

City of St. Helens Planning Commission

Approved Minutes

June 12, 2018

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

Members Absent: Commissioner Sheila Semling

Staff Present: City Planner Jacob Graichen
Associate Planner Jennifer Dimsho
Councilor Ginny Carlson

Others: Elliot Michael
Dennis Schad
Cindy Colter
Rocky Allen
Jim Clackum
Lynn Henry

- 1) **7:49 p.m. Call to Order and Flag Salute**
- 2) **Consent Agenda: Approval of Minutes**
2.A Draft Minutes dated May 8, 2018

Motion: Upon Commissioner Webster's motion and Commissioner Lawrence's second, the Planning Commission unanimously approved Draft Minutes dated May 8, 2018. Commissioner Cohen did not vote due to his absence from that meeting. [Ayes: Vice Chair Cary, Commissioner Lawrence, Commissioner Stenberg, Commissioner Webster; 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 reflect earliest start time)**
4.A 7:30 p.m. - Comprehensive Plan & Zoning Map Amendment at Firlock Park Blvd. - Rocky Alley

Chair Hubbard opened the Public Hearing at 7:50 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter. City Planner Jacob Graichen entered the staff report dated June 1, 2018 into the record.

Graichen described the proposal and recommended conditions of approval, as presented in the staff report. In terms of City-wide zoning, Graichen noted that between Millard Road and Pittsburg Road, there is a stretch of 11,000 linear feet of Highway Commercial (HC) zoning. The depth of the HC zoning ranges from about 200 and 800 feet, except for two segments. One segment is north of Columbia Boulevard and there is Mixed Use, not residential behind it. The second segment is this proposal's location, which has a depth of only 85 feet at one point. From this standpoint, the zone change request makes sense. Regarding the Transportation Planning Rule, if the zone change generates more trips, Graichen said you have to do an analysis. In this case, one was not required because of a mistake in the Comprehensive Zone map that showed this property already as HC. The error was discovered and corrected only after the Transportation System Plan analyses, which means HC Comprehensive Plan designation was used in projected traffic assumptions.

Graichen also said if this zone change is approved, there will be one property remaining that is zoned Moderate Residential, R7. Normally you would want to avoid this, but in this case, staff supports the zone change because of the reasons identified above. Vice Chair Cary asked why that remaining property would not be re-zoned too. Graichen said this is not a City-initiated zone change, it is a request by the applicant.

In Favor

Allen, Rocky. Applicant. His request is to change the zoning from Moderate Residential, R7 to Highway Commercial, HC. He would like to build a commercial business on the property.

Commissioner Cohen asked about the difference between Unincorporated HC and HC. Graichen said the only difference is whether or not you are in the City. Commissioner Cohen clarified that the entire property is within the City. Graichen said yes.

Neutral

Clackum, Jim. He and his wife own and live on the small piece of property adjacent to the site. It is zoned Moderate Residential, R7. He said his home is surrounded by the subject property on three sides. He is concerned that the property will become a sea of concrete. He is not opposed to development, but he is curious what they plan to develop. He is concerned about property values. Graichen said there is riparian area that will prevent a portion of the property from being developed. He also said that commercial development adjacent to residential development requires screening and buffering.

Henry, Lynn. She lives on the property next to Mr. Clackum's property. She thought her property had already been annexed but it had not been. Graichen said the City could force annexation, but he has never used or seen this provision used. Graichen explained that if they ever wanted to connect to City water, they would have to annex into the City. He also said that they could annex if they want to use our development rules. She said she has been there for three years. There are beavers, eagles, heron, and deer along the creek. Her hope is that none of that will change, but it will partly depend on what is developed on the proposed site.

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 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 this was a recommendation to City Council. Graichen said yes. Commissioner Cohen asked if they could consider buffers at this time. Graichen said buffers are not considered at this point. Commissioner Cohen said the proposal seems pretty cut and dry.

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously recommended approval of the Comprehensive Plan & Zoning Map Amendment. [AYES: Vice Chair Cary, Commissioner Cohen, Commissioner Lawrence, Commissioner Stenberg, Commissioner Webster; Nays: None]

4.B 8:00 p.m. - Conditional Use Permit at 231 S. 1st Street - Establish a child care facility

Chair Hubbard opened the Public Hearing at 8:21 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter. Graichen entered the staff report dated June 1, 2018 into the record. Graichen introduced the proposal and recommended conditions of approval to the Commission, as described in the staff report. He said since the proposal is within a commercial area, a way to encourage compatibility with surrounding uses would be to require drop-in services for shoppers with children. This could be facilitated with a condition that requires a plan for how they would require drop-in childcare facilities, similar to requiring a trash management plan. Commissioner Cohen is concerned that this could change their business model. He is also concerned that there is no outdoor facility area for children to play.

In Favor

Michael, Elliot. Applicant. Michael explained that he owns several buildings in St. Helens. He only considers uses that enhance the community. Childcare is a huge need for the community. Unfortunately, the tenant who will run the childcare facility could not be here tonight. Michael said she is very passionate about providing a service to the families in the community. He feels this location is central and will enhance the downtown by increasing foot traffic to the businesses. Many businesses come and go because there is not enough foot traffic to generate income. He feels this proposal will enable a sustainable traffic pattern. He feels this will not generate a parking problem because customers drop off their children and leave quickly.

Regarding drop-in services, the tenant will be registering their facility through Oregon Department of Human Services if they can renovate the building for "E" Occupancy (Building Code). The tenant said it is important to have the correct number of staff for drop-in services. She is not against the idea, but she is concerned about it being a requirement of approval. Michael said they would likely want to expand to accept drop-in clients because it would increase her revenue, but she may not be able to provide the service right away.

Regarding outdoor space, Michael said they do not have any, but the building is 5,000 square feet. The interior space is divided for different activities. It is mainly designed for indoor after-school activities, like artwork. He mentioned potentially doing a mural project on the side of the building. He will be painting the facilities in the back of the building when he has the funds. He thinks there is room under an overhang in the back of the building for garbage bins. They may not need a dumpster. Graichen asked if the bins would be screened from public view. Michael said the trash cans would stay inside until trash day.

Commissioner Lawrence asked about drop off and pick up of children. Michael said there is ample area on-street and on the side of the building. Michael said the children will be school age, not pre-school age. Michael said the child to staff ratio is mandated by the state, and by the occupancy set by building code. He said during the summer, they will have extended hours, but they will generally be open until 6 p.m. Vice Chair Cary asked if her intended clients are from all over the City. Michael said yes, she intends to have children bussed to the facility after school.

Commissioner Webster said the Monkey Tree does not have an outdoor area either. Councilor Carlson said it is very common in Portland too. Commissioner Stenberg asked about the floor plan. Michael said there are two existing ADA restrooms. The floor plan in the staff report is what is existing, not what is proposed. Michael said that will come later. Commissioner Hubbard asked where the access to the second floor is. Michael said it has a separate external entry.

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 of Public Hearing & Record

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

Deliberations

Commissioner Cohen said if the Oregon Department of Human Services has to approve it, he has no problem with approval. Vice Chair Cary said he did not support requiring drop-in services. The Commission agreed.

Motion: Upon Commissioner Cohen's motion and Commissioner Lawrence's second, the Planning Commission unanimously approved the Conditional Use Permit with no additional conditions and the removal of condition #2 for a trash management plan. [AYES: Vice Chair Cary, Commissioner Cohen, Commissioner Lawrence, Commissioner Stenberg, Commissioner Webster; Nays: None]

Motion: Upon Commissioner Cohen's motion and Vice Chair Cary's second, the Planning Commission unanimously approved the Chair to sign Findings & Conclusions once prepared. [AYES: Vice Chair Cary, Commissioner Cohen, Commissioner Lawrence, Commissioner Stenberg, Commissioner Webster; Nays: None]

- 5) **Acceptance Agenda: Planning Administrator Site Design Review**
- a. Site Design Review (Major) at 343 S. Columbia River Highway - Establish eating/drinking establishment in an existing commercial suite
 - b. Site Design Review (Minor) at 58640 McNulty Way - Parking lot expansion
 - c. Site Design Review (Major) at 2560 Columbia Blvd. - New 9-unit multi-dwelling complex

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Acceptance Agenda: Planning Administrator Site Design Review. [AYES: Vice Chair Cary, Commissioner Cohen, Commissioner Lawrence, Commissioner Stenberg, Commissioner Webster; Nays: None]

- 6) **Planning Director Decisions**
- a. Accessory Structure Permit at 34830 Willie Lane - New storage shed
 - b. Accessory Structure Permit at 59050 Elizabeth Lane - New covered porch area
 - c. Sign Permit at 58640 McNulty Way - New ground-mounted sign
 - d. Accessory Structure at 58700 Magnolia Circle - New carport
 - e. Home Occupation (Type I) at 434 Grey Cliffs Court - Home office for structural engineering consulting

There were no comments.

7) **Planning Department Activity Report**

There were no comments.

8) **For Your Information Items**

Vice Chair Cary asked about the wetland/riparian rule changes he heard about. Graichen said the City created a local wetland inventory and adopted significant upland protection zone rules in 2003. Now the City owns property that have a variety of wetlands. City Council discussed changing the rules to be less prohibitive to development, so the text amendments might include changes to the protection zone. Councilor Carlson suggested a joint field trip or meeting with Council and the Commission. The Commission agreed. Councilor Carlson will ask staff and bring up the idea of a joint meeting or field trip at the next Council meeting.

9) **Next Regular Meeting - July 10, 2018**

10) **Adjournment**

There being no further business before the Planning Commission, the meeting was adjourned at 9:11 p.m.

Respectfully submitted,

Jennifer Dimsho
Associate Planner