



AGENDA

ASTORIA CITY COUNCIL

Thursday, December 20, 2018

6:30 PM

**2nd Floor Council Chambers
1095 Duane Street · Astoria OR 97103**

1) CALL TO ORDER

2) ROLL CALL

3) CHANGES TO AGENDA

4) REGULAR AGENDA ITEMS

- (a) Consideration of Findings: Appeal 18-05 by Mark Hollander of Hollander Hospitality of the Design Review Committee's decision to deny the request DR18-01R to construct a four story hotel at 1 2nd Street in the C-3 Zone (General Commercial), Bridge Vista Overlay Zone (BVO), Flood Hazard Overlay (FHO), and CRESO Zone.
- (b) Consideration of Findings: Appeal 18-04 by Sam Mullen on behalf of Hollander Hospitality of the Historic Landmarks Commission decision to deny New Construction request NC18-01 to construct a four story hotel at 1 2nd Street.

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

<p>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.</p>



CITY OF ASTORIA

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MEMORANDUM • COMMUNITY DEVELOPMENT

December 18, 2018

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: APPEAL AP18-05 BY MARK HOLLANDER, HOLLANDER HOSPITALITY OF
DESIGN REVIEW COMMITTEE REQUEST DR18-01R AT 1 2ND STREET

Background

On June 25, 2018 the Historic Landmarks Commission (HLC) and the Design Review Committee (DRC) held public hearings and respectively reviewed a New Construction Request (NC18-01) and Design Review Request (DR18-01) to construct a four-story hotel at 1 2nd Street. The location is within the Bridge Vista Overlay Zone (BVOZ), and adjacent to historically designated structures, which triggered review by both groups. The HLC and DRC both voted to tentatively deny the requests at their June 25, 2018 meetings, and formally denied the proposals with revised Findings of Fact at their respective meetings on July 10, 2018.

The denials were subsequently appealed by the applicant on July 25, 2018. Public notices for the appeals were sent, and a combined public hearing on the HLC Appeal (AP18-04) and DRC Appeal (AP18-03) was held at the August 23, 2018 City Council meeting. At that Council public hearing, the applicants submitted revised proposed plans. The Council tentatively approved the HLC Appeal and reversed the HLC denial, thereby tentatively approving the New Construction Request (NC18-01) pending adoption of Findings of Fact. The appellant was directed to have their attorney prepare draft revised Findings of Fact to be brought back for consideration at a subsequent Council meeting. The appeal findings of the HLC decision is addressed in a separate memo to the Council.

The revised plans submitted with the initial appeal differ from those previously reviewed by the HLC and at the first DRC hearing. At the August 23, 2018 meeting, the Council remanded the Design Review Request (DR18-01) back to the Design Review Committee for additional consideration.

The applicants submitted revised plans (DR18-01R) for consideration on remand and the Design Review Committee held a public hearing on October 9, 2018. At that meeting, the DRC tentatively denied the request with a split 2 to 2 vote, pending adoption of Findings of Fact. Development Code Section 1.120.D, Meetings, Voting, states that *"At a minimum, a quorum must vote on any issue, and the concurrence of a majority of a quorum shall be required to affirmatively decide any matter before the Commission or Committee. A tie shall be a denial."* Findings of Fact for denial were adopted by the DRC at a meeting on November 1, 2018. That decision was appealed by Hollander Hospitality (AP18-05) on November 13, 2018.

Oregon Revised Statute Section ORS 227.178(1) requires that land use decisions, including appeals, be resolved within 120 days from the date a complete application is submitted unless the applicant grants an extension. The original 120-day review time would have expired on August 29, 2018 but the applicant has extended the date for additional days to December 21, 2018.

Appeal Procedures

The City Council held the “on the record” public hearing and closed the public hearing at a special meeting on December 12, 2018. At that meeting, the Council tentatively denied the appeal and approved the Design Review Request (DR18-01R) pending adoption of Findings of Fact. Development Code Section 9.040.G.1, Appeals, Review Body Decision states *“Upon review, the reviewing body may affirm, reverse, or modify the decision of the lower body or staff.”* Since the motion to approve was tentative, the Council may adopt these Findings of Fact to approve the appeal request, modify the approval, remand the issue back to the DRC, or deny the request pending revised Findings of Fact. The final decision on approval or denial of the Design Review Request needs to be completed by December 21, 2018 to comply with the State 120-day rule.

RECOMMENDATION

If the Council determines the proposal meets the DRC criteria for approval, it would be in order for Council to adopt the Finding of Fact on Appeal (AP18-05) for Design Review Request (DR18-01R) to support the Council’s tentative decision on December 12, 2018 to reverse the DRC denial, thereby approving the Design Review Request.

Prepared By: Rosemary Johnson Planning Consultant

FINDINGS OF FACT

December 18, 2018

TO: ASTORIA CITY COUNCIL

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: APPEAL (18-05) BY HOLLANDER HOSPITALITY OF DESIGN REVIEW REQUEST (DR18-01R) BY CRAIG RIEGELNEGG ON BEHALF OF CARLETON HART ARCHITECTURE FOR HOLLANDER HOSPITALITY TO CONSTRUCT AN APPROXIMATE 29,614 SQUARE FOOT, FOUR STORY HOTEL AT 1 2nd STREET

I. BACKGROUND SUMMARY

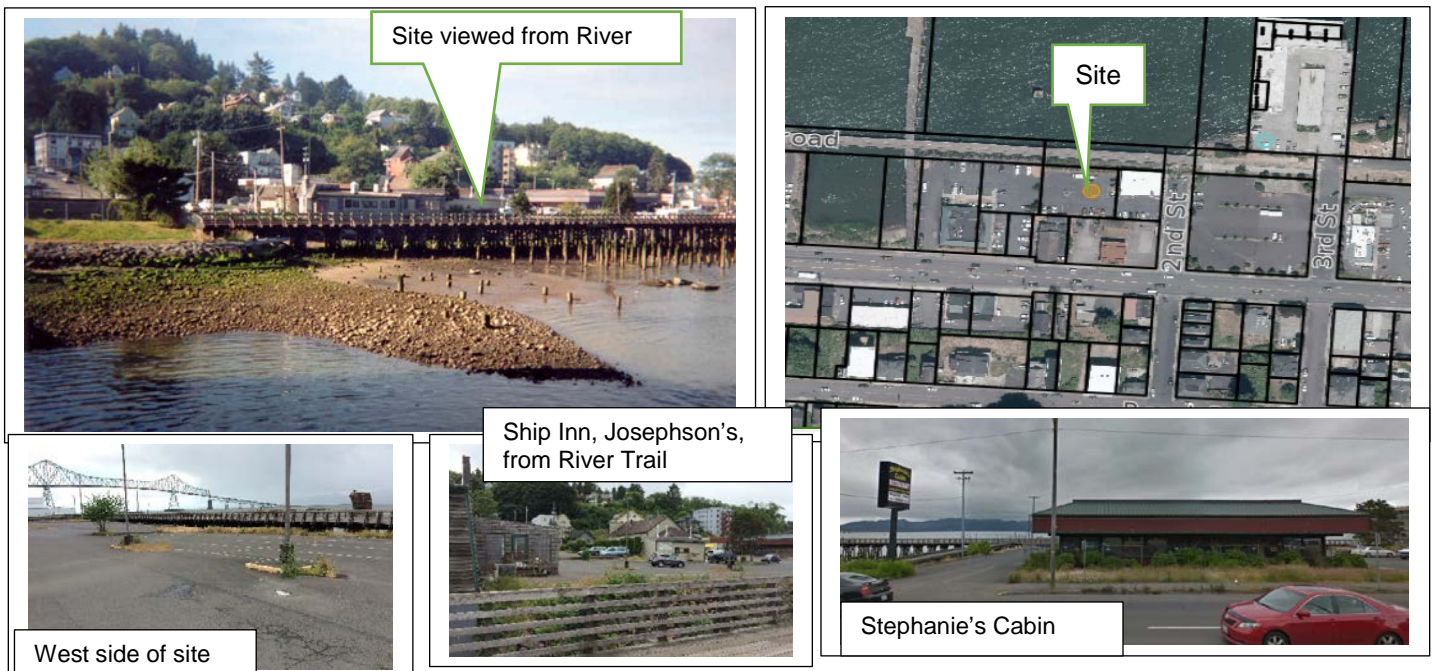
- A. Appellant: Mark Hollander, President
Hollander Hospitality
119 North Commercial Street # 165
Bellingham WA 98225
- B. Applicant: Craig Riegelnegg – Carleton Hart Architecture
830 SW 10th Avenue, #200
Portland OR 97205
- C. Owner: Hollander Properties LLC
Fair Whether LLC
Mark Hollander
119 North Commercial Street # 165
Bellingham WA 98225
- D. Location: 1 2nd Street; Map T8N R9W Section 7DA, Tax Lots 11800 & 11900; Lots 1, 2, 3, 4, Block 1, McClure; and Map T8N R9W Section 7DB, Tax Lots 1200, 1300, 1400, 1501; Unplatted lots fronting on Block 1, Hinman's Astoria
- E. Classification: New construction within the Bridge Vista Overlay Zone requiring Design Review Committee (DRC) review
- F. Proposal: To construct a new four-story hotel
- G. Zone: C-3 Zone (General Commercial), Bridge Vista Overlay Zone (BVO), Flood Hazard Overlay (FHO), and CRESO Zone



II. BACKGROUND

Site:

The subject property is located on the north side of Marine Drive, between vacated 1st Street, west of 2nd Street, and south of the River Trail and shoreline. In addition to the Design Review Committee review process, development at the site triggers review by the Historic Landmarks Commission due to the designated Historic Landmark of unique structures that remain of the White Star Cannery. The buildings at the site no longer exist, however the remaining features designated historic include the pilings that once supported the docks and buildings, a boiler from the White Star Cannery, and the ballast rock left by vessels loading fish from the cannery. Few structures such as this remain within the City to represent the fishing industry and working waterfront. The proposed site includes the existing structures that housed Stephanie's Cabin Restaurant and the Ship Inn. The site includes multiple platted lots and County tax lots. Prior to any construction, the applicant will need to submit a Legal Lot Determination application to the Community Development Department to combine or reconfigure the lots.



Public Hearings and Appeals:

On June 25, 2018 the Historic Landmarks Commission (HLC) and the Design Review Committee (DRC) held public hearings and reviewed a request to construct a four-story hotel at 1 2nd street. The HLC and DRC both voted to tentatively deny the requests at the June 25 meeting, and formally denied the proposal on July 10, 2018.

The denials were subsequently appealed by the applicant on July 25, 2018. Public notices for the appeals were sent, and a combined public hearing on the HLC Appeal (AP18-04) and DRC Appeal (AP18-03) was held at the August 23, 2018 City Council meeting. At that Council public hearing, the applicants submitted revised proposed plans. The Council tentatively approved the HLC Appeal and reversed the HLC denial, thereby tentatively approving the New Construction Request (NC18-01) pending adoption of Findings of Fact. The appellant was directed to have their attorney prepare draft revised Findings of Fact to be brought back for consideration at a subsequent Council meeting. The appeal findings of the HLC decision are addressed in a separate Findings of Fact to the Council.

The revised plans submitted with the initial appeal differ from those previously reviewed by the HLC and at the first DRC hearing. At the August 23, 2018 meeting, the Council remanded the Design Review Request (DR18-01) back to the Design Review Committee for additional consideration.

The applicants submitted revised plans (DR18-01R) for consideration on remand and the Design Review Committee held a public hearing on October 9, 2018. At that meeting, the DRC found that the revised application met all design guidelines except for two.

The two guidelines in question were *Design Guideline* ADC 14.115(B)(2)(a) which provides: "Buildings should retain significant original characteristics of scale, massing, and building material along street facades" and *Design Guideline* ADC 14.115(B)(2)(f) which provides: "Building forms should be simple single geometric shapes, e.g. square, rectangular, triangular."

As a result of this disagreement, the Design Review Committee tentatively denied the request with a split 2 to 2 vote, pending adoption of Findings of Fact. Findings of Fact for denial were adopted by the DRC at a meeting on November 1, 2018.

The decision was appealed by Hollander Hospitality (AP18-05) on November 13, 2018. The City Council elected to hear the appeal on the record and restricted its consideration of the application of design guidelines ADC 14.115(B)(2)(a) and ADC 14.115(B)(2)(f). The Council adopts new findings relative to these two guidelines and adopts the Design Review Committee's determinations related to the remaining review criteria.

Proposed Construction:

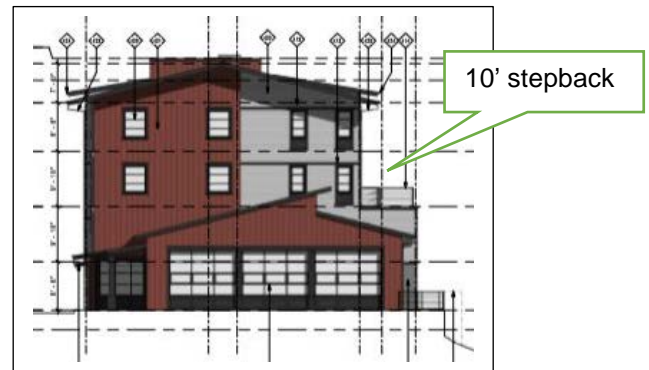
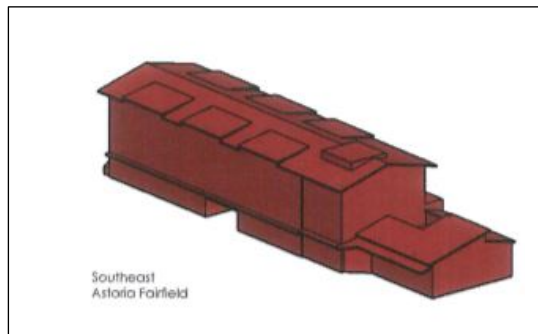
Motel/Hotels/Bed and Breakfasts and other tourist lodging facilities are outright permitted use in the C-3- General Commercial Zone. Therefore, review of zoning requirements other than the HLC and DRC overlay zone requirements will be addressed administratively by staff. During the pre-application process, the applicant was informed

of additional requirements for development at the site including but not limited to review of a traffic impact study, storm water treatment/management, and possible shoreline mitigation requirements through Division of State Lands (DSL). The Public Works Department noted they will need to receive the required permit applications for utility service, grading and erosion control, and right-of-way permit for review and approval prior to construction. Should any requirements from review of these permits affect the design and/or location of the proposed construction and require significant changes to the proposed plans as approved by the City Council, the amended plans may require review by staff and/or the DRC.

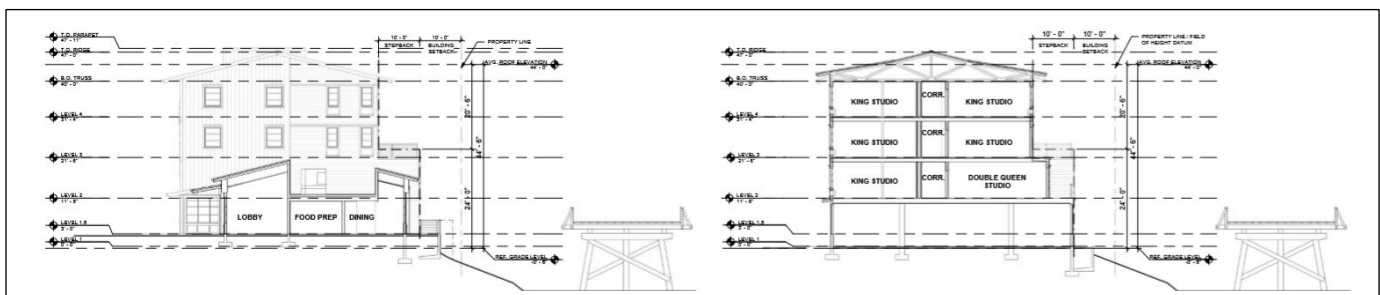
This proposal is to demolish the Ship Inn structure to construct a four-story hotel with covered parking on the ground floor. The proposed building includes total floor area of approximately 29,614, with 66 rooms, dining, office, lobby, and fitness center area for guests. The applicant indicated a potential future renovation of Stephanie's Cabin site, also located on the property, but has not submitted a proposal for design or use for that structure, or required associated parking for any use, at this time.

Building Design:

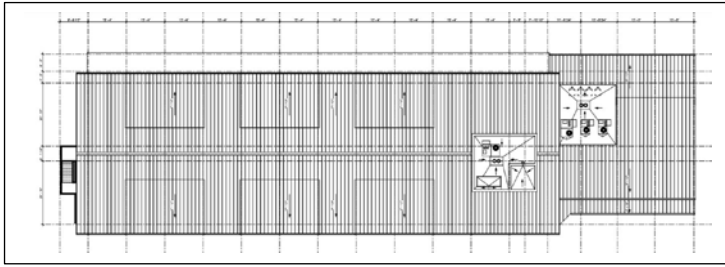
Style/Form: Four-story rectangular shaped building with parking area located on part of first floor footprint. The building is stepped back 10' on the third and fourth floors on the north elevation.



Building Height: The height of the mid-point of the highest pitched roof would be 44.5' based on Development Code Section 1.400 on definition of Building Height. With a pitched roof, the height of a building is the average height of the highest gable of a pitched or hipped roof (*Article 1.400 Height, Building*). The mechanical equipment will be hidden within a roof-top enclosure with a height of 47' 11" as allowed by Development Code Section 3.075, Exceptions to Building Heights. The east portion of the building would be 21.5' to the ridge of the clearstory roof.

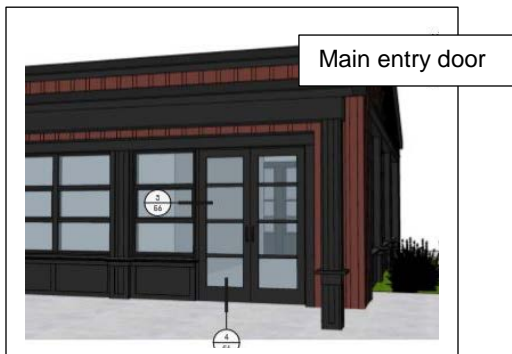


Roof: Primary gable with 3:12 pitch, six shed gables with 2:12 pitch; 1" high standing seam metal; coated with fade-resistant PVDF for black appearance. Single story on east end would have a north-facing clerestory roof of same material.

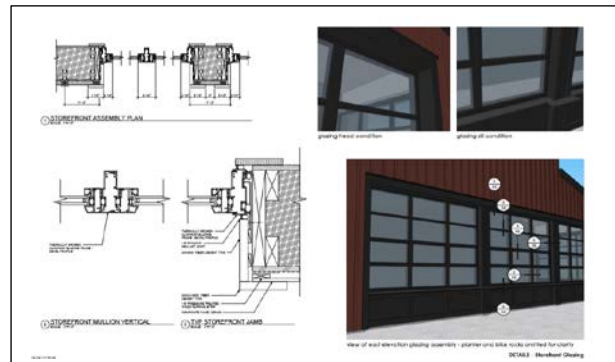
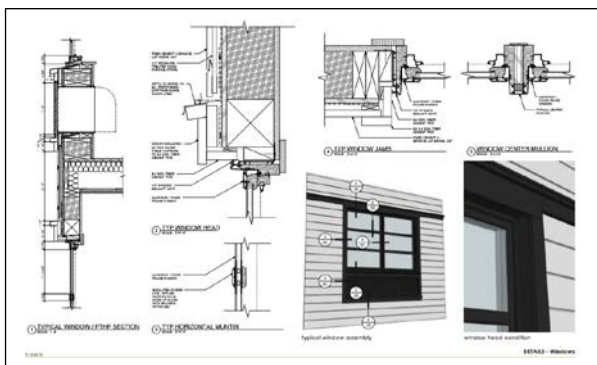


Siding: board and batten siding is proposed at the ground floor near the lobby area, and on southeast corner "circulation tower" in a red color; "V" groove horizontal siding with 7" reveal on main portion of building in a grey color to evoke an aged appearance of historical white paint. Board formed concrete at ground floor.

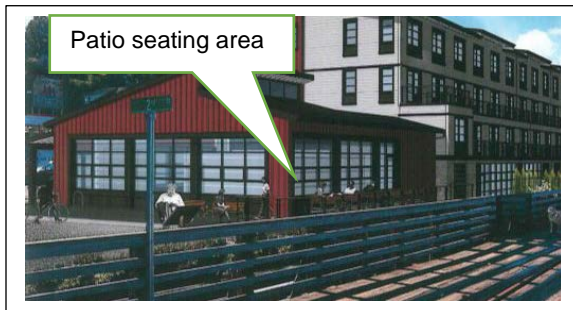
Doors: The main entry doors in the southeast will be out swing with black metal frame; main door recessed 9" from the facade, clear glass. Additional doors in the north concrete wall, south elevation at base of the tower and west staircase doors will be outswing with black metal frames, recessed 3" to 5" from the facade, clear glass. Deck doors will be recessed 3.5" from facade.



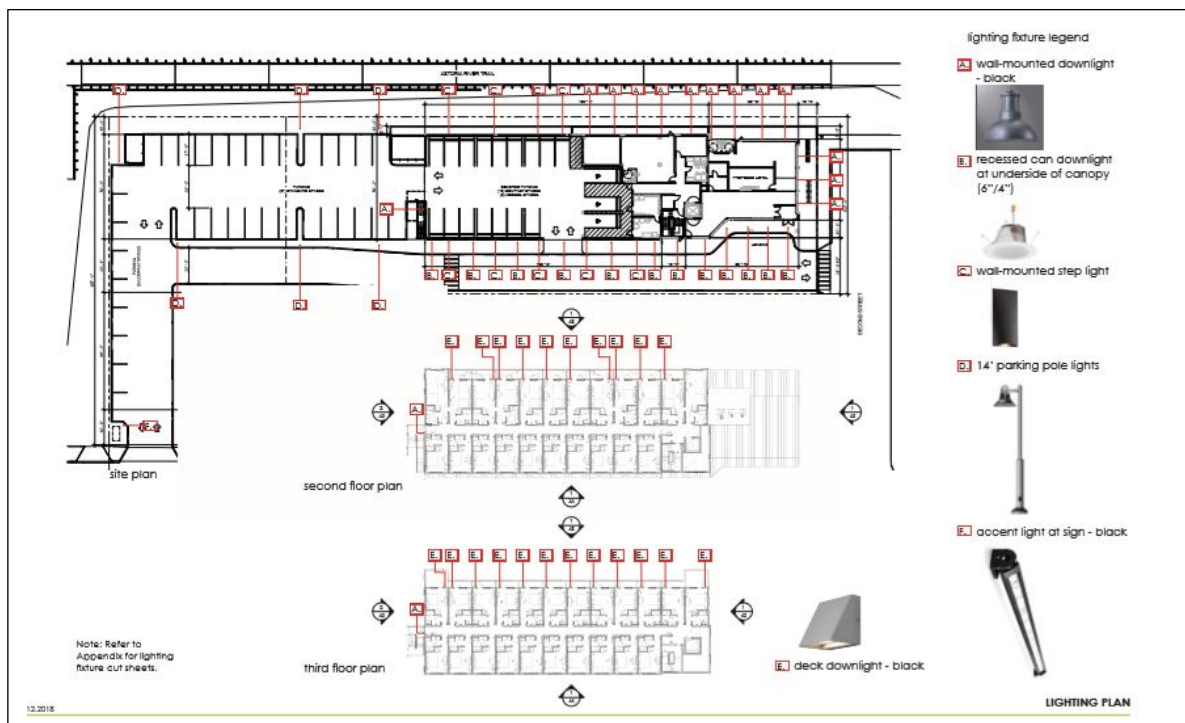
Windows: Room windows will be simulated six-lite casement with exterior muntins, recessed 3.5" from facade; black metal; crown moldings contiguous with belt courses between floor levels. Storefront window panels of 4 panel high x 3 panel wide true divided lites; black metal; recessed 3.5" from facade. All glass will be clear. Casings will be 5/4" x 4" minimum.



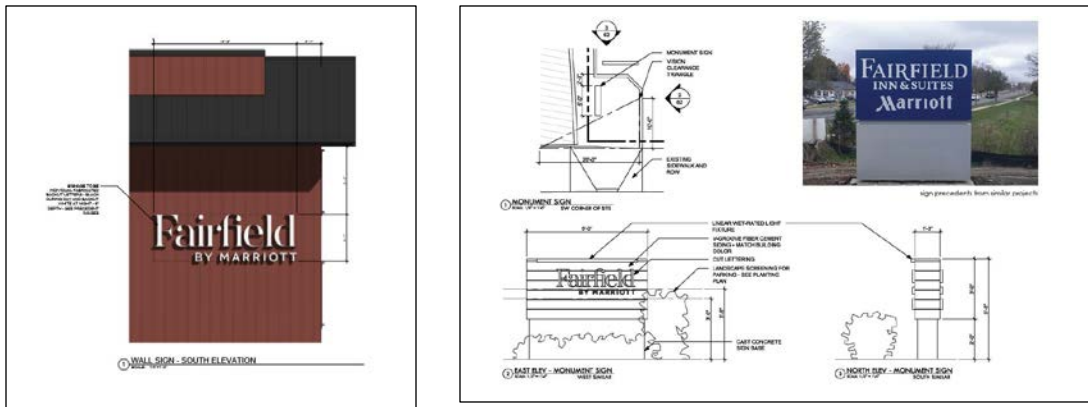
Other Design Elements: patio on northeast corner adjacent to eating area for guest use; black steel or bronze grates on ground floor wall around covered parking area. Awning over main entry on south elevation; 2' deep standing seam metal roof awning over first floor south elevation.



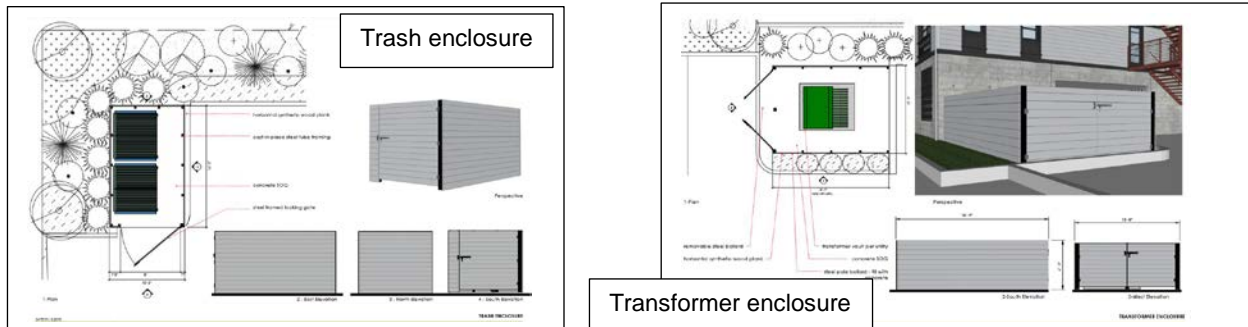
Exterior Lighting: Exterior lighting includes a mix of wall mounted downcast lighting; recessed can down lighting under the canopy; wall mounted step lights; deck down lights; 14' parking lot pole lighting; accent light at monument sign. All lighting is proposed to have full cutoff; some lighting recessed into building facade.



Signage: The proposed development includes a 51.25 square foot wall sign on the east end of the south elevation of individual internal lit letters; and a 3' x 6' (18 square foot) 5' tall monument sign on the southwest corner of the site with concrete base and horizontal "V" groove siding with cutout letters.



Outdoor enclosures: A trash enclosure is proposed on the northwest corner of the property. A transformer enclosure is proposed on the northwest corner. Both enclosures will have "V" groove horizontal synthetic wood plank siding to match the building, with steel tube framing and a steel framed locking gate.



III. PUBLIC REVIEW AND COMMENT

Design Review Committee:

Public notice was mailed to all property owners within 250 feet of the property pursuant to Section 9.020 on September 17, 2018 for the Remand hearing by DRC. A notice of public hearing was published in the *Daily Astorian* on October 2, 2018. As required per Section 9.020.D, on-site notice was posted at the site near 2nd Street 14 days prior to Appeal (AP18-03) hearing of August 23, 2018 and was left at the site.



City Council:

Public notice was mailed to parties on the record pursuant to Section 9.020 on November 21, 2018. A notice of public hearing was published in the *Daily Astorian* on December 5,

2018. As required per Section 9.020.D, on-site notice was posted at the site near 2nd Street 14 days prior to Appeal (AP18-03) hearing of August 23, 2018 and was left at the site.

Public comments received were presented to the City Council at the December 12, 2018 appeal public hearing. The public hearing was closed at that meeting and no additional public comments may be made without additional public notice.

Oregon Revised Statute Section ORS 227.178(1) requires that land use decisions, including appeals, be resolved within 120 days from the date a complete application is submitted unless the applicant grants an extension. The original 120-day review time would have expired on August 29, 2018 but the applicant has extended the date for additional days to December 21, 2018.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 14.090 outlines applicability and review procedures in the BVO: *"The provisions in Sections 14.085 to 14.125 apply all uses in all areas of the Bridge Vista Overlay Zone unless indicated otherwise in Table 14.090-1 and in the individual sections. The provisions of the Bridge Vista Overlay Zone shall apply to all new construction or major renovation, where "major renovation" is defined as construction valued at 25% or more of the assessed value of the existing structure, unless otherwise specified by the provisions in this Section. Applications in the Bridge Vista Overlay Zone shall be reviewed in a public design review process subject to the standards and guidelines in Sections 14.095 to 14.125."*

Finding: The site and proposed new construction is located within the Bridge Vista Overlay Zone (BVOZ) and therefore is subject to design review.

- B. Section 14.105.B lists Uses Permitted for On-Land Development for the Commercial Zone in the BVOZ as *"... in addition to uses permitted outright in the base zone identified in Article 2, and subject to the other appropriate development provisions of this Section."*

Section 2.390.10, Uses Permitted Outright in the C-3 General Commercial Zone, lists *"Motel, hotel, bed and breakfast, inn, or other tourist lodging facility and associated uses."*

Finding: The site is located within the C-3 Zone. The proposed project is a hotel which is allowed as an outright use.

- C. Section 14.113, Standards for On-Land Development, states *"The following development standards apply to on-land development in the Bridge Vista Overlay Zone south of the River Trail / 50 feet wide railroad line property. The Overwater Development standards shall apply to on-land development north of the River Trail / 50 feet wide railroad line property. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control."*

1. Section 14.113.A, Height, states

- "1. Maximum building height is 35 feet except as noted in subsection (2) of this section.*
- 2. Building height up to 45 feet is permitted when building stories above 24 feet are stepped back at least 10 feet in accordance with Section 14.113.C.*
- 3. Exceptions to building height restrictions may be granted through provisions in Section 3.075."*

Section 14.113.C, Stepbacks, states

"1. Purpose.

The purpose of a stepback is to allow for less obstructed views from above the building and to create a less imposing building scale as viewed from the street or parallel/adjacent trail. A stepback is also designed to allow more light down to the adjacent or fronting street, sidewalk, or trail.

2. Additional Building Height.

Where the height of a building or building addition is proposed to exceed 24 feet, at least that portion of the building exceeding 24 feet, shall provide a stepback of at least 10 feet from the front plane of the proposed building or building addition that faces the street or the River Trail."

Section 1.400, Definitions, defines Building Height as follows: *"The vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deckline of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of that building. The reference datum shall be whichever of the following two measurements results in the greater building height (see Figure 1):*

- a. The reference datum is the lowest grade when the highest ground surface within a five (5) foot horizontal distance of the exterior wall of the building is not more than ten (10) feet above that lowest grade. (Note: Also see definition of "Grade".)*
- b. The reference datum is ten (10) feet higher than the lowest grade when the ground surface described in Item a above is ten (10) feet or more above that lowest grade. (Note: Also see definition of "Grade".)"*

Section 3.075.A, Exceptions to Building Height Limitations, states *"The features listed in this Section shall be exempt from the height limits established by the Code, provided the limitations indicated for each are observed.*

- 1. Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stack, cooling towers, water tanks, panel or devices for the collection of solar or wind energy, and the window-washing equipment, together with visual screening for any such features.*

2. *Elevator, stair, and mechanical penthouses, fire towers, skylights, flag poles, aerals, and similar objects.”*

Finding: The proposed building would be 44’ 6” to the midpoint of the gabled roof as measured in accordance with Section 1.400. The building is over 24’ high and all areas above 24’ have been stepped back 10’ from the north facade. The elevator shaft and mechanical equipment enclosures will be a height of 47’ 11” as allowed by Development Code Section 3.075, Exceptions to Building Heights. This criterion is met.

2. Section 14.113.B, Setbacks, states

“1. Minimum Setbacks.

- a. *North-South Rights-of-Way between West Marine Drive / Marine Drive and the Columbia River.*

A minimum view corridor width of 70 feet, centered on the right-of-way centerline, shall be provided on north-south rights-of-way between West Marine Drive / Marine Drive and the Columbia River. Buildings shall be set back in order to achieve the 70-foot view corridor.

- b. *Adjacent to the River Trail.*

- (1) *The minimum setback adjacent to the River Trail shall be 10 feet on the south side of the trail and 20 feet on the north side of the trail.*
- (2) *The setback area shall be landscaped or shall include a combination of landscaping and pedestrian-oriented amenities such as walkways, seating, and plaza space.*

- c. *Adjacent to West Marine Drive / Marine Drive and Other Rights-of-Way Parallel to West Marine Drive (except River Trail).*

The minimum setback for yards fronting West Marine Drive / Marine Drive and other public rights-of-way parallel to West Marine Drive / Marine Drive in the Bridge Vista Overlay Zone, with the exception of the River Trail, shall be zero (0) feet.

2. *Maximum Setbacks.*

- a. *Adjacent to West Marine Drive / Marine Drive and Parallel Rights-of-Way.*

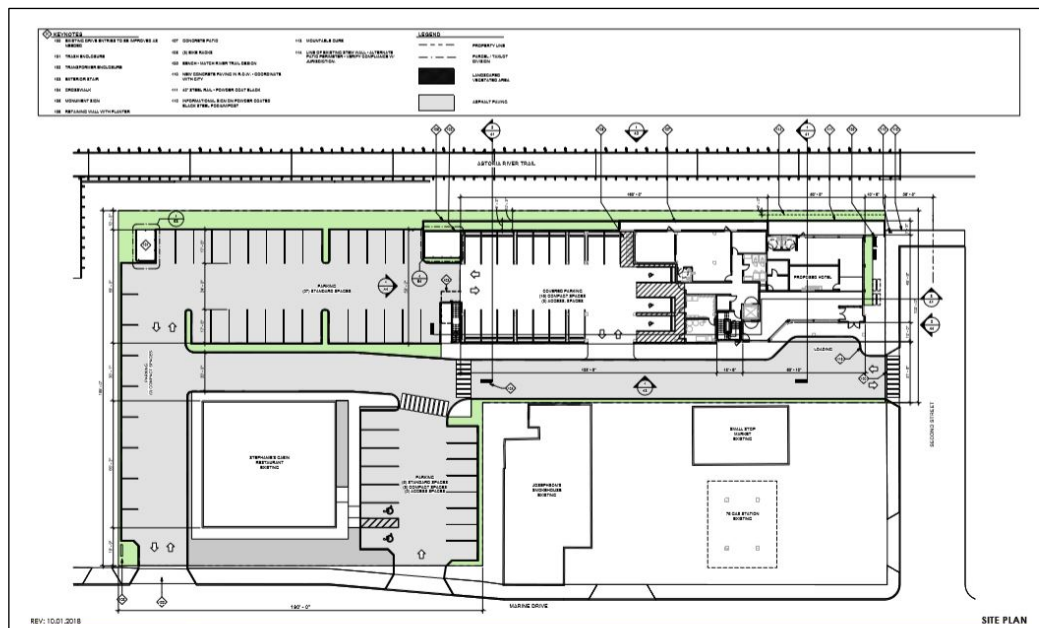
The maximum setback for yards fronting West Marine Drive / Marine Drive and all parallel rights-of-way in the Bridge Vista Overlay Zone, with the exception of the River Trail, shall be five (5) feet.

b. *Allowed Extensions of Maximum Setbacks.*

The maximum setback for yards fronting a public right-of-way in the Bridge Vista Overlay Zone may be extended to 20 feet for up to 50% of the building facade if the setback is used for a walkway, plaza, courtyard, or other pedestrian-oriented amenity or public gathering space.”

Finding: The structure is proposed to be located on the northeast corner of the lot. It will be setback 10' from the north property line on the south side of the River Trail and will be landscaped. The site abuts 2nd Street on the east which is a 60' wide right-of-way. To achieve a 70' wide view corridor, a 5' setback is required each on the west and east properties abutting this right-of-way. The building is proposed to be setback 10' from the east property line which meets this criteria requirement. No portion of the structure, including awnings, shall encroach into the required 70' view corridor (Condition #9).

The property is “L” shaped and has frontage on Marine Drive. However, there is an existing structure that is not proposed to be demolished at this time. The only open space adjacent to Marine Drive on this property is the two access/egress driveways. The building cannot be placed close to Marine Drive to meet the maximum setback of 5'. This criterion does not apply with the existing development configuration.



3. Section 14.113.C, Stepbacks, states
“1. Purpose.

The purpose of a stepback is to allow for less obstructed views from above the building and to create a less imposing building scale as

viewed from the street or parallel/adjacent trail. A stepback is also designed to allow more light down to the adjacent or fronting street, sidewalk, or trail.

2. *Additional Building Height.*

Where the height of a building or building addition is proposed to exceed 24 feet, at least that portion of the building exceeding 24 feet, shall provide a stepback of at least 10 feet from the front plane of the proposed building or building addition that faces the street or the River Trail.”

Finding: As noted above, the structure is proposed to be 45’ tall with the portion above 24’ height stepped back 10’ on the north facade along the River Trail. The portion adjacent to 2nd Street is proposed to be 21.5’ high and does not require a stepback. The intent of the Riverfront Vision Plan as noted in the adopted Findings of Fact, dated May 20, 2015, is to “*Use setbacks, stepbacks, and other measures to ensure an open feel and continued visual access to the river.*” The proposal has utilized the stepback area for private guest balconies. This criterion is met.

- D. Section 14.113 D Size states “*The gross floor area of on-land commercial uses in the Bridge Vista Overlay Zone shall be a maximum of 30,000 square feet.*

Section 1.400 defines “Floor Area” as “*The sum of gross horizontal areas of the several floors of a building, measured from the exterior face of the exterior walls or from the center line of walls separating two buildings, but not including:*

- a. Attic space providing headroom of less than seven feet.*
- b. Basement, if the floor above is less than six feet above grade.*
- c. Uncovered steps or fire escapes.*
- d. Private garages, carports, or porches.*
- e. Accessory off-street parking or loading spaces.”*

Finding: In an email dated 12/12/17, the City Attorney provided an interpretation that “given measurements described are from exterior walls and that one main purpose of the regulations is to preserve view corridors, balconies and decks do not count in the calculation of the gross horizontal floor area.” The applicant provided the following calculations:

First Floor	5,399 square feet
Second Floor	8,437 square feet
Third Floor	7,889 square feet
Fourth Floor	7,889 square feet
Total Area	29,614 square feet

The applicant noted the calculations exclude area of covered parking (Item e), the open west stair (Item c), and guestroom balconies (Item d and “exterior wall” designation). The total gross floor area is less than the 30,000 square foot maximum. The trash enclosure is not included in the calculation because it does not have a cover. This criterion is met.

- E. Section 14.115.A, Design Standards and Guidelines, Applicability and Review, states *“The following design standards and guidelines apply to all new construction or major renovation, where “major renovation” is defined as construction valued at 25% or more of the assessed value of the existing structure. Applications in the Bridge Vista Overlay Zone shall be reviewed in a public design review process subject to the standards and guidelines in Sections 14.095 to 14.125.*

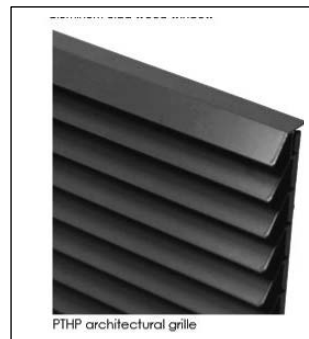
Some of the following design standards and guidelines apply to all uses. Other standards and guidelines are differentiated by non-industrial uses and industrial uses. . .

Non-industrial uses include all other uses that are allowed outright or conditionally in the S-2, A-1, A-2, A-2A, and C-3 zones in the Bridge Vista Overlay Zone.”

Finding: The hotel use is an outright permitted use in the C-3 zone and is non-industrial use. The design standards are applicable. The proposal is for new construction as the existing Ship Inn structure is proposed to be demolished. Prior to demolition, the applicant shall obtain a demolition permit from the Building Department (Condition #1). With the condition, this criterion is met.

- F. Section 14.115.B.1, Design Standards and Guidelines, Building Style and Form, Standards for All Uses, states *“Projecting wall-mounted mechanical units are prohibited where they are visible from a public right-of-way or the River Trail. Projecting wall-mounted mechanical units are allowed where they are not visible from a public right-of-way or River Trail.”*

Finding: Guestroom heating and cooling units will be packaged terminal heat pumps, through-wall units that will be flush with the exterior facade. They will have black grills and be in line with the window configuration to give the appearance as the lower section of the window ensemble. No other projecting wall-mounted mechanical units are proposed. This criterion is met.



- G. Section 14.115.B.2.a, Guidelines for All Uses, states *“Buildings should retain significant original characteristics of scale, massing, and building material along street facades.”*

Section 1.400, Definitions, contains the following definitions:

“BUILDING MASS: The height, width, and depth of a structure including non-enclosed features such as stairs and decks.”

“GUIDELINES: For the purpose of the Riverfront Vision Plan Overlay Zones, the term guidelines shall mean code provisions that encourage or allow for design features or approaches and that provide flexibility and discretion for the appropriate review body to interpret and apply the guideline.”

“STANDARDS: For the purpose of the Riverfront Vision Plan Overlay Zones, the term guidelines shall mean code provisions that require or prohibit specific design features, incorporate numerical or other clear and objective standards, and provide for limited or no discretion by the appropriate review body to interpret and apply the standard.”

Finding: The applicant argued that this standard does not apply to new buildings, but only re-construction or renovation of existing buildings, based on the “retain significant original characteristics” language. A majority of the Council concluded that the subsection applies to both existing and newly proposed buildings. A majority of the Council also concluded that the “along street facades” qualifier applied solely to building materials, not to scale and massing. In terms of compliance with this standard, a majority of the Council concluded that the applicant’s proposal met this standard through compliance with the development standards (height, square footage, setback, and step-back requirements of the BVO), but stressed that such compliance in this instance does not mean that mere compliance with development standards ensures compliance with design guidelines related to scale and massing. The City Council expressly reserves the right in future applications to independently determine whether a project satisfies the scale and massing requirements of this subsection.

With respect to original characteristics of scale and massing, the City Council concludes that the applicant has demonstrated that buildings in the vicinity of the project, both prior and existing buildings (i.e., “original characteristics”), included buildings that were much larger, much smaller, and of the same general scale and mass as the proposed hotel. Based on the evidence provided by the applicant, a majority of the City Council concludes that the “original characteristics” of mass and scale for buildings within the BVO include and previously included a wide range of buildings with a wide range of mass and scale and that the applicant’s proposal fits within the range of scale and mass for such buildings. Consequently, by falling within the range of mass and scale of the buildings within the BVO, the proposed hotel retains original characteristics of scale and massing. This criterion is met.

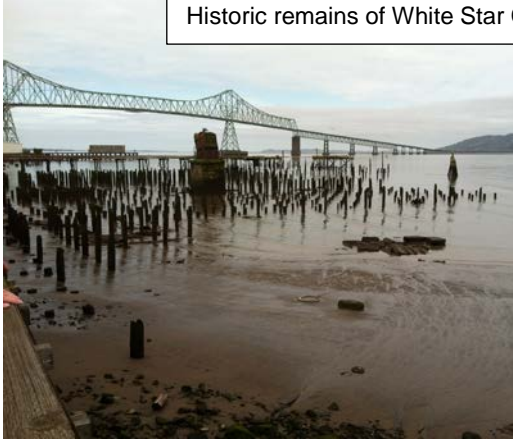
H. Section 14.115.B.2.c, Guidelines for All Uses, states

“c. Distinctive stylistic features or examples of skilled craftsmanship should be treated with sensitivity. All buildings should be respected and recognized as products of their time.”

Finding: The designated historic structures consist of a concrete and metal boiler, vertical wood post pilings, and ballast rock piles. The White Star Cannery was a wood building with gable roofs, a clearstory roof along the top ridge of the main building and had a variety of window styles. All elevations had multiple windows. Other waterfront buildings in this area were a similar design and material.

Waterfront buildings had both horizontal wood and/or vertical board and batten wood siding.

Historic remains of White Star Cannery



Former White Star Cannery adjacent to subject site; and existing remains of the cannery including the boiler, pilings, and ballast rocks.

The proposed structure incorporates some elements from the historic buildings reflective of the working waterfront buildings in this area. Windows are proposed on all elevations; room windows will be simulated six-lite casement with exterior muntins, recessed 3.5" from facade; black metal; crown moldings contiguous with floor belt courses. Siding will be a mixture of board and batten siding and horizontal "V" groove siding, which are reflective of the historic buildings' features. This criterion is met.

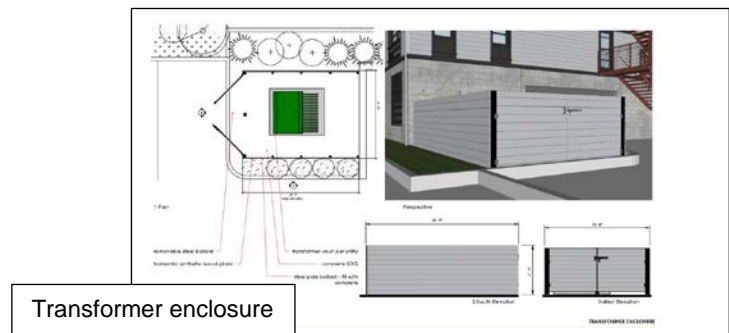
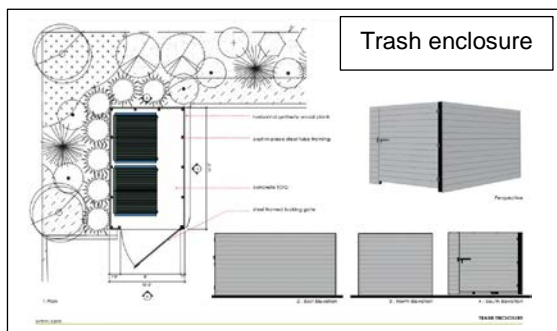


- I. Section 14.115.B.2.e, Guidelines for All Uses, states
 - "e. *Solid waste disposal, outdoor storage, and utility and mechanical equipment should be enclosed and screened from view (Figure 14.115-1). Rooftop equipment should be screened from view by a parapet wall, a screen made of a primary exterior finish building material used elsewhere on the building, or by a setback such that it is not visible from adjacent properties and rights-of-way up to approximately 100 feet away.*"

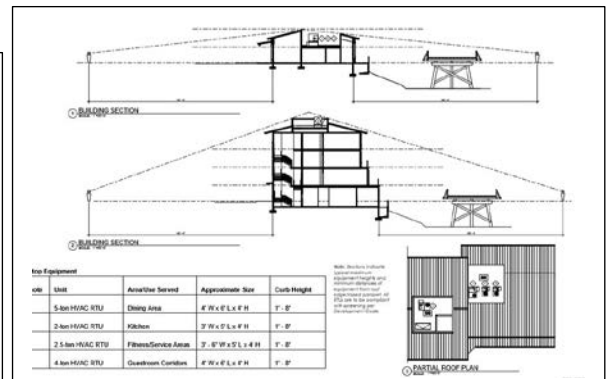
Finding: A trash enclosure is proposed on the northwest corner of the property. A transformer enclosure is proposed on the northwest corner of the building. Both enclosures will have "V" groove horizontal synthetic wood plank siding to match the building, with black steel tube framing and a steel framed locking gate.

The trash enclosure opening faces south. The applicant shall work with Recology, the City's solid waste disposal company, to confirm that this location and opening meet with their requirements. The door configuration shall not impact the adjacent parking spaces (Condition #2). The trash enclosure would be visible from the hillside to the south and therefore shall have a lid/roof to screen the trash receptacles from view (Condition #7). The trash enclosure will not be calculated as part of the gross floor area of the project.

The transformer enclosure opening faces west and opens into the adjacent parking space. Access to this mechanical unit would not be needed on a daily basis. While the doors would impact the parking space, the infrequency of use of these doors could be accomplished by barricading the space for short periods to allow access to the transformer. The transformer enclosure would be visible from the hillside to the south and to reduce noise from the unit, the enclosure shall have a lid/roof to screen the transformer from view unless not allowed by building codes (Condition #8). The transformer enclosure will not be calculated as part of the gross floor area of the project.



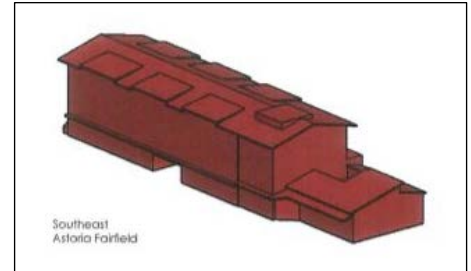
The rooftop mechanical equipment will be enclosed with a parapet wall of "V" groove siding to match the main structure siding. The mechanical equipment on the one-story east portion of the building will be inset down within the pitch of the roof to screen from view. The mechanical equipment includes HVAC units over the dining area, kitchen area, fitness area, and above guestroom corridors. Each unit is 3' to 4' wide and 4' high.



All outdoor storage areas and mechanical equipment will be screened. With the conditions, this criterion is met.

- J. Section 14.115.B.2.f, Guidelines for All Uses, states *“Building forms should be simple single geometric shapes, e.g. square, rectangular, triangular.”*

Finding: A majority of the City Council concluded that the proposed hotel is a simple geometric shape, i.e., rectangle, and that by meeting this geometric requirement, the applicant has satisfied ADC 14.115.B.2.f. This standard does not, by its express terms, require anything further, including articulation or modulation. This criterion is met.



- K. Section 14.115.B.2, Guidelines for All Uses, states
- “b. Additions to buildings should not deform or adversely affect the composition of the facade or be out of scale with the building.”*
 - “d. Mid-century “slip covers” should be removed when possible.”*
 - “g. Incompatible additions or building alterations using contemporary materials, forms, or colors on building facades are discouraged.”*

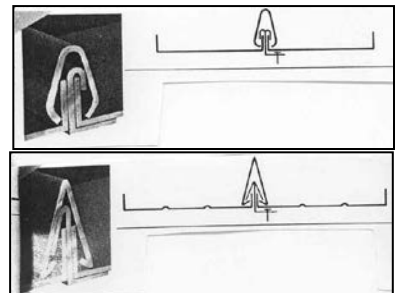
Finding: These sections apply to alterations and additions to existing buildings and do not apply to new construction.

- L. Section 14.115.C.1, Roof Form and Materials, states *“Roof form standards for all uses.*
The following roof forms are prohibited:
- a. False mansard or other applied forms; and*
 - b. Dome skylights.”*

Finding: Neither of these forms is proposed on the structure.

- M. Section 14.115.C.2, Roof Materials Standards for All Uses, states the following:
- “a. Buildings shall be constructed or reconstructed with one of the following roofing materials.*
 - (1) Cedar shingle (Figure 14.115-3);*
 - (2) Composition roofing (Figure 14.115-3); or*
 - (3) Materials cited in Section 14.115.C.4 or Section 14.115.C.6.”*
 - b. The following roofing materials are prohibited for all types of buildings:*
 - (1) High profile standing seam metal roof (Figure 14.115-4); and*
 - (2) Brightly colored roofing material.*

Figure 14.115-4: Low (3/8” x 1”) and High (1/4” x 1-1/4”) Roof Seams



- a. Roofing materials shall be gray, brown, black, deep red, or another subdued color.*

Section 14.115.C.4, Roof Materials Standards for All Uses, states the following:
"Buildings for non-industrial uses shall be constructed or reconstructed with one of the following roofing materials:

- a. Materials cited in Section 14.115.C.2; or*
- b. Built-up roofing materials."*

Finding: The roofing material for the majority of the structure is a black, 1" high standing seam, 22-gauge metal roofing with narrow battens. Concealed portions of the roof on both the single-story and four-story portions of the building will be roofed with bituminous built-up roofing, with a cap sheet, grey in color that will not be visible from the ground. These criteria are met.

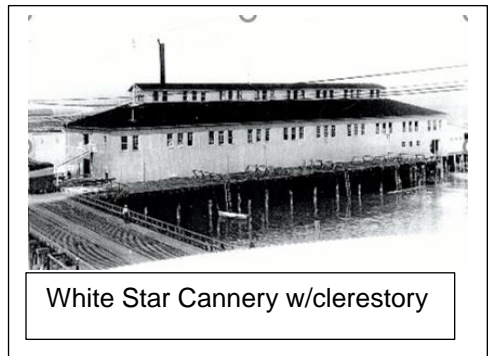
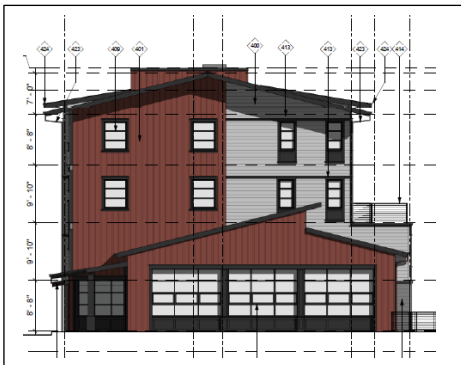
N. Section 14.115.C.3, Roof Form Standards for Non-Industrial Uses, states:
"Buildings for non-industrial uses shall include one of the following roof forms:

- a. Single gable with low pitch; or*
- b. Repetitive gable with steep pitch; or*
- c. Flat or gable roof behind parapet wall (Figure 14.115-5)."*

Section 14.115.C.7, Roof Form Guidelines for Non-Industrial Uses, states:
"Buildings for non-industrial uses may also include the following roof forms or features:

- a. Structural skylights*
- b. Shallow eaves behind parapet wall."*

Finding: The main structure has a 3:12 pitch gabled roof, with six shed gables. The one-story east portion, lobby roofing incorporates a north facing clerestory with a 3:12 pitch. The clerestory is a type of skylight typically found on industrial buildings and was a common feature on the Astoria waterfront fishing industry buildings. These criteria are met.



White Star Cannery w/clerestory

O. Section 14.115.D, Doors, states

- "1. Standards for All Uses. The following types of doors and door treatments are prohibited:*

- a. Automatic sliding doors;
- b. Primary entry doors raised more than three feet above sidewalk level;
- c. Doors flush with building facade;
- d. Clear anodized aluminum frames; and
- e. Reflective, opaque, or tinted glazing.”

“3. Standards for Non-Industrial Uses.

- a. Solid metal or wood doors with small or no windows are prohibited.
- b. Doors with a minimum of 50% of the door area that is glass are required.”

“4. Guidelines for Non-Industrial Uses.

- a. Doors should be recessed when feasible
- b. Large cafe or restaurant doors that open the street to the interior by pivoting, sliding, or rolling up overhead are encouraged
- c. Well-detailed or ornate door hardware is encouraged. Contemporary hardware should be compatible with the design of the door.
- d. Transom, side lites, or other door/window combinations are encouraged (Figure 14.115-9).
- e. Doors combined with special architectural detailing are encouraged.
- f. Double or multiple door entries are encouraged (Figure 14.115-9).”

Finding: The main entry door will be an out-swing double door on automatic controls with black metal frame; main door recessed 9” from the facade, clear glass. Additional doors in the north concrete wall, south elevation at base of tower and west staircase doors will be outswing with black metal frames, recessed 3” to 5” from the facade, clear glass. Deck doors will be recessed 3.5” from facade. The emergency fire rated door on the east side is required to meet building codes and therefore is exempt from the BVO requirements.

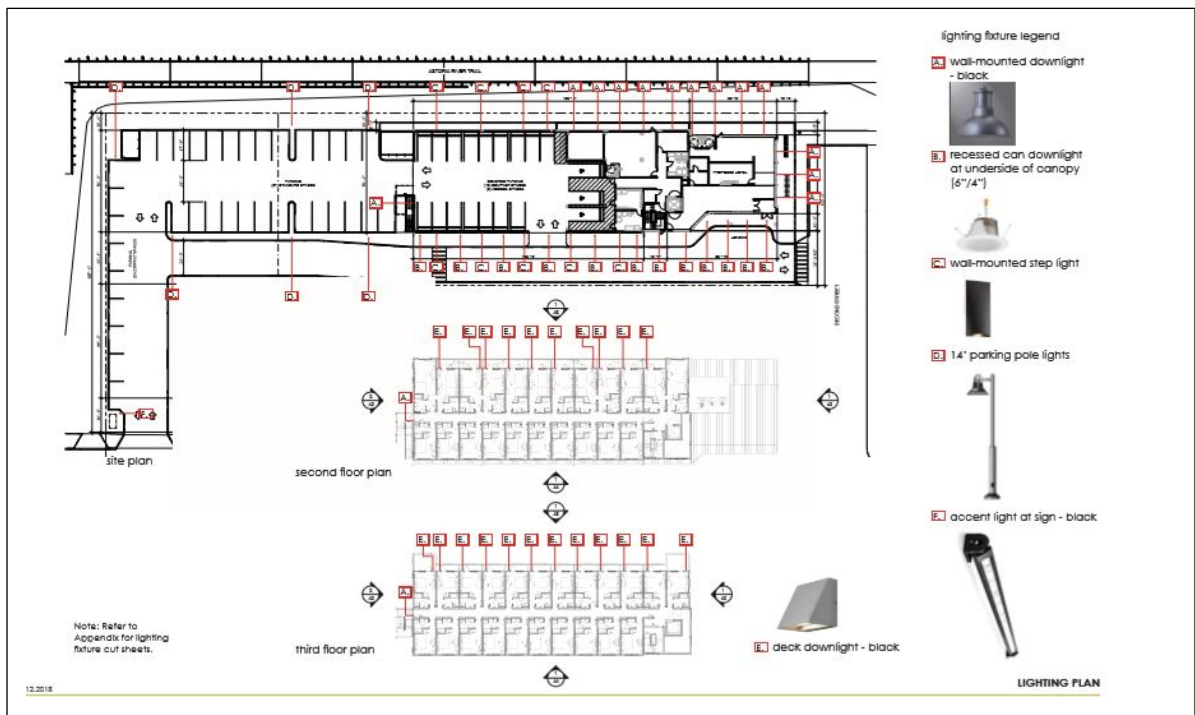


The “storefront” windows on the east one-story portion of the building give the appearance of roll-up garage doors. They are recessed 3.5” from the facade. Large, operable cafe or restaurant doors that open the street to the interior are encouraged but not required. These storefront windows provide visibility in and out of the building but do not provide physical access. There is an outdoor seating area on the north and east side of this portion

of the building which provides physical access to the outside for guests. These criteria are met.

- P. Section 14.115.D.2, Guideline for All Uses, states “*Building lighting should emphasize entrances.*”

Finding: Recessed can lighting is proposed under the canopies. Wall-mounted down light fixtures are proposed on the north elevation, at the door on the west elevation, and along the first-floor east elevation. Wall-mounted step lights are proposed along the first-floor of the covered parking area. Individual room deck lights will be black cutoff light fixtures. All entrances have exterior lighting. All lighting shall be downcast, and not glare onto adjacent properties. Should any light be found to cast a glare into adjacent properties, the night sky, or the River Trail after installation, the Community Development Director may require removal and/or shielding be installed (Condition #3). With conditions, this criterion is met.



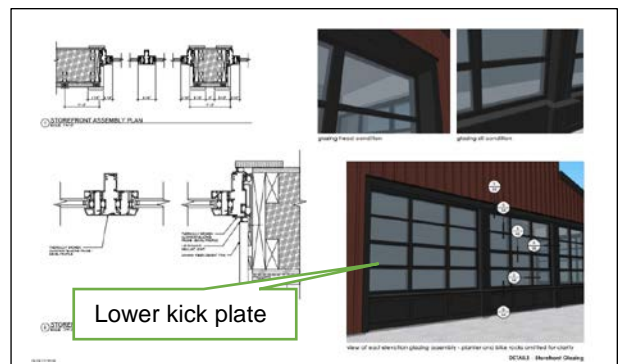
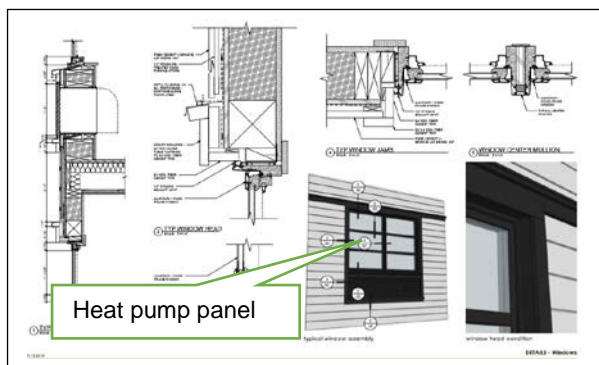
- Q. Section 14.115.E, Windows, states
- “1. *Coverage Standards for All Uses.*
All building facades visible from a public right-of-way and/or the River Trail shall have windows or other openings in the facade. Blank walls on any facades visible from the right-of-way and/or River Trail for any type of use are prohibited.”
 - “2. *Design Standards for All Uses.*
 - a. *Window detailing. Windows shall have casings/trim, sills, and crown moldings. Window detailing shall meet the following requirements.*
 - 1) *Casings/trim shall have minimum dimensions of 5/4 inch x 4 inch and shall extend beyond the facade siding.*

- 2) Windows shall be recessed a minimum distance of two (2) inches from the trim surface to ensure a shadow line/effect.
 - 3) The bottom of the sill shall be a minimum of 18 inches above the ground or floor elevation.
- b. The following types of windows or window treatments are prohibited:
- 1) Residential-styled window bays;
 - 2) Half-round windows;
 - 3) Tinted and/or reflective glass;
 - 4) Sliding windows;
 - 5) Vinyl windows; and
 - 6) Blocked-out windows; and
 - 7) Windows that extend beyond the plane of the building facade."

"3. Design Guidelines for All Uses.

- a. Windows, including transoms on existing buildings, should retain their original size and location as part of renovation activities.
- b. Windows that open by pivoting, casement, single hung, or other shuttering are encouraged.
- c. Painted wood or stucco panels or tile clad panels below windows are encouraged (Figure 14.115-11).
- d. Clear glass is encouraged.
- e. True divided lites are encouraged (Figure 14.115-11). Simulated divided lites shall have exterior muntins to create exterior shadow lines.
- f. Boldly articulated window and storefront trim are encouraged."

Finding: Room windows will be simulated six-lite casement with exterior muntins, recessed 3.5" from facade; black metal; crown moldings contiguous with belt courses between floor levels. Storefront window panels are fixed of 4 panel high x 3 panel wide true divided lites; black metal; recessed 3.5" from facade. Storefront windows will be awning or hopper style. All glass will be clear. All windows are aluminum. No vinyl windows are proposed. Fiber cement casings of 5/4" x 4" are proposed on all windows and doors. Bottom sills are set at 30" above the finished floor, except for storefront glazing at the Lobby/Entry, which is at 32". Storefront windows have a lower panel similar to a historic stucco kickplate appearance. Guest rooms will have heat pumps below the windows and will be black metal to match the windows with louvers that are flush with the facade. These criteria are met.



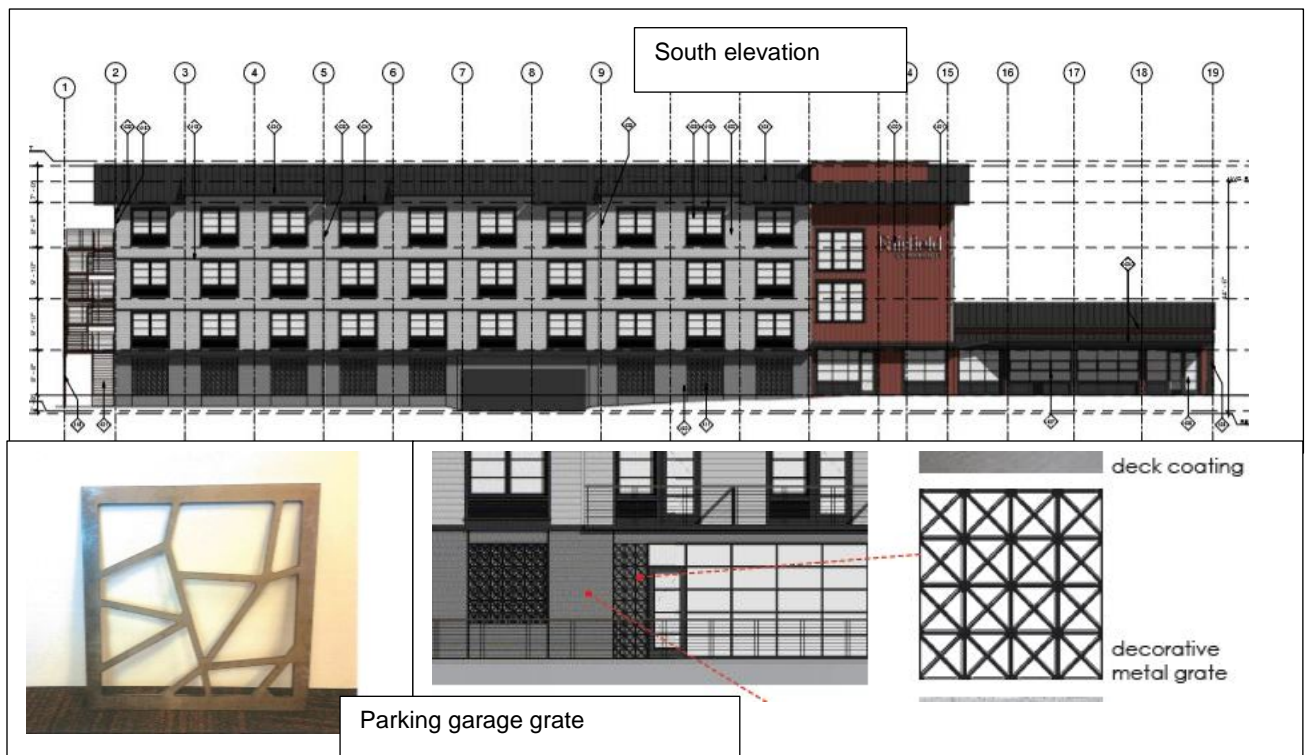
- R. Section 14.115.E.4, Windows, Coverage Standards for Non-Industrial Uses, states
- a. *Inside Pedestrian-Oriented District . . .*
 - b. *Outside Pedestrian-Oriented District.*
Outside the Pedestrian-Oriented District, at least 40% of the ground-floor street-facing facades of non-industrial uses shall be covered by windows and at least 30% of the upper-floor street-facing facades should be covered by windows.”

Finding: The project site is not within the Pedestrian-Oriented District. The proposed building abuts 2nd Street on the east side, the River Trail on the north, and the south elevation faces Marine Drive. The west elevation does not face a street.

The west elevation does not meet the 30% window coverage but is not a street-facing facade.



The south elevation facing Marine Drive meets the required 30% window coverage for upper floors. The ground floor on the east end is mostly storefront windows. The remaining portion of the ground floor is the covered parking area. The applicant has submitted two designs for metal grates to create openings similar to windows by breaking up the siding in the facade. One grate is black with a 4x4 “X” pattern, and one grate is a silver/bronze irregular pattern. Either design would be acceptable. In considering these openings, the intent of the Code to not have large blank wall area is met.



The north elevation facing the River Trail is not street-facing but does face a main pedestrian route and RR right-of-way. While not required to meet the percentages, the north elevation is similar to the south elevation with the addition of two large ground floor window areas and meets the intent of the Code.



The east elevation facing 2nd Street has a one-story portion that is greater than 50% storefront windows. The ground floor meets the required 40% window coverage. The upper floors of the main building on this elevation contain only eight windows which do not meet the 30% window coverage. The ground floors are required to meet the 40% while the upper floors state they “should” meet the 30% coverage. Development Code Section 14.001 defines “Should” as “A requirement, unless it can be shown that to comply with the requirement would be unreasonable, impractical, or unfeasible. Economic hardship alone shall not be justification for noncompliance with the requirement, but may be considered in conjunction with other reasons for noncompliance.” This elevation contains the elevator and staircase tower. It serves as a more utilitarian facade of the building similar to the west elevation with the exterior staircase. Due to the interior floorplan, it would be impractical to have additional windows on this elevation. Any additional windows would need to be non-functional “fake” windows placed there only for appearance from the exterior. 2nd Street is a dead-end street and visibility would be no greater than, and probably less than, the north and south elevations. With the percentage of windows on the ground floor on this elevation and compliance with percentages for the north and south elevation windows, it would be impractical to require additional windows on the east elevation.

In balance, the proposed window percentages meet the Code requirements.

- S. Section 14.115.F, Siding and Wall Treatment.
 “1. Standards for All Uses.

The following types of siding and wall materials and treatments are prohibited:

- a. *Cladding materials such as corrugated metal panels or spandrel glass;*
- b. *Panels that are poorly detailed or do not have detailing;*
- c. *Neon or other fluorescent colors;*
- d. *Bright or primary wall colors for the entire wall surface;*

- e. *Flagstone, simulated river rock, or other similar veneer cladding;*
- f. *Painted brick; and*
- g. *Non-durable materials such as synthetic stucco or shingles at the ground floor."*

"2. *Wall treatment: Guidelines for All Uses.*

- a. *Variations in wall cladding materials and patterns consistent with historic patterns are encouraged (Figure 14.115-12).*
- b. *Natural or subdued building colors are encouraged (Figure 14.115-12).*
- c. *Bright colors may be used for accent trim in limited amounts.*
- d. *Durable materials such as brick, stucco, granite, pre-cast concrete, board and batten, or horizontal wood siding should be used (Figure 14.115-12). These materials include galvanized corrugated metal on buildings for industrial uses.*
- e. *Architectural wall features such as belt courses, pilasters, and medallions are encouraged."*

Finding: Siding will be red board and batten at the one-story, east end, lobby area, and the east elevator/stair case tower. The main portion of the building will be gray horizontal "V" groove siding with 7" reveal. The ground floor will be board formed This criterion is met..

T. Section 14.115.G, Awnings, states

"1. *Standards for Types of Awnings and Treatments.*

The following types of awnings and awning treatments are prohibited:

- a. *Fixed "bubble shaped" awnings and*
- b. *Awnings lit internally.*
- c. *Awnings improperly sized for the building/entry/window."*

"2. *Guidelines for Types of Awnings and Treatments.*

The following types of awnings and awning treatments are discouraged:

- a. *Vinyl or other non-compatible material awnings; and"*

"3. *Standards for awning locations Along River Trail and North/South Rights-of-Way.*

Awnings are generally discouraged and shall not project into the setback area."

Finding: Two styles of awnings are proposed for the site; one is a large canopy extending south from the lobby area and is framed with timber and roofed to match the building. The second awning is a 2' deep design on the south side of the building with a standing seam metal roof. Neither are discouraged designs. This criterion is met.





U. Section 14.115.H, Lighting, states

“1. *Standards for Lighting Types and Treatments for All Uses.*

The following lighting types or treatments are prohibited:

- a. *Neon silhouette accent lighting;*
- b. *Fluorescent tube lighting;*
- c. *Security spotlight;*
- d. *Signs lit by lights containing exposed electrical conduit, junction boxes, or other electrical infrastructure; and*
- e. *Up-lighting that shines into the sky or light that shines into other properties or traffic.”*

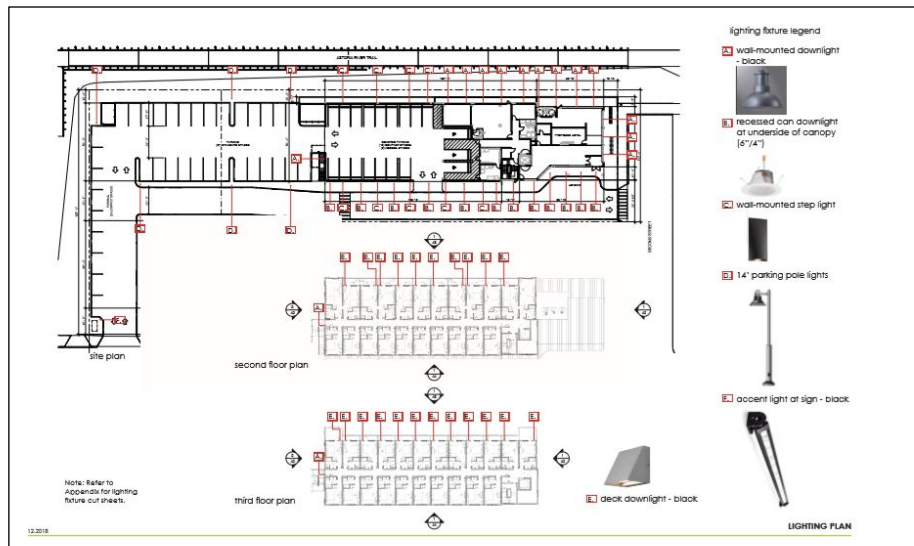
“2. *Standards Regarding Glare for All Uses.*

Outdoor lighting shall be designed and placed so as not to cast glare into adjacent properties. Light fixtures should be designed to direct light downward and minimize the amount of light directed upward, including lighting from wall-washing fixtures. The Community Development Director may require the shielding or removal of such lighting where it is determined that the lighting is adversely affecting adjacent properties or directing significant light into the night sky.”

“3. *Wall-Washing Light.*

Wall-washing lighting fixtures should be concealed and integrated into the design of buildings or landscape walls and stairways.”

Finding: Exterior lighting includes a mix of wall mounted downcast lighting; recessed can down lighting under the canopy; wall mounted step lights; deck down lights; 14’ parking lot pole lighting; accent light at monument sign. All lighting is proposed to have full cutoff; some lighting recessed into building facade. Should any light be found to cast a glare into adjacent properties, the night sky, or the River Trail after installation, the Community Development Director may require removal and/or shielding be installed (Condition #3). With conditions, this criterion is met.



V. Section 14.115.I, Signs, states “Signs in the Bridge Vista Overlay Zone are subject to the requirements in Article 8 (Sign Regulations) of the Astoria Development Code. The following additional standards apply to signs in the Pedestrian-Oriented District. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

1. Monument signs (Figure 14.115-15) are allowed up to a maximum of 32 square feet.
2. Monument signs shall be a maximum of five (5) feet tall.
3. Monument signs shall be constructed from materials that are consistent with the historic character of the area, including wood, brick, stone, and metal.
4. Freestanding pole-mounted signs are prohibited (Figure 14.115-15).”

Section 8.150.A, Signs in the C-3 Zone, Total Square Footage Permitted, states “The total square footage of all signage associated with a business site, use, or activity shall not exceed 150 square feet, with no single sign exceeding 100 square feet.”

Section 8.150.C, Signs in the C-3 Zone, Wall, Roof Mounted, or Projecting Signs, states

- “1. Area. The total allowable area for all permanent signs attached to the building is determined as follows:
 - a. A wall, roof mounted, or projecting sign of one (1) square foot per lineal foot of building frontage is allowed.
 - b. Individual sign face area. The maximum size of an individual sign within the total allowable area limits is 100 square feet.”

Section 8.150.D, Signs in the C-3 Zone, Number of Signs, states “The number of signs within the total allowable area is limited to two (2) signs per building frontage.”

Section 8.150.H, Signs in the C-3 Zone, Monument Sign, states

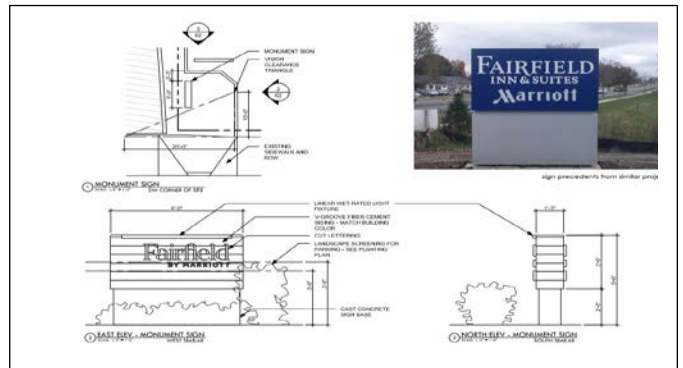
- “1. Number. One (1) sign shall be permitted for each site devoted to a single business, building, use or activity with a street frontage of up to 200 lineal

feet. Lots with frontage in excess of 200 lineal feet may have a maximum of two (2) monument signs. Corner lots can count two (2) street frontages.

2. **Area.** Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to buildings. Monument signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet.
3. **Height.** The maximum height of a monument sign shall be 10 feet.”

Finding: The proposed development is outside of the Pedestrian-Oriented District; the additional standards do not apply.

The proposed development includes a 4'1" x 12'6" (51.25 square foot) wall sign on the east end of the south elevation composed of individual internal lit letters; and a 3' x 6' (18 square foot) 5' tall monument sign on the southwest corner of the site with concrete base and horizontal "V" groove siding with cutout letters. While the C-3 Zone allows a monument sign of 10' tall, Section 14.115.1.2, which controls if there is a conflict between Code Sections, limits the height to 5'. Total proposed signage is 69.25 square feet with two signs on the south elevation. The proposed signs comply with these criteria.



The applicant shall submit a sign permit to the Community Development Department separate from the building permit (Condition #4). Per City Code Article 6, the City Engineer reviews vision clearance for non-residential property. When submitted, a sign permit will be routed to the City Engineer for review.

- W. Section 14.120, Landscaping, states
“Landscaping is required in the Bridge Vista Overlay Zone in accordance with the provisions in this Section and those in Section 3.120 to 3.125. The provisions in this Section apply to new construction or exterior renovations with a value of at least 20% of the assessed value of the structure, or in the event of installation of new parking areas.

- A. **River Side or Riparian Standards.**
 1. **Height and Spacing.**
 - a. Maximum shrub height is 30 inches.
 - b. Maximum width of clusters of trees is 30 feet.

- c. *Clusters of trees shall have a minimum of 50 feet clear between branches at maturity.*
 - d. *Trees are not permitted to be planted on the river side of the River Trail within the extended public right-of-way or view corridor extending from it for a distance of 70 feet centered on the right-of-way centerline.*
 - e. *Trees shall not exceed 25 feet in height at maturity*
 - f. *Maximum height of fences is three (3) feet.*
2. *Native Plants.*
See Section 3.125 concerning use of native plants and list of recommended native plants.
- B. *Land Side or Upland Standards.*
The following standards apply to landscaping along the frontage of parcels abutting the River Trail to the south.
- 1. *Height and Spacing.*
 - a. *Maximum spacing of trees.*
 - (1) *20 feet on center for non-industrial uses*
 - (2) *15 feet on center for industrial uses*
 - b. *Maximum spacing of shrubs*
 - (1) *Five (5) feet on center for non-industrial uses*
 - (2) *Three (3) feet on center for industrial uses*
 - c. *Ground cover landscaping is required in between shrubs and trees.*
 - d. *Trees shall not exceed 35 feet in height at maturity*
 - 2. *Parking Area Landscaping.*
 - a. *Landscaping required between parking areas, streets, and sidewalks in accordance with Section 3.120.A.7 shall also be required between parking areas and the River Trail.*
 - b. *Landscaping shall minimize pedestrian exposure to parking lots with a hedge or a decorative fence that is 36" to 42" high.*
 - c. *Maximum tree height and width in parking areas shall be 15 feet at maturity.*

Finding: Landscaping is proposed along the northern property line to buffer the parking area from the River Trail. Landscaping is proposed along the east and west sides of portions of the parking areas, and along the south boundary of the northern parking lot. The area around the existing Stephanie Cabin building is proposed to be landscaped with ground cover. All landscaping is proposed to be within the property lines and not on the City River Trail property or within the rights-of-way. If the applicant proposes any landscaping outside the property line, it will require City approval, including potential lease agreements and/or maintenance agreements from the City.

The Community Development Department discussed landscaping requirements with the applicant after the proposal was originally submitted for review by DRC.

ASTORIA RIVER WALK

PROPERTY LINE

PROPOSED TREE, SHRUBS AND GROUNDCOVERS
(SEE NOTES, THIS SHEET, AND PLANTING LEGEND & SCHEDULE, SHEET L-2)

PROPOSED GROUNDCOVERS ON EXISTING REPAIR SLOPE
(WHERE PLANT ESTABLISHMENT IS FEASIBLE WITHOUT GRADING OR EARTH WORK)

PROPOSED TREE, SHRUBS AND GROUNDCOVERS
(SEE PLANTING LEGEND & SCHEDULE, SHEET L-2)

PROPOSED TREE, SHRUBS AND GROUNDCOVERS
HOLDING CITY OF ASTORIA DEVELOPMENT CODE 14.120.B.2.
(SEE PLANTING LEGEND & SCHEDULE, SHEET L-2)

PROPERTY LINE

PROPOSED GROUNDCOVERS
(SEE PLANTING LEGEND & SCHEDULE, SHEET L-2)

PROPERTY LINE

PROPOSED GROUNDCOVERS
(SEE PLANTING LEGEND & SCHEDULE, THIS SHEET)

LOADING

SECOND ST.

SMALL DECK AREA
EXISTING

7.5 GAS STATION
EXISTING

MARINE DR

PLANTING PL.

NOTES:

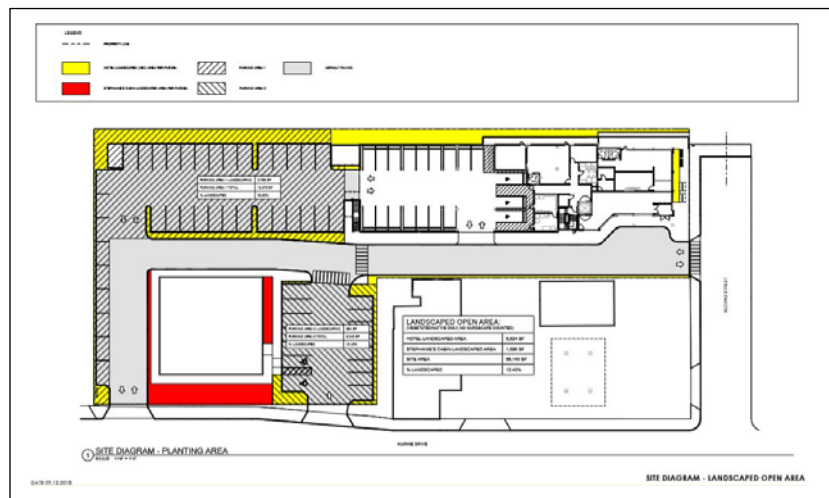
1. ALL LANDSCAPING MUST MEET REQUIREMENTS OF CITY OF ASTORIA DEVELOPMENT CODE SECTION 14.120.
2. PLANTINGS BETWEEN PARKING LOT AND NORTHERN PROPERTY LINE ARE DESIGNED TO MEET REQUIREMENTS OF DEVELOPMENT CODE SECTION 14.120.B.2. THIS IS SUBJECT TO REVIEW AS REQUIRED BY CITY OF OSC CONFORMANCE OF APPROVAL.
3. PLANT VARIETIES ARE SELECTED FOR SITE CONDITIONS AND GROWTH ATTRIBUTES INCLUDING PLANT SIZE AND SUBSTITUTIONS MAY BE MADE UNLESS APPROVED BY THE LANDSCAPE ARCHITECT.
4. THIS PLAN IS PRELIMINARY, FOR PERMITTING PURPOSES, NOT TO BE USED FOR CONSTRUCTION.

CORONAN NAME	LATIN NAME	HURSEY SIZE	PLANT TYPE	PLACEMENT
VINE RAFFLE	AZEA CRUCIATA	1.5" CAL. 8" HT. MIN.	DECIDUOUS TREE	AS SHOWN
SHINDENJO Japanese MAPLE	ACER PALMATUM 'SHINDENJO'	1.5" CAL. 8" HT. MIN.	DECIDUOUS TREE	AS SHOWN
BORDERIAN PINE	PRUNUS BRUCEOIDENS	6" HT. MIN.	EVERGREEN TREE	AS SHOWN
SANDWICH PINO CYPRUS	CHAMAETIPARS OBTUSA 'GRACE'	6" HT. MIN.	EVERGREEN TREE	AS SHOWN
EMERALD GREEN OLIVE	OLEA EUROPAEALIS 'EMERALD'	6" HT. MIN.	EVERGREEN TREE	AS SHOWN
DWARF WITCH ALDER	HOTEBERGELLA GARDNERI	1 GAL. CONT. 12" MIN.	DECID. SHRUB	AS SHOWN
CARSTADT ENDODENDRON	ENDODENDRON 'CARSTADT'	1 GAL. CONT. 12" MIN.	EVL. SHRUB	AS SHOWN
ROSA ARBOR ENDODENDRON	ENDODENDRON 'NOVA MINUT'	1 GAL. CONT. 12" MIN.	EVL. SHRUB	AS SHOWN
DWARF MOUNTAIN LAUREL	KALIA LATIFOLIA 'LTP'	1 GAL. CONT. 12" MIN.	EVL. SHRUB	AS SHOWN
STREBS FINGERING COTONEASTER	CEANOPIUS DAMMER 'STREBS FINE'	4" CONT.	GROUND COVER	18" O.C. TRIANGULAR SPACING
VARIABLES GARNEL CREPERS	CEANOPIUS OBVERSUS HORIZONTALIS	4" CONT.	GROUND COVER	18" O.C. TRIANGULAR SPACING

X. Section 2.405, Landscaped Open Area in the C-3 Zone, states that “A *minimum of 10 percent of the total lot area will be maintained as a landscaped open area.*”

Finding: The County Assessor documents indicate the total site as 56,177 square feet. As required by the C-3 Zone, 10% (5,617 square feet) of the lot shall be landscaped. The calculations indicated on the plans show 7,120 square feet (12.7%) of site landscaping.

B:\DATA\MANAGER\AGENDA\CITY COUNCIL\12-20-2018 ss\AP18-05 on DR18-01R findings for CC FINAL.docx



Final landscaping calculations will be made once the final site plan and proposed landscaping has been reviewed and approved by the Planner. The calculations as shown on the plans appear to meet the required percentages. Actual configuration and/or plant material may need to be altered to meet other code requirements during the planning and building permit review process. The applicant shall submit a final landscaping plan with materials and calculation for review and approval by the Planner prior to issuance of the building permit. All landscaping shall be installed prior to final inspection and/or any occupancy of the structure (Condition #5).

Y. Section 14.120, Landscaping, states

“A. *River Side or Riparian Standards.*

3. *Landscaping Credits for Non-Vegetation Features.*

- a. *The Community Development Director may approve non-vegetative features to account for up to 40% of required landscaping when the features consist of hardscaped pedestrian-oriented areas (e.g., courtyards, plazas). Permeable paving and other stormwater management techniques are encouraged in the design of these areas.*
- b. *An application proposing more than 40% of required landscaping be credited by non-vegetative features is subject to approval in accordance with procedures in Article 9 and Article 12.*
- c. *Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.”*

“B. *Land Side or Upland Standards.*

The following standards apply to landscaping along the frontage of parcels abutting the River Trail to the south.

3. *Landscaping Credits for Non-Vegetation Features.*

- a. *The Community Development Director may approve non-vegetative features to account for up to 25% of required landscaping when the features consist of the following:*
 - (1) *Hardscaped pedestrian-oriented areas (e.g., courtyards, plazas); and/or*
 - (2) *At least one of the following amenities meeting the City approved design within the public right-of-way and/or River Trail right-of-way:*
 - (a) *bike rack*
 - (b) *bench*
 - (c) *table*
 - (d) *drinking fountain*
 - (e) *directional or interpretive/information signage*
 - (f) *trash or recycling container*
 - (g) *lighting*
 - (h) *restroom*

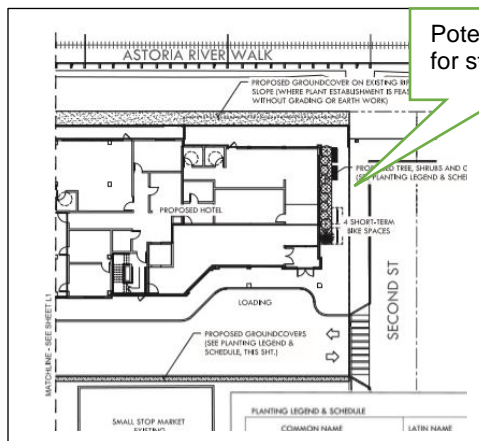
Permeable paving and other stormwater management techniques are encouraged in the design of these areas.
- b. *An application proposing more than 25% of required landscaping be credited by non-vegetative features is subject to approval in accordance with procedures in Article 9 and Article 12.*
- c. *Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss."*

Finding: Non-vegetative features are not proposed for this project as part of the landscaping calculations.

- Z. Section 14.120.C, Street Trees, states
"Street trees shall be planted within the right-of-way along both sides of the street in the Bridge Vista Overlay Zone in accordance with the provisions in this Section.
 1. *Spacing should be 30 feet on center, depending on species and branching habit.*
 2. *Minimum size of deciduous trees should be 2" caliper, with an upright form.*
 3. *Mature branching height should be a minimum of 15 feet.*
 4. *Maximum height for street trees along north-south streets between West Marine Drive / Marine Drive and the Columbia River is 45 feet.*
 5. *Street trees along north-south streets between West Marine Drive / Marine Drive and the Columbia River shall have narrow profiles and/or be pruned to a maximum width of 15 feet.*
 6. *Street trees along north-south streets between West Marine Drive / Marine Drive and the Columbia River shall be one of the columnar species listed in Section 3.125.B.1, unless otherwise approved by the Community Development Director.*

7. *Durable tree grates and trunk protectors should be installed.*
8. *Areas between trees should be landscaped with a variety of shrubs and perennials, with an emphasis on flowering species.*
9. *Required street trees shall be maintained by the adjacent property owner and/or other identified entity. There shall be a maintenance agreement or other City approved agreement.*

Finding: The applicant notes the location of the existing driveway cuts prohibit street tree installation because they would conflict with vision clearance corners. However, there are street tree varieties which could possibly work and address vision clearance issues. The area north of the driveway adjacent to the one-story portion of the building would not be within the vision clearance area and could accommodate street trees. This is a dead-end street. The applicant shall work with the City Engineer and Planner in developing a final landscape plan to include street trees along 2nd Street unless the City determines they would create a safety hazard. The applicant shall be responsible for maintenance of the street trees and shall enter into a recorded maintenance or other City approved agreement with the City (Condition #6).



Potential area for street trees



V. CONCLUSION

Based on the Findings of Fact above, the Astoria City Council finds that the request, in balance, meets the applicable criteria and approves the request with the following conditions:

1. Prior to demolition of the Ship Inn building, the applicant shall obtain a demolition permit from the Building Department.

2. The applicant shall work with Recology, the City's solid waste disposal company, to confirm that the location and opening of the trash enclosure meet with their requirements. The door configuration shall not impact the adjacent parking spaces.
3. Should any light fixture on the property be found to cast a glare into adjacent properties, the night sky, or the River Trail after installation, the Community Development Director may require removal and/or shielding be installed.
4. The applicant shall submit a sign permit to the Community Development Department separate from the building permit.
5. The applicant shall submit a final landscaping plan with materials and calculation for review and approval by the Planner prior to issuance of the building permit. All landscaping shall be installed prior to final inspection and/or any occupancy of the structure.
6. The applicant shall work with the City Engineer and Planner in developing a final landscape plan to include street trees along 2nd Street unless the City determines they would create a safety hazard. The applicant shall be responsible for maintenance of the street trees and shall enter into a recorded maintenance or other City approved agreement with the City.
7. The trash enclosure shall have a lid/roof to screen from view.
8. The transformer enclosure shall have a lid/roof to screen from view and/or to reduce potential noise unless not allowed by building codes.
9. No portion of the structure, including awnings, shall encroach into the required 70' view corridor.
10. Riverside landscaping requirements shall be applicable to the north facade of the site, and Land Side landscaping standards shall apply to the rest of the site.
11. Significant changes or modifications to the proposed plans as described in the Findings of Fact shall be reviewed and approved by the Design Review Committee.
12. The applicant shall obtain all necessary City and building permits prior to the start of construction.



CITY OF ASTORIA

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MEMORANDUM • COMMUNITY DEVELOPMENT

December 18, 2018

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: APPEAL AP18-04 BY MARK HOLLANDER, HOLLANDER HOSPITALITY OF
HISTORIC LANDMARKS COMMISSION NEW CONSTRUCTION REQUEST
NC18-01 AT 1 2ND STREET

Background

On June 25, 2018 the Historic Landmarks Commission (HLC) and the Design Review Committee (DRC) held public hearings and respectively reviewed a New Construction Request (NC18-01) and Design Review Request (DR18-01) to construct a four-story hotel at 1 2nd Street. The location is within the Bridge Vista Overlay Zone (BVOZ), and adjacent to historically designated structures, which triggered review by both groups. The HLC and DRC both voted to tentatively deny the requests at their June 25, 2018 meetings, and formally denied the proposals with revised Findings of Fact at their respective meetings on July 10, 2018.

The denials were subsequently appealed by the applicant on July 25, 2018. Public notices for the appeals were sent, and a combined public hearing on the HLC Appeal (AP18-04) and DRC Appeal (AP18-03) was held at the August 23, 2018 City Council meeting. At that Council public hearing, the applicants submitted revised proposed plans. The Council tentatively approved the Appeal and reversed the HLC denial, thereby tentatively approving the New Construction Request (NC18-01) pending adoption of Findings of Fact. The appellant was directed to have their attorney prepare revised Findings of Fact to be brought back for consideration at a subsequent Council meeting. At the August 23, 2018 meeting, the Council remanded the Design Review Request (DR18-01) back to the Design Review Committee for additional consideration. The appeal of the DRC decision is addressed in a separate memo to the Council.

The revised plans submitted with the initial appeal differ from those previously reviewed by the HLC and at the first DRC hearing. However, on appeal and in accordance with Development Code Section 9.040.G.1, the Council may modify the decision of the HLC. Revised Findings of Fact to approve the HLC Request were prepared and are attached for Council consideration at the December 20, 2018 special meeting. The public hearing on this request was closed at the August 23, 2018 meeting and no new testimony may be taken without additional public notice. Council will need to review the new design and consider adoption of the Findings of Fact on Appeal (AP18-04) for New Construction Request (NC18-01).

Oregon Revised Statute Section ORS 227.178(1) requires that land use decisions, including appeals, be resolved within 120 days from the date a complete application is submitted unless

the applicant grants an extension. The original 120-day review time would have expired on August 29, 2018 but the applicant has extended the date for additional days to December 21, 2018.

Appeal Procedures

The public hearing on Appeal (AP18-04) for New Construction Request (NC18-01) was closed at the August 23, 2018 City Council meeting. No new testimony may be taken without new public notice provided to the public. The Council tentatively approved the revised plans submitted by the appellants at the July 25, 2018 Council meeting pending adoption of Findings of Fact for approval. Development Code Section 9.040.G.1, Appeals, Review Body Decision states *"Upon review, the reviewing body may affirm, reverse, or modify the decision of the lower body or staff."* Since the motion to approve was tentative, the Council may adopt these Findings of Fact to approve the appeal request, modify the approval, remand the issue back to the HLC, or deny the request pending revised Findings of Fact. The final decision on approval or denial of the New Construction Request needs to be completed by December 21, 2018 to comply with the State 120-day rule. The City Council's decision may be appealed to the Land Use Board of Appeals (LUBA) by parties to the record by filing a notice of intent to appeal with LUBA within 21 days.

RECOMMENDATION

If the Council determines the proposal meets the HLC criteria for approval, it would be in order for Council to adopt the Finding of Fact on Appeal (AP18-04) for New Construction Request (NC18-01) to support the Council's tentative decision on August 23, 2018 to reverse the HLC denial, thereby approving the New Construction Request.

Prepared By: Rosemary Johnson Planning Consultant

STAFF REPORT AND FINDINGS OF FACT

December 18, 2018

TO: ASTORIA CITY COUNCIL

FROM: COMMUNITY DEVELOPMENT DEPARTMENT STAFF

SUBJECT: APPEAL (AP18-04) FINDINGS FOR NEW CONSTRUCTION REQUEST (NC18-01) BY MARK HOLLANDER OF HOLLANDER HOSPITALITY TO CONSTRUCT A FOUR-STORY HOTEL AT 1 2nd STREET

I. **BACKGROUND SUMMARY**

- A. Appellant: Mark Hollander, President
Hollander Hospitality
119 North Commercial Street # 165
Bellingham WA 98225
- B Applicant: Craig Riegelneegg – Carleton Hart Architecture
830 SW 10th Avenue, #200
Portland OR 97205
- C. Owner: Hollander Properties LLC
Fair Whether LLC
Mark Hollander
119 North Commercial Street # 165
Bellingham WA 98225
- D. Location: 1 2nd Street; Map T8N R9W Section 7DA, Tax Lots 11800 & 11900; Lots 1, 2, 3, 4, Block 1, McClure; and Map T8N R9W Section 7DB, Tax Lots 1200, 1300, 1400, 1501; Unplatted lots fronting on Block 1, Hinman's Astoria
- E. Classification: New construction adjacent to site designated as historic requiring review by HLC
- F. Proposal: To construct a new four-story hotel
- G. Zone: C-3 Zone (General Commercial), Bridge Vista Overlay Zone (BVO), Flood Hazard Overlay (FHO), and CRESO Zone



II. APPEAL BACKGROUND

On June 25, 2018 the Historic Landmarks Commission (HLC) and the Design Review Committee (DRC) held public hearings and respectively reviewed a New Construction Request (NC18-01) and Design Review Request (DR18-01) to construct a four-story hotel at 1 2nd Street. The location is within the Bridge Vista Overlay Zone (BVOZ), and adjacent to historically designated structures, which triggered review by both groups. The HLC and DRC both voted to tentatively deny the requests at their June 25, 2018 meetings, and formally denied the proposals with revised Findings of Fact at their respective meetings on July 10, 2018.

The denials were subsequently appealed by the applicant on July 25, 2018. Public notices for the appeals were sent, and a combined public hearing on the HLC Appeal (AP18-04) and DRC Appeal (AP18-03) was held at the August 23, 2018 City Council meeting. At that Council public hearing, the applicants submitted revised proposed plans. The Council tentatively approved the Appeal and reversed the HLC denial, thereby tentatively approving the New Construction Request (NC18-01) pending adoption of Findings of Fact. The appellant was directed to have their attorney prepare revised Findings of Fact to be brought back for consideration at a subsequent Council meeting.

At the August 23, 2018 meeting, the Council remanded the Design Review Request (DR18-01) back to the Design Review Committee for additional consideration. The appeal of the DRC decision is addressed in separate findings for review and adoption by City Council.

The revised plans submitted with the initial appeal differ from those previously reviewed by the HLC and at the first DRC hearing. However, on appeal and in accordance with Development Code Section 9.040.G.1, the Council may modify the decision of the HLC.

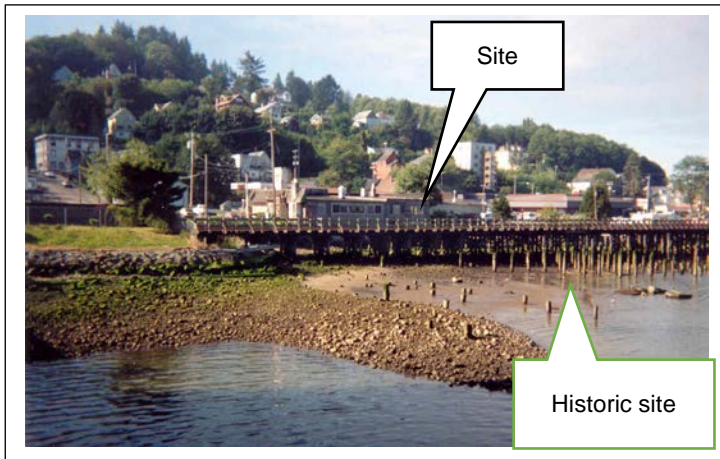
The public hearing on this request was closed at the August 23, 2018 meeting and no new testimony may be taken without additional public notice.

Oregon Revised Statute Section ORS 227.178(1) requires that land use decisions, including appeals, be resolved within 120 days from the date a complete application is submitted unless the applicant grants an extension. The original 120-day review time

would have expired on August 29, 2018 but the applicant has extended the date for additional days to December 21, 2018.

III. SITE BACKGROUND

The subject property is located on the north side of Marine Drive, between vacated 1st street, west of 2nd street, and south of the shoreline. The site is significant for historic review due to the unique structural features that remain of the White Star Cannery, and canneries that were once vital to Astoria's culture and economy. The property adjacent to the development site was approved by HLC for historic designation as a local landmark (HD15-01) on November 17, 2015.



The buildings at the historic site no longer exist, however the remaining features include the pilings that once supported the docks and buildings, a boiler from the White Star Cannery, and ballast rock left by fishing vessels. Few structures such as this remain within the City to represent the fishing industry and working waterfront. The historically designated site was once the site of several fish processing companies including White Star, Van Camp, Sanborn and New England Fish Company.

The current site conditions are noted in the following photos, as of June 23, 2018.



Left to right: looking SW; looking north; looking NW

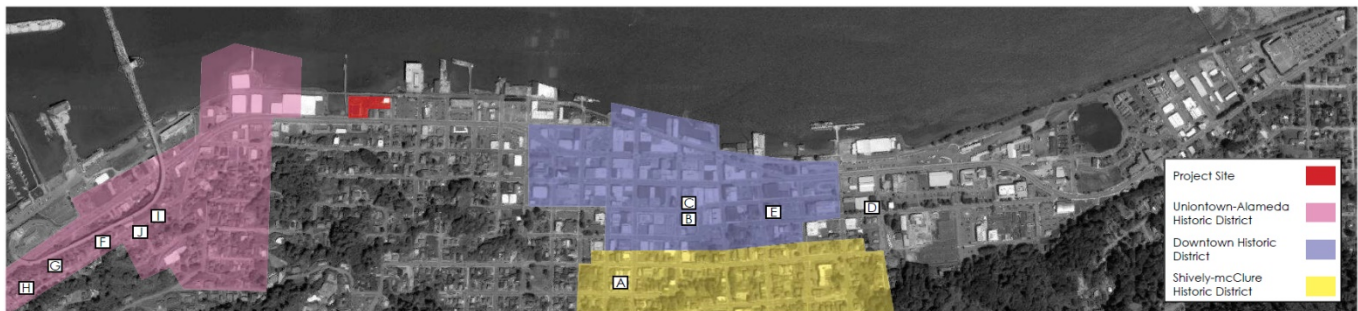
Area:

The proposed location is bounded on the north by the rail banked property (River Trail); on the east by 2nd street; and on the west by an adjacent privately-owned property. The proposed area includes the existing structures that house Stephanie's Cabin Restaurant and the Ship Inn. The area includes Map T8N R9W Section 7DA, Tax Lots 11800 & 11900; Lots 1, 2, 3, 4, Block 1, McClure; and Map T8N R9W Section 7DB, Tax Lots 1200, 1300, 1400, 1501; Unplatted lots fronting on Block 1, Hinman's Astoria. Prior to any construction, the applicant shall submit a lot line adjustment permit to the Community Development Department to combine the lots.

Proposed Construction:

This proposal is to demolish the Ship Inn structure to construct a four-story hotel with covered parking on the ground floor. The proposed building includes total floor area of approximately 29,614, with 66 rooms, dining, office, lobby, and fitness center area for guests.

The site lies between historic districts, noted in the applicant's map below. Multiple versions of plans have been submitted over the last few months of review. The



final design documents were submitted to the City Council during the appeal and were used to review against the HLC criteria in these Findings of Fact.

IV. PUBLIC REVIEW AND COMMENT

Historic Landmarks Commission:

Public notice was mailed to all property owners within 250 feet of the property pursuant to Section 9.020 on September 17, 2018 for the Remand hearing by DRC. A notice of public hearing was published in the *Daily Astorian* on October 2, 2018. As required per Section 9.020.D, on-site notice was posted at the site near 2nd Street 14 days prior to Appeal (AP18-03) hearing of August 23, 2018 and was left at the site.



City Council:

Public notice was mailed to parties on the record pursuant to Section 9.020 on November 21, 2018. A notice of public hearing was published in the *Daily Astorian* on December 5, 2018. As required per Section 9.020.D, on-site notice was posted at the site near 2nd Street 14 days prior to Appeal (AP18-03) hearing of August 23, 2018 and was left at the site.

Public comments received were presented to the City Council at the December 12, 2018 appeal public hearing. The public hearing was closed at that meeting and no additional public comments may be made without additional public notice.

Oregon Revised Statute Section ORS 227.178(1) requires that land use decisions, including appeals, be resolved within 120 days from the date a complete application is submitted unless the applicant grants an extension. The original 120-day review time would have expired on August 29, 2018 but the applicant has extended the date for additional days to December 21, 2018.

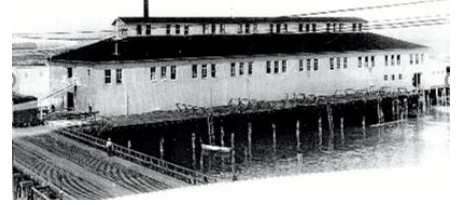
V. PROJECT BACKGROUND

A. Adjacent Neighborhood and Historic Property

The proposed location is bounded on the north by the rail banked property (River Trail); on the east by 2nd street; and on the west by an adjacent privately-owned property. The proposed area includes the existing structures that house Stephanie's Cabin Restaurant and the Ship Inn. The Bond street hillside rises up south from West Marine Drive and provides a stair stepped view of the historic homes in this neighborhood.

Review of new construction is triggered by the remains of the adjacent former cannery. Although the buildings are no longer there, the site is designated as historic due to the remaining structures and their major significance to the history of the waterfront fishing industry in Astoria. The buildings associated with the historic structures were destroyed by a fire. The pilings remain that indicate the original location. The White Star Cannery boiler is the main remaining structural feature of the building and seafood processing operations at the site. The ballast rocks are also indicative of former methods used to stabilize ships until they were loaded with cargo.

Historic remains of White Star Cannery



Former White Star Cannery adjacent to subject site; and existing remains of the cannery including the boiler, pilings, and ballast rocks.

The waterfront was once home to over 50 canneries, and Astoria was once headquarters for Bumble Bee Seafood. Only a few structural elements of these sites remain along the waterfront. The pile fields are a key element at the site triggering review for this development because they provide an example of support structures of former fish processing facilities, and are fairly intact.

Most of the existing commercial properties along West Marine Drive are less than four stories high and are situated on the front property lines. One tall building in the area is the Columbia House Condominium building (1 3rd Street) which has four stories. Other taller buildings located further west such as the Uniontown Bridge Apartments at 286 West Marine Drive was built as early as 1896 and is the only remaining Finnish boarding house on West Marine Drive. This structure is 3.5 stories high and sits on the front property line.

When the adjacent property was designed for nomination, it had letters of support from the Division of State Lands, who own the submerged lands at the site, as well as the Columbia House Condominium Association. The site is not within an inventoried historic district area, and thus could not automatically be considered a Historic Landmark. Background information on the Historic Designation (HD15-01) approval of November 17, 2015 is incorporated by reference as background/ reference material.

B. Proposed Structure

Construction at a glance:

Style/Form: Four-story rectangular shaped building with parking area located on part of first floor footprint. The building is stepped back 10' on the third and fourth floors on the north elevation, allowing for additional height.

Roof: Primary gable with 3:12 pitch, six shed gables with 2:12 pitch; 1" high standing seam metal; coated with fade-resistant PVDF for black appearance. Single story on east end would have a north-facing clerestory roof of same material.

Siding: Samples of proposed exterior wall treatments have been submitted, board and batten siding is proposed at the ground floor near the lobby area, and on southeast corner "circulation tower" in a red color; "V" groove horizontal siding with 7" reveal on main portion of building in a grey color to evoke an aged appearance of historical white paint. Exterior wall treatments include board formed concrete at ground floor and metal mechanical panels below guestroom windows, and a metal grate pattern enclosing the parking area.

Door: The main entry doors in the southeast will be out swing with black metal frame; main door recessed 9" from the facade, clear glass. Additional doors in the north concrete wall, south elevation at base of tower, and west staircase doors will be outswing with black metal frames, recessed 3" to 5" from the facade, clear glass. Deck doors will be recessed 3.5" from facade.

Windows: Hotel room windows will be simulated six-lite casement with exterior muntins, recessed 3.5" from facade; black metal; crown moldings contiguous with belt courses between floor levels. Storefront window panels of 4 panel high x 3 panel wide true divided lites; black metal; recessed 3.5" from facade. All glass will be clear. Casings will be 5/4" x 4" minimum.

Other Design Elements: patio on northeast corner adjacent to eating area for guest use; black steel or bronze/silver grates on ground floor wall around covered parking area. Awning over main entry on south elevation; 2' deep standing seam metal roof awning over first floor south elevation.

Exterior Lighting: Exterior lighting includes a mix of wall mounted downcast lighting; recessed can down lighting under the canopy; wall mounted step lights; deck down lights; 14' parking lot pole lighting; accent light at monument sign. All lighting is proposed to have full cutoff; some lighting recessed into building facade.

Signage: The proposed development includes a 51.25 square foot wall sign on the east end of the south elevation of individual internal lit letters; and a 3' x 6' (18 square foot) 5' tall monument sign on the southwest corner of the site with concrete base and horizontal "V" groove siding with cutout letters. A separate sign permit shall be submitted along with the building permit for installation of the signs and review of the monument sign for vision clearance.

Trash and outdoor enclosures: A trash enclosure is proposed on the northwest corner of the property. A transformer enclosure is proposed on the northwest corner. Both enclosures will have "V" groove horizontal synthetic wood plank siding to match the building, with steel tube framing and a steel framed locking gate.

VI. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Development Code Section 1.125.B, Powers and Duties, *“The Historic Landmarks Commission may:*

1. *Enforce Article 6, Historic Properties. . .*
5. *Prepare information and materials for the purpose of assisting persons and property owners in conforming to the intent and purpose of Article 6, Historic Properties. . .”*

Finding: This historic site is important to the history of Astoria as a fishing community with a waterfront that was dominated by fishing industry buildings. The remaining features do not preserve the original building but instead preserve elements of the cannery that evoke the memory of those buildings and the historic and cultural development of the area. With the designation criteria noted, the HLC and/or City Council adopts Findings of Fact that apply the design review criteria based on the intent of the original designation of the site to preserve these remaining features of the former cannery building. It is appropriate to consider the design and development of the White Star Cannery and other historic waterfront buildings that defined the character of Astoria.

- B. Development Code Section 6.070(A) states that *“No person, corporation, or other entity shall construct a new structure adjacent to or across a public right-of-way from a Historic Landmark as described in Section 6.040, without first obtaining a Certificate of Appropriateness from the Historic Landmarks Commission.”*

Finding: The structure is proposed to be located adjacent to structure(s) designated as historic in Historic Designation (HD15-01), November 17, 2015. A letter attached, dated January 12, 2018, from City Attorney Blair Henningsgaard confirms review by HLC prior to development is required at the site.

- C. Development Code Section 6.070.B.1 Historic Landmarks Commission Historic Design Review Criteria.

“A request to construct a new structure shall be reviewed by the Historic Landmarks Commission following receipt of the request. In reviewing the request, the Historic Landmarks Commission shall consider and weigh the following criteria:

1. *The design of the proposed structure is compatible with the design of adjacent historic structures considering scale, style, height, architectural detail and materials.”*

Finding: The proposed hotel will be located adjacent to a site designated as historic on the City’s inventory of historic properties and, as noted above, shall be required to obtain a Certificate of Appropriateness for the new construction.

Designation of Historic Landmarks is not limited to buildings. It includes all aspects of the history of Astoria including the built environment, cultural heritage, archaeological sites, etc.

Section 6.070.B.1 requires that the proposed structure design be “compatible” with the design of the adjacent historic “structure”. The term “structure” is defined in the Development Code to include all “built or constructed” features. The historic site contains “structures” of a boiler from the former White Star Cannery, pilings that supported those cannery buildings, and the ballast rocks placed on the site when ships moored there to take on cargo from the cannery. Review by the HLC of the compatibility with these features is required. However, in comparing a new four-story structure with these historic features, the HLC needs to “consider and weigh” the criteria relative to “scale, height, architectural detail, and materials”. The City Council reviewed and considered the same criteria on an appeal.

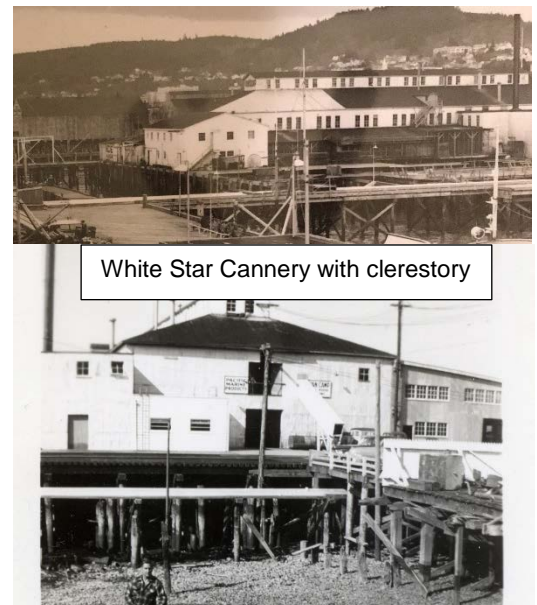
In considering how to apply the design review with the limited structures on the site, it should be noted that Comprehensive Plan Section 6.060.B.1 expresses a goal of “*protecting the . . . historic character of the City’s neighborhoods.*” Therefore, the proposed structure should include elements of Astoria’s character, and specifically to the waterfront seafood industry development of this area.

The City Council finds that the revised design proposed for this site has incorporated elements consistent with Astoria’s historic seafood industry and has therefore achieved compatibility with the adjacent remains of the former White Star Cannery.

- D. Development Code Section 6.070 (B.2) states that “In reviewing the request, the Historic Landmarks Commission shall consider and weigh the following criteria:
2. *“The location and orientation of the new structure on the site is consistent with the typical location and orientation of adjacent structures considering setbacks, distances between structures, location of entrances and similar siting considerations.*”

Development Code 1.400, Definitions, includes the following definitions:

“CONSISTENT: For the purpose of Article 6, Historic Properties Ordinance, consistent shall mean to be similar to the original historic feature in design, size, and/or material, or would meet the commonly acceptable intent of an original feature.”



White Star Cannery with clerestory

Finding: The following addresses each of the elements in Section 6.070.B.2 separately.

1. Orientation

The proposed structure has an east-west orientation. Historic buildings and canneries in this area typically had a north-south orientation. However, review of building orientation is not based solely on the historic buildings. Section 6.070.B.2 is based on both the historic buildings and the existing development of all buildings in the area. Stephanie's Cabin (44 Marine Drive) and the Mini Mart gas station (180 Marine Drive) have an east-west orientation while the previous historic cannery buildings and the existing Josephson's Smokehouse building (106 Marine) have a north-south orientation. Therefore, a north-south orientation may be more historically appropriate, but not required.



2. Location:

The building is proposed to be located on the north side of the property adjacent to the River Trail and set back from the Marine Drive right-of-way. Historically, buildings were constructed up to the Marine Drive property line. Currently, buildings are located at various distances from the front property lines.



The site is developed with Stephanie's Cabin which is not proposed to be demolished at this time, and the Ship Inn building which is proposed to be demolished. The building is proposed to be located on the north side of the

property which is the only portion of the applicant's lot open for construction with the current configuration.

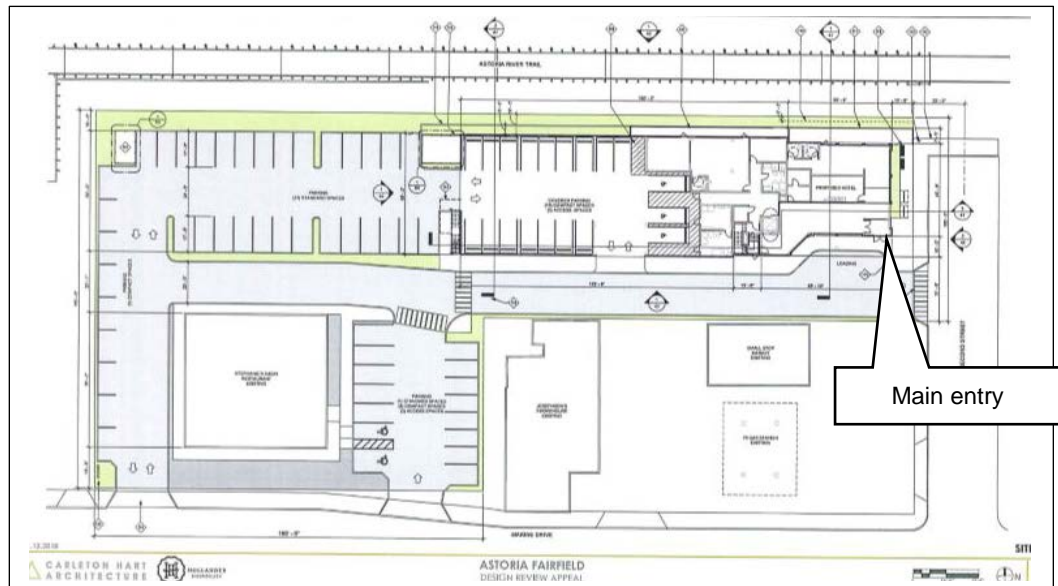
Considering the lot configuration and in weighing the various factors, the proposed footprint for location and orientation is consistent with development of the area.

3. Distance between structures:

Distances between structures varies in this area. The north side of Marine Drive has an open, modern development supportive of automotive driven businesses with parking, gas station drive-through, and fast food restaurant. The south side of Marine Drive has some historic development which have smaller side setbacks creating a tighter mixed commercial and residential neighborhood development. The proposed structure would be situated close to the rear of the existing buildings with an access roadway between them. Based on the existing development on the north side of Marine Drive, the distance between structures is consistent.

4. Location of Entrances:

The proposed development would be accessed from a driveway on 2nd Street and two driveways on the west end of the site from Marine Drive. All three driveways are existing. The access into the building would be from the southeast corner of the building. Stephanie's Cabin door is in the southeast corner and Josephson's Smokehouse and the mini mart are accessed from the center of the south elevations. There is no common location of entrances except they are all on the south facades, therefore the proposed location is consistent with the south facing entrances.



In considering and weighing the distance between structures and location of entrances of existing and historic structures, the proposed structure is consistent.

V. CONCLUSION AND RECOMMENDATION

Based on the Findings of Fact above, the City Council finds that the request, in balance, meets applicable review criteria and approves the request with the following conditions:

1. The applicant shall submit a sign permit to the Community Development Department separate from the building permit.
2. Prior to demolition of the Ship Inn building, the applicant shall obtain a demolition permit from the Building Department.
3. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed and approved by the Historic Landmarks Commission.
4. The applicant shall obtain all necessary City and building permits prior to the start of construction.