



## **PLANNING COMMISSION**

**Tuesday, December 8, 2020 at 7:00 PM**

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**Members Present:** Chair Hubbard  
Vice Chair Cary  
Commissioner Cohen  
Commissioner Semling  
Commissioner Webster  
Commissioner Pugsley  
Councilor Carlson

**Members Absent:** Commissioner Lawrence

**Staff Present:** City Planner Graichen  
Associate Planner Dimsho  
Community Development Admin Assistant Sullivan

**Others:** None

**1. 7:00 P.M. CALL TO ORDER & FLAG SALUTE**

**2. CONSENT AGENDA**

- A. Planning Commission Minutes dated November 10, 2020

**Motion:** Upon Commissioner Semling's motion and Commissioner Pugsley's second, the Planning Commission unanimously approved the Draft Minutes Dated November 10, 2020. [AYES: Commissioner Pugsley, Commissioner Cohen, Commissioner Webster, Commissioner Semling; Vice Chair Cary NAYS: None]

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

There were no topics from the floor.

**4. PUBLIC HEARING AGENDA:**

- 4A. 7:00 p.m. Conditional Use Permit at 164 S 15<sup>th</sup> Street – Harper

Chair Hubbard opened the Public Hearing at 7:06 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Dimsho presented the staff report dated December 1, 2020. She mentioned this Conditional Use Permit was more focused on the former commercial building and parking lot. She mentioned that the business that was last in there was Columbia County Brwing but before this facility, it was used as a transmission shop. Therefore, the building was already set up for auto use. She said it was in the Houlton Business District and that automotive repair would need a Conditional Use Permit. She said the site itself is made of two different lots. One of the lots has an existing building of about 3,200 square feet and the other lot is developed with paved head-in parking on one side and a drive aisle on the other. She showed the property has access on both sides of it. She talked about the

existing driveway apron and said there were sidewalks on one side. On the other side there were not any curbs that delineate the driveway approach, but there are sidewalks. She said the size of the lot is an appropriate size for what the applicant plans to use the lot for. She said the characteristics were suitable for the proposed use. She said it was already connected to City utilities and there was adequate access from both sides. They do not propose to do any outdoor storage on this site. She mentioned the lot coverage for impervious surface could not be more than 90 percent of the lot. She also noted that principal vehicle sales were not permitted as part of this Conditional Use Permit. She said the sales would need to be incidental to the primary use of the business. There is a specific setback and buffering requirement for auto repair and noted the requirements. She also said it will also require a buffer screening. She discussed the current landscaping and how it could use some new shrubs or landscaping buffers.

She noted there is an existing ADA space. She said the space is not located closest to the auto repair building. She mentioned the Commission could decide to require an entire restriping of the parking lot to move the ADA space closer to the entry of the building. She said they would also need a minimum of seven parking spaces. She also said they would need to add new wheel stops as the current did not meet code.

She also talked about the need for lighting in the back of the building for more security.

Commissioner Cohen asked if there was any specific guidance in the code in protection against spilling of fuels or gasolines from draining into the City's drains or soaking into the ground. Dimsho mentioned this is a previous requirement regulated by our Wastewater Pretreatment and Public Works staff.

Commissioner Pugsley asked if a requirement of restriping of the whole parking lot was required. Dimsho mentioned because of all the current striping, it may make sense to restripe the whole parking lot.

There was a small discussion about landscaping.

**Harper, Josh. Applicant.** Josh Harper was called to speak. He talked about resealing and moving the wheelchair parking closer to the entry was something they planned to do. He said most of the vehicles he would be selling would be sold online. He said is doing restoration of high-end vehicles that he would not feel comfortable displaying them. He said if there was one that did not meet all the criteria, he might display it, but at the most, one or two. He said his vehicle parts storage was in a building on another property.

Commissioner Cohen asked how many cars he planned on storing while they waited to be sold. Harper said it can take up to five to six months to sell. He said currently he can only do one car restoration at a time. So, he did not plan to have more than one or two at a time. Harper did say if they can grow and get more employees, they might want to sell more. Dimsho mentioned that the auto sales had to be related to the main use of the property or business. So, he could sell vehicles, but the outdoor storage would have to meet the parking criteria.

Commissioner Pugsley asked if he worked on other vehicles or only his. Harper mentioned he currently only works on his own restorations. He said he has a few customers that he built their vehicles from scratch and they come back to have those serviced by him.

### **In Favor**

**Scharf, Joe. Co-Applicant.** Joe Scharf was called to speak. He mentioned Harper and he agree that the ADA spot should be at the or near the door. He said this is like their personal garage and they restore great autos. He said they want to move from their current location to something closer to home. Scharf asked for leniency on the timing of landscaping, paving, and restriping requirements, given the weather.

**Neutral**

No one spoke as neutral testimony.

**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 of Public Hearing & Record**

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

**Deliberations**

Commissioner Pugsley was curious about the trash enclosure location. Dimsho said she thought it was for ease of access for Hudson Garbage service. Regarding the timing of improvements, due to the timing the Commission decided to allow the applicant to have nine months before installation of required improvements, including the restriping of the parking lot and improvements to the landscape buffer on both sides. Given the surplus of one parking space, the Commission also decided to limit the applicant to one vehicle stored on display in the parking lot at a time.

There was a discussion about the storage and display of the vehicles for sale.

**Motion:** Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Conditional Use Permit with the additional conditions as specified above. [Ayes: Commissioner Semling, Commissioner Webster, Commissioner Cohen, Commissioner Pugsley, Vice Chair Cary; Nays: None]

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

- 4B. 7:30 p.m. Historic Resource Review at 251 St. Helens Street – Lower Columbia  
Engineering

Chair Hubbard opened the Public Hearing at 8:08 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Dimsho introduced the proposal as presented in the staff report dated December 1, 2020. She noted there are specific historic criteria in the code for approval of this building alteration since the building is a listed Local Landmark. She gave some history on the building mentioning that John Gumm was a funder who donated the money for this building because the original school burnt to the ground. She said the proposal was to remove the current wheelchair lift and install a wheelchair ramp. She mentioned the architectural components of the recessed entry.

They are proposing to remove the curb line along the front of the building where currently there is landscaping. She also said they would saw out part of the basalt pillar base, but you would not be able to see the alteration from the front of the building. She noted the applicant proposed to maintain the current color and match the new walls and railings to the existing style and paint color. She showed the concrete rail and said they are looking to match it to the concrete cap that is currently in place near the current ADA ramp.

Commissioner Cohen asked if this was the simplest way to address the ADA issue. Dimsho said she thought the applicant did look at the different ways, but that they could address this in their testimony

Dimsho said that there is a condition state that the new plaster finishes must match the current texture and finish to match the historic base.

Councilor Carlson raised concern about the doors to enter and the signage for ADA accessibility. Dimsho said door replacement was not part of this proposal, but any hardware changes to the doors would be addressed with the Building Department.

**Kahr, Brett. Applicant.** Brett Kahr was called to speak. Kahr is an employee of Lower Columbia Engineering and represents Columbia County as the applicant. Regarding the narrow width of the ADA access, he mentioned there was an exception in the ADA code due to the historic structure.

Vice Chair Cary mentioned the front façade is a major part of this building and asked if the ramp could be moved to a different side of the building.. Kahr said switching sides would require more switchbacks and would end up being more intrusive to the site. He also mentioned that for the interior operations of the County, it makes sense for the entrance to be through the front door.

Chair Hubbard asked about getting a new mechanical lift where the current one is. Kahr said it would require staff to operate the ramp for them. Kahr said the idea of having the ramp in the front was more inclusive, instead of forcing people with limited mobility to take the back or side entrance. Chair Hubbard asked about the doors and whether they would be electronically operated. Kahr said there would have to be some hardware updates to the doors, as they are currently hard to operate.

Commissioner Cohen asked about the worst-case scenario of taking out the column base. He asked if it would impede the structural ability of the column. Kahr said the columns are not currently doing any structural part for the building. He said they were there mostly for decoration.

### **In Favor**

No one spoke in favor.

### **Neutral**

No one spoke as neutral testimony.

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

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

### **Deliberations**

Commissioner Pugsley said she felt the design was a good design.

Councilor Carlson was concerned about the doors and wanted to make sure that it meets the unassisted door access so that no one has an accident. She spoke about the weight and the way they opened and did not want to see any wheelchairs be tipped. Graichen mentioned that the accessibility is important but not imposed by this body. He said it would be up to the Building Code.

There was a small discussion about access.

**Motion:** Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously approved the Historic Resource Review as proposed with the additional conditions that the railing paint match the lower portion of the school building and that the existing

mechanical wheelchair elevator be removed and returned to its original state. [Ayes: Commissioner Semling, Commissioner Webster, Commissioner Cohen, Commissioner Pugsley, Vice Chair Cary; Nays: None]

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

4C. 8:00 p.m. Variance (2) at Gable Road and Columbia River Hwy - NOHA

Chair Hubbard opened the Public Hearing at 8:47 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Graichen introduced the proposal as presented in the staff report dated November 30, 2020. He gave a history on the apartment complex project and where it was located. He said there were two variances. One for building height in the multi-family structures and one for bicycle parking in the senior housing. He said the code requires one bicycle parking space per dwelling unit. The applicant is proposing a reduction of those spaces by about half. He mentioned the building height maximum was 35-feet and the applicant was proposing up to 38-feet for the multi-family use structures.

There was a small discussion about bicycle framing and blocking of the buildings.

Councilor Carlson noted that the original application for the development was already approved, but since there were new people in the audience who may not know the history, she asked about the traffic plan from the prior approval. Graichen mentioned that there is a traffic study required before a project can be approved. He did mention the intersection of Gable Road and Highway 30 does have issues. He said the new project would be required to contribute to the funds for improvements to the intersection. Those improvements would be sometime in the future.

**Flood, Ian, Applicant.** Ian Flood was called to speak. He spoke about the senior living facility and the age requirement. He mentioned it would be a reduction of 40 bike spaces from just the senior living facility. He also spoke about the slope on the project site. He said based on the topographic change the buildings that run along the slope would cause some of the multi-family buildings to be about 38-feet instead of hitting the 35-feet. He said they worked with the engineer to change the slope of the roof, but after looking at the product the financial impact would be almost \$70,000 more. So, they said based on the height impact would only affect two of the buildings they felt the variance for height was the better and more fiscally responsible.

**Klein, Wendy, Applicant.** Wendy Klein was called to speak. She spoke about the project-based vouchers that come through the Northwest Oregon Housing Authority(NOHA) that are used for housing individuals in their low-income housing. She said the vouchers have a project preference for seniors over the age of 62. She said the apartments that were project-based vouchers will prefer people 62 years or older. The low-income tax requirements are based on the Low-Income Housing Person Act which prefers people who are 55 years or older. She mentioned they are working with the NOHA and Housing and Urban Development to reconcile which age requirement will be required. She said they will either have 62 years of age for the apartments that have project-based vouchers and 55 years of age for the ones that do not, or they will have a more restrictive version where 62 years of age or older will be implemented. She said it seems the more restrictive requirement is what regulates. She said with her experience in senior housing, the bike parking is never used. She said they were hoping to re-allocate the funds saved from the extra bike parking to be used for other senior living items.

**In Favor**

No one spoke in favor.

**Neutral**

No one spoke as neutral testimony.

**In Opposition**

**Sharp, Crystal.** Crystal Sharp was called to speak. She asked where these individuals who were moving in going to shop. She said Columbia County was already limited on parking and shopping.. Graichen mentioned that there is argument that more retail can be built based on development.

Vice Chair Cary said there was actually interest from a grocery store to develop this very site, but ultimately did not because there were not enough people to service it. He said now there would be more people to support a new business. Sharp asked if anyone on the Commission saw the support for a new grocery store online. Commissioner Webster mentioned there was a Grocery Outlet being built currently.

**Oliver, Heidi.** Heidi Oliver was called to speak. She is unhappy with the grocery shopping situation right now. She said it was hard to find items on the shelves. She was unhappy with more apartment complexes being built.

**End of Oral Testimony**

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

**Close of Public Hearing & Record**

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

**Deliberations**

Commissioner Cohen asked about the building height and if it would set a precedent for future builders. Graichen said he felt it was a case-by-case situation and that there was a unique circumstance in this case.

There was a small discussion about the height of the buildings. There was also a small discussion about the bike parking and where the seniors could place their bicycles.

**Motion:** Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously approved the Variances as proposed. [Ayes: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Commissioner Cohen, Commissioner Pugsley, Vice Chair Cary; Nays: None]

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

**5. DISCUSSION ITEMS:****a. Street Vacation Review at dead end of S. 2<sup>nd</sup> Street – c2design**

Dimsho mentioned the applicant owns the property abutting the proposed vacation area. She said at the last meeting the Commission approved access and setback variances. They have also applied for a Lot Line Adjustment to move the boundary between the two lots. She said they also went through their Scenic Resource Review. She showed the specific area as a small triangular portion that had not already been vacated. She said the code does allow for a smaller right-of-way width and they were considering it to allow access to the front of the property for the second unit being built on the

property. She said the remaining right-of-way was only serving two proposed dwellings. She said she did not feel on-street parking applied to this property. She also mentioned the sidewalks and driveways. She said there may be a requirement for the applicant to build sidewalks later. She said that staff also asked to maintain a public utility easement. She said the access needs for emergency vehicles was a consideration in maintaining a portion of the right-of-way.

Chair Hubbard asked if the utilities go to any other locations except for the two houses being proposed. Dimsho said no, there was no need for public utility extensions.

Vice Chair Cary was still questioning why the Commission would not recommend vacating the whole area in the right-of-way. Dimsho mentioned that if they vacated the full area, there would be no access to the front of the property for lot 22. Graichen mentioned the topography and how it limits the amount of access to these two lots.

Vice Chair Cary asked about angling the vacation a little different to give lot 21 more front yard and then give lot 22 access to the front area. Dimsho said because of the topography it would not work to do that. Commissioner Pugsley said she thought it was adequate the way it was proposed.

There was a small discussion on why and where there should be a portion of the right-of-way maintained and how much of it.

**Motion:** Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously recommended the City Council approve the Street Vacation as recommended by staff. [AYES: Commissioner Cohen, Commissioner Semling, Commissioner Webster, Commissioner Pugsley, Vice Chair Cary; Nays: None]

#### **b. House Bill 2001 – Duplex Amendments Update and Recommendation**

Graichen reminded the Commission about the House Bill 2001 and how this bill has a requirement by the State of Oregon to allow duplexes with no extra rules. He said the Council and the Commission disagreed on a few matters. He said the Commission had favored keeping the duplexes as one building with two units, but the Council, with a divided vote, favored allowing two detached dwellings on one lot. He said the Council agreed that the minimum lot size should increase in the Apartment Residential (AR) zone. He said that since they must consider two detached homes now, they needed to talk about the distance between the two buildings. He mentioned the code has language about yards and he wanted the Commission to consider the size of yards between buildings. He showed the Commission various diagrams showing the lot coverage with the same size structures on it when allowing two buildings. He also talked about the interior yard and the setbacks as something to consider when looking at new standards.

Commissioner Cohen asked if they could have some time to look over all the items mentioned before recommending to Council. Graichen said there was a time constraint for setting up these new standards so they would not be forced into using the State guidelines.

The Commission agreed they needed a little more time to look over the the proposed amendments before recommending to Council. Graichen said it would be okay to hold off until the next meeting to give some more time for the Commission to review the proposed code amendments.

#### **c. Bennett Building Façade Renovation Update and Recommendation**

Dimsho discussed the budget that was approved by Council to update and correct the renovations to the Bennett Building. She said there was approval to replace all the windows, including the storefront windows. She said the City had been working with an architecture firm that specializes in historic preservation. She said they created a phased full façade improvement plan to spread out the costs. She talked about the other phases and some of the things that would take place in the future

renovations. The first phase would be the replacement of the transom windows and storefront windows.

She said the transom windows would be replaced with accurate wood replicas with true divided light and textured glass. She said the storefront windows would be replaced with clear safety glass. She said the existing storefront windows could shatter into several pieces. She asked the Commission for a recommendation on which textured glass they preferred for the transom windows. She showed the Commission what the architect preferred based on period appropriateness.

The Commission agreed on one option for the transom windows textured glass.

#### **d. Planning Commission Term Limits Update**

Graichen mentioned two positions were up and per the Commission rules they must advertise in the paper to see if they can get a pool of candidates. He mentioned they did this twice and received four interested candidates. He said he would like to finish the interviews and talk to the Planning Commission about it in January.

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

- a. Scenic Resource Review at Dead End of S. 2<sup>nd</sup> Street - c2design
- b. Site Development Review at 970 Oregon Street - K&B Ventures LLC

#### **7. Planning Director Decisions (previously e-mailed to the Commission)**

- a. Auxiliary Dwelling Unit at 491 S 3<sup>rd</sup> Street – Erhardt
- b. Lot Line Adjustment at Dead End of S. 2<sup>nd</sup> Street – c2design
- c. Home Occupation at 35568 Alderwood Drive – Martin

#### **8. PLANNING DEPARTMENT ACTIVITY REPORT**

- a. November Planning Department Activity Report

There was no discussion on the report.

#### **9. FOR YOUR INFORMATION ITEMS**

The Commission said goodbye to Councilor Carlson and thanked her for working with them.

#### **10. NEXT REGULAR MEETING: January 12, 2021**

*There being no further business before the Planning Commission, the meeting was adjourned 10:39 p.m.*

*Respectfully submitted,*

*Christina Sullivan  
Community Development Administrative Assistant*