



PLANNING COMMISSION

Tuesday, May 14, 2024, at 6:00 PM

APPROVED MINUTES

- Members Present:** Chair Dan Cary
Vice Chair Jennifer Shoemaker
Commissioner David Rosengard
Commissioner Brooke Sisco
Commissioner Scott Jacobson
Commissioner Charles Castner
- Members Absent:** Commissioner Ginny Carlson
- Staff Present:** City Planner Jacob Graichen
Associate Planner Jenny Dimsho
Community Development Admin Assistant Christina Sullivan
City Councilor Mark Gunderson
- Others:** Brady Preheim
Shelly Isaacson
Bob Gardner
Miriam Parker

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 wanted to protest Commissioners Castner and Rosengard being on the Commission. He mentioned the Police Station application, that the Planning Commission originally denied and appealed to the City Council, had been formally withdrawn. He said he thinks the location will be brought back before them and he wanted them to start new. He said he did not believe there should be a new station and just a remodel of the current station. He was also glad the Commission had added the Plaza Square to their Proactive Items.

CONSENT AGENDA

A. **Planning Commission Minutes Dated April 9, 2024**

Motion: Upon Vice Chair Shoemaker's motion and Commissioner Rosengard's second, the Planning Commission unanimously approved the Draft Minutes dated April 9, 2024, as written. [AYES: Vice Chair Shoemaker, Commissioner Sisco, Commissioner Jacobson, Commissioner Rosengard, Commissioner Castner; NAYS: None]

PUBLIC HEARING AGENDA (times are earliest start time)

B. **6:00 p.m. Annexation at Property west, south, and east of 58212 Old Portland Road – The Port of Columbia County**

Chair Dan Cary opened the Public Hearing at 6:05 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Jenny Dimsho presented the staff report dated April 23, 2024. She shared where the property was located. She said it was 11.84 acres. She said the property owner would like to connect to City utilities. The applicant will be building a maintenance facility, which was permitted through Columbia County. She also mentioned there was a significant wetland and 100-year flood plain on the property. She said the proposed facility met all the criteria with the County and was away from the protection zone.

She mentioned the other utilities did not share any concerns with this property annexation.

She said the zoning for this property would be Heavy Industrial.

She said there is one recommendation of approval to pay the Fair Share Sewer Impact Fee at the time of building permitting.

There was a small discussion on the wetland on the property. There was also a discussion on the possibility of archeological findings on the property.

House, Miriam. Applicant. House is a representative of the property owner. She shared it meets the criteria of what is needed for an Annexation. She also mentioned if there was a need for them to apply an inadvertent discovery plan, they would do that.

In Favor

No one spoke in favor of the application.

In Neutral

No one spoke as neutral of the application.

In Opposition

No one spoke in opposition to the application.

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 were no deliberations of this application.

Motion: Upon Commissioner Rosengard's motion and Commissioner Sisco's second, the Planning Commission unanimously recommended approval of the Annexation as recommended by staff. [AYES: Vice Chair Shoemaker, Commissioner Rosengard, Commissioner Sisco, Commissioner Jacobson, Commissioner Castner; NAYS: None]

C. 6:15 p.m. Annexation at 2180 Gable Road – JLJ Earthmovers, LLC

Chair Dan Cary opened the Public Hearing at 6:19 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

City Planner Jacob Graichen presented the staff report dated April 23, 2024. He said this property owner has been looking to expand. He said the property owner wanted to use the City's Development Code when they developed this property which is why they wanted to move forward with this annexation.

Graichen mentioned it was partially developed. He said there was no Land Use approval for this site. He said there was some storage activity that had started up on the property recently which is what brought attention to the property and led to this annexation. He said that in 2017 a Site Design Review with Columbia County was applied for, but that effort was withdrawn by the property owners (not the applicant of this annexation was not involved at the time). He said towards the end of last year they started to see some storage activity on the property. He said that for the property owner to establish this facility as a storage site, he would have to go through a public hearing process through the County. He said the owner of the property did not want to do this, so to avoid that, he wanted to annex the property and use the City's Development Code.

He said the zoning would be Light Industrial and that it abuts the City Limits on several sides.

He said this would also clean up the area as far as City standards are concerned. He said there was a city access off Gable Road (a road under the city's jurisdiction) that remains incomplete. He said with the Annexation they would require the fence to meet the access standards for any new/changed access. He said there was an access condition to consider is that any Gable Road access point, including the one in use, would require approval by the City and any associated improvements including paving.

In Favor

No one spoke in favor of the application.

In Neutral

No one spoke as neutral of the application.

In Opposition

No one spoke in opposition to the application.

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 a small discussion about the condition for access and the Commission agreed it would be pertinent to include.

Motion: Upon Commissioner Castner's motion and Commissioner Rosengard's second, the Planning Commission unanimously recommended approval of the Annexation as recommended by staff. [AYES: Vice Chair Shoemaker, Commissioner Rosengard, Commissioner Sisco, Commissioner Jacobson, Commissioner Castner; NAYS: None]

D. 6:30 p.m. Annexation at 35456 E Division Road – Christine Dahlgren

Chair Dan Cary opened the Public Hearing at 6:34 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Dimsho presented the staff report dated April 23, 2024. She shared where the property was located. She said it was currently developed with a detached single-family dwelling. They want to annex to connect to City Sewer. They had a failing septic and needed to connect quickly.

There are two access points on the property and a developed curb and gutter located on Division Road. She mentioned that Columbia County Land Development had no concerns, and the Columbia County Road Department had no concerns, but said if there was ever a Building Permit pulled, they would need to obtain an access permit because Division Road is a County Road.

She said the zoning would become Highway Commercial. She said it is a non-conforming use now and will continue to be a non-conforming use when it annexes in.

She said if the property was ever redeveloped in the future, there would be a fair share fee potentially imposed.

In Favor

No one spoke in favor of the application.

In Neutral

No one spoke as neutral of the application.

In Opposition

No one spoke in opposition to the application.

Rebuttal

There was no rebuttal.

End of Oral Testimony

There was no discussion on this application.

Close of Public Hearing & Record

Deliberations

The Commission felt this application was straightforward.

Motion: Upon Commissioner Sisco's motion and Commissioner Rosengard's second, the Planning Commission unanimously recommended approval of the Annexation as recommended by staff. [AYES: Vice Chair Shoemaker, Commissioner Rosengard, Commissioner Sisco, Commissioner Jacobson, Commissioner Castner; NAYS: None]

E. 6:45 p.m. Historic Resource Review at 260 S 2nd Street – John Doctor, Inc.

Chair Dan Cary opened the Public Hearing at 6:45 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Dimsho shared the staff report dated fill in date. She said this was an alteration to a designated landmark. She mentioned that this district does not allow dwellings on the ground level unless it is a designated landmark. She mentioned several years ago this property's sewer lateral failed and so the water was shut off to the property. It was a non-conforming use at that time until 2017 when the previous homeowner applied to have it placed on the landmark list. In 2019, the home was officially added to the designated landmark list with an ordinance. She mentioned there still has not been a permit submitted for repair of the sewer and has not been re-established as a dwelling.

She said back in February, there was some noted un-permitted exterior work on this property and a stop work order was placed on the property. At the same time, the Planning Department sent a letter to the owner about the Historic Resource Review needed for the work which was completed. She said the contractor responded quickly.

She said some of the work in the application still needs to be done, some is partly completed, and some work is complete.

She shared the floor plan and the different elevations and showed what work was being proposed and what work had already been done.

Graichen added that there was a letter sent from the Owner. He mentioned there was comments made that they did not know this was a designated landmark. He said he wanted to clarify that the deed shows that it is the owner's responsibility to complete their own due diligence to verify the appropriate development for this parcel. He also mentioned that the seller sat in on the hearings for when this home was placed on the designated landmark.

Doctor, John. Applicant. Doctor is the contractor for the proposed work on the project. He said they did not know the house was historically protected. He said when they found out, they started through the proper channels to make sure they repaired correctly. He said the owner and himself looked at the home and wanted to fix it up nicely. He shared some of the repairs on the interior they had been working on. He said the back half seemed to be an addition to the home as well. He said the windows they had installed were vinyl. He also mentioned two other windows that they would like to replace. He talked about a window in the back that was deteriorated and needed fixed. He shared that he put T1-11 siding on the house and could add another layer of siding over it if that is requested. He also planned to trim out the windows on the whole house. He talked about the remodel of the deck and the materials used. He also shared the guttering on the house was being replaced and repaired. He said they would need to add some trim boards to attach gutters.

Soto, Mike. Applicant. Soto is the owner of the property. He said they were very excited about the house and noticed it was deteriorating and wanted to rehab the home. He said they really like the city and wanted to be a part of this community. He said they did not know the home was on the historic registry. He said he asked the realtors involved in the contract if there were any restrictions on fixing this home up and they told him no. He said they did some work to the interior to bring some safety to the home, but still had a lot of work to do. He said they knew about the sewer issues with the home. He said they hired a professional sewer inspector and found the pipe had not collapsed, but there was a cap that was plugging the end of the line. He said it was plugged on his neighbor's side and he was working with the neighbor to get a professional in there to fix the line. He said they put all work on hold to be sure they restored the home correctly and would work with the Planning and Building Departments.

In Favor

Weiner, Diana. Weiner was called to speak. She would like to see the home rehabilitated and restored to the historical look and feel of the house even if using the modern materials. She wanted to express concern about making too many changes to the home. She said when changes are made, sometimes those features cannot be replaced or redone.

In Neutral

Gardner, Vance. Gardner was called to speak. He is a neighbor to the property. He said he would like to see the home restored. He said he hoped that someone would do it right and start maintaining the property correctly.

In Opposition

Preheim, Brady. Preheim was called to speak. He said he did not agree that the applicant did not know the home was historic. He also said the contractor should know that permits are required. He said that no work should be allowed until the sewer was repaired so that water can be turned back on. He said he did not think it was safe to allow that without water or sewer active.

Rebuttal

Doctor, John. Applicant. He said he has been doing construction for many years and has never been found to be working in violation or without a permit. He said when he started the construction, the type of work he was completing he did not know needed a permit. When he found out he immediately worked to resolve it. He also said the windows were replaced with like for like and they do plan to replace the other windows with the appropriate style for the home.

End of Oral Testimony

There was no discussion on this application.

Close of Public Hearing & Record**Deliberations**

Commissioner Jennifer Shoemaker said they, as the Historic Landmarks Committee, should be using the Secretary of Interior's Standards for historic properties. She also mentioned that just because something is old does not mean that it needs to meet these standards. She said the home or building would need to have a significant reason to be added, such as a significant person lived there, or it has significance architecture. She said in the case of this home, it was added to the City's Landmark Registry because it has significant architecture. She said it was the only example of an Italianate Cottage in the City. She mentioned the changes that had been made, disregarding the style of an Italianate Cottage. She said they should not allow vinyl windows or T1-11 siding. She said she also did not agree with like for like replacement for the windows. She said it should be replaced with the correct historical type windows. She also said that it may need to be considered that this home was filmed in the movie Twilight and that some of the restoration should be like what it looks like in the movie.

Commissioner Brooke Sisco said she understood the idea of vinyl windows but that the correct style of wood, double hung, windows would be what she would recommend as they fit the historical aspect of the home. She said that single-hung and double-hung fiberglass and wood still provide the flow of air throughout the home and livability the owners were looking for.

Commissioner David Rosengard said the replacements made that were considered like for like, were not likely historical changes. He would like to see those openings that were replaced to be corrected with materials that are historically correct. He said he was ok with fiberglass window material, as he understands that it is more affordable, and it can also be painted.

There was a small discussion on whether the back of the home was an addition that was added later to the home. The Commission agreed there was not enough evidence to confirm if this was an addition or not.

There was a discussion about the T1-11 siding that was used to replace some parts of the exterior. The Commission agreed this was not an appropriate siding type and should be changed.

There was a discussion on the windows. They agreed that the type of material should be wood, or fiberglass material and they should be single or double hung windows. They did not want to see any slider windows.

There was an opening in the back where an air-conditioner was placed. It was removed and replaced with a vinyl window. The Commission said they did not mind the opening remaining but wanted the window to be replaced with a single- or double-hung window, not the slider. They also discussed the window added in to the bathroom side of the home. They agreed a wood or fiberglass casement window, or historical look square window would be appropriate, but a new slider would not be approved.

There was a small discussion about the partially re-installed false shutters and if they should be re-installed. The Commission agreed that they should not be re-installed, and the existing ones should be removed.

The Commission discussed the column wrapping for the back patio. They agreed it would look nice and be an appropriate addition and tie in with the front patio.

There was a discussion about the siding. They decided that the siding that has been removed or replaced on the north and west elevations shall be replaced with visually similar siding which matches the surrounding existing siding.

There was a small discussion about the front decking. The Commission agreed that the front and rear plywood decking should be covered or replaced with decking which more closely resembles the appearance of historical decking material (e.g., tongue and groove).

They discussed the restoration of the gutters which requires removal of the remaining original crown molding. In case someone in the future would like to replace the crown molding, the Commission wanted the applicant to provide the City with photos of the remaining crown molding prior to removal for installation of gutters.

Motion: Upon Commissioner Castner's motion and Commissioner Rosengard's second, the Planning Commission unanimously recommended approval of the Historical Resource Review with the recommended conditions of approval as discussed and recommended by staff. [AYES: Vice Chair Shoemaker, Commissioner Rosengard, Commissioner Sisco, Commissioner Jacobson, Commissioner Castner; NAYS: None]

Motion: Upon Commissioner Shoemaker's motion and Commissioner Sisco's second, the Planning Commission unanimously approved the Chair to sign the findings. [AYES: Vice Chair Shoemaker, Commissioner Rosengard, Commissioner Sisco, Commissioner Jacobson, Commissioner Castner; NAYS: None]

DISCUSSION ITEMS

F. Planning Department Semi-Annual Report to City Council

Dimsho and Graichen presented the Semi-Annual Report which they gave to the City Council.

G. Planning Commission Annual Report to City Council: June 5, 2024

Graichen asked the Commission if any of them would like to be the person who shared the report with the City Council. No one volunteered, so Graichen will be the one to present to the Council.

He mentioned a few items he planned to share. He asked the Commission if they wanted to keep the Associate Planner ask in the Report and the Commission said they do want to keep asking for it. Hopefully when budget projections are better, they will be able to fill that position request.

They would still like to be involved in the city-led projects and discussions of projects and efforts.

H. 2024 Development Code Amendments (Continued)

Graichen reminded the Commission of their previous discussions on the Development Code amendments from the last meeting.

He discussed lot coverage and providing exemptions. He said when someone builds on a lot, there are setbacks and lot coverage requirements. The current code allows a small reduction in setbacks and increase in lot coverage for new accessory structures and remodels to provide some flexibility without a required variance public hearing. The suggested code change is that the applicable structure proposed

for remodel would need to be lawfully in place for at least five years before the exceptions would be allowed. This would help prevent people from abusing the intent of the code.

Graichen also discussed the remaining code changes as included in the packet.

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

- I. Sign Permit (Temporary) at 2100 Block of Columbia Blvd – Kiwanis Club
- J. Extension of Time (AP.1.22 (Appeal of SUB.2.22)) at Pittsburg Road & Meadowview Drive – Comstock Subdivision
- K. Site Design Review & Sign Permit at 526 Milton Way – First Student, Inc.
- L. Sign Permit (x2) at 115 N 18th Street & 1804 Columbia Blvd Suite A – Clark Signs
- M. Sign Permit at 373 S Columbia River Hwy – Garrett Sign
- N. Accessory Structure at 114 N 16th Street – Walker
- O. Site Design Review (Minor) at 155 N Columbia River Hwy – Pronto Signs, LLC
- P. Extension of Time (TUP.2.23) at 343 S 1st Street – Crooked Creek Brewery

There was no discussion on the Planning Director Decisions.

PLANNING DEPARTMENT ACTIVITY REPORT

- Q. Planning Department Activity Report – April

There was no discussion on the Planning Department Activity Report.

PROACTIVE ITEMS

- R. Architectural Standards
- S. Vacant Storefronts
- T. The Plaza Square

There was no discussion on the Proactive Items.

FOR YOUR INFORMATION ITEMS

Graichen shared that there was a Special Session with the City Council and the new police station appeal. Because of all the time that had lapsed, the City Council had to make a tough decision because they could not simply withdraw an application from the Land Use Board of Appeals (LUBA). He said they were able to keep the record as it and move forward with LUBA and maybe a decision would be made within the next year on whether or not it was approved. The other option was to abandon the appeal and deny the application. Since the most efficient way was to abandon the application, that is the route the City Council chose to take. So, the City Council denied the land use application for the Police Station at the Special Session.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*