

## ASTORIA DEVELOPMENT COMMISSION

City Council Chambers  
March 2, 2015

## ADC JOURNAL OF PROCEEDINGS

A regular meeting of the Astoria Development Commission was held at the above place at the hour of 8:58 pm.

Commissioners Present: Price, Herzig, Warr, Nemlowill, Mayor LaMear

Commissioners Excused: None

Staff Present: City Manager Estes, Police Chief Curzon, Parks and Recreation Director Cosby, Finance Director Carlson, Fire Chief Ames, Interim Planner Morgan, Library Director Tucker, and Public Works Director Cook. 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:

There following items were presented on the Consent Calendar:

- ADC Minutes of 11/17/14

**Commission Action:** Motion by Commissioner Warr, seconded by Commissioner Price, to approve the Consent Calendar. Motion carried unanimously. Ayes: Commissioners Warr, Nemlowill, Herzig and Price, and Mayor LaMear. Nays: None.

### REGULAR AGENDA ITEMS:

#### **Item 6(a): Astor Hotel Subordination Agreement (Community Development)**

At its November 16, 2009 meeting, the Astoria Development Commission approved a financial assistance package to the owners of the Astor Hotel, Paul Caruana and Brian Faherty. The financial assistance came in the form of a low interest loan for exterior building improvements \$346,000 for as well as a grant in the amount of \$45,000 for parking lot and pedestrian improvements. The hotel owners and the Commission signed a trust deed on November 30, 2009 (recorded on December 7, 2009) under recording instrument number 200911455 of the records of Clatsop County. The owners of the building are currently engaged in negotiations with Verizon Wireless to install new cell transmission antennas on the roof of the building. In doing so, the owners are required to involve or include the Commission, as the lender, in any encumbrance on the property, such as a long-term lease as described in the Subordination Agreement. Attached is the Subordination, Consent, Non-Disturbance, and Attornment Agreement for consideration. The Agreement allows the Astor Hotel owners to proceed with Verizon Wireless on negotiations for the new antennas and also protects the Development Commission's interests. The Agreement has been reviewed as to form by City Attorney Henningsgaard. It is recommended that the Commission authorize the Chair to sign the Subordination Agreement.

Commissioner Herzig said he knew someone who lived on the top floor. This person was concerned about the possibility that waves from the cell phone tower cause cancer or other illnesses. City Manager Estes confirmed for Commissioner Warr that AT&T and Sprint have towers on the building near the penthouse.

Commissioner Price understood that the owners of the hotel were fine with the agreement and the City was not concerned about antennas on the roof. City Manager Estes explained the owners requested that the Development Commission sign the agreement. Any new cell phone antennas would have to be reviewed by the Planning Department and comply with historic guidelines. This agreement does not obligate the City to approve any land use permits.

Commissioner Nemlowill asked how much of the low-interest loan had been used by the owners to fix up the façade of the building. She respected the work the owners have done in town; however, she wanted to know if they had been held accountable to the standards the Development Commission would expect. Only a small portion of the building was painted. She also wanted to know if the Development Commission could hold a

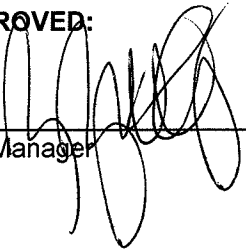
property owner accountable for certain expectations. City Manager Estes roughly estimated the owners had between \$60,000 and \$70,000 left on the loan. The majority of work done on the building was to open up the ground floor store fronts that had been boarded up. Remaining funds would be allocated for painting the remainder of the building. This agreement allows additional funds to be drawn from the loan to do the additional work, but does not mandate the upper floors be painted. Commissioner Nemlowill said she understood her question had nothing to do with the cell phone towers, but she wanted the owners to utilize this resource to fix up the façade of the building, as intended.

**Commission Action:** Motion by Commissioner Price, seconded by Commissioner Warr, that the Astoria Development Commission authorize Chairman LaMear to sign the Bargain and Sale Deed for purchase of the parking lot at the 1600 Block Duane Street. Motion carried unanimously. Ayes: Commissioners Warr, Nemlowill, Herzig and Price, and Mayor LaMear. Nays: None.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:05 pm.

**APPROVED:**

  
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City Manager