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# AGENDA

## ASTORIA CITY COUNCIL

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Monday, March 5, 2018  
7:00 PM  
2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street · Astoria OR 97103

1. CALL TO ORDER

2. ROLL CALL

3. REPORTS OF COUNCILORS

4. CHANGES TO AGENDA

5. CONSENT

The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the City Council 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) City Council Minutes for February 5, 2018
- b) Library Board Minutes for October 24 and November 28, 2017, Park Board Minutes for January 24, 2018

6. REGULAR AGENDA ITEMS

All agenda items are open for public comment following deliberation by the City Council. Rather than asking for public comment after each agenda item, the Mayor asks that audience members raise their hands if they want to speak to the item and they will be recognized. In order to respect everyone's time, comments will be limited to 3 minutes.

- a) Public Hearing and Ordinance: Amendment A 17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23rd and 29th Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery.
- b) Addition of Job Title for Schedule F-1 Salary Resolution 18-01- Parks Special Projects Manager
- c) Addition of Job Title for Schedule E-1 Salary Resolution 18-01 - Support Engineer Position
- d) Authorization to Bid Spur 18 Combo Harvest 2018
- e) Downtown Parking and Visitor Information Agreement with ADHDA

7. NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)

**THE MEETINGS ARE ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING THE CITY MANAGER'S OFFICE AT 503-325-5824.**




## CITY OF ASTORIA

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### MEMORANDUM • CITY MANAGER

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**DATE:** FEBRUARY 28, 2018  
**TO:** MAYOR AND CITY COUNCIL  
**FROM:**  BRETT ESTES, CITY MANAGER  
**SUBJECT:** ASTORIA CITY COUNCIL MEETING OF MARCH 5, 2018

#### CONSENT CALENDAR

**Item 5(a): City Council Minutes for February 5, 2018**

The minutes of the City Council Meeting of February 5, 2018 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 5(b): Boards and Commissions Minutes**

The minutes for the Library and Park Boards are enclosed for review. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

#### REGULAR AGENDA ITEMS

**Item 6(a): Public Hearing and Ordinance: Amendment A 17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23rd and 29th Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery**

On January 24, 2018 the Planning Commission voted to recommend approval of a proposed map and development code text amendments for property located at the northeast corner of 23<sup>rd</sup> and Marine Drive. The applicant has requested the amendment to permit the development of the Astoria Coop grocery. The proposed map amendment would extend the Local Service (LS) zone east across 23rd Street to incorporate approximately one acre of land for the grocery. Text amendments would allow (east of 23rd) retail sales up to 14,000 square feet without providing housing, eliminate (also east of 23rd) single family dwellings, business service establishments, gasoline service stations, transportation service establishments, and allow building heights of up to 45 feet.

It is recommended that the City Council hold a public hearing and consider the Planning Commission's recommendation.

**Item 6(b): Addition of Job Title for Schedule F-1 Salary Resolution 18-01- Parks Special Projects Manager**

Parks and Recreation Department proposes the creation of a temporary, on-call, position of Parks Special Projects Manager in order to implement recommendations of the Parks and Recreation Comprehensive Master Plan.

This position would assist with but not be limited to the following tasks:

- Conducts research, analyzes, interprets, and packages data for presentations, and develops written reports on assigned projects.
- Develops and refines Park Maintenance Plans.
- Assists in the preparation, implementation, updating of the Comprehensive Parks and Recreation Master Plan.
- Coordinates with staff and stakeholders to enhance services offered by the Parks Department.

It is recommended that City Council approve the addition of the Job/Title/Duties and use of Schedule F-1, Range 3 as contained in Salary Resolution No. 18-01.

**Item 6(c): Addition of Job Title for Schedule E-1 Salary Resolution 18-01 - Support Engineer Position**

With the recent staff transitions in the Public Works Department as a result of Ken Cook's retirement, the part-time Support Engineer position in the Engineering Division has been left vacant. The Support Engineer position has been primarily responsible for special projects such as the CSO (Combined Sewer Overflow Program), wastewater improvements and ODOT bridge projects. This part-time position is limited to 1,500 hours per year.

After an evaluation of tasks, projects and workflow, Staff determined that creation of a permanent full-time Engineering Designer position will best meet the current and future needs of the Engineering Division. This position would take the place of the Support Engineer and be primarily responsible for project management, infrastructure design and development review (full job description attached). This will allow Cindy Moore, previous Support Engineer, to continue to manage a variety of special projects in her Assistant City Engineer role.

Before a position can be posted, the creation of a job description is required to identify the essential duties, expectations, required experience and education as well as to review the current marketplace establishing appropriate salary range to fulfill the current requirements of the City. It is proposed that Schedule E-1, Range 39, be utilized and step determined based on the experience and education of the candidate. Funds currently budgeted for the Support Engineer position can be utilized for the Engineering Designer in this fiscal year. Funds are also included in the proposed budget for FY2018-19 to accommodate the addition of this permanent position. Compared to the Support Engineer position, the addition of a permanent Engineering Designer is anticipated to be cost

neutral at this point and converts a part-time position to full time.

The job recruitment would commence immediately upon City Council approval. It is recommended that City Council approve the addition of the Engineering Designer job title and duties, and use of Schedule E-1, Range 39 in Salary Resolution 18-01.

**Item 6(d): Authorization to Bid Spur 18 Combo Harvest 2018**

A commercial thinning and variable retention treatment is proposed on approximately 50 acres of the Bear Creek Watershed property for the summer of 2018. The harvest is located near the north-eastern boundary of the property, on a flat ridge between Cedar Creek and Fat Buck Creek. All treatments have been designed for long-term water quality and forest health goals, increasing diversity, structural complexity, and resilience of the forest on the Bear Creek Watershed.

The commercial thinning is proposed in a Spruce-dominated stand that has stagnated due to very tight spacing. The goal of the thinning is to increase species diversity in the stand and allow the remaining trees to optimally utilize the available growing space.

An area of variable retention harvest is proposed adjacent to the thinning unit. The Douglas Fir in these stands is impacted by Swiss Needle Cast, a fungus that attacks the crowns of the trees and inhibits growth, stunting the trees and decreasing canopy cover. By removing the Douglas Fir, the treatment leaves large and wind-firm Hemlock and Spruce both dispersed throughout the stand and in a few small clumps. The treatment has the operational benefits of a patch cut while improving seed sources for natural regeneration and leaving large legacy trees throughout the stand.

The harvest unit is bisected by the Spur 1 Road, which may require minor repairs. In addition, two other small spurs will be restored, providing greater fire access towards the edge of the property. Map showing the treatment area as well as the location within the watershed are attached. Our City Forester will be in attendance at the meeting to answer any questions.

The net proceeds to the Capital Improvement Fund from this forest treatment are estimated to be \$200,000 after harvest and reforestation costs.

It is recommended that City Council authorize staff to solicit bids for the Spur 18 Combo Harvest 2018.

**Item 6(e): Downtown Parking and Visitor Information Agreement with ADHDA**

An initial agreement for parking and tourist information services with Astoria Downtown Historic District Association (ADHDA) was approved by Council on September 6, 2016 and ADHDA began recruitment for a parking enforcement officer which has ADHDA has designated as the Community Outreach Officer (COO). At about the same time of the recruitment for the COO position was culminating, the ADHDA Executive Director resigned and the COO position was delayed until the new Executive Director, Sarah Lu Heath, was in place. In early



spring of 2017 the COO position was filled and training provided. City of Astoria provided \$ 8,500 to the ADHDA in compliance with their request and the approved agreement. Due to unforeseen circumstances the new employee did not complete the probationary period. Further recruitment efforts have been underway since summer of 2017 with candidates being offered the position and subsequently declining, necessitated renewing the search for candidates. The ADHDA had \$ 7,484.89 available at June 30, 2017 to recruit for and establish the new employee in the current fiscal year.

Effective January, 2018 the ADHDA hired and the City Manager has appointed (per City code) Ms. Ronni Harris as the Community Outreach Officer. An agreement for fiscal year ending June 30, 2018 has been pending the successful recruitment by the ADHDA for this position.

During the January 10, 2018 City Council work session ADHDA made a request to Council to utilize a portion of Promote Astoria Funds allocated for a parking officer to work with a contractor conducting a downtown parking study to better utilize existing parking on private lots and improve pedestrian safety. Council requested ADHDA determine the economic impact of parking spaces and to consider how parking in downtown might impact other areas of town. In response to Council direction from this work session ADHDA prepared a scope of work for the downtown parking study which has been incorporated in the scope of work for the attached agreement for Downtown Parking and Tourist Information Services Agreement. The Parking Study is budgeted for \$ 11,000. It should be noted that work from the parking study will be presented to Council along with some analysis of on-street parking configurations being prepared by the Public Works Department. This will be done to address the City Council goal on this topic.

It is recommended that Council approve the agreement with ADHDA.

A regular meeting of the Astoria Common Council was held at the above place at the hour of 7:00 pm.

Councilors Present: Nemlowill, Jones, Price, Brownson, and Mayor LaMear.

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Cosby, Finance Director Brooks, Fire Chief Ames, Police Chief Spalding, Public Works Director Harrington, Library Director Pearson, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

## PRESENTATIONS

### Item 3(a): Audited Financial Statement

Tonya Moffitt of Merina & Company will present the audited financial statements to City Council for fiscal year-ending June 30, 2017 for the City of Astoria and Urban Renewal.

Director Brooks introduced Tonya Moffitt, the Certified Public Accountant (CPA) and partner in charge of the City's audit with Merina & Company. Staff appreciated their working relationship with Merina because they provide a lot of insight during the audit process.

Tonya Moffitt presented the June 30, 2017 audited financial statements for the City of Astoria and the City's Urban Renewal Agency. The audit resulted in an unmodified opinion, which is the highest opinion that Merina can give on financial statements. She noted highlights of the audit as follows:

- She listed the sections of the statements not considered in the opinion, but noted that Merina does read through those sections to make sure they are appropriate. The company received the necessary information from Staff very quickly because there were no restrictions placed on the audit. The City has applied accounting standards appropriately and there were no transactions that lacked authoritative guidance.
- Merina is required by State law to look at some items that are not financially related. For example, if the City pursues any public purchasing contracts, Merina ensures the purchasing process was done in compliance with ORS 279. The audit only found two minor issues with State regulation compliance: In the General Fund, the City Manager's budget was over by a little more than \$2,000 and the Parks and Operations Fund for the aquatic facility was over by about \$4,600. That is common because bills come in after the year's end.
- Merina found a significant deficiency in the financial statements, which resulted from lack of control over some of the year-end accruals. These deficiencies required an adjustment to the year-end accrual balances. Merina recommended that Astoria develop some internal control procedures over the year-end accruals. Finance Staff recognized the continuing need for thorough review and procedural improvements over the year-end accruals. Staff also requested alternative debt service schedules from Merina because the current processes are unnecessarily complex and difficult to use.
- She explained that the audit contains three levels of findings. Non-reportable findings are so minor that they do not get reported. Significant deficiencies are reportable, but are not an indication that something is wrong. Material weaknesses are major problems that result in misstated financial statements. Unfortunately, governments have three basis of accounting. The budget uses a cash basis, the balance sheet is kept on a modified accrual, and the year-end statements are kept on a full accrual basis. Astoria's year-end accrual deficiencies were on debt service payments and it is standard accounting practice to add these accruals to the books at year-end instead of throughout the year.

Director Brooks noted that debt service was issued in a different year and the complexity of the City's template added to the confusion. The City is working with Merina to get an easier template so that Staff can cross check its numbers. The amounts in the financial statements were correct, but Merina noted the accruals were off a little bit.

## REPORTS OF COUNCILORS

**Item 4(a):** **Councilor Jones** congratulated Chief Spalding on his new position. He thanked the Police Department for their continued investigative work on the Uppertown fires and their community outreach in the neighborhood. There is now a \$5,000 reward for information leading to the arrest of anyone involved. Anyone with information should call 1-800-452-7888. He expressed sadness over the loss of Greg Newenhof, who co-owned City Lumber with his brother. Mr. Newenhof volunteered his time, expertise, money, and products to help rebuild and reopen the Armory. This was a tiny example of the amazing work Mr. Newenhof did in the community over the years. Mr. Newenhof was a humble and modest person and a great American because he knew how to make the community work through selfless service.

**Item 4(b):** **Councilor Price** reported that people in the community had been talking about the ebb and flow of downtown businesses. However, she was confident that empty stores would soon be full again. She did not want the community to worry about the empty stores downtown. People had also been talking about the community outreach officer's work. She noted that the Astoria Downtown Historic District (ADHDA) and the City's Engineering Department were working together to develop a parking master plan. She believed the plan would allow the City to make better decisions about parking challenges. She encouraged everyone to respect the process. She announced that she had been appointed to the Cultural Advocacy Coalition by Senator Johnson and Kerry Tymchuk, Executive Director for the Oregon Historical Society. The coalition meets four times a year, and once with the Governor, to advocate for cultural programs. The north coast had not been represented on the coalition for a while, so she was happy to participate.

**Item 4(c):** **Councilor Brownson** welcomed Chief Spalding to a full-time position with the City, adding he spoke with one of the police officers who was excited to have Chief Spalding on Staff. He was surprised to hear about Mr. Newenhof, whom he had known for about 25 years, and was saddened by the loss.

**Item 4(d):** **Councilor Nemlowill** had no reports.

**Item 4(e):** **Mayor LaMear** reported that Joan Herman had asked her on KMUN what the Mayor does other than attend two meetings a month. She had to think about it, but wrote down some of the things she had been doing recently and would be doing. The previous week, she met with the new director of the Harbor, Molly Pringle. The Harbor now has a nice office in the Snow and Snow building. The City Council goal setting session was on Friday, February 2<sup>nd</sup> from 8:00 am to 3:30 pm to set goals for the coming year. On Saturday, February 3<sup>rd</sup>, she introduced Senator Wyden at his town hall meeting. On Sunday, February 4<sup>th</sup>, she met with Miss Oregon High School, who is working on an anti-bullying campaign. She also met with Robin Cusick at the Armory to hear ideas about anti-bullying campaigns. Earlier that day, she spoke to a group from Portland State University that is working on tsunami preparedness and resilience during a four-day conference in Astoria. On Thursday, February 8<sup>th</sup>, she will meet with a delegate from China to tour the Garden of Surging Waves. On February 16<sup>th</sup>, she will meet with Women for Agriculture. She would appreciate help with this meeting and encouraged anyone with ideas to speak with her after the meeting.

## CHANGES TO AGENDA

There were no changes.

## CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes of 9/19/16
- 5(b) Scriveners Error Correction: Aquatic Center Fee Resolution
- 5(c) Lifeguard Training Agreement with Ellis and Associates (Parks)
- 5(d) ODOT Cooperative Assistance Agreement (Public Works)
- 5(e) IGA for Field and Laboratory Services (Public Works)

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Brownson, to approve the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

## REGULAR AGENDA ITEMS

### **Item 6(a): Public Hearing: Ordinance Updating Section 8.045 – Transient Room Tax Distribution (1<sup>st</sup> Reading) (Finance)**

At the August 7, 2017 City Council meeting, Council approved a 2 percent increase to the Transient Lodging Tax rate from 9 percent to 11 percent, beginning January, 2018. At the time Ordinance 17-11 was adopted Section 8.045.2 was amended to update the tax rate increase from 9 percent to 11 percent, but Section 8.045.18 was not updated to reflect the distribution of the additional 2 percent.

HB 2267 placed restriction on new or increased local lodging taxes so that 70 percent of new or increased taxes must be used for tourism promotion or tourism related facilities and 30 percent is unrestricted in use. The earlier approved local lodging taxes must maintain the percentage of existing lodging tax used for tourism promotion and tourism facilities.

In order to distribute and manage the Transient Lodging Tax receipts Section 8.045.18 requires adjustment to account 70 percent portion of the increased tax (2 percent) to the Promote Astoria Fund and 30 percent portion of the increased tax to the General Fund. The attached ordinance segregates the original distribution of existing 9 percent tax and adds distribution for the increased 2 percent tax according to State Statutes. It is recommended that the City Council hold a public hearing and if in agreement hold a first reading of the ordinance.

Mayor LaMear opened the public hearing at 7:21 pm. She confirmed there were no comments from Councilors or the public and closed the public hearing at 7:21 pm.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Jones, to hold the first reading of the ordinance updating Section 8.045 – Transient Room Tax Distribution. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Director Brooks conducted the first reading of the ordinance.

### **Item 6(b): Public Hearing: Ordinance Updating Section 7.100 – Criminal History Record Check (1<sup>st</sup> Reading) (Police)**

The City of Astoria currently conducts Background Checks on certain license holders, applicants and volunteers. This is done in accordance with City of Astoria City Code Section 7.100. Staff would like to modify the existing ordinance to include Astoria 9-1-1 Rural Fire Department Subscribers. These agencies are required by Oregon Administrative Rules (OAR 259-009-0015) to conduct an employment and criminal history check prior to employment or utilization as a fire service professional. Fire service professionals include paid (career) or volunteer fire fighters, officers or members of a public or private fire protection agency engaged primarily in fire investigation, fire prevention, fire safety, fire control or fire suppression or providing emergency medical services, light and heavy rescue services, search and rescue services or hazardous materials incident response.

To satisfy these requirements Astoria 9-1-1 would hold a letter requesting this service from each subscribing Fire Chief, and modify the annual Subscriber Agreement to include performing record checks for the Agency. The City Attorney has reviewed and approved the ordinance as to form. It is recommended that the City Council hold a public hearing and if in agreement hold a first reading of the ordinance.

Mayor LaMear opened the public hearing at 7:23 pm and confirmed there were no comments from Councilors or the public. She closed the public hearing at 7:23 pm.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor Nemlowill, to hold a first reading of the ordinance updating Section 7.100 – Criminal History Record Check. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

Director Pearson conducted the first reading of the ordinance.

**Item 6(c): Friends of the Column Authorization to Enter into a Contract with Frite and Scoop to Sell Ice Cream at the Astoria Column (Parks)**

To enhance both locals and visitors experience while visiting Astor Park, the Friends of the Astoria Column would like to partner with a local vendor to provide onsite ice cream and snack concessions and per the Management Agreement between the City of Astoria and the Friends of the Astoria Column, the Friends of the Astoria Column are required to have City Council authorization to provide such amenities. After discussing their vision with the City Attorney, City Manager, and Parks and Recreation Director, the Friends of the Astoria Column completed an informal solicitation for proposals. Six different local ice cream and/or concession vendors were contracted and encouraged to submit a proposal. From the six local ice cream and/or concessions vendors contracted, Frite and Scoop submitted a proposal, while all other business were appreciative for the opportunity to participate but elected not to submit a proposal. The Friends of the Astoria Column were satisfied with the attached proposal provided by Frite and Scoop and have negotiated the attached Concession Agreement. It is recommended that City Council consider entering into an agreement with the Friends of the Astoria Column and Frite and Scoop to provide concessions at the Astoria Column.

City Manager Estes said the Parks Advisory Board supported the proposal and provided notes, which were included in the memorandum.

Councilor Nemlowill stated she supported the request and was pleased that a unique local business submitted a proposal. Frite and Scoop uses raw materials to make great products and they have a great reputation.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Nemlowill to approve the agreement with the Friends of the Astoria Column and Frite and Scoop to provide concessions at the Astoria Column. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

**NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**

Debbie Schmidt, 89919 Ocean Drive, Warrenton, stated she and her husband owned Phog Bounders Antique Mall. She was in favor of employee parking outside of the downtown business area. However, her employees must park on Astor Street where a large amount of transients hang out. She did not feel it was safe for her employees to walk to their cars after 5:00 pm. Her store closes at 5:30 pm. She had gotten nowhere with the parking people on how to solve this problem. She suggested the downtown businesses be allowed to have one parking spot close the front of the business after 3:00 pm. Her store is not in the downtown core and there is a lot of parking in the area. Parking is always available on 9<sup>th</sup> Street between Commercial and Marine. She was concerned about the safety of her employees, and noted the park is always full of transients.

Councilor Price asked how Council could address Ms. Schmidt's recommendation.

Ms. Schmidt said the ADHDA denied her request for a parking spot close to her business after 3:00 pm.

City Manager Estes noted there were no ADHDA members present to respond. If City Council was interested in adjusting the parking control ordinance for individuals, he recommended the ADHDA be allowed to provide input.

Ms. Schmidt stated the ADHDA had recommended that employees call the Police Department to ask if an officer could escort them to their cars. She did not believe the Police Department had the time to provide this service, nor was it their job.

City Manager Estes explained that the parking ordinance was intended to facilitate parking turnover for merchants and businesses. If changes are made for one area, the Council might start to receive requests from other areas as well.

Councilor Price asked if employees of other businesses were also required to park on Astor. Phog Bounders was not in the downtown core, so Ms. Schmidt could park on Exchange.

Ms. Schmidt noted that parking on Exchange would require her employees to walk six to eight block in the dark and rain.

City Manager Estes added the ordinance does not specify where employees of downtown businesses must park, but provides areas for long-term parking.

Councilor Price was concerned about the City providing safety for residents and employees. She believed it might be worth addressing the problem of providing safety in a particular area separately from the parking master plan.

Councilor Nemlowill asked for more details about the specific behaviors that Phog Bounders employees experienced. She also wanted to know if any illegal behaviors led to the police being called.

Ms. Schmidt stated her employees are harassed and intimidated. Customers have told her that they choose not to shop at her store when there are too many transients on the sidewalk. She sees the same group of people is at the park from noon to 5:30 pm. The police have been called many times by Cindy Merriman of Interior Designs, who said she got tired of calling because the transients kept coming back. She knew someone who wanted to make the park nice for the public, but none of the businesses in that area want to get involved with his project as long as the transients are there.

Councilor Nemlowill thanked Ms. Schmidt for speaking up. Many small business owners and others were feeling the effects of bad behavior right now. During the goal setting session, City Council talked about how this was the public's main concern and how the City could respond by taking a more aggressive approach to policing if funding could be found to hire additional officers. She understood this would not solve the problems immediately.

Ms. Schmidt stated her other concern was that parking enforcement was inconsistent. Someone will patrol parking for a couple of years and then there is no enforcement for a couple of years. And this process repeats. The parking patrol position should be permanent. She questioned how long it would be before the ADHDA got tired of doing parking enforcement.

Councilor Price said the Engineering Department and the ADHDA were working on this issue diligently because the City has heard this concern a lot. This was not an issue the City could solve tonight. She asked City Manager Estes to help Ms. Schmidt get together with the ADHDA.

City Manager Estes said it was ultimately up to City Council to decide whether the parking district should be modified. He recommended that Council discuss this with the ADHDA at a future Council meeting.

Ms. Schmidt said the issue would not exist if the transients were kept away from the area.

Councilor Brownson noted that Ms. Schmidt had previously expressed her concerns to him. This issue was so serious that Councilors were aware of the community's concerns all the time. The homelessness task force existed because it was such a challenge to find a solution. Enforcement was one piece of the solution, but there are legal limits to what the City could do to create situations where behaviors do not create problems. He agreed that Ms. Schmidt should continue to work with the ADHDA. There was a lot of serious and diligent work being done to address the issues with homelessness and bad behavior. Having a long term parking enforcement officer and trying to find a model that would work for Astoria were important parts of the situation.

City Manager Estes stated he would speak to Ms. Schmidt about scheduling a meeting with the ADHDA.

Councilor Jones believed the longer hours of daylight would be a benefit to employees who were currently walking to their cars in the dark.

Ms. Schmidt disagreed, saying that more transients come to the area as the weather gets nicer.

Councilor Jones said he hoped the City would have made some progress with the task force by next winter.

Mayor LaMear stated she had heard the same concerns from other businesses in other areas. The City may need to consider a more comprehensive plan for allowing parking near businesses. Making an allowance for one business likely would lead to other businesses making the same request because those other businesses are having the same problems. She hoped the City could have a robust discussion with the ADHDA.

Councilor Price said no one wanted to make policy based on one business, but she had heard an increasing number of reports on this issue. Previous parking concerns were about the lack of parking downtown. Now, the concerns are that it is not safe to park in the areas where employees have to park. Public safety should be the number one goal. When the City's parking restrictions create a personal danger to people, the City should rethink what it is doing. She recommended the City stop enforcing the parking restrictions so that people could park in safe places. The Public Works Director, Chief of Police, and ADHDA might have better ideas.

Councilor Nemlowill stated as a small business owner, a lack of parking enforcement had been hurting the businesses in Astoria. The real problem is the transients. People breaking laws are making citizens feel unsafe, jeopardizing the quality of life, and the City is letting them do it. The Chief of Police says he would like direction from Council about how to deal with this situation and whether the Police Department should take a more aggressive approach to the bad behavior. Homelessness and bad behaviors are two separate issues. The bad behaviors should not be allowed regardless of whether a person has a house. She encouraged Councilors to provide policy direction to the Police Department, which would require more resources.

Councilor Brownson noted that two new officers would begin working over the summer. Currently, the City is budgeted to have three officers. He believed the Council strongly supported finding the resources to add even more officers. However, that takes time. He supported allowing the Police Department to be more aggressive. However, people get cycled through the legal system very quickly and are then back out. There are no strong penalties that can be imposed. The task force is made up of people who deal with homeless issues and they are working to figure out this problem, which is statewide. He believed the community would find solutions, but would love to find a way to have an immediate impact on bad behavior.

Councilor Jones said that last Wednesday, Chief Spalding had asked Council for direction on more aggressive policing. He had responded that he was in favor of allowing the Police Department to do what it could with existing resources and enforcing laws more aggressively. He would continue to support the Police Department even when members of the community expressed opposition to being more aggressive.

Councilor Nemlowill asked how Council should go about providing direction to Chief Spalding. City Manager Estes explained that the Mayor could call for a motion to determine a consensus among the City Council and provide direction to Staff.

Mayor LaMear called for a motion.

Councilor Nemlowill asked for clarification about providing direction to department heads. City Manager Estes explained that the Council is able to provide policy direction about how the City wants Staff to address this issue. The Police Chief wants assurance that he and his officers would be supported by City Council if the issue becomes enhanced by the way they address it.

Councilor Nemlowill asked if there was any specific language that would help the Police Department. Chief Spalding said he would prefer a resolution or a declaration of support for the Police Department's enforcement dealing with the behavior of homeless individuals that also recognizes homelessness is not a crime. He understood City Council was looking for answers while the task force worked towards long-term solutions. It would be helpful for the Police Department to know they were supported by the Council as they enforced the existing laws. He anticipated some push back by some members of the community.

**City Council Action:** Motion by Councilor Nemlowill that the Astoria City Council declare support for the Astoria Police Department in dealing with the bad behavior of certain individuals on the street, recognizing that homelessness is not a crime. [No second]

Councilor Jones offered the following friendly amendment to the motion: that Astoria City Council resolve that in as much as the City is actively engaged in a homelessness solutions task force with community partners to arrive at a holistic solution to the problems with homelessness and transients in Astoria, and in as much as this

effort is a long-term effort which would not reap recommendations for some time, and that in the interim City Council has been approached by numerous citizens with concerns about public safety, that therefore the City Council urge the Police Department to actively and continuously enforce all existing laws within the resources available to him.

Councilor Price believed making policy for the Police Department to change its direction of enforcement was a big consideration. She was not sure the Council should be making that policy at the last minute. She expected that the Police Department was already enforcing the City's laws all the time anyway, so, to go further was unnerving to her. She was not sure it was proper to identify certain populations. She could support a motion to support enforcement of laws against bad behavior. Much of the behavior people are concerned about is not illegal. It is legal to stand on the street and be a bad person to people, yell, smoke, be mean, make cat calls, be verbally abusive, or panhandle. The Council is not willing to change one parking space but wants to change the way the Police Department operates. She urged the Council to proceed with caution and to consider this at the next meeting.

Mayor LaMear reminded that the Police Chief had requested a statement indicating whether City Council would like the Police Department to be more assertive. City Manager Estes confirmed the Police Chief had not requested that City Council take action tonight.

Mayor LaMear said she was worried about the people who are dealing with the bad behaviors now.

Chief Spalding believed the conversation began as a request for philosophical support of the laws that are already on the books. In 2015, the State Legislature added homelessness as a criterion for racial profiling. The Police Department already enforces the laws, so they did not plan to do anything new or different. However, he did want an indication as to the level of enforcement that the Council supported, noting that there was only so much the Department could do with the limited resources available. For some of the crimes that affect quality of life, the Police Departments has options to give a warning or a citation.

Mayor LaMear said she wanted the ADHDA to meet with Ms. Schmidt.

Councilor Brownson suggested Council formally recognize that there are well-voiced concerns in the community about bad behavior by transient individuals and that they support law enforcement.

Chief Spalding clarified that the Police Department would enforce laws upon all individuals without calling out any particular group of individuals.

Councilor Price asked if Council should direct Staff to bring back a resolution in support of law enforcement.

Councilor Nemlowill reminded that her motion was a declaration of support for the Police Department to take a more assertive approach dealing with bad behavior of people on the streets, recognizing that homelessness was not a crime. She believed there was support among the Council, but sensed hesitation due to fears of a backlash.

Councilor Brownson disagreed.

Councilor Nemlowill said she wanted to get something done now. She did not want to wait a year for the task force to meet.

**City Council Action:** Motion by Councilor Nemlowill, seconded by Councilor Jones, that the Astoria City Council make a declaration of support for the Astoria Police Department to take a more assertive approach in dealing with bad behavior of individuals on the streets, recognizing that homelessness was not a crime.

Councilor Price asked if anyone else was interested in hearing from Chief Spalding. She supported the Police Department and their enforcement against bad behavior. She was willing to recognize that bad behavior was increasing and needed more attention. Astoria's resources are limited and a lot of other bad behavior is going on besides just what goes on in the streets. City Council does not need to wait a year, but they could wait a couple of weeks so that everyone has a chance to think this through and understand the implications.



Motion passed 3 to 2 Ayes: Mayor LaMear, Councilors Nemlowill and Jones. Nays: Councilors Price and Brownson.

Councilor Brownson explained he voted in opposition because he supported waiting two weeks and wording the motion in a way that avoided negative consequences.

David Oser, 254 Irving, Astoria, applauded City Council, particularly Councilor Nemlowill who represented the ward he lived in, for taking a strong stance on this issue. There are many criminal problems in Astoria that are worse than this, like domestic violence and drug abuse. However, no problem is more visible and is more on the minds of the public than this public sentiment turning strongly against individuals who are transients and make people feel threatened, especially women who are alone. There is a huge difference between people who are homeless due to bad circumstances and people who are homeless by choice and do not want a permanent residence. Astoria has been invaded by those who want a transient lifestyle. Taking a hard line is a very important stance to take because the citizens feel frightened, intimidated, and are very unhappy about what has happened over the last couple of years.

John Longquist, 567 Commercial, Astoria, said the previous Police Chief had mentioned he wanted malt liquor eliminated, which seems to be a favorite of the homeless. He believed this would be a great idea, but he understood there was trouble with the Oregon Liquor Control Commission (OLCC) rules about cities being able to govern their own alcohol laws. He asked if the City could simply ask nicely to refrain from selling malt liquor. He understood profits were as high as \$1.00 per can. Maybe there was a way to make selling alcohol less lucrative. He believed the bad behavior was due to alcohol because he was not finding the large numbers of methamphetamine needles that used to be in the parks. He believed there was a small heroine problem, but the largest issue was alcohol. He asked if water fluoridation would be brought up again.

Councilor Nemlowill stated City Council did not support referring the matter to voters. In order to put water fluoridation on the ballot, there would need to be support from City Council or a citizen referendum. A referendum would not take much work and she was surprised no one had done it considering the number of people who have indicated an opposition to drinking fluoride.

Mr. Longquist said maybe he would work on a referendum.

Tom Schmidt, 89919 Ocean Drive, Warrenton, said the community was not a group of people without compassion, but the people behaving badly do not care about Astoria. He invested hundreds of thousands of dollars in the Phog Bounders building and business. The business has been in that building for almost 12 years. At least once a week, his local customers say they would have come to the store, but there were too many drunken people on the side of the building. His customers are scared to get out of their cars. The people who are violating the law are criminals. He confirmed with Chief Spalding that it was legal to be drunk on the streets in Astoria and suggested the City make it illegal, adding alcohol is the root of the problem.

City Manager Estes reviewed the draft goals set by City Council for 2018. The draft will be published on the City's website for about a month while Council continues to discuss the goals. The draft goals are:

- Support the work and recommendations of the Homelessness Task Force.
- Implement the provisions contained in the City of Astoria Affordable Housing Study to increase the number of housing units within the city for permanent residents. Special attention should be given to vacant and/or derelict properties.
- Explore a variety of options to enhance long-term financial stability of the Parks Department including but not limited to a cemetery facilities master plan and feasibility of a joint aquatic and recreation center.
- Pursue a public/private partnership for the redevelopment of Heritage Square to include the possibility of housing.
- Increase disaster resilience among the community, City Staff, and facilities.
- Complete Comprehensive Plan and Development Code amendments for the Urban Core of the Riverfront Vision Plan.
- Support the Library Foundation's work to fund raise for the library remodeling project.
- Work with community partners to implement the five-year Economic Development Strategy.
- He noted he would be working with the Library Foundation on the wording of the goal to support fundraising efforts for the library renovation.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:13 pm.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
City Manager

DRAFT

## Astoria Library Board Meeting

Astoria Public Library

October 24, 2017

5:30 pm.

**Present:** Library Board members Kate Deeks, David Oser, Susan Stein, Kimberley Chaput, and Chris Womack. Youth Services Senior Library Assistant Suzanne Harold represented Director Pearson.

**Excused:** None.

**Call to Order:** Chair Kate Deeks called the meeting to order at 5:30 pm.

**Approval of Agenda:** The agenda was approved as presented.

**Approval of Minutes:** The minutes of September 26, 2017 were approved.

**Board Reports:** David Oser stated the 50<sup>th</sup> Anniversary was "spectacular." He said the library model was phenomenal with \$630 received in donations. He was happily surprised by the turnout and support and noted many City Councilors attended.

Kate Deeks stated approximately 50 people attended the Write Astoria showcase, including many new faces. She spoke about fundraising for the renovation. Bruce Jones read some great short stories he has written.

### **Library Director's Report:**

Director Pearson was absent for personal reasons. Suzanne Harold spoke about Youth Services mentioning the upcoming Teen Advisory Group Halloween party.

**Update on ALFA Activities:** There was none.

### **Update on Foundation:**

David Oser stated Foundation has "shifted up to second gear" and has almost \$100,000 in the bank. Pennies for Piggies started in the school on Tuesday and will last for 3 weeks. The goal is high participation, not large giving. Sara Lou Heath is writing a fundraising plan for the Foundation, and will have a draft version available next week. A few donations have arrived by mail and via website. Ami is working on making the website easier to navigate.

### **New Business:**

Library Card Policy Discussion: Director Pearson requested input from the Board regarding lowering the age for children to receive cards without a parent/guardian present. The Board supports the staff decision and if staff wishes to lower the age they would support as well.

Internet Use Policy: Item moved forward to November 2017 meeting.

**Old Business:** There was none.

**Public Comments:** There were none.

**Items for Next Meeting's Agenda:** Internet Use Policy.

**Adjournment:** There being no further business, the meeting was adjourned at 6:04 pm.

Respectfully submitted,

Jimmy Pearson, Library Director

## **Astoria Library Board Meeting**

Astoria Public Library

November 28, 2017

5:30 pm.

**Present:** Library Board members Kate Deeks, David Oser, Susan Stein, Kimberley Chaput, and Chris Womack. Staff Library Director Jimmy Pearson.

**Call to Order:** Chair Kate Deeks called the meeting to order at 5:30 pm.

**Approval of Agenda:** The agenda was approved as presented.

**Approval of Minutes:** Minutes for October 2017 will be presented during the next scheduled meeting for approval.

**Board Reports:** There were none.

### **Library Director's Report:**

- Library Facilities: Director Pearson is gathering bids to refurbish main floor chairs to clean and new upholstery.
- The Request for Proposal (RFP) for Architectural/Engineering Services is posted. Proposals are due December 6, 2017.
- IT Update: The library has received a donation of a flatbed scanner.
- Collection Development: PlayAway's, new audiobook format, have been a success thus far. Staff will review in 2018 considering continuation of the trial.
- Director's Activities:
  - Mayor LaMear, Councilor Price, City Manager Estes, and Director Pearson travelled to Salem Oregon on November 7, 2017. The group presented to the Chief Justice of the Supreme Court the Territorial Court Journals representing Clatsop County dated from 1849.
  - Director Pearson attended the Public Library Division Board Meeting in Irrigon Oregon on the 17<sup>th</sup>.

### **Libraries Change Lives:**

- A young reader was reading to our therapy dog Maise and became frustrated. Maise decided he needed a kiss and it worked to alleviate his frustration allowing him to continue to read.
- A couple who lives outside city limits were using the library on the 25<sup>th</sup> informed staff they do not like paying for a library card, however, they had heard so much was going on at the library it is worth paying for.
- When asked for a heartwarming story...Meghann replied we warm hearts all day long so it's difficult to pick just one.

**Update on ALFA Activities:** There was none.

### **Update on Foundation:**

**New Business:** There was none.

**Old Business:** Director Pearson clarified the Library Card/Internet Use Policy discussion from the October meeting. Staff will issue library cards to patrons 16 years and older which aligns with our Internet Use Policy as well.

**Public Comments:** There were none.

**Items for Next Meeting's Agenda:** N/A

**Adjournment:** There being no further business, the meeting was adjourned at 6:03 pm.

Respectfully submitted,

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Jimmy Pearson, Library Director

## **Parks Advisory Board Meeting Minutes January 24, 2018**

Chairperson Norma Hernandez called meeting to Order at 6:50 am.

Present- Norma Hernandez, Jessica Schleif, Andrew Fick, Jim Holen, Eric Halverson, Aaron Crockett, Howard Rub, and Michele Tompkins.

Staff- Angela Cosby and Brianna Bowker.

### **Public comments**

1. Ron Zilli, 1444 16<sup>th</sup> Street, Astoria, stated he was a professional forester with the Oregon Department of Forestry who had lived in Astoria for more than 20 years. He was concerned that the tree removal project was being done without management guidelines or goals. Assessments used to complete the tree inventory, particularly in Shively Park, were not done correctly. He recently took the State's forest pathologist to Shively and she came to a different conclusion on one of the fir trees. Removing this tree would have an adverse impact on the park and unnecessarily cost the City several thousand dollars. He also believed the project costs were excessive in many cases. While the one-to-one replanting philosophy is a good stewardship value, it is not needed in some cases because consideration was not given to where the trees came from or the long-term vision of the area. At a recent City Council meeting, he volunteered to replant all of the trees at Shively Park at his own expense. City Council did not accept his offer because doing so would have required the City to renegotiate their contract for this project. In the process of accepting bids, the Parks Department renegotiated the contract prior to its approval by City Council, changing the statement of work to exclude trees of the diameter that he planned to plant. The City does not need an arborist to do all of the work. He recommended the City evaluate more input on the large fir tree in Shively Park. Parks with playgrounds need to be considered differently from forested parks. He appreciated Staff's willingness to meet with him and consider his recommendations. However, Staff can do more to reduce costs.
2. Valerie Elder, 1069 Summit Avenue, Gearhart, said she was a forestry natural resources extension agent for Oregon State University who advises on the management of forested areas up to 500 acres. She offered educational and goal setting services that could help inform the City's decisions.

### **Approval of Minutes**

- A. December's Parks Board minutes were unanimously approved.

### **President Hernandez**

- A. What do you hear- Michele Tompkins asked if there were any projects the United Way could take on for their Annual Day of Caring on April 21<sup>st</sup>. Director Cosby confirmed Staff was already working on it. President Hernandez said she loved the changes that were made at the Column. She also heard people were happy about the Valentine's dance. Eric Halverson said the Friends of the Column were working with the high school to create parking passes for prom so the students can have photos taken at the Column. Andrew Fick and Jessica Schleif heard that people were appreciative of efforts to make the ball more inclusive. Director Cosby noted it was too early to tell if there would be much attendance. Sunset Empire has put more resources into their father/daughter dance, so Staff is trying to market the dance, which will be closer and cost less. Jessica Schleif noted she was excited to see the work done on the

Doughboy monument. Jim Holen said he read an article in the paper about the Co-op's proposal to put in housing above their new building. The article included comments indicating the Parks Master Plan did not involve the selling of park property. Director Cosby explained that the master plan did not specifically recommend that park properties be sold, but referred to removing excess and unneeded park lands. Most of the community is opposed to selling park properties.

### **Employee and Volunteer Recognition**

- A. Brianna Bowker recognized Desiree Denakis as the January employee of the month.

### **Old Business**

- A. Jim Holen gave an update on the Parks Foundation Board's annual retreat, the Run on the River, Parks After Dark, administrative procedures, board member recruitment, and the Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis. He distributed fliers for Run on the River and asked that they be posted around town. The Foundation would like to expand so it can provide scholarships to families in Warrenton. Director Cosby confirmed they plan to give out about \$38,000 in scholarships in 2018. The Board and Staff briefly discussed some of the Run on the River sponsors.
- B. Director Cosby updated the Board on Staff's efforts to implement the Parks and Recreation Master Plan, noting that in May or June, Staff would give the Board a presentation on park development and maintenance plans.

### **New Business**

- A. Director Cosby introduced the new Recreation Manager, Brianna Bowker.
- B. Director Cosby updated the Board on the Memorandum of Agreement (MOA) with the Astoria Scandinavian Heritage Association. Rosemary Johnson has been hired as the project manager.
- C. Director Cosby provided an update on the agreement with the Clatsop County Master Gardner's Association. Designs are complete and building will begin in the next couple of months.
- D. Director Cosby presented a brief update on the MOA with David and Pam Armstrong, adding Post Office Park looks much better already.
- E. Director Cosby updated the Board on the MOA with Jessica Schleif.
- F. Director Cosby provided updates on the removal of Priority 1 Hazard trees. City Council approved a contract with Arbor Care for the project. The contract was only slightly amended from the original proposal to leave some tree stumps in place instead of having them all ground away. Mr. Zilli's concerns were educational for Staff and helped inform decisions. Upon receiving his comments, Staff postponed the contract proposal so they could double check their methods. Staff considered input from foresters, certified arborists, and risk managers. The City sought bids from five companies who indicated the scope of work would be difficult to complete in the one-year time frame. So, in the future, Staff will request longer term proposals, which they hope will lower costs. She answered questions from the Board about the details of the contract.
- G. Director Cosby presented a request by the Friends of the Astoria Column to allow a vendor to sell ice cream at the Astoria Column on weekends during the summer. The Board discussed the benefits this would provide to the community and the City, and shared concerns that allowing a vendor would set a precedent. They also discussed placing new facilities in locations that would not obstruct the view from the Column. Director Cosby answered the Board's questions about the details of the proposal, noting that the Historic Landmarks Commission would be involved in the approval process. She confirmed she would forward the

Board's feedback to the Friends. The Board, Staff, and members of the public discussed the pros and cons of vending in parks and the City's lack of a vending policy.

- H. Director Cosby announced that updates on the feasibility of selling four park properties would be presented to City Council during a work session on Wednesday, February 14<sup>th</sup> at 9:00 am in City Hall Council Chambers. The properties include Birch Field, Customs House, Post Office Park, and Tide Rock Park. Parks Board members would receive a copy of the agenda packet for that meeting. She confirmed that selling excess park properties was a City Council goal and that the Parks Master Plan did not recommend specific parks. The Board and Staff shared details about the four park properties, noting their significance in the community. Post Office Park and Tide Rock Park have now been adopted, so are no longer underutilized. This would be a difficult discussion for the community, but considering park sales was part of the larger effort and need to decrease expenses and increase revenue.

### **Staff Reports and Upcoming Events**

The following reports were presented to the Board as part of the agenda packet:

- A. Maintenance
- B. Aquatic Center
- C. Recreation
- D. Lil Sprouts/Port of Play

### **Future Meetings**

- February 28, 2018 at 6:45 am in City Hall, Council Chambers
- March 28, 2018 at 6:45 am in City Hall, Council Chambers

### **Non-Agenda/Miscellaneous Business**

1. Director Cosby gave an explanation of the Facebook analytics, noting the differences between impressions, likes, hits and other data.
2. President Hernandez shared words of encouragement and appreciation for the Board and Staff.

**Next meeting will be held Wednesday, February 28, 2018 at 6:45 am at City Hall in City Council Chambers.**





## CITY OF ASTORIA


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### MEMORANDUM • COMMUNITY DEVELOPMENT

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**DATE:** FEBRUARY 13, 2018

**TO:** MAYOR AND CITY COUNCIL

**FROM:**  BRETT ESTES, CITY MANAGER

**SUBJECT:** PUBLIC HEARING AND ORDINANCE: AMENDMENT A 17-02 BY GARRY VALLASTER, ASTOR VENTURE, LLC, REPRESENTED BY JENNIFER BUNCH, DOA WICKIUP CONSULTING, LLC, FOR A MAP AMENDMENT TO THE DEVELOPMENT CODE TO CHANGE ZONING FROM ATTACHED HOUSING-MILL POND (AH-MP) TO LOCAL SERVICE (LS) ON APPROXIMATELY 1.04 ACRES (45,452 SQ. FT.) OF LAND, AND ALSO A TEXT AMENDMENT TO REMOVE CERTAIN USES FROM THE LS ZONE BETWEEN 23RD AND 29TH STREETS NORTH OF MARINE DRIVE. THE INTENT IS TO CONSTRUCT A RETAIL GROCERY THAT WILL ACCOMMODATE THE EXPANSION OF THE ASTORIA CO-OP GROCERY

#### BACKGROUND

On January 24, 2018, the Planning Commission voted to recommend the approval of the proposed map and text amendment for the Astoria Coop. Mr. Vallaster is the owner of the property at 2350 Marine Drive, the previously proposed site of the Wauna Credit Union and the Clatsop Care medical facility. The map and text amendment would enable the construction of the new Astoria Coop.

#### DISCUSSION/ANALYSIS

A comprehensive discussion of the proposal is included in the staff report and findings provided by the applicant. These findings include the summary of the Traffic Impact Study prepared by the engineering firm DKS. The findings also include an analysis of the impact of the proposal on the buildable lands inventory.

#### RECOMMENDATION

It is recommended that the City Council review the record of the Planning Commission hearing, take testimony at the March 5<sup>th</sup> public hearing, and consider the Planning Commission's recommendation.

By: 

Mike Morgan, Interim Planner

Attachment: Staff Report and Ordinance

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**AMENDMENT REQUEST A17-02**

**BY**

**GARRY VALLASTER, ASTOR VENTURE, LLC REPRESENTED BY  
JENNIFER BUNCH, DBA WICKIUP CONSULTING, LLC, FOR A MAP  
AMENDMENT TO THE DEVELOPMENT CODE TO CHANGE ZONING  
FROM ATTACHED HOUSING-MILL POND (AH-MP) TO LOCAL  
SERVICE (LS) ON APPROXIMATELY 1.04 ACRES (45,452 SQ. FT.) OF  
LAND, AND ALSO A TEXT AMENDMENT TO REMOVE CERTAIN  
USES FROM THE LS ZONE BETWEEN 23RD AND 29TH STREETS  
NORTH OF MARINE DRIVE. THE INTENT IS TO CONSTRUCT A  
RETAIL GROCERY THAT WILL ACCOMMODATE THE EXPANSION  
OF THE ASTORIA CO-OP GROCERY**

**SECTION**

**PROPOSED FINDINGS OF FACT**

**STAFF REPORT AND ORDER**

**PLANNING COMMISSION MINUTES**

**CORRESPONDENCE & MISCELLANEOUS DOCUMENTS**

**PUBLIC NOTICES**

**APPLICATION FORM**

**PROPOSED ORDINANCE**

**POWERPOINT PRESENTATION**

## PROPOSED FINDINGS OF FACT

2-9-18 Staff Report and Findings of Fact for approval of an Amendment Request (A17-02) by Garry Don Vallaster, Astor Venture LLC, Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive, Astoria, Oregon 97103.

STAFF REPORT AND FINDINGS OF FACT

February 9, 2018

TO: ASTORIA CITY COUNCIL

FROM: MIKE MORGAN, INTERIM PLANNER

SUBJECT: AMENDMENT REQUEST (A17-02) BY GARRY DON VALLASTER, ASTOR VENTURE LLC, FOR A MAP AND TEXT AMENDMENT TO THE DEVELOPMENT CODE TO FACILITATE THE CONSTRUCTION OF A RETAIL GROCERY STORE IN THE LOCAL SERVICE (LS) ZONE.

I. BACKGROUND SUMMARY

A. Applicant: Jennifer Bunch, Wickiup Consulting, on behalf of Garry Don Vallaster, Astor Venture, LLC, property owner.

B. Request: To amend the zoning map and development code to allow the construction by the Astoria Coop. The amendment changes the zoning on 1.04 acres from Attached Housing – Mill Pond (AH-MP) to Local Service (LS). In addition, a text amendment is proposed to remove certain uses from the LS zone between 23<sup>rd</sup> and 29<sup>th</sup> streets north of Marine Drive.

C. Owner: Astor Venture, LLC Garry Don Vallaster

C. Location: Northeast corner of 23<sup>rd</sup> and Marine Drive

D. Zone: AH-MP/LS West half of tax lot 899CB 6803

E. Previous Applications: The site was planned for the Wauna Credit Union (1999-2000) and the Clatsop Care facility (2010-2012), neither of which began construction.

II. BACKGROUND

The property was part of the Mill Pond redevelopment project, initiated by the City of Astoria and Venerable Properties beginning in 1997/1998. The larger area is designated Attached Housing-Mill Pond (AH-MP) around the Mill Pond from 23<sup>rd</sup> to 29<sup>th</sup> streets, and extending from the river south to Marine Drive. Development within the zone has been exclusively residential to date, with single family dwellings surrounding the mill pond and affordable multifamily apartments situated along Marine Drive. There have been several attempts in the past to develop this lot for non-residential uses, including a credit union and a medical facility. The AH-MP zone

permits retail uses as a conditional use, but not in excess of 6000 s.f. In discussions with the applicant, staff determined that it would be more appropriate to extend the Local Service (LS) zone to the east, where retail sales are permitted outright, and to add some restrictions regulating the size. A summary table of the code revisions can be found on Attachment 1. In addition, the property lies within the Gateway Overlay Zone and Civic Greenway Overlay Zone.

## PROPOSED MAP AMENDMENT



### III. PUBLIC REVIEW AND COMMENT

#### Planning Commission

A public notice was mailed to surrounding property owners and interested parties on December 29, 2017. In accordance with Section 9.020, a notice of public hearing was published in the *Daily Astorian* on January 17, 2018. The Planning Commission held a public hearing on January 24, 2018, and voted to recommend the map and text amendment to the City Council with conditions. The public notice for the March 5, 2018 City Council meeting was published on February 26, 2018. The proposed amendments are quasi-judicial since they apply to a specific and discreet area. Comments received will be included in the Council packet and made available at the March 5 meeting. The Department of Land Conservation and Development received the required 35 day notice on December 21, 2017.

### IV. FINDINGS OF FACT

- A. Development Code Section 10.020(A) states that *“an amendment to the text of the Development Code or the Comprehensive Plan may be initiated by the City Council, Planning Commission, the Community Development Director, a person owning property in the City, or a City resident.”*

Finding: The proposed amendment to the Development Code is being initiated by the applicant, Jennifer Bunch on behalf of Astor Venture LLC.

- B. Quasi-judicial Amendments.

The following amendment actions are considered quasi-judicial under this Code:

1. A zone change that affects a limited area or a limited number of property owners.

Finding: Forty-six surrounding properties were noticed for this amendment.

#### 10.060. PROCEDURES.

Public notice and procedures of zoning amendments shall be in accordance with Article 9.

#### 10.070. AMENDMENT CRITERIA.

- A. Text Amendment.

Before an amendment to the text of the Code is approved, findings will be made that the following criteria are satisfied:



1. The amendment is consistent with the Comprehensive Plan.
2. The amendment will not adversely affect the ability of the City to satisfy land and water use needs.

B. Map Amendment.

Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied:

1. The amendment is consistent with the Comprehensive Plan.
2. The amendment will:
  - a. Satisfy land and water use needs; or
  - b. Meet transportation demands. The amendment shall be reviewed to determine whether it significantly affects a transportation facility pursuant to Section -0060 of Oregon Administrative Rule (OAR) 660-012, the Transportation Planning Rule (TPR). When the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law; or
  - c. Provide community facilities and services.
3. The land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations.
4. Resource lands, such as wetlands are protected.
5. The amendment is compatible with the land use development pattern in the vicinity of the request.

Finding: The proposed amendment is to amend the map and text of the Astoria Development Code to facilitate the construction of the Astoria Coop grocery. Processing as a quasi-judicial action is necessary because the area to be rezoned is relatively small. Forty-six properties were included in the public notice. The request is consistent with the Comprehensive Plan in that it will not adversely affect the ability of the City to satisfy land and water use needs. A grocery provides a fundamental community service in a residential area, and it will utilize an acre of land in a prominent location that is accessible by foot, bicycle or car. The proposal meets transportation demands as described in the

Traffic Impact Study dated October 13, 2017 as detailed in findings submitted by the applicant, which is Attachment 1. The land is physically suitable and contains no wetlands or resource lands. The amendment is compatible with the land use development pattern in the vicinity. The proposed site is bordered on the west by a gas station and mini-mart, on the south by the Columbia Memorial Hospital complex, and on the west by a multifamily housing complex. A vacant site will remain to the east of the proposed zone change for future development. Single family housing is located on the north side of Steam Whistle Way, where the houses' garages border the street.

1. CP.005(5) concerning General Plan Philosophy and Policy Statement states that local comprehensive plans *"Shall be regularly reviewed, and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve."*

Finding: The Comprehensive Plan and Development Code establish specific uses allowed in each zone.

2. CP.015(1) concerning General Land and Water Use Goals states that *"It is the primary goal of the Comprehensive Plan to maintain Astoria's existing character by encouraging a compact urban form, by strengthening the downtown core and waterfront areas, and by protecting the residential and historic character of the City's neighborhoods. It is the intent of the plan to promote Astoria as the commercial, industrial, tourist, and cultural center of the area."*

CP. 015(2) concerning General Land and Water Use Goals states that *"It is a goal of the plan to encourage the development of public and private lands within the city limits, particularly areas that are presently serviced with sewer and water, prior to the extension of public facilities to areas outside the City."*

Finding: The City, State and private interests have invested heavily in the Mill Pond development. This area is one of the last opportunities for a retail use in the Mill Pond that provides goods and services for the surrounding community in the heart of town. The site is fully serviced by sewer, water, storm drainage and other utilities. Development of the site with a significant new retail use will contribute to the compact urban form. The use will serve Mill Pond residents as well as tourists and medical workers in the hospital campus. Additionally, it will be part of the gateway to the downtown area.

- D. Statewide Planning Goal 12 concerning Transportation requires that cities review transportation related issues when considering land use amendments. Oregon Administrative Rules (OAR) Section 660-012-0060(1) concerning Transportation Planning Rule (TPR) - Plan and Land Use Regulation



Amendments stated that *“Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in Section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. . .”*

Finding: A traffic impact study was prepared by the engineering firm DKS and concluded that there is no negative impact on the transportation facility (the streets or highway) as a result of the development. ODOT and the City Engineering Department have reviewed the DKS Traffic Impact Study and have determined that the proposal is consistent with the City’s Transportation Systems Plan and ODOT standards. A detailed summary of the DKS report has been supplied by the applicant. (Attachment 1)

- E. Section 10.070(A)(2) requires that *“The amendment will not adversely affect the ability of the City to satisfy land and water use needs.”*

Finding: The City conducted a Buildable Lands Inventory (BLI) which was adopted in 2011. The report concluded,

*“A comparison of need and supply of industrial and other employment lands indicates an overall surplus of approximately 6.7 acres of employment land. While there is sufficient land for industrial uses, there is a deficit of land zoned for commercial and particularly retail use. However, a portion of the land identified as “Other” can accommodate specific commercial, industrial, and high-density residential development and help meet the need for additional commercial land.”*<sup>1</sup>

The proposed map amendment would remove approximately 1.04 acres (45,452 sq. ft.) from the AH-MP residential zone and transfer it to the LS commercial zone. The change would not significantly impact the supply of either commercial or residential land. The demonstrated needs according to the BLI are listed below. Although the use will eliminate this area from the inventory available for multifamily housing, there are still 52 acres in the R-3 zone and 23 acres in the R-2 zone that are available for multifamily housing.

## V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. The attached findings of fact supplied by the applicant are included in this report.

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<sup>1</sup> Goal 9 Analysis – City of Astoria Buildable Lands Inventory (2011), Page 1

Staff recommends that the City Council approve the proposed map and text amendments after the public hearing, review, and adoption of ordinance \_\_\_\_\_, including the following conditions:

1. If the proposed project by the Astoria Co-op has not begun substantial construction within two years of the enactment of the amendment, the City shall initiate a rezoning process to rezone the property or site to its original AH-MP (Attached Housing-Mill Pond) Zone designation or other appropriate zone.
2. The applicant shall submit a Lot Line Adjustment, survey, and legal description of the property prior to obtaining building permits.

# FINDINGS OF FACT SUBMITTED BY THE APPLICANT

Attachment 1:

## INTRODUCTION

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The property that is the subject of this application is located at the northeast corner of Marine Drive (US 30) and 23<sup>rd</sup> Street in Astoria and is part of a larger development known as the Mill Pond Village. The area once was home to a 16-acre lumber mill site from 1870 to 1989. During operation of the mill the site had been contaminated with various pollutants and by 1994 was declared a brownfield site. After cleanup the site was developed for mixed use and a village-like atmosphere.

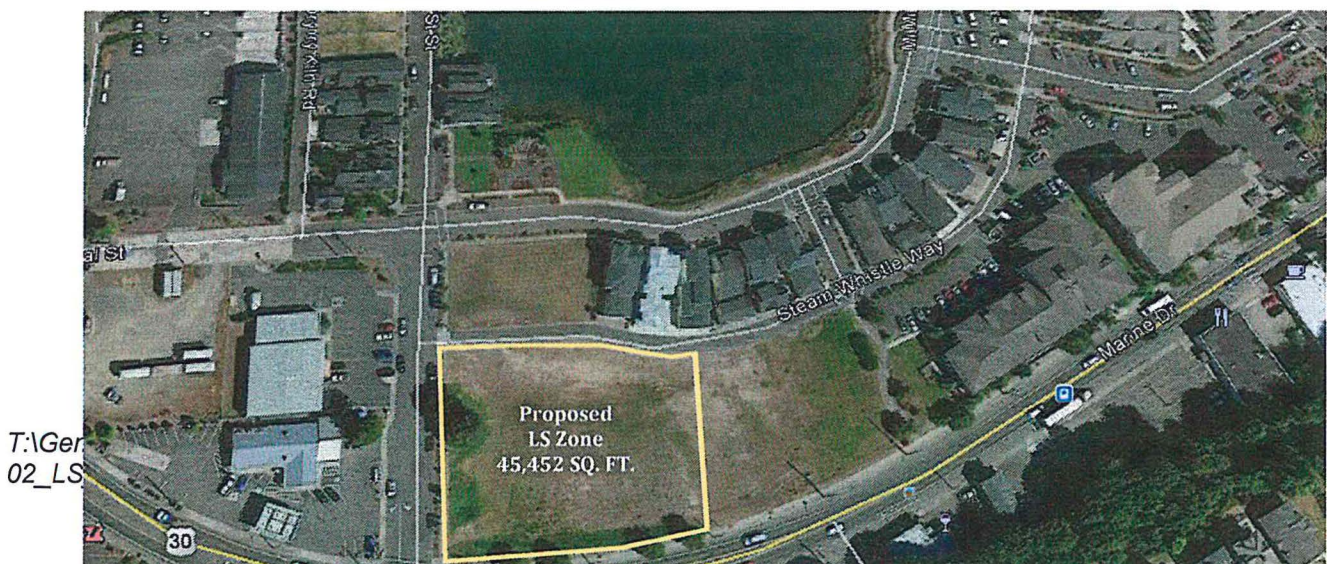
The Astoria Co-op Grocery (Co-op) opened its first storefront in Astoria in 1974, founded by a small group dedicated to organic and natural foods. Since opening the store has relocated twice, most recently in 2008 to a 3,100-square foot space at 14<sup>th</sup> and Exchange with off-street parking. In less than five years after relocating sales had doubled and it was clear that the Co-op was outgrowing its space. In 2013, the Co-op began exploring the idea of relocation and expansion which would be necessary to stay competitive with corporate grocery store offerings.

The Co-op has teamed with property owner, Astor Venture LLC, to pursue the construction of a new building at the 23<sup>rd</sup> and Marine location. The current AH-MP (Attached Housing-Mill Pond) zone of the property limits retail structures to 6,000 square feet. The application proposes to rezone 45,452 square feet of the parcel from the Attached Housing- Mill Pond (AH-MP) zone to the Local Service (LS) zone. This would allow development of an almost 11,600 square foot retail grocery. The remainder of the parcel, approximately 31,508 square feet will remain in the AH-MP zone.

The application also proposes to amend the text of the LS zone to remove uses that would be considered incompatible with the Mill Pond development. The Applicant has worked closely with City of Astoria staff to develop language that will prohibit the gas station, business services establishment, and transportation services establishment uses from being developed between 23<sup>rd</sup> and 29<sup>th</sup> Streets, north of Marine Drive.

## PROPOSED MAP AMENDMENT

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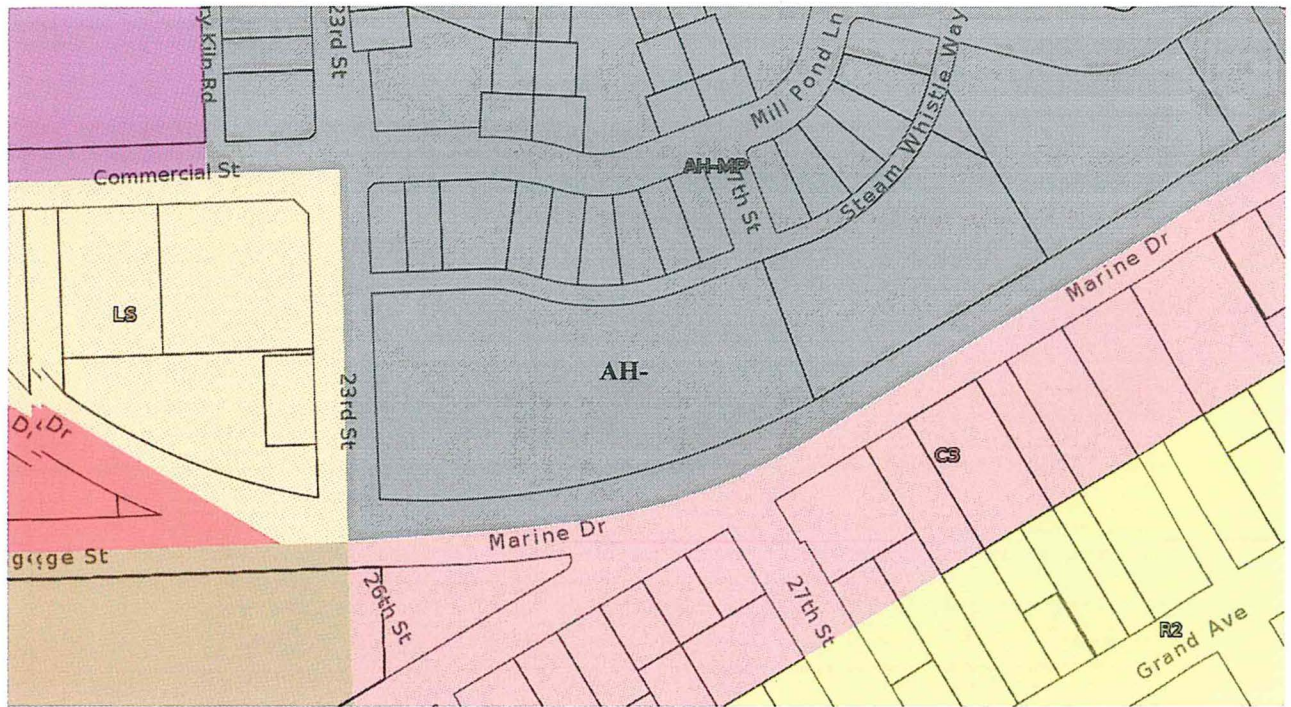


Figure 2: Current Zoning (City of Astoria GIS)

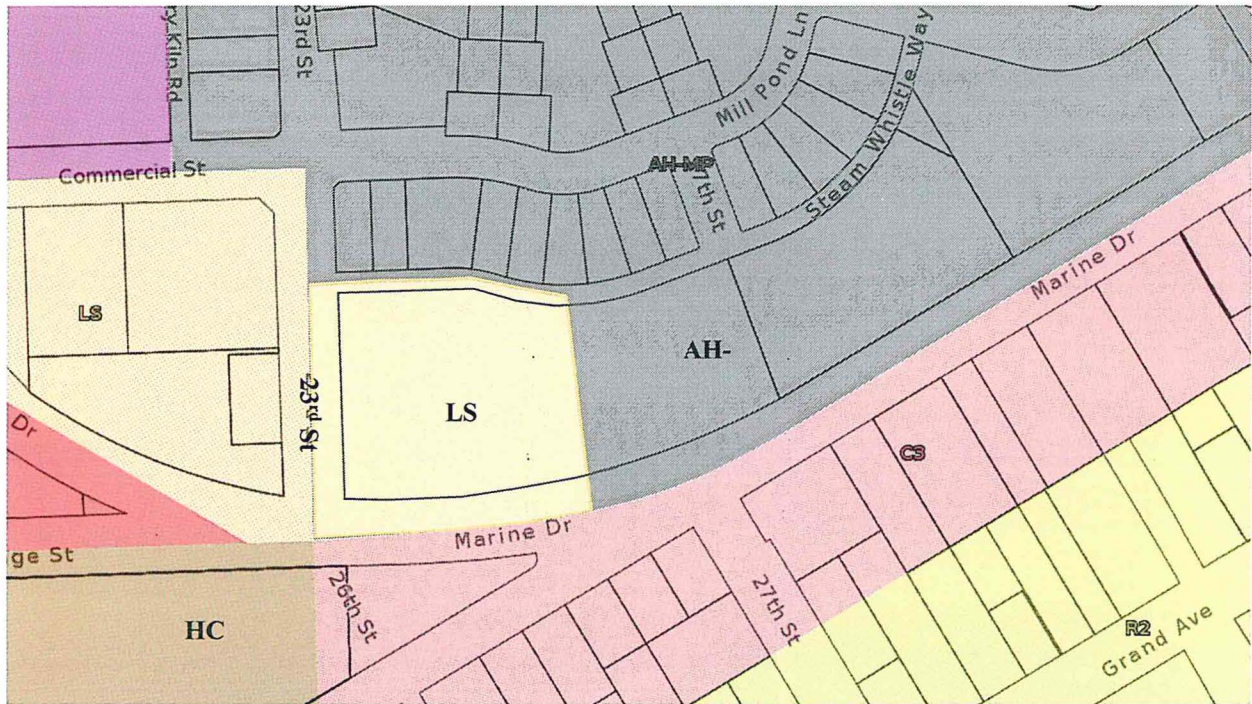


Figure 3: Proposed Zoning



## PROPOSED TEXT AMENDMENT

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### LS ZONE

#### 2.976. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses are permitted in an LS Zone if the Community Development Director determines that the uses will not violate standards referred to in Sections 2.978 through 2.981, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Bed and breakfast or inn.
2. Home occupation, which satisfies requirements in Section 3.095.
3. Personal service establishment.
4. Residential facility, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.
5. Residential home, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.
6. Retail sales establishment. (East of 23<sup>rd</sup> Street, retail sales establishment greater than 14,000 gross square feet shall include a minimum of 50% of gross floor area devoted to multi-family dwellings located above the first floor.)
7. Repair service establishment not exceeding 3,000 square feet gross floor area.
8. Single-family, two-family and multi-family dwelling, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.
9. Transportation facilities.

#### 2.977. CONDITIONAL USES PERMITTED.

The following uses and their accessory uses are permitted in a LS Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.978 through 2.981, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Business service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)
2. Day care center.
3. Eating and drinking establishment without drive-through facility.

4. Family day care center.
5. Gasoline service station. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)
6. Public or semi-public use.
7. Restaurant as an accessory use to an Inn. See Section 3.230.
8. Temporary use meeting the requirements of Section 3.240.
9. Transportation service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)

#### 2.980. HEIGHT OF STRUCTURES.

No structure will exceed a height of 35 feet above grade.

## A. ZONING MAP AMENDMENT FINDINGS

### I. City of Astoria Development Code

#### Section 10.070.B Amendment Criteria – Map Amendment

##### 1. The amendment is consistent with the Comprehensive Plan.

#### CP.030 – CP.105 Area Descriptions and Policies

##### CP.057 Gateway Overlay Area

##### CP.058 Gateway Overlay Area Policies

1. The City will utilize the general vision of the Gateway Master Plan to direct future development in the Gateway Overlay Area. The overall Comprehensive Plan objectives are to:
  - c. promote new land uses complementary to the riverfront and existing development, particularly visitor oriented uses and high-density housing;

Applicant Finding: The proposed amendment will allow development of a grocery which will serve not only those living nearby in high-density housing but also those throughout Astoria, living in nearby communities and traveling through the area.

4. The former Astoria Plywood Mill Site will be developed as a mixed-use development which will complement the Gateway Overlay Area and the Downtown Area, and provide new housing opportunities. The Gateway Master Plan will serve as a guideline for the development of the Mill Site. Variations from the Gateway Master Plan may be appropriate provided the overall development proposal substantially carries out the Gateway Master Plan objectives.

Applicant Finding: The proposed map amendment is consistent with the policy of mixed-use development at the Mill Pond site. The amendment is proposed to allow a specific development that will co-exist and complement the existing uses surrounding the mill pond by providing a transition zone from the surrounding commercial and industrial uses. As demonstrated in Table 1, the LS Zone provides a logical transition from the adjacent C3 commercial zone across Marine Drive which permits more intense commercial and light industrial uses, to the AH-MP Zone of the mill pond area, that is primarily focused on high-density housing with a lower impact commercial component.



Table 1: Allowed Uses

Zoning Comparison	Current Zone	Proposed Zone	Adjacent Zone
Uses	AH MP	LS (Amended)	C3
Arts/Crafts Studio	Outright		
Family Day Care Center	Outright	Conditional	Outright
Home Occupation	Outright	Outright	Outright
SFD	Outright		Outright w/ commercial use
Two Family Dwelling	Outright	Outright w/ commercial use	Outright w/ commercial use
Multi Family Dwelling	Outright	Outright w/ commercial use	Outright
Personal Services	Outright	Outright	Outright
Professional Services	Outright		Outright
Residential Home	Outright	Outright	
Residential Facility	Outright	Outright	Outright
Transportation Facilities	Outright	Outright	Outright
Bed and Breakfast or Inn	Conditional	Outright	
Day Care Center	Conditional	Conditional	Conditional
Eating/Drinking Establishment	Conditional	Conditional	
Pubic or Semi-Public Use	Conditional	Conditional	
Restaurant associated w/ Inn	Conditional	Conditional	
Retail Sales <6000 sq ft	Conditional	Outright	Outright
Retail Sales >6000 sq ft		Outright	Outright
Repair Services <3000 sq ft		Outright	Outright
Business Services Establishment			Outright
Gasoline Service Station			Conditional
Transportation Service Estab.			Outright
Commercial Laundry/Dry Clean			Outright
Off street Parking			Outright
Communcation Services Estab			Outright
Construction Services Estab			Outright
Educational Services Estab			Outright
Hotel, Motel, Tourist Lodging			Outright
Conference Center			Outright
Indoor Family Entertainment			Outright
Animal Hospital/kennel			Conditional
Auto sales/service			Conditional
Hospital			Conditional
Light Manufacturing			Conditional
Recycling Estab			Conditional
Wholesale Warehouse			Conditional

**CP.068 Astoria Riverfront Vision Overlay Area Policies**

2. Encourage a mix of uses that supports Astoria's "working waterfront" and the City's economy. The overall Comprehensive Plan objectives are to:
  - a. Allow for development that supports downtown and other commercial areas.



**Applicant Findings:** As the Co-op becomes a full-line grocer it is anticipated that additional customers will be drawn from outside the current service area. As a result, visits to Astoria and its downtown core and other commercial areas should increase.

- b. Limit development in areas with most significant impacts on open space, view or other resources.

**Applicant Findings:** The proposal seeks to amend the base zone but not to remove the existing overlay zones that protect open space and view corridors. Application of the overlay and LS development standards during design review will ensure consistency with this policy.

- c. Promote uses that provide jobs and support the local economy.

**Applicant Findings:** Currently the Co-op employs 25 local workers. At the new location, it is anticipated that an additional 35-40 local jobs will be added. Having seen an increase of sales by almost 20% in 2016, the expansion will allow additional access, parking and visibility which will only serve to increase and support the local economy. In a 2012 study<sup>2</sup> by the National Co-op Grocers, it was found that \$0.38 of every dollar spent at a food co-op is reinvested in the local economy as compared to \$0.24 from conventional grocers.

#### **CP.110 – CP.125      Urban Growth**

**Applicant Findings:** This element does not contain applicable policies.

#### **CP.130 – CP.186      Aquatic and Shoreland**

CP.170 Downtown Astoria Sub-Area Plan

**Applicant Findings:** The subject property is located within the Downtown Sub-Area; however, this section does not contain applicable policies.

#### **CP.190 – CP.210      Economic Element**

CP.200 Economic Development Goal 1 and Goal 1 Policies

Goal: The City of Astoria will strengthen improve, and diversify the area's economy to increase local employment opportunities.

Policies:

1. Encourage, support, and assist existing businesses.
4. Encourage private development such as retail, restaurants, commercial services, transient lodging.

**Applicant Findings:** The Co-op estimates an increase of 35-40 additional jobs with the expansion. Approval of the zoning map amendment would be consistent with Policies 1 and 4.

CP.207. Economic Development Goal 8 and Goal 8 Policies.

Goal: Be prepared for business growth with ready properties.

<sup>2</sup> *Health Foods Healthy Communities: The Social and Economic Impacts of Food Co-ops (2012)*

**Policies:**

- 1) Support the development and maintenance of property inventory.
- 2) Maintain an adequate supply of vacant commercial, industrial and waterfront development property to provide for the economic growth of the community.
- 3) Ensure an adequate supply of employment lands with areas large enough to meet the objectives needed for commercial uses, but not so large as to affect adjacent residential neighborhoods.

**Applicant Findings:** The City conducted a Buildable Lands Inventory (BLI) which was adopted in 2011. The report concluded,

*“A comparison of need and supply of industrial and other employment lands indicates an overall surplus of approximately 6.7 acres of employment land. While there is sufficient land for industrial uses, there is a deficit of land zoned for commercial and particularly retail use. However, a portion of the land identified as “Other” can accommodate specific commercial, industrial, and high-density residential development and help meet the need for additional commercial land.”*<sup>3</sup>

The proposed map amendment would remove approximately 1.04 acres (45,452 sq. ft.) from the AH-MP residential zone and transfer it to the LS commercial zone. The change would not significantly impact the supply of either commercial or residential land. The demonstrated needs according to the BLI are listed below.

**Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027**

Table 2

Type of Use	R1	R2	R3	AH-MP	Total
Land Need	115.4	51.2	67.0	2.7	236.4
Land Supply	25.20	74.99	119.18	1.49	220.86
Surplus/(Deficit)	(90.20)	23.79	52.18	(1.21)	(15.54)

Source: Wingard Planning & Development Services

Table 3

Growth Scenario	Type of Use	Commercial (Office/Retail)	Industrial/Other	Total
Medium	Land Need	38.2	11.5	49.7
	Land Supply	17.1	39.3	56.4
Surplus/(Deficit)	Surplus/(Deficit)	(21.1)	27.8	6.7

Source: Cogan Owens Cogan

**CP.215. Housing Element**

**CP.220. Housing Policies.**

2. Provide residential areas with services and facilities necessary for safe, healthful, and convenient urban living.

<sup>3</sup> Goal 9 Analysis – City of Astoria Buildable Lands Inventory (2011), Page 1



Applicant Findings: The map amendment will support the relocating and expansion of a retail grocery, which includes increase parking and visibility, will allow additional service and convenience to the citizens of Astoria.

6. Protect neighborhoods from incompatible uses, including large scale commercial, industrial, and public uses or activities.

Applicant Findings: As demonstrated earlier in Table 1, the uses of the LS zone are not markedly different from the uses in the AH-MP zone. The proposed amendment would facilitate a retail use that exceeds the square foot limitation for retail uses in the AH-MP zone. This retail use, Astoria Co-op Grocery, will be developed in a way not to detract from the neighborhood atmosphere of the Mill Pond. Refer to *Figure 4* below for a visual example of the Co-op project. Prior to construction the development will be subject to City of Astoria Design Review and applicable development standards. This process will ensure compatibility of the use with the adjacent Mill Pond area.

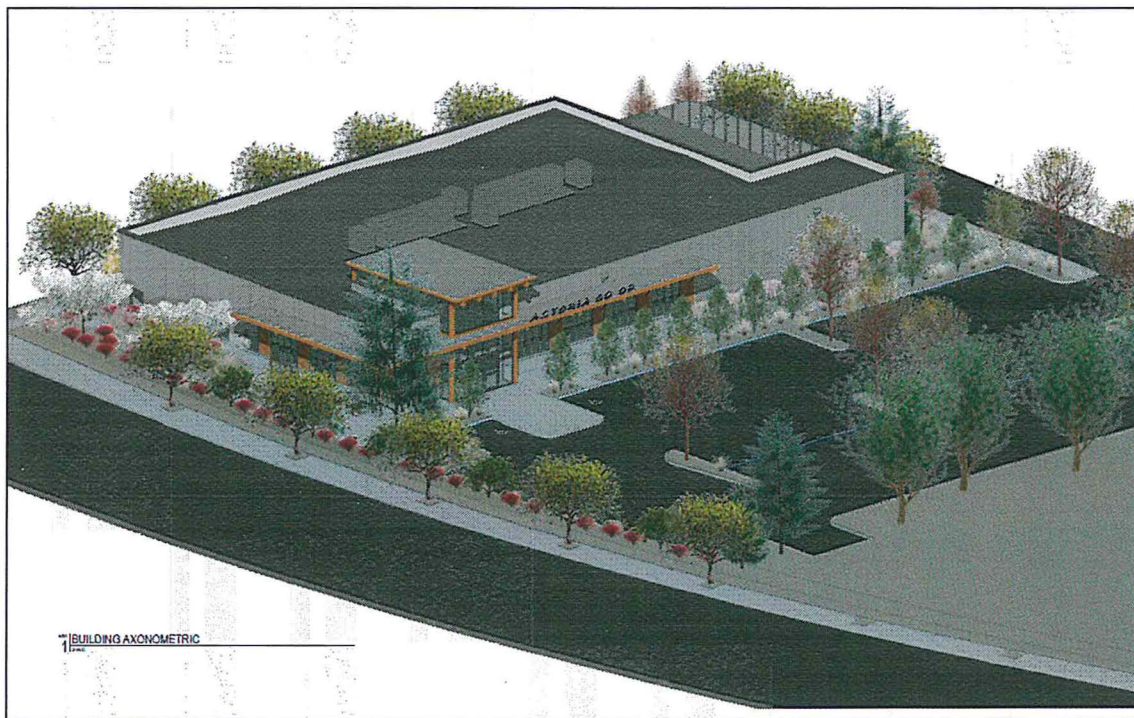


Figure 1:  
Exterior  
View

**CP.240**

### **Historic Preservation**

**CP.260**                    **Parks, Recreation and Open Space Element**

**CP.290.**            **Public Facilities Element**

**CP.345.**            **Transportation**

**CP.375.**            **Air, Water, and Land Quality**

**CP.390.**            **Geologic and Flood Hazards**

**CP.405.**            **Energy Conservation**

**CP.425.**            **Forest Resources**

**CP.445.**            **Natural Resource Considerations**

Applicant Findings: These elements do not contain applicable policies.



**CP.465. Procedural and Participation Policies**

Applicant Findings: This section does not contain applicable policies for the applicant to address.

**CRITERIA #1 - CONCLUSION:** Based on these findings the zoning map amendment is consistent with the applicable comprehensive plan polices. Therefore, Criteria #1 is satisfied.

- 2. The amendment will:**
- a. Satisfy land and water use needs; or**
  - b. Meet transportation demands; or**
  - c. Provide community facilities and services.**

Applicant Findings: The proposed amendment will provide needed land for a retail use that is similar to what is currently allowed in the AH-MP zone yet not as intense as adjacent commercial and light industrial uses. The expansion of the Astoria Co-op Grocery will satisfy land and water use needs.

**CRITERIA #2 - CONCLUSION:** Based on these findings the amendment will satisfy land and water use needs. Therefore, Criteria #2 is satisfied.

- 3. The land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations.**

Applicant Findings: The site is relatively flat and contains no known geological hazards. The site is within FEMA Flood Zone X<sup>4</sup>, outside the annual 0.2% chance of flood and is therefore suitable based on physical conditions. The criterion is met.

**CRITERIA #3 - CONCLUSION:** Based on these findings the land is physically suitable for the uses to be allowed. Therefore, Criteria #3 is satisfied.

- 4. Resource lands, such as wetlands are protected.**

Applicant Findings: There are no known wetlands or resource lands on the site. This criterion does not apply.

**CRITERIA #4 - CONCLUSION:** There are no known wetland or resource lands on the site. Therefore, Criteria #4 does not apply.

- 5. The amendment is compatible with the land use development pattern in the vicinity of the request.**

<sup>4</sup> NFIP FIRM Panel 41007C0299E (adopted 9/17/2010)



**Applicant Findings:** The site is situated in a transition area between the residentially and commercially developed areas and could be a cohesive part of either development area. Due to its proximity to dwellings and adjacent commercial district along Marine Drive, the Local Service zone would be more consistent with a desired transition zone yet compatible with the adjacent development patterns. Refer to Figure 5.

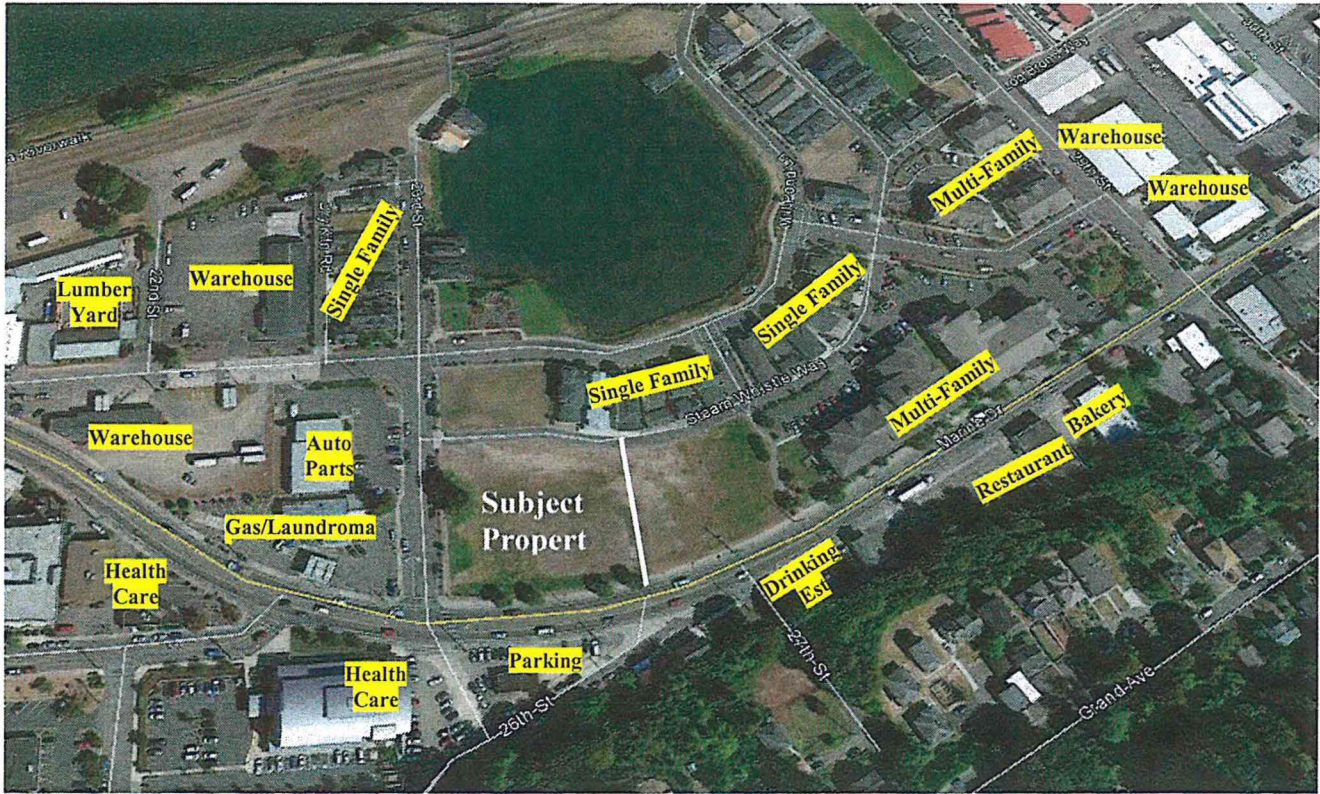


Figure 2: Aerial Photo ©Google 2017

**CRITERIA #4 - CONCLUSION:** Based on these findings the proposed amendment is compatible with the land use development pattern in the vicinity of the request. Therefore, Criteria #5 is satisfied.

## II. Transportation Planning Rule

The following findings are from the *Traffic Impact Analysis and Transportation Planning Rule Assessment for Proposed Astoria Co-op Grocery Store*. Prepared by DKS Associates, October 2017, Table 9, Pages 24-28. The report is attached as Exhibit 1.

### Statewide Planning Goal 12: Transportation Transportation Planning Rule - OAR 660-012-0060

1. If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

TIA/TPR Analysis Findings: No transportation facilities are significantly affected under these or other subsections. See below.

- a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

TIA/TPR Analysis Findings: No changes to the functional classification of transportation facilities were required with the proposed project.

- b. Change standards implementing a functional classification system; or

TIA/TPR Analysis Findings: No facility standards were impacted with the proposed project.

- c. Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

TIA/TPR Analysis Findings: Table 8 documents TIA projected conditions measured at the end of the planning period identified in the adopted TSP. The amendment does not include any enforceable, ongoing requirements that would demonstrably limit traffic generation.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

TIA/TPR Analysis Findings: Types and levels of travel and access expected on existing and planned transportation facilities are consistent with their functional classifications.

- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

TIA/TPR Analysis Findings: The proposed plan amendments do not degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan. The transportation analysis in Table 8 demonstrates that the intersection that would not be expected to meet mobility targets under the Code Amendment Scenario was also identified in the TSP Baseline Scenario. This intersection will be improved with a project included in the TSP; the performance will be unchanged or improved rather than degraded.

- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

TIA/TPR Analysis Findings: The proposed plan amendment does not degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan. The transportation analysis in Table 8 demonstrates that the intersection that would not be expected to meet mobility targets under the Code Amendment Scenario was also identified in the TSP Baseline Scenario, with unchanged performance at the intersection with the proposed project.

- 2. If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

TIA/TPR Analysis Findings: N/A; there will not be a significant effect.

- a. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

TIA/TPR Analysis Findings: N/A

- b. Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

TIA/TPR Analysis Findings: N/A

- c. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

TIA/TPR Analysis Findings: N/A

- d. Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

TIA/TPR Analysis Findings: N/A

- e. Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

TIA/TPR Analysis Findings: N/A

- 3. Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

TIA/TPR Analysis Findings: N/A; there will not be a significant effect.

- a. In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP.

TIA/TPR Analysis Findings: N/A

- b. b. Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures.

TIA/TPR Analysis Findings: N/A

- c. The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C).

TIA/TPR Analysis Findings: N/A

- d. For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further



degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

TIA/TPR Analysis Findings: N/A

4. Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

TIA/TPR Analysis Findings: The transportation analysis was coordinated with the City of Astoria and ODOT.

- a. In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

TIA/TPR Analysis Findings: As described further below, the analysis relies on existing transportation facilities and services that meet the criteria in subsections (b) and (c). No planned transportation facilities were assumed.

- b. Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:
  - (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.
  - (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.
  - (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.
  - (D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.
  - (E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written

statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

TIA/TPR Analysis Findings: No planned transportation projects were assumed.

- c. Within interstate interchange areas, the improvements included in (b)(A)–(C) are considered planned facilities, improvements and services, except where:
  - (A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or
  - (B). There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

TIA/TPR Analysis Findings: N/A. The project site is outside of interstate interchange areas.

5. The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.

TIA/TPR Analysis Findings: The proposed amendment does not include an exception to allow development on rural lands; therefore, this section is not applicable.

**TPR - CONCLUSION:** Based on the results of the Traffic Impact Analysis and these findings the proposed zoning map amendment will not significantly affect the existing transportation facilities.

## **CONCLUSION – ZONING MAP AMENDMENT**

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Based on the findings of this application the proposed zoning map amendment is consistent with the applicable requirements of the City of Astoria Comprehensive Plan and Development Code as well as the State of Oregon Goal 12 Transportation Planning Rule.

## B. TEXT AMENDMENT FINDINGS

### I. City of Astoria Development Code

#### Section 10.070.A Amendment Criteria –Text Amendment

##### 1. The amendment is consistent with the Comprehensive Plan.

#### CP.010 – CP.028 General Development Policies

Applicant Findings: This section does not contain applicable policies.

#### CP.030 - CP.105 Area Descriptions & Policies

CP.057. Gateway Overlay Area.

CP.058. Gateway Overlay Area Policies.

1. The City will utilize the general vision of the Gateway Master Plan to direct future development in the Gateway Overlay Area. The overall Comprehensive Plan objectives are to:

- c. promote new land uses complementary to the riverfront and existing development, particularly visitor oriented uses and high-density housing;

Applicant Findings: The text amendment will allow for uses to complement the high-density housing as well as visitor oriented uses in the Mill Pond area.

2. The City will maintain the Gateway Overlay Area plan element of the Comprehensive Plan through its Development Code, including new planning zones and development standards, and through a design review process.

Applicant Findings: The proposed amendment is consistent with this policy by allowing an existing zone in the Gateway Overlay area yet taking into consideration the unique characteristics of the Mill Pond development.

#### CP.110 – CP.105 Urban Growth

#### CP130 - CP.186 Aquatic and Shoreland

Applicant Findings: These elements do not contain applicable policies.

#### CP.190 – CP.210 Economic Element

CP.200. Economic Development Goal 1 and Goal 1 Policies.

Goal: The City of Astoria will strengthen improve, and diversify the area's economy to increase local employment opportunities.

1. Encourage, support, and assist existing businesses.

Applicant Findings: Amending the text of the LS zone will allow development of the Co-op yet ensure uses that may not be desirable near high density house will be not be developed on the site.

**CP.215 Housing**

**CP.240 Historic Preservation**

**CP.260 Parks, Recreation and Open Space Element**

**CP.290. Public Facilities Element**

**CP.345. Transportation**

**CP.375. Air, Water, and Land Quality**

**CP.390. Geologic and Flood Hazards**

**CP.405. Energy Conservation**

**CP.425. Forest Resources**

**CP.445. Natural Resource Considerations**

Applicant Findings: These elements do not contain applicable policies.

**CRITERIA #1 - CONCLUSION:** Based on these findings the text amendment is consistent with the applicable comprehensive plan polices. Therefore, Criteria #1 is satisfied.

2. **The amendment will not adversely affect the ability of the City to satisfy land and water use needs.**

Applicant Findings: This amendment will not adversely affect the ability of the City to satisfy land and water use needs but will assist in meeting those needs by permitting the Co-op development in the Mill Pond area that will enhance the atmosphere and provide services for those residing in the area and within the city.

**CRITERIA #2 - CONCLUSION:** Based on these findings the text amendment will not adversely affect the ability of the City to satisfy land and water use needs. Therefore, Criteria #2 is satisfied.

## **CONCLUSION – TEXT AMENDMENT**

Based on the findings of this application the proposed text amendment is consistent with the applicable requirements of the City of Astoria Comprehensive Plan and Development Code.

## **OVERALL CONCLUSION**

The applicant has demonstrated, through the finding contained in the application, that the proposed zoning map amendment and text amendment are consistent with the applicable requirements.

## ORDER

- 1-24-18      Order A17-02 recommending approval of Amendment (A17-02) by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive.
- 1-25-18      Staff Report and Findings of Fact for approval of Amendment Request (A17-02).



BEFORE THE PLANNING COMMISSION  
OF THE CITY OF ASTORIA

IN THE MATTER OF AN AMENDMENT )

FOR THE FOLLOWING PROPERTY: MAP T8N-R9W )  
SECTION 23RD STREET TO 29TH STREET; )  
MARINE DRIVE, ASTORIA OR 97103 )

ZONING: AH-MP, ATTACHED HOUSING-MILL POND )  
LS, LOCAL SERVICE )

ORDER NO. A17-02

APPLICANT: GARRY VALLASTER, ASTOR VENTURE, LLC, )  
REPRESENTED BY JENNIFER BUNCH, DBA WICKIUP )  
CONSULTING, LLC, PO BOX 1455, ASTORIA, OR 97103 )

The above named applicant applied to the City for Amendment 17-02 to amend the Land Use and Zoning Map to rezone an area from AH-MP (Attached Housing-Mill Pond) to LS (Local Service) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive in Astoria, OR 97103.


A public hearing on the above entitled matter was held before the Planning Commission on January 24, 2018 and the Planning Commission closed the public hearing and rendered a decision at the January 24, 2018 meeting.

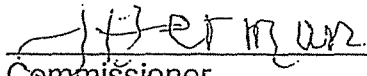
The Planning Commission found the proposed amendment to be necessary and recommends to the Astoria City Council that the proposed amendment be approved. *A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.*

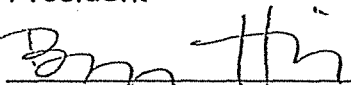
DATE SIGNED: JANUARY 24, 2018

DATE MAILED: 1/26/18 AS

CITY OF ASTORIA PLANNING COMMISSION

  
\_\_\_\_\_  
President

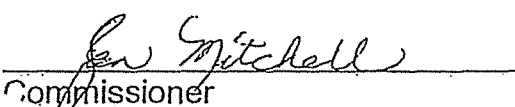
  
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STAFF REPORT AND FINDINGS OF FACT

January 25, 2018

TO: ASTORIA PLANNING COMMISSION

FROM: MIKE MORGAN, INTERIM PLANNER

SUBJECT: AMENDMENT REQUEST (A17-02) BY GARRY (DON) VALLASTER, ASTOR VENTURE LLC, FOR A MAP AND TEXT AMENDMENT TO THE DEVELOPMENT CODE TO FACILITATE THE CONSTRUCTION OF A RETAIL GROCERY STORE IN THE LOCAL SERVICE (LS) ZONE.

I. BACKGROUND SUMMARY

A. Applicant: Jennifer Bunch, Wickiup Consulting, on behalf of Garry Vallaster, Astor Venture, LLC, property owner.

B. Request: To amend the zoning map and development code to allow the construction by the Astoria Coop. The amendment changes the zoning on 1.04 acres from Attached Housing – Mill Pond (AH-MP) to Local Service (LS). In addition, a text amendment is proposed to remove certain uses from the LS zone between 23<sup>rd</sup> and 29<sup>th</sup> streets north of Marine Drive.

C. Owner: Astor Venture, LLC Garry (Don) Vallaster

C. Location: Northeast corner of 23<sup>rd</sup> and Marine Drive

D. Zone: AH-MP/LS West half of tax lot 899CB 6803

E. Previous Applications: The site was planned for the Wauna Credit Union (1999-2000) and the Clatsop Care facility (2010-2012), neither of which began construction.

II. BACKGROUND

The property was part of the Mill Pond redevelopment project, initiated by the City of Astoria and Venerable Properties beginning in 1997/1998. The larger area is designated Attached Housing-Mill Pond (AH-MP) around the Mill Pond from 23<sup>rd</sup> to 29<sup>th</sup> streets, and extending from the river south to Marine Drive. Development within the zone has been exclusively residential to date, with single family dwellings surrounding the mill pond and affordable multifamily apartments situated along Marine Drive. There have been several attempts in the past to develop this lot for non-residential uses, including a credit union and a medical facility. The AH-MP zone

permits retail uses as a conditional use, but not in excess of 6000 s.f. In discussions with the applicant, staff determined that it would be more appropriate to extend the Local Service (LS) zone to the east, where retail sales are permitted outright, and to add some restrictions regulating the size.

A summary table of the code revisions can be found on Attachment 1. In addition, the property lies within the Gateway Overlay Zone and Civic Greenway Overlay Zone.

**PROPOSED MAP AMENDMENT**





### III. PUBLIC REVIEW AND COMMENT

#### Planning Commission

A public notice was mailed to surrounding property owners and interested parties on December 29, 2017. In accordance with Section 9.020, a notice of public hearing was published in the *Daily Astorian* on January 17, 2018. The proposed amendments are quasi-judicial since they apply to a specific and discreet area. Any comments received will be made available at the Planning Commission meeting. The Department of Land Conservation and Development received the required 35 day notice on December 21, 2017.

### IV. FINDINGS OF FACT

- A. Development Code Section 10.020(A) states that “*an amendment to the text of the Development Code or the Comprehensive Plan may be initiated by the City Council, Planning Commission, the Community Development Director, a person owning property in the City, or a City resident.*”

Finding: The proposed amendment to the Development Code is being initiated by the applicant, Jennifer Bunch on behalf of Astor Venture LLC.

- B. Quasi-judicial Amendments.

The following amendment actions are considered quasi-judicial under this Code:

1. A zone change that affects a limited area or a limited number of property owners.

Finding: Forty-six surrounding properties were noticed for this amendment.

#### 10.060. PROCEDURES.

Public notice and procedures of zoning amendments shall be in accordance with Article 9.

#### 10.070. AMENDMENT CRITERIA.

- A. Text Amendment.

Before an amendment to the text of the Code is approved, findings will be made that the following criteria are satisfied:

1. The amendment is consistent with the Comprehensive Plan.

2. The amendment will not adversely affect the ability of the City to satisfy land and water use needs.

B. Map Amendment.

Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied:

1. The amendment is consistent with the Comprehensive Plan.
2. The amendment will:
  - a. Satisfy land and water use needs; or
  - b. Meet transportation demands. The amendment shall be reviewed to determine whether it significantly affects a transportation facility pursuant to Section -0060 of Oregon Administrative Rule (OAR) 660-012, the Transportation Planning Rule (TPR). When the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law; or
  - c. Provide community facilities and services.
3. The land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations.
4. Resource lands, such as wetlands are protected.
5. The amendment is compatible with the land use development pattern in the vicinity of the request.

Finding: The proposed amendment is to amend the map and text of the Astoria Development Code to facilitate the construction of the Astoria Coop grocery. Processing as a quasi-judicial action is necessary because the area to be rezoned is relatively small. Forty-six properties were included in the public notice. The request is consistent with the Comprehensive Plan in that it will not adversely affect the ability of the City to satisfy land and water use needs. A grocery provides a fundamental community service in a residential area, and it will utilize an acre of land in a prominent location that is accessible by foot, bicycle or car. The proposal meets transportation demands as described in the Traffic Impact Study dated October 13, 2017 as detailed in Attachment 1. The land is physically suitable and contains no wetlands or resource lands. The amendment is compatible with the land use development pattern in the vicinity.

The proposed site is bordered on the west by a gas station and mini-mart, on the south by the Columbia Memorial Hospital complex, and on the west by a multifamily housing complex. A vacant site will remain to the east of the proposed zone change for future development. Single family housing is located on the north side of Steam Whistle Way, where the houses' garages border the street.

1. CP.005(5) concerning General Plan Philosophy and Policy Statement states that local comprehensive plans *"Shall be regularly reviewed, and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve."*

Finding: The Comprehensive Plan and Development Code establish specific uses allowed in each zone.

2. CP.015(1) concerning General Land and Water Use Goals states that *"It is the primary goal of the Comprehensive Plan to maintain Astoria's existing character by encouraging a compact urban form, by strengthening the downtown core and waterfront areas, and by protecting the residential and historic character of the City's neighborhoods. It is the intent of the plan to promote Astoria as the commercial, industrial, tourist, and cultural center of the area."*

CP. 015(2) concerning General Land and Water Use Goals states that *"It is a goal of the plan to encourage the development of public and private lands within the city limits, particularly areas that are presently serviced with sewer and water, prior to the extension of public facilities to areas outside the City."*

Finding: The City, State and private interests have invested heavily in the Mill Pond development. This area is one of the last opportunities for a retail use in the Mill Pond that provides goods and services for the surrounding community in the heart of town. The site is fully serviced by sewer, water, storm drainage and other utilities. Development of the site with a significant new retail use will contribute to the compact urban form. The use will serve Mill Pond residents as well as tourists and medical workers in the hospital campus. Additionally, it will be part of the gateway to the downtown area.

- D. Statewide Planning Goal 12 concerning Transportation requires that cities review transportation related issues when considering land use amendments. Oregon Administrative Rules (OAR) Section 660-012-0060(1) concerning Transportation Planning Rule (TPR) - Plan and Land Use Regulation Amendments stated that *"Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall*

*put in place measures as provided in Section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. . .”*

Finding: A traffic impact study was prepared by the engineering firm DKS and concluded that there is no negative impact on the transportation facility (the streets or highway) as a result of the development. ODOT and the City Engineering Department are currently reviewing the DKS Traffic Impact Study and may provide additional input at the planning commission hearing. Refer to the attached summary of the report supplied by the applicant. (Attachment 1)

- E. Section 10.070(A)(2) requires that *“The amendment will not adversely affect the ability of the City to satisfy land and water use needs.”*

Finding: The City conducted a Buildable Lands Inventory (BLI) which was adopted in 2011. The report concluded,

“A comparison of need and supply of industrial and other employment lands indicates an overall surplus of approximately 6.7 acres of employment land. While there is sufficient land for industrial uses, there is a deficit of land zoned for commercial and particularly retail use. However, a portion of the land identified as “Other” can accommodate specific commercial, industrial, and high-density residential development and help meet the need for additional commercial land.”<sup>1</sup>

The proposed map amendment would remove approximately 1.04 acres (45,452 sq. ft.) from the AH-MP residential zone and transfer it to the LS commercial zone. The change would not significantly impact the supply of either commercial or residential land. The demonstrated needs according to the BLI are listed below. Although the use will eliminate this area from the inventory available for multifamily housing, there are still 52 acres in the R-3 zone and 23 acres in the R-2 zone that are available for multifamily housing.

## V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. The attached findings of fact supplied by the applicant are included in this report. Any additional comments by ODOT regarding the Traffic Impact Study should be considered by the Planning Commission.

Staff recommends that the Planning Commission recommend approval of the proposed amendment to the City Council for a public hearing, review, and adoption.

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<sup>1</sup> Goal 9 Analysis – City of Astoria Buildable Lands Inventory (2011), Page 1

Planning Commission recommends the following conditions:

1. If the proposed project by the Astoria Co-op has not begun substantial construction within two years of the enactment of the amendment, the City shall initiate a rezoning process to rezone the property or site to its original AH-MP (Attached Housing-Mill Pond) Zone designation or other appropriate zone.
2. The applicant shall submit a Lot Line Adjustment, survey, and legal description of the property prior to obtaining building permits.

Attachment 1:

## **INTRODUCTION**

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The property that is the subject of this application is located at the northeast corner of Marine Drive (US 30) and 23<sup>rd</sup> Street in Astoria and is part of a larger development known as the Mill Pond Village. The area once was home to a 16-acre lumber mill site from 1870 to 1989. During operation of the mill the site had been contaminated with various pollutants and by 1994 was declared a brownfield site. After cleanup the site was developed for mixed use and a village-like atmosphere.

The Astoria Co-op Grocery (Co-op) opened its first storefront in Astoria in 1974, founded by a small group dedicated to organic and natural foods. Since opening the store has relocated twice, most recently in 2008 to a 3,100-square foot space at 14<sup>th</sup> and Exchange with off-street parking. In less than five years after relocating sales had doubled and it was clear that the Co-op was outgrowing its space. In 2013, the Co-op began exploring the idea of relocation and expansion which would be necessary to stay competitive with corporate grocery store offerings.

The Co-op has teamed with property owner, Astor Venture LLC, to pursue the construction of a new building at the 23<sup>rd</sup> and Marine location. The current AH-MP (Attached Housing-Mill Pond) zone of the property limits retail structures to 6,000 square feet. The application proposes to rezone 45,452 square feet of the parcel from the Attached Housing- Mill Pond (AH-MP) zone to the Local Service (LS) zone. This would allow development of an almost 11,600 square foot retail grocery. The remainder of the parcel, approximately 31,508 square feet will remain in the AH-MP zone.

The application also proposes to amend the text of the LS zone to remove uses that would be considered incompatible with the Mill Pond development. The Applicant has worked closely with City of Astoria staff to develop language that will prohibit the gas station, business services establishment, and transportation services establishment uses from being developed between 23<sup>rd</sup> and 29<sup>th</sup> Streets, north of Marine Drive.

## **PROPOSED MAP AMENDMENT**

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Figure 1: Aerial View (2017 ©Google)

Proposed Map Amendment Area 1



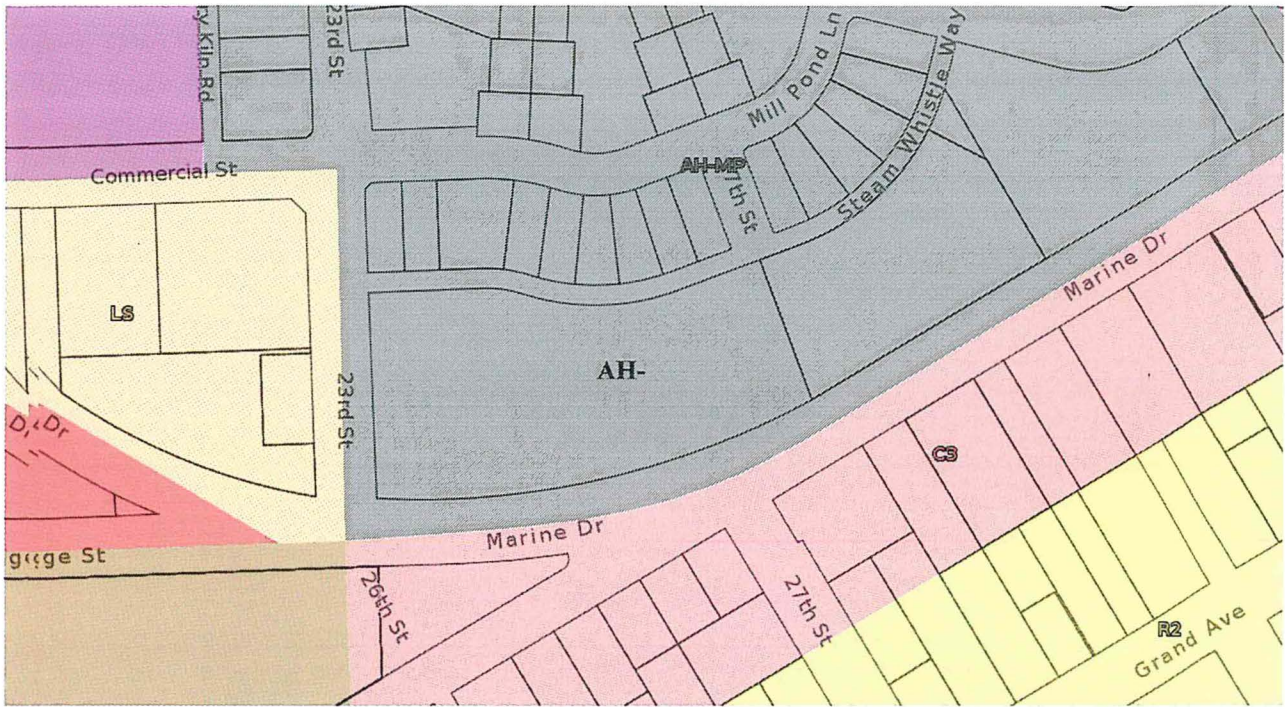


Figure 2: Current Zoning (City of Astoria GIS)

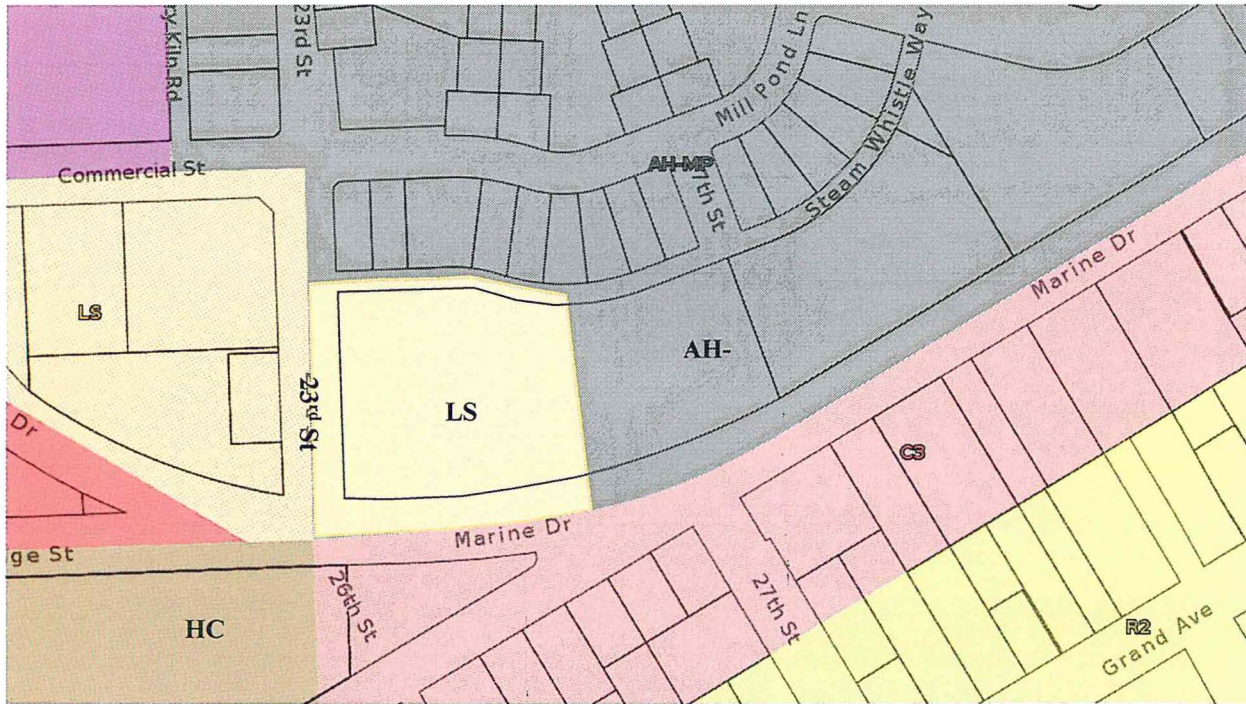


Figure 3: Proposed Zoning



## PROPOSED TEXT AMENDMENT

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### LS ZONE

#### 2.976. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses are permitted in an LS Zone if the Community Development Director determines that the uses will not violate standards referred to in Sections 2.978 through 2.981, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Bed and breakfast or inn.
2. Home occupation, which satisfies requirements in Section 3.095.
3. Personal service establishment.
4. Residential facility, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.
5. Residential home, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.
6. Retail sales establishment. (East of 23<sup>rd</sup> Street, retail sales establishment greater than 14,000 gross square feet shall include a minimum of 50% of gross floor area devoted to multi-family dwellings located above the first floor.)
7. Repair service establishment not exceeding 3,000 square feet gross floor area.
8. Single-family, two-family and multi-family dwelling, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.
9. Transportation facilities.

#### 2.977. CONDITIONAL USES PERMITTED.

The following uses and their accessory uses are permitted in a LS Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.978 through 2.981, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Business service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)
2. Day care center.
3. Eating and drinking establishment without drive-through facility.



4. Family day care center.
5. Gasoline service station. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)
6. Public or semi-public use.
7. Restaurant as an accessory use to an Inn. See Section 3.230.
8. Temporary use meeting the requirements of Section 3.240.
9. Transportation service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)

#### 2.980. HEIGHT OF STRUCTURES.

No structure will exceed a height of 35 feet above grade.

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## **A. ZONING MAP AMENDMENT FINDINGS**

**I. City of Astoria Development Code**

**Section 10.070.B Amendment Criteria – Map Amendment**

**1. The amendment is consistent with the Comprehensive Plan.**

**CP.030 – CP.105 Area Descriptions and Policies**

**CP.057 Gateway Overlay Area**

**CP.058 Gateway Overlay Area Policies**

1. The City will utilize the general vision of the Gateway Master Plan to direct future development in the Gateway Overlay Area. The overall Comprehensive Plan objectives are to:
  - c. promote new land uses complementary to the riverfront and existing development, particularly visitor oriented uses and high-density housing;

Applicant Finding: The proposed amendment will allow development of a grocery which will serve not only those living nearby in high-density housing but also those throughout Astoria, living in nearby communities and traveling through the area.

4. The former Astoria Plywood Mill Site will be developed as a mixed-use development which will complement the Gateway Overlay Area and the Downtown Area, and provide new housing opportunities. The Gateway Master Plan will serve as a guideline for the development of the Mill Site. Variations from the Gateway Master Plan may be appropriate provided the overall development proposal substantially carries out the Gateway Master Plan objectives.

Applicant Finding: The proposed map amendment is consistent with the policy of mixed-use development at the Mill Pond site. The amendment is proposed to allow a specific development that will co-exist and complement the existing uses surrounding the mill pond by providing a transition zone from the surrounding commercial and industrial uses. As demonstrated in Table 1, the LS Zone provides a logical transition from the adjacent C3 commercial zone across Marine Drive which permits more intense commercial and light industrial uses, to the AH-MP Zone of the mill pond area, that is primarily focused on high-density housing with a lower impact commercial component.

Table 1: Allowed Uses

Zoning Comparison	Current Zone	Proposed Zone	Adjacent Zone
Uses	AH MP	LS (Amended)	C3
Arts/Crafts Studio	Outright		
Family Day Care Center	Outright	Conditional	Outright
Home Occupation	Outright	Outright	Outright
SFD	Outright		Outright w/ commercial use
Two Family Dwelling	Outright	Outright w/ commercial use	Outright w/ commercial use
Multi Family Dwelling	Outright	Outright w/ commercial use	Outright
Personal Services	Outright	Outright	Outright
Professional Services	Outright		Outright
Residential Home	Outright	Outright	
Residential Facility	Outright	Outright	Outright
Transportation Facilities	Outright	Outright	Outright
Bed and Breakfast or Inn	Conditional	Outright	
Day Care Center	Conditional	Conditional	Conditional
Eating/Drinking Establishment	Conditional	Conditional	
Pubic or Semi-Public Use	Conditional	Conditional	
Restaurant associated w/ Inn	Conditional	Conditional	
Retail Sales <6000 sq ft	Conditional	Outright	Outright
Retail Sales >6000 sq ft		Outright	Outright
Repair Services <3000 sq ft		Outright	Outright
Business Services Establishment			Outright
Gasoline Service Station			Conditional
Transportation Service Estab.			Outright
Commercial Laundry/Dry Clean			Outright
Off street Parking			Outright
Communcation Services Estab			Outright
Construction Services Estab			Outright
Educational Services Estab			Outright
Hotel, Motel, Tourist Lodging			Outright
Conference Center			Outright
Indoor Family Entertainment			Outright
Animal Hospital/kennel			Conditional
Auto sales/service			Conditional
Hospital			Conditional
Light Manufacturing			Conditional
Recycling Estab			Conditional
Wholesale Warehouse			Conditional

**CP.068 Astoria Riverfront Vision Overlay Area Policies**

2. Encourage a mix of uses that supports Astoria's "working waterfront" and the City's economy. The overall Comprehensive Plan objectives are to:
  - a. Allow for development that supports downtown and other commercial areas.

Applicant Findings: As the Co-op becomes a full-line grocer it is anticipated that additional customers will be drawn from outside the current service area. As a result, visits to Astoria and its downtown core and other commercial areas should increase.

- b. Limit development in areas with most significant impacts on open space, view or other resources.

Applicant Findings: The proposal seeks to amend the base zone but not to remove the existing overlay zones that protect open space and view corridors. Application of the overlay and LS development standards during design review will ensure consistency with this policy.

- c. Promote uses that provide jobs and support the local economy.

Applicant Findings: Currently the Co-op employs 25 local workers. At the new location, it is anticipated that an additional 35-40 local jobs will be added. Having seen an increase of sales by almost 20% in 2016, the expansion will allow additional access, parking and visibility which will only serve to increase and support the local economy. In a 2012 study<sup>2</sup> by the National Co-op Grocers, it was found that \$0.38 of every dollar spent at a food co-op is reinvested in the local economy as compared to \$0.24 from conventional grocers.

#### **CP.110 – CP.125      Urban Growth**

Applicant Findings: This element does not contain applicable policies.

#### **CP.130 – CP.186      Aquatic and Shoreland**

CP.170 Downtown Astoria Sub-Area Plan

Applicant Findings: The subject property is located within the Downtown Sub-Area; however, this section does not contain applicable policies.

#### **CP.190 – CP.210      Economic Element**

CP.200 Economic Development Goal 1 and Goal 1 Policies

Goal: The City of Astoria will strengthen improve, and diversify the area's economy to increase local employment opportunities.

Policies:

1. Encourage, support, and assist existing businesses.
4. Encourage private development such as retail, restaurants, commercial services, transient lodging.

Applicant Findings: The Co-op estimates an increase of 35-40 additional jobs with the expansion. Approval of the zoning map amendment would be consistent with Policies 1 and 4.

CP.207. Economic Development Goal 8 and Goal 8 Policies.

Goal: Be prepared for business growth with ready properties.

<sup>2</sup> *Health Foods Healthy Communities: The Social and Economic Impacts of Food Co-ops (2012)*



**Policies:**

- 1) Support the development and maintenance of property inventory.
- 2) Maintain an adequate supply of vacant commercial, industrial and waterfront development property to provide for the economic growth of the community.
- 3) Ensure an adequate supply of employment lands with areas large enough to meet the objectives needed for commercial uses, but not so large as to affect adjacent residential neighborhoods.

**Applicant Findings:** The City conducted a Buildable Lands Inventory (BLI) which was adopted in 2011. The report concluded,

*“A comparison of need and supply of industrial and other employment lands indicates an overall surplus of approximately 6.7 acres of employment land. While there is sufficient land for industrial uses, there is a deficit of land zoned for commercial and particularly retail use. However, a portion of the land identified as “Other” can accommodate specific commercial, industrial, and high-density residential development and help meet the need for additional commercial land.”*<sup>3</sup>

The proposed map amendment would remove approximately 1.04 acres (45,452 sq. ft.) from the AH-MP residential zone and transfer it to the LS commercial zone. The change would not significantly impact the supply of either commercial or residential land. The demonstrated needs according to the BLI are listed below.

**Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027**

Table 2

Type of Use	R1	R2	R3	AH-MP	Total
Land Need	115.4	51.2	67.0	2.7	236.4
Land Supply	25.20	74.99	119.18	1.49	220.86
Surplus/(Deficit)	(90.20)	23.79	52.18	(1.21)	(15.54)

Source: Wingard Planning & Development Services

Table 3

Growth Scenario	Type of Use	Commercial (Office/Retail)	Industrial/Other	Total
Medium	Land Need	38.2	11.5	49.7
	Land Supply	17.1	39.3	56.4
Surplus/(Deficit)	Surplus/(Deficit)	(21.1)	27.8	6.7

Source: Cogan Owens Cogan

**CP.215. Housing Element**

**CP.220. Housing Policies.**

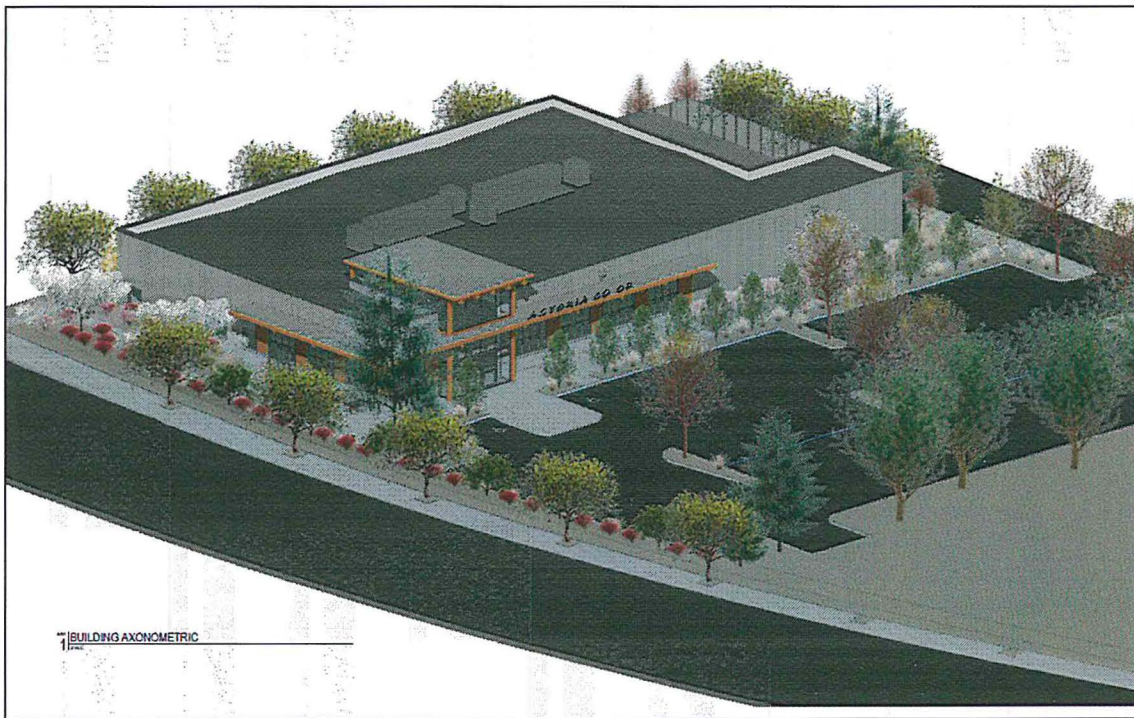
2. Provide residential areas with services and facilities necessary for safe, healthful, and convenient urban living.

<sup>3</sup> Goal 9 Analysis – City of Astoria Buildable Lands Inventory (2011), Page 1

Applicant Findings: The map amendment will support the relocating and expansion of a retail grocery, which includes increase parking and visibility, will allow additional service and convenience to the citizens of Astoria.

6. Protect neighborhoods from incompatible uses, including large scale commercial, industrial, and public uses or activities.

Applicant Findings: As demonstrated earlier in Table 1, the uses of the LS zone are not markedly different from the uses in the AH-MP zone. The proposed amendment would facilitate a retail use that exceeds the square foot limitation for retail uses in the AH-MP zone. This retail use, Astoria Co-op Grocery, will be developed in a way not to detract from the neighborhood atmosphere of the Mill Pond. Refer to *Figure 4* below for a visual example of the Co-op project. Prior to construction the development will be subject to City of Astoria Design Review and applicable development standards. This process will ensure compatibility of the use with the adjacent Mill Pond area.



*Figure 1:  
Exterior  
View*

**CP.240**

**Historic Preservation**

**CP.260 Parks, Recreation and Open Space Element**

**CP.290. Public Facilities Element**

**CP.345. Transportation**

**CP.375. Air, Water, and Land Quality**

**CP.390. Geologic and Flood Hazards**

**CP.405. Energy Conservation**

**CP.425. Forest Resources**

**CP.445. Natural Resource Considerations**

Applicant Findings: These elements do not contain applicable policies.



**CP.465. Procedural and Participation Policies**

Applicant Findings: This section does not contain applicable policies for the applicant to address.

**CRITERIA #1 - CONCLUSION:** Based on these findings the zoning map amendment is consistent with the applicable comprehensive plan polices. Therefore, Criteria #1 is satisfied.

- 2. The amendment will:**
- a. Satisfy land and water use needs; or**
  - b. Meet transportation demands; or**
  - c. Provide community facilities and services.**

Applicant Findings: The proposed amendment will provide needed land for a retail use that is similar to what is currently allowed in the AH-MP zone yet not as intense as adjacent commercial and light industrial uses. The expansion of the Astoria Co-op Grocery will satisfy land and water use needs.

**CRITERIA #2 - CONCLUSION:** Based on these findings the amendment will satisfy land and water use needs. Therefore, Criteria #2 is satisfied.

- 3. The land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations.**

Applicant Findings: The site is relatively flat and contains no known geological hazards. The site is within FEMA Flood Zone X<sup>4</sup>, outside the annual 0.2% chance of flood and is therefore suitable based on physical conditions. The criterion is met.

**CRITERIA #3 - CONCLUSION:** Based on these findings the land is physically suitable for the uses to be allowed. Therefore, Criteria #3 is satisfied.

- 4. Resource lands, such as wetlands are protected.**

Applicant Findings: There are no known wetlands or resource lands on the site. This criterion does not apply.

**CRITERIA #4 - CONCLUSION:** There are no known wetland or resource lands on the site. Therefore, Criteria #4 does not apply.

- 5. The amendment is compatible with the land use development pattern in the vicinity of the request.**

<sup>4</sup> NFIP FIRM Panel 41007C0299E (adopted 9/17/2010)



**Applicant Findings:** The site is situated in a transition area between the residentially and commercially developed areas and could be a cohesive part of either development area. Due to its proximity to dwellings and adjacent commercial district along Marine Drive, the Local Service zone would be more consistent with a desired transition zone yet compatible with the adjacent development patterns. Refer to Figure 5.



Figure 2: Aerial Photo ©Google 2017

**CRITERIA #4 - CONCLUSION:** Based on these findings the proposed amendment is compatible with the land use development pattern in the vicinity of the request. Therefore, Criteria #5 is satisfied.

## II. Transportation Planning Rule

The following findings are from the *Traffic Impact Analysis and Transportation Planning Rule Assessment for Proposed Astoria Co-op Grocery Store*. Prepared by DKS Associates, October 2017, Table 9, Pages 24-28. The report is attached as Exhibit 1.

### Statewide Planning Goal 12: Transportation Transportation Planning Rule - OAR 660-012-0060

1. If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

TIA/TPR Analysis Findings: No transportation facilities are significantly affected under these or other subsections. See below.

- a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

TIA/TPR Analysis Findings: No changes to the functional classification of transportation facilities were required with the proposed project.

- b. Change standards implementing a functional classification system; or

TIA/TPR Analysis Findings: No facility standards were impacted with the proposed project.

- c. Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

TIA/TPR Analysis Findings: Table 8 documents projected conditions measured at the end of the planning period identified in the adopted TSP. The amendment does not include any enforceable, ongoing requirements that would demonstrably limit traffic generation.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

TIA/TPR Analysis Findings: Types and levels of travel and access expected on existing and planned transportation facilities are consistent with their functional classifications.

- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

TIA/TPR Analysis Findings: The proposed plan amendments do not degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan. The transportation analysis in Table 8 demonstrates that the intersection that would not be expected to meet mobility targets under the Code Amendment Scenario was also identified in the TSP Baseline Scenario. This intersection will be improved with a project included in the TSP; the performance will be unchanged or improved rather than degraded.

- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

TIA/TPR Analysis Findings: The proposed plan amendment does not degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan. The transportation analysis in Table 8 demonstrates that the intersection that would not be expected to meet mobility targets under the Code Amendment Scenario was also identified in the TSP Baseline Scenario, with unchanged performance at the intersection with the proposed project.

2. If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

TIA/TPR Analysis Findings: N/A; there will not be a significant effect.

- a. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

TIA/TPR Analysis Findings: N/A

- b. Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

TIA/TPR Analysis Findings: N/A



- c. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

TIA/TPR Analysis Findings: N/A

- d. Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

TIA/TPR Analysis Findings: N/A

- e. Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

TIA/TPR Analysis Findings: N/A

- 3. Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

TIA/TPR Analysis Findings: N/A; there will not be a significant effect.

- a. In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP.

TIA/TPR Analysis Findings: N/A

- b. b. Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures.

TIA/TPR Analysis Findings: N/A

- c. The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C).

TIA/TPR Analysis Findings: N/A

- d. For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further



degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

TIA/TPR Analysis Findings: N/A

4. Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

TIA/TPR Analysis Findings: The transportation analysis was coordinated with the City of Astoria and ODOT.

- a. In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

TIA/TPR Analysis Findings: As described further below, the analysis relies on existing transportation facilities and services that meet the criteria in subsections (b) and (c). No planned transportation facilities were assumed.

- b. Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:
  - (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.
  - (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.
  - (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.
  - (D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.
  - (E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written

statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

TIA/TPR Analysis Findings: No planned transportation projects were assumed.

- c. Within interstate interchange areas, the improvements included in (b)(A)–(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B). There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

TIA/TPR Analysis Findings: N/A. The project site is outside of interstate interchange areas.

5. The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.

TIA/TPR Analysis Findings: The proposed amendment does not include an exception to allow development on rural lands; therefore, this section is not applicable.

**TPR - CONCLUSION:** Based on the results of the Traffic Impact Analysis and these findings the proposed zoning map amendment will not significantly affect the existing transportation facilities.

## **CONCLUSION – ZONING MAP AMENDMENT**

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Based on the findings of this application the proposed zoning map amendment is consistent with the applicable requirements of the City of Astoria Comprehensive Plan and Development Code as well as the State of Oregon Goal 12 Transportation Planning Rule.

## B. TEXT AMENDMENT FINDINGS

### I. City of Astoria Development Code

#### Section 10.070.A Amendment Criteria –Text Amendment

##### 1. The amendment is consistent with the Comprehensive Plan.

#### CP.010 – CP.028 General Development Policies

Applicant Findings: This section does not contain applicable policies.

#### CP.030 - CP.105 Area Descriptions & Policies

CP.057. Gateway Overlay Area.

CP.058. Gateway Overlay Area Policies.

1. The City will utilize the general vision of the Gateway Master Plan to direct future development in the Gateway Overlay Area. The overall Comprehensive Plan objectives are to:

- c. promote new land uses complementary to the riverfront and existing development, particularly visitor oriented uses and high-density housing;

Applicant Findings: The text amendment will allow for uses to complement the high-density housing as well as visitor oriented uses in the Mill Pond area.

2. The City will maintain the Gateway Overlay Area plan element of the Comprehensive Plan through its Development Code, including new planning zones and development standards, and through a design review process.

Applicant Findings: The proposed amendment is consistent with this policy by allowing an existing zone in the Gateway Overlay area yet taking into consideration the unique characteristics of the Mill Pond development.

#### CP.110 – CP.105 Urban Growth

#### CP130 - CP.186 Aquatic and Shoreland

Applicant Findings: These elements do not contain applicable policies.

#### CP.190 – CP.210 Economic Element

CP.200. Economic Development Goal 1 and Goal 1 Policies.

Goal: The City of Astoria will strengthen improve, and diversify the area's economy to increase local employment opportunities.

1. Encourage, support, and assist existing businesses.

Applicant Findings: Amending the text of the LS zone will allow development of the Co-op yet ensure uses that may not be desirable near high density house will be not be developed on the site.

**CP.215 Housing**

**CP.240 Historic Preservation**

**CP.260 Parks, Recreation and Open Space Element**

**CP.290. Public Facilities Element**

**CP.345. Transportation**

**CP.375. Air, Water, and Land Quality**

**CP.390. Geologic and Flood Hazards**

**CP.405. Energy Conservation**

**CP.425. Forest Resources**

**CP.445. Natural Resource Considerations**

Applicant Findings: These elements do not contain applicable policies.

**CRITERIA #1 - CONCLUSION:** Based on these findings the text amendment is consistent with the applicable comprehensive plan polices. Therefore, Criteria #1 is satisfied.

2. **The amendment will not adversely affect the ability of the City to satisfy land and water use needs.**

Applicant Findings: This amendment will not adversely affect the ability of the City to satisfy land and water use needs but will assist in meeting those needs by permitting the Co-op development in the Mill Pond area that will enhance the atmosphere and provide services for those residing in the area and within the city.

**CRITERIA #2 - CONCLUSION:** Based on these findings the text amendment will not adversely affect the ability of the City to satisfy land and water use needs. Therefore, Criteria #2 is satisfied.

## **CONCLUSION – TEXT AMENDMENT**

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Based on the findings of this application the proposed text amendment is consistent with the applicable requirements of the City of Astoria Comprehensive Plan and Development Code.

## **OVERALL CONCLUSION**

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The applicant has demonstrated, through the finding contained in the application, that the proposed zoning map amendment and text amendment are consistent with the applicable requirements.

## MINUTES

1-24-18 Minutes of Astoria Planning Commission meeting of 1-24-18 on  
Amendment Request (A17-02)



**ASTORIA PLANNING COMMISSION MEETING**

Astoria City Hall  
January 24, 2018

CALL TO ORDER:

Vice President Easom called the meeting to order at 6:35 pm.

ROLL CALL:

Commissioners Present: President Sean Fitzpatrick, Vice President Kent Easom, Jennifer Cameron-Lattek, Daryl Moore, Jan Mitchell, Joan Herman, and Brookley Henri.

Staff Present: Planners Nancy Ferber and Mike Morgan. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

There were none.

PUBLIC HEARINGS:

Vice President Easom noted the Supplemental Staff Report for Amendment Request A17-02 dated January 23, 2018 had been provided to the Commissioners at the dais and he allowed them time to review the information.

Vice President Easom explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 4(a):

A17-02 Amendment A17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing - Mill Pond (AH-MP) to Local Service (LC) on approximately 1.04 acres (45,452 square feet) of land, and a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery.

Vice President Easom asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

President Fitzpatrick declared that he had several potential conflicts and considerable ex parte contacts. Therefore, he recused himself. As there was no room for him to sit in the audience, he remained at the dais.

Commissioner Mitchell declared she was a member of the Astoria Co-op Grocery. She had been careful to limit her ex parte comments and refrain from talking to people about this application. She believed she was capable of making a decision based on the information provided during the hearing. She did not believe her membership would influence her decision.

Commissioner Henri declared she was a member of the Co-op and attended their information session in the fall regarding this application. However, she did not believe that would influence her decision.

Commissioner Cameron-Lattek declared she was also a member of the Co-op. She has had a few conversations and had been following this topic in their newsletter. However, she would remain impartial.

Commissioner Herman declared she was a member of the Co-op and attended the informational meeting, but she did not believe that would inhibit her ability to be impartial.

Commissioner Moore declared he was a member of the Co-op, but believed he could make an evaluation based solely on the criteria presented during the hearing.

Vice President Easom declared he was also a member of the Co-op, but had not had any ex parte contacts regarding this matter. He believed he could make an impartial decision.

Vice President Easom asked Staff to present the Staff report.

Planner Morgan stated he was a member of the Co-op, but had never served as a Board member and was not an investor. He reviewed the written Staff report and said Staff recommended approval of the request.

Commissioner Moore clarified that the request was to rezone part of the parcel shown on the map, not a lot line adjustment.

Planner Morgan explained the rezone was the first step. If the rezone is approved by City Council, the Applicant would still have to apply for a lot line adjustment and a design review to complete the development. He confirmed the Applicant would not be obligated to apply for a lot line adjustment if the rezone were approved. He noted the line on the map represented what had been proposed by the Applicant to accommodate the store and it had not been surveyed.

Commissioner Henri confirmed that DKS completed the traffic study at the request of the Applicant, and that Oregon Department of Transportation (ODOT) and Astoria's Engineering Department found the proposal to be in compliance.

Commissioner Cameron-Lattek noted the Staff report did not contain Exhibit 1, the table of information that was mentioned on Page 18 as part of the traffic study.

Planner Morgan said the Applicant would address that during her presentation.

Vice President Easom opened the public hearing and called for a presentation by the Applicant.

Jennifer Bunch, Wickiup Consulting, PO Box 1455, Astoria, stated she was a member of the Co-op and presented the application via PowerPoint. The proposal was to rezone just over one acre, 1.04 acres, from AH-MP to LS. The line on the map has not been surveyed yet. However, the City will be provided with a legal description of the property prior to the City Council hearing. The proposed text amendments limit uses in the zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets. The uses were for things that might be considered undesirable in the Mill Pond area. The zoning comparison on Page 12 of the Staff report compared the uses currently allowed in the AH-MP zone with the proposed changes to the uses in the LS zone and the uses allowed in the adjacent C-3 zone. The proposed uses for the LS zone are very similar to the uses already allowed in the Mill Pond zone. She wanted to allow for a larger retail use.

- During discussions with Staff, she believed the proposed uses were a good transition from the Mill Pond zone to the C-3 zone. The traffic study, which was required by City Code and Oregon State Administrative Rule, was completed by DKS from Portland. The traffic impact analysis contains three main sections. They first analyzed existing conditions to determine the transportation infrastructure, who owned the roads, and what types of roads existed. DKS looked at traffic volumes by going out into the field to do traffic counts. They also examined safety issues and the safety history of the roadways in the area. The second part of the study is the impact analysis, which includes access to the proposed site, trip generation, the distribution of that traffic, and potential future build-out. The third section of the study is the Transportation Planning Rule Assessment, which is a 20-year projection of future transportation conditions. Those projections allow DKS to determine whether this development would have a significant impact on local transportation facilities now or in the future. The study analyzed four intersections, Marine Drive/Commercial/21<sup>st</sup> Street; Marine/Exchange, Marine /23<sup>rd</sup>, and Marine/29<sup>th</sup>. Traffic counts were taken during peak hours at these intersections in September. DKS determined the highest hour was between 4:15 pm and 5:15 pm. The intersections were monitored through mobility targets intended to maintain a certain level of efficiency from motor vehicle travel in the area. DKS used volume to capacity ratios to gauge intersection operations in the area. They also considered site access.
- She displayed the proposed layout of the store, noting the two locations for ingress and egress into the parking lot on Steam Whistle Way, and the loading dock area on 23<sup>rd</sup> Street. The route down Steam

Whistle Way is not expected to be active for drivers entering and exiting the site as most of the site traffic is expected to utilize 23<sup>rd</sup> Street or Commercial. A total of 114 trips is expected to be generated by the store during the peak hour between 4:15 pm and 5:15 pm. Of those 114 trips, 41 trips would be by people already passing by on Marine Drive who did not make that trip specifically to go to the Co-op, leaving a net of 73 new trips generated during the peak hour, which results in 36 new trips into and out of the parking lot.

- She displayed trip distributions, showing the inbound and outbound traffic at the site. Thirty-two percent of the traffic would access the site from Marine Drive at 23<sup>rd</sup> and Commercial, 38 percent would come from the west on Marine Drive, 25 percent would come from the east on Marine Drive, and only five percent from Exchange Street at Marine Drive. The traffic analysis determined that the added traffic associated with the proposed zone change was expected to have little impact on operations when compared to the 2039 baseline operations. Most of the intersections studied were expected to operate with a volume-to-capacity ratio of 0.86 or better and meet mobility standards. Volume-to-capacity ratios of one or more are at or exceeding the roadway's capacity. The intersection at Highway 30 and Exchange is the exception where right-turn eastward movement from Exchange to Highway 30 was expected to exceed the volume-to-capacity ratio during the peak hour. However, this would not cause operations at the intersection to degrade, since only a minimal amount of the site-generated traffic is through Exchange. The Astoria Transportation System Plan (TSP) recommends a traffic signal at that intersection. The transportation study concluded that no transportation facilities would be significantly impacted and the proposed amendments did not degrade the performance of existing or planned transportation facilities such that it would not meet performance standards identified in the TSP or Comprehensive Plan.
- She displayed the letter from ODOT dated January 9, 2018 that stated ODOT agreed with the results of the transportation impact analysis.
- One of the public comments submitted indicated concern that a City park was being sold for this project. This property has been privately owned for years. There have been concerns about losing land for multi-family housing. The Buildable Lands Inventory states there are currently 52 acres in the R-3 zone and 23 acres in the R-2 zone that are currently available for multi-family housing. The City allows 26 units per acre in those zones. This project would only remove one acre from the inventory.
- There have been concerns about what would happen if the Co-op is not built after the zoning change. The Co-op will be built. They currently have a 30-year lease on the property and have already raised more than \$1.5 million for this project. There were also concerns about the impact of the 11,000 square foot building on the Mill Pond neighborhood. She did not agree that a larger retail facility would result in a larger impact. Current Mill Pond zoning allows retail uses up to 6,000 square feet and this two-acre site could accommodate three or four 6,000 square foot buildings.
- She noted that Exhibit 1 mentioned on Page 18 of the Staff report was an exhibit included in the application packet that was submitted to the City. She presented a copy of the exhibit at the dais.

Commissioner Moore asked what time of year the traffic study was done.

Ms. Bunch said she did not have a specific date, but the study stated it was done in September 2017.

Commissioner Herman asked if the traffic study looked at the impact of a driver turning left from 23<sup>rd</sup> Street onto Marine Drive.

Ms. Bunch answered yes, the study showed that during the peak hour in September, there were five turns by drivers heading south on 23<sup>rd</sup> Street and turning left on to Marine Drive heading east.

Commissioner Mitchell asked how many additional trips would make that same turn.

Ms. Bunch showed the trip distribution slide that indicated 75 percent of the traffic would come from the west. The 25 percent coming from the east would most likely return to the east.

Vice President Easom calculated this to be nine new trips making the left turn from 23<sup>rd</sup> to Marine during the peak hour.

Commissioner Mitchell asked if the report discussed potentially requiring a traffic signal at 23<sup>rd</sup> and Marine.

Mr. Bunch said no, the only note about a traffic signal was the one recommended in the TSP.

Commissioner Moore asked for an explanation as to why a rezone has been proposed instead of a variance from the conditional uses allowed in the current zone or a change to the allowed uses in the current zone.

Ms. Bunch said Mr. Vallaster originally spoke with her about changing the text of the Mill Pond zone to allow for a larger retail use. She worked with the former Community Development Director and current Staff to extend the local service zone. They all seemed to agree it was a logical progression. One consideration was that the uses in the LS zone are very closely aligned to what is allowed in the Mill Pond zone, so there were no huge increases in conflicts due to the limits on uses between 23<sup>rd</sup> and 29<sup>th</sup> Streets.

Commissioner Mitchell recalled when the site was a brownfield, adding the cleanup was an interesting and exceptional project. She always had the sense that the property was expected to be a commercial use and for a long time people thought the credit union would build on that site. She asked why the LS zone was chosen over a more standard commercial zone.

Planner Morgan stated when conceived, the LS zone was an attempt to accommodate the uses that already existed. The property was referred to as the Wauna site as Mill Pond was being developed, but was incorporated into the planning efforts of the Mill Pond area. The LS zone has been proposed for this project because variances require the Applicant to show a hardship. It would be difficult to draft findings demonstrating a hardship in this case, so Staff believed the zone change was more appropriate.

Commissioner Cameron-Lattek why the Applicant had proposed the LS zone allow retail sales establishments greater than 14,000 square feet instead of something smaller.

Ms. Bunch responded that text amendment was proposed by Staff.

Planner Morgan explained that the remaining property to the east would remain undeveloped until Mr. Vallaster came up with another use. The area could be a larger retail establishment. The Co-op will be less than 14,000 square feet. However, if a larger retail facility wanted to build next to the Co-op, the City would want housing on top of the retail space. This would also cover the eventuality that if the Co-op was not developed, another larger development would have to put housing on top of the retail space and the requirement would only apply within the zone east of 23<sup>rd</sup> Street.

Don Vallaster, 711 SW Alder, Portland, offered to answer any questions about the history of the site. Of all of the uses proposed, he was most excited about this one and believed it was the most appropriate. He was very happy to see the proposal come forth.

Matt Stanley, 664 Kensington, Astoria, stated he had been the Co-op's general manager for the last ten years. It was exciting to be so far in the process. He thanked the Planning Commission for their serious consideration of the Co-op's application. He asked members of the audience who were in support of the application to raise their hands and he thanked them for attending. The proposed project is the culmination of almost five years of work. Five years ago, the Co-op Board and staff realized their lease would expire and that the Co-op's existing facility was beginning to feel cramped and limited their ability to serve the community and offer the additional services being requested. So, they began a thorough engagement process. Almost 800 people participated in their shopper survey, which was lengthy. More than 95 percent of respondents supported the Co-op doing something like this in town. They held focus group sessions, meet and greets with the Co-op Board, and met with key stakeholders in the community. The resounding answer was that people wanted the Co-op to go to the next level, emulate some of the other fine Co-ops on the West Coast, and be a full line grocery store for the community.

- The Co-op's next step was to create a strategic plan, which focused on growing the local economy, having a welcoming community store, spreading health and nutrition throughout the community, and having a thriving Co-op culture. The base of the strategic plan was the idea that they would expand the business so that they could be a full line grocery and operate as a professional grocer, as the current facility does not allow them to do that in many ways.
- The Board created site selection criteria and conducted two market studies in the last five years, commissioned by independent, third-party companies. The site needed to be highly visible, which meant it had to be on Marine Drive. If the Co-op expanded at its current location, sales would plateau at a level



far below what could be achieved at the proposed location. People expect grocery stores to be convenient and have lots of parking, so a pretty big parcel was needed. The search was exhaustive, and at first, the number of appropriate sites looked very limiting. The Board even held meetings at some of the sites being considered. The subject site is one of the finest pieces of land that could be used for the desired type of retail use, based on market research and working with Co-op peers throughout the country who have done similar expansions. The Co-op also has a developer partner who will invest significantly to make this project happen. The Co-op could not buy land, build a shell, and spend the money to turn it into a grocery store on its own. As a business that was not heavily capitalized, the Co-op did not have the means.

- A building size was chosen that was just big enough to turn the Co-op into what most people would consider a full line grocer. Services and products the community has asked for would be added, including a full service deli with hot food; indoor and outdoor seating areas, each with seating for 25; a full service meat department; local seafood; in-house meat processing; and more room to shop. The produce department does an amazing amount of sales, but it is a cramped little corner of the store and not conducive to an enjoyable shopping experience. Although the proposed size is double the 6,000 square feet currently allowed, it is still very small for a grocery store, and the store would still have a Co-op community feel.
  - The store will not be sprawling by any means, the actual retail square footage is less than 7,000 square feet. The rest will be for efficient operations, including a proper receiving area. Currently, deliveries are received out in the rain in front of what was meant to be an office suite. The current site was not set up to be an efficiently run grocery store.
  - The Co-op is in a really competitive industry; natural foods are hyper-competitive. Competition is inevitable and a competitor is coming to Warrenton and this is the Co-op's response. Co-ops tend to grow slowly, so it has taken them a while, but they have come a long way.
  - There will be a big impact to the local economy, as mentioned a bit in the Staff report. The Co-op is owned by members of the community, so no single entity would benefit from this project. Most recently, the Co-op went to its community members for investments, and raised more than \$1.6 million in a short amount of time. Those investors invested in this project as specifically described in this application, not in a generic co-op expansion. They took a risk that their public officials would see that this is a value to the community, which says a lot about how much support there is for this project. The Co-op is expecting about 35 new jobs from this new store. Many of those positions will be in the deli to make a lot of food in-house, which will bring a lot of value. The deli will make the Co-op a destination. People will want to come and hang out in the new Co-op more than they do now because currently, there is no place to sit, hang out, or park.
    - Wages would be more than \$16.00 an hour and the expansion would provide opportunities to grow careers at the Co-op. As the Co-op grows to a new level of sales, it will need to operate at a more mature level, so there will be more positions to fill. The Co-op will be able to provide more meaningful jobs that require more training, thus bringing more skill building opportunities into the community.
    - Producers are also a large part of the Co-op's strategic plan to grow the local economy. While the Co-op already does as much as possible in the existing small space, the plan is to expand its work with producers, especially in produce. Currently, the Co-op has such a tiny amount of shelf space that it cannot always merchandise produce from some small farms. And, there is no space to tell the stories about those farmers, which is necessary to educate people about the value of buying local products. Almost 20 percent of the Co-op's sales are from various local producers, which is a big number that circulates a lot of money in the local economy.
- The proposal is not unchecked development. The project is very intentional and connected to the community, and coming from the more than 4,000 community members who co-own the business.
- He noted that Paul Benoit, the Community Development Director when Mill Pond was being envisioned, worked with Art Demuro on this project. Mr. Benoit's letter not only confirmed that prime commercial property like this is really hard to find, but he affirmed also the property was always supposed to be something commercial, but the City wanted it to be something special. Thirty years ago, the City picked a number that would stop big box retailers; it was an experiment to try to create something special in Mill Pond. It is neat to hear that even Art Demuro, in Mr. Benoit's opinion, would have thought this could not be a better fit for what was envisioned there.
- This new, full-service Co-op will reflect and serve the Astoria community in a big way and it will improve quality of life in Astoria. He hoped the Planning Commission would approve making the Co-op a special part of the gateway into their awesome city.

Vice President Easom called for any testimony in favor of the application.

Stuart Bell, 240 Lincoln, Astoria, said he came to show his support for this project. He has been a member of the Co-op and its predecessor organization for more than 43 years. This community has shown its support and need for a natural foods store all during that time. The need is beyond the capabilities of the non-profit volunteer group that previously ran the Co-op for a long time. When the store became a true Co-op, a wonderful general manager was hired and the growth has been phenomenal. The need and interest in what this store would do has been abundantly demonstrated. He had read the letter by Mr. Benoit and was so pleased to see his support. The new Co-op will be such an asset for the entire community from an economic development aspect. Also, as people drive into Astoria from the east, they will say, 'Oh wow, I didn't know that was here.' The Commission has a quasi-judicial job to do, and he hoped they would facilitate the development of this store in every possible way.

Tammy Krushank, 1025 Franklin, Astoria, urged the Commission to support the proposed amendments and pass them on to City Council. She became a member of the Co-op before she moved to Astoria because, it was important for her to find the foods and products that she wanted. As a visitor, the Co-op is very difficult to find in its current location. She looked forward to people seeing the store as they came into town on Highway 30, particularly those who do not expect it be there. This Co-op will expand employment, which is very important. It will not be just for an elite or specific use for people to spend thousands of dollars as they get farther down the coast. It will provide important jobs here. It represents a welcoming site. She frequently walks around Mill Pond, which connects her to the Riverwalk. The vacant lots at this proposed site have attracted their fair share of garbage. Putting something on that land will limit the amount of misuse. Once a week, she delivers meals to several seniors who live in Mill Pond, and one is a member of the Co-op. The new facility will be within walking distance for people who live in Mill Pond. It will be more than just a grocery store as it will also provide amenities to have a cup of coffee or a meal within easy walking distance from the apartments where a large number of seniors live. The expansion of this store is needed by the people who live here and in the surrounding area. It offers competitive pricing in terms of what is available at general grocery stores, but also continues to offer many items that cannot be purchased elsewhere on the north coast. The expansion promises even more such items will become available. The new Co-op will only improve the quality of life in Astoria.

Jim Wilkins, 101 W. Grand, Astoria, said he was involved when Art Demuro bought the Mill Pond property, which was a dirty wasteland with debris left behind by the old plywood mill. With his men and equipment, and Mr. Demuro's money, the property was cleaned up, and utilities, streets and sidewalks were installed. They knew the southern portion, the portion being discussed now, would eventually be developed, but they did not know how. He stubbed out the utilities for the property, so the Co-op will be able to hook up to water and sewer.

Danny Rasmussen, 92076 Svensen Market Road, Astoria, Produce Manager, Astoria Co-op, said he moved to Astoria about six years ago and was not sure he would stay. When he was hired at the Co-op, he did not know anything about food or grocery stores, but the wonderful staff taught him so many wonderful things. His eyes were opened to the complicated food world. He was also educated by the wonderful member owners about what food looks like and a better way of buying and consuming food. Five years later, he is still in Astoria. He bought a home and started a small farm. He owes that mostly to the Co-op instilling food values in him. As a manager in the store, he wants to pass those values on to current and future employees. They work very hard to develop their employee's skills by sending them to conferences, so they can bring home ideas about what a good local food economy looks like. They have an amazing staff, but it is difficult to develop them in their current space. Their lives would be a lot easier with a full line grocery store where they could eliminate the daily quirks that come with the current site. He believed the greatest foods were the fruits and vegetables that come from local farms. The Co-op only has a couple hundred square feet of retail space in their produce department, so every day, especially in the summer, he has to make decisions about which local farm he can carry each day. Last year, the Co-op spent about \$40,000 on local produce from farmers within 30 miles of Astoria. That number could grow if they had a larger, dedicated space for produce. The farmers rely on the Co-op for their livelihoods and the Co-op relies on the farmers to make the store special. The Co-op can grow the local farm scene if farmers are given a larger space to sell their goods.

Michael Cameron-Latteck, 1820 SE 3<sup>rd</sup> Street, Astoria, said he was a member of the Co-op and a local business owner. His cafe works with a lot of the same farmers, growers, and producers as the Co-op. He would not have discovered some of those growers without the Co-op. The Co-op provides a year-round marketplace for some of the growers. Astoria has a seasonal farmer's market, but the market does not have a way to connect growers

with customers in the winter. This area, from Puget Island to Nehalem, is an incredibly vibrant and growing community of growers. A lot of things can be grown on the north coast. As the Staff report stated, almost 40 cents of every dollar is reinvested in the local economy. So, this Co-op is more than a thriving business wanting to expand and provide more jobs. It is also a marketplace for local growers, which are small businesses run by local families. Providing space for a larger Co-op creates a larger marketplace for local farmers. This is a very important stimulant to the increasing number of growers who want to do business with local restaurants. The Co-op serves as a hub where people can connect. There is also a market for people to buy local produce and meat. If the Co-op could not provide a larger framework to showcase these incredibly hardworking farmers, the growth of both the Co-op and some local farmers would be stifled.

Allie Evans, 388 Exchange, Astoria, President, Astoria Co-op Board, stated the Board has been working on this plan for the past five years as a vision to do what they do better, more efficiently, and to have a greater impact. Each step of the way, the Board has asked people for help and insight to make sure it was doing more than its due diligence. It has been remarkable to see how much has gone into every decision the Board has made. Every detail, including the size of the store, is far from arbitrary, but is very deliberate and very well-researched. The Board decided to develop a strategic plan because they did not have a map of where they were headed. The strategic plan answered questions about why the Co-op does what it does. Obviously, they want to run a great business, but more than that, they have a purpose for existing. Most Board members agreed the Co-op was a hub. When she travels, she always visits the Co-op first so she can figure out what to eat, what the theater has going on, and cool places to visit. The Astoria Co-op can be so much more than a grocery store. It can be the center point that allows a community to gather together in a society where people are very isolated. Their vision is to get more people together. The Co-op model is like swimming upstream in a very corporate world. So, to be growing at the rate the Co-op is growing, compared to other Co-ops, is remarkable. The Board wants the City to let it do more of what it was doing, do it better, and help it build more of a hub.

Anne Robindot, 3735 Grand, Astoria, said she was a member of the Co-op. After she turned 30, she decided it was time for her to find a small town to spend the rest of her life. She knew of Astoria from her childhood. One of her requirements was that the small town had to have a food Co-op. At one point, she was on the Co-op staff as a manager and is now an investor. She has seen the amount of methodical detail that has gone into this plan and has had extensive conversations with the Co-op's staff about the plans. She believed the staff did their homework. The Co-op's vision to continue to see the store expand and bring all of the goodness in the groceries and the community to Astoria also continues to be a passion of hers.

Venus Weller, 239 Kensington, Astoria, Astoria Co-op Board member, said the Co-op is going into this space with the intent it was envisioned for. As a health educator, she sees the benefits of eating good food and the sense of community that the Co-op provides. The site is in close proximity to senior living apartments and that access is incredibly important. As people ask about the Co-op, the biggest concern is the traffic. She believed the due diligence had been done. People doubt that predictions can be made out so far, but Astoria is growing and that is exciting. Every year, the traffic gets worse. But in the grand scheme of things, the Co-op does not have traffic. She works at the hospital and traffic was a big issue with the expansion of the pavilion and cancer center. However, traffic has not been the issue that people imagined. It is exciting that the community is growing, but the other exciting part is that people can walk. Walking on the Riverwalk and downtown is what makes this community amazing. Many people chose to live in Astoria because they do not want to live in the suburbs. People want a place to gather, sit, and meet people. She encouraged the Commission to approve the request.

Angela Sidlo, 516 Summit, Gearhart, said she has been an Astoria Co-op Board member for the last couple of years, but her Co-op culture goes back 40 years. Every place she has lived, she has been part of a co-op community. She connected with communities by looking for co-ops along the way and exposing her kids to the co-op culture as well. She has been through the strategic planning part of this project. The Board really came together to work hard with the help of their governing body that helped build other co-ops. She is also a health coach. It is important to have a co-op so she can help people achieve health. Her tag line is 'healthy individuals create healthy communities.' This is an opportunity to expand on that by providing good food and good jobs so that people can find their roots in Astoria. She knew the Commission would review all of the information and make the right decision. She appreciated the Commission's service to the community.

Todd Holm, 1237 Alameda, Astoria, said he had been an Astoria Co-op Board member for the past few years. He could not think of a better jewel for this community at the gateway. This will provide great jobs, support farmers, and bring greatness to the community. He thanked the Planning Commissioners for their consideration.

Vice President Easom called for any testimony impartial to the application.

Don Patterson, 1635 SW 14<sup>th</sup> Warrenton, said he owned a gas station property in Astoria. He did not have a problem with the Co-op, but was not a member. The transportation studies are not correct. The reason only five cars go out of the property between 4:15 pm and 5:15 pm is because it is so difficult to get out of there. He was able to make a left hand turn out of his store today, but eight months out of the year, it is a problem. During those eight months, he drives through Mill Pond and did not take the route the study cited. Just because the traffic study, the State, DKS, and the City say one thing, he sees the traffic problems on a daily basis. He has been in the grocery business for 40 years and knows that the busiest time of the day at a grocery store is between 3:30 pm and 5:30 pm. Taking a left from Marine Drive to 23<sup>rd</sup> Street was not mentioned. That intersection is just past the entrance to the hospital and also needs to be considered. He has seen the police do stings on the crosswalk at that intersection. He has seen wrecks and people almost getting hit. Something needs to be done at that intersection because it will be a problem. He was nervous about the parking. A lot of the hospital traffic parks on 23<sup>rd</sup> Street and the Co-op employees would probably also park somewhere in the area.

Pamela Wev, 1566 Irving, Astoria, said she was a land use planning consultant. She was sorry that this discussion was centered so much on the Co-op. She believed everyone agreed the Co-op is one of Astoria's most wonderful things; however, this is a zoning map amendment; it is not about the Co-op. It is not an occupancy or development permit, but a zoning change. Anytime a zone line is moved, it should always be according to a property line. She hoped that if this request was approved, the Planning Commission would add a condition that the property owner make a lot line adjustment and create a legal parcel for the edge of the zone's boundary. Anytime the zone is moved, the other side of that zone must be considered. Zoning is not for six months or a year. Zoning is done for 20 years in Oregon, so the City must consider what ought to happen on the other side of the parcel and nearby parcels. When responding to this application for a specific use that is not even addressed when the zoning map is addressed, the Commission's action has nothing to do with the Co-op. This application is about what the City is designing on the land. She hoped the Commission would take that 20 to 30 year view of this location and consider the whole scene.

Vice President Easom called for any testimony opposed to the application.

John Ryan, 2495 Mill Pond Way, Astoria, said he lives just north of the property and had submitted written comments. He agreed this was not a question about the Co-op; it is a question about the zoning. This project impacts the community of Mill Pond as much as anything else. The traffic in the area is just horrendous in the summer time. Drivers cannot move down Mill Pond Lane. He was an engineer and was familiar with traffic studies, but he was not a traffic engineer. The entire traffic study is based on statistics that work throughout the country, but do not work in Astoria. The City needs to take a look at the real impact to Mill Pond, which will be impacted by whatever happens on that property. There was nothing in the area when he built there and he understood construction happens. However, he thought Wauna Bank would be built on that property. Now, the zoning will change to allow many other things to be built there. If this project does not happen, which is always a possibility because the Co-op cannot guarantee anything, no one knows what would go on the property. Residents moved in to Mill Pond on certain parameters. This building will be double the 6,000 square feet allowed, but it could go up to 14,000 square feet without any other zoning. And if the Co-op goes to 14,000 they will have to put apartments on top of the building. Apartments are not like retail. People live in apartments but everyone in town would go to a retail use. The two uses are completely different. Mill Pond is impacted by all of the other lands in the area. The museum is doing the auto shop. The freight line and Napa are moving out. What will happen to that area? The community needs the zoning and the Commission to look at the total picture regarding what will happen to Mill Pond. The neighborhood is locked in by the highway, which is impossible because the traffic backs up to downtown sometimes at 5:00 pm when drivers are trying to get out of town. The whole area will be so impacted by whatever happens to that piece of property. He needed the Commission to take his concerns into mind when making a decision. The Co-op is asking for this zone change, but this is a larger issue than just the Co-op. The Co-op is not on the property yet. The Co-op is a great organization and they have given all the reasons why this should happen, but moving in there is always a big maybe. Mill Pond needs to be considered as a unique community in Astoria and should be protected by the City.

Ron Sweet, 2879 Mill Pond Lane, Astoria, said he was against the application, not the Co-op. He serves on the Mill Pond Homeowner's Association Design Review Committee, which reviewed and rejected an application for this project. The traffic impact on the Mill Pond residences adjacent to the Co-op property would be severe. All of



the vehicular traffic will be routed down 23<sup>rd</sup> and on to a small street 16 feet wide and into the parking lot. This is the only way in and out of the residences. He asked the Commission to take this into consideration. He recommended the traffic be routed off 23<sup>rd</sup> Street, but has been told the City has reasons this would not be possible. However, the City can change its rules just as it can change the zoning. If traffic can be rerouted off 23<sup>rd</sup> Street, the Mill Pond Design Review Committee would support the request.

Tricia Long, 280 Maritime Lane, Astoria, said she lived in Columbia Landing, which is a development locked by the in and out traffic between the Police and Fire Departments and the Pepsi plant. There is another way in to her neighborhood through Mill Pond, which she uses quite a bit. She understood the concerns about how to get into the proposed Co-op. She is a Co-op member and was not against the Co-op; however, she could not understand how she would be able to get into the Co-op through the proposed routes. Without having the information mentioned in the document, she could not understand the impact of the traffic to the overall area. Mill Pond, Columbia Landing, and the senior living apartments would all be impacted by traffic. She wanted to know if the Co-op could still build on the upper section of this property if the zoning request were denied. She clarified with Staff the exact location of the proposed Co-op on the map, and asked if there were any other zoning options than what was proposed. She agreed this is a zoning question, not about supporting or not supporting the Co-op. She asked what was wrong with keeping the existing zoning. She reiterated she was not against the Co-op, but she wanted answers to her questions about the use of the area and the impact.

Vice President Easom called for a recess at 8:24 pm and reconvened the Planning Commission meeting at 8:33 pm. He called for the Applicant's rebuttal.

Ms. Bunch agreed with comments about this not being about the Co-op, but the application. The Commission has an application for a zoning map amendment and a text amendment. The application demonstrated and Staff has concurred that the proposal meets the requirements for a recommendation from the Planning Commission to City Council. The application should be evaluated on its own merits without consideration of the overall development of the surrounding area and other parcels. If the City was interested in doing that, a special overlay zone should be created to make requirements for a large area of development. Several people have testified that this property has always been intended for commercial development. The site plans for when Wauna planned to develop the property showed access from Steam Whistle Way. Steam Whistle Way and the road through Mill Pond are public streets and the public is allowed to use these public streets. She and Mr. Vallaster have not received an official rejection of their proposal to the Mill Pond Homeowner's Association Design Review Committee. They are still in communication with, working with, and meeting with the Association, discussing design aspects of the project. These discussions will continue in the City's design review process, which is required. She asked that the Commission stay focused on the merits of the application for the zoning map and text amendments.

Mr. Stanley stated this is about the Co-op. The Co-op does not have a Plan B. They have done an incredible amount of due diligence looking for a retail site that would work and this site is the one. The Co-op will lose its investments if this request does not move forward. The business would be seriously jeopardized. Part of the Mill Pond Plan was that the area would be walkable. People who chose to purchase land next to a commercial lot knew this impact was always a possibility. Up to four, 6,000 square foot spaces could have been built on the site, and traffic would have been generated by those stores. This will allow most of the people in Mill Pond to walk to a very nice grocery store that will have better pricing than it does now. The store will have healthy options for deli foods, hot soups, and sandwiches made with local and organic ingredients. The new Co-op will ultimately increase property values. Traffic is a reality that everyone deals with. He currently walks to work, but the new store is an extra half mile from his house. However, people who are getting a large load of groceries will probably have to drive to the Co-op. The services and co-op community will make that drive worth it.

Ms. Bunch added that in early discussions about the text amendments and zone changes, she and consultant Rosemary Johnson had talked about recommending a condition of approval that if the Co-op had not met the definition of substantial construction within two years, the City would initiate a rezone to change the zoning back to AH-MP. The Applicants would also welcome a condition of approval requiring the property line adjustment.

Mr. Stanley noted that the Co-op's lease contains excluded uses on the adjacent property. The lease is more detailed than the zoning requirements. The Co-op wants to be a good neighbor and will continue to work with the homeowner's association to work out the details of their concerns.

Vice President Easom called for closing comments from Staff.

Planner Morgan recommended including the conditions of approval requiring the lot line adjustment and substantial construction within two years.

Vice President Easom closed the public hearing and called for Commission discussion and deliberation.

Commissioner Mitchell said she wanted the Co-op in that location, but was concerned about the traffic issues. About a year ago, the Traffic Safety Committee discussed the use of the street with the neighborhood. The street is public, but it was not built to standards that would accommodate two-way traffic with parking on both sides.

Planner Morgan stated the street was 20 feet wide from curb to curb. Without parking on either side, the width is acceptable to the Fire and Engineering Departments.

Commissioner Mitchell said there is a difference between acceptable to the Fire Department and the travel lane being 12 feet wide and it needs to be discussed. For four or five months out of the year, there are days when traffic is backed up. It would have been nice if the design dealt with that on site, instead of counting on using the back road, which is a service road to the garages of the houses.

Commissioner Henri asked that the site plan be displayed on the screen. She works for an architecture and engineering firm that works on transportation projects. She believes the traffic studies were very neutral, which was part of the professional ethic. Just because the Applicant requested the study, does not mean the study is biased in any way. However, she was uncomfortable with not knowing what day in September the study was completed because Astoria still has some tourism in early September; however, in late September, after school has started, tourism dies down quite a bit. One of the letters opposed to the request suggested the City require a traffic light. She believed this should be considered as a condition of approval. Establishing the legal lot line and the two-year time limit are good ideas. She worked on a solid bridge construction project in Portland for two or three years. While on site, she would go to the New Seasons in Sellwood, which was a similar size to the proposed Co-op. Sellwood is small and crowded. There was one entrance/exit to the New Seasons on the main street and one entrance/exit on a private street for deliveries. The area was always very crowded at lunch time and during the evening rush hour as people were grocery shopping on their way home. It could be hard to find a parking space, but there was already traffic. Sellwood traffic would slow down from something up the route or down the route and getting in and out of New Seasons was not that big of a deal because you were in the flow of traffic anyway. She would often exit the parking lot via the private drive, which was a narrow residential street with parking on both sides, just like Steam Whistle Way. People were incredibly considerate. Delivery trucks were all over the place and she could still get through. The traffic never seemed like a huge deal, even with all of the lane closures and congestion due to the bridge construction. This project is possible, and DKS is a professional, impartial company. The site is great and if she lived in the neighborhood, she would be thrilled to have the Co-op come in. She believed the Co-op would be a good neighbor.

Commissioner Herman said she was concerned about the traffic. She did not believe anyone could turn left heading east on to Marine Drive in the summer. If she lived on the east side of town, she would not drive into Astoria just to go to the Co-op. She would head west to find an easier way to turn around. However, the property is commercial and a prime commercial spot. She could not think of a better business to be on that property. The Co-op is a serious business and had not raised \$1.6 million just to back out of this project. The City can reverse the zone change if the Co-op does back out and substantial construction has not begun in two years. She supported the request.

Commissioner Moore clarified that the AH-MP zone is not a commercial zone, but a mixed-use zone. Limited commercial uses are allowed, but so are residential and professional uses. The parcel is complicated. The zone has its own restrictions, but the property is also within the Gateway Overlay Zone and Civic Greenway Zone. Both overlay zones impose significant construction hurdles for any development, like building massing requirements that make a single-story building very difficult to build without a significant variance. The Civic Greenway imposes height restrictions that limit multi-story options. Those hurdles will remain regardless of the zoning. His biggest concern was for the neighborhood. Conditional uses for the AH-MP zone are designed to control impacts to the neighborhood. The amended LS zone would allow this commercial use outright and the neighborhood would lose that control. He agreed the City should refrain from rezoning half of a parcel, so he would require a lot line adjustment. Approving an amended LS zone that only applies to one property

unnecessarily complicates the Development Code. He recommended the Commission deny the request. Any commercial use in the Mill Pond neighborhood needs to be a conditional use.

Commissioner Cameron-Lattek believed the Commission recognized the contribution of a business like the Co-op. This request feels drastic and complicated, and she would need a significant reason to approve a request like this one. The economic benefits provided by the Co-op include good family wage jobs and benefits to the food community, which is growing in this area. That makes her feel more comfortable about being flexible with the zoning for this project. The Advance Astoria Project supports economic development policies that allow more flexibility in zoning when there are good economic reasons to do so.

Vice President Easom stated he was concerned with rezoning a piece of a parcel for one business. He was also concerned about the traffic, but said traffic issues would exist regardless of what is developed on that property. Three, 6,000 square foot buildings could generate even more traffic than the Co-op. Traffic in that area is worse than it's ever been, but Astoria is growing. He was undecided on this request.

Commissioner Mitchell added that she believed the Co-op was a wonderful use for that site. However, she wondered why the proposed portion of the lot was chosen. If the building were situated differently on the lot, there could be more room to go in and out of the property without using Steam Whistle Way. This would impact 23<sup>rd</sup> Street, but the site needs more space to allow drivers to get to the Co-op without going through Mill Pond. She assumed there were reasons that the building would not face the street.

Planner Ferber said orientation, massing, and to some extent access are reviewed during the design review process. Access should be discussed as part of the zone change, but the Co-op site plan is not currently a consideration.

Commissioner Mitchell believed access to the site was important regardless of what is built on the site.

Commissioner Henri asked where accesses would be located if three smaller retail uses were built with the existing zoning requirements. She also wanted to know why the Applicant proposed access from 23<sup>rd</sup> Street. Planner Morgan explained the loading zone would need access from 23<sup>rd</sup> Street. Because of the size of the building, it would not be possible to provide separate accesses to the parking and loading zone. There are other design options. The site plan for Wauna Credit Union had access to the property from 23<sup>rd</sup> Street. The bariatric/memory care facility had two designs, one of which had access from Steam Whistle.

Commissioner Herman clarified that she had meant to say the property was a prime location with excellent frontage and visibility. She understood the request was to change the zoning and the proposed use was not currently allowed outright. This is the most visible piece of vacant land available for commercial use in Astoria. Therefore, she believed the City would receive other requests, even if the property is difficult to develop. The City would be better off going with a business the community knows and is local. The property will be developed commercially. Planner Morgan added that the vacant parcel east of the proposed store can only be accessed from Steam Whistle because ODOT does not allow access from Highway 30.

Commissioner Cameron-Lattek asked if ODOT would be required to install a traffic light. Planner Morgan said ODOT has indicated that a light is not warranted. It was a long and difficult battle to get the traffic light at Safeway and the City ended up paying for a large portion of that project.

Commissioner Mitchell added the Safeway light is part of the reason traffic backs up. Traffic lights are not always a helpful solution and they are very expensive. Cities need to charge adjacent uses for part of a traffic light's expense. She did not believe a traffic light would help in this situation. ODOT wanted to put a traffic light by the bridge, but Astoria fought for the round-a-bout.

Commissioner Henri said slowing down traffic could help facilitate entering and exiting the property. The main concern is for the residences on Steam Whistle Way. Three of the parcels directly across from the proposed site are currently empty.

Vice President Easom called for a straw poll. Commissioners Henri, Cameron-Lattek, Mitchell, Herman and Vice President Easom supported the request. Commissioner Moore was opposed. Vice President Easom also

supported additional conditions of approval allowing the zoning to revert back if construction had not begun in two years and requiring a lot line adjustment.

Commissioner Moore said allowing the zoning to revert back is an indication that the rezone should not be approved. This decision is about a property, not a business. The request is overly complicating and unnecessary. The decision is not a reflection of the Co-op.

Commissioner Cameron-Lattek stated this was also a decision about the development of the community. The two-year rule does feel awkward, but it accomplishes what the Commission wants.

Commissioner Mitchell added development of the community was complicated by the fact that a State highway went through town.

Commissioner Henri said she agreed with Commissioner Cameron-Lattek about the two-year requirement.

Commissioner Herman moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report, approve Amendment A17-02 by Garry Vallaster, Astor Venture, LLC, and recommend adoption by the City Council, with the following additional conditions of approval:

- If significant construction has not begun within two years, the LS zone would revert back to the AH-MP zone.
- The Applicant shall obtain a lot line adjustment.

Seconded by Commissioner Cameron-Lattek. Motion passed 5 to 1. Ayes: Vice President Easom, Commissioners Mitchell, Henri, Herman, and Cameron-Lattek. Nays: Commissioner Moore

Vice President Easom read the rules of appeal into the record.

President Fitzpatrick returned to the dais.

#### REPORTS OF OFFICERS/COMMISSIONERS:

Commissioner Moore stated the next Planning Commission meeting would include a work session to discuss the Code amendments he had proposed.

#### STAFF UPDATES:

Planner Morgan confirmed Commissioners had a copy of the Code amendments proposed by Commissioner Moore, noting that the work session had been scheduled for February 27, 2018.

MISCELLANEOUS: None

#### PUBLIC COMMENTS:

There were no public comments.

#### ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:09 pm.

#### **APPROVED:**

\_\_\_\_\_  
City Planner



## CORRESPONDENCE & MISCELLANEOUS DOCUMENTS

- 2-23-18 Letter from Dick Darby, Sandy Darby and other Mill Pond residents (signatures not legible), dated 2-12-18, concerning Amendment Request (A17-02).
- 2-9-18 Letter from John Ryan, dated 1-9-18, concerning Amendment Request (A17-02).
- 1-31-18 Letter from Dick Darby, dated 1-26-18 concerning Amendment Request (A17-02).
- 1-24-18 Letter from H. Peters, dated 1-24-18 concerning Amendment Request (A17-02).
- 1-24-18 Email from Paul Benoit, dated 1-24-18 concerning Amendment Request (A17-02).
- 1-24-18 Letter from Doris Larremore, dated 1-24-2018, concerning Amendment Request (A17-02).
- 1-23-18 Letter from John Ryan, dated 1-24-18, concerning Amendment Request (A17-02).
- 1-23-18 Email from Jay Rasmussen, dated 1-22-18 concerning Amendment Request (A17-02).
- 1-23-18 Email from Ned Heavenrich, dated 1-22-18 concerning Amendment Request (A17-02).
- 1-22-18 Email from McLaren Innes, dated 1-22-18 concerning Amendment Request (A17-02).
- 1-19-18 Email from George Hague, dated 1-19-18 concerning Amendment Request (A17-02).
- 1-9-18 Letter from Ken Shonkwiler, ODOT Senior Transportation Planner on Amendment Request (A17-02).
- 1-9-18 Letter from Keith P. Blair, ODOT Region 2 Senior Transportation Analyst on Amendment Request (A17-02).

01 of 2

RE: CO-OP VIS. ABLEY

2-12-18

CITY OF ASTORIA

TO: ASTORIA CITY ~~PLANNER~~ COUNCIL

FEB 23 2018

BUILDING CODES

DEAR PLANNER - AS BEFORE, I STATED THAT WE FEEL THE CO-OP BLDG IS THE BEST OPTION FOR THE PROPERTY.

WE ARE VERY CONCERNED BY THE "TALK" OF MAKING STEAM WHISTLE THE ENTRANCE / EXIT! THIS IS A BAD DEAL FOR THE FOLLOWING REASONS:

- ① STEAM WHISTLE ZOO NARROW, w/o SIDE WALKS, NEEDED, DOWN TO LOW-INCOME APTS TO THE EAST. - THESE FOLKS WALK, RIDE WHEEL CHAIRS, WALKERS, ETC, DOWN STEAM WHISTLE, AS <sup>NO SIDEWALKS</sup> ~~NO SIDEWALKS~~ <sup>THEY ARE</sup> ~~NO SIDEWALKS~~
- ② BEST, WE FEEL, IS USE 23<sup>RD</sup> AS IN/OUT BOTH.

WE WERE TOLD THAT THE BLDG DESIGNER SAID PLAN CANNOT BE RE-VERSED! THIS IS TOTAL B.S. AS I WAS, FOR 30+ YEARS, A BLDG. CONTRACTOR / DESIGNER IN SO. OREGON.

I DREW MANY HOME PLANS & AM WELL AWARE ~~THAT~~ THAT ANY PLAN CAN BE REVERSED JUST BY THE

P2 →

P 2

PUSH OF A COMPUTER KEY!

WE ALSO HEARD THAT THE PROPERTY OWNER WANTS IT TO FACE TOWARDS HIS FUTURE APTS, EAST OF CO-OP SITE. THIS IS NOT GOING TO HURT RENTALS FOR TENANTS TO SEE THE BACK OF THE CO-OP!

VERY IMPORTANT TO MAKE STEAM WHISTLE ONE WAY WEST, TO HELP CONTROL TRAFFIC.

WE, THE UNDERSIGNED, ASK FOR 23rd FOR OUR SAFETY IN BACKING OUT OF OUR GARAGES ON THE ALLEY W/O GETTING HIT!

THERE IS ALREADY A DRIVEWAY CUT @ LOT ON 23<sup>RD</sup> BY TREE.

PLEASE BE CONSIDERATE OF THE NEIGHBORS!!

SIGNED;

RW Darby 2355 Mill Pond Ln  
Sandy Darby 2555 Mill Pond Lane  
Shuffan 2495 Mill Pond Lane  
John J. Hankins 2655 Mill Pond Lane

FEB - 9 2018

BUILDING CODES

9 January 2018

To: Mike Morgan  
Astoria City Council

Re: Order No. A17-02 Zoning change to LS, Local Services

With this letter, I am not in support of the recommendations for the approval of the proposed amendment by the Planning Commission on Jan 24, 2018. The the City Council should not approve this amendment based on the following: which is consistent with my letter to the Planning Commission of January 24 ,2018.

1. The zoning change requested was for a portion of the lot known as the Wanna lot 144. The lot line adjustment to split the property was not legally defined and therefore without public comment.
2. The Traffic Impact Analysis prepared by DKS did not reflect the true traffic impact of the change in zoning. The report and testimony did not include the specific dates and time of the traffic survey and was obviously not representative of the high volumes of traffic in this area during the high traffic times of the year.
3. Any zoning change in this area must include traffic mitigation measures for the benefit of the city and the residences. No such mitigation measures were include in the proposal nor the recommendations. The mitigation measures should include at minimum:

The use of Steam Whistle Way is prohibited from use by the property, original or split. (see Paul Benoit memo to Planning Commission of 24 Jan, 2018, pg 1, last paragraph)

Funds must be set-aside for traffic light installation at Marine Drive and 23<sup>rd</sup> Street.

Lots from any split in lot 144 must use 23<sup>rd</sup> Street for access and egress.

Any zoning change should not be conditioned on a specific start of construction of a permitted building.

4. The present zoning for the property, lot 144 is AH-Mill Pond. With this amendment the property, lot 144, now has zoning LS for ½ and Ah for ½. The recommendation for change did not consider the total impact of this change now that there are 2 lots with a distinct impact on the community.
5. This zoning change and lot split is in response to a single users advantage with a 2 year midnight clause on construction per the planning meeting. I question this procedure.

The amendment is a direct response to a single users request to double the size of zoned retail, hence I have attached a story "Walk to the Park", originally for the Design Review Committee if approved, to familiarize the Council of the impacts of the present design and a possible alternate design. I am not elaborating on how to solve the lot problems just emphasizing the impacts if approved.

I respectfully submit that this Amendment not be approved.

Respectfully,



John C. Ryan 503-717-2883

2495 Mill Pond Lane Astoria, Or. [ryanscroft@earthlink.net](mailto:ryanscroft@earthlink.net)

attachment: Walk in the Park  
2 pages



## A Walk to the Park

Downtown doing some shopping, I decide on such a nice day to go to a park I have heard about and never had a chance to visit, Pergola Park at De Muro Mill Pond Village. Driving east on Marine Drive, about 22<sup>nd</sup> street and the CMH building the traffic starts to slow and I wonder what is happening. Anyway it gives me a chance to get my bearings and see that 23<sup>rd</sup> street, just past the Shell station, is just ahead. I know the park is on 23<sup>rd</sup> street and one block to the north. I notice that there is not a left turn arrow or left turn lane on Marine drive and the traffic turning off and on 23<sup>rd</sup> is a real mess. I wonder if it is caused from the metal building along 23<sup>rd</sup> Street. I do see a small outdoor dining area close to the road and figure this must be part of the Astoria Co-op building. Guess all this traffic and street parking, wherever there is room, is from the Co-op. What about their parking lot and entrance, must be down 23<sup>rd</sup> where there is a truck, large semi, trying to back up for a delivery. 23<sup>rd</sup> Street is a mess of traffic, so I decide to park in the CMH lot south of Marine Drive and the Co-op. Wow, glad to get out of that mess and on foot.

When I get to the "cross walk" at Marine and 23<sup>rd</sup> the traffic is going both ways on Marine, cars entering from 23<sup>rd</sup> are trying to turn left (across traffic) and turning right and at the Shell station cars exiting the station are turning right and left.?? I get the traffic to stop and hurry across Marine as not to interfere with this competitive sport of intersection derby by vehicles from 5 positions. Where is the traffic light to make sense of this, at least the developer should be required to set funds aside to finance this light at a later date (this has happen before). Need to see what is next.

As I start down 23<sup>rd</sup> on the east side, I pass the sidewalk to the outdoor seating area of the Co-op and notice that the parking area is beyond and in front of the building which I cannot see from my vantage point on the sidewalk OR, could I be approaching the entrance drive to the parking area with a sidewalk along side to access the eating area in front of the Co-op that is now located on the east side of the property. Traffic seems to do better when off the street with a parking lot they can see from 23<sup>rd</sup> Street. I seem to remember a memo from the last city manager, Benoit. stating the entrance to this commercial property would be off 23<sup>rd</sup> Street, what happened to that.

I keep walking along the metal building with a small landscape area between the sidewalk and building. What happened to the set back requirement for commercial/residential buildings along streets, the building is long, big like a WALL, and not very inviting as I walk along. OR, walking along a nicely landscaped area with a dominate redwood tree nicely fitting into the park like landscape. I stop to admire the age and grandeur of this tree, imagining what this tree has endured during the uses of this property (saw mill, plywood mill and remediation program). I am amazed when I look across the street and notice the trees twin although not as big and how the developers of the gas station property was able to save this beautiful tree. Might call them the twin towers of 23<sup>rd</sup> street. Enjoying the trees and landscape and to the east a very nicely designed parking lot with easy access to the Co-op building. It is a warm and inviting design and is accessible to everyone on Marine and 23<sup>rd</sup>. The entry to the Co-op is now visible and the customers eating and having coffee would be in sight.

As I walk along, I am amazed at this truck coming out of a loading area directly into the sidewalk and street. A big semi would or could block the sidewalk and street. OR, this could be exit/entrance to the parking lot. Vehicles would be back away from the sidewalk with plenty of clear view of pedestrians and traffic. Any backup would be in the parking lot. The loading dock would be far away from the sidewalk and street. Drivers visibility would be greatly enhanced. Moving along I come to a small

narrow street.

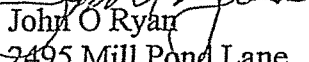
I stop in amazement noticing that just east of the loading dock area is the entrance and exit to the parking lot. What were they thinking, the traffic is backed up on 23<sup>rd</sup> and the traffic trying to enter 23<sup>rd</sup> from Steam Whistle is backed up because 23<sup>rd</sup> traffic can't enter Marine drive, Then I see the traffic leaving the parking lot trying to go west on Steam Whistle Way is being stopped by someone backing out of their garage. Did someone really think this was going to work. Also it looks like a garage door is open and someone probably located in this traffic mess wants to get in their garage. Bet this was a quiet narrow alley before all this happened. I guess they will never figure it out, the traffic report says at least the 2 cars more per minute, might even be worse. It is also obvious the development of the vacant land to east will only have an egress and exit onto Steam Whistle way, more traffic added. Glad no delivery trucks are here today. OR, traffic is controlled on the Co-op property parking area and not public streets (23<sup>rd</sup> Street and Steam Whistle Way) and blocking pedestrian use of public sidewalk.

Finally I get the traffic in and out on Steam Whistle to stop so I can safely cross the ally into the residential area.. Life threatening . Pleasant walk along 23<sup>rd</sup> with a house to my right nicely built and painted to enhance the character of the other houses I can see. How does a large dark metal building against the sidewalk fit into the theme of the Mill Pond area, I ponder.

I get to the corner where across the street is the park. The 23<sup>rd</sup> and Mill Pond Lane intersection and the park should not look like this, Traffic from the Co-op and elsewhere is trying to get to the Co-op or leave the Co-op, not able to use southbound 23<sup>rd</sup>, the cars are turning left or right down Commercial and Millpond Lane and then off to the other connecting street . This is also a mess, wonder what it was like before this. Bet this was a quit unique residential area with just local traffic and a few "looky-loos" moving about. Lots of people walking with or without pets enjoying the pond and the scenery around the homes, not a busy street resembling a downtown traffic day.

Wow again. finally after waiting I get across the street on a painted crosswalk, Cars stop, in a hurry to join the traffic backup ahead. This was worth the walk and the trip through time , present and future (Co-op location along 23<sup>rd</sup> or an alternate location at the east of the property).

Now what is the vision of the City Council and the Design Review Committee for this area , a complete change to the livability of Mill Pond or will it be a decision to mitigate the direct impacts by no zoning change or relocating the Co-op to the west and try to salvage the pristine community in Astoria as much as possible (with no zoning change no Co-op impacts).

  
John O Ryan  
2495 Mill Pond Lane  
Astoria, Oregon 97103

(I am the one trying to get out of the garage)

REF: A17-02

CITY OF ASTORIA 1-26-18

JAN 31 2018

TO:

CITY OF ASTORIA BUILDING CODES COMM.

I HATE TO KEEP "BUGGING" YOU ABOUT CO-OP'S USE OF STEAM WHISTLE, BUT YOU ARE NOT AWARE OF THE RESIDENTS' USE OF SAME. SEVERAL OF US USE OUR GARAGE APRONS FOR CAR WASHING, ETC; ALSO USED BY SERVICE PROVIDERS.

- WHEN CARS ARE ON THE APRONS, ~~IF~~ CARS CAN PASS O.K. - BUT NOT ~~2~~ SIDE BY SIDE.

IF YOU MAKE STEAM WHISTLE WIDER FOR 2-WAY FROM THE STORE TO 29<sup>th</sup> AND ONE WAY WEST, EAST OF CO-OP, LOTS OF DRIVERS WILL, COMING WEST AROUND ON 30, DROP DOWN 29<sup>th</sup> TO ACCESS STEAM WHISTLE.

THIS, WITH THE EXISTING TRAFFIC FROM THE LOW-INCOME APTS, WILL BE A HASSLE HASSLE, MAYBE SIGNAGE WOULD HELP?

- ALREADY <sup>ON</sup> MILL POND LANE, 2 CARS CAN'T PASS IF ANY ARE PARKED ON SO. SIDE OF MILL POND.

- PLEASE CONSIDER <sup>IT</sup> MAYBE YOUR PLANNER WILL INTERVIEW THOSE AFFECTED?



Mr. Dick Darby  
2555 Mill Pond Ln

Rick Darby

1-27-18  
CITY OF ASTORIA

ADDENDUM TO ENCLOSED ~~DIAN B. FOSTER~~  
BUILDING CODES

ONE THING I THINK SHOULD BE ADDRESSED  
BY THE CITY:

AT THE EAST END OF STEAM WHISTLE  
ARE 2 APT BLDGS WITH QUITE A FEW  
HANDICAPPED FOLKS, WHO USE STEAM WHISTLE  
WITH THEIR WALKERS & WHEEL CHAIRS.

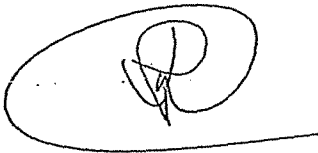
AS THERE ARE NO SIDE WALKS THEY GO  
DOWN THE MIDDLE.

INCREASED TRAFFIC WILL BE AN ISSUE &

HOPE ASTORIA WILL PUT UP SIGNAGE TO  
DIRECT THESE FOLKS TO MILL POND LANE

FOR SAFETY. OR, NOTIFY THE BLDG MANAGERS  
TO ADVISE SAME.

Dick  
Darby





CITY OF ASTORIA

JAN 24 2018

BUILDING CODES

A THIN

BRETT ESTES

NANCY FERBER

JEFF HARRINGTON

NATHAN CRATER

JEWEL FE CAMERON - LT

SEAN FITZPATRICK

KENT EASON

JAN MITCHELL

DARYL MOORE

BROOKLEY HENRI

CITY OF ASTORIA  
JAN 24 2018  
BUILDING CODES

January 24, 2018

City of Astoria  
Planning and Staff  
1095 Duane St.  
Astoria, Oregon 97103

Staff Report and Findings of Fact: City Staff and Interim City Planner have not done a full review nor thoroughly researched the facts with regards to the application. The Report and Findings are seemingly biased. The interim planner should have recused himself from reviewing the application for a rezone. Why wasn't the review and subsequent recommendation made by the City's "Acting Planner" rather than the "Interim Planner"? The Acting Planner has little or no past affiliation with the Coop, but the Interim Planner has more than 25 years(?) of Coop connections and affiliation. The Interim Planner and his wife are strong advocates of the Coop as members and as board members(?) IF a fully extensive research of All the Facts has been completed than the entire "supporting documents" should be made available for public review.

WHY is consideration being given to Add another 2 acres of land to the surrounding LS zone? There's already a block of LS zoned land immediately west and adjacent to the Mill Pond property. It seems like that property has been for sale for a long time. The block contains 2 acres of land of which 1 acre is vacant- the same size as the applicant's site. Why remove perfect Multi-Family land from downtown Astoria's last remaining Multi-Family inventory of lands? The applicant's site is bordered by Multi-Family and Residential properties and should continue as so. The City Planner ran a 9,000 sq. ft. retail user out of town. The developer wanted to build an Acceptable retail use in the current LS zone but was denied. Now the City Planners want to add another 2 acres to LS Zoning? WHY? When Napa Auto Parts moves to their new location in the old Astoria Ford building there will be another big empty retail space in the adjacent LS zone. That property will compete directly with downtown core for tenants, depriving those retail building owners of tenants and rents.

Background: The property is and was zoned AH-MP after extensive area research and detailed thought. The primary goal - Attached Housing within Mill Pond. The main reason for the commercial component of the zone, as clearly stated in the City of Astoria's Development Code: AH-MP; PURPOSE - LIMITED COMMERCIAL USES

Permitted uses outright are Multi-Family and Residential development. The other two uses are Personal Services and Professional Services, including Banking and Medical uses, having Low Impact to the Residential Neighborhood.

Conditional Uses Permitted: These uses are Only to be considered if they are predicated on Limiting the Mill Pond Residential area to nominal traffic. A 12,000 sq. ft. retail user generating 1,000 or more cars per day was Never a consideration for the site, and Never should be. There are several reasons that 6,000 sq. ft. of area was established as the maximum size building for any Retail Store. There are no compelling reasons to change zoning to allow a Doubling of the existing size to 12,000 sq. ft.

History: Twenty years ago Astoria's Mayor, Mill Pond's Developer, and Safeway agreed on a plan to keep Safeway from shutting down and moving out of Astoria. That agreement entailed moving Safeway to the east end of Astoria. In exchange Mill Pond zoning allowed for a Small Retail Building. Why? To keep other large grocers from directly competing within the same area. Now the City wants to renege on their promise to Safeway by changing the Mill Pond zoning to allow for a competing 12,000 sf grocery store, only 8 blocks away.

Finding: To Amend the map and text of the Astoria Development Code to Facilitate construction of the Coop is simply Wrong. Processing as a Quasi-Judicial action based on a Small Rezone area - is simply Untrue. The map area is large compared to Astoria's small boundaries. More so, the rezone's Traffic Impacts brought about by the grocery store's traffic generation will add greatly to the Traffic Nightmare already in this section of town. The non-lighted intersection has several streets and driveways feeding into a very confusing intersection. Heading east on Hwy 30 there's no left-turn lane at 23<sup>rd</sup> St. Much traffic comes from Duane St. to head east on Hwy 30. But traffic from Hwy 30 heading west has a turn lane onto Duane St., without allowing the east-bound vehicles to make a left turn from Hwy 30. Be careful what you ask for, you may get it!

Finding: This area is one of the last opportunities for a retail use in Mill Pond that provides "Goods and Services" for the surrounding community in the heart of town. Again, simply Untrue. There's a 60,000 square foot Safeway 8 blocks away. I wish we could all have a 60,000 sq ft Safeway within a 5 minute walk from home along the riverfront. Safeway offers all the necessary "goods and services" plus much more for Mill Pond residents and Hospital employees. Safeway has a very large organic foods department. Their amount of space dedicated to selling organic natural whole foods and supplies is probably the same as Coop plans to build. There is simply no need for another grocery store in East Astoria. It is clearly short sighted to think the people of Mill Pond and the hospital employees must have an \$8 Million Dollar Coop to walk to. The 200 people living in the Mill Pond apartments cannot afford to buy Coop's high priced organic foods and supplies. Those who can will go to Safeway or a downtown Coop or the New, Lower Priced Natural Grocers store opening in Warrenton. For Mill Pond residents and hospital employees that must have closer convenience there's a good selection of foods and necessities next door at Mini-mart, Home Bakery and Hondos Brewpub.

The Finding should state this site is the Last Opportunity for Multi-Family Housing that provides Affordable Living for the surrounding community in the Heart of Town. Daily Astorian front page articles covering "Astoria's Housing Crisis" over the past 3 years state there are Few IF Any apartment sites in Astoria, and None Near Downtown. It's nonsensical to add more LS zoned retail land to Mill Pond when there's many other properties available. Certainly the ones located in the downtown core or in West Astoria where a far greater number of Coop members come from makes much more sense.

Finding: A traffic study was prepared and concluded there will be no negative impact as a result of the development. The City clearly has Not done their homework. The amendment clearly Does Not meet Transportation Demands. Who paid for the traffic study? The Developer or the City?

Did the Planner or City staff talk with local residents, or business owners, or their employees who must drive through this highly congested area on a daily basis? From May to September this area is possibly as bad as my hometown of Portland at rush hour. Most summer days, always on weekends, it already is. Every Portland beer-guzzling Hipster, girlfriend and her dog will happily pull into the Coop. Every R.V., Pickup-pulling boat, Semi-truck driver who can't navigate turning into and out of the Coop parking lot will be swearing at whoever let this in happen....blame the City & ODOT. The smart phone app WAZE will lead hundreds of Frustrated Drivers to take the Alternate Side Roads "Through Mill Pond Housing" - between the Astoria Police and Fire Station's lighted intersection at 30<sup>th</sup> St. & Commercial St. at City Lumber. IF Coop is allowed to build, there should be a light at the intersection - the same as Safeway installed.

ODOT: They should be very concerned with this Major Traffic Impact. If Coop will have 6,000 members and each member making 2 trips per week that equals 1,700 trips per day. If Coop is open to all shoppers, not just members, that will be 200 more trips per day. Coop must capture as many tourists and out of area shoppers as possible to pay for their new \$8 Million Dollar Store. Add another 200 trips per day every summer weekend. The majority of people will Drive to the Coop to shop. People don't carry bags of groceries walking all over town. At the time when the majority of people shop from 4pm to 6pm, traffic will become much more congested, if not immediately than in the near future as Coop strives to expand membership. Now imagine the traffic problems. Who's going to pay for the traffic light that will be needed? The taxpayers? Has City Staff, the Planner, the Consultant, or the Developer tried to navigate through this area at peak traffic volumes "Before" a 12,000 sq foot Grocery Store is built? On a Friday evening or a Sunday afternoon during summer? On a dark, rainy night at 5pm on any given winter day? Try it, then imagine another 2,000 cars daily and watch it come to a crawl.

The City wants to change the zone to appease the Coop. What about all the East end residents that Don't shop at the Coop but need to drive through this area of town, every day, at 5pm? Add all those residents to the hundreds of shoppers going to Safeway at this same time of day. Add hundreds of nearby medical workers and downtown Astoria employees trying to exit through the area. How does that impact residents of Knappa, Svenson, AlderBrook and Safeway neighborhoods? Even if you don't live on that side of town you should care about those residents.

Finding: The Buildable Lands Inventory is laughable. City Staff, Planner and Wickiup Consultant- where are all these portions of land identified as "Other" located? IF there were so many acres of buildable lands why has nobody built Multi-Family Housing on them? The "Other" lands referred to in the study are mostly non-buildable or cost prohibitive to ever build on - that's why.

There's only 1 flat, ready to build site in the middle of town, nearly 2 acres, zoned for Multi-Family Housing- and that's sitting in Mill Pond zoned AH-MP.

Fact: There is No Deficit of land zoned for commercial use- more particularly Retail Use, in Astoria. Each time the retail shopping district expands out of the downtown core those building owners suffer the consequences of vacancies and low rents. Over the past 25 years there's been empty retail stores throughout downtown. What about the current vacant buildings: JC Penney, Charter, YMCA, Van Dusen, Flavel's, Port of Call Event Center, Arc Arcade, Fisher Brothers. Does this suggest there's a need to add more retail land? The only new retail building in many years sits empty right next to the Armory.

Fact: There are several suitable, buildable properties available in both the downtown core and areas in West Astoria. The Coop's decision to move east beyond the downtown core blocks seems ill-advised. There are no financially responsible reasons to do so, nor are there any obvious reasons. Remaining downtown became much more important once Safeway expanded east. A downtown Coop is easily accessible for their customers, whereas a move out of downtown walking distance will become problematic for many.

Did City Staff, Planner, and Consultant research all the other possibilities for Coop expansion? Lands that Don't need a major zoning change which dramatically reduce the City's Inventory of Multi-Family Land? What about the following locations?

- 1) The Coop could help relocate the tenant in their existing building and expand into that space, then add another wing to the building. The adjacent empty property could be bought and used for more parking.
- 2) Lum's old Auto site. Large property. No impact to Multi-Family Housing lands.
- 3) Half block of land at 8<sup>th</sup> St. and Duane St. with lower level parking lot.
- 4) Large empty site with lots of parking below at 11<sup>th</sup> St. and Marine Dr.
- 5) Video Horizon Building on Marine Dr. Looks like a grocery store. Lots of parking, or, Build parking lot at bowling alley.
- 6) Warehouse building next to Video Horizon. Remodel with Coop on ground floor, apartments above. Lots of parking.
- 7) Columbia Produce building and adjacent land. Large property with lots of parking.
- 8) Land next to KFC. Large site at lighted intersection with lots of parking.
- 9) Old grocery store building next to old Astoria Ford building. Large site with lots of parking. Could tear down and build new or remodel old store. No traffic problems and better location in West Astoria- opposite end from Safeway store.
- 10) IF the Coop is blind in their pursuit to expand eastward, the already LS Zoned Property adjacent to the Mill Pond site looks like it's still for sale. Lots of parking. However, it would still add far too much congestion to the area, with limited options to head east on Hwy 30 without winding through the Mill Pond housing areas to get to the traffic signal located at Astoria Police and Fire Station's lighted intersection at 30<sup>th</sup> St. & Hwy 30.

All of the above properties look like they're in commercial zones where a retail store could go to "Without" the need to Rezone Land, or more importantly, Remove Multi-Family Housing Opportunities from a Very Low Inventory of Buildable Lands.

Bottom Line: IF Coop Cannot Pay their monthly lease on a new \$8 Million Dollar Store (\$500,000 per year?) the store will Close. But, after the LS zoning is changed, Can the City Stop a BIG Chain Store from Leasing or Subleasing or Buying the building? Can Mill Pond Housing do anything to stop an unwanted new 12,000 Tenant? Why didn't the Astor Ventures Developer apply for a Conditional Use Permit and NOT a Rezone of the property? Would a CUP be for Only the Coop Store and Not a future Tenant??

Conclusion / Recommendation: Astoria's Engineering Department and ODOT should step up and do their job by demanding a "Real and Impartial" Traffic Impact Study. The entire "Findings of Fact" should be dismissed and thrown out. City Staff should immediately reverse its "Biased" decision to recommend adoption of the zoning change amendment.

**Thank you for Listening, and most importantly for Considering.**

H. Peters  
402 Alameda Ave.  
Astoria, Oregon 97103



## Anna Stamper

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**From:** Mike Morgan  
**Sent:** Wednesday, January 24, 2018 10:25 AM  
**To:** Anna Stamper  
**Subject:** FW: Mill Pond / Co-Op

Please copy for tonight's meeting.

**From:** Paul Benoit [mailto:pbenoit@piedmont.ca.gov]  
**Sent:** Wednesday, January 24, 2018 10:19 AM  
**To:** Mike Morgan <mmorgan@astoria.or.us>  
**Subject:** Mill Pond / Co-Op

Mike,

I am aware that the Planning Commission is considering a zone amendment to the AH-MP Zone in response to a proposal by the Astoria CO-op Grocery. First let me say that, in my opinion, it is a perfect use in the right location.

Back in the 1990's I was involved in cleaning up the mill site and working with the community to envision options for redevelopment. It took a very long time for Astorians to come around to the realization that the mill was not coming back and that the prospect for some new industrial development at the site was near zero. With that realization, we were free to imagine options. Given the proximity to the river and the existence of the pond, the site had attributes ideal for a riverfront residential neighborhood. The vision for re-use at the time was reflective of the only redevelopment that seemed viable, that would prevent "big-box" retail, and that would generally resonate with the community. That said, there was no new residential development to speak of in Astoria – for years. So, the vision of a new neighborhood was bold, experimental and hopeful -- at best. There was also no new commercial development to speak of – though Bi-Mart was actively looking for sites, as was Safeway and those were the last thing that the community wanted for the site.

With the vision for Mill Pond in place, we sought out a developer and, to our great good fortune, we found Art DeMuro and his company Venerable Properties. He proved a perfect partner, understood Astoria, and shared our vision. He was "all in" and what you see today is a product of, what at the time, was very creative thinking and significant risk-taking. The zoning was developed and the site platted in partnership with Venerable Properties and the Astoria community. The desire and vision for the site at the corner of 23<sup>rd</sup> and Marine Drive was for a commercial type use that would serve Astorians and the adjacent communities - a more scaled down retail or professional use that would be advantaged by the adjacency to Highway 30 and that could be accessed from 23<sup>rd</sup> Street – negating the need for driveway access from the

highway (which ODOT would likely have denied). Art DeMuro very intentionally did not divide the site to promote housing and he, in fact, held on to the lot in hope that when the Mill Pond site was largely built out with housing that this corner lot would finally attract a beneficial use. Unfortunately, that did not happen in Art's lifetime and the site remains vacant.

There is land in Astoria on the fringes of our urban forest, and land in the broader region, that is in close proximity to established neighborhoods and quiet streets that would well support residential development. There are, however, very few sites in Astoria that have all the attributes needed to support commercial development. The site at the corner of 23<sup>rd</sup> and Marine Drive has all of the key attributes needed to support a retail establishment and I can think of no better use than the Co-op to finally realize the long-held vision that Venerable Properties and the City had for the site. In the 1990's we had a vision and the zoning was honestly an experiment. It largely worked, but please do not view that early zoning as something that was etched in stone. Realizing an opportunity to accommodate such a community benefitting use as the Astoria Co-op is worth making appropriate adjustments to a near 20 year old experiment.

  
Paul Benoit

City Administrator, City of Piedmont  
Former Community Development Director and City Manager, City of Astoria

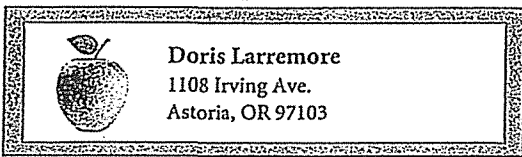
Jan 24, 2018

Astoria Planning Com -

Astoria is a wonderful little city, with big problems: A shortage of buildable land and a shortage of affordable housing.

Both of these problems should be acknowledged at this time. To allow the co-op to build a retail store on this valuable piece of land without additional attached housing does not seem wise. Please consider.

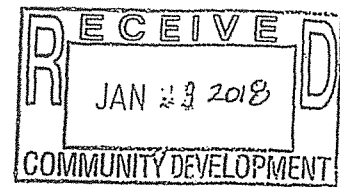
Doris Larremore  
Co-op member/owner



OR (503) 325-4734

Astoria Planning Commissioners  
Amendment Request (A17-02)

24 Jan 2018



My name is John Ryan residing at 2495 Mill Pond Lane, located adjacent to the subject property to the north, garage on Steam Whistle Way

As I understand this property has gone through several development proposal in the past. Today, the Mill Pond lots to the north adjoining this property are either built-out or have proposed residences in design stages. The concern over the impacts of a development now directly effect the residential community.

The present zoning calls for a 6000 sf maximum retail space on the property known as the Wauna Lot 144. Now, a new zoning (LS) allows a 12,000 sf retail grocery on ½ the lot. For starters, if approved, how can I be assured that a different retail establishment, not a grocery store, will be built on the property? If approved, why not leave the AH Mill Pond zoning and add a 12,000 sf grocery store as a conditional use? How can I be assured I will not have a more objectionable tenant to the south?

Mill Pond is a residential area/no commercial uses as of today—we have zoning and Homeowners Guidelines for development on this property. The present zoning has conditions that limit the effect of a development on the Mill Pond community. (Residential and pedestrian orientated) It is obvious to me as an adjacent land owner that the impact of doubling the size of a retail building will at least double the impact my life, i.e. traffic, noise of business and deliveries and more, all doubled). I see no mitigation measures for the noise or the traffic that will be created by this development. At the present with no development we are subjected to an impossible traffic situation at 23<sup>rd</sup> Street and Marine Drive (Hwy 30) and also increased traffic on Mill Pond Way and its connecting roads. Where is the traffic light at Hwy 30 and 23<sup>rd</sup> Street to mitigate twice the traffic being generated. The "traffic report", I have reviewed, says no impact- what world of engineering statistics do the writers live in. The real world sees a mess, an impact to Mill Pond streets and the community as a whole.

When considering this change I would like the commission to consider the changes that are anticipated in this area and the impact on the livability in this community. The Maritime Museum is developing the North Coast Auto property, the Freight Line land is going to be developed, the Napa Auto store site will change its use and now adding the LS zoning to half the Wauna Lot 144 will change the entrance to the city forever. A comprehensive plan to mitigate the impact on my property is needed. This zoning change is only part of a larger impact. This approval should not stand alone.

I live in a unique community within the city that should be protected and remain a viable living community withstanding the pressures of time and unchecked development.

John Ryan

A handwritten signature in cursive script that reads "John Ryan".




Mail		
Email	1/23/2018	5:10 PM
Web	1/23/2018	8:50 PM



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856  
COMMUNITY DEVELOPMENT

January 23, 2018

TO: ASTORIA PLANNING COMMISSIONERS AND INTERESTED PARTIES  
FROM: MIKE MORGAN, INTERIM CITY PLANNER   
SUBJECT: SUPPLEMENTAL STAFF REPORT FOR AMENDMENT REQUEST A17-02

This supplemental staff report contains additional materials or public comments received after the mailing of Planning Commission Agenda packets on January 18, 2018. This will be the final supplemental report prior to the Astoria Planning Commission meeting on Wednesday, January 24, 2018.

Any comments or materials received after the date of this memorandum will provided to the Astoria Planning Commissioners on the day of the meeting.

Mike Morgan  
Interim City Planner

## Anna Stamper

---

**From:** Mike Morgan  
**Sent:** Tuesday, January 23, 2018 9:30 AM  
**To:** Anna Stamper  
**Subject:** FW: Astoria Co-op Expansion Rezoning

---

**From:** Jay Rasmussen [mailto:Jay.Rasmussen@welchallyn.com]  
**Sent:** Monday, January 22, 2018 1:11 PM  
**To:** Mike Morgan <mmorgan@astoria.or.us>  
**Subject:** Astoria Co-op Expansion Rezoning

Dear Mr. Morgan,

I am writing to encourage you and the City of Astoria to allow the re-zoning changes requested to accommodate an expanded Astoria-Go-op store at the new Mill Pond site. The Co-op is a beneficial provider to the community and supports many local consumers and providers. It deserves the support of City governance to allow their expansion plans to proceed with all due haste.

Thank you!

Jay Rasmussen  
91899 George Hill Road  
Astoria, OR 97103-8274

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## Anna Stamper

---

**From:** Mike Morgan  
**Sent:** Tuesday, January 23, 2018 9:30 AM  
**To:** Anna Stamper  
**Subject:** FW: Amendment A17-02 Recommendation for approval

**From:** McLaren Innes [mailto:macmailg@gmail.com]  
**Sent:** Monday, January 22, 2018 10:10 AM  
**To:** Mike Morgan <mmorgan@astoria.or.us>  
**Subject:** Amendment A17-02 Recommendation for approval

Date: January 22, 2018

To: Mike Morgan [mmorgan@astoria.or.us](mailto:mmorgan@astoria.or.us)  
From: McLaren Innes [macmailg@gmail.com](mailto:macmailg@gmail.com)  
Re: Amendment Request (A17-02)

This is to recommend approval for the above Amendment Request. This request will amend the zoning map and development code to allow construction by the Astoria Coop.

The map amendment will support the relocating and expansion of a retail grocery, which includes increased parking and visibility and will allow additional service and convenience to the citizens of Astoria.

This retail use, Astoria Coop grocery, will be developed in a way not to distract from the neighborhood atmosphere of the Mill Pond.

Prior to construction the development will be subject to City of Astoria Design Review and applicable development standards. This process will ensure compatibility of the use with the adjacent Mill Pond area.

Thank you for recommending approval of this Amendment request.

McLaren Innes

McLaren Innes [macmailg@gmail.com](mailto:macmailg@gmail.com) 503-325-0645

## Anna Stamper

---

**From:** Mike Morgan  
**Sent:** Tuesday, January 23, 2018 9:30 AM  
**To:** Anna Stamper  
**Subject:** FW: Astoria Coop

**From:** Ned Heavenrich [mailto:nednlulu@yahoo.com]  
**Sent:** Monday, January 22, 2018 11:34 AM  
**To:** Mike Morgan <mmorgan@astoria.or.us>  
**Subject:** Astoria Coop

Mike, my wife and I are very excited about having the coop at the Mill Pond site and I am writing to ask that the planning commission see that it is a good fit for that area and indeed for all of Astoria. We are not talking Walmart here and a zone change to accommodate the new store is a win-win for everyone in Astoria and Clatsop county. Thanks, Ned and Lulu Heavenrich.

Sent from Mail for Windows 10

Anna Stamper

---

From: George Hague <gbhague@gmail.com>  
Sent: Friday, January 19, 2018 4:15 PM  
To: Anna Stamper  
Cc: Jennifer Benoit  
Subject: Letter for each Planning Commissioner

Dear Planning Commissioners,

The Astoria Co-op's new store design is missing an opportunity that the City would be remiss if allowed. We read that Astoria needs more affordable housing for our workforce and the necessary land correctly zoned to provide such. *"Astoria's growth rate was hampered by the lack of buildable land according to a recent state report."* (page 3A Daily Astorian Jan 17, 2018) There are those in the City Government who favor selling our parks to provide places for more housing stock. In fact the City recently hired our past wonderful planner Rosemary Johnson to evaluate the sale of four of our parks. Selling parks is totally opposite of what the 2016 park survey of the public revealed as part of the City's Park Master Plan. The new Astoria Co-op should be required to place a few apartment units above their proposed store. At their June 8th meeting their general manager agreed it wasn't yet designed and the units would help their employees.

The store uses most of a parcel that is currently zoned for multifamily units and where tow story height would not be a problem. The Co-op's blog tries to convince us that "height limitations" is a main reason for not adding affordable units. *The permitted uses (#8) in your staff report reads that apartments above the Co-op is "permitted outright".*

Everything I've heard about the owner/architect of the proposed Co-op building is very positive. I am surprised we convinced the Co-op board to agree to a single story building simply to save money. I will find it very sad if our City pushes to sell one of our parks to use the land for affordable housing, because our Co-op store was built on one of our City's few parcels zoned multifamily. *Your approval of this project as proposed on Wednesday will make this possibility very likely.*

will not be able to attend your meeting, but i am sure there will be many good people who support the new store. As a Co-op member/owner I am in favor of a new store, but believe we must provide more for our community than what is being shown to you. Even if we must partner with groups like Oregon Housing Alliance or Oregon Affordable Housing Management Assoc or even Innovative Housing Inc *we need to display we will make this type of housing happen — without selling our parks.*

Sincerely,

George (Mick) Hague  
3rd Street #201  
Astoria, Oregon 97103

S.

*Selling underutilized parkland was the main draft recommendation that did NOT rate favorably. Respondents strongly preferred reducing maintenance and converting underutilized parks into natural areas, or developing*



*underutilized parks with new amenities to satisfy unmet community needs.*" (page 43 Astoria Parks & Recreation Comprehensive Master Plan) If the public would have been told that the money from selling parks would go into the General Fund and not back to parks, the results would have been even more against selling our parks.



# Oregon

Kate Brown, Governor

Department of Transportation  
District 1/Area 1  
350 West Marine Drive  
Astoria, Oregon 97103  
Phone: (503) 325-7222  
Fax: (503) 325-1314

1/9/2018

TO: Mike Morgan, City of Astoria  
FROM: Ken Shonkwiler, ODOT Senior Transportation Planner  
SUBJECT: Comprehensive Plan Amendment A17-02 Vallaster and Astoria Co-op

---

Thank you for the opportunity to comment on this zone change and map amendment.

The Oregon Department of Transportation (ODOT) routinely comments on planning proposals that may have an impact on state highways. If a plan amendment is involved (including zone changes), ODOT makes itself available to assist local governments in complying with the requirements of OAR 660-012-0060 (known as the Transportation Planning Rule). This requires that local governments amending adopted plans and regulations demonstrate that the amendment will not significantly affect existing or planned transportation facilities (both state and local) or that such amendments are concurrent with local and state plans.

The applicant submitted a joint TPR Analysis for the zone change and Traffic Impact analysis to ODOT on the site to be rezoned from AH-MP to Local Service (LS). After reviewing the proposed development and TPR analysis, the zone change would not significantly affect the surrounding transportation system.

During the Summer of 2017, I reviewed the site plan for the Astoria Co-Op as well. Frontage improvements were originally identified along the property, and I would like to reiterate that frontage improvements and other infrastructure related to active transportation (along with ADA components) would be essential to align with the goals identified within the City of Astoria Transportation System Plan.

ODOT is in agreement with the proposed zone change as the Transportation Planning Rule OAR 660-012-0060 (9) has been satisfied through this concurrence.



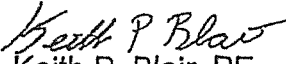
# Oregon

Kate Brown, Governor

Department of Transportation  
Region 2 Tech Center  
455 Airport Road SE, Building A  
Salem, Oregon 97301-5397  
Telephone (503) 986-2990  
Fax (503) 986-2839

**DATE:** January 9, 2018

**TO:** Ken Shonkwiler  
Region 2 Senior Planner

**FROM:**   
Keith P. Blair, PE  
Region 2 Senior Transportation Analyst

**SUBJECT:** Co-op Grocery Store (Astoria) – Transportation Planning Rule  
TIA Review Comments

---

ODOT Region 2 Traffic has completed our review of the submitted traffic impact analysis (dated December 11, 2017) to address traffic impacts due to a proposed zone change from AH-MP to LS and development of a co-op grocery store on the northeast quadrant of US 30 and 23<sup>rd</sup> Street in the city of Astoria, with respect to consistency and compliance with current versions of ODOT's *Analysis Procedures Manual (APM)*. Both versions of the *APM* were most recently updated in December 2017. Current versions are consistently published online at: <http://www.oregon.gov/ODOT/TD/TP/Pages/APM.aspx>. As a result, we submit the following comments for the City's consideration:

Analysis items to note:

- Region Traffic assumes all land uses and densities offered under both the current and proposed zones are consistent with the City's code as cited in the report.
- This study does not contain a simulation-based queuing analysis. Such analysis would have been scoped if this study had been required under ODOT's authority.
- Typically, ODOT will not run analyses with zero vehicles making available permitted movements. Rather, if count data does not identify any vehicles within the peak hour making a movement, we recommend assuming a low volume (1 or 2) rather than zero. The algorithms within Synchro utilize different formulas if there are zero conflicting vehicles.

Proposed mitigation comments:

1. ODOT maintains jurisdiction of the Lower Columbia River Highway No. 92 (US 30) and ODOT approval shall be required for all proposed mitigation measures to this facility. No mitigation measures have been proposed. This conclusion appears reasonable for this proposed development.
2. Trip Generation Cap Proposal – Under the existing zoning (AH-MP), the reasonable worst-case buildout will generate 57 total PM peak hour site trips (20 of which will be diverted from US 30 via the local road network). Under the proposed zoning (LS), the proposed development will generate 114 total PM peak hour site trips (41 of which will be diverted from US 30 via the local road network).

Thank you for the opportunity to review this traffic impact analysis. As the analysis files were not provided, Region 2 Traffic has only reviewed the submitted report. This traffic impact study has been, for the most part, prepared in accordance with ODOT analysis procedures and methodologies. No further analysis work should be required. If there are any questions regarding these comments, please contact me at (503) 986-2857 or [Keith.P.Blair@odot.state.or.us](mailto:Keith.P.Blair@odot.state.or.us).

## PUBLIC NOTICES

- 2-9-18 Notice of Public Hearing published in Daily Astorian on 2-26-18 for 3-5-18 City Council Meeting
- 2-9-18 Notice of Public Hearing mailed property owners within 200 feet of proposed zone change and people on record for 3-5-18 City Council Meeting
- 1-17-18 Notice of Public Hearing published in Daily Astorian on 1-17-18 for 1-24-18 Planning Commission Meeting
- 12-29-17 Notice of Public Hearing mailed to property owners within 200 feet of proposed zone change for 1-24-18 Planning Commission Meeting
- 12-29-17 Ballot Measure 56 Notice sent to Applicant for the proposed zone change.



Mail	
Email	2/9/18
Web	

February 27, 2018

E-MAILED TO: LEGAL ADS, DAILY ASTORIAN,  
VIA E-MAIL [legals@dailyastorian.com](mailto:legals@dailyastorian.com)  
FROM: ANNA STAMPER, COMMUNITY DEVELOPMENT, 338-5183  
SUBJECT: PLEASE PUBLISH THE FOLLOWING PUBLIC NOTICE

CITY OF ASTORIA  
NOTICE OF PUBLIC HEARING

The Astoria City Council will hold a public hearing on Monday, March 5, 2018 at 7:00 p.m., in the City Hall Council Chambers, 2<sup>nd</sup> Floor, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following:

1. Amendment A17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery.

The Planning Commission has recommended approval of the request. A copy of the application is available for inspection at no cost and will be provided at reasonable cost. All documents and information are available for review at the office of the Community Development Director at 1095 Duane Street, Astoria. Contact the Community Development Department, at 503-338-5183 for additional information.

The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department at 503-338-5183 48 hours prior to the meeting.

All interested persons are invited to submit comments at the hearing or by letter addressed to the City Council, 1095 Duane St., Astoria OR 97103. The Astoria City Council reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

THE CITY OF ASTORIA  
Anna Stamper, Administrative Assistant



PUBLISH: February 26, 2018

YOU ARE RECEIVING THIS NOTICE BECAUSE THERE IS A  
PROPOSED LAND USE APPLICATION NEAR YOUR PROPERTY IN ASTORIA

CITY OF ASTORIA  
NOTICE OF PUBLIC HEARING

Mail	2/9/18
Email	2/9/18
Web	2/9/18

The Astoria City Council will hold a public hearing on Monday, March 5, 2018 at 7:00 p.m., in the City Council Chambers at City Hall, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following:

1. Amendment A17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery. Development Code Articles 1, 2, 3, 9, 10 and 14 and Comprehensive Plan Sections CP.010-CP.028, CP.057-CP.058, CP.190-CP.210 are applicable to the request.

The Planning Commission has recommended approval of the request. A copy of the application is available for inspection at no cost and will be provided at reasonable cost. All documents and information are available for review at the office of the Community Development Director at 1095 Duane Street, Astoria. Contact the Community Development Department, at 503-338-5183 for additional information.

The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department at 503-338-5183 48 hours prior to the meeting.

All interested persons are invited to submit comments on the draft application at the hearing or by letter addressed to the City Council, 1095 Duane St., Astoria OR 97103. The Astoria City Council reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

THE CITY OF ASTORIA



Anna Stamper  
Administrative Assistant

MAIL: February 9, 2018



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Aspmo Gary S  
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Astor Venture LLC  
Garry Don Vallaster  
711 SW Alder St PH  
Portland, OR 97205-3429

80909CB06861  
Astoria Gateway Associates II  
Cascade Management Inc  
13221 SW 68th Pkwy Ste #310  
Portland, OR 97223

80909CB04600  
Blackstock Delane E  
Blackstock Justin G  
2947 NE 60th Ave  
Portland, OR 97213

80909CB04401  
Blackstock Delane E  
Blackstock Justin G  
2742 Grand Ave #A  
Astoria, OR 97103

80909CB06847  
Bower Barbara A  
2410 N Aurora Ave Apt #108  
Seattle, WA 98109-2268

80909CB02800  
Chen Rong Wo  
Ma Xian Xiu  
2813 Marine Dr  
Astoria, OR 97103-2819

80908DD06800  
Columbia Lutheran Charities  
Columbia Memorial Hospital dba  
2111 Exchange St  
Astoria, OR 97103-3329

80909CB06843  
Darby Richard  
Darby Sandra  
2555 Mill Pond Ln  
Astoria, OR 97103-3303

80909CB06834  
Fransen Toivo J  
2795 Mill Pond Ln  
Astoria, OR 97103

80909CB04900  
Hageman Kenneth D/Beverly J  
2770 Grand Ave  
Astoria, OR 97103-2906

80909CB06809  
Hall David L  
275 23rd St  
Astoria, OR 97103-2229

80909CB06841  
Hankins Ronald Ben Rev Liv Trst  
Hankins Lois J Rev Liv Trust  
1720 SE Hawthorne Blvd  
Portland, OR 97214-3723

80908DA01402  
Heestand Family LLC  
PO Box 669  
Scappoose, OR 97056-0669

80908DA01401  
Heestand Family LLC  
T P Freightlines Accounts Payable  
PO Box 580  
Tillamook, OR 97141-0580

80909CB06810  
Iverson Trust  
285 23rd St  
Astoria, OR 97103-2229

80909CB06846  
Jarvis Ben L  
Jarvis Sally A  
5756 SW Cupola Dr  
South Beach, OR 97366

80909CC00600  
Johnson Eva M  
12321 Highway 99 #125  
Everett, WA 98204-5511

80909CC00100  
Kalander Sandra K  
Kalander John R  
4975 Cedar St  
Astoria, OR 97103-2115

80909CB06812  
Keown Riley M  
2231 Saybrook Ln  
Costa Mesa, CA 92627-1677

80909CB04100  
Kiepke R J  
2703 Marine Dr  
Astoria, OR 97103-2900

80909CB04300  
Kiepke R J  
91779 George Hill Rd  
Astoria, OR 97103-8274

80909CC00500  
Leino George E  
88338 Youngs River Rd  
Astoria, OR 97103-8127

80909CC00601  
Moore Ernest R Sr/Delores J  
503 N 1st St Spc #57C  
El Cajon, CA 92021

80909CB04200  
Mossman Alan R  
230 8th St  
Astoria, OR 97103

80909CC01300  
Navarro Rachel  
Navarro Jane  
8655 SE Silver Creek Rd  
Happy Valley, OR 97086

80909CC01600  
Neikes Thomas R 1/2  
Neikes James J 1/2  
34755 Hwy 101 Business  
Astoria, OR 97103-6664

80908DA00500  
NWH Properties LLC  
5937 N Cutter Cir  
Portland, OR 97217-3940

80909CC01100  
O Shay Betty  
2652 Grand Ave  
Astoria, OR 97103-2916

80909CB06835  
Oliver Jerry G  
Oliver Annie E  
2775 Mill Pond Ln  
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Kalama, WA 98625-9640

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Parfitt Mary Helen  
2715 Mill Pond  
Astoria, OR 97103

80909CC01400  
Ranta Simo J  
511 Harison Ave  
Astoria, OR 97103

80909CB06836  
Redwine Jeffrey Mark  
Redwine Tommie Jo  
PO Box 447  
Astoria, OR 97103-0447

80909CC00400  
Reyes Timothy  
Ecoff Elizabeth  
2659 Marine Dr  
Astoria, OR 97103-2927

80909CB04700  
Ridout LLC  
860 Beach Dr  
Seaside, OR 97138-5504

80909CC00300  
Rutherford Stanley W/Sharon M  
91122 Fort Clatsop Rd  
Astoria, OR 97103-8563

80909CB06845  
Ryan John O  
Ryan Melanie Rae  
2495 Mill Pond Lane  
Astoria, OR 97103

80909CB06850  
Saar William A  
Jensen-Saar Arlee J  
37751 Highway 30  
Astoria, OR 97103

80909CB06849  
Saar William A/ Arlee J  
736 8th Ave NE #219  
Issaquah, WA 98029

80909CC00701  
Spence Barbara  
Neikes James J  
34755 Hwy 101  
Astoria, OR 97103

80909CB06842  
Storey Family Trust  
Storey Cheryl A Trustee  
5770 SW 163rd Ave  
Beaverton, OR 97007

80909CB06808  
Thompson Russell E/Donna Lee  
265 23rd St  
Astoria, OR 97103-2229

80909CB05000  
Treber Gordon A/Nicole  
2778 Grand Ave  
Astoria, OR 97103-2906

80909CC00800  
Walkowski Allison Kaye  
Smith Grady A M  
2624 Grand Ave  
Astoria, OR 97103

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Wolcott Lorraine E  
2735 Mill Pond Ln  
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Consulting LLC  
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Astoria, OR 97103

Don Vallaster  
PO Box 3933  
Portland, OR 97103

Matt Stanley  
564 Kensington Ave  
Astoria, OR 97103

Stewart Bell  
140 Lincoln St  
Astoria, OR 97103

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Astoria, OR 97103

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Astoria, OR 97103

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Astoria, OR 97103

Lilicha Cameron- Lattek  
320 SE 3<sup>rd</sup> St  
Astoria, OR 97103

Elisa Evans  
38 Exchange St  
Astoria, OR 97103

Gene Robben Dott  
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Astoria, OR 97103

Venus Fromwiller  
239 Kensington Ave  
Astoria, OR 97103

Angela Sidlo  
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Gearheart, OR 97138

Tom Owen  
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Astoria, OR 97103

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Warrenton, OR 97103

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Astoria, OR 97103

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Astoria, OR 97103

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Astoria, OR 97103

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Astoria, OR 97103

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Astoria, OR 97103

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Astoria, OR 97103

Delane Blackstock  
2742 Grand Ave  
Astoria, OR 97103



Division of State Lands  
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*Patrick Wingard*  
*Coastal Services Representative*  
**DLCD**  
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Leroy Aldolphson  
Uniontown Neighborhood Assoc  
c/o 165 W. Bond  
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COMMANDING OFFICER  
USCG AIRSTA ASTORIA  
2185 SE 12TH PLACE  
WARRENTON OR 97146-9693

**Jim Wolcott**  
*Mill Pond Village Home Owners' Assoc*  
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**RUSS WARR**  
**415 MARINE DRIVE**  
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[editor@northcoastoregon.com](mailto:editor@northcoastoregon.com)

Columbia House Condominiums  
1 3rd Street # 510  
Astoria OR 97103

County Of Clatsop } ss.

Affidavit of PUBLICATION

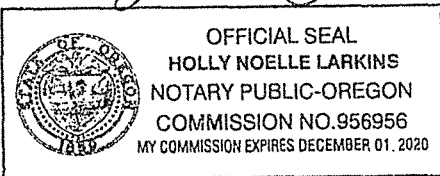
I, Danielle Fisher, being duly sworn, depose and say that I am the principal clerk of the manager of the DAILY ASTORIAN, a newspaper of general circulation, as defined by section ORS 193.010 and 193.020 Oregon Compiled Laws, Annotated, printed and published daily at Astoria in the aforesaid county and state; the Legal Notice: AB6592 Public Hearing a printed copy of which is hereto attached, was published in the entire issue of said newspaper for three successive and consecutive time(s) in the following issues: January 17th, 2018.

[Handwritten signature of Danielle Fisher]

Signed and attested before me on the 17th day of January, 2018

by:

[Handwritten signature of Holly Noelle Larkins]



Notary Public for the State of Oregon, Residing at Astoria, Oregon, Clatsop County.

AB6592  
**CITY OF ASTORIA**  
**NOTICE OF PUBLIC HEARING**

The City of Astoria Planning Commission will hold a public hearing on Wednesday, January 24, 2018 at 6:30 p.m., in the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request(s):

1. Amendment A17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23rd and 29th Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery. For information, call or write the Community Development Department, 1095 Duane St., Astoria OR 97103, phone 503-338-5183.

The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department at 503-338-5183 48 hours prior to the meeting.

The Astoria Planning Commission reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.  
 THE CITY OF ASTORIA  
 Anna Stamper,  
 Administrative Assistant

Published: January 17th, 2018.

YOU ARE RECEIVING THIS NOTICE BECAUSE THERE IS A  
PROPOSED LAND USE APPLICATION NEAR YOUR PROPERTY IN ASTORIA

CITY OF ASTORIA  
NOTICE OF PUBLIC HEARING

Mail	12/29/17
Email	12/29/17
Web	12/29/17

The City of Astoria Planning Commission will hold a public hearing on **Wednesday, January 24, 2018 at 6:30 p.m.**, at the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request(s):

1. Amendment A17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery. Development Code Articles 1, 2, 3, 9, 10 and 14 and Comprehensive Plan Sections CP.010-CP.028, CP.057-CP.058, CP.190- CP.210 are applicable to the request.

A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available at least seven days prior to the hearing and are available for inspection at no cost and will be provided at reasonable cost. All such documents and information are available at the Community Development Department at 1095 Duane Street, Astoria. If additional documents or evidence are provided in support of the application, any party shall be entitled to a continuance of the hearing. Contact the Planner at 503-338-5183 for additional information.

The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department at 503-338-5183 48 hours prior to the meeting.

All interested persons are invited to express their opinion for or against the request(s) at the hearing or by letter addressed to the Planning Commission, 1095 Duane St., Astoria OR 97103. Testimony and evidence must be directed toward the applicable criteria identified above or other criteria of the Comprehensive Plan or land use regulation which you believe apply to the decision. Failure to raise an issue with sufficient specificity to afford the Planning Commission and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

The Planning Commission's ruling may be appealed to the City Council by the applicant, a party to the hearing, or by a party who responded in writing, by filing a Notice of Appeal within 15 days after the Planning Commission's decision is mailed. Appellants should contact the Community Development Department concerning specific procedures for filing an appeal with the City. If an appeal is not filed with the City within the 15 day period, the recommendation of the Planning Commission shall be forwarded to the City Council for consideration.

The public hearing, as conducted by the Planning Commission, will include a review of the application and presentation of the staff report, opportunity for presentations by the applicant and those in favor of the request, those in opposition to the request, and deliberation and decision by the Planning Commission. The Planning Commission reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

THE CITY OF ASTORIA



Anna Stamper  
Administrative Assistant

MAIL: December 29, 2017

80909CB06839  
Aspmo Beverly J  
Aspmo Gary S  
371 Grand Ave  
Astoria, OR 97103-6413

80909CB06803  
Astor Venture LLC  
Garry Don Vallaster  
711 SW Alder St PH  
Portland, OR 97205-3429

80909CB06861  
Astoria Gateway Associates II  
Cascade Management Inc  
13221 SW 68th Pkwy Ste #310  
Portland, OR 97223

80909CB04600  
Blackstock Delane E  
Blackstock Justin G  
2947 NE 60th Ave  
Portland, OR 97213

*RTN to sender*

80909CB04401  
Blackstock Delane E  
Blackstock Justin G  
2742 Grand Ave #A  
Astoria, OR 97103

80909CB06847  
Bower Barbara A  
2410 N Aurora Ave Apt #108  
Seattle, WA 98109-2268

80909CB02800  
Chen Rong Wo  
Ma Xian Xiu  
2813 Marine Dr  
Astoria, OR 97103-2819

80908DD06800  
Columbia Lutheran Charities  
Columbia Memorial Hospital dba  
2111 Exchange St  
Astoria, OR 97103-3329

80909CB06843  
Darby Richard  
Darby Sandra  
2555 Mill Pond Ln  
Astoria, OR 97103-3303

80909CB06834  
Fransen Toivo J  
2795 Mill Pond Ln  
Astoria, OR 97103

80909CB04900  
Hageman Kenneth D/Beverly J  
2770 Grand Ave  
Astoria, OR 97103-2906

80909CB06809  
Hall David L  
275 23rd St  
Astoria, OR 97103-2229

80909CB06841  
Hankins Ronald Ben Rev Liv Trst  
Hankins Lois J Rev Liv Trust  
1720 SE Hawthorne Blvd  
Portland, OR 97214-3723

80908DA01402  
Heestand Family LLC  
PO Box 669  
Scappoose, OR 97056-0669

80908DA01401  
Heestand Family LLC  
T P Freightlines Accounts Payable  
PO Box 580  
Tillamook, OR 97141-0580

80909CB06810  
Iverson Trust  
285 23rd St  
Astoria, OR 97103-2229

80909CB06846  
Jarvis Ben L  
Jarvis Sally A  
5756 SW Cupola Dr  
South Beach, OR 97366

80909CC00600  
Johnson Eva M  
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Everett, WA 98204-5511

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Kalander John R  
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Astoria, OR 97103-2115

80909CB06812  
Keown Riley M  
2231 Saybrook Ln  
Costa Mesa, CA 92627-1677

80909CB04100  
Kiepk R J  
2703 Marine Dr  
Astoria, OR 97103-2900

80909CB04300  
Kiepk R J  
31779 George Hill Rd  
Astoria, OR 97103-8274

80909CC00500  
Leino George E  
88338 Youngs River Rd  
Astoria, OR 97103-8127

80909CC00601  
Moore Ernest R Sr/Delores J  
503 N 1st St Spc #57C  
El Cajon, CA 92021

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80909CB04200  
Lossman Alan R  
130 8th St  
Astoria, OR 97103

80909CC01300  
Navarro Rachel  
Navarro Jane  
8655 SE Silver Creek Rd  
Happy Valley, OR 97086

80909CC01600  
Neikes Thomas R 1/2  
Neikes James J 1/2  
34755 Hwy 101 Business  
Astoria, OR 97103-6664

DA00500  
Ivri Properties LLC  
937 N Cutter Cir  
Portland, OR 97217-3940

80909CC01100  
O Shay Betty  
2652 Grand Ave  
Astoria, OR 97103-2916

80909CB06835  
Oliver Jerry G  
Oliver Annie E  
2775 Mill Pond Ln  
Astoria, OR 97103

80908DA01500  
Pacific Coast Pharmacies LLC  
Steve M Choate  
17 Westview Pl  
K...ia, WA 98625-9640

*RTN  
to  
sender*

80909CB06838  
Parfitt Dennis P  
Parfitt Mary Helen  
2715 Mill Pond  
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80909CC01400  
Ranta Simo J  
511 Harison Ave  
Astoria, OR 97103

80909CB06836  
Redwine Jeffrey Mark  
Redwine Tommie Jo  
PO Box 447  
Astoria, OR 97103-0447

80909CC00400  
Reyes Timothy  
Ecoff Elizabeth  
2659 Marine Dr  
Astoria, OR 97103-2927

80909CB04700  
Ridout LLC  
860 Beach Dr  
Seaside, OR 97138-5504

80909CC00300  
Rutherford Stanley W/Sharon M  
91122 Fort Clatsop Rd  
Astoria, OR 97103-8563

80909CB06845  
Ryan John O  
Ryan Melanie Rae  
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Astoria, OR 97103

80909CB06850  
Saar William A  
Jensen-Saar Arlee J  
37751 Highway 30  
Astoria, OR 97103

80909CB06849  
Saar William A/ Arlee J  
736 8th Ave NE #219  
Issaquah, WA 98029

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sender*

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Neikes James J  
34755 Hwy 101  
Astoria, OR 97103

80909CB06842  
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Storey Cheryl A Trustee  
5770 SW 163rd Ave  
Beaverton, OR 97007

80909CB06808  
Thompson Russell E/Donna Lee  
265 23rd St  
Astoria, OR 97103-2229

80909CB05000  
Treber Gordon A/Nicole  
2778 Grand Ave  
Astoria, OR 97103-2906

80909CC00800  
Walkowski Allison Kaye  
Smith Grady A M  
2624 Grand Ave  
Astoria, OR 97103

80909CB06837  
Wolcott James A  
Wolcott Lorraine E  
2735 Mill Pond Ln  
Astoria, OR 97103-3305



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Salem OR 97301-1279

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c/o Bruce Conner  
P.O. Box 543  
Astoria OR 97103

Leroy Aldolphson  
Uniontown Neighborhood Assoc  
c/o 165 W. Bond  
Astoria OR 97103

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**Coastal Services Representative**  
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Columbia House Condominiums  
1 3rd Street # 510  
Astoria OR 97103

Port of Astoria  
**lmin@portofastoria.com**  
E-MAIL

YOU ARE RECEIVING THIS NOTICE BECAUSE THERE IS A  
PROPOSED LAND USE APPLICATION NEAR YOUR PROPERTY IN  
ASTORIA

CITY OF ASTORIA  
NOTICE OF PUBLIC HEARING

Mail	12/29/17
Email	X
Web	X

**This is to notify you that the City of Astoria has proposed a land use regulation that may affect the permissible uses of your property and other properties.**

On January 24, at 6:30 p.m., the City of Astoria Planning Commission will hold a public hearing regarding the adoption of Amendment Number A17-02 to amend the Astoria Development Code text of the LS (Local Service) zone, and amends the zoning map to change a portion of the AH-MP (Affordable Housing-Mill Pond) zone to LS. The City has determined that adoption of these ordinances may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

Amendment Number A17-02 is available for inspection at the Community Development Department, City Hall, located at 1095 Duane Street, Astoria, or on the City's website at [www.astoria.or.us](http://www.astoria.or.us), under Community Development Department, Projects, Amendment Number A17-02. A copy of Amendment Number A17-02 also is available at no cost.

For additional information concerning Amendment Number A17-02, you may call the Astoria Planning Division at 503-338-5183 or contact the Planner at [mmorgan@astoria.or.us](mailto:mmorgan@astoria.or.us).

THE CITY OF ASTORIA

  
Anna Stamper  
Administrative Assistant

MAIL: December 29, 2017

Astor Venture, LLC  
Attn: Garry Vallaster  
P.O. Box 3933  
Portland, OR 97208

Wickiup Consulting, LLC  
Attn: Jennifer Bunch  
P.O. Box 1455  
Astoria, OR 97103

## APPLICATION

11-15-17      Application for Amendment Request (A17-02) by Garry Don Vallaster, Astor Venture LLC, Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the Development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23<sup>rd</sup> and 29<sup>th</sup> Streets north of Marine Drive, Astoria, Oregon 97103.



**CITY OF ASTORIA**  
 1095 Duane Street  
 Astoria OR 97103  
 503-338-5183

A 17-02

Fee Paid Date Nov 18, 17 By MDM  
 Fee: \$750.00

**AMENDMENT**

Property Address: 2350 Steam Whistle Way

Lot Various Block 144 & 145 Subdivision Shivelys Astoria

Map T8N R09W Sec09CB Tax Lot 06803 Zone AH-MP

Code or Map to be Amended: Zoning Map Amendment: AH-MP to LS. LS zone text Amendment.

Applicant Name: Jennifer Bunch, Wickiup Consulting LLC

Mailing Address: PO Box 1455, Astoria, OR 97103 jennifer@wickiupconsultingllc.com

Phone: 503-298-8698 Business Phone: 503-298-8698

Property Owner's Name: Astor Venture, LLC Don Vallaster 503-228-0311

Mailing Address: P.O. Box 3433, Portland, OR 97208 donv@vcarch.com

Business Name (if applicable): Astoria Co-op Grocery - Matt Stanley, General Manager matt@astoria.coop

Signature of Applicant: Jennifer Bunch

Signature of Property Owner: Don Vallaster

Proposed Amendment \_\_\_\_\_

A zoning map amendment to change the zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land. In addition, a text amendment to remove certain uses from the LS zone between 23<sup>rd</sup> and 29<sup>th</sup> streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery.

For office use only:

Application Complete:	<u>Nov 15, 2017</u>	Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	
120 Days:			



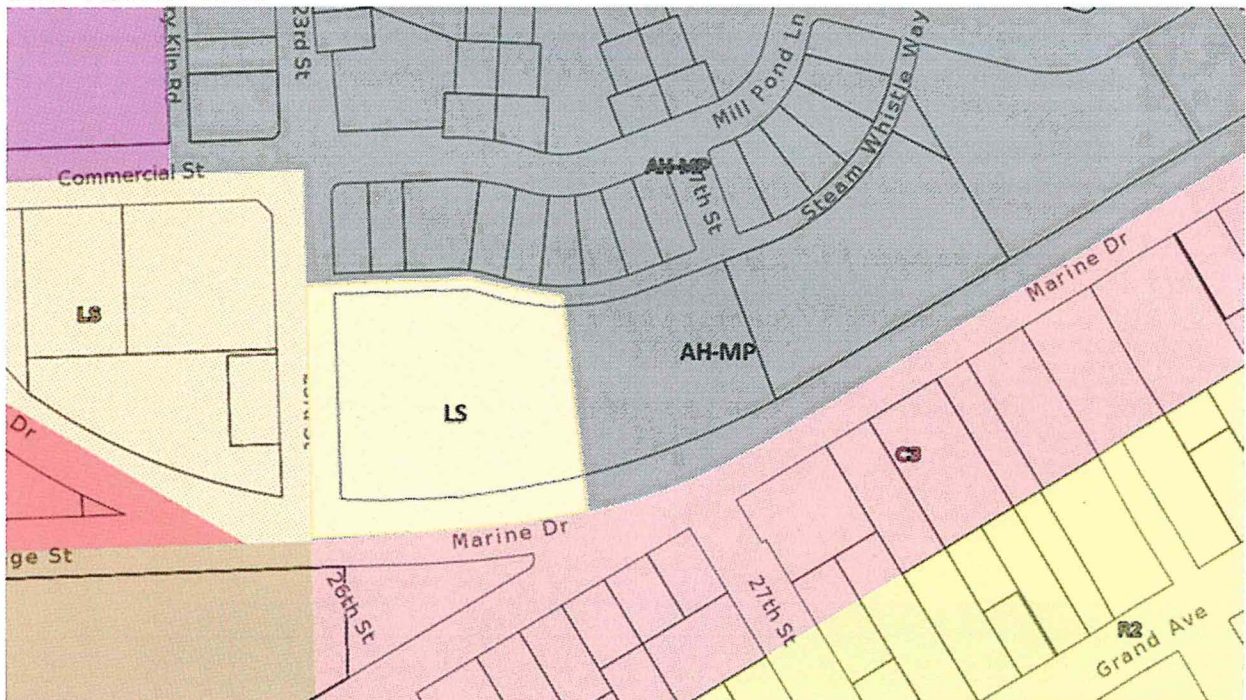
ORDINANCE NO. 18-\_\_\_\_

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING A PARCEL AT 2350 MARINE DRIVE AT 23<sup>RD</sup> STREET FROM AH-MP (AFFORDABLE HOUSING-MILL POND) TO LS (LOCAL SERVICE)

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area from AH-MP (Affordable Housing-Mill Pond) to LS (Local Service) as indicated on the map:

Map T8N-R9W Section  
9CB Tax Lot 6803



Section 2. Section 2.976.6 pertaining to Uses Permitted Outright in the LS Zone (Local Service) is amended to read as follows:

- “6. Retail sales establishment. (Retail sales establishment greater than 14,000 gross square feet shall include a minimum of 50% of gross floor area devoted to multi-family dwellings located above the first floor.)”

Section 3. Section 2.976.8 pertaining to Uses Permitted Outright in the LS Zone (Local Service) is amended to read as follows:

- “8. Two-family, and multi-family dwelling, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.”

Section 4. Section 2.977.1 pertaining to Conditional Uses Permitted in the LS Zone (Local Service) is amended to read as follows:

“1. Business service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)”

Section 5. Section 2.977.5 pertaining to Conditional Uses Permitted in the LS Zone (Local Service) is amended to read as follows:

“5. Gasoline service station. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)”

Section 6. Section 2.977.9 pertaining to Conditional Uses Permitted in the LS Zone (Local Service) is amended to read as follows:

“9. Transportation service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)”

Section 7. Section 2.980 pertaining to Height of Structures in the LS Zone (Local Service) is amended to read as follows:

“No structure will exceed a height of 35 feet above grade, with exception of structures on lots with frontage on Marine Drive between 23rd and 29th Street which are limited to a maximum height of 45 feet above grade.”

Section 8. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Brett Estes, City Manager

ROLL CALL ON ADOPTION:                      YEA                      NAY                      ABSENT

Commissioner	Nemlowill
	Price
	Brownson
	Jones
Mayor	LaMear



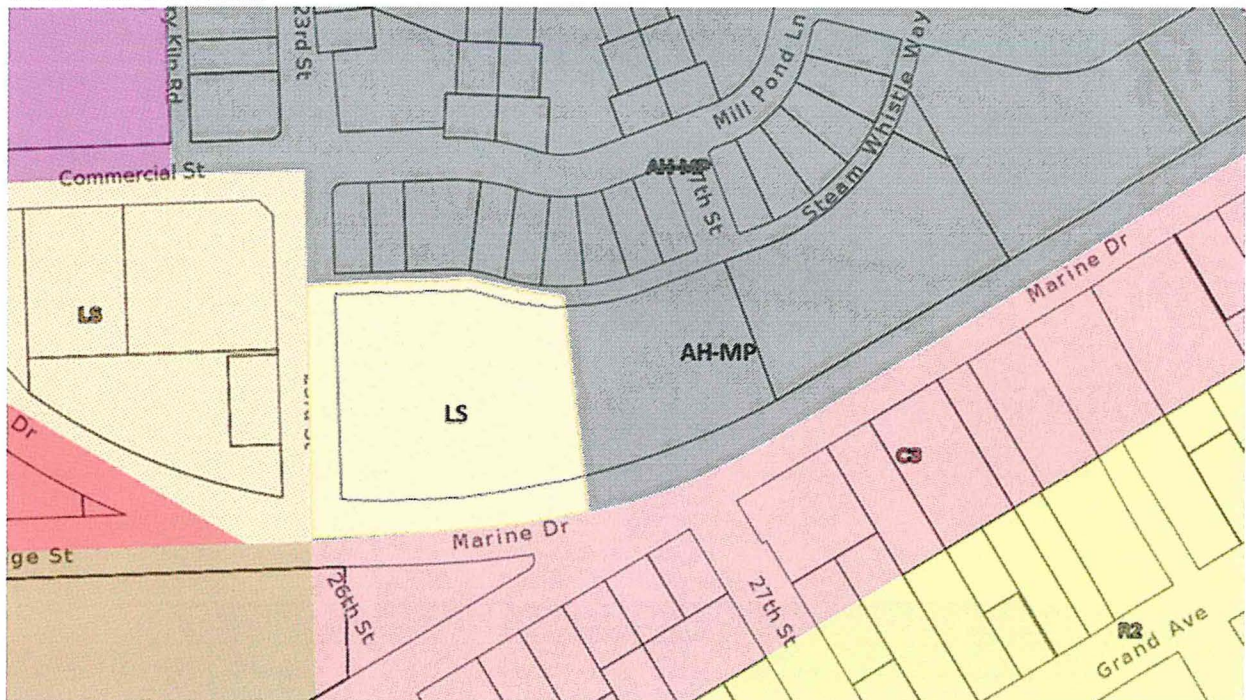
ORDINANCE NO. 18-\_\_\_\_

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING A PARCEL AT 2350 MARINE DRIVE AT 23<sup>RD</sup> STREET FROM AH-MP (AFFORDABLE HOUSING-MILL POND) TO LS (LOCAL SERVICE)

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area from AH-MP (Affordable Housing-Mill Pond) to LS (Local Service) as indicated on the map:

Map T8N-R9W Section  
9CB Tax Lot 6803



Section 2. Section 2.976.6 pertaining to Uses Permitted Outright in the LS Zone (Local Service) is amended to read as follows:

- “6. Retail sales establishment. (Retail sales establishment greater than 14,000 gross square feet shall include a minimum of 50% of gross floor area devoted to multi-family dwellings located above the first floor.)”

Section 3. Section 2.976.8 pertaining to Uses Permitted Outright in the LS Zone (Local Service) is amended to read as follows:

- “8. ~~Single-family, two-family,~~ and multi-family dwelling, located above or below the first floor, with permitted commercial facilities on the first floor of the structure.”

Section 4. Section 2.977.1 pertaining to Conditional Uses Permitted in the LS Zone (Local Service) is amended to read as follows:

“1. Business service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)”

Section 5. Section 2.977.5 pertaining to Conditional Uses Permitted in the LS Zone (Local Service) is amended to read as follows:

“5. Gasoline service station. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)”

Section 6. Section 2.977.9 pertaining to Conditional Uses Permitted in the LS Zone (Local Service) is amended to read as follows:

“9. Transportation service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)”

Section 7. Section 2.980 pertaining to Height of Structures in the LS Zone (Local Service) is amended to read as follows:

“No structure will exceed a height of 35 feet above grade, with exception of structures on lots with frontage on Marine Drive between 23rd and 29th Street which are limited to a maximum height of 45 feet above grade.”

Section 8. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Brett Estes, City Manager

ROLL CALL ON ADOPTION:                      YEA                      NAY                      ABSENT

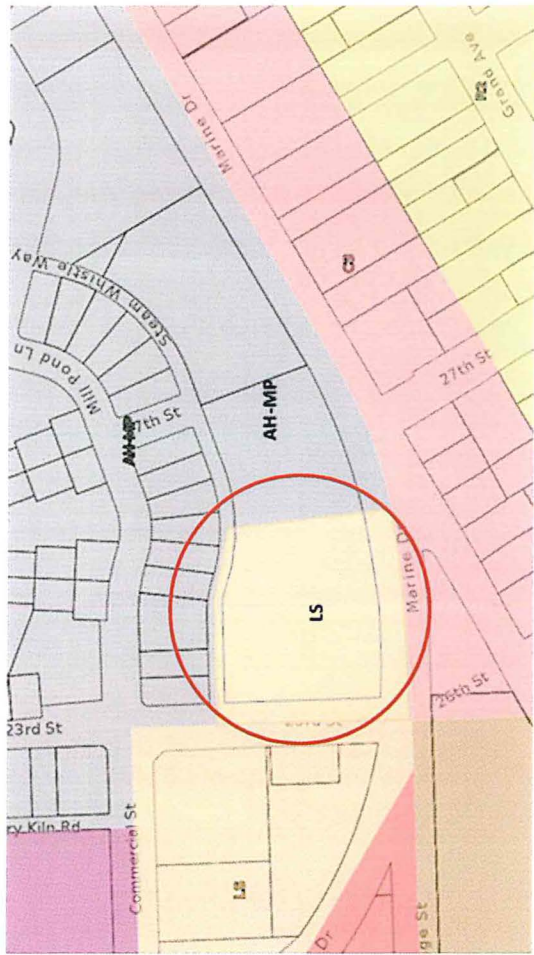
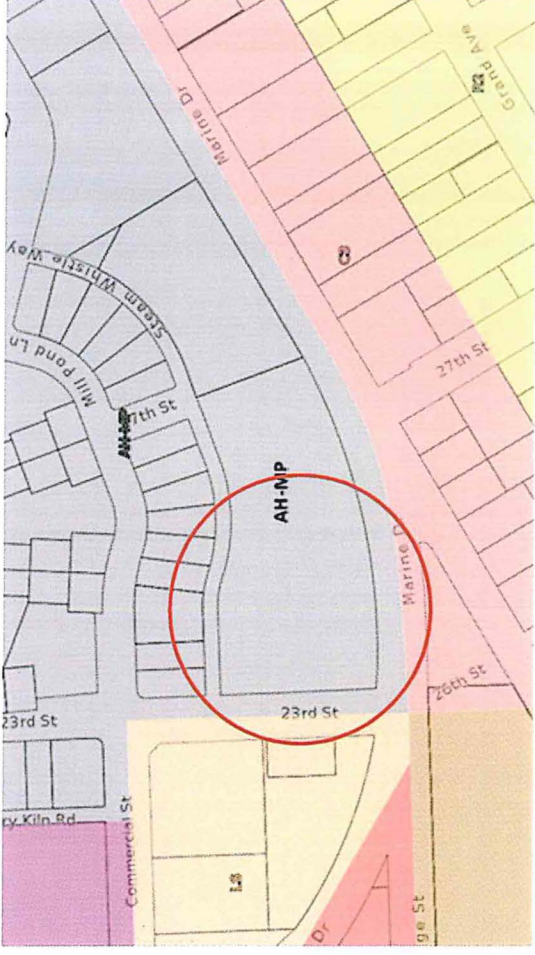
Commissioner      Nemlowill  
                            Price  
                            Brownson  
                            Jones  
Mayor                LaMear





BUILDING AXONOMETRIC





# Zoning Map Amendment

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# Text Amendment

---

## Local Service Zone (LS)

### 2.976. USES PERMITTED OUTRIGHT.

6. Retail sales establishment. (East of 23<sup>rd</sup> Street, retail sales establishment greater than 14,000 gross square feet shall include a minimum of 50% of gross floor area devoted to multi-family dwellings located above the first floor.)

### 2.977. CONDITIONAL USES PERMITTED.

1. Business service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)

5. Gasoline service station. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)

9. Transportation service establishment. (Not allowed on properties between 23rd and 29th Street north of Marine Drive.)



# Zoning Comparison

Zoning Comparison	Current Zone	Proposed Zone	Adjacent Zone
Uses	AH MP	LS (Amended)	C3
Arts/Crafts Studio	Outright		
Family Day Care Center	Outright	Conditional	Outright
Home Occupation	Outright	Outright	Outright
SFD	Outright		Outright w/ commercial use
Two Family Dwelling	Outright	Outright w/ commercial use	Outright w/ commercial use
Multi Family Dwelling	Outright	Outright w/ commercial use	Outright
Personal Services	Outright	Outright	Outright
Professional Services	Outright		Outright
Residential Home	Outright	Outright	
Residential Facility	Outright	Outright	Outright
Transportation Facilities	Outright	Outright	Outright
Bed and Breakfast or Inn	Conditional	Outright	
Day Care Center	Conditional	Conditional	Conditional
Eating/Drinking Establishment	Conditional	Conditional	
Pubic or Semi-Public Use	Conditional	Conditional	
Restaurant associated w/ Inn	Conditional	Conditional	
Retail Sales <6000 sq ft	Conditional	Outright	Outright
Retail Sales >6000 sq ft		Outright	Outright
Repair Services <3000 sq ft		Outright	Outright
Business Services Establishment			Outright
Gasoline Service Station			Conditional
Transportation Service Estab.			Outright
Commercial Laundry/Dry Clean			Outright
Off street Parking			Outright
Communcation Services Estab			Outright
Construction Services Estab			Outright
Educational Services Estab			Outright
Hotel, Motel, Tourist Lodging			Outright
Conference Center			Outright
Indoor Family Entertainment			Outright
Animal Hospital/kennel			Conditional
Auto sales/service			Conditional
Hospital			Conditional
Light Manufacturing			Conditional
Recycling Estab			Conditional
Wholesale Warehouse			Conditional



# Traffic Impact Analysis

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## TRAFFIC IMPACT ANALYSIS AND TRANSPORTATION PLANNING RULE ASSESSMENT FOR PROPOSED ASTORIA CO-OP GROCERY STORE

Astoria, Oregon

Prepared For:  
Don Vallaster, Vallaster Cori Architects

Prepared By:  
**DKS Associates**  
720 SW Washington Street, Suite 500  
Portland, OR 97205  
(503) 243-3500

Project Manager: Reah Flisakowski, P.E.



December 11, 2017



# Traffic Impact Analysis

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## Existing Conditions

- Transportation Infrastructure

- Traffic Volumes

- Safety

## Impact Analysis

- Site Access

- Trip Generation

- Trip Distribution

- Background Traffic

## Transportation Planning Rule Assessment

- Future Transportation Conditions (2029)



# Study Area

1. Marine Drive (US 30) / Commercial Street / 21<sup>st</sup> Street
2. Marine Drive (US 30) / Exchange Street
3. Marine Drive (US 30) / 23<sup>rd</sup> Street
4. Marine Drive (US 30) / 29<sup>th</sup> Street

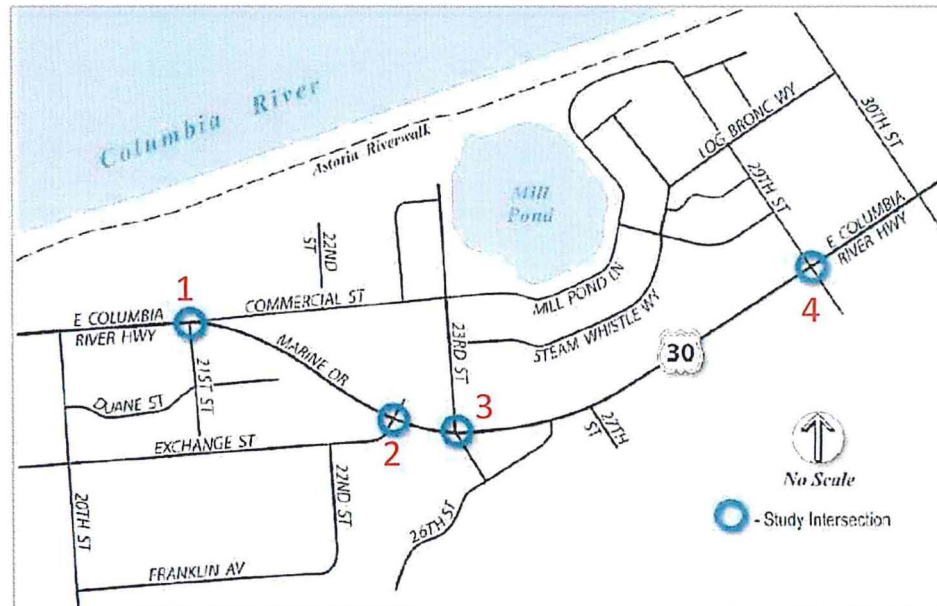
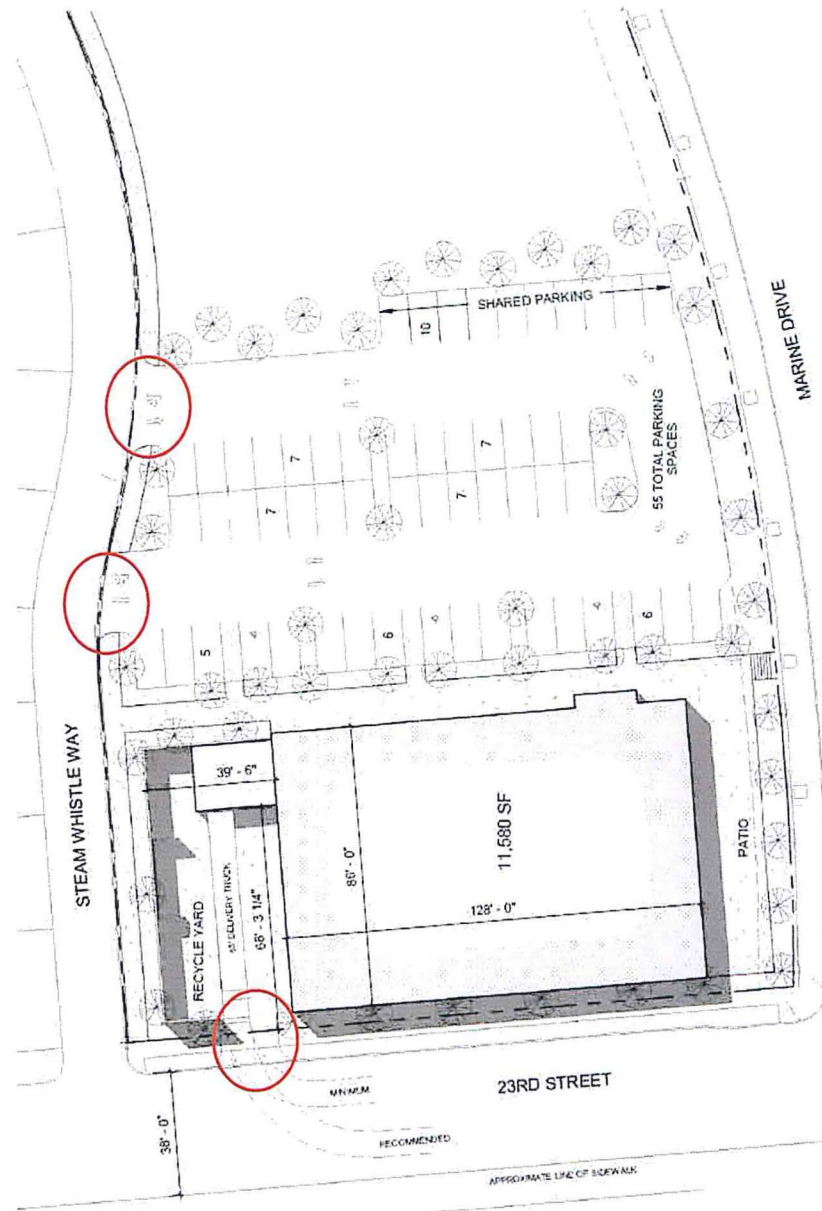


Figure 1: Study Area

# Site Access



# Trip Generation

**Table 5: PM Peak Trip Generation for Proposed Astoria Grocery Store**

<b>Land Use (ITE Code)</b>	<b>Size</b>	<b>Daily Trips</b>	<b>In</b>	<b>Out</b>	<b>Total</b>
<b>Supermarket (850)</b>	12,000 square feet	1,227	58	56	114
		<i>Diverted Trips</i>	21	20	41
		<b>Net New Trips</b>	37	36	73



# Trip Distribution



## Transportation Planning Rule Analysis

### **2039 with Zone Change Intersection Operations**

*The 2039 with Zone Change scenario includes 12,000 square feet of retail on the project site (6,000 more than the TSP Baseline Scenario). The added traffic associated with the proposed zone change is expected to have little impact on traffic operations when compared to the 2039 TSP Baseline operations. Most study intersections are expected to operate with a volume-to-capacity of 0.86 or better and meet mobility standards. The exception is the US 30 / Exchange Street intersection, where the right-turn movement from Exchange Street to US 30 is still expected to operate with a volume-to-capacity of 1.00 during the PM peak hour. However, the proposed zone change does not cause the operations at the intersection to degrade further since only a minimal amount of site generated traffic travels through the Exchange Street approach.*

*It should be noted that the Astoria TSP recommends a traffic signal or roundabout at the US 30 / Exchange Street intersection. This updated system analysis re-affirms the need for an improvement at this location.*



## Conclusions

- No transportation facilities are significantly impacted.
- The proposed plan amendments do not degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan.

# ODOT Comments



**Oregon**  
Kate Brown, Governor

Department of Transportation  
District 1/Area 1  
350 West Marine Drive  
Astoria, Oregon 97103  
Phone: (503) 325-7222  
Fax: (503) 325-1314

1/9/2018

TO: Mike Morgan, City of Astoria  
FROM: Ken Shonkwiler, ODOT Senior Transportation Planner  
SUBJECT: Comprehensive Plan Amendment A17-02 Vallaster and Astoria Co-op

Thank you for the opportunity to comment on this zone change and map amendment.

The Oregon Department of Transportation (ODOT) routinely comments on planning proposals that may have an impact on state highways. If a plan amendment is involved (including zone changes), ODOT makes itself available to assist local governments in complying with the requirements of OAR 660-012-0060 (known as the Transportation Planning Rule). This requires that local governments amending adopted plans and regulations demonstrate that the amendment will not significantly affect existing or planned transportation facilities (both state and local) or that such amendments are concurrent with local and state plans.

The applicant submitted a joint TPR Analysis for the zone change and Traffic Impact analysis to ODOT on the site to be rezoned from AH-MP to Local Service (LS). After reviewing the proposed development and TPR analysis, the zone change would not significantly affect the surrounding transportation system.

During the Summer of 2017, I reviewed the site plan for the Astoria Co-Op as well. Frontage improvements were originally identified along the property, and I would like to reiterate that frontage improvements and other infrastructure related to active transportation (along with ADA components) would be essential to align with the goals identified within the City of Astoria Transportation System Plan.

ODOT is in agreement with the proposed zone change as the Transportation Planning Rule OAR 660-012-0060 (9) has been satisfied through this concurrence.

# Public Comments

- Selling Parks.
- Multi-family/Workforce housing will suffer.
- What if the Co-op isn't built?
- Larger retail development = larger impact.





# Proposed Condition of Approval

If the proposed project by the Astoria Co-op does not begun substantial construction within two years of the enactment of the amendment, the City shall initiate a rezoning process to rezone the property or site to its original AH-MP (Attached Housing-Mill Pond) Zone designation or other appropriate zone.






CITY OF ASTORIA

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**MEMORANDUM • FINANCE DEPARTMENT**

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DATE: FEBRUARY 13, 2018  
TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: ADDITION OF JOB TITLE FOR SCHEDULE F-1 SALARY  
RESOLUTION NO 18-01

**DISCUSSION/ANALYSIS**

This memo proposes the creation of a temporary, on-call, position of Parks Special Projects Manager in order to implement recommendations of the Parks and Recreation Comprehensive Master Plan.

The position would be a temporary, non-benefited position under City personnel policies (no medical; sick leave earned per State Statute); would not exceed 29 hours per work week (7 day period Monday through Sunday) or accumulative more than 1,499 hours in a fiscal year. If the requirement of a particular work week exceed 30 hours it will be offset on a flex basis in other weeks within a month but at no time will the hours in a month exceed 129 hours.


This position would assist with but not be limited to the following tasks:

- Conducts research, analyzes, interprets, and packages data for presentations, and develops written reports on assigned projects.
- Develops and refines Park Maintenance Plans.
- Assists in the preparation, implementation, updating of the Comprehensive Parks and Recreation Master Plan.
- Coordinates with staff and stakeholders to enhance services offered by the Parks Department.

Before a position is posted, the creation of a job description is required to identify the essential duties, expectations, required experience and education as well as to review the current marketplace and establish appropriate salary range in order to fulfill the current requirements of the City. It is proposed Schedule F-1, Range 3 be utilized and a step determined based on the experience and education of the successful candidate. Due to inability to fill all vacancies early in Fiscal Year 2017-18, funds are available in Parks Operations – Maintenance to accommodate the addition of this temporary on-call position. Job recruitment and offer would commence should Council approve the description and salary schedule and range, as noted above.

**RECOMMENDATION**

It is recommended that City Council approve the addition of the Job/Title/Duties and use of Schedule F-1, Range 3 as contained in Salary Resolution No. 18-01.

By: 

Susan Brooks, Director of Finance and  
Administrative Services

## Synopsis

Parks and Recreation Department proposes the creation of a temporary, on-call, position of Parks Special Projects Manager in order to implement recommendations of the Parks and Recreation Comprehensive Master Plan.

This position would assist with but not be limited to the following tasks:

- Conducts research, analyzes, interprets, and packages data for presentations, and develops written reports on assigned projects.
- Develops and refines Park Maintenance Plans.
- Assists in the preparation, implementation, updating of the Comprehensive Parks and Recreation Master Plan.
- Coordinates with staff and stakeholders to enhance services offered by the Parks Department.
- 

It is recommended that City Council approve the addition of the Job/Title/Duties and use of Schedule F-1, Range 3 as contained in Salary Resolution No. 18-01.



# Job Description

**Job Title:** Parks Special Projects Manager  
**Department:** Parks  
**Reports To:** Parks and Recreation Director  
**FLSA Status:** Non-Exempt

**Prepared By:** Xenium  
**Prepared Date:** February 2018  
**Approved By:**  
**Approved Date:**

## SUMMARY

This part-time/on-call position is responsible for preparing technical reports, memorandums, supporting information, and reports for various boards, commissions, and community partners pertaining to special Parks projects by performing the following duties.

## ESSENTIAL DUTIES AND RESPONSIBILITIES other duties as assigned...

This description covers the most significant essential and auxiliary duties performed by this position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. The job description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

1. Conducts research, analyzes, interprets, and packages data for presentations, and develops written reports on assigned projects.
2. Develops and refines Park Maintenance Plans.
3. Assists in the preparation, implementation, updating of the Comprehensive Parks and Recreation Master Plan.
4. Coordinates with staff and stakeholders to enhance services offered by the Parks Department.

## JOB DUTIES

- Coordinates with Parks and Recreation Director and her/his designees to accomplish assigned tasks.
- Interprets and applies basic policies and regulations related to general plans, zoning and land divisions, as they pertain to Parks operations.
- Independently develops recommendations pertaining to Parks development requests and projects.
- Responds to public inquiries and public agency requests to relate or interpret Parks use ordinances, policies and procedures.
- Delivers excellent customer service in person, over the phone, and other venues where city business is conducted and customer interface is expected.
- Conducts research, gathers and analyzes data and develops written reports on assigned projects.
- May assist in preparation of grant applications and management of grant funded projects.
- May develop or deliver public presentations on assigned projects.



# Job Description

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- Conducts investigations on land use and land division ordinances and analyzes and interprets their potential effects on Park activities.
- Prepares routine charts, maps, graphic displays, and other infographics as well as develops and executes public involvement strategies for specific projects and program areas.
- Assists Parks Director to develop Park planning documents, review and create Park policy and procedural materials related to operations, outreach, and enhancement projects.
- Maintains punctual, regular and predictable attendance.
- Demonstrates abilities to work collaboratively in a team environment with a spirit of cooperation.
- Displays excellent communication skills including presentation, persuasion, and negotiation skills required in working with coworkers/public, including the ability to communicate effectively and remain calm and courteous under pressure.

## **SUPERVISORY RESPONSIBILITIES**

This position does not have any supervisory responsibilities.

## **QUALIFICATIONS**

Ability to perform essential job duties with or without reasonable accommodation and without posing a direct threat to safety or health of employee or others. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

## **EDUCATION and/or EXPERIENCE**

Bachelor's degree in planning or related field and three years' experience of increasing responsibility in park or land use planning at a city, county, or regional level. A Master's degree in planning, architecture, historic preservation, or related field can substitute for one year of experience. Familiarity with the Parks and Recreation Comprehensive Master Plan and ability to interpret and execute the recommendations from the plan.

## **LANGUAGE SKILLS**

Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the general public.

## **MATHEMATICAL SKILLS**

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

## **COMPUTER SKILLS**





# Job Description

Job requires specialized computer skills. Must be adept at using various applications including database, spreadsheet, report writing, project management, graphics, word processing, presentation creation/editing, communicate by e-mail and use scheduling software.

## **REASONING ABILITY**

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

## **CERTIFICATES, LICENSES, REGISTRATIONS**

This position requires a valid insurable Driver's License or ability to obtain license within three months of hire.

## **PHYSICAL DEMANDS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, or feel; talk or hear; and sit. The employee is frequently required to stand and walk. The employee must occasionally lift and/or move materials up to 10 pounds.

## **WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employee could be outdoors in all types of weather; moderate noises (examples: business office with computers and printers, light traffic). Some work may be carried out at Park sites in inclement weather.

Employee Signature: \_\_\_\_\_

Employer Representative: \_\_\_\_\_

Date: \_\_\_\_\_




**CITY OF ASTORIA**

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**MEMORANDUM • PUBLIC WORKS DEPARTMENT**

---

**DATE: FEBRUARY 26, 2018**  
**TO: MAYOR AND CITY COUNCIL**  
**FROM:  BRETT ESTES, CITY MANAGER**  
**SUBJECT: ADDITION OF JOB TITLE FOR SCHEDULE E-1 OF THE SALARY RESOLUTION NO. 18-01**

**DISCUSSION/ANALYSIS**

With the recent staff transitions in the Public Works Department as a result of Ken Cook's retirement, the part-time Support Engineer position in the Engineering Division has been left vacant. The Support Engineer position has been primarily responsible for special projects such as the CSO (Combined Sewer Overflow Program), wastewater improvements and ODOT bridge projects. This part-time position is limited to 1,500 hours per year.

After an evaluation of tasks, projects and workflow, Staff determined that creation of a permanent full-time Engineering Designer position will best meet the current and future needs of the Engineering Division. This position would take the place of the Support Engineer and be primarily responsible for project management, infrastructure design and development review (full job description attached). This will allow Cindy Moore, previous Support Engineer, to continue to manage a variety of special projects in her Assistant City Engineer role.

Before a position can be posted, the creation of a job description is required to identify the essential duties, expectations, required experience and education as well as to review the current marketplace establishing appropriate salary range to fulfill the current requirements of the City. It is proposed that Schedule E-1, Range 39, be utilized and step determined based on the experience and education of the candidate. Funds currently budgeted for the Support Engineer position can be utilized for the Engineering Designer in this fiscal year. Funds are also included in the proposed budget for FY2018-19 to accommodate the addition of this permanent position. Compared to the Support Engineer position, the addition of a permanent Engineering Designer is anticipated to be cost neutral at this point and converts a part-time position to full time.

The job recruitment would commence immediately upon City Council approval.

**RECOMMENDATION**

It is recommended that City Council approve the addition of the Engineering Designer job title and duties, and use of Schedule E-1, Range 39 in Salary Resolution 18-01.

By: Jeff Harrington  
Jeff Harrington, Public Works Director

Prepared by: Nathan Crater  
Nathan Crater, City Engineer



# Job Description

**Job Title:** Engineering Designer  
**Department:** Engineering  
**Reports To:** City Engineer  
**FLSA Status:** Exempt

**Prepared By:** Xenium  
**Prepared Date:** December 2017  
**Approved By:** Susan Brooks  
**Approved Date:** February 2018

## SUMMARY

This position is responsible for performing professional municipal related engineering services including design, project and construction management duties under the direction of the City Engineer by performing the following duties.

## ESSENTIAL DUTIES AND RESPONSIBILITIES other duties as assigned...

This description covers the most significant essential and auxiliary duties performed by this position for illustration purposes, but does not include other occasional work, which may be similar, related to, or a logical assignment for the position. The job description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

1. Oversees projects involving storm water, water, wastewater, street improvement and maintenance, marine structures, and other Public Works projects and programs including landfill operations.
2. Performs the necessary engineering analysis to prepare preliminary and final engineering plans and specifications for construction contract bidding.
3. Provides review comments on behalf of the Public Works Department on private development submittals.

## JOB DUTIES

- Other work assignments may be required which would be typical of a technical support role to the Public Works Director, Operations Division, City Engineer and Assistant City Engineer as required.
- Supports the City Engineer and Assistant City Engineer in the planning, oversight, program management, monitoring and preparing reports and studies in development and management of capital and special repair projects in the Engineering Division.
- Maintains responsible charge of projects to insure they meet appropriate compliance with Federal and State environmental regulations, engineering codes and standards.
- Coordinates design team activities for in-house design projects.
- Prepares engineering cost estimates for construction and rehabilitation projects consistent with engineering plans and specifications.
- Coordinates required advertising for bids, reviews construction bids and makes necessary recommendations based on lowest and best bids, competency of vendors and consultants, and the selection criteria.



# Job Description

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- Prepares and manages construction related administrative and construction engineering documents to prepare contract change orders consistent with professional engineering duties and to insure project contract documents are adhered to and project is completed in accordance with stipulated plans and specifications.
- Conducts project related field engineering reviews as a representative of the City Public Works Department.
- Assists in the maintenance of engineering project records including general, utility, and road and subdivision maps.
- Assists in coordination of project as-built mapping for future implementation into the City's GIS data collection and recordation system.
- Provides review comments and recommendations on behalf of the Public Works Department on City owned real estate related matters; and reviews plats and deeds for easements and rights-of-way.
- Provides information and assistance to developers, engineers and the general public; investigates and responds to citizen complaints and concerns.
- Maintains punctual, regular and predictable attendance.
- Works collaboratively in a team environment with a spirit of cooperation.
- Displays excellent communication skills including presentation, persuasion, and negotiation skills required in working with coworkers and the public and including the ability to communicate effectively and remain calm and courteous under pressure.
- Respectfully takes direction from the City Engineer and Assistant City Engineer.

## **SUPERVISORY RESPONSIBILITIES**

This position does not have any supervisory responsibilities.

## **QUALIFICATIONS**

Ability to perform essential job duties with or without reasonable accommodation and without posing a direct threat to safety or health of employee or others. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

## **EDUCATION and/or EXPERIENCE**

Bachelor's Degree in Civil Engineering; and three to eight years of experience in the engineering field, preferably in a municipal setting, including at least two years in a project management capacity.

Preferably has experience with project design engineering, project construction management, or team leader skills, and strong project management skills.

Thorough knowledge of civil engineering theory, practice and standards; methods, materials and equipment used in public works construction/maintenance; engineering record keeping systems; engineering computer applications and general survey procedures.

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# Job Description

## LANGUAGE SKILLS

Ability to read, analyze, and interpret common scientific and technical journals, financial reports, and legal documents. Ability to respond to common inquiries or complaints from customers, regulatory agencies, or members of the business community. Ability to write clear, concise reports, speeches and articles for publication which conform to prescribed style and format. Ability to effectively present, in verbal and written manner, information to top management, public groups, and/or boards of directors.

## MATHEMATICAL SKILLS

Ability to work with mathematical concepts such as probability and statistical inference, and fundamentals of plane and solid geometry and trigonometry. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.

## COMPUTER SKILLS

Most required work is almost exclusively on the computer, but the computer is not itself the focus of the position. Has an advanced understanding and capabilities in using applicable programs and knowledge of networks. Must be a strong reference for other users for performing different functions with the computer. Computer-aided-design software such as AutoCAD Civil 3D preferred.

## REASONING ABILITY

Ability to plan, establish priority, assign and review the work of engineering and field personnel; make independent investigation of engineering problems and determine adherence to engineering standards and specifications; write clear, concise reports; communicate effectively both verbally and in writing; maintain effective working relationships with employees, engineers, developers, and the general public.

## CERTIFICATES, LICENSES, REGISTRATIONS

Registration as an Engineering Intern in Oregon or registration (license) as a Civil Engineer in Oregon preferred.

Possession of or ability to obtain a valid driver's license with a safe driving record.

## WORK ENVIRONMENT AND PHYSICAL DEMANDS

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Mostly in an office setting but work is sometimes performed outdoors in adverse weather conditions. Must be able to occasionally lift up to 25 pounds, walk on uneven surfaces, work in confined spaces, climb ladders, be able to inspect and perform work in positions such as standing, bending, squatting, and sitting; able to utilize the senses of sight, hearing, and touch to recognize and to accurately evaluate equipment and process conditions. Frequently required to sit; talk or hear; walk; use hands to finger, handle, or feel objects, tools, or controls; bend; twist; reach with hands and arms. Must be able to sit and work on a computer for extended periods of time.

**Employee Signature:** \_\_\_\_\_

**Employer Representative:** \_\_\_\_\_

**Date:** \_\_\_\_\_




CITY OF ASTORIA

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**MEMORANDUM • PUBLIC WORKS DEPARTMENT**

---

DATE: JANUARY 28, 2018  
TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: SPUR 18 COMBO HARVEST 2018

**DISCUSSION/ANALYSIS**

A commercial thinning and variable retention treatment is proposed on approximately 50 acres of the Bear Creek Watershed property for the summer of 2018. The harvest is located near the north-eastern boundary of the property, on a flat ridge between Cedar Creek and Fat Buck Creek. All treatments have been designed for long-term water quality and forest health goals, increasing diversity, structural complexity, and resilience of the forest on the Bear Creek Watershed.

The commercial thinning is proposed in a Spruce-dominated stand that has stagnated due to very tight spacing. The goal of the thinning is to increase species diversity in the stand and allow the remaining trees to optimally utilize the available growing space.

An area of variable retention harvest is proposed adjacent to the thinning unit. The Douglas Fir in these stands is impacted by Swiss Needle Cast, a fungus that attacks the crowns of the trees and inhibits growth, stunting the trees and decreasing canopy cover. By removing the Douglas Fir, the treatment leaves large and wind-firm Hemlock and Spruce both dispersed throughout the stand and in a few small clumps. The treatment has the operational benefits of a patch cut while improving seed sources for natural regeneration and leaving large legacy trees throughout the stand.

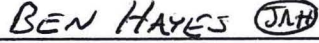

The harvest unit is bisected by the Spur 1 Road, which may require minor repairs. In addition, two other small spurs will be restored, providing greater fire access towards the edge of the property. Map showing the treatment area as well as the location within the watershed are attached. Our City Forester will be in attendance at the meeting to answer any questions.

The net proceeds to the Capital Improvement Fund from this forest treatment are estimated to be \$200,000 after harvest and reforestation costs.

**RECOMMENDATION**

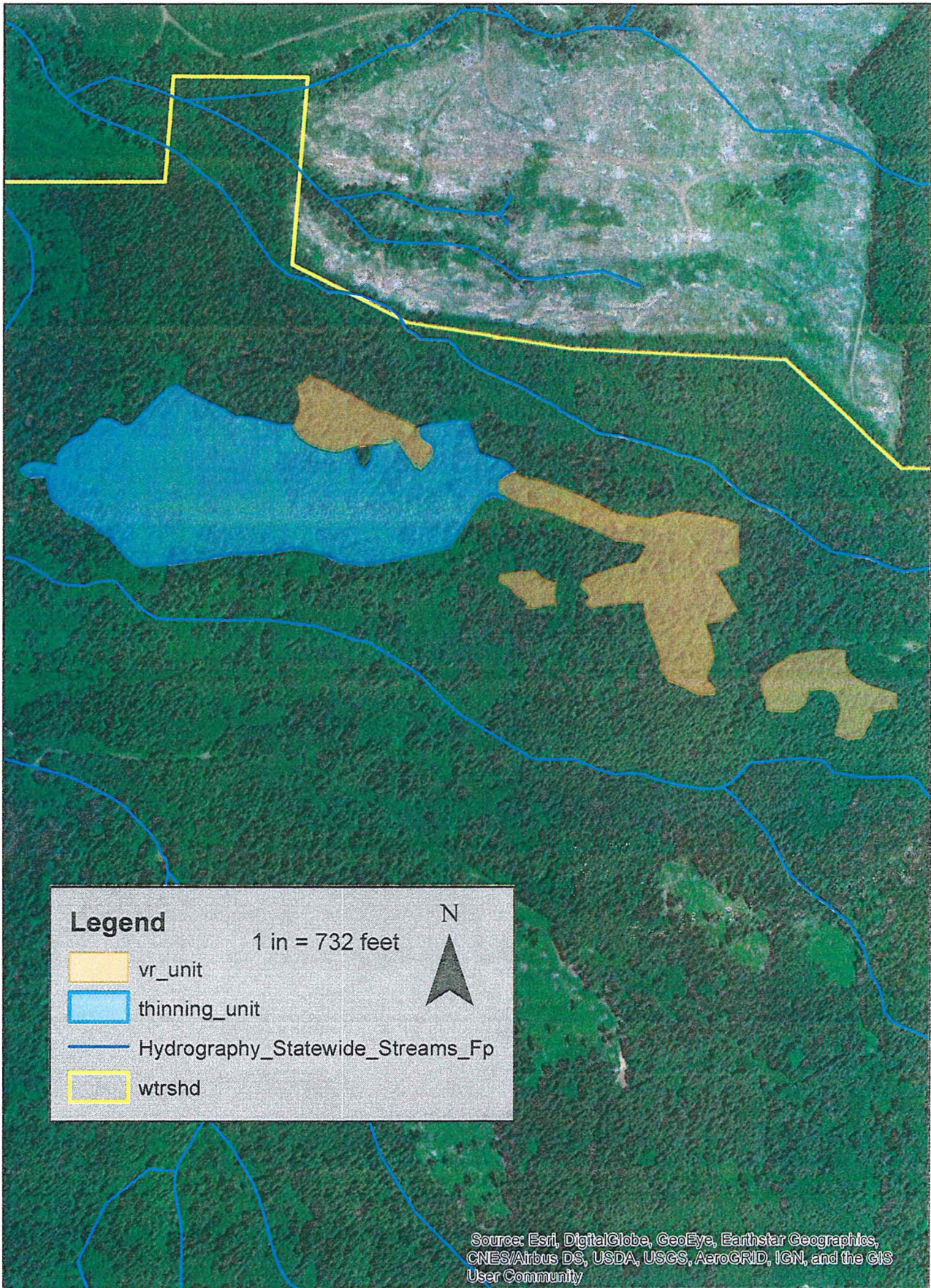
It is recommended that City Council authorize staff to solicit bids for the Spur 18 Combo Harvest 2018.

By:   
Jeff Harrington, Public Works Director

Prepared by:    
Ben Hayes, City Forester

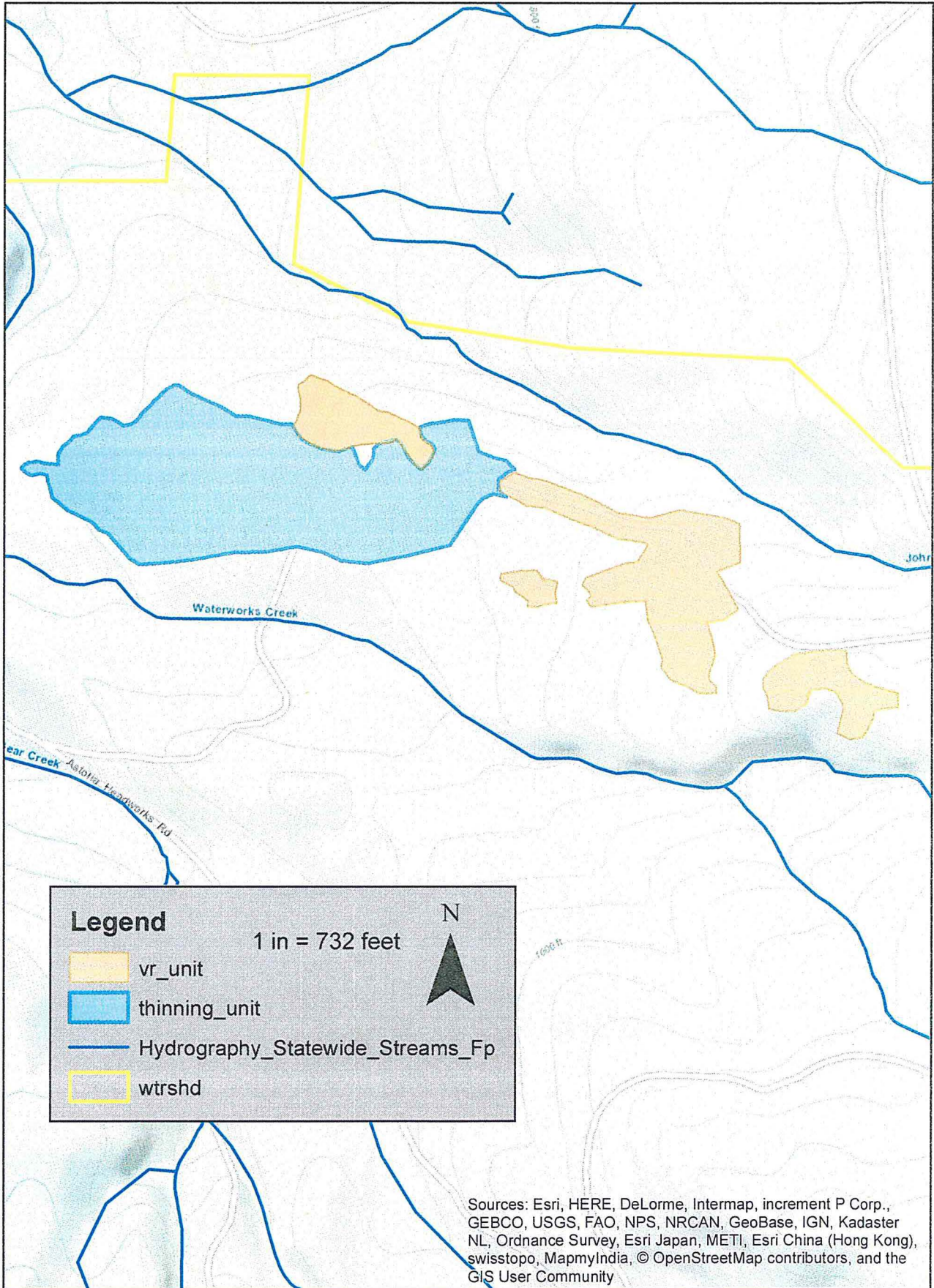


# Spur 1 Combo Layout



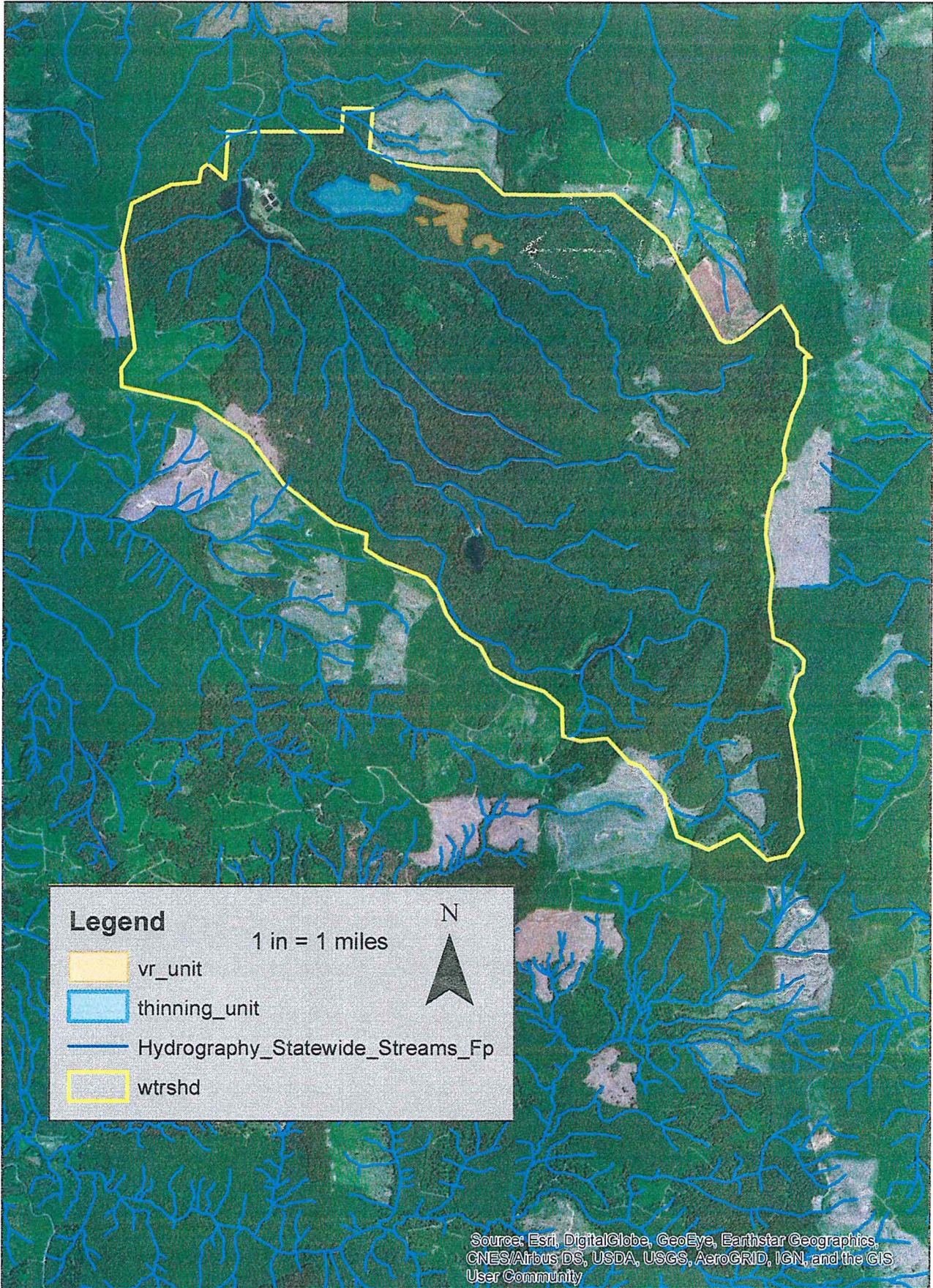


# Spur 1 Combo Layout





# Bear Creek Spur 1 Combo Location








CITY OF ASTORIA

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**MEMORANDUM • FINANCE DEPARTMENT**

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**DATE: FEBRUARY 24, 2018**  
**TO: MAYOR AND CITY COUNCIL**  
**FROM:  BRETT ESTES, CITY MANAGER**  
**SUBJECT: DOWNTOWN PARKING AND VISITOR INFORMATION AGREEMENT  
WITH ASTORIA DOWNTOWN HISTORIC DISTRICT ASSOCIATION  
(ADHDA)**

**DISCUSSION/ANALYSIS**

During fiscal year ending 6/30/2017, staff presented a concept of providing contracted downtown parking enforcement services to Astoria Downtown Historic District Association (ADHDA). As a part of the duties, the ADHDA parking officer would also provide information services to visitors. Encouraging turnover in downtown parking spaces and providing visitor information promotes tourism in the downtown district of Astoria which may be funded from the Promote Astoria Fund.

Staff negotiated an agreement with the ADHDA and a budget was adopted to provide \$ 22,000 for the contracted services in Fiscal Year 2016-17. Administration of the program is the responsibility of the ADHDA. Parking violations written are to be filed in Astoria Municipal Court with fine proceeds retained by the City. The City provides citations and uniforms to the ADHDA for use by their employee. ADHDA will be required to submit annual reports.

The initial agreement was approved by Council on September 6, 2016 and ADHDA began recruitment for a parking enforcement officer which ADHDA has designated as the Community Outreach Officer (COO). At about the same time of the recruitment for the COO position was culminating, the ADHDA Executive Director resigned and the COO position was delayed until the new Executive Director, Sarah Lu Heath, was in place. In early spring of 2017 the COO position was filled and training provided. City of Astoria provided \$ 8,500 to the ADHDA in compliance with their request and the approved agreement. Due to unforeseen circumstances the new employee did not complete the probationary period. Further recruitment efforts have been underway since summer of 2017 with candidates being offered the position and subsequently declining, necessitated renewing the search for candidates. The ADHDA had \$ 7,484.89 available at June 30, 2017 to recruit for and establish the new employee in the current fiscal year.

Effective January, 2018 the ADHDA hired and the City Manager has appointed (per City code) Ms. Ronni Harris as the Community Outreach Officer. An agreement for fiscal year ending June 30, 2018 has been pending the successful recruitment by the ADHDA for this position.


During the January 10, 2018 City Council work session ADHDA made a request to Council to utilize a portion of Promote Astoria Funds allocated for a parking officer to work with a contractor conducting a downtown parking study to better utilize existing parking on private lots.

Council requested ADHDA determine the economic impact of parking spaces and to consider how parking in downtown might impact other areas of town. In response to Council direction from this work session ADHDA prepared a scope of work for the downtown parking study which has been incorporated in the scope of work for the attached agreement for Downtown Parking and Tourist Information Services Agreement. The Parking Study is budgeted for \$ 11,000. It should be noted that work from the parking study will be presented to Council along with some analysis of on-street parking configurations being prepared by the Public Works Department. This will be done to address the City Council goal on this topic.

City Attorney Henningsgaard has approved the agreement to form.

**RECOMMENDATION**

It is recommended that Council approve the agreement with ADHDA.

By: 

Susan Brooks, Director of Finance  
and Administrative Services

## AGREEMENT FOR PARKING AND TOURIST INFORMATION SERVICES

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 2018, between **City of Astoria**, hereinafter "**CITY**" and **Astoria Downtown Historic District Association**, an Oregon Not-for-Profit Corporation and independent contractor in good standing, hereinafter called "**ADHDA**".

### WITNESSETH

Whereas, the CITY requires services which ADHDA is capable of providing, under terms and conditions hereinafter described; and

Whereas, ADHDA is able and prepared to provide such services as CITY does hereinafter require, under those terms and conditions set forth; now, therefore,

In consideration of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. Term. The term of this agreement shall commence on January 1, 2018 and terminate on June 30, 2018 Agreement may be terminated with a 60 day written notice by either party.
2. Services. ADHDA agrees to provide services to CITY in accordance with the Scope of Work incorporated by reference as Exhibit "A".
3. Compensation. The amount the CITY shall pay the ADHDA is not to exceed \$ 22,000. These amounts are dependent upon motel tax collections.
  - a. ADHDA shall furnish the CITY with updated W-9 information, as designated by the Internal Revenue Service.
  - b. CITY shall make payments to ADHDA on a semi-annual basis, after full execution of agreement.
4. CITY Contacts. For purposes hereof, the CITY contacts are the City Manager and Director of Finance and Administrative Services, 1095 Duane Street, Astoria, OR 97103.
5. ADHDA Contacts. For purposes hereof, the ADHDA contact is the Executive Director, PO Box 261, Astoria, OR 97103.
6. CITY's Business License. Before permitting a sub consultant to begin work, ADHDA shall verify a current business license is on file for the sub consultant.
7. Insurance. Prior to provision of services under this contract, ADHDA shall procure professional and comprehensive general liability insurance with limits that, at a minimum, comply with the limits of local public body liability described in ORS 30.272-273 and shall provide original certificates of insurance to the City Director of Finance and Administrative Services, evidencing proof of ADHDA insurance policies in effect for the type of coverage set forth below and within the stated limits.

At all times during the term of this agreement, ADHDA shall keep such insurance policies in full force and effect and shall provide the CITY with original certificates of insurance. The CITY shall be named as an additional insured and no cancellation, material change, exhaustion of aggregate limits or intent not to renew insurance coverage shall occur without 30-days written notice to City of Astoria Finance Department. Any failure to comply with this provision will not affect the insurance coverage provided to the City. The 30-day notice of cancellation provision shall be physically endorsed on to the policy.

8. Worker's Compensation. ADHDA, its subcontractors, if any, and all employers working under this Agreement are either subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers, or are employers that are exempt under ORS 656.126.

9. Laborers and Materialmen, Contributions to Industrial Accident Fund, Liens and Withholding Taxes. ADHDA shall make payment promptly, as due, to all persons supplying contractor labor or material necessary to execute the work provided for in this Agreement. ADHDA shall pay all contributions or amounts due the Industrial Accident Fund from ADHDA or any sub consultant incurred in the performance of the Agreement. ADHDA shall not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, Municipal Corporation or subdivision thereof, on account of any labor or material furnished. ADHDA shall pay to the Department of Revenue all sums withheld from Employees pursuant to ORS 316.167.
10. Books and Records. ADHDA shall keep all invoices, vouchers and other documentation for review by CITY's Finance Department, as needed, for the purposes of audit, examination, excerpts and transcripts.
11. Assignment. The responsibility for performing ADHDA services under the terms of this agreement shall not be assigned, transferred, delegated or otherwise referred by ADHDA to a third person without prior consent of City agent.
12. Indemnity. ADHDA agrees to indemnify and hold harmless the City of Astoria, its Officers and Employees against and from any and all loss, claims, actions, suits, reasonable defense costs, attorney fees and expenses for or on account of injury, bodily or otherwise to, or death of persons, damage to or destruction of property belonging to CITY, ADHDA, or others resulting from or arising out of ADHDA'S negligent acts, errors or omission in service pursuant to this Agreement. This agreement to indemnify applies whether such claims are meritorious or not; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of ADHDA and CITY this indemnification and agreement to assume defense costs applies only to the extent of the negligence or alleged negligence of the ADHDA.
13. Accounting and Reporting. Per city Code 8.045.18 Non-Profit shall provide City, semi-annual financial reports by August 1 and February 1, covering the six months ended June 30 and December 31, respectively, of each year. These reports shall provide a verified listing of the expenditures with adequate narrative, so the City can be satisfied as to the appropriateness of the expenditures. In addition a report of services performed shall be presented in a format acceptable to City, and will, at City's discretion, include a presentation at a meeting of the Budget Committee of the City. The Budget committee of the City shall review reports during the budget process and recommend to the City Council the continuance, discontinuance, or changes to a contract each year.
14. Complete Agreement. This Agreement and its referenced attachments constitute the complete agreement between CITY and ADHDA and supersedes all prior written or oral discussions or agreements. ADHDA's services are defined solely by this Agreement and its attachments and not by any other contract or agreement that may be associated with this Agreement.
15. No Religious Activities: No City funds may be used to promote institutions of religion or religious activities, symbols or presentations.
16. Equal Opportunity and Non Discrimination. It is the policy of the City of Astoria that no person shall be denied the benefits of or be subjected to discrimination in any City program, service, or activity on the grounds of age, disability, race, religion, color, national origin, sex, sexual orientation, gender identity and expression. The City of Astoria also requires its contractors and grantees to comply with this policy.
17. Applicable Law. The law of the State of Oregon shall govern the validity of this Agreement, its interpretation and performance and any other claims related to it.

**City:**

**Astoria Downtown Historic District  
Association (ADHDA):**

\_\_\_\_\_  
Arline LaMear,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sarah Lu Heath,

\_\_\_\_\_  
Date



Mayor

Executive Director

\_\_\_\_\_  
Brett Estes,  
City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dulcye Taylor,  
ADHDA President

\_\_\_\_\_  
Date

**Exhibit A**  
**Scope of Work**

Parking and Tourist Information Services

The Astoria Downtown Historic District Association "ADHDA" shall at a minimum provide the following efforts to proactively manage parking enforcement in the Downtown District of the City of Astoria:

- ADHDA shall be responsible for enforcement of parking regulations within the Astoria Downtown Parking District defined in Code Section 6.355(7). The ADHDA shall cite violators into Astoria Municipal Court using the standard form of citation employed by the City.
- ADHDA shall be responsible for all aspects of the program for the provision of tourist assistance/information services and management of parking enforcement. Its responsibilities shall include, but are not limited to, paying all expenses incurred in connection with management of these programs and promoting the use of the appropriate parking areas by tourists, shoppers and patrons of service establishments and all other necessary and reasonably related incidental activities.
- ADHDA shall to hire a consultant to conduct a downtown parking survey to include:

**Phase One**

- Gather input:
  - Survey, online and in-person
  - Audiences: Business Owners, Residents, Visitors (Locals and out of area)
  - Gather and review documents and studies previously undertaken regarding parking and pedestrian safety
- Gather data:
  - Complete a private parking inventory including
    - location
    - ownership
    - number of stalls
  - Complete an occupancy study of both private off-street parking and public on-street and off-street parking
    - Multiple ‘snap shots’ of parking will be taken to ensure we account for typical weekdays at different times of day, weekends, events days, and both fair and inclement weather.
- Identify goals for improving parking and pedestrian safety
  - Create a ‘heat-map’ of parking stall occupancy rates
  - Hold a stake-holders meeting to discuss feasible options

**Phase Two**

- Create leasing options to connect owners of private parking to businesses and employees that would like reliable parking options within the downtown parking district
- Work with owners and lessors to make necessary connections, garnering more parking available for business owners and employees

<b>Proposed Downtown Parking Project Budget</b>		
Independent Contractor	180 hrs @ \$30/hr	\$5,400
ADHDA Fee for Service	90 hrs @ \$30/hr	\$2,600
Signage for Improved Wayfinding		\$3,000
	Total:	\$11,000

- ADHDA will fully account for any funds that are advanced to the ADHDA by the City pursuant to this Agreement. Any funds received will be expended only for the activities identified in this Scope of Work.
- City of Astoria is responsible to provide ADHDA with two (2) uniform shirts and a rain jacket which will appropriately identify the ADHDA agent as a tourist information and parking control officer. All enforcement activities pursuant to the agreement will be performed only by individuals wearing such uniforms.
- ADHDA shall acknowledge City of Astoria, Promote Astoria Fund participation in all documents or publications prepared (not inclusive of print advertising) or equipment and software purchased in the performance of this agreement