



**SCIO PLANNING COMMISSION ELECTRONIC MEETING MINUTES
WEDNESDAY, July 29, 2020**

7:00 PM

COMMISSION MEMBERS PRESENT: Chairman Beau Buganski, Commissioners Richard Androes, Katrina Clouse, Ron Loewen and Nicole Zedwick, were all present via video. Commissioner Ellie Ferguson was present via phone.

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

CALL TO ORDER: Planning Chairman Beau Buganski called the Scio Planning Commission to order at 7:08 p.m.

ROLL CALL: Roll call was taken with all members present. There is one vacancy.

APPROVAL OF MINUTES: The minutes of the June 3, 2020 meeting were reviewed.

Commissioner Clouse moved, Commissioner Loewen seconded, to approve the June 3, 2020 minutes as presented. Motion passed 6/0.

CORRESPONDENCE: None

AUDIENCE IN ATTENDANCE: Adam Clauson, NE Ash Street. As he was the only audience member in attendance, Mr. Clauson was asked if he had a preference as to which application was presented first. He stated that he had no preference.

BUSINESS:

1. Public Hearing: PL2020-06– City of Scio – Annexation and Zoning Map Amendment – Presented by Dave Kinney, Planning Consultant –

Buganski stated that this is a public hearing to consider Land Use File #2020-06, an application from the City of Scio, to annex the 14.82-acre lagoon site on SW 6th Avenue and rezone the site to a Public (P) zone. A copy of the agenda and hearing procedures are located on the city website, along with the staff report. Buganski declared the hearing open at 7:10 pm.

Buganski also noted that Oregon Land use law requires a statement be made available to those in attendance. The detailed Statement, with the information required under ORS 197.763(5), is also posted on the City’s website. He asked if anyone wanted the statement to be read, or if there were any questions or objections. There were no one asked for it to be read or raised any questions or objections to the statement.

Buganski asked if there were any objections to the notice that was sent in this case or if there were any objections to the jurisdiction of the planning commission to hear this case. There were no objections.

Buganski asked the planning commission members for declaration of Conflicts of Interest, Bias or Ex Parte Contact. Martin was asked to conduct a role call; Commissioners Androes, Buganski, Clouse, Ferguson, Loewen, and Zedwick stated they had none.

Ginger Allen, City Manager, made an opening statement on behalf of the city. She stated that she had been unaware that the city's lagoon property was not part of the city limits and upon the city moving forward with building the new public works shop, this came to our attention. In order for the city to make best use of property, the city is requesting the annexation and rezoning of the property.

Planning Consultant, Dave Kinney presented the staff report (see attached). Kinney stated that the city is applying for both a Zoning Map Amendment and Zone Change as well as Annexation of the property that currently contains the city's sewer lagoons. The property is 14.2 acres and comprised of 3 parcels. In order to simplify land use process in improving the site and constructing the new shop buildings, it is much easier to have the property all within the city limits. Staff recommendation was that the city should annex the property into the city limits. Staff report includes map of the property and the criteria that the city must comply with in order to approve the application. Following the public hearing before planning commission, the planning commission will make a recommendation to the city council. Notice of the public hearing was sent to the property owners within the notice area and agencies that may be affected by the application. The city did not receive any written testimony from the public. Agency comments were received from the Scio Fire District and Pacific Power these are included in staff report.

Scio Fire District's comments were that when the city is ready to build the new public works shop building, the city needs to ensure that water supply requirements are met and access for the structure meets the fire code requirements.

Pacific Power stated that they had no comments.

City Engineer, Ryan Quigley of The Dyer Partnership, sent a memo to the city after the staff report was distributed. In the letter dated July 21, 2020 his comments were that it is a benefit to the community and will simplify the ability for the city to develop the public works shop as well as any future wastewater lagoon improvements.

Kinney stated that the staff report then goes through the individual criteria. Pointing out a few of the criteria, Kinney stated:

- 1) The property at the lagoon site abuts Peter's Ditch and is located in the 100-year floodplain. One of the issues that the City is addressing is to try to remove the area next to 6th Avenue from 100-year floodplain. The actual elevation of the property is

- high enough that the city should be able to get a Letter of Map Amendment from FEMA to take that portion of the property out of the 100-year floodplain. The lagoons themselves will still stay within the floodplain, so everything south of Peter's Ditch will stay in the 100-year floodplain.
- 2) Public Facilities are required to be 3 feet above the 100-year base Flood elevation. So even though the property may be taken out of the floodplain, it will still be required to be elevated high enough so if there is a flood that is higher than the elevation indicated on the Flood Map, it will be safe and secure in the future. That area is shown in the staff report.
 - 3) Comprehensive Plan has clear policies that recommend the city acquire property when it is needed for necessary or essential public facilities. This application complies with this basic policy. When the existing city hall building is demolished the city shop will need to go someplace and placing it next to the city lagoon is a logical place for the shop.
 - 4) Annexation process - if the planning commission recommends to the city council to approve both the zone change and Annexation, the city council will have to adopt an ordinance that includes a map and legal description of the property. The map will then need to be submitted to Secretary of State's Office and Oregon Department of Revenue so that it can be updated on all of the statewide maps.

Chairman Buganski asked if there was anyone in attendance that wished to testify in support of the proposal. Buganski stated there were no Proponents.

Chairman Buganski asked if there was anyone who wished to testify in opposition to the proposal. Buganski stated there were no Opponents.

Chairman Buganski asked if anyone wished to provide any general testimony. Adam Clawson, 38757 NW Alder Street, asked if there were plans for the existing building? Kinney stated that the existing city hall and the existing shop building will be demolished. The city intends to design and construct a new city hall facility and library on the corner of NW Alder and NW 1st Avenue, this will include the lot to the east of the existing city hall. Androes and Buganski asked for clarification as the hearing in progress was for the City Lagoon site. Kinney stated that the relationship of the two applications is that if the city hall is demolished then the city has to have a place to move the public works shop to be relocated and the intent is to build a new shop building on SW 6th Avenue. City Manager Allen stated that the city's intention for the shop building located on the 6th street property will be maintained and upgraded in the future for storage.

Buganski asked Mr. Clausen if he had any addition comments at this time. He stated that he did not.

Buganski asked the Planning Commission if they had any questions of staff. Commissioner Zedwick asked about the LOMA and removal of area from the floodplain, does the elevation meet a certain criteria, how does that work? Kinney referred the commission to page 11 of the staff report Map 5 shows the LOMA application area.

Udell Engineering surveyed the property. The area highlighted on the map shows the area that is above the base flood elevation. Udell Engineering has determined the northeast area of the site meets the qualifications to be removed from the Special Flood Hazard Area.

Buganski asked if there were any further questions. There were none.

Kinney asked Assistant City Attorney, Jeffrey Clayson for clarification regarding process, the advertisement of the public hearing stated that there would be the hearing tonight and that the city would accept testimony prior to the hearing and at this meeting, since city has not received any written testimony and the public testimony tonight was not in opposition, he asked if the planning commission could close the public hearing, deliberate and make a recommendation to city council. Clayson asked when the second hearing was scheduled. Kinney stated that the notice indicated that we could hold it next week. Clayson stated that since there was no opposition and as long as the city informs the public that they can voice testimony at the council hearing, it will be fine to propose it to the city council. If there are any comments at that hearing, a second city council meeting may be necessary.

Kinney stated with that clarification from the Assistant City Attorney, his recommendation is to close the public hearing, approve the findings of fact and staff report, and staff's recommendation is to approve the annexation and rezone.

Buganski closed the public hearing 7:33 pm.

Buganski asked how come the lagoons were not annexed into the city sooner, is there any expectation of Linn County to do anything when it is in their jurisdiction. Kinney stated that there is no obligation on Linn County, often times lagoons are located out of town, surrounded by farmland. When the Comprehensive Plan was adopted the lagoon property was included in the city's Urban Growth Area, so in 1980 it was anticipated that the lagoon property would be annexed at some time. From the procedural standpoint of handling future improvements now is the time to annex it.

Buganski asked if there was any financial impact. Kinney stated that the benefit is that the city does not have to go through the county's conditional land use permit process as well as the city's as well as DEQ reviews. If it annexed into the city, the city only has to go through its processes and DEQ if there are any improvements made to the Sewer lagoon facility.

Commissioner Loewen stated that lagoons block a large area of the flood plain, and the site is elevated where the buildings are going, which is great, but we need to make sure that Peter's ditch is maintained. It would be good to have a plan to allow for more flow through that area. Kinney stated that this would need to be a discussion with the design engineer for when development occurs.

There were no further questions.

Commissioner Clouse moved, Commissioner Androes seconded, to recommend the City Council approve File 2020-06 to annex the 14.8-acre lagoon site on SW 6th Avenue and to concurrently rezone the property to a City of Scio Public (P) zoning district and to adopt the findings of fact in the Staff Report dated July 20, 2020. Motion passed 6/0.

Audience member, Adam Clauson, left the meeting following the vote.

2. Public Hearing: PL2020-07– City of Scio – Comprehensive Plan Amendment and Zoning Map Amendment – Presented by Dave Kinney, Planning Consultant –

Chairman Buganski stated that this is a public hearing to consider Land Use File #2020-07, an application from the City of Scio, to redesignate and rezone a 0.15-acre parcel at 38965 NE 1st Avenue in Scio from a Commercial plan designation and C-1 zone to a Public plan designation and Public Zone. The City recently acquired the site and demolished an existing building. The City council proposes to demolish the existing city hall and construct a new city hall and library facility on this block. A copy of the agenda and hearing procedures are located on the city website, along with the staff report. Buganski declared the public hearing open at 7:39 pm.

Buganski also noted that Oregon Land use law requires a statement be made available to those in attendance. The detailed Statement, with the information required under ORS 197.763(5), was also posted on the City’s website. He asked if anyone wanted the statement to be read. There were no questions or objections to the statement.

Buganski asked if there were any objections to the notice that was sent in this case or if there were any objections to the jurisdiction of the planning commission to hear this case. There were none.

Buganski asked the planning commission members for declaration of Conflicts of Interest, Bias or Ex Parte Contact. Martin was asked to conduct a role call; Commissioners Androes, Buganski, Clouse, Ferguson, Loewen, and Zedwick stated they had none.

Ginger Allen, City Manager, gave a brief overview of the proposal. The city purchased the property that we are asking to be rezoned in March of 2019, with the intent of building a new city hall, combining the lots. The new city hall structure will be built upon the completion of the public works shop. Once the new city shop is constructed on SW 6th Avenue we will move the shop out of the existing building, city hall and library will move to the old SMTA office building to continue services there. We will then abate the old building, demolish it. The bid process is to take place the fall of 2021 and begin construction in March of 2022 and be completed by January 2023. These dates are subject to change, we are just entering into the design phase and signing scopes of work on the projects. Kinney asked about city involvement with the design, if there will be a time for the members of the public to give comments on the design of the building. Ms. Allen stated that the design firm has been requested to submit two 3-D conceptual design layouts of the buildings, after working with staff. These will then be presented to the

public during town hall meetings to get further input before selecting the final design. Allen stated that she is giving updates to the city council on a monthly basis regarding these projects.

Planning Consultant, Dave Kinney presented the staff report (see attached). Kinney gave a brief overview, the city's purpose is to rezone block so that it is all in a Public Zone and allow for a new city hall building to be constructed. Agency comments were the same from the Fire Department and Pacific Power. City Engineer made similar comments as on the lagoon property, that putting it all in the same zone makes it easier. The findings go through all of the criteria that are in the Statewide Planning Goals, Comprehensive Plan and Zone Change requirements. Kinney pointed out that in the Land Use Policies, the city spent a long time looking at the old downtown area along north Main Street, and there is a clear policy in the plan that says the retention of the city hall/library in the center of the city should be retained and should be redeveloped. This project will do exactly that. This is the primary issue, retaining city facilities in a place that is easily accessible to the public and is a focal point from a design as well as a locational standpoint. Staff's recommendation to approve application, comp plan amendment and zone change. There was no public testimony presented before this hearing and other than the question by Adam Clauson about what was going to be done with the facilities during previous public hearing, there was no other testimony provided on this application. Kinney asked Assistant City Attorney Clayson if the planning commission could proceed the same as on the previous public hearing with a motion to the city council. Mr. Clayson stated that his recommendation would be the same.

Chairman Buganski stated that there are no audience members in attendance, so are no Proponents.

Chairman Buganski again stated that there are no audience members in attendance, so there are no Opponents

Chairman Buganski stated that there are no audience members in attendance, so there is no General Testimony

Buganski asked if there was any questions for clarification. There was none. Buganski then asked if there were any addition comments that Ms. Allen or Mr. Kinney wanted to make at this time. There were no additions.

Buganski closed the hearing at 7:52 pm. Buganski made one comment, because of position of the board of the SMTA was aware of the city's plan to lease or rent space from the co-op but did not know any of the details. Kinney asked if it affects his ability to make a decision. Buganski stated that it does not affect his decision.

Buganski asked if there were any additional questions from the planning commission. There were none.

Commissioner Clouse moved, Commissioner Zedwick seconded, to recommend city council approve File 2020-07 to amend the Scio Comprehensive Plan Map to redesignate a 0.15-acre site at 38965 NW 1st Avenue from a Commercial plan designation to a Public plan designation and to concurrently rezone the property from Commercial (c-1) to Public (P) and to adopt the findings of fact in the Staff Report dated July 20, 2020 . Motion passed 6/0.

3. Property Line Adjustment: PL2020-06– City of Scio – City of Scio Lagoon Site on SW 6th Avenue – Presented by Dave Kinney, Planning Consultant –

Dave Kinney stated that this is straight forward application. Letter in packet, review of the application it combines the three tax lots that are on the lagoon site. The City will have to file new survey combining them all into one property, it will have one legal description. This allows the city to do modifications to the lagoons in the future and they don't have to worry about building encroachments across property lines. It complies with the property line adjustment requirements, it does call for the planning commission to review and either approve or deny the property line adjustment. Buganski asked if this requires a public Hearing. Kinney does not. It is part of the duties and responsibilities of the planning commission.

Commissioner Clouse moved, Commissioner Zedwick seconded, to approve the property line adjustment and conditions of approval, condition that city complete a survey and remove all property lines. Motion passed 6/0.

4. Property Line Adjustment: PL2020-07– City of Scio – City of Scio City Hall Site – NW 1st Avenue – Presented by Dave Kinney, Planning Consultant –

Dave Kinney stated that this is also a straight forward application. This combines the three tax lots on the corner of NW Alder and NW 1st Avenue and combines them into one parcel. City will file a new survey and one legal description. This gives the designers the ability to design a new city hall that is appropriate for the community. Staff recommendation is approval of the property line adjustment application with the condition of completing a survey.

Commissioner Zedwick moved, Commissioner Androes seconded, to approve the property line adjustment and conditions of approval as recommended. Motion passed 6/0.

Buganski asked about the design process and public involvement. Ms. Allen reviewed the process. Meetings will be held with the architect and staff to initially discuss the needs of services. A draft plan will submitted by the architect for initial review by staff and for some public comments prior to the construction of a 3-D visual. There will be community meetings along the way. Ms. Allen stated that the building will have a senior center area and a community meeting area.

Commissioner Ferguson stated that she works for the architecture firm that is doing the design, and asked if she needed to make a statement regarding that at some time. Kinney stated that she just made that a public record. If at some time a land use application comes up, where the planning commission has to make a decision, Ms. Ferguson would have a potential benefit from the project and would need to step away and not participate in the hearing decision. Ms. Ferguson is free to give input on the design to her employer as well as staff at city hall, but would not be able to participate in any decision by the planning commission.

Commissioner Androes asked what will the exterior look like – old and country or new and modern. Allen stated that we really don't think it would be modern as that would not fit in with the community livability. She anticipates that it will be more like a modern farmhouse type exterior, where it complements the new fire station building and embraces the history and agriculture centered around the community.

There were no further questions or comments.

Next meeting is August 26, 2020, at 7:00 p.m.

Meeting Adjourned at 8:06 p.m.

Cathy Martin
Administrative Assistant