



CITY OF MYRTLE CREEK

P.O. BOX 940, 207 NW PLEASANT ST., MYRTLE CREEK OR 97457
(541) 863-3171 FAX (541) 863-6851

MYRTLE CREEK PLANNING COMMISSION REGULAR MEETING

February 28, 2023
5:30 PM

City Hall Council Chambers
207 NW Pleasant Street

AGENDA

1. CALL TO ORDER / ROLL CALL

Chairperson Angel Smith
Commissioners Tami Lannan, Kelli Johnson, Sharon Umphlett

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

4. PUBLIC PARTICIPATION - MATTERS OF PUBLIC CONCERN

Any person may discuss matters of general public concern, which fall within the purview of the Planning Commission, except that matters which are subject to quasi-judicial proceedings may not be discussed under this item of the agenda.

7. NEW BUSINESS

- PUBLIC HEARING
 - o LANCELOT SUBDIVISION

8. PLANNING ACTIVITIES REPORT

9. GOOD OF THE ORDER

10. ADJOURNMENT

♣ ♣ AMERICANS WITH DISABILITIES NOTICE ♣ ♣

As part of public policy, the City of Myrtle Creek will attempt to provide public accessibility to services, programs, and activities. If accommodation is needed to participate at this meeting, please contact the City of Myrtle Creek at 863-3171, at least 48 hours prior to the scheduled meeting time.



City of Myrtle Creek

207 NW Pleasant, P.O. Box 940, Myrtle Creek, OR 97457

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STAFF REPORT

TO: Planning Commission

FROM: Lonnie Rainville, City Administrator

RE: Application for Tentative Subdivision Planning Department File No. 23-MC002

Summary:

Applicant:

Garry Mercaldi (applicant) is requesting approval of a tentative subdivision located off Klimback Street. The Property is owned by Garry and July Mercaldi. The applicant's address is 140 Rust Ln, Myrtle Creek, OR 97457.

Application:

The applicant, is requesting tentative approval for a 12-lot residential subdivision on 5.2 acres located off the east end of Klimback Street.

Location:

The tentative subdivision is located at the east end of Klimback Street. Klimback Street is accessed east from Old Pacific Hwy approximately a half mile south of the Valley View Shopping Center. See Vicinity Map.

Location Description:

The location of tentative subdivision is described as 29S, 05W, Sec 33AC, Tax Lot 5000 & 5100. The property ID's for the proposed Subdivision are R128460 and R128461. The location is addressed 0 Norton Ln

Zone:

The territory where the tentative subdivision is located is zoned Medium Density Residential (R-2)

Findings:

Proposed Finding #1 – Application:

The applicant has filed a tentative subdivision plan in the manner prescribed by Title 17, of the Myrtle Creek Subdivision code.

The tentative subdivision plan along with the required application and payment was filed with the Community Development Department on January 27, 2023.

Proposed Finding #2 – Notice and Public Hearing

All requirements pertaining to the mailing and publication of notice of the public hearing have been met. The public hearing for the proposed subdivision was conducted as required by Title 18 of the City Municipal Code.

All property owners within 150 feet of the subject property were mailed notice of public hearing on February 2, 2023. Notice of public hearing was also published in the Douglas County Mail on February 16 and February 23, 2023. A public hear was held on February 28, 2023. The City received no written comments pertaining to the subdivision application. The following questions and or concerns were addressed:

Proposed Finding #3 – Zoning and Lot Standards:

Zoning Criteria:

The subject property is zoned medium density residential (R-2). The stated intent of medium density residential is to promote the development of high-quality residential neighborhoods composed of a variety of housing types and price ranges commensurate with the needs and economic means of the community. (MCMC 18.35.020)

Lot size and Density:

The lot dimensional standards for the Medium Density Zone (MCMC 18.35.050) are as follows:

- Lot size shall be at least 6,000 square feet.
- Lot width at the building line shall be not less than 60 feet.
- Depth of the lot shall be not less than 90 feet.

The residential density for Medium Density Residential (R-2) shall be a maximum of 10 units per gross acre but in no case less than 3,000 square feet per unit.

The tentative subdivision plan complies with the general intent of the Medium Density (R-2) zone with respect to intended use of the property. The lots within the subdivision appear to conform with the minimum dimensional and density standards of the R-2 Zone.

The 12 lots shown on the applicant's tentative plan range in size from 12,632.4 sq ft (Lot 2) to 17,859.6 sq ft (lot 5). The density for the tentative subdivision will be approximately 4.37 units per acre.

All lots are above the 60 ft width and above the 90 feet deep requirement.

Proposed Finding #4 - Streets:

The proposed street right of way width of 60 feet and roadway design shown on the applicant's tentative plan conform to the standards for public streets as prescribed in Title 17 (Subdivisions) of the Myrtle Creek Municipal Code.

The submitted plans show appropriate projection of existing principals streets leading to the tentative subdivision. The plan shows a single point of entry from Klimback street. The street will continue through the tentative subdivision and will have a hammerhead installed for emergency vehicle turn around. There is also a secondary access to the development from Rust Ln.

Street Design Standards:

Title 17.35.030 of the Myrtle Creek Municipal Code established standards for public right-of-way widths for street construction standards. Generally, the local residential street right-of-way is to be 60 feet wide. All right of ways depicted on the applicant's tentative plan are at least 60 feet.

Residential streets are to be constructed to widths ranging from 28 feet to 36 feet. The tentative plan does not show a road with but the established existing road with is 34 feet and sidewalks shall be a minimum of five feet wide on each side of the street to meet city requirements.

The street will dead end at the end of the development. However, in the future it may be extended for future development. To allow for emergency vehicle turn around there will be a hammerhead installed on lot 7 and 8 of the tentative subdivision.

The maximum grade permitted for new minor street is 12%. There is a slight slope to the roadway of the subdivision but will be well under the 12% that is allowable.

The minimum center line radius permitted for curves on a residential street is 100 feet. The 90-degree turn depicted at the entrance of the tentative subdivision off Klimback street has a radius is approximately 130 feet and meets city requirements.

Street names are to be shown on the final plat and must be approved by City Council. The tentative plan shows a street name of Klimback St. As a condition of final subdivision approval the applicant will need to confirm the street name. It is recommended that the proposed name be reviewed by public safety to ensure the chosen name does not create confusions when there are emergency calls.

Proposed Finding #5 – Site Development

The subject property is generally unaffected by topographic constraints. Although a few of the lots will have to deal with water runoff from the nearby hillside the degree of impact is not considered a significant issue for the development.

Building sites

Title 17.35.050 establishes standards for buildings sites size and shape. The size, width, shape and orientation of building sites shall be appropriate for the location of the land division and for the type of development and use contemplated and shall be consistent with the residential lot size provisions. The Tentative plan shows the lots conform with the size standards set for developments Zoned Medium Density Residential (R-2)

Lot lines for the proposed lots are at right angles to the street as required by code.

There are no other overlays within the tentative subdivisions.

Proposed Findings #6 – Water Course/Storm Water

The tentative storm plan is addressed but additional information regarding flows and system capacity needs to be provided as a part of the final subdivision submittal to ensure stormwater can be controlled.

Water Courses:

Section 17.35.040 (b) requires that if a tract of land is traversed by a water course such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right of way conforming substantially with the lines of the water course. In addition, Zoning Code requires that significant riparian vegetation along natural drainage way be identified and provided for the Planning Commission to require measures that preserve and protect riparian vegetation if necessary.

Although no significant natural drainage way pass through the subject property, there is an identified wetland that borders the property to the north and west. Proper consideration must be given to assure that the wetland will be protected during development.

Storm drainage:

The subject property naturally drains in a south westerly direction. The development already has installed storm drainage however the tentative plans do not fully reflect this. Storm water will be collected in a series of catch basins in the development which will be connected to an underground storm line that will flow into an exposed ditch that parallels Klimback Street. The open ditch extends to a collection point controlled by the County near Old Hwy 99. As condition to the final plat a comprehensive stormwater plan will be required to be provided to the City.

Proposed Findings #7 – Sanitary Sewer

The proposed subdivision is capable of being served by Tri-City Water and Sanitary District's (TCWSD) sewer system. There is existing sewer in the development. Any modification to the existing system will be the responsibility of the developer to work with TCWSD on approved designs.

Sanitary Sewer:

The applicant intends to utilize the existing infrastructure that was constructed around 2006 with modifications to the service lines to the main line. The system will be the responsibility of Tri City Water and Sanitation District (TCWSD). The TCWSD engineer has reviewed the applicant's Tentative Plan and has determined that the existing sewer line in Klimback Street and Old Pacific Hwy is adequate to accommodate the additional wastewater to be generated by the proposed 12 lots. The development will be served by a conventional gravity sewer system – no pumps will be required. As a condition of the final plan submission detailed as-built plans approved by TCWSD will need to be submitted to the City.

Proposed Finding #8 – Water Service

The development will be connected to the TCWSD water system. In conversation with the TCWSD Director, the water system has ample capacity to be able to provide water service to the proposed 12 homes in the development. As a part of the past tentative development, an eight (8) inch waterline has already been constructed in the development. The tentative plans show there will be a change to the location of where meters will need to be set. It will be the developer's responsibility to work with the TCWSD to get the water meter locations set. As a condition of the final plan approval a full detail set of as-build plans including main line with size of pipe, service line with size of pipe, and meter locations will need to be provided to the City.

Proposed Finding #9 - Fire Protection

The development will fall under the jurisdiction of the Myrtle Creek Fire department. The Homes in development will have a minimum 10 feet of separation between residences. Tentative water service plans show adequate volume to support the two (2) fire hydrants needed in the development. the two hydrants are connected to an eight (8) inch waterline. The Fire Chief has reviewed the Tentative Plan and has agreed that the number of hydrants and water flows in the development is sufficient for the developments fire protection. The recommendation is to have one (1) hydrant that will service all residences in a 400 ft radius. As condition of the final plan, documentation will need to be provided that shows water flows that will be provided to the development for fire protection.

Proposed Findings # 10 – Street lights

The proposed plan does not reflect the locations of proposed streetlights. Although the Subdivision Ordinance does not have a specific standard for street lighting, it is recommended to have lights at all intersections and spacing of streetlights of approximately 225 feet. The City will require the installed streetlights be LED. Based on the size of the

development there needs to be three (3) streetlights in the subdivision. The developer will need to work with the Pacific Power on the installation of the LED streetlights. Once installed, the power for the streetlights will be paid by the City. As a condition of the final plan, as-built plan showing streetlight detail must be provided to the City.

Proposed Findings # 10 –Improvements (Bond)

Chapter 17 section 45 of the subdivision code requires an agreement for improvements and for the developer to provide a bond for the construction of improvements. Because the required improvements of water, sewer, stormwater, roads, and sidewalks have already been constructed this will not be a requirement for this development.

Summary and Recommendations

It appears the tentative Lancelot Subdivision conforms with the intent of the Myrtle Creek Comprehensive Plan and the Medium Density Residential Zone (R-2). It also appears the design of the subdivision conforms with the general standards contained in the City's Zoning and Subdivision Code. Finally, it has been demonstrated that the development can be adequately served essential services including sewer, water, and fire protection. Based on the findings contained in this staff report, staff recommends that the Planning Commission grant approval for the tentative subdivision plan subject to the following conditions:

Conditions:

1. A final subdivision plat which conforms substantially with the approved tentative plan, including all applicable conditions of approval as specified herein, as well as general standards prescribed by the Myrtle Creek Subdivision and Zoning Codes, shall be submitted to the Planning Commission within 12 months of the date of tentative approval.
2. The appropriate declaration of dedication of all public street right-of-way within the entire subdivision shall appear on the face of the final subdivision plat. All public street Right-of-Way shall be at least 60 feet wide.
3. All streets within the subdivision will be constructed to a width of at least 33 feet(back of sidewalk to back of sidewalk and shall conform to standards approved by the Public Works Director, including curbs, gutters, storm drains, and five (5) foot wide sidewalks along both sides of the street.
4. Permanent street name will be shown on final plans. Street names shall be subject to approval by City Council.
5. All public utility easements (PUE) must be depicted on the final plan that conform with the approved tentative plan and the appropriate instruments of conveyance shall be recorded with the final plats.
6. All utilities shall be underground.

7. Access easement through lot 9 shall be shown and described on the final plan with appropriate instruments of conveyance shall be recorded with the final plat.
8. Fire hydrants approved by the Myrtle Creek Fire Chief shall be installed and served by an eight (8) inch water main at the locations depicted on the final plan. The hydrants shall be installed at the time the water main is constructed.
9. A minimum of three (3) LED Cobra head streetlights shall be depicted on an as-built drawing and submitted with the final plan at locations approved by the Public Works Director. Streetlights shall be installed at depicted locations and served with an underground power source.
10. Future street extension Southeast at the end of the development shall be shown and noted on final plat.
11. Hammerhead emergency Vehicle turnaround shall be constructed as depicted on the approved tentative plan.
12. Water, sewer, and storm water line plan and details shall be depicted on as-built plans and submitted as a part of the final plan.
13. Calculations for anticipated storm water quantities entering the Klimback Street stormwater system from the development shall be provided with final plan submission.
14. Letter from Tri City Water and Sanitation District shall be submitted with final plans certifying that the development has adequate water and sewer service to each lot, and appropriate water flows to comply with fire hydrant specifications.
15. Wetlands northeast of the development shall be noted on the final plat and plans submitted to ensure the wetlands remain undisturbed.
16. It shall be shown on the final plat and appropriate instruments recorded for each lot created, that the lot is subject to the Klimback road improvement fee as described in City Ordinance 831.
17. If any covenants are to be placed on the subdivision, the applicant shall provide a copy, including the volume and page(s) of the recording with Douglas County, to the Planning Department. A reference shall be placed on the final subdivision plat indicating any covenant restrictions governing the development of the proposed subdivision.

Staff Exhibits

- A. Vicinity Map
- B. Submitted Application for Tentative Subdivision
- C. Tentative Plan for Subdivision
- D. Submitted Public Comments
- E. City Ordinance 831

ORDINANCE No. 831

AN ORDINANCE ASSESSING THE LOTS OR PARCELS OF LAND OR PORTIONS THEREOF SPECIALLY BENEFITTED BY THE IMPROVEMENT OF THE LOWER SECTION OF KLIMBACK STREET AS PROVIDED BY RESOLUTION No. 20-3 AND DIRECTING THE CITY RECORDER TO GIVE NOTICE OF SUCH ASSESSMENT

WHEREAS, by Resolution No. 20-3 dated February 18, 2020 and approved by the Mayor on the same date, the City Council of the City of Myrtle Creek determined that improvements consisting of road improvements on the lower section of Klimback Street should be made as described in the City Administrator's report referred to in Resolution 20-2 and determined that the improvements shall be made at such time as the Public Works Director deems improvements are necessary; and

WHEREAS, the City Council has determined that a portion of the cost of said improvement should be assessed against the various lots, parcels of land or portions thereof benefitting from such improvement each time a housing unit is developed on those aforementioned lots, parcels and portions of land; and

WHEREAS, notice of the amount proposed to be assessed against each developed housing unit thereof benefitting by such improvement and fixing a time, date and place by which objections shall be filed with the City Recorder has been given to the owner of the property as shown by the latest assessment roll in the office of the County Assessor of Douglas County, Oregon by mailing a copy of such notice to the said owner, postage prepaid, all as appears by due proof thereof heretofore filed in the office of the City Administrator; and

WHEREAS, the City Council sat at the time and place specified in said notice and explained the method adopted by it for the apportionment of said costs; and heard and objections and remonstrance's;

WHEREAS, At said hearing, the City Council did not receive written objection by owners of a majority of the property owners to be assessed as required by MCMC 3.10 to cause abandonment of the improvement; and

NOW, THEREFORE,

THE CITY OF MYRTLE CREEK DOES ORDAIN AS FOLLOWS:


1. The portion of the cost of the aforesaid roadway improvement as described in the City Administrator Report from Resolution 20-2, estimated to be \$109,000, is to be assessed at the rate of \$1750 at the date of the passage of this Ordinance, with that amount to be increased by 2% each July 1st until paid, shall be imposed on any dwelling unit that occurs on Property described in the City Administrator Report from Resolution 20-2 (Attachment A).
2. The assessment will be required on each dwelling unit developed including any subdivided parcels at the time of City planning clearance prior to building permit issuance. The Klimback Street Improvement Fee will be collected by the City as a part of the Local Improvement District when a parcel or future subdivided parcels are developed.
3. The City Council hereby finds that such apportionment of the costs is equitable and is based upon the special benefits each parcel will receive from the improvements.

4. This Ordinance is deemed necessary by the Common Council of the City of Myrtle Creek for the protections and general welfare of all of the City of Myrtle Creek, and an emergency is declared to exist and this Ordinance shall be effective upon the date of its passage.
5. **DIRECTING THE CITY RECORDER TO GIVE NOTICE OF SUCH ASSESSMENT**

PASSED BY THE CITY COUNCIL UPON ITS FIRST READING this 18th day of February, 2020.

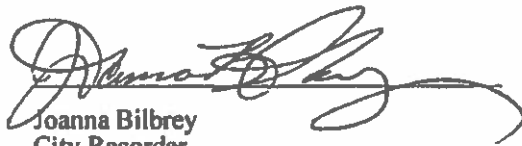
APPROVED BY CITY COUNCIL ON ITS SECOND READING this 3rd day of March, 2020.

APPROVED BY THE MAYOR this 3rd day of March, 2020.



Matthew Hald, Mayor

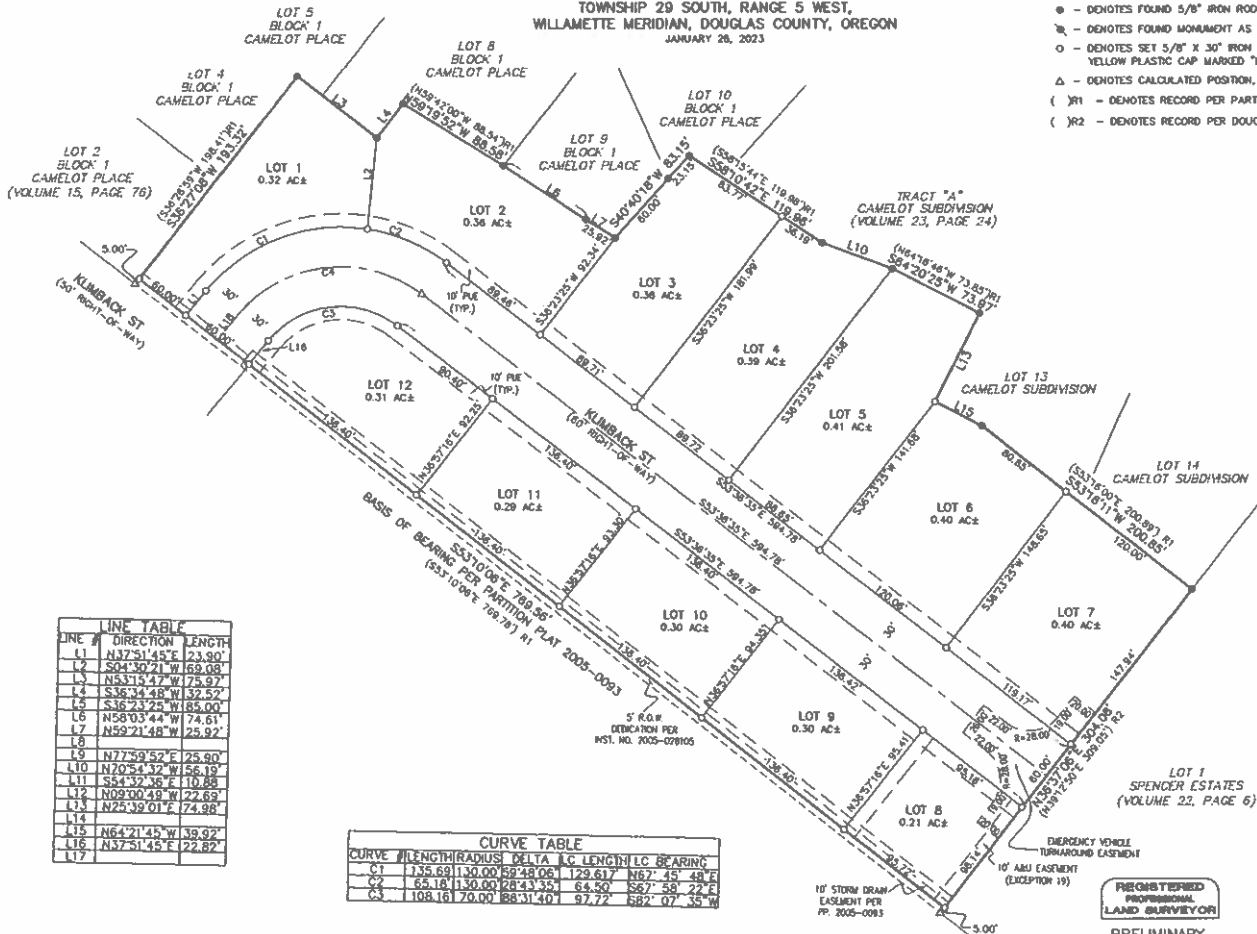
ATTEST:


Joanna Bilbrey
City Recorder

PRELIMINARY PLAT OF LANCELOT SUBDIVISION
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
 TOWNSHIP 29 SOUTH, RANGE 5 WEST,
 WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON
 JANUARY 26, 2023

LEGEND

- - DENOTES FOUND 5/8" IRON ROD AS NOTED
- ⊕ - DENOTES FOUND MONUMENT AS NOTED
- - DENOTES SET 5/8" X 30" FROM ROD WITH YELLOW PLASTIC CAP MARKED "I.E. ENGINEERING"
- △ - DENOTES CALCULATED POSITION, NOTHING FOUND OR SET
- (R1) - DENOTES RECORD PER PARTITION PLAT 2008-0093
- (R2) - DENOTES RECORD PER DOUGLAS COUNTY SURVEY M155-47



LINE #	DIRECTION	LENGTH
L1	N37°51'45"E	23.90'
L2	S04°30'21"W	69.08'
L3	N53°15'47"W	75.97'
L4	S48°34'48"W	32.52'
L5	S36°23'25"W	63.00'
L6	N58°03'44"W	74.61'
L7	N59°21'48"W	25.92'
L8		
L9	N77°59'52"E	25.90'
L10	N70°54'32"W	55.19'
L11	S54°32'36"E	10.88'
L12	N09°00'49"W	22.69'
L13	N25°39'01"E	74.98'
L14		
L15	N64°21'45"W	39.92'
L16	N37°51'45"E	22.82'
L17		

CURVE #	LENGTH	RADIUS	DELTA	LC LENGTH	LC BEARING
C1	135.69	130.00	88°48'06"	129.617	N67°45'48"E
C2	65.18	130.00	88°43'35"	64.507	S67°58'22"E
C3	108.16	70.00	68°31'40"	97.727	S82°07'35"W

CITY OF MYRTLE CREEK CONDITIONS OF APPROVAL DATED AUGUST _____

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PRELIMINARY

OREGON
EXPIRES 6/30/2023
ENGINEERING

i.e.
ENGINEERING
808 SE Pine Street
 Roseburg, Oregon 97470
 PHONE (541) 673-0188
 FAX (541) 442-9392
 lemos@ieengineering.com

SCALE: 1"=50'

SHEET 1 OF 1

JOB NO. 2023-03

CLIENT: GAREY MERCALDI

140 MUST LANE

MYRTLE CREEK, OR 97457





Vicinity Map

Issue/Request: Subdivision
Applicant: Garry Merraldi
Address: 0 Norton Ln
Property ID: R128460 & 128461
Planning File # 2023MC-002

