

City of St. Helens Planning Commission

Approved Minutes

March 10, 2020

1) 7:00 p.m. Call to Order and Flag Salute

Members Present: Chair Hubbard
Vice Chair Cary
Commissioner Semling
Commissioner Lawrence
Commissioner Webster

Members Absent: Commissioner Cohen
Commissioner Stenberg

Staff Present: City Planner Graichen
Assistant City Administrator Matt Brown
Councilor Carlson
Community Development Admin Assistant Sullivan

Others:

Jennifer Pugsley	Jane Garcia	Julianne Cullen
MaryAnne Anderson	Don Parrett	Rachel Krager
Marcia Parrett	Al Petersen	Kannikar Petersen
Les Watters	Emilia Ponti	

2) Consent Agenda

2.A Planning Commission Minutes dated February 11, 2020

Commissioner Webster noted there were details missing from the minutes compared to previous examples.

Motion: Upon Commissioner Lawrence's motion and Vice Chair Cary's second, the Planning Commission unanimously approved Minutes Dated February 11, 2019. Commissioner Semling did not vote due to her absence from that meeting. [AYES: Commissioner Lawrence, Commissioner Webster, Vice Chair Cary; NAYS: None]

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

Petersen, Kannikar. Petersen lives at 101 St. Helens St. Petersen was representing Columbia County Habitat for Humanity. She presented her series of public forums on housing instability and homelessness in rural communities. She is hoping to raise awareness of the homeless crisis by bringing organizations together to discuss it and find ways to prevent it. She mentioned the City Council offered \$750 to support the cause. She wants to create a panel who will come and discuss the issue, while listening to the community to learn about what is going on with homelessness. She invited the commissioners to attend to the event.

4) Vagt Building Discussion - Matt Brown

City Planner Graichen began the discussion about the Bennett Building (the historic name for the Vagt Building) project where our Utility Billing Department is held. He mentioned it was in the Historic Riverfront District which has architectural review standards for buildings that are not official historic landmarks. Graichen discussed how the project started ahead of some of the process. He mentioned how the Commission asked for the person in charge of the project to come and discuss the project.

Brown, Matt. Assistant City Administrator Brown is the Project Manager of the Bennett Building improvements. He started the discussion with showing the improvements to the inside of the building. He explained that the building had a dropped ceiling before and that the windows above were never used. Once the ceiling was removed, they realized there was a lot of space. They were excited to see that they were able to use the windows. The windows were replaced with fiberglass that could be painted. He clarified they were not vinyl. He mentioned how the white on the windows was not the finished project.

Brown presented plans, after the windows were put in, to the City Planner with a rendition of what they would like the building to look like. He showed where the Planner had marked up the plans with what they could and could not do based on a brief review only hours before the meeting tonight, including colors and specific tile types. He discussed how they are trying to increase the façade outside and the space inside to make it more appealing to our community and the many visitors.

Commissioner Webster asked why they did not order windows that were historically correct. Brown mentioned the ordering was done by Public Works. Chair Hubbard asked when they hired an architect. Brown interjected that he was trying to present his case to the best of his ability, but if they were not going to allow him that he was happy to leave. Brown said it was started before, but not done until after the work was completed. He later mentioned that the architect was not hired until after a problem arose. He wanted to have something to show the Commission the intent or the final plan for the building. Brown mentioned the supplies they purchased were within the approved budget for the building. Brown said 50 Plaza Square was a great example of historic restoration, but the City did not have the same funds to do the same type of extravagant restoration. Brown said since there is only a guideline of what is supposed to be done when it comes to renovations, he did not feel it was fair to be punished because he did not do the same extensive renovations as another business did. Commissioner Webster said the Commission was not holding him to a different standard, just trying to hold him to the standard the City expects for everyone else.

Brown also mentioned the windows were put in before the permit was obtained. City Planner Graichen said when the permit was submitted, the staff should have seen the change and brought it before the Historic Landmarks Commission before any work occurred. This did not happen. Commissioner Webster asked when the white windows would be fixed. She said the money they spent on the architect should have been spent on a way to fix the window problem. Brown said he felt the rendering would help in explaining what the building would like in the future and be a more informative way to explain what the City was doing with the Bennett Building to the Commission. Vice Chair Cary asked if the fiberglass windows that were put into the building could be used on a different project the City has in order to save money from the mistake. Brown mentioned because of their specific measurements they would likely be declared surplus and sold to recoup the cost.

Commissioner Semling wanted to know why he did not come to the Commission first. City Planner Graichen explained to her this was the meeting she was absent for. He explained normally the building would have come before the Historic Landmarks Commission for a recommendation. Graichen did say that ideally it should have come before the Commission before the work was done, but since it had already been started, the idea was to present the Commission with the plans in a formal setting to get a recommendation on how to proceed. Brown also mentioned incorrectly the main reason it was not brought before the Historic Landmarks Commission was because the Bennett Building was not listed on the Historic Landmark List.

Commissioner Webster asked why the Bennett Building was not considered historic. She said it has over 80 years of history. Graichen said when the Historic Landmarks Registry was created, the Bennett Building was never designated. Webster feels that it should have been added.

Commissioner Lawrence said she stopped by Brown's office to discuss the quality of the materials. She mentioned she had spoken with Brown about the product and felt that the windows looked cheap compared to what was previously there. She said that the material looked like it would need to be replaced in five years or less. Commissioner Lawrence mentioned that she did not think it was Brown's fault, but that she hoped there would be a resolution to fix the windows and make them historically correct.

Graichen said it was up to Chair Hubbard if public comment would be heard. He said in a normal circumstance there would not likely be as many comments or opinions on a project. Chair Hubbard said he felt that there were a lot of individuals there who wanted to have their opinions and comments heard, so he allowed for public comment. Chair Hubbard said once public comment was heard, they would come up with a solution.

Watters, Les. Watters is a representative of the Columbia County Museum Association. He mentioned the Bennett Building was built in 1929. It is listed in the Nationally Registered Historic District as secondary significant. He mentioned the date of construction is what determines that. Graichen interjected that the Nationally Registered Historic District is a separate from the local Historic Landmarks list. Anything that is within the Riverfront District is subject to the architectural guidelines. Watters said he was referencing Commissioner Webster's question about historic significance. Watters said he knows of the architectural guidelines as he had several buildings where he used them. Watters said he just wanted to clarify the historic significance of the Bennett Building. Watters said the Bennett building is within the Nationally Registered Downtown St. Helens Historic District, but not individually listed.

Petersen, Al. Petersen said he has an office at 101 St. Helens Street which is considered a secondary significant building. He said it was considered secondary because it was built after the fire of 1906. He said the buildings that did not burn down received a primary historic significance. Once they are on the Nationally Registered Historic District, they are considered historic. He said the City's secondary standard makes no difference on whether the building is historic or not. Petersen mentioned he was on the Historic Landmarks Commission when they went through the architectural design guidelines. When the guidelines were set for the Riverfront District, it was mentioned in the guidelines that if a business within those limits decides to make exterior improvements, they are required to come before the City Planner or to the Historic Landmarks Commission for recommendations. Petersen said that guideline is enforced strictly by the City. Petersen said he felt the City was trying to wiggle out of following

those same guidelines. Graichen interjected explaining that this was a mistake. He wanted to clarify that this was not deliberate. It was an error; he wished it had not happened. Petersen said that this kind of mistake has happened before by the same entity. Petersen said he was not trying to point fingers. Citizens have been held to the higher standard than the government. Petersen used the volcano as an example. He mentioned no one knew where it had come from, no one knew who approved it, and after the whole process, it was taken away. He said he spends his tax dollars in the hope that they will be spent in a thoughtful way so that his community ends up nicer. He said, in theory, these standards are meant to do that. Petersen said he was disappointed that in many cases the City does not follow the rules, and then when called out, instead of taking responsibility, fingers are pointed at others. He said he thinks the government should be trying to do better than the standards.

Pugsley, Jennifer. Pugsley is the owner of 50 Plaza Square. She mentioned how the Planning Commission set standards for her and the remodeling of her building. She said she did not feel that she went above and beyond but tried to match the historic design and requirements. She said the 1984 Historic District nomination for her building states that the Bennett Building was a good example of how she should renovate her façade. She said the City needs a do-over, and it would be tragic if the City did not remodel it the right way. She suggested stopping the work and reassessing how to move forward. She strongly opposed to the proposed rendering of the Bennett Building. She said she still had the prism glass that originally was removed from the Bennett building and would be happy to give it back.

Petersen, Kannikar. Petersen mentioned how fiberglass windows are not cheap. She said the fiberglass window is the same price as a solid wood window. She feels that the fiberglass window was a missed opportunity.

Chair Hubbard suggested the project be placed on hold and asked Brown and the City to come back to them with a better plan. Commissioner Webster mentioned there were measurements wrong on the windows. Commissioner Webster mentioned she is not expecting the windows to be like the ones at 50 Plaza Square, but that they should keep some historic resemblance. Chair Hubbard asked Brown to get some quotes on what restoring the windows to what they were. He asked to bring plans or a scope of work to the Commission for review. Vice Chair Cary said that this is how it should have been done first.

Brown asked what he should be presenting in his scope of work. Chair Hubbard asked Brown to go to a window company and ask for a quote on true divided light and separate windows and to hold off on replacing any tiles. Graichen said any exterior changes to a building that requires a building permit within the Riverfront District must be brought before the Historic Landmarks Commission for a recommendation on compliance with the architectural guidelines. He said if this was a listed Historic Landmark, there would very clear guidelines and standards to follow. Graichen said prior to the existing architectural guidelines, the guidelines were extremely vague and not effective. He said working with these newer guidelines over the years, most cases have been presented and approved without issue. Pointing fingers with this mistake causes frustration. Commissioner Webster said they are trying to get the building back to historically correct. Chair Hubbard took a vote on whether it was the process everyone was upset with or the window themselves. Most of the audience said the windows were the problem and should be replaced correctly.

- 5) **Public Hearings (times are earliest start time)**
5.A 7:20 p.m. Conditional Use Permit at 165 N 11th - Wildflower Play Collective

Chair Hubbard opened the Public Hearing at 8:08 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter. Chair Hubbard mentioned the applicant had called about the fee for a Conditional Use Permit and that he had referred them to City Council. The applicant did attend a City Council meeting where the fee was waived.

Graichen entered the staff report dated March 3, 2020. Graichen introduced the proposal to the Commission as presented in the staff report. He talked about how the applicant is a nonprofit who will bring a play space and family resource center to the community. He clarified that it is not a daycare. He mentioned how the property is a former 1910 home. He said there is a dwelling unit in the upper level and the lower floor is not a residential space. Graichen said there is no off-street parking. There is a variety of uses both inside and outside the building. He discussed the recommended conditions of approval, as included in the staff report. Graichen discussed a fence plan to help them make the right decisions for the fence they will put up. He mentioned the vision clearance standard and its importance because the street is well traveled. He discussed that outdoor storage was not permitted unless specifically addressed with a Conditional Use Permit. He also talked about the condition of time restrictions to help not conflict with neighbors.

Krager, Rachel. Applicant. Krager was called to speak. Krager discussed that they had started the search for a grant through the St. Helens Economic Development Corporation (SHEDCO) to start this business. She said they ended up with a grant from Columbia Pacific Coordinated Care Organization to launch their program. She said there are no indoor play spaces in Columbia County. She shared that the play space is geared towards children under six years old. Krager is hoping their space will provide a place outside of the home to offer an array of activities for the children to play with their parents. Their grant mentions the applicant are supposed to have trauma-informed-care, so they are working with Columbia Community Mental Health, Community Action Team, and Columbia County Early Intervention. Krager said they will have a swap closet for gently used children's' items. She mentioned their model is based on the St. Johns Swap and Play Organization.

Chair Hubbard mentioned he read an article in the Spotlight that they were declared a daycare. Krager said they would offer a space to run a small in-home business, but the parents would always be onsite. She also mentioned this was a small piece of the business model.

In Favor

Petersen, Al. Petersen was hoping to promote business on other City's Main Street. Petersen said they applied for the SHEDCO Business Plan competition and their proposal was well received. He said Wildflower Play Collective was asked to be in the final presentation, but the issue that SHEDCO had was their non-profit status. He did mention it is a fabulous location in the center of St. Helens with easy access. He does not think a fence should be required so that space can be open and seen by the public. He said being open draws in a crowd and if something bad was happening the public could help prevent it.

Neutral

Parrett, Don. Parrett is the landlord of the building next door to the property in question. Parrett was curious about the number of children and staff that would be present at one time. He also wanted to know the traffic impact. He was concerned about the parking designated for his

property being impacted by the traffic this business would bring in. He asked for a plan to be put in place for the parking lot.

Graichen mentioned the parking congestion and that the parking is not well defined. He said there was a lot of street parking, but he does not feel a lot of people use it because, it is not well defined. Councilor Carlson said the Meriwether Place has told her to park across the street. She mentioned that they should let their members go across the street on Columbia Blvd.

In Opposition

No one spoke in opposition.

Rebuttal

Ponti, Emilia. Ponti is the applicant. She clarified the hours of operation would be 7 a.m. to 7 p.m. She said the number of people they are expecting based on the St. John's model was three to four families at a time. She does not feel they would be able to host very many families based on the size of the space. She did say there was a request to stripe the parking spots better. She also described the type of fence they were hoping to build which consisted of deer fence and wood.

End of Oral Testimony

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

Close of Public Hearing & Record

Deliberations

The Commission went through each condition and determined if it was needed. There was a long discussion about the fence and what should be used. They decided it should be up to the applicant what kind of fence is put up. The Commission did not want to limit them to landscaping. There was a small discussion on time constraints.

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

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

5.B 7:50 p.m. Development Code Amendments - Citywide - City of St. Helens

Chair Hubbard opened the Public Hearing at 9:20p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter. Graichen entered the staff report dated February 27, 2020.

Graichen introduced the proposal to the Commission as presented in the staff report. Graichen mentioned these amendments had been brought up in previous meetings. He said the accessory structure permit requirement would be increased from 120 square feet to 200 square feet to be in line with Building Code. He also discussed the flood plain amendment would change the elevation that a building is required to be built, based on the base flood elevation. The residential standard had been one foot and nonresidential was at zero. The decision was to make it one foot for both. The flood rules are changing because they had a visit the Department of Land Conservation and Development (DLCD). The staff member said that the City's code was mostly compliance, but that there were changes from Oregon and FEMA's new model code, which required compliance by the City within six months. Graichen said that is what triggered a response to review and update the current code and required the changes mentioned.

There was a small discussion about the wording in the document and declaration and determination of wetlands. There was also a small discussion on accessory structures and the wording used to trigger a permit. Graichen mentioned verbiage can be updated or changed as they get further into this process.

Motion: Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously recommended to City Council approval of the Zone Amendment as written. [AYES: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Vice Chair Cary; Nays: None]

6) Planning Commission Vacancy

Graichen mentioned that Commissioner Stenberg moved to Forest Grove. She put in her resignation. Graichen said they have four applicants, and would accept applications until Thursday, March 12, 2020. Graichen said the Commission needed to form an interview sub-committee. Commissioner Webster and Chair Hubbard volunteered, along with Councilor Carlson.

7) Review Ordinance 3250 - Adding a Historic Resource (Building) to the Designated Landmarks Register

7.A Ordinance 3250

City Planner Graichen presented the Ordinance to the Commission. He said he felt the Commission might want to view the Ordinance, so they were made aware of the maps and the list. Commissioner Webster suggested an update to the Designated Historic Landmarks List. Graichen said that there is a historic list and a candidate list.

8) Acceptance Agenda: Planning Administrator Site Design Review

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

9) Planning Director Decisions

- a. Sign Permit at 155 N. Columbia River Highway - New wall sign on an existing building

- b. Temporary Use Permit at 175 Bowling Alley Lane – Five Cart Food Truck Pod
- c. Temporary Sign Permit (Banner) at 2100 Block of Columbia Blvd – St. Helens Booster Club's Annual Auction

10) For Your Information Items

Chair Hubbard asked if the police station had determined a new location. Councilor Carlson said there were two sites. Chair Hubbard mentioned the site on 18th Street and Old Portland Road was in a floodplain. He said a public entity should not be compromised by a flood. He also said community policing was not happening at that location. He asked Councilor Carlson to take the information back to the Council. Graichen mentioned these concerns had been brought before the Council.

11) Next Regular Meeting: April 14, 2020

12) Adjournment

There being no further business before the Planning Commission, the meeting was adjourned 10:18p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*