

# City of St. Helens

## Planning Commission Meeting

### October 10, 2017

### Minutes

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

**Members Absent:** Sheila Semling, Commissioner

**Staff Present:** Jacob Graichen, City Planner  
Jennifer Dimsho, Associate Planner

**Councilors Present:** Ginny Carlson, City Council Liaison  
Rick Scholl, Mayor

<b><u>Others Present:</u></b>	Jerry & Sandra Neider	Scot Stockwell
	Julie Stenberg	Jamin Kimmel
	Jared Plen	Henry Fitzgibbon
	Diana Kessler	Les Watters
	David Etchart	Bill Amos

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 September 12, 2017 Planning Commission meeting. Commissioner Lawrence seconded the motion. Motion carried with all in favor. Chair Petersen did not vote as per operating rules.

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### **Topics From The Floor**

Les Watters requested a formal plan for the access between N. 2<sup>nd</sup> Street and River Street. Watters' suggestion is that it should be a bicycle and pedestrian path. Vice Chair Cary noted that this connection is included in the Parks and Trails Master Plan. Chair Petersen said he remembers a previous plan in this area for emergency vehicles. Commissioner Webster thinks the plan was just for a one-way fire access. Watters said there is currently fill being dumped in the location. Chair Petersen asked if the City received grade/fill permit for the fill that is being dumped. City Planner Jacob Graichen said since it is City-owned, it is ultimately a Council decision to decide whether or not it is okay to dump fill there.

Chair Petersen asked Watters why the access should not be developed for vehicles. Watters said he does not think the area is suitable for the increased noise, traffic, and parking issues that would occur with two-way vehicle access, particularly with the marina facilities on River Street. Graichen noted the area in question is surrounded by Apartment Residential (AR) zoning, so it could have higher density that warrants another vehicular access in the future. Commissioner Hubbard said he would be in favor of a bicycle pedestrian access.

Mayor Rick Scholl said he does not think there will be City funds available for quite some time to develop full vehicular access. He said he did not know why the City did not have to receive a grade/fill permit, but thought Public Works probably approved it. Mayor Scholl said he came to this meeting because he has never been to a Planning Commission meeting. He thanked the Planning Commission for all that they do. He also said if anyone has any comments, suggestions, or issues, they can contact him directly any time.

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## **Public Hearing**

**Jerry & Sandra Neider**

**Access Variance / V.6.17**

**34540 Bachelor Flat Road**

It is now 7:25 p.m. and Chair Petersen 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 October 3, 2017 with attachments

Graichen introduced the access variance and recommended conditions of approval to the Commission, as presented in the staff report. He said the access variance is to allow a second driveway approach with a wider approach than the maximum allowed. Graichen also noted that the property was annexed into the City in 2013. If the second driveway approach had been installed and permitted while the property was still in the County, it would be grandfathered in and would not require this variance.

Chair Petersen clarified that the zoning could support four more lots. Graichen said yes, but extending the City sewer to any future divided lot may be an issue. Vice Chair Cary asked if future development would warrant another access variance to meet spacing standards. Graichen said the land division process would likely require a reciprocal access easements for shared approaches.

## **IN FAVOR**

**Neider, Jerry. Applicant.** Neider said there is a county storm drain and power lines that run along their property line that makes it hard to place a driveway approach. Neider said their intent is to cut a third of an acre off the side of their property. Neider thinks the second driveway approach was built prior to buying the property. He thought the second access was already approved with the County, but they could not find proof. Chair Petersen asked if they would be open to requiring shared access for the future lot. Neider said sharing access is what they would request anyways. Commissioner Webster asked if the driveway would be large enough to prevent backing maneuvering. Neider said that is why they are requesting wider driveway width. Vice Chair Cary asked why the approach width needed to be 32 feet. Neider said the approach is already graveled at that width. He also said it is easier to pull in with an RV on the busy road with a wider width.

## **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.

## **DELIBERATIONS**

Vice Chair Cary asked if they should make shared access with any future land division part of the conditions. Graichen said there is no problem with making that a condition.

Vice Chair Cary noted that the wider driveway is not out of the ordinary for the surrounding area. The Commission agreed. They also would prefer to add shared access as a condition with future land divisions.

## **MOTION**

Commissioner Cohen moved to approve the Access Variance permit at 32 feet wide with an additional condition that any future land divisions share access. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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

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## **SDR.6.17 & SL.3.17 Amended Decision - St. Helens School District**

Graichen said this is a proposal to amend the decision from the St. Helens School District's Site Design Review (SDR.6.17) application which was approved during last month's meeting. He said it is a rare situation to have an amended decision for a decision made by the Commission. It is not a public hearing, so there cannot be new evidence presented. The discussion must be limited to the amended decision application included in the packet. Graichen said this is not the time for additional testimony. Only the applicant's representative should speak about the request to amend the decision.

Commissioner Cohen asked if there is an issue with presenting new information that the public did not have the opportunity to speak on during the hearing. Graichen said yes; the Commission should be careful. He said the Development Code does allow amended decisions, but this is Graichen's first time amending a decision that was made by the Commission. Commissioner Cohen asked why the District did not appeal the decision to City Council. Graichen said that an amended decision could potentially avoid the hassle and time of an appeals process. He also noted that the testimony received in opposition during the public hearing was about impact to surrounding neighbors, not about the timing of frontage improvements, which is what is being discussed tonight. Both the applicant and opposition also did not hire lawyer representation. He described the requested amendment to the condition relating to the timing of the frontage improvements, as presented in the memo.

The Commission invited the applicant's representation for the St. Helens School District to speak.

**Stockwell, Scot. St. Helens School District Superintendent.** Stockwell said the number one concern for the District is student safety. Stockwell said the traffic flow for construction vehicles makes the District anxious for student safety if the sidewalk were constructed prior to building permit issuance. Instead, Stockwell said they will maintain the current path along the back side. This is the access point that they are already used to. It also does not encourage students to walk near the construction vehicle access point.

Stockwell said they have also now combined the contract for the Columbia County Educational Campus (CECC) building and the Middle School building which saves the District money. If the Commission required sidewalk construction prior to building permit issuance, they could not start construction on either project. Chair Petersen asked if they still plan on finishing the CCEC building first. Stockwell said yes, but it will be one contract. Commissioner Webster clarified that the amended decision still requires sidewalk construction prior to the Certificate of Occupancy for the Middle School. Stockwell said yes. Stockwell asked if his Project Manager could speak about the proposal.

**Kimmel, Jamin. Angelo Planning Group.** Kimmel described that the construction vehicles are being kept away from the front of the school. The construction route is identified as red on the map. The blue arrows represent where the buses will be routed. The yellow represents the construction of a new pedestrian path behind the school. Kimmel said students will have the option of using a bus or pedestrian path to avoid the construction access.

Chair Petersen asked about the location of utilities. Kimmel said a lot of the utilities are being extended down from West Street. Kimmel said if they were required to build sidewalks prior to building permit issuance for the Middle School, they would have to pull them back out to finish the building.

Vice Chair Cary asked if there are two building permits. Kimmel answered that there are two building permits, but it is being treated as one project with one contractor. He said that the contractor will not want to begin work until both buildings are permitted, so requiring sidewalks before building permit issuance will delay all construction on the site. Chair Petersen clarified that the District's plan is to complete the CCEC building by Winter 2018 and the Middle School by Fall 2019. Kimmel said yes.

Commissioner Hubbard asked how much the asphalt path would cost. Kimmel said they have not estimated the cost yet. Commissioner Hubbard said it seems like it is a costly path for just temporary access. Kimmel said they are considering leaving it a permanent path. Commissioner Hubbard asked why the District could not have crossing guards at the construction entrance. Kimmel said another challenge to constructing the sidewalks prior to building permit issuance would mean that they have to construct the sidewalks during the school year. The District's preference is to construct the sidewalks during the summer when there are less vehicles and children using the streets.

Commissioner Lawrence does not feel the amended proposal puts students at a greater risk. Vice Chair Cary agrees that the District made a good effort to address the safety of the students. Commission Cohen wants to be sure that sidewalks will be constructed.

Chair Petersen said he would be open to moving the condition to occupancy of the CCEC building, which is the first building that will receive occupancy. He noted that the majority of the sidewalks about the CCEC building anyways. This would still allow them to complete the first building. Graichen said that there is still a temporary construction access along the proposed sidewalks. Vice Chair Cary thinks it would be dangerous to construct sidewalks near this construction access. Commissioner Webster agrees. She thinks the District should have until the summer of 2019 to build the sidewalks so that they do not have to construct them during the school year. Commissioner Lawrence agrees. She feels it does not make sense to build sidewalks

prior to construction of the Middle School. Commissioner Cohen does not have a preference when the sidewalks get constructed, as long as they do get constructed. He is concerned that the District will not have the funds to construct the sidewalks at a later date. Vice Chair Cary said the District would not be able to receive occupancy without sidewalks.

## **MOTION**

Vice Chair Cary moved to accept the amended decision according to the student access management plan. Commissioner Webster seconded. Commissioner Webster, Commissioner Cohen, Vice Chair Cary and Commissioner Lawrence in favor; Commissioner Hubbard opposed; motion carries.

Commissioner Cohen moved for Chair Petersen to sign the Findings and Conclusions once prepared. 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 2275 Gable Road - Dutch Bros Coffee walk-in cooler, storage building, and trash enclosure
- b. Site Design Review (Minor) at 2035 Columbia Blvd. - External stairway improvements
- c. Site Design Review (Major) at 330 S. 1<sup>st</sup> Street - Establish new uses in an existing building
- d. Site Design Review (Minor) at 795 S. Columbia River Highway - Install Bottle Drop Express in existing Safeway parking lot

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

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## **Planning Director Decisions**

- a. Accessory Structure at 59363 Mountain View Drive - New storage shed
- b. Home Occupation (Type I) at 374 N. 6<sup>th</sup> Street - Home office for construction business
- c. Sign Permit (Banner) at 2100 Block of Columbia Blvd. - Spirit of Halloweentown Parade

There were no comments.

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## **Planning Department Activity Reports**

There were no comments.

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## **For Your Information Items**

Graichen said the position for Chair Petersen's term has been advertised. He also noted that there is a Certified Local Government workshop in Canby, Oregon on October 17. City staff cannot make it this year. It is free if any Commissioner wants to attend.

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There being no further business before the Planning Commission, the meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Jennifer Dimsho  
Associate Planner

### 2017 Planning Commission Attendance Record

*P=Present A=Absent Can=Cancelled*

Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/10/17	P	P	A	P	P	P	P
02/14/17	P	P	P	P	A	P	P
03/14/17	P	P	A	P	P	P	P
04/11/17	P	P	P	P	P	P	P
05/09/17	P	P	P	A	P	P	P
06/13/17	P	P	P	P	P	P	P
07/11/17	A	P	P	P	P	P	P
08/08/17	P	P	P	P	P	P	P
09/12/17	P	P	P	P	P	P	P
10/10/17	P	P	P	P	P	A	P
11/14/17							
12/12/17							