



**SCIO PLANNING COMMISSION MEETING MINUTES
WEDNESDAY, November 28, 2018**

7:02 PM

CALL TO ORDER: Chairman Wooten called the regular meeting of the Scio Planning Commission to order at 7:03 p.m.

COMMISSION MEMBERS PRESENT: Commissioners Richard Androes, Beau Buganski, Nicole Zedwick, and Cliff Wooten. Ron Loewen and Dennis Thomas were absent.

STAFF PRESENT: Planning Consultant Dave Kinney, City Manager Ginger Allen, and Administrative Assistant Cathy Martin

APPROVAL OF MINUTES: The minutes of the October 24, 2018 meeting were reviewed.

Commissioner Buganski moved, Commissioner Androes seconded, to approve the minutes of October 24, 2018 as presented. Motion passed 4/0

CORRESPONDENCE: None.

REGULAR SESSION:

1. Public Hearing – PL2018-11 KJ’s Child Care, Site Development -

Wooten opened the public hearing at 7:04 pm. Planning Commission members and staff introduced them to hearing participants. Audience members introduced themselves. Wooten asked for declarations of Ex Parte contact, there were none.

Dave Kinney presented the staff report. The land use application was received from Joshua & Kim Johnson, to open a childcare facility in a vacant building at 38761 N Main Street. A childcare facility is a permitted use, subject to a site plan development hearing before the Scio Planning Commission.

The Oregon Department of Education, Child Care Division, issues the child care certificates for the operation of the child care facilities in the State of Oregon. Prior to the issuance of the child care certificate, the applicant must demonstrate to the Oregon Department of Education that the proposed use complies with city zoning requirements.

Kinney reviewed the “Site Plan Review” Criteria from the Zoning Ordinance as follows:

- *Criteria 1) Adequate public and private utilities are available to serve the development in compliance with the City’s public works standards.* – The current building is served by existing public facility and private utility services. No new public facilities are planned, conclusion public utilities are adequate to serve the facility.

- *Criteria 2) 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 public streets.*
- *Criteria 3) 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. – Recommend Condition of Approval – The applicant will submit a final plan to the city, for review and approval by the City Manager, showing the play area, security fencing and a safe access route to/from the play area to the rear of the building. At the rear entry door, a 5' wide striped pathway will extend from the rear door across the alley to the play area.*
- *Criteria 4) Provision of on-site parking areas and adequate loading/unloading areas for the proposed uses and in compliance with Sections 5.200 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. – Recommended Condition fo Approval – Two parking spaces (south of the entry door) behind the child care facility be designated, striped and signed as (1) the ADA space and (2) a parent pick-up/drop-off space for the child care facility.*
- *Criteria 5) The design and placement on the site of buildings and other structural improvement 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 fo the proposed improvements.*
- *Criteria 6) Provision of landscaping of the site including the planting of trees, street trees, shrubs, and groundcovers so tha thte landscaping presents an attractive interface with adjacent residential properties.*
- *Criteria 7) Provision of visual or physical parries around the property including the provision of site obscuring fencing or vegetative screening between a commercial and/or public use and adjacent residential properties.*
- *Criteria 8) 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. – Recommended Condition of Approval – Installation of exterior lighting near the front entry to light the entry during early morning and evenings for child drop-off and pickup, must comply with city's requirement to shine down and avoid glare.*
- *Criteria 9) The use is in compliance with the other development standards which are specified by the Scio Zoning Code or public works design and construction standards.*

Recommendation to the planning commission is that the application be approved with conditions of approval to ensure that it complies with the city's requirements and the state licencing requirements. 1) approved site plan stamped by the city; 2)provide two striped parking spaces behind hair salon and two additional spaces south of rear entry door (one space short term and one ADA compliant), accessible path from rear entry door to outdoor paly area and off-site gravel parking; 3) Exterior Playground area including security fencing plan must be submitted along with copy of lease or agreement with Scio Lamb & Wool Fair

for the use of their open space; 4) Exterior Lighting of Front Entry; 5) Applicant will Obtain Child Care Facility Certificate; and 6) Site Plan Approval will expire on December 1, 2019.

Joshua Johnson, Applicant, spoke to the commission regarding the application. Open daycare in home, have been looking into opening a facility. Age range – infant to 12 years. With building square footage, up to 36 children (8 infants) must remodel, they have to put a kitchen in.

Kelly Kilgore & Sue Kramer, Oregon Department of Education – childcare licensing specialists. Also spoke on behalf of the applicants. Ms. Cramer stated that the age allowed to enter childcare is 6 weeks of age. Mr. Johnson spoke regarding the play area. He proposed this to the Lamb & Wool Fair, the fencing would have to be temporary. Plan is for using 4 ft chainlink panels that can be removed for their events. Will mark the crosswalk and place crossing signs. Mr. Johnson stated they will be required to install a full kitchen. This will require some updating to the structure. Parking - have an agreement with property owner for use of gravel parking.

Kinney asked what type of play equipment would be placed on the Lamb & Wool Fair property. Mr. Johnson stated that plastic is planned, it must be approval by the state.

Buganski asked about questions regarding parking for employees. Mr. Johnson stated they will need a total of 6 spaces. Ms. Kramer spoke regarding the staff requirement for adult /child ratio with age range – Infant 1-4 ratio max 8 kids. Over 2 years max class size is 10 – require 1 teacher/assistant, 3 yrs 1 per 10 kids, school age 1 per 15 kids. Ms. Kramer spoke regarding the fact that the State of Oregon is in a crisis for places for infant/toddler. Anticipation of influx after school. Ms. Kilgore stated that they may breakup larger room to accommodate the classes. Allen does the staff/child ratio take into consideration safety issue. Can there be a “Locked door” to the front. Ms. Kramer stated that they encourage facilities to lock the entrance door for access with doorbell to open for access.

Allen asked about the agreement with the Lamb & Wool Fair. Specifically, what the plans for when there is an event. Where will kids get their activity when the facility is in use?

Ms. Kramer stated that sporadic events are not an issue. City walks are allowed as an activity.

Buganski asked about educational program plans? Mr. Johnson stated that this is what his wife currently does. Ms. Kilgore stated that with the licensing, there has to be a set daily schedule.

This is a requirement with the license to have a program of activities in early learning..

Androes asked about the hours for the facility. Mr. Johnson stated that the hours will be Monday through Friday from 6:15 am to 6:15 pm.

Buganski asked about transportation to/from the schools. Mr. Johnson stated that they have a 14 passenger bus and would pick-up kids at Centennial and transport them to facility.

Kinney asked if Mr. Johnson had any questions regarding the recommended conditions of approval. Mr. Johnson stated that they were all achievable.

Kinney asked Ms. Kramer and Ms. Kilgore if the city missed anything. Ms. Kilgore stated that part of the requirement for the facility to maintain state licensing, that there will be unannounced monitoring visits to make sure they stay in compliance. They will probably have 3 within the 1st year.

Kinney also asked if the stated inspects the facility to make sure the remodel complies before you issue license? Ms. Kramer stated that they expect the city to issue a notice that they applicant has meet city conditions to get license from state.

Buganski asked about the crosswalk, are there going to be any additional requirements for stop signs on the alleys? How will you make it noticeable. Mr. Johnson stated they will be placing the “children at play” signs a certain distance from crosswalk.

Buganski also remarked that the corner at café’ is a blind corner during dark hours, and that he is concerned with safety. Mr. Johnson – fire marshal has brought up some things that he needs to take care of.

Androes asked about fencing of the Lamb & Wool Fair property. Katrina Clouse, representing Lamb & Wool Fair, stated that when the board was asked about using the property they did not know about fencing and/or play structures. The Lamb Fair does have week-long camping and other times when they rent out property for other events. She stated that the Lamb Fair Board members will need the applicant to come back to the LWF meeting to discuss needs. Did not know all details of the need for the use of the facility.

Ms. Kramer asked how often has the property been rented for a length of time. Ms. Clouse stated that they rentals can be very sporadic, that weekend events that start on Thursdays and Fridays and there are no bathrooms out there.

Ms. Kilgore stated that fencing is a requirement, but play structures are not. There is an exception process for fencing for the state, in how can they meet the requirements (i.e., increase number of adults.)

Androes commented that based on what he was hearing, the Lamb & Wool Fair facility is convenient but they could walk as a group to another facility.

Proponents Testimony -

Nadji Vogel, property owner, stated that this is an opportunity to have a facility downtown and that it just needs to be made safe.

Neutral Testimony -

Katrina Clouse, she stated that as a board member of the Lamb & Wool Fair, those concerns have already been voiced. As an adjacent business owner she asked if there were any plans to sound proof the walls, as she was concerned about noise interference with her clientele. Mr. Johnson stated that they will probably line walls with corkboard and are not opposed to doing this to help minimize noise, it will also be utilized for art projects, etc. He further stated that they may be required to do some fireproofing.

May Garland, N Main Street, stated that she was very pleased to see the extent that the applicants have gone to get licensing for the state. She stated that the business will need to have a lot of awareness / signage, and asked if there were truck traffic in the alley?

Wooten asked if planning commission had any additional questions. There were none. He then asked if the Applicant had any rebuttal – None.

Kinney presented the staff summary. He asked Ms. Kramer and Ms. Kilgore if there was any issue that they see at this time that the state would not issue a certificate. They did not have any concerns. Kinney stated that they only issue is the play area, the conditions require some type of security fencing for play area, to keep kids from darting into either alley, even though state might

grant an exception. Zedwick asked about use of the Pavilion. Ms. Kilgore stated that the play area can be scaled down, the state requirement is 75 feet per kid, by taking out smaller groups at a time, the size could be reduced. Mr. Johnson stated that the fencing would need to be something that is movable quickly with a height of 4 feet.

There were no further questions. Wooten closed public hearing at 8:04 pm.

Planning Commission Deliberation - Conditions of approval. Buganski asked if there was a timeline constraint. It was noted that the applicant needed an approval in order to move forward.

Androes Motion to approve the site plan review application for KJ's Child Care facility 38761 North main Street in Scio, File No. PL 2018-11, subject to the conditions of approval and to adopt the findings of fact as modified and waive the paved parking requirements for the off-site parking spaces as allowed under Section 3.260 of the Scio Zoning Ordinance, Buganski seconded the motion. Buganski stated that he is concerned with figuring out play areas. Kinney stated that as part of the staff report, the planning commission would be deferring to staff to approve, the conditions of approval which will included 1) plan for walking kids & security of play area & 2) written agreement between LWF & applicant. There were no other questions and the Motion was approved 4/0.

Kinney stated the planning commission decision is appealable to the Scio City Council if filed within 15 days of the mailing of the notice. If no appeal is made the applicants have 1 year to comply with the conditions of approval.

- 2. Comprehensive Plan Update – Transportation Chapter** – Kinney a copy of the draft was given to Linn County Planning Department, Linn County Road, & ODOT. Planning requested one change to language. ODOT's response recommended a couple of changes (=1) table of street standards – done in code will put in Comp Plan, 2) not familiar with "Turnpike Street" changed the name and define. 3) reference to map that labels were not clear. Final maps will be done by Linn County. Linn County Road Department has not responded, they have been consulted. If PC concurs will set public hearing for January planning commission meeting. Allen as much as wanted chapter done sooner, but best that city waited for the county to finish their transportation plan so that we are in alignment. Kinney need some information from School
- 3. Flood Hazard Ordinance** – City had site visit with Celinda Adair, DLCD NFIP Coordinator, two areas of concern 1) staff not correctly interpreting and administering how and where they need to be placed. 2) elevation certificates - State is recommended that the certificate is completed in 3 phases in the process. 1) plan submittal, 2) foundation/ready to set first floor prior to any walls and 3) final. Allen stated that city staff is not qualified, if something goes wrong, city has to take steps to correct, takes the city out of the liability.

Recommendation to do a couple minor revision of the ordinance, city has some additional changes. Add language to clarify when they are required to meet state & federal rules. One

other change 3-4 homes identified during TA Grant – insert elevation of the of HVAC etc. Schedule hearing for January PC meeting as well.

- 4. Planning Commission Member Search** – Martin stated that she had spoken with Nicole Meuret and she was unable attend tonights meeting. Dennis will be leaving the Planning Commission as he has been elected to city council.

There was no further business and the meeting was adjourned at 8:46 pm.

The next regular meeting was scheduled for January 30, 2019.

Cathy Martin, Clerk
Scio Planning Commission