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City of Scio
38957 NW 1st Ave
Scio, OR 97374
503-394-3342

**SCIO PLANNING COMMISSION ELECTRONIC MEETING MINUTES
WEDNESDAY, June 3, 2020**

7:00 PM

COMMISSION MEMBERS PRESENT: Chairman Beau Buganski, Commissioners Katrina Clouse, Ellie Ferguson, Ron Loewen, John Whalen, and Nicole Zedwick, were all present via video.

STAFF PRESENT: Planning Consultant Dave Kinney, City Manager Ginger Allen and Administrative Assistant Cathy Martin were present via video.

CALL TO ORDER: Planning Chairman Beau Buganski called the Scio Planning Commission to order at 7:20 p.m.

ROLL CALL: Roll call was taken with Richard Androes excused.

APPROVAL OF MINUTES: The minutes of the May 27, 2020 meeting were reviewed. Martin advised the commission that the city was notified that there were several community members who were watching the Zoom meeting with Mr. Whisenhunt, they were Liberty Oplencia and Jennifer and Jared Clevenger. These citizens need to be added to the list of audience members present.

Commissioner Whalen moved, Commissioner Clouse seconded, to approve the May 27, 2020 minutes as amended. Motion passed 6/0.

AUDIENCE MEMBERS PRESENT: Citizens watching via Zoom or present via phone were asked to identify themselves and anyone else who was listening/watching the meeting with them. These individuals in attendance were: Bryan Whisenhunt, Joey Ferguson, Jason Nunn, Steve & Laura Schrunk, and Brian Vandetta.

BUSINESS:

1. Public Hearing: PL2020-04– Iceland Construction – Comp Plan Map and Zoning Map Amendment – Presented by Dave Kinney, Planning Consultant –

Chairman Buganski re-opened the public hearing on the Application of Iceland Construction for a Comprehensive Plan Map and Zoning Map Amendment, Application number PL2020-04, at 7:25 pm. Buganski stated that the Commission needed to go over any Exparte contact that they may have had since the last meeting. He asked Martin to poll the commissioners. The commission members all indicated that they had none. Kinney asked Zedwick some additional questions as she was not in attendance for the first meeting. He asked if she had reviewed the entire packet including the staff reports and minutes and the public testimony from the previous meetings. Ms. Zedwick stated

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that she had. Kinney then asked her if she was able to make an impartial decision as to the application. Zedwick stated that she was. Kinney asked if any of the commissioners, the applicant's representative and the audience if they had any concerns over Ms. Zedwick participating in the hearing. There were no objections.

Buganski asked the audience if there was anyone who wanted the public testimony that was included in the packet for tonight's public hearing read into the record. The audience elected to not have each item of public testimony read as it was included in the packet.

Applicant's Summary & Rebuttal - Brian Vandetta, Udell Engineering & Land Surveying, representing Iceland Construction, LLC., summarized the applicant's rebuttal. Vandetta stated that the buildable Lands Analysis indicates a need for 20 units necessary in multi-family housing over the next 15 years. That staff concluded that there currently is only one acre net available for development in the R-2 zone. This is not enough acreage to provide for those 20 units. The applicant believes that they have demonstrated need for the .98 acres to be rezoned to multi-family housing to help accommodate the needed housing units. Mr. Vandetta asked that the planning commission recommend to the City Council the approval of the application.

Buganski asked if any staff members have questions for Mr. Vandetta. There were none. Kinney asked if any of the Planning Commission members had any questions for the applicant. They had none.

Kinney gave a staff summary. He stated that the planning commission members had receive the packet prior to the meeting. The packet was made available to the public on the city's website. Kinney thanked everyone who participated in the hearing process and those who attended the Zoom meeting. Kinney stated that he would not go through the entire packet, but would go through the highlighted changes from the original report. The Commission members indicated they all reviewed the changes. Kinney stated that duplexes are not allowed within the R-1 zone, and in order to accommodate the duplexes, the applicant must obtain comprehensive plan map and zone map amendment to build duplexes on individual lots. Kinney stated that if the planning commission votes to deny the application, the applicant still has the ability to develop single-family residences on the lots. Kinney stated that a question was raised as to the whether or not the original plat of the lots had been vacated. If the application is denied, there will have to be some research done to determine if the lots have been vacated. It may be possible that the applicant could develop 8 single-family units on that block on the original parcels. This research has not been completed at this time. Kinney stated, that there is two pieces of testimony that has an impact on the decision. 1) Mr. Whisenhunt's testimony raised a couple of issues that are highlighted on page 14 of the updated staff report. His first question was does the city need to increase amount of land for duplexes/multi-family dwellings or are there sufficient lands available. Kinney stated that this is a policy decision. The planning commission must determine if the current parcels zoned for multi-family use are available for development or if there is a need for adding additional land to buildable lands inventory. And 2) Fair Housing Council of Oregon sent a letter, they questioned if the proposal by the applicants provide the opportunity for the

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construction of all types of housing units that meet the needs of citizens of all income levels and housing types. The housing types is the issue. Does the city have enough land to provide for Single-Family Housing, Duplexes, and Multi-family Housing. Kinney stated that the commission needed to look at these two questions together to draw their own conclusion as to whether there is a need for more multi-family housing.

Kinney stated that there was testimony raised about the floodplain, utilities, traffic, pedestrian ways, driveway access in the neighborhood. Most of these under the city's code are related to development review. At this time this is a determination of whether or not the property should be re-zoned. If the zone change is approved, then will have to submit proposal for subdivision or for single-family residential development and submit detailed engineering drawings. These issues will have to be addressed at that time. The biggest issues that were raised were pedestrian access along Beech Street for kids going to and from school and also the capacity of the sewer system. Kinney stated that his conclusion in reviewing the application with these questions in mind, is that these issues are part of the development review.

Kinney stated that the staff recommendation is that the planning commission recommend approval of the application to the city council and adopt the draft findings of facts. If the planning commission does not agree with that assessment and feels that the applicant has not demonstrated a need for the land to be re-zoned to multi-family use, then the recommendation to the city council would be to deny the proposal. The planning commission should indicate what the basis of the criteria is and that there is not a need for more land to be designated for multi-family uses.

Buganski asked if anyone had questions regarding the staff recommendation. There were no questions. Buganski closed the public hearing at 7:37 pm.

Buganski asked Kinney to walk the commission through the process. Kinney stated that page 30 of the staff report included 3 options listed. Option 1) If there is insufficient information to make a decision – Planning Commission could continue the meeting and re-open the hearing, to gather additional testimony. Option 2) If applicant and staff report provide sufficient findings then you could approve the application and recommend that the council approve the application to re-designate the 0.90 acre parcel in the block between Beech, 4th, Cherry and 3rd, from a residential plan designation to a multi-family plan designation and re-zone the property from R-1 to R-2. Option 3) If the application should be denied the motion to deny would be because it does not comply with the comprehensive plan and you should list the reasons, the key issue is that there is sufficient land and there is no need to re-designate and re-zone the land.

Buganski asked if anyone had any questions regarding the options.

Whalen asked if the city had any idea of costs associated with the sites #1 and #2 to make them buildable or accessible. Kinney asked what he meant by this question. Buganski asked Whalen if he was asking about feasibility of building on the other two parcels. Whalen stated that this is his question. Kinney stated with the Vogel Property (#1) the

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primary issue is the city's sewer system and the Beech Street pump Station that the collection system going back to NE Ash and NE 1st Avenue. In the Wastewater Facilities Plan developed by Dyer Partnership there are concerns that there are maintenance issues and I&I in the basin that needs to be corrected. In addition to those corrections there needs to be sewer extensions and street extensions into the site. Whalen stated that he would guess they are cost prohibitive so why we would not remove them from the zone? Kinney stated that they probably developable in the long term, once the city is able to make the corrections to the wastewater facilities system. These improvements need to be done either, concurrently or before that particular property is developed. City needs to do approximately \$5M in repairs, regardless of development. Zedwick asked if lot #1 also has issues with fire emergency services accessing this area. Kinney stated that as part of a development plan they would have to demonstrate access to the site. This may be a cost issue but does not prevent them from developing the site. Kinney stated that there is currently a limitation on sewer which may prevent them from developing within the next 5 years. Whalen are there any of the R-1 properties in the same boat? Kinney stated that there could be in the northeast corner of the city that are served by the same sewer basin. Whalen asked about the math that we are using to calculate what land is available for development in the BLI. Kinney stated that the city did a review of the parcels that were servicable by the extension of utilities, that did not have identified wetlands, identified Floodway, steep slopes along Thomas Creek and Peters Ditch, the city identified which ones were vacant. This was done on a lot by lot basis in 2015, the Wastewater Facilities Plan was completed in 2020 so there is now new information that was not available in 2015 when the Buildable Lands assessment was done.

Whalen commented that the last lot in Thomas Creek Estates has been developed and he believes that the need is greater for more single-family dwellings in the community.

Buganski asked for any additional comments or a motion.

Whalen also stated with walking the area, he is concerned with safety of pedestrians, is it possible to vacate parking to make it visibly safer can we designate that there is no parking along the street? Kinney stated that need to see a detailed design, and planning commission could restrict parking, designate wider pedestrian corridor. Those are all specific design issues.

Clouse asked if that area was discussed as part of the safety proposal that was discussed last year. Kinney safe routes to school was to go down Beech Street go east toward 2nd or 4th across Highway 226 and to go west to the Thomas Creek Estates Subdivision. From the covered Pedestrian Bridge and coming down Beech Street is identified as a safe route to school.

Buganski asked for any additional comments.

Clouse stated that she does see a need for both multi-family and single-family residential property. She has a harder time finding multi-family housing for clients. She has researched the need for both rental and SFH.

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Whalen asked how big will they be and will they be affordable.

Clouse stated that people want to live here, for people to be able to afford the nicer neighborhood, it usually brings the higher end tenant, people are looking for it.

Commissioner Clouse moved, Commissioner Ferguson seconded, to approve File 2020-04 to amend the Scio Comprehensive Plan Map to redesignate a 0.90-acre one-block site bordered by SW Beech St., SW Cherry St., SW 3rd Avenue and SW 4th Avenue from a Residential plan designation to a Multi-Family Residential plan designation and to concurrently rezone the property from R-1 to R-2 and to adopt the findings of fact in the Staff Report dated June 1, 2020. Motion approved 6/0.

Kinney reviewed process, the planning commission's recommendation will be forwarded to the Scio city council. This is tentatively scheduled for July 13, 2020. There will be a new notice sent to everyone in the notice area. The notice will indicate if it will be a virtual or in person meeting, members of the public and the applicants have the ability to provide new or same testimony with the city council.

Buganski thanked everyone for coming and participating.

Meeting Adjourned at 7:56 p.m.

Cathy Martin
Administrative Assistant