
AGENDA

ASTORIA DEVELOPMENT COMMISSION MEETING

November 18, 2013
Immediately Follows City Council Meeting
2nd Floor Council Chambers
1095 Duane Street
Astoria OR 97103

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. REPORTS OF COMMISSIONERS**
- 4. CHANGES TO AGENDA**

5. CONSENT CALENDAR

The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the Astoria Development Commission requests to have any item considered separately. Members of the Community may have an item removed if they contact the City Manager by 5:00 p.m. the day of the meeting.

(a) ADC Minutes of 10/7/13

6. REGULAR AGENDA ITEMS

- (a) Transfer of Property East of Columbia River Maritime Museum (CRMM) Barbey Maritime Center (Former Train Depot) at 2200 Block Marine Drive from the Astor-East Urban Renewal District to CRMM (Community Development**

<p>THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING JULIE LAMPI, CITY MANAGER'S OFFICE, 503-325-5824.</p>



CITY OF ASTORIA

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November 14, 2013

MEMORANDUM

TO: ASTORIA DEVELOPMENT COMMISSION (ADC)

FROM:  PAUL BENOIT, CITY MANAGER

SUBJECT: ASTORIA DEVELOPMENT COMMISSION (ADC) MEETING OF NOVEMBER 18, 2013

CONSENT CALENDAR

Item 5(a): ADC Minutes

The minutes of the City Council meeting of October 7, 2013 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

REGULAR AGENDA ITEMS

Item 6(a): Transfer of Property East of Columbia River Maritime Museum (CRMM) Barbey Maritime Center (Former Train Depot) at 2200 Block Marine Drive from the Astor-East Urban Renewal District to CRMM (Community Development)

At the October 7, 2013 ADC meeting, an amendment to the Astor-East Urban Renewal Plan was approved which gave the ADC the authority to acquire real property located at 1636 Duane Street and the adjacent parking lot at the 1600 Block Duane Street. This property is commonly known as the Astoria Armory and an adjacent parking lot, both owned by the Columbia River Maritime Museum (CRMM). As part of the negotiated terms associated with the acquisition of the property, the ADC (acting on behalf of the Astor-East Urban Renewal District AEURD) would transfer ownership of a portion of the AEURD-owned property east of the CRMM Barbey Maritime Center (former Train Depot). While transferring the property to the CRMM, the ADC would retain ownership of the remaining portion of the parcel. Therefore, the ADC will need to retain an access/egress and utility easement through the property being transferred to allow future access to the parcel the ADC is retaining. In addition to the easement on the property being transferred, an additional easement is

required to provide access across CRMM owned property south of the Barbey Maritime Center from the City right-of-way at 20th Street to the proposed easement on the property being transferred.

It is recommended that the Astoria Development Commission approve the following:

1. Authorize Chairman Van Dusen to sign the Bargain and Sale Deed to transfer the property located east of the Barbey Maritime Center located at the 2200 Block Marine Drive and retain an access/egress and utility easement on the property.
2. Accept the access/egress and utility easement from the Columbia River Maritime Museum across CRMM owned property south of the Barbey Maritime Center from the City right-of-way at 20th Street to the proposed easement on the property being transferred.
3. Grant an access/egress and utility easement to the City of Astoria on the property located east of the Barbey Maritime Center located at the 2200 Block Marine Drive property.

ASTORIA DEVELOPMENT COMMISSION

City Council Chambers
October 7, 2013

ADC JOURNAL OF PROCEEDINGS

A regular meeting of the Astoria Development Commission was held at the above place at the hour of 9:17 p.m.

Councilors Present: Herzig, Warr, Mellin, LaMear, Mayor Van Dusen

Staff Present: City Manager Benoit. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COMMISSIONERS: No reports.

CHANGES TO AGENDA: No changes.

CONSENT CALENDAR: None

REGULAR AGENDA ITEMS:

**Item 6(a): Resolution Astor-East Urban Renewal Plan Amendment (11th Amendment)
Acquisition of Astoria Armory (1636 Exchange) and Adjacent Parking Lot (1600 Block Duane) (Community Development)**

The Astoria Armory and the adjacent parking lot used by the US Coast Guard (north of the Armory), owned by the Columbia River Maritime Museum, are presently for sale. The properties are located within the Astor-East Urban Renewal District. The referenced property is located at 1636 Exchange Street and the adjacent parking lot at the 1600 Block Duane Street. If the Astoria Development Commission (ADC) wishes to proceed with acquisition, the Astor-East Urban Renewal Plan would need to be amended. The acquisition of this property could prove beneficial in the future as development or redevelopment in this area occurs. The purchase of real estate requires that the ADC amend the Astor-East Urban Renewal Plan to add acquisition of the specified sites to the Plan. Staff coordinated with the Urban Renewal Attorney Jeannette Launer to prepare the required amendment and she has reviewed and approved as to form.

The Astoria Armory property will be re-sold for eventual reuse and/or redevelopment. The parking lot will be retained and may be improved by the ADC as allowed and budgeted under Section 650.E of the Astor-East Urban Renewal Plan. Negotiations on the sale of the property and associated considerations will be presented to the appropriate commission at future ADC and City Council meetings. This Eleventh Plan Amendment gives the ADC the authority to acquire the real property located at 1636 Exchange Street and the adjacent parking lot at the 1600 Block Duane Street. This change to the Plan is considered a minor amendment and may be approved by adoption of a Resolution. A draft Resolution is attached. Also attached is the required Report on the Astor-East Urban Renewal Plan. This Report addresses the necessary requirements for adoption of the amendment. It is recommended that the ADC approve the Eleventh Plan Amendment and adopt the attached resolution thereby granting authority to acquire real property located at 1636 Exchange Street and the adjacent parking lot at the 1600 Block Duane Street.

Robert Erickson, 439 Grand, Astoria, said he was concerned because there was a lot about the plan he did not understand. At the last ADC meeting, he was told that the bank would purchase the properties, the City would purchase the parking lot from the bank, and the bank would sell the building. There was no mention of Urban renewal funds being used to make these purchases. He understood that this amendment would allow the City to purchase the property. He also understood that the City would act as a bank for the property and enter the real estate business, which he opposed. This raised a lot of questions about default.

- He was concerned that City Council was gaining too much authority. He did not believe City Council should also serve as the Development Commission and approving everything the Council does. The City has a number of separate commissions, but not here. A lot of thought should go into this amendment as a lot of money is being spent. Urban renewal funds are tax money. He asked who would be participating in this transaction, as he assumed the City would be loaning money to them.

City Manager Benoit clarified that the City is not planning to loan any money for the Urban Renewal District.

Mr. Erickson asked how the City plans to complete the transaction. He also wanted to know what would happen if other City commissions voted against selling the building as he is concerned that the City will be stuck with a building it does not want to keep. He recalled the Friends of the Astoria Armory and other parties were interested in the building, but believed the public should be made aware that the building is for sale. He is concerned about more property being removed from the tax roll.

Mayor Van Dusen called for a short recess at 9:23 pm so he could find out how much information the Commission is allowed to divulge, as these matters are usually discussed in an Executive Session. The ADC meeting reconvened at 9:24 p.m.

Mayor Van Dusen explained that land purchase negotiations must be discussed at Executive Sessions. The City has spoken with a lending group that wants to purchase the property. The lending group will sell the building to the Friends of the Astoria Armory. Other institutions are also interested in purchasing the building. The lending group will represent the City, but the City will not be in the loaning business.

Mr. Erickson did not understand why urban renewal funds are necessary. Mayor Van Dusen stated the City will make the purchase and immediately sell the Armory Building to a bank, who will then own it. This prevents the City from getting into the banking business. City Manager Benoit explained the City would acquire the property for \$250,000, and immediately and simultaneously, sell the property to a lending group for \$250,000. The City would not be financing the property.

Mr. Erickson asked why the lending group would not simply purchase the property directly from the seller.

Mayor Van Dusen replied that the City never wanted the Armory Building, but must purchase it to get the parking lot. The City does not want the bank to own the parking lot and this agreement ensures that the City gets the parking lot.

Mr. Erickson did not understand the City's reasoning and wanted to see the Armory put to good use, perhaps making jobs available.

Mayor Van Dusen stated he was prohibited from disclosing the names of potential buyers, but assured there are potential buyers.

City Manager Benoit explained that this amendment would give the ADC the authority to acquire the Armory and parking lot for \$250,000. Under the current Plan, the property would be immediately sold and the funds would be replenished immediately. He offered to meet with Mr. Erickson to discuss the issue further.

Mayor Van Dusen stated that that City Council should absolutely serve as the ADC. He recalled a time when the ADC consisted of a different group of people. The ADC has a lot of authority and a lot of money is involved. This group did not report to the voters on condemnation of a private property. Voters have no control over who serves on the Planning Commission, for example.

Mr. Erickson stated the City Council can override decisions made by the Planning Commission and any other City board or commission.

Mayor Van Dusen explained that the voters can recall or replace City Councilors, who also serve on the Astoria Development Commission. The ADC should report to the voters.

Mr. Erickson suggested a review board be created to allow others to get involved.

Mayor Van Dusen agreed with allowing more people to get involved; however, if the ADC consisted of appointed members, they may not report to anyone other than the person who appointed them. The ADC makes decisions about the use of tax money.

Mr. Erickson clarified he did not believe the ADC should have the final say and should answer to City Council. The Development Commission should be given information to present to City Council prior to publicizing issues.

Mayor Van Dusen stated that he and the Commission was glad that Mr. Erickson attended to ask questions.

Commission Action: Motion by Commissioner Warr, seconded by Commissioner Mellin, to approve the resolution that authorizes the following: increase debt payments from \$80,000 to \$135,400 for current debt payments; increase Capital Outlay by \$50,000 to \$250,000 for the Heritage Square improvements; transfer \$156,350 to fund #146 the Parks and Recreation Fund in support of the continued development of the Heritage Square project. Motion carried unanimously. Ayes: Commissioners Warr, LaMear, Herzig and Mellin, and Mayor Van Dusen. Nays: None.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:32 p.m.

ATTEST:

Secretary

APPROVED:

City Manager



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

November 7, 2013

TO: ASTORIA DEVELOPMENT COMMISSION

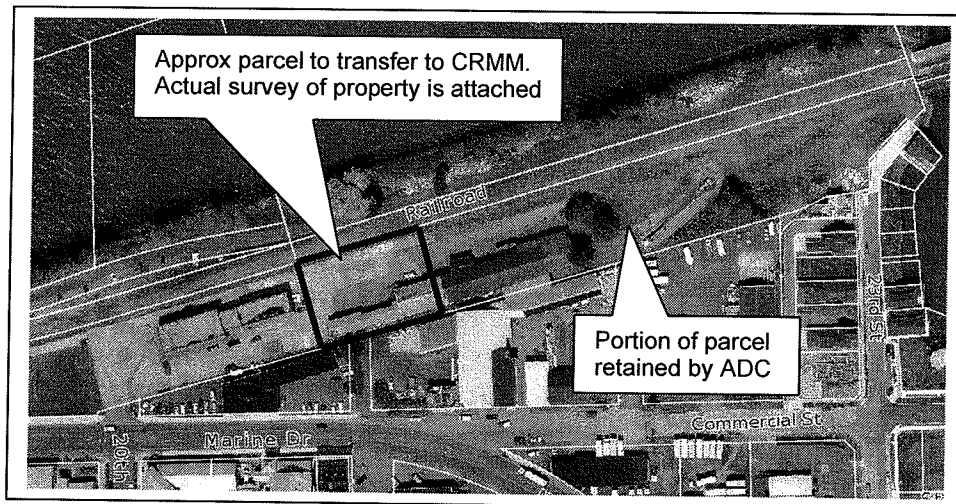
FROM:  PAUL BENOIT, MANAGER

SUBJECT: TRANSFER OF PROPERTY EAST OF CRMM BARBEY MARITIME CENTER (FORMER TRAIN DEPOT) AT 2200 BLOCK MARINE DRIVE FROM THE ASTORIA-EAST URBAN RENEWAL DISTRICT TO COLUMBIA RIVER MARITIME MUSEUM

DISCUSSION / ANALYSIS

At the October 7, 2013 Astoria Development Commission (ADC) meeting, an amendment to the Astor-East Urban Renewal Plan was approved which gave the ADC the authority to acquire real property located at 1636 Duane Street and the adjacent parking lot at the 1600 Block Duane Street. This property is commonly known as the Astoria Armory and an adjacent parking lot, both owned by the Columbia River Maritime Museum (CRMM). As part of the negotiated terms associated with the acquisition of the property, the ADC (acting on behalf of the Astor-East Urban Renewal District AEURD) would transfer ownership of a portion of the AEURD-owned property east of the CRMM Barbey Maritime Center (former Train Depot). The parcel would be approximately 116' x 167' (19,523 square feet) to provide additional parking area for the Barbey Maritime Center.

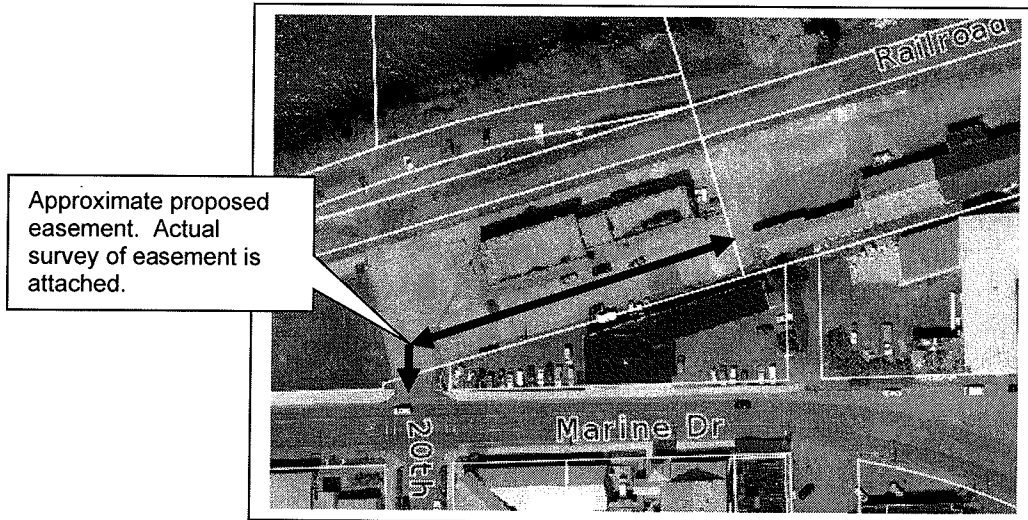
While transferring the property to the CRMM, the ADC would retain ownership of the remaining portion of the parcel. Therefore, the ADC will need to retain an access/egress and utility easement through the property being transferred to allow future access to the parcel the ADC is retaining.



This easement would be included in the land transfer documents. Due to the fact any utilities installed in the future would probably be done by the City not the AEURD, the easement is also

being granted to the "City of Astoria" as well as the AEURD.

In addition to the easement on the property being transferred, an additional easement is required to provide access across CRMM owned property south of the Barbey Maritime Center from the City right-of-way at 20th Street to the proposed easement on the property being transferred. Currently there is a 25' wide easement on this CRMM property, but it would not align with the proposed new access easement. Therefore, the existing 25' easement is proposed to be extinguished and a new 18' wide access/egress and utility easement would be granted from CRMM to the AEURD and City of Astoria.



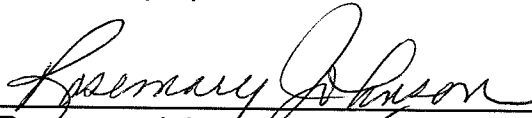
Documents required to accomplish the land transfer and establish needed easements have been reviewed and approved by City Attorney Blair Henningsgaard and are attached for Commission consideration.

RECOMMENDATION

It is recommended that the Astoria Development Commission approve the following:

1. Authorize Chairman Van Dusen to sign the Bargain and Sale Deed to transfer the property located east of the Barbey Maritime Center located at the 2200 Block Marine Drive and retain an access/egress and utility easement on the property.
2. Grant an access/egress and utility easement to the City of Astoria on the property located east of the Barbey Maritime Center located at the 2200 Block Marine Drive property.
3. Accept the access/egress and utility easement from the Columbia River Maritime Museum across CRMM owned property south of the Barbey Maritime Center from the City right-of-way at 20th Street to the proposed easement on the property being transferred.

By:


Rosemary Johnson, Planner

Through:


Brett Estes, Community Development Director



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**Legal Description
Of Property Conveyed
From The Astor East Urban Renewal District to The Columbia River Maritime Museum**

November 5, 2013

A portion of that property conveyed to the Astor East Urban Renewal District described in Deed Book 1029, Page 9, Clatsop County Records, more particularly described as follows:

Beginning at the Southwest corner of that property described in said Deed Book 1029, Page 9, records of Clatsop County, Oregon, also being the Southeast corner of that property described in Deed Book 681, Page 259, records of Clatsop County and being the Southwest corner of the parcel herein described;

Thence along the West line of that property described in said Deed Book 1029, Page 9, North $19^{\circ}43'20''$ West, a distance of 116.75 feet to a point being the Northwest corner of the parcel herein described;

Thence along the South line of that property described in Deed Book 924, Page 648, records of Clatsop County, North $70^{\circ}19'54''$ East, a distance of 118.16 feet to a point;

Thence continuing along the South line of that property described in Deed Book 924, Page 648, along a 736.50 foot radius circular curve to the right, through a central angle of $03^{\circ}50'45''$ (the chord of which bears North $72^{\circ}15'16''$ East, 49.43 feet), an arc distance of 49.44 feet to a point being the Northeast corner of the parcel herein described;

Thence South $19^{\circ}43'20''$ East, a distance of 114.94 feet to a point on the South line of that property described in Deed Book 1029, Page 9, records of Clatsop County and being the Southeast corner of the parcel herein described;

Thence along the South line of that property described in said Deed Book 1029, Page 9, South $70^{\circ}16'40''$ West, a distance of 167.56 feet to the **Point of Beginning**.

Located in Section 8, Township 8 North, Range 9 West of the Willamette Meridian and containing 19,523 Square Feet.

Subject to an 18 foot wide easement for ingress, egress and utilities reserved by the grantor, its successors and assigns, being 9 feet on either side of the centerline of which is more particularly described as follows:

Commencing at the Southwest corner of that property described in Deed Book 1029, Page 9, records of Clatsop County, Oregon;

Thence along the West line of said property described in Deed Book 1029, Page 9, North 19°43'20" West, a distance of 29.83 feet to the **Point of Beginning**;

Thence North 70°16'40" East, a distance of 158.56 feet to a point;

Thence North 19°43'20" West, a distance of 55.64 feet to a point;

Thence South 70°16'40" West, a distance of 144.97 feet to a point;

Thence South 10°16'40" West, a distance of 27.18 feet to a point on the West line of that property described in Deed Book 1029, Page 9, records of Clatsop County, Oregon;

Thence along said West line, South 19°43'20" East, a distance of 32.10 feet to the **Point of Beginning**.

Also subject to applicable easements described in Deed Book 1029, Page 9, records of Clatsop County, Oregon.



RENEWAL DATE: DEC. 31, 13

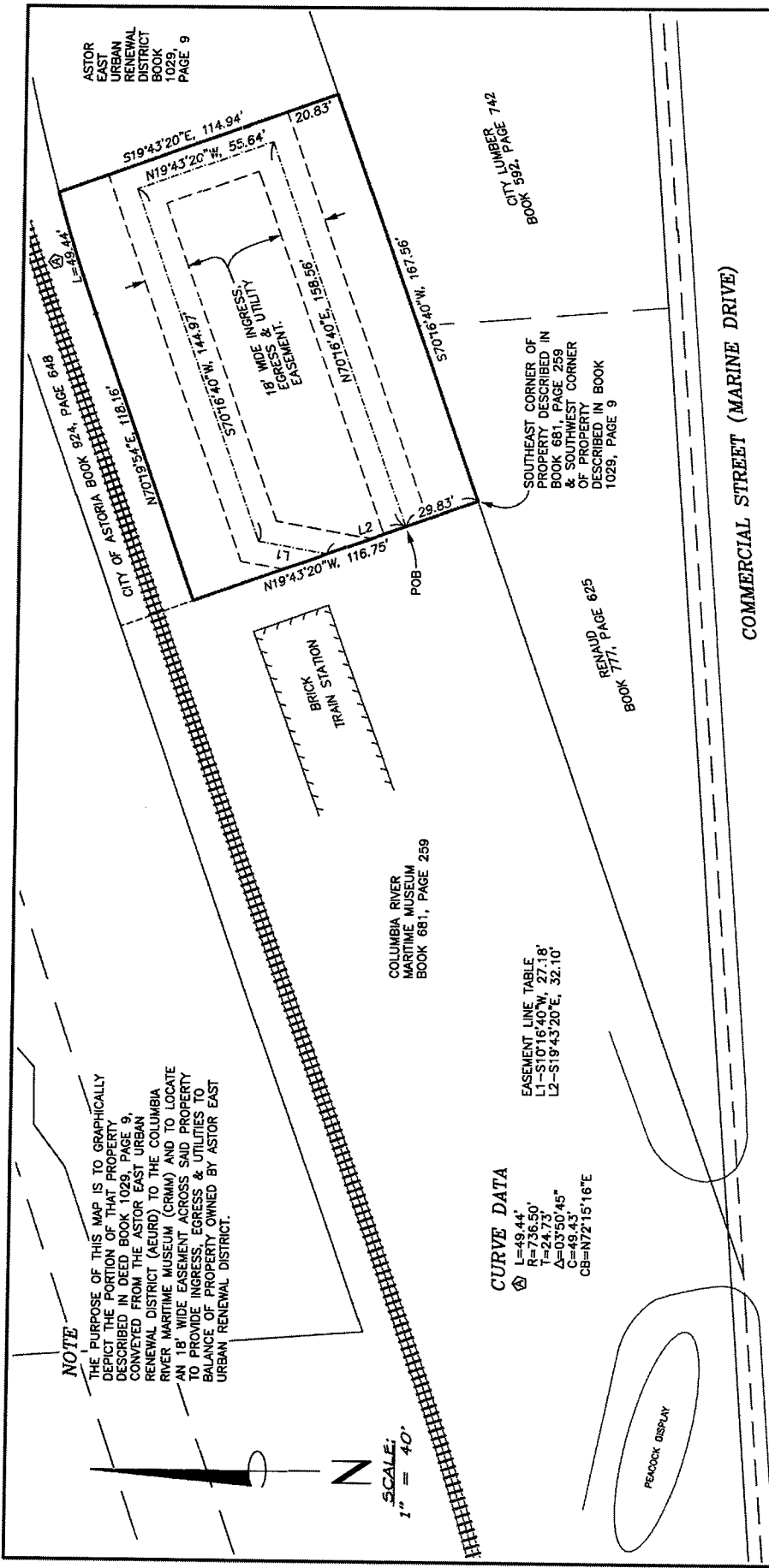


EXHIBIT MAP FOR:

COLUMBIA RIVER MARITIME MUSEUM PROPERTY ACQUISITION & EASEMENT

SECTION 8, T8N, R9W, W.M.
CITY OF ASTORIA, CLATSOP COUNTY, OREGON

DATE: NOV. 5, 2013
JOB NO.: 67465
EQUIPMENT: N/A

DATE: NOV. 5, 2013
JOB NO.: 67465
EQUIPMENT: N/A

FIELD: N/A
DRAWN: RAP
CHECKED: DNB

REGISTERED PROFESSIONAL LAND SURVEYOR
DALE N. BARRETT
OREGON
JULY 18, 1982
RENEWAL DATE: DECEMBER 31, 2013

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**Legal Description
Of Easement
From The Columbia River Maritime Museum to The Astor East Urban Renewal District**

November 5, 2013

An Easement for ingress, egress and utilities over, under and across a portion of that property described Deed Book 681, Page 259, records of Clatsop County, Oregon, more particularly described as follows:

Commencing at the Southeast corner of that property described in said Deed Book 681, Page 259, also being the Southwest corner of that property described in Deed Book 1029, Page 9;

Thence along the East line of that property described in said Deed Book 681, Page 259, North $19^{\circ}43'20''$ West, a distance of 79.92 feet to the **Point of Beginning** of the easement herein described;

Thence South $10^{\circ}16'40''$ West, a distance of 47.45 feet to a point;

Thence South $70^{\circ}16'40''$ West, a distance of 249.99 feet to a point;

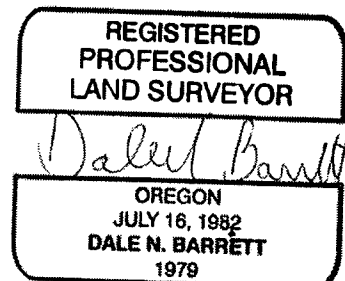
Thence along a 46.25 foot radius circular curve to the left, through a central angle of $74^{\circ}45'45''$, (the chord of which bears South $32^{\circ}53'47''$ West, 56.16 feet), an arc distance of 60.35 feet to a point on the North right-of-way of Commercial Street per City of Astoria Ordinance Number 6332;

Thence along said North right-of-way of Commercial Street, North $85^{\circ}30'59''$ East, a distance of 18.00 feet to a point;

Thence along a 28.25 foot radius circular curve to the right, through a central angle of $74^{\circ}45'48''$, (the chord of which bears North $32^{\circ}53'46''$ East, 34.30 feet), an arc distance of 36.86 feet to a point;

Thence North $70^{\circ}16'40''$ East, a distance of 273.72 feet to the **Point of Beginning**.

Located in Section 8, Township 8 North, Range 9 West of the Willamette Meridian.



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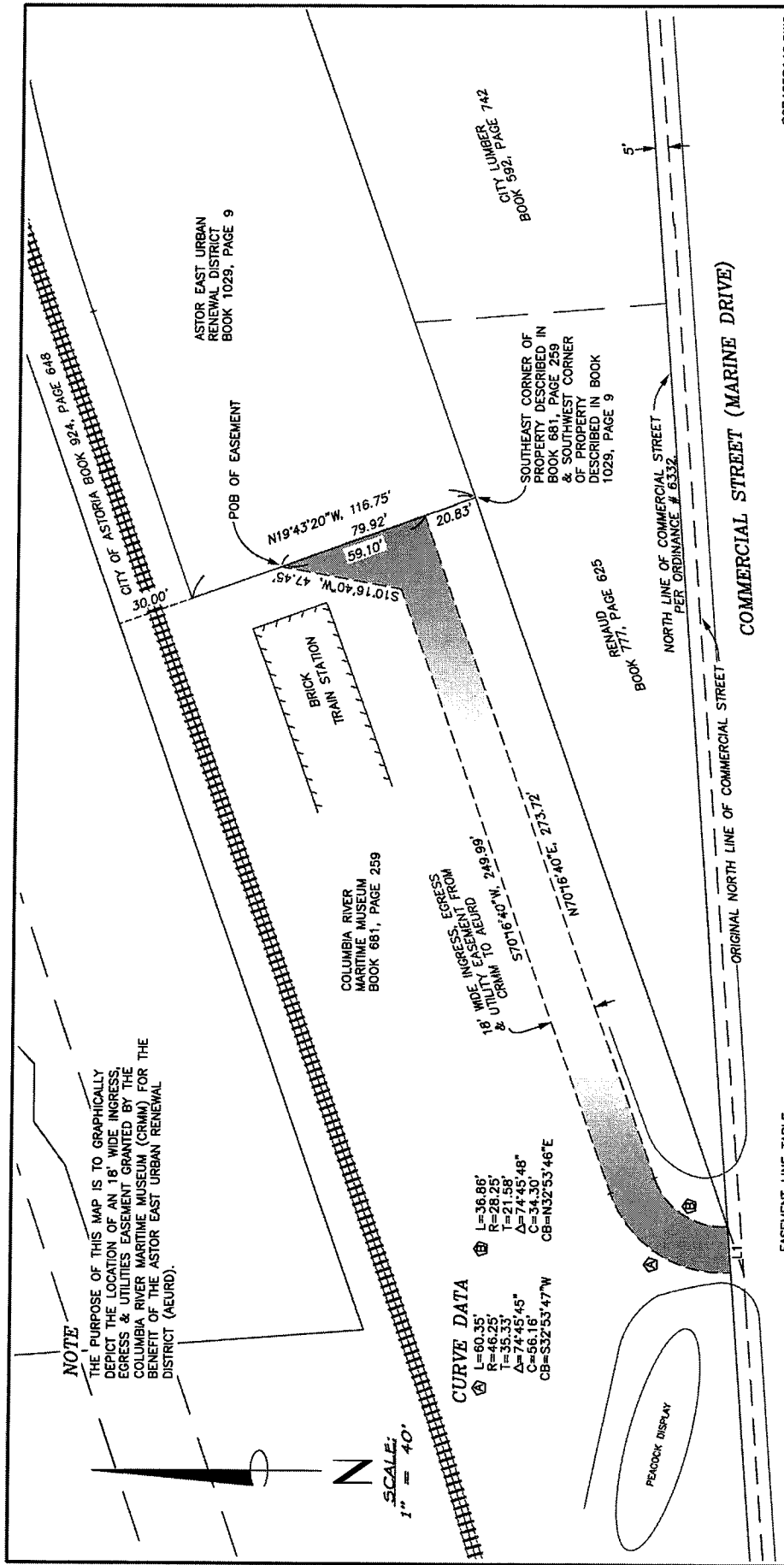


EXHIBIT MAP FOR:
COLUMBIA RIVER MARITIME MUSEUM
 INGRESS, EGRESS & UTILITIES EASEMENT TO AEURD
 SECTION 8, T8N, R9W, W.M.
 CITY OF ASTORIA, CLATSOP COUNTY, OREGON

DATE: NOV. 5, 2013
JOB NO.: 67465
EQUIPMENT: N/A
FIELD: N/A
DRAWN: RAP
CHECKED: DNB

HLB otak

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 • SURVEY RIGHTS
 • WETLAND CONSULTING

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REGISTERED PROFESSIONAL LAND SURVEYOR
DALE N. BARRETT
 OREGON
 MAY 16, 1988
 1979
 RENEWAL DATE: DECEMBER 31, 2013

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