

## CITY OF SWEET HOME PLANNING COMMISSION AGENDA

May 04, 2023, 6:30 PM Sweet Home City Hall, 3225 Main Street Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones - Anyone who wishes to speak, please sign in.

### **Mission Statement**

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

### **Meeting Information**

The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be an opportunity for public input via the live stream. To view the meeting live, online visit http://live.sweethomeor.gov. If you don't have access to the internet, you can call in to 971-203-2871, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: 246 156 257#

### Call to Order and Pledge of Allegiance

### **Roll Call of Commissioners**

**Public Comment.** This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.

### **Meeting Minutes:**

a) April 6, 2023 Planning Commission Meeting Minutes

### **Public Hearings**

**Application CMA23-01** 

**Application ZMA23-02** 

### **Staff Updates:**

Round Table Discussions (Committee comments about topics not listed on the agenda)

### **Adjournment**

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

### Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
  - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:

<u>READ</u>: "The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue."

- Declarations by the Commission:
  - <u>Personal Bias</u> Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
  - <u>Conflict of Interest</u> Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
  - <u>Ex Parte Information</u> The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.

### Staff Report

- Review of application
- Discussion of relative Criteria that must be used
- During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
  - Applicant's Testimony
  - Proponents' Testimony
    - o Testimony from those wishing to speak in favor of the application
  - Opponents' Testimony
    - Testimony from those wishing to speak in opposition of the application
  - Neutral Testimony
    - o Testimony from those that are neither in favor nor in opposition of the application.
    - Rebuttal
- o Close Public Hearing
- Discussion and Decision among Planning Commissioners
  - **Motion** 
    - Approval
    - Denial
    - Approval with Conditions
    - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
  - o Recommendation made by Planning Commission—City Council makes final decision.

If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.



# CITY OF SWEET HOME PLANNING COMMISSION MINUTES

April 06, 2023, 6:30 PM Sweet Home City Hall, 3225 Main Street Sweet Home, OR 97386

WIFI Passcode: guestwifi

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### **Meeting Information**

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### Call to Order and Pledge of Allegiance

The meeting was called to order at 6:33 PM

### **Roll Call of Commissioners**

PRESENT
Laura Wood (Video)
Jamie Melcher (Video)
Henry Wolthuis
Jeff Parker
Todd Branson
Nancy White

ABSENT Eva Jurney

### **STAFF**

Blair Larsen, Community and Economic Development Director Angela Clegg, Associate Planner

### **GUESTS**

Brian Oakes, 24051 Territorial Road, Monroe, OR 97456
Mark Scott, 1207 Clark Mill Road, Sweet Home, OR 97386
Mark Lund, 39627 Mt. Hope Drive, Lebanon, OR 97355
Tim Wood, FCS Group, 5335 Meadows Rd, Suite 330, Lake Oswego, OR 97035

**Public Comment.** This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.

### **Meeting Minutes:**

a) March 16, 2023 Meeting Minutes

A motion to approve the minutes was made by Branson, seconded by Wood.

Voting Yea: 6 Voting Nay: 0 Absent: 1

### **New Business**

### a) Application for LA23-02

Clegg explained to the Commissioners the reason for the need to have their approval to sign the application and move forward with the Municipal Code revisions.

Motion to approve signing Application LA23-02 was made by Wolthuis, seconded by Branson.

Voting Yea: 6 Voting Nay: 0 Absent: 1

### **Public Hearings**

### a) Housing Needs Analysis Summary Report

Staff informed the Commissioners that the Consultants were not present for the meeting, but staff could answer questions. The Commissioners have the option of continuing the hearing or voting on it as presented. Larsen reviewed some of the changes that occurred since last presented and stated that it was DLCD that prompted the changes. The Commissioners discussed the content of the report.

The public hearing was opened at 7:55 PM

Commissioner Parker asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Testimony in favor: None Testimony in opposition: None Neutral Testimony: None

The public hearing was closed at 7:58 PM

Commission discussion

A motion to recommend to the City Council that the Housing Needs Analysis and Comprehensive Plan Amendment be adopted was made by Wolthuis, seconded by White.

Voting Yea:5 Voting Nay:0 Absent: 2

Consultant Time Wood of FCS Group, logged on via video at 8:01 PM. Staff informed Wood of the approval vote.

### b) Application ZMA23-01 Staff Report

The public hearing was opened at 6:44 PM

Commissioner Parker asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Associate Planner Clegg gave the staff report, stating that the applicant is proposing to change the Zoning Map in an area consisting of approximately 190,211 square feet (5.18 acres) located in Sweet Home, OR 97386 (13S01E32AA Tax Lot 600). The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Residential High Density (R-3) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application.

Mark Lund testified on behalf of the application stating that they will be building an apartment complex with a fitness center.

Commissioner Wolthuis stated that he has no issues with this stage of the plan. Commissioner White asked the applicant to repeat the use. Larsen clarified that the apartments are outright permitted in the proposed zone so the building plans will not come before the planning Commission.

Testimony in favor: None

Testimony in opposition: Mark Scott raised concerns about having apartments next door, if the development will affect wells, there are no sidewalks, lighting shining on neighboring lots, traffic flow will increase and may cause issues at Highway 20 and Long Street. Commissioner Parker explained the zoning and the comprehensive plan designation. Director Larsen explained the Highway 20 / Clark Mill Road intersection is going to be a part of the transportation system plan update. Larsen explained that there will be sidewalk and street improvement required with the development agreement. Scott raised the issue of there not being sidewalks on either side of the subject property. Larsen explained that when a proposed development like this goes in, the City will coordinate with neighboring property owners to construct the remainder of the sidewalk sections. Scott brought up that he was told there was a wetland at the back of the property. Larsen explained that there are building permit requirements regarding wetlands. Larsen stated that any lighting would be designed to not cause light trespass into abutting properties. Scott discussed his concern about wells drying up. Larsen explained that he doesn't have the expertise to comment on the well and they are regulated by the county.

**Neutral Testimony: None** 

Commissioner Parker asked the applicant if he would like to rebut any comments made. He said no.

Clegg addressed the wetland question and explained to the Commissioners that there is a wetland to the west of the subject property but not on the property itself.

The public hearing was closed at 7:05 PM

Commissioner Parker discussed the wetland and riparian zone. Clegg and Larsen informed the Commissioners that there is no riparian zone for this creek. Only Ames Creek, Wiley Creek, and the South Santiam River have riparian zone restrictions. Commissioner Branson is concerned with the traffic. Parker asked if traffic studies will be a part of the building permit process. Wood asked for clarification on the Comprehensive Plan designation. Larsen explained the comprehensive plan zoning designation process. Clegg further explained the zone change process. Clegg read the criteria that will trigger a traffic impact study. Larsen explained that when the building permit is applied for, staff would determine whether a traffic study would be needed. Parker asked for clarification about the fitness center. Larsen explained that staff did not know about the fitness center and because its not a mixed use or commercial zone a public fitness center would most likely not be allowed in the zone.

Parker reminded the Commissioners the application is for the zone change not the development.

A motion to approve Application ZMA23-01 and recommend it to City Council was made by White, seconded by Wood.

Voting Yea: 4 Voting Nay: 2 Absent: 1

### c) Application VR23-01 Staff Report

The public hearing was opened at 7:16 PM

Commissioner Parker asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Associate Planner Clegg gave the staff report and stated that the applicant is seeking a variance to allow for one hard surfaced, off-street parking space and a seventeen-foot carport setback from the front property line. The subject property is zoned Medium Density

(R-2). The minimum lot size in the R-2 zone is 5,000 square feet, requires a sixty-foot front of building line width, requires a twenty-foot front setback to the garage or carport, and requires two hard surfaced parking spaces [SHMC 17.12.060]. The subject property is an approximately 3,485 square foot, pre-existing nonconforming lot.

Brian Oakes testified on behalf of his application. Oakes explained that he is the owner and licensed general contractor on this lot. Oakes told the Commissioners that he requested the variance because of the small lot size. He is planning to bury an in-ground water storage tank, due to low well velocity in the area, in the back yard. The variance in the front yard will allow more space in the rear. Oakes stated that he is agreeable to moving the variance to the rear if the Commission agrees with that option. Parker asked the applicant about moving the front post of the carport back. Oakes explained his reason for the design he chose. Commissioner White asked about how the future street improvements would affect the parking. Oakes explained that there would still be a 45' x 10' unobstructed parking area. There was discussion about a garage versus a carport. Oakes discussed the option identified by staff in regard to moving the house back. Commissioner Wolthuis asked if the applicant could build a single-car garage. Oakes stated that he does not attend to build a garage due to constructions costs, and his desire to build an affordable house.

Testimony in favor: none Testimony in opposition: none Neutral Testimony: none

The public hearing was closed at 7:34 PM

The Commission discussed the purpose of a variance as it pertains to the proposed application. Larsen gave an update on the Local Improvement District (LID) that would bring water services and street improvements to the area. The project is pending funding. The LID would not affect the proposed application since all work will be in the right-of-way. Commissioner Parker and Wolthuis discussed the options. Larsen reminded the commissioners of the affordability of building the dwelling. Commissioner White asked staff if moving the rear setback 3 feet and requiring parking in front would comply with criteria. Larsen confirmed that it would just change the variance from the front to the rear. Commissioner Wood agreed with revising the variance to the rear setback allowing more parking in the front that complies with code. Commissioner Parker asked staff about revising the approved variance. Clegg stated that the Commissioners need to state the revisions for their decisions. There was discussion about how to revise the variance for approval.

A motion to approve the Application VR23-01, including revisions allowing a 3-foot variance to the rear setback and including 2 hard surfaced approaches in the front was made by Wolthuis, seconded by Branson.

Voting Yea: 4 Voting Nay: 1

Absent: 2 (Melcher video connection dropped)

### **Staff Updates:**

Clegg updated the Commissioners on Application ZMA23-02 & CMA23-01. The Public Hearing will be held on May 4, 2023.

Clegg informed the Commissioners that the MFU criteria passed in the City Council. Clegg will draft applications to coincide with the criteria.

Round Table Discussions (Committee comments about topics not listed on the agenda)

Clegg invited the Commissioners to the Arbor Day Celebration. Staff and the Commissioners discussed the amenities in Northside Park.

Clegg Informed the Commissioners that staff submitted a grant for Sankey Park the includes the replacement of the bandstand and trails from lower to upper Sankey Park.

Clegg informed the Commissioners of the new CEDD hours of operations.

Blair informed the Commission of the new Code Compliance officer. The Commission and staff discussed current code compliance issues and the process for reporting complaints.

Arbor Day Flyer

### Adjournment

The meeting was adjourned at 8:28 PM.



### City of Sweet Home

Community and Economic Development Department- Planning Program 3225 Main Street, Sweet Home, OR 97386 541-367-8113

### **Planning Commission Staff Report**

**REQUEST**: The City of Sweet Home, Sweet Home School District, and Sweet Home Fire District are proposing to change the Comprehensive Plan Map for their properties, consisting of approximately 280 acres, located in Sweet Home, OR 97386 (see the attached map). The Sweet Home Comprehensive Plan Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. The subject properties listed in the application do not have a Public Facility (PF) Comprehensive Plan designation. A Comprehensive Plan Map Amendment must be approved to complete a Zone Map Amendment. On October 27, 2022, the City of Sweet Home adopted the revised Sweet Home Municipal Code Title 17 that included Chapter 17.24 Public Facility (PF) Zone. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application.

Application CMA23-01 is being filed simultaneously with Application ZMA23-02. The subject properties that do not have a Comprehensive Plan Designation of Public Facility (PF) will be pending the approval of Application of CMA23-01 to complete the Zone Map Amendment proposed in Application ZMA23-02

**APPLICANT:** The City of Sweet Home

**PROPERTY OWNER:** City of Sweet Home, Sweet Home School District, Sweet Home Fire

District

**PROPERTY LOCATION:** Various Tax Lots, Sweet Home, OR 97386 (see Attachments A and B)

**REVIEW AND** 

**DECISION CRITERIA:** Sweet Home Municipal Code Section(s) 17.24, 17.112, OAR 660-012-

0060

FILE NUMBER: CMA23-01

### PLANNING COMMISSION PUBLIC HEARING:

DATE & TIME: May 4, 2023 at 6:30 PM

LOCATION: City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

### CITY COUNCIL PUBLIC HEARING:

DATE & TIME: May 23, 2023 at 6:30 PM

• LOCATION: City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

STAFF CONTACT: Angela Clegg, Associate Planner

Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov

**REPORT DATE:** April 27, 2023

### I. PROJECT AND PROPERTY DESCRIPTION

<u>LOCATION</u>: The properties, consisting of approximately 280 acres, are in Sweet Home, OR 97386 (see Attachment B). The Sweet Home Comprehensive Plan Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. The subject properties listed in the application do not have a Public Facility (PF) Comprehensive Plan designation.

### ZONING AND COMPREHENSIVE PLAN DESIGNATIONS: (see Attachment A)

Floodplain: Attachment C

Wetlands: Attachment D

### **TIMELINES AND HEARING NOTICE:**

Application Submitted: March 17, 2023

Application Deemed Complete: March 17, 2023

Mailed/Emailed Notice: March 21, 2023

Notice Published in New Era Newspaper: March 29, 2023

Planning Commission Public Hearing: May 4, 2023

City Council Public Hearing May 23, 2023

Notice was provided as required by SHMC 17.128.010(D).

### II. COMMENTS

Public Works: No comments as of the issue of this Staff Report.

Adam Leisinger

Permit Technician: The Building Program has no issues with this request.

Ryan Wade

CEDD Engineering: The engineering department has no concerns.

Sweet Home

Fire District: No comments as of the issue of this Staff Report.

**Ruth Price** 

ODOT Railroad: ODOT Rail does not have any comments.

Public Comment: No comments as of the issue of this Staff Report.

### III. REVIEW AND DESIGN CRITERIA

The review and decision criteria for a comprehensive plan map amendment are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

A. Amendments to the Comprehensive Plan map shall be reviewed in accordance with the Type IV review procedures specified in Chapter 17.128. [SHMC 17.112.020]

<u>Staff Findings:</u> The application for the Comprehensive Plan Map Amendment was reviewed in accordance with SHMC 17.128.010 (B).

Based on the above information, staff find that the application complies with this criterion.

B. An application for a map amendment shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.128. [SHMC 17.112.030]

<u>Staff Findings</u>: The application was received and deemed completed on March 17, 2023. Notices were sent per SHMC 17.128.010(D)(1-7). Notices were emailed and mailed via US Postal Service on March 21, 2023. Notice was posted in the New Era newspaper on March 29, 2023.

Based on the above information, staff find that the application complies with this criterion.

C. The applicant shall prepare and submit an application, site plan, and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. A site plan shall not be required to initiate a Comprehensive Plan map amendment. [SHMC 17.112.040]

<u>Staff Findings</u>: the applicant submitted the application, a narrative, a site plan, and list of affected properties on March 17,2023.

Based on the above information, staff find that the application complies with this criterion.

D. All information and analysis must justify the proposed change relative to the Map designation to which the property is proposed to change, and to the Map designation from which the property is changing. The analysis must address the impacts from decreasing acreage of one map designation and increasing acreage for the proposed map designation [SHMC 17.112.050(A)].

Staff Findings: The Sweet Home Comprehensive Plan Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. The subject properties listed in the application do not have a Public Facility (PF) Comprehensive Plan designation. A Comprehensive Plan Map Amendment must be approved to complete a Zone Map Amendment. On October 27, 2022, the City of Sweet Home adopted the revised Sweet Home Municipal Code Title 17 that included Chapter 17.24 Public Facility (PF) Zone.

The historic land use of the subject properties has been a public use. With the adoption of the Public Facility (PF) zone, the applicants are proposing to bring the zoning in conformance with the historic and continued use of each property.

Based on the above information, staff find that the application complies with this criterion.

E. Compliance is demonstrated with the Statewide Land Use Planning Goals and Guidelines and any relevant Administrative Rules applying to the subject properties or to the proposed land use designation. If the proposed designation requires an exception to the Goals, the applicable criteria in the Land Conservation and Development Commission (LCDC) Administrative Rules for the type of exception needed shall also apply [SHMC 17.112.050(B)].

<u>Staff Findings:</u> The application complies with Statewide Planning Goals 2 Land Use Planning and 11 Public Facilities and Services. The proposed designation does not require an exception to the goals.

Based on the above information, staff find that the application complies with this criterion.

F. Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated [SHMC 17.112.050(C)].

<u>Staff Findings:</u> Table 1 of the Summary of Comprehensive Plan Land Use Designations lists Public as a land use designation, however there was never municipal code written for the Public land use designation. SHMC Chapter 17.25 Public Facility (PF) Zone criteria were implemented on October 27, 2023. The update to the Public Facility zone will bring the subject properties into compliance with the Comprehensive Plan designation.

Based on the above information, staff find that the application complies with this criterion.

G. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan [SHMC 17.112.050(D)].

<u>Staff Findings</u>: The use of the subject properties has been historically public. A Comprehensive Plan Map Amendment is required to do a zone map amendment for the properties listed on Attachments A and B. The zone change will bring the zoning designation in conformance with the use of the subject properties.

Based on the above information, staff find that the application complies with this criterion.

H. The Plan provides more than the projected need for lands in the existing land use designation [SHMC 17.112.050(E)].

<u>Staff Findings</u>: The use of the subject properties is not changing. A Comprehensive Plan Map Amendment is required to do a zone map amendment for the properties listed on Attachments A and B. The plan brings the zoning designation into conformance with the historic use of the subject properties.

Based on the above information, staff find that the application complies with this criterion.

I. The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity or significantly adversely affect existing or planned uses on adjacent lands [SHMC 17.112.050(F)].

<u>Staff Findings</u>: The use of the subject properties is not changing. A Comprehensive Plan Map Amendment is required to do a zone map amendment for the properties listed on Attachments A and B.

Based on the above information, staff find that the application complies with this criterion.

J. Public facilities and services, including transportation facilities, necessary to support uses allowed in the proposed designation are available, or, will be available in the near future [SHMC 17.112.050(G)].

Staff Findings: The use of the subject properties is not changing.

### IV. CONCLUSION AND RECOMMENDATION

Based on the findings listed is Section III of this report, staff recommends that the Planning Commission recommend that the City Council approve this application. Since the request is for a comprehensive plan map amendment, staff has not recommended any conditions of approval.

### V. PLANNING COMMISSION ACTION

In acting on a zone change application; the Planning Commission will hold a public hearing at which it may either recommend that the City Council approve or deny the application(s). The recommendation should be based on the applicable review and decision criteria. The City Council will hold a public hearing and decide on this application.

### Motion:

After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

- 1. Move to recommend that the City Council <u>approve</u> application CMA23-01, which includes adopting the findings of fact listed in the staff report.
- 2. Move to recommend that the City Council deny application CMA23-01 (specify reasons).
- 3. Move to continue the public hearing to a date and time certain (specify); or
- 4. Other.

### VI. ATTACHMENTS

- A. Subject Property List
- B. Site Map
- C. Floodplain Map
- D. Local Wetlands Inventory Map
- E. Zone Map Amendment Application and Summary
- F. Zoning Map
- G. Comprehensive Plan Map

### CMA23-01 Subject Property List

### City

Мар	Tax Lot	Address	Square Feet	Acre	Zone	<b>Comp Plan</b>
33B	400 N/A		65227.46		C-2	C-2
32D	600 N/A		1323713.25		R-1/Linn Co	R-1/Linn Co
32CC	5100 N/A		76740.32		R-1	R-1
32CC	5800 N/A		28267.68		R-1	R-1
31DA	2400 N/A		47456.75		R-1	R-2
31DC	3800 N/A		4788.7		R-1	R-3
31CA	8802 N/A		4518.5		R-1	R-3
31BB	1700 N/A		1310.38		C-2	C-2
31AB	1201 N/A		55768.04		R-1	R-2
31AB	1301 N/A		54229.04		R-1	R-2
31AB	8000 N/A		1501.65		R-1	R-2
31AB	8100 N/A		2345.95		R-1	R-2
31AB	1500 1780 11th	n Ave	26373.59		R-1	R-2
31AB	2300 1712 11th	n Ave	12391.68		R-1	R-2
31AC	700 N/A		14216.46		R-3	R-3
31AC	1500 N/A		2028.8		R-3	R-3
31AC	1800 1206 Nan	dina St	4369.37		R-3	R-3
E29	3200 N/A		9019962.42		RC	MUE
E29	3805 N/A		1142479.61		RC	MUE
27C	1800 N/A		7341.29		R-1	R-1
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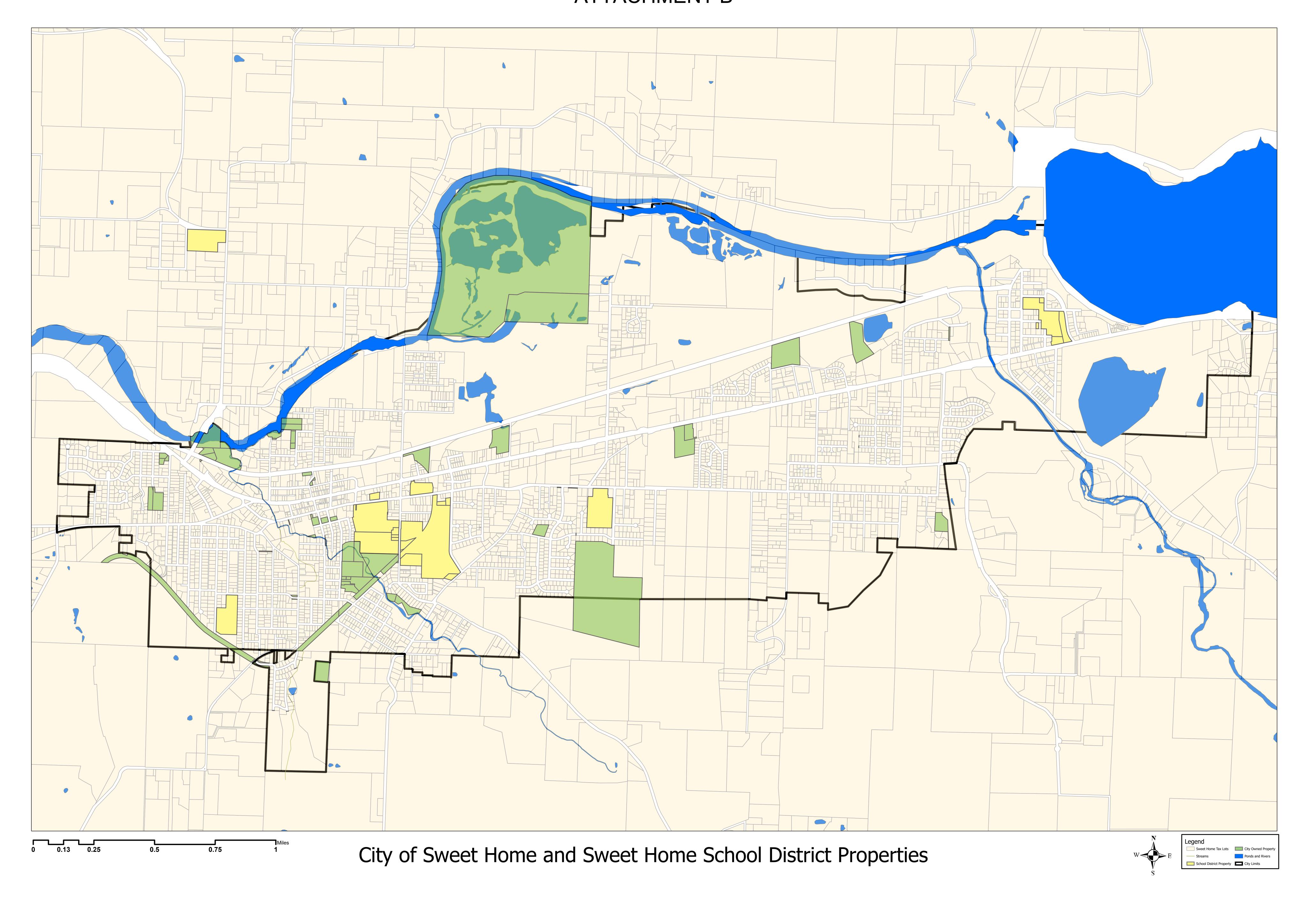
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### **School District**

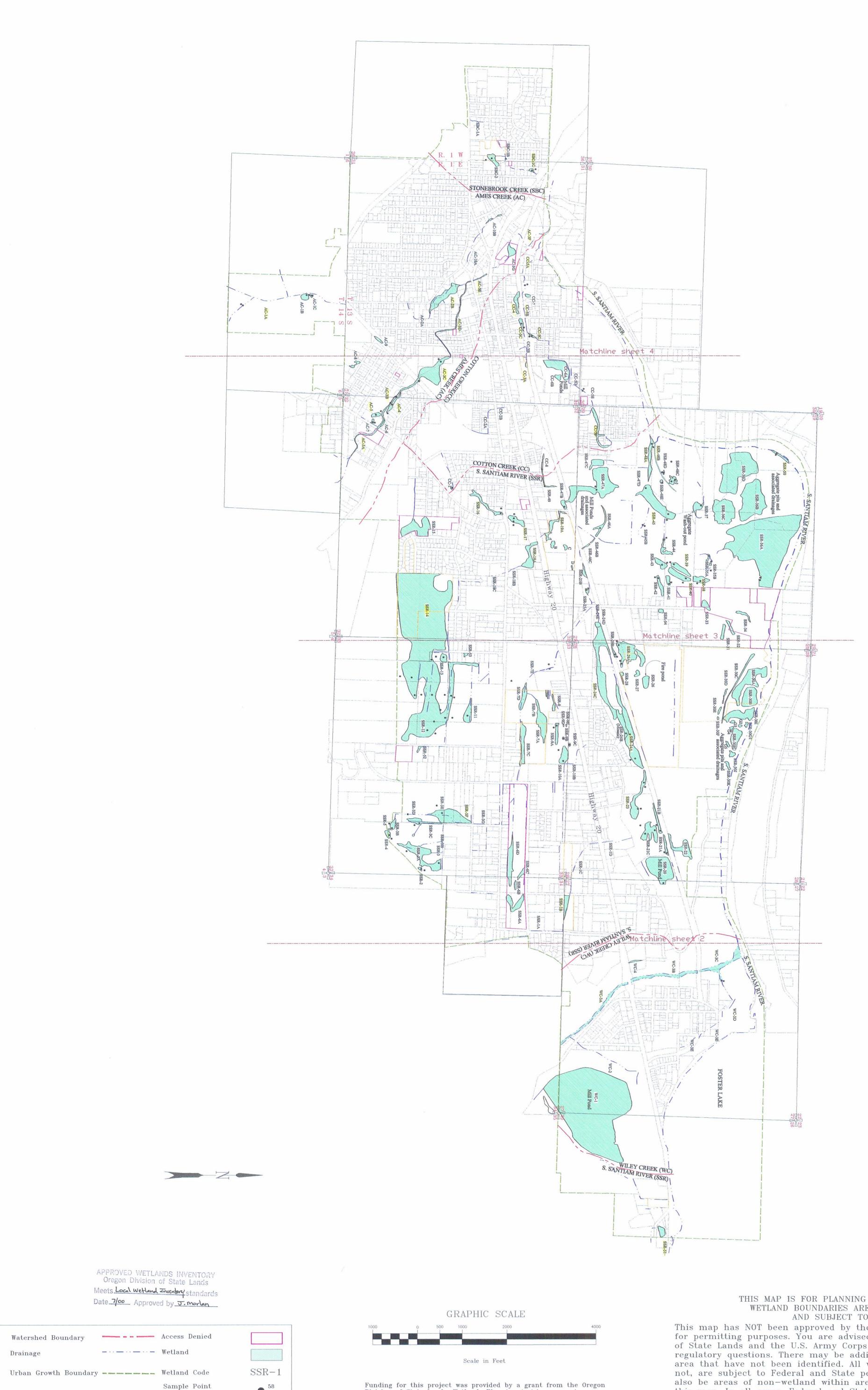
Map	Tax Lot	Address	Square Feet	Acre	Zone	Comp Plan
27AC	2600 N/A		11250.1		R-1	R-2
27AC	5400 N/A		7456.39		R-1	R-2
27DB	2001 N/A		41769.8		C-2	C-2
32CB	800 706 M	t View Rd	25277.55		R-1	R-1
32BC	3350 N/A		16498.7		R-3	R-3
32BC	3503 N/A		16634.57		R-3	R-3
32BC	400 1990 L	ong Street	122546.8		C-2	C-2
31AD	5700 N/A		30750.81		C-2	C-1

**272184.72** 6.25

# ATTACHMENT B



# ATTACHMENT C



= Lsw June, 2000 DATE: BASE MAP INFO: Supplied by City of Sweet Home, : and Linn County

9 - 1884

JOB NO.:

Funding for this project was provided by a grant from the Oregon Division of State Lands, Wetlands Planning Assistance grant program. This grant program is supported by a grant from the U.S. Environmental Protection Agency under authority of the Clean Water Act.

Local Wetlands Inventory

Sweet Home

THIS MAP IS FOR PLANNING PURPOSES ONLY WETLAND BOUNDARIES ARE APPROXIMATE AND SUBJECT TO CHANGE

This map has NOT been approved by the wetland regulatory agencies for permitting purposes. You are advised to contact the Oregon Division of State Lands and the U.S. Army Corps of Engineers with any regulatory questions. There may be additional wetlands within the study area that have not been identified. All wetlands, whether mapped or not, are subject to Federal and State permit requirements. There may also be areas of non-wetland within areas identified as wetlands on this map. In all cases, Federal and State agencies will use actual field conditions, rather than this map, to determine wetland boundaries.

> Pacific Habitat Services,Inc. 9450 SW Commerce Circle, Suite 180 Wilsonville, Oregon 97070 Phone: (503) 570-0800

Reference

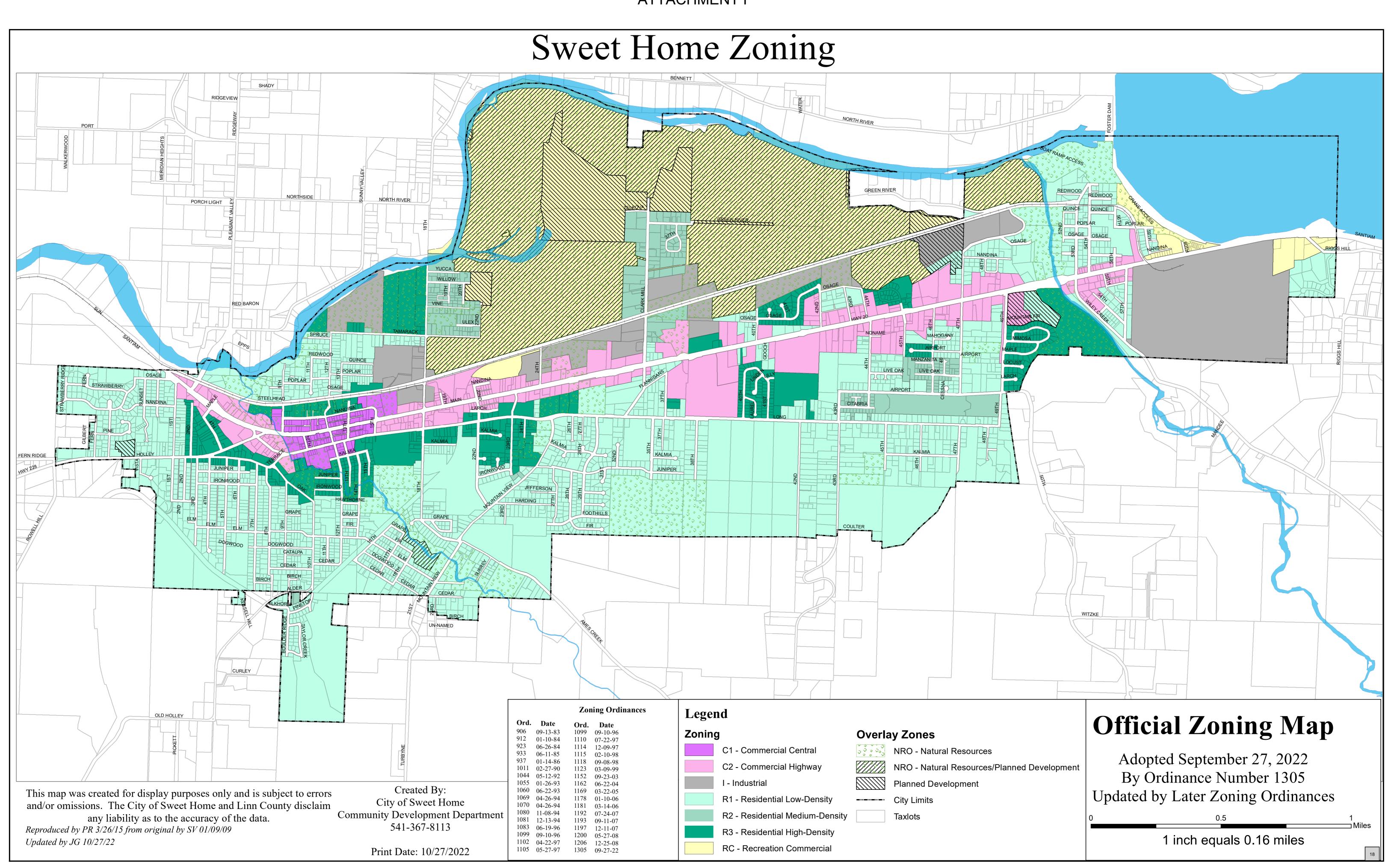
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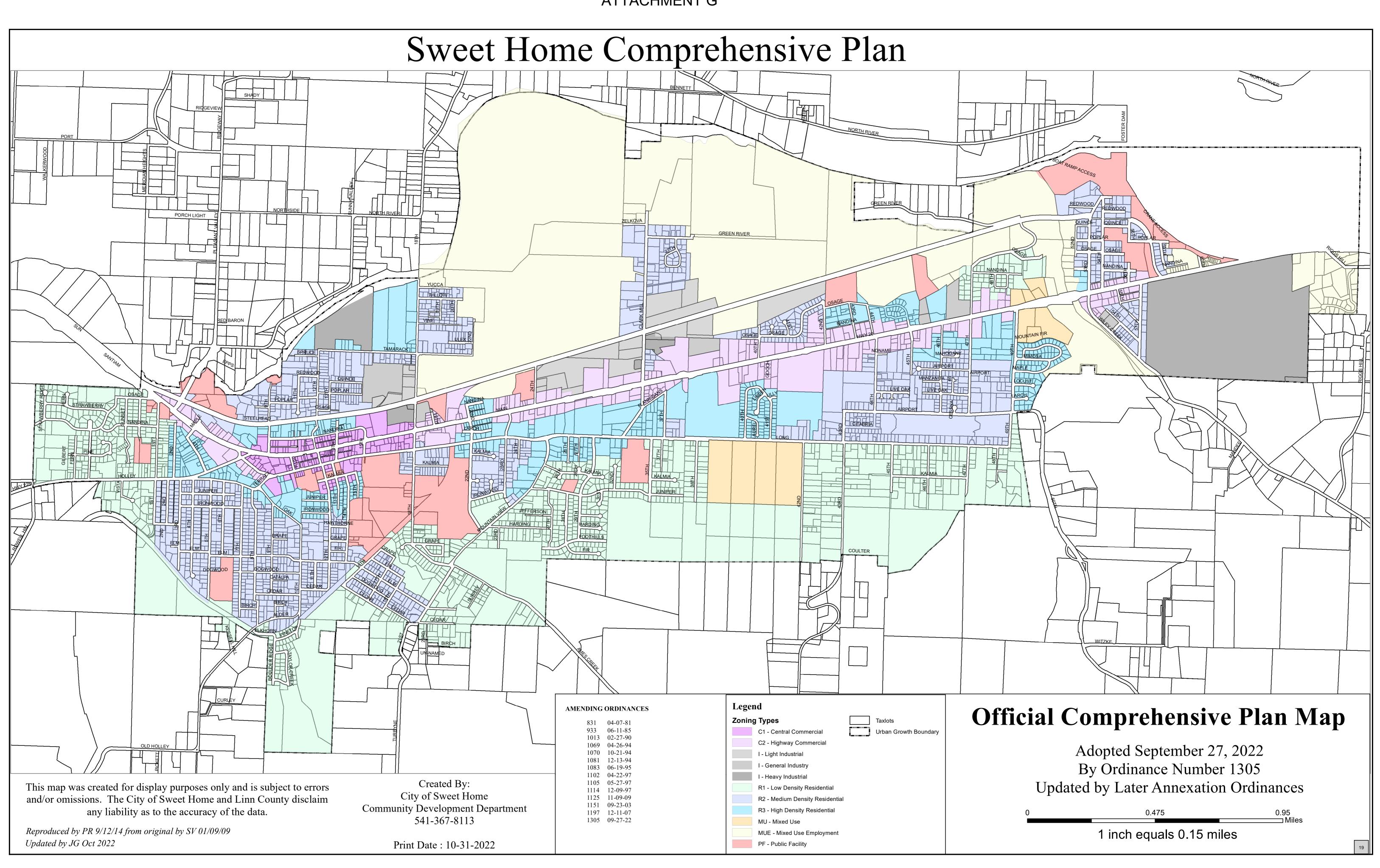
### ATTACHMENT E



City of Sweet Home Community and Economic Development Department- Planning Program 3225 Main Street, Sweet Home, OR 97386 541-367-8113

	The state of the s	Land Use Application					
	Adjustment						
□ Annexation			Date Received:				
Ø	Comprehensive Plan	Map Amendment	Date Complete:				
	Conditional Use		File Number: CMA 23-01				
	Home Occupation		Application Fee: N/A				
	Interpretations		Receipt #:				
	Nonconforming Uses		Planning Commission Hearing Date:				
	Partition		City Council Hearing Date:				
	Property Line Adjustm	ent	Mathin 20 days fallowing the files of this application				
	Site Development Rev		Within 30 days following the filing of this application, the Planning Department will make a determination of				
	Subdivisions and Plan		completeness regarding the application. If deemed				
_	Text Amendments		complete, the application will be processed.				
_	Variance		complete, the approach times proceeds.				
	Zone Map Amendmen	ıt					
_	Lorio Map / Milonamon	•					
Αr	plicant's Name:		Applicant's Phone Number:				
	ity of Sweet Home /Sweet Hor	me Fire District	541-368-8113				
Ar	plicant's Address:		Applicant's Email Address:				
	225 Main Street, Sweet Home, Of	R 97386	aclegg@sweethomeor.gov				
Pre	operty A		Property B				
	wner's Name:		Owner's Name:				
С	ity of Sweet Home		Sweet Home School District 55				
O	wner's Address:		Owner's Address:				
3	225 Main Street, Sweet Home, Of	R 97386	1920 Long Street, Sweet Home, OR 97386				
O	wner's Phone Number:		Owner's Phone Number:				
541-367-8113			541-367-7122				
O	wner's Email:		Owner's Email:				
a	clegg@sweethomeor.gov		kevin.strong@sweethome.k12.or.us				
Pr	operty Address:		Property Address:				
Vá	arious (all City property)		various (all School District properties)				
As	sessor's Map and Tax	Lot:	Assessor's Map and Tax Lot:				
Vá	arious - see attached		various - see attached				
	operty Size Before: 273.43 ac	Property Size After: 273.07acres 273.43 ac	Property Size Before: Property Size After: 6.25 Acres Property Size After:				
Zo	ning Classification:	Comprehensive Plan:	Zoning Classification: Comprehensive Plan:				
	ee attached	see attached	see attached see attached				
Na	ture of Applicant's Re	quest					
		-	f description on this form and attach extra sheets if needed.				
		•	ions for City of Sweet Home and Sweet Home School District Properties,				
w	ithin City Limits, to the Public Fac	ilities (PF) Zone.					
cert	ify that the statements contain	ned on this application, along with the	e submitted materials, are in all respects true and are correct to the best of r				
	ledge and belief.	led of this application, along with the	o submitted materials, are in an respects true and are correct to the best of t				
	plicant's Signature:		Date:				
Penalle I lea			2/28/2023				
Pr	operty Owner's Signatu	ire:	Date				
	The same	90	2/28/2023				
Property Owner's Signature:			Date 7 - 1/ 03				
. '	Sporting of Grand		3-15-73				
Pr	operty Owner's Signatu	ire.	Date				
Tropity Owner 3 digitature.			3/17/2023				







### City of Sweet Home

Community and Economic Development Department- Planning Program 3225 Main Street, Sweet Home, OR 97386 541-367-8113

### **Planning Commission Staff Report**

**REQUEST**: The City of Sweet Home, Sweet Home School District, and Sweet Home Fire District are proposing to change the Zoning Map for their properties, consisting of approximately 425 acres, located in Sweet Home, OR 97386 (see the attached map). The Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Recreation Commercial (RC) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. On October 27, 2022, the City of Sweet Home adopted the revised Sweet Home Municipal Code Title 17 that included Chapter 17.24 Public Facility (PF) Zone. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application.

Application ZMA23-02 is being filed simultaneously with Application CMA23-01. The subject properties that do not have a Comprehensive Plan Designation of Public Facility (PF) will be pending the approval of Application of CMA23-01 to complete the Zone Map Amendment proposed in Application ZMA23-02.

**APPLICANT:** The City of Sweet Home

**PROPERTY OWNER:** City of Sweet Home, Sweet Home School District, Sweet Home Fire

District

**PROPERTY LOCATION:** Various Tax Lots, Sweet Home, OR 97386 (see Attachments A and B)

**REVIEW AND** 

**DECISION CRITERIA:** Sweet Home Municipal Code Section(s) 17.24, 17.114, OAR 660-012-

0060

FILE NUMBER: ZMA23-02

### PLANNING COMMISSION PUBLIC HEARING:

DATE & TIME: May 4, 2023 at 6:30 PM

• LOCATION: City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

### CITY COUNCIL PUBLIC HEARING:

DATE & TIME: May 23, 2023 at 6:30 PM

• LOCATION: City Hall Council Chamber, 3225 Main Street, Sweet Home, OR 97386

**STAFF CONTACT:** Angela Clegg, Associate Planner

Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov

**REPORT DATE:** April 27, 2023

### I. PROJECT AND PROPERTY DESCRIPTION

LOCATION: The properties, consisting of approximately 425 acres, are in Sweet Home, OR 97386 (see Attachments A and B). he Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Recreation Commercial (RC) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. A Comprehensive Plan Map amendment is being filed simultaneously for the subject properties not having a Public Facility comprehensive pan designation.

### ZONING AND COMPREHENSIVE PLAN DESIGNATIONS: (see Attachment A)

Floodplain: Attachment C

Wetlands: Attachment D

### **TIMELINES AND HEARING NOTICE:**

Application Submitted:

Application Deemed Complete:

March 17, 2023

Mailed/Emailed Notice:

March 21, 2023

Motice Published in New Era Newspaper:

March 29, 2023

Planning Commission Public Hearing:

May 4, 2023

City Council Public Hearing

May 23, 2023

Notice was provided as required by SHMC 17.128.010(D).

### II. COMMENTS

Public Works: No comments as of the issue of this Staff Report.

Adam Leisinger

Permit Technician: The Building Program has no issues with this request.

Ryan Wade

CEDD Engineering: The engineering department has no concerns.

Sweet Home

Fire District: No comments as of the issue of this Staff Report.

Ruth Price

ODOT Railroad: ODOT Rail does not have any comments.

Public Comment: No comments as of the issue of this Staff Report.

### III. REVIEW AND DESIGN CRITERIA

The review and decision criteria for a comprehensive plan map amendment are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

A. Zone changes shall be reviewed in accordance with the Type IV review procedures specified in Chapter 17.128. [SHMC 17.114.020]

<u>Staff Findings:</u> The application for the Zone Map Amendment was reviewed in accordance with SHMC 17.128.010 (B).

Based on the above information, staff find that the application complies with this criterion.

B. An application for a zone change shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.128. [SHMC 17.114.030]

<u>Staff Findings</u>: The application was received and deemed completed on March 17, 2023. Notices were sent per SHMC 17.128.010(D)(1-7). Notices were emailed and mailed via US Postal Service on March 21, 2023. Notice was posted in the New Era newspaper on March 29, 2023.

Based on the above information, staff find that the application complies with this criterion.

C. The applicant shall submit an application and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. A site plan shall not be required to initiate a Zone Map amendment. [SHMC 17.114.040]

<u>Staff Findings</u>: The applicant submitted the application, a narrative, a site plan, and list of affected properties on March 17,2023.

Based on the above information, staff find that the application complies with this criterion.

D. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification [SHMC 17.114.050(A)].

Staff Findings: The Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. The subject properties listed in the application have a Public Facility (PF) Comprehensive Plan designation (with the approval of Application CMA23-01). A Comprehensive Plan Map amendment is being filed simultaneously for the subject properties not having a Public Facility comprehensive pan designation. A Comprehensive Plan Map Amendment must be approved to complete a Zone Map Amendment. On October 27, 2022, the City of Sweet Home adopted the revised Sweet Home Municipal Code Title 17 that included Chapter 17.24 Public Facility (PF) Zone.

The historic land use of the subject properties has been a public use. With the adoption of the Public Facility (PF) zone, the applicants are proposing to bring the zoning in conformance with the historic and continued use of each property.

Based on the above information, staff find that the application complies with this criterion.

E. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity [SHMC 17.114.050(B)].

<u>Staff Findings:</u> The use of the subject properties has been historically public. The zone change will bring the zoning designation in conformance with the use of the subject properties.

Based on the above information, staff find that the application complies with this criterion.

F. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Development Code [SHMC 17.114.050(C)].

<u>Staff Findings:</u> The use of the subject properties has been historically public. The zone change will bring the zoning designation in conformance with the use of the subject properties.

Based on the above information, staff find that the application complies with this criterion.

G. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property [SHMC 17.114.050(D)].

Staff Findings: The use of the subject properties is not changing.

H. For residential zone changes, the criteria listed in the purpose statement for the proposed residential zone shall be met [SHMC 17.114.050(E)].

Staff Findings: The Sweet Home Zoning Map is proposed to change from the Commercial Central (C-1) zone, the Commercial Highway (C-2) zone, the Residential Low Density (R-1) zone, the Residential Medium Density (R-2) zone, the Residential High Density (R-2) zone, and the Mixed-Use Employment (MUE) zone to the Public Facility (PF) zone. The subject properties listed in the application have a Public Facility (PF) Comprehensive Plan designation (with the approval of Application CMA23-01).

Based on the above information, staff find that the application complies with this criterion.

### IV. CONCLUSION AND RECOMMENDATION

Based on the findings listed is Section III of this report, staff recommends that the Planning Commission recommend that the City Council approve this application. Since the request is for a comprehensive plan map amendment, staff has not recommended any conditions of approval.

### V. PLANNING COMMISSION ACTION

In acting on a zone change application; the Planning Commission will hold a public hearing at which it may either recommend that the City Council approve or deny the application(s). The recommendation should be based on the applicable review and decision criteria. The City Council will hold a public hearing and decide on this application.

### Motion:

After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

- 1. Move to recommend that the City Council <u>approve</u> application ZMA23-02, which includes adopting the findings of fact listed in the staff report.
- 2. Move to recommend that the City Council deny application ZMA23-02 (specify reasons).
- 3. Move to continue the public hearing to a date and time certain (specify); or

### 4. Other.

### VI. ATTACHMENTS

- A. Subject Property List
- B. Site Map
- C. Floodplain Map
- D. Local Wetlands Inventory Map
- E. Zone Map Amendment Application and Summary
- F. Zoning Map
- G. Comprehensive Plan Map

•	

Man	Toulet	Address	Caucas Foot	A	Zone	Comm Blom
Map	Tax Lot		Square Feet	Acre		Comp Plan PF
34B 28D		1185 48th Ave	103158.49		R-1 RC	PF PF
28D		1500 47th Ave	255192.23		M	PF PF
32AC		4296 Osage St	328127.3 63451.03		R-1	PF
31DA	3600 3500		48080.06		R-1	PF PF
31DA 31DA	3600	•	65956.24		R-1	PF PF
31DA 31DD		-	32233.31		R-1	PF PF
	9702					
31DC	9100	•	119400.3		R-1 R-1	PF PF
31CC		N/A	252369.16			
31DA 31DA	2405 2403	-	16316 96675.74		R-1 R-1	PF PF
31DA 31DA	2200	-			R-1	PF PF
			6392.16			PF PF
31DA 31DA	2300	•	6352.63 151577.61		R-1 R-1	PF PF
		809 14th Ave				
31DA 31DA	3302	890 18th Ave	117362.55 217403.42		R-1 R-1	PF PF
31DA 31DA		877 14th Ave	105090.55		R-3	PF PF
					K-3 C-1	PF PF
31AD 31AC		1101 13th Ave	11902.05			PF PF
		1141 12th Ave	16333.18		C-1	
31AC 31BC		1140 12th Ave 1300 Westwood Ln	23963.84 91799.27		C-1 R-1	PF PF
					R-1	PF PF
36A	1101	•	51939.81			
36A 31BC	1102	•	1141.49		R-1	PF PF
		1470 1st Ave	18300.48		R-1	
31BB		N/A	200954.04		R-1	PF
31BA 31BB		1365 Pleasant Vallet Rd	23622.22		R-1 R-1	PF PF
		1359 Pleasant Valley Rd	36288.14		R-1	PF PF
31BB	1502	•	28642.35			
31BA		1357 Pleasant Vallet Rd	167470.21		R-1	PF
31BA		1755 9th Ave	36618.02		R-1	PF
31BA	3001	•	2123.73		R-1 C-2	PF
32BB		1950 Main St	131366.91			PF
E29 33B		1400 24th Ave	194677.73		M C-2	PF C.2
		N/A	65227.46			C-2
32D		N/A	1323713.25		R-1/Linn Co	R-1/Linn Co
32CC 32CC	5100		76740.32		R-1	R-1
31DA	5800		28267.68 47456.75		R-1 R-1	R-1 R-2
31DA 31DC	2400	-	47456.75		R-1	R-3
	3800					
31CA 31BB	8802	-	4518.5		R-1 C-2	R-3
	1700		1310.38			C-2
31AB 31AB	1201		55768.04 54229.04		R-1 R-1	R-2 R-2
31AB	1301	•				
31AB	8000	•	1501.65		R-1 R-1	R-2 R-2
31AB	8100	1780 11th Ave	2345.95 26373.59		R-1	R-2
31AB 31AC		1712 11th Ave N/A	12391.68 14216.46		R-1 R-3	R-2 R-3
31AC 31AC	1500		2028.8		R-3	R-3
31AC 31AC		1206 Nandina St	4369.37		R-3	R-3
E29	3200		9019962.42		RC	MUE
E29 E29	3200		1142479.61		RC	MUE
27C	1800		7341.29		R-1	R-1
2,0	1000	.4	7341.23			

14917313.19

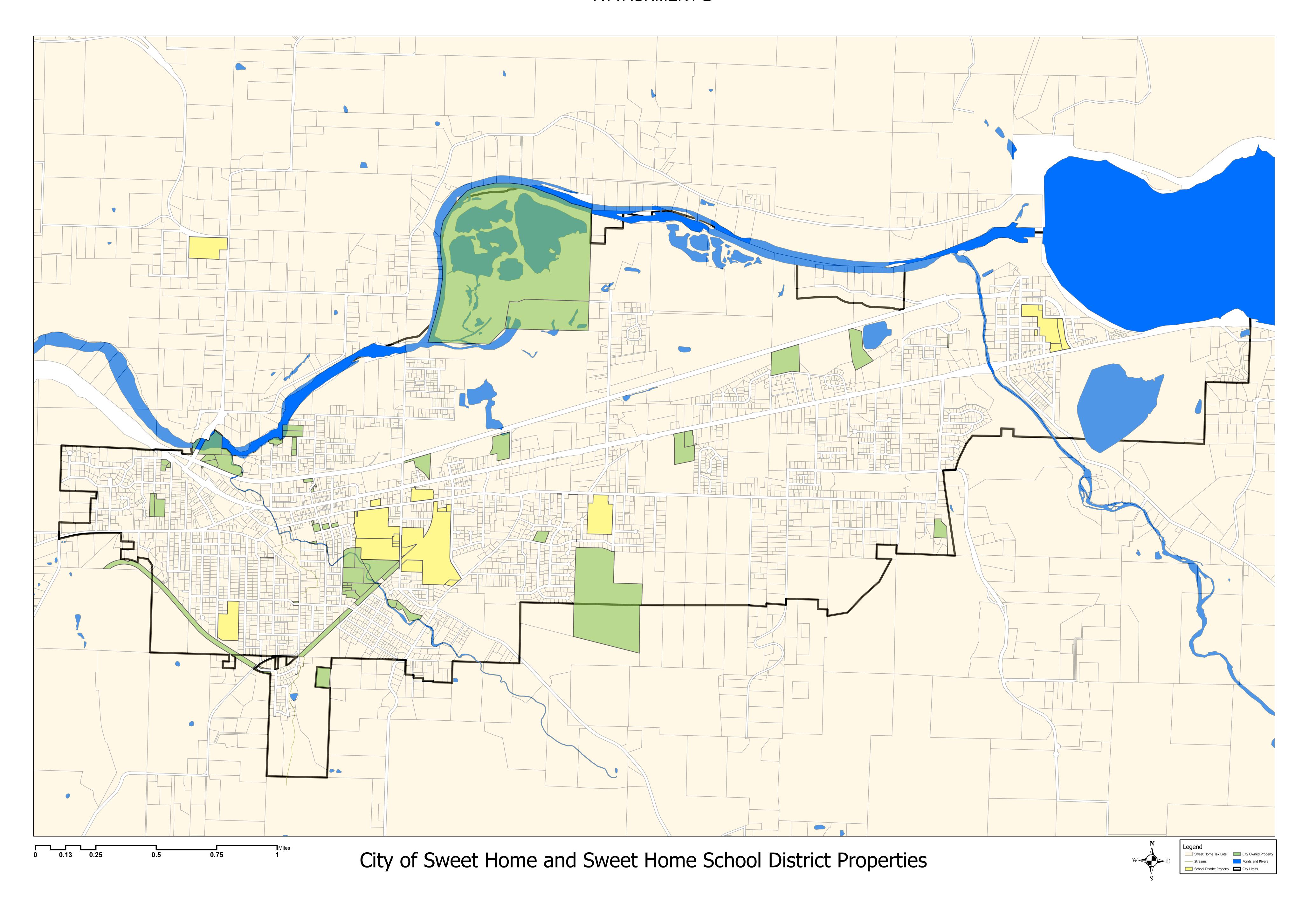
342.45

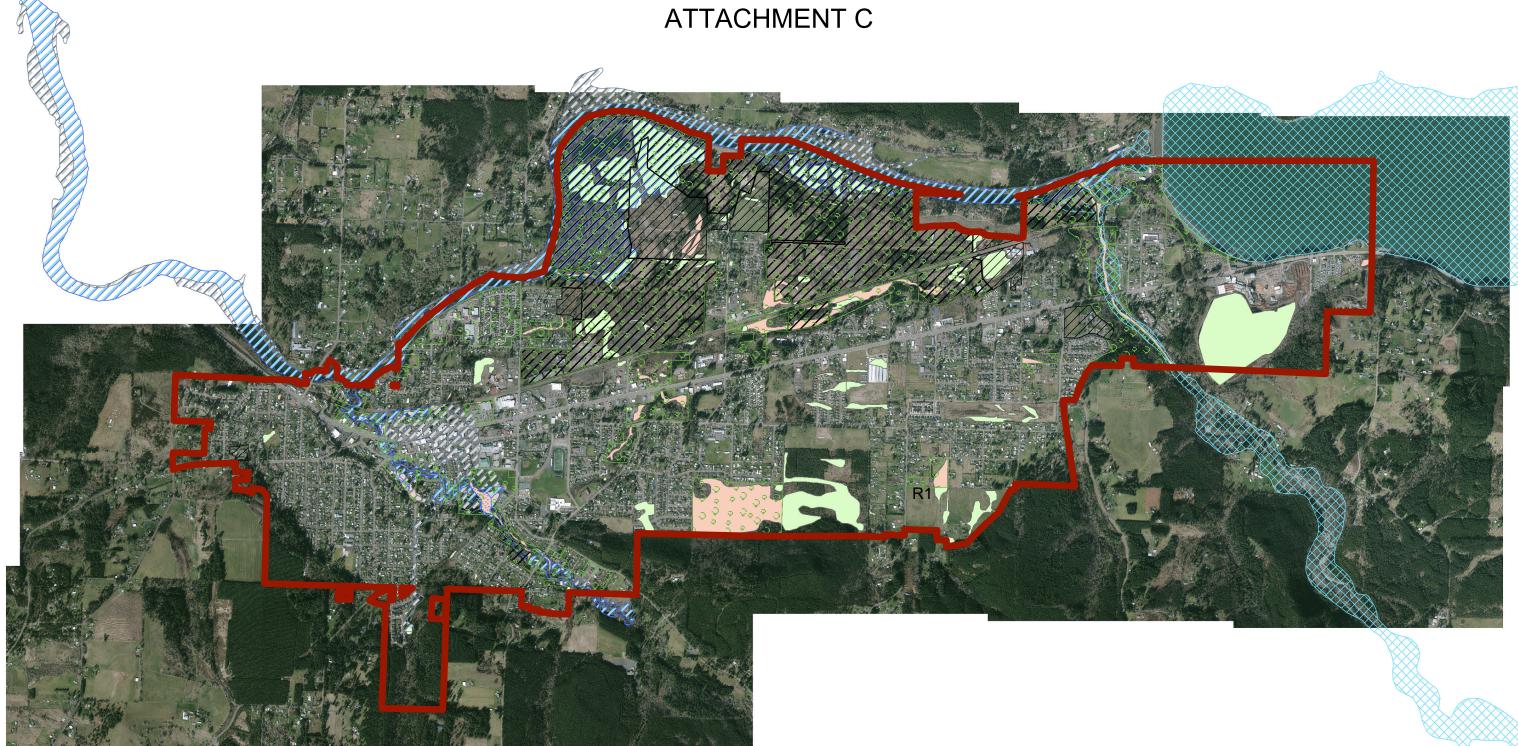
### **School District**

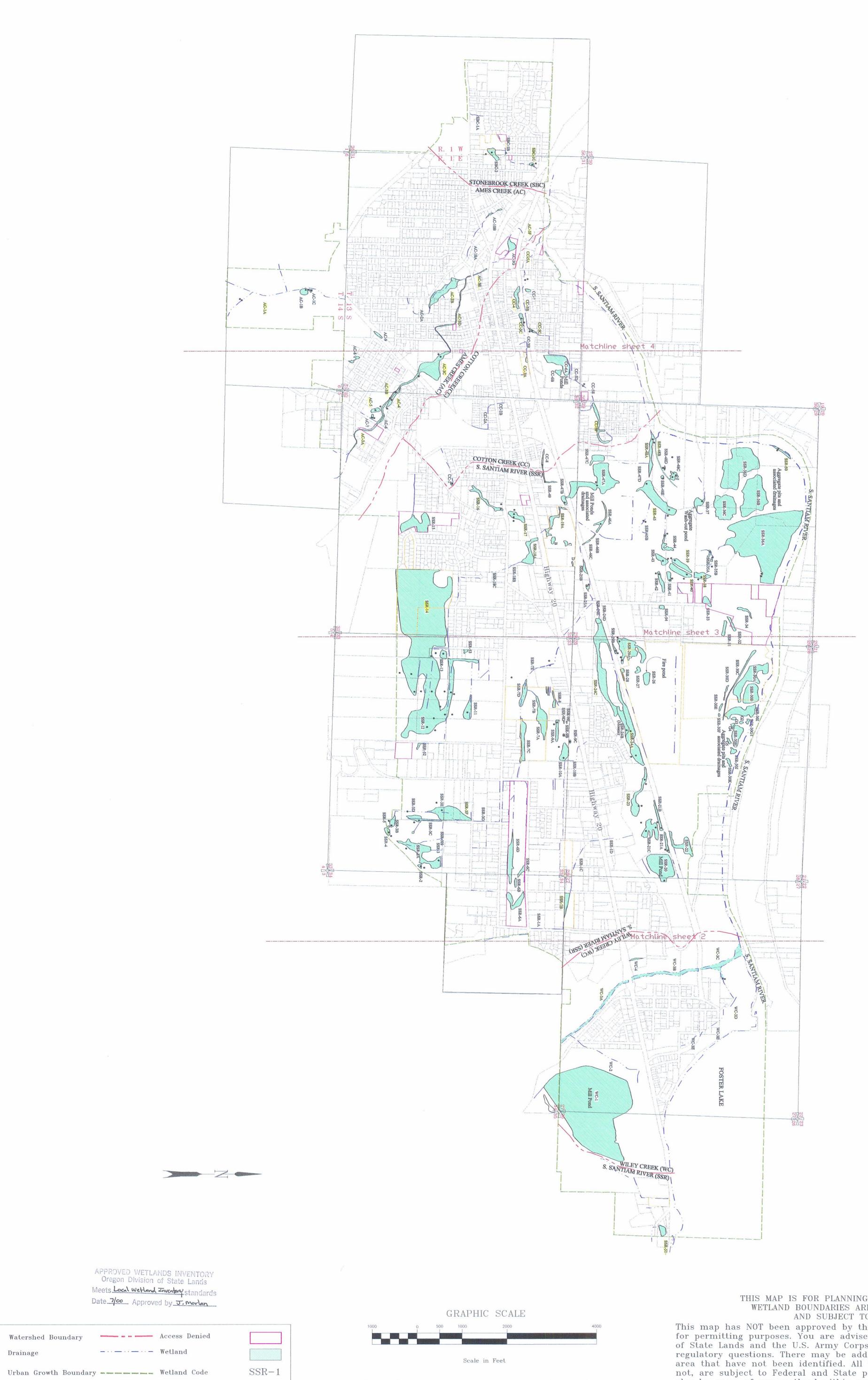
Мар	Tax Lot	Address	Square Feet	Acre	Zone	Comp Plan
27AC	2700 5	526 Poplar Street	326350.07		R-1	PF
27DA	100 N	I/A	87487		C-2	PF
32AD	300 3	3205 Long Street	425661.72		R-1	PF
32CB	100 8	880 22nd Ave	1242127.05		R-1	PF
31AD	9100 1	641 Long St	518180.9		R-3	PF
31DA	3200 N	N/A	22895.53		R-1	PF
31DA	3150 N	N/A	8989.6		R-1	PF
31DA	3100 N	N/A	10414.1		R-1	PF
32CB	300 8	373 18th Ave	113726.83		R-1	PF
32CB	201 N	N/A	2046.92		R-1	PF
32CB	200 N	√A	36384.88		R-1	PF
31DA	3301 N	N/A	388459.16		R-1	PF
27AC	2600 N	√A	11250.1		R-1	R-2
27AC	5400 N	N/A	7456.39		R-1	R-2
27DB	2001 N	√A	41769.8		C-2	C-2
32CB	800 7	706 Mt View Rd	25277.55		R-1	R-1
32BC	3350 N	√A	16498.7		R-3	R-3
32BC	3503 N	√A	16634.57		R-3	R-3
32BC	400 1	1990 Long Street	122546.8		C-2	C-2
31AD	5700 N	N/A	30750.81		C-2	C-1

3454908.48

79.31







Funding for this project was provided by a grant from the Oregon Division of State Lands, Wetlands Planning Assistance grant program. This grant program is supported by a grant from the U.S. Environmental Protection Agency under authority of the Clean Water Act.

Sample Point

June, 2000

BASE MAP INFO: Supplied by City of Sweet Home,

: and Linn County

9 - 1884

= Lsw

JOB NO.:

DATE:

THIS MAP IS FOR PLANNING PURPOSES ONLY WETLAND BOUNDARIES ARE APPROXIMATE AND SUBJECT TO CHANGE

This map has NOT been approved by the wetland regulatory agencies for permitting purposes. You are advised to contact the Oregon Division of State Lands and the U.S. Army Corps of Engineers with any regulatory questions. There may be additional wetlands within the study area that have not been identified. All wetlands, whether mapped or not, are subject to Federal and State permit requirements. There may also be areas of non-wetland within areas identified as wetlands on this map. In all cases, Federal and State agencies will use actual field conditions, rather than this map, to determine wetland boundaries.

Sweet Home Local Wetlands Inventory



Reference

Sheet

### ATTACHMENT E



City of Sweet Home
Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

### Land Use Application

■ Adjustment		er e er <b>e</b> r e en e			
Annexation			Date Received:		
Comprehensive Plan	Map Amendment		Date Complete:		
Conditional Use			File Number: ZMA 23-02		
Home Occupation			Application Fee: N/A		
Interpretations		Diseries Commissionis	Receipt #:		
Nonconforming Uses			n Hearing Date:		
Partition		City Counc	cil Hearing Date:		
Property Line Adjustr		Within 30 days following	g the filing of this application,		
Site Development Re			nt will make a determination of		
Subdivisions and Pla	nned Developments		g the application. If deemed		
Text Amendments		complete, the application	on will be processed.		
■ Variance					
Zone Map Amendme	nt				
Applicant's Name:		Applicant's Phone Numb	per:		
City of Sweet Home / Sweet Home	ome Fire District	541-368-8113			
Applicant's Address:		Applicant's Email Addre	ss:		
3225 Main Street, Sweet Home, C	DR 97386	aclegg@sweethomeor.gov			
Property A		Property B			
Owner's Name:		Owner's Name:			
City of Sweet Home		Sweet Home School District 55			
Owner's Address:		Owner's Address:			
3225 Main Street, Sweet Home, C	DR 97386	1920 Long Street, Sweet Home,	OR 97386		
Owner's Phone Number:	*	Owner's Phone Number	Owner's Phone Number:		
541-367-8113		541-367-7122			
Owner's Email:		Owner's Email:			
aclegg@sweethomeor.gov		kevin.strong@sweethome.k12.or	r.us		
Property Address:		Property Address: various (all School District prope	rtion)		
various (all City property)	. L. a.k.				
Assessor's Map and Tax various - see attached	(Lot:	Assessor's Map and Tax various - see attached	K LOT:		
Property Size Before:	Property Size After:	Property Size Before:	Property Size After:		
69.38 agree 346.06 ac	69:38 agree 346.06 ac	73.96 Agres 79.31 ac	73.06 acres 79.31 ac		
Zoning Classification:	Comprehensive Plan:	Zoning Classification:	Comprehensive Plan:		
see attached	see attached	see attached	see attached		
	proposed land use action: Brie	f description on this form and a Sweet Home and Sweet Home School Distri			
certify that the statements conta	ined on this application, along with the	e submitted materials, are in all respec	ts true and are correct to the best of my		
nowledge and belief.	1	1 1	The state of the s		
Applicant's Signature	Plana -	Date: 2/28/2023			
Property Owner's Signat	wre:	Date Z/28/ -	2023		
Property Owner's Signat	ure:/	Date 3/14/3	2023		
Property Owner's Signat	ure:	Date 3 - 10	Date 3-16-2023		
	and the best of the second				

3 17 2023

