HEARING

- 1) File No: SP 20-03 Mitchell Building  
*The applicant is proposing to renovate an existing structure for a new use. The 0.23 acre property contains a 2,800 square foot structure that is now proposed to be used as offices and retail. The project would include: repairs to the 2,800 square foot building, new cladding, façade changes, creating two office/retail spaces inside the structure, a new parking area south of the structure, new signs, and landscaping.*

E. CITY PLANNER UPDATE

F. ADJOURNMENT

### Upcoming Meeting(s):

**April 13, 2021 @ 6:30 p.m. – City Council Meeting**

**April 20, 2021 @ 6:00 p.m. – Tentative Planning Commission Meeting**

*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 458-233-6300.*



## CITY OF MILLERSBURG PLANNING COMMISSION MEETING

4222 NE Old Salem Road  
Tuesday, January 19th, 2021  
6:00 pm

### Minutes

A. CALL TO ORDER: Commission Chair Anne Peltier called the meeting to order at 6:00 pm.

B. ROLL CALL:

Members Present: Connie Lepin, Steve Vogler, Anne Peltier, Monte Ayers, Mark Raum, and Caryl Thomas. Ryan Penning joined at 6:04 pm.  
Members Absent: None  
Staff Present: Matt Straite, City Planner; Jake Gabell, Deputy City Recorder; Janelle Booth, Assistant City Manager/City Engineer; Kevin Kreitman, City Manager; and Forrest Reid, City Attorney

C. MEETING MINUTE APPROVAL

1) Review and Acceptance of October 22, 2020 Meeting Minutes.

**Action:** Motion to accept the minutes as corrected during the meeting made by Commissioner Vogler; a second given by Commissioner Lepin.

**Chair Peltier: Yes**

**Commissioner Lepin: Yes**

**Commissioner Vogler: Yes**

**Commissioner Raum: Yes**

**Commissioner Ayers: Yes**

**Commissioner Thomas: Yes**

**Motion Passed: 6/0**

D. QUASI-JUDICIAL PUBLIC HEARINGS

1) Public hearing on Land Use File SP 20-04 opened by Commission Chair Peltier at 6:04 pm.

File No: SP 20-04 New Fire Station

Proposal: The applicant is requesting to build a new fire station on a 3.61-acre portion of a City-owned vacant property located south of City Hall on a new proposed street. The building will feature 6 employees per shift, 12 at shift change. More specifically the application proposes:

- A 9,935 square foot new building, including a kitchen, exercise room, 5 vehicle bays, 6 dormitory style living quarters, restrooms, a dayroom (living room-style area), 2 offices, a laundry room, equipment rooms, and a conference room space
- 29 parking spaces
- 760 feet of new road construction (two new streets located off Old Salem Road)
- 2 stormwater basins
- Landscaping, both internal to the parking area and streetscape landscaping

- i. No conflicts of interest or ex parte contacts stated by any member of the Planning Commission.
- ii. Staff report was presented by Matt Straite, City Planner.
- iii. The applicant is the City of Millersburg. No further testimony or comments by the applicant.

1. Questions by the planning commissioners about the fire signal, landscape mediums in the road, and the current temporary fire station.
- iv. Public Testimony.
  1. No public testimony given.

Public hearing closed at 6:30 pm by Chair Peltier.

- i. Deliberation of Planning Commissioners with questions for staff.
  1. No further deliberation.

### **ACTION**

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

Based upon the findings of fact in the staff report, and the conditions of approval, the proposed project satisfied the applicable criteria and standards, the Planning Commission approves Site Plan SP 20-04 with the conditions of approval.

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

<b>Chair Peltier:</b>	<b>Yes</b>
<b>Commissioner Lepin:</b>	<b>Yes</b>
<b>Commissioner Vogler:</b>	<b>Yes</b>
<b>Commissioner Raum:</b>	<b>Yes</b>
<b>Commissioner Ayers:</b>	<b>Yes</b>
<b>Commissioner Thomas:</b>	<b>Yes</b>
<b>Commissioner Penning:</b>	<b>Yes</b>
<b>Motion Passed:</b>	<b>7/0</b>

#### E. City Planner Update:

- 1) City Planner Matt Straite gave an update the current land use application status.
- 2) City Manager Kevin Kreitman gave an update on the codification of the new Development Code and when the final draft will be printed for the Planning Commission use.

#### F. Meeting adjourned by Commission Chair Peltier at 6:37 pm.

Respectfully submitted:

Reviewed by:

Jake Gabell  
Deputy City Recorder

Matt Straite  
City Planner



**Proposal:** The applicant is proposing to renovate an existing structure for a new use. The 0.23 acre property contains a 2,800 square foot structure that is now proposed to be used as offices and retail. The project would include:

- Repairs to the 2,800 sq foot building
- New cladding
- Façade changes
- Creating two office/retail spaces inside the structure
- A new parking area south of the structure
- New signs
- Landscaping

## I. BACKGROUND

A. Applicant: Josh Mitchell

B. Location: 1305 NE Old Salem Road

C. Review Type: The proposed Site Plan Review requires a hearing before the Planning Commission. The Planning Commission is scheduled to hold a hearing on the application on March 16, 2021. 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 February 18, 2021, and posted on the City's website.

E. Review Criteria: Article 2 §2.400(2) Site Plan Review Criteria. It should be noted that even though the all-new Development Code has recently been adopted, this project was submitted before the new Code took effect. As such, it uses the code that was in effect at the time the application was submitted, which is the old Development Code.

F. Current Zoning: General Industrial (GI) however, the applicant applied while the zoning was still Limited Industrial/Commercial (LI/C), therefore the old zone and zoning regulations apply to this application.



G. Proposed Zoning: N/A

H. Property Size: 0.23 Acres

I. Background: The structure on the site is existing. The original date of construction is 1976. The last use in the structure was a martial arts gym and archery center. On April 12, 2016 the building sustained fire damage and has been vacant ever since. The applicant is repairing the structure with no changes to the footprint.

## II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

### Agencies:

The applicant's materials were transmitted to the following agencies/departments on January 29, 2021: City of Albany, Albany Fire Department, Linn County Sheriff's Office, City of Millersburg Engineer, Oregon Department of Transportation. To date, the following comments have been received:

- Linn County Road Department February 5, 2021
- City of Millersburg Engineering dated February 23, 2021

### Public:

Notice of the March 16, 2021 hearing was mailed to all property owners within 100 feet of the property. To date, no written comments from the public have been received by staff.

## III. CRITERION

### CITY OF MILLERSBURG DEVELOPMENT CODE

The applicable site plan review criteria are from section 2.400(2).

**(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. The proposed expansion is consistent with the zone purpose and zoning regulations, which implement the Comprehensive Plan and its policies.

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

**(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 proposed alterations and uses, all zoning requirements are met. The Limited Industrial-Commercial Zone (LI/C) permits all uses in the Community Commercial Zone (CO). The CO zone permits retail and office uses (Sections 4.121.2.a and e respectively). Lot size is determined by the Commission, coverage is 80%, which the project complies with. The setbacks include a requirement for a 20-foot setback on the front of the structure and zero on the back and sides. The existing structure conforms to these requirements.

**FINDING:** Based on the analysis above, the alterations and uses meet the criteria.

**(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 explained in his narrative:

*Looking at ITE data for general trip generation estimates and using small office estimates at 2.45 per 1,000SF GFA the proposed use would generate 1.47 new trips/hour for a 600sf office space. For retail estimates I chose Building Materials and Lumber at 2.06 per 1,000SF GFA for an approximation of 0.412 trips/hour at 200SF of retail space. That would create an estimated traffic impact of 1.74 trips/hour. The previous usage as general industrial had estimated trips of 1.88 trips/hour. I believe our use would be of lower impact to traffic flow. Furthermore, our proposal has no alterations to existing pedestrian, bicycle or vehicular patterns currently in place. No additional accesses or driveways are proposed as well.*

Staff concurs with this analysis. The structure has been in this location for a long time, and the street has capacity to accommodate the existing uses.

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

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

**ANALYSIS:** The applicant is proposing two signs with his Site Design Review application. One for each proposed space. No lighting is proposed though some uplighting will not create any detrimental traffic impacts. The two signs conform with the requirements of Section 5.136. One wall sign is permitted per business; these proposed signs conform.

**FINDING:** Based on the analysis above, the project meets the required 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 currently features a full complement of utilities. The proposed revisions will not require any more utilities than the previous uses in the structure. The project would not need to run utilities extensions to surrounding uses. There is only one neighbor, and they already have access to utilities.

**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:** Based on a review by the City Engineer no additional drainage features will be required onsite. The existing drainage patterns will not be changed.

**FINDING:** Based on the analysis above, 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:** The proposed use includes storage areas, a renovated office and a retail area. It is not anticipated that this proposed use will generate or use any materials that would trigger nuisance concerns outlined in Section 2.140.

**FINDING:** This project meets this criterion.

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

**ANALYSIS:** The proposed project was transmitted to several local and State agencies for review. City Engineering responded with some conditions of approval, all of which were standard. The County Road Department responded with one condition of approval. These have been added as conditions of approval. The City received no other responses.

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

#### **IV. STANDARDS**

The proposed design complies with all the specifications and design requirements of Chapter 4, specifically the LI/C 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 5.120 PARKING**

###### **(1) Design and Improvement Requirements for Parking Lots:**

**(a) All parking areas and driveway approaches shall be paved in accordance with the ACS (Albany Construction Standards) unless gravel is approved by the Planning Commission as a temporary use to facilitate drainage through the Site Plan Review, Conditional Use or Variance procedures of this Code. Permitted graveled areas are a temporary use and shall be paved in accordance with the ACS when requested by the City.**

**ANALYSIS:** The applicant shows two different parking areas, one to the north of the site and the other to the south. The parking to the north is paved; the parking to the south is not. The parking area to the north is currently behind a gate. Because the parking area to the north is adequate to meet the needs identified by the applicant (see analysis for Code Section 5.121), the area to the south provides parking beyond those required by the code. These standards only apply to the spaces required by Section 5.210. Therefore, the southern lot does not need to be paved.

**FINDING:** Based on the analysis above, the project meets the standard.

**(3) Required parking spaces shall be available for the parking of operable motor vehicles for residents, customers, patrons and employees only and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or for repair of servicing.**

**ANALYSIS:** The existing site features a gated area. Traditionally the area behind a gate can be used for storage of vehicles; however, the applicant is showing parking for staff and patrons in this area as well. A condition of approval has been added to clarify that the 5 spaces shown on the site plan must remain open for patrons and staff, not as any kind of vehicle storage for the proposed uses.

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

**CONDITION OF APPROVAL:** All striped spaces shown on the application materials shall remain available for parking of patron and staff. No vehicle storage is permitted in the 5 spaces shown.

- (5) **Should the owner or occupant of a lot or building change the use of the property to a use that increases the off-street parking requirements, it shall be unlawful and a violation of this Code to begin to maintain such altered use until the required increase in off-street parking is provided.**

**ANALYSIS:** The project is proposing adequate parking. See analysis below for Code Section 5.121.

**FINDING:** Based on the analysis above, the project meets the standard.

- (9) **Parking lots shall be provided with landscaping as provided in Section 5.134 and other suitable devices in order to divide the parking lot into sub-units to provide for pedestrian safety, traffic control, and to improve the appearance of the parking lot.**

**ANALYSIS:** A conceptual landscape plan was provided showing some landscaping in the setback. No landscaping is existing or proposed within the parking area. A condition of approval is proposed to require the applicant to add one landscape island. The Code explains that 5% of the parking must be paved if the parking lot provides over 16 spaces. This site provides only 5 spaces, so the 5% minimum would not apply. Given the size of the site and the structure staff recommends that the project meets the requirement with the condition of approval. See the analysis for Section 5.134 for more detail.

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

**CONDITION OF APPROVAL:** Prior to occupancy the applicant shall provide a full landscape plan showing all site landscaping in detail, including plant density, species, irrigation and sizes.

## **SECTION 5.121 OFF-STREET PARKING REQUIREMENTS**

**ANALYSIS:** The applicant has indicated that the 2,800 square foot building is planned to feature 2 new spaces for new uses—a 600 square foot office and 200 square feet of retail space. The narrative explains that the remaining 1,800 square feet are to remain unfinished and not allocated to either of the planned uses except some shared kitchen and bathroom spaces. The applicant therefore based his parking need off only the proposed 800 square feet of improved uses. This results in a very

small requirement for parking. Should this application be approved, it would only permit uses in the 800 square feet identified. Any use in the 1,800 square feet of leftover space in the structure would require additional Site Plan Review approval prior to the use of that space. As such, the following only analyzes the 800 square feet identified.

	600 sq ft Office	200 sq ft Retail	Total
Code req.	1 per 300 sq. ft.	1 per 200 sq. ft.	
Spaces req	2	1	3

The project requires a total of 3 parking spaces. Five are shown on the site plan.

**FINDING:** Based on the analysis above, the project meets the standards.

### **SECTION 5.122 TRANSPORTATION STANDARDS**

#### **(2) Millersburg Street Plan Conformance**

**(b) The level of participation by property owners in street improvements shall be determined based upon evaluation of the amount of frontage that exists on an existing or future public street and upon the impacts of the proposed development to the City's street system.**

#### **(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.**

### **SECTION 5.123 STREETS**

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

**(e) Street trees shall be provided as specified in Section 5.134.**

**(f) Any right-of-way remaining after constructing the above improvements shall be utilized for landscaping and utilities.**

**(g) Street design shall include landscape strips between the curb and sidewalk unless otherwise approved by the Planning Commission.**

### **SECTION 5.124 SIDEWALKS**

**Sidewalks may be deferred by the City where future road or utility improvements will occur and on property in the rural fringe of the City where urban construction standards have not yet occurred. The property owner is obligated to provide the sidewalk when requested by the City or is obligated to pay their fair share if sidewalks are installed by the City at a later date. The cost of deferred improvements will be paid by the owner and shall be placed into the City's Street Fund to pay for future improvements.**

**ANALYSIS:** The sections above were included in the staff report to show the Commission that proposed site plan reviews must bring any existing streets into full

conformance. This includes street right-of-way landscaping. However, the site is highly constrained due to the placement of the existing structure and the existing access pavement. There are currently no sidewalks on that side of the street on the project site or anywhere near the site. Old Salem Road is a County facility.

While the City does have standards for all streets in the City, the streets owned and operated by the Linn County are ultimately under their jurisdiction. This project was transmitted to the Linn County Road Department for review. They requested that a condition of approval be added regarding access, they did not comment on the sidewalk. City staff feels that additional sidewalks fronting just the project site would not be appropriate at this time. Section 5.122 allows the City discretion on the amount of application participation in street improvements, including sidewalks. Staff recommends that the Commission not require sidewalks but instead require that the applicant participate in a waiver of remonstrance. This is a document that has the applicant (and all future owners) agree to pay their fair share of the costs to fully improve the site frontage, including sidewalks, if and when the City (or County) elects to construct any street improvements on the site frontage. A condition of approval has been added to reflect this.

The same situation applies to landscaping in the street ROW. While a landscape strip is required, it would not be appropriate at this time to add such a strip. Power lines run along the street edge in front of the project site, and the applicant currently has an internal driveway in front of the structure that would hamper the addition of any landscape strips. The waiver of remonstrance would apply to street landscaping as well.

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

**CONDITION OF APPROVAL:** Prior to occupancy of the structure the applicant shall sign a waiver of remonstrance regarding street improvements.

## **SECTION 5.134 LANDSCAPING**

**All properties shall be landscaped and maintained according to the standards contained herein. All front yard or street side yard setbacks and parking areas shall be landscaped in accordance with the following requirements:**

- (a) Landscaping shall primarily consist of ground cover, trees, shrubs or other living plants with irrigation to maintain all vegetation.**
- (b) A site and species-specific, detailed landscape and irrigation plan shall be submitted to the City for review and approval with all applications. Existing trees, plantings and special site features shall be shown on all submitted plans and shall clearly indicate items proposed to be removed and those intended to be preserved. The plan shall be drawn to a scale that is a multiple of 1 inch equals 10 feet, shall**

include required fencing, buffering, screening, tree plantings, and any monument locations. The plans shall be of professional quality, and must be acceptable to the City. On-site development shall not be approved until the City determines that the plans comply with the standards of this Section. All required landscaping and related improvements shall be completed or financially guaranteed prior to the issuance of a Certificate of Occupancy.

- (h) Required landscaping, tree plantings, buffering, screening and fencing shall be installed prior to building occupancy.
- (j) The Planning Commission may approve alternate standards as part of the approval process for Site Plan Reviews and Conditional Uses if the alternate standards do not alter the purpose and intent of this Section.

(1) **Minimum Street-Facing Yard Landscaping.** All street facing yard areas are required to be landscaped for all zones and uses including residential. Minimum landscaping per 1,000 square feet of required landscape area shall be as follows:

- (a) On-site Street Trees in conformance with Item (2) (a) unless Street Trees are provided in a street landscaped strip.
- (b) A minimum of 1 tree at least 8 feet in height if Street Trees are provided in a street landscaped strip.
- (c) Five 1-gallon shrubs or accent plantings.
- (d) Fifty percent (50%) of the remaining landscaped area exclusive of walks, drives, parking areas and buildings shall be planted with suitable living ground cover, lawn, ivy, shrubs and other plantings exclusive of decorative design elements such as fountains, benches, sculptures, planters and similar elements placed within the required landscaping area. The remaining area may be concrete, rocks bark or other decorative ground cover.

**ANALYSIS:** The bulk of the site is currently paved. The setback is 20 feet, and 12 feet of that is a buffer which is supposed to be fully landscaped unless it is used as a drive or parking area. The area within the setback for this unique; existing structure is a driveway used to connect the north and south parking area and the two existing driveways on the site. The area left for landscaping opportunities is limited without removing existing pavement. The Commission could require removal should they desire. Section 5.134.J allows the Planning Commission to approve alternative standards if the alternative standards support the intent of this section. That is subjective to an extent and should be decided by the Commission. The intent was likely to craft the design of new development. These standards still apply to existing sites, but the intent may not have been to have existing sites modify the property in order to comply. Staff recommends that the landscape plan additions proposed by the applicant are sufficient to satisfy this requirement.

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



**(4) Parking Lot Landscaping: Trees in parking areas shall be dispersed throughout the lot to provide a canopy for shade and visual relief.**

**(b) Parking lots shall have curbed landscaped islands and trees at the ends of parking rows to facilitate movement of traffic and to break large areas of parking surface. The minimum dimension of the landscaped area excluding the curbs shall be 4 feet and the landscaping shall be protected from vehicular damage by wheel guards.**

**ANALYSIS:** No trees or landscaped islands are existing or proposed. Again, the Planning Commission may approve alternative standards if the intent is met. The intent of this sub-section is stated—to provide visual relief and shade. The property features mature Cyprus trees to the rear (east) of the property. The trees are not located on the property, they are within the ODOT right-of-way for I-5. Because they are outside the control of the applicant, staff proposes that a condition of approval be added to have the applicant add one landscape island with at least one tree. Should the Commission feel that the existing ODOT trees are sufficient to meet the intent this condition could be removed.

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

**CONDITION OF APPROVAL:** Prior to occupancy the applicant shall construct a curbed landscaped island at the end of the parking row with no less than one tree.

**(8) Landscape Buffering. Commercial and Industrial Buffer Plantings are used to visually enhance the City, reduce building scale, provide transition between uses, and generally mitigate incompatible or undesirable views. They are used to soften rather than block views. Where required, a mix of plant materials shall be used to achieve the desired buffering effect.**

- (a) A minimum 12-foot wide landscaped buffer is required for all commercial and industrial street facing yards.**
- (b) A buffer depth is 12-feet unless otherwise specified as part of the conditions specified for an approval.**
- (c) A buffer area may only be occupied by landscaping, utilities, driveways, walkways, bikeways, and accessways.**
- (e) Buffering requirements shall supercede the street-facing yard landscaping requirements specified in Item (3).**

**ANALYSIS:** This is explaining that at least 12 feet of the property between the street and the building must be landscaped unless it is used as a driveway or accessway. Most of the site is paved and used for driveway or access including almost all of the area between the building and the street. The applicant has proposed some minor

landscape improvements in places where they could be added without disrupting the existing access. The Commission must decide if this is enough. Staff recommends that the landscaping proposed by the applicant in the buffer area is sufficient to satisfy these standards. Subsection B above allows the Commission to accept alternatives.

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

## **SECTION 5.136 SIGNS**

**Signs and similar identification devices may be erected and maintained in compliance with the following standards unless other standards are approved by the Millersburg Planning Commission in conformance with the Site Plan Review procedures of Section 2.400.**

### **(5) Permitted Commercial & Industrial Sign Standards**

- (a) One Surface Wall or Window Sign per business.**
- (e) The aggregate number of signs per street frontage shall be three per business or property.**

**ANALYSIS:** The applicant proposes 2 signs. The specific content of the signs would be determined by the tenant once the spaces are rented, but the applicant provided enough information to show that the proposed signs will meet the requirements of the Code. There will be less than 3, and only 1 for each tenant. These standards are met.

**FINDING:** Based on the analysis above, the project meets the standard.

## **V. 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 20-03.

## **VI. PROPOSED MOTION**

I move that based on the findings of fact in the staff report, and the conditions of approval, the proposed project satisfies the applicable criteria and the Planning Commission approve Site Plan SP 20-03 with the conditions of approval.

## **VII. ALTERNATIVE RECOMMENDATION**

Should the Planning Commission not elect 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 and elevations included as Exhibits e-g, except as indicated in the following conditions. Additional development or change of use may require a new development application and approval.
2. All striped spaces shown on the application materials shall remain available for parking of patron and staff. No vehicle storage is permitted in the 5 spaces shown.
3. A commercial access review from the Linn County Road Department will be required. Please contact the Linn County Road Department with questions.

### **Prior to Building Occupancy:**

4. Prior to occupancy the applicant shall provide a full landscape plan showing all site landscaping in detail, including plant density, species, irrigation and sizes.
5. Prior to occupancy the applicant shall install all new landscaping.
6. Prior to occupancy of the structure the applicant shall sign a waiver of remonstrance regarding street improvements.
7. Prior to occupancy the applicant shall construct a curbed landscaped island at the end of the parking row with no less than 1 tree.

## **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. 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.
2. Copies of any required federal or state permits that may be required shall be filed in the record file of this application.

3. Compliance with the conditions of approval is the responsibility of the developer or its successor in interest.
4. 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.
5. **This approval is valid for a period of one (1) year from the date of the decision notice.** Extensions may be granted by the City as afforded by the Millersburg Development Code.
6. The continual operation of the property shall comply with the applicable requirements 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. 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.
9. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris includes food and drink waste. All waste shall be contained on-site in proper containers or construction fencing enclosures and shall leave the construction site in proper disposal containers. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.
10. No alterations to existing water and sewer connections are proposed.
11. The project does not propose to add impervious surface, create and/or replace less than 10,000 square feet of impervious surface, or alter drainage patterns, therefore no stormwater system modifications are required.

**X. EXHIBITS**

- a) Vicinity Map
- b) Zoning Map
- c) Application
- d) Applicant's narrative
- e) Site Plan

- f) Elevations/Signs
- g) Landscape Plan
- h) Linn County Road Department Email dated 2.5.21
- i) City Engineering Comments dated 2.22.21

**SP 20-03**

**EXHIBIT**




a) Vicinity Map

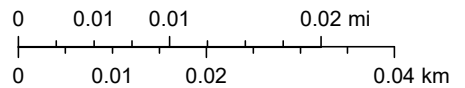
# Vicinity Map SP 20-03



1/27/2021, 1:52:52 PM

1:1,128

-  Highways
-  Roads
-  Tax Lots



Linn County GIS

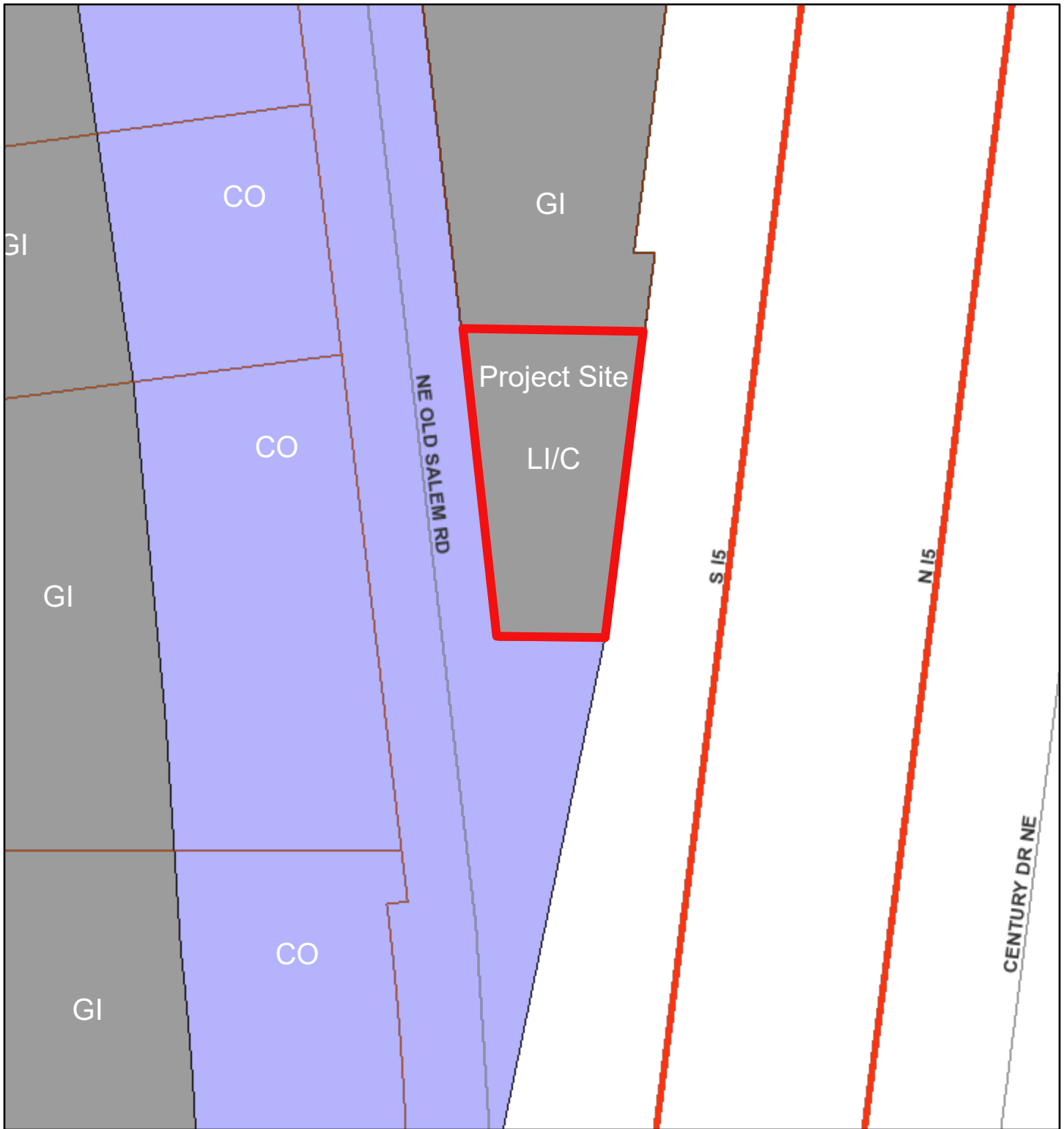
**SP 20-03**

**EXHIBIT**

b) Zoning Map



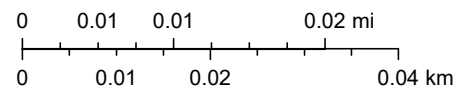
# Zoning Map SP 20-03



1/27/2021, 1:50:05 PM

1:1,128

- Highways
  - Roads
  - Tax Lots
- City Zoning
- C-1, COMMERCIAL
  - CB -- CENTRAL BUSINESS
  - CC -- COMMUNITY COMMERCIAL
  - CC-CENTRAL COMMERCIAL
  - CENTRAL COMMERCIAL
  - COMMERCIAL
  - COMMERCIAL-RECREATION



Linn County GIS

**SP 20-03**

**EXHIBIT**

c)

Application



# Land Use Application Form

Case No. \_\_\_\_\_  
Date \_\_\_\_\_  
Type \_\_\_\_\_

## Check the Type of Land Use Requested:

- |   |  |
|---|--|
| <input type="checkbox"/> (PRE) Pre Application              | <input type="checkbox"/> (VR) Variance (list standards can be varied in description) |
| <input checked="" type="checkbox"/> (SP) Site Plan Review   | <input type="checkbox"/> (CP) Comprehensive Plan Amendment                           |
| <input type="checkbox"/> (CUP) Conditional Uses             | <input type="checkbox"/> (ZC) Zone Change  |
| <input type="checkbox"/> (PL) Property Line Adjustment      | <input type="checkbox"/> (AN) Annexations  |
| <input type="checkbox"/> (SD) Subdivisions (4 or more lots) | <input type="checkbox"/> (VA) Vacations  |
| <input type="checkbox"/> (PA) Partition (3 or less lots)    |  |

### THIS FORM MUST BE FILLED OUT COMPLETELY

#### I. Property Owner/Applicant Information

- A. Applicant(s) Josh Mitchell  
Email Address joshmitchell.srr@gmail.com  
Mailing Address 3125 Crocker Ln NW Albany, OR 97321  
Phone number 541 231 3118
- B. Owner(s) Josh Mitchell (Mitchell 1305 LLC)  
Email Address Same  
Mailing Address ↓  
Phone number \_\_\_\_\_

#### II. Property Information

- A. Legal description of property: Township 10S Range 3W Section CC  
Tax Lot ~~00301~~ 00301
- B. Additional Properties:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_
- C. Site Address (if any) 1305 9th Salem Ave SE  
Albany, OR 97321
- D. Zoning/Comp Plan Designation Limited Ind/Commercial



**III. Authorizing Owner/Applicant Certifications**

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true and any approval granted based on this information may be revoked if it is found that such statements are false. By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Millersburg employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site. I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Owner/applicant signature \_\_\_\_\_ Date 10/4/2020  
Owner/applicant signature \_\_\_\_\_ Date \_\_\_\_\_

**IV. The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

A **narrative** explaining how the application meets all required criteria shown in City land use Development Code, Article 2 (<http://cityofmillersburg.org/millersburg-land-use-development-code/>)

At least 3 folded sets of the project **Site plan**. The site plan must be drawn to scale and show existing and proposed locations of buildings, access, parking, loading, landscaping, screening, fencing, drainage, water supply, sewage disposal, public utilities, unique site features (creeks and wetlands) and exterior lighting.<sup>1</sup>

A copy of the **deed** for the subject property.

A copy of any **easement** granting access to the subject property, if the property does not have frontage on a public road.

If the applicant for this request is not the property owner, then **authorization** from the owner must be submitted with the application.

A copy of all permits, licenses, and **authorizations** from other government agencies pertaining to the proposed use, including highway access, water and sewer connections, state or federal discharge permits.

Land Use Application **Checklist** (separate form)

**Digital versions** of all Site Plans, other plans and/or studies.

Application **Fee**. The total fee shall be the sum of all individual procedural fees unless adjusted by the City Manager.

<sup>1</sup> Additional copies of all exhibits may be required if the application is deemed complete.  
City of Millersburg Land Use Application  
Revised, September 2018

V. **Proposed Use of Property**

- A. Describe in detail the proposed use and your development plans for the property. Include a description of the number and type of buildings and their intended use, roadways, driveways, parking lots, signs, landscaping, drainage plans and outdoor lighting.

Singular existing shop building w/ professional office space/store front along Old Salem Av.

- B. Please describe the general operating characteristics of the proposed use and the hours of operation.

professional offices during normal operating hours. M-F 7am-7pm, Saturdays/Sundays possibly limited hours.

- C. Will any other permits from local or state agencies be required? If yes, please list permits needed and if they have been secured.

No.

- D. How much land area will be used for the proposed activity? Will the proposed use generate wastewater and if so, how will it be disposed?

existing lot & building. No wastewater

- E. Will the proposed use require a water supply? If so, how much will be needed and how will it be supplied?

Already exists. No additional needs



- F. Please describe the types of vehicles, machines and/or tools to be used. Please estimate the amount of vehicle trips per day that will be generated by the proposed use.

Standard cars, trucks, vans. 2-3 trips/day

- G. What are the proposed hours and days of operation? Will any products be offered for sale on the property? If products are sold, what will be sold?

M-F no products initially for sale on site. office space

- H. How many people will be employed including the applicant? Please indicate whether the employees will be full or part-time. Will anyone live on the property? If so, who?

None.

- I. Does the property front a county road or public road? Which one? Is there an existing driveway and how is it improved (gravel, asphalt, concrete)?

Asphalt driveway off old Salem Ave

- J. How is the property now used? Are there any unique features on the property such as a creek, steep topography, or wetlands?

Storage



## City of Millersburg Land Use Application Checklist

The following information is required pursuant to City Code Section 2.130(5) for all planning applications (additional information may be required during review):

- Copies of all Pre-application information provided by the City.
- A Site Plan/map showing:
  - Total gross and net land areas of the site (net is minus the square footage of any land proposed for dedication to the public, not including easements)
  - North Arrow
  - Neighboring Zoning
  - Date
  - Scale
  - Vicinity Map
  - Dimensions
  - All existing and proposed structures (mark any structures to be removed)
  - Existing and proposed walls and fences (heights, materials)
  - Parking and number of spaces
  - Access (pedestrian, loading, egress, ingress)
  - Proposed surface materials
  - Clear vision areas
  - Existing and proposed lighting (type, height)
  - Existing and proposed streets (with full street sections)
  - Topographic Features including vegetation
  - Water systems, drainage, storm water, sewer and utilities
  - Watercourses, floodplains, and wetlands, including Willamette Greenway and the top of the bank if applicable
  - Proposed Phases (if any)
- Elevation Drawings (if any):
  - Fully dimensioned drawings of each building elevation, including dumpster shelters.
  - Materials and colors proposed for each structure (material samples are not needed)
  - Floor Plans MAY be required if detailed interior spaces are needed to compute parking standards.
- Conceptual Landscape Drawings.
- A Narrative Explaining:
  - The supplemental information below
  - Applicant and landowner information
  - Any previous uses on the site



## City of Millersburg Land Use Application Checklist

- Detailed explanations on how the project meets all required findings from **Article 2** of the City Code. This section details different findings required for each type of application.
- Detailed explanations of how the proposed project meets the criteria of the Zone in **Article 4**. Only detail the requirements of the zone (or proposed zone) for the project site.
- Detailed explanations of how the proposed project meets all the required standards from **Article 5**. There are several standards in this section. Not all apply to every project; however, any that *could* apply should be included in the narrative.
- Additionally some projects may be required to include detailed explanations regarding conformance with **Article 7**, these include projects in wetlands, floodways and other site specific requirements.
- A brief explanation of how the project is consistent with the Comprehensive Plan of the City of Millersburg. Usually if the project complies with all of the zoning and code requirements, the project is also consistent with the Comprehensive Plan, however the Plan may have specific requirements regarding the proposal that may need to be discussed.
- **NOTE:** State Law explains that it is the applicant's responsibility to provide detailed explanations of how the project meets the requirements and criteria of the City Code and Comprehensive Plan.
- Supplemental Information:
  - Please provide parking calculations pursuant to City Code Section 5.120
  - Please indicate if a proposed business plans to:
    - store any hazardous materials
    - use hazardous materials
    - generate hazardous materials or hazardous waste
  - Please indicate if any existing business is currently reporting hazardous substances to the State Fire Marshals Office.
- Other permits, applications, plans, or reports that MAY be required:
  - Traffic Study- See Code Section 5.122(7)
  - Staff may request any of the following should they be needed to properly review the site/project:
    - Hydrology Study
    - Geotechnical Study
    - Mitigation plan
    - Illumination Plan



**SP 20-03**

**EXHIBIT**

d) Applicant's narrative

**1305 NE OLD SALEM RD  
MILLERSBURG, OR  
SITE PLAN PROPOSAL**

**APPLICATION INFORMATION**

Property Owner: Mitchell 1305 LLC, Josh Mitchell

Map/Tax Lot: 10S03W33CD 00301

Tax Account# 47346

Zoning: Limited Industrial - Commercial Zone (LIC)

Total Land Area: 0.23 Acres (~10,018 SF)

Existing Land Use: General Light Industrial (lapsed)

Surrounding Zoning: North: Limited Industrial - Commercial Zone (LIC)

South: Limited Industrial - Commercial Zone (LIC)

East: Limited Industrial - Commercial Zone (LIC)

West: Limited Industrial - Commercial Zone (LIC)

Surrounding Uses: North: B&R Transit - RV storage

South: NA

East: Southbound Interstate 5

West: AE REISEN Fitness Center

Prior History:

The property previously operated as Joy of Combat MMA Martial Arts Boxing and Jiu Jitsu Gym and The Archery Zone, an archery retail and shooting center. On Tuesday, April 12, 2016 the building sustained extensive fire damage.

**SUMMARY**

Our proposal is to redevelop 0.23 acre property located in the LIMITED INDUSTRIAL-COMMERCIAL ZONE (LIC) at 1305 NE Old Salem Rd in Millersburg, OR into a professional office building and retail storefront. A single structure built in 1976 runs parallel to Old Salem Rd measuring 40'x70' and is surrounded by asphalt, concrete and a gravel yard. The LIC zoning allows for commercial activities, including those of the COMMUNITY COMMERCIAL ZONE (CC), which includes office, business or professional, personal or business service, and retail stores or shops.

**PROJECT DESCRIPTION**

The proposed project would include repairs to the existing main structure and upgrades to the 2800 sf building to accommodate the new use. Repairs include, but are not limited to, the exterior southern and easterly facing walls, removal and/or replacement of the western and eastern false front facades, repair to the roof and trusses and new exterior cladding. The existing 2800 sf structure would be generally split into 2 spaces with shared common areas. Approximately 600sf would be finished as professional business and office space, another 200sf

as retail storefront space and 200sf to common areas designated as employee bathrooms, kitchen and break areas. The remaining ~1800sf would be unfinished. The proposed uses would require 2 office parking spaces, 1 retail space and whatever additional parking requirements that are determined by the city. Anticipated staff levels are currently unknown.

### **ADDITIONAL INFORMATION**

The parking area is currently a mixture of asphalt along the front of the building, a large concrete pad on the north end of the building measuring 38x24 and gravel surrounding the remainder of the lot on the north and south ends. Site drainage shall utilize the existing drainage trough running easterly along the north end of the building. All gutters shall be directed to this drainline to minimize impact on the surrounding land. Currently, no plan to install sidewalks or parking landscaping islands exists.

The current lot is an irregular trapezoid extending out in a northerly direction for ~185' from the south lot line of ~50' to the north lot line of ~87'. The lot is approximately 0.23 acres (10,018 sf) and the existing general purpose building is ~2788 sf or ~28% of the lot.

Traffic impact should be minimal. Firstly, Old Salem Ave is classified by the City of Albany as an arterial transportation corridor generally suited for high traffic volumes. As for new trips generated, according to ITE data, general trip generation estimates for small office buildings is 2.45 per 1000SF GFA, which is the higher of the estimates for general office buildings (1.15) and single tenant office buildings (1.74). At 2.45, that would be approximately 1.47 new trips/hours at 600sf of office space. For retail, I used Building Materials and Lumber which is at 2.06 per 1000SF GFA because one proposed use could be a specialized custom showroom but furniture was very low (0.52) and we preferred higher estimates, so at 200sf this is approx 0.412 trips. Compared to the previous usage as general light industrial, at 0.61 per 1000SF GFA, for a 2788sf building, that would be 1.76 trips/hour. At the high end of estimates we would be at 1.88 trips/hour. I do not believe our use would impact existing transportation standards. Furthermore, no proposed site improvements require alterations to the existing pedestrian, bicycle and vehicular safety traffic patterns. Lastly, no new accesses or driveways are proposed to the property.

Utilities already serve the property, water, sewer and power. Existing storm diversion flows easterly towards an 18" RCP as previously described and garbage collection screening could be installed as needed.

Previously all signage was installed upon a false front facade. Our initial plan is to repair/install a similar false front facade for signage.

The lot is zoned LIC and requires a 12' landscape buffer along the front facing yard/street side which is Old Salem Ave. The current building sits 20' back from Old Salem Ave and therefore meets the current landscaping setback requirement. The lot does not abut any other zoning classifications. The buffer area may be occupied by landscaping, utilities, driveways, walkways, bikeways, and accessways however, a variance may be required to allow for parking within the buffer.

# LINN County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

December 23, 2020 2:57:58 am

Account # 47346  
 Map # 10S03W33CD 00301  
 Code - Tax # 00805-47346

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL

Legal Descr See Record

Mailing Name MITCHELL 1305 LLC

Deed Reference # 2020-11001

Agent

Sales Date/Price 06-09-2020 / \$200,000.00

In Care Of

Appraiser UNKNOWN

Mailing Address 3125 CROCKER LN NW  
 ALBANY, OR 97321

Prop Class 301 MA SA NH Unit  
 RMV Class 301 02 04 012 4467-1

Situs Address(s)	Situs City
ID# 1305 NE OLD SALEM RD	ALBANY

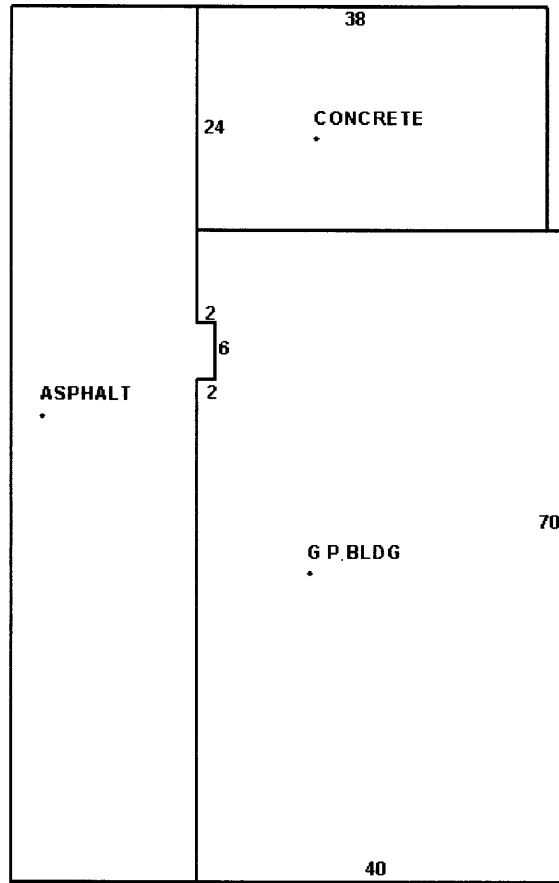
Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
00805 Land	88,690			Land	0
Impr.	66,220			Impr.	0
<b>Code Area Total</b>	<b>154,910</b>	<b>95,940</b>	<b>95,940</b>		<b>0</b>
<b>Grand Total</b>	<b>154,910</b>	<b>95,940</b>	<b>95,940</b>		<b>0</b>

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
00805	1	<input checked="" type="checkbox"/>			Market	104	A	0.23	88,690
<b>Grand Total</b>								<b>0.23</b>	<b>88,690</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Trended RMV
					TD%	Total Sq. Ft.	Ex% MS Acct #	
00805	100	1976	500	Commercial Improvements	104	0	66,220	
<b>Grand Total</b>							<b>0</b>	<b>66,220</b>

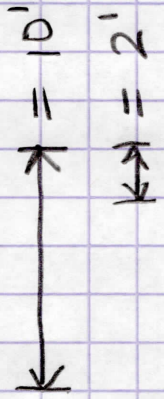
**Comments:** \*\*\*\*\* CAP NOTE - Type C MX for 2010 \*\*\*\*\*  
 6/08 Billboard on or adjacent to this site is valued on #909710 and was previously on #542528. New RMV for 1/08 from DOR cost factor guide. ML 10MX:PLANS FOR INTERIOR WALL CHANGES 10-09MB  
 12MX:TAI's, n/c to value -kr.

**BUILDING DIAGRAM AND OUTBUILDINGS**

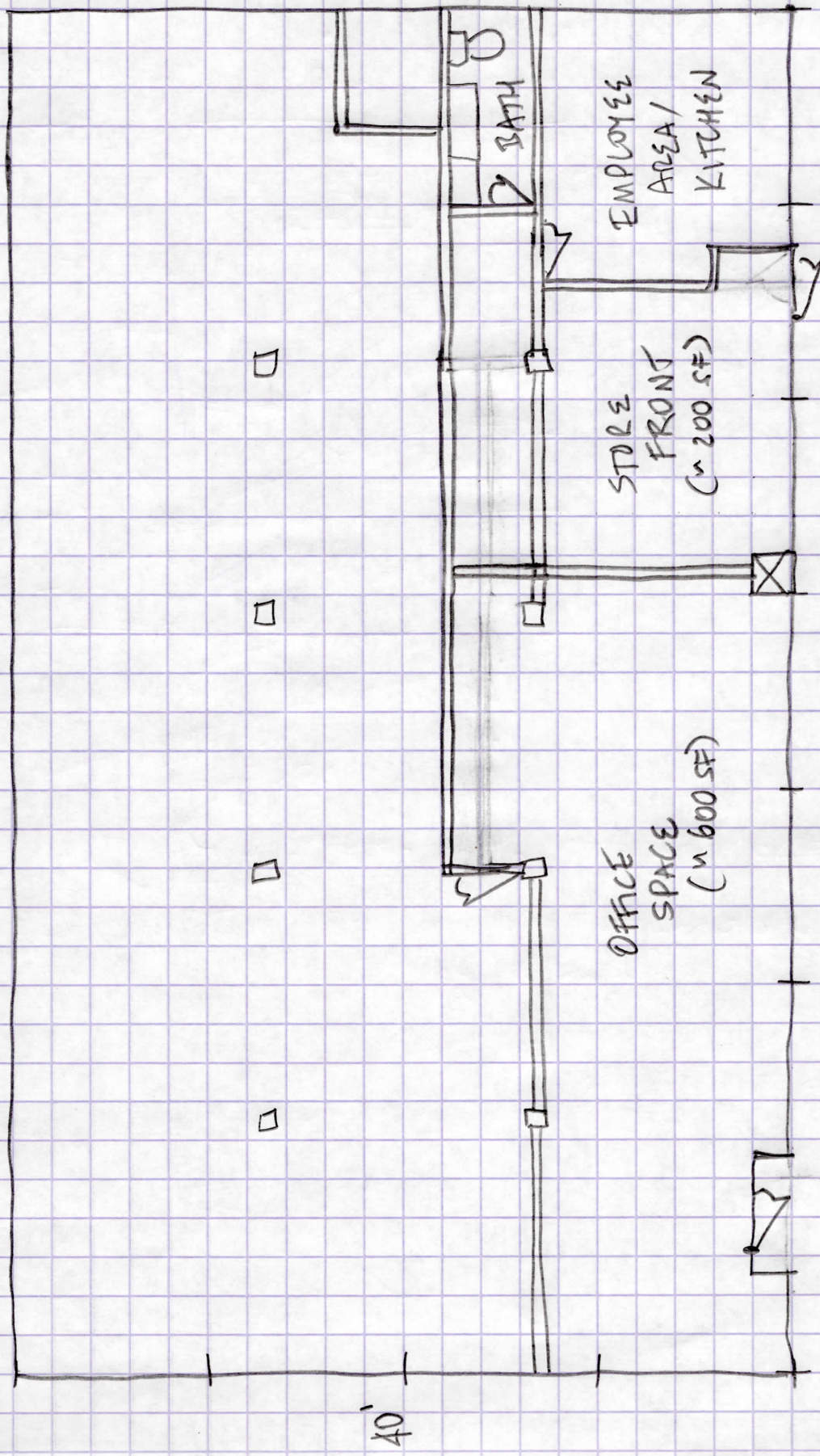


Appraiser	Date	Bldg	Description	SqFt	Dimension
MB	5/1/2008	0	G P BLDG	2788	
		0	CONCRETE	912	
		0	ASPHALT	2000	

# BUILDING RENOVATION FLOORPLAN



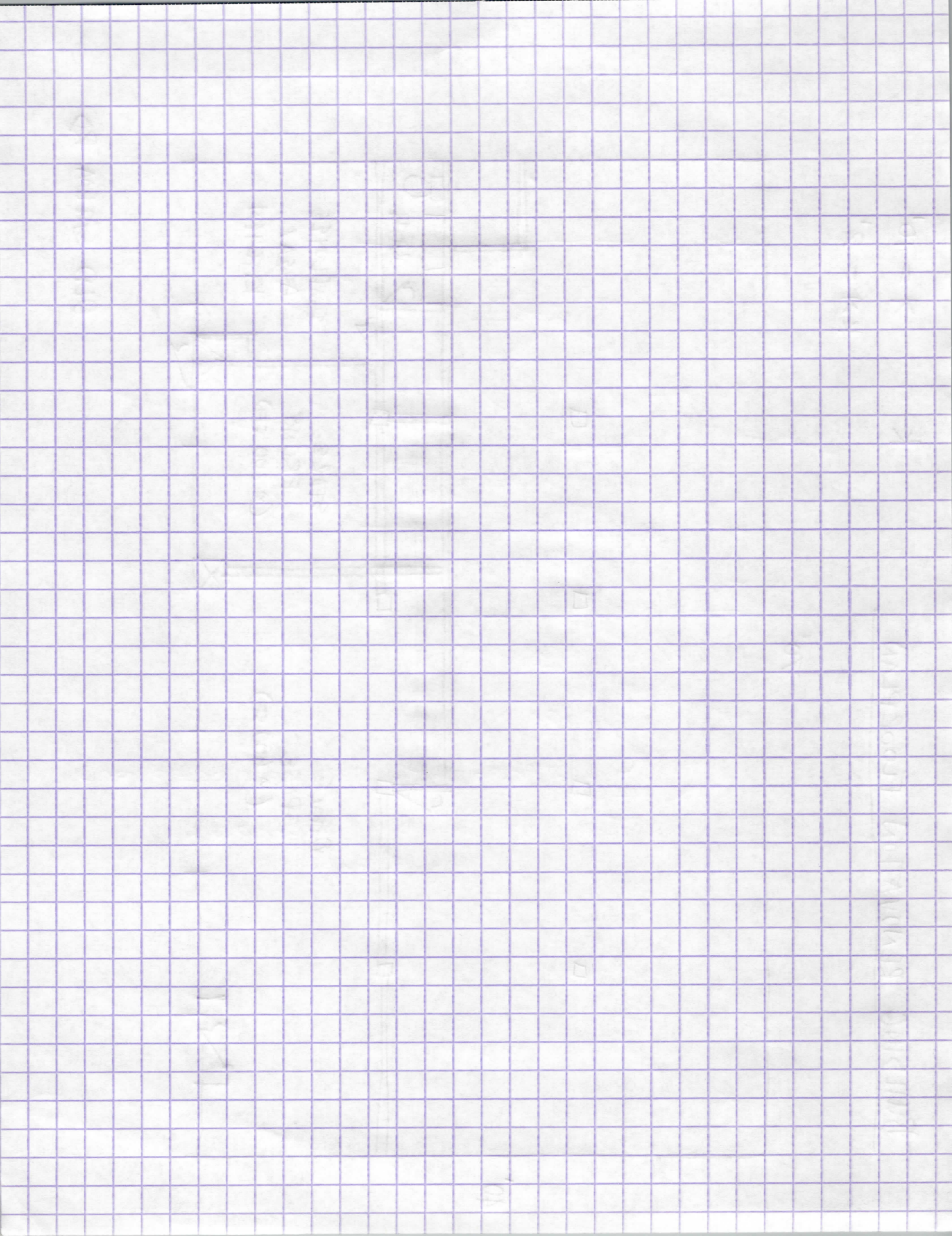
70'



40'

OLD SALEM RD





FOR ASSESSMENT AND TAXATION ONLY



SE 1/4 S.W. 1/4 SEC. 33 T. 10S. R. 3W. W.M.  
SEE MAP 10 3W 33  
Linn County  
1" = 100'

10S03W33CD  
MILLERSBURG  
1662025

Consolidated Nos.  
801  
802  
1002  
1102

100  
0.4 AC.

200  
0.8 AC.

C.S. 28103

300  
0.77 AC.

400  
1.7 AC.

SEE MAP 10 3W 33DC

PACIFIC HWY

SALEM RD

8-4

8-5

S.P.R.R.

SEE MAP 11 3W 33

SEE MAP 11 3W 34

SEE MAP 11 3W 48B

400  
1.7 AC.

500  
2.1 AC.

600  
2.6 AC.

700  
3.1 AC.

800  
3.6 AC.

900  
4.1 AC.

1000  
4.6 AC.

1100  
5.1 AC.

1200  
5.6 AC.

1300  
6.1 AC.

1400  
6.6 AC.

1500  
7.1 AC.

1600  
7.6 AC.

1700  
8.1 AC.

1800  
8.6 AC.

1900  
9.1 AC.

2000  
9.6 AC.

2100  
10.1 AC.

2200  
10.6 AC.

2300  
11.1 AC.

2400  
11.6 AC.

2500  
12.1 AC.

2600  
12.6 AC.

2700  
13.1 AC.

2800  
13.6 AC.

2900  
14.1 AC.

3000  
14.6 AC.

3100  
15.1 AC.

3200  
15.6 AC.

3300  
16.1 AC.

3400  
16.6 AC.

3500  
17.1 AC.

3600  
17.6 AC.

3700  
18.1 AC.

3800  
18.6 AC.

3900  
19.1 AC.

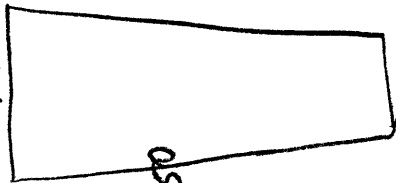
4000  
19.6 AC.

Trapezoidal

87.42

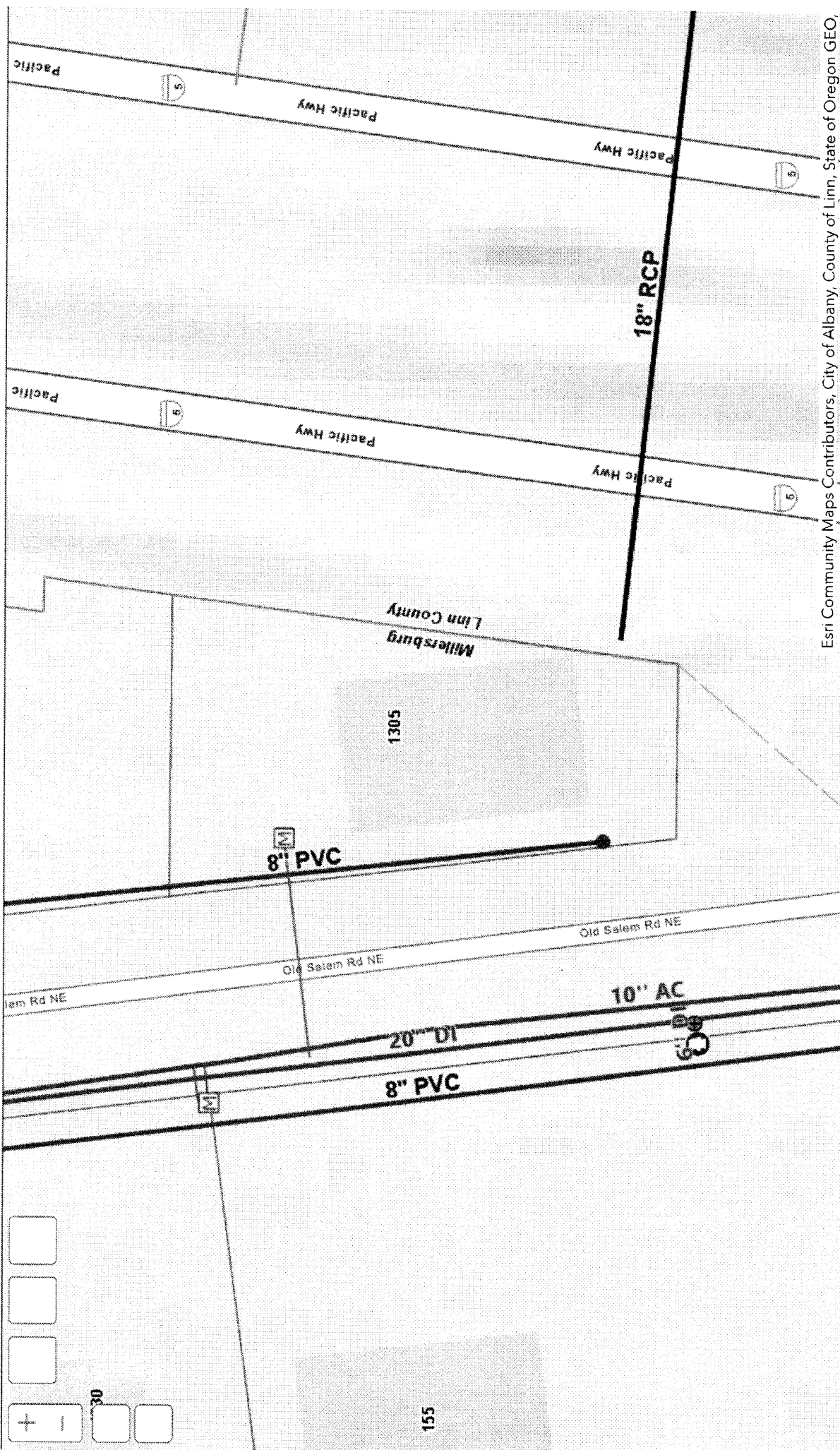
185.50

50.55





Map navigation controls including zoom in (+), zoom out (-), a scale of 30, and a search icon.

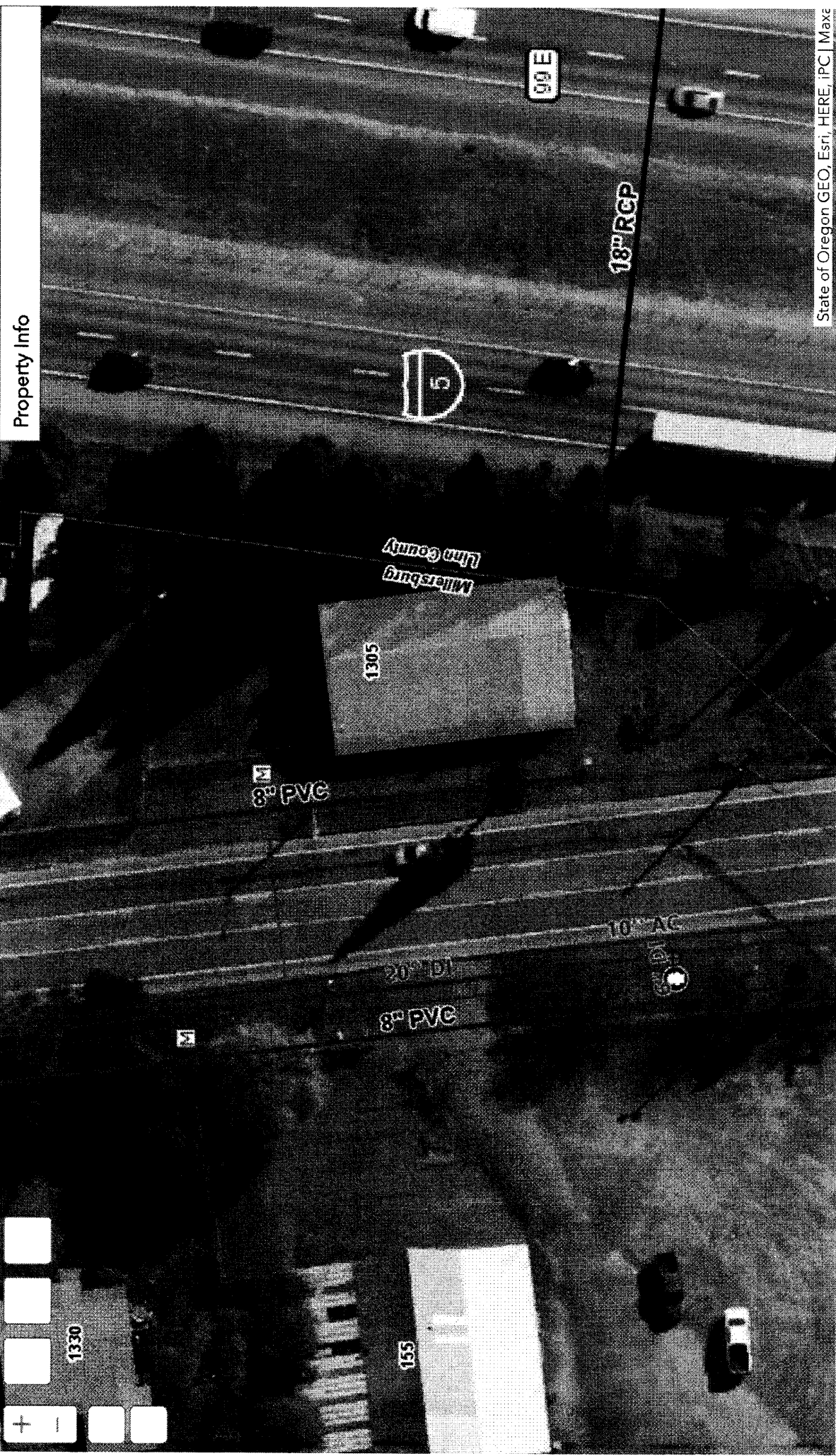


Esri Community Maps Contributors, City of Albany, County of Linn, State of Oregon GEO.





Map navigation controls including zoom in (+), zoom out (-), and a search bar with the number 1330.



Property Info

State of Oregon GEO, Esri, HERE, IPC, Maxx



12/23/2020

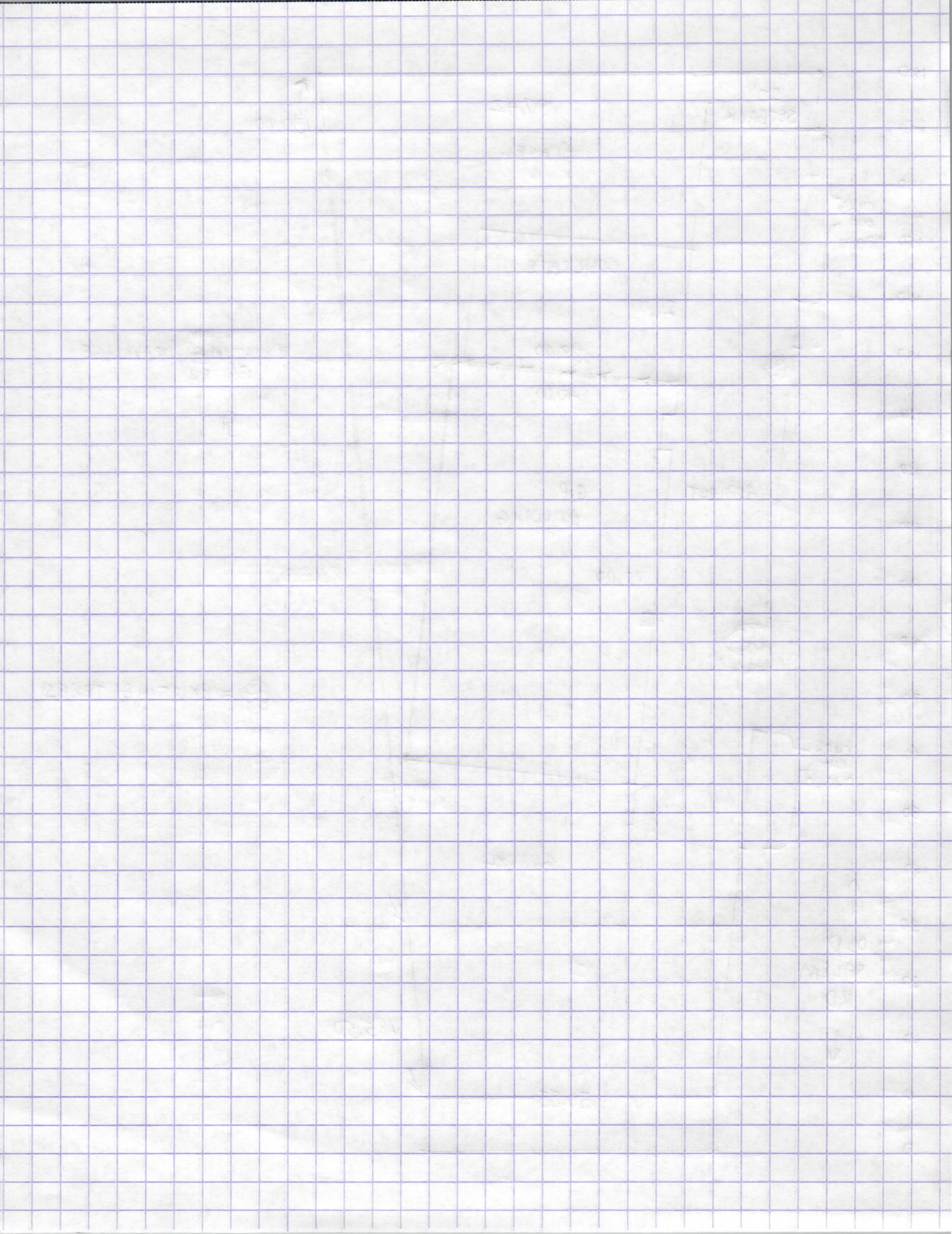
1305 Old Salem Rd NE - Google Maps

Google Maps 1305 Old Salem Rd NE



Imagery ©2020 Google, Imagery ©2020 Maxar Technologies, State of Oregon, Map data ©2020 20 ft







# INSTITUTE OF TRANSPORTATION ENGINEERS COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 10th Edition)

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
432	Golf Driving Range	Tees/Driving Positions	1.25		
433	Baiting Cages	Cages	2.22		
434	Rock Climbing Gym	1,000 SF GFA	1.64		
435	Multi-Purpose Recreational Facility	1,000 SF GFA	3.56		
436	Trampoline Park	1,000 SF GFA	1.50		
437	Bowling Alley	1,000 SF GFA	1.16		
440	Adult Cabaret	1,000 SF GFA	2.93		
444	Movie Theater	1,000 SF GFA	6.17		
445	Multiplex Movie Theater	1,000 SF GFA	4.91		
452	Horse Racetrack	Seats	0.06		
454	Dog Racetrack	Attendees	0.15		
480	Arena	1,000 SF GFA	0.47		
482	Professional Baseball Stadium	Attendees	0.15		
485	Professional Basketball Stadium	Attendees	0.15		
486	Ice Skating Rink	1,000 SF GFA	1.33		
488	Snow Ski Area	Slopes	28.00		
473	Casino/Vegas Lottery Establishment	1,000 SF GFA	13.49		
480	Amusement Park	Acres	3.95		
482	Water Slide Park	Parking Spaces	0.28		
488	Soccer Complex	Fields	16.43		
490	Tennis Courts	Courts	4.21		
491	Racquet/Tennis Club	Courts	3.82		
492	Health/Fitness Club	1,000 SF GFA	3.46		
493	Amateur Club	1,000 SF GFA	6.29		
495	Recreational Community Center	1,000 SF GFA	2.31		
<b>INSTITUTIONAL</b>					
520	Elementary School	1,000 SF GFA	1.37		
522	Middle School / Junior High School	1,000 SF GFA	1.19		
530	High School	1,000 SF GFA	0.97		
534	Private School (K-8)	Students	0.28		
536	Private School (K-12)	Students	0.17		
537	Charter Elementary School	Students	0.14		
538	School District Office	1,000 SF GFA	2.04		
540	Junior / Community College	1,000 SF GFA	1.86		
550	University/College	1,000 SF GFA	1.17		
560	Church	1,000 SF GFA	0.49		
561	Synagogue	1,000 SF GFA	2.92		
562	Mosque	1,000 SF GFA	4.22		
565	Daycare Center	1,000 SF GFA	11.12		
566	Cemetery	Acres	0.46		
571	Prison	1,000 SF GFA	2.91		
575	Fire and Rescue Station	1,000 SF GFA	0.48		
580	Museum	1,000 SF GFA	0.18		
590	Library	1,000 SF GFA	8.16		

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
<b>PORT AND TERMINAL</b>					
30	Intermodal Truck Terminal	1,000 SF GFA	1.72		
90	Park-and-Ride Lot with Bus Service	Parking Spaces	0.43		
<b>INDUSTRIAL</b>					
110	General Light Industrial	1,000 SF GFA	0.63		
130	Industrial Park	1,000 SF GFA	0.40		
140	Manufacturing	1,000 SF GFA	0.67		
150	Warehousing	1,000 SF GFA	0.19		
151	Mini-Warehouse	1,000 SF GFA	0.17		
154	High-Cube Transload & Short-Term Storage Warehouse	1,000 SF GFA	0.10		
155	High-Cube Fulfillment Center Warehouse	1,000 SF GFA	1.37		
156	High-Cube Parcel Hub Warehouse	1,000 SF GFA	0.64		
157	High-Cube Cold Storage Warehouse	1,000 SF GFA	0.12		
160	Data Center	1,000 SF GFA	0.09		
170	Utilities	1,000 SF GFA	2.27		
180	Specialty Trade Contractor	1,000 SF GFA	1.97		
<b>RESIDENTIAL</b>					
210	Single-Family Detached Housing	Dwelling Units	0.99		
220	Multifamily Housing (Low-Rise)	Dwelling Units	0.96		
221	Multifamily Housing (Mid-Rise)	Dwelling Units	→ 0.44		0.18
222	Multifamily Housing (High-Rise)	Dwelling Units	→ 0.36		0.19
231	Mid-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.36		
232	High-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.21		
240	Mobile Home Park	Dwelling Units	0.46		
251	Senior Adult Housing - Detached	Dwelling Units	0.30		
252	Senior Adult Housing - Attached	Dwelling Units	0.26		
253	Congregate Care Facility	Dwelling Units	0.18		
254	Assisted Living	1,000 SF GFA	0.48		
255	Continuing Care Retirement Community	Units	0.16		
260	Recreation Homes	Dwelling Units	0.28		
265	Timeshare	Dwelling Units	0.63		
270	Residential Planned Unit Development	Dwelling Units	0.69		
<b>LODGING</b>					
310	Hotel	Rooms	0.60		
311	All Suites Hotel	Rooms	→ 0.36		0.17
312	Business Hotel	Rooms	0.32		
320	Motel	Rooms	0.38		
330	Resort Hotel	Rooms	0.41		
<b>RECREATIONAL</b>					
411	Public Park	Acres	0.11		
416	Campground / Recreation Vehicle Park	Acres	0.88		
420	Marina	Berths	0.21		
430	Golf Course	Acres	0.28		
431	Miniature Golf Course	Holes	0.33		



# INSTITUTE OF TRANSPORTATION ENGINEERS COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 10th Edition)

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
<b>MEDICAL</b>					
610	Hospital	1,000 SF GFA	0.97		
620	Nursing Home	1,000 SF GFA	0.59		
630	Clinic	1,000 SF GFA	→ 3.28		5.18
640	Animal Hospital / Veterinarian Clinic	1,000 SF GFA	3.53		
650	Free-Standing Emergency Room	1,000 SF GFA	1.52		
<b>OFFICE</b>					
710	General Office Building	1,000 SF GFA	→ 1.15		0.87
712	Small Office Building	1,000 SF GFA	2.45		
714	Corporate Headquarters Building	1,000 SF GFA	0.80		
715	Single Tenant Office Building	1,000 SF GFA	1.74*		
720	Medical-Dental Office Building	1,000 SF GFA	3.46		
730	Government Office Building	1,000 SF GFA	1.71		
731	State Motor Vehicles Department	1,000 SF GFA	5.20		
732	United States Post Office	1,000 SF GFA	11.21		
733	Government Office Complex	1,000 SF GFA	2.89		
750	Office Park	1,000 SF GFA	1.07		
760	Research and Development Center	1,000 SF GFA	0.49		
770	Business Park	1,000 SF GFA	0.42		
<b>RETAIL</b>					
810	Tractor Supply Store	1,000 SF GFA	1.40		
811	Construction Equipment Rental Store	1,000 SF GFA	0.98		
812	Building Materials and Lumber Store	1,000 SF GFA	2.08		
813	Free-Standing Discount Superstore	1,000 SF GFA	4.33		
814	Variety Store	1,000 SF GFA	6.84		
815	Free Standing Discount Store	1,000 SF GFA	4.83		
816	Hardware / Paint Store	1,000 SF GFA	2.68		
817	Nursery (Garden Center)	1,000 SF GFA	6.94		
818	Nursery (Wholesale)	1,000 SF GFA	5.18		
820	Shopping Center	1,000 SF GFA	3.81		4.92
823	Factory Outlet Center	1,000 SF GFA	2.28		
840	Automobile Sales (New)	1,000 SF GFA	2.43		
841	Automobile Sales (Used)	1,000 SF GFA	3.75		
842	Recreational Vehicle Sales	1,000 SF GFA	0.77		
843	Automobile Parts Sales	1,000 SF GFA	4.91		
848	Tire Store	1,000 SF GFA	3.98		
849	Tire Superstore	1,000 SF GFA	2.11		
850	Supermarket	1,000 SF GFA	9.24		
851	Convenience Market (Open 24 Hours)	1,000 SF GFA	49.11		
853	Convenience Market with Gasoline Pumps	1,000 SF GFA	49.29		
854	Discount Supermarket	1,000 SF GFA	8.38		
857	Discount Club	1,000 SF GFA	4.18		
860	Wholesale Market	1,000 SF GFA	1.76		
861	Sporting Goods Superstore	1,000 SF GFA	→ 2.02		1.65
862	Home Improvement Superstore	1,000 SF GFA	→ 2.33		3.35
863	Electronics Superstore	1,000 SF GFA	4.26		

Note: All land uses in the 800 and 900 series are entitled to a "pass-by" trip reduction of 60% if less than 50,000 ft<sup>2</sup> or a reduction of 40% if equal to or greater than 50,000ft<sup>2</sup>.

\*From 9th edition, no PM peak hour in 10th

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
864	Toy/Children's Superstore	1,000 SF GFA	5.00		
865	Baby Superstore	1,000 SF GFA	1.82		
866	Per Supply Superstore	1,000 SF GFA	3.55		
867	Office Supply Superstore	1,000 SF GFA	2.77		
868	Book Superstore	1,000 SF GFA	18.83		
869	Discount Home Furnishing Superstore	1,000 SF GFA	1.57		
872	Bed and Linen Superstore	1,000 SF GFA	2.22		
875	Department Store	1,000 SF GFA	1.95		
876	Apparel Store	1,000 SF GFA	→ 4.12		1.12
879	Arts and Craft Store	1,000 SF GFA	6.21		
880	Pharmacy/Drugstore without Drive-Through Window	1,000 SF GFA	8.51		
881	Pharmacy/Drugstore with Drive-Through Window	1,000 SF GFA	10.29		
882	Mail/Post Office	1,000 SF GFA	21.83		
890	Furniture Store	1,000 SF GFA	0.52		
897	Medical Equipment Store	1,000 SF GFA	1.24		
899	Liquor Store	1,000 SF GFA	16.37		
<b>SERVICES</b>					
911	Walk-In Bank	1,000 SF GFA	12.13		
912	Drive-In Bank	1,000 SF GFA	20.45		
918	Hair Salon	1,000 SF GFA	1.45		
920	Copy, Print, and Express Ship Store	1,000 SF GFA	7.42		
925	Drinking Place	1,000 SF GFA	11.36		
926	Food Cart Pod	Food Carts	3.08		
930	Fast Casual Restaurant	1,000 SF GFA	14.13		
931	Quality Restaurant	1,000 SF GFA	7.80		
932	High-Turnover (Sit-Down) Restaurant	1,000 SF GFA	→ 9.77		9.80
933	Fast Food Restaurant without Drive-Through Window	1,000 SF GFA	28.34		
934	Fast Food Restaurant with Drive-Through Window	1,000 SF GFA	→ 32.67		78.74
935	Indoor Seating	1,000 SF GFA	42.65		
936	Coffee/Donut Shop without Drive-Through Window	1,000 SF GFA	36.31		
937	Coffee/Donut Shop with Drive-Through Window	1,000 SF GFA	→ 43.38		83.19
938	Coffee/Donut Shop with Drive-Through Window and No Indoor Seating	1,000 SF GFA	83.33		
939	Bread / Donut / Bagel Shop without Drive-Through Window	1,000 SF GFA	28.00		
940	Bread / Donut / Bagel Shop with Drive-Through Window	1,000 SF GFA	19.02		
941	Quick Lubrication Vehicle Shop	1,000 SF GFA	8.70		
942	Automobile Care Center	1,000 SF GFA	3.11		
943	Automobile Parts and Service Center	1,000 SF GFA	2.28		
944	Gasoline / Service Station	1,000 SF GFA	109.27		
945	Gasoline / Service Station with Convenience Market	1,000 SF GFA	88.35		
947	Self Service Car Wash	Wash Stalls	5.54		
948	Automated Car Wash	1,000 SF GFA	14.20		
949	Car Wash and Detail Center	Wash Stalls	13.60		
950	Truck Stop	1,000 SF GFA	22.73		
960	Super Convenience Market/Gas Station	1,000 SF GFA	68.28		
970	Winery	1,000 SF GFA	7.31		

An area designated as **General Urban/Suburban** in the *Trip Generation Manual* is an area associated with almost homogeneous vehicle-centered access. Nearly all person trips that enter or exit a development site are by personal passenger or commercial vehicle.

The area can be fully developed (or nearly so) at low-medium density with a mix of residential and commercial uses. The commercial land uses are typically concentrated at intersections or spread along commercial corridors, often surrounded by low-density, almost entirely residential development. Most commercial buildings are located behind or surrounded by parking.

The mixing of land uses is only in terms of their proximity, not in terms of function. A retail land use may focus on serving a regional clientele or a services land use may target motorists or pass-by vehicle trips for its customers. Even if the land uses are complementary, a lack of pedestrian, bicycling, and transit facilities or services limit non-vehicle travel.

An area designated as **Dense Multi-Use Urban** in the *Trip Generation Manual* is a fully developed area (or nearly so), with diverse and complementary land uses, good pedestrian connectivity, and convenient and frequent transit. This area type can be a well-developed urban area outside a major metropolitan downtown or a moderate size urban area downtown.

The land use mix typically includes office, retail, residential, and often entertainment, hotel, and other commercial uses. The residential uses are typically multifamily or single-family on lots no larger than one-fourth acre. The commercial uses often have little or no setback from the sidewalk. Because the motor vehicle still represents the primary mode of travel to and from the area, there typically is on-street parking an often public off-street parking.

The complementary land uses provide the opportunity for short trips within the Dense Multi-Use Urban area, made conveniently by walking, biking, or transit. The area is served by significant transit (either rail or bus) that enables a high level of transit usage to and from area development.

**SECTION 4.131 LIMITED INDUSTRIAL-COMMERCIAL ZONE - LIC**

- (1) **Purpose.** The Limited Industrial-Commercial Zone is applied to areas suitable for limited manufacturing, warehousing and commercial activities that have minimal emissions or characteristics potentially detrimental to the public health, safety or general welfare.
- (2) **Permitted Uses.** In an LIC Zone, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of **Section 2.400** and the standards, provisions and exceptions set forth in this Code.
  - (a) Interim farm use in accordance with **Section 6.410**.
  - (b) All uses permitted in the Community Commercial Zone.
  - (c) All manufacturing, warehousing, wholesaling, compounding, assembling, processing, storing, researching, or testing uses provided all operations except off-street parking and temporary activities shall be conducted entirely within an enclosed building unless approved by the Planning Commission. There shall be no emissions or nuisance characteristics discernible without instruments at the property line as identified in the Applicant's application.
  - (d) Automotive, truck, RV, equipment or other repair shops
- (3) **Conditional Uses.** In an LIC Zone, the following uses and their accessory uses may be permitted, subject to the provisions of **Section 2.500**.
  - (a) Permitted Uses listed above requiring exterior operations or storage of materials or equipment.
  - (b) A manufactured dwelling for the owner or caretaker whenever onsite residence is necessitated by such use. The manufactured dwelling shall comply with the Use Standards of **Section 6.164**.
  - (c) Truck Dispatch Operations.
  - (d) Uses requiring an Emission Discharge Permit from the Oregon Department of Environmental Quality or other county, state or federal agencies.
  - (e) Uses possessing nuisance characteristics or emissions potentially detrimental to Public health, safety and general welfare of the community such as noise, vibrations, smoke, odor, fumes, dust, heat, glare or electromagnetic interference shall not be permitted unless additional safeguards are specified by the Planning Commission. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use.



**SECTION 4.121 COMMUNITY COMMERCIAL ZONE - CC**

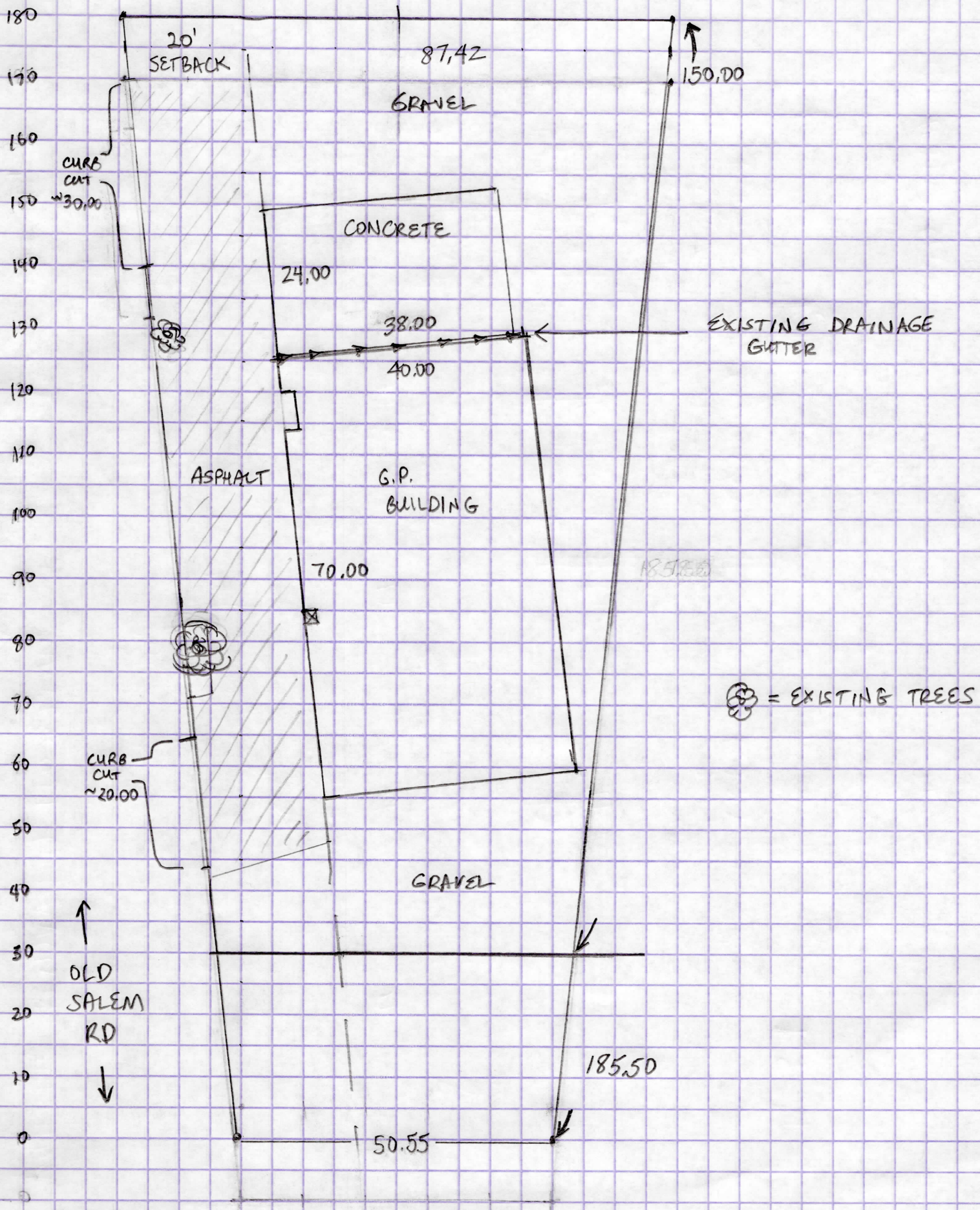
- (1) **Purpose.** The Community Commercial Zone is applied to existing Commercial areas and may be applied to future commercial development proposals as the City grows. It is intended to provide areas appropriate for centralized commercial facilities to serve the needs of area residents and employees.
- (2) **Permitted Uses.** In a CC Zone, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of **Section 2.400** and the standards, provisions and exceptions set forth in this Code, provided all operations except off-street parking and temporary activities shall be conducted entirely within an enclosed building:
  - (a) Retail stores or shops.
  - (b) Personal or business service.
  - (c) Repair shops (See 3 (b) below).
  - (d) Eating or drinking establishments.
  - (e) Offices, business or professional.
  - (f) Financial institutions.
  - (g) Indoor commercial amusement or recreation establishments.
  - (h) Public or semi-public buildings and uses.
  - (i) Residential Care Facility for 15 or less people or 13 or more children compliance with State standards and requirements and **Section 6.140**.
  - (i) Conversion of residence to a permitted commercial use in accordance with **Section 6.314 (1)**.
  - (k) Attached residences to a commercial use in accordance with **Section 6.314 (2)**.
- (3) **Conditional Uses.** In a CC Zone, the following uses and their accessory uses may be permitted, subject to the provisions of **Section 2.500**.
  - (a) Uses requiring an Emission Discharge Permit from the Oregon Department of Environmental Quality.
  - (b) Automotive service facilities with access from a designated arterial.
  - (c) Limited fabrication or assembly operations including plumbing, sheet metal and cabinet shops.

**SP 20-03**

**EXHIBIT**

e)

Site Plan



**SP 20-03 EXHIBIT**

f) Elevations/Signs





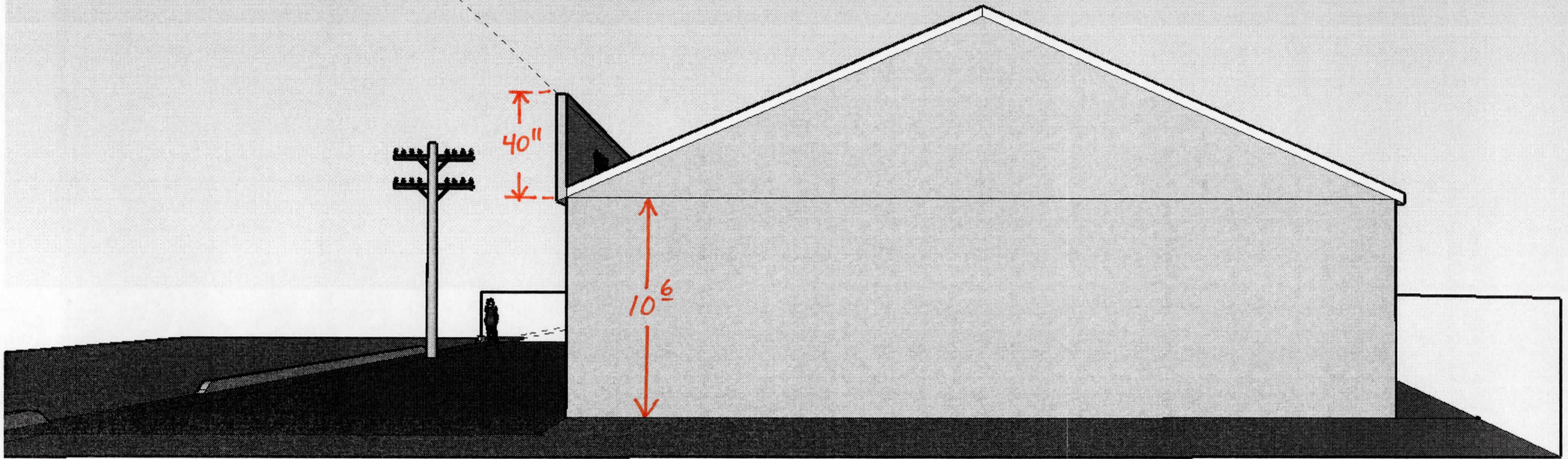








ELEVATIONS



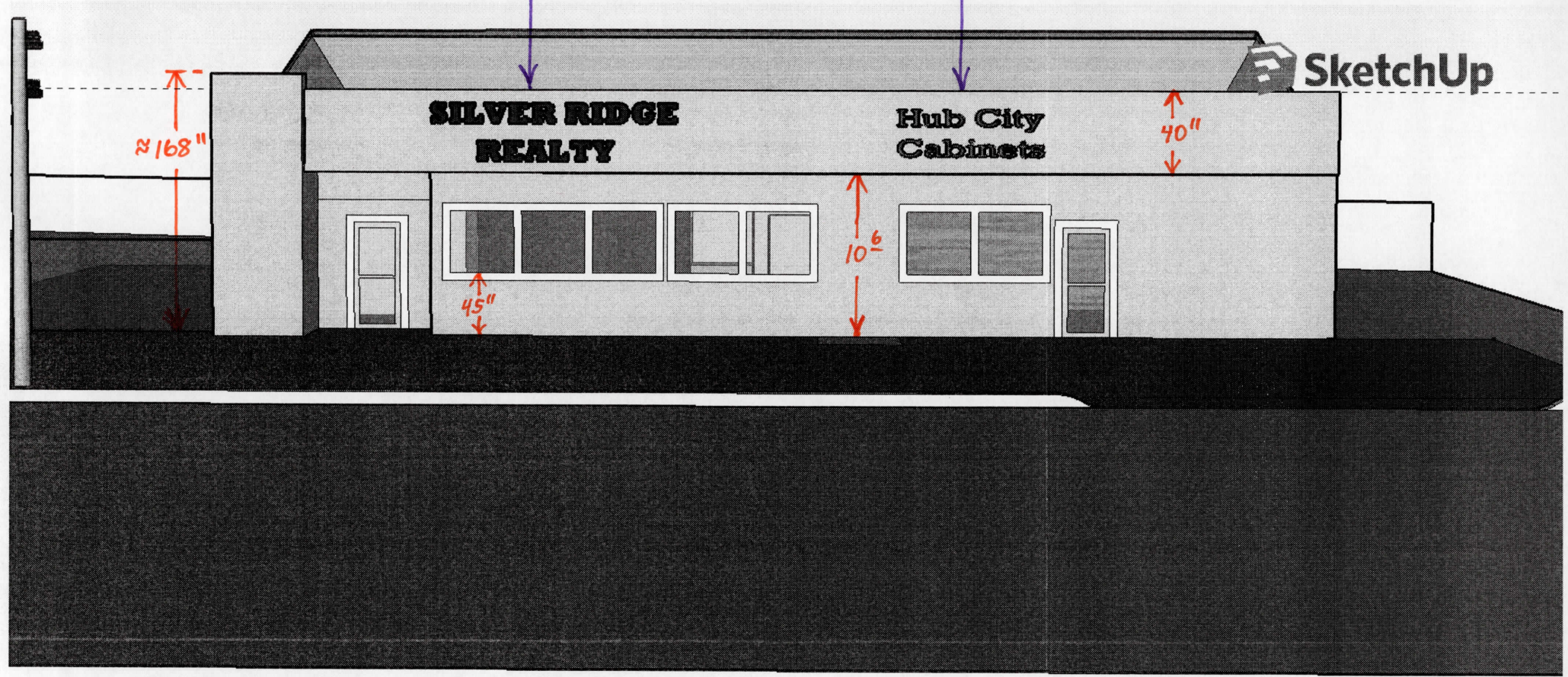
S. Side of building



SIGNS + ELEVATIONS

Sign space A  
≈ 24" x 15'

Sign Space B  
≈ 24" x 10'



W. side of building

**SP 20-03**

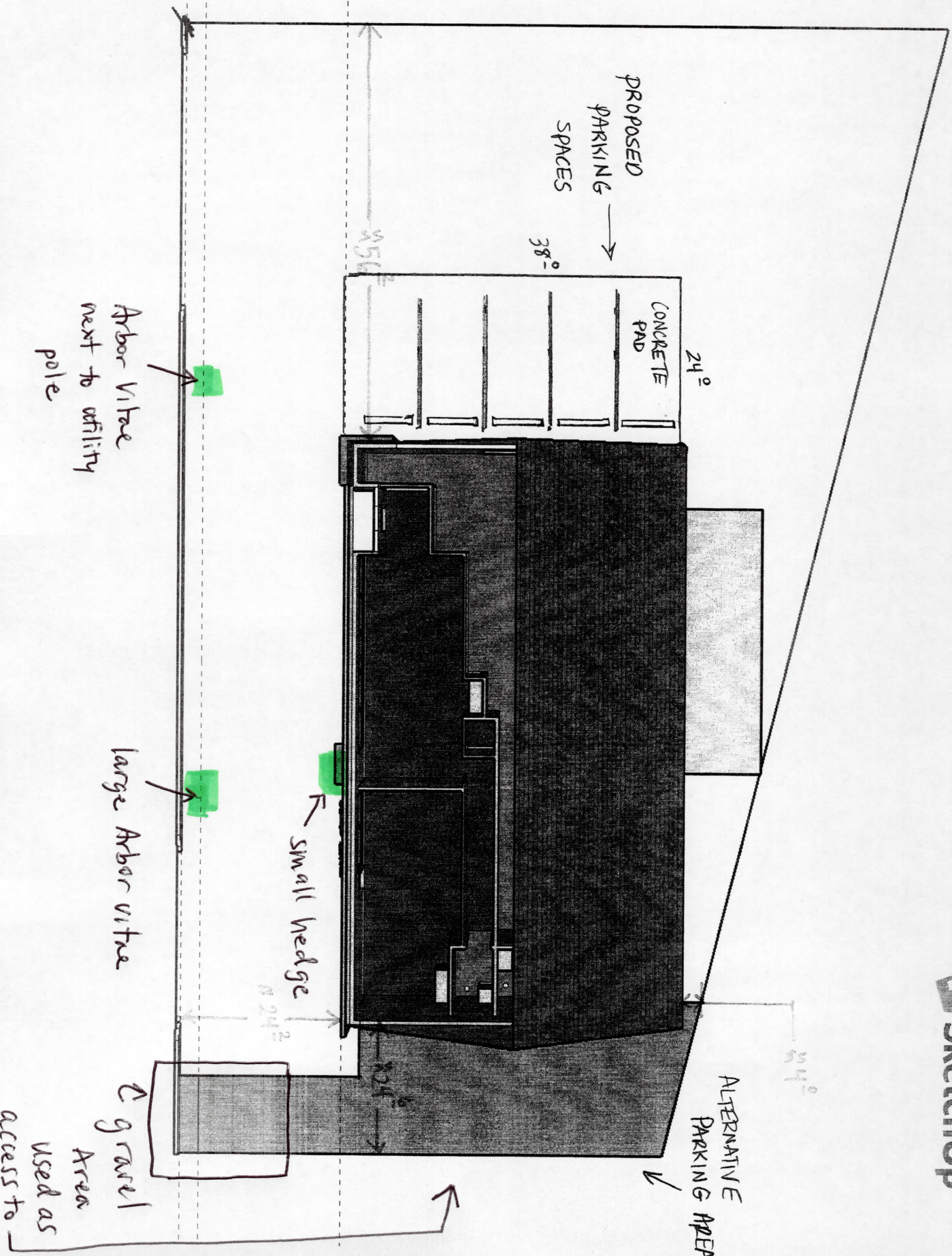
**EXHIBIT**

g)

Landscape Plan



PARKING



PROPOSED  
PARKING  
SPACES

38'

CONCRETE  
PAD

24'

Arbor Vitae  
next to utility  
pole

large Arbor vitae

small hedge

ALTERNATIVE  
PARKING AREA

24'

gravel  
Area  
used as  
access to

**SP 20-03    EXHIBIT**

h)    Linn County Road Department Email  
dated 2.5.21





Taylor, Stephanie <staylor@co.linn.or.us>

Fri 2/5/2021 9:27 AM

Mark as unread

To: Matt Straite;

[Barracuda Essentials](#)

[+ Get more apps](#)

Hello Matt,

RE: SP 20-03 – Old Salem Rd

Comments from Linn County Road Department:

***A commercial access review from the Linn County Road Department will be required. Please contact the Linn County Road Department with questions.***

Thanks,

*Stephanie Taylor*  
Linn County Road Department  
3010 Ferry Street SW  
Albany, OR 97322  
[staylor@co.linn.or.us](mailto:staylor@co.linn.or.us)  
(541) 967-3919

**SP 20-03 EXHIBIT**

i) City Engineering Comments dated  
2.22.21

TO: Matt Straite, City Planner  
FROM: Janelle Booth, Millersburg City Engineer  
DATE: February 22, 2021  
SUBJECT: SP 20-03 Mitchell - Engineering Comments

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

1. No alterations to existing water and sewer connections are proposed.
2. The project does not propose to add impervious surface, create and/or replace less than 10,000 square feet of impervious surface, or alter drainage patterns, therefore no stormwater system modifications are required.
3. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
4. 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.