

**MILL CITY PLANNING COMMISSION**  
**Meeting of March 29, 2022**

Planning Commission members present: Chair Marge Henning, Jim Grimes, Woody Koenig, David Leach and Caitlin Purdy.

Staff in attendance: City Recorder Stacie Cook and Planning Advisor Dave Kinney.

City Council Representatives: None.

Agency/Applicant Representatives: None.

Citizens: Heather Chase and Nathanael Garinger.

The meeting was called to order at 6:33 p.m. Chair Marge Henning led the pledge of allegiance.

**APPROVAL OF MINUTES:** *Jim Grimes moved, seconded by Woody Koenig to approve the minutes of March 11, 2021. The motion carried, (5:0).*

**PUBLIC COMMENT:** None.

**PUBLIC HEARING:** File No. 2022-01 Minor Partition

Applicant: Glen Kent/Doug Doty, 441 SW Kingwood LLC

Location: 441 SW Kingwood Avenue

Chair Henning opened the public hearing at 6:32 p.m. with the procedures for the land use hearing. Chair Henning called for any potential conflicts of interest, bias or ex parte contact. None stated.

**APPLICANT'S PROPOSAL:** None.

**STAFF REPORT:** Mr. Kinney said that the City received an application for a minor partition at 441 SW Kingwood Avenue, proposing to separate the existing duplex from the rest of the property. A draft layout for a future subdivision was submitted with the application, however, no final decisions about the proposed subdivision have been made, nor has an application been submitted.

Mr. Kinney stated that the width of SW Kingwood Avenue increases as it continues west. The application has proposed that they acquire the additional width in front of their property with either this application or a future application. The City's street plan shows SW Kingwood Avenue as a 60' right-of-way. However, this is not a decision that should be made with this application, rather with a future larger application.

The duplex and existing home are both served by City water and sewer.

If the partition is approved, it is recommended that a condition of approval be set requiring the developer to install all infrastructure, including in front of the duplex at such time as the larger parcel is developed.

**PROPONENT’S TESTIMONY:** None.

**OPPONENT’S TESTIMONY:** None.

**GENERAL TESTIMONY:** Heather Chase, SW Ivy Street said that she interested in the future development. Mr. Kinney said that with the future development there is one item that may affect Ms. Chase; storm sewer study. The developers engineer will have to complete a study to determine how storm sewer will need to be directed and installed.

**QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION:** None.

**APPLICANT’S REBUTTAL:** None.

**STAFF SUMMARY:** Mr. Kinney said that he would like to stress the need for a non-remonstrance agreement as well as to retain the street frontage that was suggested for the applicant to obtain.

Mr. Kinney stated that this is a relatively straight forward partition and approval is recommended with the following Conditions of Approval:

1. Complete and record partition plat within one year of approval, expiring April 15, 2023.
2. Recorded partition plat must include Parcels 1 and 2 as shown on Figure 2 in staff report and reference existing sewer easement (record sewer easement if needed, in Linn County Deed Records)
3. Execute Deferral and Non-Remonstrance for the site prior to recording of partition plat, stipulating street, storm drainage, curb, gutter sidewalk improvements will be constructed for the entire frontage of SW Kingwood Avenue and SW Ivy Street and that the owner of Parcel 2 shall be responsible for the construction of frontage improvements adjacent to Parcel 1, at the time of development and/or future land division of Parcel 2.

**CLOSE OF HEARING:** Chair Henning closed the public hearing at 6:53 p.m. and called for deliberation.

**DELIBERATION:** *Marge Henning moved, seconded by Caitlin Purdy to approve the minor partition application of Doug Doty and Glen Kent, 441 SW Kingwood, LLC and to adopt the findings of fact, conclusions and recommended conditions of approval for File No. 2022-01. The motion carried, (5:0).*

Mr. Kinney said that the applicants will have one year to complete their partition survey plat and record it with Linn County.

**OLD BUSINESS:** Mill City Development Code Revisions (Continue Review): Mr. Kinney gave a brief overview of Articles 1 and 4 for those who were not in attendance at the first review.

Type I (Administrative Review) applications will include:

- code interpretations
- development reviews
- property line adjustments
- sign permits
- review of a final partition or subdivision plat
- Class A variances

Type II (Administrative Review w/Notice to Affected Parties) applications will include:

- complicated code interpretations
- floodplain development permits
- partitions
- temporary use permits
- Class B variances

Type III (Quasi-Judicial) applications include:

- conditional use permits
- historic alteration permit
- site plan review
- Class C variances
- Class D variances
- Subdivisions
- zone changes
- annexations

**NEW BUSINESS:** Statement of Economic Interest (Due April 15, 2022): Mrs. Cook asked that the Planning Commission members be sure to file their SEI by the due date.

**INFORMATIONAL ITEMS:**

City Recorder Report: Mrs. Cook gave a report on the following items:

- *Mill City Falls Park Phases I & II*
- *SRTS Part I*
- *RV Site*
- *FEMA Trailer Site*
- *Legislative Funding – Storm*
- *Marion White Volunteerism Award*
- *SW 2<sup>nd</sup> SCA Project*

**BUSINESS FROM THE PLANNING COMMISSION:** None.

**OTHER BUSINESS:** None.

The meeting was adjourned at 8:15 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 8<sup>th</sup> day of April 2022