

SCAPPOOSE PLANNING COMMISSION MINUTES

Thursday, July 28th, 2022 at 7:00 p.m.

Please note that attendees may attend virtually or in person.

1.0 CALL TO ORDER

2.0 ROLL CALL

Commissioners;

Bill Blank Vice Chair
Bruce Shoemaker Commissioner
Rita Bernhard Commissioner (*virtual*)
Marisa Jacobs Commissioner (*virtual*)
Monica Ahlers Commissioner
Harlow Vernwald Alt. Commissioner

Excused;

Chair Jensen

Commissioner Bailey

Staff;

Laurie Oliver Joseph City Planner
Chris Negelspach City Engineer (*virtual*)
Elizabeth Happala Office Administrator

Audience/attendees;

Matt McHugh, CCPOD, LLC
Jeff Spang, Contractor/Project Manager
Anna Del Savio, local press

Nick Hurliman, CCPOD, LLC Owner
Chase Berg, Lower Columbia Engineering

3.0 APPROVAL OF MINUTES

3.1 March 10, 2022, Planning Commission Meeting

Vice Chair Blank asked the commissioners if they had any comments or corrections to the minutes. As there were none, Commissioner Shoemaker moved to approve minutes as presented and Commission Bernard second. **Motion Passed 6-0. AYES: Vice Chair Blank, Commissioners Shoemaker, Commissioner Bernhard, Commissioner Jacobs, Commissioner Ahlers, and Alt. Commissioner Vernwald.**

4.0 CITIZEN INPUT

There were none.

5.0 NEW BUSINESS

5.1 DOCKET # FCP1-22, SDR1-22, MiV1-22

CCPOD, LLC has requested approval of an application for Food Cart Permit, Site Development Review, and Minor Variance to allow for the construction of a Food Cart Pod with connections for 11 food carts, the construction of a new 2,160 square foot dining hall/tap room, outdoor seating areas, a parking lot and landscaping. The applicant also requests a Minor Variance to the parking standard, to reduce the required parking on site to 26 spaces instead of 29 spaces. The applicant proposes to remove the existing buildings on site as part of the project. The site is located at 51875 SW Old Portland Rd, northwest of the SW Old Portland Road and Columbia River Hwy intersection, on property described as Columbia County Assessor Map # 3213-BA-03900.

Format: Quasi-Judicial Decisions allow for both verbal and written testimony, which apply to the

Food Cart Pod Permit and Minor Variance applications. Only written comments are permitted for Limited Land Use Decisions which applies to the Site Development Review application. Written comments must be received by 5:00 p.m., Wednesday, July 27, 2022.

Vice Chair Blank read the docket item and order of hearing, then asked for any ex-parte contacts, conflicts or challenges. As there were none, Vice Chair Blank stated that the applicants here tonight also volunteer in several of the same nonprofit events that he coordinates and attends. Adding that if anyone wanted him removed from tonight's meeting now is the time. Since there were no objections, he continued by calling for the staff presentation.

City Planner Oliver Joseph thanked the commissioners for coming as it has been a while since we've had the last meeting. She then went over the order of her presentation beginning with the observations followed by the applicable code chapters for the approval criteria including the page numbers ending with staff recommendations and conditions of approval. She then welcomed any questions from the Commission. As there were none, Vice Chair Blank called the applicant forward.

Applicant Chase Berg, Lower Columbia Engineering, came forward and stated his name, company name and that he is the applicant representative for this project. He thanked everyone for being here tonight and thanked the City Planner for all her time on this project. He then stated that they believe this would be a great benefit to the city and a great example of food cart pods for the community while giving the high school kids another option for lunch and a place for people to hang out. He then asked the commissioners if they had any questions.

Vice Chair Blank asked if they had any issues with the storage size restrictions.

Applicant Chase Berg, Lower Columbia Engineering stated that he's talked to the owners, and they did not believe it would be an issue.

Vice Chair Blank asked about the parking as he knows some of the parking spaces will be for the food carts and asked about car parking.

Applicant Chase Berg, Lower Columbia Engineering replied that they have not specifically designated all the parking spaces with striping although they will have 11 parking spaces for vendors.

Commissioner Shoemaker stated that 11 is the max vendor spaces and asked if they believe the 11 vendor spaces will be reached immediately or over time.

Applicant Chase Berg, Lower Columbia Engineering replied that is a great question and they hope those fill up right away or it could take time to fill those vacancies.

Commissioner Bernhard asked about the parking as the only other food cart pod she's seen is the one in St. Helen's where they have a lot of adjacent parking spaces at Safeway and the bowling alley. She is wondering if there would be enough parking at this new location since she knows there are nearby office spaces that might be concerned if people utilized their parking spaces.

City Planner Oliver Joseph replied that they can only require what the existing code requires.

Adding that they did go with the higher standard per 17.106 which states that if a building or use is planned or constructed in a manner that a choice of parking requirements can be made, they're required to use the greater number of parking spaces. Adding that they had to talk it through in relation to the parking standard since it requires one parking space per food cart although the dining hall would also be used by the those who purchase food from the food carts. They looked into reducing the parking for the dining hall since there would be an overlap of uses, adding that they did require as much parking spaces that they could require. Adding that if the Planning Commission does approve this tonight and there were some issues in the future, then the food cart pod code language does have a provision that is the ability to revoke a food cart pod permit based on 3 reasons; #1 excessive traffic, #2 excessive noise or litter & #3 other offensive activities that are not compatible with the surrounding area. Adding that if parking were an issue, then maybe they could enter into an agreement with the neighboring business to the north of their property where they could utilize their lot after-hours. Stating that this is our first food cart pod in our city, and we did require as much parking as we could. Adding that we have avenues in place if we need to address this issue in the future.

Commissioner Bernhard thanked City Planner Oliver Joseph for her thoroughness, and she is pleased to know that it has been addressed as she wonders if the surrounding properties would be impacted.

Commissioner Jacobs asked if 11 parking spaces was the maximum number that we're asking them to provide.

City Planner Oliver Joseph agreed.

Commissioner Blank asked about parking along the totem pole island and asked if we would need to put up any signage stating that parking at the totem pole is only for those visiting the totem pole or could people going to the food cart pod use those spaces as well.

City Planner Oliver Joseph stated that if there are issues in the future then we could look at that to decide if they need to change anything. Adding that she does not believe there is any plan in place to change the parking on the totem pole side of the street. She added that there will be signage as patrons leave the site of the food cart pod that there is only a right turn only exit so that they are not driving up through the other development to the north.

Commissioner Jacobs asked about the applicant's thought process in choosing 11 food cart sites.

Applicant Chase Berg, Lower Columbia Engineering replied that number was chosen to maximize the use of the site which would provide more variety of food choices.

Vice Chair Blank added that the owners are nodding their head in agreement since you are not able to see them.

Commissioner Shoemaker asked for clarification about the exiting to the right only off that short street and then once they get to Old Portland Rd. they can turn left or right.

City Planner Oliver Joseph replied that when they exit the parking lot they would exit right onto that short street but could turn either left or right at Old Portland Rd.

Commissioner Shoemaker asked if they could still access from the north.

City Planner Oliver Joseph agreed as there would be nothing there blocking access from the north.

Commissioner Shoemaker asked if there would signage on Highway 30 for access from the north.

City Planner Oliver Joseph replied that no one should direct traffic through someone else's parcel to get to the food carts, as access should be from Old Portland Road. Adding that the applicant plans to put up signs visible from the highway.

Vice Chair Blank asked if the highway signage would be placed prior to the intersection to turn.

City Planner Oliver Joseph replied that would be ODOT signage adding that the applicants would have to initiate that with ODOT.

Vice Chair Blank asked about #6 the language about storage in or under the cart in an orderly manner that is out of sight since he knows it's a big requirement in the city of Beaverton that electrical cords and wires are in a structure, he is wondering if that language is referring to electrical cords as well.

City Planner Oliver-Joseph replied that our code addresses it and states that they can't have cords laying around so next to each cart they will have a utility station where they will connect. Adding in theory there would not be hoses or electrical cords laying around causing a tripping hazard.

Vice Chair Blank thanked City Planner Oliver Joseph. Then asked for any proponents, as there were none he then asked for any opponents. He then asked if the Planning Commissioner had any further questions for staff before they start commissioner deliberations. There were none.

City Planner Oliver Joseph stated that she did not receive any other responses and is happy to answer any other questions that come up in the Commissioner deliberations.

Vice Chair Blank closed the hearing at 7:40pm for Commissioner deliberations.

Commissioner Shoemaker stated this is an excellent addition to the city as it gives more variety to food choices as he has heard from people around the community that there isn't a lot of choices here currently. He also likes the year-round concept and another food option for the high school kids if they can go inside also.

City Planner Oliver Joseph replied that there would be a bar area inside, although like any other bar restaurant there might be a section closed off to minors although there would be seating inside, in addition there will be covered outdoor seating as well.

Commissioner Shoemaker stated his biggest concern is traffic inflow and outflow. Adding that it can be dangerous turning left onto the highway although they continue down to Fred Meyer to access the traffic light at Havlik and Highway 30. Also stating that drivers turning off the highway tend to go too fast there.

City Planner Oliver Joseph stated that it is an odd location with that short frontage street, which is a

remnant of ODOT right of way, although it is the access to the property.

Commissioner Shoemaker asked what the other commissioners' thoughts are about the parking.

Commissioner Ahlers added that she thinks it will be a non-issue as there are so many residential areas close by that a lot of people could walk to it.

Commissioner Bernard stated that her questions have been addressed, and any issues that arise could be addressed in the future since this is our first one.

Commissioner Shoemaker stated that this one is planned much better than the other one in St. Helens, since it always seems to be closed when he stops by. Adding that from a planning perspective, he's not thrilled about the location, although it is planned 50x better than the other one.

Commissioner Bernhard added that this one appears to have more space since the one in St. Helens seems crowded.

Commissioner Shoemaker added that he feels like he is turning in front of somebody else who is coming from the other direction and it's not as appealing as this one.

Commissioner Blank stated that he would like to give good kudos to Lower Columbia Engineering for a great set of plans for the presentation tonight. And looks forward to the improvements to this vacant area.

Commissioner Bernhard stated that she believes there would be a lot of people walking to it including the kids from school so there might not be the need for additional parking.

Commissioner Blank also thanked them for their efforts on doubling up on the cycling and storage since there are a lot of cyclists out here too. Adding it's a perfect use for many types of people to access it.

Commissioner Shoemaker asked if it's all encapsulated or separate motions needed.

City Planner Oliver Joseph replied that it is all consolidated so whomever makes a motion would want to read the entire docket # and that you're adopting the findings contained in the staff report.

Commission Shoemaker moved to approve the Scappoose food cart pod Type II, **DOCKET # FCP1-22, SDR1-22, MiV1-22** with the conditions of approval. Commissioner Bernhard second. **Motion Passed 6-0. AYES: Vice Chair Blank, Commissioners Shoemaker, Commissioner Bernhard, Commissioner Jacobs, Commissioner Ahlers, and Alt. Commissioner Vernwald.**

Commissioner Blank thanked the owners and applicants.

Commissioner Shoemaker asked when their timeline is to open.

Applicant/owners from audience stated they hope to open by Memorial Day, which City Planner Oliver Joseph repeated into the mic for those attending virtually that would not hear them.

6.0 COMMUNICATIONS

6.1 Calendar Check

Vice Chair Blank went over the calendar in the packet.

City Planner added that there would probably be Planning Commission on Thurs. August 25th.

6.2 Commissioner Comments

Vice Chair Blank thanked the new commissioners and thanked them for joining the Planning Commission to be involved in their community. He looks forward to this new food cart pod. And thanked the Commissioners who joined in virtually.

Commissioner Shoemaker looks forward to the variety of food choices it will bring to our community.

6.3 Staff Comments

City Planner Oliver Joseph gave a brief overview of the 50-year plan; they kicked the project off in January and they have had 5 advisory meetings. Adding that the project as a whole is going great, and their next outreach will be at the City's Adventure Fest in September. On Tuesday Aug. 9th will be the Economic Opportunities Analysis meeting and then following that is August 30th, which is going to be the second portion or actually it's the last portion of the housing needs analysis which measures needed housing to look at different policies and incentives that Council might consider adopting in relation to that. After that there will be a joint City Council and Planning Commission check in on Sept. 6th in this room with the same topic of measures to accommodate needed housing.

Commissioner Blank asked if there would be another outreach at the Farmer's Market as the last day of the Farmers Market is Oct. 1st.

City Planner Oliver Joseph replied that she would make a note. Adding that there will be a stakeholder advisory committee meeting on Tues. Nov. 1st and the last joint City Council-Planning Commission check for this year will be Tue. Dec. 5th. For 2023, the 1st meeting will be Jan. 10, 2023. Adding that we will have our next Planning Commission on August 25th for a street name change recommendation to City Council. This is an application that the city is initiating in relation to the Thompson Woods subdivision that has dedicated right-of-way from 1998 as part of a minor partition. Adding that the dedicated right-of-way is significantly offset from SE 6th St. at Elm St. and now that the subdivision is going in the name of that street on the original plat was just "Sixth Street" without a directional indicator and ending in "Street". Since the road is not planned to connect to the north anymore the Fire Chief flagged it as it's not a good situation for emergency responders, so the city is initiating the change from "Sixth Street" to "SE 6th Court" as courts are not connected to through streets. Adding that the next development application will likely be for Healthy Smiles Dental Clinic. Stating that our department has been quite busy and has not slowed down much.

City Engineer Negelspach gave updates:

- Commerce Center Drive is completing the paving for phase 3 & 4 up to Ring-A-Ring Rd., that should wrap up next week with all the utilities in and they are getting close to being done there then following up with landscaping. We just received their second set of plans for the Moore Rd. waterline which would start in the fall.
- Thompson Woods subdivision is wrapping up their paving which had a 1-day detour, and

they should be wrapping up all their public infrastructure soon so they can start building the new homes and hopefully the market gets better.

- Maple Street Cottages to the east of Maple St. where it dead-ends will be trying to get all the paper work sorted out and signed for them to start construction that still needs an improvement agreement and some bonding to get in place.
- Grabhorn Property or 2nd St. apartments south of Goodwill is in construction, they are putting in their site utilities right now which should be wrapping up soon.
- Kale St. subdivision on the northside has construction documents in review.
- Maple St. 8-plex across from the Middle School is in construction and will be starting their ½ street improvements soon.
- JP West Partition project south of Columbia River View Estates has the 2 duplexes in construction.
- Stormwater Master Plan is wrapping up and they will be finalizing schedules to go to council with a work session in October and seeking final approval in November as he would like everyone's input.
- Old Portland Road sidewalk project is wrapped up with just a few punch list items, he hopes everyone is enjoying that and it will provide sidewalks to the food cart pod now and all the way south to Dutch Canyon.

Commissioner Blank stated that he drove out to the OMIC site and it's amazing how much space there is out there now.

City Planner Oliver Joseph added that the lots in phase one and two on the east side of the airport now has shovel-ready sites.

City Engineer Negelspach added that there are shovel-ready sites on Wagner Ct. also, so we have a lot of available land.

City Planner Oliver Joseph added that they will be talking about this at their Economic Opportunities Analysis on Aug. 9th as she has been looking at the buildable lands inventory that they are putting together for employment land categorizing each parcel and any constraints like wetlands and floodplains.

7.0 ADJOURNMENT

Commissioner Blank adjourned the meeting.



Vice Chair Bill Blank

Attest: 
Elizabeth Happala, Office Administrator