

## SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall  
33568 East Columbia Avenue

Thursday, February 27<sup>th</sup>, 2020 at 7:00 p.m.

### 1.0 CALL TO ORDER

Chair Freimuth called the meeting to order at 7:00 p.m.

### 2.0 ROLL CALL

Kevin Freimuth	Chair	Laurie Oliver	City Planner
Scott Jensen	Vice Chair	Chris Negelspach	City Engineer
Bill Blank	Commissioner	Elizabeth Happala	Office Administrator
Bruce Shoemaker	Commissioner		
Tim Connell	Commissioner	In Audience: Applicant Mike Perso, current	
Rita Bernhard	Commissioner	Property/Business owner, Glen Anderson	
Reed Kelly	Commissioner	and Realtor Suzy Wilson	

### 3.0 APPROVAL OF MINUTES

#### 3.1 January 23, 2020 meeting minutes

**Commissioner Blank moved, and Vice Chair Jensen seconded the motion to approve the Planning Commission minutes from September 26, 2019, as presented.**

**Motion Passed 7-0.**

**AYES: Chair Freimuth, Vice Chair Jensen, Commissioner Blank, Commissioner Shoemaker, Commissioner Connell, Commissioner Bernhard and Commissioner Kelly.**

### 4.0 CITIZEN INPUT

There were no public comments.

### 5.0 NEW BUSINESS

#### 5.1 DOCKET # SDR5-19, MiV3-19

PHK Development, Inc. has requested approval of an application for Site Development Review to allow for a remodel of the existing Varsity Grill into three new tenant spaces, to include: a drive thru coffee shop, and two retail/office spaces. No additional square footage is proposed. Exterior alterations proposed include storefront replacement, additional doors/windows, drive-thru window, ATM alcove, canopy fascia, and parking lot upgrades. The requested minor variance is required to make alterations to the existing building, which is a non-conforming use due to its existing setbacks. The site is located north west of the SW Walnut Street and Columbia River Hwy intersection, on property described as Columbia County Assessor Map # 3213-BA-00300 and 3213-BA-00100.

***Format: Consolidated Limited Land Use Decision and Quasi-Judicial Public Hearing;***

- *Quasi-Judicial Decisions allow for both verbal and written testimony, which applies to the Minor Variance application.*
- *Limited Land Use Decisions only allow for written comments to be submitted by 5:00 p.m., Wednesday, February 26, 2020, which applies to the Site Development Review application.*

Chair Freimuth read the order of the hearing and asked for any ex-parte contacts or challenges to the ex-parte contacts, there were none. He then called for the staff report.

City Planner Oliver explained the staff report has been revised, and the Planning Commission has a new copy and she went over the two revisions. She went over the staff report. She explained the subject site consists of two separate legal lots. Tax Lot 100 (Columbia County Assessor Map # 3213-BA-00100) is an approximately .28 acre parcel of land that is currently occupied by Varsity Grill & Bar, a parking lot and landscaping and is situated on the corner of SW Walnut Street and Columbia River Hwy. Tax Lot 300 (Columbia County Assessor Map # 3213-BA-00300) is an approximately .27 acre parcel of land that is currently developed as a parking lot to serve Varsity Grill & Bar and is located just west of Tax Lot 100. The subject site is bordered to the north by an existing non-conforming single-family residence (north of Tax Lot 300) and Roadrunner Gas & Grocery (north of Tax Lot 100); to the east by Columbia River Highway, and the High School beyond that; to the south by SW Walnut Street, and Subway and a small office building beyond that; and to the west by a private tract that contains Fir Lane, and mostly vacant land with some residential beyond that. The subject site is designated as Commercial (C) on the Comprehensive Plan map and is zoned Expanded Commercial (EC). Adjacent zoning is EC in all directions. The existing building on site was originally constructed in 1967 while the property was still in Columbia County. Tax Lot 100 (which contains the existing building) was annexed into City limits the following year, in 1968. Tax Lot 300 (which contains the parking lot west of the building), as well as much of the property south west of Tax Lot 300 was annexed into City limits in 1971. The City's building department was not formed until the mid-90's and the City does not have a file for the original Site Development Review of the existing building.

City Planner Laurie Oliver went over the Transportation Analysis. She explained as noted in the response from ODOT included as Exhibit 6 of the staff report, the US 302/SW Walnut Street intersection will exceed the current Oregon Highway Plan (OHP) volume to capacity ratio (v/c) mobility target of 0.85 in 2021 under the AM background scenario (0.86), and after the development, operations are expected to decrease to 0.88. However, the Oregon Transportation Commission (OTC) currently has an action item on its March 2020 agenda to review and make a decision on adopting an alternative mobility target of 1.0 for signalized intersections in Scappoose. If the OTC adopts the proposed mobility target, mitigation may be determined to not be appropriate. No mitigation for the US 30/SW Walnut Street intersection is being proposed by the applicant since the intersection fails to meet the mobility targets with or without the proposed project. Additionally, ODOT has not identified any required mitigation for this project at this time. As noted in the email from ODOT dated February 19, 2020 (Exhibit 7 of the staff report), ODOT feels that closing the driveway entrance closest to the US 30/SW Walnut Street intersection is a good mitigation for the increased AM peak hour trips. ODOT has not suggested any mitigation is required at this time. Additionally, ODOT concluded that the remodel will require the applicant to submit a Change of Use permit application due to the fact that the proposal involves adding a drive-thru coffee restaurant which will increase the trips at the subject site, is close to a signal, and is in proximity to a top 5% SPIS<sub>4</sub> site (Safety Priority Index System), see Exhibit 7 of the staff report. This requirement has been included in the recommended conditions of approval.

City Planner Laurie Oliver went over Landscaping, Screening and Fencing. She explained new development and major modification to existing development is required to comply with SDC 17.100 – Landscaping, Screening and Fencing. Since the subject site abuts a nonconforming residential use to the north of Tax Lot 300 and west of Tax Lot 100, buffering and screening is required. The existing condition is no buffer with some landscaping and a partial fence at the north lot line of Tax Lot 300 and a partial fence at the west lot line of Tax Lot 100. Providing a full 10' buffer is not possible as it would render the parking lot unusable for the proposed uses along the north lot line and be within the building footprint along the west lot line. The applicant has proposed to improve the buffer area by providing a 6-foot tall continuous sight obscuring fence along the entire north lot line of Tax Lot 300 and west lot line of Tax Lot 100 where adjacent to the existing residential use. Additionally, at the north lot line of Tax Lot 300 and west lot line of Tax Lot 100, a 5' wide buffer and landscape plantings per SDC 17.100.090(D) is proposed in the 5' buffer. Additional plantings are proposed within the parking lot islands and adjacent to SW Walnut Street, as seen on the Landscaping Plan, Exhibit 3f of the staff report.

City Planner Laurie Oliver went over Vehicle Access and Off-Street Parking. She explained Tax Lot 100: Currently, there is a driveway entrance on the Columbia River Hwy frontage that measures ~ 50-feet in width, which exceeds the commercial driveway standards in the Public Works Design Standards (PWDS) of 36-feet. The applicant proposes to reconstruct the driveway entrance to ADA standards and to reduce the width to 36-feet. Additionally, the applicant proposes to close the driveway at the south west corner of Tax Lot 100, nearest to the intersection of Columbia River Hwy and SW Walnut Street, since the City Engineer stated that it was a safety concern. The applicant will remove the driveway entrance and replace it with a public sidewalk. Tax Lot 300: The applicant proposes to remove the one existing driveway along SW Walnut Street and to replace it with two new driveway entrances; one 24-foot wide two way entrance to be located at the west end of the site and a 12-foot wide one way drive thru lane exit, to be located at the east end of the tax lot. See Exhibit 3g of the staff report. The existing development provides 42 parking stalls, including 1 ADA accessible stall. The SDC requires 22 parking spaces to accommodate the proposed uses. The applicant has proposed to provide a total of 31 parking stalls, including 2 ADA stalls, 18 standard stalls and 13 compact stalls.

City Planner Laurie explained under signage, they haven't received any sign permits yet, but for any change to signage they would need to apply for a sign permit.

City Planner Laurie explained under Public & Private Agencies and Public Notice there are a few attached exhibits to the staff report. She explained there was one public comment from Attorney at Law, John Rankin, on behalf of his client, Cliff Bauer, Bauer Rentals LLC, and Bauer Square LLC – owner of the properties north of the subject site that contain Ichabod's, Roadrunner's Gas and Grocery, Scappoose Bagel, etc. Mr. Rankin recommends approval of the application and requests that additional findings related to the ownership and use of Fir Lane be included in the staff report and that several conditions of approval be required. Findings related to Fir Lane can be found later in this report, under Section 17.154.030 – Streets. The first requested condition of approval related to the requirement for a stop sign at the southbound leg of Fir Lane at SW Walnut Street was identified in the TIA as a mitigation for the sub-standard access spacing standard between Fir Lane and the new proposed driveway access at the south

west portion of Tax Lot 300 and is already included as a condition of approval. The second requested condition of approval will require further discussions with staff prior to a decision on whether or not to include it as a condition of approval, but would be decided prior to the Planning Commission hearing scheduled for February 27, 2020. The applicant has provided an emailed response to the submitted comment, stating that "the applicant does not object to the requested signage, as approved by the City Engineer" (Exhibit 12 of the staff report).

Commission Blank explained he was in the area today and noticed the potholes have been patched, who patched them?

City Planner Laurie Oliver replied that the City patched it for safety reasons, not to take or establish ownership of it but due to the fact that the potholes were so large vehicles were driving into oncoming vehicles to avoid the potholes. She continued covering the remaining staff report and exhibits. She went over the approval criteria specifically for site development review, which is found in 17.120.180 of the Scappoose Municipal Code and the Minor Variance is found in 17.134.030 of the Scappoose Municipal Code.

City Planner Laurie Oliver went over staff's recommendations. She explained based on the Findings of Fact and the materials submitted by the applicant, staff recommends that the Planning Commission approve SDR5-19, MiV3-19 subject to the 17 conditions of approval.

Commissioner Blank asked about the landscaping and the electrical boxes, which he wouldn't want to see covered up by plants.

City Planner Laurie Oliver replied some of the electrical will get relocated and she assumes they would work around whatever is still there.

Chair Freimuth asked if there were anymore questions for staff, seeing none he asked for the applicant's presentation.

Applicant Mike Perso, from William Kaven Architecture, thanked City Planner Laurie Oliver for her thorough review. He stated they are excited for this project and he thinks the improvements to the exterior are really going to bring the building up, increase the street presence, the amount of landscaping is going to be a significant improvement and the functionality of the parking and the new drive-thru is going to be a great opportunity.

Commissioner Blank stated the only concern he has is looking at the traffic as it comes now off of Walnut and cuts into the back of the building and there is a drive-in window there and then loops around. He stated right now there is a drive-thru sort of in Chinook Plaza and the students utilize that a lot and he would expect them to utilize this one even more because it is closer to the school, so he is not sure how much traffic is actually going to be generated, if not more, is his only concern.

Applicant Mike Perso replied they have considered the implications of the High School being so close. He stated they are providing a minimum of a ten-car queue on the property to the drive-thru, so that provides substantial space.

Commissioner Connell asked in regard to the students crossing the road will that have an impact on the timing of the signal cycles during rush hour/peak hours?

City Engineer Negelspach replied he knows that ODOT will be looking at signal timing in the upcoming budget cycle.

Commissioner Kelly asked about the parking as he sees more compact parking spaces while more people in Scappoose drive larger vehicles. He asked could some of the compact spaces become full stalls/parking spaces instead?

Applicant Mike Perso replied they didn't come in necessarily with the desire to do compact spaces. He stated the width of the spaces isn't the driving factor it is the depth. He stated there simply isn't enough room on the site to fit all those things, so rather than to reduce or request a variance to reduce the parking drive aisle width, they put the compact spaces in. He stated they could put fuller size spaces, but it would necessitate reducing the drive aisle width.

Commissioner Connell asked what is a typical drive-thru lane width?

Applicant Mike Perso replied ten to twelve feet, but twelve feet is typical.

Vice Chair Jensen talked about with closing the Walnut Street access, can it be replaced with landscaping?

City Planner Oliver replied there would be sidewalks there and the applicant will be requesting a permit from Council to use that right-of-way space for a patio space.

Commissioner Blank talked about the west end because of that small private road and that there probably won't be a sidewalk in the future there at all.

City Planner Laurie Oliver replied that the City's TSP does show a connection from the south heading up to Walnut then east to the light, so there is potential at the time that the road comes up from the south we could see something developed on Fir Lane. She stated we would like to see eventually that the section on Fir Lane all the way heading north would be dedicated, somehow, for public access.

Vice Chair Jensen asked, is the front of the building all going to be uniform?

Applicant Mike Perso replied mostly. He explained they are removing the bump out that exists now under the canopy and replacing with storefront.

Chair Freimuth thanked the applicant, then asked for any proponents; there were none. He then asked for any opponents; there were none. He closed the hearing for consideration by the Planning Commission.

Chair Freimuth stated he thinks the landscaping plan is going to make it look very nice.

Commissioner Blank stated, like he said before, he has traffic concerns, but we will see how it works itself out with the lights and everything that is there at the intersection. He has no issue with the redesign.

Vice Chair Jensen stated that the applicant did a good job with their application and staff, as usual, did a good job with the staff report.

Commissioner Blank asked the applicant if he had any issues with the conditions of approval?

Applicant Mike Perso replied no, they don't.

Vice Chair Jensen asked if they had any issues with the conditions that were adjusted from the letter?

Applicant Mike Perso replied they don't necessarily object, but generally they would agree with staff's opinion on both.

Vice Chair Jensen moved, and Commissioner Bernhard seconded the motion that Planning Commission approve DOCKET # SDR5-19, MiV3-19 with the conditions of approval as updated. Motion Passed 7-0. AYES: Chair Freimuth, Vice Chair Jensen, Commissioner Blank, Commissioner Shoemaker, Commissioner Connell, Commissioner Bernhard and Commissioner Kelly.

## **6.0 COMMUNICATIONS**

### **6.1 Calendar Check**

Chair Freimuth went over the calendar.

### **6.2 Commissioner Comments**

Commissioner Blank asked City Planner Laurie Oliver if he could submit comments for the Affordable Housing meeting that is coming up.

City Planner Laurie Oliver replied, of course.

### **6.3 Staff Comments**

Commissioner Blank stated construction is going on at PCC.

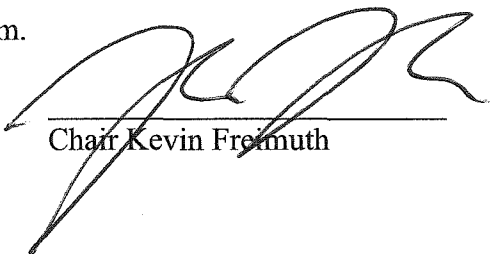
City Planner Oliver replied construction is going great.

Commissioner Connell talked about there being a rumor that there is going to be a 200-unit apartment complex in Scappoose.

City Planner Oliver replied, no, that is in St. Helens, as she hasn't heard of that coming here yet.

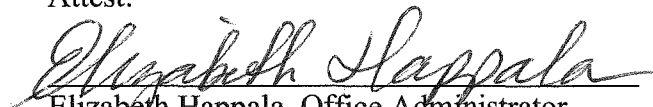
**7.0 ADJOURNMENT**

Chair Freimuth adjourned the meeting at 7:53 p.m.



Chair Kevin Freimuth

Attest:



Elizabeth Happala, Office Administrator