



# PLANNING COMMISSION

Tuesday, February 13, 2024, at 6:00 PM

## DRAFT MINUTES

**Members Present:** Chair Dan Cary  
Vice Chair Jennifer Shoemaker  
Commissioner Russ Low  
Commissioner David Rosengard  
Commissioner Charles Castner  
Commissioner Ginny Carlson

**Members Absent:** None

**Staff Present:** City Planner Jacob Graichen  
Associate Planner Jenny Dimsho  
Community Development Admin Assistant Christina Sullivan  
City Councilor Mark Gunderson

**Others:** Steve Toschi  
Russ Hubbard  
Hawley Hubbard  
Mary Hubbard

### CALL TO ORDER & FLAG SALUTE

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

**Toschi, Steve.** Toschi was called to speak. He said he wanted to get the architectural standards discussion going again amongst the Planning Commission. He said the City has a lot of properties that were being sold and he wanted to be sure there would be standards for how those areas were developed, especially in the waterfront area. He said he thinks there will be a lot of smaller developments coming in and developing small portions of the waterfront and there should be standards so that each individual developer is held to the same design standards.

### CONSENT AGENDA

#### A. **Planning Commission Minutes Dated January 9, 2024**

Vice Chair Jennifer Shoemaker said there was a correction needed on page four. Commissioner Charles Castner also mentioned a correction to be made on the same page.

**Motion:** Upon Commissioner Castner's motion and Commissioner Rosengard's second, the Planning Commission unanimously approved the Draft Minutes dated January 9, 2024 with the corrections as discussed. Commissioner Ginny Carlson abstained as she was absent from the previous meeting. [AYES: Vice Chair Shoemaker, Commissioner Rosengard, Commissioner Low, Commissioner Castner; NAYS: None]

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

#### B. **6:05 p.m. Variance at 1170 Columbia Blvd – Hubbard**

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.

City Planner Jacob Graichen shared the staff report dated February 5, 2024 . He shared there was a standard to be considered for a Variance about walkways and windows. He said there is a required distance between the two, and an even greater distance when there is a living space behind the window. He said the variance request is for zero separation between a window and a walkway.

He said when this project was initially presented to the Planning Commission, this issue of the windows was raised at the time. When the building plans came in, only one of the windows was removed. He said the window that remains was a design error from the architect (per the applicant) and is immediately adjacent to a pathway between the two buildings. He said the applicant hopes to resolve this issue of the window before the final building inspections.

He did say the applicant proposed to make the window opaque so that you would not be able to see in, but still be able to see out.

**Hubbard, Hawley. Applicant.** Hubbard was called to speak. Hubbard said there was an error made between them and their engineer. He said both windows were on the approved plans and one of the windows was removed. He said this window would help to enhance the space and livability of the unit.

**Hubbard, Russ. Applicant.** Hubbard was called to speak. He said that they would like to put in opaque glass which would provide for security of the space but still allow light to come in. He said no one would be able to see in the space, but the tenants would still be able to see out.

There was a small discussion about the distance of the walkway and the wall. Graichen said the required distance of the window from a pathway was determined by the what the use of the space was behind the window.

Vice Chair Shoemaker asked about the expense involved in removing the window, versus just adding opaque glass. Hubbard said there would be a large expense in removing and filling the hole, verses just adding mirrored glass.

### **In Favor**

**Toschi, Steve.** Toschi was called to speak. He said was in support of the application as the applicant had met all the criteria. He said that an opaque window should not be required; it should be up to the future tenant that moves in. He said the window allowing light in will increase the positive livability for this unit.

### **In Neutral**

No one spoke as neutral of the application.

### **In Opposition**

No one spoke in opposition to the application.

### **Rebuttal**

### **End of Oral Testimony**

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

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

### **Deliberations**

Vice Chair Shoemaker mentioned she brought up the expense of removing the window because one of the criteria to approving a variance is to not impose an unreasonable amount of expense to the

developer. She said in this case she was in favor of the opaque glass, as it was less expense. She thought asking them to remove it was excessive.

Commissioner Carlson mentioned this window was a self-imposed mistake and something to be considered when making the decision as well.

There was a discussion about the window being a self-imposed error. The Commission agreed that the change to fill in the window would not increase the livability of the unit and they thought allowing the window to stay was the better option.

The Commission agreed that the window should be required to be opaque to help meet the intent of the code.

**Motion:** Upon Vice Chair Shoemaker's motion and Commissioner Rosengard's second, the Planning Commission unanimously approved the Variance as recommended by staff with the condition to make the window opaque. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Castner, Commissioner Rosengard, Commissioner Low; NAYS: None]

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

## **DISCUSSION ITEMS**

### **C. Planning Commission Interview Committee Recommendation**

Graichen explained there was currently one vacancy and one anticipated vacancy. He said the Commission needed to decide on whether or not to continue with Commissioner Russ Low (the anticipated vacancy) and have his input for the next few months he was available. They also discussed if it would be better to have the two new Commissioners start now so they can move forward with other projects. After a small discussion, Commissioner Low said he would resign effective at the end of the meeting.

Graichen said with Commissioner Low resigning, that would leave the Commission with two vacancies. They had interviewed two qualified candidates and the interview committee felt they would both be great to fill the openings.

Vice Chair Shoemaker said one of the candidates was an engineer for the Columbia River Public Utility District and had a lot of construction experience. She also mentioned the other candidate was a retired archeologist and has a strong background in preservation. She thought they should appoint both candidates.

Graichen mentioned that one of the candidates already served on another commission and that it would be up to the City Council if he was allowed to serve on both committees. He did say that there was already another person who served on two committees. Graichen said when they recommend to the City Council, they would want to mention it was in the public interest for him to serve on both committees.

**Motion:** Upon Commissioner Carlson's motion and Commissioner Rosengard's second, the Planning Commission unanimously recommended to the City Council both candidates to the open positions and that it was in the public interest for Scott Jacobsen to serve on two committees. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Castner, Commissioner Rosengard, Commissioner Low; NAYS: None]

### **D. Historic Resource Review HRR.1.22 Plans**

Associate Planner Jenny Dimsho shared the plans for the John Gumm School. She mentioned they had reviewed these plans before through a public hearing, but there had been some poor soils discovered in the rear portion of the building and would require remediation. She said while they were doing this, they had to remove the metal staircase in the back. She said they did salvage the staircase for reapplication later, but now they wanted to propose removal of the staircase. They said it no longer serves an egress purpose. She said they could require a whole new public hearing as this was a modification to the exterior, but she asked if the Commission felt like it met the required conditions of the original approval. She said the modification actually allows you to see more of the original restored windows, which is better architecturally.

Dimsho said they would like to keep the landing and put a new cover over it, but the staircase would be removed. She said they would be working with the Building Department to determine there was no egress or life safety issues by having it removed.

There was a discussion on the window and the doors in the landing area.

**Motion:** Upon Commissioner Rosengard's motion and Commissioner Castner's second, the Planning Commission unanimously agreed that this revision did not need to be reviewed by public hearing. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Castner, Commissioner Rosengard, Commissioner Low; NAYS: None]

**Motion:** Upon Vice Chair Shoemaker's motion and Commissioner Low's second, the Planning Commission unanimously approved the recommendation by staff that the proposal complied with the original conditions of approval for HRR.1.22. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Castner, Commissioner Rosengard, Commissioner Low; NAYS: None]

#### E. **2024 Development Code Amendments Continued**

Graichen shared a few items he wanted more clarification from the Commission on. He talked about how Planned Developments do not expire, and for tracking purposes, it would help clean up the tracking management if they were given expiration dates. He also mentioned they would need to consider if they did create a time limit, how it would apply to the current overlay zones.

There was a discussion on implementing a time limit for all new and existing Planned Development overlay zones.

Graichen discussed fence height and said except for the front yard, a six-foot is the normal maximum height for residential fencing. He asked the Commission how they would feel if the maximum height was increased to seven-feet based on the amount of complaints and question they receive from customers. There was a small discussion about seven-foot verses six-foot. There was a division amongst the Commission on leaving it as a six-foot maximum.

Graichen said in the past there was an aggressive stance that no residential units be allowed on the lower levels of certain mixed use zones. He said several years ago they realized, with the amount of homes around the Houlton Business District, it made sense to allow residential use on the first floor. He mentioned a few options for the Riverfront District, Plaza subdistrict, including whether residential on the ground floor should be behind commercial uses or limited in size.

The Planning Commission said they would like to keep the rules the same for ground floor residential use in the Riverfront District, Plaza subdistrict.

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

- F. Temporary Use Permit at 175 Bowling Alley Lane – CCPOD, LLC
- G. Partition & Lot Line Adjustment at 80 S 21<sup>st</sup> Street – Vintage Friends, LLC

There was no discussion on the Planning Director Decisions.

### **PLANNING DEPARTMENT ACTIVITY REPORT**

#### H. Planning Department Activity Report – January

Graichen mentioned there was a final inspection done at Broadleaf Arbor and they were almost completely done. He said the full impact of the units was not felt yet and that they were about fifty percent full.

He said another interesting thing to note was the population growth and that we have seen a 3.5 percent increase. This is a higher percentage than several previous years.

### **PROACTIVE ITEMS**

#### I. Architectural Standards

There was no discussion on Architectural Standards.

#### J. Vacant Storefronts

Vice Chair Shoemaker said she had a meeting with the president of the St. Helens Mainstreet to do a presentation for the City Council. She said they both agreed that approaching the vacant storefronts from an educational standpoint would encourage more businesses and developers to get involved. She said they would present at the City Council meeting the first part of March and possibly the joint meeting with the City Council.

There was a discussion on how to reach all the business owners and how to get them involved.

### **FOR YOUR INFORMATION ITEMS**

Dimsho shared that they were kicking off the Economic Development Opportunity Analysis and so there would be more to come on this discussion. She also said after four months of waiting they finally received the Oregon Department of Transportation grant contract. She said the amount of money we have to match would be due up front and would be split through Columbia County and the City of Scappoose, so that would mean that budgets would need to include this. This could delay the project until July when the new fiscal years begin.

Commissioner Carlson asked for an update on the businesses out by the new Burger King. Graichen said the Fast Lube was almost moved in and working with other developers on the open space. He also mentioned that nothing had been submitted from Dairy Queen yet, but their land use approval was coming up on expiration.

### **ADJOURNMENT**

*There being no further business before the Planning Commission, the meeting was adjourned at 8:00 p.m.*

*Respectfully submitted,*

*Christina Sullivan  
Community Development Administrative Assistant*