

City of St. Helens
Planning Commission Meeting
January 9, 2018
Minutes

Members Present: Julie Stenberg, Commissioner
Dan Cary, Vice Chair
Greg Cohen, Commissioner
Sheila Semling, Commissioner
Audrey Webster, Commissioner
Kathryn Lawrence, Commissioner
Russell Hubbard, Commissioner

Members Absent: None

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

Councilors Present: Ginny Carlson, City Council Liaison

Others Present:

Jeff Bolton	Roger Toth
Anthony Vanella	Casey Mitchell
Wayne Weigant	Catherine Ross
George Hafeman	Scot Lamping
Mark Grena	Brooklyn Moore
Susie Wilson	Christian Jorgensen
Brent Violette	Ryan Dralle

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

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Consent Agenda

Approval of Minutes

Commissioner Cohen moved to approve the minutes of the December 12, 2017 Planning Commission meeting. Commissioner Webster seconded the motion. Motion carried with all in favor. Commissioner Stenberg did not vote because she was not a member of the Commission yet.

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Chair/Vice Chair Selection

Motion A

Commissioner Cohen made a motion to appoint Commissioner Hubbard as chair. Commissioner Stenberg seconded.

Commissioner Hubbard asked if Vice Chair Cary would serve as vice chair again. Vice Chair Cary said he was willing to serve as chair or vice chair.

Motion 8

Commissioner Hubbard made a motion to appoint Vice Chair Cary as vice chair. Commissioner Webster seconded.

A vote was called for the first motion. Commissioner Semling, Commissioner Cohen, and Commissioner Stenberg voted in favor. Commissioner Lawrence and Commissioner Webster opposed; motion carries.

A vote was called for the second motion. All in favor; none opposed; motion carries.

The Commission agreed that next meeting Commissioner Hubbard will serve as chair and Vice Chair Cary will continue to serve as vice chair. Vice Chair Cary will run the meeting tonight.

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Topics From The Floor

There were no topics from the floor.

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Public Hearing

**Karl Ivanov / Multi-Tech Engineering Services, Inc.
Comprehensive Plan & Zoning Map Amendments / CPZA.2.17
SE Corner of the McBride & Matzen Street Intersection**

It is now 7:05 p.m. and Vice Chair Cary opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

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

- Staff report packet dated January 2, 2018 with attachments

Graichen introduced the proposal and recommended conditions of approval to the Commission, as presented in the staff report. He said tonight the Commission is making a recommendation to City Council. Graichen discussed the proposed recommended condition that would ensure that the zoning change will match the property lines proposed in the subdivision, which is the next public hearing tonight (or another application that can move property lines). He also noted that a Traffic Impact Analysis is not required at this point in the process because the proposed zone change is commercial to commercial.

Commissioner Cohen asked if the Commission can consider if the proposed use is compatible with highway noise. Graichen said the Commission can consider the list of potential uses for the proposed General Commercial (GC) zone and ask if there is enough Highway Commercial (HC) buffer for the GC portion to make sense. He reminded the Commission that they are not approving any particular use, only the potential uses allowed by the zone change.

Commissioner Cohen said there is a limited amount of HC left. He wonders if enough HC is being retained. Commissioner Semling asked how many acres would remain HC. Graichen said it is around five acres. From staff's perspective, Graichen said there seems to be enough HC frontage remaining. Commissioner Hubbard asked when access will be addressed. Graichen said access would be discussed with the subdivision. Vice Chair Cary asked if splitting the property into two separate zones would prevent one big box store from developing the property. Graichen said the allowed uses for the two different zones has a lot of overlap, so

it would not necessarily prevent one owner from developing the property with one use.

IN FAVOR

Grena, Mark. 1155 SE 13th Street, Salem. Representing Applicant. Grena thanked staff for a thorough presentation. He said the property is around 13 acres. The request is to change about 7.9 acres from HC to GC, which leaves about 5.1 acres as HC. He said this property has been on the market for quite a while as HC and there has been little interest. There are a lot of overlaps in the list of permitted uses, but GC gives more flexibility for the owner. Grena said the client is looking at putting multi-family residential on the site, but that will require a Conditional Use Permit, which means it would come back to the Commission for further review. Grena said they cannot reveal what clients they have for the HC portion, but they have interested parties. Grena said there is no problem with staff's condition that the zone change match the property lines. He also noted that a one-year timeframe is reasonable. He said there are currently five separate parcels on the proposed GC portion. They will be reduced to one with the subdivision proposal. Grena thanked the Planning and Public Works staff for their efforts in helping them through the process.

Commissioner Hubbard asked why there is a jog in the proposed property line. Grena said it will be evident during the subdivision proposal discussion next hearing. Commissioner Cohen asked what their timeline is. Grena said if the subdivision is approved, they would like to put utilities in during early spring 2018. Grena said the uses could be developed as early as mid-to-late summer 2018.

IN OPPOSITION

Ross, Catherine. 114 May Avenue. Ross and her neighbors are concerned about the lack of a Traffic Impact Analysis. She said on May Avenue, over 80 percent of their traffic already has nothing to do with their neighborhood. She said it is just people passing through. Graichen explained that a Traffic Impact Analysis will be required with the specific development of each parcel, but not required for this zone change. Ross is still concerned about the traffic impact to all of the side streets and neighborhoods.

REBUTTAL

Grena, Mark. 1155 SE 13th Street, Salem. Representing Applicant. Grena said as they move through the process, the required information for the specific proposals becomes more detailed and rigorous. This includes a Traffic Impact Analysis that is specific to the proposed use. They will be required to work with the Oregon Department of Transportation (ODOT) and the City Public Works Department to ensure the impacts to the surrounding traffic system will be mitigated sufficiently.

END OF ORAL TESTIMONY

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

CLOSE PUBLIC HEARING & RECORD

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

DELIBERATIONS

Commissioner Cohen asked if this is considered spot zoning. Graichen said the definition of spot zoning is in the staff report, and that is something that the Commission needs to decide tonight. Graichen said he does not feel it is a spot zone, but it is up to the Commission.

Commissioner Cohen asked if it would make more sense for the applicant to utilize Apartment Residential zoning, instead of GC because it would be more consistent with the surrounding residential area. Graichen said the zone change to GC has been discussed for years without cursory objection by staff because the change from commercial to commercial maintains employment lands. Commissioner Cohen noted that it had been residential with the mobile home park for decades. He thinks it makes sense to have multi-dwelling use for the site, but he is concerned that GC does not tie the applicant to a residential use. Vice Chair Cary said that the hearing tonight is not about apartments. He said they should not consider a single use in their decision.

Commissioner Cohen is also concerned that there are very few HC sites remaining for large commercial developments. He wonders if the remaining shape of the HC portion is too long and narrow for highway frontage to be beneficial. Vice Chair Cary said this is why he confirmed that the split zoning HC and GC would not prevent a large single-user from developing the site. Commissioner Webster said if it was residential in the back, it would prevent a single commercial user from developing the site. She prefers the GC over pure residential because there is more flexibility for the site. Vice Chair Cary agrees.

MOTION

Commissioner Semling moved to recommend approval of the Comprehensive Plan Map and the Zoning Map Amendments with the condition as presented in the staff report. Commissioner Hubbard seconded. Commissioner Semling, Commissioner Webster, Commissioner Lawrence, Commissioner Stenberg, and Commissioner Hubbard voted in favor. Commissioner Cohen opposed; motion carries.

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Public Hearing

Karl Ivanov / Multi-Tech Engineering Services, Inc.

Subdivision / SUB.3.17

McBride & Matzen Street Intersection

It is now 7:50 p.m. and Vice 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 January 2, 2018 with attachments

Graichen introduced the Commission to the subdivision proposal, as presented in the staff report. Graichen said that this public hearing satisfies Ordinance Number 3129 (from 2010) that stated a public hearing would be required for any development proposal from the subject property's vacant state. This ordinance was from a condition of a 2009/2010 zone and comprehensive map change on the property (file CPZA.2.09). Graichen said it was his understanding that the neighbors wanted an opportunity to review and provide comment on any new proposal of the site.

Graichen said with residential subdivisions, it is important to make sure as many public improvements are completed as possible before the property is divided and there are many different owners. He said this is a different situation than most residential subdivisions because the public improvements will be done as the property develops with each new property owner, since there are fewer and larger lots each with substantial investment to develop the commercial subdivision lots.

Graichen said the access of Highway 30 is subject to ODOT approval. The lot lines would not make sense

without the proposed ODOT-approved access at the location shown, so there is a condition that requires it. Graichen explained that there is a condition that says no lot shall be exclusively dependent on access to the highway. This ensures that each lot has access on at least one additional side street, which honors the Development Code's intent because Highway 30 is classified as a Major Arterial street.

Graichen said there are some right-of-way dedication requirements along McBride Street, Matzen Street, the South Road-Maplewood Drive (proposed as Brayden Street), and at the Matzen Street/Maplewood Drive intersection. Graichen said certain frontage improvements will be required, as described in the staff report. He noted that at South Road-Maplewood Drive (proposed as Brayden Street) and Matzen Street, the intersection is misaligned and will need a design and additional right-of-way dedication to bring the intersection up to our standards. Graichen also noted within the South Road-Maplewood Drive (proposed as Brayden Street) right-of-way, there are parking improvements near the real estate office (515, 517, and 519 S. Columbia River Highway) that encroach into the right-of-way approximately 20 feet. The Commission should consider this encroachment as it relates to the extension of the South-Road-Maplewood Drive (proposed and Brayden Street). He said the property owner of the real estate office is here tonight.

Commissioner Cohen asked for clarification about the buffering requirements. Graichen explained the buffering and screening requirements for commercial-zoned properties abutting R7 zoned properties. He said the proposed subdivision lots are wide enough to provide an adequate width for buffering. Commissioner Cohen asked about the width of the access easement from the Highway. Graichen said it varies from 40 feet to 30 feet. He said the width of the easement, as proposed, is probably adequate for our standards but would be examined further as this proposal progresses. Commissioner Cohen asked when the Transportation Impact Analysis would be required. Graichen said analyses will be required as the lots are developed with Site Design Review or Conditional Use Permits.

Graichen discussed the remaining recommended conditions of approval, as presented in the staff report.

IN FAVOR

Grena, Mark. 1155 SE 13th Street, Salem. Representing Applicant. Grena thanked staff for the great presentation. He said he knew there would be reciprocal access easements to ensure alternative access to Highway 30. He also agrees that South Street should be extended to provide access for parcel three. He thinks that if pedestrian access is provided for the remainder of South Street to the Highway the real estate office parking area encroachment will not be impacted. He noted that the sewer line extension may impact their parking area, but they will work with them through that process. Grena said they chose 40 feet wide for their access easement off Highway 30, which provides three travel lanes (36 feet) with a little extra room. ODOT may restrict their access to right-in and right-out, which would lessen the required width. Thirty feet is wide enough to provide room for two travel lanes (12 feet each) with extra room for adequate fire access. Grena said utility easements may change before the final plat, as construction drawings are finalized further in the process. They have no objections to any of staff's recommendations. They were not expecting the intersection re-alignment at the South-Road-Maplewood Drive (proposed as Brayden Street) and Matzen Street intersection, but they are confident they can accommodate the request to the standards of staff. He said ODOT will require a Traffic Impact Analysis for all sites that have access off of Highway 30. This ensures that City staff, ODOT, and their hired traffic engineer are all on the same page about the impacts to the traffic system and any improvements needed to mitigate the impacts.

Commissioner Cohen asked about the location of sanitary sewer. Grena said it is located at the intersection of South Street and Highway 30. Grena said they anticipate having to cross the parking lot of the real estate office that is encroaching into the right-of-way. He said they will work with the property owner through this utility extension.

Vice Chair Cary asked about additional connections to the side streets. Grena said there will likely be additional easements connecting the properties together as they refine the site design and narrow in on the specific uses for the site.

IN OPPOSITION

Violette, Gerald. 144 and 165 McBride Street. Violette lives adjacent to the subject property. He said he owns the caboose. He has lived on McBride Street for 64 years. Violette is concerned about the loss of the mature trees on the site. He worked with ODOT to get access, and at that time, they only gave him 24 feet where the applicant is proposing 40 feet. He said ODOT only wants perpendicular driveways, which is why they will not allow the driveway near the real estate office that George Hafeman owns. He is concerned that there are no fire trucks with ladders in St. Helens. Any fire trucks to serve three-story buildings would have to come from Scappoose. He said he likes how access was handled near Taco Bell and McDonald's where it is open and shared. Violette would like to see the street proposed as Brayden Street as Violette Street in honor of his family. He also wants to make sure the buffering requirements are met and that his property still has solar access. He does not know why these concerns are not being addressed tonight. He is concerned about the impacts to the neighborhood.

Ross, Catherine. 114 May Avenue. Ross is concerned about traffic. McBride Street could be widened at certain points. She said people pull in and out of the St. Helens Credit Union on the corner and do not look. Eighty percent of the traffic through May Avenue is from people who do not live there. It is people cutting through to get to Vernonia Road. She understands there is a housing shortage, but she is concerned about the increased traffic and lack of police presence to accommodate all of the dwelling units that are being proposed.

REBUTTAL

Grena, Mark. 1155 SE 13th Street, Salem. Representing Applicant. Grena reiterated that their goal is to save as many trees as they can on the site because of the tree replacement ratio requirements. They will be making significant street improvements to the existing streets. Grena said with the improvements, the streets will ultimately function better than they currently do.

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 why Brayden Street could not extend further and end before the Highway. Graichen said the Commission could decide to extend it further, rather than have the right-of-way transition to a pedestrian access. Commissioner Stenberg asked if they would have to get approval from ODOT for this extension. Graichen clarified that the Brayden Street connection would still stop short of the Highway, so ODOT would not have to permit it (ODOT is unlikely to allow a highway connection here). Commissioner Cohen said it makes more sense to extend Brayden Street. However, Vice Chair Cary noted that an extension might cause people to cut through the real estate parking lot to get to the Highway. Graichen said there may be design options to minimize this, but it is a legitimate issue that would have to be addressed with further design.

Commissioner Hubbard said the applicant will come up with a more refined design as a specific development occurs. He said it is not the Commission's responsibility to design it for them. Commissioner Hubbard thinks the conditions should remain as recommended because they provide flexibility for the applicant.

Vice Chair Cary asked if all of the trees to be mitigated have to be planted on site. Graichen said yes, but street trees are also accepted as replacement trees and those are in the adjacent right-of-way.

MOTION

Commissioner Stenberg moved to approve the Subdivision Permit with the conditions as presented in the staff report. Commissioner Hubbard seconded. Commissioner Semling, Commissioner Stenberg, Commissioner Hubbard, and Commissioner Webster voted in favor. Commissioner Lawrence and Commissioner Cohen voted in opposition. Motion carries.

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

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Public Hearing

Anthony Vanella

Conditional Use Permit / CUP.6.17

1771 Columbia Blvd.

It is now 9:31 p.m. and Vice 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 January 2, 2018 with attachments

Graichen introduced the proposal to the Commission and discussed the recommended conditions of approval, as presented in the staff report. He said it is a very straight forward application because of all of the past approvals and improvements made to the site.

Commissioner Cohen asked if there are specific rules for auto repair that provide pollution control. Graichen said there are rules relating to storm water and requirements for oil-water separation. Graichen said pollution control was not an issue for any other staff when this proposal was reviewed.

Commissioner Lawrence asked if there are any air quality controls needed for the diamond tooling operation. Graichen said the applicant could address this. Commissioner Cohen clarified that outdoor storage is not allowed at this business, unless it is related to the other allowed uses. Graichen confirmed this.

IN FAVOR

Vanella, Anthony. 58658 Bachelor Flat Road. Vanella thanked staff for explaining the proposal. He has no objections to the recommended conditions in the staff report. Vanella said they buy pre-done diamond segments and they add them to shafts or shanks to create tools. It is a pressing and truing operation, so there are no fumes, dust, or air quality concerns. Vanella said they have provided the Building Official with a Hazardous Management Plan (HMP) that includes information about how their fluids are handled and stored.

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

Graichen said when a business license is applied for, there is an environmental screening worksheet to determine if things like oil traps, grease traps, etc. should be required. He said the Commission could require a hazardous waste management plan as a condition, but it is probably covered in other sections of the Development Code.

DELIBERATIONS

Commissioner Cohen would like an additional condition added for management of hazardous waste.

MOTION

Commissioner Webster moved to approve the Conditional Use Permit as presented with the additional condition that the applicant provide a hazardous waste management plan. Commissioner Semling seconded. All in favor; none opposed; motion carries.

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

End of Year Summary Report

There were no comments.

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Planning Director Decisions

- a. Home Occupation (Type II) at 234 N. 3rd Street - Home hair salon
- b. Home Occupation (Type I) at 59544 Clinton Street - Home office for exterior cleaning service
- c. Home Occupation (Type I) at 2375 Columbia Blvd. #11 - Mobile auto services
- d. Lot Line Adjustment at 134 & 124 N. 18th Street - Reynolds Land Surveying, Inc.
- e. Temporary Use Permit at 1300 Kaster Road - Fence for bale storage
- f. Home Occupation (Type I) at 940 Wyeth Street - Home office for lawn maintenance

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 first Riverfront Connector planning meeting is next Tuesday, January 16 at 6 p.m. in the Council Chambers.

Councilor Carlson wanted to welcome Commissioner Stenberg to her first meeting. She also noted that a number of businesses in the Houlton Business District are expanding or have closed their doors in order to change their businesses. She said John Walsh is going to start a merchant's meeting for local business owners.

Relating to pocket parks, Councilor Carlson said she is seeing other communities using their undevelopable parcels or difficult-to-develop parcels as pocket parks or small nature parks.

Lastly, Councilor Carlson thanked Al Petersen for his service to the community on the Commission. She learned so much from him and respects the valuable context he provided to the Commission and to her.

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There being no further business before the Planning Commission, the meeting was adjourned at 10:02 p.m.

Respectfully submitted,

Jennifer Dimsho
Associate Planner

2018 Planning Commission Attendance Record

P=Present A=Absent Can=Cancelled

Date	Stenberg	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/09/18	P	P	P	P	P	P	P
02/13/18							
03/13/18							
04/10/18							
05/08/18							
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