City of Mill City

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MILL CITY PLANNING COMMISSION AGENDA
Special Meeting

Monday, December 19, 2022
6:00 p.m.
City Hall – 444 S. First Avenue
MILL CITY, OREGON 97360

1. Call to Order and Flag Salute – 6:00 p.m. Chair Marge Henning

2. Approval of Minutes: November 21, 2022 pp. 3-7

3. Public Comment:

We welcome you to today's meeting of the Mill City Planning Commission. This is an open meeting of the Commission and you are invited to observe the meeting.

*If you wish to speak to the Planning Commission regarding an issue which is **not on the agenda**, the Commission provides time at the beginning of each meeting to listen to public comments. The chairperson will ask for public comment. When you are recognized, please state your name, address and briefly explain the issue you wish to discuss. Depending on the nature of the issue, the Planni, ng Commission will address the issue during this meeting, table the issue to a future meeting or will request that you speak with the City Recorder or Planning Consultant outside the meeting.*

***4.* Public Hearings:**

a. File 2022-08 Beech Street Apartments - Site Plan Review pp. 8-49
Applicant: Green Light – Home First, LLC
Location: NW Beech St. and NW 8th Place, Mill City

This is a continuation of a public hearing from November 21, 2022. The City has received additional testimony on the proposed Beech Street apartments.

The Planning Commission will receive the updated staff report on the proposal, the new written testimony and will provide the applicant an opportunity to rebut the new testimony. See the agenda format on the following page.

a. Declaration of Conflicts of Interest & Ex Parte Contact
b. Staff Report
c. Applicant's Rebuttal
d. Questions from Planning Commissioners
e. Close of the Public Hearing
f. Deliberations and Decision by the Planning Commission

5. Other Business

a. Set hearing date for Lucas-Baughman Addition Subdivision

6. Adjournment

Upcoming Planning Commission Meetings (All meetings at City Hall)

Monday, January __, 2023 6:00 PM Special Meeting – Public Hearings
- 2022-07 Lucas-Baughman Addition Subdivision – SE Fairview Street – 36 lots

Friday, January 13, 2022 8:30 AM Regular Meeting

MILL CITY PLANNING COMMISSION
Meeting of November 21, 2022

Planning Commission members present: Chair Marge Henning, Jim Grimes, Woody Koenig, Dave Leach, Sandy Lyness, Caitlin Purdy and Debbie Schenck.

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

City Council Representatives: None.
Agency/Applicant Representatives: Mark Desbrow, Steve Kay and Tim Lawler.
Citizens: Gordon Cameron, Joanne Cameron, Ann Carey, Jan Huckeby, Roel Lundquist, Jennifer Polk, Victor Risk, Misty Strasser, Sandy Schlabach, Sandra Tuers, Gordon Wilson, Jason Wilson and Sarah Wilson.

The meeting was called to order at 6:04 p.m. Chair Marge Henning led the pledge of allegiance.

PUBLIC COMMENT: None.

PUBLIC HEARING: File No. 2022-08 Beech Street Apartments – Site Plan Review
Applicant: Green Light – Home First, LLC
Location: NW Beech St. and NW 8th Pl, Mill City

Chair Henning opened the public hearing at 6:04 p.m. with the procedures for the land use hearing. Chair Henning called for any potential conflicts of interest, bias or ex parte contact.

Sandy Lyness stated that she has a conflict of interest for this application and stepped away from her seat. Debbie Schenck stated that she resides within the neighborhood near this proposed development.

APPLICANT'S PROPOSAL: Steve Kay, applicant's representative, stated that the applicant proposes to develop an apartment complex. Multi-family units are a permitted use within the zone. The development consists of six buildings between one and four bedrooms in size, with a total of 54 units. Wetlands are located on the north side of the property; however, the development does not affect them.

The development will extend Beech St into the site as well as to the east where it meets NW 8th Pl. All utilities will be installed for the development including a new pump station, location to be determined.

STAFF REPORT: Mr. Kinney said that this property is zoned for multi-family development as a permitted use, subject to review by the Planning Commission based on specific criteria. Criteria includes:

- Adequate public and private utilities

- Traffic circulation and pedestrian access
- Street and emergency access
- Parking and building design and placement
- Landscaping
- Fencing and screening
- Lighting
- Other development standards, primarily for Public Works Design Standards

The proposal includes a 34' wide paved street, curb to curb. The Planning Commission will need to determine whether to restrict on-street parking to one side only.

Mr. Kinney said that the developer has to install additional utility mains in order to provide water service, fire flow and sewer to the development site. The City's sewer system is near capacity. Currently I & I work is being done in order to try to identify infiltration into the system so that the breaks can be fixed, providing capacity for additional development.

The developer proposes to pave NW 8th St between NW River Rd and NW Beech St as well as NW Beech St from NW 8th Pl through the development. Storm drainage improvements will also be required.

Proposed parking meets code requirements. Fire access and turn around will be required. A pedestrian pathway is proposed for the area; the Planning Commission should look at the proposed layout and possibly make some modifications.

Mr. Kinney said that the staff report references pages within the applicant's submittal. The plans that were submitted are not final and will need to be updated before development can begin.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Debbie Schenck asked if on-street parking is proposed along the section of NW Beech St that is beyond the development. Mr. Kinney said that the proposal shows on-street parking along the entire street.

Dave Leach asked if there is a plan for EV charging. Mr. Lawler said that the project will be ready for EV charging but it will not be installed.

Ms. Schenck asked if parking will also be along NW 8th Pl. Mr. Kinney said that the plans do not show on-street parking on this section of road. The Planning Commission can make a recommendation to the Council if they wish to do so.

Chair Henning said that the Fire Dept. said that they would like to see a minimum 40' wide curb to curb street within the development. Mr. Kinney said that the City's code allows for 34' wide minimum, which is a reason for the Planning Commission to consider restricting parking to one side of the street.

Ms. Schenck asked if there is a buffer between the easterly parking lot and the neighboring property. Mr. Kay said that he believes that there is landscaping proposed.

Jim Grimes asked about the decision to place the sewer pump station at the west end of the Marion County property. It was stated that the decision is one that will be made between both property owners and the City.

Ms. Schenck asked if there was any communication from the school district. Mr. Kinney said that there were not comments submitted, however, he spoke with the superintendent today. The addition of one to two students per class can be handled. Mr. Kinney said that school system capacity is not something that can be considered when making a decision on a land use application.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: Gordon Cameron, NW 8th Pl, asked if there will be a monetary assessment on adjacent property owners for the street improvements. Mr. Kinney said that there is no cost to the neighboring properties. Mr. Cameron asked about the timeline for infrastructure improvements. Mr. Lawler said that ground breaking will be in spring. Mr. Cameron asked if there is any plan for the Marion County property development. Mr. Kinney said that there is not at this time.

Sarah Wilson, NW 8th Pl., said that this proposal affects about 50% of their property line and asked what is proposed for buffering and security.

Caitlin Purdy asked what safety measures will be put into place for pedestrians and children. Mr. Kinney said that the location is more than a mile from the school so they will be bussed.

Mrs. Wilson asked if she can propose that the developers pay for and install a fence around their property to assist with safety and their dogs. Mr. Lawler said that they are taking into consideration the size of this project. There will be shrubs along the eastern edge of the development by the parking lot, which was placed in the location to help with buffering. Mark Desbrow said that they would be happy to work with the Wilson's on a fence.

Misty Strasser, said that she is opposed to this development and has concerns about the existing pump station being able to hand any additional load. River Rd is a narrow road with no sidewalks, which makes it a safety issue. Removing the trees on this property will affect the neighbors with additional noise from Hwy 22 and less privacy. Mrs. Strasser said that she also has concerns with the ability for the fire department to handle a fire in a two-story, multi-family structure.

GENERAL TESTIMONY: Roel Lundquist, SW Linn Blvd, said that the placement of the pump station seems to be an issue as public works will need to access it on a daily basis. An easement will be needed. Mr. Lawler said that if the pump station is on the west end of the Marion County property then an easement with a gravel access drive will be provided.

Mr. Lundquist said that the sloughing issue with River Rd needs to be addressed with Marion County.

?? Wilson, NW River Rd, said that this development will destroy the quiet neighborhood with all of the vehicles that will be coming through it.

Mrs. Wilson said that the bus stop for this area is on the south side of NW River Rd and asked how this will be addressed to keep children safe. Mr. Desbrow said that they would love to help address this issue and take the bus into the new development.

Ann Carey, SW 1st Ave, said that this is a concept plan and asked what the next steps are to address the issues raised this evening and provide more complete plans. Mr. Kinney said that there are a number of items that will be addressed between this meeting and the next. The school bus stop the City can work with the school district on before any children would begin using from the development. The Linn County Sheriff's Office will expand their patrols to this development once complete.

Jan Huckeby, SE 7th Ave, asked if this project is for people for lost their homes in the fire or for others. Mr. Lawler said that this project is in response to the fires of 2020. There will be a wildfire priority for residents but they will have to meet the income requirements.

Mr. Desbrow said that there was an intentional decision to focus the development to feel more like a residential neighborhood and will include a playground for the children within the area.

Ms. Schenck asked if the large Oak trees will remain or be taken down. Mr. Desbrow said that there are a lot of large trees and some will need to come down to be able to accommodate the development.

Mr. Lundquist said that if parking will only be on one side, the north side should be considered due to its proximity to the playground.

Mr. Cameron said that he wants to be on record as being severely opposed to this development.

Jennifer Polk, NW River Rd. said that she wants to go on record as being opposed to this development as well.

Mr. Desbrow said that parking on both sides of the street is a speed tamer.

Mr. Kinney said that apartments are a permitted use within the R-2 zone and the Planning Commission must make decisions based on the criteria within the code. The questions raised this evening will be addressed with the various agencies.

Mr. Lawler asked what the ability to reduce the speed on NW River Rd would be to assist with safety. Mr. Kinney said that Marion County can ask for a speed study by the state speed control board.

Chair Henning continued the public hearing December 19, 2022 at 6:00 p.m., stating that oral testimony will not be accepted. Written testimony can be submitted up to seven days prior to the continuance.

Chair Henning called for a brief break at 8:02 p.m.

The meeting reconvened at 8:13 p.m.

PUBLIC HEARING: File No. 2022-09 Zoning Code – Legislative Code Amendment
Psilocybin Time, Manner & Place Restrictions
Applicant: City of Mill City

Chair Henning opened the public hearing at 8:16 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.

STAFF REPORT: Mr. Kinney said that the ban on psilocybin passed so it is not critical that this move forward before January. Staff does recommend moving forward. There was one correction on page 61, which referenced medical marijuana and must be changed to address psilocybin.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: None.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: None.

APPLICANT'S REBUTTAL: None.

STAFF SUMMARY: None.

CLOSE OF HEARING: Chair Henning closed the public hearing at 8:17 a.m. and called for deliberation.

DELIBERATION: ***Caitlin Purdy moved, seconded by Debbie Schenck to recommend to the City Council to adopt Ordinance No. 4XX – Zoning Code Amendments Psilocybin – Time, Manner and Place, as amended.*** **The motion carried, (7:0).**

OLD BUSINESS: None.

NEW BUSINESS: None.

INFORMATIONAL ITEMS: None.

BUSINESS FROM THE PLANNING COMMISSION: None.

OTHER BUSINESS: None.

The meeting was adjourned at 8:36 p.m.

Prepared by:

Stacie Cook, MMC City Recorder
Minutes approved by the Planning Commission on the 19th day of December 2022

David W. Kinney
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December 15, 2022

To: Chairman Marge Henning and Planning Commissioners

From: David W. Kinney, Planning Consultant

In RE: File 2022-08 NW Beech Street Apartments
Staff Report Update

On November 21, 2022, the Mill City Planning Commission held a public hearing to consider testimony on the site plan review of the proposed 54-unit Beech Street apartment complex. The public hearing was closed to oral testimony. The record was kept open to allow written testimony to be submitted to the City until December 12, 2022 at 5:00 p.m.

A. Written Testimony:

The City received two additional pieces of written testimony after the November 21, 2022 public hearing:

1. Sewer System Plan Revisions: On December 3, 2022 the applicant's civil engineer, Steve Ward, PE, Westech Engineering, Inc., submitted a modified conceptual plan for sewer system improvements that will allow for an interim STEP system, valving and pressure sewer main to be installed on the NW Beech St. apartment site. Mr. Ward explains the system as follows:

   Thank you for the discussion yesterday regarding the sewer system alternatives for the Mill City Apartment project. As discussed, please see the attached redlined sketch showing an interim step system. The step system will remain in service until Marion County develops their property and builds a permanent PS on their west property line. Our intent is to design and build a sewer system to immediately serve the apartment project which will require minimal conversion when the County develops their property. The basic components of our proposal is as follows:

   1. *The apartment project will construct the ultimate gravity sewer which will not be put into service until the PS is constructed on Marion County property.*
   2. *The apartment project will construct the ultimate SS FM which will be used as an interim step FM until the PS is constructed on Marion County property.*
   3. *A duplex step pump will be provided immediately downstream of each proposed septic tank.*
   4. *We will valve to step and gravity systems. All that needs to occur when the gravity system is placed in service, is to close 2 valves on the step system and open 1 valve on the gravity system.*

   <u>*City Review & Response*</u>: Mr. Kinney reviewed the proposed sewer conceptual plan dated December 3, 2022 with Peter Olsen, PE, Keller Associates. Mr. Olsen is the project consultant working with the City of Mill City and Marion County on the design and improvement of the Mill City Wastewater Treatment facilities.

Mr. Olsen concluded the conceptual design shown in Westech's submittal is feasible. A final sewer design for the project will need to be prepared and submitted to the Keller Associates for review and approval. Final design will need to consider address the following items:

- Location of valves before/after interceptor tank is to be determined. It may depend on Keller's wastewater facility plan (currently being prepared by Keller Associates) for the new Mill City wastewater treatment plant and if solids or just liquids will be sent to the new WPCF facility.
- Gravity flow sewer line size may need to be increased from 6" to 8" in size.
- Pressure line size may need to be increased.
- Construction of the gravity flow sewer line to the future pump station site at the west end of the Marion County project site. This will required coordination with Marion County prior to City approval of construction plans.

2. **Letter from Misty Strasser, 875 NW River Rd., Mill City, Oregon:** Ms. Strasser raised three issues in her testimony.

2a. Sewage Flows to/from NW River Rd. Pump Station & Pump Station Capacity. Ms. Strasser's letter references the proposed Findings, Subsection E 17.76. She states:

"My concerns are that the NW River Rd. pump station would be the only pump station taking on the 12,420 gpd and not split between two pump stations . . .. "

City Review & Response: Wastewater from the NW Beech St. apartment project will be pumped to the NW River Rd. pump station. From there it will be pumped to the 1st Avenue pump station. The 1st Avenue pump station then pumps the sewage to the city's collection system on the south side of the N. Santiam River where it flows to the Mill City Wastewater Treatment Facility.

The applicant's engineer Steve Ward, PE, Westech Engineering, submitted Exhibit B, a written report evaluating the capacity of the NW River Rd. Pump Station and NW 1st Avenue Pump Station to handle the additional flows from the project, as discussed under item B-8 on the next page of this report.

2b. Operational Issues and Noise at the NW River Rd. Pump Station. Ms. Strasser's letter references a 50% reduction in the 2021 pump hour run times at the NW River Rd. pump station and noise from the generator at the pump station building. She adds: *I do not believe the NW River Rd. pump station is running properly."*

City Review & Response:

- The City replaced one pump at the NW River Rd. pump station in 2021. When the new Pump #1 it was being installed, the City discovered that the 2nd pump, Pump #2, was not installed correctly. This caused sewage to swirl in the wet well and not be pumped out quickly. Pump #2 was lifted and reinstalled. Both pumps operate more efficiently and run fewer hours.
- Noise from the electrical generator operating at the NW River Rd. pump station. Public Works Supervisor Russ Foltz explains the NW River Rd. pump station relies on 3-phase power. Several times a day, the power flow to the pump station is not consistent; this causes the backup emergency generator to startup. This problem occurs 2-3 times per day

and the emergency generator must run 15-30 minutes to run through its start-up and shut down cycle. His records show the emergency generator operates 30-45 minutes most days, but operates longer on days when the generator is tested. Mr. Foltz indicated that this is a power issue and additional flow of wastewater to the pump station will have no impact on the generator operating.

2c. *NW Beech St. and single access to NW River Rd.*: Ms. Strasser requests Marion County and Green Light Development work on a plan to create a second access to Hwy 22.

City Review and Response: As discussed at the November 19th public hearing, the overall design for the NW Beech Apartments and the Marion County Housing project site to the west shows a future street connection to Oregon Hwy 22 from the Marion County project site, see Figure 2 on page 7 of the November 19th staff report.

Until the Marion County project site is developed, NW River Rd. will be the outlet street for the NW Beech Apartments. Marion County is seeking funding for its housing project, but development may not occur for 2-5 years, if funding is secured. If funding is not secured, it may take longer for that site to develop.

B. Review of Public Testimony:

The following issues were raised during the public hearing on November 21, 2022 or in the written testimony submitted after the public hearing.

1. ***EV Charging Stations***. Commissioner Leach inquired if EV charging stations will be installed. Applicant Tim Lawler, Green Light Development, stated they will not be installed with the project, but electrical wiring will be installed to allow for future EV charging stations.
2. ***On-Street Parking.*** Commissioner Schenck inquired if on-street parking will be allowed on NW Beech St. and NW 8th Place. Plans shows 50 on-street parking on NW Beech St., but not on NW 8th Place. The Planning Commission may require on-street parking spaces on one/both sides of the street as a condition of approval. If restricted to one side of the street, no parking signs must be installed.
3. ***Street Pavement Width.*** The Fire District requests NW Beech St. be a 40'-wide paved street (curb-to-curb). The City of Mill City public works design standards require a minimum 34' pavement width for a local street. The Planning Commission may restrict parking on one side to provide two clear 12' wide travel lanes and parking on one side of the street.
4. ***Buffer to home at 165 NW 8th Place***. Property owner Sarah Wilson and Commissioner Schenck asked if the developer proposes to construct a fence, screen or buffer on the west property line of 165 NW 8th Place, adjacent to the eastern parking lot on the north side of NW Beech St.
    a. The applicant's planner Steven Kay stated the landscaping plan includes landscaping along this property line. Mark Desbrow, applicant's representative, stated they would work with the property owner. The Planning Commission may add a fencing/screening requirement as a condition of approval.
5. ***School District comments***. Commissioner Schenck asked if the School District has provided any written comments. School Supt. Todd Miller informed the City Planner that the District can accommodate 1-2 more classrooms of students at the high school, but there is less classroom capacity at the elementary school. At the public hearing, the Commission was informed that school capacity is not a decision criterion.
6. ***School Bus Stops***. Commissioner Purdy asked about bus stop locations and what safety measures will be put in place for students waiting for busses. The school district's bus company selects bus stop locations prior to each school year based on the number and location of students being picked up. The

NW Beech St. apartment site has multiple locations where student bus stops can be placed for safe pickup of students. The Planning Commission may require the applicant to identify proposed bus stop and bus shelter locations on the site plan and install them as part of the project.

7. ***Will Adjacent Property Owners be assessed for Street and Utility Improvement Costs?*** No, the applicants will construct on-site and off-site improvements at their expense.

8. ***River Road Sewer Pump Station Capacity.*** Misty Strasser inquired if the River Rd. pump station has capacity to handle the additional sewer load.

a. Steve Ward, PE, Westech Engineering, submitted Exhibit "B", a memorandum to the City summarizing the wastewater impact of the full build-out of a 54-unit apartment and a potential 65-home development to the west of the apartment site. The report summarizes impacts on both the River Rd. and 1st Avenue sewer pump stations. Mr. Ward's report indicates the 54-unit apartment will generate up to 12,240 gallons per day of wastewater into the City of Mill City sewer system. At full buildout of both projects the wastewater flow will not exceed design capacities in either pump station. The River Rd. pump station run times will increase from 1.0 hours per day to 3.3 hours per day and the 1st Avenue pump station run times will increase from 3.0 hours per day to 4.6 hours per day. By itself the 54-unit apartment project will have a smaller impact, increasing pump run times 0.5 hours per day at each pump station.

b. The City concludes the existing pump stations have the capacity to handle the estimated wastewater flows from the 54-unit apartment project.

9. ***NW 8th Place and NW River Road Traffic Impacts and Safety Concerns.*** Misty Strasser, 875 NW River Rd., expressed concerns about traffic safety, clear vision and pedestrian safety at the intersection of NW River Rd. and NW 8th Place and pedestrian safety on NW River Rd. She stated River Rd. is a narrow two-lane roadway maintained by Marion County.

9a. *Traffic Study:* The applicant's submitted Exhibit A-7 "Traffic Impact Study" for the project. Traffic will flow in/out of the project site via NW Beech St. and NW 8th Place. Traffic will discharge from NW 8th Place onto NW River Rd.

The study evaluated traffic safety issues at two intersections:

- NW 8th Place & NW Beech St.
- NW 8th Place & NW River Rd.

The report provides the following information. The 54-unit apartments will generate 260 vehicle trips per day, with 19 AM peak hour trips and 25 PM peak hour trips per day. All traffic will be discharged from 8th Place to NW River Rd. until the Marion County project is developed west of the apartments with a second street outlet to Hwy 22.

The traffic impact report concludes:

> *Sight distance analysis was based on AASHTO standards. The driveway sight distance analysis determines that the required stopping sight distance will be met for the intersection of 8th Place & NW Beech Street, and recommended intersection sight distance is met for the intersection of 8th Place & River Road NW.*

9b. *Proposed NW 8th Place Street Improvements*: The applicant proposes to construct 34'-wide curb-to-curb street improvements on NW 8th Place from NW River Rd. to NW Beech Street, as shown on engineering plan sheets Sheet ST-1 and Sheet ST-2.

The intersection design at NW River Rd. and NW 8th Place is not complete. Final design needs to show the pavement tapers and connection with NW River Rd. A permit is required from Marion County Public Works for approval of the design and construction within the Marion County ROW.

9c. *Pedestrian safety and sidewalks on NW 8th Place (west side from NW Beech to NW River Rd.)*: The applicant proposes to construct street and sidewalk improvements on NW Beech Street. The City has required the developer to construct a 34'-wide curb-to-curb street improvement on NW 8th Place to provide access to/from the development site from NW River Rd.

The properties on the west side of NW 8th Place may be redeveloped with new housing. At the time these sites are redeveloped, the City will sidewalks on NW 8th Place along the property frontage of each parcel.

9d. *Pedestrian safety and sidewalks on NW River Rd.*: There are no sidewalks on NW River Rd. The neighbors have reasonable concerns with pedestrian safety along this stretch of County road from NW Alder St. to NW 8th Place. In order for a city to require off-site improvements to a project, they must be integral to the project or be proportional to the project. The City Planner concludes that imposition of off-site sidewalk improvements on NW River Rd. is not proportional to the project.

9e. *Traffic speeds on NW River Rd.:* Tim Lawler, applicant's representative, asked what the ability of the City has to reduce traffic speeds on NW River Rd. As a Marion County roadway, Marion County can either complete a speed control study or ask ODOT to complete a speed control study to reduce the speed limit on NW River Rd. Normally, this will not occur until after traffic conditions change with the development of a project.

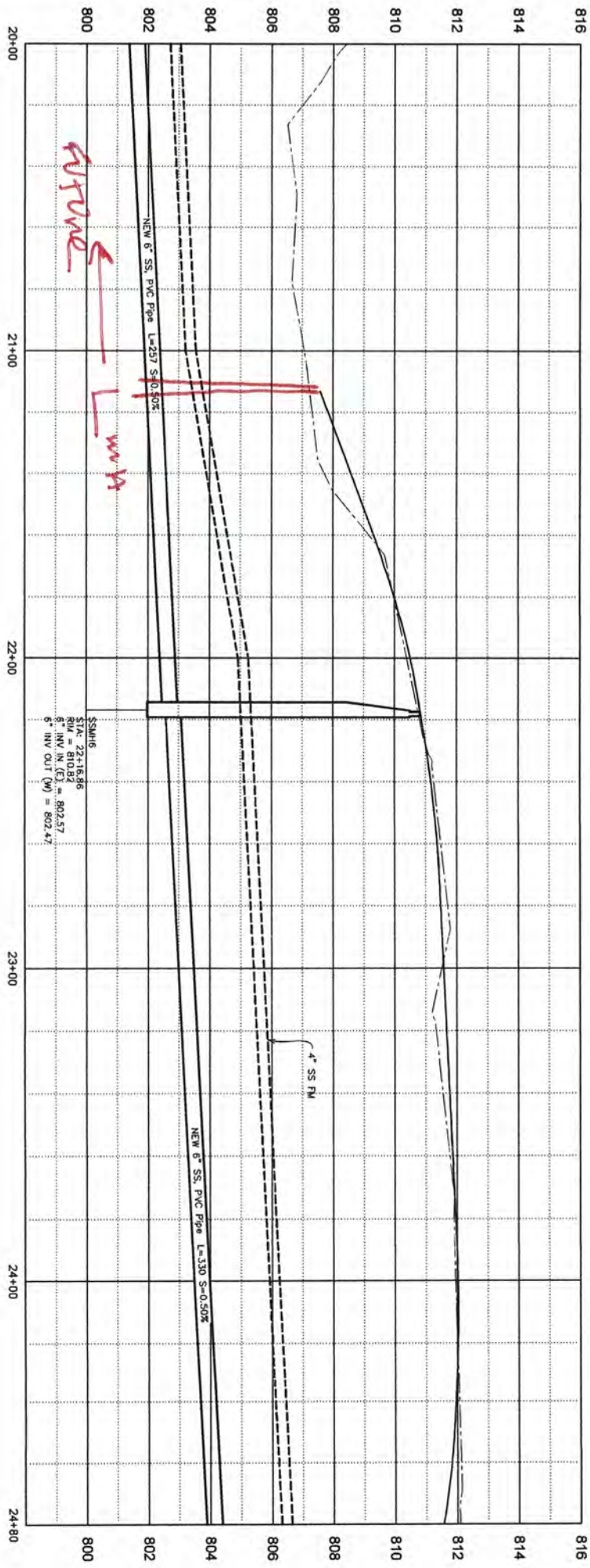
10. *Fire District Service Capabilities*. Misty Strasser questioned if the fire district has capabilities and equipment to provide fire and emergency services. The fire district expressed concern about street width and clear access to the buildings (See Comment #3 above). They did not note any deficiencies in their ability to provide fire protection services.

The applicant submitted Exhibits C-03a, C-03b, C-04a and C-04b showing fire access routes, fire code requirements for access requirements and sprinklers. The applicant proposes to provide fire sprinkler systems in all dwellings in the project.

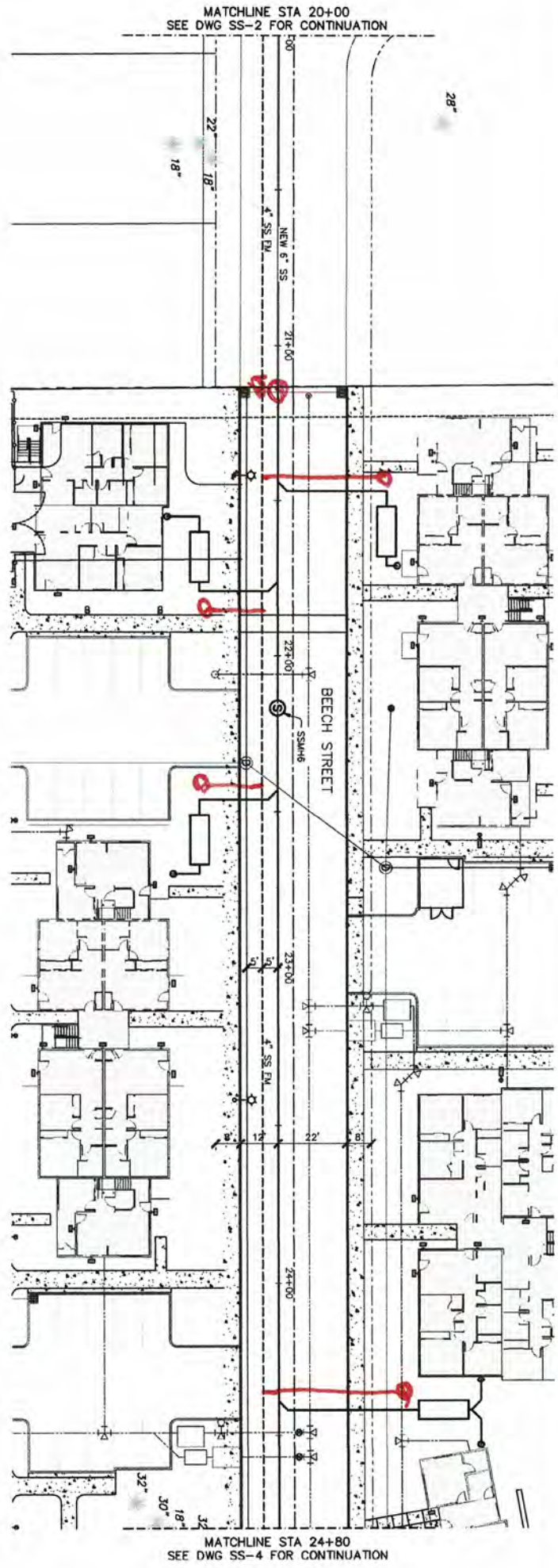
The minutes of the November 21, 2022 Planning Commission meeting include additional public comments that do not address the decision criteria for the application.

Exhibit C-06
Alternative STEP Sewer Proposal

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BEECH STREET PROFILE
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	HOME FIRST DEVELOPMENT PARTNERS
	BEECH STREET APARTMENTS
	BEECH STREET SEWER PLAN–PROFILE STA 20+00 TO STA 24+80

WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westech@westech-eng.com

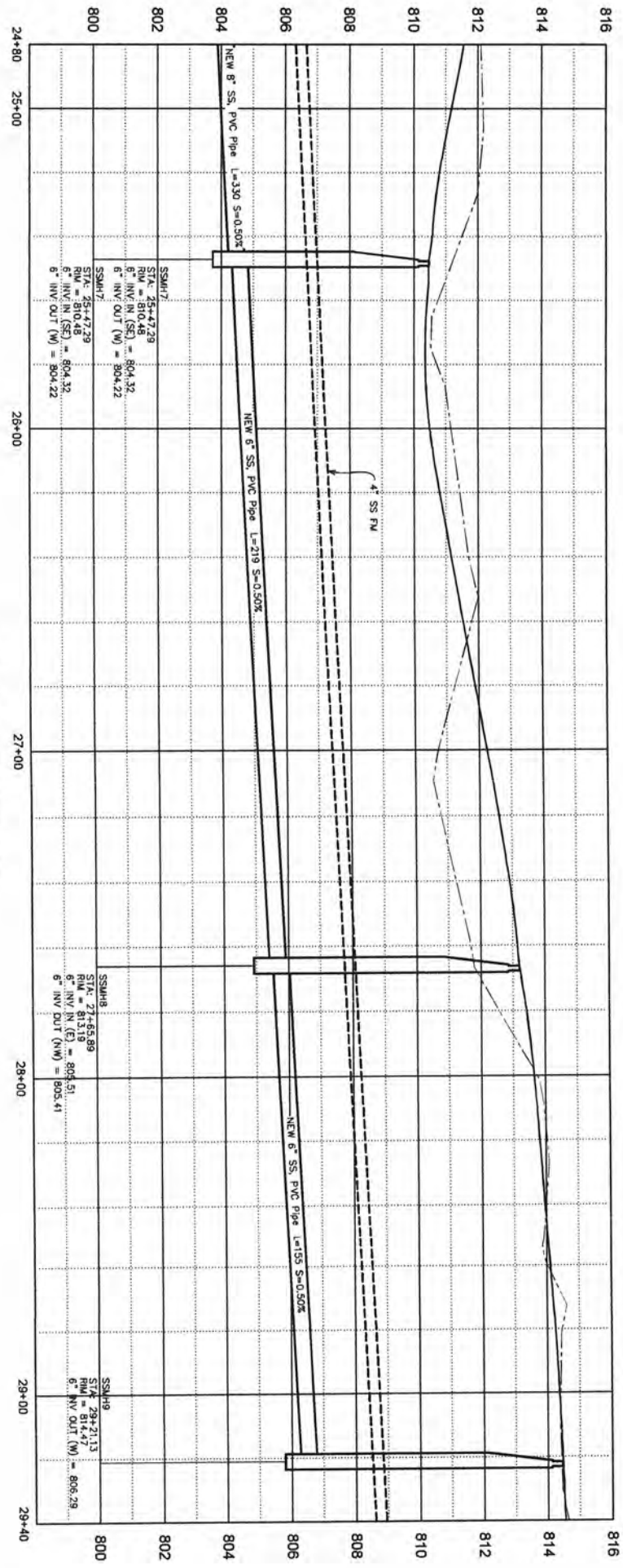
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REVIEW
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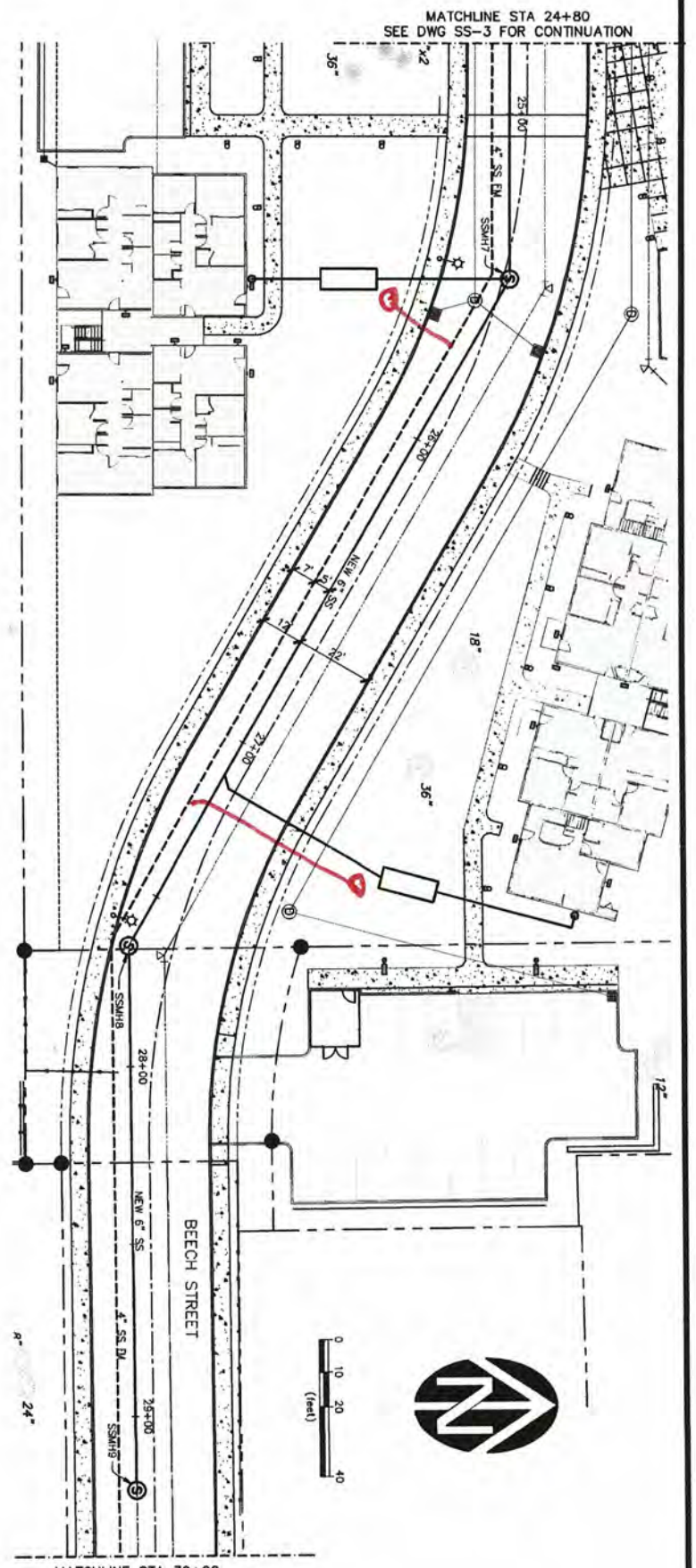
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DATE: APR 2022

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BEECH STREET PROFILE
1" = 20' H, 1" = 2' V



HOME FIRST DEVELOPMENT PARTNERS
BEECH STREET APARTMENTS
BEECH STREET SEWER
PLAN-PROFILE
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WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westech@westech-eng.com

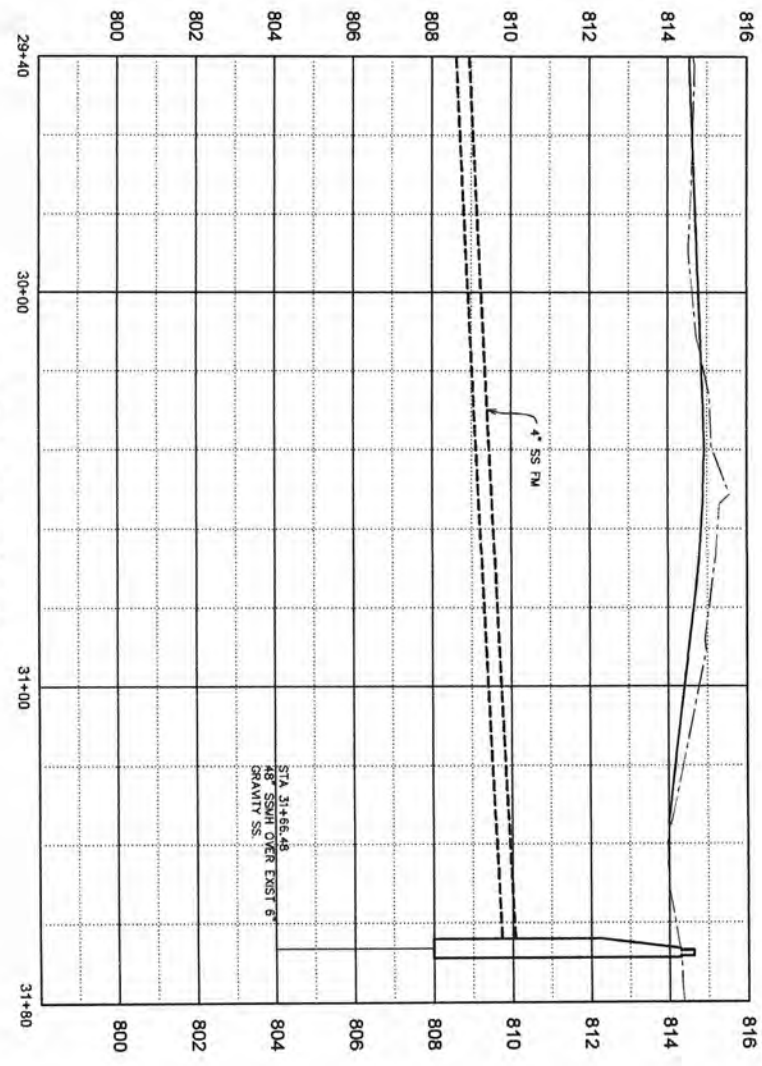
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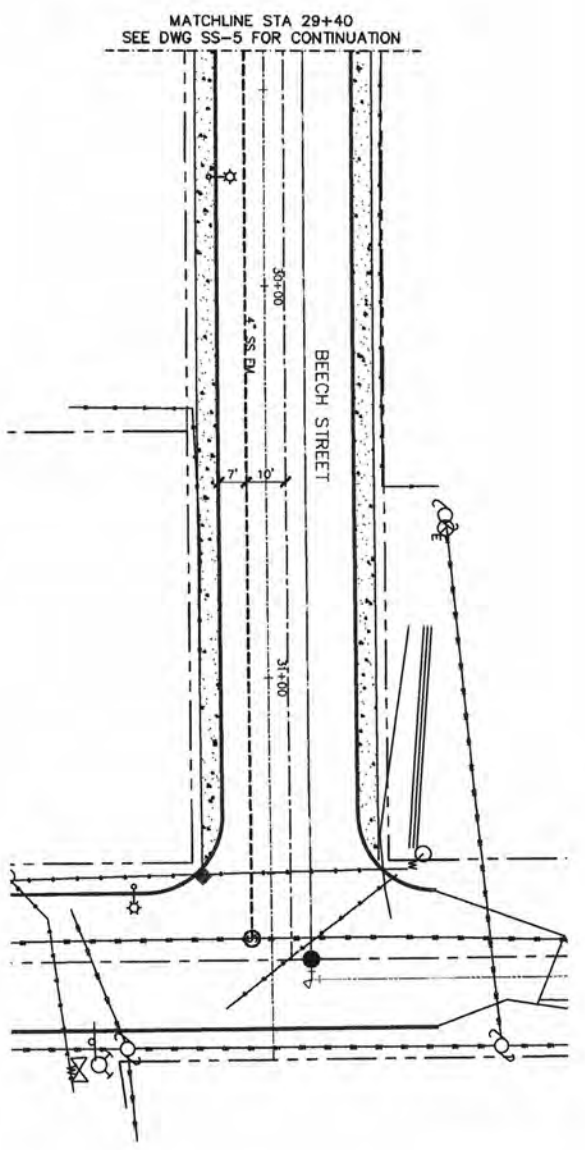
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DATE: APR 2022

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1		REVISIONS	

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BEECH STREET PROFILE
1" = 20' H, 1" = 2' V



HOME FIRST DEVELOPMENT PARTNERS
BEECH STREET APARTMENTS
BEECH STREET SEWER
PLAN–PROFILE
STA 29+40 TO STA 31+80

JOB NUMBER 3341.1000.0
DRAWING SS–5

WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585–2474 Fax: (503) 585–3986
E–mail: westech@westech–eng.com

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 16, 1982
STEVEN A. WARD
REVIEW
RENEWS: 6/30/2024

VERIFY SCALE
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CKD. SAW
DATE: APR 2022

NO.	DATE	DESCRIPTION	BY
1		REVISIONS	

Mill City Planning Commission Packet - December 19, 2022

BEECH STREET

SSMH6

21+00

22+00

23+00

5'

5'

FUTURE

D

S

DUPLEX PUMP

VALVE OPEN W/ STEP
CLOSED W/ GRAVITY

VALVE - OPEN W/ GRAVITY
CLOSED WHEN STEP
IS ABANDONED

RECEIVED
DEC 12 2022
BY:.....

Exhibit E-1
Strasser Testimony

MISTY STRASSER

875 NW River Rd Mill City, OR 97360 | 503-991-9450 | mrstrasser@icloud.com

12/11/2022

Mill City Planning Commission
Referencing File 2022-08 Beech Street Apartments-Site Plan Review
444 S. First Avenue
Mill City, OR 97360

Mill City Planning Commission,

Please see the following as public facility issues in the requested Beech Street Apartments proposal. As per the Public Hearing that took place on 11/21/2022 the follow are some questions and updates about the purposed plan.

Per the documents under section Findings, subsection E 17.76 findings and conclusions it states the "applicant proposes to construct a pump station, sewer collection lines and pressure sewer line to pump sewage east to the City's River Rd. Pump's Station (pg. 22)." This is said to add 12, 420 gallons per day(gpd) in sewage to the pump house on 1st Avenue and River Rd pump stations to add less than 2 hours per day. Westech Engineering, Inc. concludes the City's two existing pump stations are said to have capacity to handle increase sewer. Furthermore, Keller Associates reviewed the analysis for the City and indicated the current permit allows for max 180,000 gpd. It was further noted that the average summer (2022) daily average 88,000 and winter (2021/2022) was 95,000 and 100,000, indicating the capacity with an increase in 12,420 gpd, putting it well within the limits. However, on 1-6-2022 after 3 days of rain the flow reached 221,000 gpd resulting in a fine. There was an Inflow and Infiltration (I&I) study into the NE quadrant of the 1st Avenue pump station in November of 2022 showing daily I&I flows increased from 25,000 to 55,000gpd. September 2022 the I&I indicated no leaks in the portion that was tested and in November 2022 the City conducted TV inspections and cleaning of this quadrants. It noted that TV inspections were to be completed by 11/18/22. On 11/15/22 the City identified several infiltration and inflow points, but the amount of I&I has not been determined (pg. 23). Additionally, the City has noted that they will initiate repairs to

repairs to eliminate I&I in the winter of 2022-2023, and the amount of I&I can't t be determined until it's been repaired.

Westech Engineering, Inc. provided "Exhibit B" outlining NW 1st Avenue pump station, NW 1st Avenue 4" Force Main and NW River Road pump station. They referenced the City of Mill City Public Works pump log, Exhibit D-2 stating that the pump stations had the capacity for the estimated 12,420 gpd.

My concerns are that during this meeting it was indicated that the NW River Road Pump station would be the only pump station taking on the 12,420 gpd and not split between the two pump stations as well as indicated above. I do not believe that the NW River Road Pump Station is running properly. I have on a few occasions brought this concern to City Council meeting, the last being on 11/22/22. For about a year there has been increase in noise coming from the pump house which I can only assume is the emergency generator. However, it never comes on when the power is out and can run for several hours per day and many days in a row. I'm also concerned with the data from the pump log reports. In 2019 P-1 ran 353 hours (average 29.4) and P-2 ran 327hours (average 27.3) with total volume on P-1 of 2.984 (average of 0.249MG) and P-2 at 3.144 (average 0.262MG0. As you can see this is about the same in 2020. The concern comes in 2021 when the log indicates the P-1 hours reduced more than half at 145 (average 12.1) and that P-2 reduced around 65 hours at 245 (average 20.4). The pumped volume is hard to determine as in November of 2021 there are no results as there was an equipment failure with no information on if this was repaired? This is also a question noted on the Exhibit D-2. In 2022 the pump hours continue to be lower than the years in 2019 and 2020. There is also no inflow volume for 2022. Please note that the other pump station did not have any decreases in the years 2021/2022 from the preceding two years. This pump needs inspected to make sure it is running properly. The City has indicated in City Council meetings as well as in an email addressed to Donovan Strasser that the City has a "Run to fail" system. Where did the sewage go? Is it part of the leak in the I&I?

A second matter is the access road to the apartment complex is via River Rd. I would ask that Marion County and Green Light Developments work on a plan to have access via Hwy 22. River Rd is a narrow two-lane road with no plan on updating the road with sidewalks. The Fisherman's Bend entrance does not have a turn lane and is already unsafe for the few cars that have to turn down this road. What are the concerns or reasons that they are not going to add this access?

Sincerely



Misty Strasser

City of Mill City

David W. Kinney
Planning Consultant for the City of Mill City
791 E. Hollister St., Stayton, OR 97383
Office: (503) 769-2020 Cell: (503) 551-0899
Email: dwkinney@wvi.com

MILL CITY PLANNING COMMISSION
STAFF REPORT and FINDINGS

STAFF REPORT DATE: December 16, 2022

HEARING DATE: November 21, 2022 – Initial Public Hearing
December 19, 2022—Continued Public Hearing

FILE NUMBER: 2022-08 Site Plan Review – Beech Street Apartments

PROPERTY OWNERS: Marion County Housing Authority
2645 Portland Rd. NE #200, Salem, OR 97301
Jason Icenbice, Representative

Alan & Connie Spindell
5204 Turkey Oak Drive, Mint Hill, NC 28227

APPLICANT/ARCHITECT: Green Light – Home First LLC
3050 SE Division Street #270, Portland, OR 97202
Tim Lawler, Representative
tim@gl-dev.com 503.528.6129

PLANNER: Steve Kay
Cascadia Planning & Development Services
PO Box 1920, Silverton, OR 97381
steve@cascadiapd.com 503.804.1089

CIVIL ENGINEER: Steve Ward, PE
Westech Engineering, Inc.
3841 Fairview Industrial Drive SE, Salem, OR 97302
sward@westech-eng.com
503.585.2474

PROPERTY: 4.6-acre site, west end of NW Beech St., Mill City

Assessor's Map	Tax Lots	Acres	Zoning
T09S R3E 30C	00602	4.33 ac	R-2
T09S R3E 30DB	04402	0.27 ac	R-2

EXHIBITS:

EXHIBIT A Application Submittal (See File 2022-08) The applicant's hard copy submittal is available at City Hall or for electronic review (.pdf)

- Applicant's Statement and Findings..... 1 to 28
- Exhibits List 29
- Exhibit-1 Application Form ..... 30 to 39
- Exhibit 2 Property Deeds ..... 40 to 48
- Exhibit 3 Pre-Application Conference Notes ..... 49 to 52
- Exhibit 4 Preliminary Development Plans (Westech)... 53 to 108
- Exhibit 5 Geotechnical Reports ..... 109 to 140
- Exhibit 6 Wetland Delineation Reports ..... 141 to 240
- Exhibit 7 Traffic Impact Analysis..... 241 to 259

EXHIBIT B Supplemental Information dated October 20, 2022

- Mill City Sewer Pump Station Capacity Memo..... 11 sheets

EXHIBIT C Supplemental Information Submitted on November 10, 2022 & December 3, 2022

- 01 Mill City Master Schedule..... 2 sheets
- 02 Mill City NW 8th Improvements Confirmation..... 1 sheet
- 03a Mill City Fire Flow Calculation Drawing..... 1 sheet
- 03b Mill City Fire Flow confirmation (west end of site) . 1 sheet
- 04a A100 Site Plan – Fire Access Routes ..... 1 sheet
- 04b 2019 Oregon Fire Code, Sections D105 and D1065 Fire Access Requirements for multi-family apartments 1 sheet
- 05 Preliminary Sewer Concept Drawing..... 1 sheet
- 06 Mill City Step Sewer Alternative Concept ..... 4 sheets

EXHIBIT D Public Comments

D-1 Letter from Misty Strasser dated 12-12-2022

EXHIBIT E Agency Comments

E-1 Mill City Rural Fire District dated 11-10-2022

EXHIBIT F Supplemental Staff Report to Planning Comm dated 12-15-2022

REQUEST: **Site Plan Approval for the Beech Street Apartments (54 Units)**

CRITERIA: **Mill City Municipal Code (MCMC) – Title 17 - Zoning**

- ***Chapter 17.16*** ***Multi-family Residential Zone (R-2)***
  - Section 17.16.020 Uses Permitted Outright
  - Section 17.16.040 Lot size, width and coverage
  - Section 17.16.050 Height Requirements
  - Section 17.16.060 Yard Requirements
  - Section 17.16.070 Parking
  - Section 17.16.080 Design Standards
  - Section 17.16.090 Building Orientation
  - Section 17.16.100 Duplex and multi-family housing standards

- ***Chapter 17.44*** ***Supplementary Provisions***
  - Section 17.44.010 Accessory uses and buildings
  - Section 17.44.030 Exceptions
  - Section 17.44.040 Sign Requirements
  - Section 17.44.050 Clear Vision Areas
  - Section 17.44.060 Off-street Parking
  - Section 17.44.070 Off-street Loading
  - Section 17.44.090 Exterior Lighting

- ***Chapter 17.64*** ***Administration & Enforcement***
  - Section 17.64.060 Petitions, Applications and Appeals
  - Section 17.64.070 Applications and Filing Fees
  - Section 17.64.150 Public Works Standards

- ***Chapter 17.68*** ***Sign Code***
  - Section 17.68.050 Sign Districts
  - Section 17.68.060 Sign Construction & Maintenance

- ***Chapter 17.72*** ***Wetland Protection Area***
  - Section 17.72.020 Wetland Protection Area – Review Applicability
  - Section 17.72.050 Prohibited Activities within Wetlands
  - Section 17.72.060 Exempt Activities within Wetlands
  - Section 17.72.070 Allowed Activities within Wetlands
  - Section 17.72.080 Wetland Review – Submittal Requirements
  - Section 17.72.120 Notification & Coordination with State Agencies

- ***Chapter 17.76*** ***Site Plan Review***
  - Section 17.76.010 Application
  - Section 17.76.030 Criteria for Review of a Site Plan
  - Section 17.76.040 Conditions
  - Section 17.76.050 Time Limit on Approved Site Plan
  - Section 17.76.060 Certificate of Occupancy

I. Applicant's Proposal

On October 3, 2022 the City received a land use application from the Green Light-Home First, LLC, requesting the City approve a site plan and development plans for a 54-unit apartment complex at the west end of NW Beech Street in Mill City on a 4.60-acre site, as shown on Figure 1.

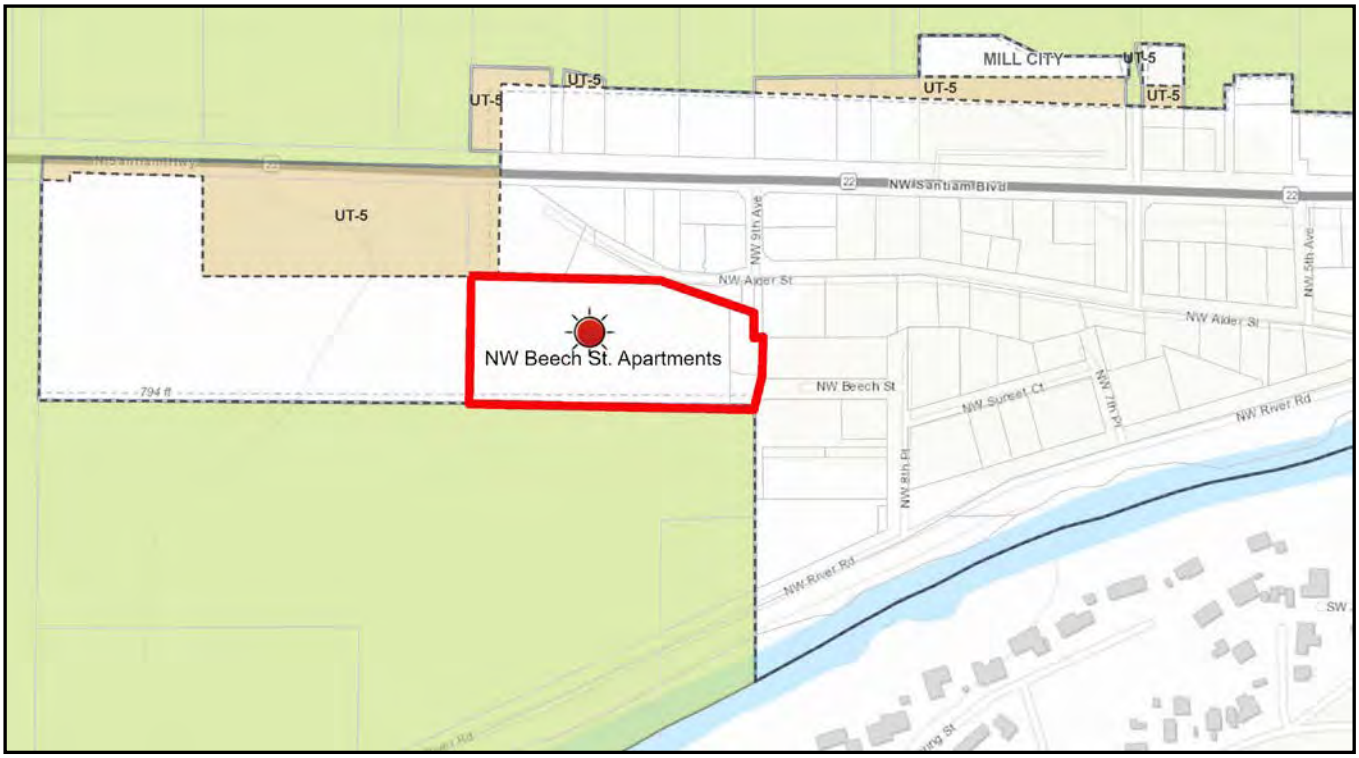
The applicant's narrative describes the project as follows:

> *After dedicating right-of-way for the NW Beech Street extension, the net developable area of the site is 3.97 acres. The submitted Architectural Site Plan indicates that the proposed development will include 12 one-bedroom, 12 two-bedroom, 28 three-bedroom, and 2 four-bedroom units within 6 apartment buildings (see Exhibit 4). Recreation amenities for the*

apartment complex include a clubhouse, play structure, a gardening area, and landscaped open space areas.

The Civil Street Plan and Profile sheets indicate that the applicant proposes an extension of the NW Beech Street through the site for access to the off-street parking areas, the apartment buildings, and associated resident amenities on the north and south sides of the right-of-way. The proposed NW Beech Street improvements meet City Local Street standards and include a full pavement width, curbs, and sidewalks. To serve the development, the applicant is proposing to extend a public water line from Hwy. 22, across a segment of NW Alder Street, through an undeveloped portion of NW 8th Place, and then to the west terminus of the NW Beech Street extension (see Exhibit 4). To provide sanitary sewer service, the applicant is proposing to install septic tanks for each of the proposed apartment buildings. Effluent from the tanks will be directed to two proposed pump stations on the south side of NW Beech Street. Collector wastewater will be pumped to the City's NW River Road and First Avenue Pump Stations, where it then will be pumped to the City's Wastewater Treatment Plant. Per the attached Preliminary Drainage Report plan, stormwater drainage from impervious surfaces will be directed to several subsurface perforated detention pipes within the apartment complex and Beech Street extension.

Figure 1
Project Site – NW Beech St. Apartments, Mill City



II. BACKGROUND INFORMATION

A. **Pre-Application Information and Application Submittals**:

Over the past two years, Marion County and state housing officials have been working to develop affordable housing within the Santiam Canyon area. Marion County officials, Green Light Development staff and city officials have met multiple times to review conceptual plans and to discuss needed/planned

street, storm drainage, water system and sanitary sewer improvements.

On October 3, 2022, Green Light Development filed the site plan review application with the City and provided electronic copies of the application packet to the City.

B. Application, Land Use Procedure and Review Requirements:

Chapter 17.64 of the Mill City Municipal Code (MCMC) outlines the application, notice, review and decision process for land use applications. A site review for a multi-family housing project requires a quasi-judicial review process with a public hearing before the Mill City Planning Commission.

The Mill City Planning Commission will hold a public hearing on November 21, 2022. The City staff is recommending the Planning Commission continue the public hearing to a date in December 2022 to allow the applicant, public and staff an opportunity to review the plans, consider the applicant's presentation and address public facility issues related to the development proposal.

At the conclusion of the public hearing(s), the Planning Commission will deliberate and make a decision to approve or deny the proposal. An appeal of the Planning Commission decision may be filed with the City Council. The City Council must review the Planning Commission's decision before it becomes final and the City Council has the option of calling the application up for a public hearing and further City Council review.

The Planning Commission must make a decision within 120 days the application was certified as complete by the City staff. The application The City's final decision must be made by March 13, 2020 to comply with the "120 Day Rule".

C. Burden of Proof:

The Planning Commission will make its decision based on the criteria found in the Mill City Zoning Code, Chapters 17.16, 17.44, 17.72 and 17.76. The Searchable City Code can be viewed under "Documents" at the City of Mill City website: *http://www.ci.mill-city.or.us/* **.**

The burden of proof is on the applicant to present the application to the Planning Commission and to present information which shows that the application meets the criteria for approval.

D. Public Hearing and Notices of Public Hearing:

A public hearing concerning the matter will be held before the Planning Commission on Monday, November 21, 2022 as part of a special Planning Commission meeting that begins at 6:30 p.m. at the City Hall, 444 South First Avenue in Mill City, Oregon. Notice of any public hearings must be provided to affected governmental agencies, adjacent property owners and published in a newspaper of general circulation in the community.

- Agency Notice: Notice was emailed to affected agencies October 26-28, 2022.
- Newspaper Notice: Notice was published in the Canyon Weekly on October 28, 2022.
- Property Owner Notices: Notice was mailed to property owners within 500' of the project site October 26-28, 2022.

E. Existing Conditions:

The project site is a vacant 4.60-acre site located at the west end of the unopened NW Beech Street right-of-way; it includes two parcels: a 4.33-acre parcel and a 0.27-acre parcel. The property is located in the city limits at the northwest edge of the City.

The applicant's Existing Conditions Plan, Sheet EC-1, shows the site is vacant, contains several small tree groves, and generally slopes down towards the southwest corner of the site. The project site is located on a flat terrace, with a highpoint (812 to 814+/- elevation) at the east end of the property near the end of the NW Beech St. ROW. The site slopes gently to the west to an elevation of 808 to 810+/-.

Exhibit 6, Wetland Delineation Report, shows an east-west wetland occupies the northern portion of the site, at the base of a steep slope that comes down from NW Alder Street. Storm water and ground water accumulate at the base of the slope and flow to the northwest where it gathers in a ponded wetland just north of the project site. The submitted Grading Plan, Sheet C-1, demonstrates that the applicant is not proposing to encroach into the delineated wetland area and will protect the existing wetlands.

Adjacent uses are:

EAST: Single-family home at 165 NW 8th Place (corner of NW Beech St) zoned Single-Family Residential (R-1). Seven SFR homes are located on NW 8th Place and NW Sunset Place.

SOUTH: Single-family homes at 28391 & 28491 NW River Rd. The home at 28391 NW River Rd. is immediately south of the project site. These parcels are located outside the Mill City city limits and UGB. They are zoned Timber-Conservation (TC).

WEST/NW: Marion County owns a vacant 9.42-acre site and a 3.35-acre site to the west & northwest of the project site. The County has preliminary plans for a 65-unit residential development. The property is zoned Commercial, which allows for residential development.

NORTH: Single-family homes on NW Alder. These four homes take access to NW Alder Street and are located on an elevated bench 25' +/- higher than the project site. There is a steep slope with brush and timber between the home sites and project site.

F. Utilities:

Existing and proposed utilities are shown on the civil engineering plan submittals prepared by Westech Engineering, Exhibit 4 (55 sheets). The conceptual layout for proposed sewer and water utilities are shown on Figure 2 below.

Here is a brief summary of the existing utilities near the project site.

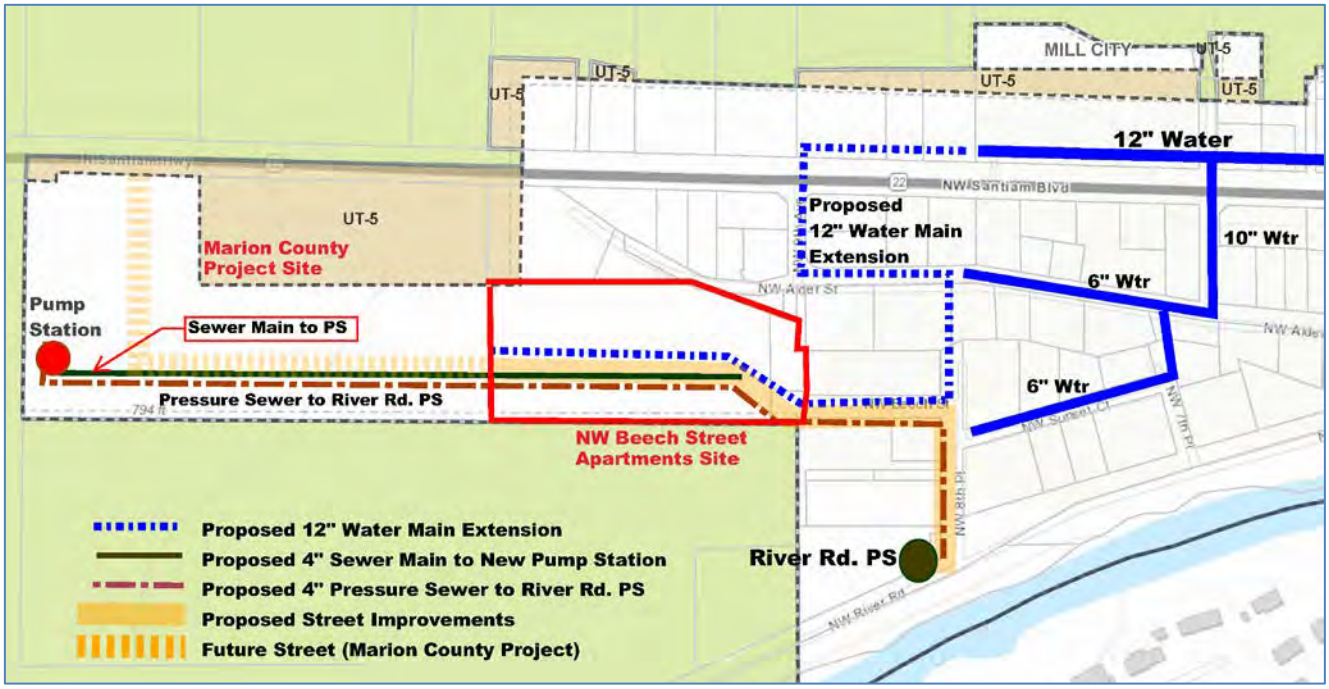
1. Water: The existing water system is inadequate to serve the project site. There is a 6" water main at the corner of NW Sunset Place and NW 8th Place. The applicants propose to install new 12" water mains from Hwy 22 to the project site. The new water mains will deliver 2300 gpm at the west end of the project site. Preliminary engineering plan sheets W-1 to W-5 show proposed water main improvements.

2. Sewer: The site is not served by city sewer. A new pump station, sewer collection mains and a 4" pressure main are proposed to deliver effluent to the River Rd. Pump Station. Preliminary plan sheets SS-1 to SS-4 show a conceptual plan layout and the locations for proposed interceptor tanks to serve each building. On

November 10, 2022, the applicant submitted Exhibit B-05, which shows a conceptual layout for a new sewer pump station to be located at the west end of Marion County's adjacent 9.42-acre site. A sewer easement will be required.

3. Private: Private utilities (Pacific Power, NWNG, telecommunications) must be extended into the site. These improvements must be coordinated with the private utilities.

Figure 2
Proposed Street and Utility Improements



G. NW Beech St. Apartments Streets and Sidewalks:

Marion County Public Works, city staff and the applicant's engineer have worked together to develop a long-term plan for street improvements to serve all of Marion County's properties south of Hwy 22 at the west end of the City, including the Green Light – Home First, LLC, project site.

Westech Engineering has prepared civil engineering plans (on-site and off-site) that show proposed street improvements for the Green Light – Home First, LLC, site consistent with the conceptual plan discussed with Marion County, as shown on Figure 2.

1. *NW 8th Place (River Rd. to NW Beech St.)*:

The existing street is a substandard 18'-20' wide paved street with no storm sewers, curbs or sidewalks. Engineering plan sheet ST-2 shows NW 8th Place will be constructed as a 34' wide street with AC pavement, curbs and storm drainage improvements.

2. *NW Beech Street (NW 8th Place to end of ROW)*:

   There are no street improvements in the ROW. Engineering plan sheet ST-3 shows NW Beech Street will be constructed as a 34' wide street with AC pavement, curbs, sidewalks and storm drainage improvements.

3. *NW Beech Street (Internal Street Improvements on the Project Site)*:

   Engineering plan sheets ST-4 and ST-5 show dedication of a 50' ROW for the extension of NW Beech Street through the project site and construction of a 34' wide street with AC pavement, curbs, sidewalks and storm drainage improvements.

4. *Future Improvements – NW Beech Street Extension and Connection to Hwy 22*

   At the time Marion County develops the adjacent parcels they own to the west of the Green Light-Home First, LLC, project, the County will be required to extend NW Beech Street and provide a connecting street north to OR Highway 22.

5. *ROW Construction Permits & Development Agreement:*

   The applicant will need to obtain construction permits from ODOT, Marion County and the City of Mill City for all street construction and utility work in the road authority's public right-of-way. The City will require the applicant to execute a development agreement and provide a performance bond to guarantee completion of the public improvement work.

H. Storm Drainage Facilities:

There are no public storm drainage facilities on the site or in the vicinity of the project site. Westech Engineering has prepared civil engineering plans, Sheets C-1 to C-4 and ST-1 to ST-5, that show proposed storm drainage improvements (catch basins, storm sewers, percolation pipes and discharge structures). Sheet C-5 includes drainage calculations for the project site. Exhibit 5 is a Geotechnical Report, which includes estimated percolation rates on the site.

I. Agency Comments and Public Testimony:

1. *Agency Comments*. Agency comments were solicited from the following agencies: Pacific Power, NW Natural Gas, Frontier Communications, WAVE Broadband, the Mill City Rural Fire District, ODOT, City Engineer and Public Works Director. Responses were requested back by November 21, 2022 at 5:00 p.m.

   4. ***Mill City Rural Fire Protection District***: On December 10, 2022 the Fire District sent a response. The Fire District's response is attached as Exhibit "E".

   5. ***Casey Knecht, ODOT Development Review Coordinator:*** On October 26, 2022, ODOT send the following response:

      "The proposed Beech Street Apartments are not adjacent to OR-22, but from the provided plan sheets it looks like they will need to extend a waterline across OR-22. Work in the state highway right-of-way will require a permit from ODOT. The applicant can contact the ODOT District 3 Permits Office at 503-986-2900 to start the permit application."

As of November 14, 2022, the City had not received any agency comments. Any other agency comments received prior to or during the public hearing will be made part of the record.

2. *Public Testimony*. The City sent notices of the public hearing to surrounding property owners. As of November 14, 2022, the City had not received any written testimony. Written testimony received prior to or during the public hearing will be made a part of the record. Oral testimony presented during the public hearings will be summarized in the meeting minutes.

II. FINDINGS

The application was reviewed to determine whether the proposal complies with the applicable standards and criteria in Title 17-Zoning of the Mill City Municipal Code.

The applicant's planning consultant Steve Kay, Cascadia Planning and Development Services, included proposed findings as part of the application submittal on October 3, 2022. The Applicant's Statement and Findings, pp. 5-28, address applicable criteria. The applicant's findings and narrative are incorporated herein, as if set forth in full. If there are conflicts between the applicant's findings and the findings in this staff report, the findings in this staff report apply.

A. Chapter 17.16 – Multi-family Residential (R-2) District

The following standards in the R-2 zone apply to this proposal.

17.16.020 Permitted Uses. Multi-family dwellings (apartment complexes) are allowed as an outright permitted use in the R-2 zone, subject to compliance with MCMC Section 17.16.100 "Design Standards" and MCMC Chapter 17.76 "Site Plan Review".

17.16.040 Lot Size and Width.

A. *Minimum Lot Size (54 units)*:

2 units (1st two)	8,000
52 units x 3,000 sf	156,000
Minimum Lot Size Required	164,000 sf

After dedication of land for the NW Beech St. ROW, the remaining parcel is 173,008 sf.

B. *Minimum Average Lot Width*: The minimum average lot width is 100' for a multi-family dwelling. The property will have 633' frontage on the north & south sides of NW Beech St.

C. *Maximum Lot Coverage*: The maximum lot coverage for all buildings within the R-2 zone is 50%. The proposed buildings will cover 19% of the parcel.

The proposal complies with Section 17.16.040.

17.16.050 Height. In the R-2 zone, the building cannot exceed 35' tall (3-stories). Building Elevations for all buildings are shown on plan sheets A200 to A203. Table 1 shows the proposed building heights of all new buildings to be constructed.

Table 1
Building Height

Building	Height	Plan Sheet
Apartment Buildings (A to F)	23.4' – midpoint of roof	A.202
Accessory Building-Clubhouse	14' 1"- midpoint of roof	A.202

The proposal complies with Section 17.16.050.

17.16.060 Yard Requirements. In an R-2 zone, the minimum front yard, street-side yard, rear yard and interior yard setbacks are shown in Table 2 below. In addition to setbacks in Table 17.16.060, buildings must provide a 20' setback from the edge of a delineated wetland, as required by Section 17.72.040. Table 2 shows the required setback for each building and setback shown on Sheet A100, the Architectural Site Plan.

Table 2
Setbacks

Building	Front Yard & Street-side Yard 15' Required	Rear Yard 5' to Prop Line 20' to Wetlands	Interior Yard 5' Required – one story' 7.5' – two story	Plan Sheet
A	20' to 50'	100+ to North PL 20' +/- to Wetland	7.5' – East PL	A100
B	15'	70'+ to North PL 20' +/- to Wetland	NA	A100
C	15'	70'+ to North PL 50' +/- to Wetland	10' – West PL	A100
D	15'	10'	10' – West PL	A100
E	15'	65'	NA	A100
F	15' to 40'	10'	100+ - East PL	A100
Club House	15'	85' to North PL 25'-40' to Wetland	NA	A100

The proposal complies with Section 17.16.060.

17.16.070 Parking. Multi-family buildings shall provide off-street parking in compliance with Section 17.44.060. Parking is reviewed under that Code section.

17.16.080 Design Standards. In an R-2 zone, all multi-family dwellings shall provide at least four of the architectural design standards listed in Section 17.16.060.C. on the architectural front of the building. The preliminary architectural plan sheets, show the proposed building designs will comply with the following design standards:

4. Window trim (four-inch wide)
5. Recessed front entries.
7. Recess or building wall off-sets in the building face (minimum two feet).
9. Covered front entries with pillars or posts.

At the time building permits are reviewed, the City Recorder will verify that a minimum of four architectural design elements are included in the final building plans.

17.16.100 Multi-family Housing Development Standards.

A. *Buffer*:

B. *Landscaping*: The City requires the property to be completely and permanently landscaped, including a landscaped buffer along the outside edge of the property. Plan Sheet A100 indicates 61% of the site is open space; the remaining 39% is for buildings and parking. Plan sheets L1.1 and L1.2 provide a preliminary planting plan. The plan sheets show an exterior buffer landscaping along the west, east and south edges of the site, but no additional landscaping in the Wetlands Protection Area on the north side of the site.

The landscaping plan includes the following elements:

6. Shrubbery and planting beds in front/behind/sides of all apartment buildings.
7. Shrubbery and planting beds adjacent to the club house.
8. Street trees behind sidewalks (north & south) spaced every 40'-50' feet.
9. Lawn in remaining landscaped areas.
10. Parking lot planters adjacent to trash receptables and at corners.

C. *Trash Receptables/Enclosures:* Trash receptables shall be screened and fenced (5' high). Plan sheets L1.1 and L1.2 show the locations for three screened trash enclosures. Plan sheet A117 provides a plan detail for a 6' tall, black chain link fence (w/ black slats) trash enclosure.

D. *Fencing*. No fencing is proposed.

E. *Off-Street Parking Location.* Off street parking lots shall be set back a minimum of 15' from the public right-of-way and a minimum of 10' from adjacent parcels zoned R-1 or R-2.

- Parking lots shown on Sheet A100 are set back a minimum of 15' from the ROW.
- The east parking lot shows a 6' setback to the east property line. The setback does not comply; it needs to be moved so the parking lot is 10' from the east property line.

F. *Access Driveways*. Two-way access driveways to the parking lots shall be a minimum 20'-32' wide and shall comply with driveway spacing standards. Sheet A100 shows four two-way access driveways are 24' wide. Driveways meet minimum spacing requirements. Driveways shall be constructed per Mill City public works design standards,

FINDINGS and CONCLUSIONS: The City Planner reviewed the site plans for compliance with the special design standards for multi-family residential developments in Section 17.16.100. The City concludes the proposed apartment buildings and the clubhouse building comply with the design standards in Section 17.16.100, with one exception. The east parking lot shall be adjusted so there is a minimum 10' buffer from the parking lot curb to the east property line on the final engineering plans.

B. Chapter 17.44 – Supplementary Provisions & Parking

The following sections in Chapter 17.44 apply to this proposal.

17.44.010.A to 17.44.010.C Accessory Buildings. Accessory buildings are permitted adjacent to

a residential use. Plan sheet A100 shows one accessory building, an office / clubhouse, with an adjacent patio and playground. Section 17.44.010.B and 17.44.010.C state the structure may not be located in a required yard nor exceed 20' in height.

- The clubhouse front set back is 15'+ from the ROW line.
- The clubhouse, patio and playground are all 20'+ from the wetland's protection area in the rear.
- The clubhouse building has a building height of 14' 1".

The proposed clubhouse, patio and playground comply with the setback and building height requirements in Section 17.44.010.A to 17.44.010.C

17.44.010.D Exterior Appearance and Color of the Accessory Buildings. The siding of an accessory buildings shall match the exterior appearance and color of the apartment buildings. Sheet color and are permitted adjacent to a residential use. Plan sheet A203 shows the siding will match the appearance of siding on the apartment buildings. The color renderings on Sheets A204 to A206 do not show the clubhouse building. The color scheme must match the color scheme on the apartment buildings.

The proposed clubhouse can comply with Section 17.44.010.D if the exterior is painted a similar color palette as the apartment buildings. This can be added as a condition of approval.

17.44.050 Clear Vision Area. A minimum 20' clear vision triangle is required at each access driveway to the parking lots. The applicant's findings state the required clear vision area will be provided at each driveway entrance to NW Beech St. City staff did not see the clear vision area noted on any of the plan sheets. Landscaping plan sheets L1.1 and L1.2 s show low shrubs and street trees in the required clear vision areas, as required by Section 17.44.050.B.

The clear vision area shall be clearly marked on the final engineering plans. This can be added as a condition of approval.

17.44.060 Off-Street Parking. A multi-family residential development requires 1.5 spaces per dwelling unit. For a 54-unit apartment complex and clubhouse 81 parking spaces are required.

Plan sheet A100 provides the following information:

- 81 off-street parking spaces are provided in 3 parking lots, including 5 ADA spaces.
- Approximately 50 on-street parking spaces may be created. Plan sheets SL-1 to SL-3 show a striping plan, including striping for on-street parking on both sides of the street.

Additional ADA spaces may be required to comply with the state building code requirements.

The City Engineer and planning staff will review the engineering plans and may determine whether on-street parking will be allowed one or both sides of the street. If parking is allowed on only one side of the street, the developer shall install "No parking signs" on one side of the street.

The proposed off-street parking lots comply with the requirements of Section 17.44.060.

FINDINGS and CONCLUSION: The proposed apartment buildings must comply with the accessory building, clear vision, off-street parking, clear vision and parking standards in Chapter 17.44. The plans do not show compliance with the clear vision standards in Section 17.44.050 and the color palette requirements in Section 17.44.010.D. Compliance with these standards can be imposed as a condition of approval.

The City concludes the proposal complies with the parking requirements in Section 17.44.060. The City Planner recommends the Planning Commission impose condition of approval to ensure compliance with the color palette standards in Section 17.44.010 and the clear vision standards in Section 17.44.050.

C. Chapter 17.64 – Administrative Provisions

The following standards apply to this proposal.

> **17.64.150 Public Works Standards.** All public improvements installed in the public right-of-way or as part of the development shall comply with the City of Mill City Public Works Design Standards. The City Engineer must approve engineering design plans for the project. The applicant is required to obtain a Right-of-Way permit from the appropriate roadway authority and provide required performance bonds or performance guarantee to ensure completion of the improvements.

FINDINGS and CONCLUSION: The applicant submitted engineering plans (Exhibit 4, pp. 53 to 108) to the City as part of the Beech Street Apartments project application submittal.

The City Planner concludes the preliminary engineering plan submittals generally comply with the city's public works improvement requirements and are sufficient for the review of the site plan application.

Once a final set of engineering plans are prepared, they will be reviewed by the City Engineer. The City Engineer will issue a review letter and identify any changes/corrections needed. Upon a final review and approval, the City Engineer will issue a letter of approval for the engineering plans and any special conditions of approval. The final engineering plans must be stamped the City Engineer as "Approved by the City of Mill City" prior to the issuance of the Right-of-Way permit and the start of construction.

A "Development Agreement" must be executed by the City of Mill City and the Green Light-Home First, LLC, for the project, which shall include a performance bond or performance guarantee for the public improvements related to the project. The proposal can comply with the City of Mill City Public Works Design Standards as required by Chapter 17.64.

D. Chapter 17.72 – Wetland Protection Area

Chapter 17.72 establishes standards for development of properties which have delineated wetlands on the site. The following sections of Chapter 17.72 apply to this proposal.

> **17.72.020 Wetlands Protection Areas – Review Required.** The site includes wetlands identified in the City of Mill City Local Wetlands Inventory. The City is required to review the development proposal in order to protect the identified wetlands.
>
> **17.72.050 Prohibited Activities within Wetland Protection Areas.** Development activities including placement of new buildings, excavation, grading, fill and installation of non-native landscaping are prohibited within the identified wetlands area. Plan sheet A.100 shows the delineated wetlands area and that the apartment buildings, parking and site improvements will avoid the wetlands. The applicant's proposed findings state the developer do not propose any development activity within the wetlands protection area.
>
> **17.72.060 Exempted Activities within Wetland Protection Areas.** This section lists exempt activities which are permitted within a wetlands including removal of non-native species, restoration and enhancement of native vegetation, removal of hazardous trees and clearing to provide

defensible space from wildfire. The applicant states they will comply with these standards within the delineated wetland area.

17.72.080 Wetland Review – Submittal Requirements.
17.72.120 Notification and Coordination with State Agencies. The applicant submitted two wetland delineation reports for the project site – one for each tax lot. The delineation reports have been reviewed and certified by the Oregon Department of State Lands (DSL). The City will coordinate its review of the NW Beech St. apartment project with DSL.

Conclusion: Plan sheet A.100 shows the existing wetland protection area will be avoided during development. Erosion control plan sheets EC-1 to EC-3 show an erosion control silt fence will be placed along the south edge of the delineated wetland to prevent encroachment during grading/development activities.

The City Planner recommends a condition of approval stipulating no grading, fill or other development activity will be permitted within the delineated wetland area on the project site.

E. Chapter 17.76 – Site Plan Review Standards

Chapter 17.76 establishes site plan review standards for new construction. The following sections of Chapter 17.76 apply to this proposal.

17.76.010 Site Plan Application and Submittal Requirements. The applicants conducted several pre-applications meetings with the city planning staff and city engineer prior to the submittal of their application. A site plan application was submitted to the City on October 3, 2022. After submittal of additional information, the application was deemed complete on November 12, 2022.

17.76.030 Criteria for Review of a Site Plan. A decision to approve or deny a site plan shall be based on the following criteria:

A. The existence of or ability to provide adequate utilities including water, sewer, surface water drainage, power and communications, including easements, to properly serve development on the subject property in accordance with city public works standards.

B. Provision of safe and efficient internal traffic circulation, including pedestrian and motor vehicle traffic, and provision for safe access to and from the property to adjacent pubic streets.

C. Provision of necessary improvements to local streets, including the dedication of additional right-of-way to the city and/or the improvement of traffic facilities to accommodate access for emergency vehicles and the additional traffic load generated by the proposed development of the site.

D. Provision of on-site parking areas and adequate loading/unloading areas for the proposed uses and in compliance with Sections 17.44.060 to 5.230 of this ordinance. The parking area shall be designed to facilitate the safe movement of traffic and pedestrians and minimize traffic congestion.

E. The design and placement on the site of buildings and other structural improvements shall provide compatibility in size, scale, and intensity of use between the proposed development and similar development on neighboring properties. The location, appearance and size of the proposed buildings shall be designed to properly serve anticipated users of the proposed improvements.

F. Provision of landscaping of the site including the planting of trees, street trees, shrubs, and groundcovers so that the landscaping presents an attractive interface with adjacent residential properties.

G. Provision of visual or physical barriers around the property including the provision of site obscuring fencing or vegetative screening between a commercial and/or public use and adjacent residential properties.

H. Lighting sufficient to satisfy the intended use of the property but designed in such a manner as to not present an adverse impact (as measured by excessive brightness or glare) upon adjacent land uses or traffic movements.

I. The use is in compliance with the other development standards which are specified by Mill City Zoning Code or public works design and construction specifications.

FINDINGS and CONCLUSION: The City reviewed the applicant's submittals for compliance with the criteria in Section 17.76.030. As part of the land use application, Green Light – Home First, LLC, submitted a written narrative and findings addressing the Site Plan Review requirements.

CRITERIA A: Ability to Provide Public and Private Utilities

The applicant submitted preliminary engineering and architectural plans (Exhibit 4) as part of their application submittal.

The City Engineer and City Planner met with Green Light – Home First, LLC and Marion County representatives several times to discuss the planned storm drainage, street, water, sewer plans and sewer capacity for the project site. The City Planner stressed that the public facility extension plans for both the Beech Street Apartments project and Marion County's Santiam Meadows housing project, on the adjacent site to the west must be consistent and allow for a seamless development of both project sites.

The City Planner concluded the proposal generally complies with the City of Mill City's public works design standards, but final engineering plans must be submitted to the City showing revisions to the sanitary sewer pump station and collection system and the storm drainage system before the City will complete a detailed engineering review of the final engineering plans.

Section II-F and II-H of this report (pp. 6-8) review the existing utilities in the vicinity of the Beech Street Apartments site. Here is a brief summary of the proposed and required public improvements for each campus:

1. *Water*: The City determined existing water mains are not adequate to serve the project site.

   Proposed Improvements: The applicant proposes to construct a 12" water main extension in Hwy 22, NW 9th Avenue, NW Alder St., NW 8th Place and on NW Beech St. to the west end of the project site. Plan sheets W-1 to W-5 show the proposed water main improvements, fire hydrant locations and valving.

   Westech Engineering submitted supplemental information to the City as follows:

   - Exhibit C-03a Mill City Fire Flow Calculation Drawing (Attached)
   - Exhibit C-03b Mill City Fire Flow confirmation (west end of site)
   - Exhibit C-04a A100 Site Plan showing Fire Access Routes
   - Exhibit C-04b 2019 Oregon Fire Code, Sections D105 and D1065 summarizing fire access requirements for multi-family apartments

The exhibits show there will be a fire flow of 2300 gpm when water main improvements are completed. The 2019 Oregon State Fire Code allows one entry street to a multi-family housing project (under 100 housing units) as long as there are fire turnarounds and the apartments are sprinkled. The applicant confirms the buildings will be sprinkled.

Review comments: The plans are consistent with the Mill City Water System Master Plan. The proposed 12" water main can be looped through the future Santiam Meadows subdivision to the west and back to Hwy 22 @ 9th St.

At Station 19+80 on Sheet W-2, the plan needs to be modified to add valve(s) and a connection with the existing 6" water main on NW Sunset Court at NW 8th Place.

2. *Sewer Collection System*: The City determined the site is not served by city sewer.

   Proposed Improvements: The applicant proposes to construct a pump station, sewer collection lines and a pressure sewer line to pump sewage east to the City's River Rd. Pump Station. Plan sheets S-1 to S-5 show the proposed sewer improvements submitted on October 3, 2022.

   Review Comments:

   New Sewer Pump Station and Collection System: In a meeting on October 14, 2022 city officials notified the applicant and Marion County officials that the City will require one pump station to serve the Beech St. Apartments and the Santiam Meadows development sites and that the pump station needs to be located at the west end of the two properties. Marion County and Green Light – Home First, LLC, reached an agreement on the pump station location and collection system. On November 10, 2022, Exhibit C-05 (attached) was submitted to the City. The City staff concurs with proposed location and modified conceptual design. Engineering plans will need to be modified and resubmitted to the City for review.

   Existing Sewer Pump Station Analysis: Sewage from the project site will flow to the City of Mill City's River Road pump station and 1st Avenue pump station on its way to the Mill City Wastewater Treatment Facility. Westech Engineering submitted Exhibit B analyzing the capacity of the City's River Road and 1st Avenue pump stations to handle increased flow from the Beech Street apartments and the future Santiam Meadows development on the adjacent site. The Beech Street Apartments are estimated to generate 12,420 gallons/day in sewage flow into the City sewer system. Westech's analysis concludes this will increase demands on the pump stations and cause pump to run an additional 0.5 hours/day. Westech concludes the City's two existing pump stations have capacity to handle the increased sewer flows from the development. Keller Associates is reviewing the analysis for the City.

3. *Wastewater Treatment Plant Capacity*: The Mill City Wastewater Treatment Facility (WWTF) is near capacity. The City's NPDES permit allows for a maximum flow of 180,000 gpd. Average summer daily flows into the WWTF are 88,000 gpd (2022) and average winter daily flows are 95,000 to 100,000 gpd (2021 & 2022). The proposed project is estimated to add 12,720 gpd to the flow into the plant.

   Review Comments:

   Wastewater Treatment Plant Permit Violations. On January 6, 2022, a 3-day rainstorm caused the City's peak daily flow to reach 221,000 gpd, a one-day violation of the city's permit limit. No other flow violations have occurred.

   Inflow & Infiltration Study and Repairs: An analysis of pump station flows indicate the City

has inflow & infiltration into the NE quadrant of the sewer collection system that flows into the 1st Avenue pump station. During an early November 2022 rain event, the City found daily flows at the 1st Avenue Pump Station increased from 25,000 gpd to 55,000 gpd. I & I contributed 30,000 gpd to the flow.

- Smoke Testing: In September 2022, the City conducted smoke tests in a small portion collection system near Hwy 22 & NE 7th Avenue in hopes of finding inflow locations. No significant leaks were found.
- TV Inspections: In November, 2022, the City conducted TV inspections and cleaning of the NE quadrant of the collection system. TV inspections will be completed by November 18, 2022. As of November 15, the City has identified several infiltration and inflow points, but the amount of I & I flow into the system has not been determined.
- Repairs: The City will initiate repairs to eliminate I & I in Winter 2022-2023. Until repairs are completed, the City will not know how much daily flows will be reduced.

Development Restrictions. The City of Mill City has not imposed any limits or prohibitions on new connections to the wastewater treatment system, but is advising developers the City's wastewater system is nearing hydraulic capacity.

Moratoria or Public Facilities Strategy to Address Public Facilities Deficiencies: ORS 197.505 to ORS 197.540 stipulates requirements and procedures for cities to follow before adopting a moratorium or a public facilities strategy which may limit or prohibit development.

Prior to initiating a moratorium or adopting a public facilities strategy to limit development, a City must notify DLCD a minimum of 45-days prior to a public hearing on the issue. In order to impose a moratorium of adopt a strategy for limiting access to public facilities, the City must adopt findings to justify the moratorium of public facilities strategy:

> *ORS 197.520 (2) For urban or urbanizable land, a moratorium may be justified by demonstration of a need to prevent a shortage of public facilities which would otherwise occur during the effective period of the moratorium. Such a demonstration shall be based upon reasonably available information, and shall include, but need not be limited to, findings:*
>
> *(a) Showing the extent of need beyond the estimated capacity of existing public facilities expected to result from new land development, including identification of any public facilities currently operating beyond capacity, and the portion of such capacity already committed to development;*
>
> *(b) That the moratorium is reasonably limited to those areas of the city, county or special district where a shortage of key public facilities would otherwise occur; and*
>
> *(c) That the housing and economic development needs of the area affected have been accommodated as much as possible in any program for allocating any remaining public facility capacity.*

As of November 15, 2022, the City has not taken any steps to proceed with either a moratorium of public facilities strategy to limit development. As noted above, the City Attorney has advised the city staff to notify developers the City may impose limitations if the City violates its NPDES permit in the future.

Future Wastewater Treatment Plant Improvements. Keller Associates has been awarded a contract to complete a Wastewater Facilities Plan for a new Mill City-Gates Wastewater Treatment Plant Facility. $40,000,000 in funding has been secured for the project. Design and construction will not be completed until 2026.

Keller Associates Review of the Project and Wastewater Facilities. Keller Associates is

working with the City Attorney and City officials to review the I & I data, WWTF flow data and the project proposal. Keller's report will not be available until after November 21, 2022.

4. *Storm Drainage Facilities*: The City does not have any storm drainage facilities at or near the site.

   Proposed Improvements: The applicant proposes to construct new storm drainage facilities on site and within the NW Beech Street ROW. Plan sheets C-1 to C-4 and plan sheets ST-1 to ST-5 show the proposed storm drainage improvements on the project site and in NW Beech St. The applicant did not submit plans showing storm drainage facilities in NW 8th Place.

   Review Comments:

   At an October 21st meeting at Marion County, the City advised Green Light Development that the proposed storm drainage plan does not comply with the requirements of Division 3 – Storm Drainage, Mill City Public Works Design Standards. The storm drainage design will be need to be modified.

   1. Section 3.21 – Drywells & French Drains. The City PW Design Standards do not allow for use of perforated pipes or French drains as the exclusive method for draining the public right-of-way. Do not include drainage facilities in the public right-of-way which may be considered UICs by DEQ.
   2. Soil percolation tests were completed in August 2021 (p. 9 Soils Report) and were not completed per PWDS standards in winter months (Dec. 1 to April 30). These tests need to be completed to provide information on the high seasonal groundwater elevation showing this is not a concern.
   3. Section 3.19 – Stormwater Water Quality Facilities. A revised design must show stormwater quality facilities.
   4. Street improvements for NW Beech Street, plan sheet ST-1, do not include storm drainage improvements in the submittal.
   5. The City will require submittal of a stormwater operation & maintenance plan and DRAFT agreement with the final storm design.

   After the completion of new soil percolation tests, Westech Engineering will be required to submit updated percolation test and groundwater level information. Storm drainage plan sheets will need to modified and resubmitted to the City for engineering review and approval.

   Keller Associates is currently preparing a Storm Drainage Master Plan for the City, that will include a review of all storm basins in the Mill City UGB, including this one. The City has asked Keller Associates to review the proposed drainage system for the project site to ensure consistency with the future Storm Drainage Master Plan.

5. Private Utilities: Private utilities are available in NW 8th Place. Plans show new telecommunications and electrical systems for all of the new buildings. These improvements must be coordinated with the private utilities. All new private utilities shall be underground.

Conclusion: The City concludes the proposal can be adequately served by public and private utilities.

The engineering plans in Exhibit 4, plan sheets 53 to 108, can be modified to comply with the City's public works design and construction standards. A condition of approval is recommended that final engineering plans be submitted to the City for review and approval by Keller Associates and the City

Engineer. The proposal complies with Criteria "A".

CRITERIA B: Provision of Safe Internal Traffic Circulation and Pedestrian Pathways

The applicant submitted Architectural Site Plans with the following information:

- Plan sheet A100 shows all buildings, parking lots, traffic circulation, driveway accesses and pedestrian sidewalks and internal pathways on the site.
- Exhibit C-04a is a marked up copy of plan sheet A100 showing fire access routes.
- Exhibit C-04b is an excerpt from the 2019 Oregon Fire Code listed fire code requirements and access requirements that apply to a multi-family housing development (<100 units)
- Exhibit A-7 "Traffic Impact Analysis" dated February 11, 2022 prepared by Lancaster Mobley, traffic engineers.

Proposed Improvements: The site is accessed from NW River Rd., a Marion County Rd., via two local streets NW 8th Place and NW Beech St. Existing streets to the property do not comply with City of Mill City public works standards. The applicant proposes the following street improvements to provide public access to the Beech Street Apartments:

- NW 8th Place Street Improvements: Reconstruct NW 8th Place (NW River Rd. to NW Beech Street) with a 34'-wide paved street with curb and gutters.
- NW Beech Street Improvements: Construct NW Beech St. (NW 8th Place to west end of the development site) with a 34'-wide paved street, with curbs, gutters, storm drainage improvements and sidewalks.
- Private parking lots and driveway accesses.
- Internal pedestrian walks to each apartment building, parking lots and the clubhouse building.

Review Comments:

1. *Street Access to the Site*. The Section II-G of this report (pp. 6-7) reviews the existing public streets within the site and adjacent to the site. Upon completion of the proposed street improvements, the property will have adequate street access into the development site that complies with the 2019 Oregon Fire Code requirements and the City of Mill City public works design standards.
2. *Driveway Accesses*: Plan sheet A100 shows four 24'-wide driveway accesses to each parking lot area and vehicle turnarounds at the end of each parking lot. The access driveway locations, width and spacing comply with the City of Mill City public works design standards, Sections 2.27, 2.28 and 2.29.
3. *Fire Access Routes*: Exhibit C-04a and Exhibit C-04b show fire access routes and list 2019 Oregon Fire Code requirements. The proposed fire access routes provide the required fire access within 150' of each apartment building and a fire access circulation route though the south parking lot adjacent to Buildings D, E and F.
4. *Parking Lot Circulation*:
    - Parking Lot 1 (NE) provides 15 parking spaces for Building A with a 24'-wide travel aisle

and turnaround at the end of the parking lot.

- Parking Lot 2 (NW) provides 24 parking spaces in two pod areas for Buildings B & C. A 24'-wide aisle and driveway connects the two pods. A turnaround is located at the west end of the 2nd parking pod.
- Parking Lot 3 (South) provides 42 parking spaces for Buildings D, E & F. A 24' wide fire access lane and driveways allow circulation from the two driveway entrances/exists onto NW Beech St.

5. *Internal Pedestrian Paths and Circulation*: Plan sheet A100 shows sidewalks along NW Beech Street and internal pedestrian walkways. The City staff recommends several minor modifications to the internal walkway network to make it easier for residents to access the public sidewalks from their apartments, to access the clubhouse building and to provide a recreational walking trail (bark) adjacent to the wetlands on the north edge of the site, as shown on Sheet A100 "Pedestrian Pathway Additions/Modifications".

Conclusion:

The proposed street access, driveway access, fire access and parking lot configurations will provide safe traffic and pedestrian access as shown on plan sheet A100 and comply with Criteria B. The City Planner recommends minor modifications to the pedestrian pathway system to provide additional accesses to the public street, improved internal pedestrian circulation to the clubhouse and a recreational pathway along the edge of the wetlands on the north edge of the site. With these modifications, the proposal complies with Criteria B.

CRITERIA C: Street Improvements and Right-of-Way Dedication

The applicant submitted the following information to address street improvement requirements:

- Plan sheet A100 shows dedication of a 50'-wide ROW for NW Beech Street extension through the project site.
- Plan Sheets ST-1 to ST-5 show proposed street improvements on NW 8th Place and NW Beech Street.
- Plan Sheets SL-1 to SL-3 show proposed street lighting, signage and striping.
- Exhibit A-7 "Traffic Impact Analysis" dated February 11, 2022 prepared by Lancaster Mobley, traffic engineers. The TIA reaches the following conclusions:
    - 54 apartments will generate 19 peak hour (morning) and 25 peak hour (evening) trips in/out of the NW Beech St.
    - 54 apartments will generate an average of 260 daily vehicle trips.
    - There were no reported crashes in ODOT's data base.
    - Sight distances and obstructions at the NW Beech St. intersection with NW 8th Place. Sight distance is 250', exceeding the 155' stopping distance requirement.
    - Sight distances and obstructions at the NW River Rd. & NW 8th Place intersection. Sight distance is 550' (east & west), exceeding the 335' stopping distance requirement.

Proposed Improvements: The site is accessed from NW River Rd., a Marion County Rd., via two local streets NW 8th Place and NW Beech St. Existing streets to the property do not comply with City of Mill City public works standards. The applicant proposes the following street improvements to provide public access to the Beech Street Apartments:

- NW 8th Place Street Improvements: Reconstruct NW 8th Place (NW River Rd. to NW Beech Street) with a 34'-wide paved street with curb and gutters.
- NW Beech Street Improvements: Construct NW Beech St. (NW 8th Place to west end of the development site) with a 34'-wide paved street, with curbs, gutters, storm drainage improvements and sidewalks.

Review Comments:

1. *Street Access to the Site*. The Section II-G of this report (pp. 6-7) reviews the existing public streets within the site and adjacent to the site. Upon completion of the proposed street improvements, the property will have adequate street access into the development site that complies with the 2019 Oregon Fire Code requirements and the City of Mill City public works design standards.
2. *Right of Way Dedication*: The applicants propose a 50'-wide ROW dedication. Section 2.11 of the Mill City Public Works Design Standards (PWDS) states a minimum 50' ROW is required for a minor residential street (<600' long) and a 60' ROW for a residential street longer than 600'. Due to the site limitations and wetlands, the City staff concluded a 50' ROW is sufficient.
3. *Street Improvement Requirements*: A minimum 32' curb-to-curb pavement width is required under PWDS Section 2.11, PWDS. The applicants propose a 34'-wide street with 5' curb-side sidewalks. The proposal complies with the PWDS design standards.
4. *Stub Street to Allow for Future Extension*: PWDS Section 2.24 allows stub streets to allow for future street extension. A barricade shall be placed at the end of the street. Paved turnarounds are provided at the two driveway entrances at the west end of the site.
5. *Street Lighting and Street Signs*: PWDS Section 2.31 requires street lighting to be installed concurrently with the project. PWDS requires installation of street signs with the construction of new streets. Spacing and final location of street lights and street signs shall be determined during final engineering review of the plans, after consultation with Pacific Power.
6. *Emergency Vehicle Access*: There will be only one emergency vehicle access into the site, until Marion County constructs the Santiam Meadows development to the west. A second access to Hwy 22 will be provided at that time. The applicant submitted evidence that the proposed single street access complies with the 2019 Oregon Fire Code requirements, as long as the buildings are sprinkled and fire access routes are provided.
7. *Traffic Impact*: The project will generate approximately 260 vehicle trips per day. A fully improved local street can carry 1,000 to 1,500 vehicles per day. The applicant proposes to construct improvements on NW Beech St. and NW 8th Place to increase the capacity of those streets until traffic is discharged to NW River Rd.

Conclusion:

The proposed dedication of a 50'-wide ROW and construction of street improvements on NW Beech Street and NW 8th Place will provide streets sufficient to handle the anticipated traffic load from the development site and the adjacent homes on NW 8th Place. Provision has been made for emergency

access, compliance with fire code requirements, street lighting and traffic signs. Final engineering plans will need to be submitted to the City for engineering approval. The proposal complies with Criteria C.

CRITERIA D: Parking and Loading Requirements

Parking requirements are reviewed above in Section II-B, 17.44.050 to 17.44.070 (pages 11-12) and Section II-D, 17.76.030 - Criteria B (pages 17-18). The proposal complies with Criteria D.

CRITERIA E: Building Size and Type are Compatible with uses on Surrounding Properties

The Multi-family Residential (R-2) zone allows apartments as an outright permitted use. The applicant submitted architectural plans, elevation plans, and color renderings on Sheets A.100 to A.204. Site Plan A100 shows the location of all proposed apartment buildings and clubhouse on the 4.6-acre site.

Review Comments:

1. *Adjacent Uses*. Adjacent uses are discussed in Section II-E (pages 5-6). There are no multi-family dwellings in the vicinity of the site. To the east there are single-family dwellings on individual lots adjacent to NW 8th Place and NW Sunset Place. To the south there are two rural home sites with driveway access to NW River Rd. Parcels to the west are vacant. Homes to the north site 20'-30' above the project site at the top of a steep slope.
2. *Location, Appearance and Size of Buildings*: The two-story apartment buildings are uniformly designed with a two-tone color scheme. Design complies with the basic zoning requirements for size, height, setbacks and scale. Parking, open space, pedestrian path, playground and a club house provide on-site amenities.

Conclusion: The proposal complies with Criteria E.

CRITERIA F: Landscaping Plan
CRITERIA G: Fencing and Buffering Plan

The applicants submitted plan sheets A.100, L1.1 and L1.2 which show the building site layout, proposed landscaping, street trees and buffering on the site, as well as the protection of existing wetlands on the north third of the site. The clubhouse site includes a small open space area, playground and patio for use by residents. No fences are proposed.

The City recommends minor changes to the pathway network to provide better access to the sidewalks adjacent to the street, a pedestrian trail adjacent to the wetlands and improved pedestrian circulation in the development.

Conclusion: The proposal complies with Criteria F and G.

CRITERIA H: Lighting

Exterior lighting locations are shown on plan sheets A100. The outdoor lighting layout for parking lot and pathway lighting is shown on plan sheet A100 and lighting type and detail specifications are shown on plan sheet A102. All parking lot and outside lighting on buildings shall be "dark-sky" lighting, with hoods to direct light downward in such a manner that lighting will not face directly, shine or reflect glare onto an adjacent street or property. The City Planner reviewed the lighting specification sheets for all lighting fixtures. They comply with the City's "dark sky" code requirement.

New street lighting is shown on plan sheets SL-1 to SL-3. New street lights and spacing are proposed for NW 8th Place and NW Beech Street to the west end of the project site. The City of Mill City will coordinate this with the Pacific Power representative who serves the Mill City area. The final location of street lights will be determined during review of the final engineering plans.

Conclusion: The proposal complies with Criteria H.

CRITERIA I: Compliance with Zoning Requirements and Public Works Design Standards

Basic zoning requirements are reviewed above in Section II-A (pp. 9-11) and Section II-B (pages 11-13) of this report. As noted previously, the City Engineer will review the final engineering design plans for compliance with the City's public works design and construction standards.

The proposal can comply with Criteria I.

III. CITY PLANNER CONCLUSION AND RECOMMENDATION

FILE 2022-08 -- SITE PLAN APPROVAL – BEECH ST. APARTMENTS

Based on the findings contained in this report, the City's Planning Consultant concludes the construction of Beech Street Apartments are outright permitted uses in the Multi-family Residential zone, comply with the City's basic zoning requirements and can comply with the City of Mill City public works design and construction standards for new development [subject to resubmittal and approval of revised engineering plans to the City].

The Planning Consultant recommends tentative approval of the site plans for the Beech Street Apartments subject to the following conditions of approval:

Conditions of Approval: [DRAFT CONDITIONS – revised December 15, 2022]

1. **Conceptual Approval of the NW Beech Street Apartment Site Plans**: The Beech Street Apartments site plan and development plans, as submitted in Exhibit A.4 are hereby conceptually approved by the Mill City Planning Commission. The City shall provide the applicant with a set of plans dated and marked "Approved by the Mill City Planning", with notations for plan sheet revisions which will be required.

2. **Final Site Plan Approval**: The applicant's architect and civil engineer shall submit a set of final plans to the City of Mill City for review and written approval by the City's Planning Consultant and the City Engineer. The plans shall incorporate changes recommended by the City's Planning Consultant and City Engineer and shall comply with the listed conditions of approval.

   The final plans shall be in substantial conformance with the approved Architectural Site Plan, Sheet A.100 and the modified Sheet A.100 pathway plan modifications.

3. **Expiration Date:** The site plan approval will expire on December 31, 2023 if engineering plans for the project have not been approved by the City Engineer. Green Light – Home First, LLC may request a one-year extensions of the plan approval.

4. **Building Permits.**

   a. Building Permits shall be obtained from the City of Mill City. All fees and charges must be paid prior to the issuance of each building permit.

   b. Systems Development Charges. Systems Development charges must be paid prior to the issuance of each building permit.

   c. No building permits will be issued until all of the following items are completed:

      i. Written plan approval is provided by the Planning Consultant and City Engineer;

      ii. NW Beech St. ROW Dedication. A deed for the dedication of NW Beech Street is executed and recorded in the Marion County Deed Records.

      iii. A sewer easement is executed and recorded for the project site.

      iv. A PUE easement is executed and recorded for a 50-wide NW Beech Street ROW extension on the Marion County site west of the Green Light – Home First, LLC project site. The PUE will allow for the construction of a sewer pump station, sewer collection and pressure mains and private utilities.

      v. A Development Agreement is executed by both parties. The Development Agreement will stipulate terms and timing for:

         - the issuance of building permits,
         - city review and approval of engineering plans,
         - construction of public improvements,
         - performance bonds / financial guarantee, and
         - project completion.

      The Development Agreement will clearly describe developer's costs and responsibilities for construction of public improvements required in these conditions of approval.

      vi. Public Works Construction permits are obtained from ODOT, Marion County and the City of Mill City for all public works construction within the roadway authority rights-of-way, and

      vii. A Performance Bond/Guarantee is provided for the public improvements.

5. **Site Improvements, Landscaping and Exterior Lighting**

   a. Resubmit plan sheets L1.1 and L1.2 for final City approval.

   b. Install parking lot, site improvements, landscaping and lighting as shown on the final approved site plan and engineering plans.

   c. Landscaping shall be installed within 90 days of the issuance of a certificate of occupancy. If landscaping is not completed, the City may withhold the issuance of a certificate of occupancy for remaining unfinished buildings on the site or obtain a performance bond or security from Green Light-Home First, LLC that guarantees the work will be completed in a timely manner.

d. Install exterior lighting on buildings and in parking lots as shown on the approved plans. In the event installed lighting creates a hazard or a nuisance, the developer shall modify or adjust the lighting to correct the hazard or nuisance, within sixty (60) days after receiving written notice from the City of Mill City.

e. NE Parking Lot Landscaping and Screening. Modify plans to show landscaping screening or fencing along the east property boundary adjacent to the property at 165 NW 8th Place.

f. Add one or two bus shelters and waiting area for students. Coordinate location(s) with the Santiam Canyon School District and First Student, the District's bus transportation company.

6. Building Permit Requirements (On-site Civil Engineering Plans)): The applicant shall submit final on-site civil engineering plans with the building permit application.

7. Public Works Requirements: The applicant shall complete the following public improvements prior to the issuance of a certificate of occupancy, unless otherwise specified. Improvements will be designed and installed in accordance with the City of Mill City Public Works Design Standards and Construction Specifications.

Permits:

PW-1. City of Mill City Public Works: Green Light–Home First, LLC, or authorized contractor / representative, shall obtain a Type B Public Works Construction Permit from the City for any work performed in the city-owned public right-of-way or any public improvements to be constructed on private property. The permit will include a deposit to cover city costs for final plan review, construction inspection and final city inspection and acceptance of the public works improvements.

PW-2 Marion County Public Works Construction Permit. The property owner, or authorized contractor, shall obtain a public works construction permit from the Marion County Public Works Department for any work performed in the County right-of-way [NW Alder St. and NW River Rd.]. Provide the City with a copy of the approve permit.

PW-3 ODOT Right-of-way Construction Permit. The property owner, or authorized contractor, shall obtain a construction permit from ODOT for the water main construction within the Hwy 22 ROW. Provide the City with a copy of the approved permit.

PW-4 Erosion Control Permits. Provide a copy of the DEQ approved 1200-C Permit.

PW-5 Other Regulatory Permits. Provide a copy of any other federal or state required regulatory permits to the City.

Streets:

ST-1 NW Beech Street ROW Dedication: Dedicate to the City of Mill City a 50'-wide ROW for NW Beech Street.

ST-2 NW Beech Street Improvements (NW 8th Place to West end of Project Site): Construct a 34'-wide street improvement with curbs, gutters, sidewalks, storm drainage, street lighting and signage as shown on the approved engineering plans.

ST-3 NW 8th Place Street Improvements (NW Beech Street to NW River Rd.): Construct a 34'-wide street improvement with curbs, gutters, storm drainage, street lighting and signage as shown on the approved engineering plans.

ST-4 NW Beech Street Extension – PUE and Future ROW Agreement: Execute and record a deed covenant, as approved by the City Attorney, stipulating that the NW Beech Street Extension will be dedicated to the City by Marion County at time of development and granting a PUE for access and installation of public and private utilities within the 50'-wide PUE.

ST-5 Street Lighting and On-Street Parking: Plan sheets SL-1, SL-2 and SL-3 shall be resubmitted to show a final plan for street lighting, on-street parking and traffic control signs. On-street parking shall be limited to the north side of NW Beech Street, unless otherwise approved by the Planning Commission. Yellow striping and no parking signs shall be shown on the final plan sheets.

Storm Drainage:

SD-1 Storm Drainage Analysis: As part of the engineering plans, provide an updated stormwater analysis report and supporting documentation in accordance with PWDS 1.10.i., PWDS 318.b and PWDS 318.d.2. Existing site topography, off-site contributing drainage areas, and downstream capacity will need to be considered and included as part of the drainage analysis.

Final engineering plans shall address water quality and verify any storm water infiltration systems has adequate separation from high groundwater. If an on-site storm drainage infiltration system and on-site drainage facilities are not feasible, then the planned storm drainage facilities will need to address water quality, detention and downstream discharge and be approved by both the City of Mill City and Marion County (adjacent property owner).

SD-2 Storm Drainage Improvements: Construct on-site and public storm drainage improvements and detention/retention facilities and required off-site storm drainage improvements for the project, as shown on the engineering plans approved by the City Engineer.

SD-3 Stormwater O&M Plan and Agreement: A stormwater O&M Agreement shall be executed and recorded in the Marion County Deed Records at the completion of the project. A copy of the O & M plan shall be provided to the City.

Sanitary Sewer:

SS-1 Sewer Pump Station, Collection System and Pressure Main to River Rd. Pump Station: Submit final engineering plans for the sewer system. Construct sewer improvements for the project site, including the off-site sewer pump station, collection system and pressure main to the River Rd. pump station, as shown on the final engineering plans approved by the City Engineer.

Note: If the new pump station at the west end of the project site is not constructed concurrently with the Beech St. apartment project, the City may approve an interim sanitary sewer system that allows for on-site connection to the pressure sewer line and direct pumping to the NW River Rd. pump station as conceptually shown on Exhibit C-06, the December 3, 2022 alternative sewer submittal from Westech Engineering, Inc.

Prior to the City Engineer's approval of an alternative design for the sewer, the Development Agreement must be executed between the parties, including a cost-sharing agreement for the

developer's share of the west end pump station and gravity flow sewer main to the pump station.

SS-2 DEQ Approval of Sewer System Improvements. Obtain and provide the City of Mill City with a copy of the DEQ's written approval for the sewer system improvements for the project.

SS-3 On-Site Sewer Easement: The property owner will execute and record a City of Mill City Sewerage System Easement for the project site prior to the issuance of any building/plumbing permits on the site. The easement grants the City permission to enter the site, pump and maintain interceptor tanks on the property.

SS-4 Sewer Interceptor Tanks and Plumbing Permits. Obtain plumbing permits and install sewer interceptor tanks and building sewers as shown on the approved building plans. Interceptor tanks shall comply with DEQ and City of Mill City design standards.

Water:

W-1 Water Main Improvements. Submit final engineering plans for the water system improvements to the City Engineer, Mill City Fire District and the Oregon Health Division for approval. Construct water main improvements on Hwy 22, NW 9th Avenue, NW Alder Street, NW 8th Place and NW Beech Street in accordance with the plans approved by the City Engineer and Oregon Health Authority.

W-2 Plumbing Permits and Water Services. Obtain required plumbing permits and install water service lines, meter boxes, backflow prevention devices, FDC lines and connections, building sprinkler systems and appurtenances as shown ono the approved plans.

Private Utilities:

PR-1 New private utilities shall be extended underground from existing electrical power and telecommunications poles.

8. Public Improvements, Development Agreement and Bonding Requirements:

a. Public Improvement Construction and Acceptance. Green Light - Home First, LLC, will install required public improvements prior to December 31, 2023, or another date agreed upon by the City, and shall provide the City with a performance bond/guaranty in an amount sufficient to guarantee completion of construction of the required public improvements, including city costs for engineering review and inspection of all improvements. Upon completion, the City Engineer will recommend city acceptance and require submittal of a one-year warranty/maintenance bond.

b. Development Agreement. The City and Developer will enter into a Development Agreement, on a form provided by the City, stipulating the terms of completion of the public improvements and the timing of the construction of private improvements and issuance of building permits.

c. Bonding Requirements. The City will require the Developer to provide a performance bond and warranty bond in an amount established by the City Engineer, as stipulated by the City's Public Works Design Standards.

9. **Requirements to Comply with Fire District Comments**:

a. Parking Adjacent to Fire Hydrants/FDCs: Show on the final engineering plans and install "No Parking" signs and marked/painted curbs on the street adjacent to fire hydrants and FDCs.

b. Install signage (e.g. building names (letters) corresponding with FDC connections) on the exterior of buildings, or as required to comply with State Fire Marshal requirements.

IV. BURDEN OF PROOF

The burden of proof is on the applicant to present the applications to the Planning Commission and to present information which shows that the application meets the criteria for approval listed in the City of Mill City Municipal Code.

VI. PLANNING COMMISSION OPTIONS

A. Approval of the Site Plan for File 2022-08 for the NW Beech St. Apartments and adoption of the proposed findings and the recommended conditions of approval.

B. Approval of the Site Plan for File 2022-08 for the NW Beech St. Apartments and adoption of amended findings and conditions of approval dated December 15, 2022 to reflect the Planning Commission deliberations.

C. Denial of the applications and to direct the City Planning Consultant to modify the findings to reflect the Planning Commission's deliberations that the proposal does not meet the applicable approval criteria.

D. Continue the deliberations to January __, 2022 at 6:30 pm.

VII. MOTIONS

Approval:	To approve the site plans for Green Light-Home First, LLC, to construct the NW Beech Street Apartments, to adopt the findings of fact, conclusions and conditions of approval for File No. 2022-08.
Approval (modified):	To approve the site plans for Green Light-Home First, LLC, to construct the NW Beech Street Apartments, to approve the modified findings of fact, conclusions and recommended conditions of approval dated December 15, 2022 for File No. 2022-08.
Continue:	To continue deliberations to the next meeting of the Planning Commission on December __, 2022 at 6:30 p.m.
Denial:	To deny the application because the applicant has not demonstrated the proposal complies with all of the Mill City Development Code criteria.

File 2022-08 Beech St. Apartments

Staff Report Exhibits List

EXHIBIT A Application Submittal (See File 2022-08) The applicant's hard copy submittal is available at City Hall or for electronic review (.pdf)

- Applicant's Statement and Findings ..... 1 to 28
- Exhibits List 29
- Exhibit-1 Application Form ..... 30 to 39
- Exhibit 2 Property Deeds ..... 40 to 48
- Exhibit 3 Pre-Application Conference Notes ..... 49 to 52
- Exhibit 4 Preliminary Development Plans (Westech) ..... 53 to 108
- Exhibit 5 Geotechnical Reports ..... 109 to 140
- Exhibit 6 Wetland Delineation Reports ..... 141 to 240
- Exhibit 7 Traffic Impact Analysis ..... 241 to 259

EXHIBIT B Supplemental Information dated October 20, 2022

- Mill City Sewer Pump Station Capacity Memo ..... 11 sheets

EXHIBIT C Supplemental Information Submitted on November 10, 2022 and December 3, 2022

- C-01 Mill City Master Schedule ..... 2 sheets
- C-02 Mill City NW 8th Improvements Confirmation ..... 1 sheet
- C-03a Mill City Fire Flow Calculation Drawing ..... 1 sheet
- C-003b Mill City Fire Flow confirmation (west end of site) ..... 1 sheet
- C-04a A100 Site Plan – Fire Access Routes ..... 1 sheet
- C-04b 2019 Oregon Fire Code, Sections D105 and D1065 ..... 1 sheet
  Fire Access Requirements for multi-family apartments
- C-05 Preliminary Sewer Concept Drawing ..... 1 sheet
- C-06 Mill City Step Sewer Alternative Concept ..... 4 sheets

EXHIBIT D Public Comments

D-1 Letter from Misty Strasser dated 12-12-2022

EXHIBIT E Agency Comments

E-1 Mill City Rural Fire District dated 11-10-2022

EXHIBIT F Supplemental Staff Report to Planning Commission dated 12-15-2022