City of St. Helens

Planning Commission April 12, 2016 Agenda

- 1. 7:00 p.m. Call to Order and Flag Salute
- 2. Consent Agenda
 - a. Planning Commission Minutes dated March 8, 2016
- 3. **Topics from the Floor:** Limited to 5 minutes per topic (Not on Public Hearing Agenda)
- 4. **Public Hearing Agenda:** (times are earliest start time)
 - a. 7:00 p.m. Conditional Use Permit at 220 S. 1st Street Resonate Church
 - b. 7:30 p.m. Site Design Review at 134 N. River Street Lower Columbia Engineering, LLC
 - c. 8:00 p.m. Variances (2) at 115 S. Vernonia Rd. Ronald Schwirse
- 5. **Architectural Review: Muckle Building Signage**
- 6. Acceptance Agenda: Planning Administrator Site Design Review:
 - a. Site Design Review (Minor) at 755 N Columbia River Highway Northwest Self Storage
 - b. Site Design Review (Scenic Resource) at corner of St. Helens St. & S 2nd St. La Grande Townhomes, LLC
 - c. Site Design Review (Minor) at 550 Milton Way FDH-Velocitel
 - d. Site Design Review (Scenic Resource) at 397 N. 1st St. American Pride Constriction Services, LLC
- 7. **Planning Director Decisions:** (previously e-mailed to the Commission)
 - a. Extension of Time (PT.1.15) at 2625 Sykes Rd. Wirta, Stanton
 - b. Home Occupation (Type II) at 364 S 4th Street Home-based woodworking shop
 - c. Partition at S. 2nd Street, Lot 18, Block 27 Reynolds Land Surveying Inc.
 - d. Sign Permit at 2298 Gable Rd. Suite 200 (Nail Salon) Steve Nguyen
- 8. Planning Department Activity Reports
 - a. March 25, 2016
- 9. For Your Information Items
- 10. Next Regular Meeting: May 10, 2016

Adjournment

City of St. Helens

Planning Commission Meeting March 8, 2016 Minutes

<u>Members Present</u>: Dan Cary, Chair

Sheila Semling, Commissioner Audrey Webster, Commissioner Kathryn Lawrence, Commissioner Russell Hubbard, Commissioner Al Petersen, Vice Chair - *Arrived late*

Members Absent: Greg Cohen, Commissioner

<u>Staff Present</u>: Jacob Graichen, City Planner

Jennifer Dimsho, Assistant Planner & Planning Secretary

<u>Councilors Present</u>: Ginny Carlson, City Council Liaison

Others Present: John Barlow

Ronald Schwirse Oscar Nelson Doug Smith

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

Consent Agenda

Approval of Minutes

Commissioner Semling moved to approve the minutes of the February 9, 2016 Planning Commission meeting. Commissioner Webster seconded the motion. Motion carried with all in favor. Chair Cary did not vote as per operating rules.

Topics From The Floor

There were no topics from the floor.

Public Hearing

G.O. Enterprises, LLC Major Modification to CUP.4.15 / CUP.1.16 1807 & 1809 Columbia Boulevard

It is now 7:01 p.m. and Chair Cary re-opened the public hearing.

City Planner Jacob Graichen entered the following items into the record:

Staff report packet dated February 2, 2016 with attachments

Graichen discussed the questions the Commission had regarding the proposal during the last meeting, as presented in the memo attached to the staff report. He explained that the change of occupancy building permit was submitted but is on hold for land use approval. He also explained that a fire escape (mandatory egress) will not be required because the occupancy load is not high enough to warrant it. However, the applicant has still elected to install the access out of the back of the suite, as seen on the revised site plan. Lastly, Graichen went through the documents entered into the record since the last meeting, including a letter from the property owner regarding the lease, a new trash/parking plan provided by the applicant, and an email in opposition to the proposal.

Considering the new documents entered into the record, Graichen recommended two additional conditions of approval.

IN FAVOR

Nelson, Oscar. Applicant. Nelson said they will improve the fire exit, install a security light, enclose the trash, and pave the parking area as approved by the Planning Department.

Commissioner Semling asked where the AC unit will be moved. Nelson said it will be moved to a location recommended by the HVAC technicians. Chair Cary asked if there were any interior changes from the original floor plan. Nelson said the Building Official had no required changes, except for an alteration to an interior door. Chair Cary asked if the trash was completely enclosed or just the front gate. Nelson said it is enclosed completely.

Commissioner Semling asked if any of the parking spaces would be designated for 2nd floor residents. Nelson said he could not answer definitively, but he anticipates half of the parking lot will be for The Chronicle and the other half will be for employees and vendors of Sweet Relief. Customers may eventually start parking there for their short visits, but it will be primarily for residents or employees.

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 PUBLIC HEARING & RECORD

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

FURTHER QUESTIONS OF STAFF

Commissioner Hubbard asked if the parking changes impacted the required marijuana facility buffers. Graichen said the buffers were still okay.

Commissioner Hubbard asked about the timeline. Graichen said it would be up to the Commission if they want to start the timeline over with this approval or follow the same timeline as the previously approved Conditional Use Permit. At the previous meeting, the applicant stated they would be fine with the original timeline because they are intending to open quickly.

DELIBERATIONS

Commissioner Lawrence is pleased with how the applicant has addressed the areas of concern the Commission brought up last meeting. Commissioner Semling and Chair Cary agreed. Commissioner Lawrence feels they should start the timeline over. Chair Cary feels it would be a cleaner decision to start the timeline over. Commissioner Semling agreed.

MOTION

Commissioner Webster moved to approve the Conditional Use Permit with the original conditions as presented in the staff report, the two new recommended conditions proposed by staff, and using a new timeline. Commissioner Lawrence seconded. All in favor; none opposed; motion carries.

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

Public Hearing Ronald Schwirse

Variance / V.1.16 115 S. Vernonia Rd.

It is now 7:35 p.m. and Chair Cary opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

Graichen entered the following items into the record:

Staff report packet dated February 29, 2016 with attachments

Vice Chair Petersen arrived. No one in the audience objected to his ability to make a fair decision.

Assistant Planner Dimsho went through the findings as discussed in the staff report. Commissioner Lawrence wondered what type of material the carport structure would be made of, noting her fire safety concerns. Graichen said that issue is partly determined by building codes. In addition, Columbia River Fire & Rescue had no objections because the structure is small, open and fire access should not be a problem.

IN FAVOR

Schwirse, Ronald. Applicant. Schwirse said the carport will be open on all four sides. He said he plans on

going with the recommendation from the Building Department and/or Fire Marshall regarding flame resistance. He notes that in previous discussions, the Building Official mentioned using a two-hour fire rated material.

Chair Cary asked if the carport would be attached to the existing home. Schwirse said no, but they intend to make the roof a little higher than the house for when it rains.

Vice Chair Petersen said it may be difficult to meet the residential fire rating requirement with an open structure. He recommends talking to the Building Official again because they usually require at least a three foot separation.

IN OPPOSITION

Smith, Doug. Neighbor. Smith lives in the home adjacent to the proposed one foot setback. He has lived here for 35 years and is glad Schwirse bought the house because he is making it presentable. He originally spoke to Schwirse about the garage, but he had no idea it would be so close to his own garage. He would really hate to have a two-car carport structure so close to his fence line and garage. Smith has concerns about the location of sewer lines and the feasibility of two cars being able to back out from the proposed location with such a small turning radius. He thinks the old location of the carport made more sense. He knows the reason for the carport location was to prevent backing onto Vernonia Road, but many of the residents near Sherlock's back out onto Vernonia Road too. Vice Chair Petersen asked how far away from his property line his own garage is. Smith said it is about three feet away.

REBUTTAL

Schwirse, Ronald. Applicant. Schwirse said the driveway noted on the site plan is already concrete. The City sewer main line was recently re-done. The sewer main line runs along the southern property line and he is not proposing to build anything over it. He said if the City ever needs to do maintenance on the line, they will tear out the already existing concrete driveway.

Vice Chair Petersen asked if there was an existing fence between him and his neighbor. Schwirse said yes. Chair Cary asked how far the neighbor's garage is from the property line. He said the neighbor's lean-to is about three feet away from the property line and about six feet wide.

Commissioner Lawrence asked about the capability to maneuver a car in such a small space. Schwirse said you certainly could not park a truck in the carport with this orientation and limited space. He said they simply did not have other viable locations for the carport.

Barlow, John. Co-Applicant. Barlow was told by City staff that they could not have traffic back out onto Columbia Boulevard or Vernonia Road. They considered the different locations for the carport, and this location was the best they could do. Commissioner Webster asked how tall the neighbor's fence is. Barlow said it is about three feet tall and they also plan on building a six foot fence as well.

Vice Chair Petersen asked if the carport could be shifted further north. Barlow said yes, but that location may worsen the impact to the neighbor's view.

END OF ORAL TESTIMONY

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

FURTHER QUESTIONS OF STAFF

Graichen explained that when Schwirse came in to ask about re-building the demolished non-conforming carport, he was told they could not rebuild in the same location because of the setback violation and the City sewer line. Vice Chair Petersen asked if both streets were collectors. Graichen said yes.

CLOSE PUBLIC HEARING & RECORD

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

DELIBERATIONS

Commissioner Lawrence said the proposal does not look functional and she feels they are too close to the neighbor's garage. Vice Chair Petersen said a normal car has a 25 foot turning radius which means the first stall will be practically impossible to maneuver out of. He feels that the carport will ultimately end up being storage. Chair Cary said he would be concerned about vehicles backing into neighboring buildings trying to maneuver out of the carport.

Commissioner Webster asked about building a circular driveway. Commissioner Semling asked about a driveway entering from Vernonia Road and exiting onto Columbia Boulevard. Graichen said for that proposal, they would need an access variance because only one access is allowed per single family dwelling and the spacing requirements between neighboring driveways/streets will also not be met. He also noted that this proposal is a setback variance, which has different approval criteria than an access variance.

Vice Chair Petersen noted that open carports tend to be enclosed at a future date. Allowing a one foot setback for the carport now may result in the new owner enclosing it. In addition, a one foot setback does not leave enough room for maintenance. Vice Chair Petersen is in favor of making it a three foot setback and requiring plantings. Commissioner Hubbard agrees. Vice Chair Petersen said it is not the City's problem whether or not the carport is functional.

MOTION

Commissioner Lawrence moved to deny the variance because the proposal encroaches on the neighbor unfairly and the egress seems unsafe. Vice Chair Petersen seconded. Vice Chair Petersen does not feel a one foot setback is enough. All in favor; none opposed; motion carries.

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

Acceptance Agenda: Planning Administrator Site Design Review

- a. Site Design Review (Minor) at 2296 & 2298 Gable Rd. Combine two suites for new business & relocate existing business to a vacant suite in existing multi-suite commercial complex
- b. Site Design Review (Minor) at 1645 Railroad Ave. (Armstrong World Industries) Pallet storage building on an existing industrial site

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

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Planning Director Decisions

- a. Sign Permit (Banner) at 2100 Block of Columbia Blvd. Columbia County Job & Resource Fair
- b. Home Occupation (Type II) at 405 S. 14th St. Home-based flower shop
- c. Sign Permit (Pole) at 111 S. 9th St. (Lewis & Clark Elementary) Security Signs, Inc.

Vice Chair Petersen asked how many free-standing signs are allowed per property. Dimsho said normally it is one, but in the case of Lewis & Clark, they were allowed two free-standing signs (one pole and one ground-mounted) because they have two street frontages, Columbia Boulevard and South 9th Street.

Planning Department Activity Reports

There were no comments.

For Your Information Items

Graichen wanted input from the Commission regarding a few features of the Muckle Building. First, he asked about the color of the exterior means of egress. When the Commission originally approved the egress during Architectural Review, it was approved as charcoal grey. Instead, the owner would like to use galvanized steel with black hand rails because it will age better and be more resistant to weathering. Graichen said the Riverfront District Architectural Guidelines prohibit bright-unfinished metal, but in this case, the color will dull after a few rains as long as it is not coated. Commissioner Hubbard asked if this was located in the alley between the Klondike. Graichen said yes. Commissioner Hubbard noted that the public won't really even see it. Vice Chair Petersen recommended looking into a color that starts as dull gray.

Next, Graichen discussed a new sign proposal. Ultimately, the Commission felt that these piecemeal proposals should be packaged into a full Architectural Review. Graichen will bring this proposal back to the Commission next meeting with more information (if the owner provides it).

Commissioner Hubbard told the Commission about the upcoming City Council Public Forum regarding the Columbia View Park gazebo on March 16 at 6 p.m. in the Council Chambers.

There being no further business before the Planning Commission, the meeting was adjourned 9:27 at p.m.

Respectfully submitted,

Jennifer Dimsho Planning Secretary

2016 Planning Commission Attendance Record P=Present A=Absent Can=Cancelled

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Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/12/16	Р	Р	Р	Α	Α	Р	Р
02/09/16	А	Р	Р	Р	Р	Р	Р
03/08/16	Р	Р	Р	Α	Р	Р	Р
04/12/16							
05/10/16							
06/14/16							
07/12/16							
08/09/16							
09/13/16							
10/11/16							
11/08/16							
12/13/16							

CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT

Conditional Use Permit CUP.2.16

DATE:

March 29, 2016

To:

Planning Commission

FROM:

Jacob A. Graichen, AICP, City Planner

Jennifer Dimsho, Assistant Planner

APPLICANT:

Resonate Church, c/o Bill Bradley

OWNER:

Van Natta & Petersen

ZONING:

Riverfront District, RD

LOCATION:

220 S. 1st Street

PROPOSAL:

Establish religious assembly in an existing building suite

The 120-day rule (ORS 227.178) for final action for this land use decision is July 7, 2016.

SITE INFORMATION / BACKGROUND

The site is developed with a two-story attached building in the Riverfront District, adjacent to the historic Columbia Theater. The site was previously used as an antique store. The second floor is currently used as a law office. The proposal is to use the ground floor for religious assembly. The site is accessed from S. 1st Street which has frontage improvements (sidewalks, gutter, & curb). There is on-street parking in front of the suite, a public parking lot to the west of 1st Street, and the Columbia County Courthouse parking lot to the east of the site.







Building rear from courthouse parking lot

PUBLIC HEARING & NOTICE

Hearing dates are as follows: April 12, 2016 before the Planning Commission

CUP.2.16 Staff Report

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on March 22, 2016 via first class mail. Notice was sent to agencies by mail or email on the same date. Notice was published in the <u>The Chronicle</u> on March 30, 2016.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, the following agency referrals/comments have been received that are pertinent to the analysis of this proposal:

Columbia River Fire & Rescue: See attached letter dated March 22, 2016

City Engineering: They will need to provide documentation of the previous uses of the space to determine if SDC fees would be applicable to their new use.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.100.040(1) - CUP Approval standards and conditions

- (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 <u>17.96</u> 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.

Finding(s): There is no evidence to the contrary. The applicant has stated that the square footage is adequate for accommodating groups of 10-40 for periods up to 2 hours.

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

Finding(s): There is no evidence to the contrary. The applicant has stated this location will have a positive effect on businesses by drawing new potential customers.

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

CUP.2.16 Staff Report 2 of 4

Finding(s): There is no evidence that public facilities are inadequate for this proposal.

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

Finding(s): The property is zoned Riverfront District (RD). "Religious assembly excluding cemeteries" is listed as a conditionally permitted use in this zoning district.

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

Finding(s): With regards to signs, any new sign or modified sign shall require a sign permit per Chapter 17.88 SHMC.

With regards to site development review standards, as the site is developed and there are no substantial proposed improvements to the site to accommodate the proposed use (e.g., new development), many aspects don't apply. The noteworthy aspects are as follows:

With regards to off-street parking, the RD zone includes an off-street parking provision as follows:

No additional or new on-site parking is required for sites with existing development footprint coverage in excess of 50 percent of the site area (change of use or remodeling without a change to the existing footprint of existing development is also exempt).

The subject property is approximately 3,600 square feet in size. The building on the property has a footprint of approximately 2,500 square feet. 2,500 is 69% of 3,600, thus, off-street parking requirements are generally exempt.

However, it should be noted that in the RD zone, many of the surrounding businesses rely on public parking, both on-street and off-street public parking areas for their customers during business hours. The applicant notes different parking demand times of the proposed use compared to commercial businesses. The Commission can accept this as a finding or require a condition that addresses the matter. See SHMC 17.100.040 (3) below.

The site is void of landscaping. Because this is a Conditional Use Permit, the Commission can require landscaping related conditions, if such is determined to be warranted. See SHMC 17.100.040 (3) below.

With regards to screening, the Commission can consider requiring screening of refuse containers, if such is determined to be warranted. See SHMC 17.100.040 (3) below.

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

Finding(s): The proposal does not appear to be contrary to any Comprehensive Plan policy.

SHMC 17.100.040(3) - CUP Approval standards and conditions

- (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.

Findings: To be determined by the Commission.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Conditional Use Permit with the following conditions:

- 1. This **Conditional Use Permit** approval is valid for a limited time pursuant to SHMC 17.100.030.
- 2. <If the Commission would like to include a condition to minimize the impact of parking for nearby businesses This proposal shall not monopolize on-street parking during peak commercial business hours (Ex. 8am-5pm).
- 3. Compliance with Columbia River Fire & Rescue Fire Code concerns shall be required prior to Certificate of Occupancy the City Building Official.
- 4. Owner/applicant is still responsible to comply with the City Development Code (SHMC Title 17). In addition, this approval does not exempt the requirements of or act as a substitute for review of other City departments (e.g. Building and Engineering) or other agencies.

Attachment(s): Applicant narrative (x 2), Floor plan

CUP.2.16 Staff Report 4 of 4

Approval standards and conditions.

Resonate Church (herein referred to as "Resonate") is requesting conditional use of the ground level floor of 220/224 South First Street. It is advantageous for the downtown community to have a gathering space such as Resonate in the downtown business district. Resonate proposes to use this space for small assembly during off-business hours. Current schedule for Resonate activities is primarily weekday evenings and Sunday mornings with few exceptions.

The size/square footage is adequate for the proposed use to accommodate groups of 10-40 for time periods up to 2 hours maximum. There are functioning facilities and 3 clearly marked exits. At the direction of the Fire Chief, we have added approved fire extinguishers, exit signs and clear paths for egress.

Parking. Impact on parking is very limited. Due to the "off-business" hours nature of Resonate's primary use, the majority of parking needs are between 10am-Noon on Sundays. Patrons will conform to section 10.12.030 (4&6) of parking requirements. There are a very small number of shops and no businesses open during these two hours. To address this, Resonate will communicate in writing a directive asking all regular attendees to park in the public parking lot to the west of First Street or behind the building in the courthouse lot (only during off-business hours).

Business Community effect will be positive. In addition to drawing new visitors and potential customers, there will not be another empty storefront on First street but an inviting location.

<u>Potential Economic Benefit</u>. Resonate is regularly attended by patrons who live in Scappoose, Rainier and areas beyond the St Helens city limits. Because of this, many potential customers are walking the streets of downtown St. Helens, viewing shop windows and becoming aware of shopping available here.

This describes how Resonate adds value to the comprehensive plan, by expanding the awareness and exposure of the downtown St. Helens shops, events and people to a broad range who would not otherwise visit the area. Recently, 20+ individuals were attending a Resonate event who were all from the Scappoose area. Several mentioned coming back to visit local shops during business hours.

Signs

Resonate will carefully abide by all regulations regarding signage Code section 17.88.035 (11-14) in order to maintain a clean appearance and uniformity in the downtown area. Resonate will post signage in the storefront windows (within the above mentioned regulations) as well as street "A Frame" or similar signage to be used only during open business hours.

Noise regulations will be followed by all Resonate events and activities particularly as outline in section 8.16.030. Currently, all Resonate activities are closed by 9pm and none of these activities involve noise levels that are outside of approved levels.

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RESONATE CHURCH

220 S. 1st Street

Hours of Operation:

Sunday 8:30am – 12:30pm

Sunday 7:00pm-8:30pm

Tuesday 9:00am-11:00am

6:30pm-8:30pm

Wednesday 6:30pm-8:55pm

Thursday 6:30pm-8:30pm

Friday 6:30pm-8:30pm

WORK PLAN/Describe use

We will use this location for religious assembly meetings. This will include spaces for children to be watched over while their parents participate in the above mentioned meetings.



Columbia River Fire & Rescue

Fire Chief's Office
270 Columbia Blvd * St Helens, Oregon * 97051

Phone (503)-397-2990x101 * WWW.crfr.com * FAX (503)-397-3198

March 22, 2016

Jennifer Dimsho, Planning City of St. Helens 265 Strand Street St. Helens, OR 97051

RE: Resonate Church
Conditional Use Permit / CUP.2.16
4N1W-3BA-1900
220 S. 1st St.

Dear Jennifer:

I have done a preliminary review of the building where Resonate would like to move some of their worship and childcare facilities, and I have been working with the Building Official and the applicant to address some of the code-related concerns we have with this re-characterized use. The primary areas of Fire Code concern are.

- Reassignment as an "assembly" occupancy and associated exiting requirements.
- Child care area review.
- Fire detection (smoke alarms) and emergency lighting as applicable.

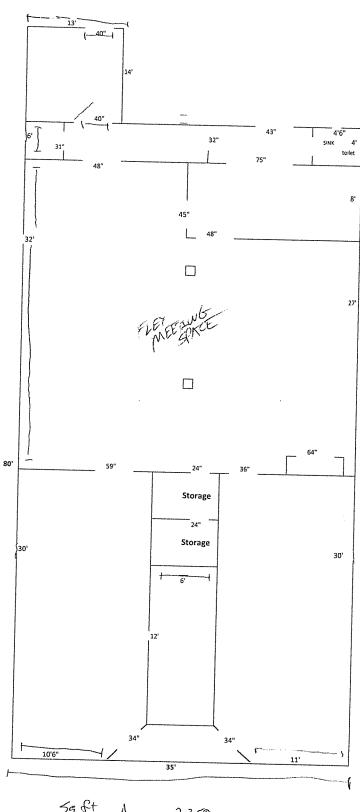
Smaller items like signage and fire extinguisher locations can be addressed prior to final occupancy. I would propose a meeting with the applicant and Building Official to address these areas of concern.

Regards,

Jay M. Tappan

Jay M. Tappan Chief/Acting Fire Marshal

cc: file



59 ft Aprox 2,350.

CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT

Site Design Review SDR.1.16

DATE:

April 5, 2016

To:

Planning Commission

FROM:

Jacob A. Graichen, AICP, City Planner

APPLICANT: Lower Columbia Engineering, LLC

OWNER:

St. Helens Marina, LLC

ZONING:

Marine Commercial, MC

LOCATION:

5N1W-34CC-12801; Across N. River Street from the waterward development of

the St. Helens Marina at 134 N. River Street

PROPOSAL:

New garages on existing St. Helens Marina parking area

The 120-day rule (ORS 227.178) for final action for this land use decision is July 6, 2016.

SITE INFORMATION / BACKGROUND

The subject property is a parking area associated with the St. Helens Marina. It is predominately unimproved, consisting of a mostly gravel surface. Along N. River Street, the property is fronted by a mountable curb with an asphalt strip approximately 8 feet in width. Across the street (to the east) is the main St. Helens Marina development including an improved parking area. This side is fronted by a curb and sidewalk. To the north is an RV park; to the south an improved public alley and fourplex condominium; and to the west the undeveloped N. 1st Street right-of-way. which via a gravel road provides access to some residential developed properties.

Site Design Review applications are normally administrative. However, pursuant to SHMC 17.24.090(2), the director may refer any application for review to the Planning Commission. This is the case here. Further, at their February 2016 meeting, the Commission expressed desire to review this proposal as the approval authority.

Public Hearing & Notice

Hearing dates are as follows: April 12, 2016 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 100 feet of the subject property(ies) on March 22, 2016 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 March 30, 2016.

AGENCY REFERRALS & COMMENTS

City Building Official: If building is on property line fire resistant construction will be required. City Engineering Manager: Can't build over existing sewer line or easements.

SDR.1.16 Staff Report 1 of 9

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.96.180 - Site Development Review approval standards

- (1) Provisions of the following chapters:
 - (a) Chapter 17.44 SHMC, Sensitive Lands;
 - (b) Chapter 17.60 SHMC, Manufactured/Mobile Home Regulations;
 - (c) Chapter 17.56 SHMC, Density Computations;
 - (d) Chapter 17.124 SHMC, Accessory Structures;
 - (e) Chapter <u>17.64</u> SHMC, Additional Yard Setback Requirements and Exceptions;
 - (f) Chapter 17.68 SHMC, Building Height Limitations Exceptions;
 - (g) Chapter 17.72 SHMC, Landscaping and Screening;
 - (h) Chapter 17.76 SHMC, Visual Clearance Areas;
 - (i) Chapter 17.80 SHMC, Off-Street Parking and Loading Requirements;
 - (j) Chapter 17.84 SHMC, Access, Egress, and Circulation;
 - (k) Chapter 17.88 SHMC, Signs;
 - (I) Chapter 17.132 SHMC, Tree Removal;
 - (m) Chapter 17.152 SHMC, Street and Utility Improvement Standards; and
 - (n) Chapter 17.156 SHMC, Transportation Impact Analysis.

Findings:

<u>SHMC Chapter 17.44 – Sensitive Lands</u>: The property is within an "area of special flood hazard" also known as the 100-year floodplain. A Sensitive Lands Permit will be required to address that issue as a condition of this Site Design Review.

SHMC Chapter 17.56 – Density Computations: Not applicable.

SHMC Chapter 17.60 – Manufactured/Mobile Home Regulations: Not applicable.

<u>SHMC Chapter 17.64 – Additional Yard Setback Requirements & Exceptions:</u> The abutting rights-of-way meet the minimum standard. No problems with this Chapter.

<u>SHMC Chapter 17.68 – Building Height Limitations & Exceptions:</u> As a development along both N. River and N. 1st Streets, SHMC 17.68.040 regarding development and its potential obstruction of view of the Columbia River could apply. However, "scenic resource review" applies to development over one story or 15 feet in height. In this case, the proposed building one story and does not exceed 15 feet in height.

SHMC Chapter 17.72 – Landscaping & Screening:

As a long time used property, this gravel parking lot's lack of any landscaping whatsoever is considered a gandfathered (existing non-conforming) circumstance. Since the property is

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being improved, this allows the city to consider landscaping requirements. Aspects of landscaping to consider are as follows:

• Zoning: The MC zone requires 10% landscaping (90% maximum lot coverage).

The proposal will result in 50% lot coverage. The 10% requirements could be included but would reduce available off-street parking.

• Street trees: Per SHMC 17.72.030 all development fronting a public street more then 100 feet in length requires street trees. In this case, the subject property is bordered on three sides by public streets with a total street frontage of approximately 480 feet. The alley to the south wouldn't normally require street trees and N. 1st Street is underdeveloped (and not proposed for use) and may not warrant street trees at this time.

N. River Street is improved but lacks street trees; the property's N. River Street frontage is approximately 180 feet.

• <u>Parking lot screening:</u> Per SHMC 17.72.110(1)(b), screening of parking areas larger than three spaces is required. Screening per this section is supposed to be via landscaping.

The proposed garages themselves don't require screening but this is another question. Should landscaping be required per this standard it would likely reduce available off-street parking.

• <u>Interior parking lot landscaping:</u> Per SHMC 17.72.140 parking areas with more than 20 spaces shall provide landscape islands with trees to break up rows of not more than seven contiguous parking spaces.

This is lacking. Inclusion of such would reduce available off-street parking.

• The applicant's proposes the inclusion of landscaping mostly across the street in the more improved parking area. Though this doesn't comply with the law 100%, it does add landscaping without further reducing off-street parking area. The proposed landscaping partly addresses the street tree and parking lot screening requirements (given species approval—plant types not included on the submitted plan).

The Commission needs to determine if the landscape proposal is acceptable given the circumstances of the subject property. If so, landscaping shall be protected from vehicular damage by some form of wheel guard or curb permanently fixed to the ground (required for landcape islands).

<u>SHMC Chapter 17.76 – Visual Clearance Areas:</u> This chapter would apply to any development near street-to-street or driveway-to-street intersections.

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SHMC Chapter 17.80 – Off-Street Parking & Loading Requirements:

The St. Helens Marina has been at this location for a long time. For example, a 1985 Site Design Review was to add 19 slips to the existing facility. Note that that land use file states that 99 parking spaces were required then.

Currently, the St. Helens Marina includes the following uses:

Land Use	Parking Calculation	Total Parking Required
220 boat moorage slips	½ space per slip	110
1 floating duplex	1 space per slip/connection	2
3 floating homes	1 space per slip/connection	3
Floating office/convenience store	???	???

Note that the boat ramp is not considered a separate use in the development code for parking purposes. Staff's assumption is that a boat ramp is an assumed aspect of a moorage as a method of getting boats in or out of the water. But, it has been used by fisherman and such for years, which results in trucks and trailers parked on the subject property and on N. River Street, especially at certain times of year.

Thus if the St. Helens Marina complex was built today, *at least* 115 off-street parking spaces would be required. However, we know it has been around a long time. Based on plans provided by the applicant the subject property can fit about 62 standard sized off-street parking spaces. Review of the other side of the street, the parking area there can accommodate about 37 spaces. Thus, total existing off-street parking spaces (as the base to measure new development against) is 99.

The applicant submitted a plan that shows the proposed garages (which are considered parking spaces too on the plans) reduces the potential number of off-street parking spaces by 4. Since spaces on this side of the street are not marked making this an exercise of determining what can reasonable fit, the Commission needs to determine if this is acceptable.

All areas used for the parking or storage or maneuvering of any vehicle, boat, or trailer are required to be improved with asphalt or concrete surfaces or other similar type materials approved by the city. The applicant proposes to pave the area in front of the proposed garage building but leave about half of the existing gravel lot, as gravel. The Commission needs to determine if this partial paving concept is acceptable given the circumstances of the subject property, not forgetting the 90% maximum lot coverage (including all impervious surfaces) of the Marine Commercial, MC zone.

<u>SHMC Chapter 17.84 – Access, Egress, & Circulation:</u> Vehicular access from surrounding rights-of-way is not proposed to change or be significantly impacted.

One thing to consider for this proposal is non-vehicular circulation. Note SHMC 17.84.050(1) which requires that walkways extend from the ground floor entrances of all

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commercial, institutional, and industrial uses to the street which provide access and egress. Such walkways are required to be paved and lighted.

In this case, the proposed buildings include man doors on the back side. To meet this standard, an improved and illuminated walkway should extend along the back of the building to the alley to the south. As proposed to be built on the property line, this would necessitate the path be built in the N. 1st Street right-of-way. The City can allow this in the right-of-way provided there is room topographically; retaining walls or other slopes immediately adjacent to the walkway would not be allowed.

<u>SHMC Chapter 17.88 – Signs:</u> No signs are proposed.

<u>SHMC Chapter 17.124 – Accessory Structures:</u> The proposed multiple garage building can be consider an accessory structure to the St. Helens Marina. In fact, per the discussion of the MC zone below, it needs to be considered an accessory use as opposed to a principle use to be legal. This warrants a covenant on the deed as discussed below.

<u>SHMC Chapter 17.132 – Tree Removal:</u> There appears to be a single double-trucked tree near the SW corner of the site; the widest truck exceeds 1 foot D.B.H.. A tree plan per this Chapter is not warranted for this single tree.

<u>SHMC Chapter 17.152 – Street & Utility Improvement Standards:</u> N. 1st Street is not improved but given its limited use at this time due to topography, further improvement is not warranted. The alley to the south is already improved.

For N. River Street, the Commission did not require sidewalk and other frontage improvement construction for the fourplex condominium on the south side of the alley (CUP.1.13). There is already a sidewalk along the east side of N. River Street between St. Helens Street and the terminus of N. River Street at Grey Cliff Park.

The subject property's N. River Street frontage improvement includes a mountable curb and asphalt sidewalk, which has been in place for years.

Power serving the new building shall be underground (no new overhead poles).

There is a sewer main and easements (Book 136, Page 220) within the subject property and where the proposed building is to be located. Moving the building poses challenges given the off-street parking considerations noted above. Speaking to the owner about this, they expressed a desire to move the sewer line into the N. 1st Street right-of-way. If this was done to city specifications and the easements extinguished/modified as needed, the building could be located at the proposed location. Thus, such will be conditions of approval.

<u>SHMC Chapter 17.156 – Traffic Impact Analysis:</u> A traffic impact analysis is not warranted by this proposal.

(2) Relationship to the Natural and Physical Environment.

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Discussion: The intent of this criterion is to preserve natural features and locate building appropriately. It also include provisions for adequate space for light, air circulation and fire-fighting.

There are few natural features of significance and ample open space around the proposed building location. Also, Columbia River Fire and Rescue commented on the proposal with no fire and life safety concerns.

It specifically requires preservation or replacement of trees six-inch DBH or greater that are lost as part of the development. There is one existing cedar tree on the subject property towards the SW corner, that will need to be removed for the proposed building.

Finding: A replacement tree per this criterion will be required. This could be included as part of the proposed landscaping.

(3) Exterior Elevations.

Finding: This criterion applies to residential development: n/a.

(4) Buffering, Screening, and Compatibility between Adjoining Uses (See Figure 13, Chapter <u>17.72</u> SHMC).

Finding: Per Figure 13, there is no specific buffer requirement. Note that single-family dwelling in the AR zone (as is the case across the N 1st Street right-of-way) are not listed as they are for other residential zoning districts.

(5) Privacy and Noise.

Finding: This criterion applies to residential development; n/a.

(6) Private Outdoor Area – Residential Use.

Finding: This criterion applies to residential development; n/a.

(7) Shared Outdoor Recreation Areas – Residential Use.

Finding: This criterion applies to residential development; n/a.

(8) Demarcation of Public, Semipublic, and Private Spaces – Crime Prevention.

Finding: The purpose of this criterion is to ensure site design is such that public and semi-public areas are clearly defined from private areas. There is no evidence to the contrary.

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(9) Crime Prevention and Safety.

Finding: The purpose of this criterion, in this case, is to make sure lighting is provided in areas of traffic (vehicles and pedestrians) to promote safety and to prevent hiding places (shadows) for those with nefarious intentions.

There are human-scaled street lights along N. River Street but no others near by. Lights will be required per this standard on both sides of the building (front and back).

(10) Access and Circulation.

Finding: This is addressed above.

(11) Distance between Multiple-Family Residential Structure and Other.

Finding: This criterion applies to residential development; n/a.

(12) Parking. All parking and loading areas shall be designed in accordance with the requirements set forth in SHMC <u>17.80.050</u> and <u>17.80.090</u>; Chapter <u>17.76</u> SHMC, Visual Clearance Areas; and Chapter <u>17.84</u> SHMC, Access, Egress, and Circulation;

Finding: This is addressed above.

(13) Landscaping.

Finding: This is addressed above.

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

Finding: A drainage plan will be required since impervious area is proposed.

(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;

Finding: In this case, this will be addressed via building code review if and when a building permit is applied for.

(16) Signs. All sign placement and construction shall be designed in accordance with requirements set forth in Chapter <u>17.88</u> SHMC;

Finding: Any new sign will required a sign permit. There is no signage on the subject property.

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(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.). (Ord. 2875 § 1.128.180, 2003)

Finding: The subject property is zoned Marine Commercial, MC. The St. Helens Marina operation is a permitted use. This is no surprise since such use is the intent of the zone. Parking lots are also a permitted use, though the subject property has historically been a parking area associated with the St. Helens Marina as opposed to an independent principle use.

What is not allowed in the MC district is "mini storage and storage site" which the St. Helens Development Code views as an industrial use. This is important to consider. Currently, the applicant and owner is the St. Helens Marina, but as a separate property a condition is necessary to ensure the association with the marina remains and the garages do not turn into an independent principle use (e.g., mini storage).

As such, a covenant or similar instrument shall be placed on the deed of the property that prohibits its sale separately from the marina (which also preserves the Marina's parking) and that the use of the buildings also be associated with the Marina's activities.

CONCLUSION & RECOMMENDATION

Based on the facts and findings herein, if the Planning Commission approves this Site Design Review, staff recommends the following conditions:

- 1. This **Site Development Review** approval is valid for a limited time pursuant to SHMC 17.96.040.
- 2. The following shall be required prior to development/building permit issuance:
 - a. A Sensitive Lands Permit application (for development in a floodplain) shall be required with a final decision including resolution of all appeals.
 - b. A landscape plan shall be submitted for review and approval. The plan shall include 1) the areas shown on the plan dated April 1, 2016, 2) clearly indicate a curb or other form of vehicular protection permanently fixed to the ground, 3) trees, and 4) a variety of plants to achieve a balance of low lying and vertical shrubbery.

<<or>anything else determined by the commission?>>

c. Revised plans showing a walkway from the entrances to the nearest improved street. With man doors on the back of the building, said walkway shall be along the back side of the building to the alley. The man doors and walkway will be allowed here only if there

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is room topographically; retaining walls or other slopes immediately adjacent to the walkway shall not be allowed.

- d. Lighting plan for review and approval. This shall include illumination of the walkway per condition 2.c. Lighting shall also be included on the front (overhead door) side of the building. Lighting shall be designed such that there is no glare into nearby public rights-of-way or residences.
- e. Sanitary sewer infrastructure shall be moved entirely within the N. 1st Street right-of-way, a sufficient distance to avoid conflicts with the proposed building location. Easements shall be extinguished, modified, and created as needed.
- f. An erosion control plan shall be reviewed and approved by City Engineering to prevent erosion of any new soil materials, unless waived by City Engineering.
- g. A drainage plan shall be reviewed and approved by City Engineering, unless waived by City Engineering.
- 3. The following shall be required prior to Certificate of Occupancy or final inspection (if no Certificate of Occupancy is required) by the City Building Official:
 - a. All improvements necessary to address the requirements herein, in accordance with approved plans, shall be in place.
 - b. A covenant or similar instrument shall be placed on the deed of the property that prohibits its sale separately from the marina (which also preserves the Marina's parking) and that the use of the garage building also be associated with the Marina's activities. The form of the instrument shall be approved by the City prior to recordation.
- 4. Any new utilities shall be underground per SHMC 17.152.120.
- 5. No plan submitted to the City for approval shall contradict another. For example, engineering/construction plans shall not contradict the approved site plan. Otherwise revisions as applicable shall be necessary to remedy the contradiction. Applicant is responsible to notify the engineering, planning and building departments, individually, of such changes.
- 6. Owner/applicant is still responsible to comply with the City Development Code (SHMC Title 17). In addition, this approval does not exempt the requirements of or act as a substitute for review of other City departments (e.g., Building and Engineering) or other agencies.

Attachment(s): Applicant narrative (2 pgs)
Plan set dated Feb. 9, 2016 (7 pgs)
Landscape plan dated April 1, 2016
Aerial photo exhibit

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58640 McNulty Way St. Helens, OR 97051 Phone: (503) 366-0399 www.lowercolumbiaengr.com

March 4, 2016

Jacob Graichen, AICP City Planner City of St. Helens 265 Strand Street St. Helens, Oregon 97051

Re: St. Helens Marina, LLC – River Street Garages Site Development Review

Summary of Proposed Development

The proposed site is located adjacent to the St. Helens Marina. The Owner proposes to build (13) 12' x 30' garage units on the west side of the site. See attached Preliminary Site Plan Drawing D-2370-1000-02.

Existing Conditions

The existing site is zoned Marine Commercial (MC). The site is located at 134 North River Street and within the City of St. Helens. There is an existing gravel parking lot and RV Park on the site. See attached Existing Parking Assessment Plot Plan Drawing D-2370-1000-03.

Site Plan and Improvements

The attached Preliminary Site Plan Drawing D-2370-1000-02 shows the location of the proposed garages, driveways and off-street parking (see off-street parking paragraph below).

Grading

The site is relatively flat where the proposed building will be located. There will be a 1% to 2% slope away from the building in all directions.

Off-Street Parking

The existing gravel parking lot has been utilized by the St. Helens Marina for years. The Owner was requested by the Planner to provide an "approximate" assessment of the parking layout for the existing gravel parking lot. The idea was to determine how many parking spots the existing area might contain. See Existing Parking Assessment Plan on Drawing D-2370-1000-03. With the addition of the garages, a new parking assessment was initiated. It was demonstrated that the parking lot could accommodate about the same number of spaces as the existing parking assessment. This is a hypothetical layout exercise in both cases, but the number of parking spaces is nearly the same with the addition of the new garage building. See (Future) Parking Assessment Plot Plan Drawing D-2370-1000-03.

Architectural

Floor Plan and Foundation Plan See Drawing D-2370-2000-01

Roof Plan and Roof Framing Plan See Drawing D-2370-2000-02

Exterior Elevations & General Notes
See Drawing D-2370-2000-03

<u>Building Sections & Details</u> See Drawing D-2370-2000-04

Sincerely,

Steve Alexander

Steve alexander

Attachments:

D-2370-1000-01 Vicinity Map, Plot Plan and Drawing Index

D-2370-1000-02 Preliminary Site Plan

D-2370-1000-03 Parking Lot Layout Analysis

D-2370-2000-01 Floor Plan and Foundation Plan

D-2370-2000-02 Roof Plan and Roof Framing Plan

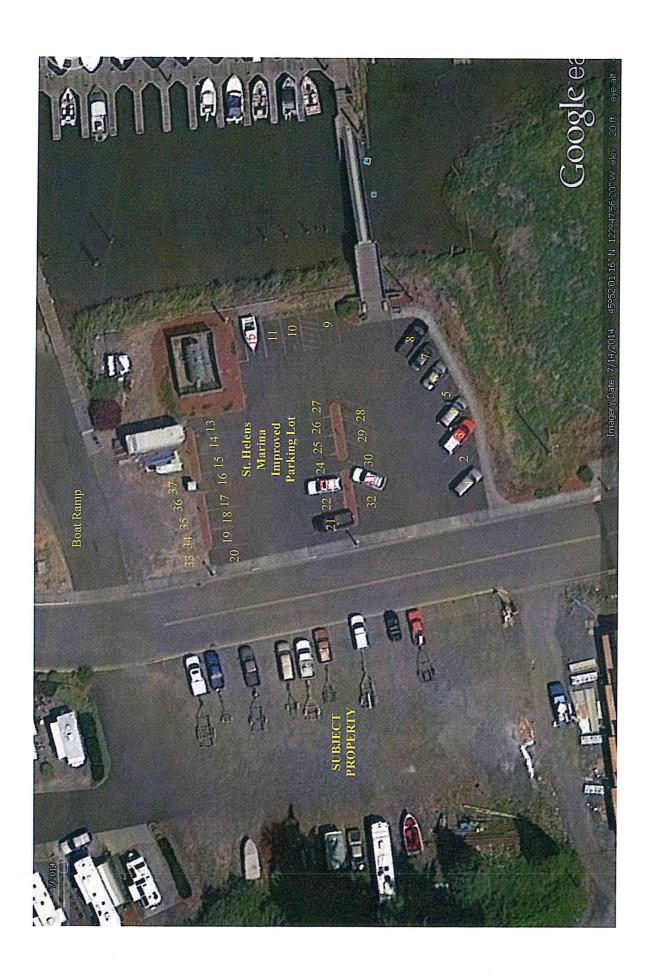
D-2370-2000-03 Exterior Elevations and General Notes

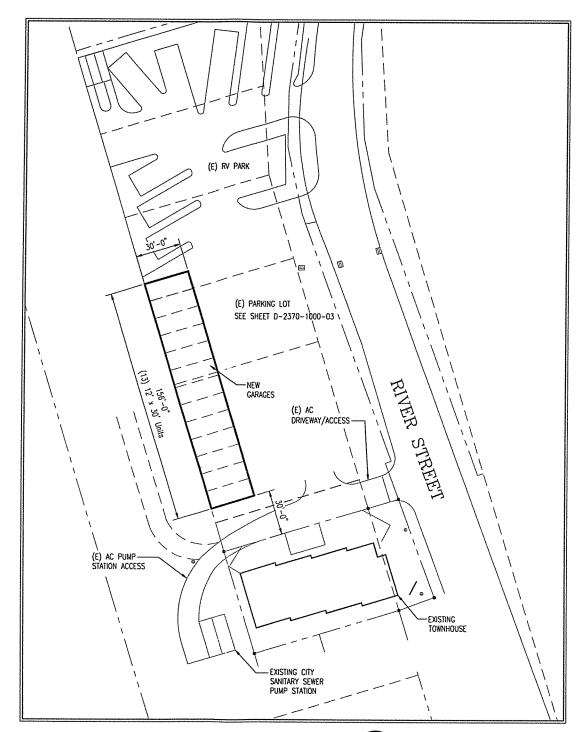
D-2370-2000-04 Building Sections and Details

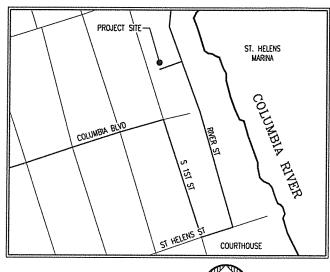
Reynolds Survey dated February 22, 2016

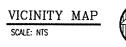
Pre-Construction Elevation Certificate

Flood Insurance Rate Map









DRAWING INDEX

D-2370-1000-01	VICINITY MAP, PLOT PLAN & DRAWING INDEX
D-2370-1000-02	PRELIMINARY SITE PLAN
D-2370-1000-03	PARKING LOT LAYOUT ANALYSIS
D-2370-2000-01	FLOOR PLAN & FOUNDATION PLAN
D-2370-2000-02	ROOF PLAN & ROOF FRAMING PLAN
D-2370-2000-03	EXTERIOR ELEVATIONS & GENERAL NOTES
D-2370-2000-04	BUILDING SECTIONS & DETAILS

PLOT PLAN

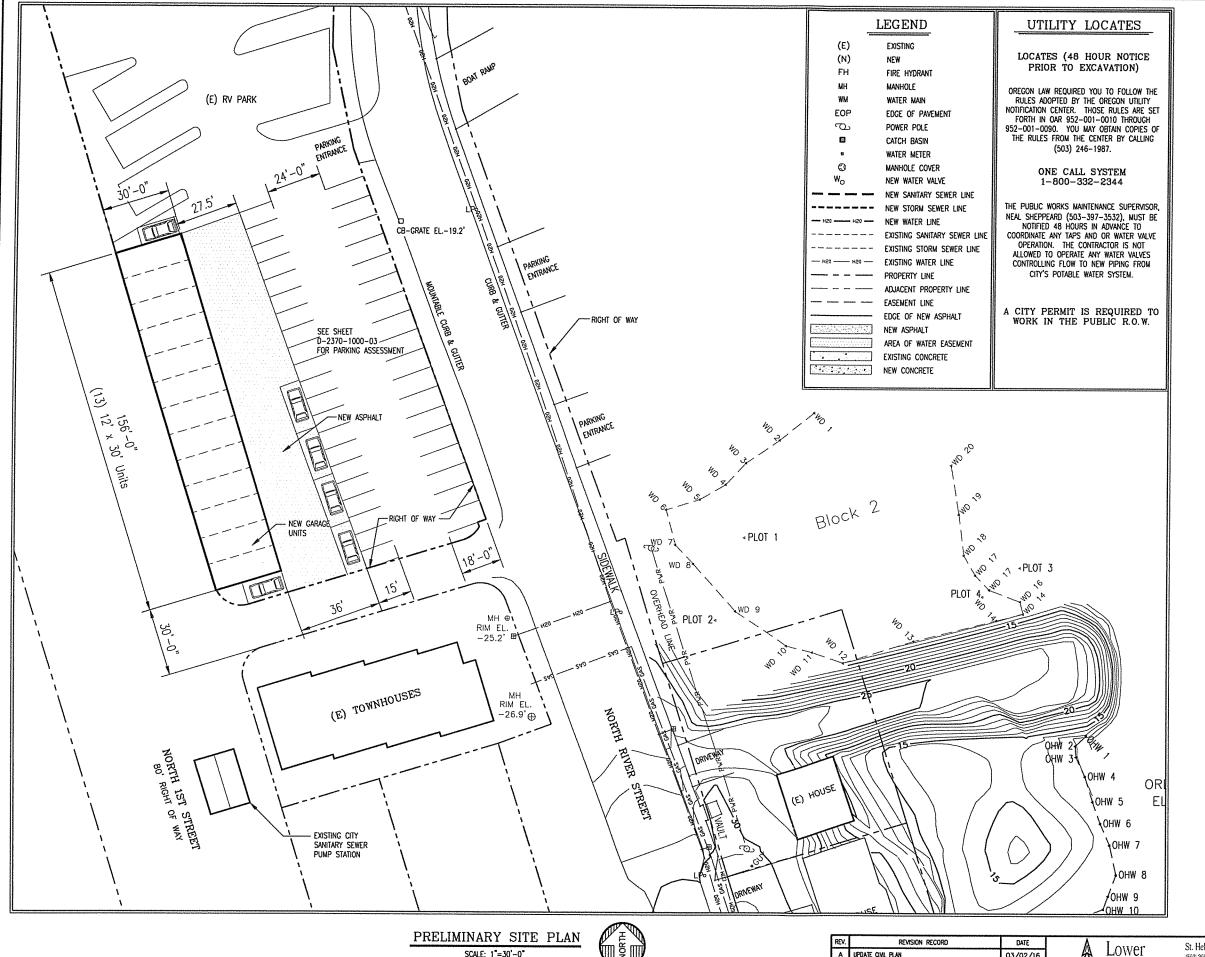
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PROJ. NO. 2370	ST. HELENS MARINA
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APPR. BY	VICINITY MAP, PLOT PLAN & DRAWING INDEX
SCALE NOTED	DATE 02/09/16 DWG. NO. D-2370-1000-01-B



NOTES

ELEVATIONS ARE BASED ON OREGON DEPT. OF TRANSPORTATION BENCH MARK "HELEN", PID RD4218, A BRASS DISC NEAR THE INTERSECTION OF 6TH STREET AND PLYMOUTH STREET IN ST. HELENS, OR CONTOUR INTERVAL-1'

THE 100 YEAR BASE FLOOD ELEVATION FOR THE VICINITY IS 26.3' NAVD 88, PER FEMA FIS COLUMBIA RIVER

UNDERGROUND UTILITIES AS SHOWN, WERE MARKED VIA THE OREGON UTILITY NOTIFICATION CENTER - TICKET NO.

ORDINARY HIGH WATER AND WETLAND DELINEATION WERE DONE BY WETLAND SOLUTIONS NORTHWEST, LLC.

THE STATE OF OREGON, DEPARTMENT OF STATE LANDS SUBMERGED AND SUBMERSIBLE LAND LEASE FOR ST. HELENS MARINA, LLC EXTENDS RIVERWARD FROM THE ORDINARY LOW WATER LINE PER LEASE NO. 10526-ML.

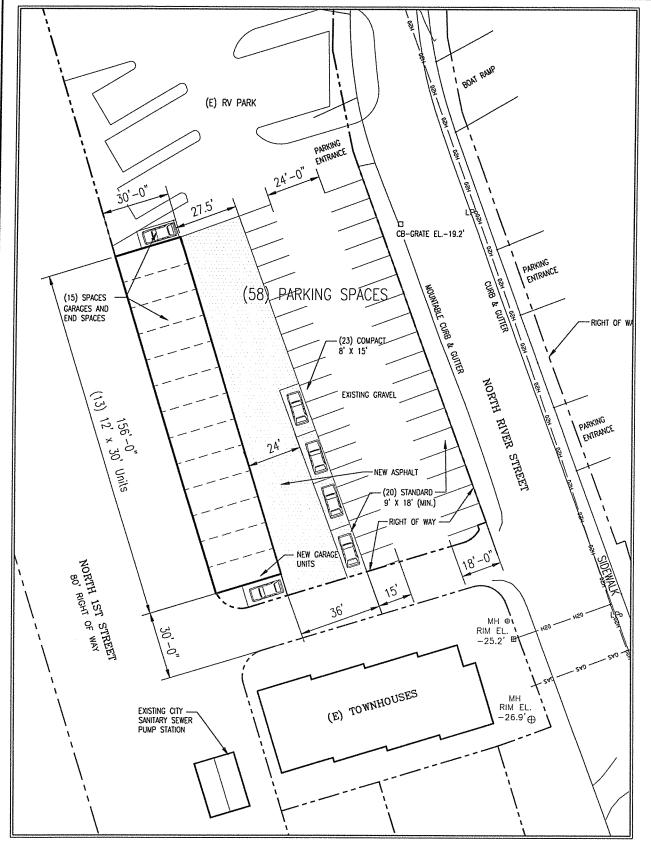
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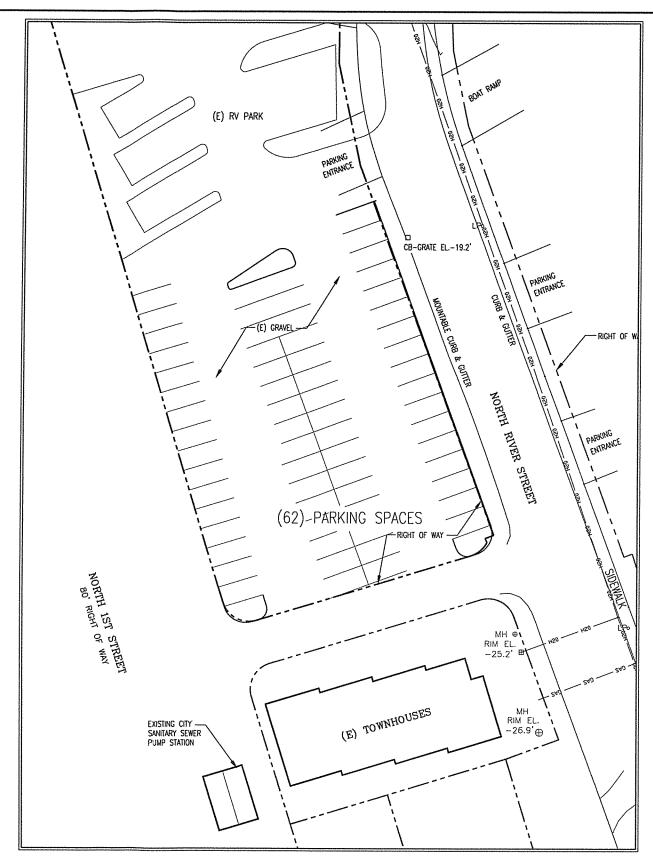
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В	revise parking	03/03/16
С	REVISIDE PARKING	03/03/16



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(FUTURE) PARKING ASSESSMENT PLOT PLAN

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EXISTING PARKING ASSESSMENT PLOT PLAN

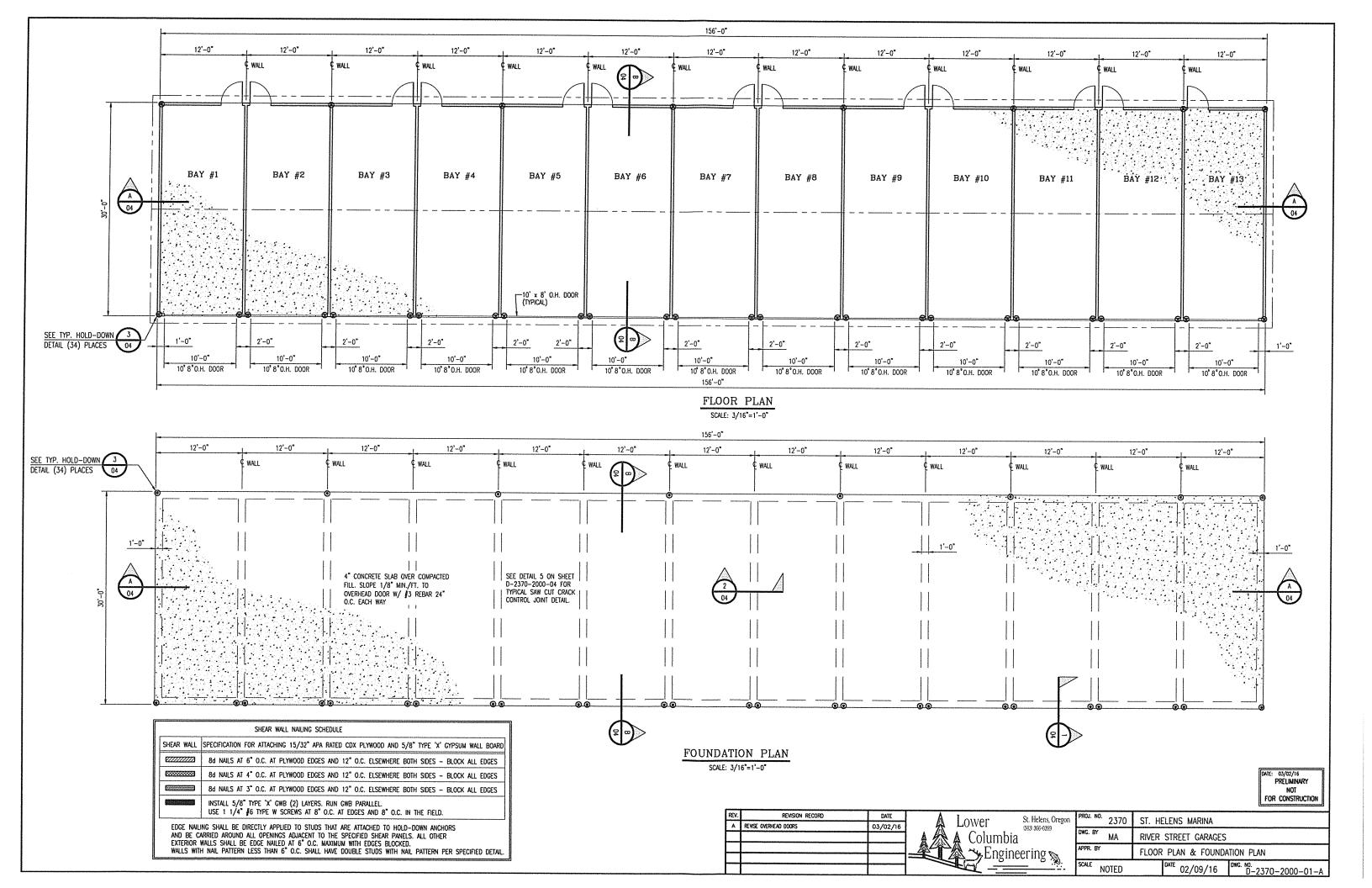
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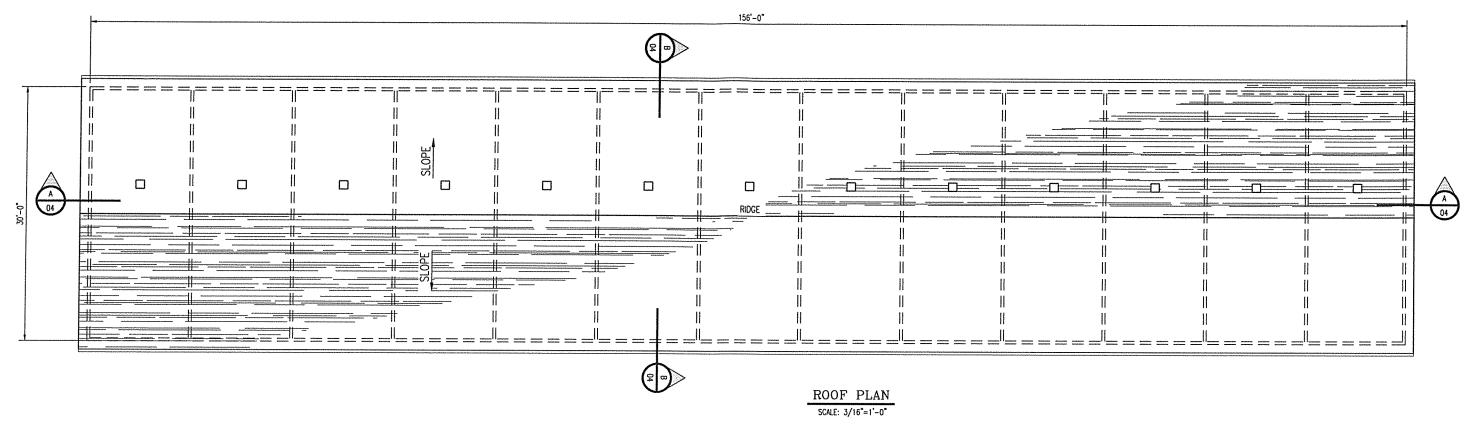


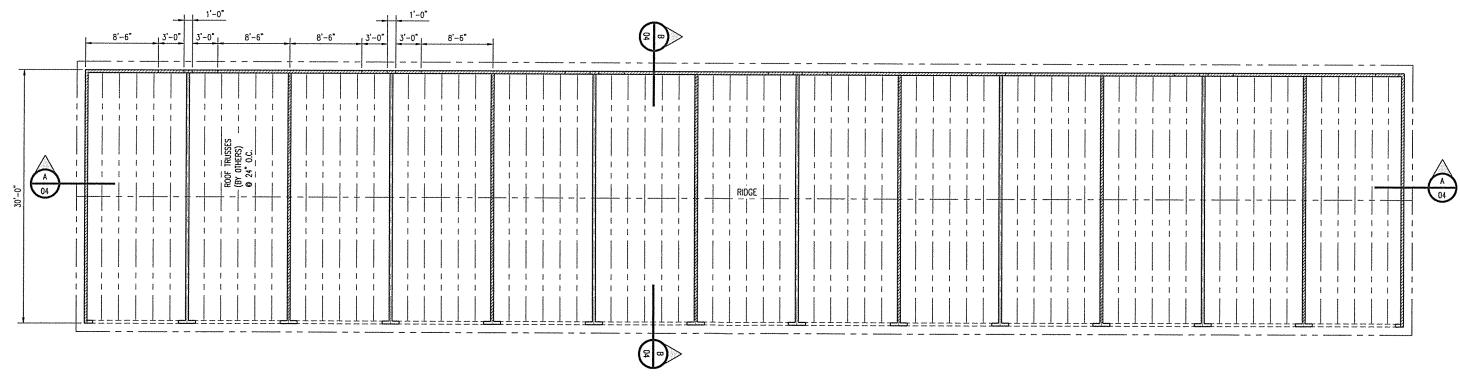
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PROJ. NO. 2370	ST. HELENS MARINA
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APPR. BY	PARKING LOT LAYOUT ANALYSIS
SCALE NOTED	DATE 02/09/16 D-2370-1000-03-





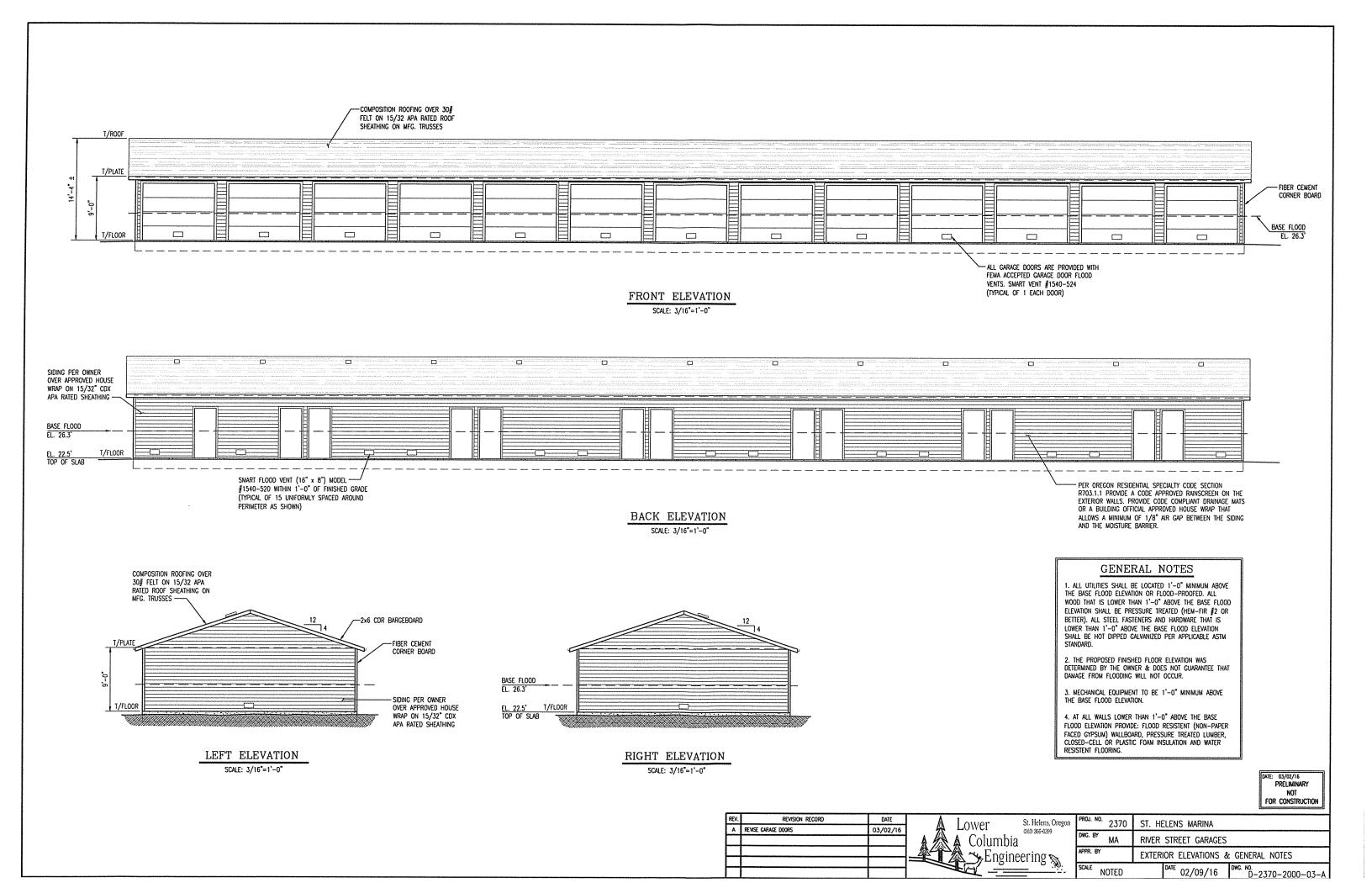


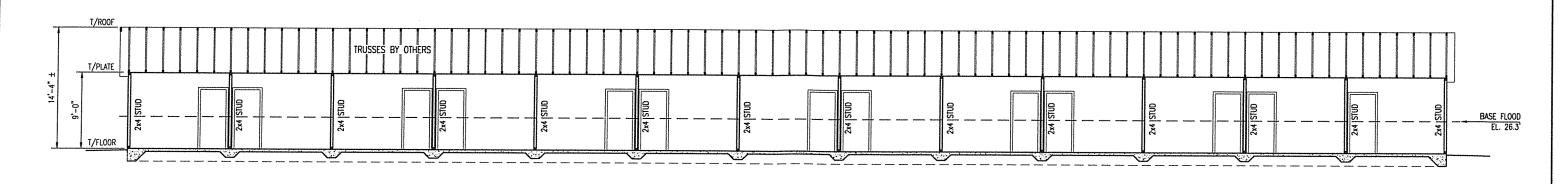
ROOF FRAMING PLAN

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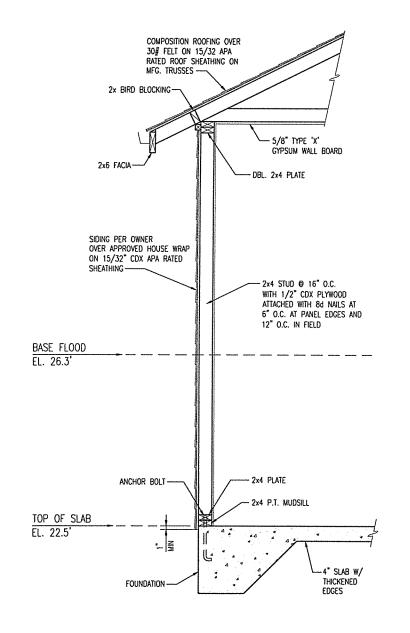
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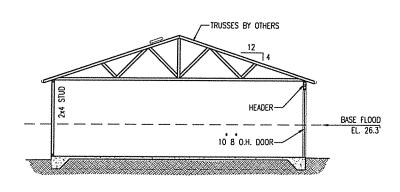
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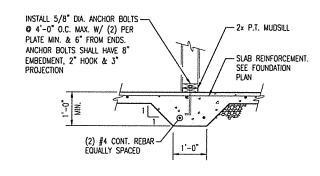


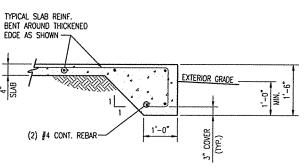


A BUILDING SECTION SCALE: 3/16"=1'-0"









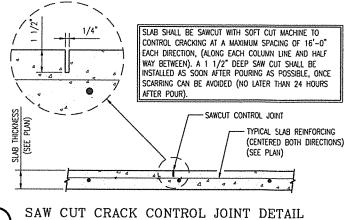




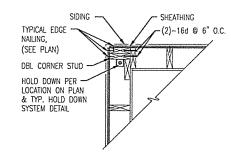
THICKENED SLAB DETAIL

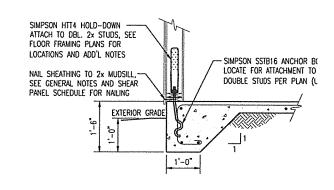
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TYP. CORNER FRAMING DETAIL

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TYPICAL HOLD-DOWN DETAIL

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5 TYPICAL WALL SECTION

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A REWISED OVERHEAD DOOR NOTE 03/02/16

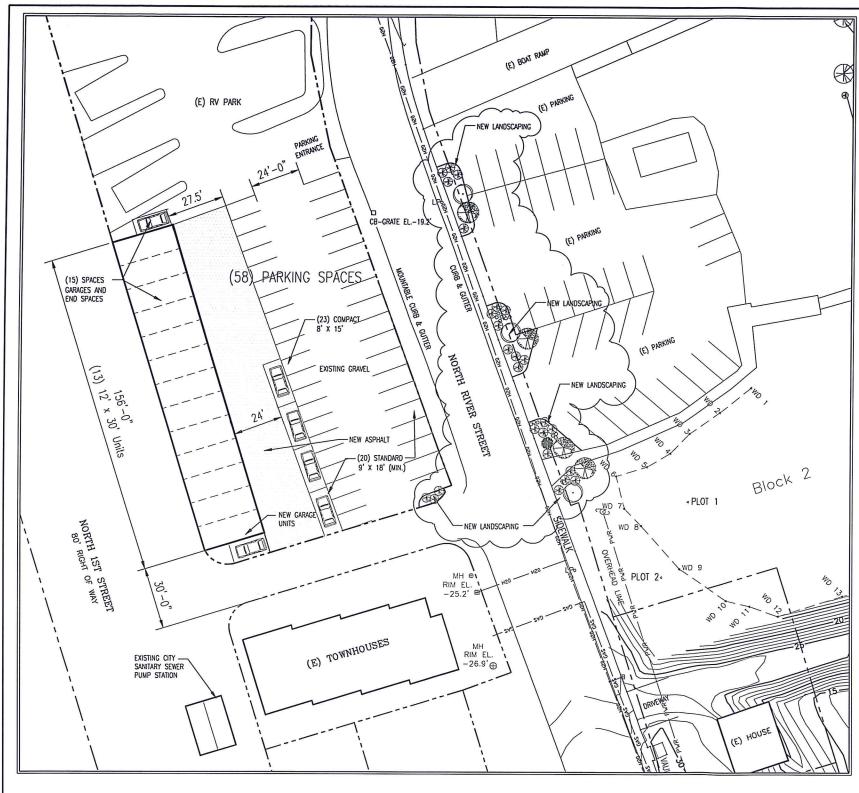


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	APPR. BY	BUILDING SECTIONS & DETAILS
	SCALE NOTED	DATE 02/09/16 DWG. NO. D-2370-2000-04-A

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PROPOSED LANDSCAPING PLAN

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CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT

Variance V.2.16 Access Variance V.3.16

DATE: April 5, 2016

To: Planning Commission

FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Ron Schwirse Same as applicant

ZONING: Moderate Residential, R7

LOCATION: 4N1W-5DA-4000

PROPOSAL: Variance to allow a reduced rear yard (setback) for a proposed building and an

Access Variance to allow a second street access for the subject property

The 120-day rule (ORS 227.178) for final action for this land use decision is July 20, 2016.

SITE INFORMATION / BACKGROUND

The existing detached single-family dwelling is located on the corner of two collector streets, Columbia Blvd. and S. Vernonia Road. Along the subject property, both streets are improved with sidewalk and curb. The property's current street access is via S. Vernonia Road.

The applicant requests a variance to allow a reduced rear yard to allow for a new carport addition to the existing detached single-family dwelling on the west side. There was an existing carport on the south side but it was demolished due to excessive decay. Due to current yard (setback regulations) that carport cannot be rebuilt at that location.

The application also proposes a second vehicular access via Columbia Boulevard.

Note that the applicant provided a plan "A" and "B" as part of these variance requests.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: before the Planning Commission on April 12, 2016.

Notice of this proposal was sent to surrounding property owners within 100 feet of the subject property(ies) on March 24, 2016 via first class mail. Notice was sent to agencies by mail or email on the same date. Notice was published in the <u>The Chronicle</u> on March 30, 2016.

AGENCY REFERRALS & COMMENTS

Columbia River Fire & Rescue: No objection or proposed additional requirements.

City Building Official: 3 foot setback is ok.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

VARIANCE—V.2.16 (reduce rear setback)

SHMC 17.108.050 (1) - Criteria for granting a Variance

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

Discussion: Some laws relevant to this request.

Per SHMC 17.32.060

The minimum rear yard for detached single family dwellings and any building additions (including carports or garages) in the R7 zone is 20 feet.

Per SHMC 17.108.050 (4)

This standard allows a 20% reduction of yard (setback) requirements for building additions. If used in the rear yard it requires site obscuring plantings.

Per SHMC 17.64.050 (5)

No building or portion thereof, regardless of size, shall be placed closer than three feet to a property line.

Per SHMC 17.84.060 (3)

In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley or a local street.

Per SHMC 17.72.090

On side yards, the maximum fence height in a residential area is 6 feet and to exceed that a variance is required. Plan "B" shows an eight foot high fence.

Findings:

(a) This criterion requires a finding that the variance will not be detrimental.

- The Commission needs to determine if this criterion is met to approve the variance or approve it with conditions.
- See applicant's narrative.
- <u>Staff comment(s)</u>: Also note that, generally, the purpose of yard (setback requirements) is to allow for air, light and space between properties. Does the Commission think this is justified in this case?

(b) The criterion requires a finding that there are special and unique circumstances.

- The Commission needs to determine if this criterion is met to approve the variance or approve it with conditions.
- See applicant's narrative.
- <u>Staff comment(s)</u>: If the dwelling was built today, it would likely be sited differently. According to County Assessment data, the dwelling was built around 1928

(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.

- A use variance is not proposed. Does the Commission think the setback standard is being maintained to the greatest extent possible?
- See applicant's narrative.
- <u>Staff comment(s)</u>: A use variance is not proposed; such is prohibited. Detached single-family dwellings are a permitted use in the R7 zone.

(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.

- The Commission needs to determine if this criterion is met to approve the variance or approve it with conditions.
- See applicant's narrative.
- <u>Staff comment(s)</u>: One purpose of setbacks is to help prevent nuisance drainage. This is, in part, why the city has the three foot rule per **SHMC 17.64.050 (5)**. Though, normally buildings in residential areas need to be further back from property line, in some cases (e.g., accessory buildings less than 120 square feet in size) a building or structure can be closer.

Also, the previous carport location tended to force backing movements into s. Vernonia Road. On plan "B" provided by the applicant there are turning movements indicated. The applicant is trying to convey that this new carport location better accommodates SHMC 17.84.060 (3), which talks about prohibiting backing movements/maneuvering in non-local classified streets.

(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.

- The Commission needs to determine if this criterion is met to approve the variance or approve it with conditions.
- See applicant's narrative.
- Staff comment(s): Note that the applicant purchased the subject property in late 2015.

ACCESS VARIANCE—V.3.16

17.84.150 Approval standards (for access variances).

- (1) It is not possible to share access:
- (2) There are no other alternative access points on the street in question or from another street;
- (3) The access separation requirements cannot be met;
- (4) There are unique or special conditions that make strict application of the standards impractical;
- (5) No engineering or construction solutions can be applied to mitigate the condition;
- (6) The request is the minimum variance required to provide adequate access;
- (7) The approved access or access approved with conditions will result in a safe access and will not result in the degradation of operational and safety integrity of the transportation system;
- (8) The visual clearance requirements of Chapter 17.76 SHMC will be met; and
- (9) No variance shall be granted where such hardship is self-created.

Discussion: The proposed driveway approach (shown on plan "A") differs from city law because:

• Per SHMC 17.84.040(5)&(6) spacing standard for driveways on collector classified streets (such as Columbia Boulevard and S. Vernonia Road) is 100 feet as measured from the center of each driveway approach. The same spacing standard applies to the distance between a driveway and street.

The proposed driveway would be very close to an existing one at 2505 Columbia Blvd.

The spacing standard appears to be met between the proposed driveway and S. Vernonia Road.

• Per SHMC 17.84.040(8) only one access point is allowed per detached single family development lot. This is a second proposed access.

Findings:

(1) This criterion requires a finding that access cannot be shared.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- Staff comment(s): Development patterns could make this a challenge.

(2) This criterion requires a finding that there are no other alternative access points.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- <u>Staff comment(s)</u>: The Commission should consider whether a second access is necessary.

(3) This criterion requires a finding that the access separation requirements cannot be met.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- <u>Staff comment(s)</u>: Given the proximity of the neighboring driveway to the west and the S. Vernonia/Columbia Boulevard intersection to the east, there is no way to meet the separation requirements. However, staff favors keeping a greater distance from the N. Vernonia Road/Columbia Bolevard intersection, rather than the neighbor's driveway.

(4) This criterion requires a finding that there are unique or special circumstances that make strict application of the standards impractical.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.

(5) This criterion requires a finding that that are no engineering or construction solutions that could be used instead of the access variance.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- <u>Staff comment(s)</u>: This is an important one for the Commission to consider. Are there alternatives?

(6) This criterion requires a finding that the required is the minimum variance necessary to provide adequate access.

• The commission needs to determine if this is met to approve the variance or approve it with conditions.

- See applicant narrative.
- <u>Staff comment(s)</u>: If approved, the Commission could limit the width of the proposal Columbia Boulevard driveway. Plan "A" shows a 20' wide driveway. A detached single-family dwelling driveway approach width can range from 12 to 24 feet in width. There is approximately 30 feet from the back edge of the sidewalk to the outer edge of the proposed carport. The Commission may consider if the minimal standard of this criterion is better met with a driveway of lesser width to reduce the property's street exposure.

(7) This criterion requires a finding that the approved access, which can include conditions of approval, will result in safe access and not result in degradation of operational and safety integrity of the transportation system.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- <u>Staff comment(s)</u>: **In regards to vehicles**, note that SHMC 17.84.060(3) states that: "In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley or local street."

Does the commission think this will help avoid new backing movements or could it facilitate more backing movements (especially if the carport is used as storage)?

In regards to pedestrians, one of the purposes of having access rules is to protect the function of the sidewalk for non-vehicular use. More driveway approaches can result in greater vehicle pedestrian conflict. Does the trade-off make sense here?

(8) This criterion requires a finding that the visual clearance requirements of Chapter 17.76 SHMC will be met.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- <u>Staff comments</u>: Plantings as shown on plan "A" or the fence shown on plan "B" could not go all the way to the Columbia Boulevard property line if this criterion is to be met. Technically, no plantings greater than 3 feet in height would be allowed 30 feet back from the Columbia Boulevard property line.

(9) The criterion requires a finding that the hardship is not self-created.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.

CONCLUSION & RECOMMENDATION

Based on the facts and findings herein, if the Planning Commission approves the Variance for a reduced setback (yard), staff recommends the following conditions:

- 1. This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.
- 2. This variance shall apply to the proposed plan as submitted only or one with equal or less minimum required yard encroachment.
- 3. There shall be no encroachment into the three foot setback (as approved by this Variance) from the west property line. This includes but is not limited to eaves and other architectural features.
- 4. Hedges as shown on site plan "A" shall be planted prior to final inspection of the carport structure, except nothing shall be planted 30 feet back from the Columbia Boulevard property line to maintain proper visual clearance.

<<or>>>

<< If the Commission wants to grant the 8 foot high sight-obscuring fence request, the Commission could substitute 8' high fence for hedge and plan "B" for "A.">>>

Based on the facts and findings herein, if the Planning Commission approves the Access Variance for a Columbia Boulevard access, staff recommends the following conditions:

- 1. This Variance approval shall be valid for one-and-one-half year (SHMC 17.84.140).
- 2. Entire driveway shall be paved as required by the Development Code.
- 3. <<does the Commission want to approve the driveway access but with a lesser width? For example 12' instead of 20'?>>

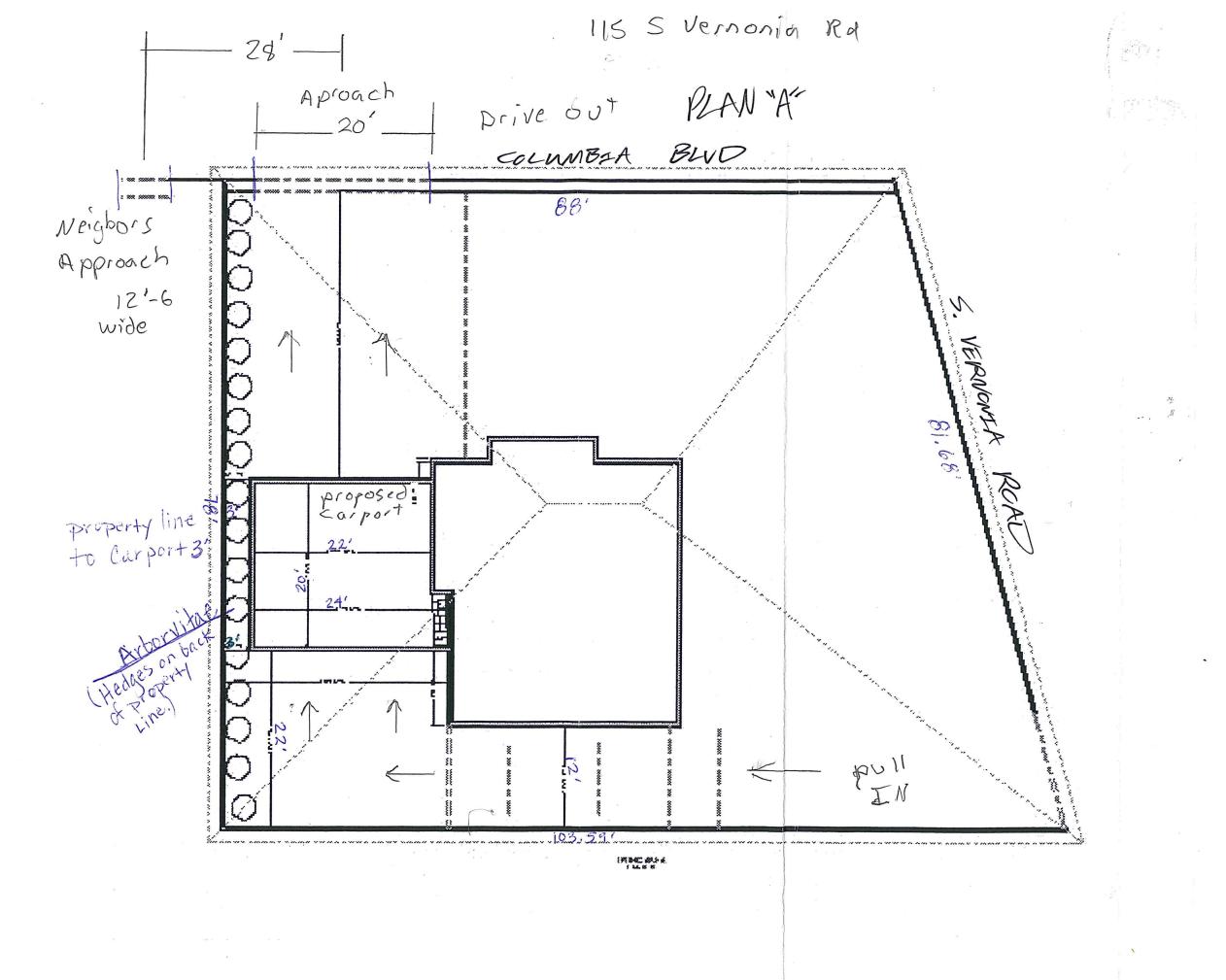
Attachment(s): Plan "A"

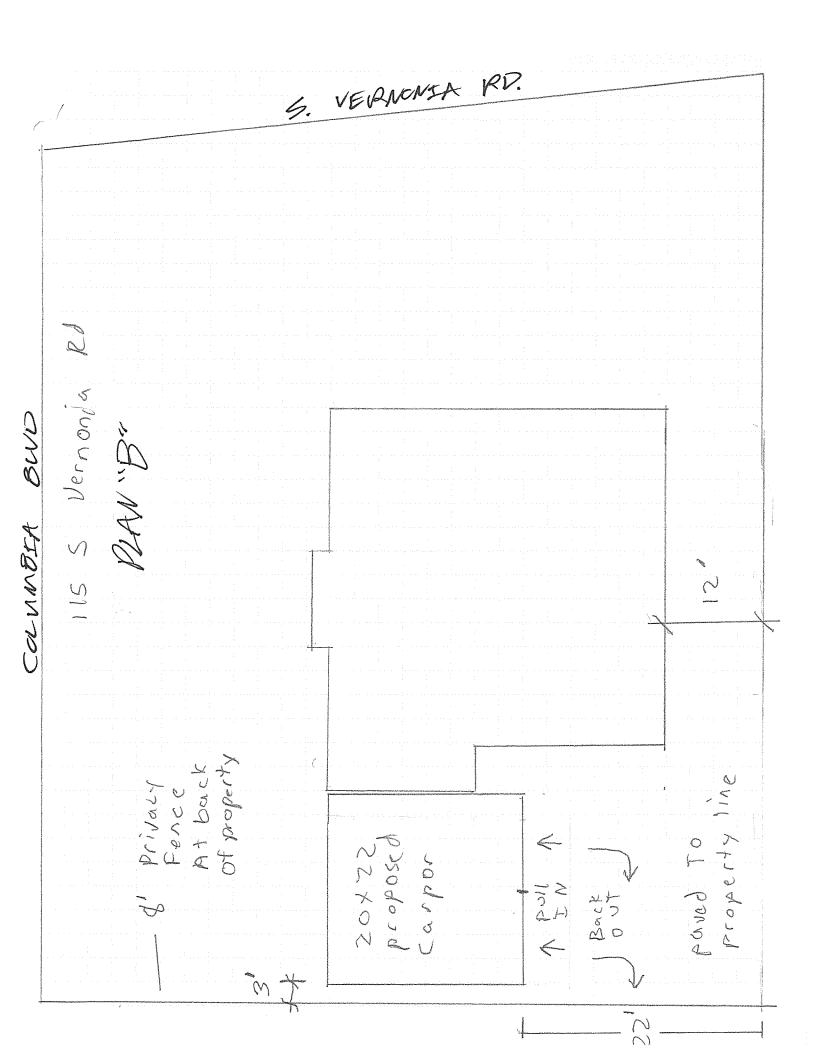
Plan "B"

Applicant's narrative (4 pgs)

Aerial photo

Pictures attachment





3/21/2016 City of St.Helens Planning Commision 265 Strand Street St.Helens Oregon 97051

RE: Request for Variance at 115 South Vernonia Road St. Helens OR

To all the members of planning commision I am requesting a variance per city code 17.108.050.

The request for variance is as follows:

- Code now calls for a 20 foot setback for any structure from the back of the property line.
- We have submitted prints for a proposed new carport.
- We are requesting a variance of 17 feet which would allow the proposed carport structure to be within Three Foot of the back of the property line.

I am asking that the Planning Commission grant a variance based on the following criterion as written in 17.108.050

- 01. The Commission shall approve, approve with conditions, ,or deny an application for a variance based on the following criteria are satisfied
 - a. The proposed carport will be located adjacent to the neighbors garage.
 - Does not detract and is not significantly detrimental in its consequences to any other properties.
 - b.Due to the size and configuration of the lot size and the siting of the house on the lot there is only one option available to build the new carport.
 - c. Building the carport will increase the valuation of the property both in market value and assessed value.
 - d. Due to the lot size and the siting of the existing house we only have one option and that is to site the carport behind the house. We can not site the carport on the Side of the the house adjacent to Columbia Blvd. Due to the City Code of not building a garage/carport of where a vehicle has to back out of the structure on too Columbia Blvd.
 - e. The minimum variance is requested is the carport which is sized 20 feet by 20 feet, the reason for this is the radius required to turn into the structure, as well as backing out and facing Columbia Blvd. upon exiting.

Thank you for your consideration in this matter. If you have any questions please feel free to contact me.

Sincerely Yours

Ron Schwirse Phone 503-410-0578 email: swersy@gmail.com St. Helens Planning Commision

RE: 17.84 Variance request.

Property Address: 115 S. Vernonia Road, St. Helens, Oregon 97051

(1) It is not possible to share access:

Existing driveway does not abut to any other driveways that would allow shared access.

(2) There are no other alternative access points on the street in question or from another street: *No other access point from vernonia road.*

This variance request is requesting that the homeowner would have two access point, one from vernonia road and one from columbia blvd.

(3) The access separation requirements cannot be met:

Home owner has done field measurements based upon his knowledge of lot lines and existing The construction of an additional access point from columbia blvd will mitigate a ingress/egress hazard.streets of vernonia road and columbia blvd.And has determined that the access separation requirements cannot be met. The field measurements determined approx. 60 feet of separation exists.

(4) There are unique or special conditions that make strict application of the standards impractical:

The existing access point from vernonia road creates an ingress/egress hazard mainly when egressing the vernonia road access point.

- (5) No engineering or construction solutions can be applied to mitigate the condition: Constructing an additional access point on Columbia Blv. will in fact mitigate the unsafe ingress/egress condition and allow for a "pull-through" driveway at the 115 S. Vernonia dwelling I
- (6) The request is the minimum variance required to provide adequate access: Allowing an additional access point from columbia blvd is the minimum variance requested to provide the safest ingress/egress solution for the dwelling at 115 south vernonia road.
- (7) The approved access or access approved with conditions will result in a safe access and will not result in the degradation of operational and safety integrity of the transportation system: Granting the variance will result in a safe access for the dwelling on 115 North Vernonia road due to the conditions created by allowing the additional access point on Vernonia Road

- (8) The visual clearance requirements of Chapter 17.76 SHMC will be met: Homeowner has verified that municipal code 17.76 will be met.
- (9) No variance shall be granted where such hardship is self-created. (Ord. 3189 \S 2 (Att. A), 2015; Ord. 3150 \S 3 (Att. B), 2011; Ord. 2875 \S 1.116.150, 2003) Homeowner has not created the existing hardship.



Map by JD: 2/23/16 Aerial Source: Google 4/17/15



View of the subject property's existing driveway off S. Vernonia Road. The subject property has the yellow house. Note the grey colored building in the background, which is on the 2505 Columbia Boulevard property. This building is close to the subject property's western property line (the same property line from which the applicant requests a setback variance).



View of the subject property's proposed driveway off Columbia Boulevard and the proposed area for the setback variance. The fence is the approximate location of the property line. Note the existing driveway to the right of the fence for 2505 Columbia Boulevard.



View of the subject property's Columbia Boulevard frontage. The Columbia Boulevard/S. Vernonia Road intersection is visible towards the left (as identified by the stop sign).



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Commission (as acting Historic Landmarks Commission)

FROM: Jacob A. Graichen, AICP, City Planner

RE: New permanent sign for the Muckle Building—31 Cowlitz Street

DATE: April 5, 2016

Being in the RD zone, the sign is subject to review by the Historic Landmarks Commission (HLC) pursuant to SHMC 17.32.170(7).

Please review the Architectural Guidelines for the discussion about how the proposed sign does or doesn't meet the guidelines.

Note the guidelines are available online if you misplaced your copy: http://www.ci.st-helens.or.us/landuseplanning/department/historic-preservation/

Note that the owner originally proposed a galvanized finish but because the Muckle Building gets a special assessment (tax break), the State Historic Preservation Office (SHPO) gets to review architectural changes to the building too. And SHPO said no to that, so the owner will go with a charcoal grey finish as proposed for the exterior stair case (reviewed previously by the Commission).

Please note that the sign will be internally illuminated with the fixtures (LEDs) hidden from view. The guidelines favor exterior illumination of signs (discouraging internal), but given the owner's intent to block light pollution, the diminutive size of the sign, and that the illumination will be seen through the lettering cut in the steel (like a jack-o-lantern), it seems ok in this case.

Attached: Signs plans

Email (help explain some details)

Jacob Graichen

From:

Carl Coffman < ccoffman@coffmanteam.com>

Sent:

Monday, March 28, 2016 3:29 PM

To:

Jacob Graichen

Subject:

Re: St. Helens Special Assessment Properties - 31 Cowlitz - Proposed entry sign

Ok. We won't galvanize.

We will stick to the original charcoal/ gray plan then.

Thanks

Sent from my iPhone

On Mar 28, 2016, at 11:30 AM, Jacob Graichen < <u>jacob@ci.st-helens.or.us</u><mailto:<u>jacob@ci.st-helens.or.us</u>>> wrote:

Carl,

Because the Muckle Bldg has a special assessment with the state, we are supposed to allow the State Historic Preservation Office (SHPO) an opportunity to comment on certain changes.

The Planning Commission won't provide their recommendation about our local standards until April 12, but it looks like the state doesn't look favorably on galvanized finishes per the message below.

FYI

Jacob A. Graichen, AICP, City Planner

City of St. Helens, Oregon

From: SEARS Joy * OPRD [mailto:Joy.Sears@oregon.gov]

Sent: Friday, March 25, 2016 4:51 PM To: Jacob Graichen; Jennifer Dimsho

Subject: RE: St. Helens Special Assessment Properties - 31 Cowlitz

Jacob and Jennifer,

The sign will meet the Standards if it is not galvanized steel. The sign must be treated with a coating or painted.

Please let me know if you have any questions.

Joy

Notice new email address!

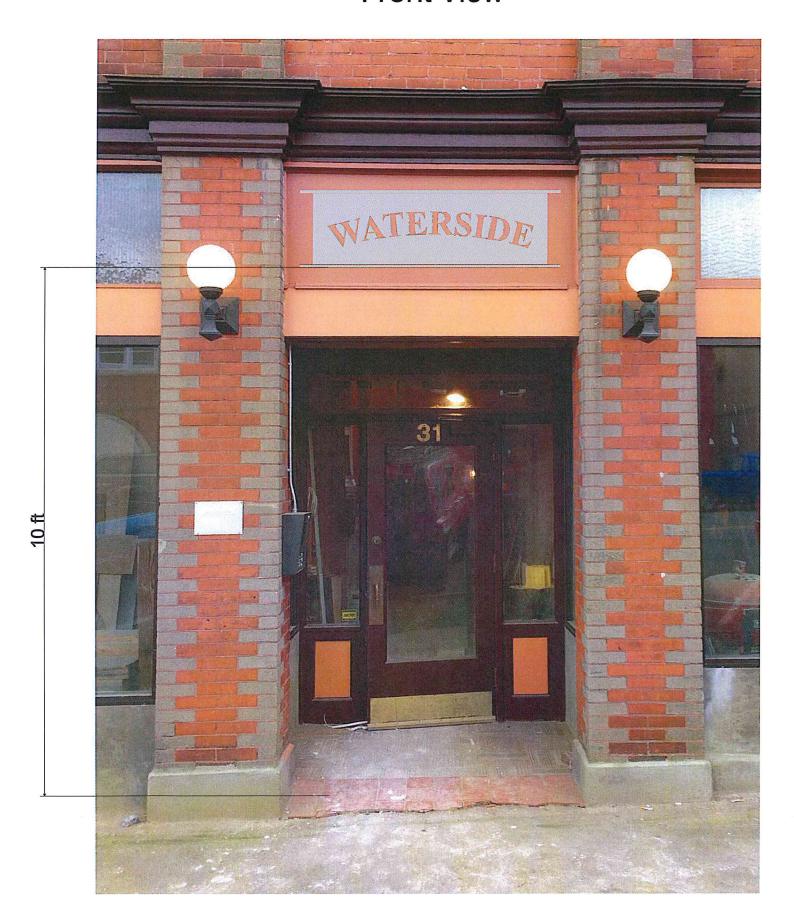
Joy Sears

Restoration Specialist

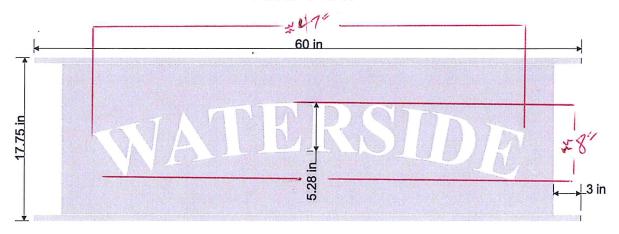
Oregon State Historic Preservation Office (SHPO) 725 Summer Street NE, Suite C Salem OR 97301

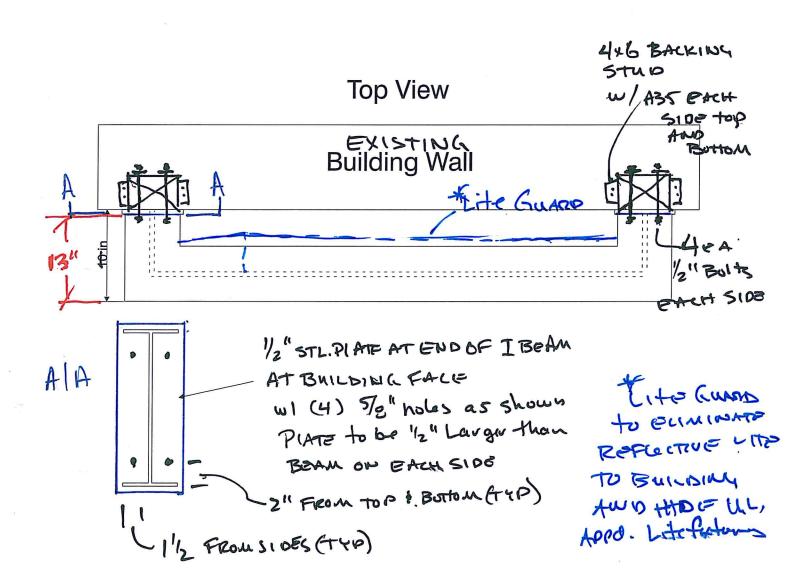
Phone 503-986-0688 Fax 503-986-0794

Front View



Front View





CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



To: City Council Date: 03.25.2016

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

Conducted a pre-application meeting n regards to potential development at the St. Helens Marina.

Had a preliminary Q&A meeting regarding building a single-family dwelling on a steep sloped property along Pittsburg Road.

Prepared departmental budget.

We submitted a pre-application for the 2016/2017 TGM grant for a stretch of road that would complement the previous corridor plan done as well as the City's recently acquired industrial properties. Thanks to the Assistant Planner for taking the lead in preparing! See attached map.

Per request from SHPD, the department has assigned addresses to all official city parks. This helps the PD to track offenses I their record system. And it can't hurt to have physical addresses assigned for all parks. Only a few of our parks has a physical addresses. See attached.

Conducted a pre application meeting with the St. Helens Marina for some near-future projects.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

<u>March 8, 2016 meeting (outcome)</u>: The Commission approved a Conditional Use Permit for 1809/1807 Columbia Boulevard. The Commission denied a Variance at 115 S. Vernonia Road.

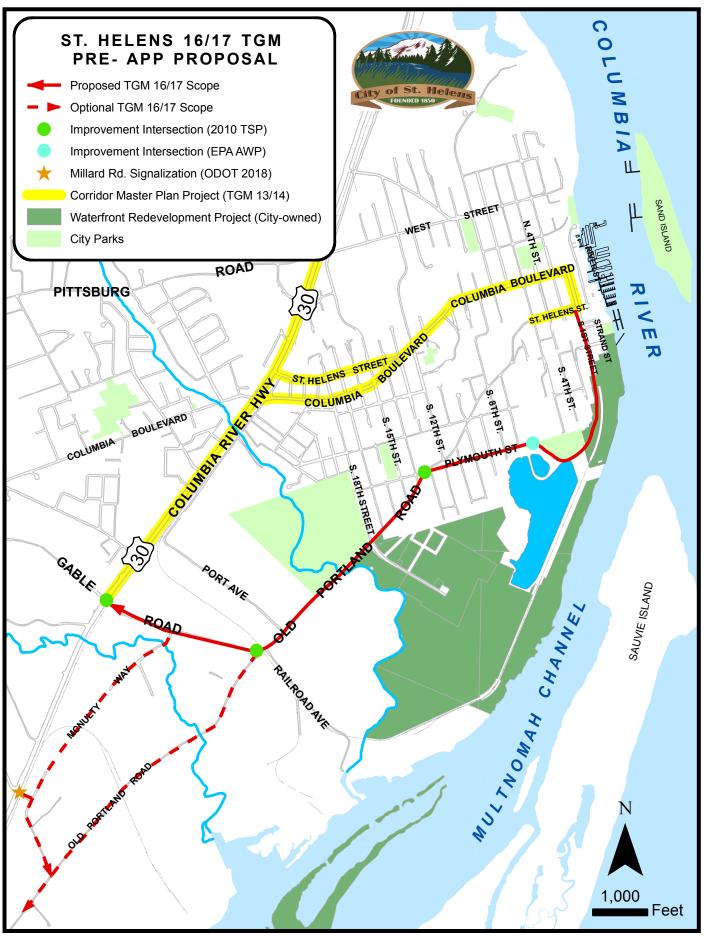
The Commission discussed some matters in regards to the Muckle Building (31 Cowlitz Street) and some potential architectural features proposed by the owner. This building is subject to the Riverfront District's Architectural Design Guidelines. Some of the discussion was inclonclusive based on insufficient information.

<u>April 12, 2016 meeting (upcoming)</u>: The Commission will have three public hearings. 1) A Site Design Review for a multiple garage building at the St. Helens Marina (landward property), 2) a Conditional Use Permit for religious assembly in the Riverfront District along S. 1st Street, and 3) a setback and access Variance at 115 S. Vernonia. The Commission will also have an architectural review for a sign proposed on the Muckle Building in the Riverfront District.

MAIN STREET PROGRAM

I attended the SHEDCO Board of Directors meeting on February 24, 2016 at the Chamber of Commerce building.

ASSISTANT PLANNER—In addition to routine tasks, the Assistant Planner has been working on: See attached.



City of St. Helens

265 Strand / PO Box 278 **St. Helens, Oregon** 97051

March 17, 2016

RE: New addresses for City of St. Helens' public parks.

To Whom It May Concern:

Of the official city parks in St. Helens, only a few have actual physical addresses. The City is assigning addresses to those parks that lack them. The table below lists all official city parks and the corresponding address and current Map and Taxlot Number(s) related to the specific park. Note that the addresses marked with an asterisk (*) are new.

Park Name	Address (* indicates a new addr)	Map & Tax Lot No.(s)
6 th Street Park	*255 North 6 th Street	5N1W 33DD 11000
Godfrey Park	*160 North 4 th Street	5N1W 34CC 13400
		5N1W 34CC 10200
Grey Cliffs Park	*200 North River Street	5N1W 34CD 800
		5N1W 34CD 700
		5N1W 34CD 600
		5N1W 34CD 500
	·	5N1W 34CD 400
		5N1W 34CD 300
Heinie Heumann Park	375 South 15 th Street	4N1W 4DB 16700
Columbia Botanical Gardens	*391 Belton Road	5N1W 33AD 1200
		5N1W 34BC 1302
		5N1W 33DA 4400
Nob Hill Nature Park	*505 South 3 rd Street	4N1W 3CA 2500
		4N1W 3CA 2600
Civic Pride Park	*225 South 11 th Street	4N1W 4AD 5200
		4N1W 4AD 5000
Walnut Tree Park	2396 Columbia Boulevard	4N1W 5DA 8500
Columbia View Park	270 Strand Street (The Strand)	4N1W 3BA 7500
Campbell Park	*150 McMichael Street	4N1W 5DA 300
		4N1W 5AC 4900
		4N1W 5AC 5000
		4N1W 5AC 9200
		4N1W 5DB 5900
		4N1W 5DB 6000
		4N1W 5DB 2700
Sand Island Marine Park	Sand Island	5N1W 3400 ,400
McCormick Park	475 South 18 th Street	4N1W 4C0 100
		4N1W 9B0 1200

If you have any questions, please contact this office

Respectfully yours,

Jacob A. Graichen, AICP, City Planner

Jacob Graichen

From: Jennifer Dimsho

Sent: Monday, March 21, 2016 1:18 PM

To: Jacob Graichen

Subject: March Planning Department Report

Here are my additions to the March Planning Department Report.

GRANTS

- 1. OPRD Local Government Grant Received additional picnic shelter kit quotes. Discussed in-kind match estimates with Public Works/Parks Dept. Prepared application materials.
- 2. TGM 2016 Pre-application Created map, filled out pre-application packet and submitted on March 9.
- OPRD's Oregon Heritage Commission Museum Grant Program Partnership with Columbia County Museum
 Association Historic Walking Tour brochure and Google Map project Worked on application narrative and
 budget
- 4. Travel Oregon's Tourism Matching Grants Program Discussed Wayfinding Master Plan project
- 5. Prepared letter of support for Chamber of Commerce's Rural Tourism Studio Travel Oregon Grant Application
- 6. Reached out to SH School District regarding a mini-grant for a Safe Routes to School Action Plan update

EPA AWP

- 7. Scheduled and attended Advisory Committee Meeting #2 March 29
- 8. Scheduled April 19 Open House
- 9. Uploaded Waterfront Project website materials

IPP

10. Helped prepare close-out documents to finish project. Discussed updating St. Helens Economic Opportunities Analysis with remaining funds.

MISC

- 11. Attended Oregon Active Transportation Conference and Travel Oregon Bicycle Tourism Summit in Portland, OR (March 14 & 15)
- 12. Attended 2nd meeting for the Columbia County Taskforce for the 2016 Year of Wellness on March 17
- 13. Kiwanis Community Parade 2016 Created parade route map in GIS
- 14. Project P.2's Kickstarter Sub-Comm meeting on March 7 Continued work on rewards and Kickstarter page. Attended ACC meeting. Scheduled and attended final video filming day with production team.

Jennifer Dimsho

Assistant Planner City of St. Helens (503) 366-8207 jdimsho@ci.st-helens.or.us