



PLANNING COMMISSION

Tuesday, November 10, 2020 at 7:00 PM

AGENDA

1. **7:00 P.M. CALL TO ORDER & FLAG SALUTE**
2. **CONSENT AGENDA**
 - 2a. Planning Commission Minutes dated October 13, 2020
3. **TOPICS FROM THE FLOOR** (Not on Public Hearing Agenda): Limited to five minutes per topic
4. **PUBLIC HEARING AGENDA** (times are earliest start time)
 - 4a. 7:00 p.m. Lot Line Adjustment and Conditional Use Permit (Minor Modification) at 34867 Burt Road - Meadowbrook Homeowner's Association, Inc.
 - 4b. 7:30 p.m. Variance (Setbacks) and Variance (Access) at vacant lot at the dead end of S. 2nd Street - c2Design
5. **DISCUSSION ITEMS**
6. **PLANNING DIRECTOR DECISIONS** (previously e-mailed to the Commission)
 - a. Subdivision (Final Plat) at Commons Drive - Graystone Estates
7. **PLANNING DEPARTMENT ACTIVITY REPORT**
 - 7a. October Planning Department Report
8. **ADJOURNMENT**

NEXT REGULAR MEETING: December 8, 2020

VIRTUAL MEETING DETAILS

Due to the COVID-19 pandemic and the Governor's declared state of emergency (March 8, 2020) and subsequent Executive Order No. 20-16 (April 15, 2020), the public hearing will be held in the City Council Chambers, located in the City Hall building at 265 Strand Street, St. Helens, OR, and/or virtually via a phone-and-internet based application.

In-person access into City Hall for this hearing will be from the plaza side entrance.

Join Zoom

Meeting: <https://zoom.us/j/93297102965?pwd=Q2Vab0RxcTk5aTdSQnU5ang3Vk0vQT09>

Meeting ID: 932 9710 2965

Call in: +1 346 248 7799 Passcode: 066385

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For more information or for an application, stop by City Hall or call 503-366-8217.



PLANNING COMMISSION

DRAFT MINUTES Tuesday, October 13, 2020 at 7:00 PM

- Members Present:** Commissioner Cohen
Commissioner Semling
Commissioner Webster
Commissioner Pugsley
- Members Absent:** Chair Hubbard
Vice Chair Cary
Commissioner Lawrence
City Councilor Carlson
- 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

Since both the Chair & Vice Chair were absent, the Commission nominated Commissioner Cohen to act as Chair for this meeting. The Commission proceeded to try and sit on him after that.

2. CONSENT AGENDA

- A. Planning Commission Minutes dated September 8, 2020

Motion: Upon Commissioner Webster's motion and Commissioner Pugsley's second, the Planning Commission unanimously approved the Draft Minutes Dated September 8, 2020. [AYES: Commissioner Pugsley, Commissioner Cohen, Commissioner Webster, Commissioner Semling; 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. DISCUSSION ITEM:

- B. Oregon House Bill 2001

City Planner Graichen explained that St. Helens was considered a medium city with a population between 10,000 and 25,000. This obligates the City to allow duplexes anywhere we allow single-family dwellings. He said all the amendments to the Development Code will need to be made by June 30, 2021. If the City does nothing, then the Oregon's Model Code would take over. He mentioned that staff recommended adopting something other than the model code. He also mentioned that other than looking at the Oregon House Bill 2001, the Commission could consider the St. Helens Housing Needs Analysis for our housing goals.

Graichen mentioned the residential zoning districts and all the different uses allowed currently. He then showed how that would change with Oregon House Bill 2001. The new bill requires permitting duplexes and single-family dwellings on equal terms.

Graichen talked about the Historic District and said the individually listed buildings were still subject to the historic standards for how they appear. He said where there are architectural guidelines to shape the area, this new house bill would not affect them, since single-family dwellings and duplexes are not allowed outright.

There was a small discussion on the difference between townhouses and attached single-family dwellings.

There was a small discussion on what the definition of a duplex is and how our code defines it. The Commission discussed whether the two dwelling units of a duplex should remain attached or if the Development Code should change to allow detached duplex dwelling units. The Commission agreed there should be some common wall that is attached, no breezeways.

Graichen discussed the current City standards for off-street parking. He said the State does not allow for more than two spaces for a duplex, which is two less than what the City currently requires. He said the option was to have zero to two spaces, and the Commission agreed that two spaces should be required.

He mentioned what the code currently allows for driveways and on street parking. He mentioned there could be a standard for one driveway or allow for two driveways. He did mention there was a standard for impervious surface and landscaping requirements.

The Commission had a small discussion on the limited parking for duplexes and that on-street parking was going to become an issue.

Graichen asked the Commission, since we cannot allow more than two spaces for duplexes, should we remove the Skinny Street standard that does not allow for on-street parking? He noted this is a difficult question, since many odd-shaped, infill developments required the use of Skinny Street standards to make them work. He added that the private street standards (private access easements) could also be amended to ensure they are wide enough for on-street parking if the Commission is worried about providing enough parking. The Commission agreed that the Skinny Street standard which does not allow for on-street parking on either side should be prohibited. Dimsho asked for clarity regarding the private access easement proposal. Graichen showed an example, and Commissioner Pugsley did not think they should change the private access rules. She said it allows for more affordable housing by increasing the number of lots that are possible. Commissioner Cohen agreed. The Commission decided not to propose changing private access easement rules.

There was a discussion about the issues with narrow streets, their standards, access easements and parking in the neighborhood.

The Commission agreed that the access easements should be kept.

Graichen discussed that duplexes cannot have different or exclusive standards and had to be treated the same as single-family dwellings. He talked about the setbacks and yard requirements and what the current standard is for the current zoning areas. He also talked about the lot size and dimension. He said there would need to be some updates since some zoning has different standards for duplexes or even none.

There was a small discussion about the lot size and dimensions for the different zoning areas. The Commission discussed the Apartment Residential zone and explored increasing the minimum lot size from 3,050 square feet to something larger, such as 4,000 square feet.

Graichen talked about the remaining standards with auxiliary dwelling units and caretaker residences. He also discussed design standards. He said currently there are not design standards. He mentioned that one idea for a duplex would be that at least one main dwelling entry shall face the street. The Commission agreed that this should be a requirement. They also discussed which street a corner lot entry should face. Graichen also mentioned glazing standards and there was a small discussion about the different types.

There was a discussion on when and how the Commission would need to have a draft code ready. Staff mentioned these matters will be reviewed with the City Council in November.

5. PLANNING DIRECTOR DECISIONS

- a. Subdivision (Final Plat) permit at N. 15th St - La Grande Townhomes
- b. Accessory Structure permit at 515 S 12th - Greg & Sue Fogle
- c. Sign permit at 105 S 12th - Columbia River Fire & Rescue
- d. Temporary Use Permit at 364 N 1st – Jana Brecht
- e. Temporary Use Permit at 305 S. Columbia River Hwy – Cheryl Breslin

6. PLANNING DEPARTMENT ACTIVITY REPORT

- C. September Activity Report

There was no discussion on the report.

7. FOR YOUR INFORMATION ITEMS

Commissioner Cohen asked how the City decides how many pedestrian crossings they can have on a street. He mentioned that between the high school on Gable Road and where Gable Road meets Columbia Boulevard, there was only one pedestrian crossing. He said he thought there should be more than one pedestrian crossing. Graichen mentioned it would have been a design decision with the County.

Associate Planner Dimsho mentioned that the next Planning Department Report to Council was on October 21. She mentioned that Commissioners could attend or watch from the City's website afterwards.

Dimsho also discussed how Arciform had come to review the Bennett building to assist with the design for it. She said they were very professional and had ideas to restore the historic façade.

8. NEXT REGULAR MEETING: November 10, 2020

There being no further business before the Planning Commission, the meeting was adjourned 8:48 p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT**

Lot Line Adjustment LLA.1.20 & Conditional Use Permit (minor modification) CUPm.1.20

DATE: November 3, 2020
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Meadowbrook Homeowners Association, Inc.
OWNER: Applicant and Antonio and Denise Ramirez

ZONING: Moderate Residential, R7 with the Planned Development, PD overlay
LOCATION: 34867 Burt Road
PROPOSAL: Modification of planned development to reduce the area of an open space tract (Tract G) for the benefit (enlargement) of Lot 53 of the Meadowbrook Planned Community, Phase 3

The 120-day rule (ORS 227.178) for final action for this land use decision is January 27, 2021.

SITE INFORMATION / BACKGROUND

A lot line adjustment review is required where any adjustment to a property line by the relocation of a common boundary is requested. In this case, because an open space tract as part of a planned development is proposed to be reduced as a consequence of this request, a minor modification Conditional Use Permit referred to the Commission is necessary.

Meadowbrook history and basis for the LLA and CUPm referred to the Commission is detailed further below under the **APPLICABLE CRITERIA, ANALYSIS & FINDINGS** section.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: November 10, 2020 before the Planning Commission.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on October 20, 2020 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on October 28, 2020.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, the following agency referrals/comments have been received that are pertinent to the analysis of this proposal:

County Surveyor: *I have no issues with moving this line.

**Note that staff had a conversation with the County Surveyor about this issue in August of 2019. Staff questioned whether or not this could be done with a Lot Line Adjustment since it was between a Lot and Tract. Surveyor said that it should be ok since both properties are within the same subdivision.*

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

The Planned Development factors need to be reviewed first as they relate to the Lot Line Adjustment approval criteria and is the reason this has been referred to the Planning Commission.

Meadobrook Planned Community, Phase 1 was platted in 1996, based on a 1995 approval from the Planning Commission, which was a revised approval from a 1993 decision.

The subject properties, Tract G and Lot 53 were created as part of the Meadowbrook Planned Community, Phase 3 in 1998.

These decisions were based on the standards of Ordinance no. 2616 adopted in 1991, where Planned Developments were listed as conditional uses under several zoning districts. It also reads "...additionally subject to the city's Planned Unit Development Ordinance." That ordinance was no. 2256 adopted in 1978 and included specific open space standards as follows:

- Minimum 40% of project area to be devoted to open space.
- Minimum 10% of the project area must be usable open space, which is area accessible to all available residents and does not include bodies of water, slopes exceeding 35%, or parking areas.

In 1999 new Planned Development standards were adopted via Ordinance No. 2785. The current law, via Ordinance No. 2875 adopted in 2003, appears to be more-or-less the same as no. 2785. The current standards require an overlay zone to allow a development plan using the development code flexibilities that results in the planned development. The current standards includes purpose statements per SHMC 17.148.010(4) and (5) as follows:

- (4) To preserve to the greatest extent possible the existing landscape features and amenities through the use of a planning procedure that can relate the type and design of a development to a particular site; and
- (5) To encourage development that recognizes the relationship between buildings, their use, open space, and accessways and thereby maximizes the opportunities for innovative and diversified living environments.

Further, per SHMC 17.148.120(3)(g) there is a minimum 20% landscaped area requirement for residential development.

Back to Meadowbrook.

A Conditional Use Permit (CUP.4.02) was applied for in 2002 to adopt (or expand) the PD Overlay Zone to expand the boundaries of the Meadowbrook Planned Community and to add lots and decrease open space area. The application notes an original 14.7% open space requirement to be reduced to 10.1%. This ultimately resulted in Ordinance No. 2883, adopted in 2003.

Both Lot Line Adjustments (LLA) and Minor Modification Conditional Use Permits (CUPm) are normally administrative decisions. The LLA is to adjust the common boundary and the CUPm is to allow a reduction of open space, which must go to the Planning Commission per 17.148.020(7)(a)(iii). A minor modification to the CUP is possible if the open space reduction is less than 10% of usable open space (see SHMC 17.100.050 and 17.100.060). Per 17.24.090(2) the Planning Director may refer any application for review to the Planning Commission; the Director is obligated to do so in this case given 17.148.020(7)(a)(iii).

Now to focus on open space. **See attachments.**

The area within the perimeter of the Meadowbrook Planned Community is approximately 1,076,600 square feet. The area currently owned by the HOA is 127,494 square feet. There are three areas generally: 1) area under and adjacent to a BPA power easement, 2) area around city owned property (detention pond), and 3) area across Barr Avenue from Ruby Court.



Left: the open space area around the BPA easement. The area to be transferred is centered in this photo. Note the deer about to use this open space as a passageway.



Right: the open space area around the BPA easement. On the other side of Barr Avenue.



Left Above: the open space area around the city owned property.



Left Below: the open space area across Barr Avenue from Ruby Court.

These open space areas appear “usable” as intended by Ordinance No. 2256. $127,494/1,076,600 = 0.1184$ or close to 12%. There may be some deductions here and there, but there appears to be a minor surplus compared to the assumptions from the 2002 decision.

This proposal would reduce Tract G, one of the open space tracts, by approximately 5,000 square feet. If this is included in the calculation the equation would be as follows:

$$(127,494 - 5,000)/1,076,600 = 11.38 \text{ or about } 11.38\%$$

This allows an extra 1.38% (close to 15,000 square feet) of contingency to make up for areas within the open space tracts that may not be as usable.

Moreover, the open space area proposed to be removed lacks trees or any other natural feature of significance.

The applicant notes that the HOA will conduct a vote as required by the CC&Rs to approve and allow the transfer of property. The applicant provided a copy of the CC&R's. Section 7.2.3 of that addresses the sale of common property, which states that 75% vote of approval is required amongst HOA membership. **If the Commission approves this proposal, this should be a condition of approval, especially since it will provide additional assurance that the HOA is satisfied with the loss of open space not encumbered by the BPA easement.**

* * * * *

Lot Line Adjustments require review pursuant to the standards of SHMC 17.140.050 and 17.140.060.

SHMC 17.140.050 – Special provisions for parcels created through the partition process:

(1) Lot Dimensions. Lot size, width, shape and orientation shall be appropriate for the location of the development and for the type of use contemplated, and:

- (a) No lot shall be dimensioned to contain part of an existing or proposed public right-of-way;
- (b) The depth of all lots shall not exceed two and one-half times the average width, unless the parcel is less than one and one-half times the minimum lot size of the applicable zoning district; and
- (c) Depth and width of properties zoned for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Finding(s): (a) No existing or proposed right-of-way is affected.

(b) This pertains to Lot 53. The LLA would result in Lot 53 increasing in size to approximately 12,600 square feet from 7,787 square feet. The depth will increase from 100' to approximately 160'. Width will remain at approximately 78 feet. The depth to width ratio is within acceptable limits.

(c) The properties are not commercial or industrial. This criterion is moot.

(2) Through Lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arterials or to overcome specific disadvantages of topography and orientation, and:

- (a) A planting buffer at least 10 feet wide is required abutting the arterial rights-of-way; and
- (b) All through lots shall provide the required front yard setback on each street.

Finding(s): No through lot is involved or created.

(3) Large Lots. In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the approving authority may require that the lots be of such size and shape, and be so divided into building sites, and contain such site restrictions as will provide for the extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size, and:

- (a) The land division shall be denied if the proposed large development lot does not provide for the future division of the lots and future extension of public facilities.

Finding(s): Lot 53 will be approximately 12,600 square feet, which is less than twice the minimum lot size of the R7 zoning district (i.e., 7,000 s.f.). Thus, no division potential.

(4) Fire Protection. The fire district may require the installation of a fire hydrant where the length of an accessway would have a detrimental effect on firefighting capabilities.

Finding(s): No accessway involved. Both Barr Avenue and Burt Road provide access.

(5) Reciprocal Easements. Where a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved partition map.

Finding(s): No common access is proposed or warranted.

(6) Accessway. Any accessway shall comply with the standards set forth in Chapter 17.84 SHMC, Access, Egress, and Circulation.

Finding(s): No accessway is involve.

(7) The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern.

Finding(s): The street layout was established

SHMC 17.140.060(1) – Lot Line Adjustment approval standards:

(a) An additional parcel is not created by the lot line adjustment, and the existing parcel reduced in size by the adjustments is not reduced below the minimum lot size established by the zoning district;

Finding(s): This action does not create a new parcel. As described above, the minimum useable open space for Meadowbrook is anticipated to be maintained.

(b) By reducing the lot size, the lot or structure(s) on the lot will not be in violation of the site development or zoning district regulations for that district;

Finding(s): The proposed line is moving away from nearby structures on Lot 53. The BPA doesn't allow structures within its easements, generally.

(c) The resulting parcels are in conformity with the dimensional standards of the zoning district; and

Finding(s): Lot 53 will still maintain the minimum standards.

(d) The lots involved were legally created.

Finding(s): Both Tract G and Lot 53 where created as part of the Meadowbrook Planned Community, Phase 3 in 1998.

* * * * *

CONCLUSION & RECOMMENDATION

Based on the facts and findings herein, if the Planning Commission approves this LLA/CUPm, staff recommends the following conditions:

Please note that this is not the only step for the Lot Line Adjustment to take effect. There are also steps with Columbia County that need to be taken. However, the Lot Line Adjustment needs to be consistent with this City approval and the conditions explained here.

The following conditions apply to the *local land use approval* aspect of this proposal:

1. Approval of this **Lot Line Adjustment** shall be effective for a period of twelve (12) months from the date of approval pursuant to SHMC 17.140.035. This approval shall be void if the Lot Line Adjustment is not properly recorded with Columbia County within this time period or is a departure from the approved plan.
2. **This Lot Line Adjustment is not effective until it is recorded with Columbia County.** The applicant/owner is responsible for recording the LLA and all documentation required by the County, and City as described herein, to properly record the Lot Line Adjustment.
3. **Prior to recording this Lot Line Adjustment, documentation proving the Meadowbrook Homeowners Association approves of the sale of the portion of Tract G shall be provided to the City.**
4. The applicant/developer shall provide a copy of all documentation used to record this Lot Line Adjustment with Columbia County to the City.
5. This Lot Line Adjustment shall comply with the approved plan, application and staff report (this document).
6. The applicant/owner shall comply with all local, state and federal laws.

Attachment(s): Application letter from Meadowbrook HOA received October 1, 2020

LLA plan

Original Meadowbrook preliminary plat from 1993

Plat exhibit from Conditional Use Permit CUP.4.02

City staff prepared map showing the Meadowbrook properties including open space tracts owned by the HOA and city-owned property (detention pond and access to it)

Meadowbrook HOA

To the City Planning Commission:

When Meadowbrook Planned Community was initially turned over to the Meadowbrook Homeowner's Association there were modifications made to the draft property lines to allow for some property to be incorporated into the open spaces. This adjustment is unnecessary and therefore we are requesting a minor lot line adjustment. This is specifically to address Tract G of Meadowbrook Homeowner's Community Subdivision, Tax lot 12712.

Meadowbrook HOA is the legal owner of said property, and as the President of the Association I am the rightful signature to the transaction. In said capacity I am requesting the Planning Commission to approve the described lot line adjustment to align with BPA Easement on the West side of Barr Avenue. Platbook Map attached showing requested new property line. This would shift the lot line to Subdivision Lot 53.

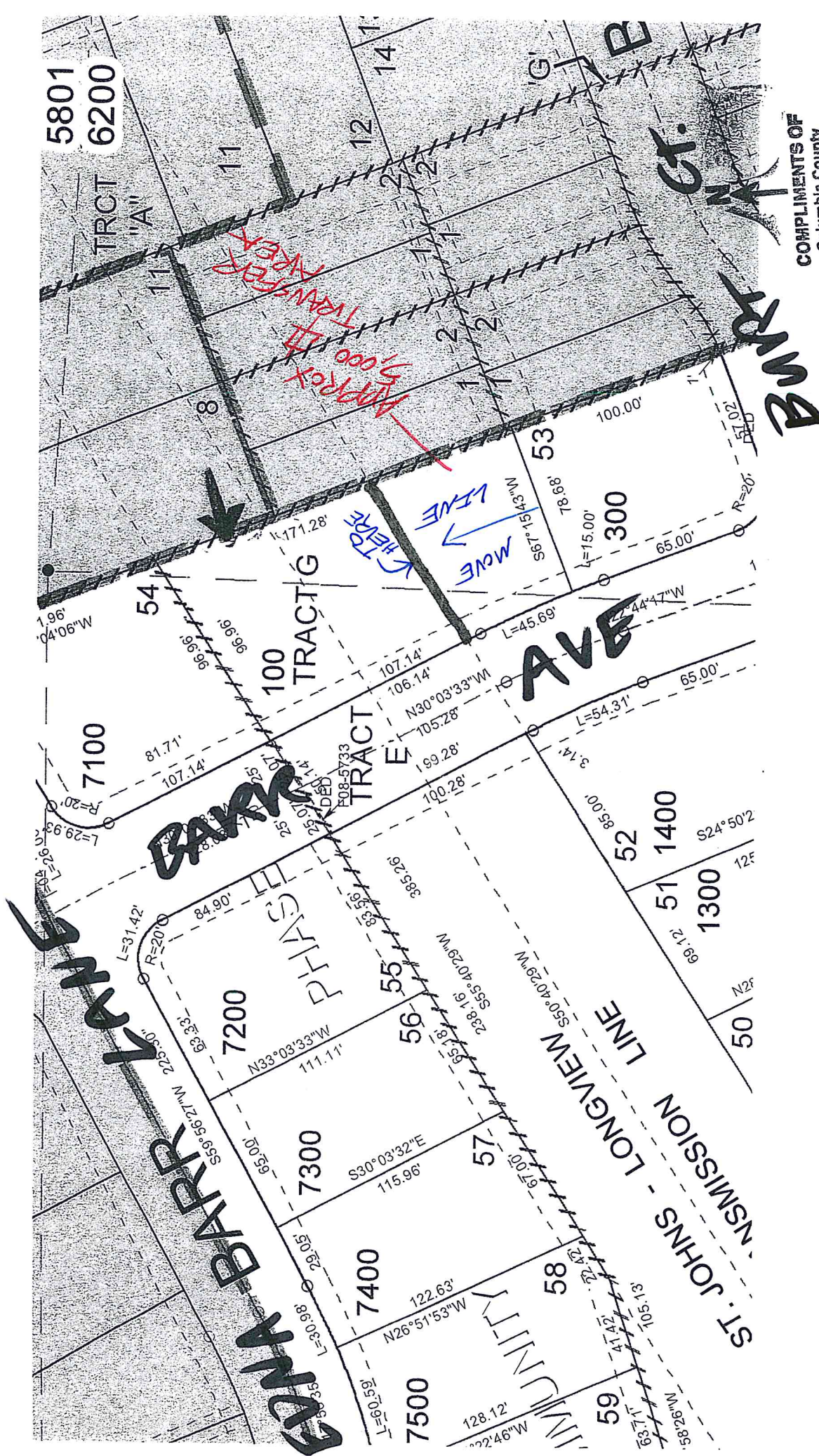
Upon completion of the Lot line approval, the HOA will conduct a vote as required by the CC&R's to approve and allow for the sale of the newly divided lot to the property owner to the common boundary. Once approved by the majority vote in accordance with the CC&R's (attached), we will file to release the property and record a new deed with transfer of ownership.

Thank you very much for your consideration in this matter.

Sincerely,

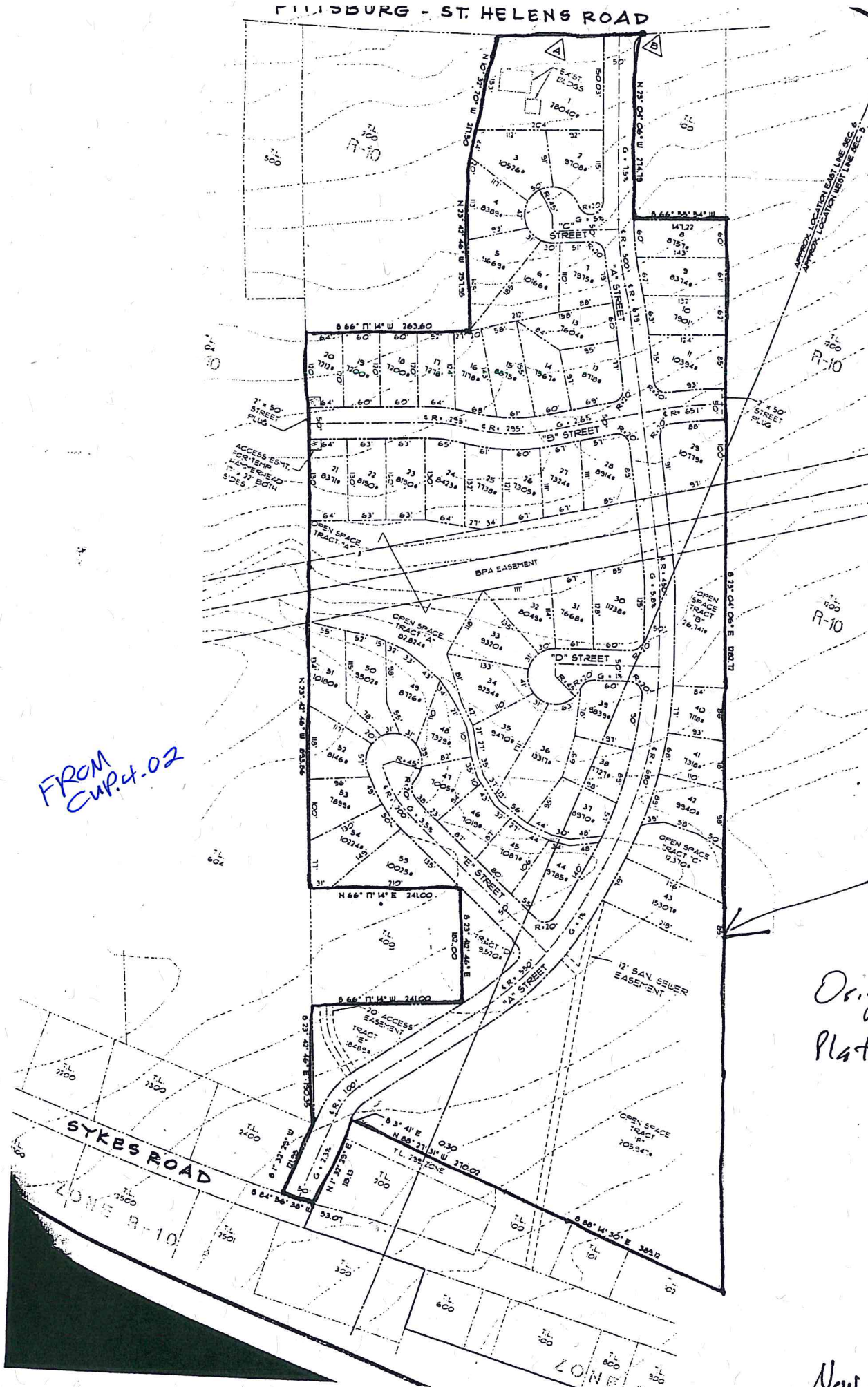
Cyndi Furseth
President, Meadowbrook HOA

RECEIVED
OCT 1 2020
CITY OF ST. HELENS



COMPLIMENTS OF
 Columbia County
 Title & Escrow Services, Inc.
 This sketch is furnished to assist
 in property location and the company
 does not guarantee its accuracy.

FILISBURG - ST. HELENS ROAD

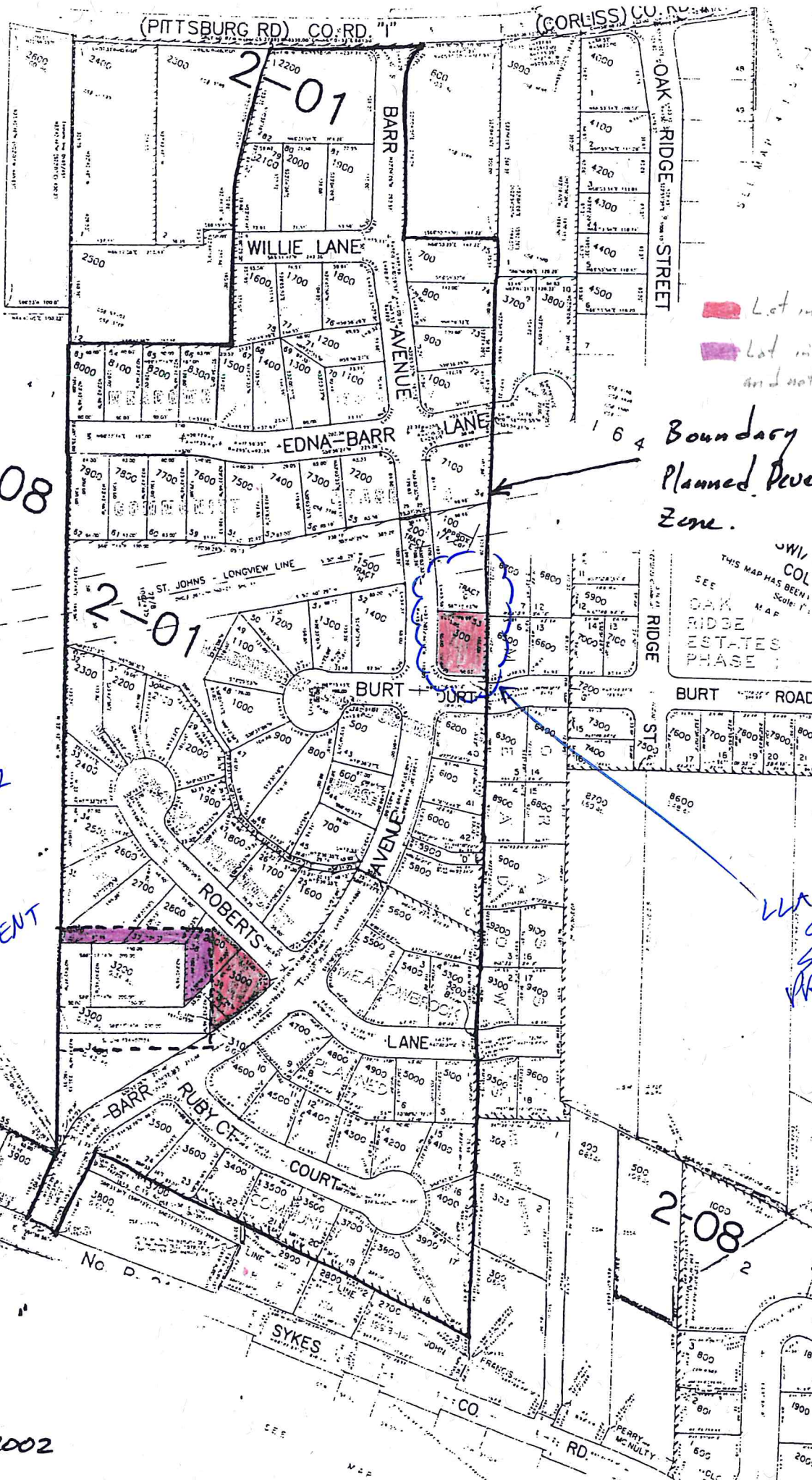


FROM CUP. 4.02

Planned Development Overlay Zone

Original Prelim. Plat 1993

Nov 14, 2002



Lot in Open Space
 Lot in Open Space and not in Overlay Zone

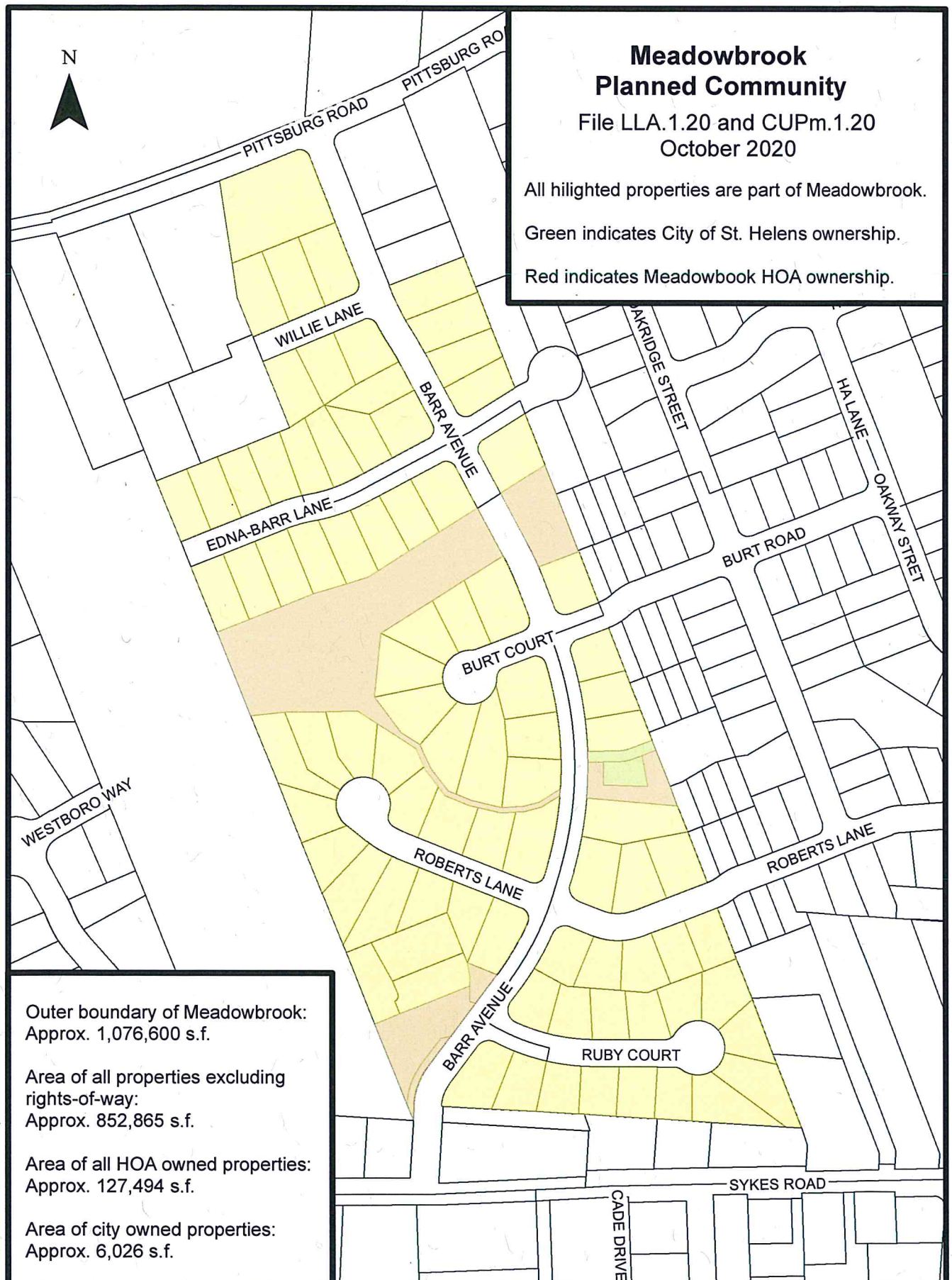
Boundary of Proposed Planned Development Overlay Zone.

SW 1/4
 CORLISS
 CO. SD
 THIS MAP HAS BEEN
 SEE
 OAK
 RIDGE
 ESTATES
 PHASE 1

LLA-1.20/
 CUPM-1.20
 SUBJECT
 PROPERTIES

FROM
 CUP-4.02
 ALSO
 ORD NO.
 2883
 ATTACHMENT
 A

Nov. 14, 2002



**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Variance and Access Variance, V.15.20 & V.16.20**

DATE: November 3, 2020
TO: Planning Commission
FROM: Jennifer Dimsho, AICP, Associate Planner
Jacob A. Graichen, AICP, City Planner
APPLICANT: c2design, c/o Chuck Cohen
OWNER: Equity Trust Company Custodian, c/o Brian Zender
ZONING: Apartment Residential, AR
LOCATION: Vacant lot at the dead end of S. 2nd Street; 4N1W-3CA-500
PROPOSAL: Variance to allow a 0' yard (setback) along a proposed access easement and an Access Variance to allow a 2-foot aerial (2nd story) encroachment into a proposed access easement

The 120-day rule (ORS 227.178) for final action for this land use decision is **February 12, 2021**.

SITE INFORMATION / BACKGROUND

The subject property is made up of one standard 58' x 100' lot (Lot 21), an irregular shaped portion of Lot 22, and a triangular shaped area that is part of Lot 21 and Lot 22 but separated by S. 2nd Street right-of-way. The triangular shaped parcel was vacated back to Lots 21 and 22 in 1959. Together, they total 10,140 square feet. The lots are zoned Apartment Residential (AR) and vacant, except a 234 square foot accessory structure (pictured) which is proposed to be removed with development of two attached single-family dwellings. The lots are located at the dead end of S. 2nd Street overlooking the Columbia River. The subject properties are surrounded by detached single-family dwellings on three sides (all zoned AR), with City-owned waterfront property on the fourth side. Development of these lots over 15' in height is subject to a separate land use process, Scenic Resource Review.

As you approach on S. 2nd Street, there is an unpermitted gate in the right-of-way (pictured). The partially developed 80-foot S. 2nd Street right-of-way includes an older sidewalk along the west side of the right-of-way, but it ends about 60 feet before the subject properties. The paved portion of the street also terminates to all gravel about 25 feet before reaching the subject property. There is only a small portion of usable right-of-way abutting Lot 22.



Subject lots approaching from S. 2nd Street. Accessory structure and unpermitted gate pictured. Triangular portion of the lots to the left.

The lots are relatively flat, with a dramatic slope which drops off into the City-owned waterfront property to the east. The triangular portion, pictured beyond the shed in the photo below, is located on the steeply sloped area of the cliff, which is likely why this section of the right-of-way was vacated back in 1959.



Subject properties looking southeast standing at the northwestern edge of Lot 21.



Standing in the S. 2nd Street right-of-way as it narrows, looking north at the existing detached single-family dwellings along S. 2nd Street.

PUBLIC HEARING & NOTICE

Hearing dates are as follows:

November 10, 2020 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 100 feet of the subject property(ies) on October 22, 2020 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on October 28, 2020.

AGENCY REFERRALS & COMMENTS

City Public Works: I see no red flags as long as there will be no public utilities within the access easement.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

VARIANCE—V.15.20 - This variance is to allow reduced yards (setbacks).

DISCUSSION: Applicant is proposing to develop the vacant lots with two attached single-family dwellings, which are allowed outright in the AR zone. Due to access constraints for Lot 22 (limited usable right-of-way abutting the property), the applicant is proposing a 15-foot wide access easement from S. 2nd Street along the north property line of Lot 21 which widens to a 28-foot wide along the rear property line of Lot 21 to accommodate vehicular maneuvering of the proposed garage for Lot 22.

The definition of “yard (setback)” is:

open space on a lot which is unobstructed from the ground upward, except as otherwise provided in this code. When determining setback, yard does not include an access easement or street right-of-way.

This means that required setbacks are measured from the proposed access easement. The applicant is requesting a variance to allow a 0' setback from the proposed access easement along all property lines that abut the access easement. **NOTE:** This setback variance assumes approval of a lot line adjustment for the shared lot line between the Lot 21 and Lot 22. If this lot line adjustment is not approved as proposed, the setback variance (if approved) for this lot line will be invalid.

The applicant is also requesting a setback exception for the rear yard (from 10' to 8') for Lot 22, but this is reviewed and approved administratively during the Building Permit process. SHMC 17.108.080 allows exceptions to setback requirements as follows:

- (1) The director may grant an exception to the setback yard requirements in the applicable zone based on findings that the approval will result in the following:
 - (a) An exception which is not greater than 20 percent of the required setback;
 - (b) No adverse effect to adjoining properties in terms of light, noise levels, and fire hazard;
 - (c) No reduction in safety for vehicular and pedestrian access to the site and on site;
 - (d) A more efficient use of the site which would result in more landscaping; and

(e) The preservation of natural features which have been incorporated into the overall design of the project.

Although the Commission is not approving the setback exception, it is part of the overall development proposal, and should be considered when deciding whether to grant the variance(s) and considered with the conditions of approval.

CRITERIA:

SHMC 17.108.050 (1) – Criteria for granting a Variance

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

The Commission needs to find all these criteria **(a) – (e)** are met in order to approve the variance.

FINDINGS:

(a) This criterion requires a finding that the variance will not be detrimental.

- See applicant's narrative.
- Staff comments: Both lots will retain the required 20' front yard requirement, which means from the public street, the proposed development will retain a similar visual street frontage.
- Generally, the purpose of yard (setback) requirements are to allow for air, light, and space between properties. The remaining staff comments for this section focus on the side and rear yard requirements for both lots, considering the air, light, and space provided between properties.
- AR zoning has 10' required side yards for attached single-family dwellings, 10' required side yards on corner lots on the side flanking the street, and 5' side yards for detached single-family dwellings. As compared to detached single-family dwellings, the proposed side yard for Lot 21 provides similar open space between properties since the access easement is 15', and the paved driveway width is only 10'. In addition, the location of the

adjacent dwelling is skewed north on their property, so it is located approximately 26' away from the subject property.

- The rear setback in AR zoning for attached single-family dwellings and detached single-family dwellings is 10'. Lot 21 is proposed to have a 28' wide driveway (the access easement) and 2' of landscaping (grass) between the dwelling and the rear property line. Lot 22 includes a request for an administrative setback exception to the rear setback requirement from 10' to 8', as described in further detail in Discussion above. This setback exception is required to meet certain criteria of approval which are intended to reduce impacts on the properties directly affected by the exception. The single-family dwelling closest to the proposed setback exception is about 28' away from the subject property.
- Lot 22 is also utilizing a setback exception to allow a second-story (aerial) encroachment of 2' (width) by 15' (length) into the required 10' southern side yard. This is allowed outright by SHMC 17.64.050 (1), provided the width of the side yard is not reduced to less than 3'. The closest single-family dwelling abutting this proposed second-story side yard encroachment is over 65' away.
- It appears landscaping (grass) is proposed along the rear property line with the proposed administrative setback exception and along the yards abutting the access easement.
Should additional landscaping, buffering, or screening be provided to reduce impacts to abutting properties affected by the setback reductions?
- **Does the Planning Commission find that the setback variance along the access easement will not be detrimental to other properties in the same zoning district and vicinity? Does the variance still allow adequate air, light, and space between properties?**

(b) The criterion requires a finding that there are special and unique circumstances.

- See applicant's narrative.
- Staff comments: The subject property is located on a dead-end street with limited right-of-way frontage abutting Lot 22. The steep topography also makes it difficult to develop a public street to access Lot 22. The access challenges, irregular lot shape, and difficult topography are all special and unique to this circumstance.

(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.

- See applicant's narrative.
- Staff comments: A use variance is not proposed.
- The subject property has very clearly documented challenges that make it difficult develop. **Does the Commission feel that the applicant is maintaining the standards to the greatest extent, given the development challenges of the lot?**

(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.

- See applicant's narrative.

- Staff comments: Regarding traffic and parking, the reason the applicant is proposing a shared access easement is to allow for an orderly and efficient development of the lots. Off-street parking requirements will be met, and the applicant is proposing a 28' wide easement in the back of Lot 21 to ensure room for vehicular maneuvering.
- Regarding landscaping and stormwater runoff, the applicant is proposing concrete slabs with 6" grass joints between slabs for the 28' wide driveway in the back of Lot 21, and concrete driveway "strips" for the wheels, as opposed to paving the full 10' width. This will help reduce the stormwater runoff from the driveway and allows for increased water retention during rain. Since this type of driveway design is not a requirement, **as a condition of approval for the variance, the Commission could require a permeable or semi-permeable driveway which could help limit stormwater impacts to surrounding properties and reduce the potential stormwater runoff impacts of the variance.**
- Note that the code requires asphalt or concrete surfaces, or other similar type of materials approved by the City. Whether or not 6" grass joints will meet this requirement will be up to City staff.

(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.

- See applicant's narrative.
- Staff comments: This setback variance is not self-imposed.
- Without the setback variance, the building envelope width for Lot 21 would be 25' for attached single-family dwellings because of the 15' access easement and yard requirements (assuming the proposed Lot Line Adjustment is approved). This is a very narrow lot. The applicant's proposed building envelope is 35' wide.
- **Does the Commission feel this is minimum necessary to alleviate the hardship?**

ACCESS VARIANCE—V.16.20

DISCUSSION:

SHMC Chapter 17.84.070 states that the minimum access width for two dwelling units/lots is 15 feet in width, with a minimum pavement width of 10 feet. The applicant is proposing a 2nd floor cantilevered encroachment (aerial encroachment) of 2 feet into the proposed 15-foot access easement. The proposed driveway width will still meet the minimum required width of 10 feet.

CRITERIA:

SHMC 17.84.150 Access Variance Approval Standards

- (1) It is not possible to share access;
- (2) There are no other alternative access points on the street in question or from another street;
- (3) The access separation requirements cannot be met;
- (4) There are unique or special conditions that make strict application of the standards impractical;
- (5) No engineering or construction solutions can be applied to mitigate the condition;

- (6) The request is the minimum variance required to provide adequate access;
- (7) The approved access or access approved with conditions will result in a safe access and will not result in the degradation of operational and safety integrity of the transportation system;
- (8) The visual clearance requirements of Chapter 17.76 SHMC will be met; and
- (9) No variance shall be granted where such hardship is self-created.

The Commission needs to find all these criteria **(1) – (9)** are met in order to approve the variance.

FINDINGS:

(1) It is not possible to share access.

- Staff comment: This criterion does not apply since the applicant is proposing to share access.

(2) There are no alternative access points on the street in question or from another street.

- See applicant's narrative.
- Staff comments: The public right-of-way is not suitable to provide access to Lot 22. Therefore, the shared access through Lot 21 is the preferred alternative. The proposed shared access location along the northern property line minimizes the impacts to the building envelopes for both lots.

(3) The access separation requirements cannot be met.

- Staff comment: This criterion does not apply. There are no access spacing standards between driveways on local streets.

(4) There are unique or special conditions that make strict application of the standards impractical.

- See applicant's narrative.
- Staff comment: There are special and unique circumstances applicable to these lots, including limited capability of the public right-of-way to serve Lot 22 and topography challenges.

(5) No engineering or construction solutions can be applied to mitigate the condition.

- See applicant's narrative.
- Staff comment: The applicant is proposing to utilize a cantilevered building solution that will increase the livable space of the detached single-family dwelling, while limiting impacts to the access easement. The vehicular clearance under the cantilevered structure is over 11'.

(6) The request is the minimum variance required to provide adequate access.

- See applicant's narrative.

- Staff comments: The access variance requested does not change the minimum access easement width, which is still 15'. It also does not change the minimum driveway width, which is 10'.

(7) The approved access or access approved with conditions will result in a safe access and will not result in the degradation of operational and safety integrity of the transportation system.

- See applicant's narrative.
- Staff comments: One of the purposes of requiring a 15' minimum access width is to allow for flexibility in the placement of the minimum 10' driveway approach. This is especially important when there are existing trees, difficult topography, or other natural features that would affect driveway placement. The Commission could consider that there are no natural features that would require altering the route of the driveway, that there is 11' clearance under the 2' aerial encroachment, and that 13' will remain for unimpeded access, all of which increases the odds that this variance will maintain adequate function.

(8) The visual clearance requirements of SHMC Chapter 17.76 will be met.

- Staff comment: This access variance will not impact the vision clearance standards.

(9) No variance shall be granted where such hardship is self-created.

- The Commission needs to determine that this Variance is not a self-imposed hardship.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of these Variances with the following conditions:

1. These Variance approvals are valid for a limited time pursuant to SHMC 17.108.040 for V.15.20 and SHMC 17.84.140 for V.16.20.
2. This Variance and Access Variance are valid based on the development scheme presented included the type of development, arrangement of development, and adjustment of property lines, all which require subsequent permitting. These Variances shall not be valid or applicable to any development plan that significantly departs from that presented with these Variance requests.
3. **Prior to the issuance of any building or development permit of Lot 21 and/or Lot 22, the unpermitted gate and fence in the S. 2nd Street right-of-way shall be removed.**
4. These Variances do not supersede staff determination of acceptable surface type for vehicles pursuant to SHMC 17.80.050 (10).
5. << Does the Commission want to require a permeable or semi-permeable driveway as part of the plans for development of the lots? >>

6. << Does the Commission want to require any additional landscaping/screening/buffering between the proposed variances and the affected properties? >>
7. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17), except for the Variances granted herein.

Attachments: *Applicants Narrative (4), Site Plan, Elevations (2), Renderings (3)*

October 9, 2020

Re:

495 and 497 S. 2nd St.,
St. Helens, OR 97051
4N1W03-CA-00500
Block 24, Lot 21 and north portion of Lot 22

Property zoning:

AR Apartment residential

Access easement required width:

15 feet wide with a paved driveway width of ten feet

Variance request to encroach 2 feet vertically for a length of 16 feet and 11 feet above a 15-foot-wide vehicular access easement:

A cantilevered portion of the project's second floor level is proposed to encroach 2 feet vertically for a length of 16 feet and 11 feet above a 15-foot-wide vehicular access easement (see attached site plan and elevation drawings).

As described in this project's variance request for reducing the required setback from its vehicular access easement, development of Lot 22 requires an access easement from Lot 21 due to the incapacity of the public right of way to serve the frontage of lot with an access point (see separate variance request to reduce easement setback for full details).

In configuring a shared driveway access and garage / approach backup area for both lots, Lot 21 has as an undue burden of dedicating otherwise buildable portions of the lot to automobile circulation. Of a 5,075 square foot lot over 1,300 s.f are utilized for a shared garage approach/ back up area and 1,050 s.f. are apportioned for a shared driveway. To take advantages of site's scenic river views with the remaining buildable area on the lot presents formidable challenges for the project.

The configuration of the encroachment into the easement has been carefully configured to not conflict with the actual driveway's paved area and is sufficiently above the access easement (eleven feet) to avoid any impact on vehicular ingress and egress from the site.

Allowing a vertical encroachment into a fifteen foot wide access easement that is not directly over the driveway will:

- o Not reduce safety for pedestrian or vehicular access. The proposed 10 ft. driveway is not located under the two-foot encroachment and at eleven feet above grade level does not present obstacles to sight lines for driveway ingress and egress.

- o Not adversely affect neighboring properties in terms of light, noise levels or fire hazard. The proposed townhouse on Lot 21 is setback fifteen feet from the north property and twenty-eight feet from the west property line. The townhouse is further away from the property lines than a detached single-family residence project or a multi-family residence project configured to the minimum zoning standards of the AR (apartment residential) zone. A detached single-family residence is required to have a minimum of 5 ft. side and rear yards. A multi-family dwelling project is required to have a minimum of 10 ft. side and rear yards
- o Not be detrimental to the purpose and scope of the zoning code. The lots AR (apartment residential) zoning allows for higher density, taller building height (35 ft. maximum) and narrower side and rear yards. A detached single-family residence is required to have a minimum of 5 ft. side and rear yards. A multi-family dwelling project is required to have a minimum of 10 ft. side and rear yards. The proposed project's cantilevered portion is 13 feet from the north property line.
- o Not adversely affect physical systems any more than if the project strictly conformed to the zoning standards without a variance request. Allowing the encroachment into the easement will not create additional load on public infrastructure of sanitary sewer, storm water drainage, electrical, and water supply systems

October 9, 2020

Re:

495 and 497 S. 2nd St.,
St. Helens, OR 97051
4N1W03-CA-00500
Block 24, Lot 21 and north portion of Lot 22

Property zoning:

AR Apartment residential

Access easement setback requirements:

ten-foot minimum setback from edge of access easement

Access easement variance request:

The proposed project provides the minimum required easement access width and requests to reduce the setback from the easement to zero feet

Lots 21 and the north portion Lot 22 were purchased together with the aim of developing two single family residences with scenic river views while minimally impacting the surrounding existing residences. A design strategy of utilizing flat and shallow roofs and generously sized open spaces at the side and rear yards are intended for the new building structure to fit into the existing neighborhood context with a "good neighborly" height and three dimensional bulk. Traditional steeply pitched roof forms built to the maximum allowable building height and maximizing the site's allowable floor areas with habitable space have been foregone in consideration of the site plan and building's effect on its neighbors' views and access to natural light and the relationship between the new construction's scale and the existing neighborhood context.

Lot 22 cannot be developed separately from Lot 21. Vehicular access from the front of Lot 22 is precluded by a narrowly truncated public right of way with steeply sloping topography. A public street cannot be developed to serve the frontage of Lot 22. The only available option for vehicular access to Lot 22 is by a site plan and building design configuration with a vehicular access easement and a shared driveway over Lot 21 along its northern property line and a shared garage approach/ backup area adjacent to the west property line of Lot 21. (see attached site plan and elevation drawings).

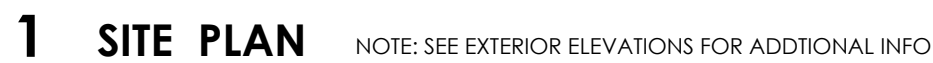
The incapacity of the public right of way to serve the frontage of Lot 22 with vehicular access creates a physical and economic disadvantage with a resulting site and building design configuration that requires either an additional fifteen or twenty more feet of lot width dedicated to non-buildable lot width than if the two lots were able to be developed in a standard fashion with vehicular access at their frontages.

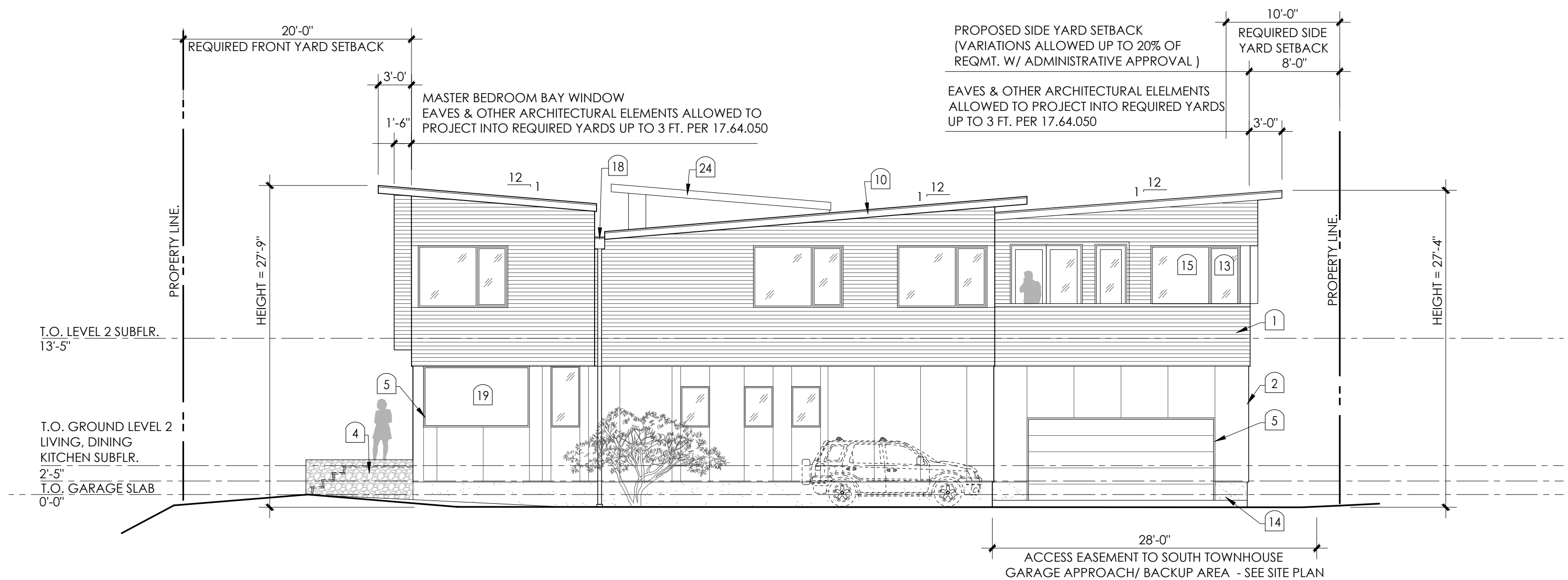
Reducing the setbacks at the south and east edges of the access easements for the driveway and garage approach/ backup area will not:

- Reduce safety for pedestrian or vehicular access. The proposed 10 ft. driveway and 28 ft. garage approach/ backup are provided with sufficient landscape area buffers to ensure adequate lines of sight
- Adversely affect neighboring properties in terms of light, noise levels or fire hazard. The proposed townhouse on Lot 21 is setback from the north property line 15 ft. and 28 ft. from the rear property line. The townhouse is further away from the property lines than a detached single-family residence project or a multi-family residence project configured to the minimum standards of the AR (apartment residential). A detached single-family residence is required to have a minimum of 5 ft. side and rear yards. A multi-family dwelling project is required to have a minimum of 10 ft. side and rear yards
- Be detrimental to the purpose and scope of the zoning code. The lots AR (apartment residential) zoning allows for higher density, taller building height (35 ft. maximum) and narrower side and rear yards.). A detached single-family residence is required to have a minimum of 5 ft. side and rear yards. A multi-family dwelling project is required to have a minimum of 10 ft. side and rear yards.
- Adversely affect physical systems any more than if the project strictly conformed to the zoning standards without a variance request. Reducing the setbacks for the easement setback will not create additional load on public infrastructure of sanitary sewer, storm water drainage, or water supply systems

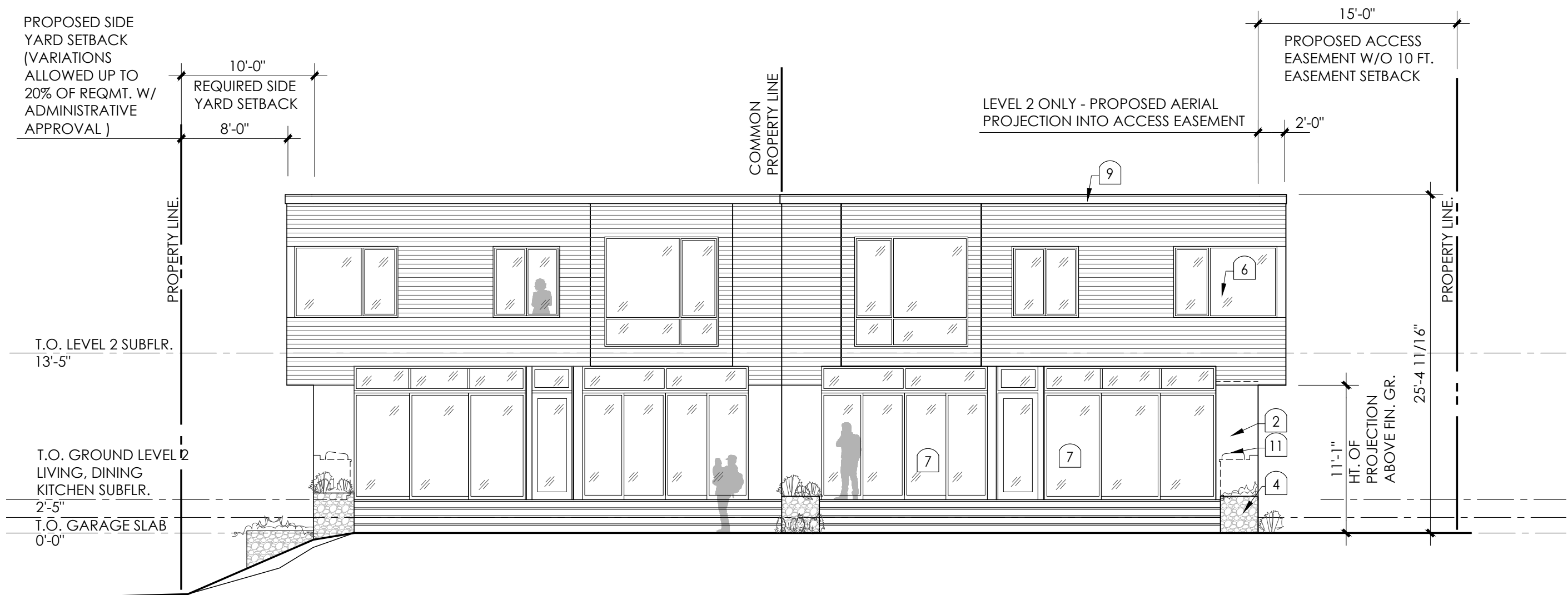
The variance request to reduce the access easement setback requirement is related directly to the unusual circumstances of Lot 22. Relief from strict conformance to the easement setback requirements will allow for the lot's development (otherwise likely unbuildable in terms of construction and development economics) with additional tax revenues for the city without detriment to the community.

1. RAISED WOOD DECK (< 30" ABOVE, FIN. GR.)	12. LANDSCAPING OR LAWN AREA - TYPICAL	23. PORTION OF EXISTING COMPACTED GRAVEL DRIVEWAY TO REMAIN
2. LINE OF SECOND FLOOR ABOVE	13. LINE OF GARAGE	24. PORTION OF EXISTING VEGETATED RIGHT OF WAY TO REMAIN
3. CONC. DRIVEWAY APRON	14. CONCRETE WALKWAY	25. PORTION OF BEDROOM AT LEVEL 2 CANTILVERED INTO SETBACK - VARIATIONS UP TO 20% ALLOWED INTO REQUIRED YARDS W/ ADMINISTRATIVE APPROVAL
4. WOOD STEPS	15. EXISTING ROADWAY IMPROVEMENT	
5. PLANTER W/ DRY STACK STONES	16. UNIMPROVED PORTION OF RIGHT OF WAY	
6. PEDESTRIAN SITE ENTRANCE - PATHWAY WIDTH : 4'-0" - CONC. SLABS W/ 4" GRASS JOINTS BETWEEN SLABS	17. EXISTING TREE	
7. CONC. DRIVEWAY STRIP	18. LINE OF MASTER BEDRM. BAY WINDOW AT LEVEL 2	
8. CONC. SLAB	19. SHED STRUCTURE TO BE REMOVED	
9. CONC. SLABS - 3'-0" X 4'-0" W/ 6" GRASS JOINTS TYPICAL	20. LINE OF LEVEL 2 BEDROOM'S CANTILEVERED PORTION INTO ACCESS EASEMENT - SEE EXTERIOR ELEVATIONS	26. PEDESTRIAN SITE ENTRANCE - PATHWAY WIDTH : 3'-0". CONC. SLABS W/ 4" GRASS JOINTS BETWEEN SLABS
10. SEPARATE LOT UNDER SAME OWNERSHIP - PROPOSED TO BE PART OF LOT 21 W/ PROPOSED LOT LINE ADJUSTMENT- 436 S.F.	21. ACCESS EASEMENT - 15'-0" WIDE W/ 10'-0" DRIVEWAY PAVEMENT	
11. SEPARATE LOT UNDER SAME OWNERSHIP - PROPOSED TO BE PART OF LOT 22 W/ PROPOSED LOT LINE ADJUSTMENT - 808 S.F.	22. 2 FT. ENCROACHMENT AT GROUND LEVEL & LEVEL 2 INTO SETBACK - VARIATIONS UP TO 20% ALLOWED INTO REQUIRED YARDS W/ ADMINISTRATIVE APPROVAL	





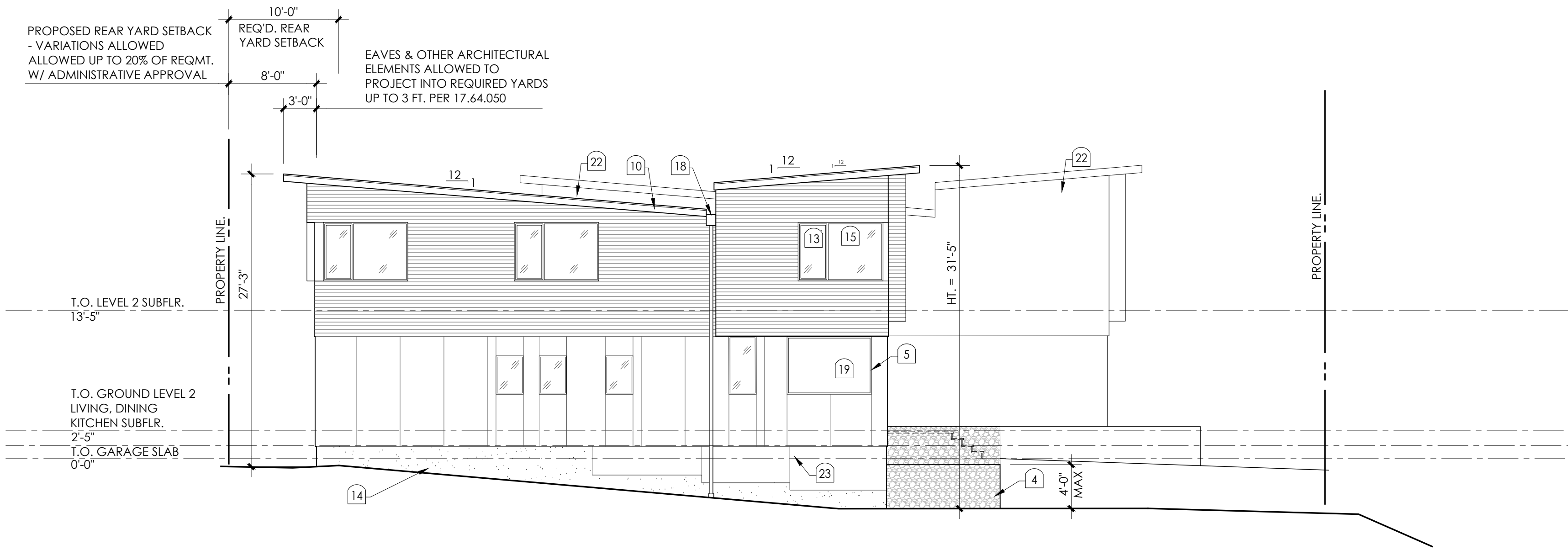
1 NORTH ELEVATION



2 EAST ELEVATION

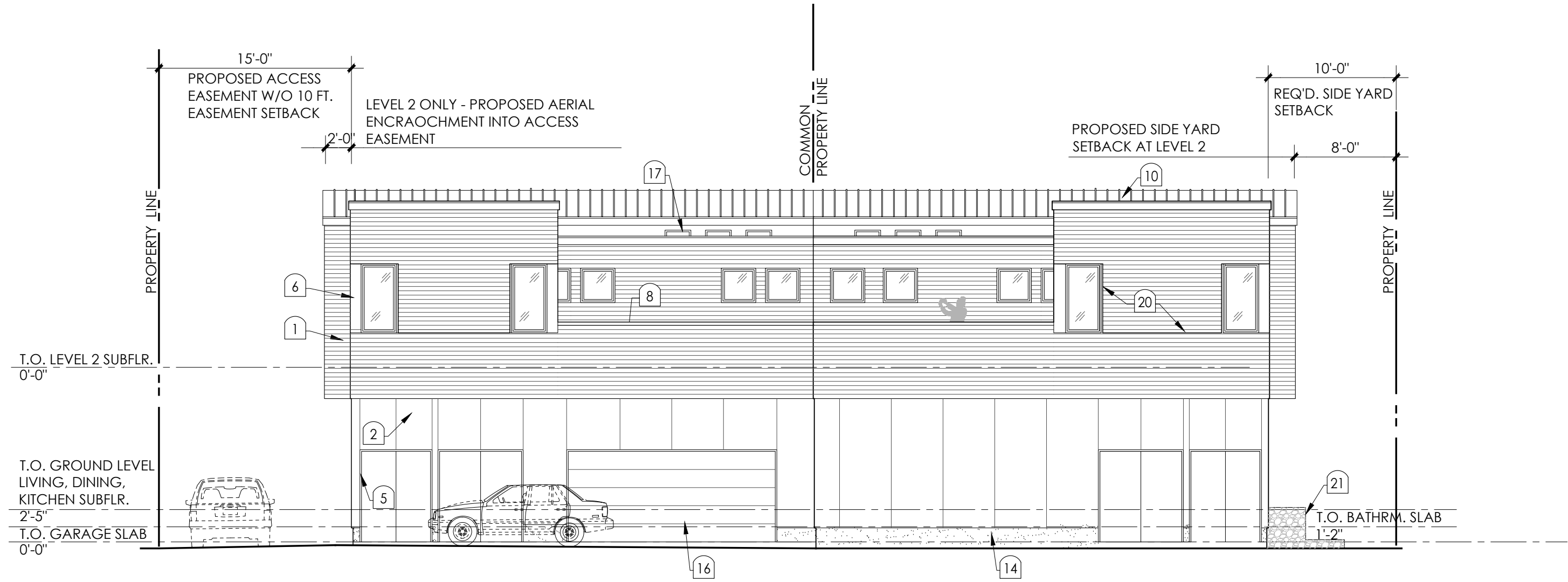
ELEVATION KEYNOTES

1. FIBER CEMENT SIDING (4" EXPOSURE TO WEATHER) W/PAINTED MTL. CORNERS - JAMES HARDI ARTISAN SERIES, 7/16" THICK
2. SMOOTH FIBER CEMENT PANEL (4 x 10 - VARY WIDTH AS SHOWN)
3. FRENCH DOOR W/ FIXED TRANSOM LITE ABOVE
4. PLANTER W/GABION WALL CONSTRUCTION (DRY STACK STONES IN WIRE CAGE)
5. 2 x WD. TRIM OR FRAME AT DOOR, GARAGE DOOR, & WALL OPENINGS - TYP.
6. WD. POST ENCASED W/ 1 x SMOOTH CEDAR FIN. LUMBER
7. SLIDING GLASS DOOR ASSEMBLY
8. PREFINISHED SHT. MTL. CAP @ GUARDRAIL WALLS AT ROOF DECK
9. FACIA BD. W/ ENCLOSED EAVE - SMOOTH T & G 1 x 3 CEDAR W/ CLEAR COATING AND CONT. SOFFIT VENTING
10. STANDING SEAM MTL. ROOF W/ METAL RAKE & EAVE TRIM
11. CABINETRY W/ BUILT-IN GRILL - BEYOND (SHOWN W/ DASHED LINE)
12. SOFFIT OVER COUNTER TOP W/ MECH. EXHAUST SYSTEM - BEYOND (SHOWN WITH DASHED LINE)
13. OPERABLE WINDOW SASH - TYP.
14. EXTENDED CONC. STEM WALL
15. FIXED WINDOW SASH - TYP.
16. OVERHEAD GARAGE DOOR - (5 PANEL W/SMOOTH FIBER CEMENT PANEL FINISH
17. CLERESTORY WINDOWS @ MASTER BEDRM. BEYOND
18. SHT. MTL. LEADER BOX & DOWNSPOUT
19. WALL OPENING
20. WALL PORTION ADJACENT TO WINDOWS PROJECTS 8" BEYOND EXTERIOR LOAD BEARING WALL FOR WINDOW SOLAR PROTECTION
21. NOT USED
22. SOUTH EXTERIOR WALL OF NORTH TOWNHOUSE BEYOND - SHOWN WITHOUT FINISH MATERIALS FOR GRAPHIC CLARITY
23. CEMENT FIBER PANELS OVER CRIPPLE STUD WALL BELOW GROUND LEVEL FLOOR ASSEMBLY (HT. OF CONCRETE STEM WALL TO ACCOMMODATE FULL LENGTH 4 x 8 AND 4 x 10 PANELS)
24. NORTH EXTERIOR WALL OF SOUTH TOWNHOUSE BEYOND - SHOWN WITHOUT FINISH MATERIALS FOR GRAPHIC CLARITY

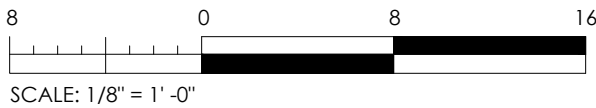


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3 SOUTH ELEVATION



4 WEST ELEVATION



c2design

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Portland, OR 97215
503.320.8090
www.c2design.biz

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brian.zender@live.com

Knob Hill Townhouses

495 & 497 S. Second Street
St. Helens, OR 97051

Variance Request

10.9.2020
3 OF 6



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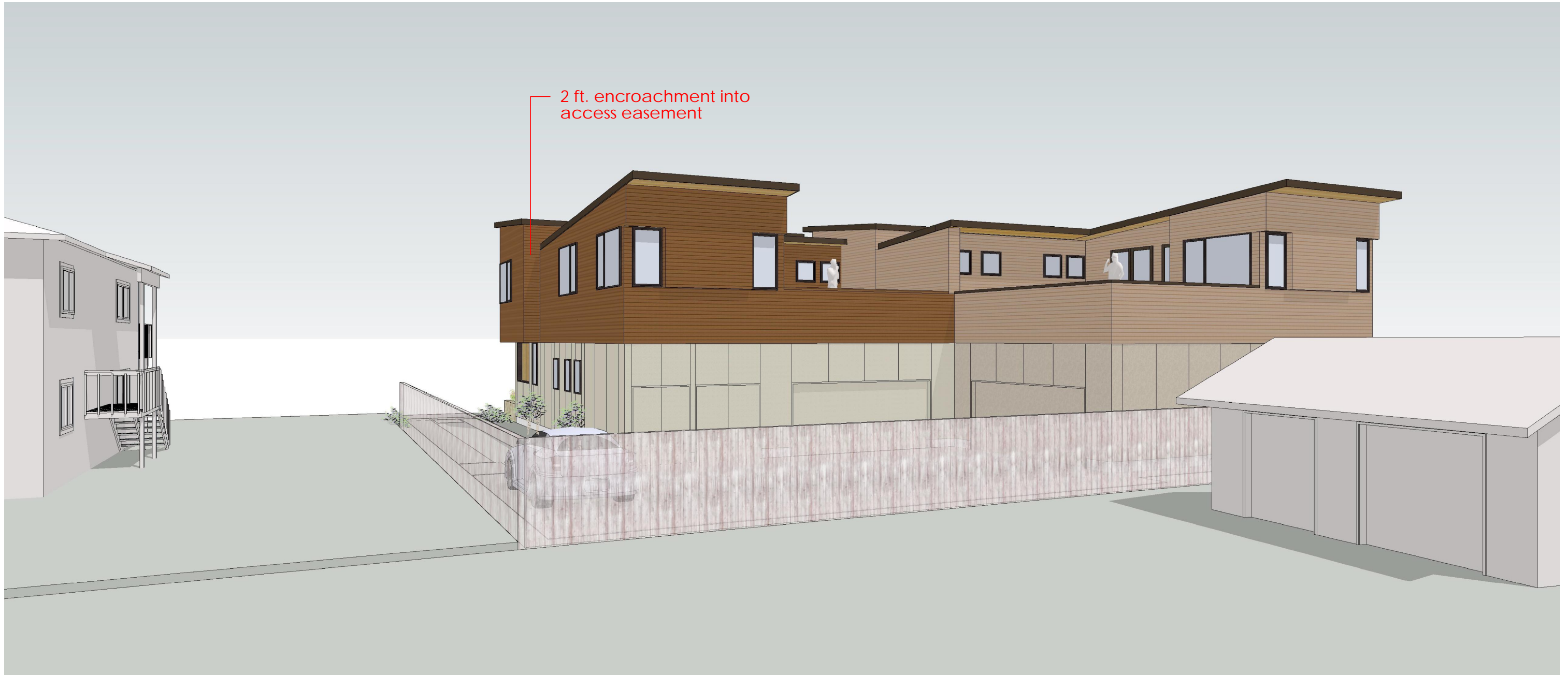
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Variance Request

10. 9. 2020
4 of 6



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5 of 6



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Variance Request

10. 9. 2020
6 of 6

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



To: City Council
From: Jacob A. Graichen, AICP, City Planner
cc: Planning Commission

Date: 10.27.2020

This report does not indicate all *current planning* activities over the past report period. These are tasks, processing and administration of the Development Code which are a weekly if not daily responsibility. The Planning Commission agenda, available on the City's website, is a good indicator of *current planning* activities. The number of building permits issued is another good indicator as many require Development Code review prior to Building Official review.

PLANNING ADMINISTRATION—MISC.

Both Associate Planner Dimsho and I prepared the project action sheets for items listed in the Council's 2020-2022 strategic plan and other efforts related to the departments semi-annual report to the City Council for October 21st of this month.

The parties are in negotiation in the Schlumpberger v. City of St. Helens Land Use Board of Appeals (LUBA) case. It is possible the Schlumpberger and the third party (original appellant) which reach terms that will prevent a LUBA hearing.

means there is a mutually agreed upon opportunity to negotiate, which may prevent the case going before LUBA.

Did my final inspection for the Plymouth High School. The Middle School property project is done!

Inspections at the St. Helens Place apartments continue. This is the complex along Matzen. McBride and Brayden Streets. Only 2 of 18 buildings are not completed and occupied. They are still behind on their bike parking due to supplier issues, but have made headway recently, thankfully.

Assisted Associate Planner Dimsho with various legal documents related to the food bank project.

Assisted with the Gable Road apartments project. They are proposing to use HUD funding (via Section 8 vouchers), which requires a lot of extra bureaucracy. I'm helping with that. This month this meant tribal notification and dealing with nearby oil tanks.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

October 13, 2020 meeting (outcome): Commission discussed HB 2001's duplex mandate and related code amendments.

Three Commissioners were absent. If absent or need a refresh, I recommend watching the Oct. 13th Planning Commission meeting <https://www.sthelensoregon.gov/bc-pc/page/planning-commission-56> or the presentation to the City Council that is anticipated to be during the Council's November 4th Work Session.

November 10, 2020 meeting (upcoming): Two public hearings are scheduled. One is for a Lot Line Adjustment / Minor Modification Conditional Use Permit to adjust a boundary between a lot and open space tract within the Meadowbrook Planned Development. The other is for a pair of Variances for development of a pair lot underdeveloped lot at the south terminus of S. 2nd Street.

ASSOCIATE PLANNER—*In addition to routine tasks, the Associate Planner has been working on:*
See attached.

From: [Jennifer Dimsho](#)
To: [Jacob Graichen](#)
Subject: October Planning Department Report
Date: Monday, October 26, 2020 11:58:48 AM

Here are my additions to the October Planning Department Report.

GRANTS

1. **DLCD 2019-2021 Technical Assistance Program** – Grant contract with DLCD authorized to prepare a *Boise White Paper Industrial Site Master Plan* which will include a parcelization framework and an infrastructure finance planning for the former mill site. Final Parcelization Plan completed. Received final Infrastructure Estimates & Phasing Plan from 3J. Awaiting final Infrastructure Financing Plan from ECO week of November 9.
2. **OPRD - Local Government Grant – Campbell Park Improvements** (\$187k) includes replacement of four existing tennis courts and two basketball courts with two tennis flex courts and one flex sport court, adds a picnic viewing area, improves natural stormwater facilities, expands parking, and improves ADA access. Grant deadline is October 2021. 2nd Sport Court bid closed on 10/15 – no bids received again. Working with Sue and legal counsel on a different procurement process that still complies with state laws to solicit bids directly from contractors.
3. **EPA – CWA Grant Program** – Final reporting due within 90 days of 9/30. Began preparing final report, budget, and cost reimbursement request.
4. **CDBG- Columbia Pacific Food Bank Project** – Construction documents completed. Planned bid period is very soon. Waiting on private sewer easement from abutting property owner. Legal counsel provided a template, Jacob assisted with a legal description/exhibit for the easement.
5. **Safe Routes to School - Columbia Blvd. Sidewalk Project** – Kicked off engineering with David Evans. Survey/topo complete. Construction timeline provided by David Evans, who is working through design/engineering process.
6. **Business Oregon – Infrastructure Finance Authority** – Accepted our intake form. Invitation to apply received for a low-interest loan to fund the streets, utilities, and Riverwalk on the Riverfront property. Deadline to submit in January 2021 for board approval in February 2021.
7. **ODOT Community Paths Program** – Submitted letter of interest (due October 31) for a regional trail planning/initial refinement effort for an off-street trail between St. Helens and Scappoose. Grant ask will be around \$172,000 with a required 10% match which can be in-kind (staff time). Final application opens November 1 and is due January 2021.
8. **EPA Brownfield Multipurpose Grant Program** – Prepared application (15 page narrative) with consultant assistance for \$800k to fund environment site assessments, cleanup and reuse plans, cleanup activities, and overall plans for brownfield revitalization. Only 10 will be awarded nationally, usually 1 per region. Deadline is October 28, 2020.
9. **Oregon Watershed Enhance Board** – Awarded grant (approximately \$12k) to the Scappoose Bay Watershed Council in a partnership with the City for natural enhancements of the 5th Street trail and Nob Hill Nature Park. Will hire a crew in 2020-2021 to remove invasive species and re-plant native species in the oak woodland habitat.

MISC

10. Millard Road entry sign RoW application submitted to ODOT/ODOT rail to approve the location. ODOT Highway agreed to support location, working with P&W and ODOT rail now.
11. Urban Renewal Amendment – Assisted with final adoption PH on 10/21 at 6 PM by preparing ordinance and final amendment attachments.
12. Bennett Building (Water Department/ UB) – Kicked off design project with Arciform on 10/9 with the design firm specialized in historic preservation. As-built façade drawings expected soon.
13. Working with the Wellness Committee on a City-wide volunteer program to repair surplus Police Department bicycles for a community bicycle and helmet giveaway.
14. Riverwalk and Streets/Utilities design/engineering consulting services RFQs published on 10/22! Bids will be accepted until December 8, 2020.
15. Presented at and attended the Oregon Brownfields Conference on October 5/6 (virtually).
16. Attended the Oregon American Planning Association Conference on October 14, 15, and 16 (virtually).
17. Presented with Jacob the Planning Department Report to City Council WS on 10/21.
18. Adjusted temporary office location in the upstairs conference room while renovations upstairs at City Hall occur.

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