

**City of St. Helens**  
**Planning Commission Meeting**  
**November 8, 2016**  
**Minutes**

**Members Present:** Dan Cary, Chair  
Al Petersen, Vice Chair  
Sheila Semling, Commissioner  
Audrey Webster, Commissioner  
Kathryn Lawrence, Commissioner  
Russell Hubbard, Commissioner

**Members Absent:** Greg Cohen, Commissioner

**Staff Present:** Jacob Graichen, City Planner  
Jennifer Dimsho, Assistant Planner & Planning Secretary

**Councilors Present:** Ginny Carlson, City Council Liaison

**Others Present:** Gainor Riker  
John & Agnes Petersen  
Jeremy, Sherri, and Geoff Thompson  
Les Watters  
Art Leskowich  
Paul Romani  
Heather Austin  
Erin Geile  
Keith Forsythe  
Wayne Weigandt

The Planning Commission meeting was called to order by Chair Dan Cary at 7:00 p.m. Chair Cary led the flag salute.

**Consent Agenda**

**Approval of Minutes**

Commissioner Webster moved to approve the minutes of the October 11, 2016 Planning Commission meeting. Commissioner Lawrence seconded the motion. Motion carried with all in favor. Chair Cary did not vote as per operating rules. Vice Chair Petersen did not vote because he did not participate in one of the public hearings.



**Topics From The Floor**

There were no topics from the floor.



## **Architectural Review: Sign Permit at 305 Strand Street**

City Planner Graichen explained that the Commission, acting as the Historic Landmarks Commission, is making a recommendation to staff regarding the sign proposed at 305 Strand Street. The Commission's job is to determine if the sign complies with the Architectural Design Guidelines for the Riverfront District.

Vice Chair Petersen asked if the proposal was to rehab an old sign. Graichen said yes. Commissioner Webster is concerned that there are no other projecting signs in this area. She would rather see a traditional blade sign. Commissioner Lawrence feels the proposal fits in with the surrounding area.

Gainor Riker, the applicant, said she is limited on her signage options. A flat wall sign was not an option due to the architectural features of the building. She said she found this vintage sign and liked how the checkerboard pattern looked with the brick on the building. She said the sign is not very heavy, because it is hollow.

Chair Cary asked how the sign was originally mounted. Riker said it came with the original brackets to mount it. Commissioner Webster asked where the sign was from originally. Riker said she was unsure. Graichen asked how the letters will be added to the sign. Riker said the letters of BRB will be foam covered in vinyl. The foam letters will be secured to the sign with a series of clips. She said the text under BRB will be much smaller and made of just vinyl. Chair Cary said he likes the design of the sign.

Vice Chair Petersen pointed out an old photo from the Architectural Design Guidelines that shows two projecting signs installed on the building.

Vice Chair Petersen moved to recommend approval of the Sign Permit. Commissioner Lawrence seconded. All in favor; none opposed; motion carries.



## **Public Hearing**

**Jeremy & Sherri Thompson**  
**Zone Change / CPZA.2.16**  
**Bradley Street**

It is now 7:14 p.m. and Chair Cary opened the public hearing. There were no conflicts of interest or bias in this matter. No one in the audience objected to the Commission's ability to make a fair decision.

Graichen entered the following items into the record:

- Staff report packet dated November 1, 2016 with attachments

Graichen said that the applicant is proposing a Zoning Map amendment from Highway Commercial (HC) to Apartment Residential (AR). The Commission needs to make a recommendation to City Council. The applicant is not proposing a Comprehensive Map change because it already allows for AR zoning.

## **IN FAVOR**

**Thompson, Jeremy & Sherri. Applicants.** Thompson said the property has been in their family since 1986. It has never been anything but a storage facility. They would like to develop a residence on site so they can live inside the City. They cannot do this if it is zoned HC. They do not want to build multi-family apartments. They want to build a dwelling unit on the storage facility.

**Dahl, Susie. 34914 Achilles Rd. Warren, Oregon.** Dahl is a designer who does design and architecture and works for Columbia County as a plans examiner on the side. Dahl said the applicants can add onto the existing building and it can be built to code. Dahl said the applicant's children may also develop the property or sell the property to a developer in the future.

**IN OPPOSITION**

No one spoke in opposition.

**END OF ORAL TESTIMONY**

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

**CLOSE PUBLIC HEARING & RECORD**

The applicant waived the opportunity to submit final written argument after the close of the record.

**FURTHER QUESTIONS OF STAFF**

Chair Cary asked if the existing storage facility is meeting setback requirements. Graichen said no, but if they wanted to build a new dwelling unit, the new development would have to meet setbacks.

**DELIBERATIONS**

Commissioner Webster noted that the property is adjacent to AR, so re-zoning makes sense. Commissioner Lawrence agreed. Vice Chair Petersen said it fits well with the surrounding zoning.

**MOTION**

Commissioner Webster moved to recommend approval of the Zoning Map amendment. Commissioner Semling seconded. All in favor; none opposed; motion carries.



**Deliberations (Continued)**

**3J Consulting, Inc.**

**Subdivision / SUB.1.16**

**Elk Ridge Estates (Phase 6)**

Vice Chair Petersen declared his conflict of interest and will not participate in deliberations.

Graichen summarized the documents that were entered into the record during the continuation. He said it seems that the developers and the mine operators came to an agreement about the contested conditions from last meeting. Graichen discussed the recommended revised conditions, as included in the staff report.

Graichen also explained that the woman who provided testimony regarding her low water pressure during the last meeting is likely on a lot with pressure barely within the minimum range. He explained that the original developer who developed those lots would have been required to keep a proper operational range for water pressure. In order to increase her water pressure as part of the proposed subdivision phase,

Graichen said the existing streets would have to be ripped up. Commissioner Webster said this new developer should not have to be responsible for an issue caused by the original developer of the lots. Chair Cary agreed.

## **MOTION**

Commissioner Semling moved to approve the Subdivision Preliminary Plat with conditions as recommended by staff and as amended by the November 1 letter submitted by 3J Consulting, Inc. Commissioner Webster seconded. All in favor; none opposed; motion carries.

Commissioner Semling moved for Chair Cary to sign the Findings and Conclusions once prepared. Commissioner Webster seconded. All in favor; none opposed; motion carries.



## **Public Hearing**

**Robert & Martha Sipe**

**Variance / V.7.16**

**59048 Whitetail Ave.**

It is now 7:52 p.m. and Chair Cary opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter. No one in the audience objected to the Commission's ability to make a fair decision.

Graichen entered the following items into the record:

- Staff report packet dated November 1, 2016 with attachments

Graichen said the applicant is requesting a setback variance for a proposed building addition. He discussed the history of the site, as presented in the staff report. Graichen said the odd-shaped lot was intended to preserve a group of trees when the subdivision was being developed, which ended up being removed at a later date. He further explained that if the lot had been a normal-shaped lot, the proposed building addition would not require a variance. Vice Chair Petersen asked why the applicant did not just go through a street vacation process. Graichen said the applicant can address this.

## **IN FAVOR**

**Sipe, Martha. Applicant.** Sipe said they tried to receive a street vacation, but the property behind them did not agree to sign off on the street vacation for unrelated reasons. Then when they approached Graichen about alternatives, he suggested a Variance Permit. Sipe said variances are also cheaper.

**Sipe, Robert. Applicant.** Sipe said a lot of effort was put into the previous street vacation paperwork. They had their property surveyed, and had all required neighbor signatures, except for the neighbor that was required for approval. Sipe also said due to the length of time since attaining the signatures for the street vacation request, they would have to receive all new signatures.

## **IN OPPOSITION**

No one spoke in opposition.

## **END OF ORAL TESTIMONY**

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

## **CLOSE PUBLIC HEARING & RECORD**

The applicant waived the opportunity to submit final written argument after the close of the record.

## **DELIBERATIONS**

The Commission did not see any reasons why they should not approve the Variance Permit.

## **MOTION**

Commissioner Webster moved to approve the Variance Permit as written. Commissioner Semling seconded. All in favor; none opposed; motion carries.

Vice Chair Petersen moved for Chair Cary to sign the Findings and Conclusions once prepared. Commissioner Webster seconded. All in favor; none opposed; motion carries.



## **Public Hearing**

**Wayne Weigandt**

**Variance / V.8.16**

**N 1<sup>st</sup> Street**

It is now 8:29 p.m. and Chair Cary opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

Graichen entered the following items into the record:

- Staff report packet dated November 1, 2016 with attachments

Graichen said after the staff report was sent, Weigandt requested that the setback variance be changed from six feet to five feet because of the proposed eaves. The required side setback is ten feet. Graichen said written testimony from a neighbor in opposition to the proposal was also received today. Graichen also pointed out a scrivener's error in a covenant that was recorded on the deed (a private matter). Graichen explained that the covenant was intended to protect the view of a property behind the proposal.

Graichen explained that there is a 15 feet wide sanitary sewer easement on the property. He said this utility easement could be viewed as a unique circumstance, which is a criterion for approval. He also noted that the most impacted property of the setback reduction is also owned by the applicant. He said the proposed triplex is still subject to two administrative permits: a Scenic Resource Review and a Site Design Review.

Commissioner Semling asked if there was a height restriction. Graichen said yes. There are three height factors at play. First, there is the self-imposed deed restriction. Second, there is a maximum height of 35 feet set by the underlying zoning district. And third, because of its location, there is a Scenic Resource Review process where neighbors are notified of the development. He said if affected neighbors can demonstrate their view is blocked according to SHMC 17.68.040, the applicant may ultimately be required to alter their proposal.

Commissioner Hubbard asked how many parking spaces would be required. Graichen said because this

proposal is strictly for a Variance Permit, he has not yet reviewed the proposal with Site Design Review standards. However, Graichen said that the number of parking spaces is based on the number of bedrooms in each dwelling unit. From previous discussions, it is anticipated that the proposal will include two-bedroom dwelling units, which will require two spaces each for a total of six required spaces.

## **IN FAVOR**

**Weigandt, Wayne, Applicant.** Weigandt said he owns the existing duplex next door at 145 N. 1<sup>st</sup> Street. It was in compliance with the setback rules at the time of construction. The setback reduction from this proposal will not affect the duplex property. He is sensitive to the views of the property owners on the bluff above the development. He said this new development will be no higher than the roofline of the duplex at 145 N. 1<sup>st</sup> street. The deed restriction to limit the height of future development was something he imposed by the seller's request when he bought the property. Weigandt noted that height is not a relevant piece of this land use application because legally, he can go as high as 35 feet per the underlying zoning. He said his existing duplex is about 24 feet in height from the concrete foundation to the peak of the roof.

Chair Cary asked how deep they will dig before pouring the foundation. Weigandt said they have done some test boring on the site and it appears they will get to about ten feet before hitting bedrock. He thinks the ground floor of the triplex will be about two to three feet lower than the duplex. Due to height concerns, Weigandt said he also changed the roof pitch from a 4-12 to a 2-12.

## **IN OPPOSITION**

**Watters, Les. 2035 SE Main Street, Portland.** Watters owns 130 and 170 Columbia Blvd., which are both in the notice area for this proposal. Watters is concerned about the roof height, materials, and pitch. He knows that this hearing is for a variance, but since the design review is done administratively, he will not get the opportunity to comment at a later date. Watters said a metal roof at a 2-12 pitch will result in a lot of roof exposure for his tenants. Both of his properties look directly down at this property, so depending on what the roofing material is, there could be major impacts to their views. He noted a building next to the duplex with a metal blue roof that stands out and does not blend with the surrounding views. He does not know what the City's standards are for roofing materials, if there are any, but in most cases you do not normally look down on a roof. However, in this case, the roof is the majority of what you will see.

## **REBUTTAL**

**Weigandt, Wayne, Applicant.** Weigandt wanted to mention that he is proposing more parking than the code requires. He is proposing a single car garage and two driveway spaces for each two bedroom unit. Weigandt said because this proposal is for a Variance Permit, he has not chosen a roof color. His intent is to be a good neighbor and not block views of the river.

## **END OF ORAL TESTIMONY**

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

## **CLOSE PUBLIC HEARING & RECORD**

The applicant waived the opportunity to submit final written argument after the close of the record.

## **FURTHER QUESTIONS OF STAFF**

Vice Chair Petersen asked what other review this proposal will see before approval. Graichen said they will go through Site Design Review, which looks at parking requirements, landscaping, etc. The other process is a Scenic Resource Review. Graichen said during this process, neighboring properties will be notified of the proposal. The notice says neighbors have the opportunity to demonstrate that a certain percentage of their view of the river will be blocked by the proposal.

## **DELIBERATIONS**

Vice Chair Petersen said since Weigandt is the most affected property owner by the setback reduction, he does not see an issue with the proposal. He also noted that the total setback requirement of 20 feet (i.e., the sum of both side setbacks) is not changing, just how the 20 feet is distributed on the property. Commissioner Hubbard also noted there is a 15 foot utility easement along the side, which cannot be built on and is of no fault of the applicant.

## **MOTION**

Vice Chair Petersen moved to approve the Variance Permit as presented. Commissioner Hubbard seconded. All in favor; none opposed; motion carries.

Vice Chair Petersen moved for Chair Cary to sign the Findings and Conclusions once prepared. Commissioner Semling seconded. All in favor; none opposed; motion carries.



## **Commissioner Re-appointment Recommendations**

Graichen said the City Recorder would like a formal motion from the Commission about recommended re-appointments. Chair Cary and Commissioner Cohen requested to renew their terms at the last meeting. Commissioner Cohen's position needed to be advertised, but no one applied. Graichen said Councilor Carlson said they did not need to re-advertise.

Commissioner Webster moved to recommend re-appointment of Commissioner Cohen and Chair Cary. Commissioner Semling seconded. All in favor; none opposed; motion carries.



## **Acceptance Agenda: Planning Administrator Site Design Review**

- a. *Amended* Site Design Review at Lots 1-16, Block 27 of the South St. Helens Addition – OHM Equity Partners, LLC

Graichen said the decision was amended to include an additional condition that required a plan to address access to potable water.

Vice Chair Petersen moved to accept the acceptance agenda. Commissioner Webster seconded. All in favor; none opposed; motion carries.



## **Planning Director Decisions**

- a. Lot Line Adjustment at S. 6<sup>th</sup> St. & Cowlitz St. - Bells Drafting & Construction
- b. Sign Permit (Banner) at 2100 Block of Columbia Blvd. - Toy & Joy Auction

c. Lot Line Adjustment at 35732 Hankey Rd. - KLS Surveying, Inc.

There were no comments.



**Planning Department Activity Reports**

There were no comments.



**For Your Information Items**

There were no for your information items.



There being no further business before the Planning Commission, the meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Jennifer Dimsho  
Planning Secretary



**2016 Planning Commission Attendance Record**

*P=Present A=Absent Can=Cancelled*

Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/12/16	P	P	P	A	A	P	P
02/09/16	A	P	P	P	P	P	P
03/08/16	P	P	P	A	P	P	P
04/12/16	P	P	P	P	P	P	P
05/10/16	P	P	A	P	P	P	P
06/14/16	P	P	P	P	P	A	P
07/12/16	P	P	P	P	P	P	P
08/09/16	CAN	CAN	CAN	CAN	CAN	CAN	CAN
09/13/16	P	P	P	P	P	P	P
10/11/16	P	P	P	P	P	P	P
11/08/16	P	P	P	A	P	P	P
12/13/16							