



## PLANNING COMMISSION

Tuesday, December 13, 2022, at 7:00 PM

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### DRAFT MINUTES

- Members Present:** Chair Dan Cary  
Vice Chair Russ Hubbard  
Commissioner Steve Toschi  
Commissioner Jennifer Pugsley  
Commissioner Audrey Webster  
Commissioner Sheila Semling  
Commissioner Russ Low
- Members Absent:** Associate Planner Jennifer Dimsho
- Staff Present:** City Planner Jacob Graichen  
Community Development Admin Assistant Christina Sullivan  
Councilor Patrick Birkle
- Others:** Brady Preheim  
Charles Castner  
Ron Murphy  
Chris Murphy  
Kylie Bellar (Zoom)  
Brendan Hart  
Steve Palmer  
Gerry Glynn  
Casey Garrett (Zoom)

#### CALL TO ORDER & FLAG SALUTE

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

**Preheim, Brady.** Preheim was called to speak. He discussed the City Code of Ethics and compared that to the selections made for the new Planning Commissioners to take over the vacancies in January. He experienced some questionable behavior with Charles Castner that would make him an inappropriate choice for the Commission. He agreed with the Commission's appointment of Ginny Carlson.

**Castner, Charles.** Castner was called to speak. He said he did not agree that any of his behavior was questionable and that he would be a good option for the Commission. He said the accusations against him were not true and he hoped to move forward in a positive manner.

#### CONSENT AGENDA

##### **A. Planning Commission Minutes Dated November 8, 2022**

Commissioner Toschi requested an amendment to the minutes.

**Motion:** Upon Commissioner Semling's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Draft Minutes dated November 8, 2022, with the amendment to change the word "approved" to "resolved" on page 5 in the first motion. [AYES: Vice Chair Hubbard, Commissioner Toschi, Commissioner Webster, Commissioner Pugsley, Commissioner Semling, Commissioner Low; NAYS: None]

**PUBLIC HEARING AGENDA** (times are earliest start time)

**B. 7:00 p.m. Historic Resource Review at 251 St. Helens Street – Columbia County**

Commissioner Jennifer Pugsley declared potential bias, as she is a member of the Historical Society and had participated in meetings with the applicant regarding the location and renovation of the project. She said it did not affect her ability to make a fair decision.

City Planner Jacob Graichen presented the staff report dated December 6, 2022. He said they were looking at this decision as the Historic Landmarks Commission. He said the school building is designated as a locally significant historic resource which is why there is a public hearing for permanent exterior alterations. He said Columbia County planned to establish government offices and a museum inside of it. He said they would discuss the Riverfront's District's architectural standards and the Commission's recommendation for alterations on the property (as opposed to the school building), but not the Site Development standards.

He said the building was built around 1919 to replace a former school building that had burned down. He said it was constructed with more fire-resistant materials. He said the building was used as a school up until about the year 1999 and then it was determined to be unsafe and closed. He said in the early 2000's it went through some changes to establish commercial uses on the first level and lower level. The second floor remained in an unoccupied state.

He said there was some new wall signage proposed, restoration of existing and modified windows, doors and other architectural features to the building, removal of a non-original wheelchair ramp, balcony repair and some removal of non-original exterior stairs, some new lighting, and some new handrails and guard rails.

He also mentioned there would be a new emergency generator enclosure and freestanding sign.

Chair Dan Cary mentioned the Commission had already looked at some improvements to this building for a new wheelchair ramp, some exterior improvements and other items and wondered what had happened to those decisions. Graichen mentioned they had expired but were included in this new application.

Graichen discussed the new wheelchair ramp and how they would need to remove a portion of the concrete wall on the landing to make it accessible. The opening would be 35.5 inches as to not impact the large pillar on the landing. He said the ramp would be concrete and with steel handrailing and pickets.

He also showed the backside of the building and there is an existing window that they proposed to remove to support a mechanical louver. He also said the proposed building mounted lighting was small and would be finished to match the outside of the building.

Graichen said there was a standard that photographs, and documents would need to be archival worthy for public record retention. He said currently they have good digital copies, but asked if the Commission would want archival prints as well.

He talked about the emergency generator enclosure located by the old playground building. He said the enclosure would be painted to match the building and had vertical lap siding to match the exterior of the old playground building and the adjacent walls.

He also said there was a free-standing sign proposed to replace the old sign there currently. He said the sign should not obstruct any visual impacts of the school and the appropriate materials being used including powder coated steel painted to match the building and aluminum stand-off letters. He said it would have a similar cornice to match some of the architecture of the building.

Commissioner Pugsley asked if there were going to be any modifications to the old play structure building included in this application. Graichen said no.

**Hart, Brendan. Applicant.** Hart works for Emerick Architects and represents the applicant for this project. He said they were excited to bring some life back to this historic building. They looked to match its original civic use with a new one and felt it would be great benefit for the community. He said they planned to incorporate the history museum inside of the building as well. He said they have done a lot of historic restoration and they are passionate about it. They said they also consult with a historic preservation specialist and said this building would meet the standards for rehabilitation. He also mentioned the steel exit stairs would be removed as they were not original to the building, created a security risk and were not required by code. They also said they planned to restore some of the original windows that had been removed to bring in more natural light to the building.

#### **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.

#### **End of Oral Testimony**

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

#### **Close of Public Hearing & Record**

#### **Deliberations**

There was discussion on how to handle the front doors for ADA accessibility. There was mention there would be automatic operators to open them at the same time to meet the code compliant standard.

There was a small discussion on how long the project would take to complete.

There was a discussion on how to make the opening near the landing ADA compliant on paper. Graichen mentioned that when the building is considered a historic resource, there are provisions that allow for potential changes to the building code. Vice Chair Hubbard said he would prefer to see the ADA entrance at the back of the building, as the grade would be much easier for access and not as many turns. Graichen mentioned they kept it at the front of the building to provide more security and safety for staff and have one entrance for all people. He also mentioned that the side doors would like to be exit only.

There was a discussion on the guard rails and the paint color. Commissioner Pugsley recommended that the louvers and guardrails have the same paint color as the outside of the building itself.

Commissioner Pugsley voiced concern about the design of the generator building. She said most people will park in the City parking lot and that building will be the first thing they see. She wanted to be sure it was not an eyesore. She also asked about the mural that is painted on the side of the playground building and if it had ever gone through a review process. Graichen mentioned the playground building itself was not a locally designated historic resource like the school building and that paint alone was not considered a change warranting review. There was more discussion on the generator building design and what materials should be used. The Commission agreed that there needed to be visually pleasing and historically appropriate.

There was a small discussion about the sign and the materials being used.

There was a discussion about the photographs and drawings and the archival quality that was recommended.

**Motion:** Upon Commissioner Toschi's motion and Commissioner Pugsley's second, the Planning Commission unanimously approved the Historic Resource Review as recommended by staff with an additional finding that the applicant has done everything they can to meet the ADA while meeting historic preservation goals. They also included an additional condition that the guard rails, handrailing, pickets/tube posts, mechanical louvers and non-historic wall packs (lighting) be painted to match the building. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Toschi, Commissioner Pugsley, Commissioner Low; Nays: None]

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

**Motion:** Pertaining to the Riverfront District Architectural Design Guidelines, upon Commissioner Webster's motion and Commissioner Toschi's second, the Planning Commission unanimously recommended approval of the freestanding sign and generator enclosure with the additional recommendation that the generator enclosure be visually appealing and historically appropriate.. [Ayes: Vice Chair Cary, Commissioner Semling, Commissioner Webster, Commissioner Toschi, Commissioner Pugsley, Commissioner Low; Nays: None]

## **DISCUSSION ITEMS**

### **C. Recommendation for Street Vacation at N. 9<sup>th</sup> Street – Murphy and Bellar**

Graichen presented the report to the Commission. He showed where the property was located and said applicants were asking for 40 feet of the right-of-way to be vacated of the 80 feet behind their properties. He said these properties have a N. 9<sup>th</sup> Street address, even though neither of these homes have access from N. 9<sup>th</sup> Street. Access is from N. 8<sup>th</sup> Street. He said he did not see the street ever being developed in the future, as it runs into a bluff, and it does not lead to any other homes or proposed development. He did mention that rights-of-way have other uses though besides access.

He mentioned the Engineering staff observed a natural drainage going through the area to be vacated. He also said there was the potential for some utility extensions to the west of the area requested to be vacated. He also said they would need a utility easement for storm and sanitary sewer from the south side. He also discussed the distance from the main access point and the ability to get emergency vehicles in. Normally a turnaround would be required in this instance or the homes to have fire

sprinklers. He also said if the right-of-way is vacated, there would need to be easements for utilities and the fire access. City Engineering expressed concern about the need for easements.

Graichen said the staff did not recommend approval because of the forementioned concerns.

There was a discussion about the potential of future development to the west of the property requesting the street vacation.

Commissioner Toschi expressed concern that there might be a potential to build an additional structure on this lot if the petition was granted. He also said there was an affected property that did not give consent to this vacation. He said the property that does not consent is an abutting property and so this application should not be considered since the threshold had not been met per St. Helens Municipal Code. He said this was the second street vacation that had come before them with a potential legal issue concerning abutting properties. He did not feel comfortable giving a recommendation at all because of those concerns. He expressed that he wanted to be sure the decisions they make and recommend to Council are lawful and he did not agree that this application met the guidelines.

Graichen explained to the applicant that the City's legal counsel opinion of the abutting matter differed from Commissioner Toschi. Graichen also notes, the City Council can disagree with the Planning Commission's and Staff's recommendation entirely.

Chair Cary also mentioned that there was still a possibility that there was a wetland on this right-of-way property and that was another concern about vacating it.

**Motion:** Upon Commissioner Toschi's motion and Commissioner Pugsley's second, the Planning Commission unanimously recommended to City Council to deny the Street Vacation based on the applicant did not have consent from all the owners abutting the properties. They also found that SHMC 17.16.010, where the Development Code's definition of "abutting" is located, applies. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Toschi, Commissioner Pugsley, Commissioner Low; Nays: None]

**Motion:** Upon Commissioner Toschi's motion and Commissioner Webster's second, the Planning Commission unanimously recommended to City Council to deny the Street Vacation due to the concerns raised by the City Engineering and Public Works Departments. [Ayes: Vice Chair Hubbard, Commissioner Semling, Commissioner Webster, Commissioner Toschi, Commissioner Pugsley, Commissioner Low; Nays: None]

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

- D. Site Design Review at 700 Port Avenue - Pellham
- E. Temporary Sign Permit at 2100 Block of Columbia Blvd - Heather Epperly Agency, Inc.
- F. Site Development Review, Scenic Resource at vacant lot north of 244 N 1st Street – Cuddigan
- G. Site Design Review at 465 N Columbia River Hwy – Than Tussing
- H. Extension of Time at 305 Columbia River Hwy – Breslin Properties
- I. Site Design Review (Minor) at 445 Port Avenue – Jack Zinda
- J. Temporary Sign Permit at 2100 Block of Columbia Blvd- Columbia River Fir & Rescue Merchant Toy & Joy
- K. Temporary Use Permit at 175 Bowling Alley Lane – CCPOD, LLC

There was no discussion of the Planning Director Decisions.

## **PLANNING DEPARTMENT ACTIVITY REPORT**

### **H. Planning Department Activity Report - November**

Vice Chair Hubbard asked about the trees that were recommended for the Sand Island project and their tree plan. He said he would like to see them plant trees that will survive and thrive there. The Commission discussed and recommended alternate species for the proposed Douglas fir trees proposed as they relate to the cabin/picnic shelter project.

Vice Chair Hubbard also asked about the Public Safety Facility. He asked about the application made to the Land Use Department. Graichen mentioned there were assumptions made in the financing of the facility which were incorrect. He gave an example of the population growth and how it was based on the growth from the year 2000 and 2010 instead of the last decade which overinflated the growth and that was reflected in the anticipated revenue. He said now they are looking at potentially downsizing it.

Councilor Patrick Birkle said the City Administrator John Walsh and the Interim Finance Director Jon Ellis were looking into possible solutions to the financial situation. He said once those two felt there was enough information to present options to the Council, they would do so and then the Council could move forward with those recommendations. Vice Chair Hubbard asked if there were any other locations being considered to help offset the expense of building it in a flood zone. Councilor Birkle said no. Vice Chair Hubbard expressed concern about the money already spent and nothing to show for it. He also expressed concern that the City Council did not have the information needed to make these decisions on something so important to the community.

Commissioner Toschi asked if there was a review being done on the previous Finance Director's, Matt Brown, tenure here. He said he was concerned about the details of decisions made by him may have been tainted. Councilor Birkle said he did think these things were being looked at, but that the staff did not have all the information gathered to make and present those details yet.

## **PROACTIVE ITEMS**

### **I. Update on HB 3115 Effort**

There was no Update on HB 3115 Effort. The Commission said they would discuss again in January.

## **FOR YOUR INFORMATION ITEMS**

Graichen reminded the Commission members of the Joint City Council and Planning Commission Meeting the next day.

Graichen also mentioned that the builder and developer for the Comstock Property had walked away from the subdivision proposal.

Commissioner Webster brought up a discussion about when a property is to be vacated, the applicants should have to purchase that property. Graichen said there should be specific local policy that works in conjunction with state law, but there are other things that keep them from working on this task.

Commissioner Pugsley thanked Commissioner Webster and Commissioner Semling for their long time commitment to the Planning Commission and the City. She also wanted to express the amount of appreciation she had for the wisdom and knowledge they brought to the Commission and that it was an honor to work with them.

## **ADJOURNMENT**

*There being no further business before the Planning Commission, the meeting was adjourned 9:56 p.m.*

*Respectfully submitted,*

*Christina Sullivan  
Community Development Administrative Assistant*