



PLANNING COMMISSION

Tuesday, March 8, 2022, at 7:00 PM

APPROVED MINUTES

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

Members Absent: None

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

Others: Matt Duffy
Andrew Niemi
Chase Berg
Jay Echternach
Shawn Clark
Randy May
Jimmy May
Tyra Hilton
Brandi Brown
Juanita Riley
Kelly Blake
Joe Haskett
Bernadette Haskett
Joanne Rothwell
Andrew Bremner – Zoom

CALL TO ORDER & FLAG SALUTE

TOPICS FROM THE FLOOR (Not on Public Hearing Agenda): Limited to five minutes per topic

There were no topics from the floor.

CONSENT AGENDA

A. Planning Commission Minutes Dated February 8, 2022

Motion: Upon Commissioner Semling's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Draft Minutes dated February 8, 2022. [AYES: Vice Chair

Hubbard, Commissioner Webster, Commissioner Semling, Commissioner Lawrence, Commissioner Pugsley, Commissioner Toschi; NAYS: None]

PUBLIC HEARING AGENDA (times are earliest start time)

B. 7:05 p.m. Variance at 434 S 2nd Street – Echternach

Associate Planner Dimsho presented the staff report dated March 1, 2022. She explained where the property was located. She said in 2008, the City approved a building permit for the current single-family dwelling with plans showing compliance with the normal rear yard setback. It was also reviewed under Scenic Resource Review which reviews new development over 15-feet in height or two-story buildings on certain streets. At both of those times the setback was ten feet, the minimum of the Apartment Residential zone. She mentioned the applicant had submitted new plans for development in the basement at this property and the plans showed an existing deck that was right up to the property line. She said sometime between 2008 and now, the deck was built and did not comply with the approved permits the City had on file. She did say the applicant did not build the deck; it was already in place when he purchased the property, so they wanted to bring the home up in to compliance.

She showed the map of the property and how the abutting neighbors also had decks with similar footprints, so there was already precedence along this block to use all the yard space. She mentioned there was no visual impact to any other neighbors on S. 2nd Street, since the deck was in the back of the property. She also mentioned that the height of the topography in the back could be used as vertical setback as allowed in the Riverfront District zone.

She said the applicant wanted to permit the existing deck, not modify the size in anyway.

Echternach, Jay. Applicant. Echternach was called to speak. He mentioned that he moved to the area and was very excited to be a part of the community. He said they did not know that the deck was not in compliance and after applying for the building permit. They wanted to be sure to get everything into compliance.

In Favor

No one spoke in favor.

Neutral

No one spoke in neutral.

In Opposition

No one spoke in opposition.

Rebuttal

There was no rebuttal from the applicant.

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

There was no further discussion about the Variance.

Motion: Upon Commissioner Webster’s motion and Vice Chair Hubbard’s second, the Planning Commission unanimously approved the Variance as recommended by staff. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Lawrence, Commissioner Toschi, Commissioner Pugsley; Nays: None]

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

C. 7:30 p.m. Planned Development (overlay zone) at property beyond the northern termini of N. 10th, N. 9th, and N. 8th Streets – North 8th Street, LLC

City Planner Jacob Graichen presented the staff report dated March 1, 2022. He explained that the overlay amends the zoning map. He said it creates a new layer on top of the zoning map which allows certain development flexibilities on the property. He said this property was approximately 24 acres in size and peppered with wetlands. It is currently a vacant, undeveloped lot.

He mentioned there was a variety of standards that apply to the efficiency of land and the most feasible approach to developing. He mentioned the overlay would be an essential tool for this project to work with all the wetlands..

Graichen said because the zoning map would be amended, the overlay zone stays regardless of what happens during the review of the subdivision proposal.

He mentioned most of the site was zoned Mobile Home Residential and that the Comprehensive Plan had a comparable designation. He said they included a recommended condition that said any development under the overlay could not preclude manufactured homes.

He mentioned the wetland delineation was done and there would be some mitigated wetlands, so the overlay made it possible to have an economic use when developing.

There was a small discussion about the current zoning and what the differences would be with the overlay applied.

Niemi, Andrew. Applicant. Niemi is with Lower Columbia Engineering representing the applicant. He said Lower Columbia stepped in during the discussion on the density of the property. He said the density that was previously proposed was too much to permit at the State and Federal level. He said the overlay would create less impacts to the wetlands.

In Favor

No one spoke in favor.

Neutral

No one spoke in neutral.

In Opposition

No one spoke in opposition.

Rebuttal

There was no rebuttal from the applicant.

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

There was a small discussion about the possibilities for development based on the zoning overlay.

Motion: Upon Commissioner Webster's motion and Vice Chair Hubbard's second, the Planning Commission unanimously recommended approval to the City Council of the Planned Development (Overlay Zone) as presented in the staff report. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Lawrence, Commissioner Pugsley; Commissioner Toschi; Nays: None]

D. 8:00 p.m. Subdivision, Preliminary Plat, Variance, and Sensitive Lands Permit (x3) at property beyond the northern termini of N. 10th, N. 9th, and N. 8th Streets – North 8th Street, LLC

Graichen presented the staff report dated March 1, 2022. He said this was a 66-lot Planned Development with the provision that the Planned Overlay is approved through the City Council. He said there were three properties involved, two of which are for the purposes of the extension of a sanitary sewer line that will connect to a pump station and a pedestrian path in the same area. The larger property was the one being proposed to be divided and created into a subdivision.

He said there was a significant number of wetlands on the property and had protection zones at the City, State and Federal level. He said they will make a great pond area and back yard for those who live in the proposed subdivision. He did mention there was an environmental assessment and a wetland delineation done on this property. He said there was a report from the wetland consultant explaining the removal of some trees and the sewer expansion.

He mentioned a tree plan was required to show how the trees being preserved will be protected during construction and how to mitigate the ones being removed.

He also showed the proposed map of where the 8th and 9th streets merge. He said there was a bulb out that was proposed to remedy the intersection angle. He mentioned there were standards for the maximum perimeter of a block, which is around 1800 square feet. He said the block the applicant proposed to complete the 8th and 9th streets would be a little over the maximum perimeter.

He discussed the sewer connections and said the applicant was pursuing to connect to the pump station near Madrona Court. He also said the other option would be more difficult to permit as it would travel through significant wetlands. He mentioned the storm water would have the typical drains in the street and then a variety of vegetative wells.

He spoke about the traffic impact analysis, and he said the report did not result in any functional issues. He did mention that with the new subdivision during the peak hours the traffic flow would change 250 percent to the North 9th Street. He said 8th Street would not feel the increase as much at a 31 percent increase in traffic flow.

Graichen talked about the variance for the cul-de-sac. The standards say a cul-de-sac should not be longer than 400-feet and provide access to no more than 12 lots. The proposed cul-de-sac exceeds 1000-feet and provides access to 44 lots. He said because of the wetlands the justification for the variance is there as everything was forced to the west side of the property.

He also talked about the Sensitive Lands and the steep slopes and drainage ways. He said the limited site disturbance would be minimal and would be required to follow all the erosion control guidelines.

He discussed some options on how to handle the access through 10th Street. He said there were four different options to open access through 10th street. He said they would need to dedicate the right-of-way to advance the northerly part of 10th street. He then said after there was a right-of-way dedication there could be a pedestrian path put in place with an easement that did not encumber the design plan. He said there could also be the option of a 20-foot alley placed in that same area which would create a fire turn around. He mentioned the alley could deter shortcut users. He also said the other option was to continue the dedication and then create a full street.

Niemi, Andrew. Applicant: Niemi is with Lower Columbia Engineering and represents the Applicant. He was called to speak. He mentioned that this proposal has been contemplated by their client for several years and they had worked significantly on the plan to have the least amount of impact to the wetlands. He said the proposal was somewhat economically feasible. He said the dedication connection at the 10th street location was something they felt was a good idea. He mentioned the pathway that winds throughout the property and thought it was a great connecting pathway to all the different parts of the property. He said the development would be an overall improvement to the area that was currently considered an eyesore. He said they worked very hard to come up with a plan to maintain the wetlands appropriately. He discussed the bulb out at the intersection of 8th and 9th streets and the plan to fix that. He also discussed why they chose the route they did for the sewer line.

In Favor

No one spoke in favor.

Neutral

Adams, Fred. He lives on the end of North 8th Street. Adams was called to speak. He expressed concern about the number of trucks coming in and out of the property during development. He was concerned about the wear and tear it would cause on the street and asked if there was another road, they could move loads in and out of.

Bremner, Andrew. Bremner lives at 260 Madrona Ct. Bremner was called to speak. He expressed concerns about the septic system and the sewer system and if it was designed to handle the number of homes that would be added to it. He also wanted to be sure that it would not affect the wetlands.

Haskett, Bernadette. Haskett lives at 425 N 8th Street. Haskett was called to speak. She expressed concern about the impact of the wetlands and how they would be maintained. She wanted to be sure that they were not going to be impacted by amount of construction and homes coming into the property.

Duffy, Matt. Duffy lives at 245 Madrona Ct. Duffy was called to speak. He expressed concern about the water and the storm impact and how it goes over and under the road. He wanted to be sure that the walking path that would be a public space would still maintain privacy to the homes that were along the path. He did not want to have his privacy or home be disturbed by foot traffic.

Rothwell, Joanne. Rothwell lives on North 8th Street. Rothwell was called to speak. She shared about her experience with the construction trucks. She said where the road narrows there were bottlenecks and there were complete jam ups with the trucks coming in and out. She said there is a lot of children in that cul-de-sac and wanted to be sure the safety would be considered.

In Opposition

No one spoke in opposition.

Rebuttal

The applicant did not have much to add to the presentation. He said there was a City owned and County lot close to the area and they did not have an agreement to access for construction vehicles. He did say there was a traffic plan that could lower the amount of impact to the neighbors. He said they plan to and already have a put a lot of effort into the design to be careful to not impact the wetlands. He did also say they plan to place screening in for the pathways to maintain privacy for the neighbors and homes.

Commissioner Pugsley asked about the storm runoff and who would oversee maintaining the facilities that handle the runoff. The applicant said the responsibility falls on them for the vegetative areas and the streets would be the City's responsibility. She also asked if there would be any impact to Dalton Lake. The applicant said the swales would not allow the runoff to hit the lake area.

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 discussed the storm runoff and determined the proposed plan was appropriate.

There was a small discussion on whether to add burden to the developer for additional sidewalks outside of the development. The Commission concluded they were not warranted.

There was a discussion about the 10th Street access. The Commission agreed that it should be developed as a pedestrian path with the easement in place and a right-of-way dedication.

Commissioner Pugsley questioned the overlay and the specific standards for the site development. She wanted to know if the Commission could impose specific standards to the developer. Graichen said the code does not require a standard, but the applicant had standards they had proposed. She said she was mostly concerned about the side yards and the four-foot setback.

Chair Cary asked if the plan proposed was the only plan submitted or if there were additional or alternative plans proposed. He was curious with the traffic impact if there might be a need to redesign the current proposal. Graichen mentioned the current design was the only proposal. There was no alternative submitted.

Motion: Upon Commissioner Pugsley's motion and Commissioner Lawrence's second, the Planning Commission unanimously approved the Subdivision, Preliminary Plat, Variance, and Sensitive Land Permits (x3) as recommended by Staff and requiring non-vehicular access between North 10th Street and North 9th Streets. The Commission also recommends use of adjacent City or County Public Works property for construction access. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Lawrence, Commissioner Toschi, Commissioner Pugsley; Nays: None]

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

DISCUSSION ITEMS

- E. Proactive Planning Commission Discussion

Commissioner Toschi mentioned that he met with a two other Commissioners, and they agreed that the Commission should become a more proactive body. He said there was some feedback about this on resources and availability on whether this could happen. He said he just wanted to resolve that they would be a proactive body and then they could meet with sub-committees to decide on what issues to be proactive on. He also said that he would like to ask the City to provide some additional resources or finances to aide in the complex goals the Planning Department has in front of them. He did mention he realized this would be an additional burden on the current volunteers. He felt there should be baby steps in moving forward to not create a large weight on the other members.

Commissioner Pugsley shared that she agreed with becoming a Proactive, instead of reactive, Commission.

Chair Cary expressed that he wanted to be sure that they were not creating more work for the City or the Planning Department. He wanted to be sure that the Planning Commission becoming proactive was in a manner that is helpful.

Commissioner Semling asked the Commission to consider the new members that may come on to the committee and may not have all the time to be as proactive as this proposal may require. She did not want to see it become a hard time finding those who will get involved because of the time commitment that may increase.

There was a small discussion on how to move forward as a commission that is included in city projects. There was a small discussion on the different types of projects they could help the Planning Department with.

Motion: Upon Commissioner Toschi's motion and Commissioner Webster's second, the Planning Commission unanimously approved to become a Proactive Planning Commission in addition to its other duties. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Lawrence, Commissioner Toschi, Commissioner Pugsley; Nays: None]

Commissioner Toschi said that he felt it was important to request during the budget season more resources for the Planning Department and to the Commission to be more proactive.

Motion: Upon Commissioner Toschi's motion and Commissioner Pugsley's second, the Planning Commission unanimously approved to recommend to Council that an additional staff member be added to the Department. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Lawrence, Commissioner Toschi, Commissioner Pugsley; Nays: None]

PLANNING DIRECTOR DECISIONS (previously e-mailed to the Commission)

- F. Site Design Review (minor) at 195 S 15th Street – Kuhn
- G. Sign Permit at 1421 Columbia Blvd – City of St. Helens (Columbia Pacific Food Bank)

PLANNING DEPARTMENT ACTIVITY REPORT

- H. Planning Department Activity Report – February

Vice Chair Hubbard asked about the State Marine Board meeting for the Riverfront Development. Dimsho mentioned there would be a series of outreach meetings that will include the Commission to discuss how to develop the fishing pier and the kayak entrance.

FOR YOUR INFORMATION ITEMS

Dimsho reminded the Commission about the Joint City Council and Planning Commission meeting. She said they will discuss the street expansion at South 1st Street and Strand.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned 10:46 p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*