



SCAPPOOSE *Oregon*

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall

33568 East Columbia Avenue

Thursday, October 27, 2016, at 7:00 p.m.

1.0 CALL TO ORDER

2.0 ROLL CALL

3.0 APPROVAL OF MINUTES

3.1 September 22nd, 2016 meeting

4.0 CITIZEN INPUT

5.0 NEW BUSINESS

5.1 Appointment of Vice Chair

5.2 Work Session to discuss Development Code Amendments

6.0 COMMUNICATIONS

6.1 Calendar Check

6.2 Commission Comments

6.3 Staff Comments

7.0 ADJOURNMENT

This is an open meeting and the public is welcome. The City of Scappoose does not discriminate on the basis of handicap status in its programs and activities. If special accommodations are required, please contact Susan M. Reeves, MMC, City Recorder, in advance, at 543-7146, ext 224. TTY 1-503-378-5938

SCAPPOOSE PLANNING COMMISSION
Council Chambers at City Hall
33568 East Columbia Avenue

Thursday, September 22, 2016, at 7:00 p.m.

1.0 CALL TO ORDER

Chair Kulp called the Scappoose Planning Commission meeting to order at 7:00 p.m.

2.0 ROLL CALL

Planning Commissioner Present:

Carmen Kulp	Chair
Bill Blank	Commissioner
Jim Dahla	Commissioner
Scott Jensen	Commissioner
Rita Bernhard	Commissioner

Staff Present:

Laurie Oliver	City Planner
Chris Negelspach	City Engineer
Elizabeth Happala	Office Administrator III

Planning Commissioners Excused:

Bruce Shoemaker	Commissioner
Derrick Vargason	Commissioner

3.0 APPROVAL OF MINUTES

3.1 August 25, 2016 meeting

Commissioner Dahla moved and Commissioner Bernhard seconded the motion to approve the August 25, 2016 Planning Commission meeting minutes. Motioned passed (5-0).

AYES: Chair Kulp, Commissioner Blank, Commissioner Dahla, Commissioner Jensen and Commissioner Bernhard.

NAYS: None

4.0 CITIZEN INPUT

There was no citizen input.

5.0 NEW BUSINESS

5.1 Docket # SDR3-16, SLDP1-16

AKAAN Design, on behalf of Durham School Services, has requested approval for Site Development Review (SDR3-16) for a proposed bus parking facility with an associated bus maintenance shop, dispatch center and offices. The applicant also requests approval of a Sensitive Lands Development Permit – Flooding (SLDP1-16) due to the presence of floodplains on the site. The site is located at 33345 Scappoose-Vernonia Hwy on property described as Columbia County Assessor Map No. 3201-CO-02701.

Format: Site Development Review: Limited Land Use Decision (written testimony is permitted).
Sensitive Lands Permit: Quasi-Judicial Land Use Decision (verbal and written testimony permitted).

Chair Kulp read the Docket SDR3-16 and SLDP1-16, followed by the procedures for the hearing then asked for any ex parte contacts, conflicts or impartiality and if anyone wanted to challenge any commissioner's capacity to participate.

Commissioner Blank stated that he does; as he has worked with the representative of AKAAN in the past and oversaw their grants from Colco.

Commissioner Jensen also stated he has worked with applicant Al Peterson in a professional capacity in the past.

Chair Kulp went over the order of the hearing.

City Planner Oliver began by reading the staff report and discussing the landscape plantings along the east and west side of the property, then read the 22 conditions of approval (pg. 36 of packet), stating once they meet all the conditions of approval the applicant will have met the requirements of the city's development code. She then went over the recently submitted emailed comments from Patrick Russell;

- It mentions that the property is within the flood plain but the city only regulates property within the 100 year flood plain referencing the AE area on sheet C100 of the packet.
- The property has been zoned LI-Light Industrial for years and the applicant is meeting those codes and the Sensitive Lands requirements.
- The bus maintenance would be held inside the building and meeting oil spill requirements.
- Buses would be new or newer.
- Night security lighting would be shielded from nearby residential property.
- No outdoor storage of hazardous materials.
- City is not interested in purchasing the property.
- City does require that the planting plan be completed prior to final occupancy.

Stating that staff does recommend approval with the 22 conditions of approval, then asked commissioners if they had any questions.

Chair Kulp asked about the gravel area shown on sheet C100 that protrudes out away from the building.

City Planner Oliver replied that it would be the new paved area shown better on sheet C010 which also shows the turning movements of the buses; that section would be used for the buses to get in and out of the shop.

Chair Kulp asked if the existing tenants needed additional paved areas.

City Planner Oliver stated this building was originally built to county standards as it was previously outside city limits therefore built to county standards at the time. Adding that since this application is for new development, it triggered our Site Development Review requirements.

Chair Kulp asked if the protruding area would be within in the AE flood zone.

City Planner Oliver agreed stating that it is currently a graveled area and would need to be paved.

Commissioner Blank asked if the access entryway would be improved due to the county requirements.

City Planner Oliver replied that since Scappoose-Vernonia Hwy. is under the county's jurisdiction, the county access permit would require the applicant to bring the driveway access up to current county standards plus additional crossing signs over the Crown Zellerbach Trail.

Chair Kulp asked if it was just the applicant that had to contribute to these access changes.

City Planner Oliver replied yes since they are the ones proposing the new development.

Chair Kulp asked if the buses were still on the other side of Dan's Auto or if it was just temporary.

City Planner Oliver was unsure but they were probably just temporarily stored there, adding that they were not Durham buses.

Commissioner Bernhard asked if the applicant agreed to the conditions of approval.

City Planner Oliver replied that she could ask the applicant when they come up.

Chair Kulp asked if City Planner Oliver is proposing those trees, as she pointed to the map.

Commissioner Blank asked if the proposed trees would protect the surrounding neighbors from lights.

City Planner Oliver agreed, adding that these are not street trees as they would be placed on private property so the applicant would not be restricted to the street tree list and could choose any type of trees for the screen; suggesting evergreens or arborvitaes for screening and then native species along the creek to support the riparian area.

Commissioner Jensen asked what the city's requirements are on the life of the trees; if they don't provide irrigation and the trees die in a year.

City Planner Oliver asked the commissioners if they had questions for the City Engineer, while she looked up the code language for that question.

Commissioner Jensen asked the City of Engineer if gravel was considered permeable or impermeable.

City Engineer Negelspach replied that it's generally considered to be impermeable although it is a little more pervious than pavement but for storm water it would be considered impermeable.

Chair Kulp asked if the employee parking area between the trees and building was not considered to be in the wetlands or the floodplain while pointing to one of the plan pages in the packet.

City Planner Oliver replied it was not while Commissioner Jensen showed Chair Kulp the only area on the plan that was within the flood plain.

(Discussion amongst commissioners about which plan page)

City Planner Oliver replied to Commissioner Jensen about the life of the trees; that they must maintain them in good condition to present a healthy, neat and orderly appearance. Adding that they are not streets trees which are governed differently.

Commissioner Jensen asked if there was an obligation for them to keep it existing.

City Engineer Negelspach replied yes.

Commissioner Dahla asked if the floodplain surrounds the whole area.

City Planner Oliver asked which sheet Commissioner Dahla was referencing, either sheet C010 or C100; adding that the shaded flood zone "X" is easier to see on sheet C100 which the city does not govern. Stating that the "AE" area is the one we govern by our development code; the shaded "X" is the 500 year floodplain, which the city does not govern by our code.

(multiple discussions about the areas of "shaded zone X" and "flood zone AE" on the plan pages)

Chair Kulp pointing to the 500 year floodplain on the plan; asked if the driveway should be moved.

City Planner Oliver stated Thornton Drive is an established driveway to the site which they want to maintain.

Commissioner Jensen asked City Engineer Negelspach how the parking spaces would be delineated on the gravel.

City Engineer Negelspach replied that they have asked the same question but the area was not required to be striped although they could ask the applicant.

City Planner Oliver stated that the striping was not required in the code so they cannot enforce that but the commissioners could ask the applicant when they come forward.

Commissioner Blank reviewing Mr. Russell's letter; asked if the city was including anything in our conditions of approval related to his concerns about the noise of on-site buses idling.

City Engineer Negelspach replied that the city does have a noise ordinance in Chapter 9 but they do expect some noise during regular business hours related to the activity of operations.

Commissioner Blank asked if Mr. Williams' written concerns were mostly environmental vs. noise.

City Planner Oliver agreed as he is one of the closest neighbors to the site.

City Engineer Negelspach stated they could ask the applicant about idling especially during the winter months.

Chair Kulp asked if there were any considerations to wildlife other than just human considerations.

City Planner Oliver stated that our code only addresses it by requiring a 50' riparian corridor. Adding that FEMA changes are coming with new restrictions for floodplain development which then would affect our city codes. Stating that the commissioners have the option of being more restrictive than the FEMA regulations but not less restrictive.

Commissioner Blank asked about the new FEMA rule, if the applicant could still do their proposed lay out or would they have had to move it back.

City Planner Oliver replied that she does not know what the new rules will look like but it is possible that the applicant may have had to move further south.

Commissioner Bernhard asked City Planner Oliver when she expects to see it the FEMA rules.

City Planner Oliver replied that she has heard estimations of 2018.

Chair Kulp asked if the 5 year contract was with the property.

City Planner Oliver replied that the 5 year contract is with the school district and is unsure of the details of their lease agreement with the property owner.

Chair Kulp asked if the commissioners had any other questions; as there were none, she asked the applicant to step up and state their name and address.

Applicant Al Peterson with AKAAN Architect + Design stated his address in St. Helens and that he has been an architect in St. Helens for 11 years. Adding that he was hired by Durham School Services to work on this project; he then hired a registered land surveyor with AKS and a wetlands specialist with Wetlands Solutions NW plus a Civil Engineer at 2G Associates. He stated the wetlands specialist walked the wetland site and studied the plants and animals within the city's wetland delineation areas shown on the maps and further specified where the wetlands are located which is shown on the existing conditions plan. To ensure the wetland specialist' flags weren't pulled; within a day a registered land surveyor surveyed the entire property and established the elevations within a 1' topography line including trees, buildings, fences, wetlands delineations, top of bank of Scappoose Creek and then from those items they established the 50' and 25' setbacks for wetlands. After that, the civil engineers with 2G Associated worked with him on the site plan, the building plans and elevations, which should be within tonight's packet. He has been focusing on the building plan but also worked with coordinating everyone and put together the land use application. Adding that they looked at everything within the City's development code and worked closely with city staff to come up with a reasonable site plan and approach to this project. He stated that staff did a good job explaining the project to you tonight and analyzing what needs to be followed in the Scappoose development code. Adding they do not have any problems with the staff report and the conditions of approval listed within the staff report. As City Planner Oliver stated; there was a little back-and-forth related to the landscaping as the development code says it should be around the parking lot; they didn't feel that was appropriate for that site given that it is only a 5 year contract with the school. He has been discussing the trees with the property owner but he was not hired by the property owner, he was hired by Durham. From the property owners standpoint; they don't think having a row of trees around the gravel parking lot would be beneficial in the long run for the the property owner. Adding that if they are required to plant trees to improve the

property for riparian purposes and landscaping to block the vision of the buses and the lights; he feels it would be more beneficial to plant along the property line or planting within the actual riparian zone. Noting the site plan, they proposed to plant the trees along Scappoose Creek and along the property line near the Crown Zellerbach Trail thus achieving the intent of the code addressing both riparian improvements and shielding properties along Scappoose Vernonia Hwy. plus addressing some of the concerns by the two people that sent in written comments. Adding that he feels it is a well written staff report meeting the intent of the code. To address some of the questions he has heard tonight;

- How are they improving the entrance way;

The current entrance way is gravel with a lot of pot holes. The improvement requirements are from the county; they will put up walkway signage on both sides of the entranceway warning pedestrians about vehicles plus signage along the roadway for buses and pedestrians.

- Parking question;

As the staff report mentions, and if you follow the zoning ordinance then calculate based on square footage of the occupancies to get the parking requirements; technically there are only 13 spaces required. But there are essentially 28 employees plus the required number of spaces for the other tenants, Precision Composites and Trailers NW; it ends up with the number of spaces you see now for all the employees and existing tenants.

- Bus parking;

They did have discussions about this; adding his background in heavy industry and heavy equipment makes this project similar to an equipment storage yard. It really boils down to the management of parking buses. This is more of a management and training question, which is business related. Adding that their employees attend training sessions and follow the required training practices; the drivers are trained individuals that know how to drive buses or are trained on how to properly drive buses and follow the practices of their employer. It's a training and management issue not something in the code to have the bus area striped but they will put in jersey barriers or eco blocks along the perimeter of the bus parking area; but it is not in the development code, as a requirement, to have bus stalls marked.

- Paved areas;

The additional paved areas are a requirement in the development code and they are following the code.

- Bus Idling;

Durham has a policy of no idling or idling as little as possible. He was told by Durham that the only idling would be when they start the bus and do their walk around safety checks; if there is a problem then the bus would go into their maintenance bay. Since all the buses are new and well maintained, they do not anticipate a lot of idling.

- Layout;

They were simply trying to work with the topography and the delineated/regulated flood plain. Frankly he was confused about where the flood plain zone was located. The updated sheet C100 shows the flood zone "AE" area better. Essentially the entire bus area, except for a few areas in the corner, is outside the regulated flood zone. Adding that the regulations for those few spots that are within the flood zone, the rule is, if you fill somewhere then somewhere else you have to dig out so there is a net zero balance. Stating that is what the civil engineer is planning for; where there might be some fill in the corner of the flood zone then they will be excavating more than that for the storm water swale requirements.

Applicant Al Peterson then asked the commissioners if they had any questions.

Commissioner Blank asked if the 6' fence, on the map, is going all the way around the site.

Applicant Al Peterson replied that for security reasons Durham likes to put fences around their bus parking area, but he will discuss it further with the civil engineer as having the fence cross the swale may or may not be a good idea as things could catch in the fence. Adding that this is just a preliminary plan so all the details have not been worked out yet.

Commissioner Blank asked if any of the buses were LP or are they all diesel.

Applicant Al Peterson replied that he did not discuss that with Durham.

Commissioner Blank asked if Durham expects any future expansion by adding more buses.

Applicant Al Peterson deferred to Durham; someone from the audience replied they over planned it.

Commissioner Blank asked about the types of trees.

Applicant Al Peterson replied that they have not determined the types of trees yet but he personally thinks that along Scappoose Creek should be a mix of hardwoods or cedars or Oregon Natives like Ash and will recommend those types as a mix of evergreens and hardwoods.

Commissioner Bernhard stated that in 5 years those trees are not going to grow that much to block any views.

Applicant Al Peterson replied that the city ordinance is directed towards the future. Adding he is a big proponent of street tree in St. Helens, as the whole idea of them is that in the beginning they are tiny trees but in the future they will have a very nice canopy that will contribute to the quality of life in the city. Stating that they can't plant a 20' diameter tree and can only plan for the future.

Chair Kulp stated that the concern is lights from the buses.

Applicant Al Peterson prepared some boards to share tonight about the visibility of the site. In his view there are only 2 main views to the property; a little bit along Scappoose-Vernonia Hwy, and the main view is from Hwy. 30. Adding that is mostly why they are proposing the trees be along the Scappoose Creek due to the broad view from Hwy. 30; that if you drive down Scappoose-Vernonia Hwy. there are a lot of trees, plants and shrubs along the Crown Zellerbach trail right of way that already blocks the view from that perspective. Pointing to his boards, showing views from bus driver's point of view at the entrance looking up & down Scappoose-Vernonia Hwy. plus the view towards the neighbors across the street; these neighbors already have trees & shrubs blocking their house & property. Adding that there is nothing they can do about the lights shining onto the neighborhood as the buses leave the site, adding that from a safety stand point, it is a great entrance as anyone driving along Scappoose-Vernonia Hwy. or leaving the site can see for a long ways in all directions.

Chair Kulp asked what time the buses leave.

Applicant Al Peterson deferred to Durham staff in audience; they replied 6:15-7am.

Chair Kulp asked if the neighbors are already being impacted as the buses are already on the site adding that if trees are being planted now; what will the trees do in the next 5 years to shield the neighbors.

City Planner Oliver replied they would grow; adding that she agreed with Applicant Al Peterson, there is nothing that can be done now when the buses leave the site.

Commissioner Dahla asked if the security lighting by the bus storage facility are shielded so they are not directly pointing at the neighbors.

City Planner Oliver replied they would be shielded from other directions.

Chair Kulp asked if the security lighting could be softer lights.

Applicant Al Peterson replied about the standard practice for lighting in parking areas; they have baffles that can be installed to keep the lighting directed downwards and if anyone complains then the baffles can be adjusted. Adding that in the case of buses driving around, there is nothing that can be done. He then pulled out another board with pictures of trees super imposed on how it could look after the trees grow which will shield the area better. Stating that just 100 yards down most of the property is already shielded with the existing shrubbery but there are some gaps here and there.

Chair Kulp asked if their intention is to stay longer than 5 years.

Durham replied from the audience that it is a school district contact for 5 years.

Chair Kulp stated she is just wondering why they would install little trees now if Durham won't be there after the trees mature.

City Planner Oliver replied that they are required to buffer the site.

Commissioner Blank asked if they plan is to relocate somewhere else within the next 5 years or if they are planning to stay at that site for 5 years.

Durham replied from the audience that due to the cost & the lease, they might not move elsewhere.

Commissioner Bernhard added that since there is a contract with the school district for 5 years then they would just renegotiate.

Applicant Al Peterson pulled out another board showing the view from Hwy. 30; the bottom photo shows no trees, the top photo shows the trees. Adding that they are doing two things that the code intends; first, screening the bus storage area and secondly, by planting trees in the riparian zone you are improving the riparian zone.

Chair Kulp asked if they would be consulting with the Watershed Council on the selection of trees.

City Planner Oliver replied that she could not require that but on the condition of approval #4 she added that the applicant is encouraged to consult with the Scappoose Bay Watershed council but the commissioners could still ask the applicant to do that.

Commissioner Bernhard stated that it would be in their best interest to do so.

Chair Kulp asked applicant Al Peterson if they would consider consulting with the Watershed Council.

Applicant Al Peterson replied that he is more than happy to consult with them, adding that his firm AKAAN was responsible for the redesign of the Soil & Water District building plus they are a big proponent of planting native plants; adding that his father was a logger who always replanted fir but along the creeks he always planted cedar, redwoods and sequoias.

Chair Kulp stated that she was asking since the neighbors were concerned about the lighting; that when the trees grow, it will only be a large tree trunk not shielding the lighting.

City Planner Oliver asked everyone to look at page 23 of the packet; *Buffering & Screening requirements Item D*, it outlines the minimum improvements within a buffer area. Adding this was the condition of approval she included that they meet this section of code;

#2: At least one 5-gallon shrub for each 100 sq. ft. of required buffer

#3: Ground cover or bark mulch

Adding that where there is a single branch tree, there will be shrubs in-between the trees and it would make more sense to have an evergreen abutting the trail as opposed to other options.

Commissioner Dahla stated that this (tree selection) is not their (commissioners) choice.

City Planner Oliver stated that they are required to meet that code with shrubs as they chose.

Commissioner Dahla stated that the renderings appear as if they met this requirement.

City Planner Oliver replied that their plan does not show any shrubs so they are required to submit a revised landscaping plan as this plan was just submitted within the last week showing the trees. Adding that they would not have approval for their building permit until they submit that plan.

Chair Kulp asked if the watershed council or the applicant comes up with a better screening idea in the buffer; can we (commissioners) then recommend that to city council to be considered.

City Planner Oliver asked if she meant what is different from what is in the code.

Chair Kulp agreed, so they (commissioners) can recommend that different type of screen to be considered.

City Planner Oliver asked if she was asking for future applications or for tonight's application.

Chair Kulp responded for this application.

City Planner Oliver stated they could change the code for future application but tonight's application will not go to city council for approval, you (commissioners) are making the final decision tonight. Then after that it would be up to staff to make the call if they are meeting the intent of the code. Adding that they will still meet the code but they will be using natives (plants) along the creek, so it's really a matter of the spacing and that they are meeting spacing standards. Plus if they want to provide more than what is in the code, then absolutely.

Commissioner Dahla referencing C010, asked if they will have on-site fuel storage tanks or fueling stations.

Applicant Al Peterson stated that Durham is not proposing any type of fuel storage or fuel pumps.

Commissioner Dahla stated he does have a concern about buses being parked on gravel; asked if they will have policies in place to capture any spills or leaks as the buses age.

Applicant Al Peterson replied yes, adding that through his own experience working with Laidlaw in the past and his discussions with Durham; all bus companies are required to have spill kits on site and are required to train their employees on how to deal with spills on-site, then if during their maintenance check they see drips then part of their policies and training is that they put out the drip pans or put the bus in the shop for maintenance.

Chair Kulp asked if the buses will stay there the whole year.

Applicant Al Peterson replied that he would assume so.

Commissioner Blank asked why they don't pave the gravel area since there could be a dust issue in the summer.

Applicant Al Peterson replied that there shouldn't be a dust issue in the summer since that will be when the least amount of bus traffic will happen and when they are in the parking lot there will not be a lot of dust since they will not be driving 40 miles per hour on the road; they will just be moving the buses 2-3 miles an hour thus not raising a bunch of dust. As far as paving the area; it's a very large expense to pave almost an acre and a half of property when they are in a very competitive busing market with only a 5 year contract with no guarantee that the investment will pay off.

Commissioner Bernhard stated that if it were paved it could prohibit future use of the property.

Applicant Al Peterson added that if they did pave it and the bus company left then the next tenant might want to use the lot for heavy equipment; that would only ruin the pavement in no time.

Commissioner Jensen asked if DSL (Division of State Lands) has approved the wetland delineation.

Applicant Al Peterson replied that this question was specifically asked of our wetlands specialist; it has been submitted and paid for which they do have a confirmation from DSL, however the wetlands specialist stated she would be surprised if DSL got to it within 2 months.

City Planner Oliver stated that she heard today that they expect to complete it by mid-October.

Applicant Al Peterson replied that was great but their wetlands specialist stated that it is very seldom that they deny her request unless that person has a bad record, then DSL looks closer at those persons reports adding that she does not have a bad record.

Commissioner Blank asked City Planner Oliver about condition of approval #21 regarding the paving of their entrance; if they had 6 months to get that done.

City Planner Oliver replied that they expect it to be drafted and recorded in 6 months.

Applicant Al Peterson added that he suspects this is a long lingering issue related to the entire Crown Zellerbach Trail; not necessarily just this property. Adding that there are probably a lot of properties along the trail with access points across the trail that don't have deeded easements, and this is one of those cases.

Commissioner Blank asked if there was any lighting or just signage; like a flashing warning light proposed along the trail.

Applicant Al Peterson replied that there is nothing proposed like that; adding that they are putting in two caution signs. Stating that as you walk down the trail there are 3 wooden bollards on each side of the access as you approach it from the trail. The intent is to add caution signs where those existing bollards are, saying caution vehicles turning ahead, so that pedestrians realize there is a road with vehicles turning.

Commissioner Blank stated they could list hours in the morning and afternoons.

Commissioner Bernhard replied that the existing businesses are already using that access.

Commissioner Blank added that the bus traffic is just a limited period of time.

Commissioner Jensen added the bus traffic could go later due to field trips or sports activities/events.

Applicant Al Peterson replied that it would be best not to put up hours so no one parks there during those hours.

Commissioner Bernhard added that most people who use the trail already know that there are businesses there but obviously this business will increase the traffic.

Chair Kulp asked if the only thing the fire department required was the hydrant.

City Planner Oliver replied the fire dept. did have additional comments but the only thing relative at this particular time is the fire hydrant as the other items will be addressed at building permit review.

Applicant Al Peterson replied that the fire hydrant is more internal to the building itself, as they will need to put in a fire wall between their use and the rest of the uses based on the building code so that section of the building itself will be completely separated from the other two tenants which is within the building plan.

Chair Kulp asked the commissioners if they had additional questions for the applicant.

Commissioner Blank and Commissioner Bernhard asked if the applicant was comfortable with the 22 conditions of approval.

Applicant Al Peterson replied that the 22 conditions are reasonable.

Commissioner Jensen asked how large are the spill response kits on-site; for example in a worst case scenario if a bus comes in and the tank drains 50 gallons of the diesel, will the spill kits be able to handle that type of a spill vs a little 5 gallon can of gas being spilled.

Durham Carissa Chism replied from the audience they have several large drums and small kits that would accommodate a large spill.

Chair Kulp thanked the applicant for providing the photos.

Commissioner Bernhard commented that the staff report was excellent.

City Planner Oliver thanked Commissioner Bernhard.

Chair Kulp asked if there were any other proponents who would like to speak; as there were none she called up Mr. Patrick Russell.

Resident Patrick Russell stated his name and address and that he is a new resident off Linden St.; he recently moved to this particular home due to the location of the South Scappoose Creek as it was a strong selling point for him, and is his main focus and comment tonight. Adding that he wanted to thank both staff and the applicant Al Peterson who did a fine presentation of the land use and met the intent of the code; but there always seems to be a frustrating long term issue in cities dealing with light industrial land uses as it seems it's the area that cities wish they could do better at. His comments tonight are focused more towards that than the applicant, certainly he agrees that the applicant met the intent of the ordinance. Although when you think of the intent of the floodplain zone when it was drafted, the issue with our riparian corridors and floodplain areas included their 100 or 500 year flood areas; they become more focused and critical to salmon recovery adding that the South Scappoose Creek is a federally mandated creek that deals with salmon for salmon recovery. Without achieving recovery, these creeks can't really restore salmon; it's not just the dams but the creeks that they have to spawn in. His theme, or reasoning for writing the email was Johnny-Come-Lately which he apologizes for as he was just going to write it to the watershed council but wanted city staff to see his comments. He looked at the South Scappoose Creek restoration plan; which he sincerely encourages the commissioners to do; was written in 2010, with a subsequent report that had 60% engineering and planning completed on some reaches of the creek up stream but if you look at the restoration plan there are some interesting map graphics that delineate, visually, the flood plain through the city. It's in color with the yellow area being the "500 year" flood area and a lot of this bus site is within the yellow. He apologized for not having copies to show everyone but it is on-line as the South Scappoose Restoration Plan. The Watershed Council's plan did indicate that this reach of the creek affecting this site; the plan/goal was for the restoration of this area in the next 16 years with three different categories; high priority, middle priority and long term priority. They are finding more and more that they are losing ground water recharge areas as these fringe areas of the creek are very critical to not only water quality but also to temperature due to the precipitation being intercepted by our upland vegetation bringing that

into the ground water slowly so they don't have rapid run off like the 1996 flood. Adding the more that we can hold it up stream, up the water shed, the better. Water shed includes all the actively forested logging activities right now so we are losing a lot of that capacity of ground water recharge. The comment of whether we would ever regulate that 500 year flood plan in the city; he would not want to forecast that interest as he would hope that people would recognize the importance of these locations; hoping that they would not see more intensive land use this close to the creek. He feels these are high priority areas that the city and public agencies should say, that if they are committed to salmon recovery then what are they willing to do. Adding that some of the Metro studies in 1999-2000 determined that it would take 400' of buffer to provide the proper condition for water entering that creek just as they would in a natural area, that water quality is critical. He does support the applicant but we should remember that there is no time limit on this approval; it could run the length of the property so whatever we see there could be as is or more intensive or less intensive; as Mr. Peterson said it could be heavy equipment moving into that delineated area. So the sooner we get working on repairing the riparian corridors and the wetland buffer areas, which are very minimal now at 25'; it is not a lot of area for buffering, the more they can begin to plant these areas and to get the property owners willing to do so. But, this property owner lives in California so we don't know how interested he is in our goal of a salmon creek. He hopes that this vendor of the school district could do more outreach to be a good corporate neighbor, and where best to do it since their site has high visibility on the highway with all of those yellow buses. He's hoping for volunteerism; the guts of the program with the State of Oregon plan for salmon recovery is volunteerism with volunteer action by property owners. He thinks the city could be tougher with their ordinance as this is a perfect example to think about in your discussion at your previous meeting about the zoning changes in our development codes; are they what we really want them to be, are they providing the results you want. Here is a case, which you will look back in a few years and ask how important the South Scappoose Creek restoration plan is, how well are we doing to meet the potential. Do we see any salmon in the creek? A technical point he wanted to add; he is a beaver advocate and historically South Scappoose Creek has had plenty of beaver activity over the last 150 years but personally he has not seen any beaver activities in the past 2 months he's been here. As part of the planting scheme he encourages both the applicant and staff to plant an extra one for every one they put in, as these choice horticultural improvements are steak to a beaver if they come. He is glad to see the fencing area around the bus barn as it is important to delineate where that will happen although he is a little concerned about where the service bays are as there is paving there but it's not delineated; so the question is what will keep the temptation of the manager to park additional buses in the AE zone closer to the creek; so that really needs to be controlled and that one corner where the new paving is proposed should be curbed and not impacting further than that.

Commissioner Blank asked about the good citizen offerings; if he had anything more in terms of education for the community on salmon recovery.

Resident Patrick Russell replied under OWEB; salmon recovery is both education, restoration, property acquisitions etc.; but what he is thinking is that the school district has a great opportunity to educate the students about salmon recovery as they will be the recipients of our efforts 20 years from now. He thinks the School District and their vendors, as part of their community service, would do more than just drive buses. As a vendor of the School District you want to show you are a worthy corporation stationed out of Illinois that you are vested in your community; unless they just want to deal with a 5 year lease. But it seems to him that they would want to convince the community that they want to be here to stay; by being parties to civic groups and sponsoring civic groups and not just a tenant in the

city. The school district has a Green Corps program for the Juniors and the Seniors; what better project could you have than to have the school district and the Green Corps team along with the Watershed Council plus maybe encourage Solv to come in and do the 300-400' frontage along the highway and the developer might get a break on his cost. He agrees that in 5 years the visual effect is minimal but the community effect and community pride that they did something to help with improvements is important.

Chair Kulp asked if there were any more proponents that wanted to speak; as there were none she closed the hearing to begin their discussions.

Commissioner Blank stated that staff did a great job as there are not a lot of options; we are trying to do something that they can work together with the community and the neighbors won't be affected if they follow everything they said; then under the conditions of approval there really are not a lot of issues here. Adding that it may take a little while but next year or the year after it will just become a part of our community. Hopefully everyone can work together as he believes we still have to be careful of the restoration of the creek bank and how we plant and how we put up a fence up; as long as Durham is flexible and we are flexible then he does not have any problems.

Commissioner Jensen stated staff did a great job and the presentation was good; although it's a redundant requirement he would like to see a requirement that they have spill response kits onsite or reflected in the plans, otherwise it looked good.

Commissioner Dahla stated everything is covered as long as they are willing to abide by the 22 conditions, he says they approve it.

Commissioner Bernhard stated that the staff report was excellent and the presentation went well but wants to ensure they that they do talk to the watershed council about the plantings and their landscape design following Patrick's comments about the riparian corridor; everything else was covered.

Commissioner Blank added that they needed the (DSL) approval to go forward.

Chair Kulp stated that she does not have any issues with the application but knows that our codes need a bit of work but we already had that conversation so we have what we have; as Mr. Russell pointed out, this is a good learning point for us. But feels the applicant did everything to code and did their best to respect the creeks and flood zones, and hopes they work with the Watershed Council to see some good improvement there. She welcomed Durham to the community and thanked Mr. Peterson for his presentation. Then asked if the commissioners had anything else to add.

Commissioner Jensen would like to add spill response kits on-site for the 23rd condition of approval.

City Planner Oliver replied that they could not tie that to anything in the development code approval criteria; but they could do it as a request although they did respond that it was a part of their normal operating procedures, plus it's on the record.

Commissioner Bernhard moved and Commissioner Blank seconded the motion to approve SDR3-16 and SLDP1-16.

Motioned passed (5-0).

AYES: Chair Kulp, Commissioner Blank, Commissioner Dahla, Commissioner Jensen and Commissioner Bernhard.

NAYS: None

Chair closed the hearing then called for a 5-minute break.

5.2 Docket # SDR2-16, PLA4-16

Pyramid Holdings, LLC has requested approval for Site Development Review (SDR2-16) for the proposed conversion of second story office space to ± 5 multi-family dwelling units. The applicant also requests approval of a Property Line Adjustment (PLA4-16) in order to create the required public open space on the site. The site is located at 33555 E. Columbia Ave. on property described as Columbia County Assessor Map No. 3212-AC-04500 and 3212-AC-04600.

Format: Site Development Review: Limited Land Use Decision (written testimony is permitted)

Chair Kulp called the commissioners back into session; then read the rules of the hearing and asked for any ex parte impartiality or any challenges; as there were none she read the steps of the hearing.

City Planner Oliver read the docket for SDR2-16 and PLA4-16 and the staff report;

- Stated that this is for 2 parcels of land and will refer to them as tax lots 4500 and 4600
- They are under common ownership.
- Tax lot 4500 is approximately .49 acres with a commercial building and paved lot.
- Tax lot 4600 is approx. .47 acres primarily gravel and undeveloped, and a lot used for parking.
- Both zoned commercial within the Downtown Overlay.
- The proposed addition and change of occupancy triggered the requirement for a Site Development Review.
- The applicant is also requesting a property line adjustment to meet the open outdoor recreational space requirement for dwelling units.
- There are no changes of use proposed for the first floor which is currently used as general retail sales/offices and the existing veterinary clinic.
- The existing building is on the property line so they will be required to meet the uniform building code regulations.
- The original upgrades to the building in 2002 - called Rhineland Village I, SDR 2-03, triggered the Downtown Overlay requirements in Chapter 17.80 at that time.
- This application did not meet those triggers to bring the building up to the current code.
- The applicant would use the existing parking lot; code requires 31 spaces to accommodate the existing and proposed uses. They currently have 39 spaces.
- The scope of the project did not trigger the need for a traffic analysis.
- Street trees and landscaping have previously been installed.
- They will need to provide additional parking lot lighting and lighting in the common outdoor recreational area.
- All noticing requirements have been met.

- There were no public comments submitted. Michael Ray, Columbia County Rider, did comment about not wanting any construction vehicles blocking their bus routes. The building official stated that they would need to meet the building code and bring their ADA spots up to current compliance. The fire dept. issued comments that would come into play for building permit review. Columbia River PUD commented about the easements around their power lines.
- The building has private balconies off the front, they will be updating them but keeping them in the same location and the same size.
- The applicant has not provided a plan for their outdoor common area but that will be in the conditions of approval.
- Staff recommends approval as they meet the code.

Commissioner Bernhard asked about the parking used by the Columbia County Rider as it is in the gravel area of the ODOT right of way; and is surprised that the CC Rider did not say anything about putting construction vehicles there.

City Planner Oliver replied that she could ask the applicant but tax lot 4600 is a large gravel lot that they could use to park their construction vehicles.

Commissioner Dahla asked if redefining the property lines has been done in the past or are they setting a precedent.

City Planner Oliver replied that the applicant is proposing the property line adjustment as it has not been done before on this property but it has been done around the city in the past by other property owners.

Commissioner Blank stated he has been here since the beginning of the project; he knows the previous owner renamed it Loreli Village and was planning to build on the vacant lot to expand outwards. He would like clarification on the recreational open space.

City Planner Oliver replied that the only shared outdoor space is the bumped out section where the property line is being adjusted; she has not seen any plans for the open space at this time. Adding that the applicant is not proposing any new development on tax lot 4600 at this time but they do want to do something to it in the future.

Commissioner Blank asked if they (commissioners) were just looking at the existing building changes for the change of use upstairs.

City Planner Oliver agreed just changing office space to residential upstairs.

Chair Kulp asked if the recreational area could be moved to lot 4500.

City Planner Oliver replied no, they are doing the property line adjustments for the common outdoor recreational use area since the rest of the lot is just parking.

Commissioner Dahla asked if there is anything in the code that states how far it has to be from the structure.

City Planner Oliver replied that she did not think so; it could be anywhere on the lot but it would make more sense to have it close to the entrance of the building. Adding that there were discussions about putting the open space on the top of the one story section of the building; which is the eastern side of the property where the vet clinic is located.

Commissioner Bernhard asked if the recreation area was just for the residents; or possibly installing a play structure.

City Planner Oliver replied yes it is just required to be usable outdoor recreation space for the tenants, and there might not be enough room for a play structure.

Chair Kulp was wondering if they could put it by the trash area.

Commissioner Blank asked if there was a requirement for an elevator for ADA.

City Engineer Negelspach replied that he believes it's possibly required but that would be a requirement through the building code.

Commissioner Jensen stated that since it's a private structure it is not required but if it were a public building like City Hall; then it would be required.

City Engineer Negelspach agreed, adding that the multi-story housing development being built on the corner of Westlane and E. Columbia does not have an elevator.

Commissioner Bernhard added that maybe the only thing that would trigger the need for an elevator is if commercial was on both stories of the building.

Chair Kulp asked about parking for tenants and customers per the Downtown Overlay; stating it would be 5 apartments with 2 bedrooms each.

City Planner Oliver replied that the code requires 1.5 parking spots for up to 2 bedroom units; the site has 8 more spots than required.

Commissioner Jensen stated that the parking requirement makes sense but there are only 30 parking spaces on tax lot 4500; how are they counting the other 9 spaces.

City Planner Oliver replied that they do have a parking easement for that other lot.

Commissioner Jensen asked if the easement was recorded on the deed.

City Planner Oliver agreed that it was.

Commissioner Jensen asked if the lot line adjustment still meets the city's minimum lot size.

City Planner Oliver replied yes it meets the standard; it is commercially zoned in the Downtown Overlay so there is no minimum.

Commissioner Blank asked if there would be a fence around the recreational area.

City Planner Oliver replied that could be directed to the applicant but looking at page 105 item H. Demarcation of public, semipublic and private spaces; relates to crime prevention then read items #1 & 2; is the only item to point to for their requirements of the space. They only need to define it but you could ask the applicant how they would propose to meet that code.

Chair Kulp asked if the bike racks were only for the tenants.

City Planner Oliver replied no, it is just based on the required number of parking spaces for how many bike spaces would be required.

Chair Kulp asked if the commissioners had any additional questions for staff. As there were none, she asked the applicant to come forward and state their name and address.

Representative Mimi Doukas, AKS Engineering, approached the speaker desk and gave her business address in Tualatin Oregon. She is representing the new owners and applicant Pyramid Holdings. Some background on this building is it's an older structure, Pyramid Holdings purchased it with the hope of renovating the second floor. The finding is that the 2nd story has never succeeded with office spaces or a commercial venture; so they are trying to find a use that would thrive in that area. The whole 2nd floor needs to be opened up. The owner met with an architect who suggested opening up the walls to see exactly what was going on, plus he plans to meet with the building official/inspector to do a walk through. The design that is sketched out shows the potential for 5 units but that is only based on an idea; a thoughtful process goes into this related to access, windows, stairs and open spaces. They won't know for sure until they open up the walls. First they want to make sure that the commissioners approve the process before the owner moves forward with tearing into the walls to decide how many dwelling units would work within the structure, plus the open spaces. When they put the land use application together they went with the most intense scenario with the 5 units, so that is how the parking analysis was prepared. The location they have proposed is the best location relative to the property and gives a bit of privacy plus it is central to both the properties. Pyramid Holding is proposing a pedestrian corridor from E. Columbia into the back parking lot; possibly a picnic table and some trees, shrubs and ground cover. They will work with staff once they open up the walls and figure how many dwelling units they could propose. The conditions of approval seem reasonable. The new owner does hope that a future development on the vacant lot will complement the existing use of the current building.

Chair Kulp asked what was in there now.

Representative Mimi Doukas replied that it was chopped up into office spaces.

Commissioner Blank added that it used to be a building supply company but when it was remodeled it was done at the cheapest cost; for the first year water damage was excessive on the west walls; he is curious as to what they actually find when it gets opened up.

City Planner Oliver stated that our Building Official was very honest about that information to the owner when he did the walk through with them; they also put some holes in the walls to do some exploratory inspections.

Commissioner Bernhard asked if they were asking for approval for up to 5 units.

Applicant Mimi Doukas replied correct; it could be 1 or 2 bedrooms.

Chair Kulp asked if they expect more adult tenants instead of families when they develop the common outdoor space.

Representative Mimi Doukas replied that they expect young adults since it's a second story above commercial. Adding that picnic tables or benches would be more of a gathering space for adults.

Commissioner Blank added probably younger rather than older adults, who wouldn't want to hike the stairs, would live there.

Commissioner Bernhard stated that there is an extreme need for housing here; so this makes sense.

Representative Mimi Doukas replied that is what the owner is hoping for.

Commissioner Blank stated he would like to see a design plan but understands they are waiting to see what they find when they open it up.

Representative Mimi Doukas stated they are not trying to hide anything, it's a cart and horse situation.

Commissioner Dahla asked if they only chose to develop 3 units then would it change everything.

Representative Mimi Doukas replied that the dimensions of the common space would be reduced.

Commissioner Dahla asked if that would also affect the number of bicycle spaces required.

City Planner Oliver replied that the parking is already there but it might alter slightly as it goes by the required parking spaces.

Representative Mimi Doukas replied they come in sets of 4.

Chair Kulp stated it would shrink the size of the recreational space.

City Planner Oliver agreed; the requirement would change.

Representative Mimi Doukas added that they might keep the property line adjustment where it is then; realistically they still want to have a decent sized open space but numerically it would change based on the total number of dwelling units.

Chair Kulp asked if they would move the trash area.

Representative Mimi Doukas replied that the trash area would be screened; but it is in such a central location to both the properties. Adding that they contemplated if there was a better spot to move the trash to, but after talking to the trash hauler they did not hear of a better option.

Commissioner Bernhard asked if it could be fenced.

Representative Mimi Doukas agreed.

Commissioner Dahla asked if there would be someone maintaining the outdoor space.

Representative Mimi Doukas replied that it would be the landlord.

Commissioner Blank asked about the lot next to the existing building; the owner would need to come back with a new application when they want to improve it.

City Planner Oliver agreed.

Commissioner Blank asked if they were going to do any improvements to that lot, like paving.

Representative Mimi Doukas replied it would stay exactly the same for the short term.

Chair Kulp asked what their time frame was on this building.

Representative Mimi Doukas replied the owner is anxious to get started.

Commissioner Blank asked if there was any possibility that they could have any construction vehicles parking across the street on the ODOT property.

Representative Mimi Doukas replied that there is enough parking on the vacant lot so she doesn't see any reason why they would need to park over there; they should not be interfering with the transit buses either. Adding that most of the construction is interior remodel so there will not be big earth moving equipment on the site; mostly pick-up trucks and vans.

Commissioner Blank asked if the recreational area would have a restaurant, lounge or a bar for that area as it would be a nice spot for it.

Representative Mimi Doukas stated they are happy to work with staff on their suggestions.

Chair Kulp added that they could expand it into a courtyard.

Representative Mimi Doukas stated that when that area comes in for redevelopment; there could be a whole refinement to that open space concept that could turn into a more formal plaza or gathering space. Adding it is a good location regardless of how the other side develops.

Commissioner Blank added that the original developer was going to install a pond or fountain to entice people in; it was a previous concept.

Commissioner Dahla asked how old the original building is.

Commissioner Bernhard replied it was there when she moved here in 1979.

Commissioner Blank replied it was probably there in the 60's.

Commissioner Dahla asked if there could be hazardous materials on the second floor of the building; will they have something in place for the removal of it.

Representative Mimi Doukas stated that is all regulated by the building code.

(multiple discussions amongst commissioners related to mold & water damage)

Representative Mimi Doukas replied that mold is also regulated by the building code.

Commissioner Bernhard asked if they were comfortable with the conditions of approval.

Representative Mimi Doukas agreed.

Commissioner Blank asked if staff had any recommendations; if they were happy with the loose ideas.

City Planner Oliver replied she knew they were trying to keep it flexible as she had met with the owners several times; and is confident that they will have a good product.

Commissioner Blank asked if there were going to be any major exterior changes other than the balconies will be changed a little.

Chair Kulp replied they will be able to walk on the balconies.

City Planner Oliver replied they might do some updates to the paint but we don't govern that.

Commissioner Bernhard added that they would be consulting with the building official so there will be checks and balances here.

Chair Kulp stated it would be nice to have second story residences there and it would be a nice change.

Representative Mimi Doukas replied it will be exciting to get new life back into the building.

Commissioner Bernhard stated she believes that they will be filled as soon as they're built; due to the housing shortage in this area.

City Planner Oliver replied it is a fun location.

Commissioner Bernhard stated it's a pretty popular concept especially in Portland, like the one that was built across the St. John's Bridge.

Representative Mimi Doukas added that it would be a short walk for them to get to planning commission hearings.

Chair Kulp asked if the commissioners had any more questions for the applicant; there were none and she thanked the applicant.

Commissioner Blank stated that he has watched that building over the years and how it's being utilized and that it is usually vacant; he feels it would be better to have people living in the space and is looking forward to the upgrades. Adding that he would like to see a restaurant around here again which might draw in more businesses in the lower floors; and is looking forward to the changes.

Chair Kulp asked if the commissioners had any questions on the 11 conditions of approval; and a recommendation for the SDR and PLA.

Commissioner Jensen moved for approval of SDR2-16 and PLA4-16. Commissioner Dahla seconded the motion. Motioned passed (5-0).

AYES: Chair Kulp, Commissioner Blank, Commissioner Dahla, Commissioner Jensen and Commissioner Bernhard.

NAYS: None

Chair Kulp closed the session.

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Oliver went over the calendar; no planning commission in November as she will be out of town for the regularly scheduled meeting on the 9th and the other meeting falls on Thanksgiving Day. The application she has is a Site Development Review and a Property Line Adjustment across from the multifamily being built on E. Columbia, which could go either October or on an off November night. Plus OTAK will be submitting an annexation application for the entire east side of the airport, which could come in within the next week or so.

Chair Kulp stated they still need to meet to discuss the code updates and could still meet in a workshop without City Planner Oliver as long as Office Administrator Happala is available.

6.2 Commission Comments

Commissioner Blank stated that the last Farmers Market will be on October 1st; but before it's over they will be having a middle ages re-enactment. They will soon have a recipe book out for sale.

Chair Kulp thanked Mr. Russell for his comments.

6.3 Staff Comments

City Planner Oliver stated that at the next meeting they need to vote on a vice chair; then asked if any commissioners wanted to volunteer, just let her know.

City Engineer Negelspach added that the developers are doing everything that they are required to do and some stuff they are not required to do that we asked them to do. Adding that there are some things

we could do with the code to bring these projects up to current compliance that don't trigger them now. But as we go through the development code, they might look at projects like the old TVBS building that would require them to bring their entire site to up to current code standards to make it a better project for them and us.

Commissioner Blank added that Durham talked to him during the break; stating that they do want to be good community citizens by getting involved.

Commissioner Jensen stated that if they get another 5 year contract; then we can ask them to do a little more.

City Engineer Negelspach stated they have been proactive and they might be here for the long-term.

Commissioner Bernhard added that both the applicants tonight were very cooperative; but a lot of that has to do with the work that our staff has done prior, as it's very clear that you (City Planner Oliver) worked very intently with them to help them understand what our requirements are. It shows the great communication, as they know what they need to comply with to make their project happen. Staff mitigates any problems before they come here and she feels they really make it easy for developers who come here. She thanked staff for making it easy and going above & beyond.

City Planner Oliver added that we don't want any sticky conversations here in this room.

7.0 ADJOURNMENT

Chair Kulp adjourned the meeting at 9:40pm

Chair Carmen Kulp

Attest:

Elizabeth Happala, Office Administrator III

October 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 Scappoose Farmers Market 9 am - 2pm
2	3 Council Work Session 6:30pm City Council 7pm	4	5	6	7	8
9	10	11	12	13	14 Chapman Landing AdHoc Committee 11am	15
16	17 Council Work Session PC alt. commissioner 6pm City Council 7pm	18	19	20 Economic Development Committee noon Parks & Rec. Meeting 6:30pm	21	22
23	24	25	26	27 Planning Commission Meeting 7pm	28	29
24	31 Halloween Hot Chocolate Event 6:30-8:30pm High School					

November 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 City Council 7pm	8	9	10	11 City offices closed 	12
13	14	15	16	17 Economic Development Committee noon	18 Chapman Landing ADHoc Committee 11am	19
20	21 City Council 7pm	22	23	24 City Offices closed ~ 	25 City Offices closed	26
27	28 Annual Lighting Event – Heritage Park/ Watts House 7pm	29	30			