



Scio Planning Commission

Scio City Hall - 38957 NW 1st Avenue, Scio, Oregon

AGENDA

February 24, 2021 (7:00 PM)
ELECTRONIC MEETING

The Scio Planning Commission will be hosting a live, ZOOM meeting due to the COVID-19 restrictions. Anyone wishing to join the meeting may do so by choosing one of the following options:

<https://us02web.zoom.us> Meeting ID: 885 5561 4906 Passcode: 41mwuY
or phone: 1-253-215-8782 Meeting ID: 885 5561 4906 Passcode: 418723

If you cannot attend the meeting, written comments shall be accepted by email to cmartin.cityofscio@smt-net.com through to 4:00 p.m. on Wednesday, February 24, 2021.

Chairman - Beau Buganski

Commissioner Richard Androes

Commissioner Katrina Clouse

Commissioner Ellie Ferguson

Commissioner Ron Loewen

Commissioner Nicole Zedwick

Vacant

7:00 P.M. REGULAR SESSION

CALL TO ORDER:

ROLL CALL:

APPROVAL OF PLANNING COMMISSION MINUTES: October 28, 2020 Minutes

CORRESPONDENCE:

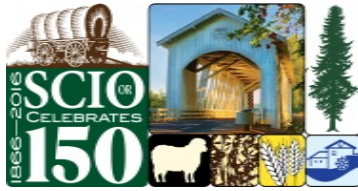
BUSINESS:

1. *PL2021-01* – City of Scio – Property Line Adjustment
10S01W18AA, Tax Lots 1601, 3401 and 3500
Presented by: Dave Kinney, Planning Consultant
2. Planning Commission Vacancy

ADJOURNMENT:

NEXT SCHEDULED PLANNING COMMISSION MEETING(S)

- Wednesday, March 31, 2021, 7:00 p.m. Scio City Hall



**SCIO PLANNING COMMISSION ELECTRONIC MEETING MINUTES
WEDNESDAY, October 28, 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.

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

CALL TO ORDER: Planning Chairman Beau Buganski called the Scio Planning Commission to order at 7:05 p.m.

ROLL CALL: Roll call was taken with Commissioner Ellie Ferguson excused. There is one vacancy.

AUDIENCE MEMBERS IN ATTENDANCE: none

APPROVAL OF MINUTES: The minutes of the September 30, 2020 meeting were reviewed.

Commissioner Zedwick moved, Commissioner Androes seconded, to approve the September 30, 2020 minutes as presented. A voice and hand vote was taken. Motion passed 5/0.

CORRESPONDENCE: None

AUDIENCE IN ATTENDANCE: None

BUSINESS:

1. Public Hearing: PL2020-08– City of Scio – Scio Zoning Code Text Amendments – Parking - Presented by Dave Kinney, Planning Consultant –

Chairman Buganski re-opened public hearing at 7:06 pm to consider Land Use File #2020-08, Scio Zoning Code amendments; this is a continuation of the Public Hearing from August 28, 2020.

Planning Consultant, Dave Kinney, stated that at the August 28th meeting, the Fair Housing Council of Oregon made comments as to the lack of findings for the consideration of the Planning Commission. Kinney stated that a revised staff report was prepared with draft findings. Copies of the draft findings were provided in the planning commission's meeting packet, copies were also provided to the Fair Housing Council of Oregon, the Department of Land Conservation and Development as well as being posted on the city website. Kinney stated there were a couple of changes in the staff report from

the first hearing. 1) The findings were added to the draft ordinance. 2) Commissioner Loewen also asked for staff to take a look at the boundaries of the exempt area for parking standards. On the last page of the packet, a revised map has been prepared.

Kinney reviewed proposed map boundaries. He stated that he identified all of the commercial buildings in the commercial zone. He did not include area from SW 3rd Avenue to SW 5th Avenue along Highway 226 within the exempt zone due to number of residential homes in the area. He asked Loewen if this covered the area of concern. Commissioner Loewen stated that it does, that there is only one commercial building that is not covered by the map. Kinney stated that one problem with that lot is that it currently has both a residence and a commercial building on the lot, and is a distance from any other commercial buildings. The boundary map as proposed does cover the area that everyone was concerned with at the last meeting. Commissioner Androes asked about the property on SE Ash that was changed to commercial use. Kinney stated that it is similar to the property on the corner of Highway 226 and SE 5th Avenue in that there is a residential use as well as a commercial use and due to distance from the other commercial uses would not include it in the boundary for exemption. The rest of the area is mostly residential.

Kinney stated that FHCO submitted comments on the draft findings, they stated that the city did not have a table for future housing needs. This has been modified, to add a table. He reviewed the table with the planning commission. Kinney stated that this table was submitted to FHCO via email and they stated that the findings are adequate. Staff recommendation is to forward to the city council

Only other questions Historical Society – they should be exempt from any issues. Buganski asked if the planning commission members had any questions.

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

Martin stated that there have not been any questions regarding the application. The only questions were from Mr. Rebmann. The revised staff report was sent to him and he did not ask any further questions.

Assistant City Attorney Jeff Clayson stated that he sees no issues with the application.

Buganski closed the hearing at 7:17 pm.

Commissioner Androes moved, Commissioner Loewen seconded, to recommend that the city council adopt the updated parking standards in Ordinance No. 617. Motion passed 5/0.

Next meeting is to be announced. Meeting Adjourned at 7:19 p.m.

Cathy Martin, Administrative Assistant



City of Scio

Covered Bridge Capital of the West

David W. Kinney

Planning Consultant for the City of Scio

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January 21, 2021

Ginger Allen, City Manager
City of Scio
PO Box 37
Scio, OR 97374

RE: Planning File 2021-01
Property Line Adjustment
Assessor's Map 10S 01W 18AA, Tax Lots 1601, 3401 and 3500

Dear Ginger:

The property line adjustment proposal to adjust the boundary for two city-owned parcels on N. Main Street and the Scio Stop & Save Market at 38777 N. Main Street, as shown on Map 1 complies with the City's application requirements.

In accordance with Scio Municipal Code, Land Division Ordinance No. 562, a lot line adjustment must be reviewed and approved by the Scio Planning Commission. The Planning Commission will hold a regular meeting on February 24, 2021 at 7:00 p.m. at City Hall to consider your application.

I recommend the Planning Commission approve your proposal because it complies with the Property Line Adjustment criteria in Section 8.540 of the Scio Land Division Code.

A. Property Line Adjustment Proposal

The City of Scio and 38777 LLC have filed an application requesting the Scio Planning Commission approve a property line adjustment to sell two small parcels totaling 0.03+/- acres of land on N. Main Street to the Scio Stop-n-Save Market, 38777 N. Main Street and vacate an existing north-south alley that runs underneath the existing Stop-n-Save market building.

If both the property line adjustment and the alley vacation are approved by the City of Scio, then the two parcels, Area A and Area B, will be transferred to the owners of the Scio Stop-n-Save Market and consolidated with the market's 0.68-acre parcel, as shown on Map 1 and listed in Table 1.

Map 1
Property Line Adjustment @ 38777 N. Main Street, Scio, Oregon



Table 1
City of Scio & Scio Stop-n-Save Market
Proposed Property Line Adjustment and Alley Vacation

Area	Assessor's Map and Tax Lot	Property Owner	Existing Lot Size (sf)	Area Removed (sf)	Area Added (sf)	Adjusted Lot Size
A	10S 1W 18AA TL 3401	City of Scio	2,360	(680)	---	1,680
B	10S 1W 18AA TL 03401	City of Scio	1,060	(1,060)	---	----
C	10S 1W 18AA --- Alley	City of Scio	3,060	(3,060)	---	Vacated
	10S 1W 18AA TL 03500	38777 Scio LLC Scio Stop-n-Save Market	29,907	---	4,800	34,707
Totals			36,387	(4,800)	4,800	36,387

B. Findings and Conclusions:

The applicant has complied with the application requirements and decision criteria for a property line adjustment set forth in Scio Land Division Code Chapter 8.5

Criteria 1: The lots being modified in size through the property line adjustment shall meet the minimum lot size, width, and street access requirements of the zone in which they are located.

Criteria 2. If, prior to application, the lot did not meet lot size or width requirements, the property line adjustment shall not result in greater nonconformity with the applicable standards. However, street access requirements shall be met on the resulting parcels

Findings: Table 1 shows the two parcels (TL 3401 and TL 1601) and the alley in this block are owned by the City of Scio and are designated and zoned for Commercial Use. One parcel (TL 3500) is owned by the Scio Stop-n-Save Market. TL 1601 will be eliminated and the alley will be vacated. TL 3500 will be increased in size from 0.68-acres to 0.78-acres. There are no minimum lot size or width requirements in the Commercial zone.

The proposed lot complies with Criteria 1 and Criteria 2.

Criteria 3. The amended lot lines do not encroach on the location of sewage disposal or water supply lines or easements

Findings: The proposal will eliminate several interior lot lines. There are no water or sewer utility encroachments. The proposal complies with Criteria 3.

Criteria 4: The property line adjustment does not create any additional lots.

Findings: No new parcels are created. One parcel (TL 1601) and the alley will be eliminated. If the Planning Commission approves the property line adjustment and the City Council approves the City's proposal to vacate the alley, then a new partition plat survey must be prepared and recorded to eliminate any of the prior subdivision and alley lines. The proposal complies with Criteria 4.

Criteria 5: The property line adjustment does not create building encroachments into any specified setback area. In situations where there is an existing building encroachment, the adjustment shall not result in a greater setback encroachment.

Findings: The north edge of the Scio Stop-n-Save market may encroach over a property line. If so, then the new property lines for TL 3401 and TL 3500 will be located to avoid any encroachment. The proposal complies or can comply with Criteria 5.

Criteria 6: If, in the review of the property line adjustment request, the Zoning/Building Official or Planning Commission determines that the adjustment appears to be a preliminary step toward subsequent partitioning or subdivision of any or all of the affected lots, the applicant(s) shall prepare a preliminary plan showing how the property will be divided

Findings: There are no plans toward subsequent partitioning or subdivision of the lots. The proposal complies with Criteria 6.

Criteria 7: Verification of ownership for each property must be presented to the Zoning Official.

Findings: The Linn County Assessor's records show the following ownerships:

<u>Assessor's Map Tax Lot</u>	<u>LC Assessor</u>	
	<u>Account #</u>	<u>Owner</u>
T10S R1W 18AA 01601	768078	City of Scio, PO Box 37, Scio, OR 97374
T10S R1W 18AA 03401	768086	City of Scio, PO Box 37, Scio, OR 97374
T10S R1W 18AA 03500	29815	38777 Scio LLC, 2266 TREEMONT CT S, SALEM, OR 97302

The proposal complies with Criteria 7.

Criteria 8: The property owners of each lot affected by the property line adjustment must sign a statement of agreement with the proposed changes.

Findings: City Manager Virginia Allen signed the application form on behalf of the City concurring with the proposal and Harjindersit Singh signed the application on behalf of 38777 Scio LLC. The proposal complies with Criteria 8.

C. Planning Consultant Conclusions and Recommendation:

This property line adjustment application was submitted by the City Manager, under direction from the Scio City Council. The City proposes to sell "Area A" and "Area B" and vacate the existing alley, "Area C", as shown on Map 1 to the owners of the Scio Stop-n-Save Market at 38777 N. Main Street in Scio. The City concluded that the parcels totaling 0.10-acres are surplus lands which may be either vacated or sold in accordance with the provisions of ORS 271.

Upon the City Council approval and adoption of an alley vacation ordinance, the City of Scio may prepare a final property line adjustment survey and complete the transfer of ownership.

Based upon the above stated findings and conclusions, the City's Planning Consultant, acting as its Zoning Official, concludes the City of Scio's proposal for a property line adjustment complies with all applicable requirements and decision criteria of the City of Scio, Oregon and hereby **recommends the application be approved, as shown on Map 2, attached hereto, subject to the following condition of approval.**

D. Conditions of Approval:

All conditions of approval must be completed by December 31, 2021. If conditions are not completed by that date, the approval is null and void unless a written extension is granted by the City.

1. The City of Scio shall commence proceedings to vacate the alley at 38777 North Main Street (Assessor's Map 10S 01W 18AA, Tax Lot 3500) within 90 days of approval the property line adjustment by the Planning Commission.
2. Upon approval of an ordinance vacating the alley, the City shall submit a certified copy of the adopted ordinance to the Linn County Clerk and Linn County Assessor's Office.
3. A licensed surveyor in the State of Oregon shall prepare and record a property line adjustment survey map with the Linn County Surveyor that complies with ORS 92 requirements.
4. Final Plat Maps: A copy of the recorded property line adjustment survey and the alley vacation

ordinance shall be provided to the City of Scio and included in the land use file within 30 days of its recording.

E. Scio Planning Commission Action

The Scio Planning Commission will consider the proposal at its meeting on February 24, 2021. No public hearing is required. The applicant is invited to attend the meeting and present the proposal to the Planning Commission. The City staff will present the staff report to the Commission.

The Planning Commission may either:

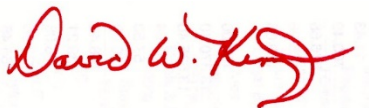
1. Approve the property line adjustment and conditions of approval (as recommended).
2. Approve the property line adjustment and conditions of approval (with modifications).
3. Deny the proposal if the Planning Commission finds it does not meet all criteria.

After the Planning Commission decision, the City's Planning Consultant will issue a Notice of Decision.

F. Right of Appeal:

Any person aggrieved by a decision of the Scio Planning Commission may file an appeal with the City Council within ten (10) days of the date the City issues a written Notice of Decision. If you have any questions regarding the Scio Planning Commission decision, you may contact Administrative Assistant Cathy Martin at City Hall at 503-394-3342.

Sincerely,



David W. Kinney
Planning Consultant for the City of Scio

Map 2
Property Line Adjustment @ 38777 N. Main Street, Scio, Oregon

