

City of St. Helens Planning Commission

Approved Minutes

May 12, 2020

Members Present: Chair Hubbard
Commissioner Cohen
Commissioner Semling
Commissioner Lawrence
Commissioner Webster

Members Absent: Vice Chair Cary
Commissioner Stenberg

Staff Present: City Planner Graichen
Associate Planner Dimsho
Councilor Carlson
Community Development Admin Assistant Sullivan

Others: Jennifer Pugsley David Force Michael Anders
Shelly Nelson Dan Hatfield Roger Toth
Jeff Bolton Giovanni Jarquin
Les Watters Emilia Ponti

- 1) **7:00 p.m. Call to Order and Flag Salute**
- 2) **Consent Agenda**
2.A Planning Commission Minutes dated March 10, 2020

Motion: Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously approved the Draft Minutes Dated March 10, 2020. Commissioner Cohen did not vote due to his absence from that meeting. [AYES: Commissioner Lawrence, Commissioner Webster, Commissioner Semling; Nays: None]

- 3) **Topics from the Floor: Limited to 5 minutes per topic (not on Public Hearing Agenda)**

There were no topics from the floor.

- 4) **Public Hearings (times are earliest start time)**
4.A 7:00 p.m. Subdivision Prelim Plat & Variance at corner of N 6th & Columbia Blvd – LaGrande Townhomes

Chair Hubbard opened the Public Hearing at 7:01 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Dimsho entered the staff report dated May 5, 2020. Dimsho introduced the proposal to the Commission as presented in the staff report. She mentioned how the property

was formerly a carwash. She explained how the applicant wants to replat three existing lots into six different lots for attached single-family dwellings. She also explained how he is applying for the variance for the front setbacks. It is split zoned Mixed Use and General Residential. She mentioned the standards were the same in both zones for attached single-family dwellings. She mentioned that the minimum lot size for attached single-family dwellings is 2,500 square feet. She said minimum lot width is 25 feet. Dimsho said that street trees would be required on both street frontages. She said the two streets were classified as Minor Arterial, which means greater access control standards and higher traffic. She mentioned the applicant will have to provide adequate protection from the arterial streets. She also brought up the condition of the current sidewalks and curbs. City Planner Graichen mentioned that if the Commission decided that the sidewalks needed redone, they would need to decide if they needed to be redone to the new standards that include curb bump-outs or to the current standards they are at now.

Commissioner Cohen asked where the fence was being proposed. Dimsho mentioned it would be along lots one through five abutting N. 6th Street. She mentioned this was up to the Commission to decide what type of screening to require, if any.

Commissioner Webster asked if the property was a gas station and if the tanks from the station had been taken out. Dimsho mentioned there was some environmental testing done on this property. She mentioned they had underground tanks and had permissions to remove them. Dimsho mentioned that the neighboring property may have had some leakage from their tank and so additional testing was done. The test results found that if soil was not disturbed at a 14-foot depth, there would be no impacts to human health and safety.

City Councilor Carlson asked about what the visual standards were for the Columbia Boulevard view. She also asked about the visibility and safety of school-aged children who cross near Columbia Blvd. and 6th Street. Dimsho mentioned that the Corridor Master Plan includes curb extensions to shorten the crossing distance for individuals crossing the roads there. She also mentioned there is a ten-foot setback so development will not be obstructing vision.

Dimsho discussed the City utilities. She said there was a utility easement that takes up a large part of lot six. She also said there was an unknown size of sewer line that alongside the east property line. She mentioned it could be a main line or a private line. She said an easement may be required. Dimsho mentioned there is adequate water and sewer to service this property.

Dimsho mentioned the new language in the conditionals that applies to the new House Bill. Graichen explained how subdivisions usually get recorded first, then they apply for building permits. He said that they are careful with bonds and they usually want all the work to be done, including sidewalks before a subdivision is given building permits. The House Bill allows the builder to get building permits before all the work is completed with appropriate bonding for certain things. Then individual Certificate of Occupancies can be held until all conditions and improvements are done. He mentioned this provides individual homes an option for builders to get permits faster.

There was a small discussion about the access to the different lots and the Minor Arterial streets.

Dimsho said the variance is necessary for the proper design of this subdivision. She said it will give the lots enough buildable area. Design and function also include adequate screening and

buffering. This variance allows the Commission to discuss additional screening requirements. There was a small discussion regarding screening options.

Hatfield, Dan. Applicant. Hatfield was called to speak. Hatfield discussed his building plans. He said he was applying for the variance so that he could design his dwellings correctly. He mentioned he is willing to do whatever the Commission recommended for screenings as well. He said they would be two-story dwellings with three bedrooms. He mentioned there would be a rear entrance. He said he wants to follow everything the Planning Commission encourages and that he will be doing work to help improve the area.

Chair Hubbard asked about the buildings not having entrances that face Columbia Boulevard. City Councilor Carlson also mentioned a concern that the entrances did not face Columbia Boulevard. She said how it would be a very different streetscape. She said she knows there are no street standards, but that this issue was important to the livability of our community. She said the in-fill development happens but wants to make sure we are not upsetting neighbors.

In Favor

No one spoke in favor.

Neutral

Pugsley, Jennifer. Pugsley is the owner of 50 Plaza Square. Pugsley mentioned that 6th Street is such a traveled street, and she was curious why the design did not have a front yard with landscaping along 6th Street with the driveway and entrance to home in the back as proposed. She felt it would be more inviting.

There was a small discussion about the layout. Graichen mentioned we need to review based on the standards we have, not on the standards we wished we had.

In Opposition

No one spoke in opposition.

Rebuttal

No one spoke in rebuttal. **End of Oral Testimony**

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

Close of Public Hearing & Record

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

Deliberations

The Commission went through each condition and determined if it was needed. There was a long discussion about the screening/fence and what should be used. They decided the applicant should construct a five-foot fence along Lots 1-5 abutting N. 6th Street.

Motion: Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously approved the Subdivision Prelim Plat and Variance as written. [Ayes: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Commissioner Cohen; Nays: None]

Motion: Upon Commissioner Webster's motion and Commissioner Cohen's second, the Commission unanimously approved the Chair to sign the Findings when prepared. [Ayes: Commissioner Semling, Commissioner Cohen, Commissioner Lawrence, Commissioner Webster; Nays: None]

**4.B 7:30 p.m. Conditional Use Permit & Variance at Matzen and Brayden Streets
– MultiTech Engineering**

Chair Hubbard opened the Public Hearing at 8:51 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Graichen entered the staff report dated May 4, 2020. Graichen introduced the proposal to the Commission as presented in the staff report. Graichen mentioned this is a major modification. He said they were building off of a previous Conditional Use Permit in 2018. He said they are adding a storage facility and then a large flagpole and a bike shelter that were not on the original plans. The Variance is to allow an accessory structure larger than the normal standard. He reminded the Commission that the zoning for this property was General Commercial and normally an accessory structure is not allowed to be built until a principal use is. He mentioned the principal use was the apartment complex in this instance. He said the Commission would need to look at making sure this property could not be sold separately from the apartments and turned into a storage facility, since the zoning does not allow for that. He said there are two ways to do that: through a deed restriction or a land partition.

Commissioner Cohen asked about the height of the nearest buildings to the accessory structure. He wanted to make sure the accessory structure was close in height to the apartments. He also asked what staff recommends for keeping the two properties together. Graichen mentioned the accessory structure was a little shorter than the apartments. He also said that staff feels more comfortable with a land partition.

Commissioner Cohen also asked about security and what was required. Graichen mentioned there was lighting and fencing all around the property. Commissioner Cohen asked for a little more clarification regarding the flagpole. Graichen said the flagpole is proposed at 45 feet and that the proposed conditions require a pole base able to hold the pole with no issues. Graichen mentioned the code says if the flagpole is more than 20 feet in height in residential or more than 30 feet in commercial it requires permitting.

Commissioner Cohen also asked about the bike storage. Graichen said the property was required to have a certain amount of covered bike storage. He said the proposal meets all the standards.

Grentz, Mark. Applicant. Grentz is with MultiTech Engineering. He said it has been a pleasure to work with all the staff. He said they were getting to the end of the overall project and a few of the projects on site needed some finalizing. He said the bike structure would be secure and a nice extra for the tenants. He said the storage facility is important because in their previous apartment projects, tenants have a need for more storage. Grentz mentioned when they first

started the project the storage site was on the premises, but as they began to build, they realized there was not enough room. They are excited to be able to move forward with the storage for their tenants on this abutting property. They said the design of the building will be pleasing to the eye and fit in with the design of the apartments.

In Favor

No one spoke in favor. We received a letter in support from Al Petersen.

Neutral

Carlson, Ginny. City Councilor. Carlson said the project looks great. She said the workers are very nice and that the project landscaping was very nice. She said things were going the way they promised. She said the site did not impede the parking for the people who already live over there. She also mentioned the bronze statues were amazing.

In Opposition

No one spoke in opposition.

Rebuttal

No one spoke in rebuttal.

End of Oral Testimony

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

Close of Public Hearing & Record

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

Deliberations

The Commission was all in agreeance with the Variance. The Commission discussed how to tie the properties together. They agreed that a partition was the cleaner and more solidified way to tie the properties together. There was a small discussion about the flagpole and the height. Commission Cohen recommended that it be reduced to a 35-foot standard, which is the maximum building height for the projects.

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Conditional Use Permit and Variance as written. [Ayes: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Commissioner Cohen; Nays: None]

Motion: Upon Commissioner Cohen's motion and Commissioner Semling's second, the Commission unanimously approved the Chair to sign the Findings when prepared. [Ayes:

Commissioner Semling, Commissioner Cohen, Commissioner Lawrence, Commissioner Webster; Nays: None]

4.C 8:00 p.m. Variance for Lots 28, 37, 38, 66, 70, 71, 74, 76, & 77 – Emerald Meadows / Lennar Northwest, LLC

Chair Hubbard opened the Public Hearing at 9:58 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Dimsho entered the staff report dated May 4, 2020. Dimsho introduced the proposal to the Commission as presented in the staff report. This is a similar request as Richmond American made in the Emerald Meadows subdivision. The applicant is requesting nine variances to exceed the maximum lot coverage on nine different lots. Their request is for 27 percent of the lots that they would own, and the request is to accommodate Lennar Northwest's single-story models. She said the Development Code has standards to help promote streetscape and provide light, air, and space. She mentioned when you look at the streetscape, you would see a mix of single- and two-story homes in this case. Dimsho said in the general housing goals there is a policy that promotes housing for those with special needs. She said the applicant's narrative discussed how single-level housing provides for those with children, special needs, and elderly. Dimsho said since variances run with the land, the Commission should limit the conditions to only work with Lennar's models as proposed for each lot. She said the Commission can choose to cap the lot coverage allowed, which would reduce the number of variances granted.

Commissioner Cohen asked if they go with the variances for the seven of the nine, which two lots would be returned to the regular lot size. Dimsho said it would be the two that were above the five percent, which is lot 37 and lot 71.

Commissioner Webster asked if they were affordable. Dimsho said the applicant has narrative that mentions that single level homes are more affordable but said staff cannot confirm affordability. Webster was concerned with the average pricing not being affordable, as this was the argument that resulted in the lot size issue they are dealing with now.

Anders, Michael. Applicant. Anders is with Lennar Northwest, LLC. Anders said they do an extensive amount of research before they decide to move into a community. He said through the process they come up with a viable plan and the goal is to provide houses that meet numerous profiles. He said that there is a need for single-level homes. Anders said they do not deviate from the pre-planned subdivision design. He said they also operate on an "everything is included" policy, so that when the homeowner moves in, the house is complete. He said this provides a neat and tidy look upon completion. He mentioned that price point is relative and that they looked at the City's Housing Needs Analysis, which provided a median price, and they do not plan to vary much from that median. He mentioned they do not set pricing until they go to market.

In Favor

No one spoke in favor. We received a letter in support from Wayne Weigandt

Neutral

Pugsley, Jennifer. Pugsley is the owner of 50 Plaza Square in St. Helens. Pugsley said there is a need in this market for single-level homes. She said, as a local real estate broker, she would like to see more single-level homes available on the market. She said the single-level homes sell much quicker. She has seen Lennar's product in other markets, and they are nice.

In Opposition

No one spoke in opposition. The Commission was given a letter in opposition from Al Petersen.

Rebuttal

Anders, Mark. Applicant. Anders said in response to the letter in opposition from Al Petersen, they are not the creator of the subdivision, but the home builder who is desiring to purchase the remaining lots. He said the research is what led them to the variance request. He said the variance is very specific and is not a wholesale request. He also said this is a request to build a variety of homes with different functions and price points to serve the community of St. Helens based on their research. He believes that taking these steps, which are costly and time consuming, to serve the needs in the market shows that they are not lazy. He thinks the outcome will be more desirable for the community.

Commissioner Cohen said that he felt the letter points out that they knew about the lot coverage standards when they decided to purchase the lots. Anders responded that part of their due diligence was to find out what they needed to do to build homes that are marketable before purchasing, which led them to the variance.

End of Oral Testimony

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

Close of Public Hearing & Record

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

Deliberations

Commissioner Cohen asked if there was anything that would limit the developer from coming and asking for more variances on additional lots. Dimsho said the applicant is looking to buy the remaining lots, but there is nothing that keeps them from coming back and requesting additional variances.

There was a discussion about additional variances for the remaining houses that were in the subdivision. The Commission is concerned about the total number of variances for this subdivision. Commission Webster felt the applicant did not meet the standards for approval. Commissioner Cohen felt conflicted between approval and denial, citing a need for single-story homes, but stated that the applicant knew of the standards before attempting to purchase the lots. He leans towards approval.

Motion: Commissioner Cohen made a motion to approve the variance, as written. There was no second. Motion failed.

There was a discussion about referring the decision to the City Council, as opposed to making the decision themselves. Commission Webster preferred denial, as opposed to a referral.

Motion: Upon Commissioner Webster's motion and Commissioner Cohen's second, the Planning Commission unanimously denied the Variance as written. [Ayes: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Commissioner Cohen; Nays: None]

Motion: Upon Commissioner Cohen's motion and Commissioner Semling's second, the Commission unanimously approved the Chair to sign the Findings when prepared. [Ayes: Commissioner Semling, Commissioner Cohen, Commissioner Lawrence, Commissioner Webster; Nays: None]

5) Annual Report to Council

Graichen said every year they give a memo to the Council with all the Planning Commission meetings, public hearings and all the items the Commission and Planning Department has done. He said the Council looks at the numbers and future projects. Graichen said the question from the Council is what they can do for the Planning Commission. Commissioner Cohen suggested they have an in-person joint meeting with the Council (when allowed to do so) to brainstorm where Council sees the Commission going. Graichen said he will request this. The Commission agreed that a meeting would be beneficial for both parties involved.

6) Planning Commission Interview Committee Recommendation

Graichen said there were several applicants and the interview committee felt that Jennifer Pugsley was the best applicant. He mentioned there has not been a realtor on the Commission for years and this would fill that hole. Her knowledge of historic preservation will also be valuable too. Graichen said she will be appointed at the next Council meeting if the Commission agrees with this.

Motion: Upon Commissioner Semling's motion and Commissioner Lawrence's second, the Planning Commission unanimously recommended to the City Council appointment of Jennifer Pugsley to the Planning Commission. [AYES: Commissioner Lawrence, Commissioner Semling, Commissioner Webster, Commissioner Cohen; Nays: None]

7) Acceptance Agenda: Planning Administrator Site Design Review

- a. Site Design Review (Major) at 1955 Columbia Blvd – Restaurant sales in an existing commercial building
- b. Site Design Review (Major) at 58144 Old Portland Road – 12,500sf Warehouse building for an existing tenant
- c. Site Design Review (Minor) at 585 S. Columbia River Highway – CRPUD
- d. Scenic Resource Review for addition at 215 N River St. – AKAAN Architecture

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Commission unanimously approved the Acceptance Agenda: [AYES: Commissioner Lawrence, Commissioner Semling, Commissioner Webster, Commissioner Cohen; Nays: None]

8) Planning Director Decisions

- a. Temporary Use Permit at 1810 Old Portland Rd – City of St. Helens
- b. Partition at 160 Belton Road – Schlumpberger
- c. Sign Permit at 1844 Columbia Blvd – Ramsay Signs
- d. Accessory Structure Permit (Shop) at 2660 Gable Road – Stansbury
- e. Accessory Structure Permit (RV Cover) at 2660 Gable Road – Stansbury
- f. Sign Permit at Matzen/Brayden Street – MultiTech Engineering
- g. Sign permit for secondary sign at 475 S Columbia River Hwy – Vancouver Sign Co.
- h. AMENDED Temporary Use Permit at 1810 Old Portland Rd – City of St. Helens
- i. Auxiliary Dwelling Unit at 374 N 15th St. – St. Helens School District
- j. AMENDED Partition at 160 Belton Road – Schlumpberger
- k. Temporary Use Permit – Renewal at 555 S Columbia River Hwy – Mucias
- l. Temporary Use Permit – Renewal at 35341 Fairfield Ct. – Richmond American
- m. Sensitive Lands Permit at 58144 Old Portland Rd – Port of Columbia County
- n. Temporary Use Permit at Milton Way North of St. Helens St. – US 30 Farmer's Market
- o. Temporary Sign Permit at 2100 Block of Columbia Blvd – Hometown Heroes

There were no comments

9) Planning Department Activity Report

- a. March Planning Department Report
- b. April Planning Department Report

There were no comments.

10) For Your Information Items

Commissioner Lawrence asked about the apartments and senior housing that were approved on Gable Road. Graichen mentioned that they are still working on plans but building permits have not yet been submitted.

Chair Hubbard asked about the St. Helens Police Station. Graichen mentioned they are looking to get some topographic info to make sure exactly where the flood plain is. They are planning on getting a surveyor to confirm. He said it is part of the feasibility study.

11) Next Regular Meeting: June 9, 2020

12) Adjournment

There being no further business before the Planning Commission, the meeting was adjourned 10:37p.m.

Respectfully submitted,

Christina Sullivan
Community Development Administrative Assistant