

**City of St. Helens**  
**Planning Commission Meeting**  
**October 13, 2015**  
**Minutes**

**Members Present:** Al Petersen, Chair  
Dan Cary, Vice Chair  
Greg Cohen, Commissioner  
Sheila Semling, Commissioner  
Audrey Webster, Commissioner  
Kathryn Lawrence, Commissioner  
Russell Hubbard, Commissioner

**Members Absent:** None

**Staff Present:** Jacob Graichen, City Planner  
Jennifer Dimsho, Assistant Planner & Planning Secretary

**Councilors Present:** Ginny Carlson, City Council Liaison

**Others Present:** Joe Turner  
Katherine McCarter  
Brenda Fielding  
Konrad Hyle

The Planning Commission meeting was called to order by Chair Al Petersen at 7:00 p.m. Chair Petersen led the flag salute.

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**Consent Agenda**

**Approval of Minutes**

Commissioner Webster moved to approve the minutes of the August 11, 2015 Planning Commission meeting as presented. Commissioner Semling seconded the motion. Motion carried with all in favor. Commissioner Cohen and Commissioner Hubbard recused themselves from voting due to their absences from that meeting. And Chair Petersen did not vote as per operating rules.

Commissioner Cohen moved to approve the minutes of the September 11, 2015 Planning Commission meeting. Commissioner Webster seconded the motion. Motion carried with all in favor. Commissioner Semling, Commissioner Lawrence, and Vice Chair Cary recused themselves from voting due to their absences from that meeting. And Chair Petersen did not vote as per operating rules.

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**Topics From The Floor**

There were no comments from the floor.

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## **Amended Decision/Deliberations**

**RP Oregon, Inc.**

**Conditional Use Permit / CUP.5.15**

**31 Cowlitz St.**

City Planner Jacob Graichen discussed the procedural voting error that occurred during the September 8 Planning Commission meeting. Deliberations are re-occurring because of the error, but the public hearing is not being re-opened.

Chair Petersen restated his opinion from last meeting. He believes the applicant complies with the rules handed down to the Commission from City Council and the Development Code. Vice Chair Cary and Commissioner Semling agreed.

Commissioner Hubbard asked if approval could make the City ineligible to receive federal funds, since marijuana is still illegal federally. Graichen said this is something the City is discussing internally through the business license policy, but land use approval would likely not have any effect.

Commissioner Cohen voiced his opposition to the proposal. He feels the location of the proposed use is too close to Columbia View Park. Vice Chair Cary noted the Commission could consider hours of operation as a condition, but pointed out that limiting the hours still won't address the concerns Commissioner Cohen has about the proximity to the park. Chair Petersen said it is similar to the liquor store being close to Godfrey Park. He is concerned about the proximity to the waterfront redevelopment project, but ultimately feels the proposal complies with the rules the Commission has to work with.

### **MOTION**

Vice Chair Cary moved to approve the Conditional Use Permit with the conditions as presented by staff. Commissioner Semling seconded. Commissioner Lawrence, Commissioner Webster, Commissioner Semling and Vice Chair Cary voted in favor; Commissioner Cohen and Commissioner Hubbard opposed; motion carries.

Commissioner Cohen moved for Chair Petersen to sign the Findings and Conclusions once prepared. Vice Chair Cary seconded. All in favor; none opposed; motion carries.

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## **Public Hearing**

**Kevin & Katherine McCarter**

**Variance / V.4.15**

**35732 Hankey Rd.**

It is now 7:23 p.m. and Chair Petersen opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter. No one in the audience objected to any members of the Commission to make a fair decision.

Graichen entered the following items into the record:

- Staff report packet dated October 6, 2015 with attachments

Graichen discussed the background for the access variance, the criteria for approval and staff recommendations as presented in the staff report.

Graichen explained that the proposed driveway width is wide enough to allow vehicles to maneuver so they are not backing onto Hankey Road. This is why the proposed condition #3 (hammerhead design) is only optional.

Commissioner Cohen asked why the applicant is allowed to have such a large driveway. Graichen clarified there is not a maximum width for the driveway. There is only a 24 feet maximum width for the driveway approach.

Commissioner Cohen pointed out that the variance is self-imposed because the applicant chose that location for the building addition. Graichen said that would be a great discussion with the applicant.

Commissioner Lawrence noted the proposed driveway would be a safer access point because it offers more time to see oncoming vehicles than the existing driveway.

Vice Chair Cary clarified the state of the Elk Ridge subdivision sidewalk construction. Graichen said the sidewalk is completed in certain portions. He said the approved Elk Ridge subdivision plans did not show a driveway approach where the applicants prematurely built the proposed approach.

## **IN FAVOR**

**McCarter, Katherine. Applicant.** McCarter is requesting a variance in order to build an attached garage with access. The existing driveway is approximately 30 feet from the existing home. If they wanted to build a new driveway, they would still have to relocate the existing driveway closer to the home. The existing driveway is also circular and the topography is very challenging. There is about a 3 foot island in the center of the driveway where the water collects from the rest of their 1-acre hillside property. McCarter said it looks like they have a lot of property, but most of it is a steep hill.

The existing driveway also causes safety problems with the lack of vision clearance on the north (existing) access. She has pictures that illustrate the difficulty of fast moving vehicles coming around the corner. The new driveway would create about 25 more feet of vision.

McCarter discussed the neighbor's driveway adjacent to the proposed access. The neighbor uses this driveway for boats, not as their main access.

Vice Chair Cary asked if McCarter was open to removing the circular driveway. McCarter said it is very narrow, difficult to use, and a long distance from the house. They would be open to losing access to that portion of their property.

Commissioner Cohen asked if the proposed new driveway is straight. McCarter said yes and it will attach to the southern portion of their house. It is a wide driveway because the garage is a 3-car garage. The width will also allow them to turn vehicles around before entering Hankey Road.

## **IN OPPOSITION**

There was no testimony in opposition.

## **END OF ORAL TESTIMONY**

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

## **CLOSE PUBLIC HEARING & RECORD**

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

## **DELIBERATIONS**

Commissioner Lawrence believes the proposal for a new access is safer for the applicant and for the general public. Commissioner Webster and Commissioner Cohen think the existing driveway should be removed and a sidewalk should be installed as a condition of approval. Commissioner Cohen does not want the driveway to be any wider than 30 feet.

Commissioner Hubbard suggested leaving the old access for future development because it has already been engineered and built. Commissioner Cohen said if a lot division occurs, there is no guarantee that is the location where the future access will be. The Commission felt the northern access will be discussed only when/if the northern end of the property develops.

Commissioner Cohen moved to approve the access variance permit with conditions #1 and #2 as written. Commissioner Webster seconded. Vice Chair Cary requested the Commission first go through the findings together. Commissioner Cohen withdrew his motion. The Commission agreed with all nine criteria and additionally found that for criteria three, four, seven and eight, the new access also results in a safer driveway with greater vision clearance.

## **MOTION**

Commissioner Cohen moved to approve the access variance permit with the conditions #1 and #2 as written. Commissioner Webster seconded. All in favor; none opposed; motion carries.

Commissioner Lawrence moved for Chair Petersen to sign the Findings and Conclusions once prepared. Commissioner Cohen seconded. All in favor; none opposed; motion carries.

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## **Architectural Review: Columbia County Courthouse Cell Modifications**

Graichen discussed the history of the proposal. Commissioner Cohen clarified that this is not a historic resource review, so no public hearing is required. Graichen said this is simply the Commission's opportunity to review and make recommendations that he can incorporate into his decision.

Vice Chair Cary asked if the view will change for residents. Chair Petersen said no, the proposal is not high enough to affect residents.

Konrad Hyle, a consultant for Verizon Wireless, discussed the proposal with the Commission as discussed in the memo. Commissioner Webster asked why they are proposing a metal staircase instead of using an existing landing/entrance. Hyle said Columbia County wanted to minimize disturbance to the mature landscape area and limit conflicts with the public who are accessing the building through the front.

Chair Petersen asked why there is no wall on the east side to block view of the antennas from the river. Hyle said if a wall is proposed, a door would be needed for crew to access equipment inside. Chair Petersen asked why there is a jog in the wall mounted cable chase on drawing A-4. It would be easier to hide it if it were straight. Hyde said he would have to check with the structural engineer to see if they were avoiding something structurally. Hyde was open to altering the jog in order to help it blend in with the

existing siding.

Chair Petersen suggested enclosing the antennas by extending the screening. A door would not be required. Residents and visitors utilize the river and Sand Island extensively and screening from all sides would not require significant changes to the design. Hyle was open to this change.

Commissioner Hubbard asked how many carriers will utilize the new equipment. Hyle said this facility is only for Verizon Wireless.

Graichen said projections are not included in building height calculations because they are not used for human occupancy and therefore are not considered buildings. However, the antennae are subject to screening requirements, which the applicant meets. Graichen also stated the scenic resource review rules do not apply to the Riverfront District zone.

## **MOTION**

Commissioner Cohen made a motion to recommend approval of the Columbia County Courthouse cell modifications with three additional changes: 1. Straighten the jog in the cable chase, 2. Enclose the entire structure with screening, and 3. Paint the staircase to match the color of the building. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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## **Acceptance Agenda: Planning Administrator Site Design Review**

- a. Site Design Review (Minor) at 500 N Columbia River Hwy – Parking lot expansion

Commissioner Cohen moved to accept the acceptance agenda. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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## **Term Expiration Discussion**

Graichen discussed Commissioner Lawrence's upcoming term expiration (12/31/15). Commissioner Lawrence would like to serve for another term.

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## **Planning Director Decisions**

- a. Sign Permit (Wall) at 1570 Columbia Blvd (Ark Real Estate) – Dewey's Sign Service
- b. Home Occupation (Type I) at 821 Columbia Blvd. - Heating and cooling business
- c. Sign Permit (Wall) x 2 at 299 S. Vernonia Rd. (O'Reilly) – Tube Art Group
- d. Sign Permit at intersection of Elk Meadows Dr. and Hankey Rd – St. Helens Assets, LLC
- e. Sign Permit (Banner) at 2100 block of Columbia Blvd. – Columbia River PUD Public Power Week

There were no comments.

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## **Planning Department Activity Reports**

There were no comments.

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## **For Your Information Items**

Chair Petersen discussed the Oregon Department of Transportation (ODOT) U.S. 30/Millard Rd. Safety Project design with the Commission. There is a meeting scheduled for Thursday, October 15 at 5 p.m. at the America's Best Value Inn Conference Room, 535 South Columbia River Highway.

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There being no further business before the Planning Commission, the meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Jennifer Dimsho  
Planning Secretary

### 2015 Planning Commission Attendance Record

*P=Present A=Absent Can=Cancelled*

Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/13/15	P	P	P	P	P	P	P
02/10/15	P	P	P	P	P	P	P
03/10/15	P	P	A	P	P	P	P
04/14/15	CAN	CAN	CAN	CAN	CAN	CAN	CAN
05/12/15	P	P	P	P	P	P	P
06/09/15	P	P	P	P	P	P	P
07/14/15	A	P	P	P	P	P	P
08/11/15	P	A	P	A	P	P	P
09/08/15	P	P	A	P	A	A	P
10/13/15	P	P	P	P	P	P	P
11/10/15							
12/08/15							