



AGENDA

ASTORIA CITY COUNCIL

TUESDAY, SEPTEMBER 5, 2017

7:00 PM

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

1. CALL TO ORDER

2. ROLL CALL

3. REPORTS OF COUNCILORS

4. CHANGES TO AGENDA

5. CONSENT

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

- a) Salary Resolution Updates (Finance)
- b) RARE AmeriCorps Update (Finance)
- c) Authorization to Purchase Bucket Truck (Public Works)

6. REGULAR AGENDA ITEMS

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

- a) Appeal of CU17-05 Appeal of CUP for Shooting Stars CDC (Community Development)
- b) Liquor License Application from Newport Pacific Corp, doing business as Mo's Restaurant, located at 101 15th Street, Astoria for an Additional Privilege for an Off-Premises Sales License (Finance)
- c) Transportation Growth Management Code Assistance Grant Application: Riverfront Vision Plan – Urban Core (Community Development)
- d) Memorandum of Understanding for Clatsop County Housing Study (City Manager)

7. 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>
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CITY OF ASTORIA

Founded 1811 • Incorporated 1856

August 31, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF SEPTEMBER 5, 2017

CONSENT CALENDAR

Item 5(a): Salary Resolution Updates (Finance) (Finance)

The proposed resolution incorporates the August 7, 2017 approved addition of Emergency Communications Operations Supervisor and consolidates Part Time and Seasonal Temporary into one table:

Police Union Employees	Addition to reflect new Range (Schedule C)
Part Time and Temporary Seasonal	Consolidate to Schedule F (removes F-1/F-2)

Changes have also been incorporated which reference appropriate sections of the Personnel Policies and Procedure Manual which were not updated previously. It is recommended Council approve the resolution.

Item 5(b): RARE AmeriCorps Update (Finance)

No action is required on this item and information is provided as an update on the Resource Assistance for Rural Environments (RARE) AmeriCorps participant placement and status of the upcoming agreement with University of Oregon.

The City of Astoria is one of 35 communities welcoming a RARE AmeriCorps participant in September. Astoria continues the partnership with over 475 rural communities and organizations who have been “getting things done” in Oregon with RARE AmeriCorps Participants for the past 23 years. We are pleased to welcome Jason Pollack, a native Oregonian, as our RARE Americorps participant. Jason has spent the last year working with the City of Memphis as an AmeriCorp Vista Member, in the Division of Housing and Community Development.

The cost to the City of Astoria for the RARE program is \$ 23,500 and is used to place, train and support the participant. This amount is in the approved FY 2017-18 Capital Improvement Fund budget.

Receipt of the agreement between University of Oregon and City of Astoria is anticipated in approximately three weeks, at which time it will be brought to for Council approval.

Item 5(c): Authorization to Purchase Bucket Truck (Public Works)

In 1984 Public Works purchased a new GMC Bucket Truck. The truck was used for street and traffic light maintenance, tree trimming, gutter and roof maintenance. It has reached the end of its useful life and was retired in the fall of 2016.

The Public Works Department requested demonstrations and quotes from three suppliers of bucket trucks. The results were as follows:

<u>TEREX</u> \$104,019.00	<u>ALTEC</u> \$104,185.00	<u>NELSON TRUCK (DURALIFT)</u> \$104,624.00
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The trucks were evaluated by Public Works staff. The Altec aerial lift stood out among the rest because of its bucket design and user friendly controls.

There are funds budgeted in the Public Works Improvement fund for this purchase. It is recommended Council approve the purchase of an Altec bucket truck \$104,185.00.

REGULAR CALENDAR

Item 6(a): Appeal of CU17-05 Appeal of CUP for Shooting Stars CDC (Community Development)

On June 6, 2017, Denise Giliga of Shooting Stars Child Development Center applied for a Conditional Use permit (CU17-07) to the Astoria Planning Commission (APC) to locate an educational facility at 413 Gateway Avenue. This location is zone S-2, Shoreland Development. On July 25, 2017, the APC held a public hearing and approved the request with conditions. A Notice of Appeal on the APC decision was submitted by Christopher Connaway on August 7, 2017 within the 15 day appeal period. Mr. Connaway has standing to appeal as he provided public testimony at the original hearing. It is recommended that the City Council hold the public hearing on the appeal and consider whether to uphold, reverse, or remand the Astoria Planning Commission decision for Conditional Use permit 17-07.

Item 6(b): Liquor License Application from Newport Pacific Corp, doing business as Mo's Restaurant, located at 101 15th Street, Astoria for an Additional Privilege for an Off-Premises Sales License (Finance)

A Liquor License Application has been filed by Bob Scull for Newport Pacific Corp doing business as Mo's Restaurant, located at 101 15th Street, for an Additional Privilege for an Off-Premises Sales License. The appropriate departments have reviewed the application and it is recommended that Council consider approval of the application.

Item 6(c): Transportation Growth Management Code Assistance Grant Application: Riverfront Vision Plan – Urban Core (Community Development)

In 2009, the City of Astoria adopted a Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. The City's north Riverfront (Columbia River to West Marine/ Marine Drive/Lief Erikson Drive) was divided into four "plan areas" of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16th to 39th Street), and Neighborhood Greenway (39th Street to east end of Alderbrook Lagoon). Since 2014, the City has been successful in implementing each section of the RVP with financial assistance from the Transportation & Growth Management Program, a state administered grant program and a Department of Land Conservation & Development grant for the Neighborhood Greenway section. The last section of the RVP that needs to be implemented through the Development Code is the Urban Core, which covers downtown Astoria. Staff would like to apply for additional funding to complete the implementation of the RVP and address a FY 17-18 City Council goal. It is recommended that the City Council authorize the Mayor to sign the letter of support for the Urban Core code assistance project and submit an application for grant funding.

Item 6(d): Memorandum of Understanding for Clatsop County Housing Study (City Manager)

In May 2017, a meeting was called by Clatsop County to allow for dialogue on County-wide issues between members of the County Commission and city councilors from Clatsop County municipalities. One of the discussion topics was affordable housing. Part of that discussion centered on the recently completed housing study for Tillamook County. It was determined that there was interest in conducting a housing study for all incorporated and unincorporated areas of Clatsop County.

Clatsop County has determined the cost for this project would be approximately \$100,000. The County has proposed to pay fifty percent of the cost with the remainder of the municipalities (Cannon Beach, Seaside, Gearhart, Warrenton and Astoria) paying \$10,000 apiece. A memorandum of understanding (MOU) between Clatsop County and the municipalities is attached which spell out details.

County Manager Cameron Moore will be in attendance at the September 5th meeting to answer any questions. City Attorney Henningsgaard has review and approved the MOU as to form. It is recommended that City Council consider the memorandum of understanding for the Clatsop County Housing Study.




CITY OF ASTORIA

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August 25, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: SALARY RESOLUTION UPDATES

DISCUSSION/ANALYSIS


Staff positions and associated compensation are detailed in the "Resolution Establishing a Basic Compensation Plan for the Employees of the City of Astoria and Establishing Regulations for the Placement of Present Employees within the Wage and Salary Schedules Provided". Whenever there are changes in positions, whether a position is being deleted, added or redefined; or whether a change in compensation is proposed; such changes are adopted by resolution. The proposed resolution incorporates the August 7, 2017 approved addition of Emergency Communications Operations Supervisor (with salaries as noted at that meeting) and consolidates Part Time and Seasonal Temporary into one table, with no changes in rates:

Police Union Employees	Addition to reflect new Range (Schedule C)
Part Time and Temporary Seasonal	Consolidate to Schedule F (removes F-1/F-2)

References to Personnel Policies and Procedure Manual sections have been updated as appropriate.

RECOMMENDATION

It is recommended that Council adopt the Salary Resolution as presented.

By: 
Susan Brooks, Director of Finance
and Administrative Services

RESOLUTION NO. 17-

A RESOLUTION ESTABLISHING A BASIC COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF ASTORIA AND ESTABLISHING REGULATIONS FOR THE PLACEMENT OF PRESENT EMPLOYEES WITHIN THE WAGE AND SALARY SCHEDULES PROVIDED

WHEREAS, the establishment of the principles of equal pay for equal work and compensation incentives for continued improvement in service by City employees should result in more efficient and more economical municipal government; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASTORIA:

Section 1. Establishing Pay Plan. That there is hereby established a basic compensation plan for employees of the City of Astoria who are now employed, or will in the future be employed, in any of the classifications of employment listed in Sections 4, 5, 6, and 7, which are arranged in collective bargaining units, and Sections 8 and 9, which include employees not in a bargaining unit.

Section 2. Salary And Wage Schedules. That the following salary and wage schedules shall constitute the basic compensation plan, consisting of a base or entry rate (A) and four merit steps in the corresponding range on the schedule. Stability Pay shall be part of the basic compensation plan. (See Section 4.6 of the Personnel Policies and Procedures).

Section 3. Classified Position Allocation. That the following is a computed salary schedule and position allocation. All increases above the base rate for each range are called merit steps. Step increases are merit increases and are not automatic but must be earned by the employee. (See Section 4.5 of the Personnel Policies and Procedures). Each range is identified by a number. Each step within the range is identified by a letter; A is the entry rate, with Steps B, C, D, and E. The following salary schedules are listed by employee groups:

Section 4. General/Parks Employees. The following positions and ranges comprise the General/Parks Employees Unit. See "Schedule A" for salaries.

GENERAL/PARKS UNION EMPLOYEES SCHEDULE A EFFECTIVE JULY 1, 2016					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Library Assistant	12	A	2,576.59	30,919	14.86
		B	2,705.42	32,465	15.61
		C	2,840.70	34,088	16.39
		D	2,982.73	35,793	17.21
		E	3,131.87	37,582	18.07
Accounting Support Clerk	14	A	2,695.16	32,342	15.55
		B	2,829.92	33,959	16.33
		C	2,971.42	35,657	17.14
		D	3,119.99	37,440	18.00
		E	3,275.99	39,312	18.90
Accounting Clerk Engineering Secretary Permit Technician	18	A	2,976.09	35,713	17.17
		B	3,124.89	37,499	18.03
		C	3,281.13	39,374	18.93
		D	3,445.19	41,342	19.88
		E	3,617.45	43,409	20.87

GENERAL/PARKS UNION EMPLOYEES SCHEDULE A EFFECTIVE JULY 1, 2016					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Senior Library Assistant	20	A	3,130.54	37,567	18.06
		B	3,287.07	39,445	18.96
		C	3,451.42	41,417	19.91
		D	3,624.00	43,488	20.91
		E	3,805.19	45,662	21.95
Recreation Coordinator	23	A	3,373.11	40,477	19.46
		B	3,541.76	42,501	20.43
		C	3,718.85	44,626	21.45
		D	3,904.79	46,858	22.53
		E	4,100.03	49,200	23.65
CAD Technician Engineering Technician Facility Coordinator Grounds Coordinator	26	A	3,631.21	43,574	20.95
		B	3,812.77	45,753	22.00
		C	4,003.40	48,041	23.10
		D	4,203.58	50,443	24.25
		E	4,413.75	52,965	25.46
Senior Engineering Technician	30	A	4,002.70	48,032	23.09
		B	4,202.84	50,434	24.25
		C	4,412.98	52,956	25.46
		D	4,633.63	55,604	26.73
		E	4,865.31	58,384	28.07

Section 5. Fire Department. The following Positions and Ranges comprise the Fire Department Unit.

FIRE UNION EMPLOYEES SCHEDULE B EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Firefighter*	22	A	4,677.60	56,131	19.2230
		B	4,911.48	58,938	20.1842
		C	5,157.06	61,885	21.1934
		D	5,414.91	64,979	22.2531
		E	5,685.65	68,228	23.3657
Includes 2.0% Stability		C	5,270.77	63,249	21.6607
		D	5,528.62	66,343	22.7204
		E	5,799.37	69,592	23.8330
Includes 3.5% Stability		C	5,356.05	64,273	22.0112
		D	5,613.91	67,367	23.0709
		E	5,884.65	70,616	24.1835
Includes 4.5% Stability		C	5,412.91	64,955	22.2448
		D	5,670.76	68,049	23.3045
		E	5,941.51	71,298	24.4172
Includes 6.0% Stability		C	5,498.20	65,978	22.5953
		D	5,756.05	69,073	23.6550
		E	6,026.79	72,322	24.7676

**FIRE UNION EMPLOYEES
SCHEDULE B
EFFECTIVE JULY 1, 2017**

POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Driver/Engineer*	24	A	4,917.18	59,006	20.2076
		B	5,163.04	61,956	21.2180
		C	5,421.19	65,054	22.2789
		D	5,692.16	68,306	23.3924
		E	5,976.77	71,721	24.5621
Includes 2.0% Stability		C	5,540.72	66,489	22.7701
		D	5,811.70	69,740	23.8837
		E	6,096.30	73,156	25.0533
Includes 3.5% Stability		C	5,630.38	67,565	23.1385
		D	5,901.35	70,816	24.2521
		E	6,185.96	74,231	25.4217
Includes 4.5% Stability		C	5,690.14	68,282	23.3842
		D	5,961.12	71,533	24.4977
		E	6,245.72	74,949	25.6674
Includes 6.0% Stability		C	5,779.80	69,358	23.7526
		D	6,050.77	72,609	24.8662
		E	6,335.38	76,025	26.0358
Fire Lieutenant*	28	A	5,418.07	65,017	22.2660
		B	5,688.97	68,268	23.3793
		C	5,973.42	71,681	24.5483
		D	6,272.09	75,265	25.7757
		E	6,585.69	79,028	27.0645
Includes 2.0% Stability		C	6,105.13	73,262	25.0896
		D	6,403.80	76,846	26.3170
		E	6,717.41	80,609	27.6058
Includes 3.5% Stability		C	6,203.92	74,447	25.4955
		D	6,502.59	78,031	26.7230
		E	6,816.19	81,794	28.0117
Includes 4.5% Stability		C	6,269.77	75,237	25.7662
		D	6,568.44	78,821	26.9936
		E	6,882.05	82,585	28.2824
Includes 6.0% Stability		C	6,368.56	76,423	26.1722
		D	6,667.23	80,007	27.3996
		E	6,980.83	83,770	28.6884

* The salary shown for these positions is for a 56-hour duty week. The conditions set forth below shall be adhered to by the Fire Department personnel:

1. Employees on the off-duty shifts shall be available for emergency service.
2. A shift must be short more than one employee before a replacement is called in. Replacements called in to duty in such a case would receive time and one-half (1/2); every effort must be made by the department to keep overtime pay to a minimum.
3. The duty cycle of the department shall be determined by the Fire Chief with the approval of the City Manager.

FIRE MANAGEMENT SCHEDULE B EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Deputy Fire Chief	47	A	6,706.00	80,472	38.68
		B	7,041.31	84,496	40.62
		C	7,393.37	88,721	42.65
		D	7,763.04	93,156	44.78
		E	8,151.19	97,815	47.03
Fire Chief	49	A	7,175.43	86,105	41.40
		B	7,534.20	90,410	43.47
		C	7,910.91	94,930	45.64
		D	8,306.46	99,677	47.92
		E	8,721.78	104,662	50.32

Section 6. Police Department. The following Positions and Ranges comprise the Police Department Unit.

POLICE UNION EMPLOYEES SCHEDULE C EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Records Specialist	12	A	2,811.42	33,737	16.2197
		B	2,951.99	35,424	17.0307
		C	3,099.59	37,195	17.8823
		D	3,254.57	39,055	18.7764
		E	3,417.30	41,008	19.7152
Senior Records Specialist	14	A	2,952.18	35,426	17.0318
		B	3,099.79	37,197	17.8834
		C	3,254.78	39,057	18.7776
		D	3,417.52	41,010	19.7164
		E	3,588.39	43,061	20.7023
Communications Operator	22	A	3,683.37	44,200	21.2502
		B	3,867.54	46,411	22.3127
		C	4,060.92	48,731	23.4284
		D	4,263.97	51,168	24.5998
		E	4,477.16	53,726	25.8298
Police Officer	29	A	4,284.00	51,408	24.7154
		B	4,498.20	53,978	25.9512
		C	4,723.11	56,677	27.2487
		D	4,959.27	59,511	28.6112
		E	5,207.23	62,487	30.0417
Senior Police Officer (effective 5/1/17)	30	A	4,840.95	58,091	27.9285
		B	5,083.00	60,996	29.3250
		C	5,337.15	64,046	30.7912
		D	5,604.00	67,248	32.3308
		E	5,884.20	70,610	33.9473
Communications Operations Supervisor	32	A	5,349.44	64,193	30.86
		B	5,616.91	67,403	32.41
		C	5,897.76	70,773	34.03
		D	6,192.65	74,312	35.73
		E	6,502.28	78,027	37.51

POLICE SWORN MANAGEMENT SCHEDULE C EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Sergeant	36	A	5,567.09	66,805	32.1178
		B	5,845.44	70,145	33.7237
		C	6,137.72	73,653	35.4099
		D	6,444.60	77,335	37.1804
		E	6,766.83	81,202	39.0394
Deputy Chief of Police	42	A	6,383.09	76,597	36,8255
		B	6,702.25	80,427	38,6668
		C	7,037.36	84,448	40.6001
		D	7,389.23	88,671	42.6302
		E	7,758.69	93,104	44.7617
Chief of Police/Assistant City Manager	48	A	7,107.87	85,294	41.0069
		B	7,463.26	89,559	43.0573
		C	7,836.42	94,037	45.2101
		D	8,228.24	98,739	47.4706
		E	8,639.66	103,676	49.8442

Section 7. Public Works. The Following Positions And Ranges Comprise The Public Works Unit. See "Schedule D" for salaries.

PUBLIC WORKS UNION EMPLOYEES SCHEDULE D EFFECTIVE JULY 1, 2016					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Equipment Servicer	14	A	2,899.15	34,790	16.73
		B	3,044.11	36,529	17.56
		C	3,196.31	38,356	18.44
		D	3,356.13	40,274	19.36
		E	3,523.93	42,287	20.33
Utility Worker	18	A	3,196.07	38,353	18.44
		B	3,355.87	40,270	19.36
		C	3,523.67	42,284	20.33
		D	3,699.85	44,398	21.35
		E	3,884.84	46,618	22.41
PUBLIC WORKS UNION EMPLOYEES SCHEDULE D EFFECTIVE JULY 1, 2016					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Equipment Mechanic I Sweeper Operator Utility Technician	20	A	3,361.10	40,333	19.39
		B	3,529.15	42,350	20.36
		C	3,705.61	44,467	21.38
		D	3,890.89	46,691	22.45
		E	4,085.43	49,025	23.57
Utility Worker II	22	A	3,541.09	42,493	20.43
		B	3,718.14	44,618	21.45
		C	3,904.05	46,849	22.52
		D	4,099.25	49,191	23.65
		E	4,304.21	51,651	24.83

**PUBLIC WORKS UNION EMPLOYEES
SCHEDULE D
EFFECTIVE JULY 1, 2016**

POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Wastewater Treatment Plant Operator Water Quality Technician	24	A	3,714.16	44,570	21.43
		B	3,899.87	46,798	22.50
		C	4,094.86	49,138	23.62
		D	4,299.61	51,595	24.81
		E	4,514.59	54,175	26.05
Equipment Mechanic II Senior Building Facilities Technician Senior Utility Technician Senior Utility Worker Stores Supervisor Water Source Operator	26	A	3,904.06	46,849	22.52
		B	4,099.26	49,191	23.65
		C	4,304.23	51,651	24.83
		D	4,519.44	54,233	26.07
		E	4,745.41	56,945	27.38
Lead Utility Worker Wastewater Treatment Plant Supervisor Water Quality Supervisor	28	A	4,090.86	49,090	23.60
		B	4,295.41	51,545	24.78
		C	4,510.18	54,122	26.02
		D	4,735.69	56,828	27.32
		E	4,972.47	59,670	28.69

Section 8. Management and Confidential. The following Positions and Ranges comprise the Management and Confidential Unit. See "Schedule E" for salaries.

MANAGEMENT AND CONFIDENTIAL EMPLOYEES SCHEDULE E EFFECTIVE JULY 1, 2017					
POSITION	RANGE	STEP	MONTHLY	YEARLY	HOURLY
Administrative Assistant	18	A	3,081.06	36,973	17.78
		B	3,235.11	38,821	18.66
		C	3,396.86	40,762	19.60
		D	3,566.71	42,800	20.58
		E	3,745.04	44,941	21.61
Executive Secretary	20	A	3,232.80	38,794	18.65
		B	3,394.44	40,733	19.58
		C	3,564.16	42,770	20.56
		D	3,742.37	44,908	21.59
		E	3,929.49	47,154	22.67
Administrative Services Manager Financial Analyst	28	A	3,939.74	47,277	22.73
		B	4,136.72	49,641	23.87
		C	4,343.56	52,123	25.06
		D	4,560.74	54,729	26.31
		E	4,788.78	57,465	27.63
Finance Operations Supervisor	30	A	4,136.86	49,642	23.87
		B	4,343.71	52,124	25.06
		C	4,560.89	54,731	26.31
		D	4,788.94	57,467	27.63
		E	5,028.38	60,341	29.01
Equipment Maintenance Supervisor	32	A	4,348.59	52,183	25.09
		B	4,566.01	54,792	26.34
		C	4,794.32	57,532	27.66
		D	5,034.03	60,408	29.04
		E	5,285.73	63,429	30.49
Assistant Public Works Superintendent Financial Report Manager Project Manager/City Planner	34	A	4,566.90	54,803	26.35
		B	4,795.25	57,543	27.66
		C	5,035.01	60,420	29.05
		D	5,286.76	63,441	30.50
		E	5,551.10	66,613	32.03
Aquatic Program Manager	35	A	4,685.40	56,225	27.03
		B	4,919.67	59,036	28.38
		C	5,165.66	61,988	29.80
		D	5,423.94	65,087	31.29
		E	5,695.14	68,342	32.86
Aquatic Center Supervisor Parks Maintenance Supervisor	36	A	4,797.22	57,567	27.68
		B	5,037.08	60,445	29.06
		C	5,288.93	63,467	30.51
		D	5,553.38	66,641	32.04
		E	5,831.05	69,973	33.64
Building Official /Code Enforcement Officer Public Works Superintendent	38	A	5,050.13	60,602	29.14
		B	5,302.63	63,632	30.59
		C	5,567.76	66,813	32.12
		D	5,846.15	70,154	33.73
		E	6,138.46	73,662	35.41

MANAGEMENT AND CONFIDENTIAL EMPLOYEES SCHEDULE E EFFECTIVE JULY 1, 2017					
		STEP	MONTHLY	YEARLY	HOURLY
Emergency Communications Manager	40	A	5,311.23	63,735	30.64
		B	5,576.79	66,921	32.17
		C	5,855.63	70,268	33.78
		D	6,148.41	73,781	35.47
		E	6,455.83	77,470	37.25
Assistant City Engineer Library Director	45	A	6,006.17	72,074	34.65
		B	6,306.48	75,678	36.38
		C	6,621.80	79,462	38.20
		D	6,952.89	83,435	40.11
		E	7,300.54	87,606	42.12
City Engineer	47	A	6,308.49	75,702	36.40
		B	6,623.91	79,487	38.21
		C	6,955.11	83,461	40.13
		D	7,302.86	87,634	42.13
		E	7,668.00	92,016	44.24
Finance Director Parks And Recreation Director Public Works Director	49	A	6,627.94	79,535	38.24
		B	6,959.34	83,512	40.15
		C	7,307.30	87,688	42.16
		D	7,672.67	92,072	44.27
		E	8,056.30	96,676	46.48
Community Development Director	51	A	6,959.54	83,514	40.15
		B	7,307.51	87,690	42.16
		C	7,672.89	92,075	44.27
		D	8,056.53	96,678	46.48
		E	8,459.36	101,512	48.80

Section 9. Part Time and Contingent Seasonal Work Employees. The following are positions for which part time or seasonal employees may be hired. See "Schedule F1" and "Schedule F2" for wages.

SCHEDULE F

DEPARTMENT	JOB TITLES
ALL DEPARTMENTS	CLERICAL SUPPORT
COMMUNITY DEVELOPMENT	BUILDING INSPECTOR
FINANCE	HUMAN RESOURCES SUPPORT ACCOUNTING SUPPORT CLERK
LIBRARY	LIBRARY PAGE I LIBRARY PAGE II LIBRARY ASSISTANT SENIOR LIBRARY ASSISTANT
PARKS & RECREATION	CASHIER HEAD CASHIER LIFEGUARD SWIM INSTRUCTOR

PARKS & RECREATION	RECREATION LEADER I RECREATION LEADER II PARKS LABORER
POLICE/EMERGENCY DISPATCH	ASSISTANT TO THE EMERGENCY COMMUNICATIONS MANAGER COMMUNITY SERVICE OFFICER
PUBLIC WORKS	PUBLIC WORKS LABORER WEEKEND WATER OPERATOR

**TEMPORARY EMPLOYEES
SCHEDULE F
EFFECTIVE JULY 1, 2017**

RANGE	STEP	HOURLY	RANGE	STEP	HOURLY
1A	1	10.25	2	1	21.00
	2	10.50		2	22.00
	3	10.75		3	23.00
	4	11.00		4	24.00
	5	11.25		5	25.00
	6	11.50		6	26.00
	7	11.75		7	27.00
	8	12.00		8	28.00
	9	12.25		9	29.00
	10	12.50		10	30.00
1B				11	31.00
				12	32.00
				13	33.00
				14	34.00
				15	35.00
			3	1	37.50
				2	40.00
				3	42.50
				4	45.00
				5	47.50
				6	50.00
				7	52.50
				8	55.00
				9	57.50
				10	60.00
				11	62.50
				12	65.00
				13	67.50
				14	70.00
1C				15	72.50
				16	75.00
			4	1	80.00
				2	85.00
				3	90.00
				4	95.00
				5	100.00
				6	105.00
				7	110.00
				8	115.00
				9	120.00
				10	125.00
			5	1	130.00
				2	140.00
				3	150.00
				4	160.00
				5	170.00
				6	180.00
				7	190.00
				8	200.00

Police Reserve: \$11.00 (Schedule F, Range 1A / 4) per training session, \$11.00 per hour assigned duty. Police Reserve rate of pay for dances, festivals, and similar duties shall be 1½ times Range 29A (Schedule E). All drills and training sessions must be officially approved.

Section 10. Advancement Within Range. As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 4.

Section 11. Exceptional And Additional Increases. As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 4.

Section 12. Stability Pay. As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Section 4.6. The table below lists the stability pay for the different employee groups:

General/Parks Union Employees	Step E of pay range	Schedule A
Fire IAFF Union	Step E of pay range	Schedule B
Fire Management	Step E of pay range	Schedule B
Police Union (sworn)	Step E of pay range	Schedule C
Police Union (nonsworn)	Step E of pay range	Schedule C
Police Management	Step E of pay range	Schedule C
Public Works Union	Step E of pay range	Schedule D
Management and Confidential	Step E of pay range	Schedule E

Section 13. Responsibility Pay. As authorized in the City of Astoria's Personnel Policies and Procedures, Compensation Plan, Sections 4.7.

Section 14. Repeal Of Resolutions. Resolution No. 17-25 adopted by the City Council on July 3, 2017 is hereby repealed and superseded by this resolution.

Section 15. Effective Date. The provisions of this resolution shall become effective upon passage and are retroactive to July 1, 2017.

ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 2017.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2017.

Mayor

ATTEST:

City Manager

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Councilor Nemlowill
Brownson
Price
Jones
Mayor LaMear




CITY OF ASTORIA

Founded 1811 • Incorporated 1856

Date August 11, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: RARE AMERICORPS UPDATE

DISCUSSION/ANALYSIS

In March, 2017, the City Council approved submitting a project application for a full-time Resource Assistance for Rural Environments (RARE) AmeriCorps participant assistance to provide internal emergency planning and support internal objectives identified as follows:

- Completion of the City Continuity of Operations Plan (COOP) and Continuity of Government (COG) Plans
- Coordination to identify and document essential functions, services assets and inventory along with the critical locations, partners and resources required for short term implementation and emergency management given a wide array of scenarios
- Integrate accumulated information into the Agility Recovery Solutions website
- Enhance ability to be prepared for disaster recovery through active participation in each operation area for plan implementation, resource requirements and critical training
- Coordinate and identify appropriate training resources and coordination for City employees and community partners
- Identify critical information and develop resources to provide public education which may include web and social media and develop materials to hand out or have available for public awareness/preparedness

The mission of the RARE Program is to increase the capacity of rural communities to improve their economic, social and environmental conditions, through the assistance of trained graduate-level participants who live and work in the communities for 11 months. Participants assist communities and agencies in the development and implementation of plans for achieving a sustainable natural resource base and improving rural economic conditions while gaining community building and leadership skills.


The City of Astoria is one of 35 communities welcoming a RARE AmeriCorps participant in September. Astoria continues the partnership with over 475 rural communities and organizations who have been "getting things done" in Oregon with RARE AmeriCorps Participants for the past 23 years. We are pleased to welcome Jason Pollack, a native Oregonian, as our RARE Americorps participant. Jason has spent the last year working with the City of Memphis as an AmeriCorp Vista Member, in the Division of Housing and Community Development.

The cost to the City of Astoria for the RARE program is \$ 23,500 and is used to place, train and support the participant. This amount is in the approved FY 2017-18 Capital Improvement Fund budget.

The University of Oregon is currently generating the agreement City of Astoria for review and signature. A preliminary agreement was forwarded for City Attorney Henningsgaard's review and no changes or concerns were noted. Receipt of the agreement between University of Oregon and City of Astoria is anticipated in approximately three weeks, at which time it will be brought to for Council approval. Orientation for RARE participants begins September 5 at University of Oregon. During orientation participants sign agreements which describes benefits and insurance coverages with the University during their project tenure. We anticipate a September 11, 2017 start date for Jason.

RECOMMENDATION

No action is required at this time. Information is provided as an update on the Resource Assistance for Rural Environments (RARE) Americorps participant placement and status of the upcoming agreement with University of Oregon.

By: 
Susan Brooks, CPA
Director of Finance & Administrative Services



CITY OF ASTORIA
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August 15, 2017

TO: MAYOR, CITY COUNCIL

FROM:  BRET ESTES, CITY MANAGER

SUBJECT: AUTHORIZATION TO PURCHASE BUCKET TRUCK

DISCUSSION/ANALYSIS

In 1984 Public Works purchased a new GMC Bucket Truck. The truck was used for street and traffic light maintenance, tree trimming, gutter and roof maintenance. It has reached the end of its useful life and was retired in the fall of 2016.

The Public Works Department requested demonstrations and quotes from three suppliers of bucket trucks. The results were as follows:

TEREX
\$104,019.00

ALTEC
\$104,185.00

NELSON TRUCK (DURALIFT)
\$104,624.00

These three suppliers are all part of the National Joint Powers Alliance (NJPA). The NJPA is a public agency that serves as a municipal contracting agency that creates national cooperative contract purchasing opportunities by consolidating numerous individually prepared solicitation to one cooperatively shared process. The City of Astoria has been a member of NJPA since April 2012.

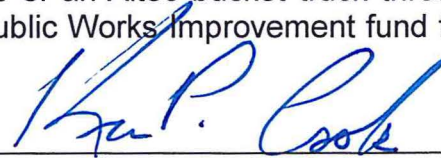
All three suppliers had their respective aerial lifts mounted on Ford F550 trucks. The trucks were put to use and evaluated by Public Works staff. The Altec aerial lift stood out among the rest because of its bucket design and user friendly controls.

There are funds budgeted in the Public Works Improvement fund for this purchase.

RECOMMENDATION

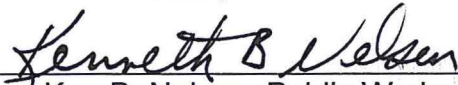
It is recommended Council approve the purchase of an Altec bucket truck through the NJPA for \$104,185.00. There are funds budgeted in the Public Works Improvement fund for this purchase.

Submitted by



Ken P. Cook, Public Works Director

Prepared by



Ken B. Nelson, Public Works Superintendent



CITY OF ASTORIA
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August 28, 2017

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: APPEAL (AP17-01) BY CHRISTOPHER CONNAWAY OF CONDITIONAL
USE PERMIT (CU17-07) AT 413 GATEWAY AVENUE

BACKGROUND

On June 6, 2017, Denise Giliga of Shooting Stars Child Development Center applied for a Conditional Use permit (CU17-07) to the Astoria Planning Commission (APC) to locate an educational facility at 413 Gateway Avenue. This location is zone S-2, Shoreland Development. On July 25, 2017, the APC held a public hearing and approved the request with conditions.

A Notice of Appeal on the APC decision was submitted by Christopher Connaway on August 7, 2017 within the 15 day appeal period. Mr. Connaway has standing to appeal as he provided public testimony at the original hearing. The appeal states that the request should be denied based on the following issues (summarized by staff):

1. Development Code, Article 2, Section 2.690 (4) on the level of review when two uses are considered.
2. Section 11.030A (4) topography, soils, and other characteristics are adequate for the site.
3. Article 9, Section 9.020, applicant states that neighbors did not receive notice.

The Notice of Appeal which details the appellant's concerns can be found on Page 1 of the attached record. A complete record of the request has been compiled and itemized and is attached for your information. A public hearing Notice of Appeal has been advertised in the *Daily Astorian* and is scheduled for the September 5, 2017 City Council meeting. A notice of appeal was mailed to interested parties on August 10, 2017.

"*Educational Establishment*" requires a conditional use permit in the S-2 zone. The appellant asserts that the proposed establishment does not meet criteria for a conditional use permit at this site. If Council supports the APC decision with the conditions, Council should adopt the Findings of Fact as approved by the APC and as subsequently amended to address appeal issues. Should the Council determine that

the proposed project does not meet the criteria for a conditional use permit, direction will be requested for staff to prepare supplemental Findings of Fact for Council consideration and adoption at a future meeting.

Pursuant to ORS 227.178 final action is required on a land use application within 120 days after the application is deemed complete. Without a waiver, the 120 day window for this application ends October 17, 2017.

RECOMMENDATION

It is recommended that the City Council hold the public hearing on the appeal and consider whether to uphold, reverse, or remand the Astoria Planning Commission decision for Conditional Use permit 17-07.


By: 
Kevin A. Cronin, Community Development Director

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BY
CHRISTOPHER CONNAWAY
ON
CONDITIONAL USE PERMIT CU17-07

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CITY OF ASTORIA
Founded 1811 • Incorporated 1866

August 28, 2017

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: APPEAL (AP17-01) BY CHRISTOPHER CONNAWAY OF CONDITIONAL
USE PERMIT (CU17-07) AT 413 GATEWAY AVENUE

BACKGROUND

On June 6, 2017, Denise Giliga of Shooting Stars Child Development Center applied for a Conditional Use permit (CU17-07) to the Astoria Planning Commission (APC) to locate an educational facility at 413 Gateway Avenue. This location is zone S-2, Shoreland Development. On July 25, 2017, the APC held a public hearing and approved the request with conditions.

A Notice of Appeal on the APC decision was submitted by Christopher Connaway on August 7, 2017 within the 15 day appeal period. Mr. Connaway has standing to appeal as he provided public testimony at the original hearing.

The appellant has requested the hearing be conducted as de novo (from the beginning) to allow new evidence to be submitted. The Development Code (Section 9.040.E&F) provides two options for the Council to review the appeal: on the record and de novo. Historically, the Council has reviewed appeals on de novo which allows new evidence to be submitted. The appeal states that the request should be denied based on the following issues (summarized by staff) with a response from staff:

1. *Development Code, Article 2, Section 2.690 (4) on the level of review when two uses are considered.*

The appellant asserts that the application should be heard under a more stringent standard when two uses are considered. Those two uses are "day care center" and "educational establishment." The APC heard and approved the application under the educational establishment use because it fits the definition as described in Section 1.400 of the Development Code and day care center is not listed in the S-2 Zone as a conditional use. The APC applies the stringent standard when two uses are requested and/or the proposed uses are listed in the conditional use category.

2. *Section 11.030A (4) topography, soils, and other characteristics are adequate for the site.*

The appellant asserts the criteria cited above should include the threat of a tsunami since the site may be identified in a tsunami inundation zone. The criteria does not mention tsunami or natural hazards and therefore the APC has not performed or requested an analysis of tsunami or natural hazard threats when making findings of fact for conditional use permits. Interpreting natural hazards under this criteria would be unprecedented.

3. *Article 9, Section 9.020, applicant states that neighbors did not receive notice.*

City staff provided notice to affected property owners within the 20 day requirement and an onsite notice was installed by the applicant as set forth in the Development Code. The Port of Astoria is the majority owner in the subject area. Hence, the affected property owners include the Port of Astoria. Subsequent to the hearing, staff reviewed the mailing labels and it was determined that Bergerson Construction did not receive mailed notice as a result of a technical error by staff related to the Geographic Information Systems (GIS) methodology. However, Section 9.020.B.2 states that: "Failure of a property owner to receive notice shall not invalidate an action if a good faith attempt was made to comply with the requirements of this Code for notice." Staff made a good faith effort to comply with the Code by mailing the notice. The methodology error, which has been corrected and a onetime mistake, does not disqualify or invalidate the application. In addition, the appeal notice for the appeal hearing that was mailed to affected property owners included an accurate notice radius of 200 feet.

RECOMMENDATION

It is recommended that the City Council hold the public hearing on the appeal and consider whether to uphold, reverse, or remand the Astoria Planning Commission decision for Conditional Use permit 17-07.

By: _____



Kevin A. Cronin, Community Development Director



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

CITY OF ASTORIA

AUG - 7 2017

BUILDING CODES

No. AP 17-01

☒ Fee Paid Date 8/7/17 By JHC Check
Fee: \$500.00 #4632

NOTICE OF APPEAL

Property Address: 413 GATEWAY

Lot 100 Block B Subdivision _____

Map T8N R10 SEC 13 Tax Lot 1700 Zone S-2, SHORELAND DEVELOPMENT ZONE

Appellant Name: CHRIS CONNORRY

Appellant Mailing Address: 637 14th ST ASTORIA OR 97103

Phone: (503) 375-5806 Business Phone: N/A Email: CCCONNORRY@YAHOO.COM

Issue Being Appealed: FINAL DECISION BY PLANNING COMMISSION ON CU17-07

Signature of Appellant: Chris Connorry Date: 8-7-2017

Name of Appellant's Attorney (if any): N/A

Address of Appellant's Attorney (if any): N/A

This Appeal is filed with the City of Astoria, in accordance with Development Code Section 9.040,
on a decision and/or ruling dated 7/25/17 by the PLANNING CU17-07

Commission (Department/Commission/Committee/City Official) SEE ATTACHED

Specific Criteria Appealed: SEE ATTACHED

The specific grounds relied upon for review: SEE ATTACHED

(If additional space is needed, attach additional sheets.)

For office use only:			
Application Received :	<u>8-7-17</u>	Standing to Appeal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appeal Criteria:			
Application Complete:	<u>8-9-17</u>	Permit Info Into D-Base:	
Labels Prepared:		Tentative Meeting Date:	<u>9-5-17 CC</u>
120 Days:	<u>10-17-17</u>		

NOTICE OF APPEAL
OF CITY OF ASTORIA PLANNING COMMISSION DECISION

File # CU17-07

Application for a Conditional Use for a Child Development Center

August 7,2017

I wish to appeal the Planning Commission's decision of 7/25/2017 to approve the Conditional Use for an educational facility at an existing building at 413 Gateway Avenue on the Port of Astoria property. The majority of the Planning Commission found that the proposed use met the applicable criteria ignoring the fact that the proposed facility is clearly of a multiple use nature (educational/daycare), and therefore must be judged against the Conditional Use parameters of the Astoria Development Code as such. Also, the fact that the building at 413 Gateway Avenue lies in a tsunami inundation zone brings into question the topographical Assessment of the facility.

The requirements for a notice of appeal are set out in City of Astoria Development Code, Article 9, Section 9.040 APPEALS

Subsection D. Contents of Appeal:

I am requesting that the City Council review this matter De Novo to consider the evidence presented as follows.

A request for appeal of a Commission or Committee decision shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision.

I request review of the final decision of the City of Astoria Planning Commission on File CU17-07. Order No. CU17-07 was signed on July 25, 2017 and mailed on July 27, 2017. August 8, 2017 falls within the 15 day window for appeal set forth in Development Code Section 9.040(B).

2. A statement of interest of the person seeking review and that he was a party to the initial proceeding

I signed in and testified in person before the Planning Commission on July 25, 2017.

3. The specific grounds for review.

1. Article 2 S-2 Zone Section 2.690(4) pg. 64

“When a proposal includes several uses, the use shall be reviewed in aggregate under the more stringent procedure.”

After both pro and con presentations at the July 25, 2017, there were several direct questions as to what percentage of Shooting Stars was educational and what percentage was day care. Although the applicants numbers varied throughout the evening, it was clear that the facility was multiple use. During discussion Commissioner Moore cited Section 2.690(A) [the same wording cited in quotations above] and he declare that he opposed the Conditional Use application on the grounds that a daycare is not a permitted conditional use, the more stringent component.

Also, exhibit B (included in package), dated July 12, 2017 from applicant D. Giliga to K. Cronin states, “As per numbers and age groups.....During a school day all 43 slots are infant and preschool, then at 230-3 pm the some(sic) preschoolers go home and 20 spots are use for an after school program.”

This seems clear to me that Shooting Stars is approximately 70% daycare and 30% afterschool educational programs. Notwithstanding the percentages, it is clearly a

multiple use facility and as such does not meet the Development Code criteria of Section 2.690(4) that requires any multiple use be judged on the more stringent use. Day care is not a permitted or conditional use.

Article 9- Administrative Procedures- Section 9.020

City stated in document dated July 18, 2017 from K. Cronin, Section III., Public Review and Comment, that public notice was mailed to all property owners within 200 ft. pursuant to Section 9.020. After talking to Bergerson Construction, I determined that they had in fact not received mailed notice in violation of the Development Code. I testified to that fact at the meeting of July 25, 2017. (Maps are included to show that Bergerson Construction does abut the property at 413 Gateway).

Article 11-Conditional Uses-Section 11.030(A)(4)

“the topography, soils, and other characteristics of the site are adequate for the use.”

The findings of fact, dated July 18, 2017, from K. Cronin to the Astoria Planning Commission, fail to take into consideration that 413 Gateway sits in a tsunami inundation zone (map included). This was the exact reason that the Oregon State Police moved out of the building and relocated to Warrenton in 2015 as highlighted in the Daily Astorian article of July 26, 2017 (included in package). This is in direct contrast to a statement made at the July 25, 2017 Planning Commission meeting that if it was safe enough for the State Police it is safe enough for the children. All facilities that cater to children are moving out of not into tsunami zones.

Conclusion:

When judged solely on the Development Code criteria Shooting Stars does not meet the necessary parameters for a Conditional Use permit in a S-2 zone.

Kevin Cronin

From: Denise Giliga <mrsgiliga@gmail.com>
Sent: Wednesday, July 12, 2017 1:35 PM
To: Kevin Cronin
Subject: Re: Shooting Stars New Space

Outdoor square footage for shooting stars will be 5,540

(As per numbers and age groups) I can estimate but it changes and flows thru out the day. For example my current capacity is 43. During a school day all 43 slots are infant and preschool then at 230-3pm the some preschoolers go home and 20 spots are used for an after school program.

My application to the oregon childcare division states we are asking for 63 spots for children 6wks to 12 yrs. 5 rooms will be used as classrooms, each room will have 35sq ft per child plus access to large outdoor play area.

Denise

On Wed, Jul 12, 2017 at 12:11 PM Kevin Cronin <kcronin@astoria.or.us> wrote:

One more question:

What is the SF of parking area...just the 15 spaces and not the paved storage area?

... We have 5% minimum landscaping standard and need to show that you met the standard with your landscape plan.

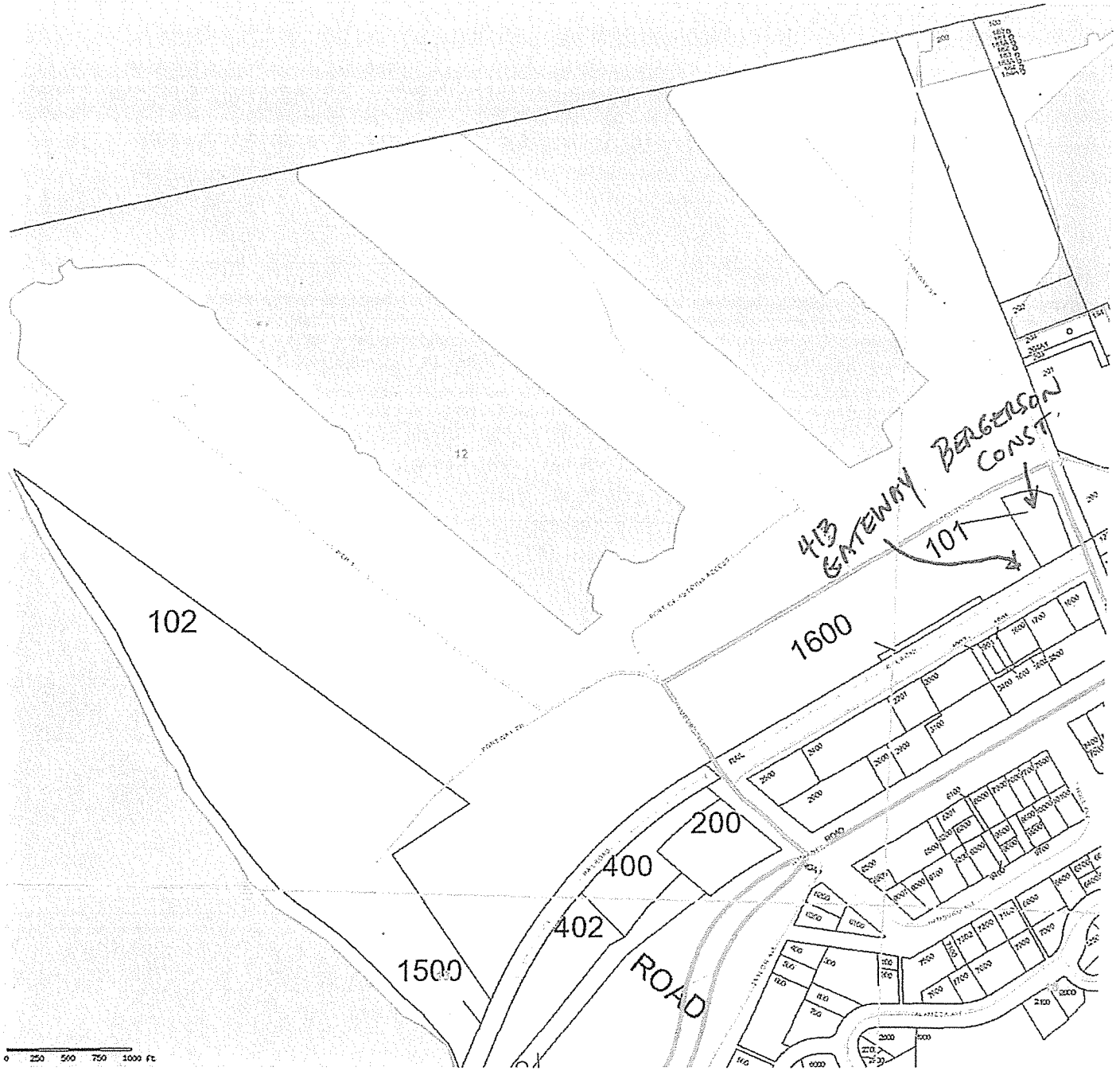
I think that's it for now...I'll be in touch on Friday or Monday to review the draft report.

From: Denise Giliga [mailto:mrsgiliga@gmail.com]
Sent: Tuesday, July 11, 2017 9:22 PM

To: Kevin Cronin <kcronin@astoria.or.us>
Subject: Re: Shooting Stars New Space

I will have 10-12 employees.

On Tue, Jul 11, 2017 at 11:07 AM, Kevin Cronin <kcronin@astoria.or.us> wrote:





accessed by Gateway St near Portway and is located a block from the Riverwalk. Staff conducted a site visit on July 7.

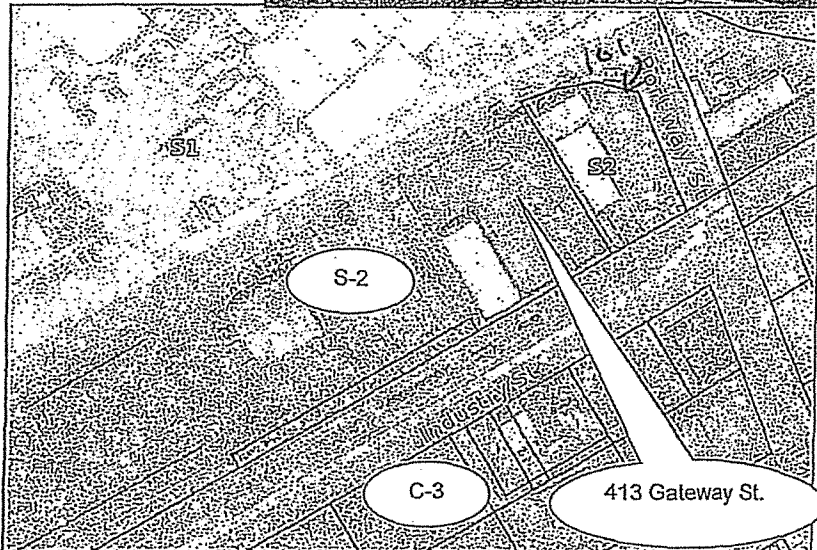
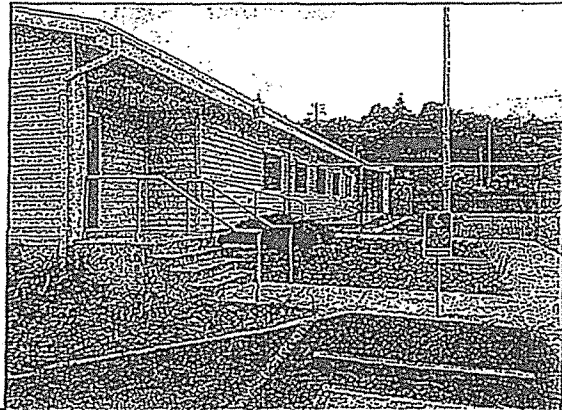
The applicant currently operates "Shooting Stars Child Development Center" located at the St. Mary's Star of the Sea Catholic Church at 1411 Grand Avenue in a 3,000 SF space. Star of the Sea is not renewing the lease. Hence, Shooting Stars must find a new location to continue and expand operations.

B. Adjacent Neighborhood

The neighborhood is located in the Port of Astoria holdings as part of the "Cargo" area developed with a variety of industrial and commercial uses. Bergerson Construction, Inc. is adjacent to the east and west, Bornstein Seafoods to the north, and to the south there are additional businesses on Industry Avenue. The Riverwalk runs parallel along Industry as well.

The Young's Bay trailhead and Maritime Memorial are the closest public parks. There are no residential uses in close proximity with the closest being on the south side of W Marine Dr.

The site is within the S-2 Shoreland Development zone, and is adjacent to C-3 General Commercial and S-1 Marine Industrial Shoreland.



Cocktail: New canned cocktails planned

Continued from Page 1A

Entrepreneurial spirit

"This distillery statute, basically every year something new comes up," Brian Fleming, the state's director of distilled spirits, said. "It's been tweaked almost every" legislative session.

State Sen. Betsy Johnson, D-Scappoose, had previously helped Ye Ol' Grog Distillery and Two Birds Ice Cream in St. Helens change a state law to allow the sale of their vodka-infused confection.

"They had a fascinating product, and if we can get state rules to accommodate

them, then everybody's a winner," Johnson said.

The senator got an amendment attached to Senate Bill 1044, concerning liquor licenses, to lower the allowed alcoholic content in liquor to accommodate Astoria Mary. The bill sailed through the Legislature and was signed by Gov. Kate Brown in June with an emergency declaration making the changes effective immediately.

Fleming said there have probably been about 20 amendments to state statutes on liquor since 1933, mostly because distillers, like brewers and vintners, are contin-

ually paving new ground and coming out with new products. The state, he said, tries to support such entrepreneurial spirit.

A nice win

Pilot House Distilling started as North Coast Distilling in 2014, but received legal threats from California-based North Coast Brewery. Cary said he spent about \$10,000 changing the company's name to Pilot House Spirits, which was then threatened with litigation by Portland-based House Spirits Distilling and again changed names, this time to Pilot House Distilling.

After all the problems his distillery has faced, Cary said, it was refreshing to receive support from the state for a new, innovative product. Astoria Mary has been selling fast, Christina Cary said, with about half of the original 2,500 cans gone and another batch being packaged next month.

The Carys are already developing new canned cocktails such as a Moscow Mule and a margarita.

Larry Cary said such innovation is necessary to stand out. "If you're not going to think outside the box, then you'll be stuck in the box."

Move: Relocation will allow for expanded services and programs

Continued from Page 1A

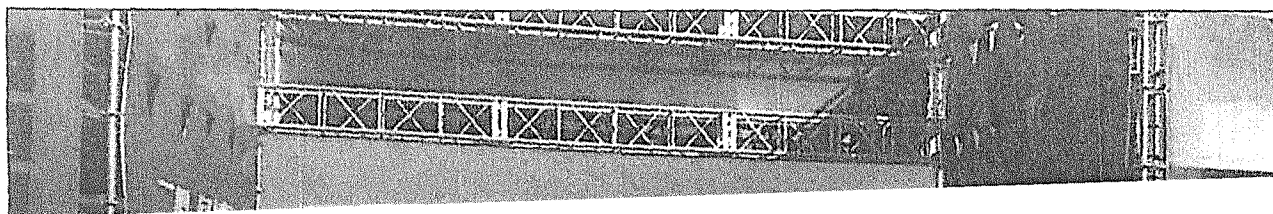
on the city's approval of the permit.

Shooting Stars is currently located at St. Mary's Star of the Sea Catholic Church on Grand Avenue, but the church is not renewing the center's lease and there are multiple infrastructure issues. A report by Astoria Community Development Department staff found there are "few commercial spaces available that meet the applicant's criteria, including appropriate zoning."

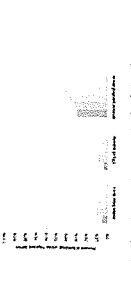
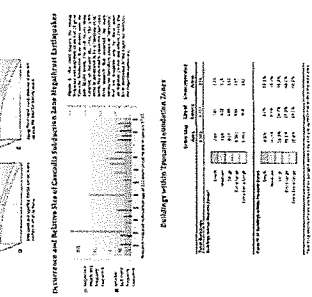
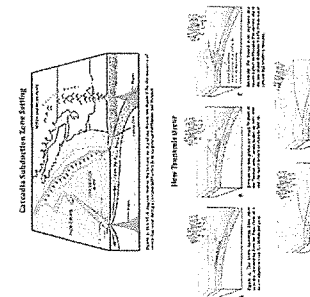
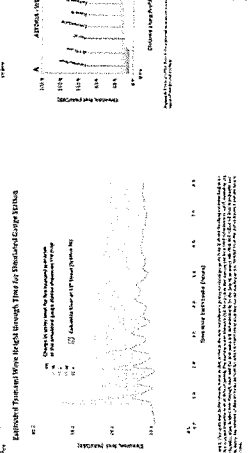
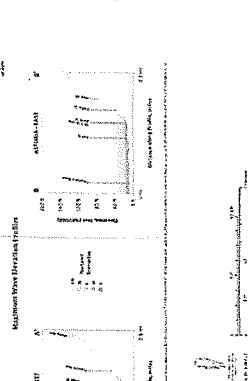
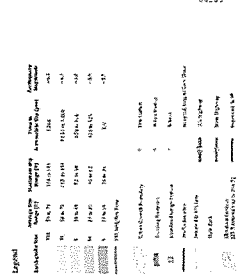
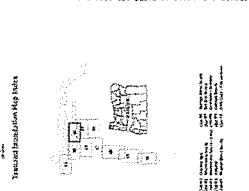
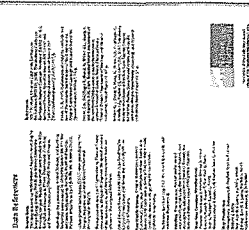
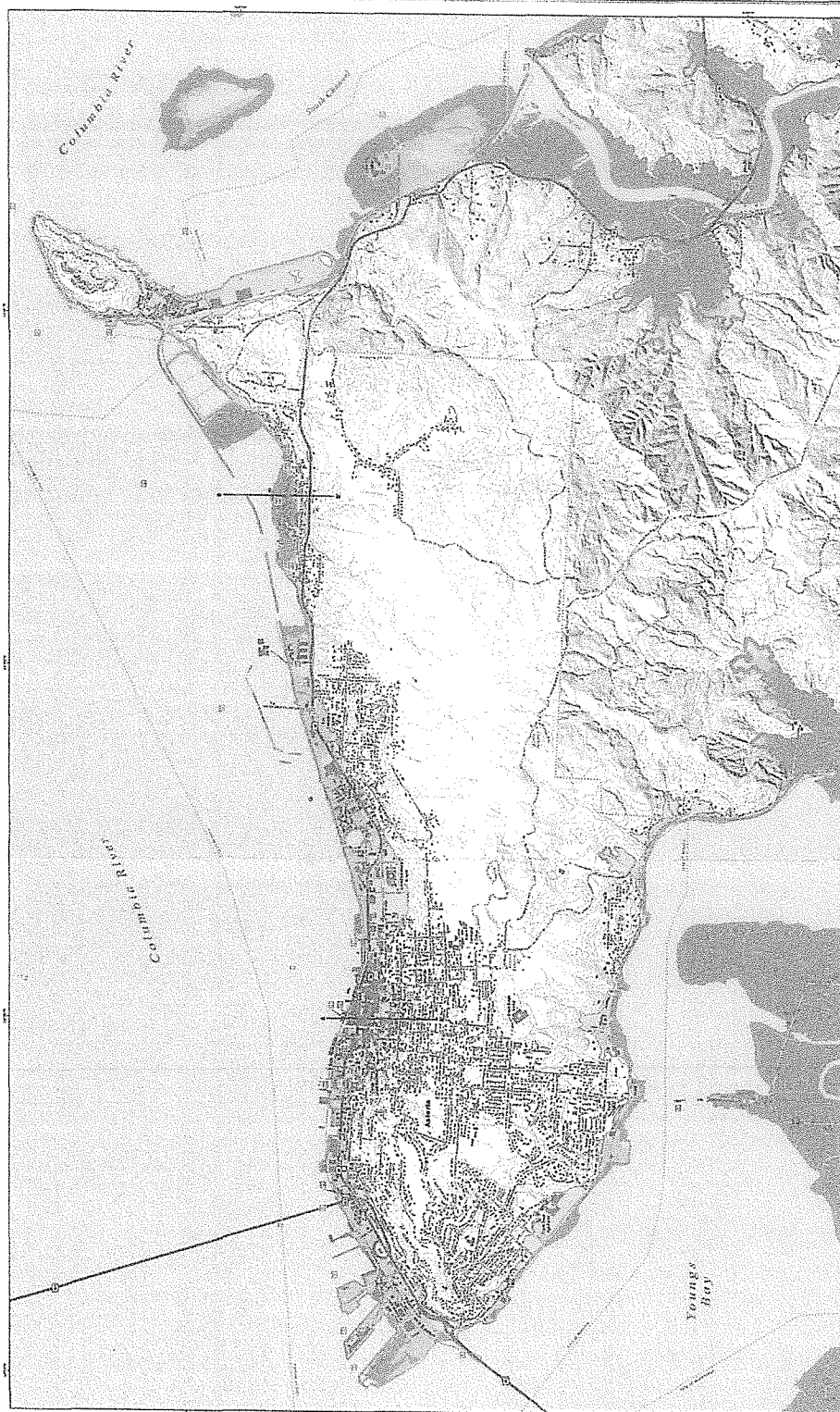
The Oregon State Police left the building in 2015 as part of the state's push to place essential services outside of the tsunami inundation zone. The building's fenced-in front courtyard is along Gateway Avenue, a route for a variety of traffic, including log trucks.

However, the location and layout makes it easy for parents to drop off and pick up children, Giliga argued. Also, the building is spacious and well-maintained.

"There are just so many possibilities," she said.



Local Source (Cascadia Subduction Zone) Tsunami Inundation Map Astoria, Oregon



BEFORE THE ASTORIA PLANNING COMMISSION
OF THE CITY OF ASTORIA

IN THE MATTER OF A CONDITIONAL USE)

FOR THE FOLLOWING PROPERTY: MAP T8N-R10)
SECTION 13; TAX LOT 1700; LOT(S))
100; BLOCK B; 413 GATEWAY STREET, ASTORIA, OR 97103)

ZONING: S-2, SHORELAND DEVELOPMENT ZONE)

APPLICANT: DENISE GILLIGA,)
91848 HWY 104, WARRENTON, OR 97146)

ORDER NO. CU17-07

The above named applicant applied to the City for Conditional Use CU17-07 to locate an educational facility in an existing building at 413 Gateway Street, Astoria, Oregon 97103 in the Shoreland Development Zone.

A public hearing on the above entitled matter was held before the Astoria Planning Commission on July 25, 2017; the Astoria Planning Commission closed the public hearing and rendered a decision at the July 25, 2017 meeting.

The Astoria Planning Commission orders that this application for a Conditional Use Request CU17-07 is approved and adopts the findings of fact and conclusions of law attached hereto.

The effective date of this approval is 15 days following the signing of this order, subject to any attached conditions. *A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.*


This decision may be appealed to the City Council by the applicant, party to the hearing, or a party who responded in writing by filing an appeal with the City within 15 days of this date (Section 9.040).

The permit will be void after two years unless substantial construction has taken place, or use has begun. However, the Planning Commission may extend the permit for an additional one year upon request by the applicant.

DATE SIGNED: July 25, 2017

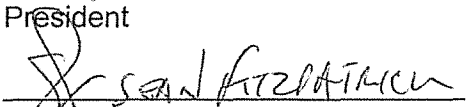
DATE MAILED: 7/27/17

ASTORIA PLANNING COMMISSION



President

Commissioner



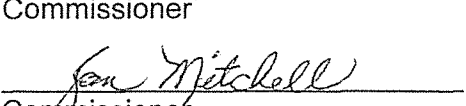
Commissioner

Commissioner



Commissioner

Commissioner



Commissioner

July 18, 2017

TO: ASTORIA PLANNING COMMISSION

FROM: KEVIN A. CRONIN, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE REQUEST (CU17-05) BY SHOOTING STARS CHILD DEVELOPMENT CENTER TO LOCATE AN EDUCATIONAL FACILITY AT 413 GATEWAY STREET IN THE S-2 ZONE

I. Background Summary

- A. Applicant: Denise Giliga
91848 Hwy 104
Warrenton OR 97146
- B. Owner: Port of Astoria
10 Pier 1, Suite 308
Astoria, OR 97103
- C. Location: 413 Gateway Street; Map T8N-R10 Section 13, Tax Lot 1700; Lot 100; Block B
- D. Zone: S-2, Shoreland Development Zone
- E. Lot Size: 52,272 SF (1.2 acres): Main Office: 4,000 SF; Warehouse: 4,000 SF
- F. Request: To locate an educational facility in an existing building at 413 Gateway Street.
- G. Previous Applications: No previous land use applications were on file. A pre-application conference was held on June 21, 2017.

II. BACKGROUND

A. Subject Property

The site is the former location of the local offices for the Oregon State Police. After OSP built a new facility in Warrenton in 2016, the property - which is owned by the Port of Astoria - has been vacant. It is located near the corner of Gateway and Portway Street. The property consists of the main office building on the east side of the lot and a warehouse to the west, which is also vacant. The property is secured with chain link fencing, contains minimal landscaping at the front entry, and has off street parking and outdoor storage. The site is

accessed by Gateway St near Portway and is located a block from the Riverwalk. Staff conducted a site visit on July 7.

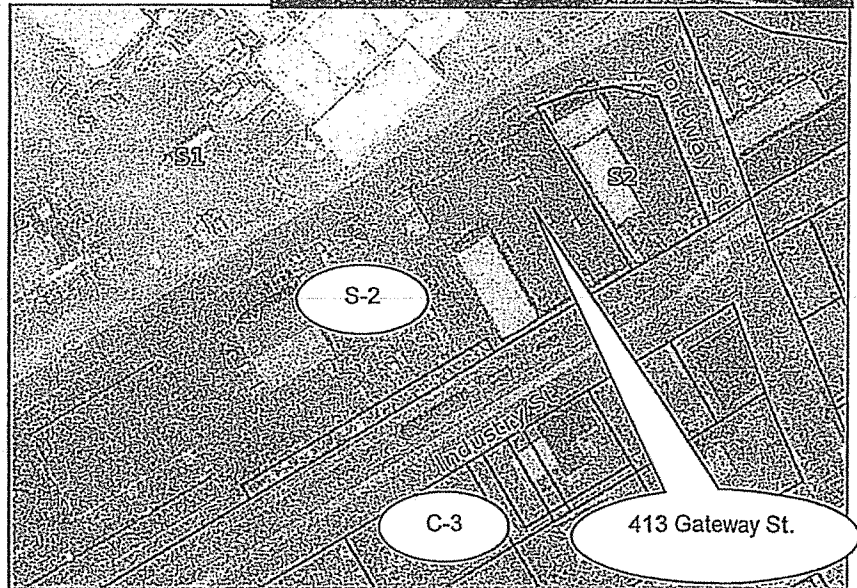
The applicant currently operates "Shooting Stars Child Development Center" located at the St. Mary's Star of the Sea Catholic Church at 1411 Grand Avenue in a 3,000 SF space. Star of the Sea is not renewing the lease. Hence, Shooting Stars must find a new location to continue and expand operations.

B. Adjacent Neighborhood

The neighborhood is located in the Port of Astoria holdings as part of the "Cargo" area developed with a variety of industrial and commercial uses. Bergerson Construction, Inc. is adjacent to the east and west, Bornstein Seafoods to the north, and to the south there are additional businesses on Industry Avenue. The Riverwalk runs parallel along Industry as well.

The Young's Bay trailhead and Maritime Memorial are the closest public parks. There are no residential uses in close proximity with the closest being on the south side of W Marine Dr.

The site is within the S-2 Shoreland Development zone, and is adjacent to C-3 General Commercial and S-1 Marine Industrial Shoreland.



III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 200 feet pursuant to Section 9.020 on June 23, 2017. A notice of public hearing was published in the *Daily Astorian* on July 18, 2017. An onsite public notice, which is a new requirement, was posted on July

10, 2017. No comments have been received at the time of this report. Written comments will be made available at the Planning Commission meeting.

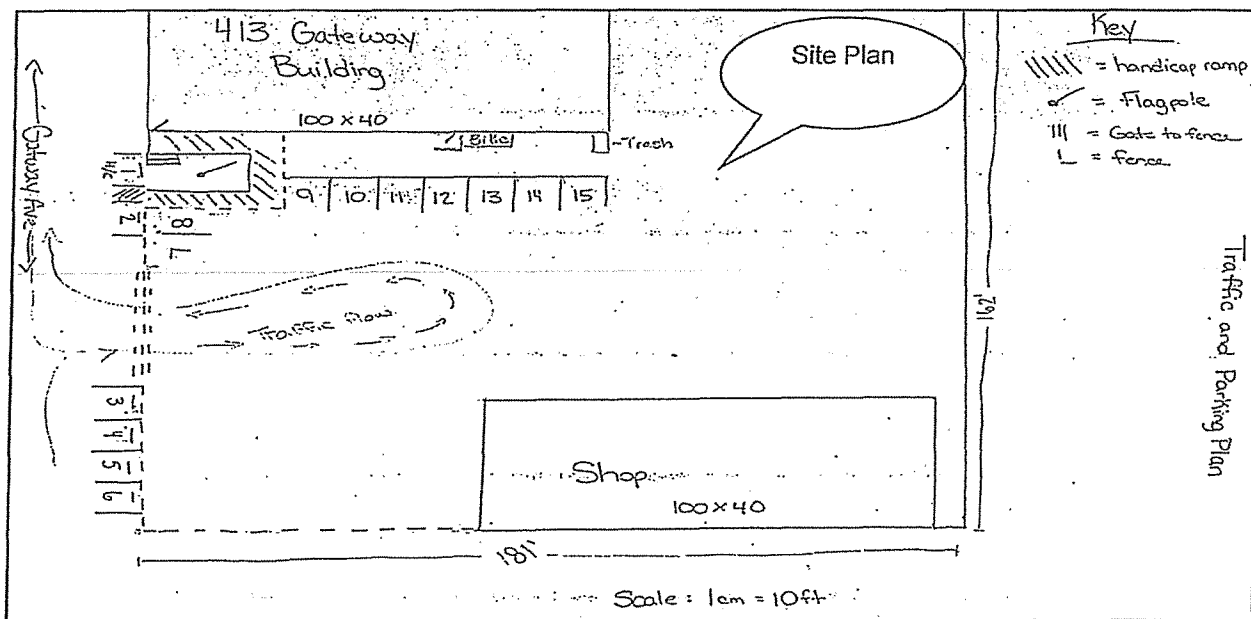
IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.685.4 lists "educational establishment" as a Conditional Use in the S-2 Zone, in accordance with Article 11 concerning Conditional Uses.

Finding: The proposed use is classified as an "educational establishment" because the applicant educates kindergarten age students in addition to providing early learning for pre-k and younger ages. The proposal would also fall under the definition of "day care center" but is not listed in the S-2 Zone. As a result, the application is being reviewed as a Conditional Use.

- B. Section 2.185 (1) states that "All uses will comply with applicable access, parking, and loading standards in Article 7".

Section 7.100 requires one space per 300 SF of gross floor area for "educational services".





Finding: The proposed use will be located in an existing vacant commercial structure. The facility will operate with up to 12 employees. However, the parking is based on gross square footage. At 4,000 SF, the facility is required to have fourteen (14) spaces ($13.3 \approx 14$). A total of fifteen (15) parking spaces are currently available in the parking lot adjacent to the building. The additional on-street parking will be used for drop off and pick up of children. The car parking requirement has been met.

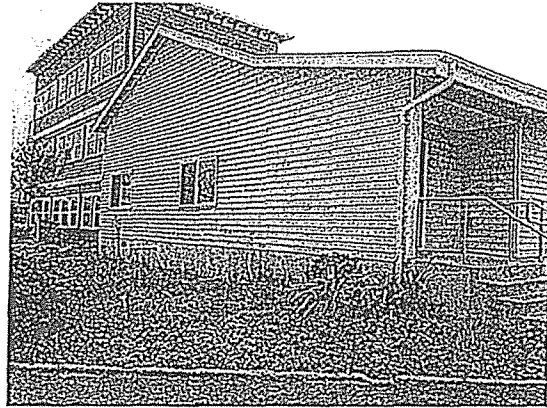
Loading will occur in the parking lot area. The applicant shall work with Public Works and Community Development staff to submit a plan for street-side loading/drop off zone should the parking lot not provide sufficient space. The loading zone shall be reviewed in nine months (2017-18 school year) to allow the site to get up and running.

Per Article 7.105, bike parking spaces shall be provided for a change of use. Commercial spaces require one (1) bike space per primary use. The applicant has proposed a three space bike rack for short term and one long term space in a locker room. Bike parking shall be verified before a certificate of occupancy is issued.

- C. Section 11.020(B.)(1) states that *"the Planning Commission shall base their decision on whether the use complies with the applicable policies of the Comprehensive Plan."*

1. CP.200.1, Economic Development Goal 1 and Goal 1 Policies, states that *"The City of Astoria will strengthen, improve, and diversify the area's economy to increase local employment opportunities. 1. Encourage, support, and assist existing businesses."*

Finding: The applicant operates an existing educational facility on 14th and Grand Ave at St Mary's Star of the Sea Catholic Church. The applicant has indicated, due to space constraints, they cannot meet the current demand for childcare services in Astoria and there is a strong interest for additional programming.



The new location will provide a larger space to expand needed services for working families, provide flexibility for all age groups to utilize the existing building and outdoor space, and fill a vacant building. Expanding the local business will also provide an increase in employment opportunities and assist an existing business.

Finding: The request is in compliance with the Comprehensive Plan.

- D. Section 11.030(A) requires that *"before a conditional use is approved, findings will be made that the use will comply with the following standards:"*

1. Section 11.030(A)(1) requires that *"the use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the use."*

Finding: The proposed use is an appropriate use of an existing vacant building. The applicant has operated the business in a different location without any issues known to staff and is proposing to expand (43 to 63 children – 6 weeks to 12 years old) to meet a high demand for childcare in the community. The applicant is proposing separating the age groups to have kindergarteners, afterschool age children and pre-kindergarteners. The site is zoned for commercial uses, and an expansion of an existing similar use (offices) is appropriate for an otherwise vacant office building. Although there are no public parks located in the immediate area, the Riverwalk is a safe transportation corridor to access the waterfront, Young's Bay trailhead and the Maritime Memorial. In addition, the trolley runs on the Riverwalk and the Trolley Association warehouse is located

nearby. A potential field trip to see the trolley would be feasible. The location is near W. Marine Drive, which provides easy access for parents (primary customers) and employees, and within a major employment center (Port area) allowing working parents to access child care services.

Regarding the availability of other sites in Astoria, there are few commercial spaces available that meet the applicant's criteria, including appropriate zoning: Come Soar With Us – a former day care provider – received conditional use approval in 2016 (CU 16-09) to operate a facility on Bond Street. Although this location is close to downtown and adjacent to a small public park, it is only 3,000 SF and therefore is too small for the current operation let alone an expansion of services from 43 to 63 slots. Although financial feasibility is not a specific criteria, new construction for an educational facility is not realistic so the applicant must narrow a search to existing vacant spaces. The only other space that is currently known available is the former OSU Seafood Lab on Port property adjacent to the East Mooring Basin. This property is tied up in legal proceedings between Oregon State University and the Port of Astoria.

Finally, there was a concern expressed to staff that a child development center would be located near a marijuana retail or grow operation. The subject property is located approximately 800 feet from a small grow operation at 487 W. Marine Drive that was permitted as a conditional use in 2016 (CU 16-04) while another grow facility and retail store (Sweet Relief) at 401 Industry is no longer in operation due to a serious explosion and fire. However, the State of Oregon standard that regulates distances between these uses (1,000 feet) does not apply to child development centers – only schools.

2. Section 11.030(A)(2) requires that *"an adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities. Suitability, in part, should be determined by the potential impact of these facilities on safety, traffic flow and control, and emergency vehicle movements."*

Finding: The proposed use is for an educational facility with up to 12 employees. The site layout, which is included as an attachment, allows for circulation of customers and deliveries within the fenced area as well as a designated drop off site using the on street parking area. The on street area will be marked with orange traffic cones and further demarcated with landscaping. The applicant is proposing a hybrid traffic flow pattern: 1) higher volume, individual drop off and pick up times inside the compound and 2) bus drop off on street for after school aged children and Head Start. Staff will use off street parking and bike parking near the main entrance. Solid waste and recycling facilities will be located adjacent to the southwest

end of the main building within the fenced yard with easy access for Recology service.

However, Gateway Avenue, which is managed by the Port of Astoria, is not built to a city standard, and does not have sidewalks. The Port does not have an immediate plan to improve its internal street infrastructure as a result of financial constraints.

With a child development facility, clients need to park to drop off children and leave within a few minutes. They then return and park to pick up the children, again with a stay of only a few minutes. Most clients would be coming and going at similar times. According to *ITE Trip Generation* resource, 20 children are expected to generate approximately 20 peak vehicle trips between 7:00 am to 9:00 am and again between 4:00 pm and 6:00 pm. There would be an increase in traffic during the peak hours from the previous use. However, the day care should not create a large impact on the traffic pattern in the neighborhood during the majority of the day.

3. Section 11.030(A)(3) requires that the use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

Finding: All utilities are at the site and are capable of serving the use, including a new stormwater treatment facility installed by the Port. As with all new or increased businesses and development, there would be incremental impacts to police and fire protection but it would not overburden these services. The location of public parks was discussed above.

4. Section 11.030(A)(4) requires that *"the topography, soils and other physical characteristics of the site are adequate for the use. Where determined by the City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction."*

Finding: Interior improvements will be required for a change of occupancy, however no new construction is proposed, and the site is not within 100' of a known geologic hazard as indicated on the City map. Proposed landscaping will be installed in above ground planter boxes.

5. Section 11.030(A)(5) requires that *"the use contain an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses."*

Finding: No site construction is proposed other than potential use of an already developed area for internal parking, circulation, and access. A landscaping plan was submitted by the applicant. The existing landscaping at the front entry (980 SF) will be cleared of weeds and new plantings established. In addition, the applicant proposes to add raised beds, a rock

area for children, and four planters (148 SF) for a total of 1,128 SF of landscaping. Section 7.170 requires 5% of the parking lot area to be landscaped. (Parking = 5,540 SF x .05 = 277 SF). This standard is met.

Bergerson Construction's main office is located to the east - which does not pose an impact - but their maintenance facility is located on the west side. However, the site is fenced and children are not expected or recommended to recreate on the west side of the property. No additional lighting is proposed on site since the former tenant installed adequate lighting.

V. CONCLUSIONS AND RECOMMENDATIONS

The request meets all applicable review criteria. Staff recommends approval of the request based on the findings of fact above with the following conditions:

1. A bike rack as proposed shall be installed, anchored to the ground, and verified at the time of certificate of occupancy is requested from the Building Official.
2. The applicant shall obtain all necessary permitting from the State of Oregon to operate a child development center facility.
3. The applicant shall work with the Building Inspector and Fire Chief to obtain a change of occupancy and address any necessary fire, life, safety, and emergency access issues.
4. The landscaping as proposed shall be installed and verified at the time a certificate of occupancy is requested.
5. Any signage at the site shall be submitted to the Community Development Department for review and approval.
6. The applicant shall monitor the effectiveness of pick up and drop off operations to ensure traffic safety for all users and all modes. If the City receives complaints or observes any issues, the applicant shall submit a new traffic operations plan to the Community Development Department for review and approval after the end of the 2017-18 school year (June 2018).
7. The applicant shall furnish a copy of an executed lease for the property.
8. The applicant shall work with the Port of Astoria on a plan to improve Gateway Avenue that includes curbs, delineated on street parking, and sidewalks. The Port will be responsible for determining the timing and funding mechanism.

Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

The applicant should be aware of the following requirements:

The applicant shall obtain all necessary City and building permits prior to the start of operation.

Exhibits

CU 17-06 Application
Correspondence



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

CITY OF ASTORIA

JUN 16 2017

BUILDING CODES

☒ Fee Paid Date 6/16/17 By LF

No. CU 17-07

Fee: \$500.00

CONDITIONAL USE APPLICATION

Property Address: 413 Gateway Ave Astoria, OR 97103

Lot 100 Block B Subdivision N/A

Map E. 10.13 Tax Lot 1700 Zone S2

8N R10W 13E W4

Applicant Name: Denise Giliga

Mailing Address: 91848 Hwy 104 Warrenton, OR 97146

Phone: 503-812-4433 Business Phone: 503-468-0537 Email: mrsgiliga@gmail.com

Property Owner's Name: Port of Astoria

Mailing Address: 10 Pearl 3308 Astoria, OR 97103

Business Name (if applicable): _____

Signature of Applicant: [Signature] Date: 6/13/17

Signature of Property Owner: [Signature] Date: 6/13/17

Existing Use: Empty / Prior use as Oregon State Police

Proposed Use: Childcare Center / Private Kindergarten Existing building @ 413 Gateway
Shooting Stars CDC

Square Footage of Building/Site: ~ 3,300 sqft

Proposed Off-Street Parking Spaces: 15

SITE PLAN: A Site Plan depicting property lines and the location of all existing and proposed structures, parking, landscaping, and/or signs is required. The Plan must include distances to all property lines and dimensions of all structures, parking areas, and/or signs. Scaled free-hand drawings are acceptable.

For office use only:

TYPE SIGN NOTICE			
Application Complete:	<u>6-19-17</u>	Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	<u>7-25-17</u>
120 Days:		PRE-APP	<u>6-21-17</u>

— Gateway Street —

Pageson Construction

← Gateway Ave →

Proposed:
Shooting
Stars
Child Development
Center.

← 100' →

X 9 | 10 | 11 | 12 | 13 | 14 | 15 |

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Traffic flow

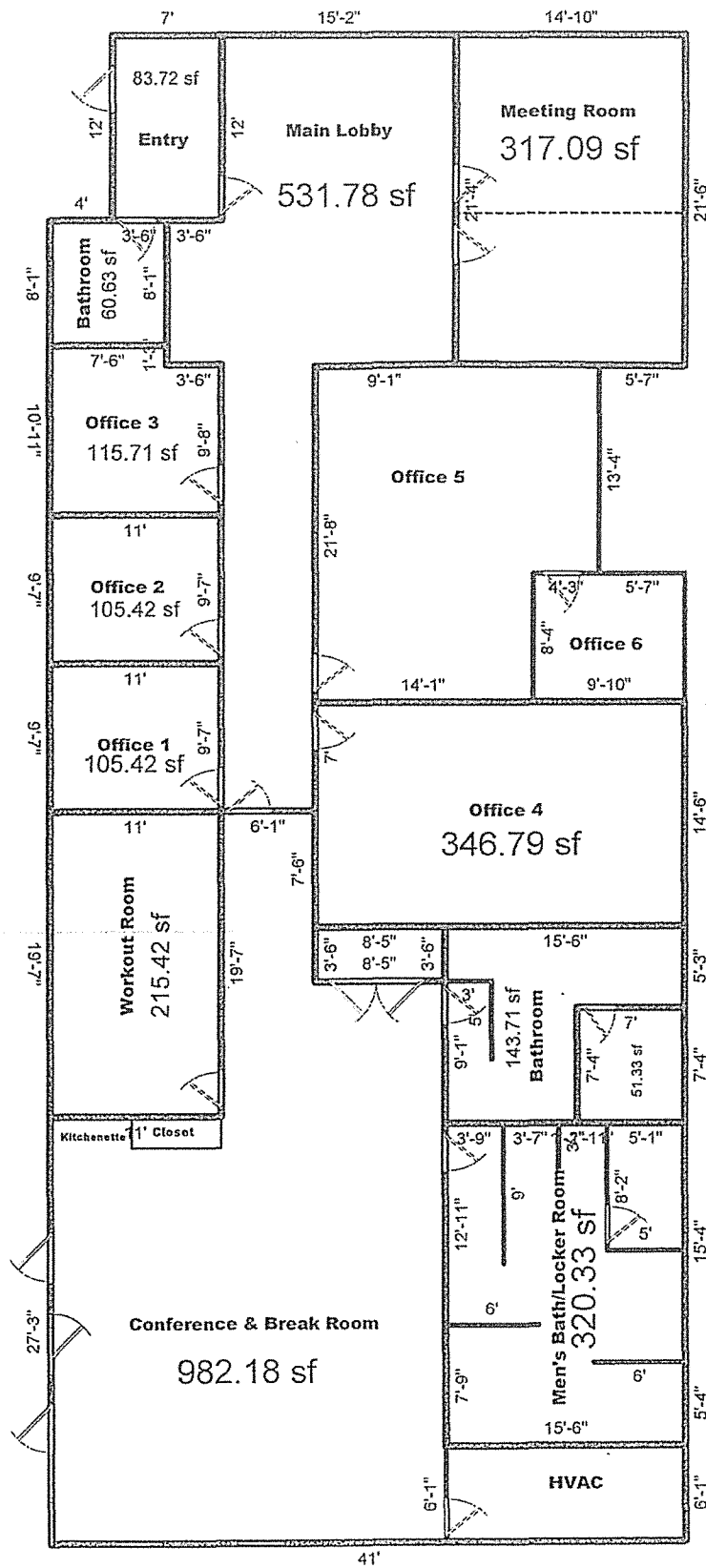
Shop

181'

162'

Key
X = Chain link
= Concrete Wall

BUILDING SKETCH



11.030(A)(1)

11.030(A)(2)

The property located at 413 Gateway Ave is equipped with 15 existing off street parking spots that measure 9ftx16ft. The entire compound is fenced off with 10ft high chain link fencing topped with barbed wire. (Prior use was Oregon State Police) There is one handicap van space at the front of the building with access to a handicap ramp. Signs and blue paint are already in place.

Shooting Stars will implement a traffic flow pattern inside the compound for high volume drop off (7am-9am) and pick up times (3-6pm) using cones and landscaping. Bus drop off for Head Start and school aged children has been discussed with the Astoria Bus Barn and will be on the same side of the street. Approximately 30ft to the front door.

After two months of searching for a building that could satisfy our parking and indoor/outdoor square footage requirements it was beginning to look like the end of our stay here in Astoria. Then when walking the property, we saw real potential. The facility being fenced off (10-1ft high) and secure is great for us due to safety concerns in an industrial area. In short there is an EXTREME need for childcare in Astoria and not many buildings that are currently zoned for our use without a conditional use permit.

11.030(A)(3)

The use of the building will not overburden any facilities or protection/safety agencies. We have completed pre-inspections of the property with; Oregon State Fire Marshall, Department of Human Services, Childcare Division and the County Health Department. All of these entities have given us the green light to pursue licenses.

Bike parking

3 outside, partly covered by
(40"x20") building overhang (short term) (Rack)
1 inside (long term) in locker room

Landscaping Plan:

existing:

(B) flag pole area $20 \times 15 = 300 \text{ sqft}$

(A) Road frontage area $40 \times 17 = 680 \text{ sqft}$

Existing Total: 360 sqft

Additional:

2 Childrens garden area

(C) (raised beds) $(10 \times 5) 2 = 100 \text{ sqft}$

(D) Children rock area $8 \times 4 = 32 \text{ sqft}$

(E) 4 added planters $(2 \times 2) 4 = 16 \text{ sqft}$
(2x2 each) in parking area

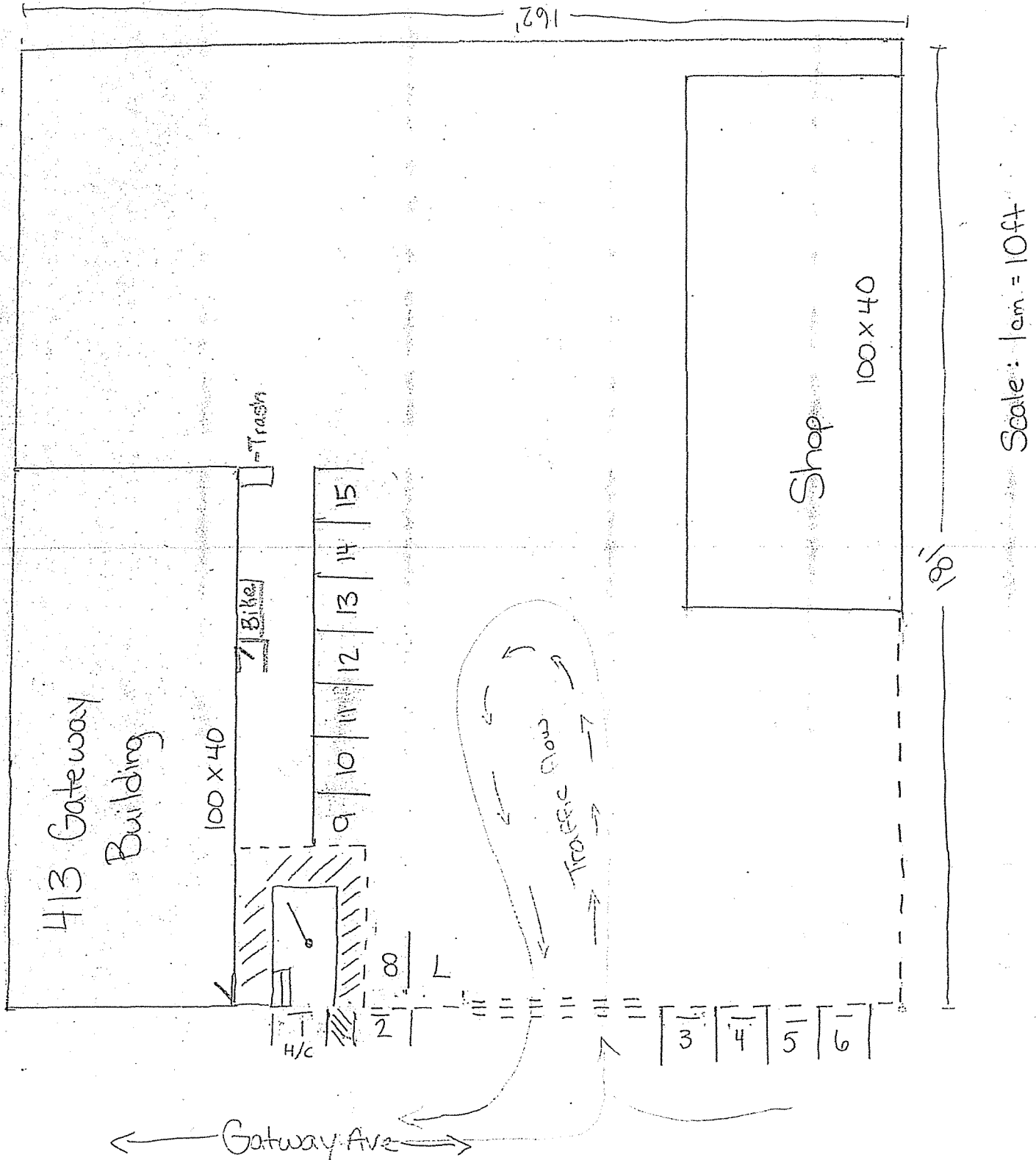
Additional Total: 148 sqft

Existing + Additional = $360 + 148 =$

508 sqft

key

- ////// = handicap ramp
- ✓ = flagpole
- ||| = Gate to fence
- └ = fence



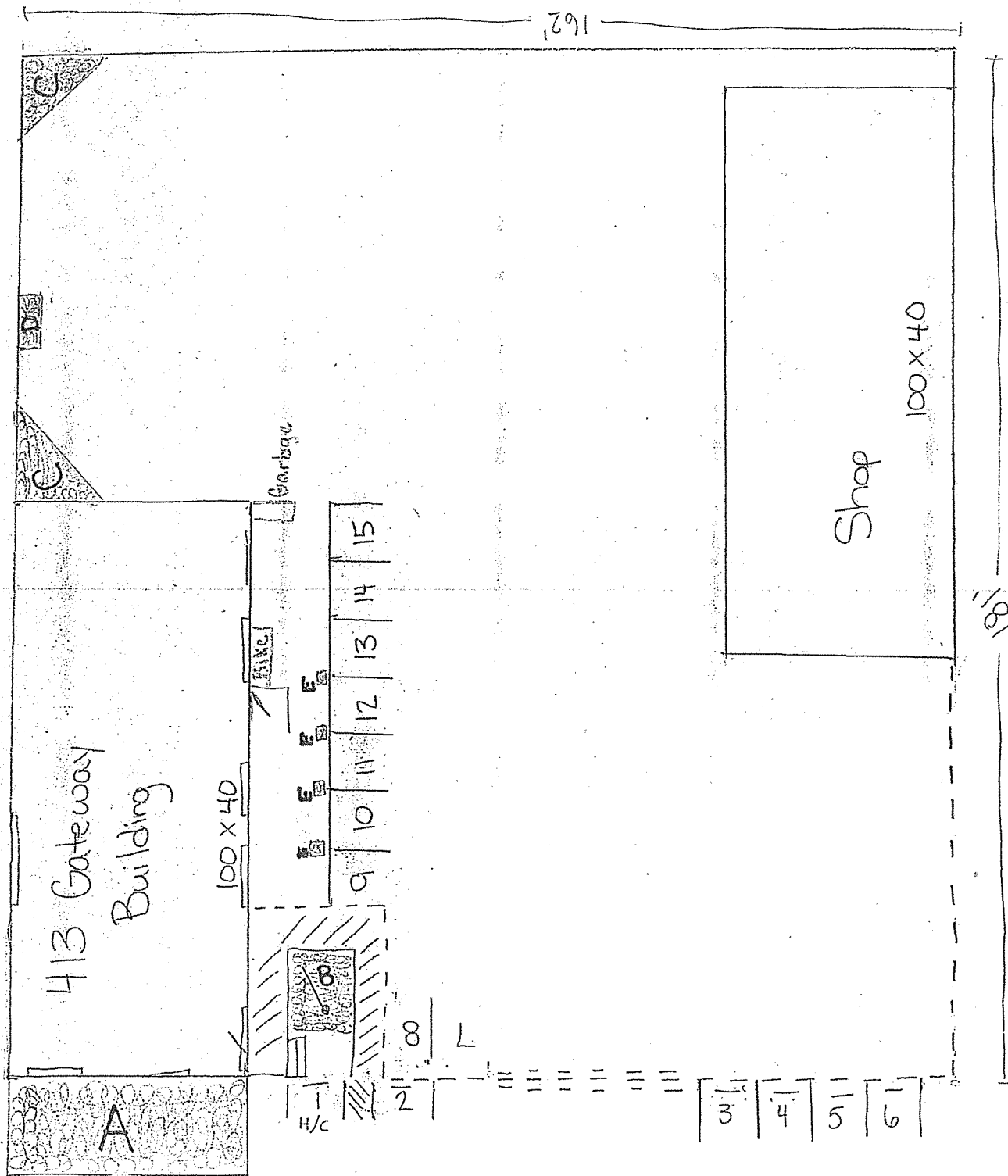
Key

||||| = handicap ram

✓ = Flagpole

||| = Gate to fence

L = fence



Scale: 1 cm = 10 ft

Kevin Cronin

From: Denise Giliga <mrsgiliga@gmail.com>
Sent: Wednesday, July 12, 2017 1:35 PM
To: Kevin Cronin
Subject: Re: Shooting Stars New Space

Outdoor square footage for shooting stars will be 5,540

As per numbers and age groups. I can estimate but it changes and flows thru out the day. For example my current capacity is 43. During a school day all 43 slots are infant and preschool then at 230-3pm the some preschoolers go home and 20 spots are used for an after school program.

My application to the oregon childcare division states we are asking for 63 spots for children 6wks to 12 yrs. 5 rooms will be used as classrooms, each room will have 35sq ft per child plus access to large outdoor play area.

Denise

On Wed, Jul 12, 2017 at 12:11 PM Kevin Cronin <kcronin@astoria.or.us> wrote:

One more question:

What is the SF of parking area...just the 15 spaces and not the paved storage area?

We have 5% minimum landscaping standard and need to show that you met the standard with your landscape plan.

I think that's it for now...I'll be in touch on Friday or Monday to review the draft report.

From: Denise Giliga [mailto:mrsgiliga@gmail.com]
Sent: Tuesday, July 11, 2017 9:22 PM

To: Kevin Cronin <kcronin@astoria.or.us>
Subject: Re: Shooting Stars New Space

I will have 10-12 employees.

On Tue, Jul 11, 2017 at 11:07 AM, Kevin Cronin <kcronin@astoria.or.us> wrote:

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall

July 25, 2017

CALL TO ORDER:

President Pearson called the meeting to order at 6:36 pm.

ROLL CALL:

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

Staff Present: Community Development Director Kevin Cronin, City Attorney Henningsgaard, Fire Chief Ames, Deputy Police Chief Mulverson, Police Sergeant Aydt, and Building Official Small and Planner Nancy Ferber. This meeting is recorded and will be transcribed by ABC Transcription Services.

APPROVAL OF MINUTES:

President Pearson asked for approval of the minutes of the July 23, 2017 meeting. Commissioners Moore, Easom, and Mitchell requested the following changes:

- Page 2, second to last paragraph: "Commissioner Mitchell said she had been in the Pier 11 building twice in the last week. It was nice to see that some life would be added to the building. She believed the building contained enough diversity that no business would be lost. The site has always been great and many people walk by it. ***The building has been mostly vacant the last ten years. This use may be a success at this location.***"
- Page 2, last paragraph, second sentence: "While this might ***not*** be appropriate for the proposed location, it might not include accessibility for customers and employees..."
- Page 3, second paragraph: "Commissioner Mitchell believed there had been two or three ***unsuccessful*** attempts to put a seafood market at this location."
- Page 4, fourth paragraph: "Vice President Easom ***Commissioner Spence*** declared a potential conflict of interest..."
- Page 5, second paragraph, second sentence: "However, it was a thorough analysis given the skills ***information*** currently available."

Commissioner Easom moved that the Astoria Planning Commission approve the minutes as amended; seconded by Commissioner Moore. Motion passed unanimously.

PUBLIC HEARINGS:

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

ITEM 4(a):

CU 17-07 Conditional Use CU 17-07 by Shooting Stars Child Development Center to use existing space as an additional educational facility at 413 Gateway Avenue in the S-2, General Development Shorelands Development Zone.

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

Commissioner Henri declared that her daughter had attended the school more than a year ago. She did not believe that would impact her decision and confirmed she had spoken with her husband about this application.

President Pearson asked Staff to present the Staff report.

Director Cronin reviewed the written Staff report. He noted that a typographical error had been made in the Staff report and confirmed the application number was CU 17-07, not CU 17-05. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

Vice President Easom stated that an educational facility could not be located at 413 Gateway because it would be within 1000 feet of a marijuana facility.

Director Cronin reminded that it was up to the Commission to decide if the child development center should be defined as an educational facility or a daycare. He did not believe the marijuana rule applied to this situation, but if the Commission believed the use was an educational facility, the public could comment on the marijuana rule.

Commissioner Henri asked if an educational facility was considered a school. Director Cronin said he would find out how the Development Code defined public schools during public testimony.

Commissioner Mitchell asked why Staff did not recommend open space for a play area. Director Cronin stated Staff discussed open space with the Applicant, who would address the issue during the hearing.

President Pearson opened the public hearing and called for presentation by the Applicant.

Denise Giliga, 91847 Highway 104, Warrenton, gave a PowerPoint presentation. Shooting Stars Child Development Center serves many members of the community. She has spoken with parents, community members, the Port, business owners, and property managers. Many people have asked what services the center offers, what type of facility it is, why they need a new location, what new locations had been considered, and what new services would be offered in a new space. Shooting Stars is a state-licensed childcare center, currently located at 1411 Grand Avenue, Astoria. Hours of operation are 7:00 am to 6:00 pm Monday through Friday. Their academic year operates September through August and follows the Astoria School District calendar. Summer camps and active play operate June through September. They currently serve 102 families, but only have the capacity to serve 43 children at a time. The children's schedule is vary, with some at the facility for one, two, or three days a week, after school only, or before school pick up to get on the bus. They offer infant/toddler programming, preschool, pre-kindergarten, private kindergarten, Thursday art academy to accommodate the public schools early release, after school summer camps, and teacher trainings like CPR and first aid. The center loves their current location because it has a large indoor gymnasium, a great cafeteria, large classrooms, a lot of light and windows. However, the building is deteriorating. There is no heat in some areas of the building, the plumbing is messed up often and toilets cannot be flushed, and there was a small electrical fire in one of the classrooms recently. The church is not interested in having the building maintained and has told Shooting Stars to find a new space by August 1st. The center considered moving into the Charter Building on Duane Street, but it is completely empty inside and would cost thousands of dollars and a lot of time, which Shooting Stars does not have. They also considered relocating to the Oregon State University building at the east end of town near the marina. However, the building needs maintenance and the property owner is not interested in keeping up with the work. Also, the street is closed for part of the year, making access to the area difficult. The brown building on the top of 8th Street is another building that needs a lot of work, but the owner is not interested in doing maintenance. The center considered several smaller satellite sites instead of one large facility. However, the parents were opposed to having each of their children at a different location. At first, she did not believe the Port of Astoria building would be a good fit. But after touring the site and entertaining ideas about what could be done at that location, she fell in love with the building. It is kept up very well, each room has many electrical outlets, and everything is clean and safe. During the tour, her children loved watching the cranes and log trucks go by. Parents and families who toured the facility also loved it. This new space would allow the center to serve at least 20 more children. Currently, her staff must escort children a block and a half from their bus stop to the center. The new space would accommodate a bus stop 30 feet from the front door. They would take children on walking fieldtrips along the Riverwalk and they would have a private indoor/outdoor play area. Right now, their indoor play area is a shared space that they can use only during certain times. Adult trainings would continue in the new space, but parenting classes could be added with childcare available in the next room. If allowed, the center would offer weekend event space for rent. Many parents would like use the center for birthday parties, but the church would never allow this. The new location would also allow the center to expand their community service projects. She showed images that described how the center would use the new space. She explained how parking, drop offs, and pickups would work and shared the construction and inspection timeline. Childcare

centers are some of the most regulated businesses in Oregon. They must pass a City of Astoria Health and Sanitary inspection, Astoria DHS inspection, State of Oregon Fire Marshall inspection, and a State of Oregon Early Learning Division inspection. Construction and inspections would take all of August.

Commissioner Moore confirmed that Shooting Stars provided daycare and asked if educational services could be provided without a state daycare license.

Ms. Giliga explained that she would only be able to provide educational services for three hours or less per day. She confirmed that the center requires a state license to provide the services they plan to offer.

President Pearson called for any testimony in favor of or impartial to the application. There were none. He called for any testimony opposed to the application.

Chris Connaway, 637 14th Street, Astoria, said he served as President of the Longshore Union on the docks. After hearing the Applicant's testimony, he was unsure whether the center was a daycare or educational facility. However, it sounded like the center was about 70 percent daycare. He believed it was a bad idea to locate this business in an industrial area. Common sense should indicate that is a very incompatible use. On most days, the union runs at least two trucks from Pier 3 to Pier 1, transferring logs right past the front door of the Gateway building. There are also three fish canneries that receive heavy chemicals, and they have 40 flat box trailers in the area at all times. He only had about one hour to look into Staff's findings. The union was not notified because their building is not within 200 feet. He believed the 200 foot parameter for notification was laughable. He spoke with friends at Bergerson, which is next door to the proposed facility, who said they did not receive any notifications about this application. He lives half a block from the corner of the Sea School and loves the preschool. Its current location is the perfect place for a preschool and he believed it was extremely callous of the church to kick the business out. There is no good use for them to go. He believed the building at the east end would be a much better venue for the center. The Warehouse Building at 7th and Marine, the old supermarket across the street, and the YMCA building would all be good options. The proposed location is not a good place to put a preschool and educational facility. No school would ever move into that building because it is an industrial area. The parking plan on Page 3 of the Staff report shows on-street parking at Gateway, which is a very narrow area and a very busy street. There are many trucks running all day and night. The gate will remain open during high volume pick up and drop off times. Kids will get out of the enclosure and get on to the street. This is not a good idea. Page 5 of the Staff report says this use is appropriate at the proposed location. He believed that was just an opinion and that several factors should be considered, like accessibility to users. The center will create more traffic in this industrial area. Parents will be dropping off and picking up kids and school busses will be stopping 30 feet from the door. Installing a ramp will encourage bike riding at the Port. This is the only Port on the West Coast that has unfettered access to Portway, which is industrial property. All other ports require that proper residential be shown in order to gain access to port property through a gate. There are no public parks and there is huge waste behind the building. So, access to the Riverwalk will require the children to walk down Gateway to Portway. This is not a good place for kids to be walking around or riding bikes with all of the heavy truck traffic. The site plan on Page 8 shows that drop offs and pickups will increase traffic in an area that does not need more traffic. The center is referred to as a daycare on Page 7, which states it would not have a large impact on the traffic pattern in the neighborhood. There will be at least 120 trips, plus busses and bike riders. He understood the building did not have enough bathrooms. There are many flaws to this proposal and he was concerned about the findings in the Staff report. He would love the center to stay at Star of the Sea because they have a playground and gymnasium.

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

Director Cronin reported that Oregon Revised Statutes defines this facility as an elementary school or secondary school. Astoria's Development Code defines educational service establishments as private schools. Therefore, in both cases, the marijuana rule would not apply to this application. A public use is defined by the Development Center as a city or county public school.

Commissioner Moore said Development Code Section 2.690(a) states that when a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent use. Considering that daycare services are a specific use mentioned in the Development Code and Staff report, and that daycare services are a necessary component of the business, he believed the application should be reviewed at least in aggregate to

include the use of daycare services. Daycare services are forbidden in S-2 zones and this conditional use application should be denied.

Commissioner Fitzpatrick said he was conflicted. The presentation sounded great, but he had some of the same concerns as Mr. Connaway. He was not sure the area was appropriate for a daycare center, but understood the Applicant's situation. The business appears to be very well thought out and the services are definitely needed in Astoria. However, he was concerned about the number of the trucks that go by and the chemicals that would result in particulates in the air in that area.

Commissioner Mitchell said she regularly uses the west end of the Riverwalk because she has three dogs that need to be walked. In the past, she was at the Oregon State Police building on a regular basis for board meetings. So, she is very familiar with the area and the amount of traffic in the area. Trucks go through in the middle of the day, when she is usually there. The street can handle an additional 100 trips per day. There are a lot of jobs on the Port and those employees might need daycare. There is not room for daycare at that end of town. The site does look very industrial and she was sure that children could be irritated by all of the big equipment from behind the fence. Air does not sit still in Astoria and she had not noticed air quality problems, only the smell of lumber. This use would be unusual, but it appeared to be safe. There were strong arguments on both sides of the issues. She sympathized with the Applicant trying to find a location that would accommodate all of the business's services. The Port of Astoria has not indicated any opposition to this application.

Director Cronin noted that the Port Commission was holding a meeting that night. Therefore, Port Staff was not able to provide testimony at this public hearing.

Vice President Easom stated he did not believe the facility met the 1,000 sq ft criteria. This is a daycare. He was also concerned about the traffic. There is no question that daycare facilities are needed, but he did not believe the proposed location was appropriate for this facility.

Commissioner Cameron-Lattek said it was very important to have childcare facilities and locating them near large employers sounds very practical. She visited the site and believed the building in another location would be a great facility. The area is not safe enough for many children. The S-2 zone is defined as an area where a mixture of industrial, commercial, residential, public, and recreational uses can locate. Residential, public, and recreational areas are areas where one would usually find children. However, a daycare facility is not a conditional use listed in this zone. Areas that do allow daycares as a conditional use are areas that lack an industrial component. She was sad that the daycare was in a situation that prevented them from continuing in their current location, but she was not sure the Port was the right location.

Commissioner Merrin said she was surprised by the Applicant's presentation, and then alarmed by the opposition. She had some safety concerns but believed it was difficult to find the perfect location for child safety. The current location requires children to walk across the street to the playground. It is a public playground which can make it difficult for staff to keep an eye on children when other children are there at the same time. There are also safety issues with the school bus stop. However, she understood that the proposed location also posed some specific safety threats. She was not sure the burden on local traffic would be more than the police traffic that was there in the past. She was concerned about the community's need for childcare and educational facilities and said she was undecided.

President Pearson stated he was undecided as well. He agreed with Staff's interpretation that this facility was an educational service establishment. Therefore, the location is appropriate. This would be a positive reuse of an existing building and if it was safe enough for the Oregon State Police, there should be a way to keep children in the playground. The Port has encouraged adaptive reuse in this area. There are many public businesses on the road and they are easy to access. He was still undecided, but believed he could support the application. The use would be unusual, but he believed the Applicant and Staff have proven it could work in this location.

President Pearson reopened the public hearing and called for the Applicant's rebuttal.

Ms. Giliga explained that the parents do not arrive all at once, but they do have higher traffic volumes from 6:00 am to about 8:00 am and from 5:00 pm to 6:00 pm. Currently, their drop off zone never fills up during drop off

and pick up times. She would need six to ten parking spaces for staff, which she intended to locate outside of the fence. People with children would park inside the fence to keep them safe.

Commissioner Henri asked where the private outdoor play area would be located. Ms. Giliga referred to her slideshow and explained the play area would be right outside of the building within the fenced area, back in a corner and away from the traffic. A fence would be installed to separate the play area.

Commissioner Cameron-Lattek asked for more information about which services could be considered daycare. Ms. Giliga explained that a childcare center could operate for less than four hours per day anywhere without any rules, regulations, or inspections. This is how Li'l Sprouts started as an unlicensed daycare managed by the City. Only the full time students would be considered daycare, which she estimated was only about 30 percent of the business. Most of their services are part time and drop ins. Educational services are offered at the same time as the daycare.

Commissioner Henri asked if the facility was licensed as a school. Ms. Giliga said the center is a state-certified childcare center, which makes some parents eligible for tuition reimbursement benefits from their employers. It is very important for the facility to stay licensed even though they will not use the entire facility for those purposes.

Commissioner Henri confirmed that conditional uses were approved indefinitely. Director Cronk explained that the longevity of the business would be based on their lease with the Port of Astoria. He had not seen a draft of the lease agreement yet.

President Pearson closed the public hearing.

Commissioner Moore believed the Commission needed to decide whether the facility was providing daycare services, which are not allowed in S-2 zones. If the Commission decides the facility is providing educational services, they need to consider the concerns about children near around 100 log trucks each day, 800 feet from a diesel refueling station. Industrial accidents occur in industrial areas and he would hate to have 42 kids 1000 feet from an industrial accident.

Vice President Easom agreed.

Commissioner Moore moved that the Astoria Planning Commission deny Conditional Use CU 17-07 by Shooting Stars Child Development Center; seconded by Vice President Easom. Motion failed 3 to 4. Ayes: Vice President Easom, Commissioner Moore, and Henri. Nays: President Pearson, Commissioners Mitchell, Cameron-Lattek, and Fitzpatrick.

Commissioner Mitchell moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU 17-07 by Shooting Stars Child Development Center; seconded by Commissioner Cameron-Lattek. Motion passed 4 to 3. Ayes: President Pearson, Commissioners Mitchell, Cameron-Lattek, and Fitzpatrick. Nays: Vice President Easom, Commissioners Moore, and Henri.

President Pearson read the minutes of appeal into the record.

The Planning Commission recessed at 7:36 pm for a break. The meeting was reconvened at 7:42 pm.

ITEM 4(b):

CU 17-06 Conditional Use CU 17-06 by Astoria Warming Center for a temporary permit to operate the Astoria Warming Center at 1076 Franklin Avenue in the R-3, High Density Residential Development Zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time.

George McCartin, 490 Franklin Ave., Astoria, stated he believed the Planning Commission did not have jurisdiction to hear this matter. The first finding on Page 4 of the Staff report states that the proposed use is not classified in the Development Code. Social services are not defined and he believed Staff had failed at trying to take little bits of the Code from here and there to integrate what is being discussed. The Planning Commission cannot move forward without amending the Code to include businesses that take care of social issues.

President Pearson asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared that he could not vote impartially and recused himself.

Commissioner Mitchell declared that she had volunteered at the Warming Center, but believed she could make a decision based on what was presented to the Planning Commission at this hearing.

President Pearson asked Staff to present the Staff report.

Mr. McCartin asked that Vice President Easom recuse himself as he was a board member of the Astoria Downtown Historic District Association (ADHDA).

Vice President Easom confirmed that it had been more than a year since he served as an ADHDA board member and that he was not currently on the board.

Director Cronin reviewed the written Staff report. All of the correspondence received was included in the Staff report and addendums. Staff recommended approval of the request with the conditions listed in the Staff report.

Commissioner Moore confirmed that the Development Code did not address whether a low barrier shelter would be more appropriate than a no barrier shelter. He did not see evidence in the Staff report that the warming center met all of the provisions of Technical Advisory 11-14.

Director Cronin explained that the application being considered is about land use. An annual safety inspection has been recommended as a condition of approval. He, Fire Chief Ames, and Building Official Small would attend the inspections.

Commissioner Cameron-Latteck confirmed that the warming center's limit would always be 35 clients. Director Cronin noted that addendum #2 changed the warming center's requirements. The addendum was necessary because the Good Neighbor Agreement was signed after the original Staff report was published. The 35-client limit was taken from the technical advisory and on the advice of a building official. The Planning Commission could change that limit.

Commissioner Mitchell stated she wanted to hear from the Police and Fire Departments about their ability to respond to perceived safety issues. She had read concerns from citizens about flashing lights. Instead of being dispersed among various doorways, warming center clients would all be in one place. She wanted to know if this location would increase the Police Department's involvement. Deputy Police Chief Halverson explained that the police only go to the warming center at the warming center's request. Calls to that area would increase while calls to other areas would decrease. The police will receive an overall decrease in calls because people have a place to go. Businesses will not have to file complaints about people in their doorways.

Commissioner Moore asked if Fire Chief Ames would apply the conditions in the technical advisory before or after an inspection. Fire Chief Ames confirmed that the warming center met all of the requirements in the technical advisory when it was located at the Senior Center. When it moved to the Methodist church, the center worked hard to meet all of the requirements. Last year, the only issue was that the warming center wanted to extend the 90-day limit, which is clearly spelled out in the technical advisory.

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

Dan Parkison, 550 St. Rte. 401, Naselle, WA, Astoria Warming Center President, asked President Pearson to reconsider how much time the Applicant is allowed for testimony. This is a complex issue. The warming center has learned a lot and has a lot to respond to. He did not believe all of the issues could be addressed in five minutes. The Staff report contains three recommendations regarding how much time the warming center has to decide if the weather will be bad enough to open the facility. Eight hours is a short window of time that does not allow the facility to open when people expect it to be open. He asked for 15 minutes to give testimony.

President Pearson asked the Applicants to continue. He reminded they would have an opportunity for rebuttal and to answer Commissioner's questions.

Annie Dolber, 679 Alameda Ave., Astoria, Astoria Warming Center (AWC) Board Secretary, said the mission of the warming center is to prevent unsheltered people from dying of exposure in our community during the winter. To that end, the Center provides a warm, dry, safe place to sleep and a hot nourishing meal to its guests for a maximum of 90 days between November 15th and March 15th. We will admit anyone capable of unassisted mobility who does not pose a threat to themselves or others and who is not an unaccompanied minor. However, guests are required to be respectful of each other, staff, volunteers, the church, and the immediate neighborhood. The Center is low barrier, not no barrier, but has zero tolerance for weapons, drugs, or alcohol in the building, smoking in the building, and for threatening violence or discriminatory talk or behavior. These actions result in immediate expulsion for a minimum of one night and potentially permanently. The AWC is not a homeless shelter. Shelters provide temporary residences for individuals and families who are unsheltered or in transition. The AWC merely provides a venue to eat supper and sleep in the winter, but no place to store belongings or come to during the day. Shelters are open year-round, but we are open for a maximum of 90 days a year. Being a homeless shelter would be the next step up, but that is not the AWC. Records show that last year, 64 percent, a clear majority of guests, used the AWC for seven nights or less. A majority of the rest of the guests used the facility for 30 nights or less. People moved on a quickly as they could and only a very few who had no recourse or ability to relocate or find housing used the facility for more than 30 days. Because of the stability afforded them during their stays, the following services reported positive outcomes: 23 guests moved on to stable housing, 11 guests gained employment during their stay, 3 guests returned to school while at the AWC, and 3 guests participated in drug or alcohol treatment at Narcotics Anonymous or Alcoholics Anonymous while at the AWC. Last year, there were no deaths from exposure. The year before, three people died on the street. The warming center began in the winter of 2014 - 2015 utilizing the building where the Senior Center is now. It moved to the First United Methodist Church in the winter of 2015 - 2016 where it continued last year. The AWC was open on a weather dependent basis for the first two years for a maximum of 90 days per season. In their enthusiasm, a new board mistakenly committed last year to be open every night for 120 nights. They soon learned of the existing warming center regulations and closed for the spring on March 1st, after 106 nights. They went to a general one-time exemption granted by the City. This winter, the AWC will limit operations to a maximum of 90 days per year. Their application for a conditional use permit is in compliance with the State of Oregon Fire Marshal Technical Advisory and the Astoria City Code.

Mr. Parkison said the application process had moved fast. The AWC held a neighborhood meeting on June 11th. The meeting was held on short notice and he anticipated comments indicating the AWC did not listen to the neighborhood concerns. At a follow-up staff meeting, the AWC agreed that they did not listen well. Therefore, they took comments at the Sunday Market for two Sundays. The comments they received were integrated into their nine-point plan which was submitted with their application. Last year, the warming center would open at 8:00 pm. People could wait at 8:00 pm, which led to a crowd of people outside the door waiting to get in. There was not a large sidewalk, but there were normally about 30 people standing outside. This year, the warming center will open at 7:00 pm and serve dinner at 8:00 pm. This will allow guests to arrive at staggered times and there will not be a hungry crowd of homeless people standing outside the door milling around on the sidewalk. Wi-Fi will be turned off until 7:00 pm so younger people who use their phones a lot will not arrive at 5:00 pm or 6:00 pm to sit around. The off-sidewalk patio has been expanded and additional lighting has been installed. They have smoke breaks during the evening, which were not supervised in the past. This year, a staff member will supervise the smoke breaks. Several other changes have been listed in the Staff report.

- The warming center has requested that the baseline for opening be a 37-degree wind chill factor. It could be 40 degrees, but if a person is wet and there is a 20-mile-per-hour wind, hypothermia can set in quickly. Hypothermic shock occurs when body temperature drops from 98 degrees to 95 degrees. It is important that the warming center be allowed to open based on the wind chill factor instead of the actual temperature. Astoria is one of the rainiest cities in the United States and the weather was so bad last year that the

warming center decided to remain open, even when it violated the fire code. That was a mistake and the AWC has gone back to the 90-day limit. Being open continuously last year resulted in severe staffing problems. It takes about 12 people to run the facility for the 13 hours it is open.

- If the center were limited to notifying its volunteers at 11:00 am, staffing issues would be worse. The volunteers have to bring in food to cook for the guests. Last year, there were many nights the AWC did not think it could open due to lack of volunteers. Occasionally, the weather forecast is wrong, and weather changes unexpectedly. The warming center would rather not open on a 40-degree day because they can only be open for 90 days a year and they would rather be open on colder days. Only eight hours notification will guarantee a crowd of people at 7:00 pm. Many people walk several miles to get to the warming center. They will be wet and cold and expecting dinner and a warm place to sleep. If the warming center cannot open, the people would disperse in the immediate area and would remain wet, cold, hungry, and desperate. The eight-hour window creates problems for both the warming center and the police force that must deal with the crowd of people.
- The warming center would like to go with the weather requirement for the first and last months of operation. The three-day window is a strain on the staff, volunteers, and food donors. For the two middle months of operation, which are the rainiest months in Astoria, the warming center would like to be open for 60 of the 90 days. During these months, Astoria gets 50 percent more rain than Portland and 23 percent more rain than Chicago. Weather history shows that almost every day of those two months would qualify the warming center to be open.
- The warming center has spoken with four churches. Three of them have stated the use is not compatible with other uses in the buildings. The Armory and Lums declined. There are seven buildings for sale, but only two had the square footage the warming center would need. It would cost about \$5,000 a month to purchase one of those buildings and they are only paying \$83 a month for rent right now. The buildings would also need \$80,000 in remodeling. The Methodist church has been remodeled specifically for the warming center's use, with handicap access, showers, bathrooms, ramps, laundry facilities, storage areas, and fire exits. This location really works for a warming center.

Janet Miltenberger, 877 10th Street, Astoria, Astoria Warming Center Treasurer, said that in order to comprehensively respond to concerns and feedback received from the community, the AWC has initiated a Good Neighbor Agreement. The purpose of this agreement is to document commitments that each party will make to ensure the safety and livability of the neighborhood, establish relationships between the parties, and define how to resolve any problems that arise. Good neighbor agreements are usually made between neighborhood associations and a business or other facility that wants to operate in the neighborhood. The church is not located in an area with a neighborhood association, so the AWC will work with the ADHDA to develop an agreement because of the proximity of the neighborhood association to the church. The Staff report contains a draft agreement that was developed by the AWC before their first meeting with the ADHDA. They will continue to work with the ADHDA to develop an agreement jointly. The nine points, also contained in the Staff report, will be included in the agreement. The AWC will make a concerted effort to continue and enhance communication with neighbors. The community contact information will be made available in every way possible. Neighborhood meetings will be held before, during, and after the winter season. They will seek input from partners when scheduling the neighborhood meetings, which will include immediate neighbors and the ADHDA. People will have the opportunity to sign up to receive notices and the AWC will post fliers. There are concerns about emergency services. During the 2016 – 2017 winter season, there were six ambulance calls and nine police calls to the warming center. This average of one per week is not ideal. However, half of the ambulance calls and almost all of the police calls related to one single individual. That individual is permanently barred from the warming center. The AWC fully expects to have fewer emergency services calls in the future. When it is necessary to call for emergency services, staff and volunteers request that emergency services approach the neighborhood and park at the center without lights and sirens, whenever this is possible. The AWC plans to have a resource coordinator to refer guests to other community agencies that can help them. They are committed to providing an essential service and being a positive community partner. Their application fulfills the requirements for a temporary use permit and complies with City Codes.

President Pearson called for any testimony in favor of the application.

Chuck Meyer, 555 Rivington, Astoria, said he and Sarah had worked every shift at the warming center. He agreed that there is almost no good place to put a warming center, but Astoria has a need for this facility. He has sat in his living room and watched the rainfall sideways at 40 miles per hour when the warming center was

closed because it was not 35 degrees. It was common sense when the policy was changed to account for rain and wind. He was in favor of the application and could not think of any reason to locate the warming center anywhere else. The church is a great facility that has a commercial kitchen, bathrooms, showers, laundry facilities, and it is convenient to downtown. This is a benefit to the community because the warming center guests are not in business's entryways or backyards. He hoped the Planning Commission would approve the application.

Karin Temple, 1032 Grand, Astoria, said the warming center is in her backyard. She was instrumental in establishing the warming center three years ago and was proud of that feat. She believed Astoria should be proud to have this well-functioning and necessary facility. She thanked the volunteers, restaurants, and people who contribute. The homeless situation is a fact in every city and will not go away. The more the warming center is closed, more people will be found in doorways, in the emergency room, in jail, or dead on the street. She was very much in favor of the application.

Jacob Leroux, 1527 Exchange Street, Astoria, stated he was a third year medical student working at Columbia Memorial Hospital (CMH). He just moved to Astoria a few months ago and he first noticed how accepting the town is. Every shop downtown had a sign saying they welcomed everybody. He could not immediately tell that people in Astoria truly believed in practicing kindness and compassion. However, when he heard the warming center was in danger of being shut down, he was taken aback. As a student doctor and someone who came from a financially disadvantaged family, he understood the benefits of having a warming center. Keeping it open and in its current location allows the most unfortunate people to have the safety and security that many people take for granted. The warming center gives people at the hospital peace of mind when discharging their most disadvantaged patients, knowing that they will have a safe place to recover during the winter months. Most importantly, the warming center truly represents the heart and soul of Astoria because it shows that people care about their neighbors regardless of their socioeconomic status. He asked the Planning Commission to approve the permit. Gandhi once said that a civilization's greatness could be measured by how it treats its weakest members. He has never seen a city that lives by this credo as much as Astoria does. A vote to approve the permit is a vote that reflects the spirit of Astoria and staves off the influence of prejudice, intolerance, and malfeasance.

Christopher Crone, no address given, said he has been homeless in Astoria off and on for a long time. When the warming center was at the Baptist Church, there were no issues. He understood many of the problems, but would like the warming center to be granted a permit because there are very few resources in Astoria. Once the permit is granted, everyone can sit down as a group and try to figure out solutions and centralize resources. The weather is detrimental because people can really die outside during the winter.

Daniel Phillip, no address given, said he was 29 years old and could speak to what the homeless go through in the winter. He came to Astoria from Washington a little over a year ago by bicycle and on foot. Many homeless people could have died had it not been for the warming center last winter. He understood neighbors had concerns, but they have never been out on the street before. Setting up centers and establishing rules are necessary because violent issues can arise. The warming center provides services out of love, not for money. Astoria is a town of attraction and the warming center shows what Astoria is all about.

Judy Hollingsworth, 105 Agate Street, Astoria, stated she started her business before there was a warming center. She is a member, employee, and volunteer at the United Methodist Church. She has volunteered at the warming center for the last five years and currently serves as a board member. Before the warming center, she had problems with people in her doorway. Before she could open her business, she would have to clean up urine. That situation went away when the warming center opened. She spends a lot of time at the church and always feels completely safe there, even late at night or by herself in the afternoon. She has had no problems or issues with litter, damage, or any of the things others have complained about. She has found people association with the warming center to be positive. There is a good partnership and good communication between the church and the warming center board, staff, and homeless clients. As a warming center board member, she has seen diverse and intelligent people cooperate and communicate with each other, the church, and the larger community. One evening, she was a visitor in the emergency room when the police brought in a homeless person after finding him unconscious on the ground. The hospital gave him food, got him warm, and got him to start talking. This man had no alcohol or drugs, but needed medication and warmth. The hospital took him to the warming center where he stayed the night. As a night volunteer, she consistently receives respect from

distressed people, even from those who disagreed with her. She felt gratitude from the people who came to the center for food and a warm bed. She believed there many brilliant minds and warm hearts that could put their best together over this next winter to create something at the church or somewhere else. She wanted the permit to be granted. If this does not work, the warming center will have a year to find something else. She understood that cooperation was hard work, but people would not freeze to death in Astoria over the winter.

Melinda Clark, homeless in Astoria, said she did not use the warming center last winter, but had friends who she took to the warming center several times. She believed the warming center did have some impact to the immediate neighborhood, but also believed the warming center could work with the neighborhood to minimize the negative impacts. Without the warming center, several neighborhoods would be impacted negatively, as would the emergency room and urgent care centers. She was also concerned about the ability of the warming center to refer guests to other resources. The warming center also gives people a sense of security.

Theodore Lundy, 2553 Grand Avenue, Astoria, said Astoria is a very compassionate town of 10,000 people who have put together a volunteer board and recruit 40 to 50 volunteers willing to give up their nights to prevent others from freezing to death in the cold and rain. He believed and understood opposition to the permit out of fear of the unknown. He invited people opposed to the permit to volunteer so they can meet the guests and appreciate that they are fine people. Dinner is a joyous time and guests are in out of the rain and safe. This is heartwarming. The center works well to serve this group. The zoning codes are in bad shape. They do not consider a social need as great as homelessness. He challenged the Planning Commission to make sure that social services are added to the Code and permitted in certain zones.

Carol Prichard, 700 Irving, Astoria, stated she was the pastor of the First United Methodist Church, which was located in the neighborhood 100 years ago. The church loves all of its neighbors and the mission of the United Methodist Church is to maintain open hearts, open minds, and open doors. When she heard the AWC was moving from the Senior Center, it seemed that the church's location across the street and next to downtown would provide access to those in need of life preserving shelter and warming. The church loves partnering with the AWC, who have been fantastic tenants. Before the warming center came into the church building, there was a rumor that they had left a mess at the Senior Center. However, the church has waxed the church's floors and kept the building cleaner than it was before. When it comes to hypothermia, staying dry equals staying alive. Methodists take the story of the Good Samaritan seriously and believe that homeless women and men are our neighbors, along with all neighbors up and down 11th Street, Franklin Street, and beyond. Even if the AWC is forced to close its doors, the women and men will remain our neighbors. But instead of sleeping in a supervised warming center, they would be scattered all over town. She referred to a research document published by the Clatsop Coalition on 2/2/17. The document was a 10-year plan to address homelessness in Clatsop County. The AWC has carried out several of the proposed recommendations of that report, which recognized faith-based organizations as key partners and stated that warming stations should use existing community resources, especially church buildings. The coalition also suggested utilizing and training volunteer support. The report points out the obvious common wisdom of such a plan and adds that the faith community has a long-standing positive reputation in this role. She hoped the AWC would receive approval for the conditional use permit and believed the church and AWC were creative problem solvers that could find ways to address the legitimate needs of all neighbors.

Barbara Balseiro, 860 Niagara, Astoria, said she is a retired nurse who volunteered at the shelter when it first opened. Her favorite shift was 2:00 am to 5:00 am because the people who were there wanted to talk to someone. One of the guests grew up on a farm in rural Oregon, but felt he never had a home because his dinner plate was always set out on the back porch next to the dog's dish. He began to get aggressive and could not be managed, so he was admitted to a program at Oregon State Hospital in Salem, where she worked, called the Child and Adolescent Secured Treatment Program. Children in the program were the most uncontrollable, dangerous, and self-destructive in the state. Staff tried to make the hospital like a home and provided the children with school. This man was put into the program at six years old and aged out at 18 years old. He loved the school classes, especially poetry. He began writing poetry, but had begun wandering and stopped taking his medication. He tried working, but could not focus because he was too jittery and hyper tense. During the three months that the shelter is open, this man said he felt like he had a home, which helped him make it through the day. His favorite poem was a poem by Robert Frost that states, "Home is the place when you go there they have to let you in." That is what the shelter meant to this man. Even if the shelter is only open for 90 days, it gives people a chance to feel welcomed. This man said the people who work at the warming center are never

condescending. She has seen clients help each other and she loved seeing the dogs come in. She enjoyed her three-hour night shift and when she got home, she felt like she lived in a palace with her own bathroom and bed. She hoped the warming center would continue because it is a wonderful gift to the homeless.

Kate Allen, 318 Lincoln, Astoria, said she was a volunteer at the warming center, a member of the Lower Columbia Diversity Coalition Steering Committee, and an affordable housing developer, working most recently with Greater Oregon Behavioral Health on a project to provide affordable housing for women in recovery from substance use disorder. She appreciated the opportunity to do something to alleviate the hardship of un-housed neighbors during the harshest months of the winter. Communities all across the state are grappling with the tragedy of extreme housing shortages impacting men, women, families with children, people with disabilities, the elderly, and veterans. The AWC has done an unprecedented job of providing a safe, humane, and respectful alternative to unsheltered nights for vulnerable people. With nominal resources and much community will, Astoria can be proud of this response. From a community impact perspective, the current location of the AWC is as appropriate a location as could be found. The center is close to but not directly impacting the commercial corridor of the city center. The community can continue to work to identify a different location and work to increase the supply of affordable housing. It is imperative to ensure that the safety provided by the AWC stays intact so that social service agencies can connect with and assist guests in improving their circumstances. The board's operating guidelines minimize the impact of the warming center and the Good Neighbor Agreement creates clear lines of communication. Therefore, she strongly encouraged the Planning Commission to approve the permit.

George McCartin, 490 Franklin Avenue, Astoria, stated it was important to broaden the conditions under which the warming center is allowed to open. Page 3 of the Staff report indicates that the report and findings are based on the definition of a warming center as a short term emergency shelter that operates when temperatures or a combination of precipitation, wind chill, wind, and temperature become dangerously inclement. However, Page 10 of the Staff report states the warming center will not be open unless the actual temperature threshold can be set or known by the Planning Commission to be 37 degrees. This is an average wintertime temperature that results in hypothermia and other health related problems. It does not standardize human health. The 37 degrees can be determined using wind chill factors or inclement weather like snow, ice, freezing rain, but not solely based on rain. Anyone who lived here this winter would agree that no one would want to sleep on a bench on the sidewalk at 40 or 45 degrees.

Richard Elfering, 37700 Adams Gate Lane, Astoria, asked the Planning Commission to approve the permit. Military statistics about the army could be used to determine wind chill factors and all of the other factors, which are much more damaging than just cold temperatures. He believed cold should be eliminated altogether from the conditions of the permit. People are always being put up in the cold, but this will not get anyone away from hypothermia. Men wear coats. Coast Guard statistics show how long a person will last in the open ocean at 50 degrees. Additionally, there are all sorts of other facilities that could serve as a warming center, like the Armory. Astoria has covered streets. Although the streets are cold, they are dry. Staying dry is essential to people surviving. He commended the warming center for also offering dinner and suggested the center connect people with services. He asked the Planning Commission to approve the permit for one year while the warming center works out other issues.

Director Cronin reminded that the Commission could disregard any testimony not related to the criteria. As much as Staff or the Commissioners might be moved by the emotional testimony, it has nothing to do with the criteria. He advised the Commission to disregard most of the testimony given so far.

Loretta Maxwell, 1574 Grand Avenue, Astoria, said she was a member of the Christian Science Church on the corner of 11th and Franklin and across the intersection from the Methodist church. Her church has meetings on Wednesday evenings and last year, she saw people waiting to go into the warming center. She has polled other members of her church who said they felt very safe going to their cars or walking home. Before the warming center opened, there was an ongoing problem with people sleeping in the garden by a back door near the trash cans. The person who was at the church during the day was afraid to go outside. The police had to be called a few times and they advised the church to put lights and no trespassing signs in the area. After speaking to people and reading some of the letters in the Staff report, she realized there were still problems. Christian Scientists try to handle things in a loving and compassionate way. Attitudes of anger, fear, and distrust do not make things happen the right way. She believed the Commission should keep this in mind. All people need to

have a place to feel human. We need to be loving and kind and she believed the warming center should be allowed to continue.

President Pearson called for any testimony impartial to the application.

Sue Allen Clark, 1135 Franklin Street, Astoria, said the city has a need for the warming center. She also has a business in downtown Astoria and this issue impacts her in two ways. Astoria needs more than a warming center and this dialogue needs to be expanded and broadened to find a way to help people that need the most help. She did not believe that remaining open continuously would be a good solution. Astoria has 356 days of potentially bad weather, so the facility needs to be a warming center, not a homeless shelter. She sees how many times the ambulance comes to the warming center and it is good when someone gets help. However, this is not the solution, but it is a good place to start the dialogue. Astoria needs to talk about how to people who are incapable of helping themselves. The majority of homeless people have some very serious mental and emotional issues that are not always drug and alcohol related.

President Pearson called for any testimony opposed to the application.

Sean Fitzpatrick, 1046 Grand Avenue, Astoria, asked the Planning Commission to vote against the permit. Dialogue and communication is extremely important and he greatly appreciated the time each commissioner had taken to read the letters provided by people on both sides of the issue. There is so much more going on than the application indicates. He tried to include information that would be important or relevant to the Commission. The question is not whether Astoria needs a warming center. We have heard extremely compelling testimony that reflects why he worked to get the AWC into the Armory in 2013. He and his wife supported the AWC in the Senior Center in 2014 and donated the laundry equipment currently being used in the church, which has morphed into a homeless shelter. The question is whether a residential neighborhood is an acceptable location for the AWC to operate their new warmer shelter. On a night like tonight, especially when it is still light after 9:00 pm, it is hard to understand how bad the street is in the winter. No one has mentioned what the neighborhood and the downtown area has gone through during the winter. The neighbors who welcome the warming center and have hosted the homeless shelter for the past few years believe the neighborhood is not an appropriate location, and the church does not meet the criteria. He hoped the Planning Commission understood the issues the local barrier the homeless shelter creates in the neighborhood and downtown and vote accordingly. At the November 16, 2015 Astoria City Council meeting, Councilor Herzig stated, "The community must step up because one small church hall cannot deal with this issue alone. This is a problem everyone shares and everyone needs to be a part of the solution." He asked the Planning Commission to give the same level of respect to the neighborhood and vote against the application.

Rebecca Greenwood, 1135 Franklin Avenue, Astoria, said she has the closest business and home that must see, hear, and deal with many things. Her property shares parking with the church, where people begin gathering around 9:00 pm. This includes people who are in their cars. She has to listen to loud, foul mouths, as well as a motor home running its generator and music all night long. She has seen people and dogs relieve themselves in her rock garden, drinking, smoking pot, and a lot of garbage left throughout the night. One fourth of the people who live in their vehicles just sleep in their cars because they are allowed to park without entering the warming center. This makes it difficult for her and her guests to get through a quiet night. Her guests are continuously being asked to give up their takeout food as they pass by the parking lot returning from dinner to their rooms. A motor home caught fire which could have caused serious issues with her home. It appears as if there is no garbage pick up at the church so someone walks the garbage over to the dumpsters at the Peace Church around the corner. However, her garbage cans are closer, so people began filling her cans that she pays for. People are constantly ringing her doorbell and asking if her house is the warming center. This goes on every night the warming center is open. She does not care for this and her guests do not pay for it. Her guests continuously comment on the begging and noise when they go out for walks or retire for the evening. Since the room tax will be raised on the first of the year, guests should get what they pay for, a quite no hassle time as a tourist in Astoria. She understood the city needed a warming center, but her neighborhood is not capable of dealing with one.

Sarah Lu Heath, 854 Glasgow Avenue, Astoria, ADHDA Executive Director, said she already submitted written testimony. Because the ADHDA is a Main Street America program, anyone person or business that resides in the district is automatically a member of the neighborhood association. The criteria indicate that conditional use

permits are granted when it is beneficial to the neighborhood. Many have testified and she could ascertain that homelessness issues result in major impacts. She understood that the warming center was a small piece of a very complex issue. However, she opposed the permit because she did not believe the neighborhood was right for its location. According to Google, the distance between the Best Western at the east end of town and Pier 39 at the west end of town is 3.5 miles and it would take one hour to do that walk. There are lower density places with less of a need for the perception of safety. Businesses in downtown Astoria are in precarious positions and are entirely dependent on ensuring that residents and visitors feel comfortable enough to walk downtown. Some communities do not have this problem because they have taken a very different approach to homelessness. Astoria relies on history, architecture, culture, attractions, and entertainment. People feel insecure walking at night when being aggressively panhandled, which has an immediate and detrimental effect to business owners and volunteers. The ADHDA met with Mr. Parkison, who shared the draft Good Neighbor Agreement. She just received the draft yesterday after 3:00 pm so the ADHDA board has not had the chance to discuss it. Therefore, if the Planning Commission does not deny the permit, she requested a continuance to give the ADHDA time to codify the nine changes proposed by the warming center and review the Good Neighbor Agreement.

Kris Haefker, 687 12th Street, Astoria, said it was difficult for him to speak against the application and thanked everyone who worked at the homeless shelter. There is an incredible need for the warming center's services in this community. However, he believed the church was not an appropriate location because it impacted the neighborhood. He provides housing for about 15 households and about 25 individuals. He also provides housing to one man who used to be homeless.

Shannon Fitzpatrick, 938 Kensington, Astoria, said he was a father of four-year olds who like to play in the park on the Illahee Apartments property, which is one block from the homeless shelter. When his family moved to Astoria last year, the park was clean day and night. He could let his kids play without any concerns. That changed in December when the shelter opened. He began to see trash, which he had to clean up before his kids could play. In addition to trash, he often found sleeping bags, beer cans and bottles, medical needles, and human excrement. After the homeless shelter closed for the year, the issues tapered off and eventually disappeared. He believed that Astorians who live in the best situation are not likely the people who would trash the park. People from out of the area with no connection to the community probably do not care. He was concerned that the shelter invites people from out of the area to come to Astoria. He felt strongly about helping fellow community members who were having trouble. He did not believe this use was internal, as previously stated. The warming center affects the whole neighborhood. While last winter demonstrated the need for a warming center in Astoria, this neighborhood is not an appropriate location for a no or low barrier homeless shelter. He asked the Planning Commission to deny the application.

Anne Carpenter, 100 Grand Avenue, Astoria, said she had been an owner of the Illahee Apartments since 2004. Prior to the warming center, she had never experienced the issues that have occurred over the last three years. She understood the need for a warming center, but her neighborhood has experienced the negative effects of having the warming center in the area. She was tired of having to clean up after guests of the warming center.

President Pearson called for the Applicant's rebuttal.

Mr. Parkison said the AWC did not do a good job of conveying that they listened at the meeting, but they met afterwards to discuss the concerns. After the meeting, the AWC interviewed guests at the Illahee, other nearby apartments, downtown businesses, mental health professionals, and The Harbor. The nine points in their proposal are conditions of approval. The AWC recognizes that it needs a litter patrol. Peace Lutheran Church was allowing the warming center to use their garbage bins and it was the guests' job to carry the trash to the church. The AWC will have its own trash containers this next year. The downtown businesses can sign a cooperation agreement with the police to have the police act on the businesses behalf. So, there is a mechanism to handle panhandlers or people sleeping in alcoves. He encouraged downtown businesses to use that agreement. Eddie committed suicide under the public bathrooms on 12th Street a couple of months ago. He had parked there the night before and saw 16 people just in that one location. The warming center only serves 30 or 31 people. The people that the community is concerned about are in Astoria year-round. The warming center posted on its Facebook page that they would be required to have a permit this year and asked people to attend the meeting or write letters. That post had 8,500 views, over 500 comments, likes, and shares, and 55

letters were submitted. Only 22 Facebook interactions were negative. This shows there is a strong opinion that the warming center is doing the right thing in the right location.

President Pearson called for closing comments of Staff.

Director Cronin explained that most of the comments were more emotion based, not based on the criteria. The Planning Commission must consider three issues, which were explained in Staff Report Addendum #2. What time and temperature model should be used? How many hours or days lead time would be appropriate for deciding when the warming center would be open? Can the warming center use the National Weather Service's Storm Warnings to help define inclement weather? He had not heard any testimony that would change the conditions of approval.

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

Commissioner Mitchell stated she was intrigued by the possibility for a continuance. Director Cronin displayed the Planning Commission's options on the screen. The hearing has already been closed, so the Planning Commission could vote now or leave the record open for seven days and deliberate on August 1st or August 22nd.

President Pearson asked Staff to explain the logic behind an eight hour lead time to decide if the warming center should open. Director Cronin stated the eight hours was based on his own belief that it would provide enough time for a decision to be made. The Commission could approve a different timeframe. The Applicant has proposed 72 hours lead time. He did not know if additional lead time would result in any additional impacts to consider.

Commissioner Mitchell believed that changing voting schedules at the last minute make it difficult for the warming center to get enough help. She believed 24 hours lead time would be reasonable.

Commissioner Moore said there was no question that a warming center is a prudent and a necessary service in this rainy town. He doubted any Commissioners would disagree. Should the Planning Commission deny the conditional use permit, the commission should not take that as opposition to the warming center. No one is opposed to having a warming center. He agreed with Mr. Bundy that the Development Code lacks provisions for social services, which puts the Planning Commission in a difficult spot. The City Code, Development Code, and Comprehensive Plan guide the Commission's decision making. It is important for the Planning Commission to use facts and criteria to make decisions. The Commission is a quasi judicial panel. The decisions made by the Planning Commission can end up in a court. They are required to draw defensible conclusions. Unfortunately, emotion and morality do not hold up in court. Development Code Section 1.125.A.9 states that the Planning Commission must study and propose measures that are advisable for the promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city. These are important aspects of the Commission's role. While the code suggests the Commission should apply these measures to deliberations, he believed they should also be applied to land use decisions like the one being considered now. He agreed with Mr. Bowers, who spoke in support of the permit. If the homeless can be members of the voting public, they certainly are members of the community. Unlike the community as whole, any person, homeless or not, is not necessarily a defacto member of a neighborhood simply for spending the night. It is important to note that the Commission should not give priority to any one class or group of people, but should, as the Comprehensive Plan's housing policy suggests, give priority to protecting the needs of existing neighbors over non-residential and incompatible uses. This was also stated in the Staff report. He agreed that homeless were residents, but did not believe they should be counted as existing neighbors in a neighborhood that wishes to temporarily house them. Testimony was provided to the Commission that the AWC recently operated outside of its original charter of 90 days. Testimony by existing neighbors demonstrates that they believe the livability of their neighborhood is negatively impacted and perceive that their personal safety may be impacted. This is a use with significant negative impacts on the neighborhood. The Commission should seriously consider that impact when making a decision. He recognized the need for and humanitarian value of a warming center, he questioned the suitability of this location based on the guidelines contained in the Comprehensive Plan. This does not mean he opposed the warming center.

Commissioner Henri stated she had studied the Staff report extensively. The mitigation measures addressed some of her concerns about the location of this facility. Every detail seemed to be covered and the measures were very considerate of people's needs. She believed all of her and the neighborhoods concerns are being addressed by the mitigation measures and Good Neighbor Agreement. As long as those are conditions of approval, she would feel comfortable with the appropriateness of the location. The permit would only be valid for one year. She believed any neighborhood would have challenges with this use. Without taking into account the emotional and ideological aspects of the use, she believed the Good Neighbor Agreement and mitigation measures make the use more appropriate than it was last year.

Commissioner Cameron-Lattek said everyone agrees there is a need to help the homeless situation in Astoria. She believed there was evidence of a relationship that could be repaired between the AWC and the neighborhood. The Good Neighbor Agreement and the nine-point plan look great on paper, but she was concerned about what happened over the past couple of years to damage the relationship. She was not surprised that some people in the neighborhood were hesitant to believe the situation would improve. She wanted the Planning Commission to allow more time for evidence because she wanted to see if the AWC would work towards an agreement and if people concerned really would accept this in good faith. She understood there was no defined neighborhood association and did not know how an agreement would work legally.

Director Cronin explained that he had proposed the Good Neighbor Agreement during the pre-application conference held several months ago. The agreement is a tool commonly used in larger cities, particularly with places that sell alcohol. He believed it would address some of the neighborhood's concerns by putting solutions on paper. Reopening and continuing the hearing would allow time for the two parties to negotiate the agreement. The ADHDA includes both residents and business owners within the district.

Commissioner Mitchell added that it was unfortunate that the AWC board was feeling defensive in the past. She encouraged the board members to talk with neighbors because there are good people on both sides of the argument. She asked if the City had a way to enforce no parking and camping in the parking lot. She suggested the AWC send volunteers around the neighborhood to clean up. Warming center guests could be reminded as they arrive that they are there at the grace of those around them. She was glad to hear there would be regular trash pickup, but suggested lattice installed around landscaping.

Vice President Easom believed the agreement between the AWC and ADHDA has to include the Illahee Apartments and residents on the hill. Whether they are ADHDA members or not, that is the neighborhood that is affected. He would vote against the permit without that stipulation. He suggested residents two blocks up the hill from, two blocks east, and two blocks south of the warming center be included in the agreement.

Commissioner Moore asked Commissioners to comment on the Comprehensive Plan items that he was concerned about, Sections 220.1, 220.2, 220.6, and 220.14. He believed the Commission had heard testimony that the use was incompatible with the neighborhood, safety was a big concern, this would be a semi-public use, and the neighborhood was not being respected.

President Pearson stated this church and congregation has been part of the community since 1916. The church has partnered with a non-profit to create a liveable community. He believed the warming center was a natural extension of the goal to create a liveable community compared to the alternative. The church is an appropriate use and it is not surprising that the basement of the church should be used for a social cause. The location is accessible and near central downtown. There have been some detrimental impacts on the neighborhood that should be addressed. However, the Applicants have stated that is a work in progress. He supported the one year permit. If the goals have not been met or the warming center is still detrimental to the community, the Planning Commission can consider that in a year. The permit would allow another 90 days to work everything out.

Commissioner Cameron-Lattek reiterated her preference for a continuation because she believed more conversations were necessary and that the Commission could gather more information.

Commissioner Henri agreed and stated some of the documents were still in the works and some of the policies were still being fine tuned. She wanted the Commission to agree on something more solid before voting.

Commissioner Moore suggested the Commission provide feedback on the weather criteria, timing, and program so that Staff and the Applicants would know how to proceed.

Director Cronin reminded that the hearing has closed, but the Code allows the Commission to leave the record open for seven days so that people can submit additional evidence. The Commission could then deliberate at a date certain. It might be a tall order to execute a Good Neighbor Agreement in seven days. He suggested the Commission continue the hearing and noted the 120-day limit would expire on September 12th.

President Pearson proposed that the Commission continue the hearing and give Staff a list of items to gather to be considered at the next meeting. Director Cronin noted the deliberation could be scheduled for August 1st or August 22nd. Vice President Easom did not believe August 1st would allow enough time to finalize the Good Neighbor Agreement. Director Cronin reminded the Commission that they could add a condition of approval requiring the agreement be executed prior to operation on November 15, 2017. After some discussion, the Commission agreed to deliberate on this item on August 1, 2017, when they would decide on the conditions of approval.

President Pearson moved that the Astoria Planning Commission to continue the hearing on Conditional Use CU 17-06 by Astoria Warming Center to August 1, 2017 at 6:30 pm in City Hall Council Chambers; seconded by Commissioner Mitchell. Motion passed unanimously.

President Pearson called for a recess at 9:59 pm. The Planning Commission meeting reconvened at 10:02 pm.

REPORTS OF OFFICERS/COMMISSIONERS:

Commissioner Henri introduced herself to the Commission and Staff.

STAFF UPDATES:

Staff briefly updated the Commission on the following:

- Advance Astoria
- Uniontown Reborn Project
- Homestay Lodging Code Amendments
- Affordable Housing
- Coffee with Director Cronin

MISCELLANEOUS:

Item 7(a): Recognition of Frank Spence's Service to the Astoria Planning Commission

Item 7(b): Planning Commissioner Training Opportunities

Staff is looking for training opportunities for new and existing Commissioners. Commissioners should let Staff know if they plan to attend the League of Oregon Cities half day training session in Portland on September 28th.

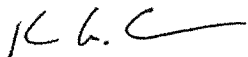
PUBLIC COMMENTS:

There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:09 pm.

APPROVED:



Community Development Director

Cranking out staff report...

How many employees will you have?

From: Denise Giliga [mailto:mrsgiliga@gmail.com]

Sent: Monday, July 10, 2017 12:19 PM

To: Kevin Cronin <kcronin@astoria.or.us>

Subject: Re: Shooting Stars New Space

Kevin,

I will have the sign posted this afternoon by one of my staff members.

As for the landscaping, We control the building as of August 1st and will get on it asap! Can't wait to spruce the place up.

Thanks for the heads up on the timing of everything. I truly appreciate it.

Denise Giliga

On Fri, Jul 7, 2017 at 5:18 PM Kevin Cronin <kcronin@astoria.or.us> wrote:

Hi Denise:

I did a site visit to take some photos to document the site conditions.

The landscaping is in really bad shape.

I hope you have a plan to remove the weeds and spruce up the front yard.

Also, I did not see the public notice sign installed yet. Tuesday, July 11 is the deadline.

I'll be digging deeper into the application next week so I'll be in touch if I see any issues.

Hope you had a great vacation.

Thanks – Kevin

Kevin A. Cronin, AICP

Community Development Director

City of Astoria

Community Development Department

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Astoria, OR 97103

503-338-5183 (w)

971-704-4821 (c)

kcronin@astoria.or.us

www.astoria.or.us

"Where Preservation Meets Progress"

From: Denise Giliga [mailto:mrsgiliga@gmail.com]

Sent: Monday, June 19, 2017 5:15 PM

To: Kevin Cronin <kcronin@astoria.or.us>

Subject: Re: Shooting Stars New Space

Kevin,

Attached is the updated information for the Conditional Use Permit.

See ya Wednesday at 930 AM

Denise Giliga

On Mon, Jun 19, 2017 at 3:59 PM, Kevin Cronin <kcronin@astoria.or.us> wrote:

Hi Denise:

Our Fire Chief's understanding of the building is that it doesn't have fire sprinklers.

The application mentions that the State Fire Marshall inspected, but Tad has not done one.

Did you have someone else look at it? Ben and Jim only did a window survey.

Can you get access to the building from the Port so we can do an internal walk thru?

We'd like to get you the right occupancy info so you can start project budgeting accordingly.

Thanks - Kevin

From: Denise Giliga [<mailto:mrsgiliga@gmail.com>]

Sent: Monday, June 19, 2017 12:39 PM

To: Kevin Cronin <kcronin@astoria.or.us>

Subject: Re: FW: Shooting Stars New Space

Kevin,

I can write up a response to four and five and have it to you by the days end. Didn't realize that I need to hit all points.

Any suggestions on what to write for the fourth? Engineering is not one of my specialties.

I am available for the pre-application meeting. June 21, at 930 is perfect.

Thanks

Denise

On Mon, Jun 19, 2017 at 11:01 AM Kevin Cronin <kcronin@astoria.or.us> wrote:

I see that you addressed only 3 of 5 criteria.

Are you submitting more info to address 4-5?

The more info you can submit, the better chance you have for approval.

I can schedule a pre-application conference for this Wed, June 21.

Can you make 930 or 10 am?

From: Kevin Cronin
Sent: Monday, June 19, 2017 10:32 AM
To: 'Denise Giliga' <mrsgiliga@gmail.com>
Subject: FW: Shooting Stars New Space
Importance: High

Hi Denise:

Are you coming into today to submit the application?

We'll need all the materials we discussed in order to make the pre-app on June 21 and hearing on July 25.

Let me know the status.

Thanks - Kevin

From: Kevin Cronin
Sent: Friday, June 09, 2017 3:14 PM
To: 'Denise Giliga' <mrsgiliga@gmail.com>
Cc: Anna Stamper <astamper@astoria.or.us>
Subject: RE: Shooting Stars New Space

No problem!

Here is the CUP form.

In addition to the building layout, we'll need a site plan. Ask Shane if he has one on file.

Please fill out the app, sign, and respond to the questions on the second page. Feel free to type up the responses.

Come by city hall ASAP to drop off. It's due on June 20 for a hearing on July 25.

Jim and Ben can do a walk through on Tuesday so reserve about 30 minutes on your calendar.

Once you submit the paperwork, we can schedule a pre-application conference for June 21 or earlier.

Let me know if you have any questions.

Thanks – Kevin

Kevin A. Cronin, AICP

Community Development Director

City of Astoria

Community Development Department

1095 Duane Street

Astoria, OR 97103

503-338-5183 (w)

971-704-4821 (c)

kcronin@astoria.or.us

www.astoria.or.us

“Where Preservation Meets Progress”

From: Denise Giliga [<mailto:mrsgiliga@gmail.com>]

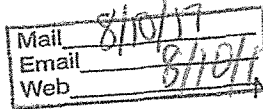
Sent: Friday, June 09, 2017 3:00 PM

To: Kevin Cronin <kcronin@astoria.or.us>

Subject: Shooting Stars New Space

Hi Kevin,

Thanks for getting back to me so quickly. Here is my email address and attached is a layout of the building.



CITY OF ASTORIA
NOTICE OF PUBLIC HEARING

The Astoria City Council will hold a public hearing on Tuesday, September 5, 2017 at 7:00 p.m., in the City Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request(s):

1. Appeal AP 17-01 by Christopher Connaway for Conditional Use Permit CU 17-07 by Shooting Stars Child Development Center to use an existing space at 413 Gateway (Map T8N-R9W Section 8.10.13, Tax Lot(s) 1700; Lot(s) 100, Frontage) in the S-2, General Development Shorelands Development Zone. The appeal is of the Astoria Planning Commission approval with conditions to locate the Child Development Center at this site. The appellant identified the following items as grounds for the appeal: Development Code Standards Article 1 Section 2.690(4) on the conditional use review process; Article 9 Section 9.020 on inadequate public notice, Article 11 Section 11.030(A)(4) on inadequate topography, soils and other characteristics for the conditional use, tsunami inundation zone. Development Code Standards 2.675-2.690, Articles 3, 7, 9 and 11 and Comprehensive Plan Sections CP.037-.038, CP.055, CP.130-CP.186, CP.190-.210 are applicable to the request.

A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available at least seven days prior to the hearing and are available for inspection at no cost and will be provided at reasonable cost. All such documents and information are available at the Community Development Department at 1095 Duane Street, Astoria. If additional documents or evidence are provided in support of the application, any party shall be entitled to a continuance of the hearing. Contact Kevin A Cronin, Community Development Director at 503-338-5183 for additional information.

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

All interested persons are invited to express their opinion for or against the request(s) at the hearing or by letter addressed to the Astoria City Council, 1095 Duane St., Astoria OR 97103. Testimony and evidence must be directed toward the applicable criteria identified above or other criteria of the Comprehensive Plan or land use regulation which you believe apply to the decision. Failure to raise an issue with sufficient specificity to afford the Astoria City Council and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

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THE CITY OF ASTORIA


Anna Stamper
Administrative Assistant

MAIL: August 10, 2017

80907CB00290
Haggren Joseph Michael
1 3rd St Unit #105
Astoria, OR 97103-4343

80907CC00800
Pier 1 Properties LLC
PO Box 387
Astoria, OR 97103-0387

80907CC01200
Warr Russell
415 W Marine Dr
Astoria, OR 97103-6309

80907CC01600
Delphia Richard L
PO Box 2504
Gearhart, OR 97138-2504

80907CC01300
Allen David
PO Box 300
Astoria, OR 97103-0300

80907CC01800
Dirick Properties LLC
PO Box 2504
Gearhart, OR 97138-2504

80907CC03500
Delphia Oil Inc
PO Box 2504
Gearhart, OR 97138-2504

80907CC01902
Niemann John
PO Box 541
Astoria, OR 97103

810130000100
Port of Astoria
10 Pier 1 Ste #308
Astoria, OR 97103

Division of State Lands
775 Summer St NE #100
Salem OR 97301-1279

Floral Alameda Ngbhd Assoc
c/o Bruce Conner
P.O. Box 543
Astoria OR 97103

Leroy Aldolphson
Uniontown Neighborhood Assoc
c/o 165 W. Bond
Astoria OR 97103

JIM STOFFER
ALDERBROOK GROUP
jstoffer@charter.net E-MAIL

EMERALD HEIGHTS GRP
1 EMERALD DRIVE
ASTORIA OR 97103
emeraldheights@charter.net E-MAIL

ATTN: HOUSING OFFICER
COMMANDING OFFICER
USCG AIRSTA ASTORIA
2185 SE 12TH PLACE
WARRENTON OR 97146-9693

Planning & Development Manager
Oregon Department of Transportation
Region 2 Headquarters
455 Airport Road SE Building B
Salem OR 97301-5395
E-MAIL

BLAIR HENNINGSGAARD
1482 JEROME
ASTORIA OR 97103
blair@astorialaw.com E-MAIL

Jim Wolcott
Mill Pond Village Home Owners' Assoc
2735 Mill Pond Lane
Astoria OR 97103 E-MAIL

ADHDA
office/@astoriadowntown.com
E-MAIL

Patrick Wingard
Coastal Services Representative
DLCD
4301 Third Street, Room 206
Tillamook, OR 97141 E-MAIL

RUSS WARR
415 MARINE DRIVE
ASTORIA OR 97103
E-MAIL

Greg Kenney E-MAIL
Cannery Lofts HOA
Gregkenney2@msn.com

Dulcye Taylor E-MAIL
ADHDA
dulcye@astoriadowntown.com

Karen Mellin E-MAIL
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Arline LaMear E-MAIL
alamear@astoria.or.us

Jennifer Holen E-MAIL
ADHDA
jennifer@bakedak.com

Tryan Hartill E-MAIL
editor@northcoastoregon.com

Sirpa Duoos E-MAIL
sduoos@co.clatsop.or.us

Eagle Ridge Home Owner Association
Mark Hedeem E-MAIL
Mark.hedeem@raymondjames.com

Columbia House Condominiums
1 3rd Street # 510
Astoria OR 97103

Port of Astoria
admin@portofastoria.com
E-MAIL

Anna Stamper

From: BLAIR HENNINGSGAARD <blairjh1@me.com>
Sent: Tuesday, August 15, 2017 10:03 AM
To: Anna Stamper
Subject: Re: Public Notice question, do I need to amend?

Anna

*Public Notice for Appeal
AP17-01*

My advice would be to send out a notice to the applicant and anyone else you mailed to - probably do not need to re-publish - you can if you like. Edit the online versions and make an announcement at the beginning of the meeting .

Let me know if this answers your questions.

Blair

On Aug 14, 2017, at 11:45 AM, Anna Stamper <astamper@astoria.or.us> wrote:
Hi Blair,

I have a public notice question. I made a typo on an Appeal public notice, it's a clerical error. I already mailed it. I would like to edit the E-blast, web, and Legal Ad version. Do I then also need to mail an amended version? Do I need to note on everything that it was amended?

The typo was in the Development Code section, I said it was Article I, section 2.690... it is actually Article 2, section 2.0690.

Anna Stamper
Administrative Assistant
Community Development Department
City of Astoria
1095 Duane
Astoria OR 97103
503-338-5183
www.astoria.or.us
<image002.jpg>
"Where Preservation Meets Progress"

*Public
Notice
attached*

CITY OF ASTORIA
NOTICE OF PUBLIC HEARING

Note: this notice was previously mailed August 10, 2017. This notice has been amended to reflect the correct Development Code Article number:

The Astoria City Council will hold a public hearing on Tuesday, September 5, 2017 at 7:00 p.m., in the City Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request(s):

1. Appeal AP 17-01 by Christopher Connaway for Conditional Use Permit CU 17-07 by Shooting Stars Child Development Center to use an existing space at 413 Gateway (Map T8N-R9W Section 8.10.13, Tax Lot(s) 1700; Lot(s) 100, Frontage) in the S-2, General Development Shorelands Development Zone. The appeal is of the Astoria Planning Commission approval with conditions to locate the Child Development Center at this site. The appellant identified the following items as grounds for the appeal: Development Code Standards **Article 4 2** Section 2.690(4) on the conditional use review process; Article 9 Section 9.020 on inadequate public notice, Article 11 Section 11.030(A)(4) on inadequate topography, soils and other characteristics for the conditional use, tsunami inundation zone. Development Code Standards 2.675-2.690, Articles 3, 7, 9 and 11 and Comprehensive Plan Sections CP.037-.038, CP.055, CP.130-CP.186, CP.190-.210 are applicable to the request.

A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available at least seven days prior to the hearing and are available for inspection at no cost and will be provided at reasonable cost. All such documents and information are available at the Community Development Department at 1095 Duane Street, Astoria. If additional documents or evidence are provided in support of the application, any party shall be entitled to a continuance of the hearing. Contact Kevin A Cronin, Community Development Director at 503-338-5183 for additional information.

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

All interested persons are invited to express their opinion for or against the request(s) at the hearing or by letter addressed to the Astoria City Council, 1095 Duane St., Astoria OR 97103. Testimony and evidence must be directed toward the applicable criteria identified above or other criteria of the Comprehensive Plan or land use regulation which you believe apply to the decision. Failure to raise an issue with sufficient specificity to afford the Astoria City Council and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

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THE CITY OF ASTORIA
Anna Stamper
Administrative Assistant



MAIL: August 23, 2017

80907CB00290
Haggren Joseph Michael
1 3rd St Unit #105
Astoria, OR 97103-4343

80907CC00800
Pier 1 Properties LLC
PO Box 387
Astoria, OR 97103-0387

80907CC01200
Warr Russell
415 W Marine Dr
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80907CC03500
Delphia Oil Inc
PO Box 2504
Gearhart, OR 97138-2504

80907CC01902
Niemann John
PO Box 541
Astoria, OR 97103

810130000100
Port of Astoria
10 Pier 1 Ste #308
Astoria, OR 97103

80908CA00200
Allen Stephen C
144 11th St
Astoria, OR 97103-4104

August 29, 2017

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

CITY OF ASTORIA
NOTICE OF PUBLIC HEARING

The Astoria City Council will hold a public hearing on Tuesday, September 5, 2017 at 7:00 p.m., in the City Hall Council Chambers, 2nd Floor, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following:

1. Appeal AP 17-01 by Christopher Connaway for Conditional Use Permit CU 17-07 by Shooting Stars Child Development Center to use an existing space at 413 Gateway (Map T8N-R9W Section 8.10.13, Tax Lot(s) 1700; Lot(s) 100, Frontage) in the S-2, General Development Shorelands Development Zone. The appeal is of the Astoria Planning Commission approval with conditions to locate the Child Development Center at this site. The appellant identified the following items as grounds for the appeal: Development Code Standards Article 2 Section 2.690(4) on the conditional use review process; Article 9 Section 9.020 on inadequate public notice, Article 11 Section 11.030(A)(4) on inadequate topography, soils and other characteristics for the conditional use, tsunami inundation zone. Development Code Standards 2.675-2.690, Articles 3, 7, 9 and 11 and Comprehensive Plan Sections CP.037-.038, CP.055, CP.130-CP.186, CP.190-.210 are applicable to the request.

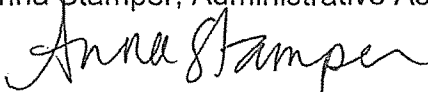
A copy of the application is available for inspection at no cost and will be provided at reasonable cost. All documents and information are available for review at the office of the Community Development Director at 1095 Duane Street, Astoria. Contact the Community Development Department, at 503-338-5183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

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

THE CITY OF ASTORIA
Anna Stamper, Administrative Assistant

PUBLISH: August 29, 2017



Legal Notices

**AB6458
CITY OF ASTORIA
NOTICE OF PUBLIC HEARING**

The Astoria City Council will hold a public hearing on Tuesday, September 5, 2017 at 7:00 p.m., in the City Hall Council Chambers, 2nd Floor, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following:

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THE CITY OF ASTORIA
Anna Stamper, Administrative Assistant
Published: August 29th, 2017

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

CITY OF ASTORIA
NOTICE OF PUBLIC HEARING

Mail	6/23/17
Email	6/26/17
Web	6/26/17

The City of Astoria Planning Commission will hold a public hearing on Tuesday, July 25, 2017 at 6:30 p.m., at Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request(s):

1. Conditional Use CU17-07 by Shooting Stars Child Development Center to use existing space at 413 Gateway Ave, (Map T8N-R9W Section 8.10.13, Tax Lot(s) 1700; Lot(s) 100, Frontage) in the S-2, General Development Shorelands Development Zone. Development Code Standards 2.675-2.690, Articles 3, 7, 9 and 11 and Comprehensive Plan Sections CP.037-.038, CP.055, CP.130-CP.186, CP.190-.210 are applicable to the request.

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THE CITY OF ASTORIA



Anna Stamper
Administrative Assistant

MAIL: June 23, 2017

80907CB00180
Astoria Port Of
10 Pier 1 Ste #308
Astoria, OR 97103

80907CB00181
Astoria Port Of
Riverwalk Inn
400 Industry St
Astoria, OR 97103

Division of State Lands
775 Summer St NE #100
Salem OR 97301-1279

Floral Alameda Ngbhd Assoc
c/o Bruce Conner
P.O. Box 543
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Leroy Aldolphson
Uniontown Neighborhood Assoc
c/o 165 W. Bond
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ALDERBROOK GROUP
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EMERALD HEIGHTS GRP
1 EMERALD DRIVE
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ATTN: HOUSING OFFICER
COMMANDING OFFICER
USCG AIRSTA ASTORIA
2185 SE 12TH PLACE
WARRENTON OR 97146-9693

Planning & Development Manager
Oregon Department of Transportation
Region 2 Headquarters
455 Airport Road SE Building B
Salem OR 97301-5395
E-MAIL

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Coastal Services Representative
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4301 Third Street, Room 206
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RUSS WARR
415 MARINE DRIVE
ASTORIA OR 97103
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Dulcye Taylor E-MAIL
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Tryan Hartill E-MAIL
editor@northcoastoregon.com

Sirpa Duoos E-MAIL
sduoos@co.clatsop.or.us

Eagle Ridge Home Owner Association
Mark Hedeem E-MAIL
Mark.hedeem@raymondjames.com

Columbia House Condominiums
1 3rd Street # 510
Astoria OR 97103

Port of Astoria
admin@portofastoria.com
E-MAIL

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

CITY OF ASTORIA
NOTICE OF PUBLIC HEARING

The City of Astoria Planning Commission will hold a public hearing on Tuesday, July 25, 2017 at 6:30 p.m., in the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request:

1. Temporary Conditional Use CU17-06 by Astoria Warming Center to operate the Astoria Warming Center at 1076 Franklin Ave in the R-3, High Density Residential Development Zone.
2. Conditional Use CU17-07 by Shooting Stars Child Development Center to use existing space at 413 Gateway Ave in the S-2, General Development Shorelands Development Zone.

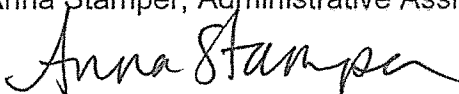
For information, call or write the Community Development Department, 1095 Duane St., Astoria OR 97103, phone 503-338-5183.

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

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THE CITY OF ASTORIA
Anna Stamper, Administrative Assistant

PUBLISH: July18, 2017



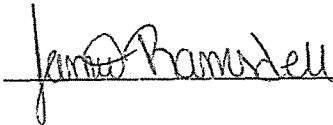
State Of Oregon

County Of Clatsop } ss.

Copy Of Advertisement

Affidavit of
PUBLICATION

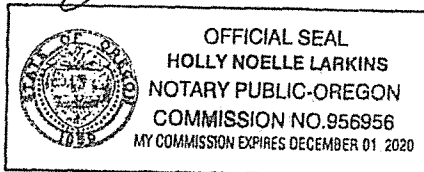
I, **Jamie Ramsdell**, being duly sworn, depose and say that I am the principal clerk of the manager of the **DAILY ASTORIAN**, a newspaper of general circulation, as defined by section ORS 193.010 and 193.020 Oregon Compiled Laws, Annotated, printed and published daily at Astoria in the aforesaid county and state; the Legal Notice: **AB6389 Notice of Public Hearing** a printed copy of which is hereto attached, was published in the entire issue of said newspaper for one successive and consecutive time(s) in the following issues: **July 18th, 2017**.



Signed and attested before me on
the **18th** day of **July**, 2017

by:





Notary Public for the State of
Oregon, Residing at Astoria,
Oregon, Clatsop County.

<p style="text-align: center;">AB6389 CITY OF ASTORIA NOTICE OF PUBLIC HEARING</p> <p>The City of Astoria Planning Commission will hold a public hearing on Tuesday, July 25, 2017 at 6:30 p.m., in the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request:</p> <ol style="list-style-type: none">1. Temporary Conditional Use CU17-06 by Astoria Warming Center to operate the Astoria Warming Center at 1076 Franklin Ave in the R-3, High Density Residential Development Zone.2. Conditional Use CU17-07 by Shooting Stars Child Development Center to use existing space at 413 Gateway Ave in the S-2, General Development Shorelands Development Zone. <p>For information, call or write the Community Development Department, 1095 Duane St., Astoria OR 97103, phone 503-338-5183.</p> <p>The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department at 503-338-5183 48 hours prior to the meeting.</p> <p>The Astoria Planning Commission reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.</p> <p>THE CITY OF ASTORIA Anna Stamper, Administrative Assistant</p> <p>Published: July 18th, 2017</p>



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

CITY OF ASTORIA

JUN 16 2017

BUILDING CODES

☒ Fee Paid Date 6/16/17 By LF

No. CU 17-07

Fee: \$500.00

CONDITIONAL USE APPLICATION

Property Address: 413 Gateway Ave Astoria, OR 97103

Lot 100 Block B Subdivision N/A

Map 8-10-13 Tax Lot 1700 Zone S2

8N R1W13E WM

Applicant Name: Denise Giliga

Mailing Address: 91848 Hwy 104 Warrenton, OR 97146

Phone: 503-812-4433 Business Phone: 503-468-0537 Email: mrsgiliga@gmail.com

Property Owner's Name: Port of Astoria

Mailing Address: 10 Pearl 3308 Astoria, OR 97103

Business Name (if applicable): _____

Signature of Applicant: [Signature] Date: 6/13/17

Signature of Property Owner: [Signature] Date: 6/13/17

Existing Use: Empty / Prior use as Oregon State Police

Proposed Use: Childcare Center / Private Kindergarten Existing building @ 413 Gateway Shooting Stars CDC

Square Footage of Building/Site: 3,300 sqft

Proposed Off-Street Parking Spaces: 15

SITE PLAN: A Site Plan depicting property lines and the location of all existing and proposed structures, parking, landscaping, and/or signs is required. The Plan must include distances to all property lines and dimensions of all structures, parking areas, and/or signs. Scaled free-hand drawings are acceptable.

For office use only:		TYPE SIGN NOTICE	
Application Complete:	<u>6-19-17</u>	Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	<u>7-25-17</u>
120 Days:	<u>10-17-17</u>	PRE-APP	<u>6-21-17</u>

Portway Street



Pagason Construction

Proposed:
Shooting
Stars
Child Development
Center.

100'

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

30'

8'

7'

11'

10'

13'

14'

15'

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314'

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325'

326'

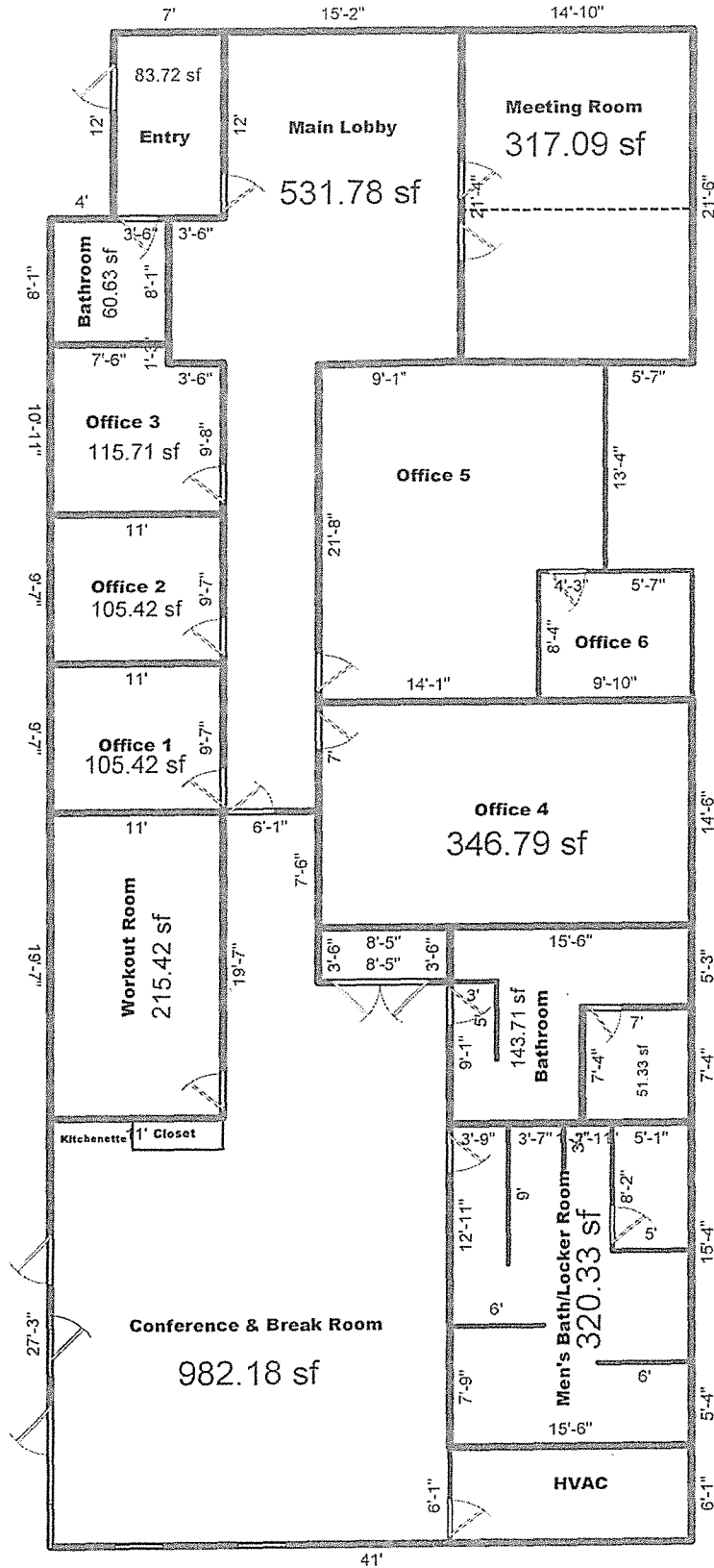
327'

328'

329'

33

BUILDING SKETCH



11.030(A)(1)

11.030(A)(2)

The property located at 413 Gateway Ave is equipped with 15 existing off street parking spots that measure 9ftx16ft. The entire compound is fenced off with 10ft high chain link fencing topped with barbed wire. (Prior use was Oregon State Police) There is one handicap van space at the front of the building with access to a handicap ramp. Signs and blue paint are already in place.

Shooting Stars will implement a traffic flow pattern inside the compound for high volume drop off (7am-9am) and pick up times (3-6pm) using cones and landscaping. Bus drop off for Head Start and school aged children has been discussed with the Astoria Bus Barn and will be on the same side of the street. Approximately 30ft to the front door.

After two months of searching for a building that could satisfy our parking and indoor/outdoor square footage requirements it was beginning to look like the end of our stay here in Astoria. Then when walking the property, we saw real potential. The facility being fenced off (10-1ft high) and secure is great for us due to safety concerns in an industrial area. In short there is an EXTREME need for childcare in Astoria and not many buildings that are currently zoned for our use without a conditional use permit.

11.030(A)(3)

The use of the building will not overburden any facilities or protection/safety agencies. We have completed pre-inspections of the property with; Oregon State Fire Marshall, Department of Human Services, Childcare Division and the County Health Department. All of these entities have given us the green light to pursue licenses.

Bike parking

3 outside, partly covered by
(40" x 20") building overhang (short term) (Rack)
1 inside (long term) in locker room

Landscaping Plan:

existing:

(B) Flag pole area $20 \times 15 = 300 \text{ sqft}$

(A) Road frontage area $40 \times 17 = 680 \text{ sqft}$

Existing Total: 360 sqft

Additional:

2 Childrens garden area

(C) (raised beds) $(10 \times 5)2 = 100 \text{ sqft}$

(D) Children rock area $8 \times 4 = 32 \text{ sqft}$

(E) 4 added planters $(2 \times 2)4 = 16 \text{ sqft}$
(2x2 each) in parking area

Additional Total: 148 sqft

Existing + Additional = $360 + 148 =$

508 sqft

Traffic and Parking Plan

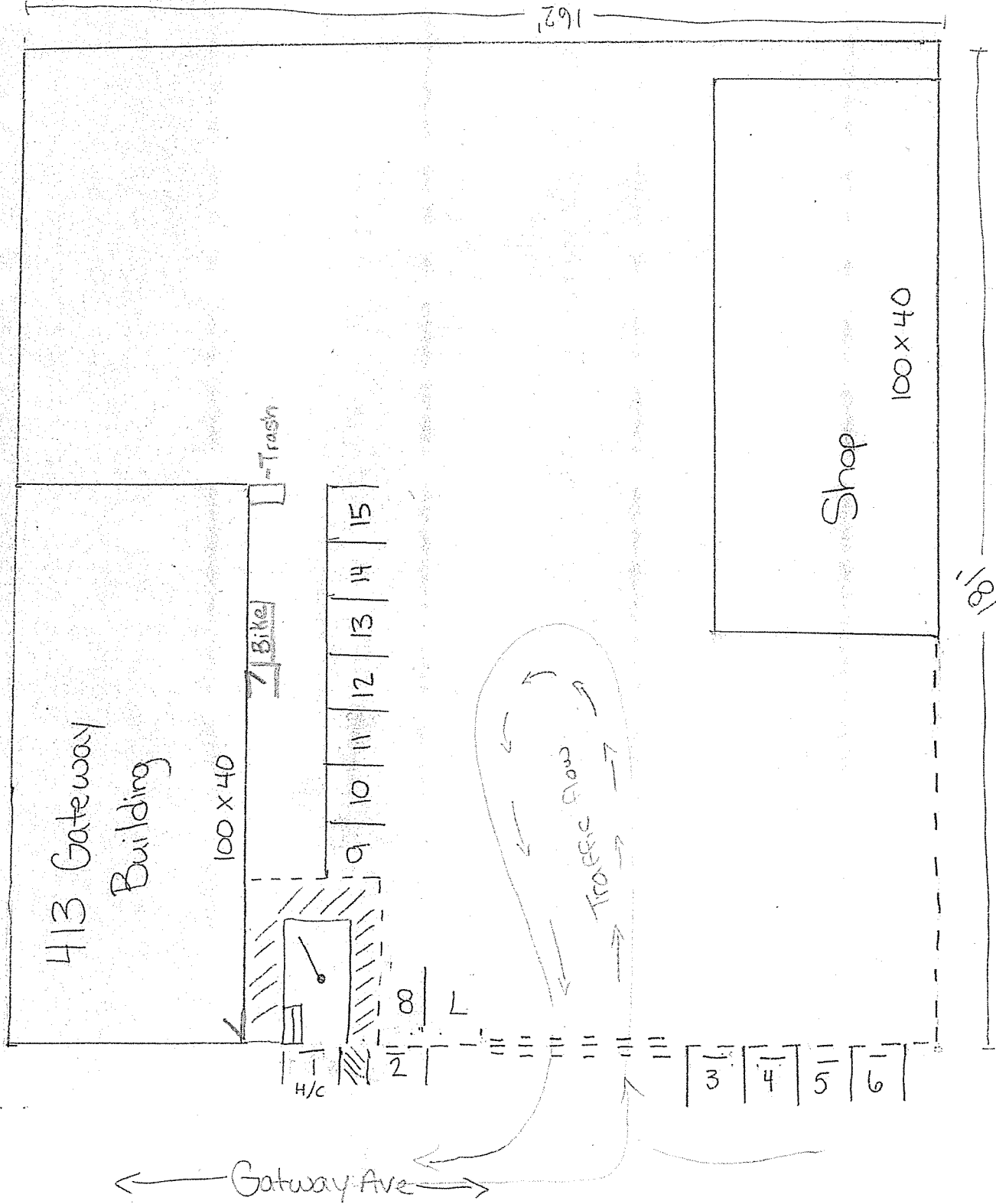
Key

||||| = handicap ramp

✓ = Flagpole

||| = Gate to fence

L = fence



1671

////// = handicap ram

Flagpole

||| = Gate to fence

11 fence



Scale: $1\text{ cm} = 10\text{ ft}$

Kevin Cronin

From: Denise Giliga <mrsgiliga@gmail.com>
Sent: Wednesday, July 12, 2017 1:35 PM
To: Kevin Cronin
Subject: Re: Shooting Stars New Space

Outdoor square footage for shooting stars will be 5,540

As per numbers and age groups. I can estimate but it changes and flows thru out the day. For example my current capacity is 43. During a school day all 43 slots are infant and preschool then at 230-3pm the some preschoolers go home and 20 spots are used for an after school program.

My application to the oregon childcare division states we are asking for 63 spots for children 6wks to 12 yrs. 5 rooms will be used as classrooms, each room will have 35sq ft per child plus access to large outdoor play area.

Denise

On Wed, Jul 12, 2017 at 12:11 PM Kevin Cronin <kcronin@astoria.or.us> wrote:

One more question:

What is the SF of parking area...just the 15 spaces and not the paved storage area?

We have 5% minimum landscaping standard and need to show that you met the standard with your landscape plan.

I think that's it for now...I'll be in touch on Friday or Monday to review the draft report.

From: Denise Giliga [mailto:mrsgiliga@gmail.com]
Sent: Tuesday, July 11, 2017 9:22 PM

To: Kevin Cronin <kcronin@astoria.or.us>
Subject: Re: Shooting Stars New Space

I will have 10-12 employees.

On Tue, Jul 11, 2017 at 11:07 AM, Kevin Cronin <kcronin@astoria.or.us> wrote:



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

Date: August 29, 2016 *11/22 JAH*

M E M O R A N D U M

TO: KEN COOK, PUBLIC WORKS DIRECTOR

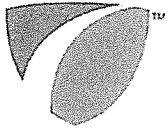
FROM: JEFF HARRINGTON, CITY ENGINEER

SUBJECT: TRAFFIC COUNTS ON GATEWAY FOR SHOOTING STARS DEVELOPMENT

The Shooting Stars Development project received Planning Commission approval to relocate from its current location to the old State Police Building in the Port of Astoria on Gateway. The approval is being appealed to the City Council on September 5th and staff has been requested to determine traffic volumes in front of the development and to determine the capacity of the street. Gateway is not a City street but a Port street so we have very limited background information. The street width was measured at 22 feet. The street has a wide paved shoulder/parking area approximately 35 feet in width separating the street from the fence around the facility.

The Engineering Division requested that the police department install the radar reader board which counts traffic in addition to recording traffic speeds. On August 22nd, staff conducted a visual traffic count between the hours of 2:00 PM and 3:00 PM to verify the accuracy of the counter. Attached is an exhibit of the traffic count for six days from 6:00 AM to 7:00 PM along with other data reports from the reader board.

The average daily traffic (ADT) for Gateway at this location was 1,326 vehicles per day. This traffic volume falls within a reasonable range for this type of road. A typical ADT for a 2 lane urban road is around 2,000 vehicles per day, with the ability to carry many more vehicles at capacity. The average speed observed was approximately 20 mph. Some excessive speeds were recorded with one vehicle clocking in at 40 mph. In general it appears that traffic volumes peak around the noon hour and it appears that weekdays are busier than weekends.



A sign of the future.™

Volume By Time Report

Generated by Steve Ruggles from City of Astoria
on Aug 29, 2017 at 4:21:28 PM

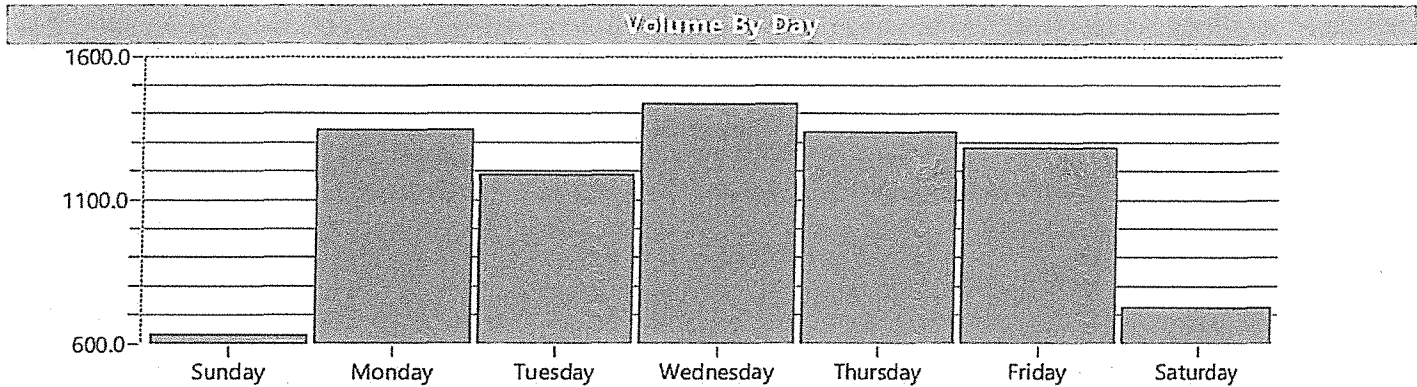
Speed Bins: Size 0, Range 1 to 100

Time View: By Day of Week (Avg Volumes)

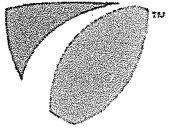
Site: Gateway proposed child care center, SB

Time of Day: 6:00 to 18:59

Dates: 8/22/2017 to 8/28/2017



ALL TRAFFIC SOLUTIONS



A sign of the future.

Volume By Time Report

Generated by Steve Ruggles from City of Astoria

on Aug 29, 2017 at 4:21:25 PM

Speed Bins: Size 0, Range 1 to 100

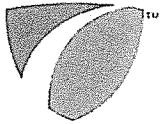
Time View: By Day of Week (Avg Volumes)

Site: Gateway proposed child care center, SB

Time of Day: 6:00 to 18:59

Dates: 8/22/2017 to 8/28/2017

Day of Week	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	Total Num Vehicles
Sunday	43	30	27	34	51	47	75	69	62	57	55	53	30	633
Monday	76	59	101	126	108	127	152	127	119	114	118	72	46	1345
Tuesday	0	0	37	121	123	141	154	134	93	111	117	114	44	1189
Wednesday	63	91	115	133	159	150	130	121	118	105	107	93	49	1434
Thursday	75	84	128	104	110	111	120	121	114	129	98	95	48	1337
Friday	64	80	110	102	114	109	124	128	100	122	101	88	39	1281
Saturday	32	44	52	50	60	56	66	67	84	54	71	55	34	725
Avg # Vehicles	50	55	81	96	104	106	117	110	99	99	95	81	41	1135



A sign of the future.™

Volume By Speed Report

Generated by Steve Ruggles from City of Astoria

on Aug 28, 2017 at 11:51:44 AM

Speed Bins: Size 5, Range 1 to 100

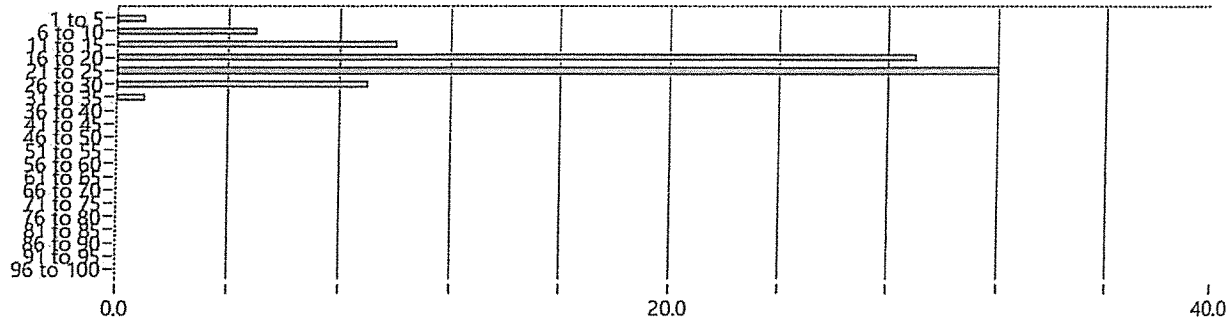
Time View: By Hour (Avg Volumes)

Site: Gateway proposed child care center, SB

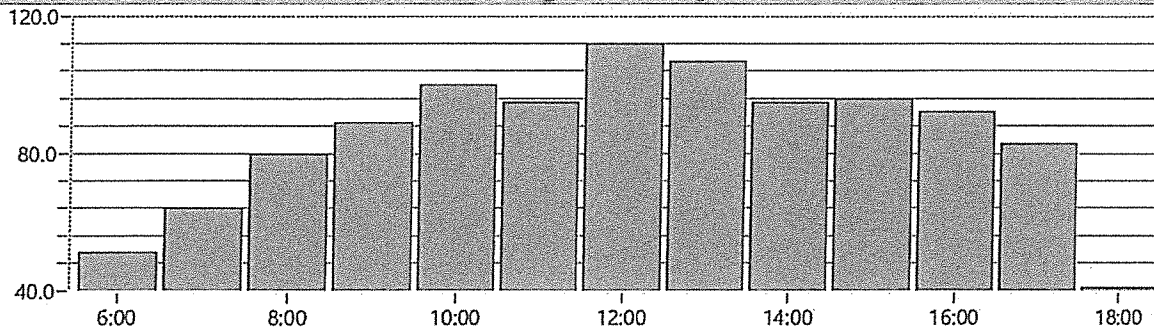
Time of Day: 6:00 to 18:59

Dates: 8/21/2017 to 8/27/2017

Average Volumes by Speed Bin



Average Volume by Hour





Extended Speed Summary Report

Generated by Nathan Crater from City of Astoria
on Aug 29, 2017 at 3:12:34 PM

Site: Gateway proposed child care center, SB

Time of Day: 0:00 to 23:59

Dates: 8/22/2017 to 8/28/2017

A sign of the future.

Overall Summary

Total Days of Data: 7

Speed Limit: 25

Average Speed: 20.10

50th Percentile Speed: 20.08

85th Percentile Speed: 24.14

Pace Speed Range: 16 to 26

Minimum Speed: 5

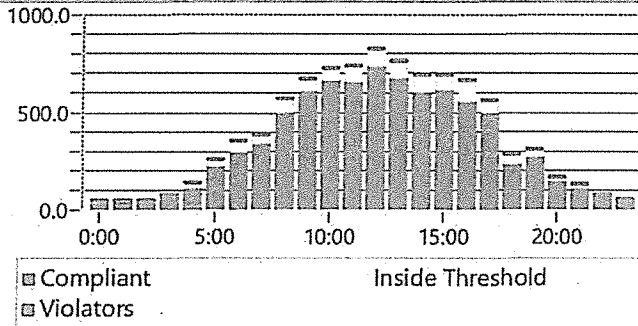
Maximum Speed: 40

Display Status: Did Not Display Vehicle Speeds

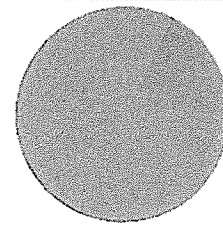
Average Volume per Day: 1325.9

Total Volume: 9281

Volumes by Compliance

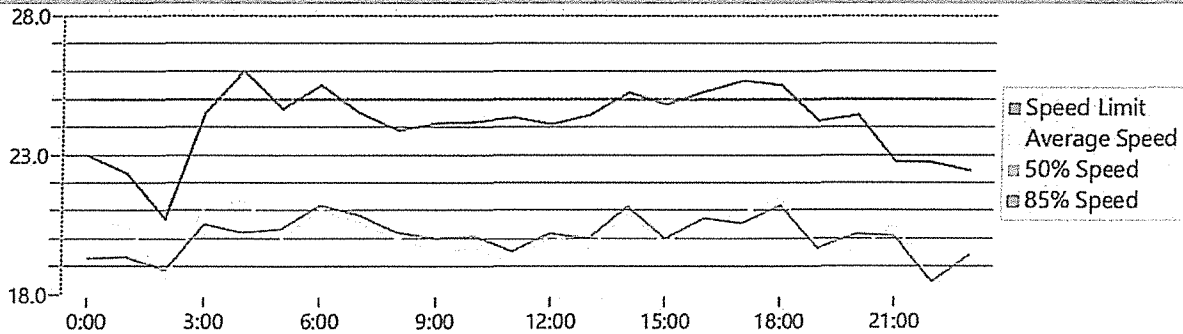


Sign Effectiveness



☒ Vehicles Slowed
☐ Other

Speeds



Anna Stamper

From: Jeff Harrington
Sent: Wednesday, August 30, 2017 2:08 PM
To: Kevin Cronin
Cc: Anna Stamper; Ken Cook; Brett Estes
Subject: Shooting Stars - Log Trucks Supplemental Information

Kevin,

According to the Port, log trucks traverse Gateway moving logs from Pier 3 over to Pier 1 (west to east) for loading onto ships. There is no set schedule and volume is based on need. On a typical week the trucks will run about half time. The logging operation can run 1-3 trucks on any given day with an average of 33-40 trips per day per truck. Therefore if 3 trucks are running the total trips across the front of the subject property would be up to 240 trips (3 trucks times 40 trips times 2 directions per truck). In summary, log trucks can generate up to 240 trips for up to 2 ½ days per week.

Thanks,

Jeff

Jeff Harrington, P.E.
City Engineer
City of Astoria
1095 Duane Street
Astoria, Oregon 97103
Office: (503) 338-5173
Fax: (503) 338-6538
jharrington@astoria.or.us



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

August 25, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: LIQUOR LICENSE APPLICATION FROM NEWPORT PACIFIC CORP DBA MO'S RESTAURANT LOCATED AT 101 15TH STREET FOR AN ADDITIONAL PRIVILEGE FOR AN OFF-PREMISES SALES LICENSE (FINANCE)

DISCUSSION & ANALYSIS

A liquor license application has been filed by Bob Scull for Newport Pacific Corp doing business as Mo's Restaurant. This application is an Additional Privilege for an Off-Premises Sales License. The Off-Premises Sales License allows the following:

- May sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises.
- A factory-sealed container of malt beverages may not hold more than 2 ¼ gallons.
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises (the container may not hold more than 2 gallons)
- Eligible to apply to get pre-approval to provide sample tastings of malt beverages, wine, and cider for consumption on the premises.
- The license comes with the privilege to make next-day delivery of malt beverages, wine, and cider directly to an Oregon resident. Note: must follow OAR 845-006-0392 and 845-006-0396.
- To make same-delivery of malt beverages, wine, and cider directly to an Oregon resident the licensee must apply and received OLCC prior approval. Note: must follow OAR 845-006-0392 and 845-006-0396.

The site is located at 101 15th Street, Astoria. The application will be considered at the September 5, 2017 meeting. A copy of the application is attached.

The appropriate Departments have reviewed the application. The Astoria Police Department has prepared the attached memorandum for Council's review. No objections to approval were noted.

RECOMMENDATION

Staff recommends that the City Council consider this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Susan Brooks', written over a horizontal line.

Susan Brooks
Director of Finance & Administrative Services



CITY OF ASTORIA
FOUNDED 1811 – INCORPORATED 1856

POLICE DEPARTMENT

MEMORANDUM

DATE: AUGUST 22, 2017

TO: MAYOR AND COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: **LICENSE RECOMMENDATION MO'S RESTAURANT
REQUEST FOR ADDITIONAL PRIVILEGE**

DISCUSSION / ANALYSIS

In April 2017, The City of Astoria received notice that Newport Pacific Corp, operating under trade name Mo's Restaurant, 101 15th St. Astoria applied as a new applicant for a Full On Premise Sales License. Astoria City Council made a recommendation to grant the license. OLCC issued the license which Mo's is currently operating under.

In August 2017, Mo's Restaurant, 101 15th St. Astoria applied for an additional privilege for Limited Off Premise Sales of sealed alcohol containers which can include the sale of beer, wine, malt beverages and cider for off premise consumption.

Mo's Restaurant hours of operation will be 11:00 AM – 10:00 PM Sunday through Saturday inside their Building with seating for 160 and in their Outdoor Area with seating for 40. The hours of operation will have seasonal variations with reduced hours in the winter and closure of the outdoor seating area when weather dictates.

The business will operate with the restaurant being the primary use for the location. The business has an onsite manager.

APPLICANT

The applicant for the license is Newport Pacific Corp, and President Jolee Bancroft. Representatives from the Astoria Police Department have investigated the backgrounds of the applicant named above. No derogatory information was located regarding the applicant.

The applicant currently operates seven locations throughout the State of Oregon. Of the Seven locations, six are currently licensed through the Oregon Liquor Control Commission.

NEIGHBORHOOD SURVEY

A neighborhood survey was not conducted for the request of additional privilege due the recent neighborhood survey conducted related to full on premise sales.

RECOMMENDATION

Given the listed information staff has no objection to the granting of the change of ownership.



Eric Halverson, Deputy Chief



ORIGINAL

OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- ☐ Full On-Premises Sales (\$402.60/yr)
 - ☐ Commercial Establishment
 - ☐ Caterer
 - ☐ Passenger Carrier
 - ☐ Other Public Location
 - ☐ Private Club
- ☐ Limited On-Premises Sales (\$202.60/yr)
- ☒ Off-Premises Sales (\$100/yr)
 - ☐ with Fuel Pumps
- ☐ Brewery Public House (\$252.60)
- ☐ Winery (\$250/yr)
- ☐ Other: _____

ACTIONS

- ☐ Change Ownership
- ☐ New Outlet
- ☐ Greater Privilege
- ☒ Additional Privilege
- ☐ Other _____

90-DAY AUTHORITY

☐ Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- ☐ Limited Partnership
- ☒ Corporation
- ☐ Limited Liability Company
- ☐ Individuals

CITY AND COUNTY USE ONLY

Date application received: 8-8-17

The City Council or County Commission:

City of Astoria
(name of city or county)

recommends that this license be:

☐ Granted ☐ Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: (signature)

Date: 7/10/17

90-day authority: ☐ Yes ☐ No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Newport Pacific Corp. ③ _____

② _____ ④ _____

2. Trade Name (dba): Mo's Restaurant

3. Business Location: 101 15th St. Astoria Clatsop OR 97103
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 101 15th St. Astoria OR 97103
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 971-704-1750
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: Newport Pacific Type of License: Full on premise

8. Former Business Name: _____

9. Will you have a manager? ☒ Yes ☐ No Name: Kimberly Bolin
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Astoria
(name of city or county)

11. Contact person for this application: Bob Scull 503-791-4286
(name) (phone number(s))

16700 Marshall way 541-265-8336 bobscull@moscowden.com
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① (signature) Date 7-5-17 ③ _____ Date _____

② _____ Date _____ ④ _____ Date _____



OREGON LIQUOR CONTROL COMMISSION CORPORATION QUESTIONNAIRE

Please Print or Type

Corporation Name: Newport Pacific Corp Year Incorporated: 1974
Trade Name (dba): Mo's Restaurant
Business Location Address: 101 15th St
City: Astoria, OR ZIP Code: 97103

List Corporate Officers:

<u>Jolee Bancroft</u>	<u>President</u>
(name) <u>John Becker</u>	(title) <u>Vice-president</u>
<u>Tom Ragghianti</u>	<u>Secretary</u>

List Board of Directors:

<u>Jolee Bancroft</u>	<u>Bob Scull</u>
(name) <u>John Becker</u>	<u>Cyndi McEntee</u>
<u>Tom Ragghianti</u>	<u>Gabrielle McEntee</u>
<u>Mark Colson</u>	

List Stockholders: (Note: If any stockholder is another legal entity, that entity may also need to complete another Corporation Questionnaire. See Liquor License Application Guide for more information.)

Stockholders:	Number of Shares Held:	Number of Stock Shares:
		Issued: <u>526,155</u>
		Unissued: <u>0</u>
		Total Shares Authorized to Issue: _____

Server Education Designee: Bob Scull DOB: 3-1-73
(See Liquor License Application Guide for more information).

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Officer's Signature: [Signature] Date: 2-5-17
(name) (title)



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Newport Pacific Corp Phone: 541-265-3798

Trade Name (dba): Mo's Restaurant

Business Location Address: 101 15th Street

City: Astoria, OR ZIP Code: 97103

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 11 am to 10 pm
Monday 11 am to 10 pm
Tuesday 11 am to 10 pm
Wednesday 11 am to 10 pm
Thursday 11 am to 10 pm
Friday 11 am to 10 pm
Saturday 11 am to 10 pm

Outdoor Area Hours:

Sunday 11 am to 10 pm
Monday 11 am to 10 pm
Tuesday 11 am to 10 pm
Wednesday 11 am to 10 pm
Thursday 11 am to 10 pm
Friday 11 am to 10 pm
Saturday 11 am to 10 pm

The outdoor area is used for:

- ☒ Food service Hours: 11 am to 10 pm
☒ Alcohol service Hours: 11 am to 10 pm
☐ Enclosed, how back patio

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☒ Yes ☐ No If yes, explain: reduced hours in winter

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input type="checkbox"/> DJ Music | <input type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input type="checkbox"/> Pool Tables |
| | <input type="checkbox"/> Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

SEATING COUNT

Restaurant: 160 Outdoor: 40
Lounge: _____ Other (explain): _____
Banquet: _____ Total Seating: _____

OLCC USE ONLY

Investigator Verified Seating: ____ (Y) ____ (N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 7-5-15

1-800-452-OLCC (6522)

www.oregon.gov/olcc

(rev. 12/07)



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

August 28, 2017

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: APPLICATION WITH TRANSPORTATION & GROWTH MANAGEMENT
PROGRAM FOR RIVERFRONT VISION PLAN IMPLEMENTATION – PHASE
IV URBAN CORE

BACKGROUND

In 2009, the City of Astoria adopted a Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine/ Marine Drive/Lief Erikson Drive) was divided into four "plan areas" of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16th to 39th Street), and Neighborhood Greenway (39th Street to east end of Alderbrook Lagoon).

Since 2014, the City has been successful in implementing each section of the RVP with financial assistance from the Transportation Growth Management Program, a state administered grant program and a Department of Land Conservation & Development grant for the Neighborhood Greenway section. The last section of the RVP that needs to be implemented through the Development Code is the Urban Core, which covers downtown Astoria.

Staff would like to apply for additional funding to complete the implementation of the RVP and address a FY 17-18 City Council goal.

The project budget is estimated at \$80,000 with no required cash match by the City. However, significant staff time will be matched. Under the TGM program, no cash is provided to the City and the Oregon Department of Transportation (ODOT) uses the services of pre-qualified planning firms already under contract with ODOT. Staff will work with TGM staff to select a consultant. The final product would be a code amendment and/or land use zoning map amendment to be presented to the City Council for consideration of adoption as part of a Type 4 application.

A draft letter of support from the Mayor is enclosed and is a requirement of the application.

RECOMMENDATION:

It is recommended that the City Council authorize the Mayor to sign the letter of support for the Riverfront Vision Plan Implementation Urban Core code assistance project.

By:



Kevin A. Cronin, Community Development Director



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

OFFICE OF THE MAYOR

August 28, 2017

Laura Buhl
Land Use & Transportation Planner
Transportation & Growth Management Program
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem OR 97301-2540

RE: TGM Code Assistance Project – Riverfront Vision Plan Implementation Phase 4:
Urban Core

The City of Astoria is committed to the Riverfront Vision Plan (RVP), and respectfully requests that the Department of Land Conservation and Development in conjunction with the Oregon Department of Transportation give serious consideration to its funding through the Transportation and Growth Management (TGM) program. Astoria is a community rich in history and its location on the Columbia River. The Riverfront Vision Plan celebrates our connection to the River while maintaining our “working waterfront” development.

There has been wide acceptance of the Riverfront Vision Plan by the community and a strong interest in continuing with three phases of implementation of the Plan in 2014-2015. The concepts and ideas identified in the Plan promote economic development and the preservation of public open space that complement each other and provide for safe, interconnected intermodal transportation for the City. However, the City needs to amend our Comprehensive Plan and Development Code language to implement the final phase of the RVP.

In addition, the City Council included implementation of the Riverfront Vision Plan as one of their goals for this fiscal year (FY 17-18). Furthermore, at the September 5, 2017 City Council meeting, staff was authorized to submit the request for TGM funding assistance. TGM funding is essential to continue the excellent work already completed, to enhance our community historically, recreationally, and economically, and complete the final implementation phase of the RVP.

Sincerely,

THE CITY OF ASTORIA

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Mayor

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CITY OF ASTORIA
Founded 1811 • Incorporated 1856

August 29, 2017

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: MEMORANDUM OF UNDERSTANDING FOR THE CLATSOP COUNTY
HOUSING STUDY

DISCUSSION/ANALYSIS

In May 2017, a meeting was called by Clatsop County to allow for dialogue on County-wide issues between members of the County Commission and city councilors from Clatsop County municipalities. One of the discussion topics was affordable housing. Part of that discussion centered on the recently completed housing study for Tillamook County. It was determined that there was interest in conducting a housing study for all incorporated and unincorporated areas of Clatsop County.

Clatsop County has determined the cost for this project would be approximately \$100,000. The County has proposed to pay fifty percent of the cost with the remainder of the municipalities (Cannon Beach, Seaside, Gearhart, Warrenton and Astoria) paying \$10,000 apiece. It is proposed that the City of Astoria's financial commitment be paid out of the General Fund, specifically from the Community Development Department budget. As this project developed following development of the budget, this allocation was not factored in to a line item. Therefore, this may trigger a budget adjustment at year end as \$11,500 was included for Community Development professional services. A memorandum of understanding (MOU) between Clatsop County and the municipalities is attached which spell out details.

It is anticipated that individuals from the City Manager and Community Development Departments will be representing the City of Astoria in request for proposal, consultant selection, and steering committee participation. As stated in the MOU, it is expected that the consultant will work with all cities and the County regarding housing needs. Results from the study would be provided to the City of Astoria and given in a presentation. County Manager Cameron Moore will be in attendance at the September 5th meeting to answer any questions. City Attorney Henningsgaard has review and approved the MOU as to form.

RECOMMENDATION

It is recommended that City Council consider the memorandum of understanding for the Clatsop County Housing Study.

MEMORANDUM OF UNDERSTANDING FOR CLATSOP COUNTY HOUSING STUDY

This Memorandum of Understanding is made this _____ day of _____, 2017 between **Clatsop County** a political subdivision of the State of Oregon, the **City of Cannon Beach**, an Oregon municipal corporation, the **City of Seaside**, an Oregon municipal corporation, the **City of Gearhart**, an Oregon municipal corporation, the **City of Warrenton**, an Oregon municipal corporation, and the **City of Astoria**, an Oregon municipal corporation.

RECITALS

Clatsop County is currently experiencing a severe housing shortage for all types of housing. The lack of housing options is creating barriers to continued economic growth. Existing businesses are struggling to retain and attract employees because they either cannot find housing or cannot afford the housing that might be available. Starting new businesses or attracting business from elsewhere is extremely challenging as business owners are concerned that they will not be able to attract and retain the workforce necessary for their success if there is not an adequate supply of affordable housing. Any significant expansion of historical employers such as the U.S. Coast Guard may be derailed if we cannot demonstrate that Clatsop County can offer an adequate supply of housing.

Therefore, the Parties agree as follows:

Clatsop County will issue a Request for Proposal (RFP) to hire a consultant to assist in understanding the type, size, location and price of housing needed to meet the current and future needs of Clatsop County residents as well as the market forces, regulations and local barriers that impact housing development in Clatsop County. County will provide each city an opportunity to review the RFP and comment prior to publication. Each city may provide a representative to serve on the interview panel for the consultant selection.

It is expected the consultant will work with all cities and the county regarding the housing needs of the area. All parties agree to designate a representative to serve on the Steering Committee that will oversee this project and provide the consultant with necessary documents and staff interviews needed to address the housing concerns of that jurisdiction.

The parties will each contribute funds to the cost of the consultant. It is expected the consultancy contract will cost approximately \$100,000. Clatsop County agrees to hire the consultant and pay 50% of the cost. Each of the cities agrees to contribute one-tenth of the cost, up to a total per city of \$10,000. Cities contribution will be made after the contract is let, and within 30 days after County requests payment of the contributions.

All results of the consultant's study will be provided to cities. Consultant will give presentations to Cities as agreed between the parties.

This agreement will remain in effect until terminated, and may be terminated on 180 days' written notice from one party to the others.

This Agreement may be executed in counterparts, each of which will be considered an original and all of which together will constitute one and the same agreement.

**CLATSOP COUNTY
BOARD OF COUNTY COMMISSIONERS**

By: **Scott Lee, Chair**

CITY OF CANNON BEACH

CITY OF SEASIDE

By:
Title:

CITY OF GEARHART

By:
Title:

CITY OF WARRENTON

By:
Title:

CITY OF ASTORIA

By:
Title:

By:
Title:

Approved as to form:



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