

City of Hood River  
Planning Commission  
Public Hearing  
October 7, 2019

Hood River City Hall  
City Council Chambers  
211 Second St  
5:30 p.m.

## **MINUTES**

### **I. CALL TO ORDER:** Chair Arthur Babitz called the meeting to order at 5:32 p.m.

**PRESENT:** Commissioners Arthur Babitz (Chair), Mark Frost, Sue Powers, Tina Lassen, Erika Price

**ABSENT:** Bill Irving, Megan Ramey

**STAFF:** Planning Director Dustin Nilsen, Associate Planner Jennifer Kaden, Senior Planner Kevin Liburdy, Assistant Planner, Judy Christensen

### **II. PLANNING DIRECTOR'S UPDATE:**

Chair Arthur Babitz opened the meeting by calling for the director's update.

Planning Director, Dustin Nilsen announced that Staff in conjunction with City Council has decided to review Development Code updates throughout the City before tackling zoning changes contemplated in the Westside Plan's Land Use Framework.

Nilsen introduced Judy Christensen to the Planning Commission. Christensen will be sitting in for Annika Cardwell while she is on maternity leave.

Nilsen requested input from the Planning Commission on projects for inclusion in the City Council's Annual Work Plan, and asked the group to think about a project related to housing which is already a major focus. He suggested the Commissioners email him with their ideas, individually, and he will formulate a list of the project ideas for the Commission to decide on as body on November 4<sup>th</sup>.

### **III. PUBLIC HEARINGS:**

**FILE NO.:** 2019-22

**PROPOSAL:** Modification of existing Site Plan Review Permit for Verizon Wireless at 601 State Street, Hood River, Oregon 97031

**APPLICANT:** Verizon Wireless c/o Anna Lee-Thomson and Patrick Evans, Lynx Consulting, Inc.

**PROPERTY OWNER:** County of Hood River

**PROPERTY LOCATION & ZONING:** 601 State Street, Hood River, Oregon 97031

Chair Babitz read the procedural script and ask the Commissioners for any bias, ex-parte contacts or conflicts of interest.

Commissioner Frost visited the site saw the existing antennas on the roof.

Commissioner Lassen visited the site and noticed the lattice tower.

No other ex-parte contacts were made by any other commissioner, and no bias or conflicts of interest were declared.

Commissioner Erika Price disclosed that she had not participated in the previous hearing on Verizon's application and would, therefore, not participate in the evening's deliberations.

**STAFF REPORT:** Senior Planner Kevin Liburdy described the history on the Verizon Site Plan Review. Liburdy concluded that because the proposed screening wall does not increase the height of the concealment by more than 10 feet, staff concurs with the applicant that it is not considered a substantial change under FCC criterion subpart CC 1.4000(b)(7)(i). However, there are five other criteria used to determine if a proposal constitutes a substantial change. Based upon FCC criteria subpart CC § 1.40001(b)(7)(v and vi) the proposed screening wall, which increases the concealment area by 160% and eliminates the planning commission's previously approved method of "stealth" concealment, constitutes a substantial change. As such the City's municipal code and Site Plan Review criteria remain applicable.

Written testimony submitted by the applicant during the September 3, 2019 hearing addressed Site Plan Review criteria for Equipment Storage and Compatibility, and addressed building height. Liburdy cited the applicant's concern with the City's method of calculating building height and explained how a reference datum is determined. Based on the City's definition for building height, the proposed 10-foot-tall screening wall exceeds the maximum permissible height. However, Section 17.04.040 of the zoning ordinance provides exceptions for vertical projections and similar objects not used for human occupancy. As explained briefly in the addendum to the staff report, screening for the antennas may be found to qualify for an exception to building height limitations.

Liburdy addressed the City's Site Plan Review criteria for Equipment Storage and Compatibility. The proposed changes to the height and exterior surface area of the concealment structure make it more visible than the existing screening cylinders. As such the proposed screening wall is inconsistent with the existing concealment elements and conflicts with HRMC 17.16.040(G), Equipment Storage, which requires giving design attention to the placement of mechanical equipment to be screened from view.

Findings in Verizon's 2007 Site Plan Review permit addressing the criterion for Compatibility indicate six antennas were proposed to be placed inside of three smokestack-like screening canisters, and the planning commission found this approach would allow viewers to see between the screens thereby lessening their visual impact. The currently proposed screening wall would eliminate the commission's previously approved method of "stealth" concealment of the antennas and eliminate viewers' ability to see through the concealment. The materials do not promote harmony with surrounding structures and sites because the screening structure would result in a 160% increase in concealment surface area and thereby increase the bulk and visual impact of screening on the building. As such the proposed screening wall is inconsistent with the existing concealment elements and conflicts with HRMC 17.16.040(G), Compatibility.

Staff recommends the planning commission takes the following actions:

1. Take additional testimony.
2. Confirm that the screening wall is a "vertical projection" subject to the General Exceptions to Building Height Limitations specified in HRMC 17.07.040.
3. Direct staff to prepare a final order to approve the application, approve it with an alternative

method of screening, or deny the application based on specific findings.

**PUBLIC TESTIMONY:** Patrick Evans of Lynx Consulting distributed prepared testimony to the Planning Committee and Staff. He stated that recent technology changes and utilization patterns of the Verizon PTL Dakine cell site located at 601 State Street necessitates the changes being proposed in the application. These changes are: an increase in the number of antennas three per sector together with associated ancillary equipment up from the count of two per antennas per sector.

Evans added that at the time of original approval of File No. 2007-53 two antennas per sector were installed behind three “chimney” like fiberglass enclosures. Current technology and usage patterns make it technically impossible to contain the new antennas in the same “chimney” like enclosures. The proposed rectangular fiberglass enclosure at the requested heights will shield the new antennas from street view.

Erika Price, 810 Oak Street in Hood River, acting as private citizen, suggested that the proposed antennas are telecommunication equipment, not mechanical equipment, and thus potentially not subject to the requirement for screening.

**REBUTTAL:** None.

**STAFF RECAP:** None.

**DELIBERATIONS:** Commissioner Tina Lassen asked if the screen served any purpose other than concealment. Liburdy responded no. She also asked what the roof top would look like without the screen. Evans stated that the larger size of currently proposed antennas is based on fact the antennas contain multiple frequencies. He suggested that Lassen reference the preliminary plans and photo simulations for a visual illustration.

Commissioner Sue Powers thinks the proposed screen is a “substantial change.” She believes the only reason it is being proposed today is because the City’s code is requiring it.

Evans stated that it is still possible to see the cylinders from back side of the County’s building. The only way to completely conceal the antennas would be to screen all four sides of the building. He thinks Hood River is singling out Verizon.

Babitz asked the number of antennas being proposed. Evans stated nine. Of the existing antennas, three are being relocated and six are being replaced.

Powers asked if the antennas were already screened (i.e. enclosed) for weather purposes. Evans confirmed.

Liburdy added that equipment on building were installed by different providers at different points in time, and subject to different criteria. He pointed out that the most recent installation of a 50-foot high emergency antenna exceeds current height requirements but was considered a public facility and provided an exemption under HRMC 17.04.040.

Powers asked if all carriers will now be asked to screen their equipment. Liburdy said Staff would look at the most recent land use decisions when carriers seek modifications.

Commissioner Mark Frost does not think HRMC 17.04.040 applies to mechanical equipment. Verizon is being asked to screen their antennas because the existing height exceeds restrictions.

Babitz said the code refers to “similar objects” and exemptions are for architectural elements, not equipment. Babitz does not see the proposed antennas qualifying for a general exemption to height.

Lassen thinks the proposed, rectangular screen will be more of an eyesore than the nine proposed antennas atop the County building. She argued that these are “tenants” vs. equipment.

Frost thinks the Commission should approve the application without the screen requirement similar to other carriers on the building.

Babitz added that Commission needs to work within the constraints of the code and thinks the proposed screen meets the code.

The Commissioners agree that the antennas ought to be allowed without a screen which would be more obtrusive.

Babitz said he would agree with the exclusion of the screen but would like to see if the applicant would consider reducing the size of the antennas to meet the current height requirement.

Nilsen added that the three existing Verizon cylinders already exceed the height requirement.

The Commissioner agreed that they would remove the screen requirement if the proposed antennas would not exceed the current height allowed by the 2007 Site Plan Permit, 56 feet, 5 inches.

**RECESS:** The Planning Commission called a 5-minute recess at 7:55 p.m. to allow Staff to discuss this option with the applicant. Commission was back in session at 8 p.m.

Nilsen said the Applicant would accept the Commission’s desire to eliminate the screen on the condition that the antennas did not exceed the existing Site Plan permit height but he would like to confer with his engineers to verify the proposed height will work for the project.

**MOTION:** Powers moved to approve the Land Use application File No. 2019-22 with the elimination of the screen as long as the antennas do not exceed the height of the original Site Plan permit of 56 feet, 5 inches. Lassen seconded the motion.

**MOTION:** Frost moved to TABLE the Motion until October 21<sup>st</sup>, 2019 no earlier than 5:30 p.m. Lassen seconded the motion. The motion failed on a vote of 0 Yays; 4 Nays.

**MOTION:** Frost moved to TABLE the Motion until November 4<sup>th</sup>, 2019 no earlier than 5:30 p.m. Powers seconded the motion. The motion passed unanimously, 4 – 0.

**FILE NO.:** 2018-07

**PROPOSAL:** Westside Area Concept Plan Report, Zoning, and Comprehensive Plan Amendments – *continuation of hearing from September 16, 2019.*

**APPLICANT:** City of Hood River

Chair Babitz opened the hearing and read the procedural script.

Liburdy presented the staff report. The hearing is being continued from September 16, 2019 and focusing on the commission's recommendations for the Park & Open Space Framework. At the last hearing the commission received a presentation from Mark Hickok on behalf of the Hood River Valley Parks & Recreation District about how the concept plan is reflected in the draft Parks Master Plan update. During that meeting the commission recommended including some minimum amenity and size requirements when siting parks, rather than relying exclusively on proximity to residents. Tonight, the commission should take testimony and confirm if the draft memo dated October 7, 2019 reflects its recommendations for Westside Area Concept Plan Report's Park & Open Space Framework. If so, the recommendations should be forwarded to the city council and the hearing should be continued.

**DELIBERATIONS:** The commission deliberated briefly over the draft memo dated October 7, 2019.

Lassen wanted to discuss minimum requirements for parks in more detail.

Babitz had concerns about the "emerald necklace" concept because it has had mixed success in Boston - he suggested removing reference to it and this generally was supported by other Commissioners who were present.

**MOTION:** Lassen moved to continue the hearing to October 21, 2019 to begin not earlier than 5:30 pm., Powers seconded the motion and the commission voted 5-0 in favor of continuing the hearing.

**FILE NO.:** 2018-05 and 2018-06

**PROPOSAL:** Amendments to the Hood River Municipal Code – *continuation of hearing from September 16, 2019.*

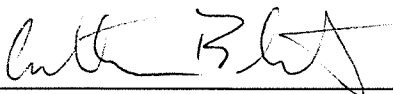
**APPLICANT:** City of Hood River

**MOTION:** Price moved to Continue the hearing to October 21, 2019, no earlier than 5:30 p.m. Powers seconded the motion. The motion passed unanimously.

#### IV. APPROVAL OF MINUTES

#### V. ADJOURN

Babitz adjourned the hearing at 8:32 p.m.

  
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Arthur Babitz, Chair

11/7/2019

Date

  
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Dustin Nilsen, Planning Director

11/08/2019

Date (Approved)

