

# City of St. Helens City Council

Public Hearing Minutes

September 19, 2018

---

**Members Present:** Council President Doug Morten  
Councilor Ginny Carlson  
Councilor Susan Conn  
Councilor Keith Locke

**Members Absent:** Mayor Rick Scholl

**Staff Present:** John Walsh, City Administrator  
Crystal Farnsworth, Communications Officer  
Matt Brown, Finance Director  
Margaret Jeffries, Library Director  
Neal Sheppard, Public Works Operations Director  
Sue Nelson, Public Works Engineering Director  
Jacob Graichen, City Planner

**Others:**

Bill Amos	Rick Scholl	Ron Schlumpberger
Cheryl Young	Nancy Whitney	Agnes Petersen
Mike Sacry	Cindy Sacry	Lane Weber
David Belden	Sherry Belden	F. Brandon
Al Petersen	Shauna Harrison	Bob Lucas
Jason Resch	Shirley Rod	Joan Shump
Steve Topaz	Dave Innocenti	

1) **Open Public Hearing - 6:00 p.m.**

2) **Topic**

2.A Street Vacation - Portions of N. 8th, N. 9th, and Wyeth Streets  
(Scholl/Schlumpberger)

City Planner Graichen presented the staff report dated September 12, 2018. A copy is included in the archive meeting packet. The street vacation was first presented at the Planning Commission. Planning Commission unanimously recommended option three. Staff recommends option three or four.

1. **Allow full vacation as requested.** Not recommended.
2. **Allow vacation in part as illustrated on the attached Vacation VAC.1.18 Recommendation Map—40' ROW.** This is the simple method and wouldn't require any additional work from the applicant.
3. **Allow vacation in part as illustrated on the attached Vacation VAC.1.18 Recommendation Map—20' alley with 20' wide hammerhead.** This would require the applicant to work with a private surveyor and city staff to ensure the alley and hammerhead are located on usable ground (no topo constraints) and to develop the legal description and exhibit of the area based on usable ground and to meet the

specifications (radius, widths, etc.) for the alley and hammerhead. The legal description and exhibit would be used for the adoption ordinance.

4. **Allow vacation in part as illustrated on the attached Vacation VAC.1.18 Recommendation Map—20' alley with 96' diameter cul-de-sac.** This would require the applicant to work with a private surveyor and city staff to ensure the alley and cul-de-sac are located on usable ground (no topo constraints) and to develop the legal description and exhibit of the area based on usable ground and to meet the specifications (radius, widths, etc.) for the alley and cul-de-sac. The legal description and exhibit would be used for the adoption ordinance.

#### **Testimony – Applicant**

- ◆ Rick Scholl. He purchased this property prior to becoming mayor. He brought exhibits to show the Council past approved street vacations. The basalt bluffs make it hard to build on the property. St. Helens Municipal Code Ch. 19.12.020(2)(b) states, "Encourage the infilling of areas presently undeveloped due to topographical limitations to achieve a more efficient use of land." Developing these lots and improving the road will help increase the value of neighboring lots, add to the tax roll, and building on infill lots helps the Urban Growth Boundary (UGB).

#### **Testimony – In Favor**

- ◆ Bill Amos. He is concerned about using our land in a reasonable manner while preserving natural topography. This area is hard to develop. There are people who would like to make this a political issue, but this started with developers looking at the property before Rick was mayor, so Bill believes that isn't true. There are not a lot of options for through-transportation, but this proposed development should actually improve transit. The St. Helens Senior Center has concerns, but they should benefit from an approval of option three or four. The City is gaining value from this street vacation.

#### **Testimony – Neutral**

- ◆ Shauna Harrison. The maps were drawn showing 8<sup>th</sup> and 9<sup>th</sup> Streets going through, which they do not. She talked about traffic flow in and out of downtown St. Helens. The north access of West Street from Columbia Blvd. is landlocked from 7<sup>th</sup> to 12<sup>th</sup> Streets. As the town grows, 8<sup>th</sup> Street is the only viable through-street from Columbia Blvd. to West Street. There are many adversities with this piece of land, including dumping of debris and 9<sup>th</sup> Street coming to a bluff. Vacating this street doesn't seem controversial to her. How will the vacation coincide with the cleanup of road debris on 8<sup>th</sup> Street? How will this hinder growth of the area in the long run? At the end of day, she thinks developing the property will be an improvement to a degree.

#### **Testimony – In Opposition**

- ◆ Cheryl Young, representing St. Helens Senior Center. She read her submitted letter into the record. A copy is included in the archive meeting packet. She believes the vacation approval will reduce/prevent access to the Senior Center property. She has questions about option four on the map and having future access to property. The Senior Center is adamantly opposed.

- ◆ David Belden. The turnaround shown for option four on the map is almost on the Senior Center property. But if the City gives it to the owners, the Senior Center won't have access to it.
- ◆ Shirley Rod. She has been in town a long time. She doesn't understand why the younger generation want to take everything from the seniors. The seniors have worked hard to make the city what it is. The Senior Center doesn't get anything from the City anymore. They feed 150 people weekly for Meals on Wheels. Most of them can't pay for the service. She's disappointed in the City after being here for 60 years.
- ◆ Nancy Whitney. She had a conversation with the City Planner earlier. The normal width for a street is 60 feet. Some 40 foot wide skinny streets have been allowed but they are not the norm. They are asking for a 20 foot wide right-of-way to the hilltop property. This has only been approved by Council one time. It's not a precedent and 20 feet is a small amount of land.

### **Applicant Rebuttal**

- ◆ Rick Scholl. He does care about seniors and the senior center. People are confused about what he is trying to do. He isn't trying to block the road, he's trying to help create access. He did approach the Senior Center with an offer of real market value. He was told at their Board meeting that they wanted \$300,000 for their property. He paid \$37,500 for his property and it's a lot more desirable. He has an approval from Glen Hart, an existing neighbor. He is proposing to improve the access/street. He is not blocking access to the Senior Center property. The Planning Commission gave their recommendation unanimously after seeing the site for themselves.

Graichen pointed out that the document Rick referenced with Glen Hart's approval is included in the planning file.

Council President Morten asked if anyone objected to opening the hearing to a question and answer session. Rick was reluctant to agree because a decision is made on Code and not based on feelings of those in attendance. Council asked Graichen to clarify procedure. Graichen explained that the Council can reopen testimony. After discussion, Council made the decision to use this time for Council and the audience to ask questions of the staff.

Councilor Carlson asked how the vacation would impact surrounding lots. Graichen pointed out the location of the Senior Center property on the map. He showed Council where the Senior Center could ask for a vacation in the future. He also explained the topography of the area and where access might be possible in the future.

Councilor Carlson asked if the 40 foot right-of-way was wide enough for two large trucks to pass. Graichen said the minimum width standard is 40 feet, which is based on minimum fire apparatus turn radius.

Public Works Engineering Director Nelson mentioned that in the work session they talked about Gable Road and how wide it was. As an example, Gable Road lanes are about 21 feet wide and two trucks can easily pass there.

Graichen explained that the affected area would increase if the Senior Center property was included in the vacation. The City can't grant more than is requested, but they can grant less than requested. They can't tack on other properties.

Question from the audience was inaudible.

Cheryl asked if a 20 foot right-of-way is granted and duplexes are put in instead of the few single family dwellings that are being proposed, would that prohibit denser development because the right-of-way would not be up to larger traffic trip standards? Putting in a cell tower would be doing the City a favor and would be less intrusive. That's where the \$300,000 figure came from. Graichen said the standard would be six units for that narrow of a street/alley. There is potential that development would be limited.

Shauna asked if access will be given to people on the other side of Wyeth Street. The way it is now, it looks like it would be a turnaround but it appears to be a hammerhead.

Audience discussion ensued.

An audience member had a question about fire hydrants. Graichen said hydrants would be looked at with development, not through street vacation.

Councilor Conn asked if the Senior Center property would be landlocked if this is approved. Graichen said no.

Council President Morten said he wanted to leave the hearing open to do a site visit. Councilor Conn agreed that she would like to do a site visit.

**Motion:** Upon Locke's motion and Conn's second, the Council unanimously continued the hearing to a date and time uncertain. It would allow Council and staff time to gather more information, conduct a site visit, re-notice as required by law, and send notice to people who have testified.

Council President Morten pointed out that he has not spoken with the applicant about the request. He encouraged the Council to not discuss it with them until after a decision has been made.

3) **Adjourned** – 7:21 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

  
Crystal Farnsworth, Communications Officer

  
Doug Morten, Council President