

**COLUMBIA CITY PLANNING COMMISSION
PUBLIC MEETING
COMMUNITY HALL – 1850 SECOND STREET
AUGUST 6, 2015 - 7:00 P.M.**

PLANNING COMMISSIONERS: Kelly Niles, Chair* *Denotes Commissioner absent
Barbara Gordon, Vice-Chair
Dennis Capik
Laurie Oliver
Shelly Sandford*
Mark Worrall*
Coralee Aho

STAFF: Lisa Smith, Planner
Helen Johnson, Planning Administrative Assistant

OTHERS: Nell Harrison, Beverly McBride, Bob Sandford, Joe Turner, Mary Anne Anderson, Wil & Terry Knoop, Frank & Kathie Hupp, Agnes Marie Petersen, Al & Kannikar Petersen, Gerald Fantz, Bruce Crawford.

The minutes from this meeting incorporate a 53 page transcript prepared by Karen M. Smith, a Certified Shorthand Reporter of the State of Oregon.

MEETING TO ORDER:

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

PLEDGE OF ALLEGIANCE:

Barbara led the pledge of allegiance.

CITIZEN INPUT AND REQUESTS:

None.

PUBLIC DELIBERATIONS:

Deliberations for the application on a Comprehensive Plan/Zone Map amendment rezoning 1.3 acres from R-2, moderate density residential, to R-3, high density residential, and a related amendment to the Comprehensive Plan, submitted by the owner, Columbia Harbour, LLC for vacant property on the west side of Second Street and adjacent to River Club Estates.

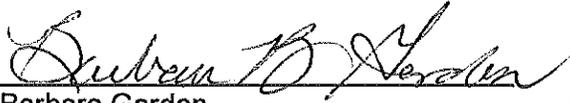
Refer to attached transcript with noted corrections, changes and speakers identified.

UNFINISHED BUSINESS:

None.

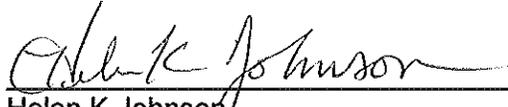
ADJOURNMENT:

Meeting adjourned at 8:05 p.m.



Barbara Gordon
Planning Commission Vice-Chair

Attest by:



Helen K Johnson
Planning, Building Administrative Assistant

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COLUMBIA CITY PLANNING COMMISSION

~~JULY 23, 2015~~

Should be August 6, 2015

9/4/15

Audio recording reviewed
and compared to this transcript
by Helen K Johnson, Columbia
City Planning Admin Asst.
Notation of speakers and
changes/corrections noted
in blue ink.

Helen K Johnson

Barbara Gordon

1 SPEAKER: (Inaudible) duty fighting a fire
2 tonight. So please have him in your prayers and
3 thoughts.

4 So we'll bring this meeting to order and
5 start by -- with the Pledge of Allegiance.

6 (Pledge of Allegiance recited.)

7 Barbara Gordon
8 SPEAKER: Okay. Is there any citizen input
9 request not related to Columbia Harbour, LLC's
10 Application? I think I recognize you all from
11 previous meetings.

12 Okay. Then this is -- we'll go into our
13 deliberations and this will simply be a discussion and
14 hopefully a decision amongst us ^{four} for planning people,
15 and let me just start by reading, the planning
16 commissioners are -- will be deliberating an
17 Application for a Comprehensive Plan/Zone Map
18 Amendment, rezoning 1.3 acres from R-2, moderate
19 density residential, to R-3, high density residential,
20 and a related amendment to the Comprehensive Plan,
21 submitted by the owner, Columbia Harbour, LLC, for
22 vacant property on the west side of Second Street and
23 adjacent to River Club Estates.

24 Beginning with our deliberations, we're going
25 to ask the planning director for an opening statement,
and then I'm going to ask each commissioner if they

1 have any conflicts of interest, bias or ex parte
2 contacts.

3 We're going to review the written materials
4 that we've received after our last group meeting that
5 we all had, and also review the applicant's response
6 to those written -- responses that we -- written
7 materials we received, and then we will deliberate and
8 have -- hopefully come up with a recommendation
9 tonight.

10 So Lisa, do you have a few things to say?

11 MS. LISA SMITH: Yeah, just a couple of
12 things. First off, I want to thank the Planning
13 Commission. You're here this evening to deliberate on
14 something that you've listened to at least six hours'
15 worth of testimony on and read through countless
16 written documents, so I thank you for all the time
17 that each of you have spent on this Application.

18 We are operating under the quasi judicial
19 process as defined by Columbia City Development Code
20 7.162, and it is imperative that if you have ex parte
21 contacts, bias or conflicts of interests that you
22 declare them at this time.

23 Okay. No?

24 For those of you who have been here all
25 along, the faces have changed. You probably noticed

1 that Mark Worrall, who is a planning commissioner who
2 sat while you were giving testimony at the last
3 hearing, has recused himself. He had an expression of
4 bias that won't permit him to be part of the
5 deliberations or the decision making. He signed the
6 petition that was circulated and that's not permitted,
7 so he has recused himself.

8 Laurie Oliver has not been in the room for
9 the two testimony sessions and so she has gotten to
10 spend all day today listening to tapes, reading the
11 transcripts that were provided of the testimony, and
12 is now prepared to make a decision on the Application.

13 So everybody is good to go with the whole
14 bias, conflicts of interest and ex parte contacts?

15 Unidentified Planning Commissioner
16 SPEAKER: Um-hum.

17 Unidentified Planning Commissioner
18 SPEAKER: Um-hum.

19 MS. LISA SMITH: Any objections to these
20 commissioners deliberating and making a decision on
21 this?

22 Okay.

23 Barbara Gordon
24 SPEAKER: Okay. We all agree, no conflicts
25 of interest, bias or ex parte contact.

26 We need to -- you know, I also want to go on
27 record. I don't know if this is appropriate but I
28 just want to thank all of the citizens who have shown

1 up and shown their interest and also put a lot of time
 2 and energy into this issue, and I also want to thank
 3 the applicants who have sat here and listened to a lot
 4 of things that probably weren't very pleasant for them
 5 to hear, and just thank you very much for your time
 6 and your professionalism and letting us go through
 7 this process.

8 Okay. Let's see. Written materials that
 9 were received July 23rd through July 28th, I think
 10 that was -- somebody is -- what's his name? Fred
 11 somebody?

12 *Helen Johnson*
 SPEAKER: Fred Love.

13 *Barbara Gordon*
 SPEAKER: Fred Love and Joseph Turner and Wil

14 Knoop. Knoop?

15 *Helen Johnson*
 SPEAKER: Um-hum.

16 *Barbara Gordon*
 SPEAKER: So these are the three that we

17 received from citizens. Does anybody have anything of
 18 -- that they wanted to discuss about that?

19 Do we need to read these out loud into the
 20 microphone or anything, Lisa?

21 MS. LISA SMITH: No.

22 *Barbara Gordon*
 SPEAKER: Okay.

23 *Laurie Oliver*
 SPEAKER: I have a statement or just

24 something that I'd like to read --

25 *Barbara Gordon*
 SPEAKER: Okay.

Laurie Oliver

1 SPEAKER: -- just to clarify.

2 To clarify, our function as planning
3 commissioners is to apply the applicable approval
4 criteria to each and every Application we consider
5 without bias. We cannot consider things such as best
6 and highest use, property values, or that the
7 community just doesn't like it.

8 We're under an obligation to follow the land
9 use regulations which are in effect the day an
10 Application is submitted. It's the only way we can
11 ensure that we are fair and consistent in our decision
12 making. So for quasi judicial decisions, we have to
13 consider the approval criteria as stated in 7.162.120,
14 which was in the staff report.

15 Since I feel that the applicant has met
16 that -- and my main focus is in regards to whether or
17 not the Application meets the intent of the
18 Comprehensive Plan. So in looking over that, the
19 multifamily dwelling units we have a shortage of in
20 this city and so there is enough for single family and
21 duplex units.

22 And then I know that in the previous hearing
23 it was stated that there could be more appropriate
24 locations for the R-3 zone but that's not what we're
25 here to consider. We have to consider the Application

1 in front of us today. And so in my estimation it
 2 seems as though it would be more appropriate to cite
 3 an R-3 zone near an existing R-3 zone as opposed to
 4 somewhere else.

5 So the other issue that was in reference to a
 6 village atmosphere so I looked that up in here.
 7 There's no definition and so I'm not sure that that
 8 can be considered here. My definition of village
 9 atmosphere is probably different than yours. My
 10 definition would be a higher density core area of town
 11 close to public services with outlying areas comprised
 12 of larger parcels, and so kind of like a medieval sort
 13 of a village atmosphere.

14 *Barbara Gordon*
 SPEAKER: See, I've been thinking
 15 Shakespeare.

16 *Laurie Oliver*
 SPEAKER: Okay. So that's --

17 *Barbara Gordon*
 SPEAKER: Shakespeare villages, all these
 18 little buildings connected together.

19 *Laurie Oliver*
 SPEAKER: Right.

20 *Barbara Gordon*
 SPEAKER: That's what I thought of a village.

21 *Laurie Oliver*
 SPEAKER: My definition is different than
 22 yours.

23 *Barbara Gordon*
 SPEAKER: Than yours. I know.

24 *Unidentified male Member of the Audience*
 SPEAKER: (Inaudible).

25 *Laurie Oliver*
 SPEAKER: We're deliberating.

Unidentified Male Audience Member
SPEAKER: (Inaudible) and ^{we can't hear} we've been here --

Laurie Oliver

1
2 MS. LISA SMITH: Oh, you can't hear. I'm
3 sorry. We should have microphones. Where should I
4 start, then?

5 Basically I just went over that we're
6 following the approval criteria for a quasi judicial
7 hearing. That's what we have to follow. That's what
8 our decision must be based on. And then I discussed
9 that the approval criteria for quasi judicial relates
10 to also the comp plan, and then also the change cannot
11 adversely affect the health, safety and welfare of the
12 community.

13 I feel they've met that, therefore now I'm
14 looking at the comp plan in regards to the shortage
15 for multifamily dwellings, which we do have a shortage
16 of, much more so than single family dwellings, so
17 that's a consideration.

18 And then also the reference to village
19 atmosphere is not defined, therefore I'm not sure we
20 can base our decision on that.

21 So I just wanted to clarify what the decision
22 needs to be based on and that that's what I'll be
23 looking at.

Barbara Gordon

24 SPEAKER: I have a question, Lisa. Were all
25 the neighbors to this property provided with a copy of

1 the Application itself and the staff report?

2 MS. LISA SMITH: No. The property owners
3 received notice and then they can request documents
4 for review. So they could come to -- either come to
5 city hall or Helen has been e-mailing --

6 *Barbara Gordon*
SPEAKER: Okay.

7 MS. LISA SMITH: -- staff reports and things
8 to people.

9 And I have some things, too, that need to be
10 entered into the record.

11 *Barbara Gordon*
SPEAKER: Okay.

12 MS. LISA SMITH: Kind of got ahead of
13 ourself.

14 *Barbara Gordon*
SPEAKER: Basically what Laurie was saying is
15 that we have a copy of the Application, and Lisa, as
16 our planner -- is that your position? Has gone
17 through it point by point and each part of the
18 Application actually refers to a point in the state
19 land use laws or goals, I think they're called, and so
20 each part of the Application Lisa has said yes or no,
21 the applicant has met this criteria as defined under
22 state land use laws, and I think there was like 13 or
23 15 points.

24 I didn't -- I'm not a professional in this
25 area. When you go through each one of those points --

1 and what Laurie was trying to say, that's all we as a
2 commission can base our decision on, is the
3 suitability and the appropriateness of this
4 Application, if it meets the Oregon state laws
5 regarding land use.

6 MS. LISA SMITH: And the local -- the local
7 implications of those.

8 *Barbara Gordon*
9 SPEAKER: So I think I've explained that, to
10 the best of my knowledge, the way I understand it. So
11 we've gone through each of these areas. Lisa's gone
12 through them, she has commented on each of these
13 points, and the Application meets all of the state
14 land use laws.

15 The one area where there is concern is
16 regarding the village overlay that perhaps that we as
17 a group could make a decision saying well, that point
18 doesn't work and that -- so that, I assume, will be
19 something that the four of us will need to discuss,
20 how we feel about that.

21 MS. LISA SMITH: Yeah, let's go ahead and get
22 the written stuff all into the record and then we'll
23 walk through each of those criteria.

24 *Barbara Gordon*
25 SPEAKER: Okay.

26 MS. LISA SMITH: Everybody who participated,
27 who is a property owner, who provided written

1 testimony, received a notice on July the 24th
2 notifying them that the council hearing, which was
3 originally scheduled for this evening, had in fact
4 been cancelled and that the Planning Commission would
5 be having deliberations this evening and the council
6 hearing will be rescheduled.

7 I do in fact have a date for the council
8 hearing. The initial council hearing will be on
9 September the 17th at six p.m. in this room, and the
10 reason that I know that that is going to be the date,
11 regardless of what the Planning Commission does, is
12 that the Planning Commission is required to make their
13 recommendation within 60 days of their initial hearing
14 and so that is after that time.

15 It will either go to the commission -- or to
16 the council with or without the Planning Commission
17 recommendation. I would think it would be good for
18 the process if there was a recommendation after all
19 this work.

20 So the applicant also -- now, after these
21 three testimonies that were recognized as having been
22 entered into the record, the applicant also submitted
23 a final statement, a (^{lengthy}inaudible) document, as well as
24 a 33-page uncertified transcript of the July 14th
25 testimony in opposition, an 86-page certified

1 transcript of the entire public hearing for July the
2 14th, and a 71-page certified transcript of the July
3 23rd, 2015 hearing, and the transcripts end when the
4 hearing ends. They do not end when the meeting was
5 adjourned.

6 So these are in the record, and we can start
7 going through criteria whenever the commission is
8 ready.

9 *Barbara Gordon*
SPEAKER: Okay.

10 MS. LISA SMITH: So you have -- I think you
11 have a copy of the staff report, you have a copy of
12 the applicant's final statement. It's very nice that
13 it's in the same format. I hope it helps you in
14 making your -- you know, in going through everything.

15 *Barbara Gordon*
SPEAKER: Yeah, it just goes right next to
16 the Application and the staff report so it's like line
17 by line by line.

18 MS. LISA SMITH: First one, citizen
19 participation. Are those criteria satisfied?

20 *Barbara Gordon*
SPEAKER: I think we've satisfied that.

21 *Laurie Oliver*
SPEAKER: Satisfied.

22 MS. LISA SMITH: Everybody concurs that that
23 one's satisfied.

24 *Barbara Gordon*
SPEAKER: Okay. State Planning Goal 2, land
25 use planning.

1 MS. LISA SMITH: Um-hum. This is the one
2 where everything has to be coordinated, affected
3 agencies have to receive notice. There's a lot of
4 stuff that applies to the Comprehensive Plan itself in
5 that process that don't have anything to do with an
6 individual Application.

7 We did notify the State of Oregon, we did
8 notify affected agencies. There was a list on the
9 first page of your -- well, no, it's on the second
10 page -- of agency and public notice. We sent notice
11 to public works, the city engineer, fire and rescue,
12 Columbia River PUD, Northwest Natural Gas, the city
13 engineer. We received no objections to approval as
14 submitted.

15 Is there any concern that Goal B has not been
16 satisfied?

17 *Unidentified Planning Commissioner*
SPEAKER: No.

18 *Unidentified Planning Commissioner*
SPEAKER: No.

19 MS. LISA SMITH: Goal C is open spaces,
20 scenic and historical areas, and natural resources.
21 This changing of the zone does not make a change to
22 designated open spaces, scenic or historic areas, and
23 the city uses and has stated in its policies that it
24 protects use through enforcement of the Columbia City
25 Development Code.

1 can be done.

2 The city has some development standards in
3 place that also are in place because of providing for
4 storm water drainage and open space. Those are the
5 amount of the lot that we allow to be -- we allow to
6 be covered by buildings, paving and -- pavement and
7 structure, and each zone has a standard for that in
8 the development standards that is implemented at the
9 time of issuing a building permit.

10 *Barbara Gordon*
SPEAKER: Okay.

11 MS. LISA SMITH: So that's how those things
12 are historically addressed.

13 So any other concerns related to Goal D?

14 *Barbara Gordon*
SPEAKER: No, I think that's satisfied.

15 *Unidentified Planning Commissioner*
SPEAKER: No.

16 MS. LISA SMITH: Goal E, areas subject to
17 natural disasters and hazards. Property has a gentle
18 slope. It's designated on sewer maps as four to eight
19 percent slope. It's located outside the Columbia
20 River flood plain. There's no known wetlands on the
21 site.

22 Any other natural disaster/hazard criteria
23 that needs to be considered?

24 *Unidentified Planning Commissioner*
SPEAKER: No.

25 *Barbara Gordon*
SPEAKER: I think that's all taken care of.

1 MS. LISA SMITH: So the Planning Commission
2 believes those criteria to be satisfied?

3 SPEAKER: Um-hum.

4 MS. LISA SMITH: Okay. Recreational needs.
5 Recreational needs in residential zones. This
6 proposed zone change doesn't change the policy of
7 assessing systems development charges for parks. That
8 occurs at the time of issuance of a building permit.
9 That is how Columbia City addresses provision for
10 recreational services generated by -- demands that are
11 generated by new development. So that's the same for
12 R-2 and R-3.

13 In addition, if you have looked at the site
14 development review standards, there are provisions in
15 that ordinance as well, and all buildings that are
16 larger than triplexes are subject to site development
17 review prior to issuance of building permits, so open
18 space requirements are built into site plans at that
19 time.

20 *Helen Johnson*
SPEAKER: Okay.

21 MS. LISA SMITH: So Goal G is economic
22 development. This is the goal under which the
23 question was raised by staff initially that village
24 atmosphere is undefined, therefore staff cannot make
25 an assessment as to whether that particular language

1 has been satisfied.

2 The applicant has provided an argument with
3 regards to village atmosphere. I think the Planning
4 Commission concurs that it's undefined. I will point
5 out to the Planning Commission that since the staff
6 report was written, I've thought about this conundrum
7 quite a bit because it was also pointed out to the
8 Planning Commission in the initial hearing that it is
9 not proper, and it's true, it is not proper for the
10 council to establish law through quasi judicial
11 process. That's left to the legislative process and
12 you've been through the legislative process.

13 You're familiar with making recommendations
14 to the council that we need to change this law or add
15 this law, so this may be -- this appears to be a
16 situation in which that's the process that should be
17 followed to define village atmosphere, not the quasi
18 judicial decision making process.

19 *Barbara Gordon*
SPEAKER: And the other thing that concerns
20 me, I don't know if this has anything to do, you know,
21 with the price of eggs but, you know, we made a
22 recommendation to the city council regarding this
23 village overlay and the council said ixnay.

24 MS. LISA SMITH: On much of it.

25 *Barbara Gordon*
SPEAKER: On much of it.

1 MS. LISA SMITH: On much of it, yes.

2 *Barbara Gordon*
SPEAKER: And they're the elected body. I
3 mean we're appointed ones so I -- I feel like they're
4 more representative of the community at large than we
5 are. So for us to, you know, come back and start
6 using the village atmosphere when they've kind of said
7 ixnay on it, I don't feel comfortable doing that. I
8 think the word is undefined.

9 *Laurie Oliver*
SPEAKER: It should be removed.

10 *Barbara Gordon*
SPEAKER: Yeah.

11 MS. LISA SMITH: It should either be removed
12 or it should be implemented through the -- there are
13 mechanisms obviously in the legislative process to --
14 I think what village atmosphere -- a lot of the
15 conversation that I heard from the applicant and some
16 of the concerns that the community expressed, too,
17 people were talking about open space, talking about
18 size of buildings, those kinds of things. Those are
19 all traditionally addressed in the development
20 standards --

21 *Barbara Gordon*
SPEAKER: Right.

22 MS. LISA SMITH: -- for a particular zone.
23 So it's appropriate to say okay, we're just going to
24 amend the multifamily zone to say they look like the
25 ones out on the highway or, you know, whatever it is

1 that -- that's recommended.

2 *Barbara Gordon*
SPEAKER: Right.

3 MS. LISA SMITH: So that's probably the
4 proper process for addressing the question of village
5 atmosphere. It is true, the question exists. It's
6 there. There's not a -- you can't ignore that, but
7 you can say this is not the process for addressing
8 it --

9 *Barbara Gordon*
SPEAKER: Right.

10 MS. LISA SMITH: -- or you believe that
11 council would be establishing law through quasi
12 judicial process, which I suspect the applicant would
13 remind them of.

14 So Goal G, where are we at? Legislative
15 process to define village atmosphere or?

16 *Laurie Oliver*
SPEAKER: I guess it would be a completely
17 separate issue, not related to tonight --

18 MS. LISA SMITH: Correct.

19 *Laurie Oliver*
SPEAKER: -- unless we either decide to
20 remove it or define it.

21 MS. LISA SMITH: Yep. You would say we're
22 not going to address this under the quasi judicial
23 process, we're going to recommend that it be addressed
24 under the legislative process.

25 *Coralie No*
SPEAKER: I'm in agreement.

1 MS. LISA SMITH: Okay.
 2 *Barbara Gordon*
 SPEAKER: (Inaudible), *Dennis* are you in agreement,
 3 too?
 4 *Dennis Capik*
 SPEAKER: Yes.
 5 *Barbara Gordon*
 SPEAKER: Okay. I think that's four --
 6 MS. LISA SMITH: Okay.
 7 *Barbara Gordon*
 Speaker: Four-zero on that one.
 8 MS. LISA SMITH: Okay. We're moving on to
 9 housing. Housing is a core rule here. I'm looking
 10 very quickly to see if I forgot anything in this. The
 11 only issue that was raised in housing --
 12 *Barbara Gordon*
 SPEAKER: Public services and transportation.
 13 MS. LISA SMITH: Related to -- yeah, yeah,
 14 and --
 15 *Barbara Gordon*
 SPEAKER: And I don't feel like personally
 16 the transportation issue -- I mean, why would Columbia
 17 City Rider, whatever they call themselves, have a bus
 18 stop down there when there's not that many people, but
 19 if the property does get developed and there's more
 20 people, I'm sure they'll amend bus stops to have --
 21 *Laurie Oliver*
 SPEAKER: Not for 13 dwelling units, no.
 22 *Barbara Gordon*
 SPEAKER: Okay.
 23 MS. LISA SMITH: Two years ago -- no, 2012,
 24 Columbia Rider had a bus stop in that neighborhood.
 25 *Barbara Gordon*
 SPEAKER: Yeah, they did.

1 MS. LISA SMITH: It wasn't used. They offer
2 other services as well. It's not just a bus stop type
3 service. They have some other things that they do.
4 But my concern on saying no, this location won't work
5 because it's not in close proximity to public
6 services, transportation and other conveniences, is
7 here once again transportation is not -- public
8 transit is a piece of transportation --

9 *Barbara Gordon*
SPEAKER: Right.

10 MS. LISA SMITH: -- but transportation is not
11 limited to public transit. There is road access,
12 there is pedestrian access, there's bicycle access.
13 There is in fact a bus service to the community that's
14 probably not nearly as accessible as anyone would
15 desire for it to be if they were a user of it.

16 *Laurie Oliver*
SPEAKER: Except for maybe me.

17 MS. LISA SMITH: Do you get to use it?

18 *Laurie Oliver*
SPEAKER: It's close to me.

19 MS. LISA SMITH: It's close to you. Okay.
20 It is close to the existing -- it was relocated close
21 to the existing multifamily development, which is
22 interesting because it used to be down here.

23 Okay. So as far as --
24 *Barbara Gordon* *That is a good distinction to make.*
SPEAKER: (Inaudible). It's not just public
25 transit.

1 MS. LISA SMITH: It doesn't say. I can
2 reread it because if the word had been, you know,
3 public services, public transit and other
4 conveniences, but you -- the Comprehensive Plan uses
5 the word transportation.

6 So is the Planning Commission going to find
7 that it is in fact in close proximity to
8 transportation, in addition to public services and
9 other conveniences, but that statement is satisfied or
10 that that statement is not satisfied?

11 *Laurie Oliver*
SPEAKER: I believe that in the context of
12 this town it's satisfied because of the extremely
13 limited access to public transit here and that I
14 honestly don't know if it's really used much here at
15 all. Maybe once a week, twice a week.

16 *Coralee Aho*
SPEAKER: I will say that I commute on CC
17 Rider to Portland five days a week. There are about
18 five other citizens of Columbia City. We go down to
19 the transit center. It's a wonderful operation. It's
20 a wonderful way to get to Portland. But I have not
21 heard anybody complain there's not a bus that picks us
22 up in Columbia City.

23 *Laurie Oliver*
SPEAKER: Um-hum. There used to be a
24 connection but it was so inconvenient to catch it
25 there, you would waste a ton of time. So I would say

1 that it meets these needs and that it's within walking
2 distance of nearly everything.

3 MS. LISA SMITH: Okay. Is everybody in
4 agreement that first it is in close proximity to
5 public services, transportation and other
6 conveniences?

7 SPEAKER: Yes.

8 MS. LISA SMITH: Okay. Public lands. Not
9 applicable. This is not property owned by public and
10 semipublic entities.

11 *Barbara Gordon*
SPEAKER: Yeah, that's not applicable. I
12 agree.

13 MS. LISA SMITH: Oh, there's one thing I want
14 to address the Planning Commission about on housing,
15 secondary issue on housing. There's been a
16 conversation about adequate zoning, and at times I
17 felt like people were saying that the city had to
18 address multifamily housing and at times I felt like
19 gee, the city's got several different ways of
20 measuring housing in its Comprehensive Plan.

21 It's got a different number from Portland
22 State than it has for -- in the housing ^{goal} (inaudible).
23 It's got all kinds of things going on. Neither of
24 those issues, neither of the arguments that the city
25 has to or the argument that there may be a conflict,

1 has any relevance to the way the State of Oregon talks
2 about needed housing.

3 The regulations on needed housing apply to
4 communities of 25,000 persons or more or are located
5 in Metro, neither of which is applicable in Columbia
6 City. So when you hear somebody say, with regards to
7 Portland, they have to expand to address a specific
8 type of housing, they do, the way that rule's written.
9 You don't.

10 *Barbara Gordon*
SPEAKER: So you're saying we don't have to
11 expand to --

12 MS. LISA SMITH: That's not --
13 *Barbara Gordon*
SPEAKER: -- have lots of R-3 to expand --

14 MS. LISA SMITH: That's not what drives a
15 decision.

16 *Barbara Gordon*
SPEAKER: Okay. Okay.

17 MS. LISA SMITH: Neither is someone raising
18 an issue that your calculations are off, because that
19 was the question I asked the State of Oregon. Um,
20 these calculations appear to conflict as they're
21 already a problem here.

22 I was also asked by my boss, who's an
23 attorney, now that you're messing with the R-2, have
24 you created -- does this create an additional problem
25 for the city? Is the State of Oregon going to come in

1 and say you can't reduce your R-2 to satisfy your R-3?

2 No, they're not. It was not a point with
3 them. Doesn't apply to communities with less than
4 25,000 people. Made me feel very important when I
5 talked with them. They kind of went really?

6 So I -- just to clarify that for the Planning
7 Commission because that has been included in staff
8 reports, it has been included in applicant's
9 testimony, it has been questioned, and you need to
10 know this, that it doesn't matter to the state, and
11 they were offered the opportunity to comment.

12 *Barbara Gordon*
SPEAKER: Okay. Well, that's good to know.

13 MS. LISA SMITH: Um-hum.

14 *Barbara Gordon*
SPEAKER: Thank you very much for --

15 MS. LISA SMITH: So if anybody was concerned
16 about that, don't be.

17 *Barbara Gordon*
SPEAKER: Okay.

18 MS. LISA SMITH: So Goal H, you are all
19 agreeing that you believe those criteria are
20 satisfied?

21 *Barbara Gordon*
SPEAKER: Yes.
22 *Unidentified Planning Commissioner*
SPEAKER: Um-hum.

23 MS. LISA SMITH: Okay. Goal I, public land,
24 not applicable. Everybody agrees that one's not
25 applicable?

Planning Commissioners

1 SPEAKER: Um-hum.

2 MS. LISA SMITH: Okay. Public facilities.
3 Okay. This is the sewer, water, street.
4 Kennedy/Jenks, city engineer, pretty much the city
5 authority on whether the system works or not, and
6 so --

Barbara Gordon

7 SPEAKER: He was all okay with it.

8 MS. LISA SMITH: He put -- yeah, he -- we
9 went back and asked him for additional clarifications
10 after the initial hearing where we got the testimony
11 that hey, this system has low power -- low water
12 pressure issues. They apparently -- he and the city
13 engineer addressed those issues.

14 Also we went in-depth in discussion of the
15 new pump for the sewer system and that is actually --
16 I believe the contract was awarded at the last council
17 meeting so that's actually -- is that correct?

Helen Johnson

18 SPEAKER: Yeah.

19 MS. LISA SMITH: Okay. So the contract for
20 the RCE pump is awarded. That is being done.

Barbara Gordon

21 SPEAKER: Okay.

22 MS. LISA SMITH: So those issues should be
23 satisfied unless somebody can think of something from
24 testimony that you want to ask about related to that
25 particular criteria.

Barbara Gordon

1 SPEAKER: No, I think we're in good shape
2 there, too.

3 MS. LISA SMITH: Okay.

4 *Laurie Oliver*
SPEAKER: And any Application for further
5 develop -- or for development will have to prove that
6 they have adequate capacity, so that will be a second
7 layer of protection against making sure they have what
8 they need to develop.

9 MS. LISA SMITH: Yeah, do it all over again
10 only in big detail.

11 *Laurie Oliver*
SPEAKER: Right.

12 MS. LISA SMITH: Okay. So am I hearing that
13 the Planning Commission believes these criteria are
14 satisfied?

15 *Barbara Gordon*
SPEAKER: Yes.

16 *Laurie Oliver*
SPEAKER: Yes.

17 *Coralee Aho*
SPEAKER: Yes.

18 MS. LISA SMITH: Okay. Goal K,
19 transportation. Got the 24 feet of paving. City
20 engineer, I asked him about that in-depth. He said
21 eight dwelling units per acre? Ten dwelling units per
22 acre. I think that was telling me that there is some
23 problem here, that two cars -- well, 20 vehicle trips
24 a day are going to generate the 80 vehicle trips a day
25 would not already generate, because you have to

1 compare it to obviously the current allowed usage, and
2 it's the difference between those two that you make
3 your assessment of, and in this case we're talking
4 about 20 vehicle trips per day per acre.

Laurie Oliver

5 SPEAKER: Um-hum.

Barbara Gordon

6 SPEAKER: And it --

Barbara Gordon

7 SPEAKER: Which would go to 26 vehicle trips

8 because of -- it's 1.3.

9 MS. LISA SMITH: Um-hum, um-hum.

Barbara Gordon

10 SPEAKER: I don't think that's a material

11 amount.

Laurie Oliver

12 SPEAKER: Yeah.

13 MS. LISA SMITH: So the street and the
14 trans-- and, of course, obviously we have an
15 intersection that connects that's at, I believe, level
16 A.

Laurie Oliver

17 SPEAKER: I can tell you that your level of

18 service for intersections is excellent.

19 MS. LISA SMITH: Isn't that lovely?

Laurie Oliver

20 SPEAKER: Excellent.

21 MS. LISA SMITH: Isn't that lovely? Yes, and
22 we have a nice bridge which is new and we have the
23 highway. So in and out and multiple ways to get in
24 and out as well because of the one block grid system
25 that the city has.

Laurie Oliver

1 SPEAKER: Right.

2 MS. LISA SMITH: We have lots and lots of
3 connectivity. So transportation.

4 *Barbara Gordon*
SPEAKER: We have as much as St. Helens
5 really.

6 MS. LISA SMITH: Yours are paved. I didn't
7 say that. Shame on me.

8 You have good connectivity because you are
9 laid out on the standard grid pattern and it -- it
10 goes through. You have alternatives to the highway
11 and you have alternatives to the local streets, which
12 is a very positive thing for a community to have.

13 *Laurie Oliver*
SPEAKER: Um-hum.

14 MS. LISA SMITH: So am I hearing the
15 commission say that they concur that -- okay. They're
16 making -- well, council. Council makes the actual
17 findings but is the Planning Commission finding that
18 the increased density will not negatively impact the
19 projected levels of service?

20 *Laurie Oliver*
SPEAKER: I agree with that.

21 *Barbara Gordon*
SPEAKER: I agree with that.

22 *Cora Lee Aho*
SPEAKER: I agree.

23 *Dennis Capik*
SPEAKER:: I agree.

24 MS. LISA SMITH: Okay. Goal L, energy
25 conservation. The way the city complies with this is

1 to require compliance with the Oregon state building
2 codes, things related to insulation and windows and
3 power usage and those kinds of things, and none of
4 those change as a result of changing from R-2 to R-3
5 zoning.

6 *Barbara Gordon*
SPEAKER: Not applicable. I agree.

7 MS. LISA SMITH: Okay. Organization. This
8 is related to expansion of the urban growth boundary.
9 That's not applicable to this particular Application.

10 Okay. Then you go on to the local
11 requirements related to compliance with relevant
12 approval standards found in applicable chapters of
13 this ordinance, the Columbia City Public Works design
14 standards and other applicable implementing
15 ordinances.

16 In the case of a zone change, none of that's
17 implemented at the time of the zone change. All of
18 the development type standards are implemented as
19 building permits are issued. That's the same standard
20 for R-1, R-2, R-3 or any other construction that
21 occurs in Columbia City.

22 *Barbara Gordon*
SPEAKER: Okay.

23 MS. LISA SMITH: So those are satisfied in
24 the same manner for R-2 as they are for R-3 or vice
25 versa. So does -- does the Planning Commission concur

1 that those criteria are satisfied?

2 *Laurie Oliver*
SPEAKER: Yeah.

3 *Barbara Gordon*
SPEAKER: Yes.

4 *Cora Lee Aho*
SPEAKER: Yes.

5 MS. LISA SMITH: Okay. Final one is in the
6 case of a quasi judicial Comprehensive Plan Map
7 Amendment or Zone Change, the change will not
8 adversely affect the health, safety and welfare of the
9 community.

10 *Barbara Gordon*
SPEAKER: I don't see any --

11 *Laurie Oliver*
SPEAKER: I agree with that.

12 *Barbara Gordon*
SPEAKER: -- issue with that.

13 *Cora Lee Aho*
SPEAKER: I agree.

14 *Dennis Capik*
SPEAKER: Agree.

15 *Laurie Oliver*
SPEAKER: It's again the land use code and

16 building code more or less protect that --

17 *Barbara Gordon*
SPEAKER: Right.

18 *Laurie Oliver*
SPEAKER: -- and carry out the applicable

19 regulations, pretty much ensure you're going to have
20 health and safety protection.

21 MS. LISA SMITH: So it's the Planning
22 Commission's finding that the enacting or the
23 implementing ordinances and building codes address
24 issues of health, safety and welfare --

25 *Laurie Oliver*
SPEAKER: In the community.

1 MS. LISA SMITH: -- in a manner that
2 satisfies this criteria?

3 *Barbara Gordon*
SPEAKER: Yes.

4 *Cora Lee Aho*
SPEAKER: Yes.

5 MS. LISA SMITH: Okay. Then you are at
6 action. You have found that all -- each of the
7 criteria are satisfied. You've conducted, well,
8 several public hearings. You need to adopt your
9 findings and make a recommendation to the city
10 council.

11 *Dennis Capik*
SPEAKER: I have one question.

12 MS. LISA SMITH: Okay.

13 *Dennis Capik*
SPEAKER: Everyone is talking about the
14 property being 1.33 acres.

15 MS. LISA SMITH: Um-hum.

16 *Dennis Capik*
SPEAKER: However, there's three different
17 plots.

18 *Barbara Gordon*
SPEAKER: I'm sorry. What was that?

19 *Dennis Capik*
SPEAKER: There's three different plats.

20 MS. LISA SMITH: Three different parcels.

21 *Dennis Capik*
SPEAKER: Or plats. Do they have to be
22 joined?

23 MS. LISA SMITH: No, they do not have to be
24 aggregated to change the zoning on all three.

25 *Dennis Capik*
SPEAKER: Okay.

1 MS. LISA SMITH: It will apply to all three.
2 We do, however, for the purpose of the ordinance, have
3 a single description of the entire site. It's already
4 in the file provided by the applicant's surveyor.

5 SPEAKER: ^{The only reason I ask is because} (Inaudible) where I came from they
6 have to be rejoined.

7 MS. LISA SMITH: They don't have to be --
8 there's nothing that I know of in statute that
9 requires them to be aggregated to do that. You just
10 -- it gets changed on all three of them. They are all
11 adjacent so -- and we do have one single legal
12 description that will be part of the ordinance that
13 actually changes the zoning because the council will
14 have to adopt an ordinance actually changing the
15 zoning, and attached to that ordinance will be that
16 single description of the entire site.

17 ^{Barbara Gordon}
SPEAKER: Okay.

18 ^{Barbara Gordon}
SPEAKER: And if this zoning change goes
19 through, then the applicant is -- if it chooses to
20 develop the property, they will be restricted to doing
21 an R-3 type of development.

22 MS. LISA SMITH: Correct. They will develop
23 it under whatever standards are in place on the day
24 they submit their development stuff.

25 Now, keep in mind, you need to remember,

1 attached to your staff report is also a draft
2 Comprehensive Plan Amendment --

3 *Laurie Oliver*
SPEAKER: Um-hum.

4 MS. LISA SMITH: -- as part of this package.
5 That is actually the ordinance that will be going in
6 front of the City Council and that is the ordinance
7 you'll be saying to them we have adopted these
8 findings and we recommend that you adopt this
9 ordinance. And I think -- does theirs have attached
10 to it a single description?

11 *Helen Johnson*
SPEAKER: Um-hum. It should.

12 MS. LISA SMITH: Okay. So you have that with
13 your original staff report.

14 *Barbara Gordon*
SPEAKER: That's the Reynolds Land Survey?

15 MS. LISA SMITH: Um-hum, um-hum. That's
16 actually part of an aggregated description.

17 *Barbara Gordon*
SPEAKER: You know, I did have a question
18 when I was looking at the map.

19 MS. LISA SMITH: Okay.

20 *Barbara Gordon*
SPEAKER: There's this little section, and I
21 forgot the geometry term for describing it. It's
22 four-sided but it's definitely not a rectangle or a
23 square, and it's up there and it abuts Third Street,
24 so like Third Street comes down like this and then it
25 turns around and then it comes up.

1 MS. LISA SMITH: It's part of the adjacent
2 property.

3 *Barbara Gordon*
SPEAKER: So is this little area right
4 here --

5 MS. LISA SMITH: Included in that
6 description? No.

7 *Barbara Gordon*
SPEAKER: -- included in it or is the dark
8 black line the --

9 MS. LISA SMITH: The dark line is the
10 boundary of the change.

11 *Barbara Gordon*
SPEAKER: Okay. And -- okay. All right.

12 MS. LISA SMITH: And for the record, because
13 so many people are concerned -- have been concerned
14 about it, or signed this petition, I feel like I
15 should say -- I should address these things. There
16 was a question raised in that --

17 *Barbara Gordon*
SPEAKER: Could you read the petition? I
18 never heard the -- I heard there was a petition but I
19 never heard what it was.

20 MS. LISA SMITH: Okay. "In the matter of 'An
21 Application for a Comprehensive Plan/Zone Map
22 amendment rezoning 1.3 acres from R-2, moderate
23 density residential, to R-3, high density residential,
24 and a related amendment to the Comprehensive Plan,
25 submitted by the owner, Columbia Harbour, LLC for

1 vacant property on the west side of Second Street and
2 adjacent to River Club Estates.'

3 "We, the undersigned, ask and petition that
4 the aforesaid application for rezoning and the related
5 amendment be DENIED for any and all of those reasons
6 stated at the Public Hearing on the aforesaid matter;
7 including, but not limited to, the following stated
8 reasons. Should any issue/issues stated not be
9 sustained, it/they shall not affect the validity of
10 any and all other reasons."

11 Okay. There's a question on ownership of the
12 property. That question --

13 *Barbara Gordon*
SPEAKER: Was handled.

14 MS. LISA SMITH: Yeah, it wasn't ever a
15 question from staff's perspective. We had in our file
16 the deeds and we had the trail of deeds and we --
17 actually the applicant graciously provided, at the
18 staff's request, generational deeds from back all the
19 way to Mr. Anderson's ownership of the property
20 transferring it each step of the way to prove that
21 yes, in fact what we have in our Application was --

22 *Barbara Gordon*
SPEAKER: Accurate.

23 MS. LISA SMITH: -- owned by Columbia Harbour
24 and that that entitled them to be the applicant.

25 The statement was made, "The neighborhood

1 surrounding the subject property consists of single
2 family detached residential dwellings and a few
3 duplexes. 'Single family residences and duplexes are
4 not permitted uses in the proposed R-3 zone.' The
5 proposed rezoning is not consistent with the
6 character, consistency and integrity of the
7 surrounding property."

8 Again, the Planning Commission was well aware
9 that the zoning for River Club Estates is in fact R-3.
10 It was constructed with single family and duplexes.
11 They are all functionally, with regards to the zoning,
12 nonconforming uses. By right, single family
13 residences can be constructed anytime, anywhere that
14 they exist. That is not true in the case of duplexes.
15 There are other rules that govern nonconforming uses.

16 "Multi-family, triplexes, townhomes and/or
17 residential care facilities, permitted in the R-3
18 zoning, would constitute 'Spot Zoning' for the subject
19 property and, as such, is illegal zoning. This is the
20 very kind of thing that zoning laws are designed to
21 protect against."

22 The applicant has addressed this rule in
23 their final statement. It's not spot zoning. It
24 never was because the adjacent property is zoned --

25 *Barbara Gordon*
SPEAKER: Residential.

1 MS. LISA SMITH: -- R-3 so it's not like
2 someone's plopping R-3 zoning on a single piece of
3 property in the middle of a commercial area or
4 something dramatically different. It's expansion of
5 existing R-3 zoning.

6 "Access to the subject property is via Second
7 Street. Second Street is a dead-end street and would
8 be unduly congested under R-3 rezoning."

9 I would concur if folks turn right out of the
10 property. However, that is a cul-de-sac. It is not a
11 dead end in the sense of the word that you drive down
12 there and you stop and you turn around in someone's
13 driveway. The street actually continues in a full
14 circle and exits again out Second Street.

15 "Second Street's first intersection ends with
16 L Street, which would further add to traffic
17 congestion."

18 You read in the TSP and in the city
19 engineer's comments the level of service for the
20 intersections is currently A. It's projected to stay
21 A.

22 Parking -- there was a question raised about
23 parking space and the issue of parking space. The
24 parking spaces are part of site development review.

25 *Barbara Gordon*
SPEAKER: So that would all be on the

1 property.

2 MS. LISA SMITH: That would happen at the
3 time of design. They don't happen in the zone change.
4 There's 1.3 acres. The applicant will be required to
5 provide parking space or open space for all of the
6 other things that are required for multifamily
7 residential or town homes, whatever development plan
8 is presented to the city.

9 "The City of Columbia City's Comprehensive
10 Plan, showing a goal of 45 additional units of
11 Multi-Family housing, should take into account the
12 following."

13 And there is a list of things that should be
14 taken into account in the city's comprehensive plan,
15 and while I may support that those things should be
16 taken into account in the city's comprehensive plan,
17 and I would be willing to say on the record that yes,
18 the city does in fact need to explore funding for a
19 new buildable lands inventory and an updated housing
20 section, this is neither the time nor the place to do
21 it. We deal with what is in today's comprehensive
22 plan in processing the Application.

23 *Barbara Gordon*
SPEAKER: All right.

24 MS. LISA SMITH: Not relevant. Okay.

25 Item 8, "The Waste Water Pump Station in the

1 adjacent River Club Estates does not handle current
2 let alone additional needs."

3 Again, I concur, and it is being replaced as
4 we speak.

5 *Barbara Gordon*
SPEAKER: Well, before the property
6 development.

7 *Laurie Oliver*
SPEAKER: Right, right.

8 MS. LISA SMITH: Yeah, yeah. And actually,
9 on that note, whether it was developed as R-2 or R-3,
10 there was a problem and it had to be replaced and it
11 is being replaced.

12 *Barbara Gordon*
SPEAKER: Right.

13 MS. LISA SMITH: So, "9. The subject
14 property was formerly used as an industrial site and
15 it is not certain that environmental protection
16 agencies understand or have properly assessed the
17 property."

18 The entire --
19 *Barbara Gordon*
SPEAKER: Area down there.

20 MS. LISA SMITH: -- whole end of town was,
21 including in River Club Estates, is everything. And
22 what year --

23 *Barbara Gordon*
SPEAKER: '95?

24 MS. LISA SMITH: What year was the ship
25 building? Does anybody know?

Helen Johnson

1 SPEAKER: 1918.

2 MS. LISA SMITH: 1918.

Helen Johnson

3 SPEAKER: Something or other like that.

4 MS. LISA SMITH: Thank you. Thank you.

5 1918. It's been a long time. Almost 100 years since
6 the property was in an industrial use. I would be
7 very hesitant to go somewhere with that. I just --
8 after 100 years, it kind of doesn't seem applicable.

9 Okay. No. 10 discusses --

Barbara Gordon

10 SPEAKER: I think after 100 years, if it was
11 an issue --

12 MS. LISA SMITH: We would know about it by
13 now.

Barbara Gordon

14 SPEAKER: -- we would know about it by now.

15 MS. LISA SMITH: Um-hum, yeah. The city has
16 a -- I'm not saying that it can't happen, but after
17 100 years, the likelihood of it is significantly -- I
18 think significantly reduced.

Barbara Gordon

19 SPEAKER: So is this the proper time to ask
20 the question? What if they start developing and as
21 they go down, they start to see, you know,
22 multicolored dirt?

23 MS. LISA SMITH: Or bombs or any of the other
24 things that cause developers to go --

Barbara Gordon

25 SPEAKER: Yeah. Then they have to deal with

1 it.

2 MS. LISA SMITH: Yeah, yeah. And in these
3 parts because of Native Americans and people have
4 found interesting things and had to shut their site
5 down, yeah, until they --

6 *Barbara Gordon*
SPEAKER: So there's regulations --

7 MS. LISA SMITH: Oh, yeah. The artifact ones
8 are --

9 *Barbara Gordon*
SPEAKER: So we don't need to address that
10 here because that is something that would be handled.

11 MS. LISA SMITH: No, there's a state agency.
12 Those are state agencies and they come in and shut you
13 down and you don't do anything until their people --

14 *Barbara Gordon*
SPEAKER: Okay.

15 MS. LISA SMITH: -- have assessed what's
16 going on on your site. It can take considerable time,
17 yes.

18 "10. The City has a policy to preserve
19 Columbia City's quality of life including village
20 atmosphere, open space and recreational opportunities,
21 urban bike and walking system, and beautiful natural
22 setting and promote these attributes as an incentive
23 for business development."

24 I think that's a restatement of what we have
25 already discussed and so...

1 "The property currently is a safety and
2 health hazard."

3 This doesn't seem to me like a reason to not
4 redevelop it.

5 "It consists of large and medium-sized wooden
6 buildings of old, dry, flammable wood; rusted metal,
7 dilapidated trailers; noxious, high weeds throughout
8 where wild animals can live and fires can start.
9 There is nothing to prevent the applicant from
10 building a few multi-family structures, if granted the
11 re-zoning, without tearing down the existing
12 nonconforming uses; thus adding to the safety" --
13 okay, "safety and health hazard the applicant has long
14 allowed."

15 This is a 1.3 acre site. That's not a big
16 site.

17 *Barbara Gordon*
SPEAKER: Are you implying that -- by that
18 statement that maybe one multifamily unit would be --
19 system would be built around ^{the existing} (inaudible)?

20 MS. LISA SMITH: ^{Something} (Inaudible) would be ^{built and those} left on ^{would} be
21 the site.

22 *Laurie Oliver*
SPEAKER: I'm quite certain that the
23 applicant --

24 *Barbara Gordon*
SPEAKER: And I'm sure they get a lot of
25 renters.

Laurie Oliver

1 SPEAKER: -- would wish to have the best
2 return on investment as possible and build something
3 nice.

4 MS. LISA SMITH: It's not helpful to do that.
5 It doesn't help anyone. So it can happen, you know.

6 *Barbara Gordon*
SPEAKER: Definitely. Feel free but you
7 probably won't have a lot of renters.

8 *Helen Johnson*
SPEAKER: Or buyers.

9 MS. LISA SMITH: I'm sure you'll have
10 interest at many levels and it won't be positive.
11 Okay.

12 *Barbara Gordon*
SPEAKER: (Inaudible) those machines around
13 those existing buildings.

14 MS. LISA SMITH: Yeah, I think we would
15 probably regard any construction on the site -- if
16 those buildings were not removed, any construction on
17 the site would be regarded as substantially
18 nonconforming use and they would be back in front of
19 the Planning Commission looking for some reason to
20 expand their nonconforming use, and that is limited to
21 150 percent of the existing structure site so it's not
22 -- it's not a beneficial thing to do.

23 "12. Finally, applicant represents that the
24 requested 'zone change will make the properties
25 subject to the same standards as the adjoining River

1 Club Estates, an attractive and desirable
2 neighborhood...enhancing the livability of Columbia
3 City.' The staff report and much testimony points out
4 that the requested R-3 would not make the 'properties
5 subject to the same standards.'"

6 I need to point out that from a staff
7 perspective that statement is not accurate. The
8 properties would be subject to standards in the same
9 manner that properties in R-2 zoning are subject to
10 standards. The biggest difference between the two
11 zones is the listed uses. Those are not the
12 standards.

13 We still require building code. We still
14 have development standards for R-3. You know, all of
15 those things are still in place. We still have site
16 development review, which is a level of supervision or
17 a level of regulation that is not applicable in fact
18 to R-2.

19 *unidentified*
SPEAKER: R-2, um-hum.

20 MS. LISA SMITH: Any type of construction in
21 R-2. So I would have to say for certain, for most
22 development that can occur in the R-3 zone, the level
23 of review is actually higher than the level of review
24 in the R-2 zone. So I just felt like because that has
25 been signed by so many people that it would be

1 appropriate for you to have in the record that you did
2 in fact address and consider each of those --

3 *Barbara Gordon*
SPEAKER: Yes.

4 MS. LISA SMITH: -- items. You owe it to the
5 community.

6 And so I thank you for your consideration and
7 I hope you took really good notes because I'm going to
8 need them to write the findings for this thing.

9 *Barbara Gordon*
SPEAKER: (Inaudible). So where do we stand
10 at this point?

11 MS. LISA SMITH: It's up to you to call for a
12 motion adopting the findings and recommending that the
13 City Council --

14 *Barbara Gordon*
SPEAKER: Do I hear a motion to adopt the
15 findings?

16 *Laurie Oliver*
SPEAKER: I make a motion that we adopt the
17 findings in the staff report and make a recommendation
18 to city council for approval.

19 *Barbara Gordon*
SPEAKER: Okay. Do I hear a second?

20 *Dennis Capik*
SPEAKER: Second.

21 *Barbara Gordon*
SPEAKER: Okay. Any more discussion?

22 Okay. Let's vote on it. All those in favor
23 say aye.

24 *Laurie Oliver*
SPEAKER: Aye.

25 *Cava Lee Aho*
SPEAKER: Aye.

Dennis Capik

1 SPEAKER: Aye.

Barbara Gordon

2 SPEAKER: All those opposed?

3 So we have two abstentions, one absent, and
4 four fors. Four fors, four pros, four yeas.

5 MS. LISA SMITH: Okay. So that concludes the
6 deliberation on the Columbia Harbour, LLC Application.
7 The planning or the city council hearing is scheduled
8 for six p.m. here on September the 17th. It starts
9 all over again.

10 The council does have the option to lift the
11 whole package into their hands and only ask for
12 testimony different from what's in the record, and
13 that might expedite their hearings process.

Barbara Gordon

14 SPEAKER: Okay. Is there any other

15 unfinished business that needs to come before the
16 Planning Commission tonight?

17 Do we have any minutes or anything that we --
18 from previous meetings?

19 MS. LISA SMITH: No, because we've been busy
20 doing this hearing.

Helen Johnson

21 SPEAKER: Yeah.

22 MS. LISA SMITH: So unfinished business for
23 this body, we have business scheduled -- several
24 pieces of business scheduled for September the --

Laurie Oliver

25 SPEAKER: 15th.

1 MS. LISA SMITH: -- 15th, yes. So we need to
 2 have a quorum for that meeting to do those things.
 3 The staff reports on those issues will probably come
 4 -- on those applications will probably come to you
 5 early because I leave the 24th and I won't be
 6 available for three weeks, so you'll be getting those
 7 staff reports --

8 *Barbara Gordon*
 SPEAKER: Okay.

9 MS. LISA SMITH: -- possibly as soon as
 10 they're released. I don't know if they'll want to
 11 hold them until September 8th or release them.

12 *Barbara Gordon*
 SPEAKER: The sooner -- if there's a lot of
 13 stuff I --

14 MS. LISA SMITH: There will be --
 15 *Barbara Gordon* I need extra
 SPEAKER: (Inaudible) time.

16 MS. LISA SMITH: There will be three
 17 applications on that agenda --

18 *Barbara Gordon*
 SPEAKER: Okay.

19 MS. LISA SMITH: -- so yeah.

20 *Laurie Oliver*
 SPEAKER: I am -- I was hoping to be done by
 21 nine. I have to pick someone up at the airport that
 22 night so *I will* (inaudible).

23 MS. LISA SMITH: Okay. You know, they're
 24 standard applications. They're not zone changes and
 25 comprehensive plan amendments. They're normal pieces

1 of business so --

2 *Helen Johnson*
SPEAKER: Yeah.

3 MS. LISA SMITH: -- yeah.

4 *Barbara Gordon*
SPEAKER: Okay.

5 MS. LISA SMITH: And then the Planning
6 Commission meeting -- the council will have the
7 hearing on the 17th and do whatever the council does,
8 and then in October your Planning Commission meeting
9 again will have to be moved. That's my fault and I
10 would apologize except I'm going to be out of town
11 again. I'm not going to apologize for. It's going to
12 have to be October the 20th.

13 *Barbara Gordon*
SPEAKER: Oh, good.

14 *Laurie Oliver*
SPEAKER: That's my daughter's birthday.

15 MS. LISA SMITH: Okay. If that doesn't work,
16 you guys can pick a different day that week. I don't
17 mind. Because I will be out of town in October from
18 the 3rd to the 17th.

19 *Barbara Gordon*
SPEAKER: What about --

20 MS. LISA SMITH: And so you can do it either
21 that week or the -- you can do it either the week of
22 the 19th/20th, or you can do it the last week of the
23 month. You're just -- the only requirement is you
24 have one a month.

25 *Laurie Oliver*
SPEAKER: (Inaudible). *Yeah the 27th*

1 MS. LISA SMITH: Does the 27th work better
2 for everybody?
3 *Coralee Aho*
SPEAKER: That's fine with me.
4 *Al Petersen*
SPEAKER: Thank you.
5 *Barbara Gordon*
SPEAKER: Thank you, folks.
6 *Female voice from the audience*
SPEAKER: Thank you.
7 *Barbara Gordon*
SPEAKER: So Planning Commission on the 27th?
8 MS. LISA SMITH: Um-hum.
9 *Helen Johnson*
SPEAKER: And I don't know if they know your
10 names.
11 *Barbara Gordon*
SPEAKER: Seven p.m.
12 MS. LISA SMITH: No.
13 *Barbara Gordon*
SPEAKER: Okay.
14 MS. LISA SMITH: And then October 27th will
15 be my last Planning Commission meeting. We're
16 retiring from practice November 1st.
17 *Barbara Gordon*
SPEAKER: You are?
18 MS. LISA SMITH: My boss and I both. We're
19 closing the land use planning end of the business.
20 *Barbara Gordon*
SPEAKER: You're what?
21 MS. LISA SMITH: We're closing the land use
22 planning end of the business November 1st.
23 *Barbara Gordon*
SPEAKER: Oh, my goodness.
24 MS. LISA SMITH: So 20 years. Twenty years,
25 I'm hanging it up.

Barbara Gordon

1 SPEAKER: Thank you for your service.

2 SPEAKER: (Inaudible).

Barbara Gordon

3 SPEAKER: Did you line somebody else up for
4 us?

5 MS. LISA SMITH: I think the city's in the
6 process of working on that.

Helen Johnson

7 SPEAKER: We're working on it.

8 MS. LISA SMITH: Just get Laurie to do it.

Laurie Oliver she asked but

9 SPEAKER: I can't do it.

10 MS. LISA SMITH: *Instead of* (Inaudible) being a planning
11 commissioner. Let her fill in her free time after she
12 finishes --

Laurie Oliver

13 SPEAKER: According to my contract I cannot
14 perform services for --

15 MS. LISA SMITH: Oh, really? They have that
16 in the contract now? That's interesting. Columbia
17 County doesn't. *So maybe you can solicit there.* (Inaudible).

Laurie Oliver

18 SPEAKER: I don't have the time anyway. I am
19 so busy.

20 MS. LISA SMITH: Besides that, nobody wants
21 to do it all day long and do it all night either. Jim
22 with the county tried that for a while and he's
23 like --

Laurie Oliver

24 SPEAKER: Yeah.

25 MS. LISA SMITH: -- I'm not doing this.

Laurie Oliver

1 SPEAKER: There's mandatory overtime anyway.

Barbara Gordon

2 SPEAKER: Are we moved for adjournment? All

3 in favor, aye?

Laurie Oliver

4 SPEAKER: Aye.

Coralee Aho

5 SPEAKER: Aye.

Dennis Capik

6 SPEAKER: Aye.

Barbara Gordon

7 SPEAKER: Okay. So the meeting's over.

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1 STATE OF OREGON)
) ss:
2 County of Columbia)

3
4 I, Karen M. Smith, a Certified Shorthand
5 Reporter of the State of Oregon, do hereby certify
6 that I transcribed from digital recording the
7 proceedings had upon the hearing of this cause,
8 previously captioned herein, before the Planning
9 Commission of the City of Columbia City, State of
10 Oregon; that I thereafter had reduced my stenotype
11 notes by computer-aided transcription; and that the
12 foregoing transcript, consisting of Pages 1 to 52,
13 both inclusive, constitutes a full, true and accurate
14 record of the proceedings had upon the hearing of said
15 cause, and of the whole thereof.

16 WITNESS my hand as Certified Shorthand Reporter
17 this 17th day of August 2015.

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KAREN M. SMITH
Certified Shorthand Reporter
Certificate No. 00-0369
My Certificate Expires: 6/30/17