

MILL CITY PLANNING COMMISSION
Meeting of March 12, 2010
9:00 AM

Planning Commission members present: Chairman George Long, Vice-Chair Nancy Kelle, Ann Carey, Ruth Lemke, Cheryl Lundquist, Sharon Setzer and Gay Stuntzner. Staff in attendance: Planning Assistant Ryan Taylor and Planning Advisor David Kinney.

Community members present: Don Hoover and Keri Sanders.

Cheryl Lundquist stated that the minutes should be amended under the section regarding code amendments to state that the code is very clear at this time that any person who is aggrieved by a decision has the right to appeal that decision to the council. **Nancy Kelle moved, seconded by Cheryl Lundquist to approve the Minutes of February 12, 2010.** The motion carried (7:0).

Gay Stuntzner said that Mr. Kinney indicated that the Mill City Falls Park grant would be done by March. Mr. Kinney said that this will be discussed later in the meeting. Ms. Stuntzner said that she also feels that the Planning Commission should meet with the City Council on an annual basis and would like to get a date put on the calendar.

OLD BUSINESS:

Zoning Code – Administrative Changes: Mr. Kinney stated that he has reviewed all sections of the zoning code to determine if there are any potential conflicts within them. Mrs. Lundquist said that the code still has the chairperson sending a letter of decision on a variance application within five working days of the decision. This should be changed to staff rather than the chairperson. Mr. Kinney said that the site plan review section call for the recommendation to be forwarded to the council for ratification. These sections need to be removed to comply with the changes made in the administrative section of the code. This is also true under conditional use permits. The definition of building official needs to be modified so it references the city recorder or city recorder’s designee. Special Planned Development Review will go to the Planning Commission for final decision. Mr. Kinney stated that the temporary RV use while building a home will be a staff decision. Mrs. Carey asked about connecting RV’s to the city’s sewer system. Mr. Kinney said that he will add a clause regarding dumping of sewage into the code to address the need for a holding tank. Mrs. Lundquist noted that a porta-potty can be required rather than addressing a holding tank. Non-conforming uses are staff decisions. The council has final decision authority on annexations, comp plan amendments and zoning code amendments.

PUBLIC HEARINGS:

File No.	2010.02.02, Site Plan Review
Applicant:	Ark Animal Clinic/Keri Sanders
Proposal:	Veterinary Clinic
Location:	833 NW Santiam Blvd
Assessor’s Map	93E 30DB Tax Lot 300

Chairman Long opened the public hearing at 9:31 a.m. and called for any potential conflict of interest, bias or ex parte contact. Mrs. Kelle said that she is within the notice area but this will not affect her ability to make an impartial decision.

STAFF REPORT: Mr. Kinney stated that this application requests placement of an animal clinic in an existing building along Highway 22. This application is one of the first that falls under the Hwy 22 Access Management Plan. This plan requires coordination with ODOT in any case where a driveway access is needed. Mr. Kinney said that he found that the code is not as clean and clear as it should be. There are conflicting sections, one calling for a mandatory notice to ODOT and another calling for a specific number of traffic trips before a notice would be required and the section of the code regarding the Hwy 22 Access Management Plan would not apply. Mr. Kinney did speak with the ODOT Access Management person regarding this application. This property has a very clear approach that has been permitted in the past. Current trip counts nationwide for veterinary offices are within guidelines so as not to require and changes to the driveway access at this point. The code requires paved and striped parking spaces and Mrs. Sanders indicated that she is willing to do this. The parking spaces shall not interfere with the ability to have through traffic and therefore will need to be placed along the east or west side of the building. Staff recommends approval subject to

the requirement of paved and striped parking spaces.

APPLICANT'S TESTIMONY: Keri Sanders, applicant, said that she will be taking small animals at the clinic and may eventually go offsite to do farm calls. Mr. Kinney asked Mrs. Sanders if she has any problem with putting in parking spaces. Mrs. Sanders said that she does not so long as the parking spaces will fit on the property.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: None.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Mrs. Carey asked if a handicap space will need to be placed. Mr. Kinney said that there is one ADA space currently available. Mrs. Carey also asked if there will be kennels outside of the building for holding animals. Mrs. Sanders said that all animals will be contained within the building.

Mrs. Lundquist asked if the parking spaces must be paved. Mr. Kinney said that the area is already paved which was the reason for the statement regarding paved parking spaces. If needed, parking could be provided behind the building, which is gravel.

Mrs. Stuntzner asked about requirements for dumping medications into the city's sewer system. Mr. Kinney said that there are some new requirements for testing for prescription drugs in cities that produce more than 1 Million gallons of sewage per day. Mrs. Sanders said that she is allowed to put most medications, other than chemotherapeutic, into the sink. However, it is very rare that any medication is put down the sink.

Mrs. Setzer asked if there adequate lighting in this area. It was noted that there are lights in this parking area. Mrs. Setzer asked specifically about the handicap spaces. Mr. Kinney said that the city does not have any requirements for lighting handicap spaces.

Mrs. Lemke asked if there has been consideration of posting no parking signs in the front of the building. Mrs. Kelle said that people have always parked in the front of the building and there is room for a vehicle to move through.

APPLICANT'S SUMMARY: None.

STAFF SUMMARY: Mr. Kinney declared that his wife uses Mrs. Sanders as her vet.

Chairman Long closed the hearing at 9:53 a.m. and called for deliberation.

DELIBERATION: *Ann Carey moved, seconded by Nancy Kelle to adopt the findings of fact as presented and to approve the application for Ark Animal Clinic, LLC, File No. 2010.02.02 for a site plan approval of a veterinary clinic at 833 NW Santiam Blvd., subject to the recommended conditions of approval.* The motion carried, (7:0),

OLD BUSINESS CONT'D:

Zoning Code - Administrative Changes: A draft of the changes will be provided to the council for review. A public hearing date can be set at this time. A date of April 9, 2010 was agreed on.

Zoning Code – Mobile Home Standards: Mrs. Stuntzner said that she would like to see clarification within the code that a garage is required in the R-1 zone and either is allowed in the R-2 zone. Mr. Kinney will add language to this effect. Mrs. Lundquist said that building orientation needs to be addressed within the code. It either needs to be complied with, which may mean a lot of variances coming before the Planning Commission, or it should be removed from the code. Mr. Kinney said that the way he and the staff have been interpreting the code is to say that if the design standards are on the side of the home facing the street then it complies with the orientation section.

Zoning code – RV Storage & Parking: Mr. Kinney asked that this item should be brought back to the next meeting for discussion.

Buildable Lands Inventory Update: Mr. Taylor stated that he has almost finalized the vacant in-fill and redevelopment maps. The maps will be put into a packet of information for inclusion on the April agenda.

Wetlands Inventory Update: Mr. Taylor stated that the wetlands group will be in Mill City on the 18th or 19th of the month doing wetlands inventory work. Of 130+/- notices for inventory work, only 30+ were returned before the deadline. There were an additional 10 or so returned after the deadline that LCOG is not committing to inclusion in the study. Mr. Kinney said that the responses that were returned by the deadline are a good cross section of the city.

Mill City Park Plan: Mr. Taylor said that the Mill City Parks survey has been compiled and will be mailed out soon. There is a deadline of April 5th for return. The data gathered from the surveys will be used to work elements into the Master Parks Plan. Mr. Kinney said that he believes the Oregon Transportation Commission approved the city's \$550,000 Transportation Enhancement grant yesterday. Mr. Kinney and Mrs. Cook met with Michele Scalise about the city submitting a State Parks grant. This grant is due by April 5th.

Clean-up of Old Files – Annexations, Address & Zoning Maps: Mr. Kinney said that he and Mrs. Cook have gone through some old files to begin cleaning them up and adding them to the project outline that was requested a couple of meetings back. Mr. Kinney said that the address and zoning maps are complete and hung up at City Hall.

NEW BUSINESS:

Project Status Report: Mr. Kinney said that the project status report will be included in each packet from now on.

Work Program for 2010: Please bring this item back at the next meeting for discussion.

Zoning code – Discussion of CC Zone Allowed Uses & Site Reviews: Mr. Kinney said that he received an email from Mrs. Carey regarding the U-Haul business that has been established in the florists shop along 1st and Broadway asking whether a site review is required for this business. Mrs. Carey said that since this is a service business she feels there should be site review of parking and setbacks from the right-of-way, indicating that she didn't agree with staff's interpretation of the code. Mr. Kinney stated that Mrs. Cook's interpretation of the code was correct, there is not a requirement for a site plan review as it is an outright permitted use. The clear vision area is one that the city can have some jurisdiction over to ensure that vehicles are not parked in this area. Mrs. Stuntzner asked if there is enough room to take a fire truck through the area behind the building. It was noted that the area behind the building is a driveway, not an alley and fire trucks would access the building via the alley that runs north/south. Mr. Kinney stated that he and Mrs. Cook also discussed parking requirements since there are three businesses within the one structure and in looking at the parking today when he came through and the use looked fine at this point. Mr. Kinney requested that the Planning Commission keep tabs on the parking and if it becomes a problem then the city may have to require that striping be done. Mrs. Stuntzner said that she would like to see the striping done now rather than waiting.

FURTHER BUSINESS FROM THE PLANNING COMMISSION: None.

The meeting was adjourned at 11:19AM.

Prepared by:

Stacie Cook, CMC, City Recorder/Planning Secretary