PLANNING COMMISSION

Tuesday, January 10, 2023, at 7:00 PM

APPROVED MINUTES

Members Present:	Chair Dan Cary Vice Chair Russ Hubbard Commissioner Steve Toschi Commissioner Jennifer Pugsley Commissioner Charles Castner Commissioner Ginny Carlson (8:15p.m. Arrival) Commissioner Russ Low
Members Absent:	None
Staff Present:	City Planner Jacob Graichen Associate Planner Jenny Dimsho Community Development Admin Assistant Christina Sullivan Councilor Mark Gundersen
Others:	Councilor Patrick Birkle (as visitor) Shannon Simms (Mayer/Reed) Brady Preheim Tammy Maygra

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 discussed the City Code of Ethics and shared his opinion on the commissioners who may have violated the ethics code. He experienced some questionable behavior with Commissioner Steve Toschi and Commissioner Charles Castner. He said the behavior was inappropriate for the Commission and both should resign.

Maygra, Tammy. Maygra was called to speak. She shared her experience with Commissioner Charles Castner and questioned if he could make sound decisions for all citizens. She asked the Commission to think about the decision made to keep a person on that may have questionable integrity.

Birkle, Patrick. City Councilor. Birkle was called to speak. He shared information about the Milton Creek bridge and the grant money applied for to repair that bridge. He said the application for that funding was withdrawn, so the City Council did not make any official motions on the bridge repair. He stated he was thankful for this time when he was the official liaison from the Council to the Planning Commission. He said he learned a lot and enjoyed watching the Commission grow and become more proactive. He said as a City Councilor he looked forward to hearing more from them at City Council meetings.

With the permission of Chair Cary, Commissioner Toschi read documents that were presented by Brady Preheim, regarding the accusations against Commissioner Castner. Commissioner Toschi felt they had nothing to do with Comissioner Castner.

CONSENT AGENDA

A. Planning Commission Minutes Dated December 13th, 2022

Motion: Upon Commissioner Pugsley's motion and Vice Chair Hubbard's second, the Planning Commission unanimously approved the Draft Minutes dated December 13, 2022. [AYES: Vice Chair Hubbard, Commissioner Toschi, Commissioner Pugsley, Commissioner Castner, Commissioner Low; NAYS: None]

B. Joint Planning Commission/City Council Minutes Dated December 14th , 2022

Motion: Upon Commissioner Pugsley's motion and Commissioner Low's second, the Planning Commission unanimously approved the Draft Minutes dated December 14, 2022. [AYES: Vice Chair Hubbard, Commissioner Toschi, Commissioner Castner, Commissioner Pugsley, Commissioner Low; NAYS: None]

DISCUSSION ITEMS

C. Architectural Review at Columbia View Park – City of St. Helens

Associate Planner Jennifer Dimsho presented the architectural review report. She explained the Commission would need to decide if the new proposed design for the Columbia View Park stage and pavilion complies with the Architectural Guidelines.

She shared the design for the new stage structure. She shared the size and some of its characteristics. She also mentioned there was a storage structure attached to the stage as well. She said it would store equipment for events. She also mentioned the storage room would house the irrigation and lighting controls.

She also discussed the dance floor area and grassy space in front of the stage. She said there were panels on the backside of the stage to serve as a backdrop for the stage, but also to help block wind and amplify sound during events. She said the panels can be rolled away when the stage is not in use, and to retain views of the River.

She discussed about built-in projector screens for future movie in the park events. She shared some of the recommended color pallets for the materials. She said the stage itself would have a basalt veneer front and then some darker painted steel to match the basalt color. She said the roof itself would be made out of Doug Fir and a curved glulam beam. She said the columns would be wood wrapped tapered steel beams. She said the side profile of the stage roof was tapered to give a water feel to the design. She said there were two proposed skylights in the roof, but may be cut from the design because of budget.

She shared the pavilion design and size. She said there was similar shape to the roof and the columns had the same tapered effect.

She discussed a sign for the stage that would be placed on the backside of the structure. She shared the size and font information. She mentioned the sign was part of honoring a sponsorship given to the City. Commissioner Pugsley said she agreed with honoring the sponsorship, but wanted to be sure the sign was complimentary to the structure and would not deter from the beauty of it. She recommended bronze-colored lettering instead of stainless steel.

There was a discussion on the color choice of the membrane roof. Commissioner Pugsley expressed some concern that the proposed white might be too bright to fit the scene of the park and river. She

suggested a muted darker, grayscale color. There was concern that it would standout to the public from the river. Commissioner Pugsley also asked why they chose a membrane roof.. Dimsho said it was due to cost and the shape of the roof.

There was a small discussion about the lighting inside the stage and pavilion. The Commission was satisfied with the amount of day-to-day lighting and the design for the event lighting. Vice Chair Hubbard if there had been an audio studio done and there was no answer given.

There was a discussion about the panels and their designs. Dimsho suggested styling down the storage building siding to something more muted and grey so that the paneling for the event staging did not become busy. It was also shown that both sides of the panels would have the same design. Chair Cary said he liked the neutral color of the panels, but said the design was a little busy. Commissioner Pugsley said she did not think the design was too busy and she wanted to be sure the attached storage building matched the panels.

There was a discussion about the access to the stage. Dimsho mentioned all the walkways around the staging were large enough for a vehicle. It was to allow for emergency access or large vehicles loading in.

There was a discussion about the grassy area in front of the stage. It was mentioned that it was a gradual grade up from the stage. Dimsho explained there was some ledge seating near the dance floor area. They discussed the access to the dance floor. Shannon Simms, with Mayer/Reed said there was three areas you could access the dance floor. There is a proposed pathway that slopes down from the south, you could step off the grassy wall, or stairs down to it. She said that the larger grassy area with different seating options allows for the event to be large or sized down to a more intimate space.

Commissioner Castner asked why this specific design was chosen for the panels and the siding. Simms explained the panels sit inside a metal framing and the pattern blurs that heaviness of the metal. She also said that it would help with making the stage the focus of the space when there is an event happening.

There was a small discussion about the windows on the storage building and if there would be anti-glare on them since they are south-facing. Simms said that was a good suggestion and they would investigate it.

Motion: Upon Commissioner Low's motion and Commissioner Toschi's second, the Planning Commission unanimously recommended the proposal meets the architectural guidelines with the additional recommendations for bronze colored lettering on the signage and a darker membrane roof color. [AYES: Vice Chair Hubbard, Commissioner Pugsley, Commissioner Toschi, Commissioner Low, Commissioner Castner; NAYS: None]

D. 2023 – 2024 Certified Local Government Historic Preservation Grant Program

Dimsho said they had implemented this grant since the City became a Certified Local Government. She said they have gone through six total grant cycles and four of the cycles were used for a pass-through grant program to give property owners for restoration on their eligible buildings. She said in 2017-2018 they used it on the City Hall building basalt mortar and in 2021-2022 they used it on the Bennett Building (Court/Utility Billing) to upgrade the storefront and transom windows.

Commissioner Pugsley asked about the timeframe for solicitation of property owners. She said this was a very short amount of time to get three contractors out to give bids on projects, which is one of the requirements to be considered for the grant. Dimsho said the timeframe for solicitation begins as soon as they get the contract from the state. There is not a lot of flexibility when solicitation begins, although the duration for solicitation could be expanded.

Dimsho said the amount this year would be from $13,500 to $15,000 and it is a one-to-one match so the property owner would spend between $27,000 and $30,000 on their project.

There was a small discussion on which properties or businesses would qualify or be eligible for the grant money. There was also a discussion on the scoring system and how they decide who is selected. Dimsho also mentioned they would discuss the applicants and decide on who is selected in July.

E. Chair/Vice Chair Selection

Vice Chair Hubbard nominated Commissioner Toschi as Chair and Chair Cary to be Vice Chair. Commissioner Pugsley asked Vice Chair Hubbard if he had interest in being the Chair or Vice Chair again and he said no.

City Planner Graichen mentioned there was only one year experience for Commissioner Toschi and wanted to be sure the Commission was ok with that.

Vice Chair Hubbard said he would like to see the Commission going in more of a proactive direction and more planning aspects of what should be done by the Commission and he thought Commissioner Toschi could lead the Commission in that direction.

Commissioner Pugsley said she struggled with Commissioner Toschi being the Chair as she wanted to be sure that his strong personality did not overpower all the voices looking to be heard. She also mentioned she wanted to be sure to keep the meeting moving in an appropriate way and the Chair needs to be able to do that. She also said that he was leading the charge as a proactive Planning Commission and him stepping into this role would mean they lose a vote.

Dimsho mentioned that a good Chair will put the goal of running a legal and fair proceeding above all other items. She said there may be times that there are lawyers or angry citizens in the room, but that running a fair meeting had to be done above everything else. She said she felt experience was important for a Chair and experience is acquired from spending time on the Planning Commission itself. She also said not letting emotions override your ability to conduct a fair hearing is another very important quality for a Chair. She has already witnessed a public apology made by Commission Toschi for behavior during a public meeting.

Commissioner Castner said the little amount he knew Commissioner Toschi, he did not think he would allow his emotions to override a fair meeting.

Chair Cary voiced that since his appointment in 2009, he along with all other Chairs had been on the committee for multiple years before stepping into the role of Chair. He mentioned many of them were Vice Chair first. He said he thought experience was the most important factor when choosing a Chair.

Commissioner Carlson said it was unprecedented for a person to start on the Planning Commission and then go right into the Chair position without first serving as Vice Chair. She expressed a concern about not enough experience. She said it takes time and experience with hearings and proper procedures. She also said being able to work with staff and letting them do their job was also important. She also expressed concern that there are three new members on the Commission and she thought having an experienced individual in the Chair position was vital.

Commissioner Toschi said if he was voted into Chair, he would consider all the comments made into his leadership. He said Chair Cary had been a great leader to learn from so far and he would resolve to follow his example. He said the Vice Chair would have the power and duty to speak up if the Chair was out of line and he felt if Chair Cary was the Vice Chair, he would have the courage to do just that. He spoke about his desire to create a Proactive Planning Commission and that just because something was done in the past, does not mean it is the right way to continue doing it in the future.

Motion: Upon Vice Chair Hubbard's motion and Commissioner Low's second, the Planning Commission voted to nominate Commissioner Toschi to Chair and Chair Cary to Vice Chair. [AYES: Vice Chair Hubbard, Commissioner Castner, Commissioner Low, Commissioner Toschi; NAYS: Commissioner Pugsley, Commissioner Carlson]

F. 2022 Year End Summary Report

There was a discussion on numbers and how they are calculated. Commissioner Low brought up that this report did not accurately showcase how much time was being performed by the Planning Department to complete these permits. Graichen mentioned that they had done away with some senseless permits over the years, and combined some permit types which can be a factor in the decrease. Chair Cary said he would like to know what the Planning Department does for other departments as well. He said this report did not reflect what reviews and permits they do for Building and other areas.

Commissioner Low said he wanted to clarify and showcase all the work being done in the department to help advocate for additional staffing with the Budget Committee and City Council.

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

G. Site Design Review at 35531 Firway Lane – Jixiang Zhen

H. Site Development Review at 1465 Columbia Blvd – Riverside Community Outreach

There was no discussion of the Planning Director Decisions.

PLANNING DEPARTMENT ACTIVITY REPORT

I. Planning Department Activity Report – December

There was no discussion of the Department Report

PROACTIVE ITEMS

J. Updates on HB 3115 Effort

Chair Cary spoke about taking on tasks that were too large for a small committee to tackle. He said it was important in the future to consider efforts that the Planning Commission, as a body, could see come to fruition and present a whole package. He said, as mentioned before, that this issue was too large of a question for just this body of people to be able to tackle and too attorney heavy which resulted in one person having to take on all the work, which is not really a sub-committee. He said he wanted to see any future proactive items the Commission took on be things that an actual sub-committee could work on together, not just one person. This will help our community and can become helpful in avoiding burnout.

Commissioner Toschi presented an update on the HB 3115 effort. He said the City had agreed to start a task force to take on the HB 3115 measure and working together with other community partners to create policy to protect the City from these new measures. He said he had met with Community Action Team, and they had discussed places that would be appropriate for the public to camp for free. He shared some of the concerns and questions that were asked and would need to be addressed through the City task force. He mentioned discussions about protecting public property and other areas that the City may not want camping allowed.

Commissioner Toschi said the City had obtained an attorney through the insurance company and Commissioner Toschi, Commissioner Castner, City Planner Graichen and City Administrator John Walsh had a meeting scheduled to meet to discuss the efficacy of developing laws to provide a complete defense.

Commissioner Toschi said in the months ahead they planned to work closely with homeless advocacy groups through the task force to implement these policies, but at the very least provide a framework.

There was discussion on who would continue to be on the HB3115 sub-committee. Chair Cary said he did not find it essential that the sub-committee move forward with this discussion as they had created, with the City's help, a task force that would involve the Planning Commission and other Homeless Advocacy groups. Commissioner Toschi said he felt it was the power and duty of the Commission to continue with the sub-committee until the policies were in place. He did not want to have this removed from the agenda. The Commission was divided on whether to keep this as a commission-specific proactive item.

There was a discussion of which commissioners would be involved in the HB3115 task force. They all agreed that Commissioner Toschi, Commissioner Castner, and Commissioner Carlson would be the best fit for this task force.

The sub-committee that was formed to research this proactive item would keep the same Commissioner Toschi and Commissioner Low. Commissioner Pugsley stepped down and Commissioner Castner stepped up.

K. New Proactive Item Proposals

City Planner Graichen said there was a list of proactive items presented by Commissioner Toschi. Before discussing the items, he said these he had a couple questions about the rules for Proactive items that the Commission created and adopted. He mentioned how proactive ideas were supposed to be presented to staff first or comment and then also to determine jurisdiction over specific items. He said he wanted the Commission to consider these rules before moving forward on any items. He wanted to be sure they followed their own rules, before digging deeper into any items.

Commissioner Toschi said the Planning Commission was a judicial body and could determine jurisdiction based on different grounds. He mentioned the powers and the duties of the Planning Commission were extremely broad and powerful and the reason he included so many proposed items was because the Planning Commission has the jurisdiction to plan and resolve to propose codes around each item. Graichen mentioned Commissioner Toschi listed all the powers and duties of the Comprehensive Plan for each proposed item, instead of just those that were specific to the idea. Graichen said instead of listing them all, it was better to specify specific ones to help his fellow Commissioners comprehend what the goal of the discussion would be. Commissioner Toschi did not agree. Commissioner Toschi wanted all them to be included with each item in case there was a challenge to Planning Commission jurisdiction.

The Commission decided to discuss each item on the list. They felt they would discuss one of the items and continue the discussion to another meeting.

Commissioner Pugsley presented one of the items on the list to the Commission. She said architectural standards and historical standards should coincide. She also said the architectural standards should apply to the whole district and currently they do not. She shared some examples of areas where some houses on the same street had different standards than those further down the street. She would like to extend or amend the Riverfront Zoning District Plaza Subdistrict boundaries to include more. She also wanted to add more properties to the Designated Landmarks Register. She also felt it important to advise City Council regarding ideas for incentivizing property owners to restore, rehabilitate and preserve properties within this new proposed district. She also said it would be important to educate the public and there were already places who had programs to help people understand it so that it was not so scary to consider restoration.

The Planning Commission agreed to add residential architectural standards as a Proactive Item.

The Commission did not discuss the other proposed proactive items at this meeting due to time constraints.

Motion: Upon Commissioner Carlson's motion and Commissioner Pugsley's second, the Planning Commission unanimously approved to take on residential architectural design standards as a proactive item. [AYES: Vice Chair Hubbard, Commissioner Castner, Commissioner Low, Commissioner Toschi, Commissioner Pugsley, Commissioner Carlson; NAYS: None]

FOR YOUR INFORMATION ITEMS

Dimsho reminded the Commission about filling out and signing the Code of Ethics forms.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned 10:36 p.m.

Respectfully submitted,

Christina Sullivan
Community Development Administrative Assistant