

PLANNING COMMISSION Tuesday, September 11, 2018

265 Strand Street, St. Helens, OR 97051 www.ci.st-helens.or.us

Welcome!

- 1. 7:30 p.m. Call to Order and Flag Salute
- 2. Consent Agenda: Approval of Minutes
 - 2.A. Minutes Dated August 14, 2018

 Draft Minutes Dated 081418
- 3. Topics from the Floor: Limited to 5 minutes per topic (not on public hearing agenda)
- 4. Public Hearings (times reflect earliest start time)
 - 4.A. 7:30 p.m. (CONTINUED) Conditional Use Permit at Lot 5 of the Matzen Subdivision - Multi-Tech Engineering Services, Inc. CUP.2.18 Staff Report Continued
 - 4.B. 8:00 p.m. Subdivision south of 500 S. Columbia River Highway AKS Engineering & Forestry, LLC SUB.2.18 Staff Report
- 5. Discussion Items
 - (CONTINUED) Street Vacation for Portions of N. 8th Street, N. 9th Street and Wyeth Street Recommendation to City Council VAC.1.18 Staff Report (Original)
- Acceptance Agenda: Planning Administrator Site Design Review -
- a. Site Design Review (Minor) at 901 Port Ave. Two freestanding dog kennels for Columbia County Jail

7. Planning Director Decisions -

- a. Home Occupation (Type I) at 587 N. 9th Street Tamale sales off-site
- b. Sensitive Lands Permit at 273 Shore Drive Remodeling home in floodplain

8. Planning Department Activity Report

- 8.A. August Planning Department Report 2018 AUG Planning Dept Rept
- 9. For Your Information Items
- 10. Next Regular Meeting October 9, 2018
- 11. Adjournment

City of St. Helens Planning Commission

Draft Minutes August 14, 2018

Members Present: Chair Russell Hubbard

Commissioner Greg Cohen Commissioner Kathryn Lawrence Commissioner Sheila Semling Commissioner Julie Stenberg Commissioner Audrey Webster

Vice Chair Dan Cary

Members Absent: None

Staff Present: Councilor Ginny Carlson

Associate Planner Jennifer Dimsho

City Planner Jacob Graichen

Others: John & Teresa Leonard

Richard Pillsbury Mark Grenz Roger Toth Kate Posner

Greg & Jeanelle Clark

Anita Kyos

Don & Caroline Shade Christian Jorgensen

Brent Violette Cat Ross John Schmidt

- 1) 7:00 p.m. Call to Order and Flag Salute
- 2) Consent Agenda: Approval of Minutes 2.A Minutes Dated July 10, 2018

Motion: Upon Commissioner Webster's motion and Commissioner Stenberg's second, the Planning Commission unanimously approved Draft Minutes dated July 10, 2018. Vide Chair did not vote due to his absence from that meeting [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster; Nays: None]

3) Topics from the Floor: Limited to 5 minutes per topic (not on public hearing agenda)

There were no topics from the floor.

4) Public Hearings (times reflect earliest start time) 4.A 7:00 p.m. - Variance (Access) at 34840 Pittsburg Road - John Leonard

Chair Hubbard opened the Public Hearing at 7:01 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter. City Planner Jacob Graichen entered the staff report dated August 7, 2018 into the record.

Graichen introduced the proposal to the Commission and discussed the recommended conditions of approval, as presented in the staff report. Chair Hubbard asked if the County would look at sight distance standards. Graichen said the County will have to approve the access with a joint approval process with the City.

In Favor

Leonard, John. Applicant. Leonard explained that he would like to build a new detached garage. He said the existing gravel approach was well established when they moved in, but they have stopped using it because it exits onto their neighbor's property. He described how he currently maneuvers to avoid backward maneuvering onto Pittsburg Road. Leonard said there are lots of other homes with loop driveways (two approaches) because backing onto Pittsburg Road is so dangerous. He discussed how the 20 foot front setback requirement and the positioning of the house makes it difficult to place the new garage and still be able to maneuver vehicles. The proposed location seems like the only way to get the garage next to the house and safely leave. Chair Hubbard asked how he will be able see oncoming traffic on Pittsburg Road with an access that comes out at a 45 degree angle. Leonard said the way it is proposed allows for adequate vision. Commissioner Webster suggested paving more of the proposed driveway to allow for proper turnaround. She said that way, a variance for two driveways would not be needed. Commissioner Cohen agreed. Leonard said there are a lot of mature trees that he would prefer to save. Graichen noted that there is a provision in the code that says driveways should connect to streets at a right angle for a minimum of 20 feet. He said the variance could include an exception to this rule if approved. Leonard reiterated how common having two driveway approaches is along Pittsburg Road.

In Opposition

No one spoke in opposition.

End of Oral Testimony

There were no requests to continue the hearing or leave the record open.

Close of Public Hearing & Record

The applicant waived the opportunity to submit final written argument after the close of the record.

Deliberations

Commissioner Cohen feels there are another options to expand the driveway to turn around without granting a variance for a second approach. Commissioner Lawrence agreed. Commissioner Cohen said the approach on the south side is really not their approach. He said

there is really only one existing approach on their property. He has no problem with a new proposed access, but only if they remove the other approaches. Vice Chair Cary said they may have to take out some mature trees if they build the new access as suggested, but it is doable.

Motion: Upon Commissioner Cohen's motion and Commissioner Lawrence's second, the Planning Commission unanimously denied the Access Variance. [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Chair to sign the Findings & Conclusions once prepared. [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

4.B 7:30 p.m. - Conditional Use Permit at Lot 5 of the Matzen Subdivision - Multi-Tech Engineering Services Inc.

Chair Hubbard opened the Public Hearing at 7:36 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter. City Planner Jacob Graichen entered the staff report dated August 7, 2018 into the record.

Graichen introduced the proposal to the Commission, as presented in the staff report. He said the subdivision and zone change was successful. This is what allows the applicant to apply for this Conditional Use Permit for a 204 multi-dwelling complex. He noted that the blue text in the conditions are not part of the proposed condition, but commentary to help the Commission navigate the decision. He went through each condition with the Commission, as presented in the staff report. Graichen feels the garages should not qualify for off-street parking because there is likely a fee to use the garages. This would mean that they are not default spaces provided for tenants. Graichen provided a handout to the Commission with additional conditions based on feedback received from ODOT. Although it is complete, the Traffic Impact Analysis (TIA) has not yet been approved with ODOT, so a condition has been added to address this. The handout also added conditions about obtaining ODOT approach approval and any potential traffic control mitigation as required by ODOT. Commissioner Cohen asked if there are rules about the number of trash receptacles. Graichen said there are container sizing rules, but not rules for the number of receptacles.

In Favor

Grenz, Mark. Representing Applicant. Grenz apologized for the areas where the applicant did not provide enough detail in the narrative for how the standards were met. Grenz said he did not see a section of the code that states covered parking garages cannot be used as off-street parking. He said almost all other projects provide some sort of enclosed parking garages for the tenants. He did not know if their client would be charging tenants. The garages are proposed in that location because they are not necessarily going to be utilized by people to meet the primary parking space requirement. They are still providing more than one space per unit, but the covered parking offers another option for tenants that is in addition to the space directly in front of their unit. Grenz said the Commission can choose to convert the garages to parking spaces if the garages are seen as an issue. He said they are proposing eight ADA-compliant spaces. They intend to install signage on the parking spaces near Building 12 to ensure they are used for residents, not as public parking for the retail lot abutting the property.

Regarding the ODOT conditions, he is surprised to discover that the TIA has not yet been approved. ODOT has had it since June, so he thought the traffic consultant had already received approval. He said their approach plans have been permitted by ODOT. Graichen said the approach was approved for the Medical Office, but not the multi-dwelling complex. Grenz is okay with the conditions related to ODOT. He said one third of their bike parking is covered under stairwells. They did not anticipate covering all bike spaces. Should the Commission desire this, they will provide revised plans. He did not anticipate that the carports would be considered accessory structures. He showed the Commission a photo of the carports.

Grenz described his interpretation of the exterior elevation criteria and went through each building type. Graichen said their interpretation does not seem to match staff's interpretation of the criteria. Further, there was no narrative provided in the application that stating how each building complies. Commissioner Cohen suggested withdrawing their application and reapplying to work out the exterior elevation differences and other issues. Chair Hubbard feels there are too many unknowns to approve the decision tonight. Graichen said the Commission could continue the hearing to a date, time, and place certain. He said the applicant could also voluntarily withdraw and re-apply. The Commission could also deny the application, but then the applicant could not re-submit an application for a year. The Commission did not want to deny the application. Grenz would prefer to continue the hearing to the next meeting to allow an opportunity to work with staff through the issues. He said he has no problem with waiving the 120-day rule. He asked for guidance from the Commission on a number of the issues brought up in the staff report. The Commission agreed to discuss these items after further testimony.

In Opposition

<u>Violette, Brent.</u> Violette lives adjacent to the proposal. He is glad that the approval process will be delayed. He is opposed to this development. He said this does not belong in St. Helens. He requested that Brayden Street be called Violette Street. Graichen said he made that suggestion to the applicant, but the subdivision has already been platted. Violette is surprised to see access off of McBride Street. He thought the access would be off Matzen Street and Brayden Street. He said the medical clinic will bring a lot of traffic. He said this proposal is built on basalt rock, except for a swampy area on the northeast corner of the property.

Posner, Kate. Posner lives in the cul-de-sac behind McBride Street. She is concerned about parking. She is wondering if they will be providing enough parking on site. She feels there will be parking overflow onto the surrounding side streets, which are not particularly wide. She is concerned about the increase in traffic for the children who ride their bikes on the streets. She has concerns about apartment management. Will there be on-site management and maintenance? Will there be a place to file complaints? Will these apartments be smoking or non-smoking? She is concerned about how these apartments will affect home values in the surrounding neighborhoods. They moved here because they are trying to escape the large apartment complexes in Portland. She feels this development will change the culture of the neighborhood, especially for the people who have lived here for over ten years.

Ross, Kathryn. Ross agrees with everything that was just said. She lives on May Avenue. She spoke during previous hearings. She is concerned about an increase in traffic. She does not think these concerns should be blown off. She said there is a lot of cut through traffic on May Avenue. This development will only increase this problem. She loves this property for the trees and wildlife. She has not heard a discussion about tree replacement. She is concerned that the trash compactor will be loud. She is concerned about drug abusers. Those who live on May

Avenue are very familiar with the Forest Park Apartments because the cops are always there. Hopefully a newer complex will not have this issue. Will there be on-site management? Is there someone neighbors can go to complain about misconduct? The City needs to consider more than just the money that this development will bring in.

<u>Sullivan, Darcy</u>. Sullivan lives in a cul-de-sac near the proposal. She asked if these are luxury or low-income apartments. Graichen said they are market-rate apartments. They are not subsidized. She asked how the increase in apartments will affect the schools. She loves St. Helens and this development is a big change.

Rebuttal

There was no rebuttal from the applicant.

Further Questions of Staff

Graichen reminded the Commission that the record will remain open and additional testimony will be received at the next meeting. The Commission went through some of the items of concern in the staff report. The Commission felt that staff should work through the exterior elevation criteria with the applicant outside of this meeting.

Graichen asked about the location of the trash enclosure. The Commission feels it should be centrally located. Commissioner Cohen feels one compactor would not be sufficient for a development of this size. Chair Hubbard disagrees. He suggested that the applicant provide a narrative about how the compactor will be maintained and managed. The Commission agreed.

The Commission feels the garages should not be allowed. Commissioner Semling feels the ratio of compact spaces for visitors should be adjusted. The Commission agrees. The Commission feels the bike parking should be covered. Vice Chair Cary also did not see how the stairwell bike parking could be used.

Regarding buffering on the east side of the lot, Vice Chair Cary thought a buffer should be provided, but there was no consensus from the Commission. The Commission would like to see signage marking which parking spaces were private and which were public, particularly on the east side of the lot. The Commission felt that the distance from walkways to windows was met with the proposed six-foot wide sidewalks.

Commissioner Cohen asked if the provided ADA spaces were for visitors or residents. Graichen said it does not specify in the code how ADA spaces should be divided between visitors and residents. The Commission would like to see that each covered parking space adjacent to the parking island not be covered to ensure light and room for the trees in the island. The Commission is also okay with the architectural features of the covered parking.

The Commission decided to try to continue the hearing to the September meeting, but if the applicant does not work through the revisions in a timely manner, the Commission can choose to continue it again to the October meeting.

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously voted to continue the public hearing for the Conditional Use Permit to September 11, 2018 on or after 7 p.m. [AYES: Commissioner Cohen, Commissioner

Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

5) **Discussion Items**

5.A Street Vacation for Portions of N. 8th Street, N. 9th Street and Wyeth Street Recommendation to City Council

Graichen said the Planning Commission does not often review street vacations. Since Mayor Scholl is one of the applicants, Scholl suggested that the Commission offer a recommendation prior to Council's decision. The applicant is requesting the street vacation to create four buildable lots. Graichen noted a lot line adjustment would be needed for the proposed lot orientation in the staff report. Graichen went through the staff report, describing the request using photos in the report. A handout was provided to the Commission that included additional diagrams addressing access and fire turnarounds for the proposed lots. The handout includes an alternative staff recommendation from the original staff report. Graichen explained that one of the problems with granting the full requested street vacation and developing the fire turnaround proposal is that the proposed location for access and/or the turnaround will be located beyond the centerline of the right-of-way to be vacated. This would limit the ability for the other abutting property owners to vacate all or a portion of their 40 feet of the 80 foot right-of-way.

<u>Schlumpberger</u>, <u>Ron. Co-applicant</u>. Schlumpberger said if the Commission goes with the staff recommendation of leaving 40 feet of right-of-way on Wyeth Street, he feels the remainder of the right-of-way would be underutilized. The access orientation will be built with the least amount of impact to the rock, and will take up significantly less room than 40 feet.

Scholl, Rick. Co-applicant. Scholl talked to individuals surrounding the proposed development and they have no problem with it. He said this project is similar to the earth removal property that the City now owns. Aside from his proposed lots, Scholl feels there is really only one other potentially developable lot because of the challenging topography. The other developable lot (owned by the Senior Center) could utilize the improved access that he will build. He said there are 40 foot high cliffs. The only access is on 9th Street. He does not see full street connectivity for this area in the future. Graichen's concern with granting the entire vacation is that the likely location for the access is skewed towards the proposed vacation area, and if an access easement is needed for the entire area to be vacated, it defeats the purpose of a street vacation. Vice Chair Cary said maybe this area is not a good place to build. Scholl said that is why they are here. It is difficult to build.

Vice Chair Cary handed out a few diagrams to the Commission. He said the City of St. Helens used to be an oak savannah. The remaining undeveloped basalt bluffs are usually full of camas. Camas bluffs have been identified as a rare critical habitat. He passed out a map of the remaining bluffs with camas habitat in St. Helens that he knows about. He had this idea prior to this street vacation request to turn part of these right-of-ways into a trail. The other handout is a topographical map with a trail route through the Senior Center property, City owned properties, and right-of-way. Vice Chair Cary would like to ensure the ability to develop a future trail within the remaining right-of-way for the purpose of a trail and public access. Graichen clarified if there is an access easement, as requested by the applicant, it would not inhibit the ability to build a trail for public access.

Graichen said the concern is making sure that the public access is in the optimum place. According to the topographical data we have, it seems that the optimum place is skewed toward the north side of the right-of-way, which is within the area requested to be vacated. Scholl said a topographical survey for the access development would be prepared if the street vacation were granted. Graichen said the challenge is not knowing the exact location. His job is to protect the public interest, so he does not feel comfortable recommending the full 40 feet street vacation. Chair Hubbard said it would be helpful to see the topographical data with the proposed route for access. Extra time would also allow the Commission time to take a trip to the site too.

Motion: Upon Commissioner Cohen's motion and Commissioner Lawrence's second, the Planning Commission unanimously voted to delay making a recommendation for the Street Vacation to the September 11 Planning Commission meeting. [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

5.B Auxiliary Dwelling Unit (ADU) Maximum Size Discussion

Graichen said the text amendments for ADUs are going to Council tomorrow for approval. He wanted to quickly get the Commission's opinion on ADU size and height. The Commission's recommendation last time was a maximum size of 1,200 square feet for an ADU. In order to ensure that ADUs are smaller than the principle unit, Graichen wants to add that they are no more than 75 percent of the principal unit living area **or** 1,200 square feet, whichever is less. He also added a height restriction. Commissioner Cohen agrees that the ADU should be smaller than the original house.

Commissioner Cohen asked about the owner occupancy requirement. He thinks the property owner should have to live in either the ADU or the principle dwelling. Vice Chair Cary thinks that rule is hard to enforce. He sees no problem with ADUs becoming rentals. Graichen said all of the best practices recommend removing that requirement. Commissioner Stenberg, Commissioner Webster, Vice Chair Cary and Commissioner Semling do not mind removing the owner occupancy requirement, as proposed. Chair Hubbard and Commissioner Lawrence agree with Commissioner Cohen.

5.C Millard Road Property Zoning Discussion

The Commission would like to move this to a meeting with a shorter agenda.

6) Acceptance Agenda: Planning Administrator Site Design Review

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Acceptance Agenda: Planning Administrator Site Design Review. [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

7) Planning Director Decisions

There were no comments.

8) Planning Department Activity Report

8.A July Planning Department Report

There were no comments.

9) For Your Information Items

Graichen told the Commission about a demolition permit for 50 Plaza to remove a portion of the facade that was added after it was built. It is required to meet the Riverfront District Architectural Guidelines for the Riverfront District. The applicant wants to make the facade look more like it used to when it was built, so staff feels it meets the intent of the guidelines.

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously recommended approval of the demolition permit at 50 Plaza. [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

Commissioner Cohen asked if each member can see copies of the findings before they are signed. Graichen said that would be reviewing them as an individual, not as a group. That is the point of having a motion for the Chair to sign the findings. The Chair becomes the authority for signing the findings. If the Commission wants to review the findings prior to signature, they can decide to not make the motion for signature. Chair Hubbard clarified that he always reviews and asks any questions before signing if he needs clarification.

Commissioner Cohen would also like a report on any land use related decisions that are made by the City Council. A good example is the outcome of the appeal of the Conditional Use Permit for the marijuana retailer. Commissioner Cohen suggested that Graichen put this information into his monthly Department Report.

10) Next Regular Meeting

Dimsho said the next meeting is September 11, 2018 at 6:30 p.m. for the Riverfront Connector Plan Work Session. She will send out a reminder to the Commission about the time change.

11) Adjournment

There being no further business before the Planning Commission, the meeting was adjourned at 11:31 p.m.

Respectfully submitted,

Jennifer Dimsho Associate Planner



CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT

Conditional Use Permit CUP.2.18

DATE:

August 31, 2018

To:

Planning Commission

FROM:

Jacob A. Graichen, AICP, City Planner

APPLICANT:

Mark D. Grenz, PE of Muli/Tech Engineering Services

OWNER:

Karl Ivanov of St. Helens Land Co., LLC

ZONING:

General Commercial, GC

LOCATION:

Lot 5, Matzen Subdivision; 4N1W-5DD-704

PROPOSAL:

204-unit multidwelling (apartment) complex with associated uses (e.g., recreation

building) with a rental area within the recreation building.

The 120-day rule (ORS 227.178) for final action for this land use decision has been waived by the application as stated by Mark D. Grenz at the August 14, 2018 Planning Commission hearing and per email communication on August 23, 2018.

Attention Planning Commission: Note highlighted text indicates, generally, new or revised text compared to the August 7, 2018 staff report which you read for the last meeting.

SITE INFORMATION / BACKGROUND

The site, Lot 5 of the Matzen Subdivision, is a portion of the former Violette's Villa mobile home park. Exactly when the use was established is unknown, but the assumption based on notes from previous code enforcement efforts (c. 2004) suggest it goes back to the late 1940's prior to any City zoning ordinance. The site is vacant today.

The site is more-or-less flat with a significant canopy of mature trees of varying species. Its surrounded on three sides by public rights-of-way as follows:

- North: McBride Street is improved but lacks any curb or sidewalk along the subject property. McBride Street is classified as a Local Street per the City's Transportation Systems Plan.
- West: Matzen Street is improved and lacks curb and sidewalk along the subject property. However, there is an asphalt path with boulders separating it from the road that acts as an interim nonvehicular passageway. Matzen Street is classified as a Collector Street per the City's Transportation Systems Plan.
- South: The Brayden Street right-of-way abuts the south side of the site. It is unimproved and classified as a Local Street per the City's Transportation Systems Plan. There are some

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utilities within this right-of-way, including a City water main and some pole mounted infrastructure.

These streets provide access. In addition, there is US30 (Columbia River Highway) access to the site via easements in the Matzen Subdivision.

On the east side the property abuts a property developed with a detached single family dwelling (165 McBride Street) and Lots 1 and 4 of the Matzen Subdivision. Lot 4 is undeveloped and Lot 1 is currently under development for an Approximate 21,500 square foot medical office building and related site development (see file SDR.1.18).

Otherwise and generally, there are residential neighborhoods to the north and west, a Motel 6 (formerly known as the Village Inn) to the south and commercial uses elsewhere.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: August 14, 2018 before the Planning Commission. At the August 14, 2018 hearing, the Commission continued the public hearing to September 11, 2018.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on July 26, 2018 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the <u>The Chronicle</u> on August 1, 2018.

AGENCY REFERRALS & COMMENTS

ODOT 08.08.2018 comments: ODOT has no objections to the proposed apartment complex and the conditional use. However, because of the large trip generation of this development, and the direct access to the highway, an ODOT approach permit will be required of the applicant. ODOT is in the process of approving the applicants Traffic Impact Analysis but a road approach application has not be submitted yet. As such, ODOT is uncertain if mitigation will be necessary as a part of the road approach approval.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

<u>Deemed Complete Info</u>: This application was originally received on May 15, 2018. Staff identified missing information or other aspects that rendered the application incomplete and notified the applicant of the issue pursuant to SHMC 17.24.050 on June 13, 2018. The applicant provided revised or new information and the application was deemed complete on **July 19, 2018**.

However, ODOT August 8, 2018 comments indicated that the applicant's TIA hadn't been approved, which brings completeness into question. The applicant waived the **120-day rule** (ORS 227.178) at the Commission's August 2018 public hearing, in response to this (and other matters).

Based on the discussion at the August 14, 2018 public hearing, the applicant provided some revised materials, which the City received on **August 23, 2018**.

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<u>Permitting History</u>: The subject property was the long time location of a mobile home park (see file SUB.3.17). Recently, a Subdivision Preliminary Plat was approved and recorded for this site and this proposal intends on occupying Lot 5 of the Matzen Subdivision (ref. file SUB.3.17).

This area was also recently rezoned to General Commercial, GC (Ordinance No. 3224) from Highway Commercial, HC. The zone change was requested to make this multidwelling unit project possible. Multidwelling units are not allowed in the HC zoning district.

Since the Matzen Subdivision has been recorded, Lot 5 is zoned GC in its entirety. The original property line (before the subdivision) didn't align with Lot 5. But Section 4 of Ordinance 3224 allowed the zoning to align with Lot 5 if the line was legally moved within one-year from the date the ordinance became effective, which was in April 2018. Recordation of the Matzen Subdivision was a legal method of changing the property line.

* * *

Zoning Compliance: The site is zoned General Commercial, GC. The main focus of this is the multidwelling unit proposal. But there is also a business rental area located within the proposed recreation building too (sheet A9.1), the proposed use of which is not stated by the applicant.

The business rental is possible if the use is permitted in the GC zone, it meets all Development Code standards, and the appropriate building code occupancy is established. Conditions are necessary for this.

Multidwelling units are a conditionally permitted use, thus this Conditional Use Permit. When multidwelling units are proposed in the GC zone, the standards of the Apartment Residential, AR zone apply.

Lot 5 of the Matzen Subdivision is to be 7.73 acres or 336,718.8 square feet. The density calculation is 5,000 s.f. for the first two units and 1,500 s.f. for each unit thereafter. Based on this up to 221 units are possible. 204 are proposed.

Minimum 20' yards (setback) are required along all public streets; plans comply. This includes the revised site plan SDR3 received on August 23, 2018.

Minimum 10' yard (setback) is required along the property lines that don't abut a public street; plans comply. This includes the revised site plan SDR3 received on August 23, 2018.

Storage is not an allowed use in the GC zone. The garage buildings have to be considered accessory structures. A condition is necessary for this. Accessory structures are required to meet the same yard requirements as principle buildings. The Planning Commission finds that the garage buildings on the originally submitted plans be prohibited. They have been removed from plans provided after the August 14, 2018 hearing (as received on August 23, 2018).

CUP.2.18 Staff Report

Maximum building height is 35 feet. The following types of buildings are proposed with their proposed heights:

- Several types of multidwelling unit buildings—all just under 35'
- A recreation building—approximately 32'
- Gazebos—height not identified but plans do not suggest height noncompliance
- Covered parking (no height details provided)
- Bicycle rack shelters (required by the Commission—see below; about 8 feet per plans received on August 23, 2018)
- Maintenance building, first shown on revised plans provided on August 23, 2018 (no details provided)

Maximum lot coverage of buildings and structures is 50%. Proposal is well below at 20% per the applicant. This was the same answer from the applicant provided with the initial set of plans that was submitted; the revised set (submitted July 19, 2018) added covered parking. Revised set provided on August 23, 2018 doesn't include the garages, but still has more total buildings than the originally submitted set. As such, 20% is probably low and doesn't take into consideration all buildings and structures, but it appears to be less than 50%.

For multifamily dwelling development, the standards of the AR zone defers to the Site Development Review chapter for minimum landscaping requirements; this is detailed further below.

This proposal includes the use of a portion of Lot 4 of the Matzen Subdivision for access. It does not approve anything more nor any new use. The only improvements allowed on Lot 4 will be for shared access and this limited improvement will be required on final development plans. Final development plans shall not show any development that has not been approved.

Note that revised plans provided on August 23, 2018 show nothing within Lot 4, including shared access.

* * *

Sensitive Lands: There are no known sensitive lands as identified in the Development Code.

* * *

<u>Density Computations</u>: Given the recent Matzen Subdivision (file SUB.3.17), the net development area is well defined (size of Lot 5 as identified on the plat) given right-of-way dedications and such. The number of units permitted is addressed under zoning above.

* * *

<u>Landscaping/buffering/screening</u>: Street trees will be required for all abutting streets. Per condition 4 of SUB.3.17:

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All street/right-of-way frontages abutting each lot shall be improved to City standards including but not limited to pavement widening, bike lanes as identified in the City's Transportation Master Plan, curb, gutter, landscape strip (as applicable) and sidewalk...

McBride Street and Brayden Streets are classified as "local" per the City's Transportation Systems Plan. As such, street trees will be behind the sidewalk. Matzen Street is classified as a "collector" street and will have a landscape strip (with street trees) between the sidewalk and curb.

There is not overhead utility lines along the abutting streets that would restrict tree size to "small" trees per the code; tree spacing will be based on tree size per 17.72.035(2)(a)-(c).

Preliminary plans show large trees with an approximate 40' spacing. This is the maximum spacing for large trees.

Tree location shall also comply with requirements per 17.72.035(2)(d)-(l). Final development plans will need to include these details.

Some existing trees to be preserved will work as street trees given their location, especially along McBride Street. Note that, revised site plan provided on August 23, 2018 doesn't show the trees to be preserved as the one did for the Commission's review at the August 14, 2018 hearing (plans received on July 19, 2018). But it appears that all intended to be preserved will still be comparing the two. Trees to be preserved shall be included on site and landscape plans. No additional trees shall be removed as shown on the plan set received July 19, 2018.

This chapter requires buffering. This applies in this case as follows:

• Site abuts R7 zoned property occupied by a detached single family dwelling (165 McBride Street). The normal requirement given the use and abutting parking areas (<50 spaces abutting in each area) is minimum 10' of buffer plus screening.

Original plans provided did't address specific buffering and screening from the abutting R7 zoned property, other than showing a 6' sight obscuring fence. There is 15' of area to work with for the required buffer based on plans provided (both those received on July 19 and August 23, 2018). Final development plans shall comply with Chapter 17.72 SHMC in this regard.

Note the applicant doesn't address the Development Code's buffering requirements properly. The applicant also states that a landscape plan has been provided to demonstrate how the standards have been met. No landscape plan has been provided other than a tree scheme.

Except, on August 23, 2018, the applicant provided a detail buffer/screen from the R7 (165 McBride Street) property consisting of a mix of Columnar Dawyck Purple Leaf Beach (tree) and Texas Wax-Leaf Privet, in addition to a 6' high black sight obscuring fence. This is an acceptable "in lieu" standard allowed per SHMC 17.72.070(3), provided no objection from the Commission or citizen.

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Final landscape plans will be a requirement.

This chapter requires screening (unrelated to buffering above). This applies in this case as follows:

Because the parking lot will be greater than three spaces, it is required to be screened. For screening in this case, the City usually requires landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees.

Plans provided do not address this; there is no full landscape plan provided. Buildings will block much parking area from surrounding street view, but not all. The landscaping parking lot "screening" requirement will be required on final plans where the parking areas are visible from surrounding streets.

Service facilities and equipment (e.g., HVAC and other mechanical unit) visible from a public street, customer or residential parking area, any public facility or residential area are required to be screened whether they are ground, wall or roof mounted. In addition, rooftop facilities and equipment are required to be screened from street and adjacent properties.

The applicant doesn't address this, other than noting that it will be included with the building permits. Screening required in all cases.

Swimming pools are required to be enclosed as required by the Building Code. A pool and hot tub are proposed in this case. The Building Code has barrier requirements to provide protection against drownings in swimming pools, spas and hot tubs. This will be addressed via building permitting.

Refuse container or collection area are required to be screened (e.g., trash enclosure). A trash enclosure is shown on the plans between buildings #14 and #15.

Interior parking lot landscaping. When off-street parking lots have more than 20 spaces, landscape islands are required with trees. Rows of parking spaces are not to exceed 7 spaces, generally. The "islands" are required to be no less than 48 square feet in area and no dimension less than six feet. They are required to have a combination of groundcover and shrubs in addition to a tree, such that at least 50% of the island will be covered with living plants. They are also required to be protected from vehicular damage by some form of wheel guard or curb that is permanently fixed to the ground.

Plans reflect these standards, generally, showing the correct spacing (max row of parking spaces), and trees in the islands but need more detail, which will be required on final plans.

* * *

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<u>Visual Clearance</u>: Chapter 17.76 SHMC requires proper sight distances at intersections to reduce traffic hazard potential. Plans provided show the vision clearance area for street-to-driveway intersections, demonstrating compliance.

Street-to-street intersections also appear to comply.

* * *

Off-Street Parking/Loading: Off street parking is required.

Dimension and type. There is a mix of standard spaces (min. size 9' x 18') and compact spaces (min. size 8' x 15').

Location. Parking spaces are required to be within 200' of building served. Off-street parking is distributed throughout the site. No space is further than 200' from any building.

Accessible (disabled person) spaces. Required to comply with State and Federal Standards. Per below, between 301-400 off-street parking spaces are proposed. This requires at least 8 accessible spaces, two of which are required to be van-accessible/wheelchair use only.

The plans show 8 accessible spaces.

Also, accessible parking spaces are required to be located on the shortest route to an accessible pedestrian entrance. Though this is a building code issue, it is relevant to site design.

Availability. Note that required parking spaces not to be rented, leased, or assigned to any other person or organization. Garages on previous plans intended to contribute to off-street parking have been removed from revised, pre-decision, plans.

Bicycle parking. 1 lockable space is required per dwelling unit. Bicycle spaces are required to be within 50' of primary entrances, under cover when possible, and not located in parking aisles, landscape areas, or pedestrian ways.

The applicant proposes to address this with two spaces per (and under) stairwell (4 per residential building, not the recreation building) and 8-space bike racks throughout the site. The applicant's plans notes 22 eight-space bike racks; 22 are shown on the revised plan submitted on August 23, 2018. 22 x 8 + the 34 under stairwells is 210, an adequate amount.

The Commission finds that the bike racks outside of the building be covered to meet the "under cover when possible" requirement.

Bike spaces are distributed throughout the site as required.

There are conflicts with the Building Code here. First, the 2014 OSSC Section 1009.9.4 does not allow open space under stairs to be used for any purpose. Thus, bicycle parking there is prohibited. In addition, based on the construction type proposed (V B) a 10' separation between

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structures is required. This includes the bike shelters and principles buildings, which impacts several of the bike rack locations on the plan set received August 23, 2018.

Number of off-street parking spaces required. For multidwelling units the number of off-street parking spaces required is as follows:

• Studio: 1 space per unit

• One bedroom: 1.5 spaces per unit

• Two+ bedrooms: 2 spaces per unit.

The breakdown of off-street parking requirement is as follows:

Of the 204 dwelling units proposed, there are the following types (for parking calculations):

• Studio: 36 units \rightarrow requires 36 parking spaces

• One bed: 60 units → requires 90 parking spaces

• Two+ bed: 108 units → requires 216 parking spaces

Sub-total required: 342 (if rental area not included)

Also, two spaces are proposed for the recreation building which includes a rental area (see sheet A9.1).

Total required: 344 (if rental area is included)

The revised plans received on August 23, 2018 show 340 actual spaces. The text on the plans indicates there are 345 but in five places the parking stall count by contiguous row is off by one. The plans received August 23, 2018 are 4 spaces deficient.

Visitor parking is required at a rate of 15% of total, and is required to be centrally located or evenly distributed. 15% of 344 (total required) is 51.6 or 52 spaces.

54 visitor parking spaces are shown (as counted by staff) on the plans received August 23, 2017. Of these, about 29 are compact; about 53% of total.

Up to 40% of required parking may be compact. With a total required amount of 344, as many as 138 may be compact. Less are proposed to be compact of the total. Also, the ratio of compact to standard size visitor parking isn't too far off the 40% provision.

Visitor parking seems evenly distributed throughout the complex.

Compact and/or visitor off-street parking spaces shall be signed or labeled as such.

Aisle width. A minimum of 24' width is requires for two-way vehicular circulation. Plans comply.

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Structured parking. Covered parking is proposed for some areas. Vehicle height clearance is required to be 7.5 feet on ground level parking. No dimensional details of the covered parking was provided. This shall be a requirement for any covered parking.

Markings. All interior drives and access aisles are required to be marked and signed to indicate direction flow. Not reflected on plans; shall be required. All required off-street parking spaces are required to be clearly marked too.

Surface area. All areas used for parking, storage or maneuvering of vehicles (including things towed by vehicles) shall be paved. Plans do not indicate otherwise.

Wheel stops. Wheel stops are required along the boundaries of a parking lot, adjacent to interior landscape area, and along pedestrian ways. This applies to all proposed parking spaces in this case.

Drainage. Drainage plans will be required to prevent ponding, prevent water flow across pedestrian ways and to address pollutants from vehicles (e.g., oil/water separation). The applicant provided a preliminary drainage report

Lighting. Pole, post and building mounted lighting is proposed throughout. It is required to be directed to avoid glare from surrounding residences and roads/streets.

* * *

<u>Access/egress/circulation</u>: Joint access and reciprocal access easements. Joint access via easement is allowed by the code provided there is satisfactory legal evidence of such (e.g., easements) and the legal means of allowing the shared access is provided to the City.

Shared access was addressed, in part, as part of the Matzen Subdivision. The Subdivision itself included some access easements on Lots 1-4 and conceptual access for Lot 5. Due to the offstreet parking arrangement to the north and east of building 12 per plans received August 23, 2018 new legal means of access is necessary. The access agreement document (instrument no. 2018-5431) recorded with the Matzen Subdivision will need to be revised.

Public street access. All vehicular access and egress per Chapter 17.84 SHMC is required to directly connect to a public or private street approved by the City for public use. Moreover, vehicular access is required to be within 50' of principle entrances.

The site abuts the following streets:

Street/Road	Public or	Street Class	Jurisdiction	Improved?
Name	Private	(TSP)		
McBride	Public	Local	City of St. Helens	Yes, partial; no sidewalks or other
Street				frontage improvements on the side of
				the subject property.
Matzen	Public	Collector	City of St. Helens	Yes, partial; no sidewalks or other
Street				frontage improvements on the side of

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				the subject property.
Brayden	Public	Local	City of St. Helens	No.
Street				

The site utilizes these streets for access and brings vehicle access within the statutory distance of the primary entrance.

Vehicular access spacing, amount, etc. Three access points are proposed, one from each abutting public road. Location is acceptable in all cases. The number of access points is required to be minimized. Given the scale of the proposal, one drive per abutting public street is reasonable.

Pedestrian access (interior walkways) Within all attached housing and multifamily developments, each residential dwelling shall be connected by walkway to the vehicular parking area, and common open space and recreation facilities.

Walkways are provided throughout to achieve this requirement.

Where a site for proposed commercial, institutional, or multifamily development is located within at least one-quarter mile of an existing or planned transit stop, the proposed pedestrian circulation system must include a safe and direct pedestrian walkway from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop.

Per the 2009 Columbia County Community-Wide Transit Plan, there is no transit stop within a quarter mile.

In parking lots one acre or larger, pedestrian walkways shall connect from buildings to sidewalks in the adjacent rights-of-way, and shall be provided at least every 150 feet between rows of parking.

Though larger than an acre, the parking area surrounds the building. This provisions is meant for large contiguous off-street parking lots.

Wherever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six-inch vertical separation (curbed) or a minimum three-foot horizontal separation, except that pedestrian crossings of traffic aisles are permitted for distances no greater than 36 feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used. Walkways shall be a minimum of four feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and sign posts, and shall be in compliance with ADA standards.

Several formal crossings are proposed. Pavement markings are proposed. No crossing is greater than 36 feet.

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Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways shall be required to be lighted and/or signed as needed for safety purposes. Soft-surfaced public use pathways may be provided only if such pathways are provided in addition to required pathways.

Paved walkways are proposed throughout. Lighting by them is proposed throughout.

As a collector street, site design that requires maneuvering or backing movements into Matzen Street is not allowed. Proposed design is acceptable.

Access requirements based on type and intensity of use. With 204 dwelling units, at least three accesses to a public street area required. Three are proposed in addition to access to US 30 via easement. They are required to be at least 24' in width and include curbs and minimum 5' sidewalk. The three direct (non US30) accesses meet this.

* * *

<u>Signs</u>: No signs are proposed at this time. New signs will require permits per Chapter 17.88 SHMC.

* * *

<u>Solid Waste/Recyclables</u>: Chapter 17.92 SHMC includes provisions for functional and adequate space for on-site storage and efficient collection of mixed solid waste and recyclables subject to pick up and removal by haulers.

The applicant did not address this chapter in their narrative, but some notation on sheet SDR4 received August 23, 2018 seems to reflect it, though, it has inaccuracies and inconsistencies.

Mulidwelling unit uses require 50 s.f. of space for this plus an additional 5 s.f. for each unit above 10. At 204 units, there are 194 above 10.

Thus 50 s.f. (for 1^{st} 10 units) + (194 x 5) = 1,020 s.f. of area required.

Proposal as shown on the site plans (sheet SDR3 received August 23, 2018) is about 20' x 44' or about 880 square feet, which is insufficient. On sheet SDR4 (received August 23, 2018) its shown as 25' x 45' or about 1,125. Plans are inconsistent.

A single location is proposed and allowed by the code, but the code also requires it to be in a central and visible location to enhance security for visitors. Proposed location on plans received August 23, 2018 is centrally located and surrounded by multi-dwelling building to be visible.

These enclosures are required to be enclosed by a minimum 6' high fence/wall/hedge with openings at least 10' wide which are capable of being secured in an open or closed position. Plans on Sheet SDR4 (received August 23, 2018) show this generally.

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The storage/trash enclosure area is required to be designed to be easily accessible by trucks and equipment. A minimum 10' horizontal clearance and 8' vertical clearance is required (if covered). Plans on Sheet SDR4 (received August 23, 2018), show conflicting information in this regard. Final plans shall demonstrate compliance.

The storage/trash enclosure area is required to placed such that backing out of a driveway onto a public street is not necessary. Current location does this.

* * *

Site Development Review:

Per SHMC 17.96.180(2)—Relationship to the Natural and Physical Environment:

- (a) Buildings shall be:
- (i) Located to preserve existing trees, topography, and natural drainage in accordance with other sections of this code;
 - (ii) Located in areas not subject to ground slumping or sliding;
- (iii) Located to provide adequate distance between adjoining buildings for adequate light, air circulation, and fire fighting; and
 - (iv) Oriented with consideration for sun and wind; and
- (b) Trees having a six-inch DBH (as defined by Chapter 17.132 SHMC) or greater shall be preserved or replaced by new plantings of equal character;

Trees are addressed further below and are the only noteworthy natural feature. Inadequate tree preservation wasn't an issue at the Planning Commission's August 14, 2018 hearing. The plans received on August 23, 2018 do not show the trees to be preserved like the last version (received July 19, 2018) did. All trees shown to preserved on the plans received July 19, 2018 shall be preserved; no more shall be allowed to be removed.

Per SHMC 17.96.180(3)—Exterior Elevations:

Along the vertical face of single-dwelling units – attached and multiple-dwelling unit structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

- (a) Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet;
- (b) Extensions (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet, and maximum length of an overhang shall be 25 feet; and
 - (c) Offsets or breaks in roof elevations of three or more feet in height;

Before the application was deemed complete staff noted that not all building types proposed met these standards and the narrative was vague. The applicant's first revised application (received July 19, 2018) still didn't address specifics. The applicant made further revisions to the floorplans (revisions received August 23, 2018), but not the elevations.

Reviewing the plans by building type per each standard (a), (b) and (c):

Buildings 1, 5 and 6 (and 2 see below)

Based on revised floor plans and better illustration of compliance received on August 23, 2018, these buildings appear to comply.

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Building 2

Per the applicant (email dated August 29, 2018) Building 2 is the same as 1 as seen from the outside. It had a different set of plans (in the set received July 19, 2018) because of different framing and bathroom types.

Buildings 3, 9 and 15

These buildings were found to comply at the August 14, 2018 Planning Commission meeting. Revisions were made per plans received August 23, 2018 too.

Buildings 4, 10, 11 and 12 (and 16 see below)

Based on revised floor plans and better illustration of compliance received on August 23, 2018, these buildings appear to comply.

Building 16

Per the applicant (email dated August 29, 2018) Building 16 is the same as 4, 10-12 as seen from the outside. It had a different set of plans (in the set received July 19, 2018) because of different framing and bathroom types.

Buildings 15 and 18 (starting with Sheet A6.31) – per plans received July 19, 2018

These buildings are not on the site plan received July 19, 2018 or August 23, 2018! They were on the plans before the application was deemed complete and removed due to clear noncompliance with these provisions.

Building 15 is addressed on sheet **A3.41** (received August 23, 2018). Building 18 is the recreation building.

Building 7, 8 and 17

Based on revised floor plans and better illustration of compliance received on August 23, 2018, these buildings appear to comply.

Buildings 13 and 14

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Based on better illustration of compliance received on August 23, 2018, these buildings appear to comply.

Summary: based on revisions received August 23, 2018, these standards are met.

Per SHMC 17.96.180(4)—Buffering, Screening, and Compatibility between Adjoining Uses:

- (a) Buffering shall be provided between different types of land uses (for example, between single-dwelling units and multiple-dwelling units residential, and residential and commercial), and the following factors shall be considered in determining the adequacy of the type and extent of the buffer:
- (i) The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;
 - (ii) The size of the buffer required to achieve the purpose in terms of width and height;
 - (iii) The direction(s) from which buffering is needed;
 - (iv) The required density of the buffering; and
 - (v) Whether the viewer is stationary or mobile;

Buffering between the R7 zoned property is addressed above.

Additional buffering should be considered between the General Commercial, GC zoned (subject) property and the Highway Commercial, HC property to the east.

Based on the plan submitted, the sports court doesn't necessarily need a buffer; they provide a buffer. However, the area to the east of Building 12 is a concern.

The applicant's plans received on August 23, 2018 show a 10' wide buffer along the eastern edge of the subject property to address this. The same buffer used between the subject property and R7 zoned property may be used or as prescribed by Chapter 17.72 SHMC.

- (b) On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots, and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:
 - (i) What needs to be screened:
 - (ii) The direction from which it is needed;
 - (iii) How dense the screen needs to be;
 - (iv) Whether the viewer is stationary or mobile; and
 - (v) Whether the screening needs to be year-round;

Screening is addressed elsewhere for most screening needs. In addition, the applicant proposes a 6' high sight obscuring fence between the sports court and Highway Commercial, HC zoned property, which is logical.

Per SHMC 17.96.180(5)—Privacy and Noise:

(a) Structures which include residential dwelling units shall provide private outdoor areas for each ground floor unit which is screened from view by adjoining units as provided in subsection (6)(a) of this section;

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- (b) The buildings shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;
- (c) Residential buildings should be located on the portion of the site having the lowest noise levels; and
- (d) On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (4) of this section);

Patios are provided.

Per SHMC 17.96.180(6)—Private Outdoor Area – Residential Use:

- (a) Private open space such as a patio or balcony shall be provided and shall be designed for the exclusive use of individual units and shall be at least 48 square feet in size with a minimum width dimension of four feet, and:
- (i) Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit; and
- (ii) Required open space may include roofed or enclosed structures such as a recreation center or covered picnic area;
 - (b) Wherever possible, private outdoor open spaces should be oriented toward the sun; and
- (c) Private outdoor spaces shall be screened or designed to provide privacy for the users of the space;

Balconies are provided.

Per SHMC 17.96.180(7)—Shared Outdoor Recreation Areas – Residential Use:

- (a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:
 - (i) Studio up to and including two-bedroom units, 200 square feet per unit; and
 - (ii) Three- or more bedroom units, 300 square feet per unit;
 - (b) The required recreation space may be provided as follows:
 - (i) It may be all outdoor space; or
- (ii) It may be part outdoor space and part indoor space; for example, an outdoor tennis court and indoor recreation room;
 - (iii) It may be all public or common space; or
- (iv) It may be part common space and part private; for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; and
 - (v) Where balconies are added to units, the balconies shall not be less than 48 square feet;
- (c) Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

24 three-bed units are proposed. The rest are less. As such the minimum required usable outdoor recreation required is: (300 s.f. x 24) + (200 s.f. x 180) = 43,200 square feet of usable outdoor space.

The site provides much outdoor space and indoor recreation area. A pool, hot tub and sports court are also proposed. It appears there is at least an acre of usable open space.

However, as a detailed landscape plan has not been provided (and isn't always provided at this step in the process); this needs to be a condition of approval. For example, certain buffering requirements may render some open space "unusable." "Usable open space" needs to be defined

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on final plans as to specific location and total area in addition to other landscape requirement (e.g., basic minimum requirements applicable to multidwellings).

Per SHMC 17.96.180(8)—Demarcation of Public, Semipublic, and Private Spaces – Crime Prevention:

- (a) The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and
 - (b) These areas may be defined by:
 - (i) A deck, patio, low wall, hedge, or draping vine;
 - (ii) A trellis or arbor;
 - (iii) A change in level;
 - (iv) A change in the texture of the path material;
 - (v) Sign; or
 - (vi) Landscaping;

Generally, the north, west and south sides will be well defined by the public streets. The property line between the R7 zoned property (165 McBride Street) will have buffering and a fence. The area between the sports court and Highway Commercial property will also have a fence.

The east side (other than the sports court) will be defined by the landscape buffer area proposed between the subject property (Lot 5) and Lots 1 and 4.

Per SHMC 17.96.180(9)—Crime Prevention and Safety:

- (a) Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants:
- (b) Interior laundry and service areas shall be located in a way that they can be observed by others;
 - (c) Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;
- (d) The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and
- (e) Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes:
- (i) Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet, which is sufficient to illuminate a person;

There will be windows facing all directions. Lighting is proposed throughout. The mailbox area is not identified on revised plans received on August 23, 2018.

Postmaster needs to approve location (explained below); location is not certain. Mailbox facility(ies) shall be located in lighted areas having vehicular or pedestrian traffic.

Per SHMC 17.96.180(10)—Access and Circulation:

- (a) The number of allowed access points for a development shall be as provided in SHMC 17.84.070;
- (b) All circulation patterns within a development shall be designed to accommodate emergency vehicles; and

(c) Provisions shall be made for pedestrianways and bicycleways if such facilities are shown on an adopted plan;

No issues.

Per SHMC 17.96.180(11)—Distance between Multiple-Family Residential Structure and Other:

- (a) To provide privacy, light, air, and access to the multiple and attached residential dwellings within a development, the following separations shall apply:
- (i) Buildings with windowed walls facing buildings with windowed walls shall have a 25-foot separation;
- (ii) Buildings with windowed walls facing buildings with a blank wall shall have a 15-foot separation;
 - (iii) Buildings with opposing blank walls shall have a 10-foot separation;
- (iv) Building separation shall also apply to buildings having projections such as balconies, bay windows, and room projections; and
- (v) Buildings with courtyards shall maintain separation of opposing walls as listed in subsections (11)(a)(i), (ii) and (iii) of this section for walls in separate buildings;

There is a 25' separation between principle buildings except as follows (based on plans received August 23, 2018):

- There is only 20' between buildings 16 and 17. But there is 25' between windowed walls.
- There is only 20 feet between buildings 13 and 17. This one is close, but there is probably about 25 feet between opposing windows.
- (b) Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be one foot for each 15 feet of building length over 50 feet and two feet for each 10 feet of building height over 30 feet;

Generally, this is met.

- (c) Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within eight feet of the ground level:
- (i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and
- (ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;
- **Building 4**: Driveway is 9.5' from living room window (6" off standard).

The Commission finds this is acceptable.

• Buildings 5, 8, 9, 10, 11, and 12: Walkway is 5 feet from living room window (2' off standard) or 6' in the case of building 12 (1' off standard).

The walkway is 6' in width. The Development Code standard is 4'. The Commission finds this acceptable as the "extra" sidewalk width makes up the difference.

Per SHMC 17.96.180(12)—Parking:

All parking and loading areas shall be designed in accordance with the requirements set forth in SHMC 17.80.050 and 17.80.090; Chapter 17.76 SHMC, Visual Clearance Areas; and Chapter 17.84 SHMC, Access, Egress, and Circulation;

Parking addressed herein.

Per SHMC 17.96.180(13)—Landscaping:

- (a) All landscaping shall be designed in accordance with the requirements set forth in Chapter 17.72SHMC; and
- (b) For residential use, in addition to the open space and recreation area requirements of subsections (6) and (7) of this section, a minimum of 15 percent of the gross area including parking, loading and service areas shall be landscaped;

The site size is 7.73 acres. 15% of that is 50,507 square feet or about 1.16 acres. This is the minimum area required to be landscaped. According the plans provided, there is about twice as much. This will need to be shown on final plans.

Per SHMC 17.96.180(14)—Drainage:

All drainage plans shall be designed in accordance with the criteria in the most current adopted St. Helens master drainage plan;

Drainage plan will be required.

Per SHMC 17.96.180(15)—Provision for the Handicapped:

All facilities for the handicapped shall be designed in accordance with the requirements pursuant to applicable federal, state and local law;

This will be addressed more thoroughly with building permit and engineering/construction plan review.

Per SHMC 17.96.180(16)—Signs:

All sign placement and construction shall be designed in accordance with requirements set forth in Chapter 17.88 SHMC;

Signs shall require permits as applicable.

Per SHMC 17.96.180(17):

All of the provisions and regulations of the underlying zone shall apply unless modified by other sections of this code (e.g., the planned development, Chapter 17.148 SHMC; or a variance granted under Chapter 17.108 SHMC; etc.).

No Variance has been applied for.

* * *

Conditional Use: Per SHMC 17.100.040(1):

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- (1) The planning commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:
 - (a) The site size and dimensions provide adequate area for the needs of the proposed use;
- (b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
 - (c) All required public facilities have adequate capacity to serve the proposal;
- (d) The applicable requirements of the zoning district are met except as modified by this chapter;
- (e) The supplementary requirements set forth in Chapter <u>17.88</u> SHMC, Signs; and Chapter 17.96 SHMC, Site Development Review, if applicable, are met; and
 - (f) The use will comply with the applicable policies of the comprehensive plan.

(a) This criterion requires that the site size and dimensions provide adequate area for the needs of the proposed use.

The site is large, fairly square, and generally flat. This lends itself well to a project like this.

(b) This criterion requires that the characteristics of the site be suitable for the proposed use.

The site has good access and, given this proposal, will be a land use transition between the highway commercial lands and R7 lands to the west.

(c) This criterion requires that public facilities have adequate capacity to serve the proposal.

There is no evidence to the contrary.

(d) This criterion requires that the requirements of the zoning district be met except as modified by the Conditional Use Permit (CUP) chapter.

The CUP chapter does not include additional requirements or exceptions specific to multidwelling proposals.

(e) This criterion requires analysis of the sign chapter and site design review chapter.

This is addressed herein.

(f) This criterion requires compliance with the applicable policies of the Comprehensive Plan.

There are no known conflicts with the Comprehensive Plan.

SHMC 17.100.040(3) - CUP Approval standards and conditions

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- (3) The planning commission may impose conditions on its approval of a conditional use, which it finds are necessary to ensure the use is compatible with other use in the vicinity. These conditions may include, but are not limited to, the following:
 - (a) Limiting the hours, days, place, and manner of operation;
- (b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;
 - (c) Requiring additional setback areas, lot area, or lot depth or width;
 - (d) Limiting the building height, size or lot coverage, or location on the site;
- (e) Designating the size, number, location, and design of vehicle access points;
 - (f) Requiring street right-of-way to be dedicated and the street to be improved;
- (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;
 - (h) Limiting the number, size, location, height, and lighting of signs;
- (i) Limiting or setting standards for the location and intensity of outdoor lighting;
- (j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;
- (k) Requiring and designating the size, height, location, and materials for fences; and
- (I) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

Discussion: These are items the Commission may consider for this proposal. There are at least a couple things not specifically mentioned above that the Commission could consider:

First, the proposed garages on plans set received July 19, 2017. The Planning Commission finds these shall be prohibited. This would help preserve open space and natural features, allow room for the deficient off-street parking (the Commission finds they shouldn't count towards that) and guarantee they won't be rented/leased to non-tenants (i.e. storage is not an allowed use in the GC zone). Since they are not required by the City's code, eliminating them will only help achieve compliance with some of the shortcomings identified on the plans received July 19, 2018.

Second, the required treed parking lot landscape islands. This is the "island per 7 spaces requirement" explained above (SHMC 17.72.140). The Commission finds that at least each parking space adjacent to these treed landscape parking lot islands, not be covered. The concern is having the island with a parking canopy immediately adjacent to either side will create maintenance issues (and a potential greater tendency for future management to want to remove the trees) and crowd the tree.

The plans received on August 23, 2018 addresses this but not perfectly. There are still some spaces shown as covered adjacent to these areas.

* * *

Accessory Structures: The proposed principle use is a 204 unit multidwelling complex. Some accessory structures are proposed too: gazebo, carports and bike rack shelters, and a maintenance building (new as of plans received August 23, 2018).

Maximum size allowed: Maximum gross floor area (GFA) allowed for an accessory structure in a residential zone depends on property size. The maximum GFA is 600 unless the property (lot or parcel) it is proposed on is at least 2½ acres in size. The property is approximately 7.73 acres in size, which increases the maximum size allowed to 1,000 GFA (assuming it treated as residential).

The property is zoned General Commercial, GC, but the accessory structures are accessory to multi-dwelling units being reviewed by the Apartment Residential, AR standards. In the GC zone, multidwelling units fall under the AR standards. The Commission finds that all accessory structures for this proposal shall be treated under the AR standards (as residential accessory structures).

Lot coverage: Accessory structures cannot exceed the coverage allowed combined with the principle structures/buildings. This looks ok. Final plans would need to include total building footprint coverage.

Yard requirements: the yard (setback) requirements of the zoning district are required to be met. The accessory structures meet the proper yard requirements.

Architectural requirements: The style and exterior materials are required to be similar as the principle building and the roof pitch of the accessory building is required to be the same as the principle building if the accessory building exceeds 15 feet in height.

- Gazebo: okGarages: ok
- Carports: The applicant provided a rendering of the carports. They are anticipated to be <15 in height. The Planning Commission finds these are acceptable.
- Bicycle rack shelters. Plans received on August 23, 2018 show the shelters similar in appearance as the carports. The Planning Commission finds these are acceptable.
- Maintenance building. No renderings or elevations provided. Shall comply with this provision.

* * *

Tree Removal/Preservation:

Chapter 17.132 SHMC addresses the preservation of trees with a diameter at breast height (DBH) >12 inches. Protection is preferred over removal per this Chapter and Site Development Review Chapter 17.96 SHMC.

A tree plan was submitted with the Matzen Subdivision application, which identified 277 trees on the proposed Lot 5. Now that the subdivision has been recorded, Lot 5 is smaller given some right-of-way dedication along Brayden Street on the south side. The tree plan provided with this Conditional Use Permit identifies 275 trees (consistent with the plan provided with the subdivision), less two trees as a result of the right-of-way dedication.

22 trees are proposed to be preserved, mostly along McBride Street, with one along Brayden Street and a few in the center of the property.

Since less than 50% of these trees will be kept, the number lost is required to be replaced at a 2:1 ratio. This equates to needing 506 new trees.

The schematic landscape plans provides (received July 19, 2018) shows maybe half of that. Showing all will be a requirement of the final landscape plans. Buffering landscaping includes trees which will help.

A protection program by a qualified professional defining the standards and methods that will be used to protect the existing trees to be preserved is required. This shall be on or with the Building Permit plan set to ensure contractors and others follow the tree protection plan during site development.

* * *

<u>Street/Right-of-Way Standards</u>: Per condition 4 of SUB.3.17 (applicable excerpts):

All street/right-of-way frontages abutting each lot shall be improved to City standards including but not limited to pavement widening, bike lanes as identified in the City's Transportation Master Plan, curb, gutter, landscape strip (as applicable) and sidewalk...

South Road-Maplewood Drive (proposed as Brayden Street) shall be built to local street standards (half street improvements + 12')...

The intersection improvements per condition 2 shall be completed as part of development of lot 5.

Condition 2 requires alignment of the Matzen Street/Maplewood Drive and Matzen Street/Brayden Street) intersections. Shall include street lighting to illuminate the intersection.

Street lights shall be required at each intersection and at such locations to provide overlapping lighting to sufficiently illuminate the street and public passageways. Existing lighting may require upgrading where warranted.

All streets are underdeveloped. Brayden Street is undeveloped. All will need to be improved with frontage improvements per their classification. The Matze Street/Maplewood Drive/Brayden Street intersection will need to be improved as well.

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In regards to street lighting. There is already a light at the McBride Street/Matzen Street intersection. There is no light at the other abutting intersection.

Street signs are installed by the City at the expense of the developer.

* * *

Utility Standards:

Water: Water is available along all abutting streets. A water main extension is proposed within the property. Some proposed main extensions are identified on the plans within Brayden Street. This will necessitate engineering plans and easements.

Sanitary Sewer: Sanitary sewer is available along McBride, Matzen and the US30 end of Brayden Street. Some proposed main extensions are identified on the plans within Brayden Street. Any extension/modification of public lines necessitates engineering plans. Maybe easements depending on final plans, though it appears the applicant intends on using public right-of-way for public sanitary sewer mains.

Storm Sewer: There is storm sewer infrastructure within the Matzen and McBride Streets rights-of-way. Some proposed main extensions are identified on the plans within Brayden Street. Engineering plans will be required along with easements as necessary.

Other: new utilities are required to be underground.

* * *

<u>Trails/bikeways</u>: There is no identified trail. As a Collector, Matzen Street is required to have a bike lane.

* * *

<u>Traffic Impact Analysis</u>: The proposal is large enough that a TIA is required. ODOT reviewed an initial version and required revisions. As of the date of this report, there is no final TIA (ODOT has yet to approve).

The City already reviewed a development proposal for Lot 1 of the Matzen Subdivision for an approximate 21,500 medical office building (file SDR.1.18). The project resulted in 764 daily trips, 51 AM peak hour trips and 77 PM peak hour trips and included some US30/Gable Road intersection impact. The culprit for the impact was the PM peak.

The originally submitted TIA for this proposal indicated 1,493 daily trips with 94 AM peak and 114 PM peak trips.

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Acceptable function of City controlled intersections is based on level of service (LOS), where intersections are graded "A" – "F." The analysis provided indicates that city controlled intersections will have a LOS of "A" or "B" and within an acceptable range.

Intersections under ODOT (State) jurisdiction within the TIA study area have a mobility target measured by a volume/capacity ratio (V/C) of 0.85. Not surprising, there is a problem with the v/c ratio for the US30/Gable Road intersection, where the PM peak has a v/c of 0.995 (based on originally submitted plans).

As a comparison, the office building (file SDR.1.18) had a PM peak v/c ratio of 0.87. That TIA indicated todays PM peak v/c is 0.85.

The worst movement at this intersection is the westbound right turn.

In the City's Transportation Systems Plan, there is a long term improvement (Project L01 in Table 7-7 in the City's 2011 TSP) to install a westbound right-turn lane. This project has an estimated cost of \$485,000 (c. 2011 dollars).

The applicant shall be required to pay a proportionate share of the cost of the westbound right-turn lane at this intersection. The project cost shall be based on the estimated cost in the TSP with inflation to current. Note that 29.5% of this cost is SDC creditable.

Given the uncertainty of the TIA, the Planning Commission can include conditions of approval to address or delay a decision until the TIA is approved by ODOT. This includes, before building permit issuance, completion of the TIA and approval of an ODOT road approach application. In addition, if new impacts are indicated other than the Gable Road/US30 intersection, a new public hearing before the Planning Commission would be required to consider new conditions of approval to address that. Staff assumes there will not be other impacts; if staff felt the probability of additional impacts was greater, delay of the decision would be recommended. But we still need to cover the City, thus the new public hearing condition.

In addition, ODOT's road approach is based on the impacts of this proposal. There is already an approved approach design for the medical office building on Lot 1. This is important because the ODOT approach is intended to deal with traffic in addition to the medical office building. Thus, a condition is necessary that all mitigation required by ODOT is completed before occupancy, with even temporary occupancy expressly prohibited.

* * *

<u>Other Considerations</u>: Pursuant to SHMC 17.152.030(22) joint mailbox facilities are required to be provided in residential developments.

Joint mailbox facilities are required to be shown on preliminary plans and be approved by the City and US Post Office (Postmaster) prior to final plan approval. An accessible route is required.

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No Postmaster input has been sought by the applicant to date.

Public trees, including those within public rights-of-way are protected. Pursuant to SHMC 8.12.090 no person shall remove trees within public places (including public rights-of-way) without first obtaining permission from the City. The original tree inventory provided by the applicant (before the application was deemed complete) included trees on a property not involved with this proposal. The revised plan omitted those, but also omitted the trees within Matzen Street/Brayden Street right-of-way (just beyond the SW corner of the site). Trees that do not need to be removed for the intersection improvements here shall be preserved.

* * * * *

CONCLUSION & RECOMMENDATION

Based on the facts and findings herein, if the Planning Commission approves this Conditional Use Permit, staff recommends the following conditions:

- 1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030. This Conditional Use Permit approval is valid for 1.5 years. A 1-year extension is possible but requires an application and fee. If the approval is not vested within the initial 1.5 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.100.030.
- 2. The following shall be required prior to any development or building permit issuance:
 - a. Final plans as submitted with any development or building permit(s) shall comply with the plans submitted with this Conditional Use Permit with the following additions and/or corrections:
 - A. Identify total footprint area of all buildings and structures.
 - B. Improvements to Lot 4, Matzen Subdivision. See condition 4. Improvements not approved by the City (e.g., conceptual improvements for future development of Lot 4) shall not be shown.
 - C. Street trees in location based on street classification. Tree spacing will be based on tree size per 17.72.035(2)(a)-(c). Tree location shall also comply with requirements per 17.72.035(2)(d)-(l); plans shall include the details necessary to evaluate these standards. Existing trees to be preserved shall be accounted for, with new street tree placement as appropriate.
 - D. Buffering from the R7 zoned property address as 165 McBride Street per Chapter 17.72 SHMC and the area between the subject property and Lots 1 and 4 as shown on the plans received August 23, 2018. Buffering concept received on August 23, 2019 consisting of a mix of Columnar Dawyck Purple Leaf Beach (tree) and Texas Wax-Leaf Privet, in addition to a 6' high black sight obscuring fence may be used for this.

- E. Landscaping consisting of a balance of low lying and vertical shrubbery and trees to "screen" the off-street parking areas visible from surrounding streets.
- F. As per condition 5.
- G. As per condition 6. All standards of Chapter 17.92 SHMC (regarding solid waste and recyclables) shall be addressed. Plans shall be accurate and consistent.
- H. Landscaping of parking lot "islands" per SHMC 17.72.140. They are required to have a combination of groundcover and shrubs in addition to a tree, such that at least 50% of the island will be covered with living plants.
- I. At least the minimum off street parking (344 spaces). Quantity identified per contiguous row shall be accurate.
- J. At least the minimum bike parking (1 per dwelling unit) with corrections as follows:
 - i. No bicycle parking shall be allowed under stairwells as proposed (Building Code). All spaces shall be accommodated by outside bike racks as proposed.
 - ii. All outside bike racks shall include a shelter per plans received August 23, 2018. There shall be a minimum 10' separation between bike shelters and other buildings.
 - iii. Shall still comply with the provisions of the Development Code.
- K. In addition to normal parking space markings, compact and/or visitor off-street parking spaces shall be signed or labeled as such. Plans shall indicate method.
- L. Any covered off-street parking shall have a vehicle clearance of at least 7.5 feet.
- M. All interior drives and access aisles are required to be marked and signed to indicate direction flow.
- N. "Useable open space" per SHMC 17.96.180(7) shall be defined as to location and total area to demonstrate compliance. This is addition to other landscaping requirements.
- O. At least 50,507 square feet of total landscaping is required. This shall be identified on final plans. Total overall landscaping area shall be indicated in addition to other details necessary to demonstrate compliance.
- P. Proposes garages as shown on the plans received July 19, 2018 shall be prohibited. Shall not be included.
- Q. Off-street parking spaces adjacent to parking lot "islands" per SHMC 17.72.140 shall not be covered. The plans received on August 23, 2018 do not address this in all applicable cases.

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- R. The maintenance building (new as of plans received August 23, 2018) shall have style and exterior materials similar to the principle buildings and a comparable roof pitch if taller than 15 in height (measured to top of building). Renderings/elevations required for this and all other accessory structures.
- S. Tree replacement as required by Chapter 17.132 SHMC.
- T. A protection program by a qualified professional defining the standards and methods that will be used to protect the existing trees to be preserved is required. This shall be on or with the development and/or building permit plan set(s) to ensure contractors and others follow the tree protection plan during site development. This includes trees on private property and trees that existing within public rights-of-way (i.e., public trees).

All trees shown on the plans received July 19, 2018 to be preserved shall be shown; no more shall be allowed to be removed.

- U. Joint mailbox facilities are required to be shown on preliminary plans and be approved by the City and US Post Office (Postmaster) prior to final plan approval. An accessible route is required. Mailbox facility(ies) shall be located in lighted areas having vehicular or pedestrian traffic.
- b. Engineering construction plans shall be submitted for review and approval addressing all public improvements including but not limited to:
 - A. All abutting streets shall be improved to City standards including but not limited to pavement widening, bike lanes as identified in the City's Transportation Master Plan, curb, gutter, landscape strip, and sidewalk.
 - B. In addition to condition b.A, Brayden Street shall be built to local street standards; half street improvement plus a 12' travel lane.
 - C. In addition to conditions b.A and b.B, the Maplewood/Matzen Street/Brayden Street intersection shall be improved to City standards. Maplewood Drive and Brayden Street shall be aligned. Street lighting shall be included to illuminate this intersection.
 - D. In addition to conditions b.A-b.C above, street lights shall be required at such locations to provide overlapping lighting to sufficiently illuminate the street and public passageways. Existing lighting may require upgrading where warranted.
 - E. All City utility line extensions/modifications.

- c. A drainage and stormwater plan shall be submitted that addresses any increase in runoff from the site and how the potential impacts will be mitigated. Plans shall include oil/water separation.
- d. The access and maintenance agreement recorded with the Matzen Subdivision (instrument no. 2018-5431) shall be revised as necessary based on approved plans. This shall be subject to City review and approval prior to recoding with the County Clerk. This condition is not satisfied until approved document is recorded.
- e. The applicant shall provide easement legal descriptions per City specifications for all proposed public infrastructure within the subject property. This includes but is not limited to the proposed water main extension. Legal descriptions shall be based on approved engineering construction plans.
- f. Applicant shall pay their proportional share, based on project impact, of project L01 in Table 7-7 in the City's 2011 TSP (as explained herein). The project cost shall be based on the estimated cost in the TSP with inflation adjustment to current value. Note that 29.5% of this cost is System Development Charge creditable.
- g. The applicant shall complete the Traffic Impact Analysis to the satisfaction of ODOT. If there are system impacts in addition to condition 2.f. a new public hearing before the Planning Commission shall be required to address that. The Planning Commission reserves the right to impose additional conditions.
- h. The applicant shall obtain approval of an ODOT road approach application.
- 3. The following shall be required **prior to** Certificate of Occupancy by the City Building Official:
 - a. All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place. This includes all street and intersection improvements.
 - b. Easements for all proposed public infrastructure within the subject property shall be recorded as approved by the City.
 - c. All mitigation, if any, required as part of the ODOT road approach approval shall be completed before occupancy. For this condition, any temporary occupancy is expressly prohibited.
- 4. This CUP does not allow or approve any use of Lot 4 of the Matzen Subdivision. It may allow improvements to Lot 4, limited to shared access reasons for the development of Lot 5 only.
- 5. Service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened, regardless if such screening is absent on any plan reviewed by the

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City. This includes but is not limited to ground mounted, roof mounted or building mounted units. See SHMC 17.72.110(2).

- 6. Any refuse container or refuse collection area visible from a public street, parking lot, residential or commercial area, or any public facility (e.g., school or park) shall be screened or enclosed from view by a solid wood (or otherwise sight-obscuring) fence, masonry wall or evergreen hedge.
- 7. The business rental within the recreation building shall only be used for a use related to the multidwewlling complex and/or a permitted use in the General Commercial, GC zoning district. The City reserves the right to require permitting for any use of this.
- 8. Any artificial lighting of the site shall be designed such that there will be no glare into nearby public rights-of-way or residences.
- 9. Any new sign requires a sign permit prior to installation, pursuant to Chapter 17.88 SHMC.
- 10. Any new utilities shall be underground.
- 11. Pursuant to SHMC 8.12.090 no person shall remove trees within public places (including public rights-of-way) without first obtaining permission from the City.
- 12. Any requirement of the Fire Marshall as it applies to this proposal shall be met.
- 13. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in the location and manner contemplated by Owner/Developer. City has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable State and Federal agency permit or other approval requirements. This land use approval shall not be interpreted as a waiver, modification, or grant of any State or Federal agency or other permits or authorizations.
- 14. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17).

* * * * *

Attachment(s)—provided with this report dated August 31, 2018:

Sheet SDR1 Cover Sheet Sheet, received August 23, 2018

Sheet SDR3 Site Plan Sheet, received August 23, 2018

Sheet SDR3 Site Plan Sheet, received August 23, 2018 w/ City Planner notes/redlines

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Sheet SDR4 Site Details, received August 23, 2018 w/ City Planner notes/redlines

Sheet L1.4, Schematic Landscape Plan (buffer screening), received August 23, 2018 w City Planner notes

Sheet L1.5, Landscape Details and Notes, received August 23, 2018

Revised Floorplans received August 23, 2018 (sheets A1.41, A3.41, A4.41, A7.43)

Attachment(s)—provided with previous report dated August 7, 2018

Site plans received July 19, 2018 (sheets SDR1 – SDR9 and L1.1 – L1.4)

Utility/infrastructure plans received July 19, 2018 (sheets 101-901)

Building floorplan and elevation plans received July 19, 2018 (sheets A1.31-A11.1)

Application narrative received July 19, 2018

Conditional Use narrative received July 19, 2018

Depiction of carports received July 26, 2018

Preliminary drainage report dated April 27, 2018

Pages 2 and 3 of the Traffic Impact Analysis received July 19, 2018

Letter from Hudson Garbage Service received July 19, 2018

Exhibit B from Inst. No 2018-5431 Columbia Co. Clerk Records

Trees within the Maplewood/Matzen/Brayden Intersection

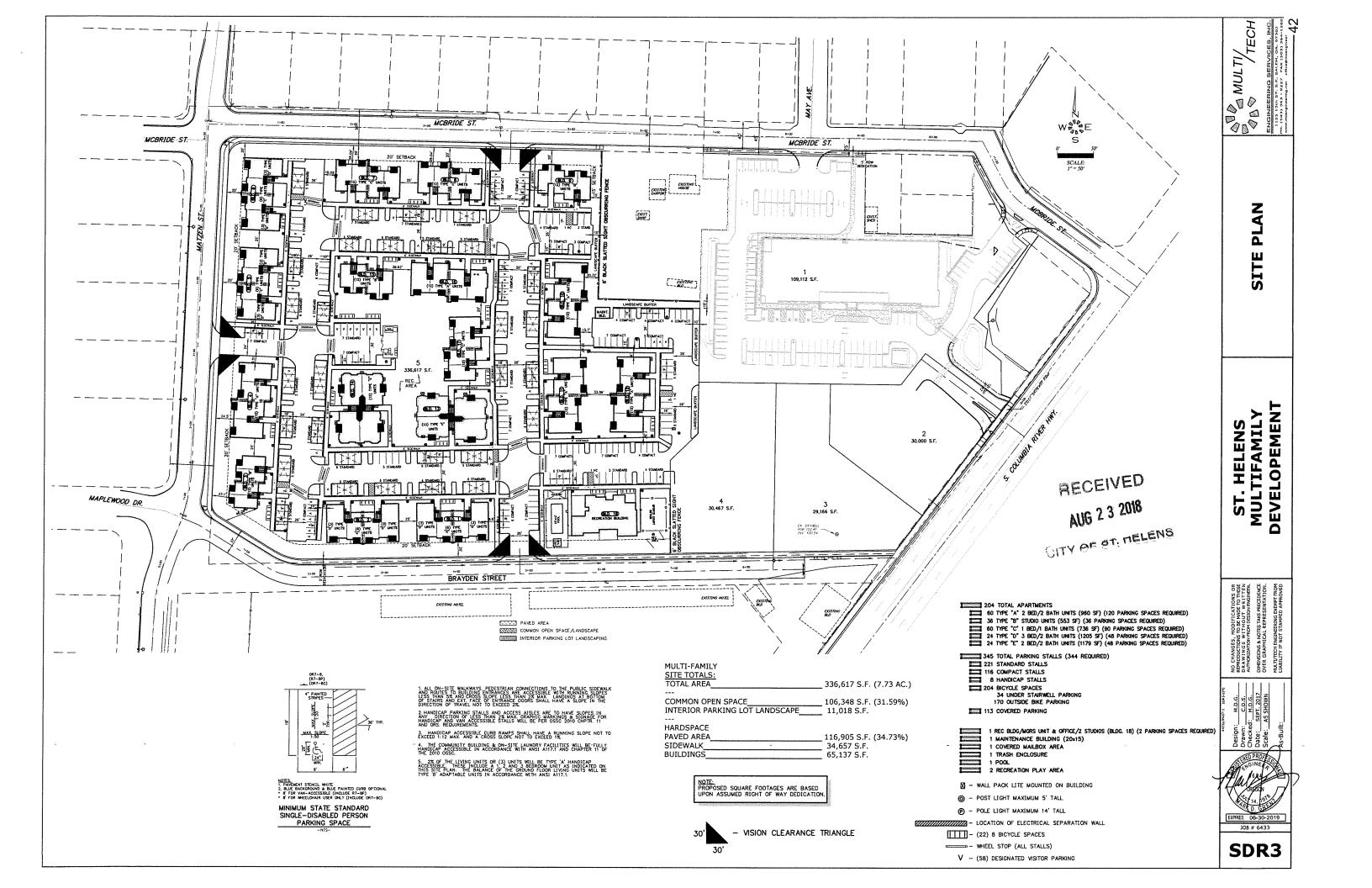
CUP.2.18 Staff Report 30 of 30

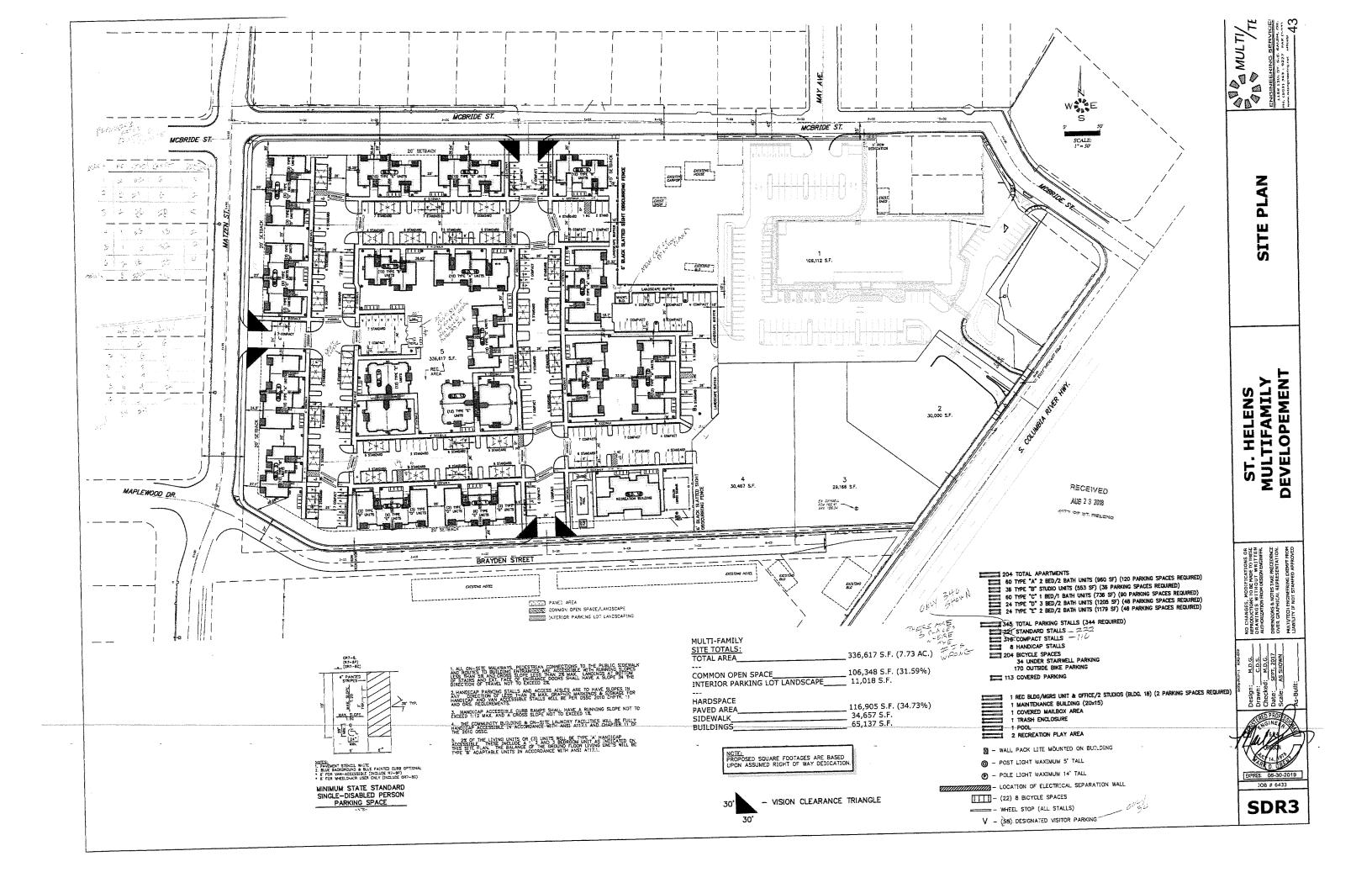
SO MULTI/ ST. HELENS Owner / Developer: ST. HELENS LAND **MULTIFAMILY DEVELOPEMENT** COMPANY, LLC T.B.M. RD4218
LOCATED IN THE CITY OF ST. HELENS, OR
THE STATION IS A 4 INCH OREGON PRIMARY
GPS DISK STAMPED "HELEN 1989" SET IN SEC. 5, T. 4 S., R. 1 W., W.M. 9550 SE CLACKAMAS RD. **CITY OF ST. HELENS** BEDROCK FLUSH WITH GROUND ELEVATION 78.30 NAVD88. **CLACKAMAS, OR 97015 COLUMBIA COUNTY, OREGON** (503) 655-7933 TOTAL ACREAGE 7.73 AC. KARL@IECON.US TOTAL SQUARE FEET 336,617 S.F. SHEET VICINITY MAP COVER SHEET INDEX SDR1 SDR2 SDR3 SDR4 SDR5 SDR6 SDR7 SDR8 COVER SHEET
EXISTING CONDITIONS PLAN
SITE PLAN
SITE DETAILS
EASEMENT PLAN MCBRIDE ST. GRADING PLAN SANITARY SEWER PLAN DOMESTIC WATER & FIRE SERVICE PLAN LANDSCAPE PLAN LANDSCAPE PLAN LANDSCAPE PLAN LANDSCAPE PLAN LANDSCAPE DETAILS AND NOTES L1.1 L1.2 L1.3 L1.4 L1.5 ST. HELENS MULTIFAMILY DEVELOPEMENT 109,112 S.F. 2 30,000 s.f. MAPLEWOOD OR. 4 30,467 S.F. 3 29,166 S.F. SYMBOLS_ EXIST. PROP.

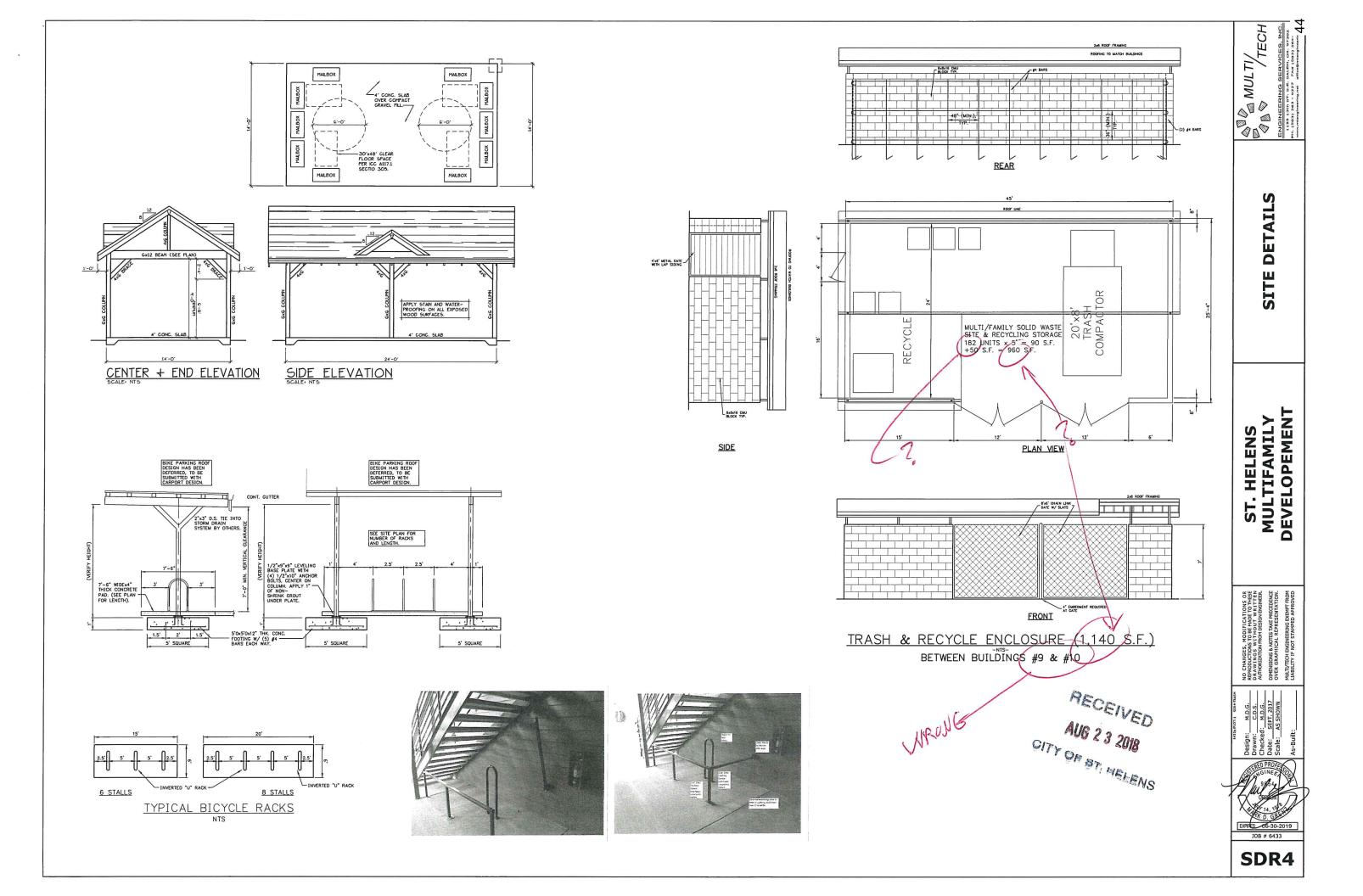
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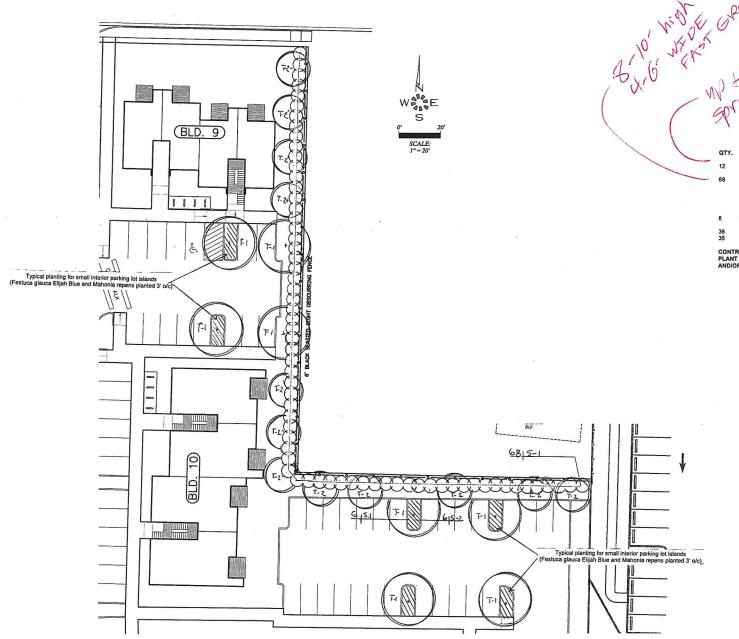
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■ ELEC. PED. / BOX TEL. PED. / BOX ER TRAFFIC PED. / BOX UTILITY / POWER POLE
WATER METER GAS LOCATION MAI ⊗ WATER VALVE JOB # 6433 SDR1









PLANT PALETTE FOR BUFFER SCREENING

QTY.	SYM	BOTANICAL NAME	COMMON NAME TREES	SIZE	CONDITION	REMARKS
12	T-1	Fagus sylvatica 'Dawyck Purple' Columnar	Columnar Dawyck Purple Leaf Beech SHRUBS	2" caliper min	B & B	3' Standard
68	S-1	Ligustrum japonicum Texanum	Texas Wax-Leaf Privel	5 gal.	cont	Full

SMALL INTERIOR PARKING LOT ISLANDS

8	T-1	Acer rubrum 'Armstrong'	Armstrong Red Maple Shrubs	1 1/3" - 2" cal.	B & B	6' Standard
36	S-1	Mahonia repens	Creeping Mahonia	1 gal.	cont.	Full
36	S-2	Festuca glauca Elijah Blue	Elijah Blue Festuca Grass	1 gal.	cont.	Full

CONTRACTOR TO VERIFY ALL QUANTITIES OF PLANT MATERIALS WITH LANDSCAPE DESIGN & CONSULTANTS PRIOR TO INSALLATION PLANT MATERIALS DESIMILAR HABIT, FLOWERING CHARACTERISTIC ANDIOR STRUCTURE OF GROWTH DUE TO AVAILABILITY, WATER, SOIL, AND SUN REQUIREMENTS.

RECEIVED AUG 2 3 2018

CITY OF ST. HELENS

LANDSCAPE & IRRIGATION DESIGN BY: &

L1.4

ANDLTI/

SCHEMATIC LANDSCAPE PLAN

ST. HELENS MULTIFAMILY DEVELOPEMENT

LANDSCAPE DESIGN CONSULTANTS LLC

Doing business since 1985

620 WORKWOOD ST. SE. SANDY, OR 97306 PHONE. (503) 591-6590

manufactures recommendations prior to planting. Recommend DeWitt PJN4216 Erosion Control Poly Jute Netting and DeWitt anchor pils no approved equal.

Seed recommendation is Pro-Time 700 Low Profile or approved equal over the jute netting at a rate of 2 lbs. per 1000 as, teet. The address of Pro-Time is 1172 SE Antery, Portand OR 97214, Phone 930-239-7516. There email is <u>info@profineteenneed.com</u>
The work limbs above no this plan shalf clearly be marked in the field prior to construction. No disturbation beyond the work limbs

The work simils shown on this plan shall clearly be trained in the specific or the specific plant is a specific plant of the specific plant is presented to constructed in conjunction with all clearing and grading activities, and in such a manner as to Terriskin common reasons shall be constructed in conjunction with all clearing and grading activities, and in such a manner as to the specific plant is presented to the specific plant is presented by the specific plant

fant Meterial:

Conflator shall worlfy all plant & tree quantities with LDC or Owner prior to construction.

In the event of a discrepancy between plants materials fisted on the drawings, the drawings shall govern the plant species and

In the event of a discrepancy between plants miserase seasure or an enemany, an experience of the control of the control of the control of the current edition of the American Standards for Whitesper Stock sportcored by the American Association of Numerymen, Inc. (AAN)
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end at defined within the current edition informational Code of Normanciature for California of the sport of the sport of the California of the California of the Stock of Normanciature for California of the locality for the project for a minimum of two years. Plants shall have been lined out in rows, annually cultivated, sprayed, pruned, and fertifized in accordance with good horizoutharal practice. All container plants shall have been transplanted or root pruned at least once in the pact and years. Business and business of the sport of the control of the sport of the

years. Belied-and buritapped (B&B) plants must come from soil which will hold a firm not ball. Heeled in plants and plants from cold storage are not accopitable.

Planting stock shall be well-branched and well-formed, sound, vigorous, heelethy, fine from disease, sun-scaled, windown. Planting stock shall be well-branched and well-formed, sound, vigorous, heelethy, fine from disease, sun-scaled, windown habit of growth, with straight trunks or stems, and fine from objectionable dispursements. Everygeen treas and whothe shall have well-developed symmetrical tops with typical spraced of branches for each particular species or variety. Only view and obscured to the control of the straight trunks or stems, and fine from objectionable set of the straight of the

SOT grows - and not make substitutions of para mass-contractor shall not make substitutions of para mass-variability and proposal for use of equivalent material. When authorized, adjustments of contract estimating and
variability and proposal for use of equivalent material.

Plant sizes an grading shall conform to the latest addition of American Standard for Nursery Stock as sponsored by the American
Plant sizes an Experiment Inc. (ANI)

All segistation shows on this plan shall be maintailaned in a healthy and Vigorous growing condition throughout the duration of the
proposed use. All vegetation not so maintained shall be replaced wit new vegetation at the beginning of the next growing season.

Plant Standard Standard

proposed use. An explanation in an immersed continued of the property of the p

Maintain 30 feet vision triangles at all intersections and corners
5 feet from all street/barking fol kight standards
10 feet from fire hydraths
5 feet from all utility vaulas, meter boxes, etc.
No trees or sharbs shall be plearined on existing or proposed utility lines.
All shrub beds shall receive a minimum 2º layer of bark much evenly applied immediately after parting is completed. All plant beds shall receive any from buildings.
Excavate plant pits for shrubs and trees as follows:
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Scardiy addes and bottom of plant pits to roughen surfaces.
Scardiy addes and bottom of plant pits to roughen surfaces.
Place plants plant bit the pit, Backfill with native soil or top soil middure to the original plant soil line, and tap solidly around the bail and routs. Water plants immediately efter planting if soil is not esturated to the surface.

and roots. Water plants immediately effor planting if sol is not saturated to the surface.

1. A 2" to 4" layer of garden care compost, mushroom compost or sinitar material sterilized at 105 degrees Fahrenheit shall be incorporated from the existing soil prior to planting and seeding-hoof lewns.

Incorporate into existing soil prior to planting the following fertilizers at a rate specified per 1000 sq. ft. of planting area.

20 lbs. 10–94.50% Sow Release

30 lbs. 38-0-0 Nicrotom

10 lbs. Ion Sutface 21%

20 lbs. 0-18-0 Super Phosphate

25 lbs. Dokombe Lime

10 lbs. 13-0-11 Potasskum Nitrate

Bark Mulch:

20 bis. D-140 Super Phosphate
25 bis. Doctonial Lime
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D. The bland shall have a Coefficient of Uniformity (D60/D10) equal to or greater than 6 to ensure that it is well graded (has a broad range of particle sizes). The coefficient is the ratio of two particle diameters on a grain-size distribution curve; it is the particle diameter at 60 percent passing divided by the particle diameter at 10 percent passing.

Organic Matter Combent. An analysis of soil organic matter content shall be continued and soil organic matter content shall be a minimum of 10 percent, as reported by that test.

pht. The bended material shall be tested and larve a pl of 5.5 and all be placed in 4 that it is and lightly compacted.

Deepth of growing medium shall be 10 inches. Growing medium shall be all be placed in 4 that little and lightly compacted.

Once defined in its considerable and shall not be installed in Stormenter. Bio Serates.

The material shall be boose and faible.

It has be seen the well made and homogenous.

It is shall be free of wood places, plassits, corsened and free of stores 1 inch (25 mm) or larger in any dimension; free of roots, plants, sool, clock, clay lumps, pockets of coarse sand, point, plant weaknut, concrete stury, concrete layers or chunks, comment, plaster, building debris, oils, gasoline, diesel fuel, plant fishmer, turperfine, fair, roofing compound, acid, and other extremous materials harmful to plant growint, and the of weeds and investive plants including but not firrited to:

1. Circlum anverse (Canadian Thistle)

10. Lythrian salectars (Purple Loose Strile)
11. Meliators by (Sweet Clover)
12. Meliators by (Sweet Clover)
12. Meliators by (Sweet Clover)
13. Meliators by (Sweet Clover)
14. Rubus discoor (Funsiagen Statistics)
14. Rubus discoor (Funsiagen Statistics)
15. Solaman spp. (Highstade)
16. Tribickim spp. (Clovers)
17. Not infested with nematodes, grubs, other pests, pest eggs, or other undesirable organisms and disease-causing plant pathogens; fisable and with sufficient structure to give pood 8th and senator, confiscous, air-filled, pore-space plant pathogens; fisable and with sufficient structure to give pood 8th and senator, confiscous, air-filled, pore-space plant pathogens; fisable and with sufficient structure to give pood 8th and senator, confiscous, air-filled, pore-space plant pathogens; fisable and with sufficient structure to give pood 8th and senator, confiscous, air-filled, pore-space plant pathogens; fisable and with sufficient structure of give pood 8th and senator, confiscous, air-filled, pore-space plant pathogens; fisable and with sufficient structure of plant pathogens; fisable and of providers in pathogens; fisable and confiscous and providers fisable to the composit shall be deviced by the plant restored of providers in Prottand and sounding area.

7. The composit shall be the result of the biological degradation and transformation of plant deviced materials under conditions designed to promote serobic decomposition. The material shall be well composited, fire of visible weed seeds, and stable with regard to accysion consumption and cathod finations. The composit shall have no visible free water and product conditions of supplies and states of the fire shall be seed to the fire shall be less than 1.0 percent by weight. The organic matter content shall be between first and 5 percent.

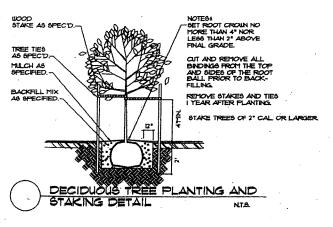
8. The soluble salt content shall be less than 2.7: 1.

9. The soluble salt content shall be less than 2.7: 1.

10. The content shall be between classes 5.7: 1.

11. The content shall be shall be less than 2.7: 1.

CUT AND REMOVE ALL BINDING FROM THE TOP AND SIDES OF THE ROOT BALL BEFORE BACK-MULCH AS SPECIFIED. SPECIFIED BACKFILL SHRUB PLANTING DETAIL



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CITY OF ST. HELENS

LANDSCAPE DETAILS & NOTES

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ST. HELENS MULTIFAMILY DEVELOPEMENT

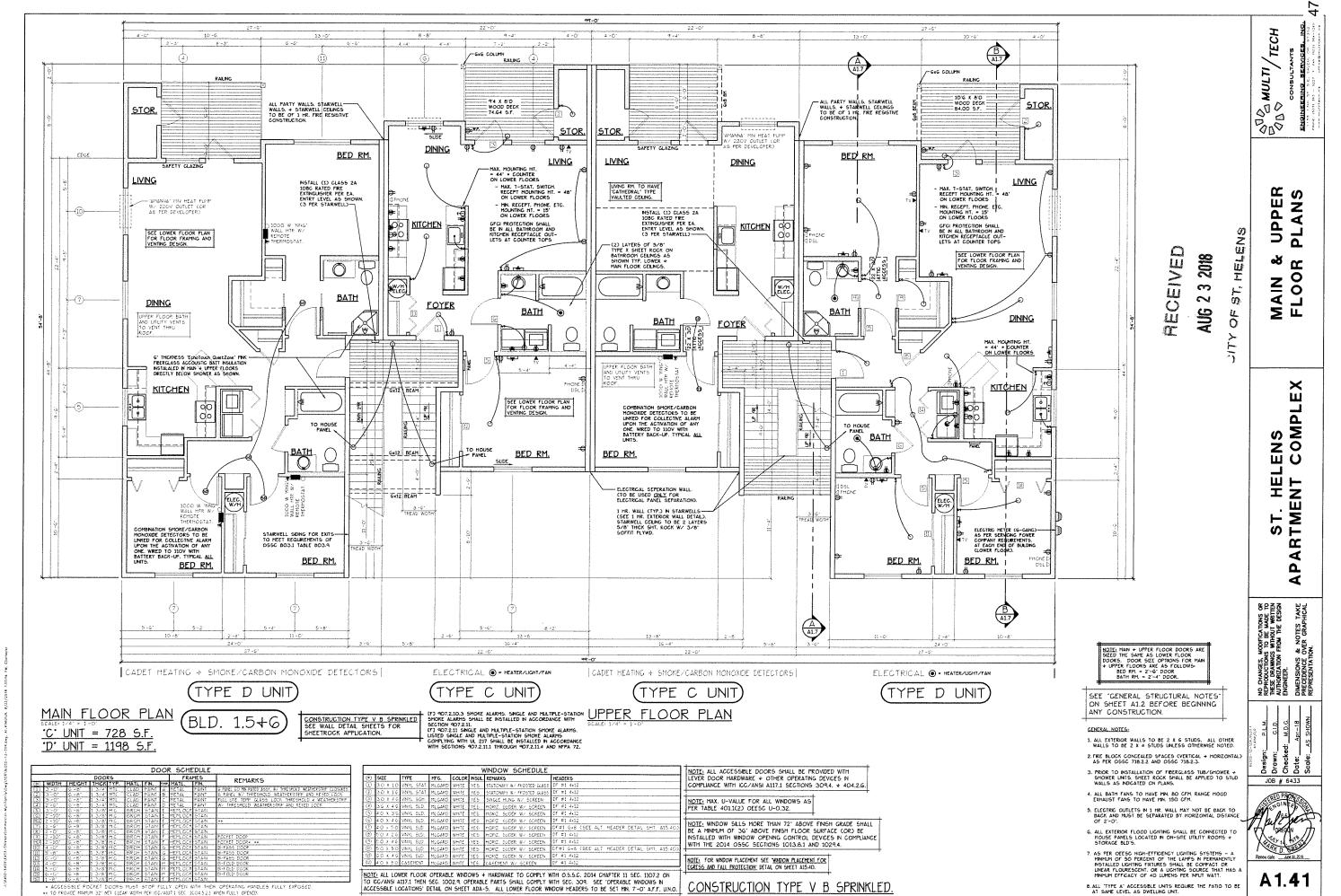
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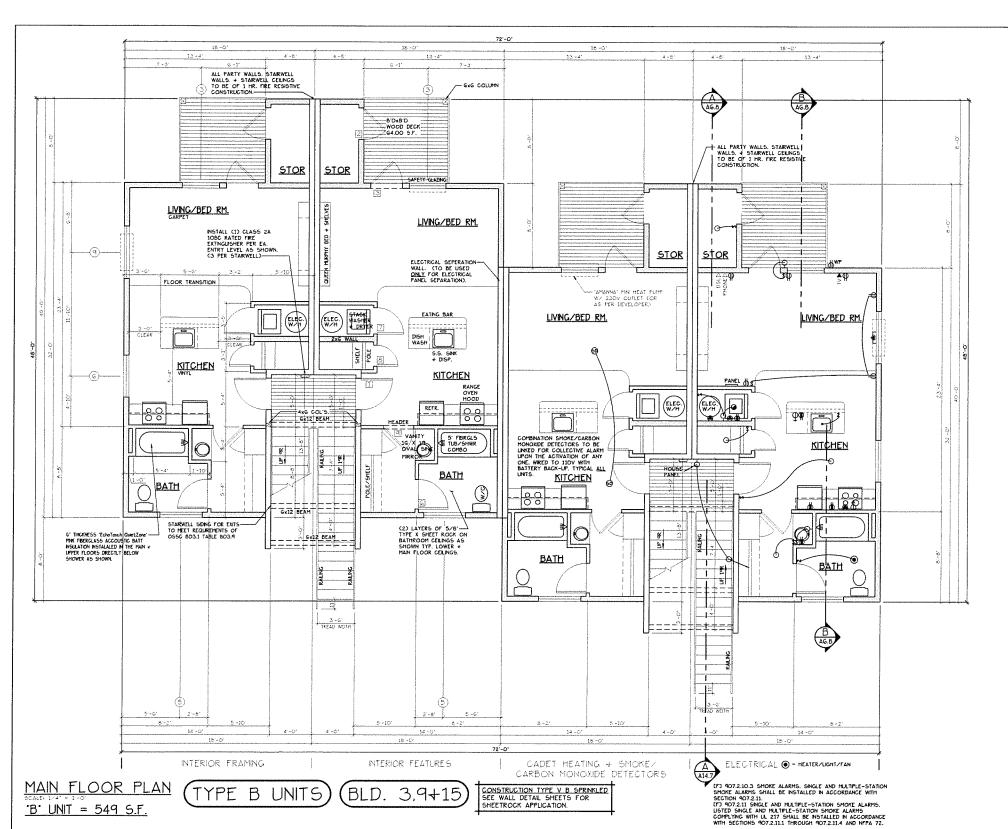
Design: M.D.G.
Drawn: C.D.S.
Checked: M.D.G.
Date: SEPT. 2017
Scale: AS SHOWN

LANDSCAPE & IRRIGATION DESIGN BY: LANDSCAPE DESIGN & CONSULTANTS LLC Doing business since 1985

620 WORMWOOD ST. S.E. SANDY, OR. 97306. PHONE: (503) 551~659







WINDOW SCHEDULE

E SUIDER W/ SUREE

NOTE, ALL LOWER FLOOR OFERABLE WNDOWS + HARDWARE TO COMPLY WITH 0.5.5.C. 2014 CHAPTER 11 SEC. 1107.2 ON TO ICC/ANSI A117.1 THEN SEC. 1002.9. OPERABLE PARTS SHALL COMPLY WITH SEC. 309. SEE "OPERABLE WNDOWS N ACCESSBLE LOCATIONS" DETAIL ON SHEET ADA-5. ALL LOWER FLOOR WNDOW HEADERS TO BE SET MN. 7'-0' A.F.F. UN.O.

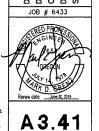
SEE 'GENERAL STRUCTURAL NOTES' ON SHEET AG.3 BEFORE BEGINNING ANY CONSTRUCTION.

- ALL EXTERIOR WALLS TO BE 2 X G STUDS. ALL OTHER WALLS TO BE 2 X 4 STUDS UNLESS OTHERWISE NOTED.

- G. ALL EXTERIOR FLOOD LIGHTING SHALL BE CONNECTED TO HOUSE PANELS LOCATED IN ON-SITE UTEITY ROOMS + STORAGE BLD'S.

- 4. ALL BATH FANS TO HAVE MN. 80 CFM, RANGE HOOD EXHAUST FANS TO HAVE MN. 150 CFM.

- 8. ALL 'TYPE A' ACCESSIBLE UNITS REQUIRE THE PATIO TO BE AT SAME LEVEL AS DWELLING UNIT.



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NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

CONSTRUCTION TYPE V B SPRINKLED

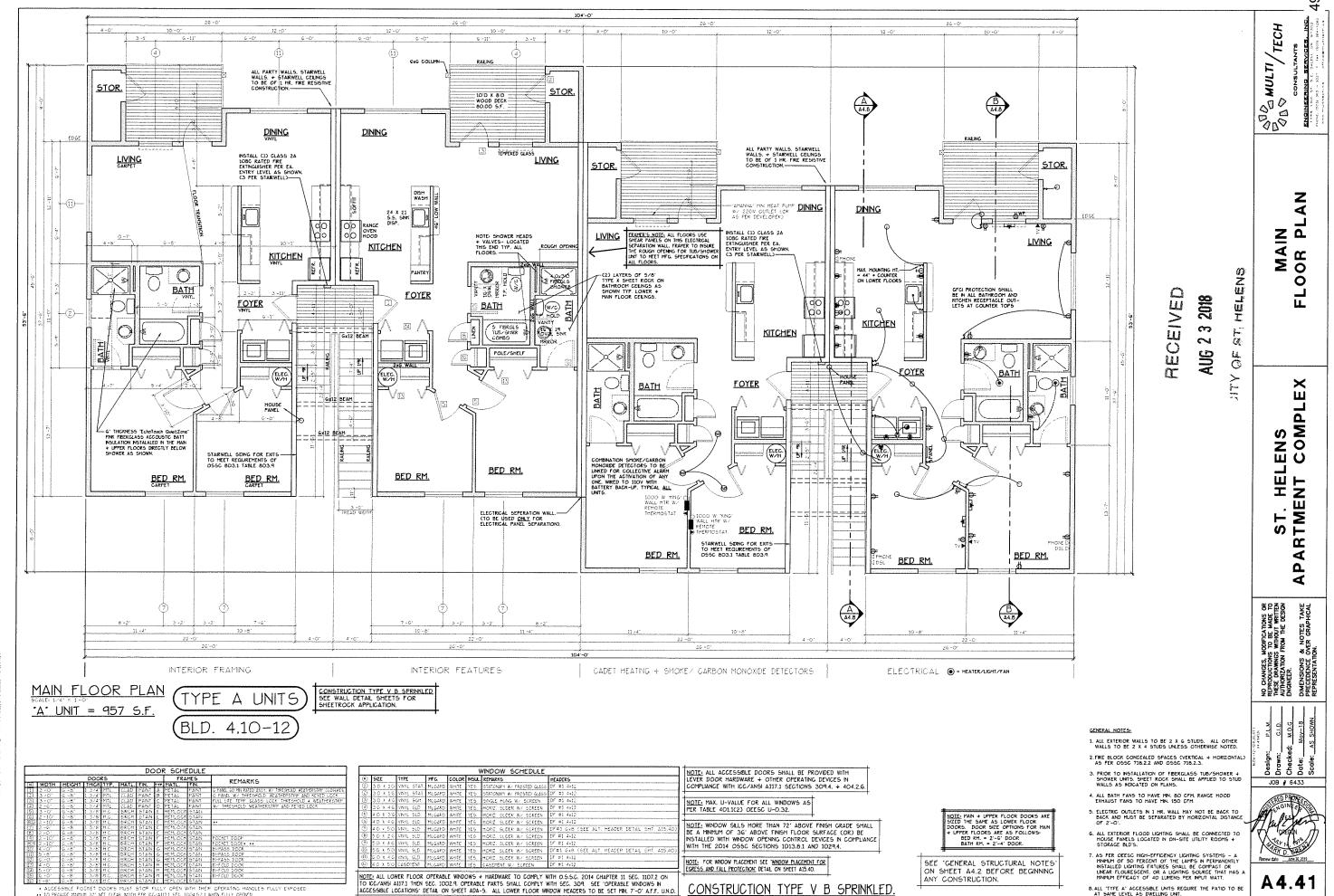
NOTE: ALL ACCESSIBLE DOORS SHALL BE PROVIDED WITH LEVER DOOR HARDWARE + OTHER OPERATING DEVICES IN COMPLIANCE WITH ICC/ANSI A117.1 SECTIONS 309.4. + 404.2.G.

NOTE: WINDOW SILLS MORE THAN 72' ABOVE FINSH GRADE SHALL BE A MINIMUM OF 3G' ABOVE FINSH FLOOR SURFACE (OR) BE INSTALLED WITH WINDOW OPENING CONTROL DEVICES IN COMPLIANCE

WITH THE 2014 055C SECTIONS 1013.8.1 AND 1029.4. NOTE: FOR WINDOW PLACEMENT SEE "WINDOW PLACEMENT FOR EGRESS AND FALL PROTECTION" DETAIL ON SHEET A15.40.

NOTE: MAX. U-VALUE FOR ALL WINDOWS AS PER TABLE 401.1(2) DEESG U-0.32.

DOOR SCHEDULE

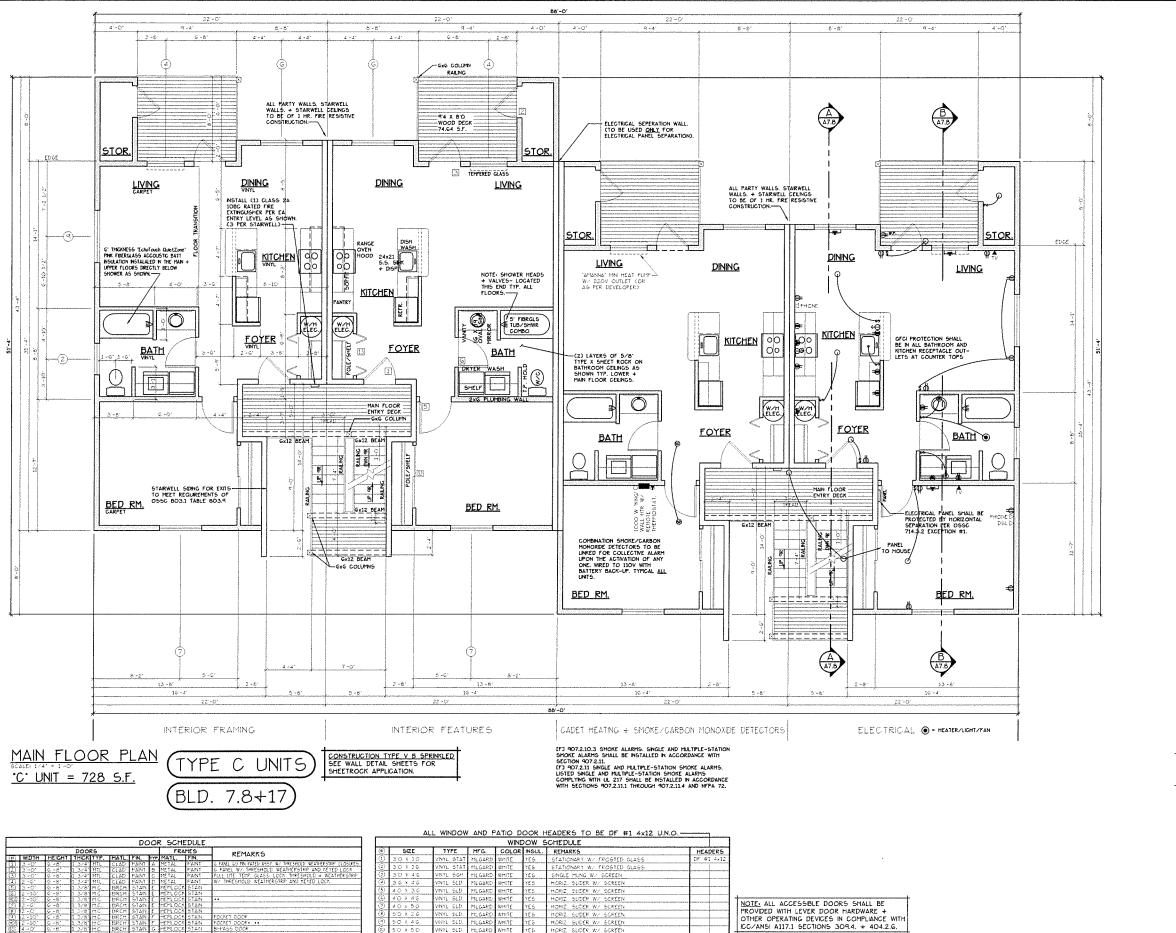


ANY CONSTRUCTION.

8. ALL "TYPE A" ACCESSIBLE UNITS REQUIRE THE PATIO TO BE AT SAME LEVEL AS DWELLING LINIT.

CONSTRUCTION TYPE V B SPRINKLED.

AUGESSBLE FOCKET DOORS MUST STOP FULLY OPEN WITH THER OPERATING HANDLES FULLY EXPOSED
 TO PROVDE MINIM 32' NET CLEAR WIDTH PER ICC/AITT, SEC. 1004-52.1 WHEN FLELY OPENED.



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NOTE: ALL LOWER FLOOR OFFRABLE WINDOWS + HARDWARE TO COMPLY WITH 0.5.5.C. 2014 CHAPTER 11 SEC. 1107.2 ON TO ICC/ANSI A117.1 THEN SEC. 1002.9. OPERABLE PARTS SHALL COMPLY WITH SEC. 309. SEE "OPERABLE WINDOWS IN ACCESSIBLE LOCATIONS" DETAIL ON SHEET ADA-5. ALL LOWER FLOOR WINDOW HEADERS TO BE SET AT 7"-0" A.F.F. U.N.O.

NOTE: MAX. U-VALUE FOR ALL WINDOWS AS PER TABLE 502.3 2014 OEESC U-0.35.

CONSTRUCTION TYPE V B SPRINKLED.

ST. NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO HESS DAMNOS WITHOUT WATTEN AUTHORIZATION FROM THE DESIGN KIGNEER.
DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

SEE 'GENERAL STRUCTURAL NOTES' ON SHEET A7.3 BEFORE BEGINNING ANY CONSTRUCTION.

NOTE: MAN + UPPER FLOOR DOORS ARE SEED THE SAME AS LOWER FLOOR DOORS, DOOR SIZE OPTIONS FOR MAN + UPPER FLOORS ARE AS FOLLOWS: BED RM. = 2'-6' DOOR BATH RM. = 2'-4' DOOR.

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- ALL EXTERIOR WALLS TO BE 2 X G STUDS. ALL OTHER WALLS TO BE 2 X 4 STUDS UNLESS OTHERWISE NOTED.
- 3. PRIOR TO INSTALLATION OF FIBERGLASS TUB/SHOWER + SHOWER UNITS, SHEET ROCK SHALL BE APPLIED TO STUD WALLS AS INDICATED ON PLANS.
- 4. ALL BATH FANS TO HAVE MN. 80 CFM. RANGE MOOD EXHAUST FANS TO HAVE MN. 150 CFM.
- 5. ELECTRIC OUTLETS N 1 HR. WALL MAY NOT BE BACK TO BACK AND MUST BE SEPARATED BY HORIZONTAL DISTANCE OF 2'-O'.
- G. ALL EXTERIOR FLOOD LIGHTING SHALL BE CONNECTED TO HOUSE PANELS LOCATED IN ON-SITE UTLITY ROOMS + STORAGE BLD'S.
- 7. AS PER DEESC HIGH-EFFICIENCY LIGHTING SYSTEMS A MINEMAL OF SOFFICIANT OF THE LAMPS IN PERMANENTLY INSTALLED LIGHTING FIXTURES SHALL BE COMPACT OR LINEAR FLOWERSOM. OR A LIGHTING SOURCE THAT HAS INNEAD ETFOCACY OF 40 LIMINIS PER NEUL WATT.
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CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT



Subdivision Preliminary Plat SUB.2.18 Graystone Estates Subdivision

DATE:

August 31, 2018

To:

Planning Commission

FROM:

Jacob A. Graichen, AICP, City Planner

APPLICANT: Ken Leahy, KLC, Inc.

OWNER:

KLC, Inc.

ZONING:

Mixed Use, MU; General Commercial, GC; and Highway Commercial, HC

LOCATION:

4N1W-4B-600: Parcel 2 of P.P. No. 2003-28, 10.05 ac., zoned MU, undeveloped

4N1W-4BC-100 & 200; 0.62 ac., zoned GC, undeveloped

4N1W-4BC-5400 & 4N1W-4BD-200; Block 6 and Lots 5 and 6 of Block 7, Georgetown Subdivision, plus right-of-way vacated per Ord. No. 3050; 0.86 ac.;

zoned HC; undeveloped

PROPOSAL:

80 Lot Subdivision (78 residential lots and 2 commercial lots)

The 120-day rule (ORS 227.178) for final action for this land use decision is December 19, 2018.

SITE INFORMATION / BACKGROUND

The site is approximately 11.5 acres and currently undeveloped, except for some utilities that traverse it. Based on information at City Hall, there appears to have been a couple of dwellings where proposed Lot 79 is located and one on the proposed Tract A.

The property is south of 500 N. Columbia River Highway (Columbia Commons). The property abuts the end of Commons Drive on its northeast side and Howard Street on its southeast side. It also abuts the Carson Meadows Subdivision on its west side. Its surrounded by a variety of uses, generally residential on the west side and commercial/institutional elsewhere.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: September 11, 2018 before the Planning Commission.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on August 22, 2018 via first class mail. Notice was sent to agencies by mail or email on the same date. Notice was published in the The Chronicle on August 29, 2018.

AGENCY REFERRALS & COMMENTS

Comcast: The only concern Comcast has pertains to any utility relocation required for frontage/road improvements. If relocation is required due to private development, reimbursement for construction cost is required. City, County and State derived projects are done at no cost.

Columbia County Road Dept: Most (if not all) of the new subdivisions are within the City. And the conclusions of this study [TIA] are what I was expecting: no impact to adjacent streets or roads, which is probably correct. But at some point, the traffic from the collective subdivisions will impact the main routes to the highway.

City Engineering: Storm Drainage: There is an existing historical drainage way that runs through this property, conveying runoff from the properties to the north, east, and west of this site into a system that flows southeasterly towards Highway 30. Attached are images of old plans showing this system and also how this property was historically used as a regional detention facility. Note the "Storm Water Storage Dam" indicated somewhere in the vicinity of the proposed "B" Street on the Preliminary Plat. It is important that this historical conveyance be maintained, although modified, and that no adjacent properties have runoff/drainage blocked or slowed by any of the proposed development. The downstream stormwater system has experienced some minor flooding issues between Kelly Street and Highway 30. The proposed development shall mitigate the increased stormwater flows from the site so that the increased runoff will not impact the downstream flows. A full stormwater report shall be required with the engineered plans for the public infrastructure.

<u>Sanitary Sewer:</u> The existing sanitary sewer shall be relocated to be located within the proposed rights-of-way to the greatest extent possible. Where the public sanitary sewer crosses private property, a minimum 15-ft wide public utility easement shall be required.

<u>Water:</u> The public water distribution system shall be looped to tie in the line from Commons Drive to Shore Drive. Fire Hydrants shall meet the current Fire Code requirements.

<u>Streets:</u> All public rights-of-way shall be developed in accordance with the Development Code and Engineering Standards.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.136.040(1)

- (1) The preliminary plat approval by the planning commission or final approving authority shall lapse if:
- (a) A final plat (first phase in an approved phased development) has not been submitted within a one-year period; or
- (b) The final plat does not conform to the preliminary plat as approved or approved with conditions.

Discussion: This is a standalone subdivision request. No phases are proposed.

SUB.2.18 Staff Report 2 of 17

Finding: This Subdivision preliminary plat approval shall be effective for a period of twelve (12) months from the date of approval per this section. Time extensions are possible per SHMC 17.136.040(1).

SHMC 17.136.060(1) - Approval standards - Preliminary plat.

- (1) The planning commission may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:
- (a) The proposed preliminary plat complies with the city's comprehensive plan, the applicable sections of this code and other applicable ordinances and regulations;
- (b) The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92[.090(1)];
- (c) The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern; and
 - (d) An explanation has been provided for all common improvements.
- (a) This criterion asks if the proposed preliminary plat complies with the city's comprehensive plan, the applicable sections of this code and other applicable ordinances and regulations. The City's development code (SHMC Title 17) implements the Comprehensive Plan. The Development Code standards are addressed herein.

There are no known conflicts with the Comprehensive Plan.

Applicable provisions of the Development Code are addressed per Chapter as follows:

• <u>17.32 – Zones and Uses</u> → Mixed Use, MU; General Commercial, GC; and Highway Commercial, HC.

The bulk of the subdivision is zoned MU. This is where **Lots 1-78** are proposed. See applicant's narrative starting on page 5. In the MU zone, detached single-family dwellings, attached single-family dwellings and duplexes are required to comply with the General Residential, R5 zoning standards.

Most of these lots are intended to be for *attached* single-family dwellings, but other uses may be possible.

TABLE: R5 standards for certain uses

Use	Min. Lot Size	Min. Lot Width @ Street*	Min. Lot Width @ Building Line	Min. Lot Depth
Attached SFD	2,500 s.f.	25'	25'	85'
Detached SFD	5,000 s.f.	50'	50'	85'
Duplex	5,800 s.f.	58'	58'	85'

^{*}Allowed to be 30' on an approved cul-de-sac. We could consider a street eyebrow corner as proposed along Lots 60 and 61 as being eligible for this too.

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Based on these R5 zoning standards all lots are potentially eligible for attached single-family dwellings.

Lot 61 is also eligible for a detached single-family dwelling.

Lots 21 and 60 are also potentially eligible for a detached single-family dwelling or duplex.

Important! Lots 1-20, 22-59, and 62-78 have a lot size and width which only allows for attached single-family dwellings. This warrants a condition of development of these lots because the Development Code allows up to 5 units to be attached and at least two units need to be attached, since detached single-dwelling units are not allowed. In no case, shall a plan be approved that omits one of these lots (e.g., an end lot) from being able to be developed as an attached single-family dwelling. For example, if the 2nd and 3rd lot from an end are developed with a shared building wall between the two, the lot on the end would be included as well. Otherwise that lot becomes unbuildable. Plans shall take this into account, including easements between lots that would obstruct attached dwellings.

Note that sheet P04 shows pairing of lots for attached single-family dwellings. This is only conceptual since up to five may be attached.

No flag lots are proposed.

Lot 79 will be split zoned with GC and MU. The applicant discusses this on page 7 of their narrative. Though split zoned, staff supports this lot as it removes property lines within, which could be an obstacle to future development.

Lot 80 will be zoned HC. In this case the boundary of the taxlot doesn't change; it gets rid of the underlying lot lines from the Georgetown Subdivision, which is a 19th century subdivision. As with Lot 79, staff supports this as it removes property lines, which could be an obstacle to future development. This is also noted on page 7 of the applicant's narrative.

• 17.40 – Wetlands & Riparian Areas → The City's local wetlands inventory identifies two wetlands on the subject property: D-2 and J-1. D-2 is a Type II significant wetland per this Chapter and J-1 is not identified as significant. The owner had a wetland delineation done which was approved by Oregon DSL in January 2013 (DSL WD # 12-0297). The WD identified no wetlands on the subject property, but has expired.

The City notified Oregon DSL on August 21, 2018 a required by state law (Wetland Land Use Notification). No response from DSL as of the date of this report.

There is no identified riparian area on the property.

See pages 7-8 of the applicant's narrative.

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• <u>17.44 – Sensitive Lands</u> → One type of sensitive lands per this Chapter is archaeological designated sites or culturally designated sites as listed in the Comprehensive Plan.

SHMC 17.36.025(5) notes that records concerning archaeological sites shall not be made available to the public, but staff can attest that this property is not one identified on the City's list.

However, this site has been one of archaeological interest; in the past, concern had been raised about the presence of archeological sites on the subject property.

Per a letter dated May 1, 2002 from Archaeological Investigations Northwest, Inc. no archaeological evidence was discovered. See attached. Given the age of this letter staff reached out to Archaeological Investigations Northwest, Inc. to confirm it was referring to the subject property of this subdivision (we didn't have a copy of Figure 1 from that letter). We were able to talk to John Fagan, who authored the 2002 letter.

It appears that the 2002 investigation included the entire subject property except the area of the proposed "commercial lots" (Lots 79 and 80). Looking at old (1983) aerial photos at City Hall, there appears to have been buildings in this area, thus, it was already disturbed.

In any case, this does not appear to be an issue. However, as recommended in the 2002 letter: "in the unlikely event that artifacts or human remains are encountered during excavation or construction, work in the area of discovery should cease and the City and SHPO should be notified." For the City, this would mandate a Sensitive Lands Permit.

- <u>17.56 Density Computations</u> → This is a subdivision proposal meeting basic requirements. Thus, as long as the lots and streets meet the appropriate standards, the density possible is permissible. See page 8-10 of the applicant narrative. Note that the discussion with planning staff noted on page 10 of the applicant narrative did occur.
- <u>17.72 Landscaping and Screening</u> → Street trees are required per this Chapter because the site fronts a proposed street for more than 100 feet.

Existing streets proposed for extension and connection (Commons Drive and Shore Drive), the abutting streets (Howard and Kelly Streets) and the other proposed streets within the subdivision are all classified as local per the City's Transportation Systems Plan. A such, the trees will be planted behind the sidewalk in the right-of-way or landscape/public utility easement, per this Chapter. These trees will be planted as each lot is developed, as a condition of building permits.

The exception to this is along Tract A, since the stormwater facility will be constructed as part of the subdivision's improvements. Street trees shall be included here, if possible.

The applicant provides a preliminary tree plan, subject to change, to illustrate a potential layout.

SUB.2.18 Staff Report 5 of 17

There are no overhead utilities that would limit street tree size.

Another aspect of this chapter that applies is buffering. This matters as most of the proposed lots will only be eligible for attached-single family dwellings as described above. Per this Chapter, 10' of buffer plus screening is required when such use abuts R7 zoned detached single family development and commercial development. There is existing R7 zoned detached SFD development along the west side and either existing or potential commercial development along the other sides. This impacts the south and east side, but not the north given the proposed street that abuts the north side of the subject property.

For this we need to look as the general buffering provisions of SHMC 17.72.070:

- (1) It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.
- (2) Buffering and screening are required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrix in this chapter. The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening.
- (3) In lieu of these standards, a detailed buffer area landscaping and screening plan may be submitted for the director's approval as an alternative to the buffer area landscaping and screening standards, provided it affords the same degree of buffering and screening as required by this code.

17.72.070(2) notes that the owner of the development (the developer) is responsible for the installation of the buffering and screening.

The City will need a specific buffering plan that can be attached to building permits so a builder is clear as to the requirements. The plan, to be required before final plat, will also help ensure some consistency. As noted on sheet P10, the standard buffering is proposed with a fence as the screening. Since the fence is not subject to maintenance for survival, it can and shall be required to be installed at least along the back yards of guaranteed attached single-family dwelling lots before final plat.

Note that the minimum rear yard (setback) for detached single-family dwelling in this case is 10', the same prescribed buffer width. Due to potential buffer vegetation and building conflicts, trees and other buffering vegetation planted needs to be of a mature size that fits within the area available.

The applicant discusses the buffer requirement in pages 12-13.

• <u>17.84 – Access, Egress & Circulation</u> → Existing streets proposed for extension and connection (Commons Drive and Shore Drive), the abutting streets (Howard and Kelly Streets) and the other proposed streets within the subdivision are all classified as local per the City's Transportation Systems Plan.

SUB.2.18 Staff Report 6 of 17

There is no driveway spacing standard along local streets, but there are regulations pertaining to the number of driveways allowed, which will be addressed when each lot develops.

Proposed Tract A, a proposed storm water facility has access via Kelly Street. If the City takes ownership of this it will have access to City owned land adjacent to the subject property (4N1W-4BC-400) between Tract A and lot 60. If not, this property will be landlocked and a means of access (easement and improvements) will need to be included.

- <u>17.132 Tree Removal</u> → A tree plan is a required for a property with more than 10 trees or any tree over 2' diameter at breast height (DBH). This chapter focuses on trees over 12" DBH. There are no existing trees on the property currently and per SHMC 17.132.025(3).
- <u>17.152 Street & Utility Improvement Standards</u> → The applicant discusses this chapter starting on page 25 of their narrative.

Development is required to have frontage along a public street improved to city standards. Streets within a development and those adjacent are required to be improved, generally.

Right of way dedications will be required for the new streets proposed within the subject property. The abutting streets, Howard and Kelly Streets, appear to meet the minimum 50' right-of-way width for local classified streets.

When possible, streets within a development are required to be extended to the outer boundaries to allow continuance of the street when adjacent properties develop. The applicant proposes to extend Commons Drive, which will abut the adjacent property on the north side proving access options for that. A connection to Shore Drive is also proposed.

There is a property (75 Shore Drive; 4N1W-4BC-600) in between the proposed street stub and current terminus of Shore Drive. This will provide a second access to Lots 1-78 of the development. This subdivision can't approve modification/development of another property. This will require separate permitting as described further below, to allow the street connection.

Per Oregon Fire Code D107, one or two-family residential developments with more than 30 homes with only one access mandates a residential sprinkler system for those homes. Thus, connection to Shore Drive isn't mandated, but the lack of connection will mandate sprinkler systems for each home built until such time as the second access is established.

Developments are required to provide an internal network of connecting streets that minimizes travel distance within the development. The eventual connection to Shore drive seems to be the optimal solution in this case.

Intersection angles look ok.

Corner radii look ok.

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Street names. New Street names shall be approved by Columbia 9-1-1 including confirmation of the extension of Shore and Common Drives by name.

Street grade and curves. Based on preliminary grading plans, road grades look ok. Centerline radius of the Shore Drive extension appears to be more than the 100' minimum.

Private streets. None proposed.

Mailboxes. Joint mailbox facility shall be included on engineering/construction plans per City standards and the USPS. Subject to City and Postmaster approval.

Street lights. Are required at least at each intersection and as otherwise required by City Engineering.

Street width. Appears acceptable.

Blocks. The sole block proposed is logical under the circumstances. The response by the applicant on page 30 of their narrative about the City Planner waiver is accurate.

Easements. Minimum 8' wide public utility easements will be required along the street frontage of all lots unless a greater width is determined necessary by City Engineering. Moreover, other utility easements necessary, as identified on approved engineering/construction plans shall be included on the final plat. Approved engineering/construction plans will be required before submission of the final plat.

There are a variety of existing easements on the subject property. Many utilities are proposed to be moved. Thus, some easements are proposed to be extinguished. Easement extinguishment (ORS 221.725) applications will be required before final plat (to avoid having unnecessary easements included on the plat; plats are required to show all easements) for any easement proposed to be removed.

Sidewalks/landscape strip. All local classified public streets will require curb-tight sidewalks. Required timing of construction will differ depending on location:

- Within subdivision, along residential lots 1-78: portions to be built when each lot is developed. See public improvement expectations below.
- Howard and Kelly Street along commercial lots 79 and 80: Street frontage improvements will be considered as each lot develops. Sidewalk and curb already exists along these streets.
- Kelley Street along Tract A: Sidewalk and curb already exist; modification may be required depending on needs for the storm water facility (e.g., needed driveway approach location/removal of existing).
- North side of Commons Drive: The Commission could require this section to be completed before final plat or leave it alone for future activity on the adjacent property. It abuts property occupied by the Columbia River Foursquare Church (4N1W-4B-200; 555 Commons Drive). This is the "undeveloped half" of that property. It has

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development or land division potential, which could result in the street frontage improvements. But that could be well into the unknown future and the proposed 78 residential lots and any through pedestrian traffic would benefit from this stretch of sidewalk.

Water, sanitary sewer, and storm sewer. Other utilities Water, sanitary sewer, and storm water system plans will be required in accordance with city requirements. All these are available or within the property; modifications are proposed. See applicant's narrative starting on page 31.

The stormwater system includes a stormwater facility (Tract A) to detain peak flows. See preliminary stormwater report. Its notes that the proposed facility will reduce downstream flows, post development. This will be subject to further review consequent to preliminary plat approval.

Ownership of tract A will depend on ease of maintenance. This subdivision doesn't warrant a required Homeowners Association as there are no shared improvements, unless the City is unwilling to take ownership of Tract A. The City is willing to take ownership if the design is such that maintenance is minimal. One common issue for the City is maintaining weeds and other vegetation for multiple locations, including but not limited to storm water facilities such as this. But in this case, there is some logic of City ownership given that the City already owns property adjacent to the north side of Tract A and there are no other common improvements to mandate (as a condition of approval) an HOA.

All utilities shall be underground pursuant to SHMC 17.152.120.

Bikeways and trails. There are no identified routes that traverse through the subject property.

Improvements/guarantees. Developments require guarantees (e.g., bonds) of workmanship and guarantees of performance for public improvements. Prior to submission of the final plat, all public improvements shall be completed, in place and acceptable to the City. The only exception to this is that portions of sidewalk along local classified streets that abut buildable lots created by this subdivision where there may be a driveway approach are often not built until the lot is developed. Though some portions of sidewalk will be required where there will be no driveway approach such as corners and along non-buildable tracts. For the portions of sidewalk allowed to be left unfinished for the final plat, a performance guarantee will be required prior to final plat application submittal.

Before construction, performance guarantees will be required for storm drainage systems, grading and erosion control. This is necessary for public health, safety and welfare, because if this work is only partially done and the developer/owner abandons the project, these could have negative impacts on other property owners. Other improvements left unfinished (e.g., streets, water and sewer infrastructure) do not necessarily have the same impact to a neighboring property owner. This initial guarantee should not be encumbered by other "non-

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impact" issues as it complicates executing the security; thus, dealing with storm drainage systems, grading and erosion control specifically.

All public improvements shall be guaranteed (e.g., warranty bond) as to workmanship in a form and value as required by City Engineering.

• 17.156 – Traffic Impact Analysis (TIA) → A TIA is warranted per SHMC 17.156.030. A study was completed and provided with the application. The study indicates that the study intersections currently operate acceptably and will continue to do so upon buildout of the residential lots.

Note that, depending on the proposal, the two commercial lots (79 and 80) may require a TIA to permit development thereon.

- (b) This criterion requires that the proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92. The name "Graystone Estates" has been approved by the County Surveyor per ORS 92.090. The applicant provided documentation of such.
- (c) This criterion requires that the streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the City determines it is in the public interest to modify the street or road pattern.

The subdivision street layout connects with existing street stubs or provides street stubs to connect with nearby but not adjacent stubs. The one stub that the subdivision is not "lending a street stub" to is Arnold Street. This street was created as part of the Georgetown subdivision, one of a few 19th century plats in the St. Helens urban growth area.

The southern terminus of this street abuts US30 but is physically closed there. Its northern terminus provides access to two properties: 75 Shore Drive and 214 Arnold Street.

This connection isn't necessarily warranted, but there should at least be a path of nonvehicular access from the subject property to Kelly Street. The reason for this is overall connectivity. People could walk through the Columbia Commons property (500 N. Columbia River Highway) for direct access to the Middle School (345 N. 15th Street), for example. But there is no known access easement. To stay on public ways, one would have to walk on Commons Way to Pittsburg to US30. If the Shore Drive connection is made, there is good access to Columbia Boulevard and such, but without that, there is not connectivity without trespassing. This subdivision does not guarantee Shore Drive connection. In addition, this would still be an indirect route to the Middle School. We use the Middle School as an example as recent long range planning has shown that students cross US30 by Wyeth Street (on the east side of the highway). Pedestrian travel behavior shouldn't be ignored.

The nonvehicular access could be aligned with property the City already owns and the storm water facility if the design worked; but that would need to be worked out along with final design.

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(d) This criterion requires that an explanation has been provided for all common improvements. The only common improvement, aside from public streets, and utilities, is a stormwater tract (Tract A). The City has taken ownership of such facilities, and will not necessarily require a private entity such as a Homeowners Association to take over, depending on ease of maintenance as described above.

SHMC 17.136.060(2) – Lot Dimensions

- (a) Lot size, width, shape and orientation shall be appropriate for the location of the development and for the type of use contemplated, and:
- (i) No lot shall be dimensioned to contain part of an existing or proposed public right-of-way;
- (ii) The depth of all lots shall not exceed two and one-half times the average width, unless the parcel is less than one and one-half times the minimum lot size of the applicable zoning district; and
- (iii) Depth and width of properties zoned for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed

Findings: (i) No issue. (ii) No proposed lot exceeds the depth to width ratio. (iii) Lots 79 and 80 are zoned for and could be used for commercial use. In both cases, the sizes and dimensions are sufficient based on the circumstances; the proposal will remove property lines within, eliminating a potential obstacle to development.

SHMC 17.136.060(3) - Through Lots

- (a) Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arterials or to overcome specific disadvantages of topography and orientation, and:
- (i) A planting buffer at least 10 feet wide is required abutting the arterial rights-ofway; and
 - (ii) All through lots shall provide the required front yard setback on each street.

Discussion: The Development Code defines a through lot is a lot having frontage on two parallel or approximately parallel streets. Note that access easements are considered "streets" for the purpose of the Development Code.

Finding: No through lots are proposed.

SHMC 17.136.060(4) - Large Lots

(a) In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the approving authority may require that the lots be of such size and shape, and be so divided into building sites, and contain such site restrictions as will provide for the extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size, and:

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(i) The land division shall be denied if the proposed large development lot does not provide for the future division of the lots and future extension of public facilities.

Discussion: The minimum lot size for some potential residential uses are included in the table in the earlier part of this report.

Finding: All of the residential lots (1-78) are less than twice the minimum lot size for a detached single family dwelling. The larger lots (79 and 80) are anticipated to be used for commercial purposes. Lot 79 could also be used for a multidwelling complex.

Future development plans or "shadow plans" are not warranted.

SHMC 17.136.060(5) – Other Provisions

The planning commission may attach such conditions as are necessary to carry out the comprehensive plan and other applicable ordinances and regulations and may require:

(a) Reserve strips be granted to the city for the purpose of controlling access to adjoining undeveloped properties.

Findings: (a) Reserve strips or related access control guarantees are warranted for the Shore Drive street stub and along the new extension of Commons Drive.

Other – Shore Drive connection.

The applicant proposes an off-site extension of Shore Drive to connect its current off site terminus with the proposed terminus within the boundaries of the subject property. The property in between is addressed as 75 Shore Drive and identified as 4N1W-4BC-600. Per County Assessor records the principle building was built in 1969 and is used for "Heath Care-Convalescent Nursing Home." This is the Meadow Park Health and Specialty Care Center.

This predates the City's land use permitting records. We have two files on record:

- 1. Sign permit S.22.01 for the monument sign at the property's entrance off Shore Drive; and
- 2. Minor Site Development Review SDRm.2.04 for a detached 24' x 36' storage building for medical equipment and records.

The extension of Shore Drive through this property would impact some off-street parking, landscaping, access design and the sign permitted in 2001.

This property (75 Shore Drive) is zoned General Commercial, GC where "Hospitals and senior or convalescent care facilities" are listed as a conditional use.

Given the above, at least the following land use permits will be required to allow the Shore Drive connection: Conditional Use Permit (minor or major) and Sign Permit.

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Other – Blasting.

The geotechnical engineering reports provided by the application notes that the contractor is preparing to blast for the on-site utility lines in areas of basalt rock. This is ok as long as the rock removal does not constitute "natural mineral resources development" which is only possible in the Heavy Industrial, HI zone and the City's Construction and Blasting Objectives and Operations Methods (CABOOM) per Resolution No. 1445 are followed. Note that this includes public meeting requirements.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Subdivision Preliminary Plat with the following conditions:

- 1. This Subdivision preliminary plat approval shall be effective for a period of twelve (12) months from the date of approval. The approval shall become void if a final plat prepared by a professional registered surveyor in accordance with (1) the approved preliminary plat, (2) the conditions herein, and (3) the form and content requirements of the City of St. Helens Development Code (SHMC Title 17) and Oregon Revised Statutes is not submitted within the twelve (12) month approval period. Note: two time extensions are possible per SHMC 17.136.040(2).
- 2. The following shall be completed prior to submission and the City's acceptance of a final plat application:
 - a. Engineering/construction plans for all public and other applicable improvements shall be submitted to the City for review and approval in compliance with all City of St. Helens laws and standards and in accordance with the conditions herein. As specific conditions of approval, these plans shall include:
 - A. Easement and improvements, as applicable, to access the City owned property between Lot 60 and Tract A. Note condition 6.
 - B. Joint mailbox facility(ies) shall be included per City and USPS (Postmaster) standards.
 - C. Street trees shall be incorporated into or along Tract A, stormwater facility, if feasible. Note condition 6.
 - D. Street lights are required at each intersection and at such locations to provide overlapping lighting to sufficiently illuminate the street. New street lights shall use LED fixtures.

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- E. Fire hydrants per City standards and as required by the Fire Marshall. This includes a 5" stortz coupling and cap on the steamer port of the hydrant. Hydrant locations shall include a blue reflective mark on the road identifying its location.
- F. Removal and replacement of any unnecessary existing driveway approaches along Howard or Kelly Street. For example, as associated with Tract A.
- G. A path of nonvehicular access from the subject property to Kelly Street. Location and design subject to City approval.
- H. Existing sanitary sewer shall be relocated to be located within the proposed rights-of-way to the greatest extent possible. Where the public sanitary sewer crosses private property, a minimum 15-ft wide public utility easement shall be required.
- I. The public water distribution system shall be looped to tie in the line from Commons Drive to Shore Drive.
- J. No infrastructure/easements shall be allowed that would prevent lots that can only be built as attached single-family dwelling units from being developed as such (see condition 5.a).
- K. Does the Commission want to require street frontage improvements along the north side of the Commons Drive extension? If so this would be required notwithstanding condition 2.e.
- b. A detailed buffering plan (noting plant species and placement within a 10' wide buffer) shall be submitted for City review and approval for the back yards of any lot to be developed as an attached single-family dwelling in compliance with Chapter 17.72 SHMC.

This plan shall be on a standard 8½" x 11" page and general in nature so it can be attached to building permits for any lot to be developed as an attached single-family dwelling to demonstrate compliance. This shall include the fence per condition 2.c. and state that if fence is not installed, it will be required.

This shall include a list of plant types that will not conflict with buildings that will have the minimum 10' rear yard (setback). A variety of plant type options should be included given variability in species availability.

- c. 6' high sight obscuring fence shall be installed along the back yard of at least lots 1-20, 22-59, and 62-78.
- d. Prior to or with submission of engineering/construction plans per **condition 2.a**, a drainage plan and full stormwater report shall be submitted that includes calculations for sizing the proposed detention facility, along with other required documentation and

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- information. The proposed development shall mitigate the increased stormwater flows from the site so that the increased runoff will not impact the downstream flows.
- e. Developments require guarantees (e.g., bonds) of workmanship and guarantees of performance for public improvements. Prior to submission of the final plat all public improvements shall be completed, in place and acceptable to the City. The only exception to this is that portions of sidewalk that abut buildable lots created by this subdivision where there may be a driveway approach are often not built until the lot is developed. Though some portions of sidewalk will be required where there will be no driveway approach such as corners and along non-buildable tracts. For these portions of sidewalk allowed to be left unfinished for the final plat, a performance guarantee will be required prior as approved by City Engineering.
- f. Easement extinguishment (ORS 221.725) applications will be required, with process completed for any public easement proposed to be removed/replaced.
- g. If required per condition 6, a Homeowners Association (HOA) and CC&Rs for establishing the HOA shall be approved.

3. In addition to compliance with local, county, state and other requirements, the following shall be included on/with the final plat:

- a. All new street names are subject to approval by Columbia 9-1-1 Communications District including street segments new and existing names apply to.
- b. 8' wide public utility easements will be required along the street frontage of all lots unless a greater width is determined necessary by City Engineering. Moreover, other easements necessary, as identified on approved engineering/construction plans shall be included on the final plat.
- c. This shall include a reserve strip granted to the City for controlling access or a notation on the plat, as approved by the City, that accomplishes the same. This applies to the Shore Drive stub and the portion of the Commons Drive extension that doesn't abut a lot of this subdivision.
- d. Public access easement, as needed, for the path of nonvehicular access from the subject property to Kelly Street per condition 2.a.G.
- e. Conveyance of Tract A to the City or HOA (see condition 6).
- f. If Tract A will be conveyed to an HOA, a Declaration of Protective Covenants, Conditions and Restrictions (CCRs) and Establishment of a Homeowners Association (HOA) shall be recorded with and noted on the final plat for HOA responsibility for common improvement maintenance (see condition 6).

4. Prior to any construction or development of the subject property:

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- a. Performance guarantees (e.g., performance bond) as approved by City Engineering shall be required for storm drainage systems, grading and erosion control. In addition, engineering/construction plans shall be approved.
- b. Access roads used during the construction process shall be identified and signed per the Fire District's standards subject to Fire Marshall review and approval.

5. The following requirements shall apply to the development of the lots of this Subdivision:

- a. Only attached single-family dwellings are allowed Lots 1-20, 22-59, and 62-78. The Development Code allows up to 5 units to be attached and at least two units need to be attached, since detached single-dwelling units are not allowed for these lots. In no case, shall a plan be approved that omits a lot (e.g., an end lot) from being able to be developed as an attached single-family dwelling. For example, if the 2nd and 3rd lot from an end are developed with a shared building wall between the two, the lot on the end would need to be included as well. Plans shall take this into account, including easements between lots that would obstruct attached dwellings.
- b. Curb/sidewalk shall be completed and street trees will be required along streets abutting Lots 1-78 as lots are developed. For Lots 79 and 80, this will be addressed via subsequent permitting.
- c. Any lot developed with an attached single-family dwelling shall be required to install fencing and screening in the rear yard pursuant to the plan per condition 2.b prior to certificate of occupancy.
- d. Any dwelling on Lots 1-78 shall include a residential sprinkler system unless the connection to Shore Drive is established. See condition 7.
- 6. The City is willing to take ownership of Tract A only if its design will require minimal maintenance. If the City does not take ownership of Tract A, a Homeowners Association will be required for this subdivision.
- 7. This subdivision preliminary plat approval does not approve the extension of Shore Drive beyond the boundaries of the subject property. The connection using the property addressed as 75 Shore Drive (4N1W-4BC-600) will at least require a Conditional Use Permit (minor or major), Sign Permit (unless the sign is removed and not reinstalled), engineering/construction plans, and right-of-way dedication.
- 8. After completion of construction and City approval, all public improvements shall be guaranteed (e.g., warranty bond) for at least two years as to workmanship in a form and value as required by City Engineering.

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- 9. If archaeological artifacts or human remains are encountered during excavation or construction, work in the area of discovery shall immediately cease and the City and State Historic Preservation Office (SHPO) shall be notified. A Sensitive Lands Permit shall be required from the City prior to work recommencing.
- 10. All new utilities shall be underground pursuant to SHMC 17.152.120.
- 11. If blasting is proposed the City's Construction and Blasting Objectives and Operations Methods (CABOOM) per Resolution No. 1445 shall be followed.
- 12. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in the location and manner contemplated by Owner/Developer. City has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable State and Federal agency permit or other approval requirements. This land use approval shall not be interpreted as a waiver, modification, or grant of any State or Federal agency or other permits or authorizations.
- 13. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17).

Attachment(s): Letter dated May 1, 2002 from Archaeological Investigations Northwest, Inc. Old City of St. Helens Storm Drainage Plan (Job 202, Sheet 1 of 17) Old City of St. Helens Storm Drainage Plan (Job 202, Sheet 8 of 17)

The following with binder:

Applicant's narrative
Preliminary plans
Ownership information
City General Land Use Application form
Columbia Co. Surveyor Request to Reserve Subdivision Name form
Geotechnical Engineering Report
Oregon DSL Wetland Delineation WD 2012-0297
Preliminary Stormwater Report
Transportation Impact Analysis

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Archaeological Investigations Northwest, Inc.

2632 S.E. 162nd Ave. • Portland, Oregon 97236 Phone (503) 761-6605 • Fax (503) 761-6620

Vancouver Phone (360) 696-7473 E-mail: ainw@ainw.com Web: www.ainw.com

RECEIVED

May 1, 2002

Bob Mc Donald St Helens Partners 614 Bellevue Way SE Bellevue, Washington 98004

CITY OF ST. HELENS

3 2002

RE:

Columbia Commons Archaeological Reconnaissance Saint Helens, Columbia County AINW Letter Report No. 676

Dear Mr. Mc Donald,

On April 30, 2002, I conducted an archaeological reconnaissance survey of your ca. 12acre property in Saint Helens to assess the potential for an archaeological site to be present. I met with Skip Baker, Planning Administrator with the City of Saint Helens, and coordinated the project with Dr. Leland Gilsen, Archaeologist with the State Historic Preservation Office (SHPO) in Salem. I found no evidence of any archaeological sites on the property, in spite of letters that had been sent to the SHPO in 1996 that reported an "Indian encampment and burial mound" in the area between Milton Creek and Pittsburg Road. Given the negative results of my field reconnaissance, I recommend no further archaeological work on the property. I will send copies of this letter report to Mr. Baker and Dr. Gilsen for their files. A summary of my fieldwork is provided below.

My reconnaissance survey of the property was done as a due diligence approach to determine if archaeological sites were present or likely to be present on the property. This study was initiated at your request based on information you received from the City of Saint Helens regarding the possible presence of archaeological resources on or near your property. Your ca. 12-acre parcel is located in the Northwest 1/4 of Section 4, Township 4 North, Range 1 West, Willamette Meridian (Figure 1). The western portion of the property consists of relatively flat to gently rolling terrain, while the eastern portion contains a low swale. Exposures of fractured basalt bedrock hummocks occur across the relatively flat western portion of the property.

Relatively recent clearing of brush and trees from the property and vehicle tracks across the parcel provided numerous exposures of mineral soil and patches of bedrock over much of the property. Average ground surface visibility of mineral soil across the parcel was approximately 60%. Vegetation consisted of grasses and forbs, with camas plants being particularly abundant. The soils throughout the parcel are very thin and there were several areas of exposed bedrock. During my pedestrian survey, I examined the numerous exposures of bare ground in the cleared areas and along the dirt roadways. I concentrated my inspection in the area where rock mounds had been reported at the south and central portion of the parcel, followed by north-south oriented transects across the entire parcel. Overall, the parcel was examined by walking four transects spaced between 15-20 meters (50-66 feet) apart. In

May 1, 2002 Bob Mc Donald, St Helens Partners Columbia Commons Archaeological Reconnaissance

spite of the good ground surface visibility, I did not find any artifacts suggesting use of the area as an Indian encampment. I did find several bedrock exposures or natural hummocks of fractured basalt that rose up to 60 centimeters (2 feet) above the surrounding ground. These natural hummocks may be the rock mounds referred to in the 1996 letters that are on file at the City Hall.

While modern debris such as pieces of plastic, beverage cans, and fragments of colorless, brown, and green bottle glass were scattered throughout the parcel, I found no evidence of any archaeological site on the property. At the extreme northeastern edge of the parcel, to the west of the Department of Motor Vehicles parking lot, and just north of the corrugated metal building, I observed deposits of modern burned and unburned debris. The modern trash deposits included glass medicine bottles, pipettes, and test tubes, many of which had been burned and melted, and fragments of ceramic vessels. The trash deposits appear to be associated with a medical facility.

If the parcel had been used in prehistoric or historic-period times, there were no archaeological deposits reflecting such use. Based on the results of my field inspection, it seems unlikely that any archaeological sites are present on the property. Given the shallow soils and the good exposures of mineral soil throughout the parcel, I found no areas where archaeological deposits are likely to be buried. Based on these findings, I recommend no further archaeological work on the property. However, in the unlikely event that artifacts or human remains are encountered during excavation or construction, work in the area of the discovery should cease and the City and SHPO should be notified.

I appreciate the opportunity to serve as your archaeological consultant on this project. Please call me if you have any questions about my field inspection or this letter report.

Sincerely,

John L. Fager

John L. Fagan, Ph.D., RPA President/Senior Archaeologist

CC: \(\sqrt{Skip Baker}, \) City of Saint Helens Dr. Leland Gilsen, SHPO

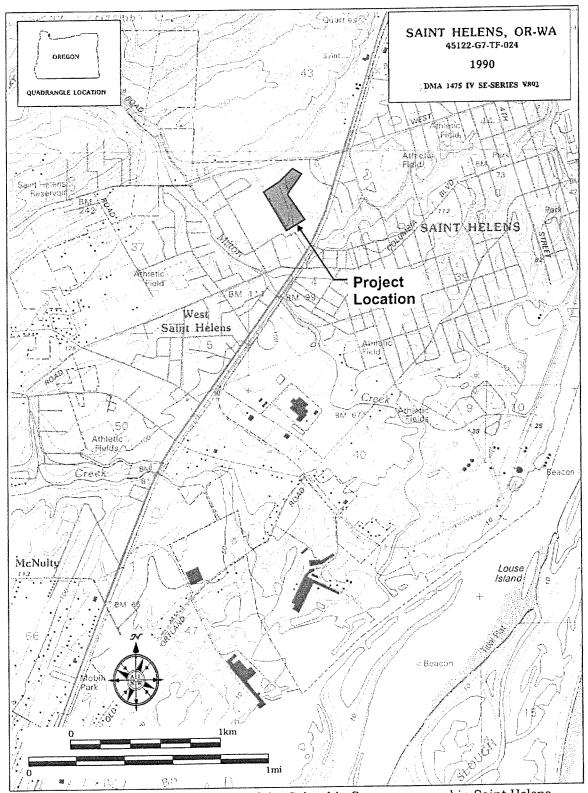
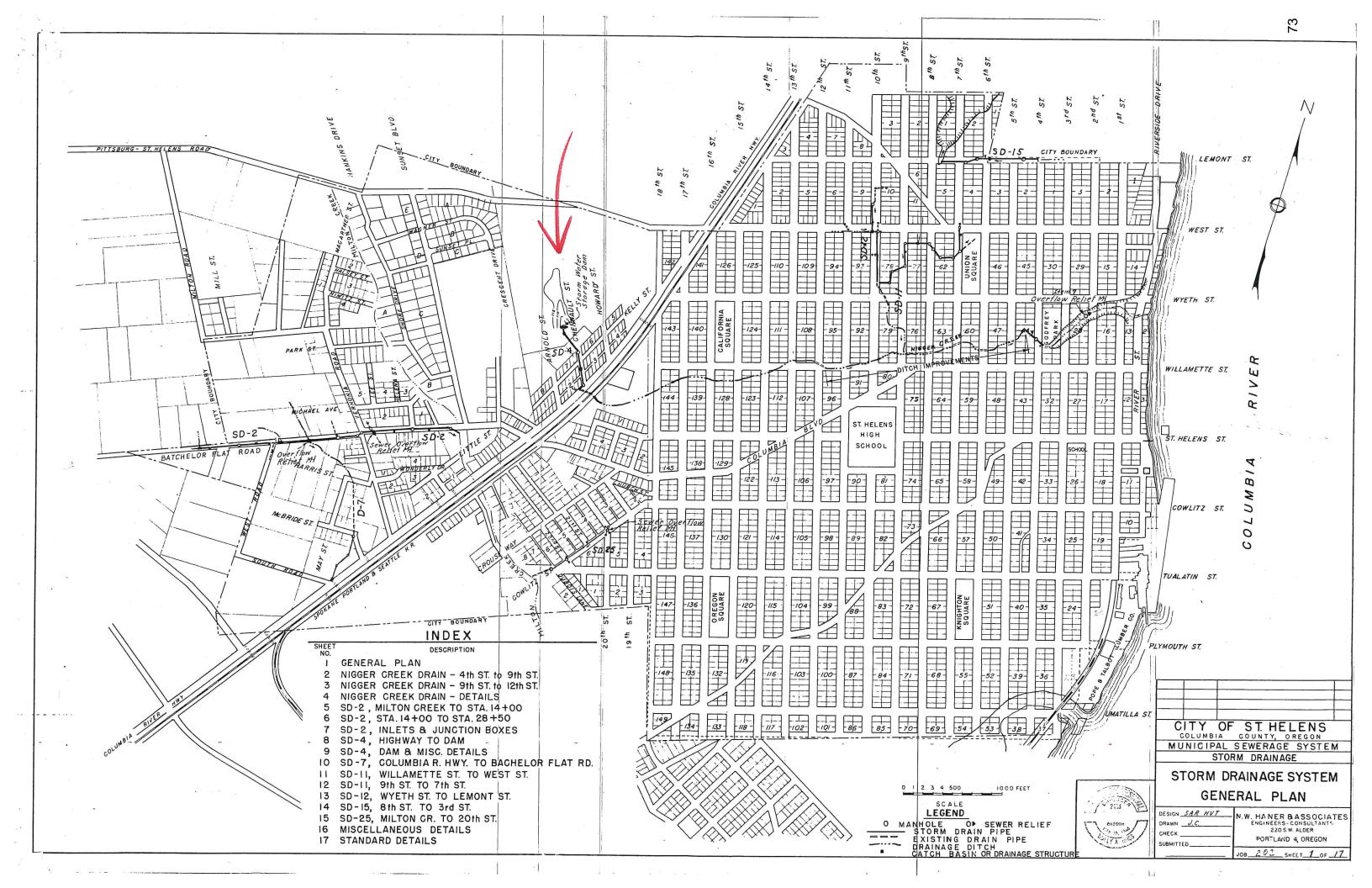
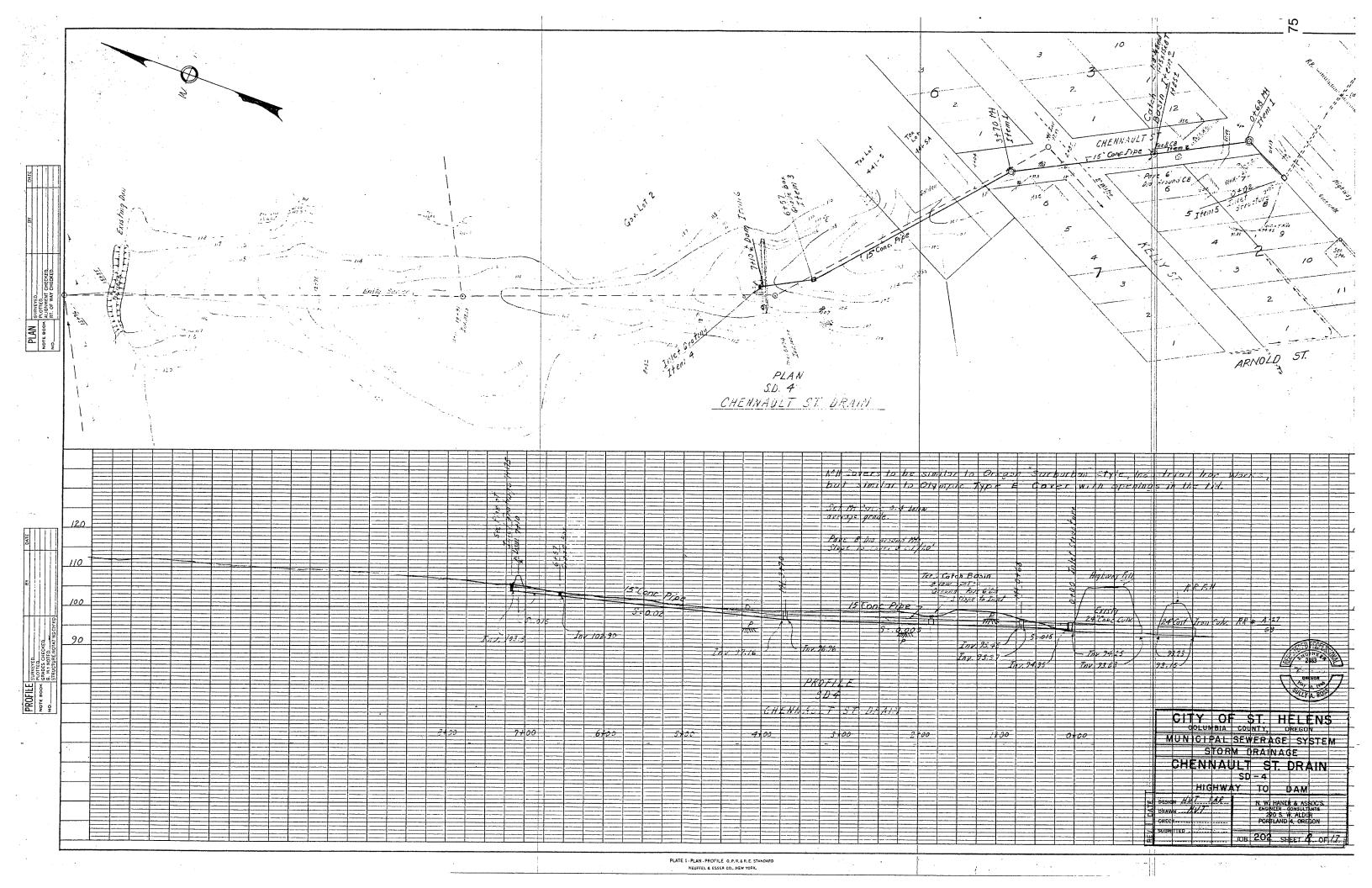


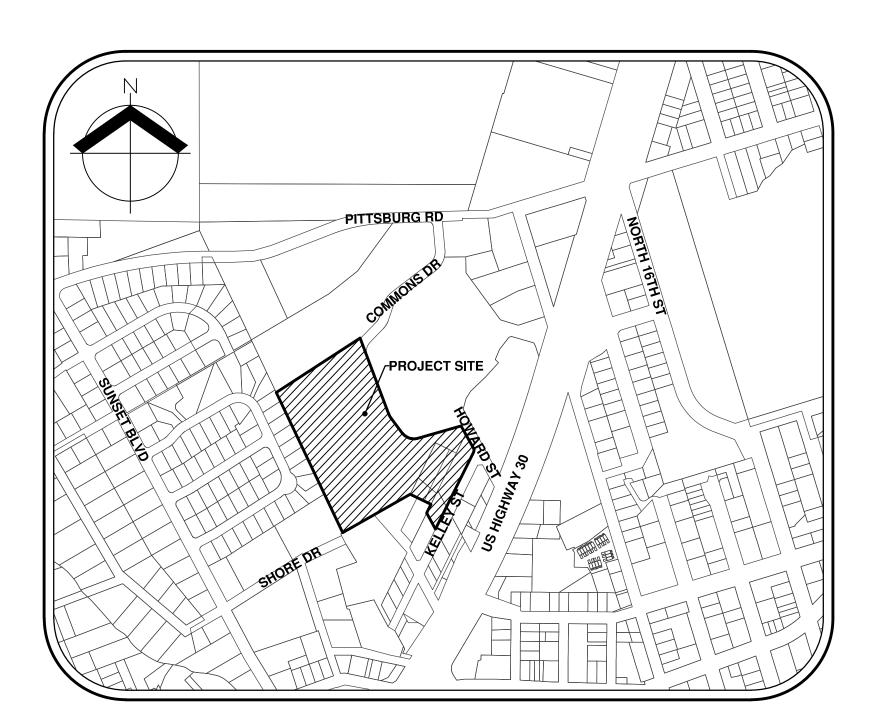
Figure 1. Approximate location of the Columbia Commons parcel in Saint Helens.





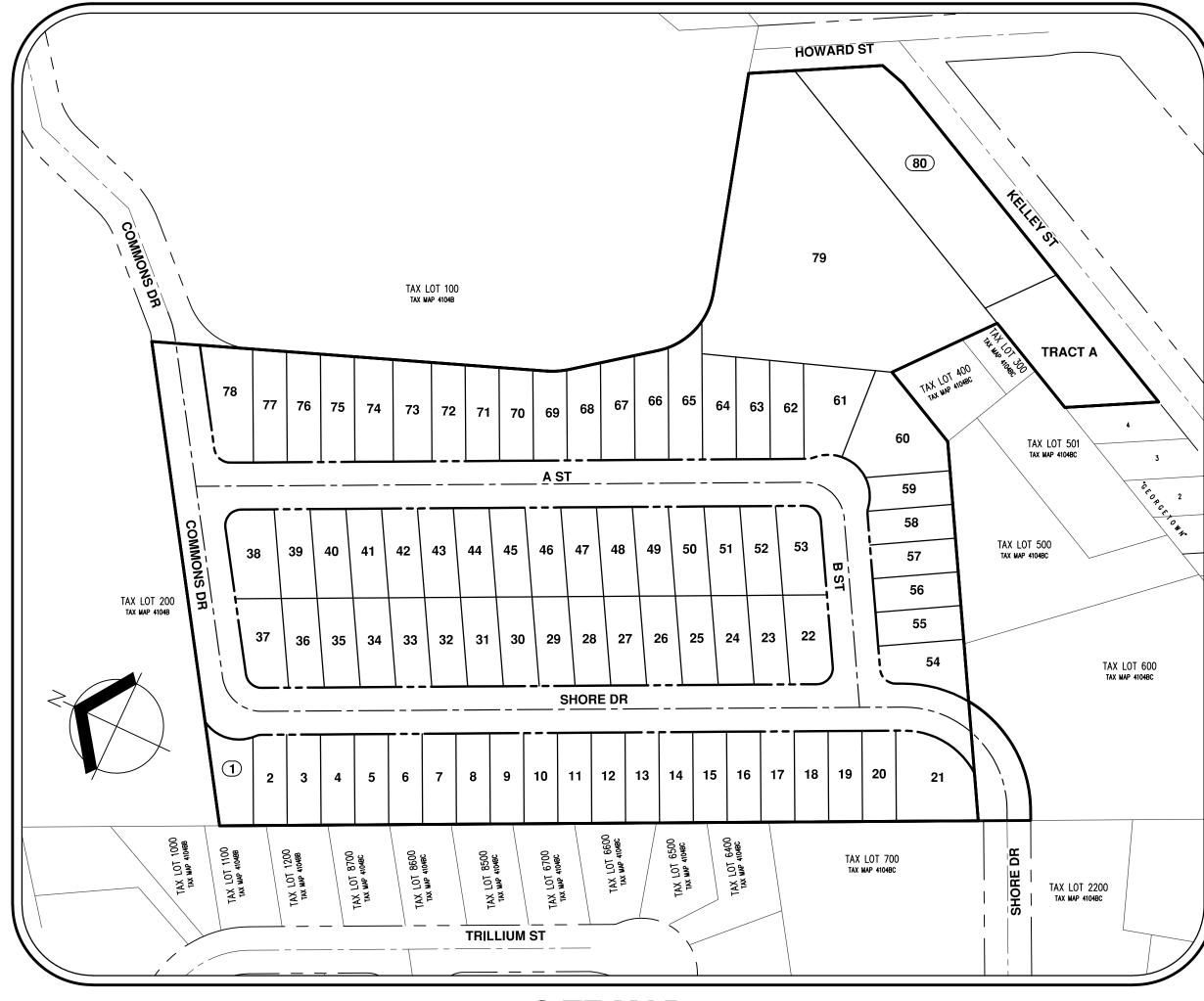
GRAYSTONE ESTATES

PRELIMINARY PLANS



VICINTY MAP

<u> </u>	EXISTING	PROPOSED		EXISTING	PROPOSE
DECIDUOUS TREE	$\langle \cdot \rangle$		STORM SEWER CLEAN OUT	0	<u> </u>
	\sim		STORM SEWER CATCH BASIN		-
CONIFEROUS TREE	7		STORM SEWER AREA DRAIN		
FIRE HYDRANT	Д		STORM SEWER MANHOLE		
WATER BLOWOFF	٩	•	GAS METER	O	
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OVERHEAD WIRE COMMUNICATIONS LINE FIBER OPTIC LINE		— COM — — — —	CFO GAS	CFO	— сғо —



SITE MAP 1" = 100'

SHEET INDEX

PO1 COVER SHEET WITH VICINITY AND SITE MAP

PO2 EXISTING CONDITIONS PLAN

PO3 PRELIMINARY SUBDIVISION PLAT

PO4 PRELIMINARY BUILDING ENVELOPE AND SETBACK PLAN

PO5 PRELIMINARY DEMOLITION PLAN

PO6 PRELIMINARY GRADING AND EROSION CONTROL PLAN

PO7 PRELIMINARY STREET PLAN AND CROSS SECTIONS

PO8 PRELIMINARY STREET PROFILES

PO9 PRELIMINARY COMPOSITE UTILITY PLAN

P10 PRELIMINARY LANDSCAPE PLAN

APPLICANT/OWNER

KCL, INC. PO BOX 489 CORNELIUS, OR 97113

ARBORIST/PLANNING FIRM

AKS ENGINEERING & FORESTRY, LLC. CONTACT: BART CATCHING, CFM 12965 SW HERMAN ROAD, SUITE 100 TUALATIN, OR 97062 PH: 503-563-6151 FAX: 503-563-6152

LOCATED WEST OF US HIGHWAY 30, SOUTH OF PITTSBURG ROAD, EAST OF SUNSET BOULEVARD IN THE CITY OF ST HELENS, COLUMBIA COUNTY, OREGON

PROPERTY DESCRIPTION

TAX LOT 600 (COLUMBIA COUNTY ASSESSOR'S MAP 4104B), TAX LOT 100, 200, & 5400 (COLUMBIA COUNTY ASSESSOR'S MAP 4104BC), TAX LOT 2000 (COLUMBIA COUNTY ASSESSOR'S MAP 4104BD) LOCATED IN THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

EXISTING LAND USE

VACANT LOT

PROJECT PURPOSE

80 LOT SUBDIVISION WITH 78 LOTS INTENDED FOR FUTURE SINGLE-FAMILY RESIDENTIAL USE (ATTACHED AND DETACHED HOMES) AND TWO LOTS FOR FUTURE COMMERCIAL USE IN THE MU, GC, AND HC ZONING DISTRICTS

DATUM

VERTICAL DATUM: ELEVATIONS ARE BASED ON CITY OF ST. HELENS GPS CONTROL POINT NO. 17. ELEVATION = 165.11 FEET (NGVD 29).

CIVIL ENGINEERING/SURVEYING/

PROJECT LOCATION

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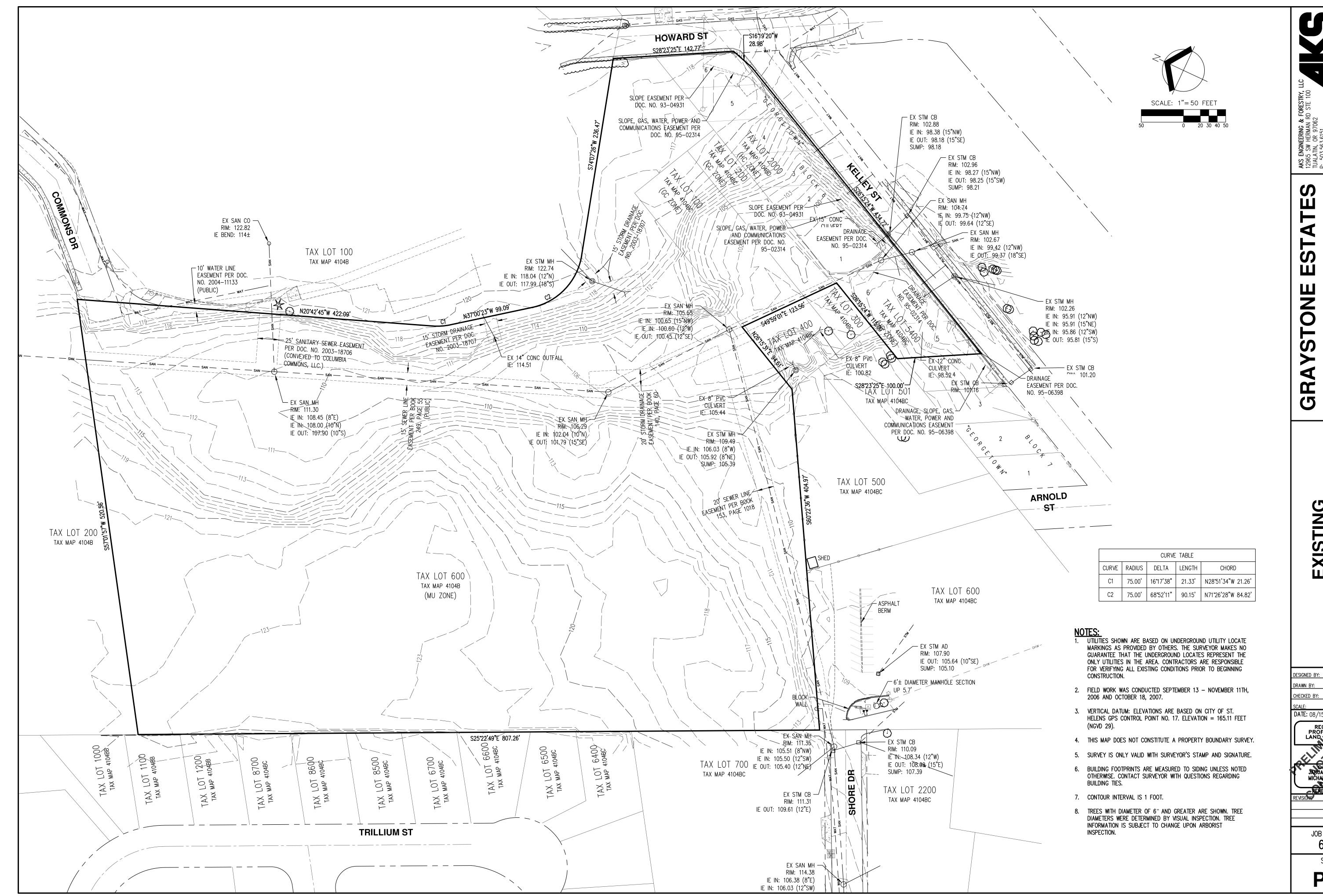
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DATE: 08/15/2018

JOB NUMBER

SHEET P01



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D EXISTING CONDITIONS

AS NOTED **DATE:** 08/15/2018

JANUARY 12, 2016 MICHAEL S. KALINA 89558PLS RENEWS: 6/30/19

JOB NUMBER

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DATE: 08/15/2018

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PRESON
JANUARY 12, 2016
MICHAEL S. KALINA
R9558PLS
REAEWS: 6/30/19

JOB NUMBER 6019

SHEET

P03

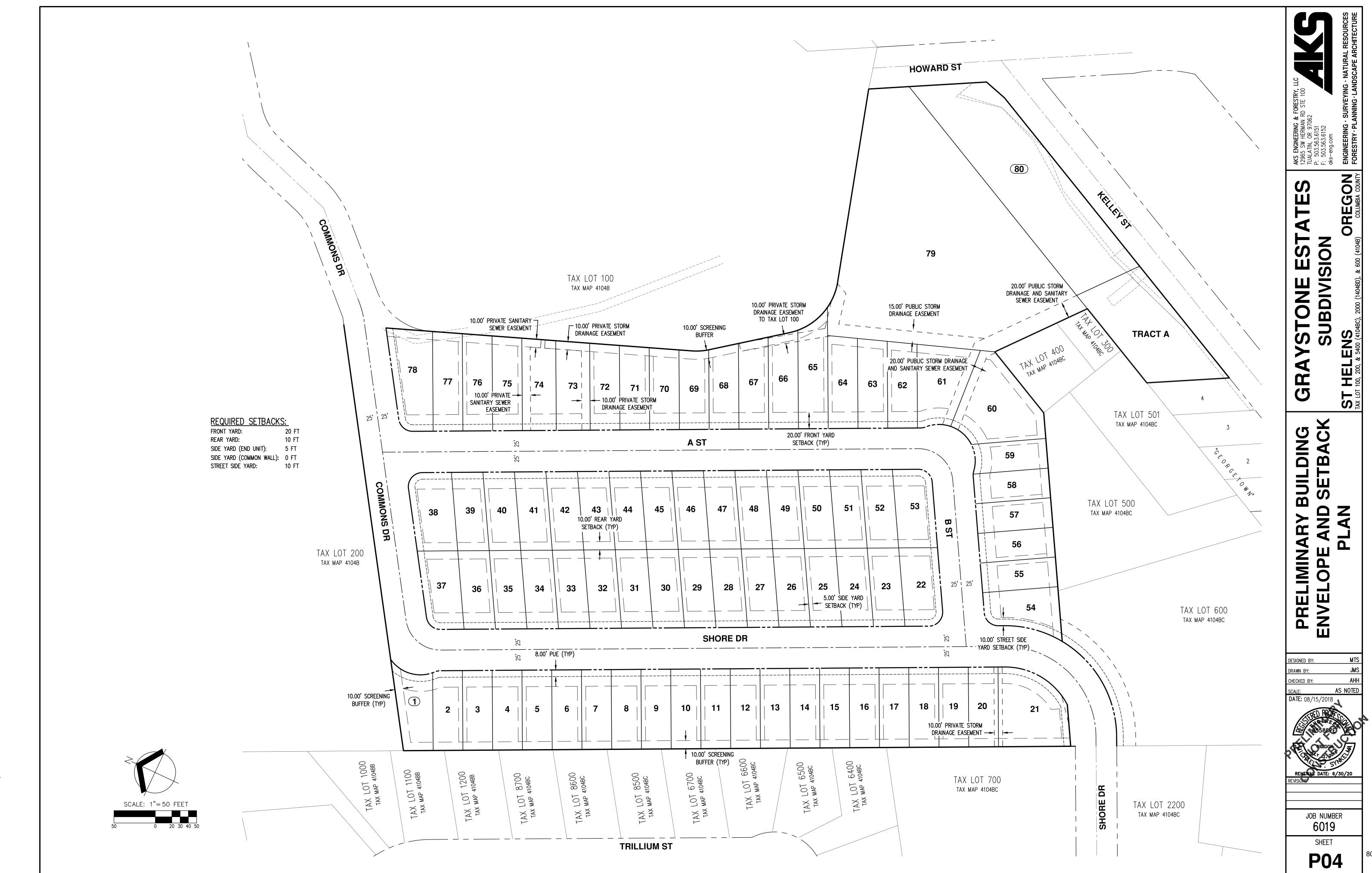
SUBDIVISION

AS NOTED

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THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW SUBDIVISION LOT DIMENSIONS, AREAS, AND EASEMENTS FOR PLANNING PURPOSES. THIS IS NOT

AN OFFICIAL PLAT AND IS NOT INTENDED TO BE USED FOR SURVEY PURPOSES.

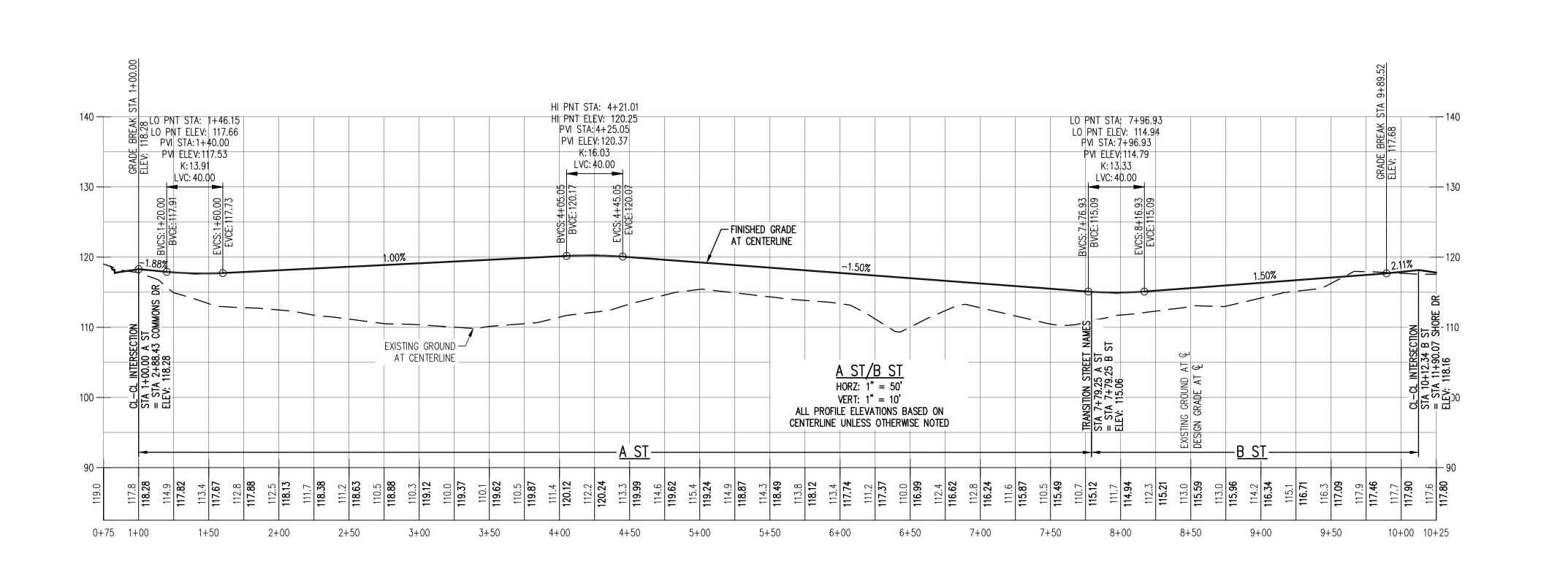


AKS DRAWING FILE: 6019 - DEMO.DWG | LAYOUT: P05

AKS DRAWING FILE: 6019 - ERC - GRADING.DWG | LAYOUT: P06

AKS DRAWING FILE: 6019 - STREETS.DWG | LAYOUT: P07

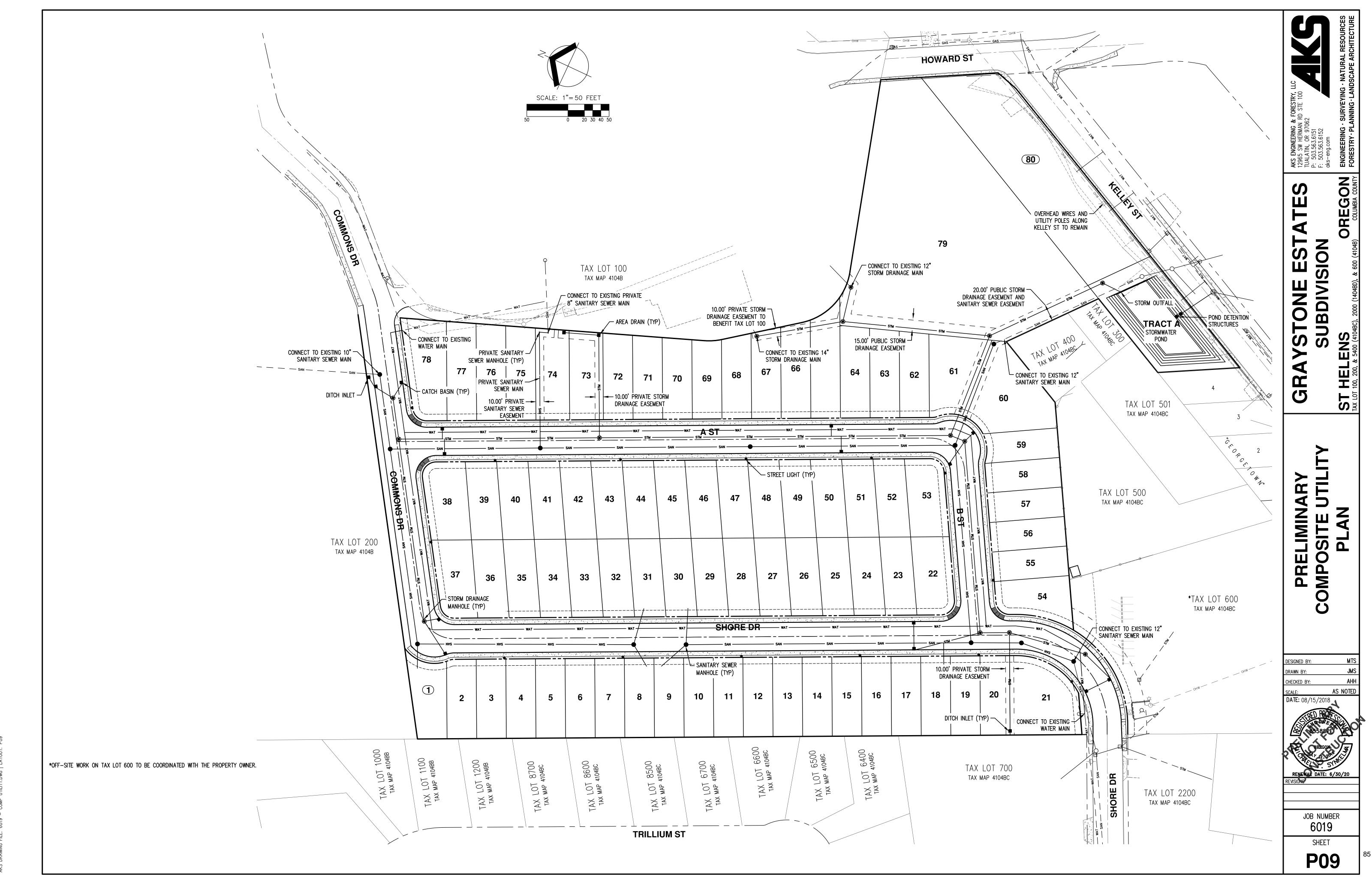
NOTE: ALL VERTICAL CURVE LENGTHS ARE BASED ON THE AASHTO GUIDELINES FOR A 25 MPH DESIGN SPEED. THE SAG VERTICAL CURVE LENGTHS ARE DESIGNED USING THE AASHTO COMFORT CURVE EQUATION ASSUMING STREET LIGHTING IS PRESENT.



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JOB NUMBER

SHEET **P08**



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DATE: 08/15/2018

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CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT

Right-of-way vacation VAC.1.18

DATE: August 7, 2018

To: Planning Commission DRAFT

FROM: Jacob A. Graichen, AICP, City Planner **PETITIONER:** Rick Scholl and Ron Shlumpberger

PROPOSAL: Vacation of public right-of-way described as follows:

The west 40' of the N. 8th Street (Spring St.) right-of-way abutting Lots 21 and 22, Block 77;

The north 40' of the Wyeth Street right-of-way abutting Lots 1 and 22, Block 77; The east 40' of the N. 9th Street (Pacific St.) right-of-way abutting Lot 1, Block 77; The south 40' of the Wyeth Street right-of-way and the east 40' of the N. 9th Street

(Pacific St.) right-of-way abutting the portion of Lot 11, Block 76 not included in the Replat of Shadow Canyon; and

The east 40' of the N. 9th Street (Pacific St.) right-of-way abutting the portion of Lot 10, Block 76 not included in the Replat of Shadow Canyon;

All the above within the St. Helens Subdivision, City of St. Helens, Oregon.

The purpose of this vacation is "to adjust lot lines and better use of property" per the petitioner's petition.

PUBLIC HEARING & NOTICE

Hearing date: September 19, 2018 before the City Council

Notice of this proposed street vacation was published in the <u>Chronicle</u> on <<<u>TBD</u>>> and <<<u>TBD</u>>>. Staff posted a copy of the notice at or near each end of the proposed street vacation areas on <<<u>TBD</u>>>.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

The petition requested that this proposal be reviewed by the Planning Commission for recommendation to the Council

As such, at their August 13, 2018 meeting, the Commission considered this request and, based on <<majority or unanimous>> vote, recommends the following to the City Council:

The Planning Commission recommends that the City Council...

SHMC 17.32.030(5): Whenever any street is lawfully vacated, and when the lands within the boundaries thereof attach to and become a part of lands adjoining such street, the

VAC.1.18 Staff Report 1 of 5

lands formerly within the vacated street shall automatically be subject to the same zoning district designation that is applicable to lands to which the street attaches.

SHMC 17.136.220—Vacation of Streets: All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271 and applicable local regulations.

Discussion: The above two excerpts are the only places where vacations are specifically mentioned in the St. Helens Municipal Code. The Municipal Code does not set forth any additional approval criteria other than those per State law below.

Oregon Revised Statutes, ORS 271.120 - Street Vacation Approval Criteria

... the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

• Have there been any objections or other comments submitted regarding this request?

City engineering had the following comments:

Streets and Access

Based on adjacent undeveloped properties in the immediate vicinity, specifically at the northeast corner of the N. 8th Street & Wyeth Street rights-of-way, it is reasonable to maintain a minimum right-of-way width of 40 feet along Wyeth, N. 8th, and N. 9th Streets. This would still provide 20 feet of right-of-way adjacent to the applicant's lots that could be vacated without jeopardizing future access to these properties. It would also allow the potential for interconnecting future street improvements, providing better fire and emergency service access to the entire area.

Utilities

There is an existing sanitary sewer main at least partially to the top of the crest at the south end of N. 9th Street, near the Wyeth Street intersection. The sanitary sewer main on N. 8th Street is located approximately 160 linear feet north of the applicant's property. One or both of these may be required to be extended to provide service to lots when they are developed. Typically public utility mains are required to be extended to a point that is halfway across the property frontage of the furthest lot to be served.

An existing waterline is also extended at least partially to the intersection at N. 9th and Wyeth Streets. It appears that the watermain is a small diameter, perhaps 2-inch, at the southerly end of the line, nearest the subject property. The main, or at least a portion of

VAC.1.18 Staff Report 2 of 5

the main, may be required to be replaced with a 6-inch main, the minimum size for a fire hydrant, to provide required fire protection. It appears that the closest fire hydrant on N. 9th Street is approximately 585 feet away from the subject property, far exceeding the Fire District standard of 300-350 feet. The watermain on N. 8th Street appears to terminate approximately 70 linear feet from the nearest portion of the subject property and may also require to be extended. Records indicate that this is a 4-inch diameter steel main, and the same conditions of upsizing, extending, and potential fire hydrant installation will apply. The nearest fire hydrant on N. 8th Street is slightly closer to the nearest portion of the subject property, at approximately 530 feet.

Because of the existing utilities (water and sanitary sewer) at the south end of N. 9th Street, a utility easement shall be required across any portion of the 9th Street right-of-way that is vacated.

Storm drainage will have to be looked at when the lot(s) is/are developed. Special care will have to be taken to ensure that runoff from new building and development does not impact the existing developed properties. Until development plans for the lots are submitted, it is not known what types of improvements may be required.

Planner's note: Per discussion with City Engineering, the 40' right of way width and easement requirement pertains to the area north from the centerline of Wyeth, generally.

In addition, upon inspection (as part of the location effort), the Public Works crew observed that the Sanitary Sewer Main has noteworthy storm water inflow and infiltration.

These comments were given on July 23, 2018 before staff was completed analyzing the proposal in the field.

Has the consent of the owners of the requisite area been obtained?

Pursuant to ORS 271.080(2), the consent of the owners of all abutting property and not less than two-thirds in area of the real property affected area (i.e. an area 200 feet parallel to and on both sides of the portion of street r.o.w. to be vacated and 400 feet along its course beyond each terminus of the portion of street r.o.w. to be vacated) is required. The applicant submitted documentation showing 100% consent of all property owners abutting the portion of street right-of-way to be vacated and 67.25% of the affected area.

• Has notice been duly given?

Notice requirements are set forth by ORS 271.110. This requires published notice to occur once each week for two consecutive weeks prior to the hearing and posted notice within five days after the first date of published notice. The posting and first day of publication notice is required to be at least 14 days before the hearing. The notice requirements have been met (see PUBLIC HEARING & NOTICE above).

• Will the public interest be prejudiced by the proposed street vacation?

VAC.1.18 Staff Report 3 of 5

The key issues here are preservation of right-of-way for future access and utilities, and preservation of right-of-way for existing utilities.

All rights-of-way in question are 80' in width. They are also atop a rock outcropping generally void of improvements.

Future access: There are two considerations for this 1) the City's right-of-way standards and 2) physical circumstances.

1) City of St. Helens right-of-way standards.

All streets involved are classified as local per the City's Transportations Systems Plan. The normal minimum width for local streets is 50 feet. However, the Development Code allows for a local "skinny" street with a 40' right-of-way width provided:

- (a) The street will provide access to land uses whose combined average daily trip rate (ADT) is 200 ADT or less; and
 - (b) Where the roadway/pavement width will be 20 feet, on-street parking shall be prohibited.

200 Average Daily Trips (ADT) is roughly equivalent to 21 single-family homes or 30 apartments, as examples. Such density is unlikely given topography and doesn't appear possible based on zoning.

Based on the R5 zone's current standards, the approximate potential density for the four lots involved are:

Vacation granted in full: 4-17 dwelling units

Vacation granted in part (if area N. 9th north of Wyeth Street centerline is vacated with utility easement—see below): 4-12 dwelling units

The 40' width seems a logical choice in areas where there is potential for future street connections: via N. 9th and 8th Streets from the north, and maybe Wyeth Street from the east. Other access seems impractical due to topography, development patterns and solid rock.

Thus, the portion that may be acceptable to vacate in entirety as requested would be the portion of N. 9th Street south of the Wyeth Street centerline.

The portion of Wyeth between N. 9th and 8th Streets needs to maintain a 40' width for circulation. In addition, this better enables a turn around for a fire apparatus as required by the Development and Fire Codes.

2) Physical circumstances.

The current functional access is via N. 9th Street. There is an approximate 20' wide swath of gravel road that allows access to the top of the rock feature (Wyeth Street). This road remains in the public right-of-way but veers eastward towards the top such that its center is

VAC.1.18 Staff Report 4 of 5

about 20' from the NE corner of N. 9th Street / Wyeth Street right-of-way lines. Thus, if vacated as a 40' right-of-way as discussed above, the property line would be in the middle of the improved road.

Given the potential development atop this rock feature, widening is possible and there is limited physical room to widen or even move the road given solid rock jutting many feet above road grade, creating a "wall" on the west side of the road.

Given this physical constraint, it is not recommended to vacate the portion along N. 9th Street north of the Wyeth Street centerline at all.

Utilities: Per City Engineering, an easement should be reserved along the portion of N. 9th which has existing utilities (this is north of the centerline of Wyeth Street), if this area is allowed to be vacated.

Per field measurements, the water line is within approximately 10' and the sanitary sewer line is within approximately 20' of the existing right-of-way line. Even reserving a 40' right of way width from centerline would remove 20' of right-of-way, thus reserving an easement (or not allowing right-of-way vacation in that location) is necessary.

This assumes there are not other issues that would prejudice the public interest. As discussed above, it is not recommended to vacate the portion that would need utility easements due to physical constraint. Remaining as right-of-way preserves right-of-access for utilities.

Elsewhere, the 40' right-of-way width as already described should allow room for any needed utility extensions.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff << and the PC???>> recommends the City Council grant the street vacation petition *in part* as shown on the VAC.1.18 Recommendation Map.

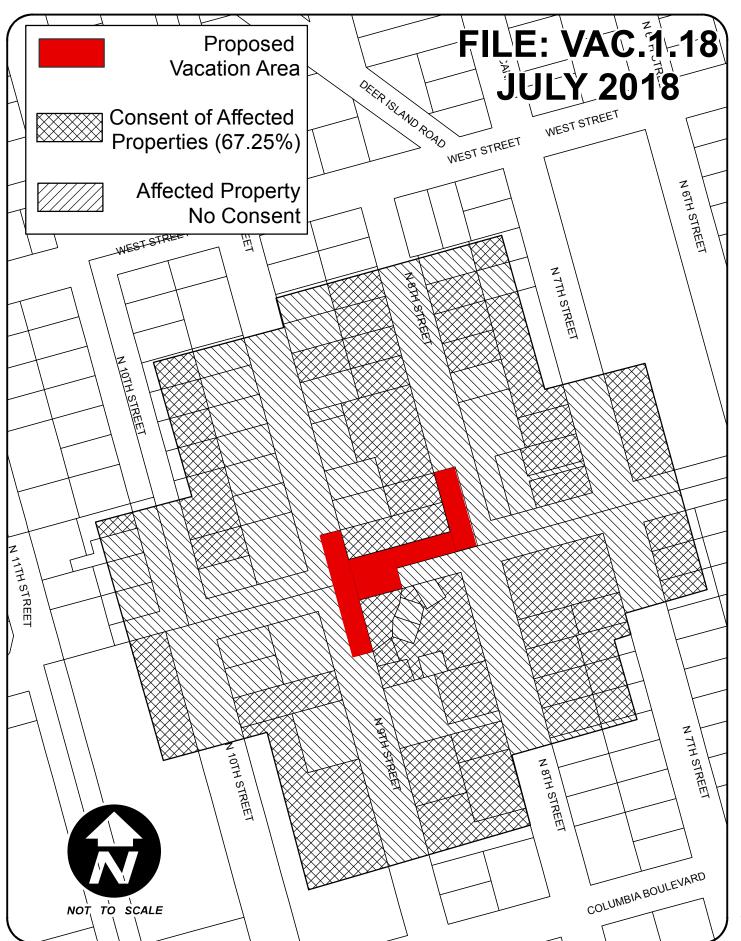
Attachments: Consent Map

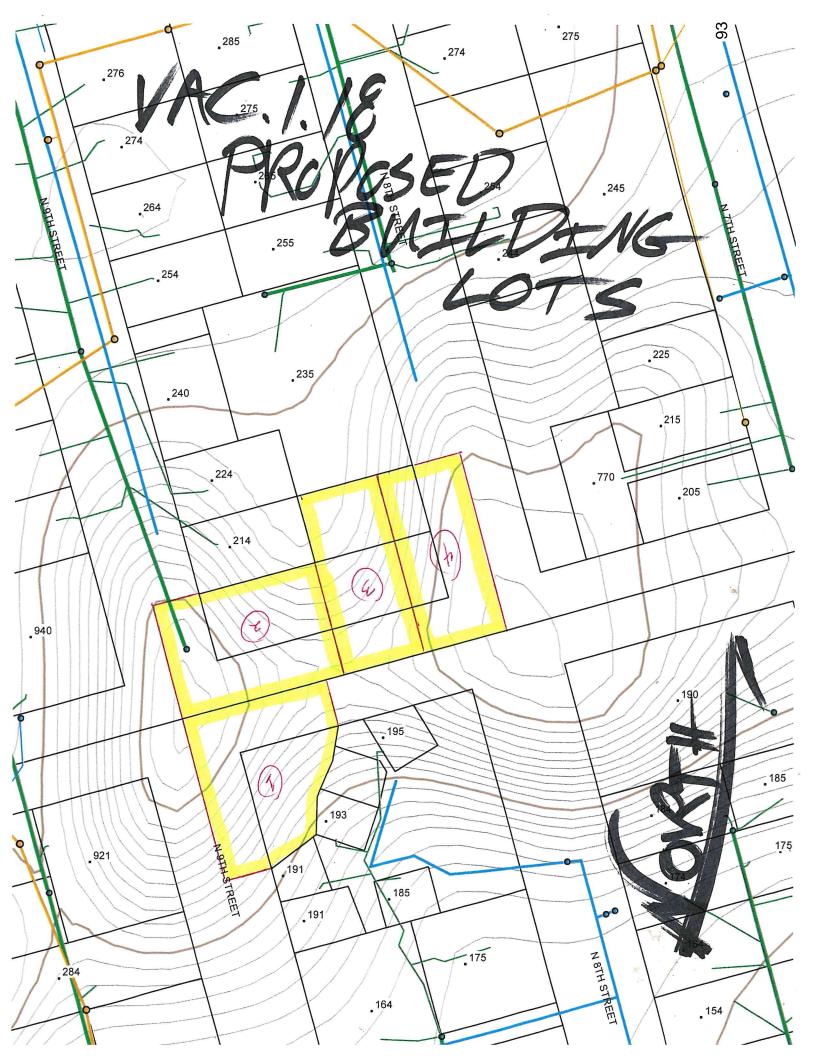
Proposed Building Lots Plan

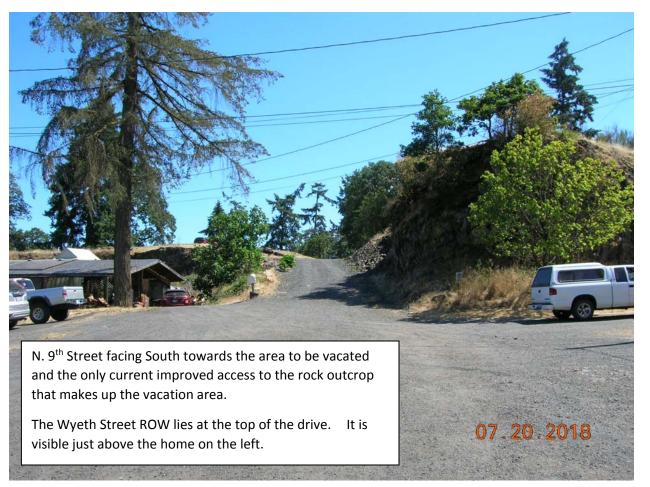
Photos (3 pages)

Recommendations Map

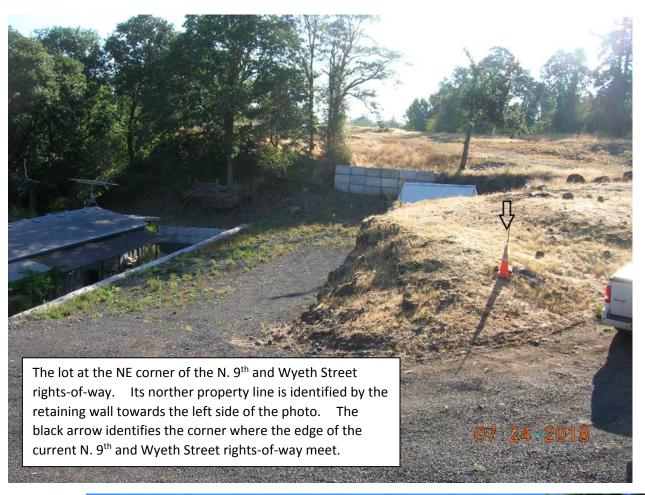
VAC.1.18 Staff Report 5 of 5



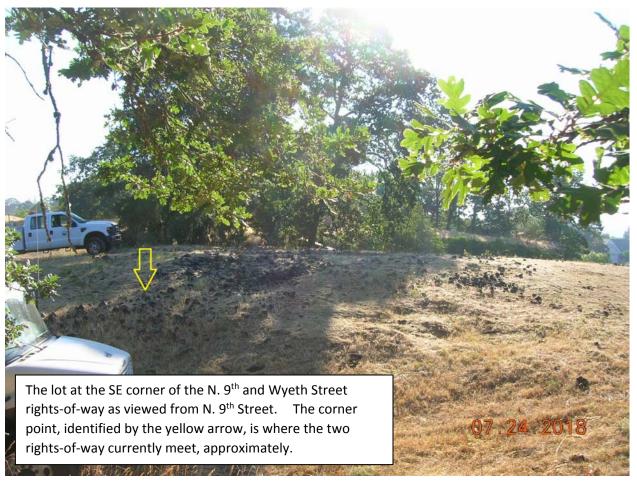




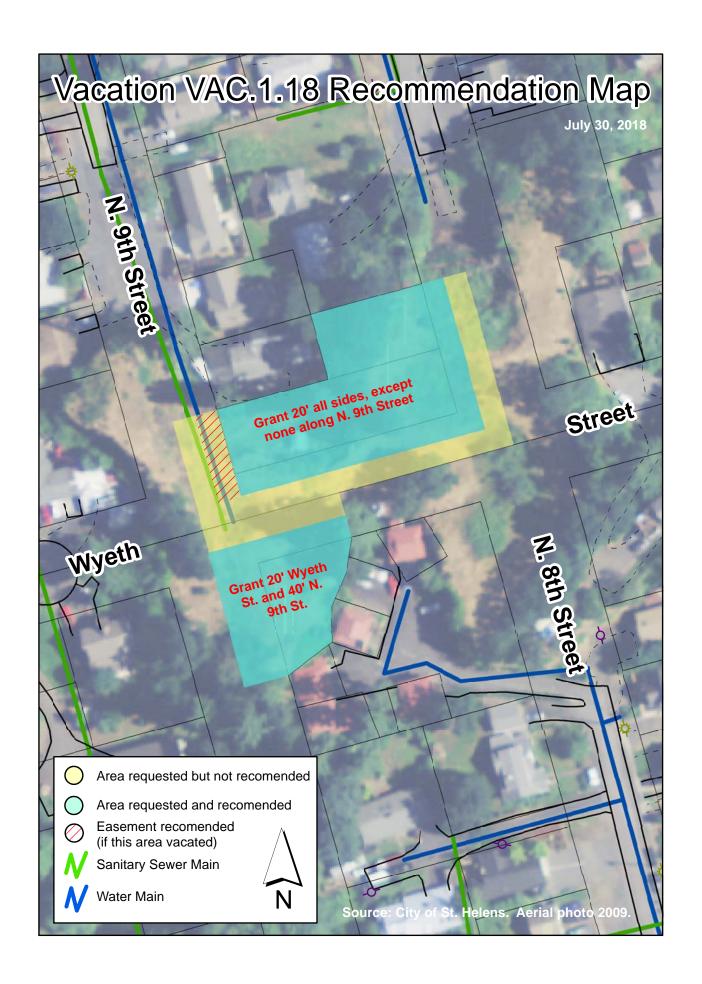












CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



To: City Council Date: 08.27.2018

From: Jacob A. Graichen, AICP, City Planner

This report does not indicate all *current planning* activities over the past report period. These are tasks, processing and administration of the Development Code which are a weekly if not daily responsibility. The Planning Commission agenda, available on the City's website, is a good indicator of *current planning* activities. The number of building permits issued is another good indicator as many require Development Code review prior to Building Official review.

PLANNING ADMINISTRATION

Staff has been working with DLCD for Housing Needs Analysis funding. The Memorandum of Understanding was developed. Completion of the project (excluding adoption) is supposed to be done by June 2019. This will address the following:

- A housing needs projection
- A BLI (Buildable Lands Inventory)
- An RLNA (Residential Lands Needs Analysis)
- Identification of measures for accommodating needed housing

Continue to update staff report and notice templates, which I started doing in 2017.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

<u>August 14, 2018 meeting (outcome)</u>: The Commission denied an Access Variance for a property at 34840 Pittsburg Road. A Conditional Use Permit for a 204 unit multidwelling complex along Matzen Street, was continued to the September meeting; the application was weak in many respects. The Commissioner reviewed a ROW vacation request for portions of N. 8th, N.9th and Wyeth Streets. After discussion based on a plan submitted that day or the day prior, it was decided to review the proposal again at the September meeting. This is a recommendation to the Council. The Commission also discussed some minor edits (recommendations) to the City's proposed ADU policy.

As the Historic Landmarks Commission, the commission reviewed a demolition permit for façade removal at 50 Plaza as it pertains to the Riverfront District architectural guidelines.

<u>September 11, 2018 meeting (upcoming)</u>: The Commission will start the night with a discussion by the consultants for the latest of the Riverfront Connector Plan. The Commission will continue the public hearing for the 204-unit apartment complex noted above. The Commission will hold a new public hearing for the Graystone Estates Subdivision (78 residential lots + 2 commercial lots). The Commission will also continue the discussion for the ROW vacation noted above; this vacation goes to the Council on September 19th.

COUNCIL ACTIONS RELATED TO LAND USE

The Council approved the latest batch of Development Code amendments regarding Home Occupations and Auxiliary (Accessory) Dwelling Units. This was approved as recommended by the Planning Commission, though, the Council removed the owner occupancy requirement, which the Commission discussed at their August meeting with mixed concerns.

The Council had a tie vote for an appeal of a Conditional Use Permit denial for a marijuana medical/retailer as a result of one absent Councilor. As a result we will continue deliberations to September 19th to attempt full Council participation in hopes of reaching a decision.

ST. HELENS RIVERFRONT CONNECTOR PLAN (TGM FILE NO. 2D-16)

The Associate Planner and I reviewed and provided comments for the latest documents for the next round of public meetings in September. Outreach efforts also commenced. There will be two public meetings on September 11th. One before the Planning Commission's regularly scheduled monthly meeting and another in conjunction with it.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Many data updates as a result of recent activity (e.g., annexation).

ASSOCIATE PLANNER—In addition to routine tasks, the Associate Planner has been working on: Due to the Associate Planner's time off for the last week of August I did not get a summary from her. However, one thing of note is her efforts to get a new restroom facility at Grey Cliffs Park. The restroom was placed this month.