



PLANNING COMMISSION

Tuesday, March 21, 2023 at 6:00 PM
HYBRID: Council Chambers & Zoom (details below)

AGENDA

6:00 P.M. CALL TO ORDER & FLAG SALUTE

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

CONSENT AGENDA

- A. Planning Commission Minutes Dated February 16, 2023
- B. Planning Commission/City Council Joint Meeting Minutes Dated March 8, 2023

PUBLIC HEARING AGENDA (times are earliest start time)

- C. 6:05 p.m. Conditional Use Permit & Sensitive Lands Permit at 1810 Old Portland Road - City of St. Helens
- D. 6:30 p.m. Conditional Use Permit and Variances (x3) at NW Corner of 6th Street and Columbia Boulevard - LaGrand Townhomes, LLC

DISCUSSION ITEMS

- E. Renaming of "Mill Street" in the Riverfront District

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

- F. Temporary Use Permit at 555 S Columbia River Hwy - Delgato
- G. Site Design Review Modification at 343 S 1st Street - Lauridsen

PLANNING DEPARTMENT ACTIVITY REPORT

- H. Planning Department Activity Report - February

PROACTIVE ITEMS

- I. HB 3115
- J. Architectural Standards
- K. New Proactive Items Proposals

FOR YOUR INFORMATION ITEMS

ADJOURNMENT

NEXT REGULAR MEETING: April 11, 2023

VIRTUAL MEETING DETAILS

Join: <https://us06web.zoom.us/j/85247707856?pwd=cW9zbDF3SFNaVFhydmdxd3ZWShdxUT09>

Meeting ID: 852 4770 7856

Passcode: 495668

Dial by your location: +1 253 215 8782 US (Tacoma)

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at 503-397-6272.

Be a part of the vision and get involved...volunteer for a City Board or Commission! For more information or for an application, go to www.sthelensoregon.gov or call 503-366-8217.



PLANNING COMMISSION

Tuesday, February 16, 2023, at 6:00 PM

DRAFT MINUTES

- Members Present:** Chair Steve Toschi
 Vice Chair Dan Cary
 Commissioner Russ Hubbard
 Commissioner Charles Castner
 Commissioner Ginny Carlson
 Commissioner Russ Low
- Members Absent:** Commissioner Jennifer Pugsley
- Staff Present:** City Planner Jacob Graichen
 Associate Planner Jenny Dimsho
 Community Development Admin Assistant Christina Sullivan
 Councilor Mark Gundersen
- Others:** Brady Preheim
 Tina Curry
 Robyn Toschi
 Dave Lauridsen

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 expressed concern that Steve Toschi was elected chair for the Planning Commission. He said it should concern the City that the decision was divided on him being chosen for this position. He wanted to address that the Chair should remain neutral in all decisions and not show what his or her opinions are as decisions are made. Preheim also discussed his opinions on why he felt that Commissioner Charles Castner should not be on the Commission at all.

CONSENT AGENDA

A. Planning Commission Minutes Dated January 10, 2023

Vice Chair Dan Cary asked for an amendment to a motion and vote.

Commissioner Russ Hubbard also had a request for a change to a motion and also to have it noted he asked about an acoustic study done on the stage proposals and never heard a response.

Chair Steve Toschi wanted some information added to the responses for public comment. He also asked for amendments on the sub-committee for HB 3115 and the clarification on the task force participants. He also requested changes to the new proactive items and his response to why he included certain sections on items he submitted.

Motion: Upon Vice Chair Cary's motion and Commissioner Low's second, the Planning Commission unanimously approved the Draft Minutes dated January 10, 2023 with the suggested amendments.

[AYES: Vice Chair Cary, Commissioner Carlson, Commissioner Castner, Commissioner Hubbard, Commissioner Low; NAYS: None]

DISCUSSION ITEMS

B. Architectural Review at 343 S 1st Street – Dave Lauridsen (Crooked Creek Brewery)

Associate Planner Jennifer Dimsho presented the architectural review report. She explained this would be a recommendation to staff for compliance with the Architectural Guidelines for the Riverfront District. She explained the property was located just outside of the St. Helens Downtown Historic District, but was still inside the Riverfront District zone.

She said there were a few exterior modifications proposed to update the building. She said the building itself had a Site Design Review on file from the 1980's where they added an additional 1,260 square feet to the building making it an almost 2,000 square feet.

She said the applicant proposed to remove the existing metal awning on the front of the building. She said the guidelines generally discourage the removal of awnings as they promote pedestrian activity, and they help prevent weather exposure. She said the other improvements being made to the building might make up for the removal of the awning including enlarging the windows and creating an outdoor dining area. The applicant was also adding some additional awnings to other areas of the building.

She said the applicant was proposing to replace the exterior siding as there were areas with rot and no flashing at all. The applicant was proposing to replace all the current wood siding with a similar shiplap siding that would be stained a dark neutral color.

She showed the dwelling above the commercial building and where the existing entrance was for it. She said there was a gangway access to the dwelling. The proposal says they would add a new, more direct, entry to the dwelling on the opposite side of the building.

She said he also proposed an overhead door to connect more of the outdoor dining with the indoor dining area. She said the Commission would have to decide if they were comfortable with a more non-traditional entry being proposed.

She discussed the lighting that was proposed on all sides of the building. She said the design and fixture type meets the standards of the guidelines as well. She also discussed the materials and colors of the building and said the proposal complies with the architectural guidelines.

She said there was a mechanical unit proposed to go on the southwest corner of the roof of the building and she said there should be screening from the public and are not visible.

She talked about the structure in the back would be utilized for coolers and then half of it would be for dry storage. She said the plans show it to be enclosed, but the plans did not clarify what type of siding.

The windows are being proposed to change from four feet tall to six-feet tall and would remain eight-feet wide. She said they are currently tinted, but they will be changed to be more transparent which is encouraged by the Guidelines. She also discussed the upstairs windows and that the applicant was going to replace with them similar to what was already there. She said the guidelines would like to see longer and more vertical windows that are more symmetrical on 2nd story windows. She said the Commission could give some suggestions on the 2nd floor window to help bring them more into compliance with the guidelines.

There was a small discussion on the casings for the windows and the type of materials that would be used to make the upstairs and downstairs windows look the same.

Lauridsen, Dave. Applicant. Lauridsen was called to speak. He shared what his vision was for the building. He discussed the roll-up door and said that with the energy code changes, he would be changing that to more of a French door style to meet the energy standards. He also showed an alternative 2nd floor window design that were more in compliance with the Guidelines. He said because of the CMU construction, it would be difficult to create new openings. He talked about why he wanted to remove the awning and how it would create a better view for the customers and lighting for inside the building by opening up the windows. He said he would plan to screen the mechanical unit on the roof.

He did mention they would eventually change the sign, but they were not proposing to do that now.

There was a small discussion on the materials that would be used for the rear storage area. The Commission agreed to the T1-11 material to be used on the storage building due to its hidden location and small size.

The Commission felt the French door option given by the applicant was an appropriate option. The Commission also agreed that the front entry door should have a kickplate, per the Guidelines.

Motion: Upon Commissioner Low's motion and Commissioner Carlson's second, the Planning Commission unanimously recommended that the proposal complies with the Architectural Guidelines with the recommended changes as discussed. [AYES: Vice Chair Cary, Commissioner Carlson, Commissioner Low, Commissioner Castner; NAYS: None; Commissioner Hubbard Abstained. Motions passes.]

C. Practical Councilor Liaison Attendance

City Planner Jacob Graichen advised that City Councilor Gundersen wanted to understand what the Commission expected of him for attendance. City Councilor Gundersen wanted to know if him attending by ZOOM was an issue and if him being at the whole meeting was necessary, as the meetings have been very long. Councilor Gundersen expressed concern that the Planning Commission was not getting along as a team and wanted to see them more cohesive. Councilor Gundersen expressed that two hours for the meeting was the amount of time he felt necessary for him to attend. He wanted to see the Commission express the concerns he needed to hear in that timeframe. He wanted to be conscious of staff time and the rest of the team.

Both Commissioner Carlson and Vice Chair Cary expressed they would like to see the meetings be efficient and to have meetings end on time or earlier. They understand there are times when the meetings might run late, but each meeting running long is not a respectful use of the time of everyone involved.

Commissioner Castner also agreed that he would like to see the meetings be more efficient.

Commissioner Hubbard expressed he would like to see the City Councilor in person at the meetings instead of ZOOM. He felt it was part of the Council Liaison's job as a representative of the people and serves as the Commission's only connection to the City Council.

Commissioner Low expressed that the City Councilor should attend as many of the Planning Commission meetings as possible. He said there is a lot going on, and this way, Councilor Gundersen would be informed and could be the best voice for them at the City Council meetings.

There was a small discussion about the role of previous City Council Liaisons.

D. Vision Sharing for Future Meeting

Chair Steve Toschi expressed that he would like to see more planning going on at the meetings. He said he wanted to see more of a collaboration on the different items on the proactive list and to come

together as a team to help move the City forward. He said he wanted to change the agenda to begin by planning first for at least an hour so they could look at them with fresh eyes and constructively move through the different proactive items.

Vice Chair Cary said that sometimes there is more than one public hearing on the agenda and that can take up a huge amount of time with public comment, applicant testimony and staff reports. He said if they push the hearings to later, it makes the same issue of providing poor decision making to the hearings instead of the proactive items. Vice Chair Cary noted that they changed the start time to 6 p.m. so that they could get out earlier, not later.

The Commission discussed the agenda items and possibly moving the public hearing times at the last minute if needed to discuss more pressing items, but Graichen mentioned these are time sensitive applications and they have to give legal notice for these. There is not an option to change the start time of the public hearing last minute.

The Commission agreed to host a Special Meeting to have a Planning Commission Retreat where each member could discuss what they see as the vision for the city and their goals for the Commission itself.

REVIEW AND RECOMMENDATIONS REGARDING THE CITY'S 10/11/12th STREET BLUFF PROPERTY

City Planner Graichen presented the staff report that will be given to the Council. Graichen said that he brought this to the attention of the Commission now, as there was time in his schedule to allow him to work on it (i.e., winter time) and it is a task identified on the Council's adopted Strategic Plan..

He mentioned the proposed right-of-way dedication and street vacation area was just east of the St. Helens Middle School. He said it was a bluff area. He showed that the City owned the property on both sides of the right of way to be vacated.

He shared the current zoning of the property. He asked if the Commission felt we should proactively change the existing zoning. The Commission was divided, with some wanting to rezone to Public Lands to preserve as open space and others suggesting waiting for a developer to be involved, who may have their own vision of the property.

There was a small discussion about what could be developed on the property.

Graichen discussed the area that would be vacated and that doing it now would be easier for future development. He said there would be a public hearing with the City Council to clean up this area of the property.

The Commission agreed with proposed right-of-way dedication as depicted in the packet materials.

There was a small discussion on how to re-plat the area.

Motion: Upon Vice Chair Cary's motion and Commissioner Carlson's second, the Planning Commission unanimously recommended to City Council to vacate the 10th/11th/12th street bluffs as recommended by staff. [AYES: Vice Chair Cary, Commissioner Carlson, Commissioner Low, Commissioner Castner, Commissioner Hubbard; NAYS: None]

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

- E. Sign Permit at 270 Strand Street (Columbia View Park) – City of St. Helens
- F. Extension of Time for Lot Line Adjustment at Tract F of the Elk Ridge Estates – 3J Consulting, Inc.

There was no discussion of the Planning Director Decisions.

PLANNING DEPARTMENT ACTIVITY REPORT**G. Planning Department Activity Report – January**

There was no discussion of the Planning Department Activity Report.

PROACTIVE ITEMS**H. HB 3115 Effort**

Commissioner Toschi shared an email sent from a citizen, John Campbell, to the Planning Department about how to address homelessness and the HB3115 effort. Graichen shared some of the items that would be shared at the Joint City Council and Planning Commission meeting to be able to adopt a new code before the deadline of July 1, 2023. City Council requested that their legal counsel be present at the joint meeting.

There was a small discussion about the challenges the sub-committee faced and discussed how to move forward with changing the code for HB3115.

There was also a small discussion on places or properties that could be used for appropriate camping. They discussed different areas on where they would not want individuals to camp. The discussion led to more discussion on how to structure the laws to protect properties.

I. Architectural Standards

The Commission agreed to move this item to the next agenda when Commission Pugsley was back to share her research.

J. New Proactive Item Proposals

The Commission agreed to move this item discussion to the Planning Commission retreat.

FOR YOUR INFORMATION ITEMS

Graichen shared that Broadleaf Arbor Apartments and how they were making progress on getting the buildings finalized. He said they would have some of the buildings opening up in March and the last of the buildings would be opening up in October. He said if the schedule goes as planned the project should be completed by the end of the year.

There was a discussion about the Columbia View Park and the timeline of construction. Commissioner Carlson had some questions about parking in that waterfront area. She also mentioned that there was no longer access to the waterfront from her neighborhood. She hoped they would open a space back up to the area from Plymouth Street. Dimsho mentioned there was not a safe way to open up the waterfront access in that area because of the active construction occurring.

There was a small discussion about the new kayak ramp that was approved through a grant program from the Oregon Marine Board. Dimsho said it was still in the works, but last she heard, they were hiring for the In-Water Permit Technician who would be managing the technical assistance program that the City is involved in.

Commissioner Hubbard asked if there was an acoustic study to be scheduled for the new stage to be built in the Columbia View Park. Dimsho said no Audio or Acoustical Engineer had been hired or consulted. She also mentioned that new sound equipment was not included in the budget. Chair Toschi asked if there had been a rendering of the stage location from the amphitheater seating. Dimsho said no, only a side profile of the stage from the Riverwalk itself was completed. She also noted that the stage location and orientation was probably the most heavily critiqued aspect of the project by the public, the technical advisory committee, and staff.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned 9:15 p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*



PLANNING COMMISSION & CITY COUNCIL JOINT MEETING DRAFT MINUTES

Wednesday, March 08, 2023, at 4:00 PM

- Members Present:** Mayor Rick Scholl
 Council President Jessica Chilton (Left at 5:35 p.m.)
 Councilor Patrick Birkle
 Councilor Brandon Sundeen (Zoom)
 Councilor Mark Gundersen

 Chair Steve Toschi
 Commissioner Russ Hubbard
 Commissioner Ginny Carlson (Arrived at 4:42 p.m.)
 Commissioner Jennifer Pugsley
- Members Absent:** Vice Chair Dan Cary
 Commissioner Russ Low
 Commissioner Charles Castner
- Staff Present:** City Administrator John Walsh
 City Planner Jacob Graichen
 Deputy City Recorder Lisa Scholl
 Community Development Admin Assistant Christina Sullivan
- Others Present:** Aaron Hisel
 Scott Jacobson
 Lynne Pettit
 Angela Cruze
 Tina Curry

This meeting was held in the Council Chambers.

At 4:01 p.m., Mayor Rick Scholl opened the Joint Planning Commission and City Council Meeting. The purpose, rules, and goals of this meeting were explained. The Mayor is the presiding officer, the group must have respect for others' time, and no decisions are to be made at these meetings.

PLANNING COMMISSION AS A RESOUC E FOR THE CITY COUNCIL

Mayor Scholl shared how the City Council had discussed the importance of the Planning Commission discussing matters like Architectural Standards. Blight inside the City was mentioned too, though, this item is a tentative proactive item of the Planning Commission that has not been discussed yet by the Commission as to whether they would take it on. Chair Steve Toschi presented a PowerPoint presentation he had prepared about why the Planning Commission was an asset to the City Council. He discussed how the Planning Commission resolved to become a proactive Commission and the requirements for how they would take on those different items. He shared that the Commission had already agreed to take on proactive items of the HB3115 and Architectural Standards and suggested different resources that they needed to be able to work on efficiently and still be able to provide quality feedback to the Council.

Commissioner Jennifer Pugsley shared that, in her opinion, Architectural Standards had the same urgency as the HB3115 proactive item, as they were beginning to see the vacant lots around town begin to infill with future blight. She shared that they would like to get ahead of the Architectural Standards before instead of trying to fix problems after.

Chair Toshi said he agreed that Architectural Standards should be a high priority to maintain the look and appearance of the City of St. Helens. He said there were a lot of visible properties from the river and the skyline that could infill with something that would affect the appearance.

Commissioner Russ Hubbard said the individuals on the Planning Commission held professions that helped make them very well rounded and helps them to provide very quality decisions and recommendations to the City Council.

Mayor Scholl shared how implementing these standards would invite more opportunities to help those buildings that show wear and tear to improve their appearance. He said it could give financial help for businesses or homes to improve their buildings with funds the City could provide (via programs funded by Urban Renewal).

Councilor Brandon Sundeen said he was glad to see Architectural Standards at the top of the Planning Commissions proactive list. He said the downtown Historic District was in desperate need of a facelift. The downtown area and Main Street were the areas that represent our look for the City of St. Helens and he would like to be sure they were preserved and cared for in an appropriate manner.

There was a small discussion about staffing and the budget that was available to meet financial needs.

Councilor Patrick Birkle said there was a definite need for more Planning staff as they are growing the City. With all the new projects coming up that are large and would require a lot of time from the department, he felt that moving into the budget season this would be an area to consider giving more money to.

Councilor Jessica Chilton agreed that the City Council and the Planning Commission were in a good place for moving projects forward. The Planning Commission is filled with individuals that give the Council some peace in knowing they are receiving quality feedback from them and that the Council is able to rely more on the Commission's feedback and support. She also asked Commissioner Hubbard if he felt the Proactive Commission was a step in the right direction for the Planning Commission. Commissioner Hubbard said yes, but did foresee that they would need more help from outside experts which requires some additional funding and resources.

HOUSE BILL 3115, et. al.

Aaron Hisel shared that he was there on a consultant basis to help both groups discuss the House Bill and to assist the City Council in moving forward and guide them in preparing finalized documents of ordinances to approve. He said the items that need to be considered were time, place, and manner. He did not think this would be a cookie cutter situation and that each City would have its own set of rules. He recommended being conservative and less restrictive in their write up. He said he thought it would be beneficial to let other cities try it first and see what happens. They could change it up in the future if needed. He said they should create policy around time, place, and manner in a reasonable manner. He said the more strict they become with these the bigger target they become for lawsuits.

There was a small discussion on what the House Bill 3115 exactly says.

Councilor Chilton asked if they could designate specific areas for sleeping and lying. Hisel said he did not think they could necessarily rely on that, because there could be excuses made as to why those individuals could not go to those specific places.

There was a small discussion on other reasons an individual could be removed from a camping location and how to handle vehicles and camping or sleeping inside an automobile.

City Planner Jacob Graichen said he tried to narrow the House Bill down to some sub-topics to help confirm if there is consensus or if there was concern with different parts of how the Code could be written. He said he hoped to have some feedback from both groups as the Planning Commission being the advisory committee and the City Council being the legislative body.

Chair Toschi shared a PowerPoint presentation that the Planning Commission sub-committee (made up of Commissioner Low, Commissioner Castner and Chair Toschi) met over and discussed some options that could be considered as part of creating these new laws and code framework.

There was a discussion on whether they should provide information on where people can camp or if they should just leave it up to those individuals to figure out where they can camp and only provide them with where they cannot camp.

Mayor Scholl said he wanted to remind everyone that they will never be 100% sue proof and that they need to do their best to write up ordinances that will protect all citizens involved.

There was a small discussion on some "what if" scenarios and how to handle removing individuals from encampments.

Hisel said the most important thing to consider in the analysis of the laws is to be objectively reasonable as to time, place and manner. This would make it easier to assess the laws that are already in place and how they will fit in with and into these new ordinances for sleeping and lying to be considered enforceable. He said it would be helpful to make the changes public and available and the framework of designating the places where it is not allowed all the time as to everyone, and also to where it is allowed is a permissible way to go with not a lot of risk.

There was a small discussion about the framework and the possible risks that could arise by writing the ordinance one way or another.

Commissioner Toschi said that if the laws were designed to be humane under the statutes, then you win. He said he did not see the harm in trying to establish the statutory scheme because the laws were going to remain the same, but what they give up by not having this preface is a chance to win at the pleading stage. Hisel did not agree with this statement. He said regardless of what is done, it must be objectively reasonable. Hisel did say there was not an acute issue for the City which gives them more options in creating these ordinances.

There was a small discussion on the current way that police handle the camping and lying rules and keeping the new ordinances in line with them but broad and open.

Councilor Chilton did say at this time she was leaning more towards being conservative in how the ordinances would be written. She felt it would be good to see what happens in other jurisdictions and how they handle it. It could be a valuable learning experience for all involved.

Graichen said he broke the house bill down into a few different categories to approach it. He said the definition of camping was the first category and it did need to be updated and changed. He said excluding vehicles from the definition allows for them to maintain handling those through vehicle laws.

There was a small discussion about the definition of camping, but the two groups did not have additional substantive comments.

Graichen also discussed that they needed to define how they wanted to write up the new ordinances on where individuals can camp, where they cannot camp, or where they can and cannot camp. He said when you identify where camping is allowed, then it becomes a situation where you have a site that needs to be managed. He notes issues related to managed sites such as including restrooms, showers, trash and utilities. They would also have to decide on the location of where to place it. Graichen did mention the House Bill did not require the City to provide services to those who were sleeping, lying or camping.

Councilor Gundersen expressed concern in naming a specific place for people to camp and asked what the liability would be to the City if something happened to that individual while at that location.

There was a discussion on whether or not to have a managed site. Generally, the Council members said they do not want to have a site that has to be managed. They did not feel they had enough resources or staff to manage the site appropriately.

There was a discussion on what areas to prioritize as non-camping sites. There was no agreement on what areas to prioritize.

Commissioner Ginny Carlson talked about prioritizing areas on a location map and narrowing down what areas an approved camping area could be close to or how far away from specific areas they would need to be. Graichen said if the Commission or City Council could provide some feedback on areas that are more of a concern to them, it would help them create a location map and narrow down the choices.

There was a discussion on how to identify local and non-local homelessness. There was a discussion about registering and being able to track individuals who might need the extra resources.

Councilor Gundersen mentioned there should be some communication and outreach to the local community partner groups. He said collaborating with groups that are already involved in resolving the homeless crisis would be great resources for how to create rules or laws around sleeping and lying.

Hisel shared they should keep an eye on the legislature currently as well. He mentioned there was a House Bill moving through currently that would affect everything with House Bill 3115. One of those bills would not allow them to sue without a plaintiff having anything enforced on them. He also said there would be a change to the notice requirement. It would change the notice requirement that was changed in 2021 from 24 hours to 72 hours back to 24 hours.

Commissioner Toschi said he did not agree that more restrictive measures presented more risk to the City. He said if there is clarification in the laws for everyone and more restrictiveness to all, that it does not actually hurt to add those in. Hisel disagreed and said it sets you up for more risk. Hisel mentioned there is no need to do anything more than what the law requires. He said a single stray comment can result in litigation or lawsuit.

Graichen confirmed with the City Council that they did not want to move forward with managed sites so they needed to discuss prioritizing what areas to specify no camping would be allowed. There was a discussion about not having managed sites, which led to a discussion on areas that they wanted to prioritize for no camping allowed. Dialogue about areas for no camping was brief due to meeting fatigue, having exceeded three hours, and there was no further discussion of the remaining matters identified in the meeting packet materials.

*There being no further business the meeting was adjourned at 7:16 p.m.
Respectfully submitted,*

*Christina Sullivan
Community Development Administrative Assistant*

/s/
Rick Scholl, Mayor

/s/
Steve Toschi, Chair

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.1.23
Sensitive Lands Permit SL.1.23**

DATE: March 13, 2023
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: City of St. Helens
OWNER: City of St. Helens

ZONING: Light Industrial
LOCATION: 4N1W-9AB-100 and 101; 1810 Old Portland Road
PROPOSAL: Establish existing building as a “public facility, major.” Establish existing building used as secondary recreation facility as a public facility too.

SITE INFORMATION / BACKGROUND

Per Columbia County Assessor records, the subject building was built in 1973 as a warehouse/sales office. The use changes to a fitness/gym use sometime between 1980 and 1987, and it was further remodeled and expanded in 1997. The property was purchased from the longtime owner—Boise White Paper, LLC—in 2015 by the City of St. Helens. The city established its first Recreation Center at this location around 2018/2019. When the city established a different site as its primary Recreation Center (2625 Gable Road—see Conditional Use Permit CUP.1.21) around 2021/2022, this Old Portland Road site became a secondary Recreation Center. It is proposed to evolve further with inclusions of offices unrelated to recreation (i.e., for other city functions) so it will no longer be just a secondary recreation program location. Thus, this Conditional Use Permit.

Since the site has been developed for several decades, there are existing site improvements such as parking and landscaping.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: March 21, 2023.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on February 28, 2023 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

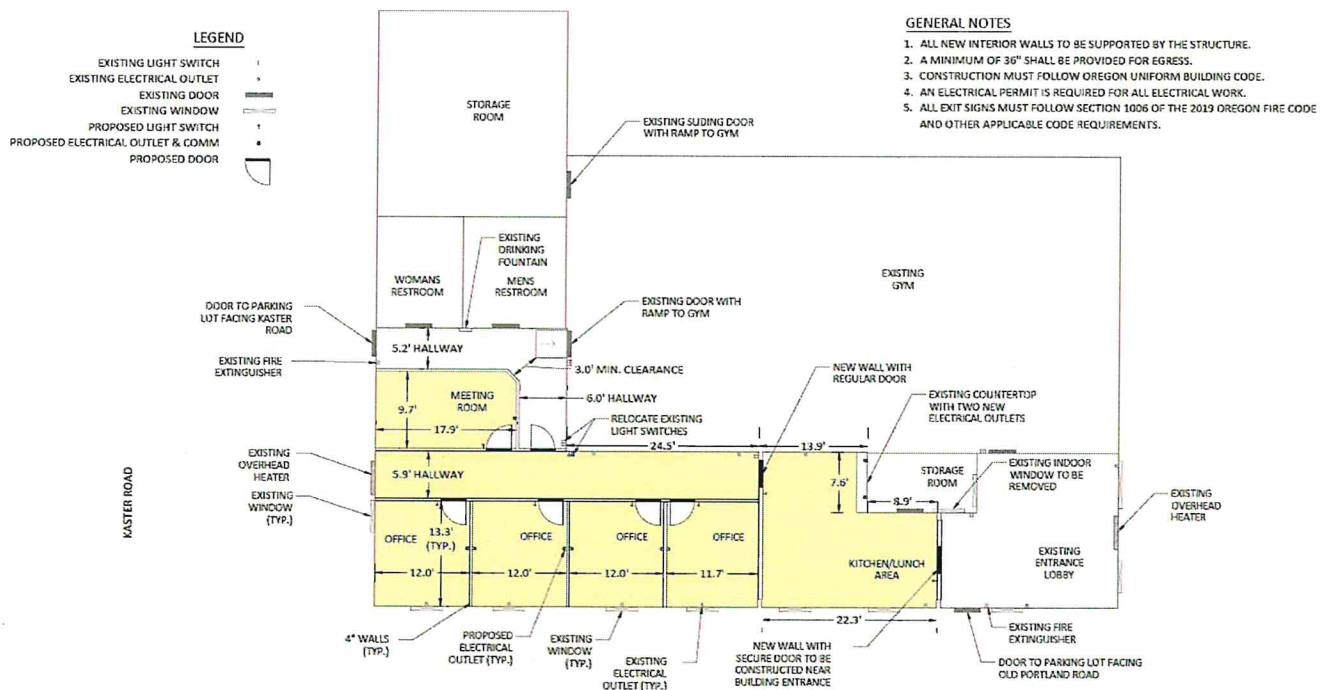
Notice was published on March 8, 2023 in The Chronicle newspaper.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, no agency referrals/comments have been received that are pertinent to the analysis of this proposal.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Zoning Compliance: The site is zoned Light Industrial, LI. Since the building was used as a fitness gym since the 1980's, when the city purchased the site in 2015 and established its first recreation facility in 2018/2019 (after continued use as a fitness gym during city ownership) the use was and continued to be a "public and private recreational facility," a conditional use of the LI zone.



Above: The footprint of the 1810 Old Portland Road building with the proposed offices, four total, and related space that will be segregated with separate entrances/exits to be used exclusive of the recreation use that will be retained for the non-highlighted area.

However, now that office space is proposed to be excluded and segregated from the recreation component, the use will now be also considered a "public facility, major." This is also a conditional use in the LI zone, and being a proposed new use, requires this Conditional Use Permit.

Note that "office" as a land use, is not allowed in the LI zone, so the "public facility, major" use category is important for this to be lawful under the Development Code. Per Chapter 17.16 SHMC this is defined as:

"Public facility, major" means any public service improvement or structure developed by or for a public agency that is not defined as a minor public facility.

Office use unrelated to a public agency would not be a lawful use.

Standards specific to the LI zone include:

(4) Standards.

- (a) The standards for the LI zone shall be determined by the proximity to residential zones and the anticipated off-site impacts.
- (b) The maximum height within 100 feet of any residential zone shall be 35 feet.

(a) & (b) The site does not abut a residential zone. Also, as a corner property, zoning across both Old Portland Road and Kaster Road are also not residential.

* * *

Sensitive Lands: There are known sensitive lands as identified in the Development Code. This includes:

- Area of Special Flood Hazard—Chapter 17.46 SHMC
- Wetlands, including upland protection zones associate with “significant” wetlands per Chapter 17.40 SHMC

Area of Special Flood Hazard—Chapter 17.46 SHMC

The existing building is located within a Special Flood Hazard Area (SFHA) (i.e., 100 year floodplain) as identified by Flood Insurance Rate Maps (FIRM) No. 41009C0452D. It is within a flood zone AE where base flood elevations are determined.

As an existing building there are two things to be considered: 1) is this a critical facility and 2) is this a substantial improvement?

Is this a critical facility? The offices being created are specifically not related to the city’s recreation program. Initially, they are intended for non-represented (non-union) police management staff (e.g., Police Chief, Police Lieutenant) as an interim solution to help address the space deficiencies at the current Police Station at 150 S. 13th Street until a new facility is built.

SHMC 17.46.050(6) – Critical facility.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA). Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available. Critical facilities construction within the SFHA shall have the lowest floor elevated at least three feet above the base flood elevation (BFE) or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility shall also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

SHMC 17.46.020 defines “critical facility as:

“Critical facility” means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use or store hazardous materials or hazardous waste.

Per Police staff, for a critical event, such as a flood, command and control would still be at the police station at 150 S. 13th Street. Also, day-to-day activity is directed by police sergeants, who will not have offices at this 1810 Old Portland Road location. Thus, offices for police non-represented staff does not fall into the critical facility category. Further, there is the possibility of a new police station in the future in which case non-police staff could utilize this office space.

Is this a substantial improvement? This term is defined by SHMC 17.46.020(33):

(33) “Substantial improvement” means reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The market value of the structure should be:

(a) The appraised real market value of the structure prior to the start of the initial repair or improvement; or

(b) In the case of damage, the appraised real market value of the structure prior to the damage occurring.

The term does not, however, include either:

(a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

(b) Any alteration of a historic structure; provided, that the alteration will not preclude the structure's continued designation as a historic structure.

There is enough information available to determine this will not be a substantial improvement, including all improvements to the building since the city's purchase of the property in 2015. Per the County Assessor records, the building has an assessed value of \$418,140. This is not based on a current appraisal, which would likely be a higher number. Based on this, as long as improvements do not exceed somewhat more than \$209,070 we can safely assume this does not meet the substantial improvement threshold.

Permits in 2018 and 2019 show a value of at least \$36,485, though, the value for plumbing permits totaling 9 fixtures is not determined. Per the city's Building Maintenance Utility Worker, the cost of materials for the proposal is \$9,000 and electric work at \$25,310.26. Though, there are some data gaps, the sum of these known values are around \$71,000 and well below \$200,000, with over >\$100,000 contingency which is more than enough to compensate for the unknown value data.

Also, not exterior (non-building) improvements are proposed to evaluate their relation to flood standards.

Wetlands, including upland protection zones associate with “significant” wetlands per Chapter 17.40 SHMC

The city's local wetlands inventory identifies no wetlands in close proximity to the site. Further, an environmental assessment was done for this property and surrounding ones that confirm this—see DSL WD # 2019-0324 (Revised) and WD # 2022-0251.

However, Milton Creek abuts the west side of the site and is considered as Type II riparian area with a 50' upland protection zone. As no exterior non-building improvements are proposed, there is no conflict with this.

* * *

Building Height Limitations & Exceptions: Chapter 17.68 SHMC addresses building height in industrial zones. The building is one story and no height changes are proposed.

* * *

Landscaping/buffering/screening: The value of the project is minimal, so significant site improvements are not warranted. However, the site has no trash enclosure and the area where trash containers are kept includes a visible HVAC unit. Screening this area is a reasonable requirement and advances the intent of the Development Code.



* * *

Off-Street Parking/Loading: The site has about 34 off-street parking spaces. Indoor sports/recreation has an off-street parking requirement of one space per 300 s.f. of gross floor area. Public agency administration requires one space per 350 s.f. of gross floor area. Because the new use has a lesser parking requirement than the existing use, this change will not require additional off-street parking.

However, the disabled person spaces are dated for a site that will become a bona fide public facility. Based on the 2019 Oregon Structural Specialty Code, 2 disabled person spaces are required. A second space can be easily added. Also, there is no sign associated with the disabled space(s) as required by the State of Oregon.

It is logical that a new public facility meets at least the minimum requirements for disabled person parking.

* * *

Access/egress/circulation: As a minor arterial classified road, Old Portland Road access would be different than it is for this site currently if the property was developed anew today. However, because the value of the project is minimal and street improvements are not warranted, using existing access is acceptable. Changes will occur when a round-a-bout is constructed as identified in the 2019 Riverfront Connector Plan (Ordinance No. 3241).

* * *

Signs: New signs will require permits per Chapter 17.88 SHMC. Note that the Recreation Center sign on the building was approved via Sign Permit S.22.18.

* * *

Conditional Use: These are important considerations for the Commission. Pursuant to SHMC 17.100.040:

(1) The planning commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:

- (a) The site size and dimensions provide adequate area for the needs of the proposed use;
- (b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
- (c) All required public facilities have adequate capacity to serve the proposal;
- (d) The applicable requirements of the zoning district are met except as modified by this chapter;
- (e) The supplementary requirements set forth in Chapter 17.88 SHMC, Signs; and Chapter 17.96 SHMC, Site Development Review, if applicable, are met; and
- (f) The use will comply with the applicable policies of the comprehensive plan.

Findings: (a) – (f) There is no evidence that the use is contrary to these provisions. It has already been under public use for several years now and inclusion of offices unrelated to recreation will be a lesser traffic demand compared to peak events. As long as the intent of the zoning is honored (i.e., no use of offices for private nonpublic agency use), the proposal is appropriate.

* * *

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Conditional Use Permit, with the following conditions:

1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030. This Conditional Use Permit approval is valid for 1.5 years. A 1-year extension is possible but requires an application and fee. If the approval is not vested within the initial 1.5 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.100.030.
2. Any refuse container or refuse collection area visible from a public street, parking lot, residential or commercial area, or any public facility (e.g., school or park) shall be screened

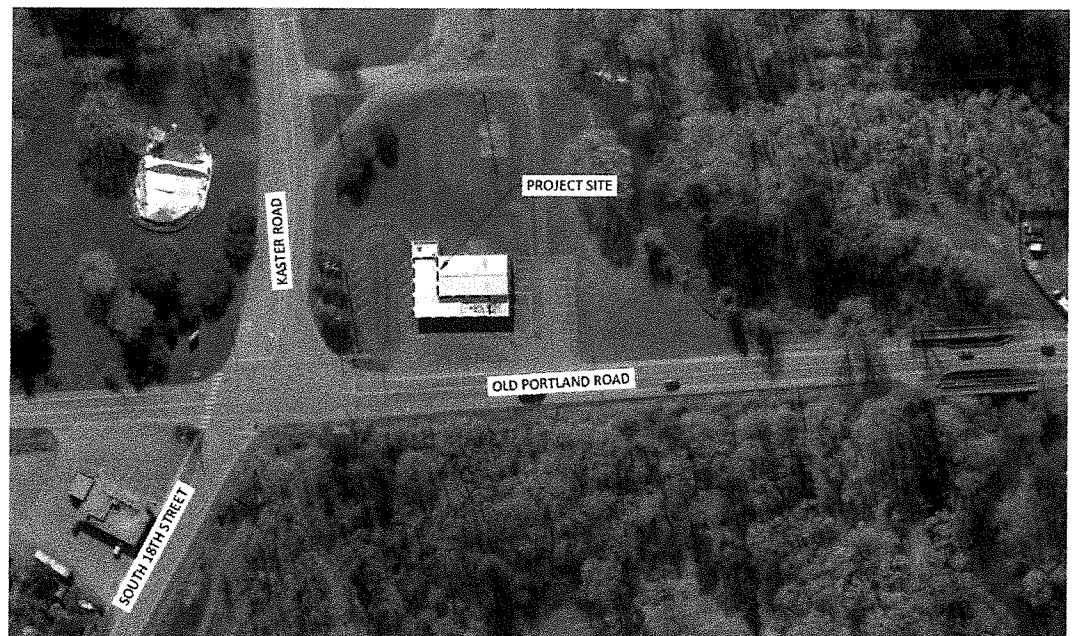
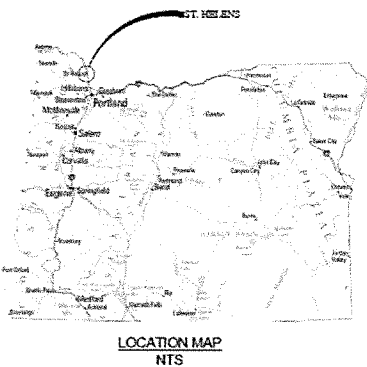
or enclosed from view by a solid wood (or otherwise sight-obscuring) fence, masonry wall or evergreen hedge. Construction standards for height, gate openings, size and such shall comply with the Development Code.

3. A second disabled person parking space shall be added, to include a new sign or signs. For example, see attached.
4. "Office" as a land use, is not allowed in the LI zone, thus based on this CUP approval within the LI zone, **office use unrelated to a public agency would not be a lawful use.**

* * *

Attachment(s): Minimum standard double-accessible parking space

Below: Site plan/existing conditions.



OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
August 2018

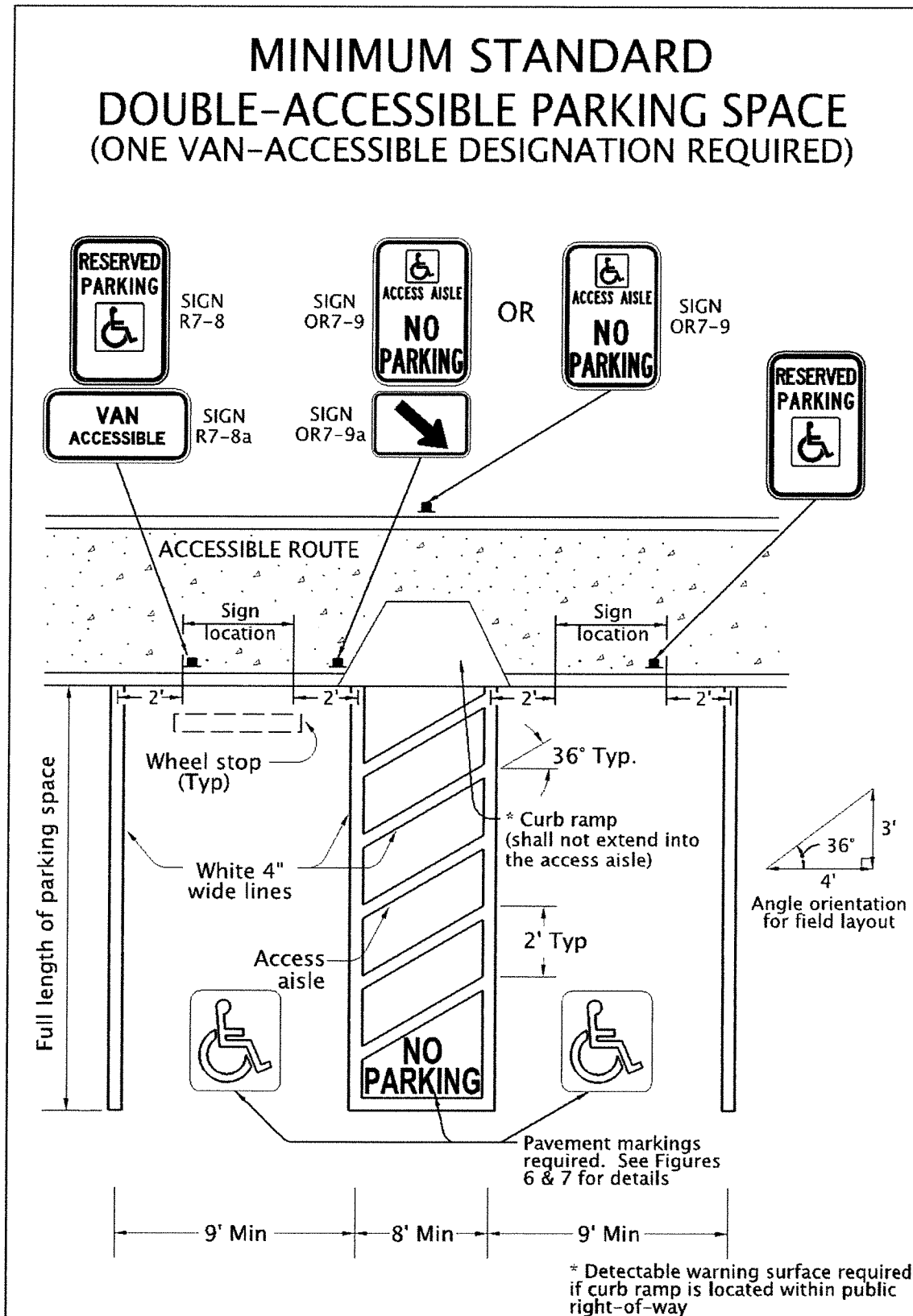


Figure 2

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.2.23; Variances V.1.23, V.2.23, and V.3.23**

DATE: March 14, 2023
To: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: James Casey McGuirl of McGuirl Designs & Architecture
OWNER: La Grand Townhomes, LLC

ZONING: Mixed Use, MU and General Residential, R5
LOCATION: 4N1W-4AA-600; NW corner of Columbia Boulevard/N. 6th Street intersection; Lots 20-22, Block 60, St. Helens Subdivision
PROPOSAL: Mixed use development consisting of 9 dwelling units and up to three commercial suites, all within a single three-story building.

SITE INFORMATION / BACKGROUND

The site consists of three lots from the City's original St. Helens Subdivision. Most recently, these lots were developed as a car wash. The structures for the former car wash have since been removed (around 2010), leaving the site vacant with most of the site paved with asphalt and concrete (except a portion of the northern lot which is unpaved). Topography is relatively flat, except the northern lot is slightly sloped towards the northeast. The southern two lots are zoned Mixed Use, MU and the northern lot is zoned General Residential, R5. There are two undeveloped MU lots to the west, a church* zoned MU across N. 6th Street to the east, and the remainder of the abutting lots are developed with detached single-family dwellings zoned R5. There are non-residential uses across Columbia Blvd.

*The church across the site from N. 6th Street is a designated landmark (i.e., official historic resource acknowledged in the Comprehensive Plan).

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: March 21, 2023

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on February 28, 2023 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on March 8, 2023 in The Chronicle newspaper.

APPLICATION COMPLETENESS

This application was originally received and deemed complete on February 27, 2023.

The 120-day rule (ORS 227.178) for final action for this land use decision is June 27, 2023.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, no agency referrals/comments have been received that are pertinent to the analysis of this proposal:

LUMEN: LUMEN has facilities within your proposed construction area. If plans were submitted, the estimated completion date of review is 3/24/2023.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Permitting History: An application under the same owner for a 6-lot subdivision preliminary plat for attached single-family dwellings was approved by the Planning Commission in May of 2020, but this proposal has not been pursued.

* * *

Zoning Compliance: The subject property is zoned Mixed Use, MU and General Residential, R5. The MU is the southern 2/3rds of the property with R5 the remaining northerly 1/3rd.

The proposed building is proposed on the southern 1/3rd of the property, with the remainder parking/access and other non-building site improvements.

In the MU zone, where the building and some of the parking/access and other non-building site improvements will be located:

- Dwellings above permitted uses is permitted. This is proposed.
- Various commercial uses are permitted. Some are conditionally permitted. Some ground level non-residential use is proposed but the specific use is not yet known.
- Dwellings on the same level as nonresidential use and multi-dwelling units (i.e., 3 or more DUs) are conditionally permitted and both are proposed.
- Shopping plaza is not listed as a permitted or conditionally permitted use. Chapter 17.16 SHMC defined this as:

“Shopping plaza” means a group (**two to seven business units**) of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements (also “mini mall”).

- Shopping center is listed as a conditionally permitted use. Chapter 17.16 SHMC defined this as:

“Shopping center” means a group (**at least eight business units**) of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements (also “mini mall”).

In the R5 zone where some of the parking/access and other non-building site improvements will be located:

- Mulidwelling units (i.e., 3 or more DUs) are conditionally permitted.
- Parking lots are not an allowed use.

Zoning and use discussion. For the R5 zoned portion, the parking lot and site improvements will be associated with the multidwelling development that is a component of this proposal. The commercial uses will not be specifically on the R5 portion, so the Conditional Use Permit can cover allowing the parking lot, etc. there. A standalone parking lot as principal use of itself would not be allowed there.

For the MU zone portion, there is one ground level dwelling unit and a total of more than three dwelling units, so the Conditional Use Permit is necessary.

There are many non-residential uses possible and the non-residential area can be included in the CUP. However, there is a question of the number of commercial suites allowed. Shopping plaza (2-7 business units) is not listed in the MU zone and technically not allowed, yet shopping center (8+ business units) is listed as a conditional use. **Staff is asking the Planning Commission's input on this. You could impose a condition that restricts the number of commercial suites to 1 or 8 or more, or you could determine that that makes no sense and does meet the intent of the MU zoning district based on the purpose state of the zone per SHMC 17.32.095:**

The MU zone is intended to provide for mixed uses in certain areas, generally between general commercial and residential zones. This method allows the market to mostly determine the uses.

Zoning specific standards.

In the MU zone, multidwelling development must comply with the Apartment Residential, AR zoning standards. Because the building will have 3+ dwelling units, it is considered multidwelling development.

Maximum building height is normally 45' in the MU zone, but 35' in the AR zone. **Just under 45' is proposed, which will require a Variance.**

Maximum lot coverage/minimum landscaping: 90%/10% for MU zone non-residential uses, but per the AR zone multidwellings require maximum building structure lot coverage of 50% with a minimum landscaping requirement per the Site Development Review Chapter 17.96 SHMC.

AR standards call for a 20' front yard, 10' side yards, and 10' rear yard. This applies to multidwelling development only, and only for ground level unit. The one ground level unit does not conflict with these standards, except a nearly zero foot yard is proposed to coincide with the commercial portion of the building. **This requires a Variance.**

Otherwise, there is not specific yard or setback from property line requirements in the MU zone except when abutting a residential zone. The proposed building is on the opposite side from the

abutting residential zoning to the North. There are setbacks specific to multidwelling proposals however—see below.

Density calculation. There are separate calculations based on the MU (which references the AR) zone and R5 zone. These break down as follows:

MU area: 11,600 s.f. → 7 DU's
 R5 area: 5,800 s.f. → 2 DU's
 9 dwelling units allowed. 9 proposed.

* * *

Sensitive Lands: There are no known sensitive lands as identified in the Development Code.

* * *

Addition Yard Setback Reqs & Exceptions: When there is a yard (setback) eaves may be allowed within to a certain extent. This applies to the reduced front yard for the ground floor unit. The building is setback 1' from the abutting right-of-way property lines to avoid right-of-way encroachment by the eaves.

* * *

Landscaping/buffering/screening: Street trees will be required because the property has more than 100 feet of street frontage.

Columbia Blvd. and N. 6th St. are both classified as minor arterial streets per the City's Transportation Systems Plan, which requires a landscape strip with street trees between the curb and sidewalk as part of the public street frontage improvements.

However, if the Planning Commission allows Columbia Boulevard to remain with the curb-tight frontage improvements and approve the Variance for reduce front yard, there will be no room to trees, and the only street trees would be along N. 6th Street.

There is overhead utility lines along N. 6th Street, thus, street trees need to be "small" per this chapter. This requires a 20' spacing, which is depicted on the plans. Species is not identified; final landscape plans will be necessary.

Tree location shall also comply with requirements per 17.72.035(2)(d)-(l). This will need to be examined in more depth with final development plans.

There is a tree shown in close proximity to an existing utility pole along N. 6th Street. Features like utility poles will need to be included on the plans for proper tree layout.

This chapter requires buffering. This applies in this case as follows:

Site abuts R5 zoned properties occupied by single-family dwellings on the entire north property line and along the northern 3rd of the west property line. The remaining abutting property to the west is vacant, but as Mixed Use, MU zone, could be commercial or residential. The normal requirement is:

- minimum 10' of buffer plus screening for attached dwelling units 2 stories or more
- minimum 10' of buffer plus screening for commercial use
- minimum 10' of buffer plus screening for a parking lot 4-50 feet

A 10' wide swath of landscaping is proposed along the north and west property lines, thus meeting the basic requirement. Concept provided by applicant is a good start; will need final landscaping plans demonstrating compliance with the buffering requirements of SHMC 17.72.080, except no trees over city utilities (there is sanitary sewer and storm sewer in certain areas).

Screening is also required, with the requirements detailed in SHMC 17.72.080(5). A 5 foot fence is proposed along the north side; fence post needs to be coordinated with underground utilities that cross this side, unless an alternative is proposed. 5' is the minimum screening fence height. Along the west side, due to a sanitary sewer main running along, screening methods will also need approval from city engineering. Final landscape plans will be necessary.

This chapter requires screening (unrelated to buffering above). This applies in this case as follows:

Because the parking lot will be greater than three spaces, it is required to be screened. For screening in this case, the city usually requires landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees.

Landscaping area is available; more specific planting details will be necessary with final landscape plans.

Service facilities and equipment (e.g., HVAC and other mechanical unit) visible from a public street, customer or residential parking area, any public facility or residential area are required to be screened whether they are ground, wall or roof mounted. In addition, rooftop facilities and equipment are required to be screened from street and adjacent properties.

The plans are in the early stages of development and such detail is not provided. This will be a requirement.

Refuse container or collection area are required to be screened (e.g., trash enclosure).

A trash enclosure is shown on the site plan but there are no elevation details (e.g., to show fence/wall height. Details needed as part of final plans.

Interior parking lot landscaping. When off-street parking lots have more than 20 spaces, landscape islands are required with trees. Rows of parking spaces are not to exceed 7 spaces, generally. The “islands” are required to be no less than 48 square feet in area and no dimension less than six feet. They are required to have a combination of groundcover and shrubs in addition to a tree, such that at least 50% of the island will be covered with living plants. They are also required to be protected from vehicular damage by some form of wheel guard or curb that is permanently fixed to the ground.

Parking exceeds 20 spaces and plan shows rows of parking spaces do not exceed 7.

* * *

Visual Clearance: Chapter 17.76 SHMC requires proper sight distances at intersections to reduce traffic hazard potential. The required area to maintain clear vision is greater for arterial streets.

Proposal shows no conflict with this chapter, subject to review of final plans.

* * *

Off-Street Parking/Loading: Off street parking is required because this established a new use with new construction.

Dimension and type. There is a mix of standard spaces (min. size 9' x 18') and compact spaces (min. size 8' x 15').

Visitor Parking. Multidwelling complexes with more than 10 required spaces are required to have dedicated visitor parking. 15% is required to be visitor parking and that parking is required to be centrally located or evenly distributed. Of the parking spaces, 18 are associated with the multidwelling use. 15% of that is 3 and 3 spaces are shown in a logical location.

Location. Parking spaces are required to be within 200' of the building/use served. All spaces within this distance.

Accessible (disabled person) spaces. Required to comply with State and Federal Standards. A total of 21 parking spaces are proposed. Per the 2022 Oregon Specialty Code, this requires at least 1 accessible space, which is required to be van-accessible. A disabled person parking space is shown with the proper dimensions.

Also, accessible parking spaces are required to be located on the shortest route to an accessible pedestrian entrance. Though this is a building code issue, it is relevant to site design. Location is logical.

Bicycle parking. For the multidwelling use, one lockable bicycle space is required per dwelling unit. How this will be addressed is not addressed in the plans and will need to be with final plans.

For the commercial use 1 lockable space is required at a rate of 10% of vehicle spaces. Per below, if we assume 8 spaces for the nonresidential use, 10% is only 1 space. Lockable bike racks are proposed under balconies of the upper floors.

For all uses, bicycle spaces are required to be within 50' of primary entrances, under cover when possible, and not located in parking aisles, landscape areas, or pedestrian ways. Final plans will need to comply.

Number of off-street parking spaces required. For the multidwelling aspect of this proposal, each dwelling unit is 2-bedroom, which requires 2 spaces per unit. With 9 dwelling units proposed, that is 18 spaces.

21 spaces are proposed, leaving three spaces for the to-be-determined non-residential use(s). Approximately 3,000 square feet of commercial gross floor area is proposed. This leaves 1 space per 1,000 square feet, which is inadequate for most possible non-residential uses per SHMC 17.80.030. If there were 8 spaces for non-residential, it would be one space per 350' square feet of area, which accommodates most possible uses, generally. **So, what about the 5 spaces that do not exist?**

SHMC 17.80.020(6) provides a potential option, but the Planning Commission needs to find that this can apply:

(6) Shared Parking in Commercial Districts.

(a) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the peak hours of operation do not overlap;

(b) Satisfactory legal evidence shall be presented to the director in the form of deeds, leases, or contracts to establish the joint use; and

(c) If a joint use arrangement is subsequently terminated, or if the uses change, the requirements of this code thereafter apply to each separately.

(6) The Mixed Use zone can be considered a commercial district because the underlying Comprehensive Plan designation is General Commercial, GC. But note that the northern third of the property where some of the parking is at, is residential in both zoning and Comprehensive Plan Designation.

(a) Typically, residential and commercial demands have different peak parking needs, though, specific non-residential uses are to-be-determined.

(b) This is not necessary as it's the same property; entitlement would be via this CUP.

(c) Probably the only way to advance this criterion is a condition that creates a total parking capacity of uses for the site.

The plans show on-street parking. Both Columbia Boulevard and N. 6th Street is classified as minor arterial streets, which based on their *typical* Transportation Systems Plan standard, do not include on-street parking (**see attached TSP Figure 7-2**).

However, for Columbia Boulevard the 2015 Corridor Plan standards supersedes other standards and shows on-street parking (**see attached Corridor Plan Fig. D-41**). Probably no more than

three to four on-street parking spaces would be possible along Columbia Boulevard—parallel spaces are 22' long (plans show lesser lengths).

For N. 6th Street, there is a minor arterial (two-way downtown) standard that utilizes 80' wide right-of-way widths (instead of the normal 60') and includes on-street parking. Columbia Boulevard is a key link between uptown (Houlton) and downtown (Riverfront District) and the intersection with N. 6th Street is the only intersection of two arterial streets amongst both of these districts other than at US30. Since the N. 6th right-of-way is 80 feet, utilizing this standard is acceptable. Also, there is already on-street parking along 6th Street Park one-block to the north.

Given the proposed driveway and maintaining vision clearance, there is likely less opportunity for on-street parking (even though it is the longer side) along N. 6th, but it is reasonable to assume three properly sized spaces (parallel spaces are 22' long and plans show lesser lengths).

Abutting on-street parking, still subject to final design, should be able to provide at least the 5 spaces needed to make up for the off-street parking shortfall described above.

A note about the 1 space per 350 square foot of gross floor area parking requirement assumption above. Some uses, like a restaurant, amusement services and food and beverage retail sales exceed this, so we need a base number as a conditional of approval. A use with greater parking would need further consideration and pursuant to SHMC 17.96.070(2)(c), a major modification Site Development Review is required when there is:

(c) A change that requires additional on-site parking in accordance with Chapter 17.80 SHMC;

So based on all of this, is the Commission ok allowing the shared parking provisions? If not I'm not sure how you find the parking requirements are met without a Variance. On street parking technically only counts as off-street parking in the Houlton and Riverfront District Zones. And note SHMC 17.80.020(22):

(22) On-Street Parking. Parking spaces in a public street or alley shall not be eligible as fulfilling any part of the parking requirement except as otherwise provided in this code.

The code does not obligate you to incorporate on-street parking. Only the Houlton Business District and Riverfront District zonings have specific provisions that allow on-street parking to count towards the off-street parking requirement.

Aisle width. Minimum width for two-way traffic is 24'. There is more than this amount of area for all off-street parking spaces.

Markings. All interior drives and access aisles are required to be marked and signed to indicate direction flow. All parking spaces are required to be clearly marked.

Designations are shown on the plans and will need to be identified on final plans.

Surface area. All areas used for parking, storage or maneuvering of vehicles (including things towed by vehicles) shall be paved.

There is no proposal to the contrary.

Wheel stops. Wheel stops are required along the boundaries of a parking lot, adjacent to interior landscape area, and along pedestrian ways.

Plans show wheel stops fronting all off-street parking spaces.

Drainage. Drainage plans will be required to prevent ponding, prevent water flow across pedestrian ways and to address pollutants from vehicles (e.g., oil/water separation).

Drainage plans will be required. The majority of the site is paved from previous use (car wash facility).

Lighting. Required to be directed to avoid glare from surrounding residences and roads/streets.

Lighting plans will be needed with the final plan set.

* * *

Access/egress/circulation: Public street access. All vehicular access and egress per Chapter 17.84 SHMC is required to directly connect to a public or private street approved by the city for public use. Moreover, vehicular access is required to be within 50' of principle entrances for commercial use or ground floor entrance or ground floor landing of stairways, etc. leading to residential units.

The site abuts the following streets:

Street/Road Name	Public or Private	Street Class (TSP)	Jurisdiction	Improved?
Columbia Boulevard	Public	Minor Arterial	City of St. Helens	Yes, includes curb-tight sidewalk
N. 6 th Street	Public	Minor Arterial	City of St. Helens	yes, partial; no sidewalks, curb (just an asphalt roadway)

The site utilizes N. 6th Street for access and brings vehicle access within the statutory distance of the primary entrance.

Vehicular access spacing, amount, etc. Abutting two minor arterial streets poses challenges. The spacing for driveways is 200 feet or midblock.

No access is proposed off Columbia Boulevard. There is an existing driveway approach that will need to be removed. That eliminates one of two existing access points.

Along N. 6th Street there is about 270' between the closest driveway midpoint to the north at 135 N. 6th Street and the midpoint of Columbia Boulevard. Because there is not 400', the minimum spacing is impossible to meet.

Creating a shared or potential future shared drive with the 135 N. 6th Street property is not recommended because it would put the sole access point directly over storm and sanitary sewer lines in the NE corner of the subject property. Major utility work could completely obstruct access to the properties. The proposed location maximizes the practical distance from Columbia Boulevard while somewhat avoiding the aforementioned utilities. As such, the proposed access location is probably the best practical scenario and acceptable for this proposal, especially given that one of two existing access points will be removed.

Pedestrian access (interior walkways). Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multibuilding commercial, institutional, and industrial complexes. Walkways also shall provide access to existing and planned transit stops adjacent to the development site. Unless impractical, walkways should be constructed between a new development and neighboring developments.

And...

Within all attached housing and multifamily developments, each residential dwelling shall be connected by walkway to the vehicular parking area, and common open space and recreation facilities.

The non-residential area has pedestrian access directly from the Columbia Boulevard public sidewalk and via private walkway to the N. 6th Street public sidewalk on the back side. That back-side private walkway also connects the residential units to the parking lot and associated open space.

Providing direct pedestrian access to a public sidewalk on this corner lot, provides the "shared" connections to neighboring development and transit stops, both of which are referenced in the Development Code.

Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways shall be required to be lighted and/or signed as needed for safety purposes. Soft-surfaced public use pathways may be provided only if such pathways are provided in addition to required pathways.

4'+ wide concrete walkways are proposed. Walkway to ground level residential unit is unclear. Lighting plan will be necessary.

Access requirements based on type and intensity of use. One access point, as proposed, is acceptable based on the number of dwelling units and off-street parking spaces proposed.

26' wide driveway approach, as proposed, is an acceptable width based on the use and size of parking lot.

* * *

Signs: There is no existing signage, and no signs are proposed at this time. New signs will require permits per Chapter 17.88 SHMC.

* * *

Solid Waste/Recyclables: Chapter 17.92 SHMC includes provisions for functional and adequate space for on-site storage and efficient collection of mixed solid waste and recyclables subject to pick up and removal by haulers.

Multidwelling uses with 6-10 units require an area 50 square feet in size.

The non-residential use requires 10 square feet plus 4 to 10 square feet depending on the use, which is not determined. There is approximately 3,000 square feet of nonresidential gross floor area.

$50 \text{ s.f.} + 10 \text{ s.f.} + (4 \text{ to } 10 \times 3) = 72 \text{ to } 90 \text{ square feet required.}$ Proposed enclosure is approximately 200 s.f.

Minimum 10' wide gate required, capable of being secured in an open or closed position, with minimum 6' high sight-obscuring wall or fence.

Dimensions ok. No detail on fence or wall proposed.

* * *

Site Development Review:

Per SHMC 17.96.180(2)—Relationship to the Natural and Physical Environment:

- (a) Buildings shall be:
 - (i) Located to preserve existing trees, topography, and natural drainage in accordance with other sections of this code;
 - (ii) Located in areas not subject to ground slumping or sliding;
 - (iii) Located to provide adequate distance between adjoining buildings for adequate light, air circulation, and fire fighting; and
 - (iv) Oriented with consideration for sun and wind; and
- (b) Trees having a six-inch DBH (as defined by Chapter 17.132 SHMC) or greater shall be preserved or replaced by new plantings of equal character;

There is no natural area; no trees. Most of the site is already paved from past uses of the site. There is some unpaved area along the north portion of the site, at least 10' is proposed as landscaping.

Per SHMC 17.96.180(3)—Exterior Elevations:

Along the vertical face of single-dwelling units – attached and multiple-dwelling unit structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

- (a) Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet;
- (b) Extensions (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet, and maximum length of an overhang shall be 25 feet; and
- (c) Offsets or breaks in roof elevations of three or more feet in height;

South elevation. The building is 90' long along Columbia Boulevard. Thus, at least three offsets are needed (with at least two types of offsets). There are four recesses at least 8 feet deep and an offset in the roof elevation of at least 3 feet that creates three “tiers.”

North elevation. Achieves compliance with four 8' deep balconies and the same roof lines at the south elevation.

East elevation. The building is about 50' along N. 6th Street. Thus, at least one offset is needed (with at least two types of offsets). It includes a 5' wide, 8' deep recess for the upper residential stories and a 3' roof offset.

West elevation. Achieved compliance like the east side, but the 8' deep recess is included with the ground floor too since that side has the proposed ground level residential unit.

Per SHMC 17.96.180(4)—Buffering, Screening, and Compatibility between Adjoining Uses:

(a) Buffering shall be provided between different types of land uses (for example, between single-dwelling units and multiple-dwelling units residential, and residential and commercial), and the following factors shall be considered in determining the adequacy of the type and extent of the buffer:

- (i) The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;
- (ii) The size of the buffer required to achieve the purpose in terms of width and height;
- (iii) The direction(s) from which buffering is needed;
- (iv) The required density of the buffering; and
- (v) Whether the viewer is stationary or mobile;

The prescribed buffering as described above should be adequate.

(b) On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots, and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:

- (i) What needs to be screened;
- (ii) The direction from which it is needed;
- (iii) How dense the screen needs to be;
- (iv) Whether the viewer is stationary or mobile; and
- (v) Whether the screening needs to be year-round;

No screening other than as described above is warranted.

Per SHMC 17.96.180(5)—Privacy and Noise:

(a) Structures which include residential dwelling units shall provide private outdoor areas for each **ground floor unit** which is screened from view by adjoining units as provided in subsection (6)(a) of this section;

(b) The buildings shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;

(c) Residential buildings should be located on the portion of the site having the lowest noise levels; and

(d) On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (4) of this section);

(a) The ground level unit has the most direct access to on-site open space. Only one door for the unit facing Columbia Boulevard (south elevation) is proposed. **A door on the north or west elevation could provide better quality access and should be a consideration of the Commission.**

(b) The sole building is proposed on the opposite side of the abutting residential zoned area.

(c) The site is at an intersection of two arterial streets and not vast in size. Location change would not make much difference from a noise perspective.

(d) Buffering is addressed above.

Per SHMC 17.96.180(6)—Private Outdoor Area – Residential Use:

(a) Private open space such as a patio or balcony shall be provided and shall be designed for the exclusive use of individual units and shall be at least 48 square feet in size with a minimum width dimension of four feet, and:

(i) Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit; and

(ii) Required open space may include roofed or enclosed structures such as a recreation center or covered picnic area;

(b) Wherever possible, private outdoor open spaces should be oriented toward the sun; and

(c) Private outdoor spaces shall be screened or designed to provide privacy for the users of the space;

The upper story dwelling units have balconies that are 8' x 8' (64 square feet) on the north side and 8.75' x 7' (61.25 square feet) on the south side . They are covered. The south side provides good sun exposure.

Per SHMC 17.96.180(7)—Shared Outdoor Recreation Areas – Residential Use:

(a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:

(i) Studio up to and including two-bedroom units, 200 square feet per unit; and

(ii) Three- or more bedroom units, 300 square feet per unit;

(b) The required recreation space may be provided as follows:

(i) It may be all outdoor space; or

(ii) It may be part outdoor space and part indoor space; for example, an outdoor tennis court and indoor recreation room;

(iii) It may be all public or common space; or

(iv) It may be part common space and part private; for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; and

(v) Where balconies are added to units, the balconies shall not be less than 48 square feet;

(c) Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

With 9 two-bed dwelling units, 200 s.f. x 9 (1,800 square feet), of shared open space is required.

The overall landscaping proposed on site exceeds this. But how it is landscaped (e.g., grass v. shrubs) will determine usability. **The Planning Commission can mandate lawn as part of the final landscape plan or exempt the shared open space requirement based on SHMC 17.108.080(3) because both 6th Street Park and Godfrey Park are less than 1000' away.**

Per SHMC 17.96.180(8)—Demarcation of Public, Semipublic, and Private Spaces – Crime Prevention:

(a) The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and

(b) These areas may be defined by:

- (i) A deck, patio, low wall, hedge, or draping vine;
- (ii) A trellis or arbor;
- (iii) A change in level;
- (iv) A change in the texture of the path material;
- (v) Sign; or
- (vi) Landscaping;

There is no evidence to the contrary.

Per SHMC 17.96.180(9)—Crime Prevention and Safety:

(a) Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;

(b) Interior laundry and service areas shall be located in a way that they can be observed by others;

(c) Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;

(d) The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and

(e) Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes:

(i) Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet, which is sufficient to illuminate a person;

There are windows on all sides of the building, though the west side glazing is scant and the sole windows for dwelling units on this side are recessed. **The Commission should consider additional windows and/or ensure this area is illuminated as part of the lighting plan that will be required.**

Per SHMC 17.96.180(10)—Access and Circulation:

(a) The number of allowed access points for a development shall be as provided in SHMC 17.84.070;

(b) All circulation patterns within a development shall be designed to accommodate emergency vehicles; and

(c) Provisions shall be made for pedestrianways and bicycleways if such facilities are shown on an adopted plan;

- (a) This is addressed above.
- (b) The site is on a corner so emergency vehicle access is good. The parking area is not constrained.
- (c) Pedestrian and bicycleways are contemplated in the adopted standards for the abutting streets.

Per SHMC 17.96.180(11)—Distance between Multiple-Family Residential Structure and Other:

- (a) To provide privacy, light, air, and access to the multiple and attached residential dwellings within a development, the following separations shall apply:
 - (i) Buildings with windowed walls facing buildings with windowed walls shall have a 25-foot separation;
 - (ii) Buildings with windowed walls facing buildings with a blank wall shall have a 15-foot separation;
 - (iii) Buildings with opposing blank walls shall have a 10-foot separation;
 - (iv) Building separation shall also apply to buildings having projections such as balconies, bay windows, and room projections; and
 - (v) Buildings with courtyards shall maintain separation of opposing walls as listed in subsections (11)(a)(i), (ii) and (iii) of this section for walls in separate buildings;
- (b) Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be one foot for each 15 feet of building length over 50 feet and two feet for each 10 feet of building height over 30 feet;

Only one building is proposed within the subject property.

- (c) Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within eight feet of the ground level:
 - (i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and
 - (ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;

This only applies to the proposed ground unit; the upper units are 12' or more above grade. The parking lot is 10 away from the north side where there are bedroom windows. On the south side, the sidewalk is next to living room windows. **The one-foot separation as proposed is much less than the minimum seven feet and a Variance is needed for this.**

Per SHMC 17.96.180(12)—Parking:

All parking and loading areas shall be designed in accordance with the requirements set forth in SHMC 17.80.050 and 17.80.090; Chapter 17.76 SHMC, Visual Clearance Areas; and Chapter 17.84 SHMC, Access, Egress, and Circulation;

This is addressed above.

Per SHMC 17.96.180(13)—Landscaping:

- (a) All landscaping shall be designed in accordance with the requirements set forth in Chapter 17.72 SHMC; and
- (b) For residential use, in addition to the open space and recreation area requirements of subsections (6) and (7) of this section, a minimum of 15 percent of the gross area including parking, loading and service areas shall be landscaped;

Most landscaping requirements are addressed above, except the 15% requirement for residential use. The site is 17,400 square feet in size and 15% of that is 2,610 square feet. Overall landscaping area proposed exceeds this.

Per SHMC 17.96.180(14)—Drainage:

All drainage plans shall be designed in accordance with the criteria in the most current adopted St. Helens master drainage plan;

Drainage plans will be required.

Per SHMC 17.96.180(15)—Provision for the Handicapped:

All facilities for the handicapped shall be designed in accordance with the requirements pursuant to applicable federal, state and local law;

This will apply and incorporated via building and public improvements (streets) review.

Per SHMC 17.96.180(16)—Signs:

All sign placement and construction shall be designed in accordance with requirements set forth in Chapter 17.88 SHMC;

Any new signage will require a permit per the sign chapter.

Per SHMC 17.96.180(17):

All of the provisions and regulations of the underlying zone shall apply unless modified by other sections of this code (e.g., the planned development, Chapter 17.148 SHMC; or a variance granted under Chapter 17.108 SHMC; etc.).

There are Variances proposed, the need for which is noted above and the applicable approval criteria below.

* * *

Conditional Use: Pursuant to SHMC 17.100.040:

(1) The planning commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:

- (a) The site size and dimensions provide adequate area for the needs of the proposed use;
- (b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
- (c) All required public facilities have adequate capacity to serve the proposal;
- (d) The applicable requirements of the zoning district are met except as modified by this chapter;
- (e) The supplementary requirements set forth in Chapter 17.88 SHMC, Signs; and Chapter 17.96 SHMC, Site Development Review, if applicable, are met; and
- (f) The use will comply with the applicable policies of the comprehensive plan.

If the Commission is able to approve the Variances and find all other standards are met, it should be able to find that these criteria are met.

SHMC 17.100.150 has additional requirements for certain conditional use types. The proposal does not include any of these.

SHMC 17.100.040(3) provides “condition of approval guidance” as follows:

(3) The planning commission may impose conditions on its approval of a conditional use, which it finds are necessary to ensure the use is compatible with other use in the vicinity. These conditions may include, but are not limited to, the following:

- (a) Limiting the hours, days, place, and manner of operation;
- (b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;
- (c) Requiring additional setback areas, lot area, or lot depth or width;
- (d) Limiting the building height, size or lot coverage, or location on the site;
- (e) Designating the size, number, location, and design of vehicle access points;
- (f) Requiring street right-of-way to be dedicated and the street to be improved;
- (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;
- (h) Limiting the number, size, location, height, and lighting of signs;
- (i) Limiting or setting standards for the location and intensity of outdoor lighting;
- (j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;
- (k) Requiring and designating the size, height, location, and materials for fences; and
- (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

These are for the Commission’s consideration.

* * *

Variance: Three Variances are proposed as follows:

1. To allow the maximum height to be 45’ instead of 35’ that would normally apply to a multidwelling building
2. To allow a 0’ front yard (along Columbia Boulevard) instead of 20’ that would normally apply to multidwelling development (applicable to the ground residential unit)
3. To allow a 1’ separation from a walkway to a living room window instead of the normal 7’ (applicable to the ground level residential unit)

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 variances. If you think one of these is not met, you will need to address why.

Things to consider.

For the height, buildings as tall as 45' are possible in the MU zoning district, and thus contemplated in the MU zone. The technicality is that the building is consider non-residential but also a multidwelling as defined in Chapter 17.16 SHMC, which per the MU zone, includes the AR standards where the normal maximum height is 35 feet.

The other two Variances are triggered by the applicant's desire to have a ground level unit, which would need to normally meet the 20' front yard (along Columbia Boulevard). If 20' back, the window separation issue, would not exist. Consider that this is intended to be an accessible unit and if on the ground floor, prevents from needing an elevator.

Also, 20' of open space along an arterial road may not be ideal from an outdoor enjoyment standpoint. Having the ground unit along the property line and in line with the non-residential ground floor units allows more open space area away from the abutting arterial streets.

The intersection of two arterial streets is a unique circumstance of this property in the area. This is a prominent intersection as noted herein. Consider how this building proposed at the corner will be an anchor or landmark, especially across the street from a designated landmark (the church that is an official historic resource for the city).

The Commission can find all criteria are met based on the above and/or any other findings, or specify which criteria are not met and why as a basis for Variance denial.

* * *

Tree Removal/Preservation: Chapter 17.132 SHMC addresses the preservation of trees with a diameter at breast height (DBH) >12 inches. Protection is preferred over removal per this Chapter and Site Development Review Chapter 17.96 SHMC.

There are no existing trees.

* * *

Street/Right-of-Way Standards: Both Columbia Boulevard and N. 6th Street are classified as minor arterial streets.

Columbia Boulevard is fully developed including curb and sidewalk. This does not meet the the 2015 Corridor Plan standards (*see attached*), but in previous decisions, the Planning Commission has allowed such preexisting improvements to remain when their state of repair does not require significant reconstruction. The curb and sidewalk are in good repair and the only change needed based on the proposal would be to replace an existing driveway approach with a standard sidewalk/curb. This is less than half of the existing sidewalk length. *Commission, you will need to confirm you agree with this.*

N. 6th Street is developed but lacks any frontage improvements. Thus, inclusion of frontage improvements with this proposal is warranted. The 2015 Corridor Plan does not extend into N. 6th Street, so the applicable 2011 Transportation Systems Plan standard would apply. The minor arterial (two-way downtown) standard that utilizes 80' wide right-of-way widths (instead of the normal 60') and includes on-street parking is the appropriate standard to use because: (1) the existing right-of-way is already 80 feet wide and, (2) the location in between uptown (Houlton) and downtown (Riverfront District). Columbia Boulevard is a key link between these two areas and N. 6th Street is the only intersection of two arterial streets amongst both of these districts other than at US30. This prominence warrants the downtown standard.

In all cases, any design depicted on the plans should be considered preliminary as review by city engineering as public improvements will be necessary.

* * *

Mailboxes: Per SHMC 17.152.030(22) joint mailbox facilities shall be provided in all residential developments. Location is subject to city and postmaster approval. Input from the local postmaster will be required as part of final plans.

* * *

Utility Standards:

Water: City water is available along both abutting streets.

Sanitary Sewer: Sewer is available. There is a sanitary sewer main along both abutting streets, and along portion of the north and west sides of the subject property. There is no known easement for the sewer line along the west side and the easement along the north side may not be large enough to incorporate all existing utilities. New easements required as needed.

The city adopted a new **Wastewater Master Plan (WWMP)** in November 2021 that identifies undersized trunk lines already operating at or above capacity that this development would depend on. The WWMP can be found here:

<https://www.sthelensoregon.gov/engineering/page/public-infrastructure-master-plans>

Sewer pipes are considered “at capacity” when peak flows exceed 85% of the full depth of the pipe in accordance with industry standards. This depth is based on the maximum depth of flow ratio (d/D), where “d” is the depth of flow and “D” is the pipe diameter. The WWMP includes

an exhibit—Figure 18—that shows that the sanitary sewer main between the subject property and N. 4th Street and the portion within N/S 4th Street are operating at or above 100%. This is much greater than the industry and city standard 85% “at capacity” flows and is a portion of the conveyance system between the subject property and the wastewater treatment plant.

Pipeline surcharging occurs as flows exceed the capacity of a full pipe, causing wastewater to back up into manholes and services. In addition to potentially backing up into homes and health risks associated with sanitary sewer overflows, Oregon DEQ prohibits all sanitary sewer overflows and can fine cities for allowing such and has done so to other jurisdictions. Examples of DEQ fines can be found here:

<https://www.oregon.gov/deq/Pages/enforcement-actions.aspx>

Given this issue, SHMC 17.152.090(4) must be considered:

Permits Denied. Development permits may be restricted by the commission or council (i.e., the applicable approval authority) where a deficiency exists in the existing sewer system or portion thereof which cannot be rectified within the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of the sewage treatment system.

There is a current deficiency (undersized pipes for existing demand) of a widespread scale within the city per the WWMP including infrastructure this development would need to utilize that could result in surcharging, fines (e.g., for violation of Oregon DEQ standards) and public health risks.

The Commission finds this development can still be approved under these circumstances given this criterion based on the following findings or conditions of approval:

- The deficient conveyance infrastructure this development depends on for sanitary sewer is largely a priority 1 in the WWMP. Priority rankings include three categories. There is no priority 2 conveyance improvements. The difference between priority 1 and 3, is priority 1 includes areas that have been reported to have overflows or significant surcharging during wet weather events, whereas priority 3 areas are where there have been infrequent or no observations of historical overflows or surcharging.
- City Public Works and Engineering staff have already begun to address the necessary sanitary sewer infrastructure upgrades having already submitted an application to the State Revolving Fund Program (for below market rate loans) to Oregon DEQ to fund both priority 1 projects (in basins 4 and 5) and priority 3 projects in basin 6. Basin 5 is applicable to this proposal. City Public Works and Engineering indicate an anticipated 4-year timeframe (from October 2022, when DEQ approved a \$16.4 million loan) for completion of these upgrades.
- A condition of approval to require a fee per equivalent dwelling unit will be included. This is not a System Development Charge pursuant to ORS 223.299(4)(b); it is a temporary charge by order for development and land divisions proposed under these circumstances until the infrastructure is in order per the WWMP. The nexus is clear as it relates to the sewer conveyance deficiency and an amount has been determined based on calculations to

determine fair proportionality—see attached **St. Helens Wastewater Collection System New Sewer Connection Surcharge memo**.

For this project, the fee per equivalent dwelling unit is \$2,200, and this estimated amount is determined to be a fair share quantity for this proposal. It is based on October 2022 dollars, and inflation must be considered.

- Though denial of this proposal itself does not warrant a moratorium or public facilities strategy as there is no prior stoppage or restriction of permits, authorizations, or approvals*, the city recognizes that the sanitary sewer conveyance problems identified in the WWMP are widespread and denial could set a precedence of action that if continued for projects under similar circumstances, could be construed as a pattern or practice that at some point could warrant a moratorium or public facilities strategy.

*Per ORS 197.524 a local government is required to adopt a public facilities strategy under ORS 197.768 or a moratorium on construction or land development under ORS 197.505 to 197.540 when it engages in a pattern or practice of delaying or stopping the issuance of permits, authorizations or approvals necessary for land divisions or construction due to the shortage of public facilities (like sanitary sewer).

Storm Sewer: There is storm sewer infrastructure in the NE corner of the site. Existing easement in this area may not be large enough to incorporate all existing utilities. New easements required as needed.

Other: No trees over underground utilities (e.g., sewer and storm lines). Landscaping in these locations shall be restricted to ground cover or shrubs with shallow root systems.

Utilities are required to be underground, though existing overhead may remain as long as there are no new poles as a result of this proposal.

Environmental: A Phase I, Phase II, and Supplemental Phase II environmental assessment were completed on this property during 2018 and 2019. Examination of soil and groundwater samples in targeted locations were triggered by this property's former use as a car wash and the abutting property's use as a former service/gas station also along Columbia Blvd. Both properties had previously decommissioned underground storage tanks removed with approval from the Department of Environmental Quality (DEQ) in the late 1980s and early 1990s. The results of the initial Phase II sampling on this property in 2018 indicated contamination of soil and groundwater that had likely spread from the abutting property's former underground storage tank, which was located very close to the shared property line. Supplemental Phase II sampling confirmed this was likely the reason for the contamination. The report concluded that as long as the area of contamination (the southwest corner of property) was not disturbed below 14 feet in depth, and that the site is connected to a City water source (as opposed to a well) and is connected to City sewer (as opposed to a septic system), there would be no threats to human health and safety with residential development.

The area of contamination is located directly under a portion of the proposed building footprint and landscaping area. The concentration of gasoline in the soils in the southwest corner do exceed DEQ's clean fill criteria. Therefore, there are limitations to reusing any disturbed soil in this area. Applicant must comply with DEQ requirements.

* * *

Traffic Impact Analysis: TIA not warranted. However, non-residential uses are still to-be determined.

* * *

Other Considerations: The project is located on three lots that need to be consolidated to prevent disparate ownership for the life of the proposal.

* * * * *

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Conditional Use Permit and Variances, with the following conditions:

1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030. This Conditional Use Permit approval is valid for 1.5 years. A 1-year extension is possible but requires an application and fee. If the approval is not vested within the initial 1.5 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.100.030. The approval for the Variances are also valid for a limited time pursuant to SHMC 17.108.040.
2. The following shall be required prior to any development or building permit issuance:
 - a. Final plans as submitted with any development or building permit(s) shall comply with the plans submitted with this Conditional Use Permit/Variances with the following additions and/or corrections:
 - A. Per condition 4.
 - B. Trash enclosure details.
 - C. Show how each dwelling unit will have one lockable bicycle space under covered and per all other provisions of the Development Code.
 - D. Signage/markings plan for the parking lot to include direction arrows, striping, and how designated spaces (e.g., visitor and compact parking) will be labeled.
 - E. Each residential dwelling shall be connected by walkway to the vehicular parking area, and common open space and recreation facilities. Walkway to ground level residential unit was unclear in the plans submitted for land use approval.

- F. Does the Commission want to require a second door for the ground floor residential unit on the north or west side for better individual access to open space?
- G. Does the Commission want to require more windows on the west elevation? If so, the condition would be here. If you just want to focus on lighting (and not windows/glazing), see condition 2.J below.
- H. Joint mailbox facility location as approved by the Postmaster and per city standards.
- I. Final landscaping plans. Shall include:
 - i. Buffering requirements of SHMC 17.72.080, except no trees over city utilities (sanitary and storm sewer); plants in proximity of these utilities shall be shallow root (<24") or groundcover only. Fencing used for related and required screening shall also avoid these utilities to the maximum extent possible.
 - ii. The parking lot shall be "screened" by site perimeter landscaping that includes a balance of low lying and vertical shrubbery and trees.
 - iii. Does the Commission want to mandate lawn to meet the 1,800 square feet of shared open space require or just exempt the shared open space requirement given close proximity of 6th Street Park and Godfrey Park?
- J. Lighting plan that demonstrates:
 - i. Glare avoidance from surrounding residences and roads/streets.
 - ii. Illumination of all walkways and the approved mailbox location in addition to overall site illumination for crime prevention.
 - iii. Does the Commission want to specifically call out the west side of the building for lighting?
- b. Engineering construction plans shall be submitted for review and approval addressing all public improvements including but not limited to:
 - A. Street frontage improvements for Columbia Boulevard and N. 6th Street. N. 6th Street shall be based on the minor arterial (two-way downtown) standard that utilizes 80' wide right-of-way widths. Street trees shall be "small" per Chapter 17.72 SHMC and tree location shall comply with SHMC 17.72.035(2)(d)-(l). Columbia Boulevard may remain curb-tight but the existing driveway approach shall be replaced with standard curb (this assumes the Planning Commission does not require more improvements). All existing improvements including utility poles shall be shown.
 - B. On-street parking spaces shall be sized correctly.

- c. A drainage and stormwater plan certified by a registered professional engineer shall be submitted that addresses any increase in runoff from the site and how the potential impacts will be mitigated. Plans shall include oil/water separation.
 - d. An erosion control plan shall be reviewed and approved by City Engineering to prevent erosion of any new soil materials, unless waived by City Engineering.
 - e. All lots of the subject property (Lots 20-22 of Block 60) shall be combined such that they can only be transferred (change of ownership) together as a whole. This may be done by a Declaration of Covent to Bind Property prepared by the city or by a one-parcel land partition.
 - f. Easements required for all existing city utilities not within an easement currently. Applicant is responsible for legal descriptions.
 - g. An additional “fair share” fee shall be paid per equivalent dwelling unit (EDU) based on the portions of the city wastewater collection system between the subject property and the wastewater treatment plant, that this development depends on, that are at or above capacity as identified in the 2021 Wastewater Master Plan. Estimated per EDU cost is \$2,200 based on October 2022 dollars. Inflation adjustment to value at time of building permit issuance shall be included.
3. The following shall be required **prior to** Certificate of Occupancy by the City Building Official:
- All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place.
- 4. Service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened, **regardless if such screening is absent on any plan reviewed by the City. This includes but is not limited to ground mounted, roof mounted or building mounted units.** See SHMC 17.72.110(2).
 - 5. Any new sign requires a sign permit prior to installation, pursuant to Chapter 17.88 SHMC.
 - 6. **If the commission is concerned with the “shopping plaza” v. “shopping center” issue the restriction condition here would read: Under current zoning law, only one commercial suite shall be allowed because “shopping plaza” (2-7 business units) is not a possible use in the MU zone. If you finds this is ok, we can just omit this condition.**
 - 7. The off-street parking assumed for the non-residential aspect of this proposal is 1 space per 350 feet of gross floor area. Uses that exceed this are subject to Site Development Review, in addition to any other applicable requirements, in order to be allowed.

This assumes the commission is ok with the parking findings. As noted in the findings, some uses, like a restaurants, amusement services, and food and beverage retail sales exceed this, so we need a base number in the conditions.

8. Any new utilities shall be underground. Existing overhead utilities may remain above ground provided there are no new poles.
9. Applicant/owner is responsible for applicable requirement of the Oregon Department of Environmental Quality (DEQ).
10. Any requirement of the Fire Marshall as it applies to this proposal shall be met.
11. No plan submitted to the City for approval shall contradict another.
12. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17), except for the Variance(s) granted herein.

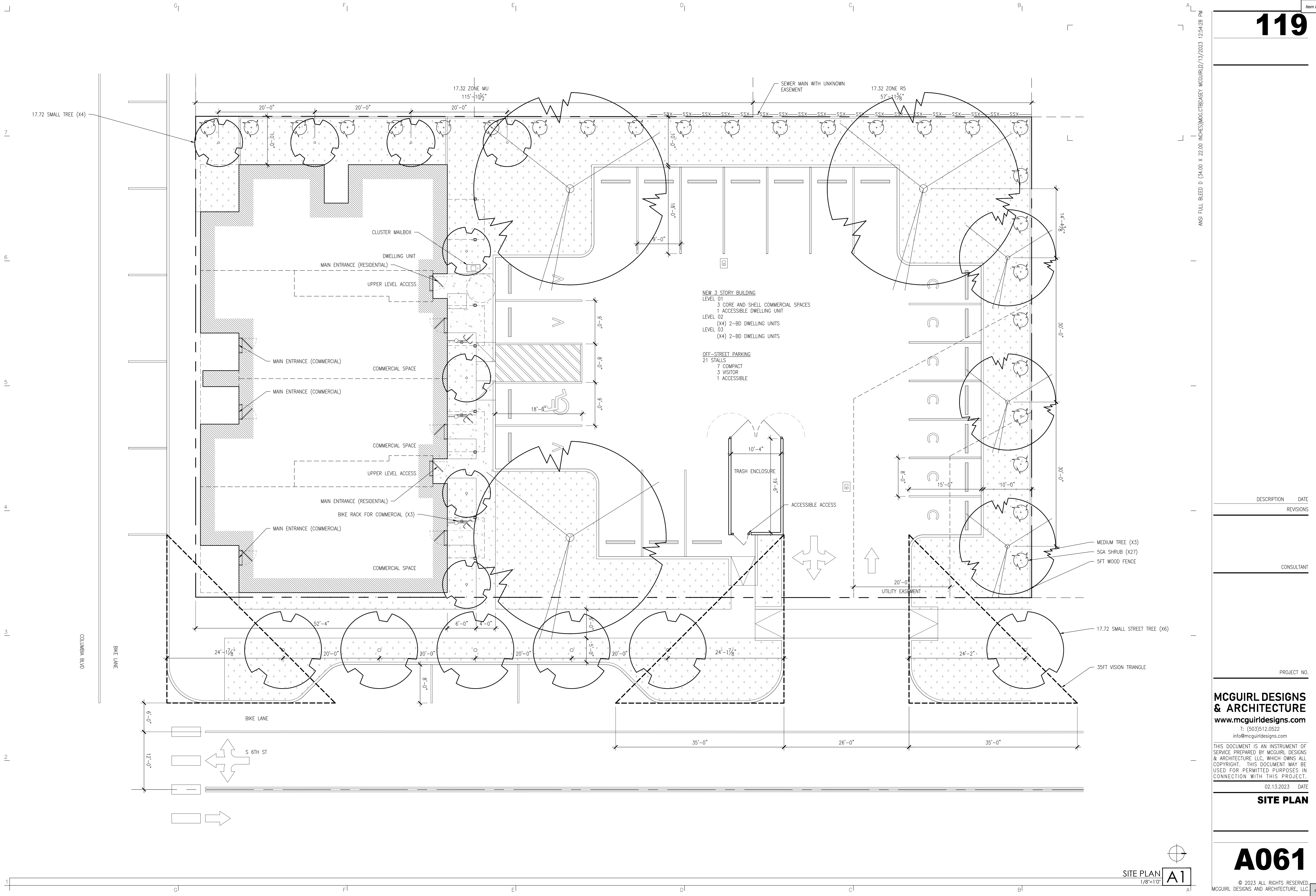
Attachment(s): Applicant's plans
Applicant's narrative

TSP Fig. 7-2 Arterial Design Standards

Corridor Plan Fig. D-41

St. Helens Wastewater Collection System New Sewer Connection Surcharge
memo (excerpts: pgs. 1-6, 17, and 25-26)

Supplemental Phase II environmental assessment dated October 11, 2019



Item D.

119

DESCRIPTION	DATE
REVISIONS	
CONSULTANT	
PROJECT NO.	

MCGUIRL DESIGNS & ARCHITECTURE

www.mcguirldesigns.com

T: (503)512.0522

info@mcguirldesigns.com

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02.13.2023

DATE

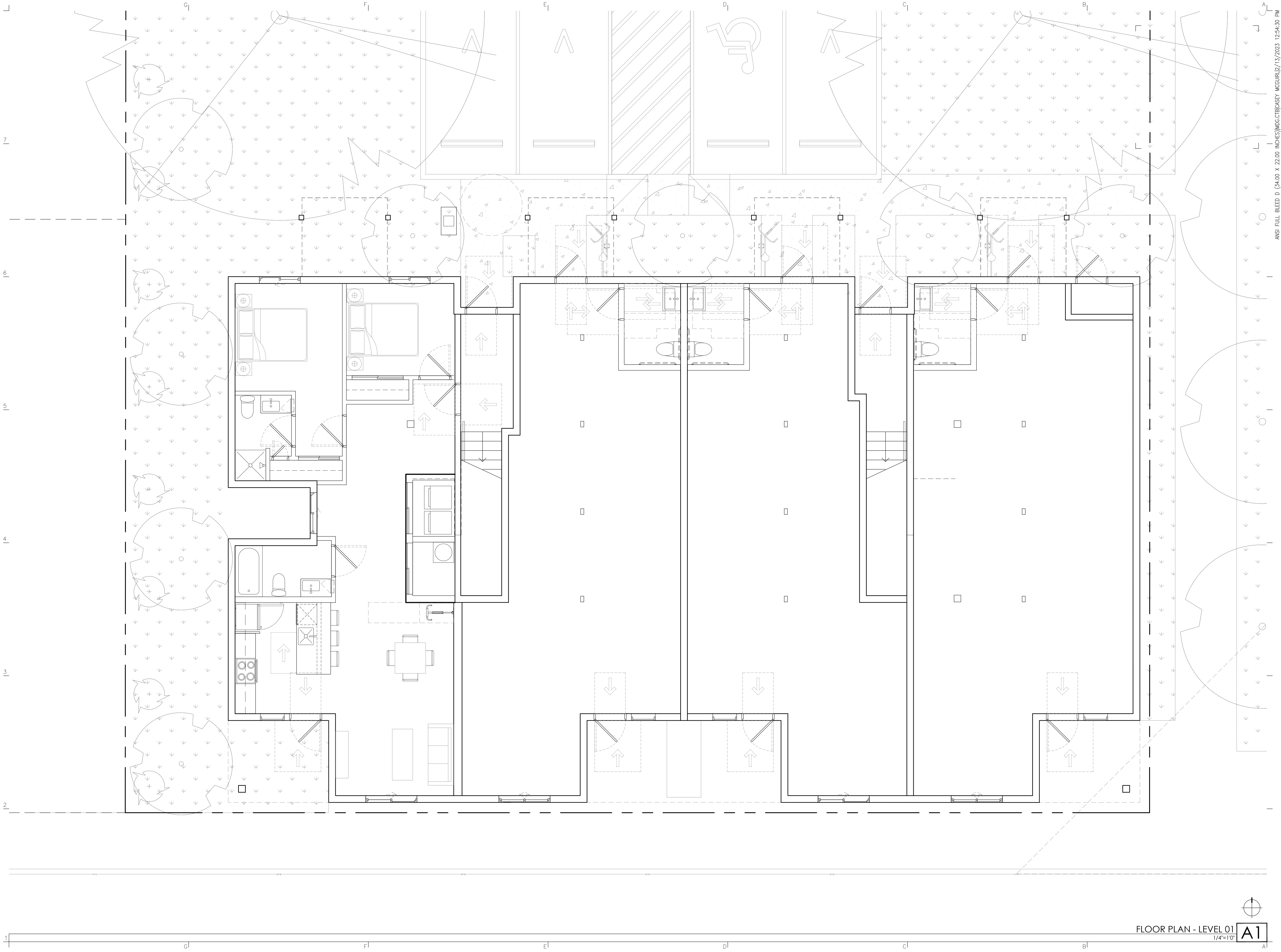
SITE PLAN

A1

A061

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REVISIONS	

CONSULTANT

PROJECT NO.

MC GUIRL DESIGNS & ARCHITECTURE

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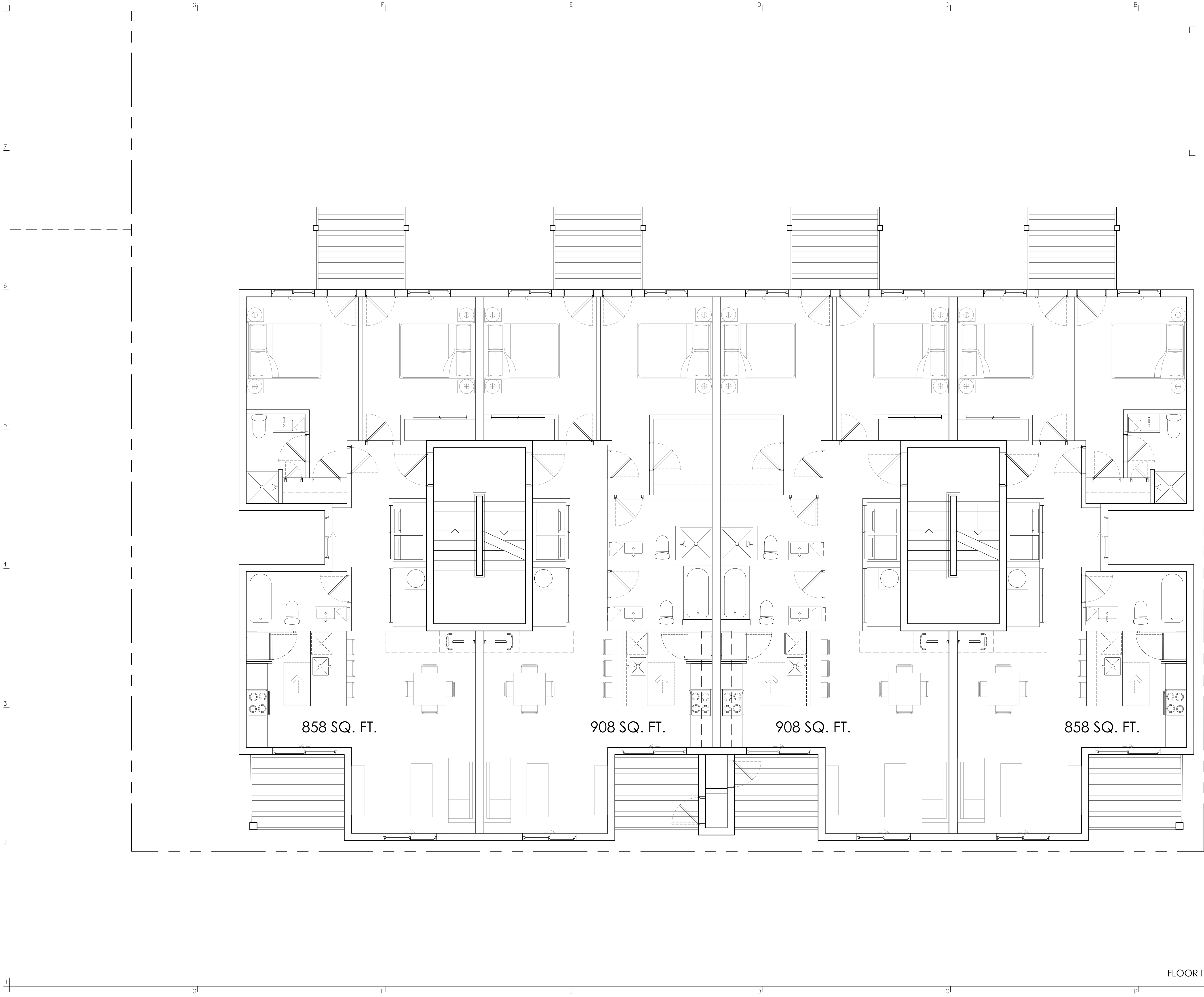
02.13.2023 DATE

FLOOR PLAN - LEVEL 01

A101

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02.13.2023 DATE

FLOOR PLAN -
LEVEL 02 & 03

A102

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48

119

FLOOR PLAN - LEVEL 02 & 03
1/4"=1'-0"

A1



BUILDING ELEVATION - SOUTH
1/8"=1'0" **D4**



BUILDING ELEVATION - EAST
1/8"=1'0" **A4**



BUILDING ELEVATION - NORTH
1/8"=1'0" **D1**



BUILDING ELEVATION - WEST
1/8"=1'0" **A1**

Item D.

119

DESCRIPTION	DATE
REVISIONS	

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02.13.2023DATE

BUILDING ELEVATIONS I

A201

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MCGUIRL DESIGNS & ARCHITECTURE
811 E Burnside #211 | Portland, OR 97214

February 20, 2023

MDA Narrative

Conditional Use Permit Application with Variances	Project Address: NWC/ 6 th Street & Columbia Blvd St. Helens, OR 97051
---	--

17.32 ZONES AND USES

Site is split zoned with the southern portion designated MU and the northern R5. The proposed project has 3 commercial businesses, yet to be determined, on the ground floor. Above them are multi-family dwelling units, and a single dwelling unit on the ground floor to meet accessibility code requirements. We are requesting a conditional use permit to allow the single dwelling unit on the ground floor.

We are also requesting either a variance or a conditional use permit to allow for two to 7 commercial space to be allowed. Due to SHMC definitions, 2-7 attached businesses is considered a "shopping plaza" and is not explicitly allowed in the MU zone. However, 8 businesses as considered a "shopping center" is allowed through a conditional use.

17.72.035 LOCATION OF STREET TREES

1. N/C
2. Small trees provided on 6th Street due to overhead power lines. Spaced no more than 20ft apart, and maintains a 20ft clearance from vehicular intersections.
3. N/C

17.72.070 BUFFERING AND SCREENING – GENERAL PROVISIONS

1. N/C
2. N/C
3. We are seeking a variance to not use trees along the western edge of the parking lot. An unrecorded easement for a city sewer main prevents the installation of trees within the proposed buffer zone. We propose 2 large trees spaced 73' apart to assist in the tree buffer requirement.

17.72.80 BUFFERING AND SCREENING REQUIREMENTS

1. N/C
2. N/C
3. N/C
4. Small trees placed along the western side of the building. Medium and large trees added around parking lot. See 17.72.070(3) for alternate approval along the western parking lot buffer.
5. Screening along western and north lot lines achieved with a 5FT tall fully site obscuring wooden fence.
6. N/C
7. N/C
8. N/C
9. N/C

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811 E Burnside #211 | Portland, OR 97214

17.72.130 BUFFER MATRIX

1. N/C
2. The building has Attached Dwelling Units – 2 stories or more, utilizing a 10ft buffer along the Western yard that abuts a Commercial Use. The parking lot has 21 spaces, utilizing a 10FT buffer along the western and northern yards that abut the existing Detached Single-Family R zones. Trees per 17.72.080(4). Screening per 17.72.080(5).

17.80.020 OFF-STREET PARKING GENERAL PROVISIONS

1. Parking dimensions provided for standard and compact spaces. Accessible parking stall provided.
2. N/C
3. N/C
4. N/C
5. N/C
6. The required parking for the residential use is 18 (x2 per 2BD dwelling unit) and for the commercial uses have yet to be determined. 21 stalls have been proposed on site, with the potential creation of ~8 on-street stalls. We would like the opportunity to utilize a shared parking joint use agreement between the residential and commercial spaces per 17.80.020(6).
7. Visitor parking identified near the building entrances
8. N/C
9. See SHMC 17.80.020(6)
10. N/C
11. N/C
12. See SHMC 17.72
13. N/C
14. Compact stalls designated
- 15.

17.96.180 APPROVAL STANDARDS

1. N/C
2. Existing site is located at the northwest corner of 6th and Columbia. It is mainly an existing impervious lot that is relatively flat with the southeast corner being the highest point. The building has been located at the southeastern corner, oriented towards the south.
3. Southern elevation utilizes recessed balconies and a roof line offset. Eastern elevation utilizes a building recess on the multi-family levels and a roof line offset. Northern elevation utilizes extended balconies and a roof line offset. Western elevation utilizes building recess and roof line offset.
4. Circulation between the multi-family portion and commercial portion have been separated with the dwelling unit main entrances occurring on the north side of the building and the commercial main entrances on the south. Regarding the sound buffer between the required ground floor accessible dwelling unit and the adjacent commercial space, the wall sound rating is intended to be STC 60 which is a substantial improvement to the standard required STC 50. The parking lot area has perimeter landscaping along all edges of the lot. The trash enclosure is covered as a visual barrier from the upper floor dwelling units and has additional landscaping between the enclosure and the street.

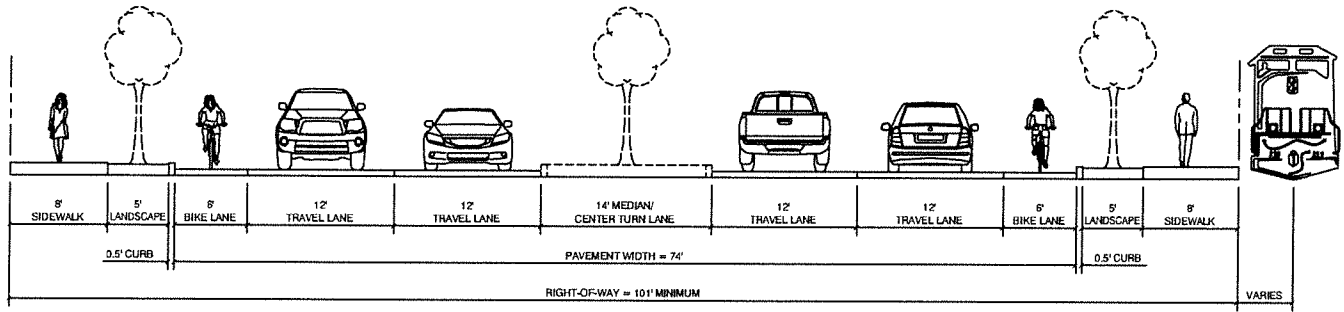
MCGUIRL DESIGNS & ARCHITECTURE**811 E Burnside #211 | Portland, OR 97214**

5. The required accessible ground floor unit has it's own secured outdoor space in the west yard, and is protected from view and noise. The building dwelling unit layouts, has located the bedrooms on the north side, away from Columbia. Their also is a landscape buffer between the parking lot to the north.
6. All the upper level dwelling units have their own private outdoor balconies, and the required accessible ground floor dwelling unit has a private yard which all have access to southern exposures.
7. The outdoor area between the building and the parking lot provides a minimum of 1800sf of outdoor area for the (x9) 2BD dwelling units. Understanding that this area may not be "usable" per the intent of the code, we request the approval of use of Godfrey Park, 6th Street Park, Eisenschmidt Pool, which are located within .25miles from the building per SHMC 17.108.080(c) to satisfy this requirement.
8. The building is located on the southern property line with an enclosed fence to the west.
9. Windows from all dwelling units and commercial spaces are overlooking the parking area/open space. The deep articulations per 17.96.180(c) have been eliminated at the ground level on the eastern street side where there are no main entrances, and minimized on the north side where the main entrances to the dwelling units are located.
10. N/C
11. The distance between the building and trash enclosure is ~58'6". For the required accessible ground floor dwelling unit, the parking lot is located a minimum 10ft from the unit, with the walkway ~8ft from the closest window.
12. N/C
13. Landscaping provided per SHMC 17.72 with approximately 28% landscaped area.
14. N/C
15. Site accessibility to be met. Ground floor residential unit required to meet code.
16. N/C

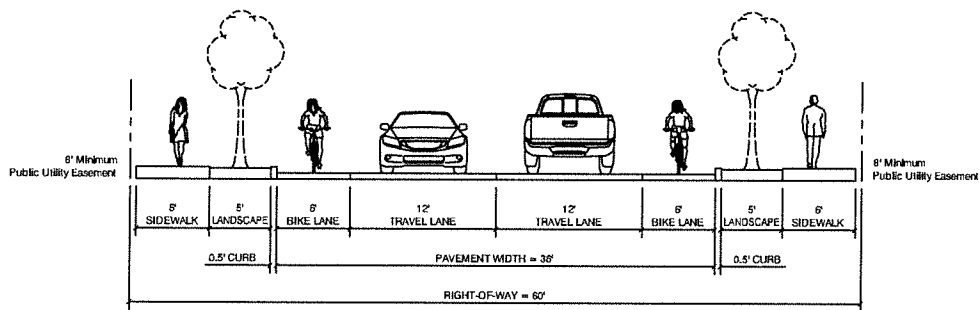
17.108 VARIANCES

We are requesting variances for 3 requirements.

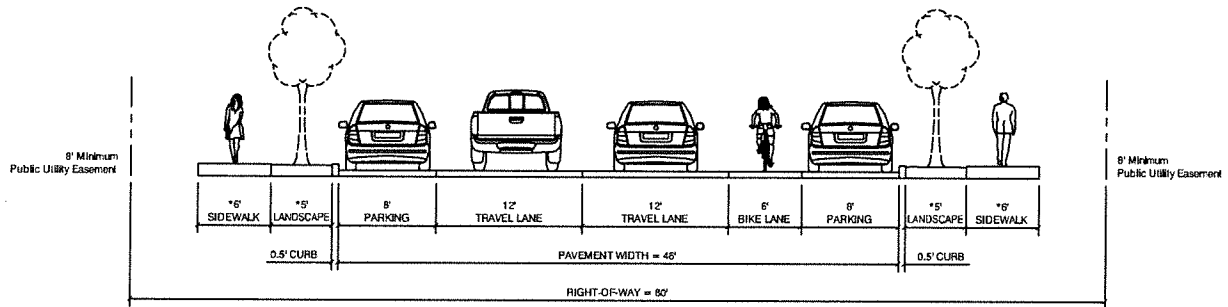
- 17.96.180(11)(c)(ii) requires a buffer between the sidewalk and living room of ground floor dwelling units. This standard applies to one dwelling unit on the ground floor that is a requirement for accessibility purposes.
- 17.32.080(4)(b) requires a 20 foot front yard. The standards of the AR code is triggered when multi-family use is proposed within the MU zone.
- 17.32.080(4)(i) requires multifamily buildings height limit of 35FT. The proposed variance for reducing the front yard



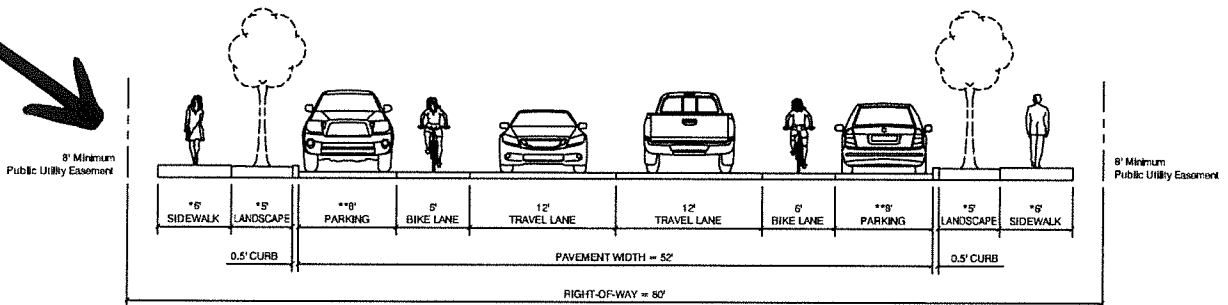
Major Arterial (US 30)*



Minor Arterial (Typical)



Minor Arterial (One-Way - Columbia Boulevard/
St Helens Street - US 30 to 13th Street)



Minor Arterial (Two-Way Downtown)

*Optional 11' sidewalk with tree wells.
**On-street parking may be reduced to allow for installation of a left-turn lane where needed.

LEGEND



TREES TO BE PROVIDED AS APPROPRIATE PER CITY CODE AND LOCATION SPECIFIC CONSIDERATIONS

*The US 30 Cross-Sections are shown to be consistent with ODOT Standards. Specific roadway designs will be developed through a refinement plan or project development process. Design and future improvements to US 30 must also address ORS 366.215 (Reduction in Vehicle Carrying Capacity) on this national freight network facility.



STANDARD CROSS SECTIONS
ST. HELENS, OREGON

FIGURE
7-2

D. RECOMMENDED CORRIDOR DESIGN OPTIONS: HOULTON & RIVERFRONT DISTRICT CORRIDOR SEGMENTS

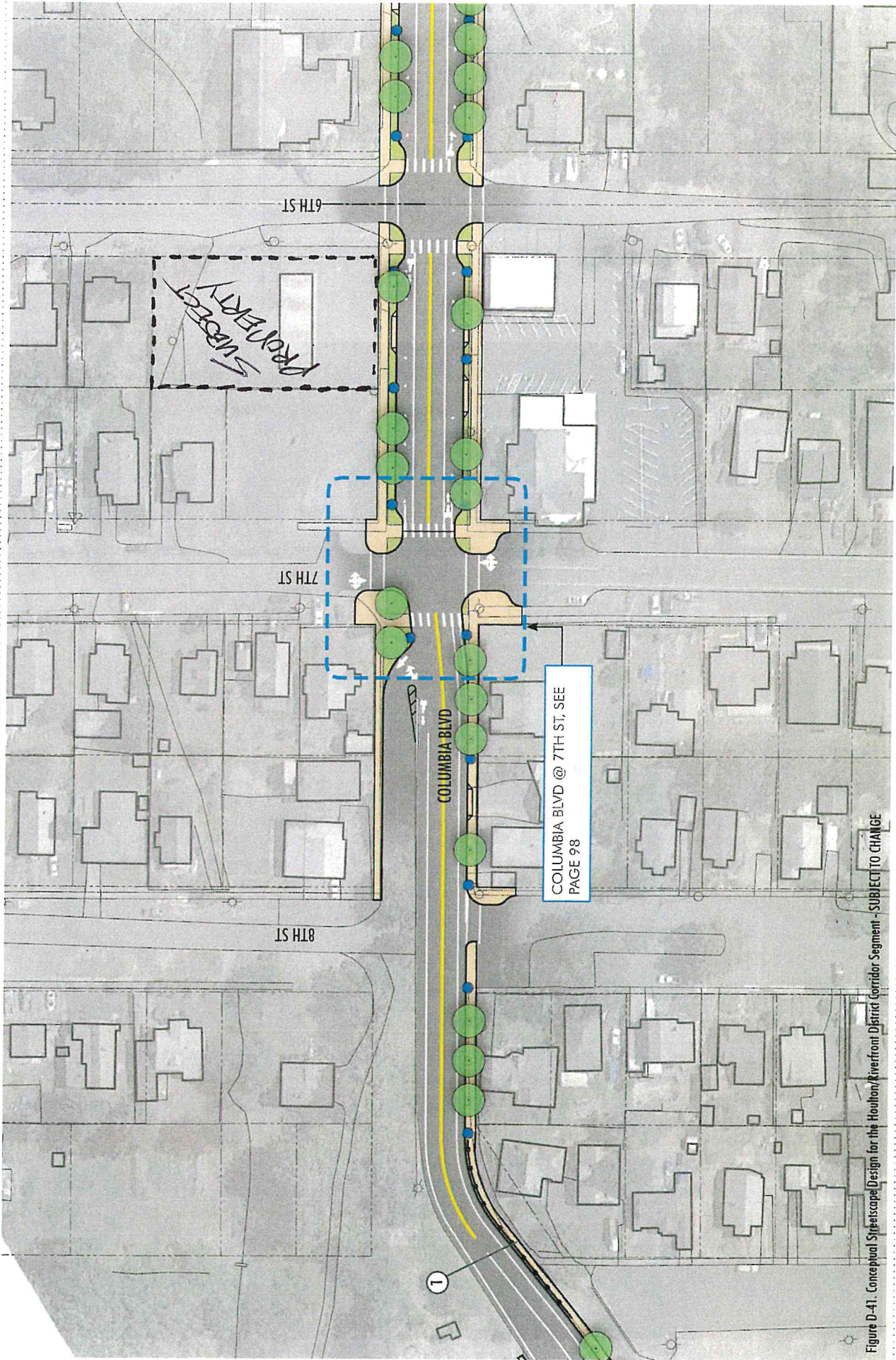


Figure D-41. Conceptual Streetscape Design for the Houlton/Riverfront District Corridor Segment - SUBJECT TO CHANGE

ST. HELENS - US 30 & COLUMBIA BLVD./ST. HELENS ST. CORRIDOR MASTER PLAN



EXCERPTS
FOR
C.V.P. 2.23

St. Helens Wastewater Collection System New Sewer Connection Surcharge

December 1, 2022
Revision 01

CITY OF ST. HELENS
265 STRAND STREET | ST. HELENS, OREGON 97051
503.397.6272 | WWW.STHELENSOREGON.GOV

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SECTION 1 – BACKGROUND

1.1 Wastewater Masterplan 2021 Update

The City of St. Helens provides sanitary sewer collection services to businesses and residences within the City limits. The sanitary sewer collection system is a combination of over 60 miles of gravity and force mains, 9 lift stations, and over 1,700 sanitary sewer manholes, vaults, and cleanouts. The sewer pipes in the City range from 6-inches to 48-inches in diameter, with the majority of the pipes being 8-inch. All sewage flows are conveyed to the City's wastewater treatment facility.

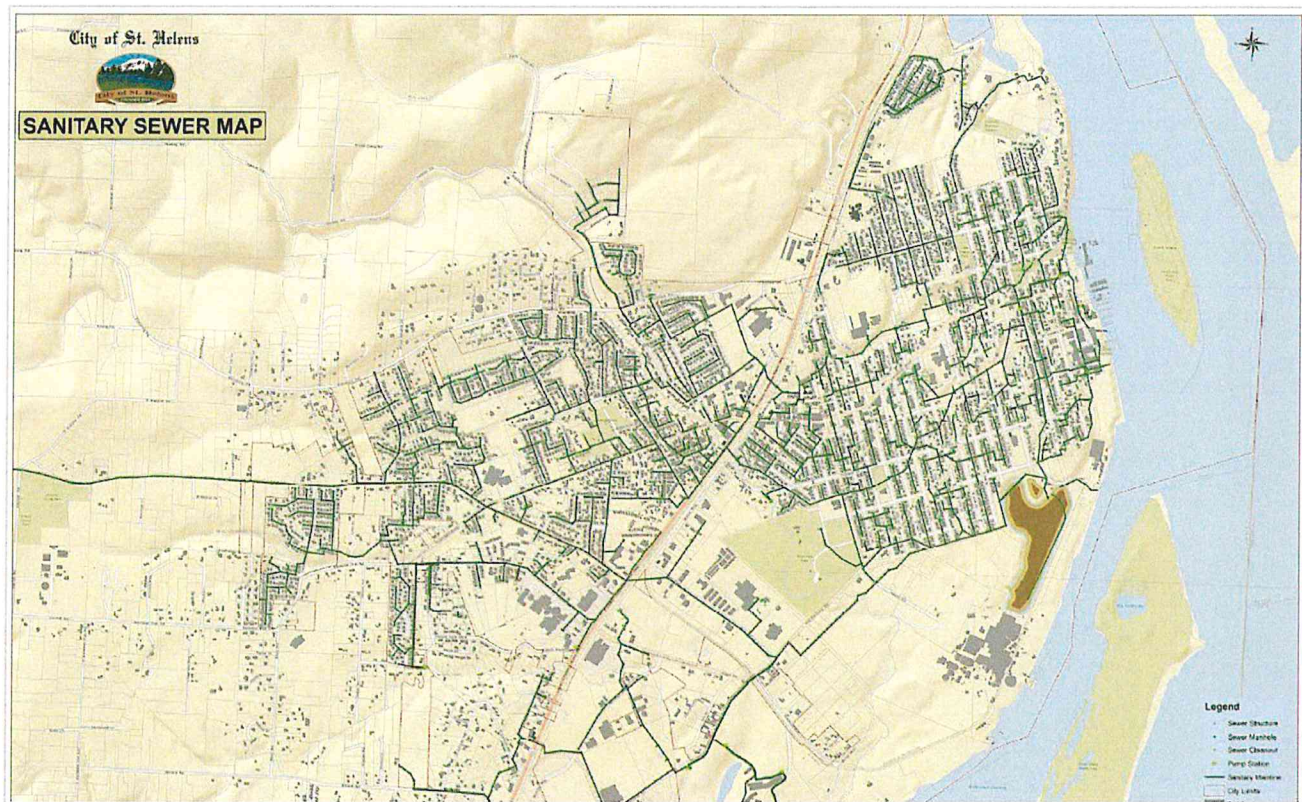


Figure 1.1.A St. Helens Sanitary Sewer Map

On November 17, 2021, the St. Helens City Council adopted the updated Wastewater Master Plan (WWMP) under Resolution No. 1940. This update to the City's WWMP is the first complete study done on the entire sewer collection system since 1989. The population was 7,500 at the time. Since then, the population of St. Helens has grown to over 14,500 – almost double. With this added population, more load is added to the public sewer system. Meanwhile, the size of the sewers have not been increased.

After 33 years of growth, the WWMP revealed that the majority of the City's sewer trunklines are at operating at or above capacity. This means that the greater portion of the City's public sewer system is inadequate to serve a growing population. Without

increasing the sizes of the trunklines, there is an increased risk of sanitary sewer overflows in the collection system.

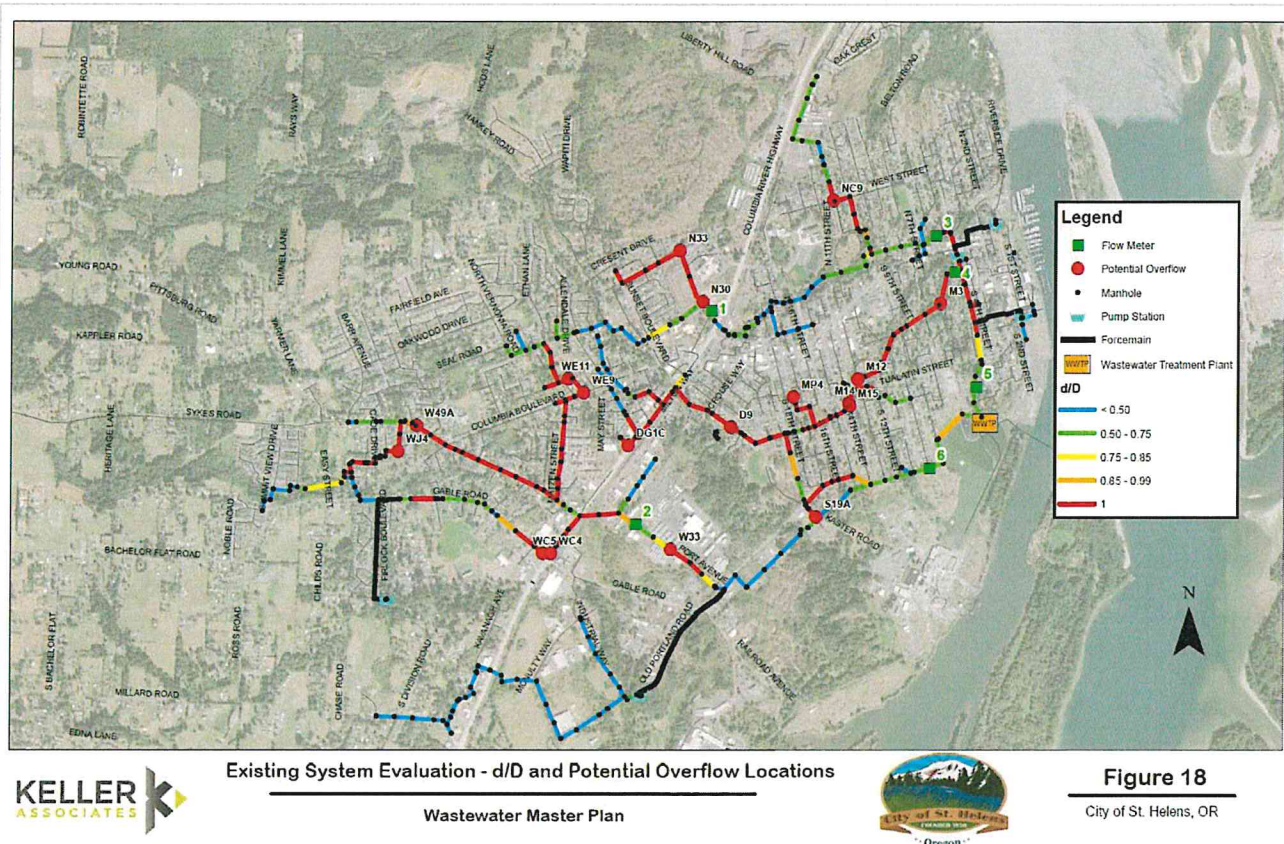


Figure 1.1.B Existing Sanitary Sewer Evaluation Map (2021 WWMP)

1.2 New Development Sewer Surcharge

To assess the impacts of future development on the public sewer system and how the City could pay for the costly capital improvements identified in the WWMP, Keller Associates performed an assessment of a sewer charge based on the shared of costs that new upstream Equivalent Dwelling Units (EDUs), as identified in the 2019 Housing Needs Analysis, would pay to complete the downstream CIP improvements along trunk lines that convey their sewage flows. The costs per EDU were based on the CIP project costs broken down by trunkline.

This sewer surcharge assessed per EDU is to fund capacity upgrades to the public sewer system and will be levied on those properties and developments requiring connection to the sewer trunklines identified in the 2021 WWMP update as "at or above" capacity. These fees will allow the City to recover a fair portion of the infrastructure improvements made by the City to accommodate new users and be used solely for public sewer capacity improvements. Equivalent Dwelling Units conversion details for sewer charges for multifamily dwellings, commercial, and industrial land uses may be found in Section 4 – EQUIVALENT DWELLING UNIT CONVERSION.

SECTION 2 – ST. HELENS SEWER TRUNKLINE BASINS

2.1 Sanitary Sewer Trunk Basins Methodology

Sewer basin delineations by trunk lines were created to aid in the proper assessment of the sewer surcharge to ensure costs reflect the actual share of costs that new upstream EDUs, as identified in the 2019 Housing Needs Analysis, would pay based on the downstream sanitary sewer capital improvements along the trunk lines the flows for their property would flow through.

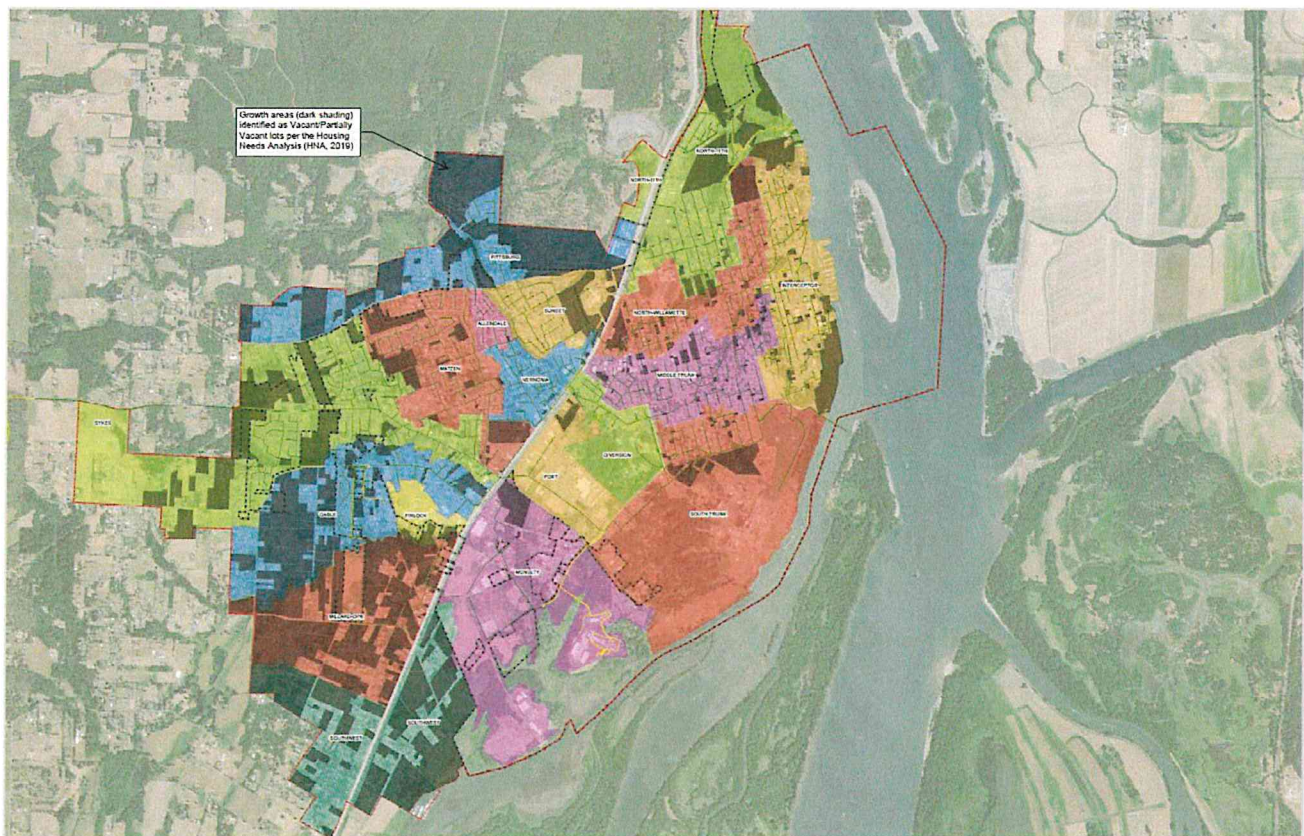


Figure 2.1.A St. Helens Sanitary Sewer Trunkline Basin Delineations

The delineation of CIP projects was simplified and where major portions of a Capital Improvement Project (CIP) spanned more than one basin, projects were split by basin. Basin delineation generally reflects existing conditions, except the Pittsburg basin, which is largely undeveloped and is anticipated to discharge to the North-11th basin.

Costs were calculated by summing CIP costs in and downstream of a basin and summing the EDUs in and upstream of the basin. The downstream CIP costs are then divided by the upstream EDUs. A sewer surcharge cap of \$15,000 per EDU is assumed.

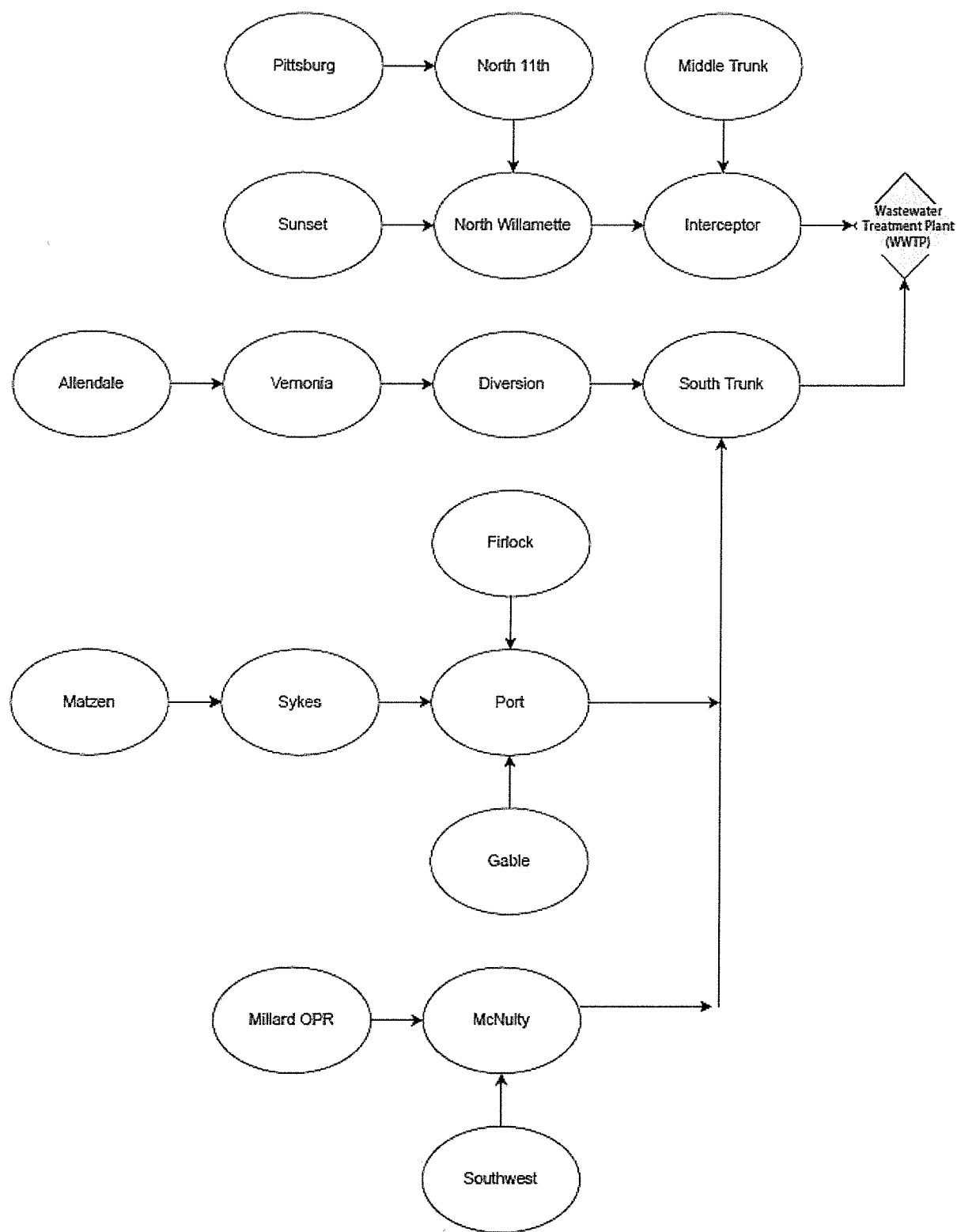


Figure 2.1.B St. Helens Sanitary Sewer Trunkline Basin Flow Paths

2.12 North Willamette Sewer Basin

The North Willamette sewer basin area has 134 new In-Basin EDUs.

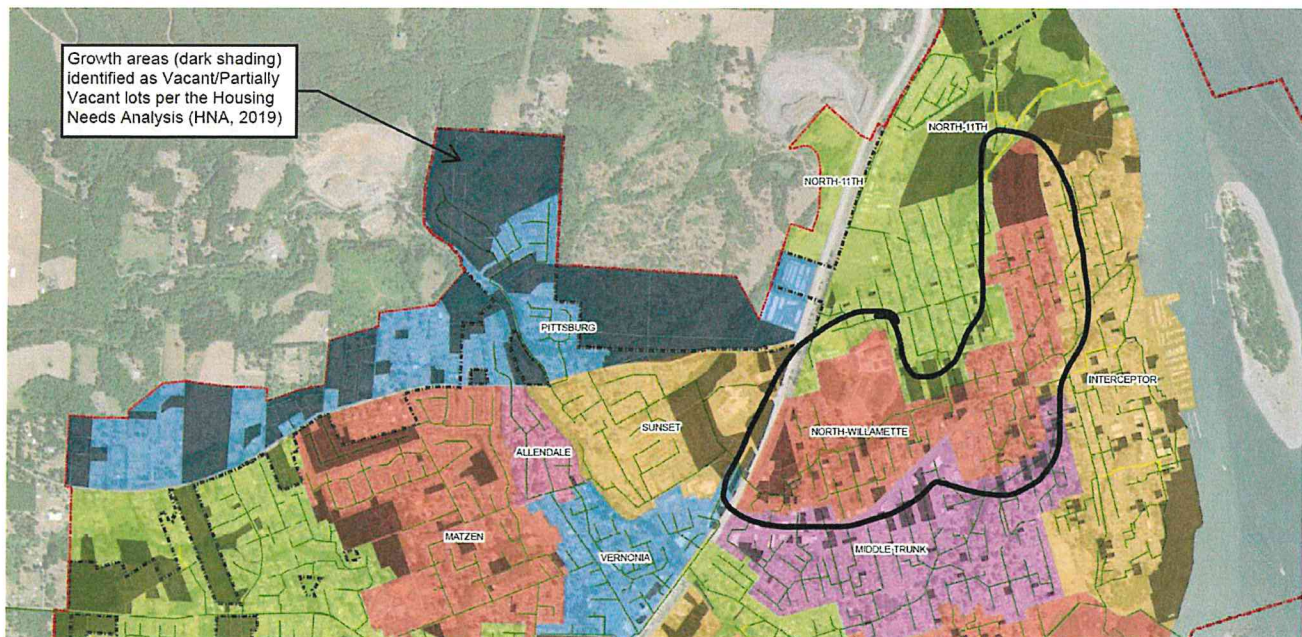


Figure 2.12.A North Willamette Sanitary Sewer Basin

The allocation of the North Willamette sewer basin's downstream CIP share per new upstream EDU, which consists of North Willamette, and the interceptor basins, is \$2,200.

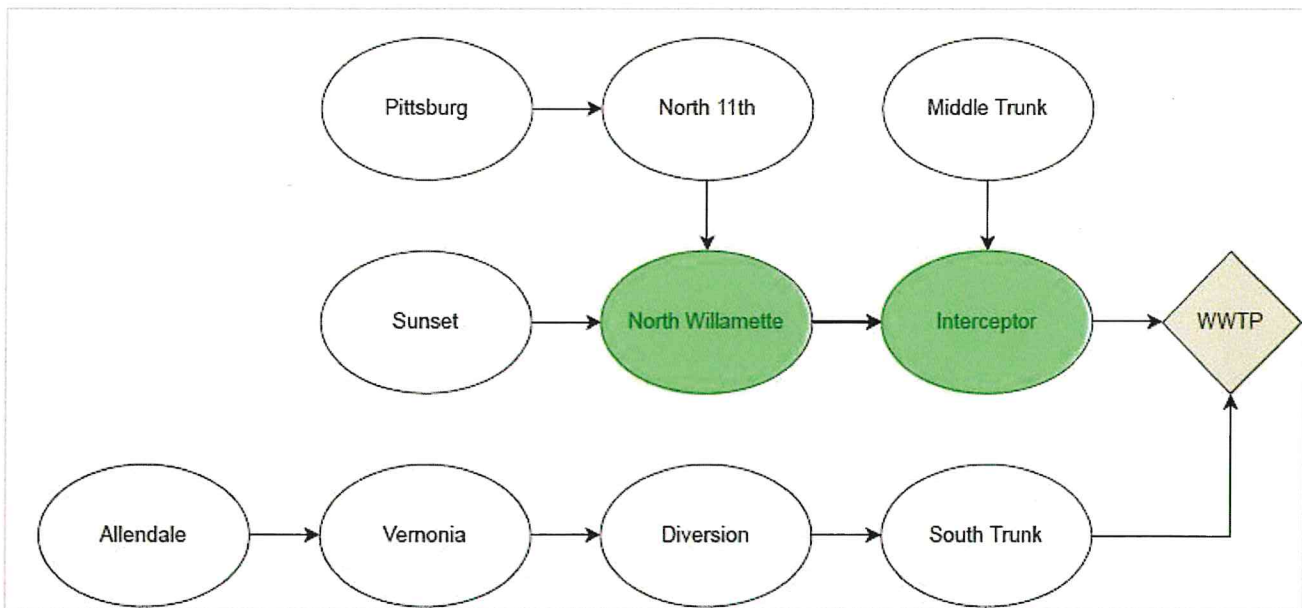


Figure 2.12.B North Willamette Sewer Basin Flow Path to WWTP

SECTION 3 – SEWER SURCHARGE CHART

Sewer Trunkline Basin	Downstream CIP Share per New Upstream EDU	New-In Basin EDU	Sewer Surcharge per EDU*
Allendale	\$104,900	1	\$15,000 (max.)
Diversion	\$104,900	1	\$15,000 (max.)
Firlock	\$7,600	0	\$7,600
Gable	\$7,900	589	\$7,900
The Interceptor	\$2,200	512	\$2,200
Matzen	\$12,700	430	\$12,700
McNulty	\$3,200	144	\$3,200
Middle Trunk	\$41,400	91	\$15,000 (max.)
Millard-OPR	\$3,200	806	\$3,200
North 11th	\$3,400	340	\$3,400
North Willamette	\$2,200	134	\$2,200
Pittsburg	\$3,400	731	\$3,400
Port	\$3,800	36	\$3,800
South Trunk	\$1,800	124	\$1,800
Southwest	\$3,200	748	\$3,200
Sunset	\$7,900	321	\$7,900
Sykes	\$6,600	500	\$6,600
Vernonia	\$104,900	30	\$15,000 (max.)

* Estimated Sewer Surcharge cost per EDU is based on the US dollar at the time this document was published. Inflation adjustment to value at time of building permit issuance shall be included.

SECTION 4 – EQUIVALENT DWELLING UNIT CONVERSION

Land Use	EDU Conversion
Single Family Residential	1.00 EDU per unit
Multi Family (Duplex)	0.80 EDU per unit
Multi Family (3 or more Dwelling Units)	0.77 EDU per unit

Residential EDU conversion rate based on the City of St. Helens adopted Sewer Utility Rates and Charges.

EDU conversion rates for sewer surcharges for commercial, industrial, and other land uses not covered under Single Family Residential, Multi Family (Duplex), or Multi Family (3 or more Dwelling Units) shall be based on City of St. Helens wastewater rate classifications for water meter size(s).

3/4-inch meter	1.00 x Sewer Surcharge
1-inch meter	1.67 x Sewer Surcharge
1.5-inch meter	3.33 x Sewer Surcharge
2-inch meter	5.33 x Sewer Surcharge
3-inch meter	10.00 x Sewer Surcharge
4-inch meter	16.67 x Sewer Surcharge
6-inch meter	33.33 x Sewer Surcharge
8-inch meter	53.33 x Sewer Surcharge

October 11, 2019
Project No. 0830.05.01

John Walsh
City Administrator
City of St. Helens
265 Strand Street
St. Helens, Oregon 97051

Re: Supplemental Phase II environmental site assessment for the Semling Family LLC
Property

Dear Mr. Walsh:

At the request of the City of St. Helens (the City), Maul Foster & Alongi, Inc. (MFA) conducted a supplemental Phase II environmental site assessment (ESA) on August 30, 2019, at the Semling Family LLC property located at 600 Columbia Boulevard, St. Helens, Oregon (the Property) (see Figure 1). The additional investigation set out to further delineate petroleum impacts in soil located in the southwest corner of the Property (associated with an adjacent former service station) and to assess impacts to soil vapor and evaluate potential vapor intrusion into buildings for consideration during redevelopment of the Property.

The site is privately owned and comprises approximately 0.4 acre of land, including Columbia County tax lot #4N1W04AA00600. The Property is bound by Columbia Boulevard to the south, North Sixth Street to the east, a residential property to the north, and a residential property and a vacant lot to the west.

The supplemental Phase II ESA was conducted consistent with the sampling and analysis plan (SAP) (MFA, 2019b) and the quality assurance project plan (QAPP) (MFA, 2018) prepared for the City.

BACKGROUND

The Property is currently vacant and undeveloped. The Property, which contains no buildings, is predominantly capped with asphalt and concrete, with an unpaved portion on the north end. The City initiated characterization of the site under a U.S. Environmental Protection Agency (USEPA) Community, Wide Assessment Grant for sites with suspected petroleum contamination.

The southeast corner of the Property was occupied by a small service station from at least 1937 to the mid-1950s. After the service station was demolished in the mid-1950s, the Property remained vacant until the mid-1960s when a four-stall, self-service car wash facility was

John Walsh
October 11, 2019
Page 2

Project No. 0830.05.01

constructed on the central portion of the Property. The car wash was demolished in 2010, but the concrete car wash pad and decommissioned catch basins remain on site. The Property has been vacant since the car wash was demolished in 2010.

The vacant lot immediately west of and upgradient of the Property (670 Columbia Boulevard) operated as a service station and auto repair shop from at least 1957 to approximately 1991. The Oregon Department of Environmental Quality (DEQ) refers to this property as the "Quality Service" property. A leaking underground storage tank (UST) was discovered at the Quality Service property during the decommissioning of four fuel tanks in 1991. Quality Service received a No Further Action letter from the DEQ in 1996, after the completion of the tank removal and a soil matrix cleanup.

PREVIOUS INVESTIGATIONS

On March 26, 2019, Pacific Geophysics conducted a geophysical survey using electromagnetic and ground penetrating radar on the Property to scan for possible USTs and disturbed soil that could indicate former locations of USTs that may have been removed from the Property. The survey found no evidence of USTs. The survey suggested that while the soil was disturbed throughout the entire Property, one small area near the southeast corner of the site (at the location of the former on-Property service station) appeared to be slightly more disturbed than anywhere else (indicative of a possible area from which USTs had been excavated).

A Phase II ESA conducted on May 22, 2019, provided information on the chemicals of interest (COIs) in soil and groundwater at the site (MFA, 2019a). COIs include petroleum, polycyclic aromatic hydrocarbons (PAHs), and lead. Two operable units were identified at the Property, based on historical use, and four locations were selected for boring advancement by direct-push drilling methods (see Figure 2). Analytical results from the investigation indicated petroleum impacts at the Property, in Operable Unit 1, associated with the former off-Property service station. Impacts were primarily gasoline-range hydrocarbons detected in GP-02 near the soil-groundwater interface (at 14 feet below ground surface [bgs]) at a concentration exceeding the DEQ risk-based concentrations (RBCs) for vapor intrusion into residential and urban residential buildings (DEQ, 2017). A lead detection in GP-04 also exceeded the RBCs for residential and urban residential direct contact (ingestion and inhalation). However, this exceedance was observed at 13 feet bgs, and residential RBCs for direct contact are limited to contact within the top 3 feet of soil. Therefore, this is currently considered an incomplete pathway, and this status will continue if impacted soils are left undisturbed or remain below 3 feet bgs. In addition, all borings had at least one exceedance of DEQ Clean Fill criteria for lead and/or PAHs in samples from depths ranging from 2 to 14 feet bgs.

Additional borings were needed to assess the extent of petroleum impacts in the southwest corner (Operable Unit 1) and to evaluate the potential for vapor intrusion into future buildings on the Property. Therefore, a supplemental Phase II ESA was conducted on August 30, 2019.

John Walsh
October 11, 2019
Page 3

Project No. 0830.05.01

The investigation consisted of advancing three borings and collecting and analyzing three soil samples, three groundwater samples, and two soil vapor samples (see Figure 2).

FIELD ACTIVITIES

On August 30, 2019, MFA contracted with Pacific Soil and Water, Inc., a driller licensed in Oregon, to complete three direct-push borings (GP-05, GP-06, GP-07) and two Post Run Tubing (PRT) soil vapor borings (SV-1 and SV-2) (see Figure 2).

Prior to field activities, a public utility locator (i.e., Underground Utility Notification Center) checked the Property for the presence of subsurface utilities. MFA also coordinated with a private subsurface utility locator (Applied Professional Services, Inc.) to locate subsurface utilities and structures (e.g., pipes).

Soil and Groundwater Borings

Three borings were advanced to 20 feet bgs (see Figure 2) under the observation of an MFA geologist, who collected samples, documented soil types, and used a photoionization detector (PID) to screen for potential organic vapors. Boring logs are included in Attachment A.

A slight hydrocarbon-like odor was observed in soil directly below the asphalt and at 14.5 to 20 feet bgs in GP-05. PID readings in all borings ranged from 0 parts per million (ppm) to 50.4 ppm. No other indications of petroleum contamination were observed in soil cores. One soil sample was collected at each boring location, using a 5-foot-long macrocore soil sampler. Each sample was collected in laboratory-provided containers.

Groundwater was collected at each boring location, using a temporary, 0.75-inch-diameter polyvinyl chloride well with a 10-foot machine slotted screen. Groundwater samples were placed in an iced container following sample collection. Samples were collected consistent with the SAP (MFA, 2019b) and the QAPP (MFA, 2018).

The boreholes were backfilled with bentonite chips hydrated with potable water from the bottom of each boring to 3 inches bgs and then with asphalt from 3 inches bgs to the ground surface to match the surrounding surface material.

The downhole drilling equipment was pressure-washed with hot, potable water before and after each use. The soil and the groundwater extracted, but not collected for sampling, were containerized for disposal pending characterization.

PRT Soil Vapor Borings

MFA collected two PRT soil vapor samples (SV-1 and SV-2) from 5 feet bgs. The samples were collected by installing a temporary sampling port through the soil. The gap between the

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sampling port and the soil was filled with a bentonite seal. The soil vapor samples were collected in laboratory-supplied, depressurized, 6-liter Summa® canisters for analytical testing. As a leak-check test, a shroud filled with helium was placed over the sample train. The sample train was purged with a peristaltic pump.

The downhole drilling equipment was pressure-washed with hot, potable water before and after each use. The soil and the groundwater extracted, but not collected, for sampling were containerized for disposal pending characterization.

SITE GEOLOGY AND HYDROGEOLOGY

According to the Columbia County Web Maps tool, shallow soil in the area consists of well-drained silty loams and loams underlain by basalt bedrock. The soil observed during the investigation generally consisted of sandy silts, silts, and sands with gravel observed from the surface to 20 feet bgs, the maximum depth explored (see boring logs in Attachment A).

Groundwater was observed in soil cores during drilling at approximately 13 feet bgs during the August 2019 investigation. Field sampling data sheets for groundwater samples are included in Attachment B. Groundwater flow direction at the site is unknown; however, the inferred regional groundwater flow direction is east-northeast, toward the Columbia River.

ANALYTICAL METHODS

All soil and groundwater samples collected by MFA were submitted to Apex Laboratories, LLC, under standard chain-of-custody procedures and were analyzed for the following:

- Diesel-range and residual-range organics by Northwest Total Petroleum Hydrocarbons (NWTPH)
- Gasoline-range organics by NWTPH
- Benzene, toluene, ethylbenzene, and xylenes by USEPA Method 8260C
- PAHs by USEPA Method 8270D selected ion monitoring
- Lead by USEPA Method 6010

The soil-gas samples were analyzed for the following:

- Helium by ASTM 1946
- Volatile organic compounds by USEPA Method TO-17

Analytical results were reviewed for usability and were qualified consistent with USEPA procedures and appropriate laboratory and method-specific guidelines, and a data validation

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memorandum (DVM) was prepared to document the review. Laboratory analytical reports and the DVM are provided in Attachments C and D, respectively.

Preliminary Conceptual Site Model

The preliminary conceptual site model (CSM) describes, based on the findings of this investigation, potential release mechanisms, environmental transport processes, exposure routes, and receptors for sources identified on the Property. The primary purpose of the CSM is to identify potential current and future pathways by which human and ecological receptors could be exposed to site-related chemicals. A complete exposure pathway consists of four necessary elements: (1) a source and mechanism of chemical release to the environment, (2) an environmental transport medium for a released chemical, (3) a point of potential contact with the impacted medium (referred to as the exposure point), and (4) an exposure route (e.g., soil ingestion) at the exposure point. It should be noted that an incomplete exposure pathway does not guarantee that the exposure pathway will always remain incomplete. If the Property is redeveloped, it may be necessary to reevaluate potential exposure pathways.

The following RBCs (DEQ, 2017) were considered potentially complete for the site: residential and urban residential direct contact; occupational direct contact; construction worker direct contact; excavation worker direct contact; and vapor intrusion into residential, urban residential, and occupational buildings.

Residential and Occupational RBCs for direct contact with soil are evaluated for the top 3 feet of soil. Construction and Excavation RBCs for direct contact with soil are typically evaluated for the top 15 feet. Currently, much of the site is capped with asphalt and concrete, and there is no current exposure to site soils. Should the Property be excavated, potentially exposing impacted soils previously buried in the top 3 feet of soil, this pathway should be reassessed.

Currently, the Property is served by City water, and groundwater is not used as drinking water and is not likely to be used as drinking water in the future. Therefore, the pathway for residential or occupational direct contact with groundwater is incomplete.

ANALYTICAL RESULTS

The sections below summarize the soil, groundwater, and soil vapor analytical results presented in Tables 1, 2 and 3, respectively. Sample results were screened against relevant DEQ RBCs, as described in the CSM above. Additionally, soil results were screened against DEQ clean fill criteria.

Soil

Gasoline-range hydrocarbons were detected in the soil samples from GP-05 and GP-07; the detected concentration from GP-07 exceeded the DEQ RBC screening criteria for soil vapor

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intrusion into buildings for residential and urban residential occupants. DEQ clean fill criteria were exceeded for lead and PAHs at GP05 and GP07.

Groundwater

There were no exceedances of the DEQ RBC screening criteria.

Soil Vapor

There were no exceedances of the DEQ RBC screening criteria.

CONCLUSION

Concentrations of petroleum (predominantly gasoline) have been identified in soil on the Property; impacts are located at a depth of approximately 14 to 15 feet bgs in the southwest corner of the Property, in Operable Unit 1 (see Figure 2). The highest concentrations of gasoline were detected in GP-02, with lower concentrations in locations GP-05 and GP-07, indicating the impacts dissipate in those directions. Borings to the north of this area were non-detect for petroleum.

The Property is predominantly capped with asphalt and concrete, and there are no buildings on the Property. The Property is served by City water, and groundwater is not currently used as drinking water. During this investigation and the previous investigation conducted on May 22, some soil concentrations in Operable Unit 1 exceeded the DEQ RBC screening criteria for soil vapor intrusion into buildings for residential and urban residential occupants. However, results of the August 30 soil vapor sampling indicated that, for all potential receptors, including residential, there was no risk from vapor intrusion.

While soil, groundwater, and soil vapor concentrations do not pose a risk to human health, some concentrations in soil exceeded the DEQ clean fill criteria. These exceedances were discovered in multiple borings and at various depths, indicating the presence of low-level concentrations at the Property that will reduce the options for reuse of disturbed soil. In the

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event that the Property is redeveloped, a plan should be in place to direct the management, potential sampling, and disposal of disturbed soil.

Sincerely,

Maul Foster & Alongi, Inc.

Jackie McMaster
Project Environmental Scientist

Merideth D'Andrea, RG
Senior Geologist

Attachments: Limitations
References
Tables
Figures
A—Boring Logs
B—Field Sampling Data Sheets
C—Laboratory Analytical Report
D—Data Validation Memorandum

cc: Susan Morales, USEPA

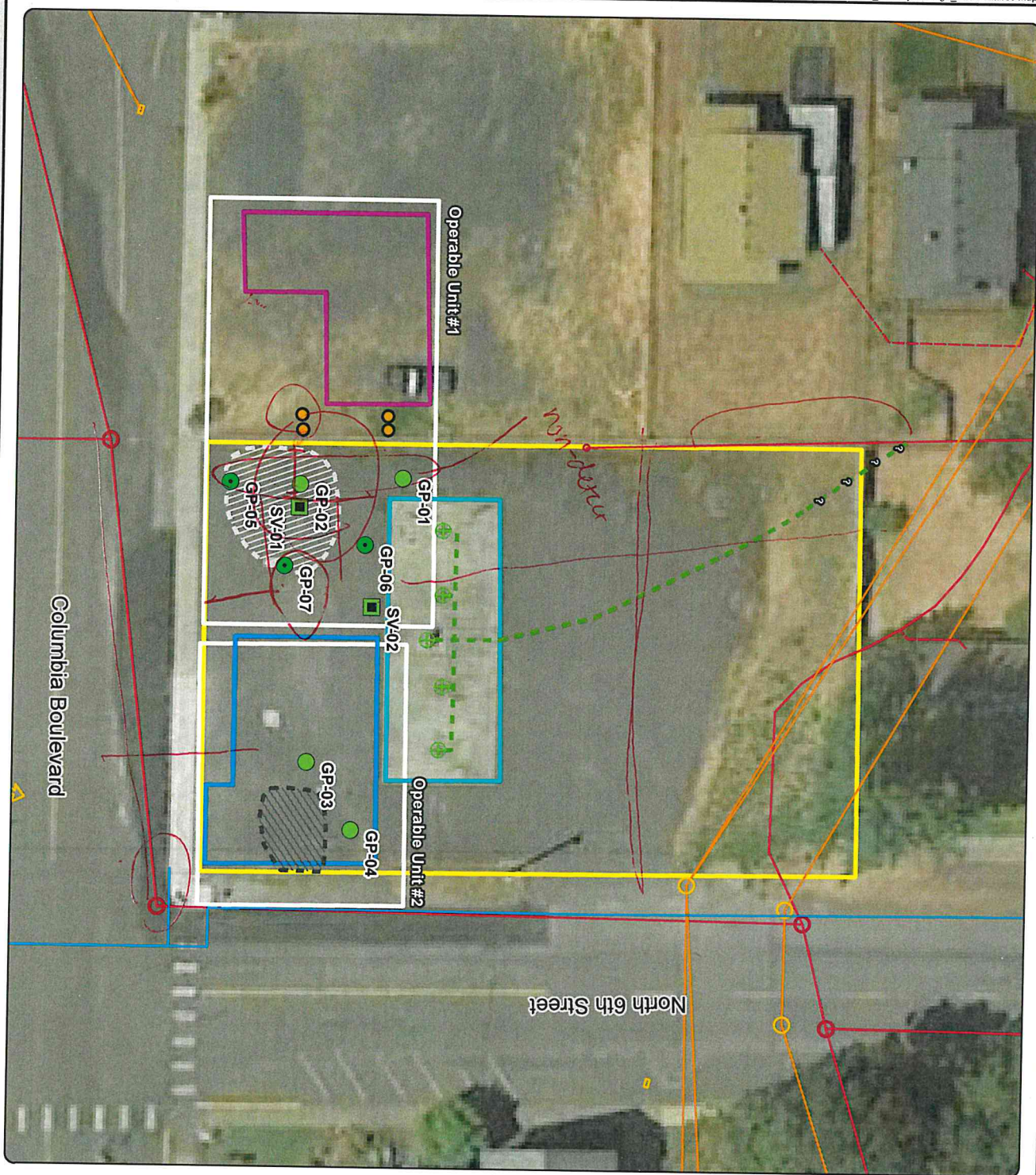

















Figure 2
Site Features Map
Semling Family LLC Property
City of St. Helens

Legend

-  Inferred Location of Removed UST's
 -  Catch Basins
 -  May 2019 Boring Location
 -  August 2019 Boring Locations
 -  August 2019 Soil Vapor Locations
 -  Drainage Pipes
 -  Stormwater Line
 -  Water Line
 -  Sanitary Sewer Line
 -  Approximate Area with Gasoline Detections
 -  Possible Disturbed Soil Zone
 -  Property Boundary
- Former Buildings**
-  Car Wash
 -  Service Station
 -  Service Station

Source: Aerial photograph obtained from Google Earth Pro; Carwash drainage features and possible disturbed soil zone obtained from GPR Pacific Geophysics report.

Notes:
 UST = underground storage tank.

MAUL FOSTER ALONGI
P. 971 544 2139 | www.maulfooster.com

SV - soil vapor
SW - soil & ground water - GP



CITY OF ST. HELENS PLANNING DEPARTMENT

M E M O R A N D U M

TO: Planning Commission
 FROM: Jacob A. Graichen, AICP, City Planner
 RE: Renaming of “Mill Street” in the Riverfront District
 DATE: March 13, 2023

As part of the Riverfront District redevelopment, the street stub next to property addressed as 330 S. 1st Street that will be extended to the southerly extension of Strand Street needs to be renamed.

ORS 227.120 provides the procedure for renaming streets. This includes:

1. **Review and recommendation from the Planning Commission.**
2. Public hearing before the City Council
3. Adoption of street rename by Ordinance.
4. Filing with the County (Clerk, Assessor, Surveyor)

Your recommendation is the first official step in the processes, though staff presented the issue to the Council at their March 1, 2023 work session to inform and for initial feedback (and name suggestions—see below).

Per Ordinance No. 707, which vacated some of this street right-of-way in 1941, this street was sometimes called Mill Street. It is also labeled as Mill Street on approx. 100-year-old Sanborn fire insurance maps. There is already a Mill Street within St. Helens city limits off N. Vernonia Road and pursuant to SHMC 17.152.030(12):

No street name shall be used which will duplicate or be confused with the names of existing streets in Columbia County emergency communications district, except for extensions of existing streets.

Based on this code provision, we consult with Columbia 9-1-1 to ensure new street names are not duplicative and this is a similar situation. Mill Street is clearly duplicative (and thus won't work) and any new name will need Columbia 9-1-1's consent.

As a minor street not aligned with the overall street grid (i.e., it is a midblock street), it will be most appropriate to call it “_____ Way” based on typical street naming conventions, similar to “John Gumm Way” between S. 3rd and 4th Streets within the 200 block. **So, it is a question of what word to put before Way.**

Name ideas:

1. Pumpkin Way

City Engineering suggested something Halloweentown related; this is an example.

2. McCormick Way

Council President Chilton suggested this. This was one of the potential names suggested by the Museum Association (Les Watters) at the March 1st Council work session. Charles McCormick

is an important industrial figure for St. Helens in the early part of the 20th century 1900's. There is a Wikipedia entry: https://en.wikipedia.org/wiki/Charles_R._McCormick_Lumber_Company

3. Wapato Way

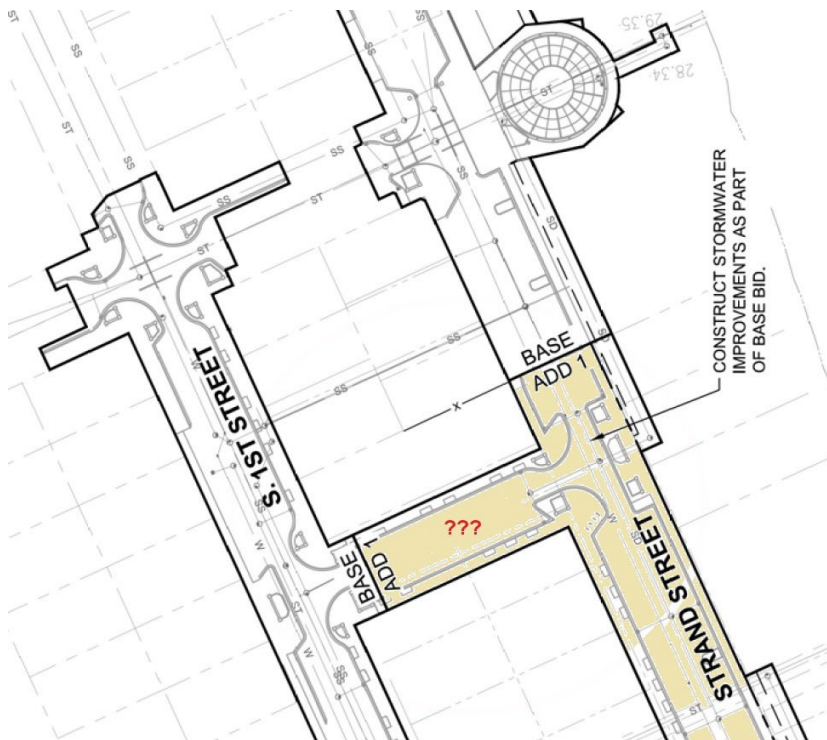
Councilor Birkle suggested something related to indigenous populations such as this. Wapato was an important food source for indigenous populations.

4. Wapama Way

Les Watters from the Columbia County Museum Association provided several ideas; his favored name is Wapama after a ship built here. It has a Wikipedia entry:

[https://en.wikipedia.org/wiki/Wapama_\(steam_schooner\)](https://en.wikipedia.org/wiki/Wapama_(steam_schooner))

You could choose from these or recommend others. Ultimately, I recommend the Commission choose a main name with an alternate or two, or just recommend a few for council consideration. We need to make sure a selected name is unique so Columbia 9-1-1 will accept it; this is why alternates are wise.



Left: The yellow highlighted streets are areas to be extended, eventually, as part of the Riverfront District redevelopment.

The midblock street segment, known as "Mill Street" needs to be renamed to *something* Way. For example, "Any Way."

Attached: aerial photo map



Historic Look at Mill Street Area

Columbia
County Historical Society &
Museum
Association

1916

Columbia River

MAY-1916
ST. HELENS
ORE.

Map Division
Library of Congress

ST. HELENS LUMBER CO'S.
SHIPPING WHARF
LUMBER IN TRANSIT

THE STRAND

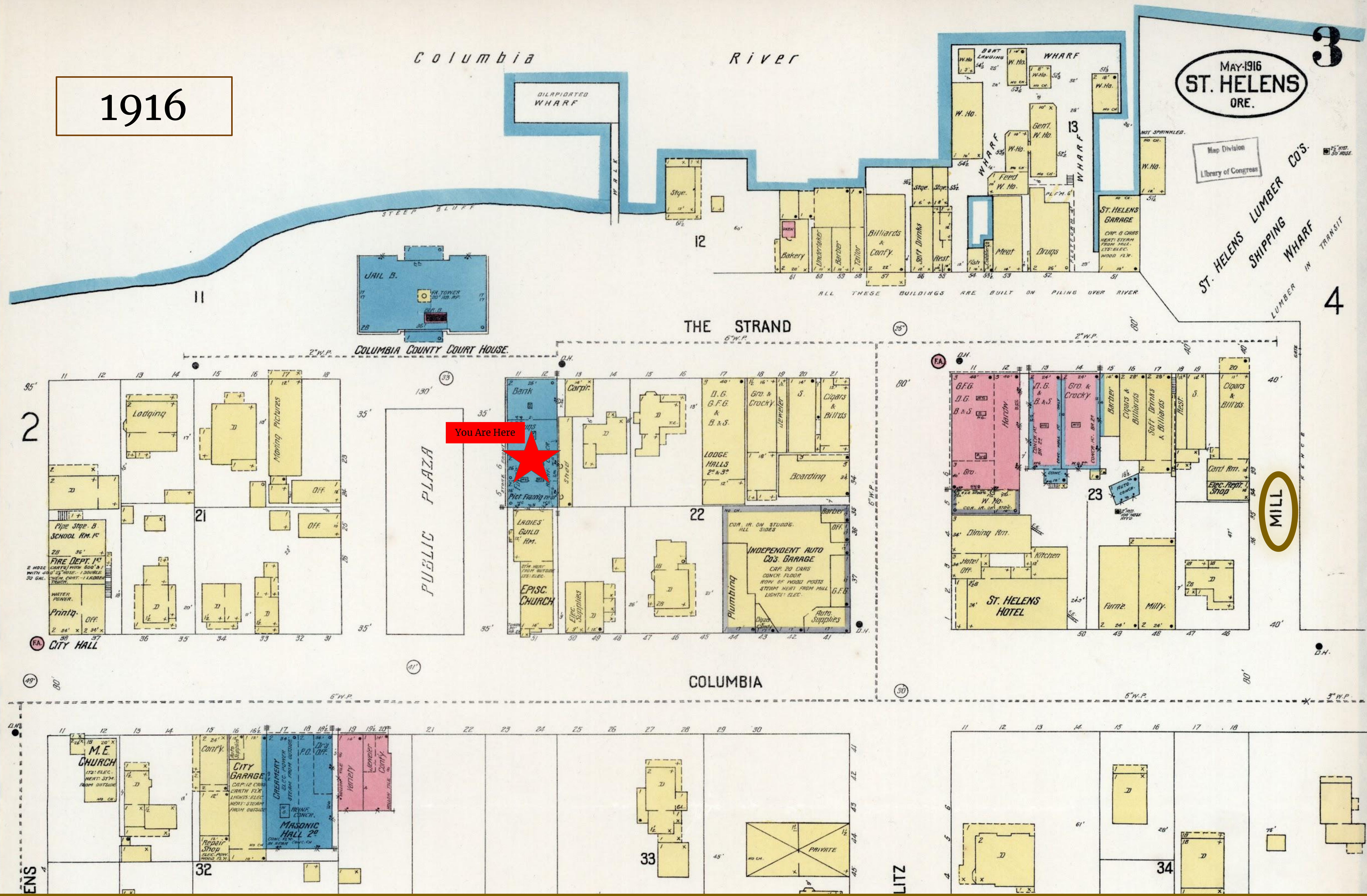
COLUMBIA COUNTY COURT HOUSE.

You Are Here

PUBLIC PLAZA

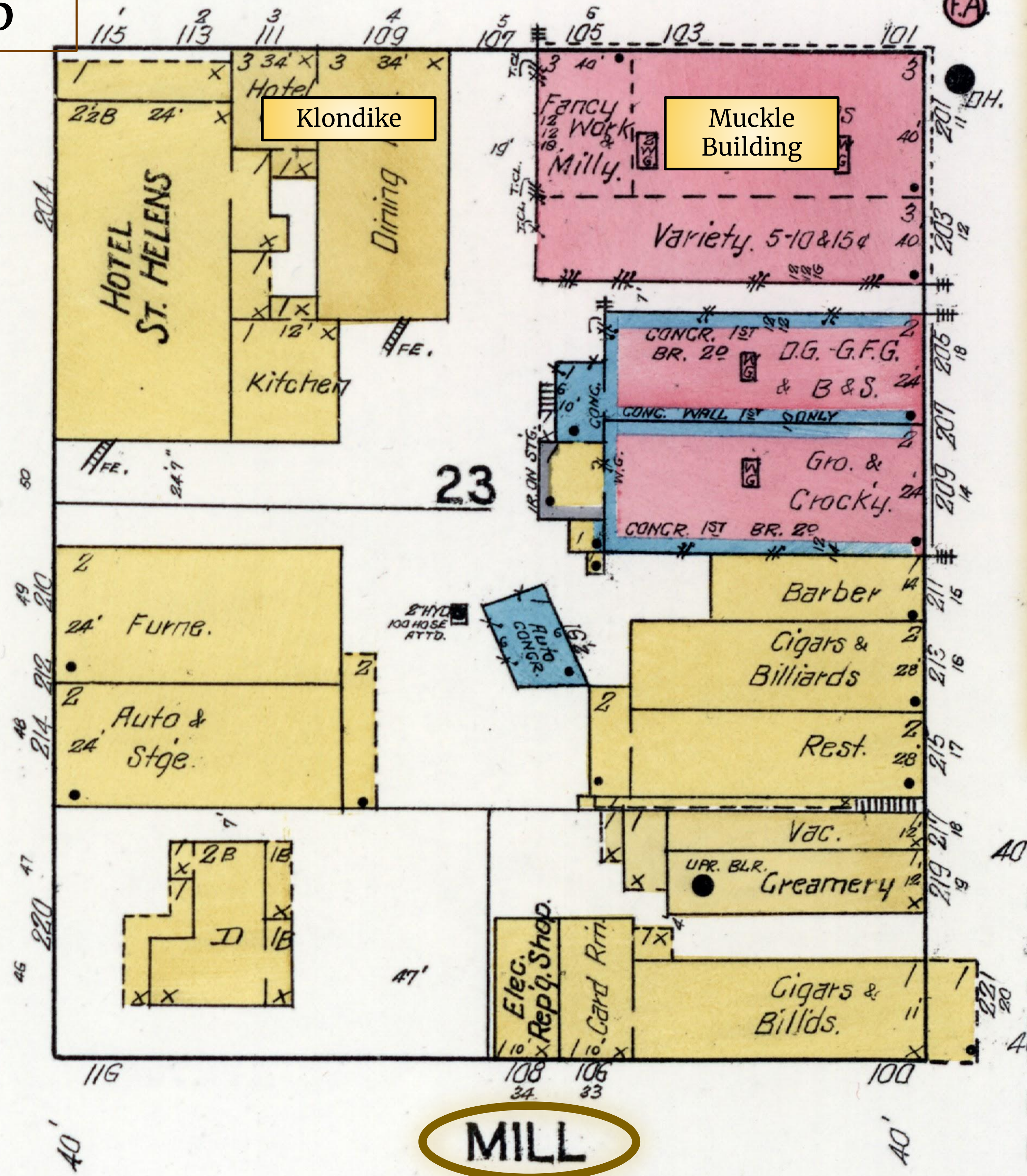
COLUMBIA

MILL

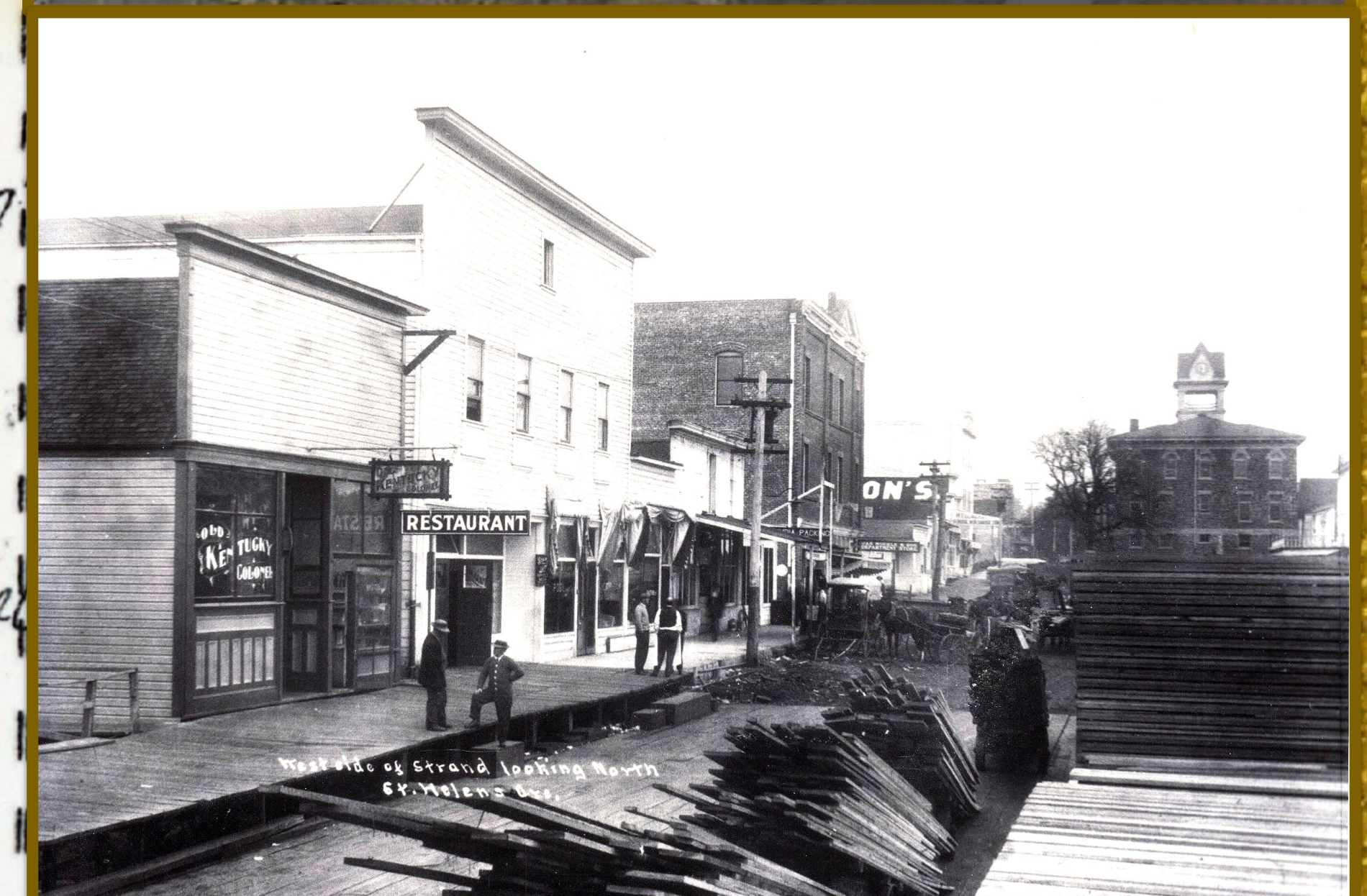


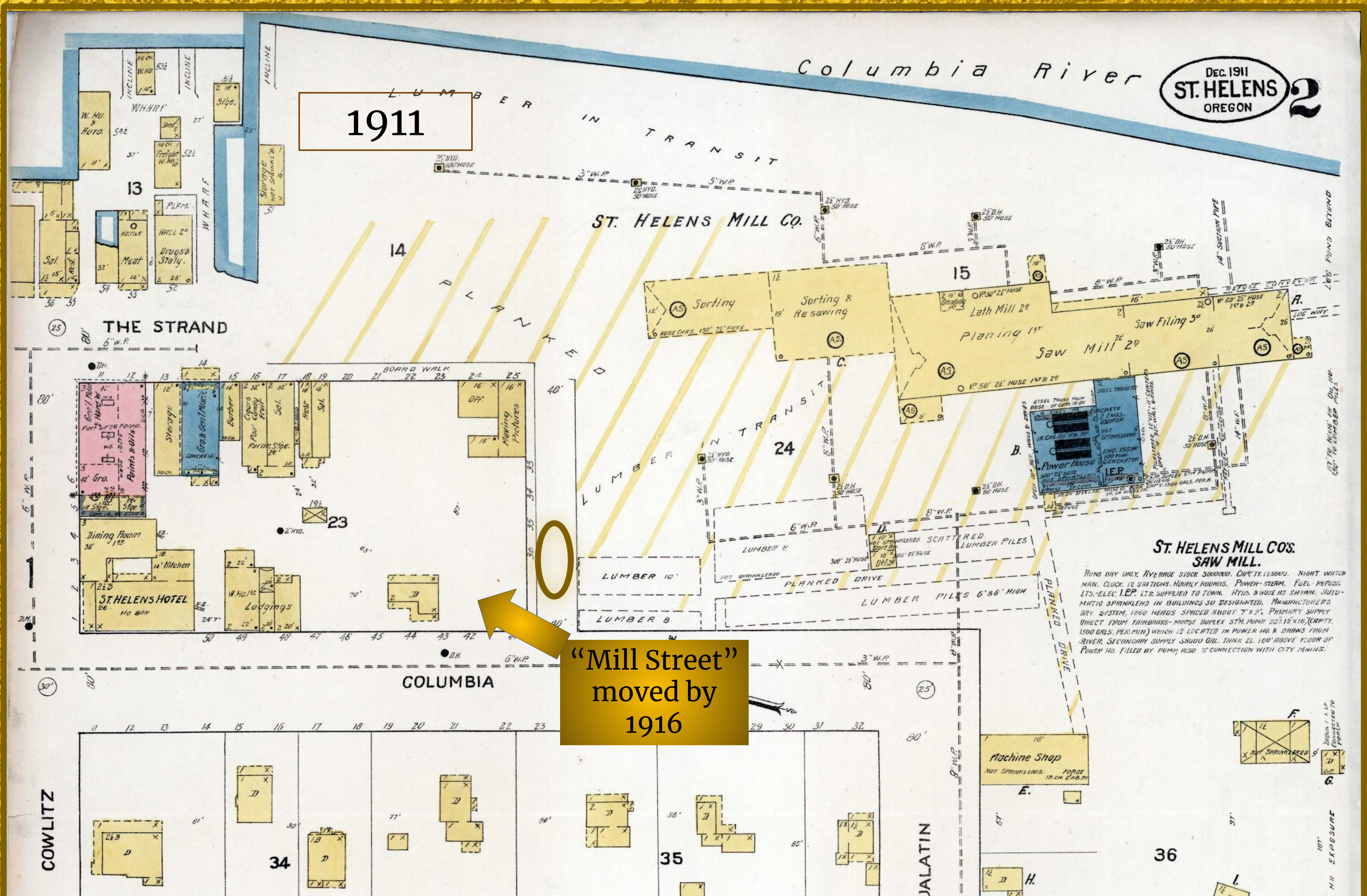
1916

GWP



2023





1911

DEC. 1911
ST. HELENS
OREGON

2

“Mill Street”
moved by
1916

**ST. HELENS MILL CO'S.
SAW MILL.**
Runs day only. Average stock 300,000. Capacity 125,000. Night watch
man. Clock 12 stations. Hourly rounds. Power - steam. Fuel - refuse.
LTS. - elec. I.E.P. LTS. supplied to town. Hyds. & hose as shown. Auto-
matic sprinklers in buildings so designated. Manufacturers
dry system, 1200 heads spaced about 7' x 3'. Primary supply
direct from Fairbanks-Morse duplex steam pump 20" x 16" (cap'ty.
1500 gals. per min.) which is located in power house & draws from
river. Secondary supply 35000 gal. tank el. 100' above floor of
power house. Filled by pump, also connection with city mains.

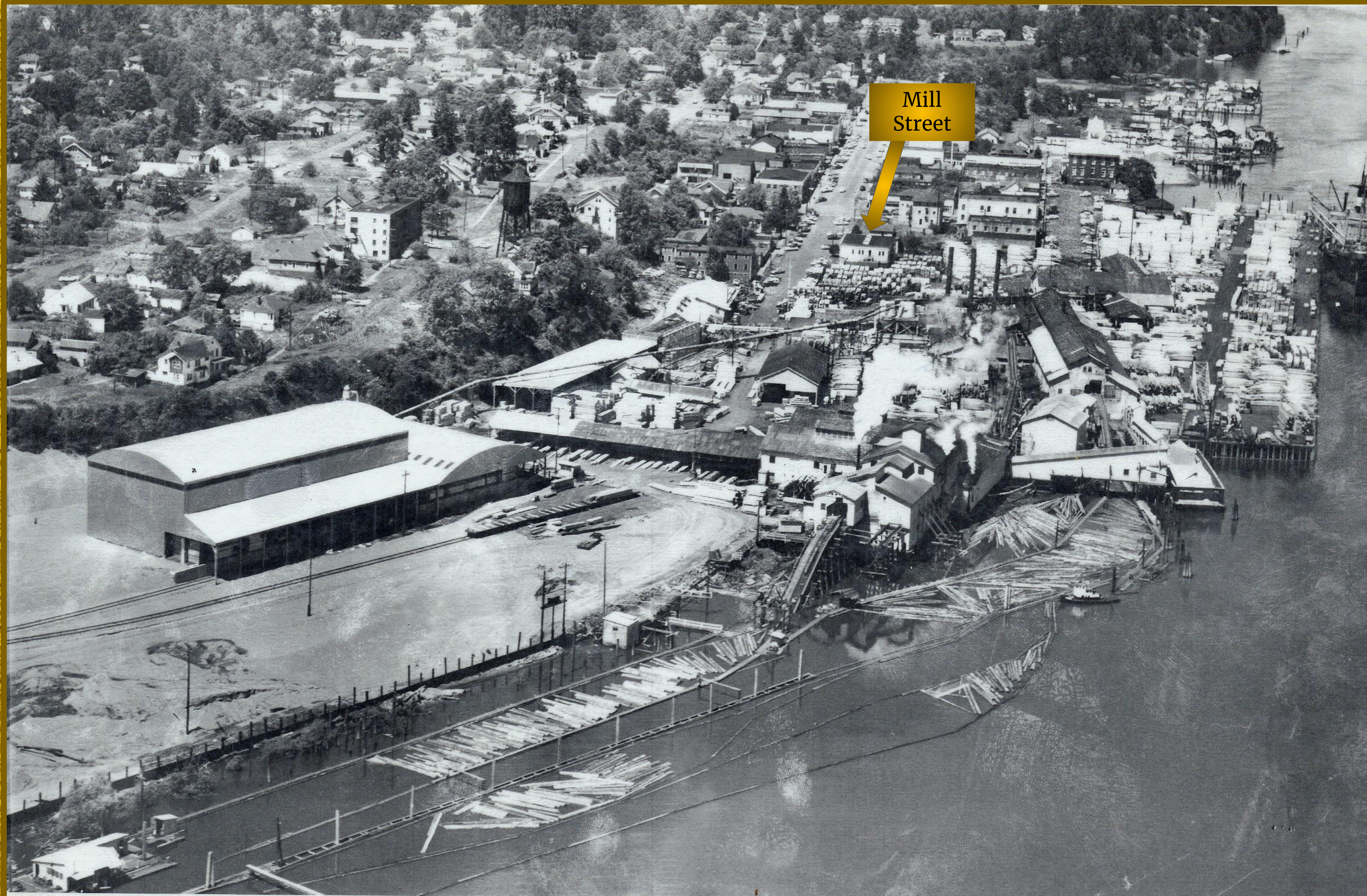


Mill
Street

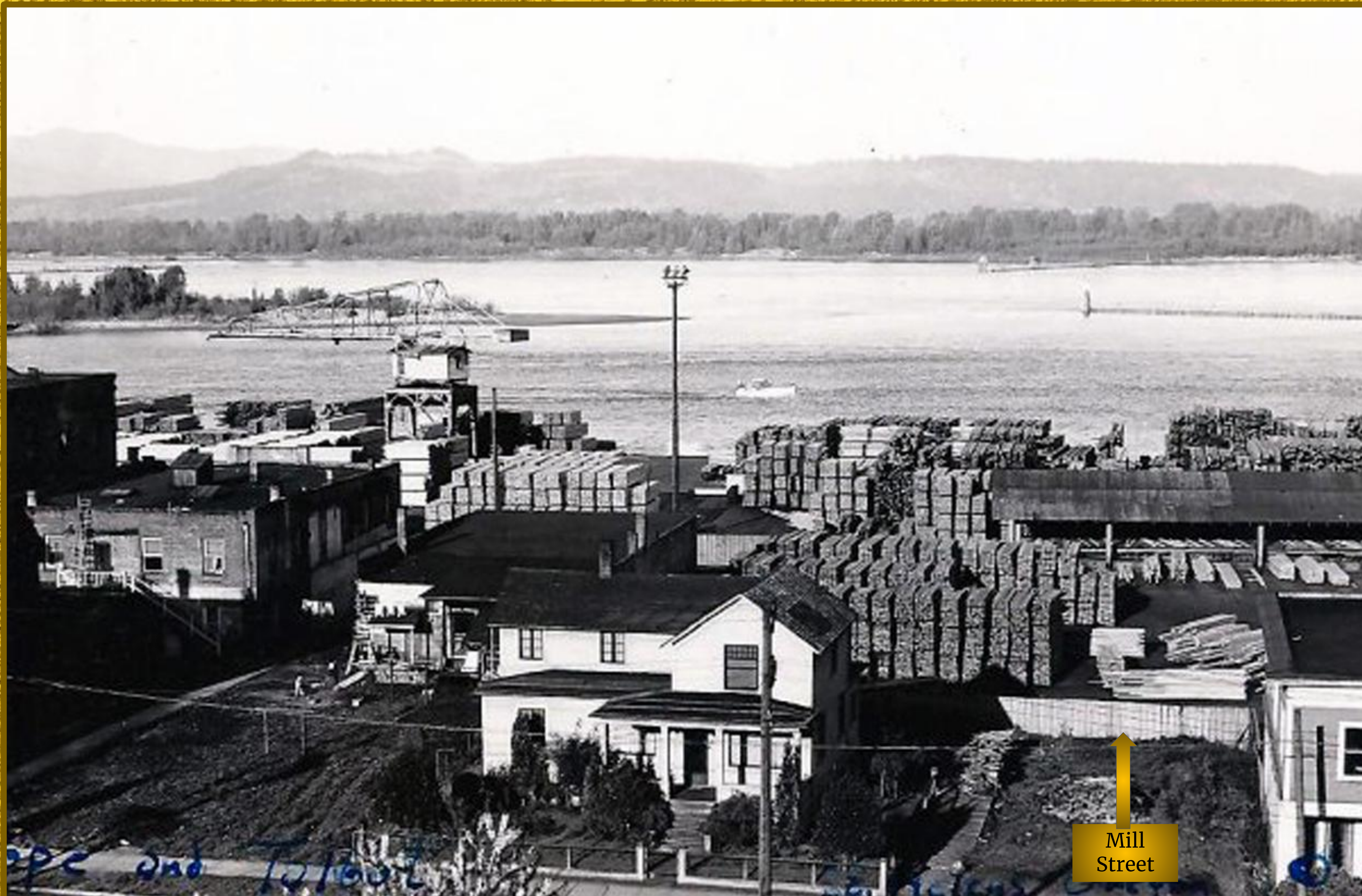
McCormick
Office

Kaleava
Hotel





Mill
Street







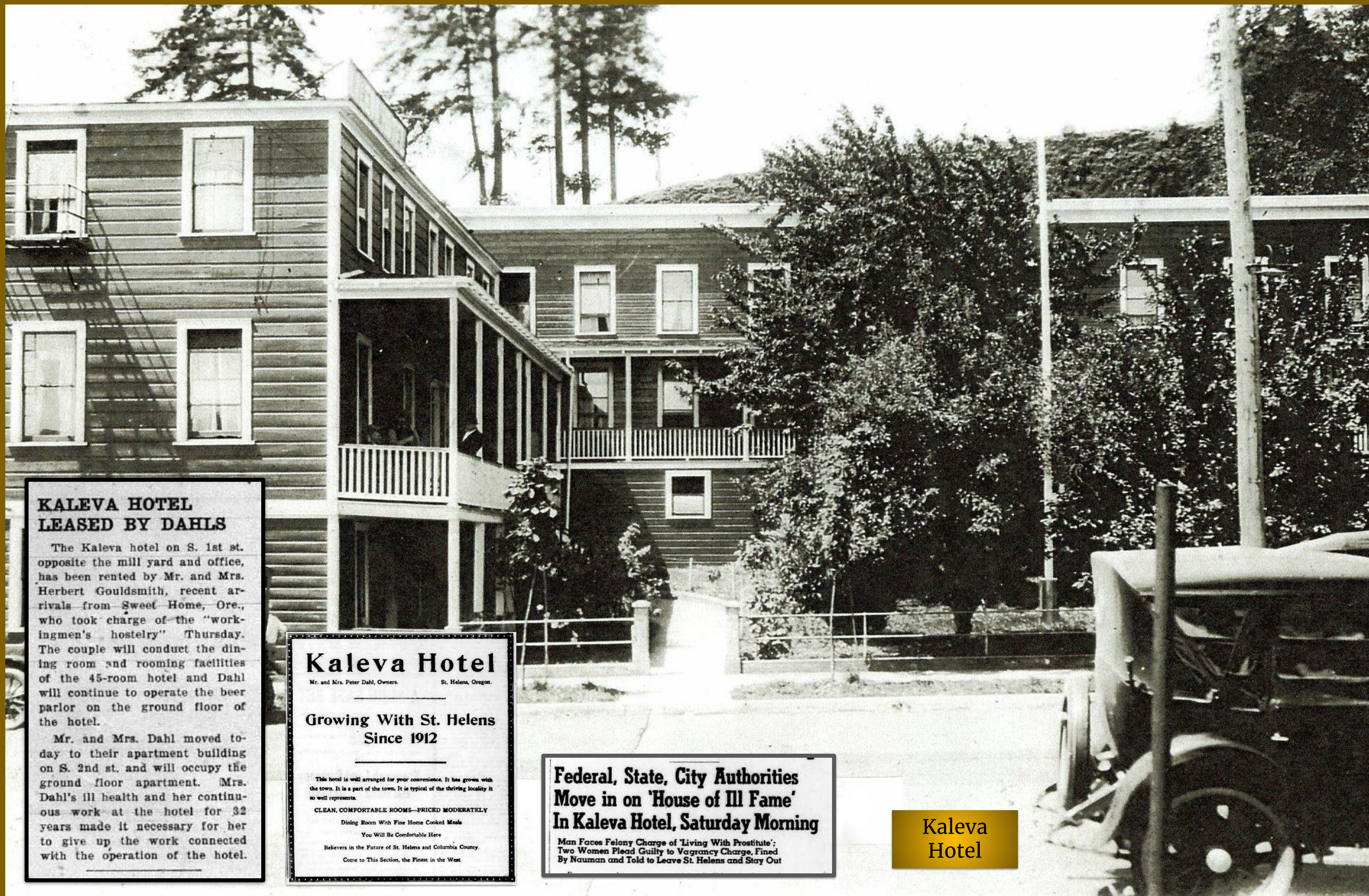
Keel



Laying the
Keel



Nellie
McCormick



KALEVA HOTEL LEASED BY DAHLS

The Kaleva hotel on S. 1st st. opposite the mill yard and office, has been rented by Mr. and Mrs. Herbert Gouldsmith, recent arrivals from Sweet Home, Ore., who took charge of the "workmen's hostelry" Thursday. The couple will conduct the dining room and rooming facilities of the 45-room hotel and Dahl will continue to operate the beer parlor on the ground floor of the hotel.

Mr. and Mrs. Dahl moved today to their apartment building on S. 2nd st. and will occupy the ground floor apartment. Mrs. Dahl's ill health and her continuous work at the hotel for 32 years made it necessary for her to give up the work connected with the operation of the hotel.

Kaleva Hotel

Mr. and Mrs. Peter Dahl, Owners.

St. Helens, Oregon.

Growing With St. Helens Since 1912

This hotel is well arranged for your convenience. It has grown with the town. It is a part of the town. It is typical of the thriving locality it so well represents.

CLEAN, COMFORTABLE ROOMS—PRICED MODERATELY

Dining Room With Fine Home Cooked Meals

You Will Be Comfortable Here

Believers in the Future of St. Helens and Columbia County.

Come to This Section, the Finest in the West

Federal, State, City Authorities Move in on 'House of Ill Fame' In Kaleva Hotel, Saturday Morning

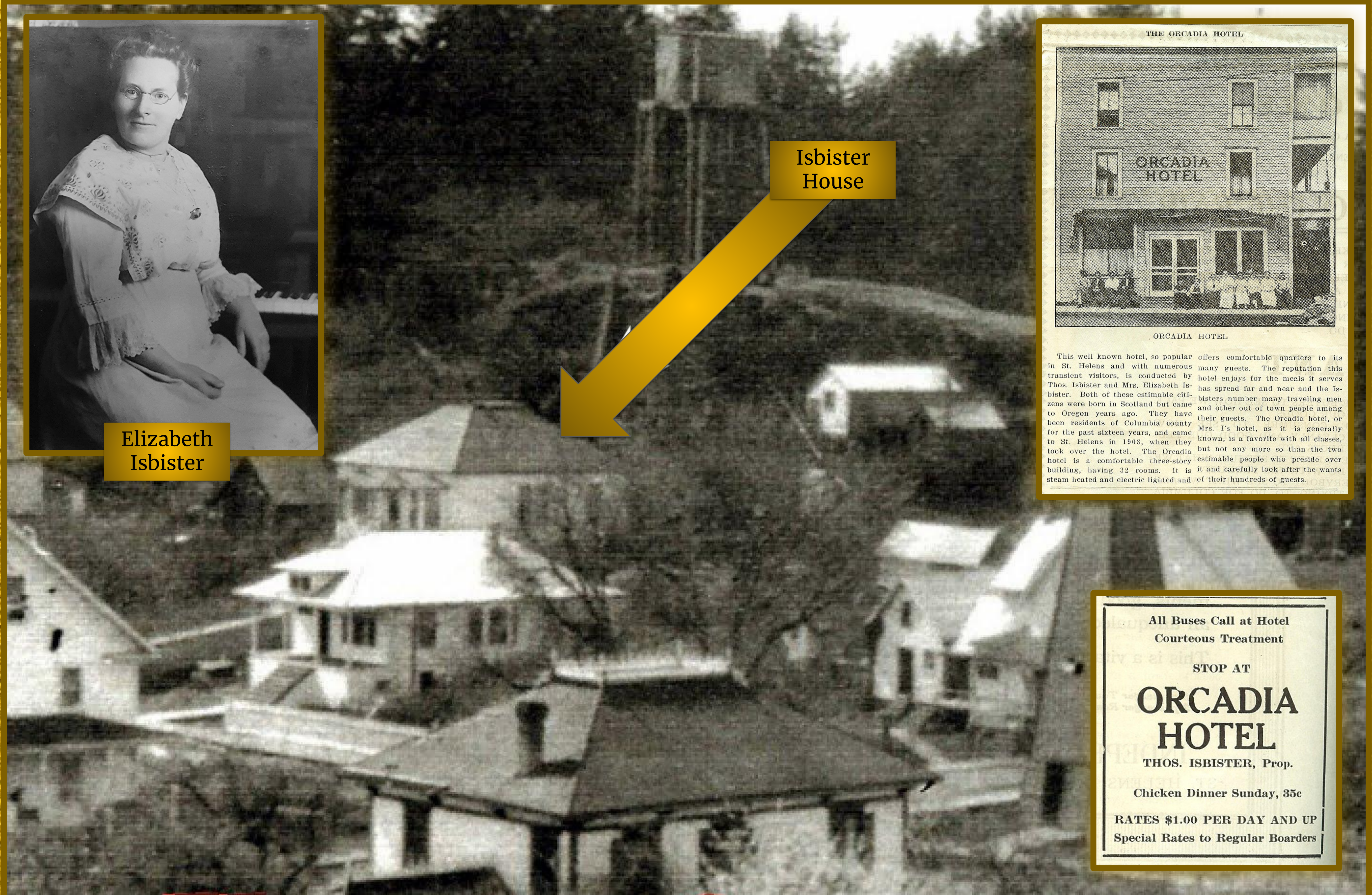
Man Faces Felony Charge of 'Living With Prostitute';
Two Women Plead Guilty to Vagrancy Charge, Fined
By Nauman and Told to Leave St. Helens and Stay Out

Kaleva
Hotel




Elizabeth Isbister

Isbister House



THE ORCADIA HOTEL



ORCADIA HOTEL

ORCADIA HOTEL

This well known hotel, so popular in St. Helens and with numerous transient visitors, is conducted by Thos. Isbister and Mrs. Elizabeth Isbister. Both of these estimable citizens were born in Scotland but came to Oregon years ago. They have been residents of Columbia county for the past sixteen years, and came to St. Helens in 1908, when they took over the hotel. The Orcadia hotel is a comfortable three-story building, having 32 rooms. It is steam heated and electric lighted and offers comfortable quarters to its many guests. The reputation this hotel enjoys for the meals it serves has spread far and near and the Isbisters number many traveling men and other out of town people among their guests. The Orcadia hotel, or Mrs. I's hotel, as it is generally known, is a favorite with all classes, but not any more so than the two estimable people who preside over it and carefully look after the wants of their hundreds of guests.

All Buses Call at Hotel
Courteous Treatment

STOP AT

**ORCADIA
HOTEL**

THOS. ISBISTER, Prop.

Chicken Dinner Sunday, 35c

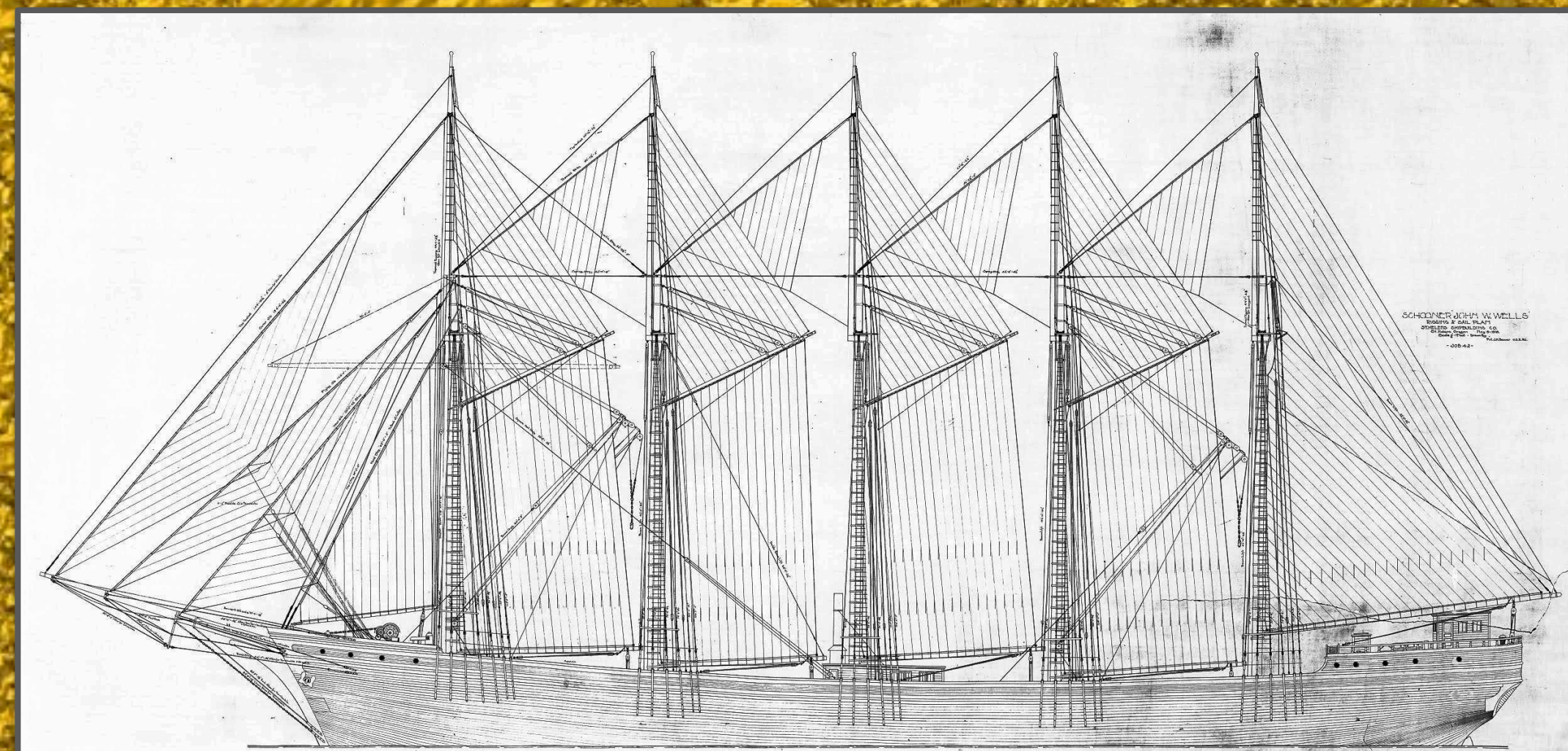
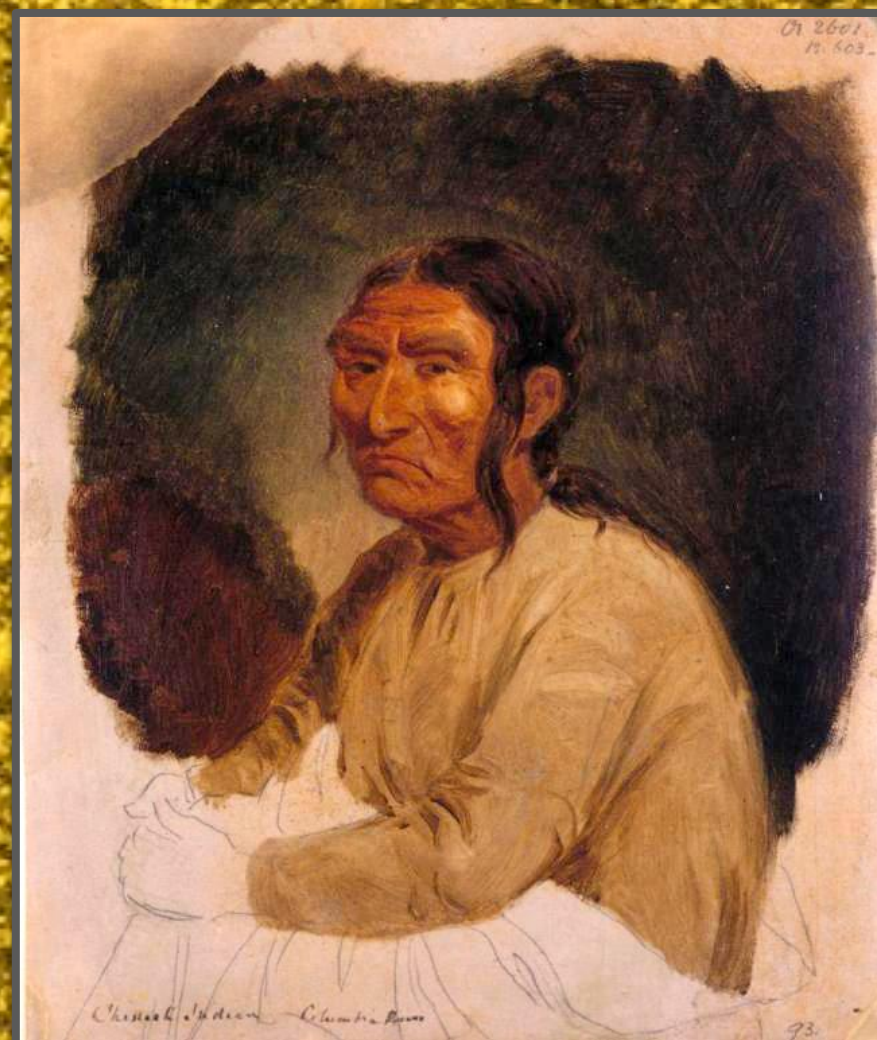
RATES \$1.00 PER DAY AND UP
Special Rates to Regular Boarders

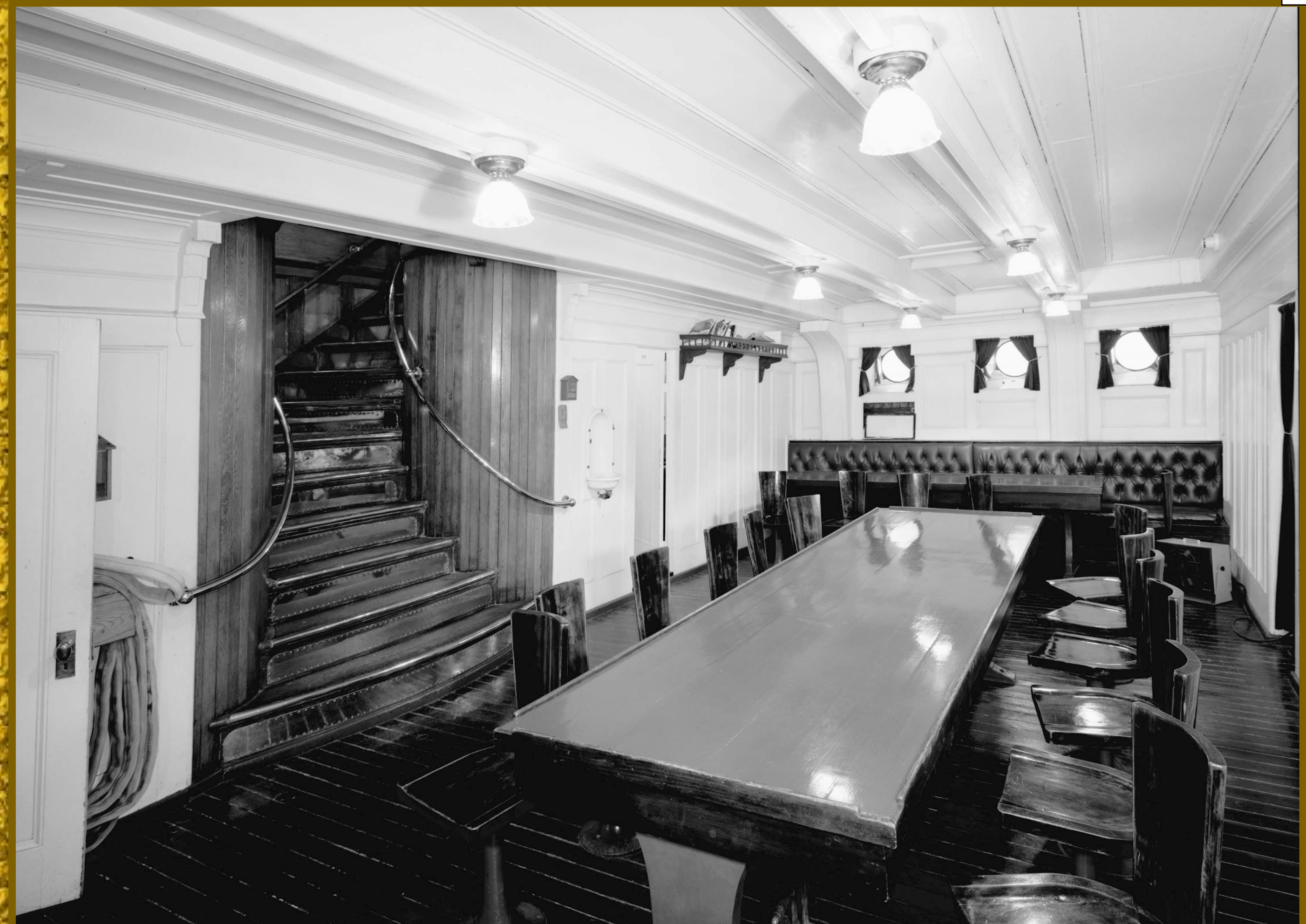
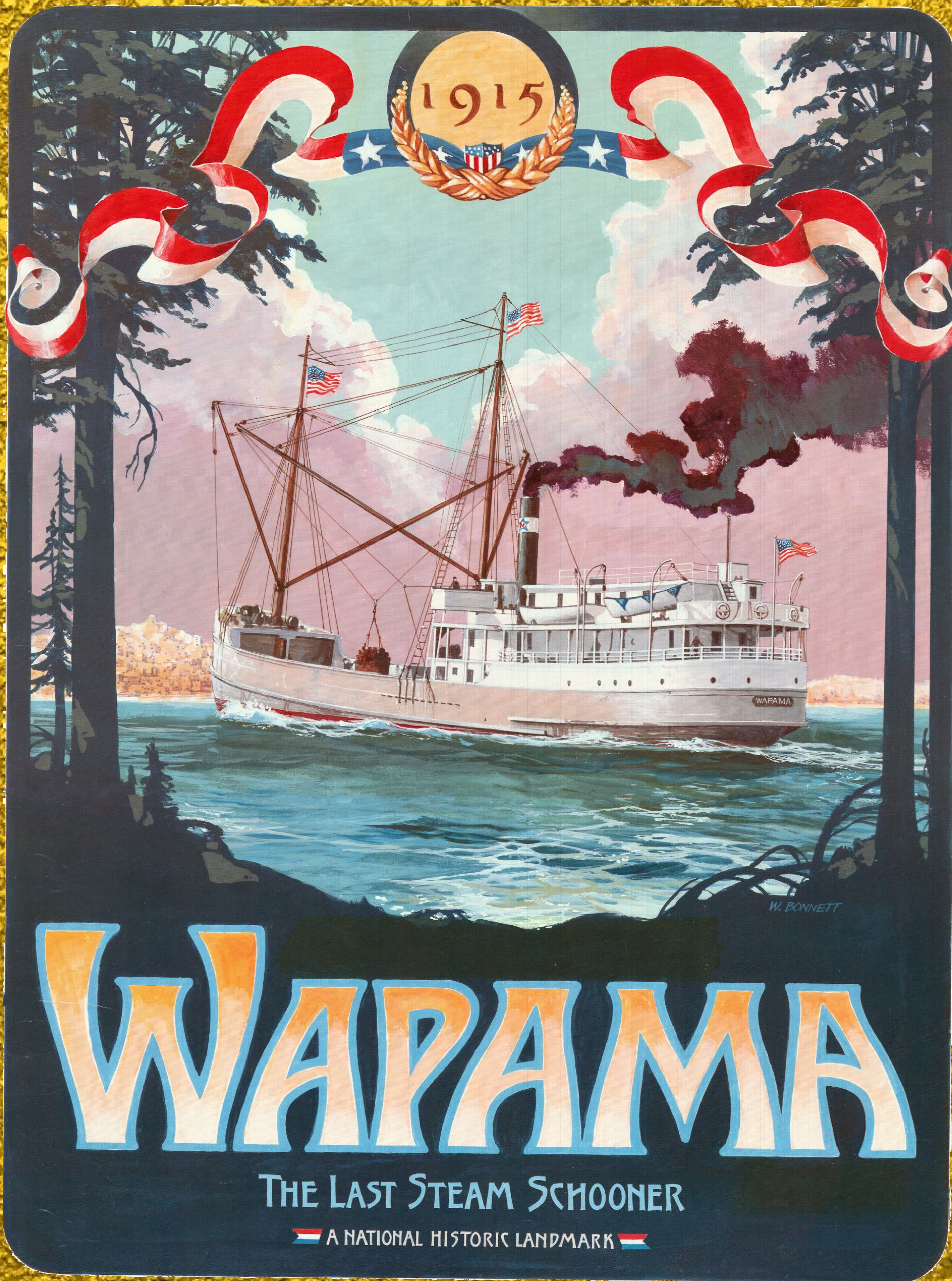
Historic Name Considerations

Indigenous peoples, pioneer women
Chief Kiesno Way, Wapato Way, Elizabeth Perry Way

Shipbuilding references or names of vessels –
Keel Way, Wapama Way, Celilo Way, Thistle Way

Businesses or people associated with businesses in the area
McCormick Way, Kaleva Way, Isbister Way, George Way





CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 02.21.2023

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.

ASSOCIATE PLANNER/PROJECT MANAGER—*In addition to routine tasks, the Associate Planner/Community Development Project Manager has been working on: **See attached.***

PLANNING ADMINISTRATION—MISC.

Prepared memoranda for the City Council and Planning Commission to aid in its efforts regarding HB 3115, including prep for the March 8th joint meeting.

Prepared memoranda for the Planning Commission to aid in its future efforts regarding architectural standards.

Prepared legal descriptions for the first annexation application received in 2023. This will be #3 of the total annexations subject to Planning Commission/City Council review this spring.

Met with the Broadleaf Arbor (Gable Road apartments) folks about their phased occupancy plans. They hope to get occupancy for their community building this month, and the first apartment building in March. Others to follow, with the senior building (the big "L shaped one) last around October. Street improvements along Gable Road anticipated mid-year. Planning will be involved in the inspections for these over the next several months.

Needing to change a street name in the Riverfront District as part of the waterfront development efforts, I prepared to start that discussion with the Council and Planning Commission in March. The last time we did something like this was back in 2009 for the street off Sykes Road behind the bowling alley after ODOT transferred that to the city.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

February 16, 2023 meeting (outcome): *As the Historic Landmarks Commission*, the commission reviewed and made recommendations to staff regarding proposed changes to the former Dockside restaurant that was recently purchased by Crooked Creek Brewery.

The Commission and Council Gunderson had a good discussion about teamwork and potential vision sharing. The Commission determined that it should have a retreat like the Council does every year, in part, to help foster team building and overall goals for the city. We talked about doing this sometime the week of March 20-24th.

The Commission reviewed and made recommendations on the 10/11/12th Street bluff property for proposed ROW vacation, dedication and zoning considerations.

They talked a bit about HB3115, but did not engage in any other proactive items.

March 14, 2023 meeting (upcoming): The Commission will hold two public hearings, one for a Conditional Use Permit/Sensitive Lands Permit to allow the 1810 Old Portland Road building to be a public facility (adding offices the old rec center building, initially for non-represented SHPD staff), and the other for a Conditional Use Permit/Variations for a commercial/residential mixed use development at the corner of Columbia Boulevard and N. 6th Street (i.e., the old car wash site).

I suspect the Commission will discuss its architectural standards proactive item and maybe consideration of some other proactive items, time permitting.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Quarterly data updates this month. Happy that the Firlok Park Boulevard alignment along the south side of the high school better reflects reality after survey and dedication efforts from the SHHS remodel project—you need to be a planner or cartographer to get excited about stuff like this!

From: [Jennifer Dimsho](#)
To: [Jacob Graichen](#)
Subject: February Department Report
Date: Friday, February 17, 2023 4:16:54 PM

Here are my additions to the February Planning Department Report.

GRANTS

1. **Safe Routes to School - Columbia Blvd. Sidewalk Project** – Culvert project (County) will be a separate project than the sidewalks project. Construction to begin June 2023. County working through acquiring construction/slope easements for affected property owners.
2. **Business Oregon – Infrastructure Finance Authority** – Loan Contract documents finalized for streets/utilities construction and Riverwalk project not covered by OPRD grants. Will submit first reimbursement once design work is complete for Riverwalk project.
3. **Riverwalk Project (OPRD Grants x2)** – 90% design received. 90% cost estimates received on 1/23. PC recommended approval of stage/pavilion with conditions on 1/10. 90% comment review TAC meeting is on 1/25. Working with Wauna Credit Union contact to confirm signage and then will issue sign permit. Coordinated meeting with Building Official to discuss all permits required and their review time frames. Coordinated internal meeting with the Engineering Dept. to discuss project and construction management roles & responsibilities between departments and contractors.
4. **Community Development Block Grants (CDBG)** – Scheduled our required Public Hearing to apply to the CDBG program for sanitary sewer capacity upgrades. CDBG funding request will be for \$2.5 million to fund purely design/engineering and permitting/environmental review. I will be assisting the Engineering Dept with this grant application, which opened on 2/1 and closes 4/30.
5. **Certified Local Government Historic Preservation Grant Program** – Submitted our application for 15k to fund the pass-through grant program, as discussed during the Jan PC meeting. Awards will come in April.
6. **DLCD Technical Assistance Program** – Grant cycle will likely open in August and closes in October. DLCD Regional Rep thinks our Economic Opportunities Analysis update will be a great candidate for funding. Coordinated a meeting with the Scappoose Planning Director to discuss their EOA update. Compiled resources to assist with scoping our EOA update and writing our grant application this summer.
7. **Veterans Memorial Grant Program** - In partnership with the local VFW, the City is preparing a grant application to fund a flag/monument expansion at the McCormick Park veterans memorial. Coordinated meetings with LCE, the VFW, and Councilor Sundeen to determine scope/budget/timeline for an application to the program. Attended a program webinar on 2/16 to learn about the grant application and eligible project costs, etc. Grant is due March 31.
8. **Oregon Mainstreet Grant Review** – Invited to participate on Mainstreet Alliance's Grant Program review committee which met on 2/8. Scored 3 applicants and selected our top candidate to move forward with an application for funding.

PROJECTS & MISC

9. **Riverfront Streets/Utilities Project** – Construction contract granted to Moore Excavation.

Attending weekly check-ins to stay in tune with project schedule and any construction delays/issues. NW Natural will be extending facilities on the site to serve future development. Confirmed with PUD and NW Natural the areas where a potential 0' setback may occur on the site to ensure no future utility conflicts.

10. **1st/Strand Undergrounding Utilities** – Engineering Dept working with electrical engineer directly to scope the project. Scope of work/PSA on Council's 3/15 agenda for approval.
11. **1st Street & St. Helens St. Gateway Arch**– Worked with 2 local firms to prepare scopes to design a gateway arch/entry just south of the intersection of St. Helens Street on S. 1st Street. Introduced the project at the 2/15 Council meeting. Electrical is being run to the location of future posts for the archway as part of the Streets & Utilities project. Council will be asked to select which firm we should work with for design at their 3/1 meeting.
12. **St. Helens Industrial Business Park (SHIBP) Public Infrastructure Design** – 30% design for Phase I infrastructure & permitting/grading work for Phase II with Mackenzie. Mackenzie revised footprint to accommodate feedback from Cascades regarding use of the existing mill buildings. PGE said no further reduction in size is possible for the sub-station, so we are moving forward with design as presented. Planning for grading work for Phase II is kicking off this month as well.
13. **Utility Billing/Bennett Building cornice** – Installation complete - the color selected looks great with the new windows and Pacific Stainless did a great job with Fabrication. Thanks to PW staff for successful install!
14. **US Census Boundary & Annexation Survey** – Submitted our 2022 annexation parcels and their corresponding supporting documentation/ordinances and a few other boundary corrections to the Census.
15. **Safety Committee** – Representing City Hall/UB. Conducted my first quarterly safety inspections in January. Attending monthly meetings.
16. **Warrior Rock Lighthouse Replica** - Councilor Sundeen expressed interest in renovating the warrior rock lighthouse replica using in-house staff for work. Assisting with this process of implementation/coordination with NOAA, County, City, Riverwalk Project, etc.

Jenny Dimsho, AICP

Associate Planner / Community Development Project Manager

City of St. Helens

(503) 366-8207

jdimsho@sthelensoregon.gov