



AGENDA

DESIGN REVIEW COMMISSION

Thursday, October 3, 2019
5:30 PM
1095 Duane Street, Astoria
2nd Floor, Council Chambers

1. CALL TO ORDER

2. ROLL CALL

3. MINUTES

3.a No new minutes to review

4. PUBLIC HEARINGS

4.a **continued from September 5, 2019** Design Review Request (DR19-03) by MMCG GOI Astoria LLC, to construct a 16,000 square foot Grocery Outlet structure at 2190 Marine Dr. in the LS (Local Service) Zone, GOZ (Gateway Overlay Zone), and CGO (Civic Greenway Overlay) Zones.

5. REPORT OF OFFICERS

6. STAFF UPDATES / STATUS REPORTS

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

8. ADJOURNMENT

THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING THE COMMUNITY DEVELOPMENT OFFICE, (503) 338-5183.



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

September 26, 2019

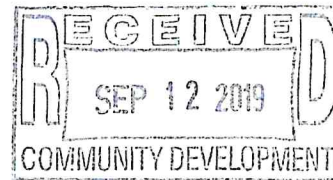
TO: DESIGN REVIEW COMMISSION

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: DESIGN REVIEW REQUEST (DR19-03) BY MMCG GOI ASTORIA LLC TO
CONSTRUCT A COMMERCIAL RETAIL FACILITY AT 2190 MARINE DRIVE

The Design Review Commission held a public hearing on September 5, 2019 concerning Design Review Request (DR19-03) to construct a Grocery Outlet retail facility at 2190 Marine Drive. The public hearing was closed at that meeting and the applicant requested that the record remain open for seven days for submittal of final arguments by the applicant as allowed by State law.

Attached is the final arguments from the applicant's attorney, staff report, and application. The public hearing is closed so no additional public testimony may be taken. The DRC was advised that they should avoid any ex parte contacts, but if any occurred, you should report them at the meeting. This would include any emails you may have received or any news articles you may have read. The DRC will deliberate at the meeting and make a decision on the request. Depending on the decision and finding of fact by the DRC, staff may be able to amend the staff report at the meeting. However, if there are major changes needed to the report, the final decision and adoption of findings of fact may need to be continued to a future date to allow staff to prepare the findings.



September 12, 2019

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VIA E-MAIL

SUBMITTED ON SEPTEMBER 12, 2019 BEFORE 4:00 P.M.

Jared Rickenbach, President
City of Astoria Design Review Commission
Astoria Community Development Department
Astoria City Hall
1095 Duane Street
Astoria, OR 97103

RE: City of Astoria File No. DR19-03; Application by MMCG Astoria, LLC;
Applicant's Final Written Argument Without New Evidence

Dear President Rickenbach and Members of the Design Review Commission (the "DRC"):

This office represents MMCG Astoria, LLC, the Applicant. This letter is the Applicant's final written argument. This letter contains no new evidence.

1. Procedural status of DRC review of the Application.

The DRC closed the public hearing and the evidentiary record to all parties at the conclusion of the continued September 5, 2019 public hearing. The Applicant did not waive its right to final written argument under ORS 197.763(6)(e) and the DRC held the written record open for the Applicant only to submit final written argument without new evidence on September 12, 2019 by 4:00 p.m.

The remainder of this letter summarize the reasons why the DRC can find that the Applicant has satisfied the applicable approval criteria with substantial evidence and can approve the Application with the nineteen staff-recommended conditions of approval in the August 29, 2019 Staff Report.

2. Summary of the Applicant's responses to the Design Guidelines.

A. The DRC may balance the Design Guidelines in making its decision.

The DRC can approve this Application by balancing the Design Review Guidelines in ADC 14.025 and finding that ADC 14.030 is satisfied. As ADC 14.020, "Applicability of Design Review Guidelines," provides:

“The guidelines are intended to provide fundamental principles that will assist in review of the proposed development. The principles identified by both ‘encouraged’ and ‘discouraged’ are architectural elements. They are broad design objective and are not to be construed as prescriptive standards.”

In other words, the DRC balances the various guidelines, and as Planner Rosemary Johnson said, evaluates whether the majority of the Applicant’s design is within “encouraged,” as opposed to “discouraged,” elements. Further, the direction to the DRC that the Design Review Guidelines are “broad design objectives” and are not “prescriptive standards” means that the DRC has flexibility in balancing the various design guidelines.

The straightforward means of reaching a decision on the Application is to look at each Design Guideline, determine whether the Applicant has proposed an “encouraged” or “discouraged” architectural element and then, as Ms. Johnson advised, balance the Design Guidelines by determining how many of the “encouraged” factors are met versus “discouraged” factors. As noted elsewhere in this letter, neither the purpose statement in ADC 14.005, the Gateway Master Plan nor the Astoria Comprehensive Plan are relevant approval criteria nor may they be used in a way that would alter, or be contrary to, the plain language of ADC Article 14, “Gateway Overlay Zone.”

B. The DRC can find that the Application meets the “encouraged” elements of the Design Guidelines, or that deviations are allowed by ADC 14.020.

The DRC can find that the following Design Review Guidelines or that deviations are allowed by ADC 14.020 are satisfied:

- **ADC 14.025.A:**

The proposed building provides a variety of detail, form and siding to provide visual interest; the proposed building reflects one of the three historic building types commonly found in the area but as noted in ADC 14.025.A, these building types may be used as models for contemporary building design but do not restrict or define the building’s function.

- **ADC 14.025.B:**

The proposed building is an “encouraged” building form because it is rectangular in plan and low in form. The proposed building type is not a “discouraged” building form.

- **ADC 14.025.D:**

The proposed building provides “encouraged” windows as single-light windows and fixed windows with detail. There is no standard that determines what may be viewed through the windows.

- **ADC 14.025.F:**

The proposed building design includes “encouraged” exterior wall treatments.

- **ADC 14.025.H:**

The proposed building design includes “encouraged” roof elements.

- **ADC 14.025.J:**

The proposed building includes roofing materials “encouraged” for all building types.

- **ADC 14.025.L:**

The proposed monument sign and building sign are “encouraged” sign types. The proposed freestanding sign meets the definition of “monument” sign in ADC 1.400.

- **ADC 14.025.N:**

The proposed building design includes exterior lighting “encouraged” for all building types and for commercial uses. The Applicant agrees with the staff-recommended conditions of approval requiring revisions to the proposed plan to assure compliance with these standards. The conditions are feasible to be achieved.

- **ADC 14.030.A:**

The proposed building is pedestrian-oriented. The proposed building forms a visually continuous pedestrian-oriented storefront because it provides a continuous unobstructed pathway from the building entrance vestibule to Marine Drive, because pedestrian amenities are proposed on Marine Drive and Commercial Street and because the entry vestibule has doors facing Marine Drive and Commercial Street and the entry vestibule faces both streets. This requirement uses the word “should.” As the Applicant has explained, it is unreasonable, impracticable and unfeasible to design a building that turns its back on one street while facing another street given the triangular shape of the lot. Because ADC 14.030.A.1 is not a prescriptive standard, and because the use of the word “should” allows alternatives to the standard, the DRC can find that the building design achieves this standard given the lot shape.

- **ADC 14.030.B.3:**

The proposed one-story building has a mass and scale that is compatible with the site and adjacent buildings. The design guideline does not require a square foot per square foot match in order to determine compatibility. The nearest commercial building, the Co-op, is also a commercial building using the same form as the proposed building in this Application.

- **ADC 14.025.C:**

As explained elsewhere in this letter, the existing driveway on Marine Drive is not prohibited and because ADC 14.025.C.1 is not a prescriptive standard, it may be allowed because it is both consistent with the proposed design, allows the best use of this site given its triangular shape and reduces traffic congestion as demonstrated in the oral and written testimony by Mr. Mike Ard, the Applicant's Transportation Engineer.

The DRC can also find that the proposed parking lot is designed to be as unobtrusive as possible through the desirable use of landscaping materials and the unobstructed pathway between the building entry vestibule and Marine Drive. Moreover, use of the word "should" means, as the Applicant has explained, that the DRC may deviate from the standard because it is unreasonable, impracticable and unfeasible for the site to require parking to be placed behind the building. Any building design on this lot would face one or both of the streets.

ADC 14.030.C.2 is also satisfied because the building façade and entry space face both Marine Drive and Commercial Street and the main entrance is reached via a connecting walkway with a direct connection to Marine Drive. Because this standard uses the word "should," the DRC can find that it is unreasonable, impracticable and unfeasible to require another design for this lot because of its triangular shape.

- **ADC 14.025.D.1 and .2:**

The DRC can find that the proposed landscaping plan satisfies this design guideline.

- **ADC 14.025.E:**

The DRC can find that the proposed site plan provides for underground utilities with the exception of those that must be above ground.

C. Conclusion.

Based on the above, substantial evidence in the whole record submitted by the Applicant, and the nineteen staff-recommended conditions of approval, the DRC can find that the Application satisfies the relevant Design Guidelines by meeting the "encouraged" standards, and where a Design Guideline may not be met, demonstrating why it is unreasonable, impracticable and unfeasible to do so. On balance, the DRC can find that the Application closely adheres to the non-prescriptive Design Guidelines and results in a building that is appropriately designed, encourages pedestrian activity and is compatible with the surrounding uses because of its mass, bulk, size and low height.

3. August 29, 2019 Staff Report responses to Design Guidelines.

A review of the August 29, 2019 Staff Report for the continued September 5, 2019 public hearing demonstrates the staff's view of the Applicant's compliance with the approval criteria.

- The staff found that ADC 14.025.B and .C are satisfied (Staff Report Pages 9-10).
- ADC 14.025.D is met by proposing clear windows, the loading bay area elevation is partially blocked by an adjacent building and is not highly visible, the impact on mature landscaping makes a large difference on the appearance of a similar wall at the Safeway Store and that other than the south elevation, there are no large expanses of windowless, blank walls and that the Applicant has proposed metal vertical features to break up the blank wall. The Applicant believes this is not a large expanse of windowless wall. Ms. Johnson asked the DRC to determine if the use of the vertical metal features is appropriate in lieu of windows for this area given the utilitarian nature of the elevation partially blocked by the adjacent building and whether it warrants the elimination of the windows (Staff Report Pages 10-13).
- ADC 14.025.F is met for the main building and can be met for the bicycle storage area (Staff Report Pages 13-15).
- ADC 14.025.H is met (Staff Report Pages 15-16).
- ADC 14.025.J and K are met but the bicycle storage area is required to have a metal roof, or other approved material to match the main structure (Staff Report Pages 15-16).
- ADC 14.025.N and O. The Staff Report recommends conditions of approval 4 through 7 to confirm that the Applicant's treatment of lighting is consistent with the ADC (Staff Report Pages 16-22).
- ADC 14.025.L and M. The Staff Report states that the "Applicant submitted a revised sign design that fully meets the definition of a monument sign" (Staff Report Pages 21-23).
- ADC 14.025.P. The Staff Report notes that the Applicant provides "encouraged" canopies (Staff Report Pages 23-24).
- ADC 14.030.C.2. The Staff Report notes that the narrow shape of the lot makes it difficult to design parking and buildings that would not have parking between the building and a right-of-way and that the design and orientation of the building takes more than advantage of the vehicular access from the parking lot with a proposed pedestrian pathway from Marine Drive through the parking lot to the front entry, and a pedestrian access from a walkway onto Commercial Street. The Staff Report also notes that the site configuration poses constraints to the development of the site and that the criteria provide "some flexibility on the part of the DRC to determine if the standards can be met or mitigated by other means." The Staff Report asks that the DRC balance the criteria for pedestrians not walking through parking lots to access the building with the provision in ADC 14.001 providing that a standard using the word "should" is not required were it is unreasonable, impracticable or unfeasible. The Applicant has explained in writing and in its oral testimony why other pedestrian access is unreasonable, impracticable or unfeasible (Staff Report Pages 24-26).

- ADC 14.030.A.1 and C. The Staff Report notes that the narrow shape of the lot makes it difficult to design parking and buildings that would have parking on the interior of the lot behind buildings. The Staff Report also notes that the DRC does not review traffic impacts because technical traffic issues are reviewed by the Astoria City Engineer. The Staff Report asks that the DRC decide if the Marine Drive driveway should be allowed primarily based on the design aspect but with the knowledge of how this decision affects the traffic impact review by the City Engineer and ODOT. Ms. Johnson also notes that since 2004, Marine Drive has been upgraded to include a turn lane that serves the TP Freight driveway on Marine Drive and other uses and that the turn lane has helped to “minimize congestion.” The Staff Report concludes that minimizing the impact of traffic delays on Marine Drive “would be best served by allowing use of the existing turn lane refuge into the Marine Drive access to the site. Another intent is to create more aesthetic designs for the Gateway entry into the downtown area which could possibly be accomplished with additional landscape buffering of the site and reduction of the width of the driveway.”

The Staff Report notes “. . . there is some flexibility on the part of the DRC to determine if the use of the [driveway] standards can be met or mitigated by other means . . . Another type of development could occur on this triangular site that could meet more of the design standards, but since the use is allowed outright, and with the various conditions for mitigating landscaping other design elements, the DRC needs to determine if it would be “unreasonable” to require full compliance with these criteria” (Staff Report Pages 26-32).

- ADC 14.030.A.2. The Staff Report notes that it is impracticable or unreasonable to design a building to take advantage of the view of the Columbia River because it is a retail establishment. The Staff Report notes that the DRC may determine that this requirement is unreasonable, impracticable or unfeasible (Staff Report Pages 32-33).

- ADC 14.030.A.3. The Staff Report concludes that the building is compatible with other commercial buildings in the area (Staff Report Pages 33-34).

- ADC 14.070.A.1. The Staff Report notes that the floor area ratio requirement is satisfied (Staff Report Page 35).

- ADC 14.030.B.2. The Staff Report notes that the dimensional requirements in the LS zoning district are satisfied (Staff Report Pages 35-36).

- ADC 14.030.B.3. The Staff Report notes that the proposed materials are compatible with the character of the waterfront in the area and that the proposed building is comparable with other buildings in the area and while the building would be comparable in size to some buildings in the area, it would also be substantially larger than other buildings in the area. However, the Applicant notes that the proposed building notes that the proposed building is one story just like the adjacent Co-op building. The Staff Report concludes that: “While larger than some of the buildings in this area, with the mixture of the building sizes and heights, and its location off Marine Drive on Commercial Street, the proposed building’s size and height would not be out of scale with the general development of the area” (Staff Report Pages 36-38).

- ADC 14.030.E. All utilities are proposed to be underground (Staff Report Page 38).
- ADC 14.030.D and 14.075.A.3. The Staff Report notes that the Application can comply with these standards through conditions of approval (Staff Report Pages 38-39).
- ADC 14.075.A.2. The Staff Report notes that the Application can comply with these standards through conditions of approval (Staff Report Pages 40-41).

The Staff Report contains nineteen staff-recommended conditions of approval. The Applicant testified that all of the conditions of approval are reasonable, feasible to achieve and within the DRC's authority to impose.

4. Responses to other issues.

A. The DRC can approve the Application with the Marine Drive driveway as proposed in its current location.

Opponents to the Application incorrectly argued that the DRC cannot approve the Application with the Marine Drive driveway. The DRC can reject these arguments for the following reasons.

First, the April, 1997 Gateway Master Plan (the "Master Plan") is neither applicable to this Application nor does it prohibit the approval of the driveway.

This Application is a "Limited Land Use Decision" as that term is defined in ORS 197.015(12) because it concerns an application for a use permitted outright within the City's Urban Growth Boundary (the "UGB") that is for site plan and design review approval. Because the Application is a limited land use decision, the Master Plan, part of the City's Comprehensive Plan (the "Plan"), can be applied only if the City incorporated specific Master Plan goals and policies into the ADC, the City's land use regulations. *Scan v. City of Salem*, 70 Or LUBA 468 (2014) (The city may not apply Plan policies to a limited land use decision where it has not incorporated such plan policies into its land use regulations pursuant to ORS 197.195(1)). The Master Plan is referenced in a purpose statement, which both the City Attorney and the Applicant have advised is not applicable approval criterion. ADC 14.005. The only other place where the Master Plan is referenced in Article 14 has to do with historical context, not Marine Drive access. ADC 14.025.A. While this purpose statement is an applicable appeal criterion because it is listed under the Design Guidelines, it does not fully incorporate the Master Plan and references only historic building types.

Second, the DRC may not use the Master Plan as context. To do so would improperly apply the Master Plan to the limited land use decision and would be legal error if it results in a *de facto* amendment to the land use regulations.

Third, while the Master Plan at Page 16 provides that Marine Drive should not have any curb cuts, the Astoria City Council did not implement that express policy in ADC Article 14. Instead, ADC 14.030.C.1. simply provides that driveways on Marine Drive should be “discouraged.” The standard does not provide that driveways “should” be prohibited. The use of the word “discouraged” means it is merely a guideline, not a mandatory standard. The standard does not use the word “should.” Moreover, the Master Plan says nothing about the use of existing driveways, which is the case with this Application.

However, if the DRC considers the Master Plan as context for ADC 14.030.C.1, then it must relate the analysis of whether the driveway on Marine Drive should be allowed to the other design guidelines. *See Ashley v. City of Grants Pass*, 38 Or LUBA 308 (2000) (City may not deny a permit application based on factors or considerations that are unconnected to approval standards in its land use regulations.) In this case, given the context of the discussion of Marine Drive driveway in the Master Plan, the DRC could prohibit the driveway only because of traffic congestion issues (**Exhibit 1**) (Page 16 from the Master Plan regarding the discussion of Marine Drive.) Substantial evidence by the Applicant demonstrates that the traffic congestion will be improved, not worsened by allowing the Marine Drive driveway (**Exhibit 2**; August 1, 2019 DRC Minutes, Pages 8-9). Moreover, neither the City of Astoria Public Works Department nor the Oregon Department of Transportation would have tentatively approved the driveway if either of those agencies thought that traffic congestion would be worsened.

The opponents suggested that conflicts with pedestrians is a reason for prohibiting the driveway. However, the opponents’ argument are not supported by substantial evidence. Moreover, both the City and ODOT will apply applicable standards to assure adequate sight distance at the driveway for both pedestrians and vehicles. In fact, the DRC can impose such a condition if wishes. New conditions of approval are not new evidence and may be allowed following final written argument. *Columbia Riverkeepers v. Clatsop County*, 58 Or LUBA 190, 201 (2009).

Opponents to the Application also argued that the DRC should treat this Application the same way it treated the Co-op application. The DRC should reject this argument for two reasons. First, as staff has told the DRC, the Co-op decision is not precedent for other decisions on other applications. The Application before the DRC is a quasi-judicial application and the decision must be based on facts applied to the applicable approval criteria. The DRC’s decision is not bound by prior quasi-judicial decisions and, in any event, the Co-op decision is not part of the record before the DRC, so it is impossible to compare the two decisions.

Second, the opponents argued that the DRC did not approve a Marine Drive driveway for the Co-op. However, Ms. Johnson explained to the DRC at the continued September 5, 2019 public hearing that the Co-op did not request a driveway on Marine Drive. Nothing prevented the Co-op from doing so but according to the evidence in the record before the DRC, the Co-op failed to do so. Ms. Johnson’s testimony at the September 5, 2019 continued public hearing regarding the Co-op application is evidence. *Reagan v. City of Oregon City*, 39 Or LUBA 672, 678-679 (2001) (Staff testimony can be substantial evidence.) No party

objected to Ms. Johnson's testimony and it is properly part of the record before the DRC. Therefore, the fact that the Co-op failed to apply for a driveway on Marine Drive when it could have done so is not a basis for an action on this Application's request for a driveway on Marine Drive.

Fourth, the DRC can find that Mr. Ard's Transportation Memorandum dated August 23, 2019 supports the conclusion that the driveway on Marine Drive will reduce congestion in the area.

Mr. Ard states in his August 23, 2019 memorandum at Page 2:

"An additional access is proposed at Marine Drive to reduce the operational and safety impacts that would otherwise occur at the intersection of Marine Drive and 23rd Street."

Mr. Ard explains that by utilizing the center turn lane on Marine Drive, it is safer for left-turning vehicles to reach the site than making a left turn at 23rd Street. The aerial photograph at Page 2 of the August 29, 2019 Staff Report shows the center turn lane on Marine Drive.

Mr. Ard testified to the DRC in the August 1, 2019 public hearing that:

"The data supporting the need for access on Marine Drive is largely common sense. When a site has more than one access, people will use both accesses. About two-thirds will use the first access and one-third will use the second access. However, in this case, drivers would have to turn on to Commercial before arriving at Grocery Outlet in order to take the first driveway. If the store does not have that access directly on Marine Drive, all of those vehicles would go down to 23rd Street and make a left turn where there is no left turn refuge. He did not want to compound the existing congestion in the area, but make access easy. The center left turn lane allows people to turn in and out from the site in two stages, crossing one line of traffic at a time" (Exhibit 2, August 1, 2019 DRC Minutes at Page 9).

To the extent the DRC determines that it wishes to use the April, 1997 Master Plan for context, the Master Plan discusses the Marine Drive driveway at Page 16 under the heading, "Circulation," and states that

"As a state highway and primary arterial roadway through the City, Marine Drive needs to be designed to minimize congestion. There will be no curb cuts to parking lots, with the exception of the parcel south of Marine Drive from 23rd Street to 32nd Street." (Exhibit 1)

Page 38 of the Master Plan, entitled "Design Guidelines," states:

"The Design Guidelines provide not only suggestions for desirable elements, but also Design Guidelines are meant to state broad design objectives and not to be construed as prescriptive standards. In selective instances, strict compliance with guidelines may not be appropriate." (Exhibit 3)

The Astoria City Council did not implement the Master Plan statement on Page 16 because ADC 14.030.C simply provides that driveways on Marine Drive are discouraged, not prohibited. The Master Plan at Page 16 demonstrates that minimization of congestion is of primary importance. The substantial evidence before the DRC demonstrates that having both driveways will minimize congestion whereas allowing only one driveway to Commercial Street will increase congestion.

Mr. Ard notes:

"The addition of the direct site access to Marine Drive would allow site traffic to utilize [the Marine Drive] alternative access point, thereby reducing queues, *congestion* and delays for vehicles entering Marine Drive from both Commercial Street and 23rd Street." (emphasis added) (August 23, 2019 Memorandum, Pages 2 and 3.)

Mr. Ard's letter also confirms that sight distance at the proposed Marine Drive driveway is adequate and meets ODOT standards. (August 23, 2019 Memorandum, Page 3).

B. The building provides windows that are encouraged.

The Applicant has replaced the *faux* windows originally proposed with windows from the "encouraged" category in ADC 14.025.D.1. (See Exhibit 1 to Applicant's August 26, 2019 letter.)

C. The loading bay wall is not required to have windows under ADC 14.001 because it is unreasonable, impracticable and unfeasible.

The loading bay is a necessity for trucks to serve the store. The loading bay is located against an existing adjacent building and whether that building remains in the future or not does not reflect the current facts, which must be the basis for the decision. The view from Marine Drive of part of the wall adjacent to the loading bay is blocked by the existing building. The remaining part of the wall is not a large expanse of blank wall and, as explained by the Applicant, it is unreasonable, impracticable and unfeasible to require a window here because of the potential for damage to the window from trucks.

D. The proposed landscaping and benches.

The Applicant agrees with the staff-recommended conditions of approval 9, 14, and 16 assuring that the landscaping will meet the Applicant's representations and providing for relocation of the benches which are an important pedestrian feature.

E. Proposed signs are encouraged.

The Applicant appreciates the DRC's desire to explore other sign types but as long as the proposed signs meet the requirements of the ADC, they must be allowed. The monument sign and the building signs meet the relevant ADC definitions.

F. The entrances and pedestrian access meet ADC 14.030.A.1.a.

The Applicant's oral and written testimony explains why it is unreasonable, impracticable and unfeasible to require a building to be sited on this triangularly-shaped lot to precisely meet the DRC standards in ADC 14.030.A.1.a. This standard uses the word "should," which in addition to the fact that the standard should not be applied as a prescriptive standard provides the DRC with flexibility to recognize the inherently difficult nature of the site.

The building's proposed entrances facing the greatest visibility to the two adjacent streets and access to pedestrians. The Applicant has provided an unobstructed pathway through the parking lot and both vestibule entry doors face their respective streets.

Turning the building so that it faces one or the other street would not be a better solution than the proposed design because it would still require parking on one side of the building adjacent to the street and would require an entrance on each side of the building. Placing the building at the far west side of the triangle is impracticable given that that is the apex of the triangle and thus the smallest part of the lot.

G. Response to letters dated August 1, 2019 and September 5, 2019 from Karl Anuta.

a. Response to letter dated August 1, 2019 from Karl Anuta.

The best response to this letter is to state the obvious, which is that Mr. Anuta cites very few relevant approval criteria and his arguments regarding the criteria that he does cite at Page 4 including Section C.2 (an incomplete citation), 14.03.A.1 and 14.03.C are so vague as to not understand the basis for his argument.

Mr. Anuta also argued that stormwater is a relevant consideration but Ms. Johnson has said that it is not and he points to no relevant approval criterion.

Finally, Mr. Anuta raises an issue concerning a recent settlement agreement between ODOT and persons raising the Americans With Disabilities Act ("ADA"). Mr. Anuta asked why

the Staff Report did not raise this issue. The answer is that it is irrelevant to the approval criteria. For all of these reasons, the DRC may comfortably reject Mr. Anuta's argument.

b. Response to letter dated September 5, 2019 from Karl Anuta.

Mr. Anuta's letter responds to the Applicant's August 26, 2019 letter. The Applicant agrees with Mr. Anuta that the DRC decision must be based on the relevant provisions of the ADC. Mr. Anuta's letter is otherwise unusual in content and argument and fails to understand how ADC Article 14 works. Mr. Anuta's letter is filled with hyperbole and assertions unsupported by evidence. This letter appears to have been quickly written without a great deal of thought as to its content.

First, the Applicant, neither orally nor in writing, asked the Commission not to "strictly apply" the Design Review Guidelines. What the Applicant stated is that ADC 14.001 defining the word "should" provides that a Design Guideline is a requirement "unless it can be shown that to comply with the requirement would be unreasonable, impracticable or unfeasible." Mr. Anuta criticizes the Applicant's use of all three terms but it would make no sense that all three do not apply in a particular instance. Additionally, Mr. Anuta does not cite ADC 14.020, which provides that the Design Review Guidelines are "... broad design objectives and are not to be construed as prescriptive standards."

Second, Mr. Anuta cites ADC 2.981.4, "Other Applicable Use Standards," in the LS zoning district and ADC 3.008.D.1, "Additional Use and Development Standards." The DRC can find that both criteria are satisfied. ADC 2.981.4 simply requires that "access drive and parking areas should, *where possible*, be located on side streets or non-arterial streets in order to minimize congestion on Marine Drive." (emphasis added) Unlike ADC Article 14, use of the word "should" in ADC 2.981.4 means that it is merely a guideline and not a mandatory approval standard. Moreover, the evidence before the DRC demonstrates that in order to minimize congestion, the driveway on Marine Drive is required.

ADC 3.008.D.4 provides to the City Engineer the ability to limit the number or locations of connections to a street. As Mr. Anuta acknowledges, the City of Astoria Public Works Department has tentatively approved access to Marine Drive and there is no reason to believe that the City Engineer will not formally approve access to Marine Drive. However, this is not a decision for the DRC, as Ms. Johnson has pointed out.

With respect to the Oregon Department of Transportation's ("ODOT") role in approving the Marine Drive access, Mr. Anuta fails to understand how ODOT's approval process works. As the Applicant pointed out in its August 26, 2019 letter, the Applicant may not apply for a formal approach road permit until there is a final land use decision. However, given that ODOT has also preliminarily approved the access to Marine Drive, the Applicant believes that it is feasible and highly likely that ODOT will approve the location of this already existing driveway.

Third, Mr. Anuta criticizes the Applicant for suggesting that there must be a reasonable economic use of the property. As the DRC knows, this statement is relevant to the DRC's

concern that the site may not be able to accommodate an approvable plan [See Applicant's August 26, 2019 letter at Page 6, under heading L.a. second paragraph: "A site that cannot be developed leaves the property owner with no reasonable economic use of the property."] Moreover, ORS 197.763 requires the applicant to raise all issues before the DRC. Mr. Anuta's lack of precision about the Applicant's statement is consistent with his odd and vague letter.

Finally, Mr. Anuta suggests on Page 1 of his letter that someone has speculated about the identity of his client. The Applicant has not asked that question and is unaware that this issue has been raised. However, it really does not matter. Mr. Anuta has failed to testify in person at either of the hearings and his client, whomever it is, has not identified itself at either of the hearings.

H. Response to letter dated September 5, 2019 from Carrie Richter.

Much of Ms. Richter's letter repeats what she has previously said orally and in writing.

First, this letter addresses the issue of the Marine Drive driveway. The record contains substantial evidence by the Applicant's Traffic Engineer demonstrating that allowing the driveway, in its current location, will reduce congestion and not increase it. Ironically, Mr. Nys, Ms. Richter's client's transportation analyst, also argues that access to Commercial Street should not be allowed. For the DRC, this presents a serious issue: denying the Application with this evidence in the record suggests that there is no reasonable economic use, including vehicular access, to the property.

Second, Ms. Richter also argues, as she did at the continued September 5, 2019 public hearing, that pedestrian safety is jeopardized by the Marine Drive driveway. However, she is not a traffic engineer and her statement is not supported by substantial evidence in the whole record. To the contrary, the DRC heard testimony from the Applicant's Traffic Engineer that the pedestrian safety would not be jeopardized and it is a certainty that landscaping will preserve sight distance.

Third, Ms. Richter argues that providing clear glazing on the windows is insufficient but cites to no design guideline that governs what is seen through a clear window.

Fourth, Ms. Richter argues that the staff-recommended conditions of approval are insufficient to insure compliance. She is incorrect and the DRC should rely on the Staff Report.

I. Response to letter dated September 5, 2019 from Rick Nys.

Mr. Nys' September 5, 2019 letter ignores that fact that the City of Astoria Public Works Department and ODOT have tentatively approved the driveway. His assertion that Marine Drive will not meet ODOT standards is, first, not an approval standard, second, is contrary to ODOT's preliminary analysis and third, as the DRC understands, the approach road permit to ODOT may the Applicant may not be submitted until a final land use decision. However, it is clear, that

ODOT would not have preliminarily approved the approach road permit without an appropriate basis to do so.

5. Other procedural issues for the DRC to consider.

A. *Ex parte* contacts.

ORS 227.180(3) requires the disclosure of *ex parte* contacts at the first public meeting on the application following the contact. Ms. Johnson correctly advised the DRC not to receive comments on the Application because the evidentiary record was closed. If an *ex parte* contact occurs, the substance of the communication must be disclosed at the commencement of the deliberation on the Application on October 3, 2019.

Mr. Hague's August 29, 2019 email referenced an August 27, 2019 *Daily Astorian* editorial on the Application. If any member of the DRC has read this, or any other, article, the substance of the articles should be disclosed as an *ex parte* contact and persons are entitled to rebut the substance of the *ex parte* contact.

B. Consideration of evidence not in the record.

Ashley v. City of Grants Pass, Id. requires the DRC to base its decision on factors or considerations that are connected to the approval standards in the Astoria Development Code. The applicable approval standards are those listed in the notice of public hearing, with the exception of the Plan (**Exhibit 4**).

Commissioner Levine indicated his personal knowledge of traffic in the area. The DRC should not further consider Commissioner Levine's statement regarding traffic because his personal observations about traffic are not substantial evidence because they are based on observations not in the DRC record. *Hood River Valley PRD v. Hood River County*, 67 Or LUBA 314 (2013).

C. The DRC should consider all the argument and evidence.

The Applicant appreciates the DRC's comments on the Application. As staff mentioned at the continued September 5, 2019 public hearing, the DRC should consider all of the argument and evidence before deliberating to a tentative decision. This is especially true for the Marine Drive driveway.

D. DRC comments at conclusion of continued September 5, 2019 public hearing.

The Applicant's response to comments are not meant to be critical of any particular DRC member but only to respond to those comments.

Two comments merit discussion. The first is the idea that this site may not accommodate a "good design" and what constitutes a "good design." "Good design" is not a

term used in the applicable approval and as long as the DRC determines that the approval criteria are met, the Application can be approved.

The second is the use of the Master Plan. While use of the Master Plan for context may be attractive, it ultimately leads to displacing the approval criteria, which should not happen. The Applicant respectfully urges the DRC not to consider the Master Plan.

E. The record.

One procedural matter merits the DRC's attention. Planner Rosemary Johnson suggested at the beginning of the continued September 5, 2019 public hearing that prior documents submitted by the Applicant were no longer part of the record. The Applicant believes that Ms. Johnson was simply referring to the fact that the DRC should focus on the revised site plans. However, any document accepted into the record and not expressly rejected by the DRC is part of the record.

6. Conclusion.

The Applicant agrees with the Staff Report and the nineteen recommended conditions of approval. The recommended conditions are likely and reasonably certain to succeed and do not represent a deferral of approval standards. The DRC noted the change between the original Application and the revisions contained in the Applicant's August 26, 2019 letter. The Application either meets the "encouraged" Design Guidelines or, if not, the relevant Design Guideline as explained in this letter is unreasonable, impracticable or unfeasible.

Additionally, all of the testimony regarding the economic impact on the Co-op is irrelevant to the DRC's decision and the approval criteria (Staff Report at Page 8). The land use process is not about limiting competition; that is left to the market place. While the Applicant did not object to such testimony, it made clear, as has staff, that such testimony is irrelevant. The opponents who repeatedly raised such issue knew that they were outside of the approval criteria but did so in order to influence the DRC to ignore the approval criteria. The Applicant understands the pressure brought on the DRC by its friends and neighbors but is confident that the DRC will correctly apply the law and conclude that the Application satisfies the relevant approval criteria.

For all of these reasons and the additional argument and evidence in the record on behalf of the Applicant, the Applicant respectfully requests that the DRC approve the Application with the staff-recommended nineteen conditions of approval and any conditions of approval that the DRC believes are required and direct the Applicant to prepare proposed findings of approval for review by staff and the City Attorney for adoption by the DRC at a later date.

Jared Rickenbach, President
September 12, 2019
Page 16

Very truly yours,



Michael C. Robinson

MCR:jmhi

Enclosures

cc: Ms. Rosemary Johnson *(via email) (w/enclosures)*
Ms. Barbara Fryer *(via email) (w/enclosures)*
Mr. Dan Dover *(via email) (w/enclosures)*
Mr. Mike Ard *(via email) (w/enclosures)*
Mr. Matt Rasmussen *(via email) (w/enclosures)*
Mr. Brett Estes *(via email) (w/enclosures)*
Mr. Blair J. Henningsgaard *(via email) (w/enclosures)*

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EXHIBITS

- Exhibit 1** Master Plan, Page 16
- Exhibit 2** August 1, 2019 DRC Minutes, Pages 8 and 9
- Exhibit 3** Master Plan, Page 38
- Exhibit 4** August 1, 2019 notice of public hearing listing approval criteria

Astoria Gateway

FRAMEWORK

Circulation

The Astoria Gateway Master Plan area will become special only if the pedestrian environment is prioritized over all other transportation modes (Figure 6). In no instance should this environment be compromised.

Automobile and Truck Components:

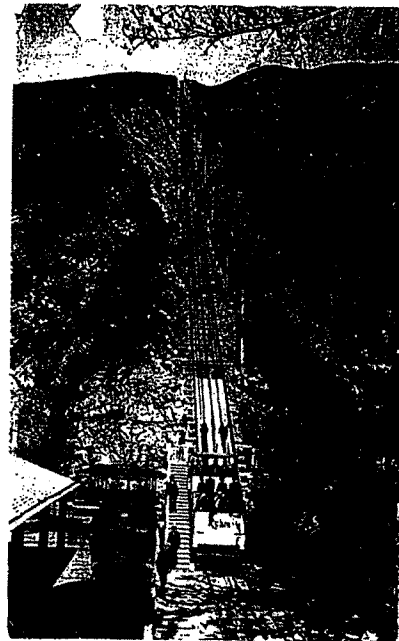
- Marine Drive -- As a state highway and primary arterial roadway through the city, Marine Drive needs to be designed to minimize congestion. There will be no curb cuts to parking lots, with the exception of the parcels south of Marine Drive from 23rd Street to 32nd Street. In all other instances, parking will be accessed from side streets only.
- New Roadways -- A local street "loop" is suggested, connecting 23rd Street to 20th Street, and 18th Street will be upgraded to city standards.
- Signals -- Three traffic signals will be located at the intersection of Marine and 17th, Marine and 20th, and Marine and 23rd.

Bicycle Components:

The current bicycle lanes will be maintained along Marine Drive. The Riverwalk should be designed to accommodate bicyclists.

Rail Components:

- Incline Tram -- A cog train will connect the Gateway Plaza to the Astoria Column.
- Trolley (Train) -- A trolley will run along the existing Burlington-Northern railroad tracks. The trolley will provide a public transportation connection to the downtown Astoria riverfront. Trolley stops will be located adjacent to the Maritime Museum and hotel.



INCLINE TRAM

Street. He has encouraged Google to stop saying this, but they will not. At 5:00 pm on Fridays, people back up on 23rd Street. He was a licensed architect. The floor plan is stock and it is not pedestrian friendly. The Maritime Museum next door is building a park and people will want to come through the parking lot. This project needs a lot more work and the DRC should ask the Applicants to check on a few things. A left turn lane on to Marine would result in people waiting for a parking spot in front of the front door. Traffic will stack in the parking lot.

Tom Owen [1:44:50] 714 Kensington, Astoria, asked why the Applicants would not choose a different location. He understood that in early 2018, the City and the Astoria Downtown Historic District Association (ADHDA) started seeking a Grocery Outlet downtown. However, this behemoth seemed unmanageable. The building would tower over the Co-op, which seemed ambitious and unwarranted.

Zetty Nemlowill, 478 Kensington, Astoria, Astoria Co-op Marketing Director, stated the jobs at the Co-op were good jobs and she was thankful to have such a wonderful job in Astoria. The new store will showcase the Co-op's unique offerings in a bigger way and make the store more competitive. If competition did not exist, she would be out of a job. She realized a lot of people liked Grocery Outlets, but the proposed location was not the right fit. She was confident the Co-op would have great support and success in their new location. However, the proposed development across the street could have a negative impact on traffic circulation and safety in the area. She hoped the City would do everything possible to support the Co-op's investment in Astoria. All City ordinances, policies, and actions must be consistent with the Comprehensive Plan. Astoria's number one economic goal in the Comprehensive Plan states, "Encourage, support, and assist existing businesses." In the City's economic development strategy, Advance Astoria, which was adopted into the Comprehensive Plan, CP210.8 aims to spur jobs at \$17.00 per hour, which is in line with the Co-op's average wage. The economic element of the Comprehensive Plan also cites the importance of the Gateway Overlay design review to guide redevelopment in a way that would attract visitors and new industry. Allowing a design like the one proposed that questionably adheres to elements in the Gateway Overlay could have far reaching detrimental impacts to the Co-op and on future economic development in Astoria. Her personal view was that the proposal did not fit Astoria's character. The criteria that the DRC must interpret were written to protect Astoria's character and the DRC does not have to say yes or continue the meeting. Continuing the meeting is timely and expensive. The Co-op has outlined many ways the DRC could say no. The DRC only needs to cite one finding to disagree with to support denial of the application. She asked the DRC to deny the application tonight. This would not be the first time Staff revised the findings of fact during a meeting to support the denial of an application.

Vice President Sisson called for the Applicant's rebuttal.

Mr. Robinson stated continuing the hearing would be the best way to get information to the DRC and to the public. The Applicants would not be waiving final written arguments, so no decision could be made tonight. The DRC must either continue the hearing or keep the written record open. Page 25 of the Staff report states, "An email from Assistant City Engineer dated June 24, 2019 states, 'Access to site from Marine Drive. The Public Works Department is willing to approve a driveway off Marine Drive as proposed...'" The same page of the Staff report indicates that an email dated January 30, 2019 from Dave Smith in ODOT Region 2 states, "There is an existing approach at or near the proposed outlet's 30-foot approach on Marine Drive." City Staff and ODOT knew the driveway was being moved. In Oregon, developers cannot apply for the approach road permit until the use is approved because if the DRC changed the design, the permit to ODOT would no longer be valid.

Mr. Dover stated ODOT had attended every meeting the Applicants have had with the City and they cannot apply for the permit until the use is approved. They had been looking at other locations for three or four years and would present those in writing.

Michael Aard [1:53:55] Transportation Engineer, Aard Engineering, said he prepared the traffic analysis for the grocery site. The speed limit on the roadway is 30 miles an hour and his design was based on that speed. He stood at the side of the road for an hour and measured the actual speeds of vehicles approaching the driveway location and found the 85 percentile of the design speed to be 30 miles per hour. It was not necessary to go into that level of detail because the speed limit is already posted on a sign. However, the curve limits the speeds of vehicles and 30 miles per hour is the appropriate design speed per ODOT policies. The site distance triangle shown by Greenlight Engineering was significantly larger than necessary in reality. Approval of the access would be by ODOT, not the DRC. ODOT would have to be satisfied that the safety criteria are met. The driveway could be shifted farther to the north if necessary, but the Applicants are trying to locate the driveway as far to the south as possible because that would maximize the amount of storage space in between the existing intersection at

Commercial and the site access. Vehicles could pull into the center turn lane and wait for an opportunity to turn without blocking Marine Drive. The data supporting the need for access on Marine Drive is largely common sense. When a site has more than one access, people will use both accesses. About two-thirds will use the first access and one-third will use the second access. However, in this case, drivers would have to turn on to Commercial before arriving at the Grocery Outlet in order to take the first driveway. If the store does not have access directly on Marine Drive, all of those vehicles would go down to 23rd and make a left turn where there is no left turn refuge. He did not want to compound the existing congestion in the area, but make access easy. The center left turn lane allows people to turn in and out from the site in two stages, crossing one line of traffic at a time. He did not understand the Co-op's position with respect to traffic because in order to build their site, the Co-op had to get a zone change for their property, which required them to prove the transportation system was adequate for the next 20 years. The Co-op had to account for the fact that other properties would be redeveloped and growth would occur throughout the city over time. Their 20-year analysis concluded that the zone change was supportable, yet now just a couple of years into the future the zone is suddenly problematic. This is awkward and the Applicants are trying to do the best they can with it. However, commercial uses are allowed and the Applicants were trying to do that in a way that made sense for the community. They were willing to work with the City and ODOT to come to the best possible conclusion for access. He hoped that process would not be obstructed by the DRC.

Vice President Sisson called for closing remarks from Staff.

Planner Johnson requested that the DRC make decisions point by point, depending on how they want the Staff report to look. Staff needed clear direction from the DRC on what changes would need to be made.

City Attorney Henningsgaard stated both the Applicants and an opponent have requested a continuance. City Code requires at least a seven-day continuance with the record to remain open. The Applicants have the right to final rebuttal after the record closes. Generally, the record is kept open for 10 to 14 days. Deliberation and decision-making should not begin until after the record has been closed and the DRC has received the final rebuttal.

Mr. Robinson clarified that he had not asked for the record to remain open. He asked for the hearing to be continued, which is consistent with State law. ORS 197.763(6)(a) states, "Prior to the conclusion of the initial evidentiary hearing, the local hearings authority shall grant such requests by continuing the public hearing or leaving the written record open." The Applicants have requested a continuance and would continue the 120-day clock. They want to engage in discussions with the DRC and the neighbors. If the DRC prefers to leave the written record open instead, the Applicants would prefer it be left open for three periods, a 14-day period from today for additional evidence, a 7-day period for rebuttal, and a 7-day period for the Applicants to submit written arguments. A continuance would be better in this case because closing the hearing and leaving the record open means no back and forth discussion can take place.

City Attorney Henningsgaard agreed that continuing the hearing had merit and would be easier for the DRC to manage.

City Manager Estes explained the difference between continuing the hearing and leaving the record open, noting that either way, the DRC could not deliberate until September 5th.

Commissioner Phelps said she did not understand why the Applicants would want to change their plans or provide more information. The DRC had not given them any information about what the Commission wanted to see.

City Manager Estes explained that the DRC could comment on the application tonight.

Commissioner Phelps said the DRC needed information on the Marine Drive access. She was concerned about pedestrian access and wanted to know how adequate pedestrian access would be provided. She was also concerned about the fake windows and the signage.

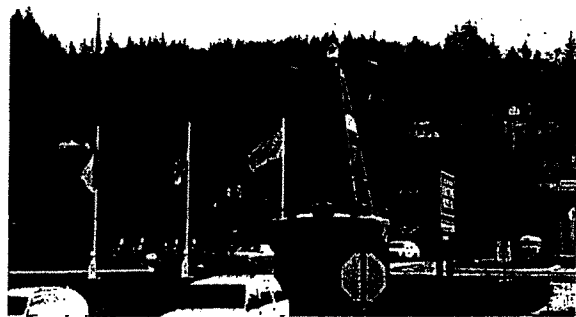
Commissioner Levine stated the DRC had purview over the proposed driveway location on Marine Drive. The traffic in that area is really bad regardless of what the traffic reports show. He was concerned about getting out of

Astoria Gateway

DESIGN GUIDELINES

Special design guidelines assist in the implementation of the master plan. The guidelines generally apply to new construction or major renovations. These guidelines provide fundamental principles that will assist in the review of proposed development. The design guidelines provide not only suggestions for desirable elements, but also for unacceptable elements. The design guidelines are meant to state broad design objectives and are not to be construed as prescriptive standards. In selective instances, strict compliance with individual elements of the guidelines may not be appropriate. These may include considerations and provisions for disjunctive existing buildings (i.e. the Maritime Museum) where the overlying Master Plan theme may conflict with components of present design themes. In all cases, justification for non-compliance must be reviewed and approved. The design guidelines address:

1. Architecture Guidelines
 - Building Character
 - Form
 - Windows
 - Walls
 - Roofs
 - Other Elements
2. Important Features
 - Waterfront Hotel
 - Astoria Incline Tram
 - Astoria Train Station
 - Primary Columbia River Overlook
 - Gateway
3. Sign Guidelines
 - Hanging Blade Signs
 - Applied
4. Lighting Guidelines
 - Exterior Building Lighting
 - Street Lights
 - Parking Lot
 - River Walk



MARITIME ARTIFACT

**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	7-8-19
Email	7-8-19
Web	7-8-19
Pvt	7-25-19

The City of Astoria Design Review Committee will hold a public hearing on Thursday, August 1, 2019 at 5:30 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. Design Review Request (DR19-03) by MMCG GOI Astoria LLC, to construct a 16,000 square foot Grocery Outlet structure at 2190 Marine Dr. (Map T8N R9W Section 8DA, Tax Lots 1401, 1402, 1700; Lots 1 to 6, Block 127, and north portions of Lots 1, 2, 3, Block 128, Shively; and vacated portions of Duane and 22nd Streets), in the LS Zone (Local Service), GOZ (Gateway Overlay Zone), and CGO (Civic Greenway Overlay Zone). Development Code Standards 2.975 to 2.981, 14.001, 14.005 to 14.030, 14.035 to 14.040, 14.060, 14.070 to 14.075, Articles 7, 8, 9, and Comprehensive Plan Sections CP.005 to CP.028, CP.057 to CP.058 (Gateway Overlay), CP.067 to CP.068 (Riverfront Vision Overlay), CP.190 to CP.210 (Economic Element), 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 Community Development, 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.

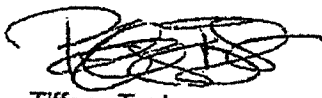
All interested persons are invited to express their opinion for or against the request(s) at the hearing or by letter addressed to the Design Review Committee, 1095 Duane St., Astoria OR 97103. Testimony and evidence must be directed toward the applicable criteria identified above or other criteria of 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 Design Review Committee and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

The Design Review Committee's ruling may be appealed to the City Council by the applicant, a party to the hearing, or by a party who responded in writing, by filing a Notice of Appeal within 15 days after the Design Review Committee's decision is mailed. Appellants should contact the Community Development Department concerning specific procedures for filing an appeal with the City. If an appeal is not filed with the City within the 15 day period, the decision of the Design Review Committee shall be final.

The public hearing, as conducted by the Design Review Committee, will include a review of the application and presentation of the staff report, opportunity for presentations by the applicant and those in favor of the request, those in opposition to the request, and deliberation and decision by the Design Review Committee. The Design Review Committee 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

MAIL: July 8, 2019


Tiffany Taylor
Administrative Assistant



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

WAIVER OR EXTENSION OF 120 DAY RULE AT APPLICANT'S REQUEST

State law requires the City to issue a final decision on land use reviews within 120 days of receiving a complete application. State law also allows an applicant to request in writing an extension of the 120-day review period for up to an additional 245 days.

When extensions are requested, it is important to ensure that there is adequate time to accommodate the required public review, drafting the decision, and any required hearings (including appeals) within the extended review period.

To request an extension of the 120-day review period, submit this form to the Community Development Department.

Applicant: MMCG GOI Astoria LLC

Application Case Number: DR19-03

Date of Complete Application: 7-23-19

Date of 120 Day Period 11-20-19

Pursuant to ORS 227.178*, the Applicant requests to (check one):

☒ Extend the 120-day period for an additional 64 days to date of 1/23/20

☐ Extends the 120 day period to the maximum extension of 245 days to date of _____

Note: The total number of extension requests may not exceed 245 days.

By signing this form, the applicant acknowledges that the 120-day review period for this land use review application will be extended for the number of days specified.

Applicant signature [Signature]

Date 9-5-2019

Name: Dan Dover

Address: 6600 Paige Rd Ste 224 The Colony TX 75056

Phone: 214-605-1440 email: DD@MainCG.com

*** 227.178 final action on certain applications required within 120 days; procedure; exceptions; refund of fees.**

(1) Except as provided in subsections(3) and (4) of this section, the governing body of a city or its designee shall take final action on an application for a permit, limited land use decision or zone change, including resolution of all appeals under ORS 227.180, within 120 days after the application is deemed complete.

(4) The 120-day period set in subsection (1) of this section may be extended for a reasonable period of time at the request of the applicant.

(9) A city may not compel an applicant to waive the 120-day period set in subsection (1) of this section or to waive the provisions of subsection (7) of this section or ORS 227.179 as a condition for taking any action on an application for a permit, limited land use decision or zone change except when such applications are filed concurrently and considered jointly with a plan amendment.

August 29, 2019

TO: DESIGN REVIEW COMMISSION

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: DESIGN REVIEW REQUEST DR19-03 FOR GROCERY OUTLET AT
2190 MARINE DRIVE

Attached are the documents concerning the public hearing on Design Review Request DR19-03. The public hearing was opened at your August 1, 2019 meeting and continued to the September 5, 2019 meeting at the request of the applicant. Based on the comments made at the hearing on August 1, the applicant has submitted revised plans to attempt to address issues raised at that meeting. The original design and application materials that are no longer valid are not included. Public comments and other documents submitted to the DRC at the August 1 meeting are also not included. All previous submitted documents are incorporated by reference as part of this request.

Attached:

Staff Report, dated 8-29-19

Applicant's revised plans and cover letter (8-26-19 letter to Jared Rickenbach, DRC President)

Public comments received after 8-1-19

Greenlight Engineering report, 8-1-19

Original application documents still valid:

- Application with details

- Application submittal letter, 6-27-19

- Letter of Authorization from property owner

- Applicant revised plans, 8-1-19

- Glazing Specs and Detail

- Bike Storage Detail

- Direct Access Memo

STAFF REPORT AND FINDINGS OF FACT

August 29, 2019

TO: DESIGN REVIEW COMMISSION

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: DESIGN REVIEW REQUEST (DR19-03) BY MMCG GOI ASTORIA LLC TO
CONSTRUCT A COMMERCIAL RETAIL FACILITY AT 2190 MARINE DRIVE

I. BACKGROUND SUMMARY

- A. Applicant: MMCG GOI Astoria, LLC
6600 Paige Rd #224
The Colony TX75056
- B. Owner: William Heestand
Heestand Family LLC
2401 Pimilco Drive
West Linn OR 97068
- Heestand Family LLC (Tax Lot 1402)
1400 Vibar Cove
Round Rock TX 78681
- Heestand Family LLC (Tax Lot 1401 & 1700)
c/o T P Freightlines Accounts Payable
PO Box 580
Tillamook OR 97141-0580
- C. Location: 2190 Marine Drive (formerly 2275 Commercial Street); Map T8N-
R9W Section 8DA Tax Lots 1401, 1402, 1700; Lots 1 to 6, Block
127, Shively; north portion of Lots 1, 2, 3, Block 128, Shively; and
vacated portion of Duane and 22nd Streets
- D. Zone: LS (Local Services), Gateway Overlay, Civic Greenway Overlay
- E. Proposal: To construct a one-story 16,000 square foot commercial building
for retail sales

II. BACKGROUND

The Design Review Commission held a public hearing at their August 1, 2019 meeting. Additional documentation was submitted at that time. At the request of the applicant, the public hearing remained open to allow the applicant to submit additional

materials, respond to some of the testimony, and allow the public to respond to the new material. On August 26, 2019, the applicant submitted the attached revised plans. The public hearing is open and the Design Review Commission will be taking testimony from the applicant and public.

Site:

The subject property is located on the north side of Marine Drive, between 23rd street and where Commercial Street merges with Marine Drive near 22nd Street. The project covers three tax lots, a large portion of which is currently utilized as a loading area for industrial/commercial activity. It was formerly the location of TP Freight and the NAPA Auto Parts retail sales establishment. TP Freight is in the process of relocating and Napa Auto Parts is no longer at this location. The site is relatively flat and has access from Marine Drive on the south and Commercial Street on the north.



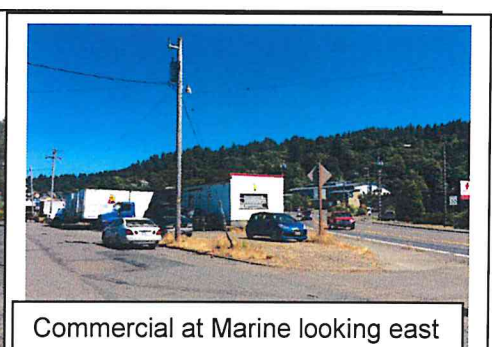
This site is located in two design overlay zones: Civic Greenway Overlay Zone and Gateway Overlay Zone. Design review standards in both Overlay Zones would apply to the proposed project. Currently, the site contains two buildings and large open area for former truck maneuvering.



Marine at Exchange looking west



Commercial looking southeast



Commercial at Marine looking east

Area:

The proposed location is bounded on the north by Commercial Street, City Lumber hardware and home improvement store, Walter Nelson janitorial supply store, and a single-family dwelling in Mill Pond; to east by 23rd Street, a single-family dwelling in Mill Pond, Mill Pond Pergola park, and the Astoria Co-op grocery store under construction; to the south by the Mini Mart/Laundromat/Gas station, and across Marine Drive right-of-way with medical offices, Franz Bakery outlet, and City sewer lift station; and to the west by the intersection of Commercial Street and Marine Drive.



Parks Medical, 2158 Exchange
& City sewer lift station



Franz Bakery, 2127 Marine



City Lumber, 2142 Commercial



Mini-mart / gas, 2264 Marine



Single-Family dwelling, 295 23rd



The broader area is dominated by major institutional uses, including the Columbia River Maritime Museum and Barbey Center, City of Astoria Aquatics Center, Columbia Memorial Hospital and Pavilion, Oregon State University Seafood Lab, and residential development at the Mill Pond.

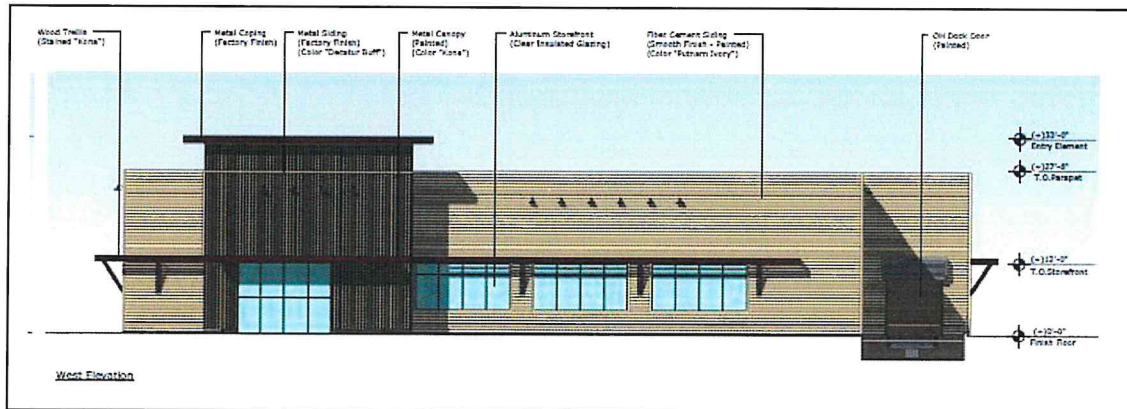
Land use laws state that land use decisions on one project by Commissions do not set precedence for the same decision on other projects. Each application is judged on its own merit and compliance with the code based on its location, proximity to other structures and uses, and the impact of the project on the surrounding neighborhood. The close proximity of this project to the Mill Pond residential development warrants strict compliance with the requirements of the design review areas.

Proposed Construction:

This proposal is to construct a one story, 16,000 square foot Grocery Outlet retail store. Retail Sales Establishments are an outright permitted use in the LS Zone (Local Service). The applicable criteria, including design aesthetics and orientation of the

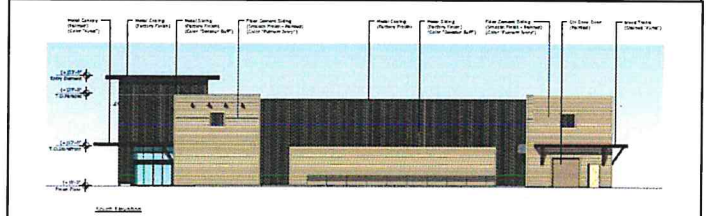
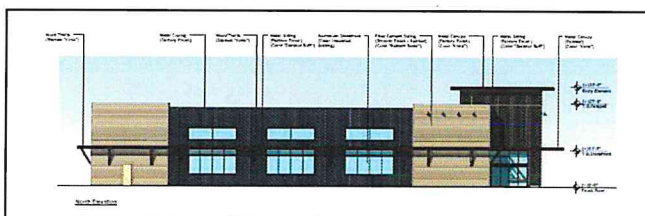
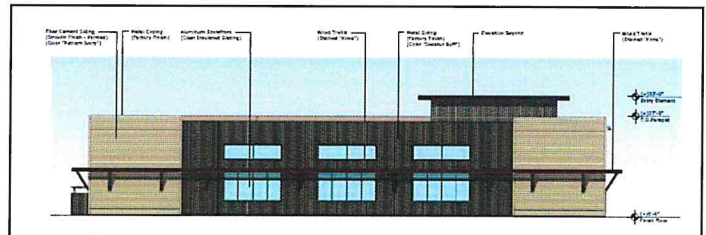
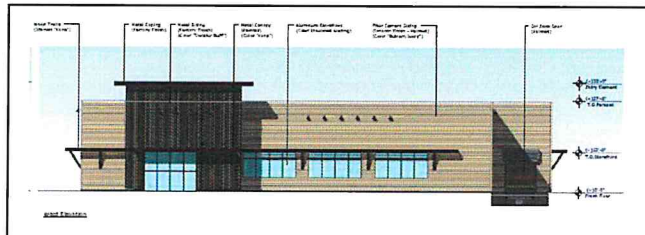
building are reviewed in this staff report. General zoning code requirements will be reviewed administratively by the Planner.

Style: single story rectangular (almost square) building 132' x 124 with a parapet wall; tower element at northwest corner entry;

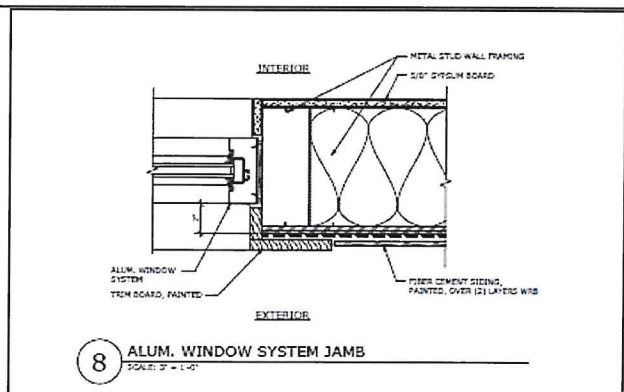


Roof: 27.7' high to top of parapet with 33' high to top of tower element; sloped roof with white TPO membrane over rigid insulation over metal deck; roof hidden behind the parapet

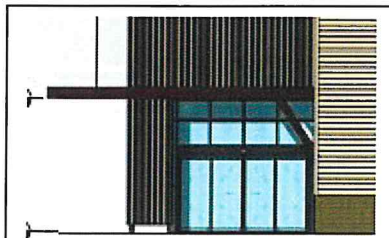
Siding: each elevation has a mixture of horizontal fiber cement lap siding with 6" reveal in "Putnam Ivory" color, and vertical metal corrugated panels in "Decatur Buff" color



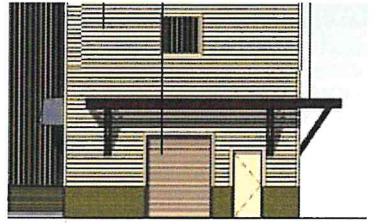
Windows: clear, insulated low "E" glass; 2" x 4.5" aluminum, true divided, storefront window system; fixed; 2" x 4" wood casing



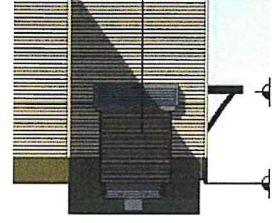
Doors: steel person doors; steel coiled overhead cargo door; single full lite, aluminum sliding entry doors



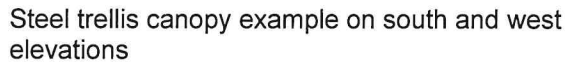
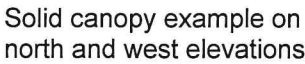
Main entry doors on north
and south elevations



Roll up cargo and man doors
on south elevation

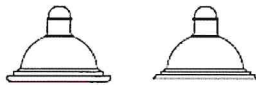


Roll up cargo door
on west elevation



Other Design Elements: metal canopy over entryway; steel trellis canopy on three sides; corner boards on horizontal siding

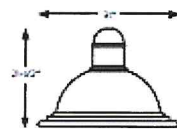
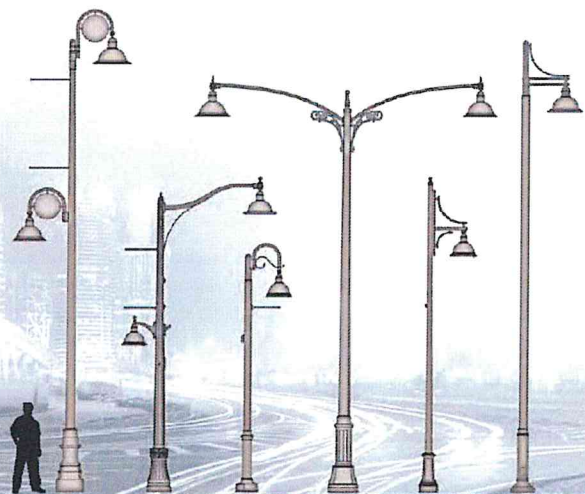
Exterior Lighting: single and double head bronze or black pole lighting in parking lot; bronze or black wall mounted fixture at loading dock, all four elevations; goose neck pan design; clear glass with bulbs within the fixture for shielding



1521R LED 21"W x 17 1/2"H 1521F LED 21"W x 17"H
1527R LED 27"W x 19 1/2"H 1527F LED 27"W x 19"H
1531R LED 31"W x 21 1/2"H 1531F LED 31"W x 21 1/2"H

Wall lights

Fixtures

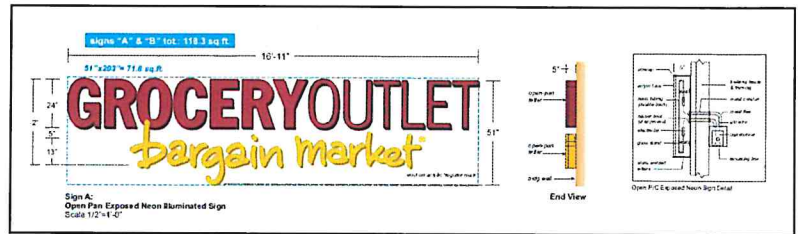
1531LED-R
(Flat Lens)

Pole Light

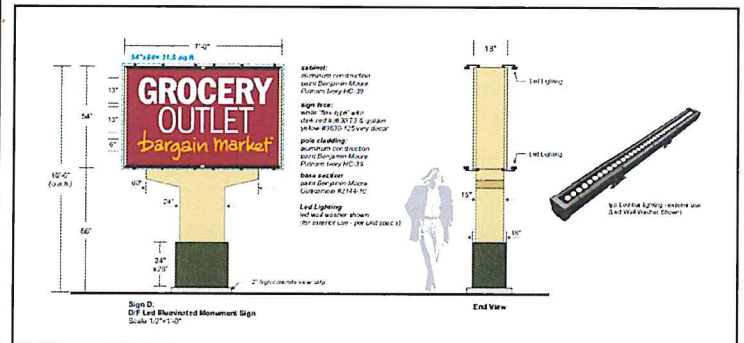
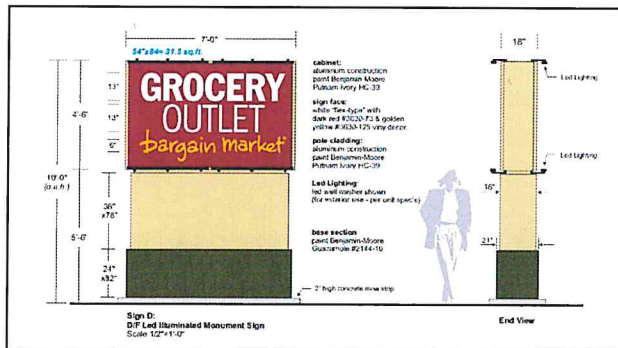
TOP LUMINAIRE: 1521H/FG	TOP LUMINAIRE: 1521H/FG	TOP LUMINAIRE: 1521H/FG	LUMINAIRE: 1521F/FG	LUMINAIRE: 1521H/FG	LUMINAIRE: 1522F/FG
ARM: CHPT	ARM: CAG	ARM: CHPT	ARM: CAG	ARM: CHFM	ARM: CG
BOTTOM LUMINAIRE: 1522H/FG	BOTTOM LUMINAIRE: 1522H/FG	POLE: Luminaire 5000	POLE: Birmingham 9000	POLE: Alameda 5000	POLE: Oak County 10000
ARM: COPM	ARM: AID HFM	OPTIONAL: Recliner arm	OPTIONAL: Recliner arm	OPTIONAL: Single convenience arm	OPTIONAL: Ground foot, traveller in house
POLE: Bradford 5000	POLE: Oakland 5000	OPTIONAL: Recliner recaptable			
OPTIONAL: 20' dia. legs with vinyl graphics	OPTIONAL: Prestar arm				
Recliner arm	Wash bins				

Pole design

Sign: neon individual can letter wall signs with clear acrylic face on west and east elevation;

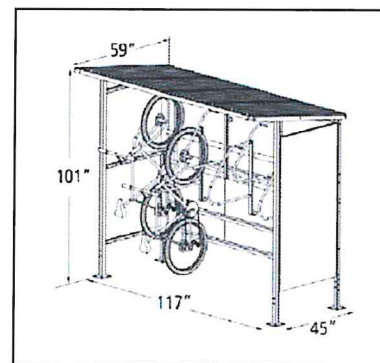


external lit monument sign on northwest corner of site. Original design has thinner base; new design is "monument" design with full base.



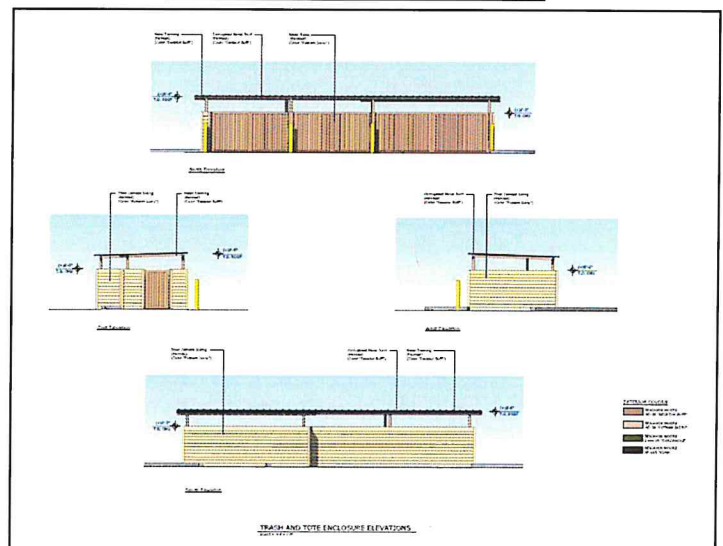
Bike Storage:

Three-sided enclosure for 4 to 6 bicycles; option of polycarbonate wall panels either galvanized or powder coated; option of either polycarbonate or galvanized S deck roof



Trash Enclosure:

Corrugated metal panel roof over building; 7' tall to roof, 6.2' to top of walls; metal gates and person door; horizontal fiber cement siding to match main structure with corner boards.



III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 250 feet pursuant to Section 9.020 on July 8, 2019. A notice of public hearing was published in the *Astorian* on July 20, 2019. On-site notice pursuant to Section 9.020.D was posted July 12, 2019. Any comments received will be made available at the Design Review Commission (DRC) meeting.

IV. BACKGROUND CODES

The following sections are included as background on the purpose and general provisions of development in the Gateway Overlay and Civic Greenway Overlay Zones. They are not applicable criteria but are included to provide context to the applicable criteria.

- A. Section 14.015.B, General Provisions, in the Gateway Overlay Zone requires that *“each public or private development proposal within the Gateway Overlay Zone will be reviewed for consistency with the Design Review Guidelines in Sections 14.020 through 14.030.”*

Section 14.035, Purpose, in the Civic Greenway Overlay Zone, states *“The purpose of the Civic Greenway Overlay Zone is to implement the land use principles of the Astoria Riverfront Vision Plan, dated December 2009, as they pertain to the Civic Greenway Plan Area. The Civic Greenway Overlay (CGO) Zone is intended to protect views of and access to the Columbia River, provide for an enhance open space and landscaping, support water-dependent uses consistent with Astoria’s working waterfront, and encourage modest scale housing in areas recommended for residential use. The CGO Zone extends from approximately 16th Street to 41st Street and between Marine Drive and the Columbia River as depicted on the City’s Zoning Map.”*

Section 14.005, Purpose, in the Gateway Overlay Zone, states *“The purpose of the Gateway Overlay Zone is to implement the concepts and guidelines of the Astoria Gateway Master Plan, dated April 1997. The Gateway Overlay Zone is intended to be an intensively developed, mixed-use area which complements Downtown Astoria and the community as a whole.”*

Comment: The applicant has asserted that Section 14.005 Purpose statement is not applicable criteria unless specified as review criteria. This Section is not specifically identified as criteria and therefore is provided as background and not approval criteria.

The proposed project is a private development to be constructed within the Gateway and Civic Greenway Overlay Zones and as such will be reviewed for consistency with the Design Review Guidelines. The base zone allows for retail sales as an outright use. The use as a grocery retail establishment project

would complement Downtown as it does not conflict with other uses in the Downtown. A new Co-op grocery retail establishment is under construction adjacent to this site to the east. However, while it will be a similar use, it will cater to a different audience, and it is not located within the Downtown area and therefore is not applicable to this criteria for zoning review.

This section is included as background as several individuals have commented on the appropriateness / inappropriateness of another grocery store in competition with the Co-op grocery at this location. There are no codes in Astoria that prevent competition among businesses. This is not a consideration for the Design Review Commission.

V. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 14.015.B, General Provisions, Design Review, states “Each public or private development proposal within the Gateway Overlay Zone will be reviewed for consistency with the Design Review Guidelines in Sections 14.020 through 14.030.

Finding: The Gateway Overlay Zone specifically includes Sections 14.020 through 14.030 as applicable to be reviewed for consistency with the design guidelines and therefore are included in the criteria and findings of fact.

- B. Section 14.020, Applicability of Design Review Guidelines in the Gateway Overlay Zone states that the *“Design Review Guidelines shall apply to all new construction or major renovation. The guidelines are intended to provide fundamental principles that will assist in the review of the proposed development. The principles identify both “encouraged” and “discouraged” architectural elements. They are broad design objectives and are not to be construed as prescriptive standards.”*

Finding: The project is new construction and as such is subject to the Design Review Guidelines. This criteria is met.

- C. Section 14.040.B, Applicability and Review Procedures, Non-residential and Mixed-Use Development, in the Civic Greenway Overlay Zone states *“Applications shall be reviewed through the public design review process subject to the Design Review Guidelines in Section 14.025.”*

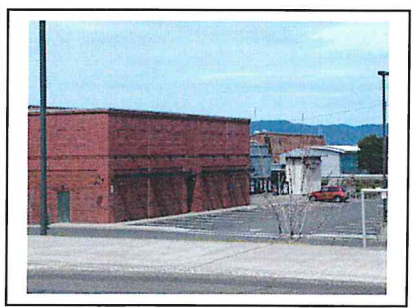
Finding: This project is a commercial use and therefore requires review by the Design Review Commission. The applicant has asserted that the “Purpose” statement in Section 14.025 is “. . . not applicable approval criteria unless specifically included as applicable approval criteria. . .” Section 14.040.B specifically states that the public design review process is subject to this section. Section 14.025 is titled “Design Review Guidelines” and therefore the entire section is applicable criteria for review.

- D. Section 14.025.A, Gateway Overlay, Purpose, states *“These guidelines promote architectural elements that unify the Gateway Area by encouraging styles characteristic of Astoria. The historic architecture of Astoria is represented by a variety of styles. Differences in details may be seen from one neighborhood to the next. These guidelines advocate the simplicity of design which is characteristic of Uppertown and the working waterfront. Building styles and details not inspired by Astoria’s past will be discouraged. Monotony of design should be avoided. Variety of detail, form, and siting should be used to provide visual interest.*

The Gateway Plan encourages new construction to reflect historic building types found in the Uppertown area. Three historic building types commonly found in the area include waterfront industrial, commercial, and residential. These building types may be used as models for contemporary building design, but do not restrict or define their function.

The Guidelines make reference to, but do not require the use of, historic materials. Contemporary substitutions (i.e. composite materials), will not be discouraged if their texture, profile, and proportions are similar to those materials with historic precedent.”

Finding: Three historic building types commonly found in the area include waterfront industrial, commercial, and residential. The proposed development is a commercial building. The structure is one story tall with a tower element over the main entry. The structure will reflect the characteristics of waterfront buildings with the use of horizontal siding and the corrugated metal siding. The building is a simple rectangular almost square plan with the parking area on the west end of the lot. Building entrances face the rights-of-way on the north and south side of the tower element. Proposed materials are contemporary, smooth, fiber cement siding of horizontal boards, corrugated steel, and commercial aluminum framed window system. These features reflect the historic commercial design of the area in a contemporary way. The building will have corner boards similar to other Uppertown building facades and metal trellis and solid awnings found on both historic and new construction in this area. The Safeway store at 3250 Lief Erikson Drive, Gateway Cinema at 1875 Marine Drive, and CMH Pavilion at 2265 Exchange all have similar awnings.



E. Section 14.025.B in the Gateway Overlay Zone identifies the building forms encouraged.

1. *All Building Types: a) Simple designs without extraneous details; b) Rectangular in plan; c) Square in plan.*
2. *Waterfront Industrial: a) Low in form; b) Cubic in form.*
3. *Commercial: a) Low in form.*
4. *Residential: a) Vertical in form; b) Cubic in form; c) Full front porch or front porch large enough to accommodate several seated persons."*

Section 14.025.C in the Gateway Overlay Zone identifies the building forms discouraged.

- "1. *All Building Types: a) Complex building footprints; b) Sprawling structures."*

Finding: The building would be rectangular, low, and cubic in form, facing to the west and the parking area. Building details are simple. The building footprint is not complex, nor sprawling. This guideline is met.

F. Section 14.025.D in the Gateway Overlay Zone identifies the windows encouraged.

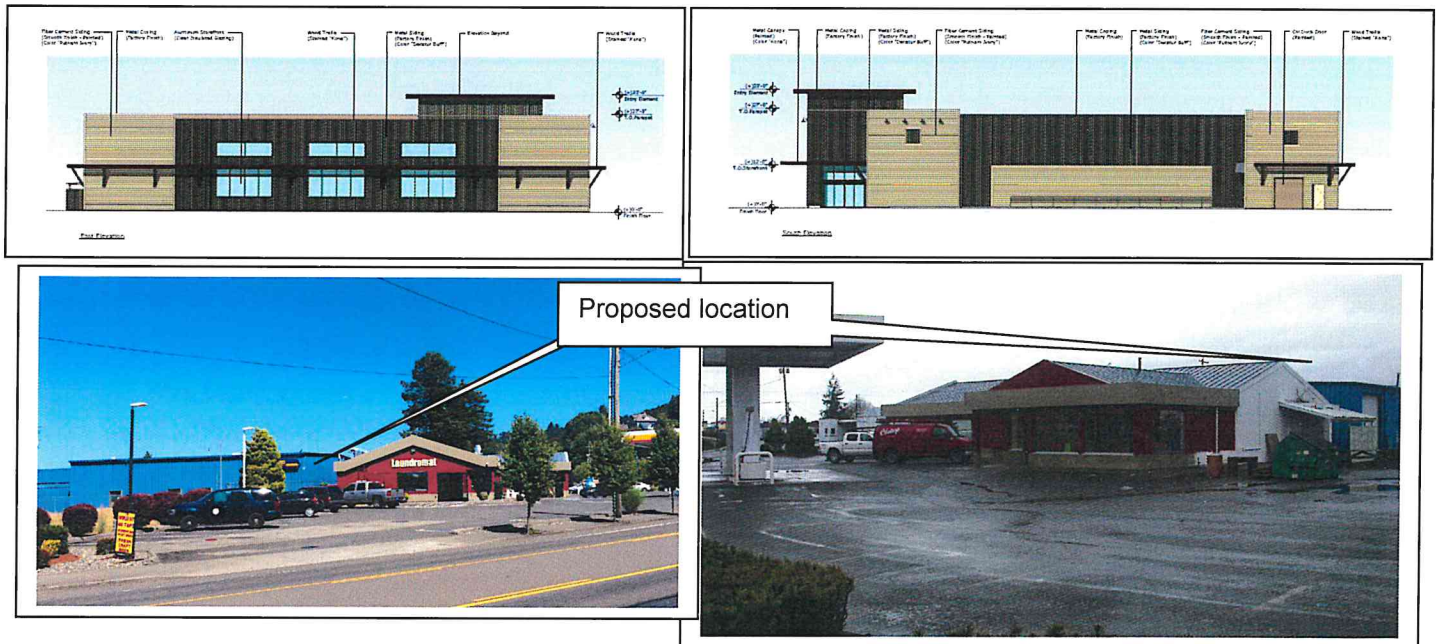
- "1. *All Building Types: a) True-divided, multiple-light windows; b) Single-light windows; c) Applied muntins with profile facing window exterior; d) Rectangular windows with vertical proportions; e) Fixed windows; f) Double or single-hung windows; g) Casement windows; h) Windows should be spaced and sized so that wall area is not exceeded by window area, with the exception of commercial storefronts.*
2. *Waterfront Industrial: a) Square or rectangular windows with multiple lights.*
3. *Commercial: a) Storefronts: 1) Plate glass windows with multiple-light transom windows above; 2) Recessed entries; 3) Window to wall surface proportions may be exceeded; b) Upper Stories: 1) Window area should not exceed wall area.*
4. *Residential a) Vertical rectangle or square windows; b) Combination of single and multiple-light windows; c) Single windows, paired windows, or windows grouped in threes; d) Bay windows; e) Arched or decorative*

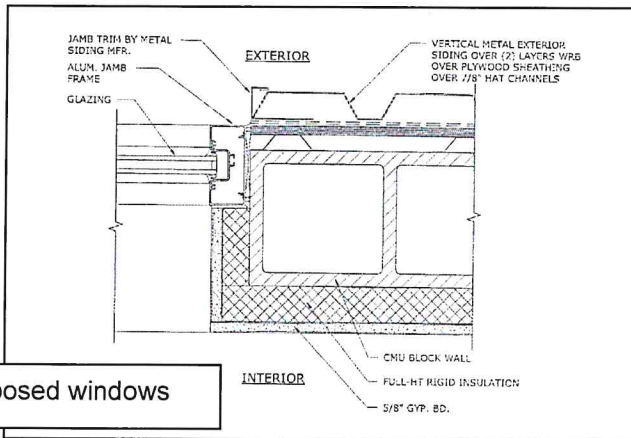
shaped windows used sparingly; f) Windows should use casings and crown moldings.”

Section 14.025.E in the Gateway Overlay Zone identifies windows discouraged.

- “1. *All Building Types: a) Applied muntins which have no profile; b) Smoked glass; c) Mirrored glass; d) Horizontal sliding windows; e) Walls predominated by large expanses of glass, except in commercial storefronts; f) Windowless walls. Large expanses of blank walls should only be located in areas which are not visible to the public; g) Aluminum frame windows, except in commercial storefronts.”*

Finding: Proposed windows are clear, insulated low “E” glass; 2” x 4.5” aluminum, true divided, storefront window system. Windows are fixed. Windows will provide openings into the building. The applicant has indicated that the nature of the store will result in the windows being blocked by racks of boxes and products and will not provide clear view into the building. Windows would have a 2” x 4” wood casing. The north, east, and west elevations have multiple windows. The south elevation is the utilitarian side of the building and will be the cargo delivery loading area. This elevation would also be partially blocked by the adjacent mini-mart building and not as highly visible. The two ends of the elevation will be visible, and the applicant has proposed two design features in that area of vertical corrugated metal siding. The main entry doors are visible in the tower feature.

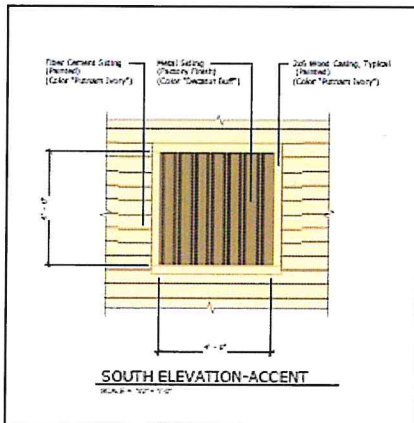




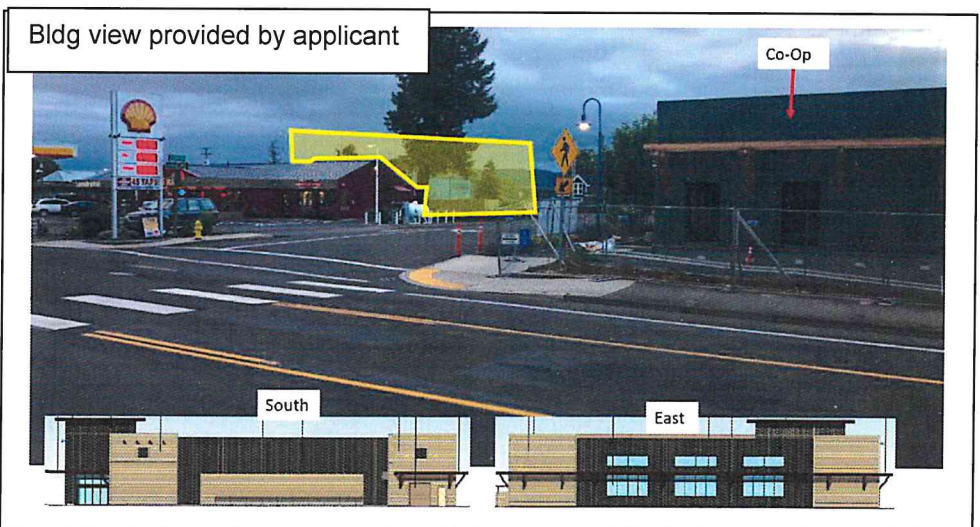
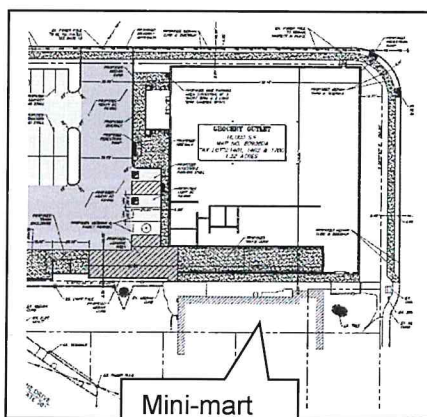
Proposed windows

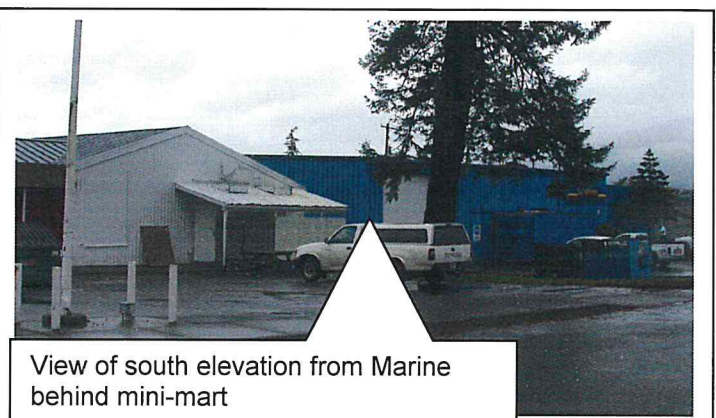


Grocery Outlet store with racks of products against windows



Example of similar design feature on Staples in Warrenton





The Design Review Commission should determine if the use of the vertical metal features is appropriate in lieu of windows and if the utilitarian nature of this elevation partially blocked by the adjacent building warrants the elimination of windows on this elevation.

The Safeway store at 3250 Lief Erikson Drive has a blank wall along the 32nd Street right-of-way. The design included a change in building material application and the installation of landscaping to buffer the view. The impact of the mature landscaping makes a large difference on the appearance of this wall.



Other than the south elevation, there are no large expanses of windowless, blank walls. Since portions of the south elevation will still be visible from the right-of-way, the applicant has proposed the vertical metal features to break up the blank wall, and landscaping at the east corner of the building and the south property boundary to partially buffer it from view.

- G. Section 14.025.F in the Gateway Overlay Zone identifies exterior wall treatments encouraged.

"1. All Building Types: a) Drop siding; b) Weatherboard siding; c) Horizontal siding with six inches or less exposure.

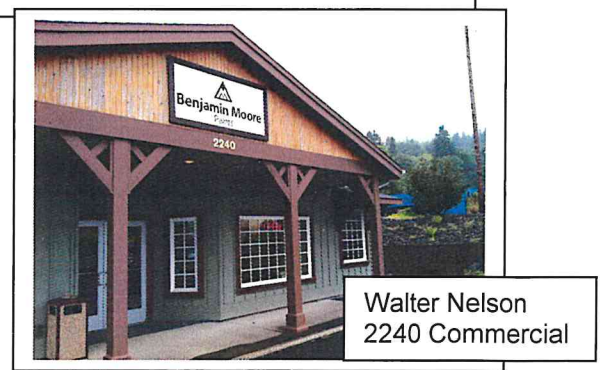
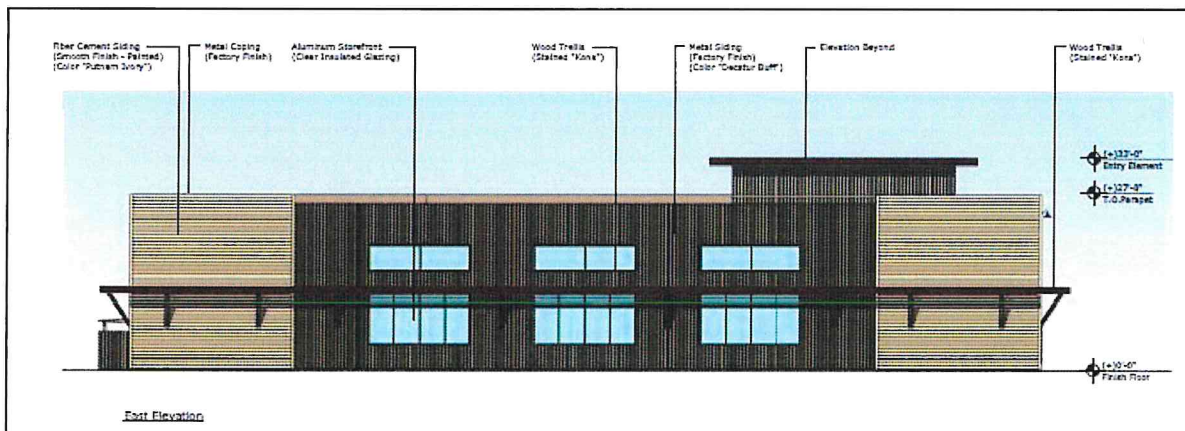
2. *Waterfront Industrial: a) Board and batten style; b) Galvanized corrugated metal.*
3. *Commercial: a) Finished concrete; b) Brick veneer.*
4. *Residential: a) Clapboard; b) Wood shingle (rectangular); c) Decorative wood shingle."*

Section 14.025.G.1 in Gateway Overlay Zone identifies exterior wall treatments discouraged.

- "1. *All Building Types: a) Exposed textured, concrete block; b) Flagstone or other applied stone products; c) Precast concrete or decorative concrete panels; d) Wood shakes; e) Plywood paneling."*

Section 14.030.G.3.a, Other Applicable Use Standards, Exterior Wall Treatments / Siding, states "Fiber cement siding shall be smooth and not textured."

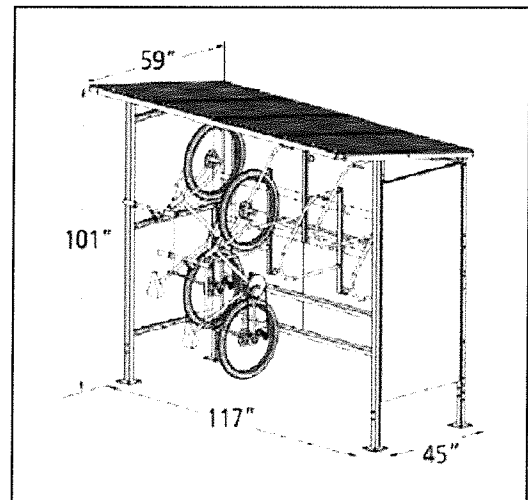
Finding: The structure is proposed to be sided with a mixture of smooth fiber cement siding horizontal siding with 6" reveal. No faux texturing is proposed or allowed (Condition 1). Each elevation would have elements of vertical corrugated metal siding.



Other buildings in the general area such as the former Builder's Supply building at 1777 Marine has vertical corrugated siding which was also typically used on waterfront buildings. The Walter Nelson building at 2240 Commercial is vertical wood and board and batten. These buildings have large facade areas that have a variety of siding to break up these larger building areas. The proposed use of two different materials on the majority of the building is appropriate. This criteria is met for the main building.

The bicycle storage area is proposed to be a three-sided enclosure for 4 to 6 bicycles; option of polycarbonate wall panels either galvanized or powder coated; option of either polycarbonate or galvanized S deck roof. The exact design of the storage area to meet the requirements of Development Code Section 7.105 will be reviewed by the Planner and is not part of the Design Review Commission review. However, the location and materials are part of the DRC review.

Polycarbonate is a thermoplastic polymer and is not one of the "encouraged" wall treatments. The option for a galvanized or powder coated metal would be similar to the vertical corrugated metal siding on the main building. The bicycle storage area shall have siding to match the main structure to be reviewed and approved by the Planner (Condition 2).



- H. Section 14.025.H in the Gateway Overlay Zone identifies the roof elements encouraged.
- "1. *Waterfront Industrial: a) Single gable with low pitch; b) Repetitive gable with steep pitch; c) Shallow eaves; d) Small shed roof dormers; e) Monitor roof on ridge line; f) Flat panel skylights or roof window.*
 2. *Commercial: a) Single gable with low pitch; b) Repetitive gable with steep pitch; c) Shallow eaves behind parapet wall; d) Flat or gable roof behind parapet wall; e) Structural skylights.*
 3. *Residential: a) Steep gable with broad eaves; b) Steep hip with broad eaves; c) Dormers with gable, hip, or shed roofs; d) Flat panel skylights or roof window on secondary elevations; e) Turrets or large projecting window bays used sparingly."*

Section 14.025.I in the Gateway Overlay Zone identifies the roofing elements discouraged.

"1. All Building Types: a) False mansard or other applied forms; b) Dome skylights."

Finding: The roof would be a sloped roof hidden behind the parapet which is 27.7' high to top of parapet with 33' high to top of tower element with a flat roof. This criteria is met.

I. Section 14.025.J in the Gateway Overlay Zone identifies roofing materials encouraged.

"1. All Building Types: a) Cedar shingle; b) Composition roofing; c) Roofing material in gray, brown, black, deep red, or other subdued colors.

2. Waterfront Industrial: a) Galvanized corrugated metal; b) Low profile standing seam, metal roof; c) Roll down.

3. Commercial: a) Built-up."

Section 14.025.K in the Gateway Overlay Zone identifies roofing materials discouraged.

"1. All Building Types: a) High profile standing seam, metal roof; b) Brightly colored roofing material."

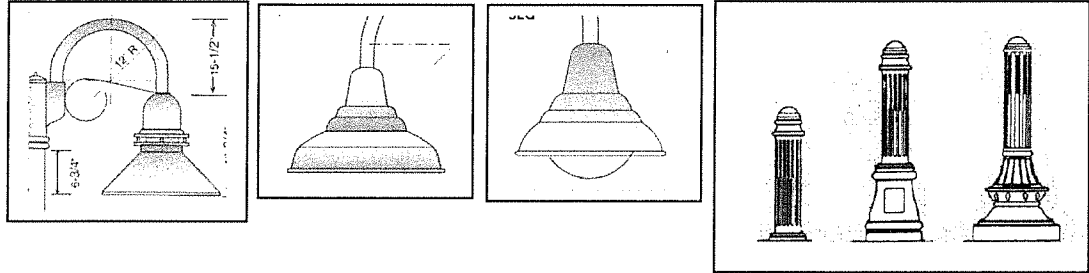
Finding: The roofing material proposed would be white TPO membrane over rigid insulation over metal deck. The bicycle storage area is proposed to have either polycarbonate or galvanized S deck roof. Polycarbonate is a thermoplastic polymer and is not one of the "encouraged" roofing material. The option for a galvanized metal roof would be similar to the vertical corrugated metal siding on the main building. The bicycle storage area shall have roof of metal or other approved material to match the main structure to be reviewed and approved by the Planner (Condition 3).

J. Section 14.025.N in the Gateway Overlay Zone identifies exterior lighting encouraged.

"1. All Building Types: a) Decorative lighting integrated with architecture; b) Metal halide or incandescent; c) Pedestrian and traffic signals combined with street lamps; d) Light fixtures that direct light downward and eliminate glare.

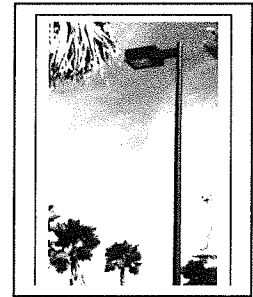
2. Waterfront Industrial: a) Industrial pan light with goose neck; b) Low bollard lighting.

3. *Commercial: a) Historic street lamps along walks and parking lots."*



Section 14.025.O in the Gateway Overlay Zone identifies exterior lighting discouraged.

- "1. *All Building Types: a) Sodium vapor (amber); b) Fluorescent tube; c) Cobra head street lamps or other contemporary fixtures; d) Fixtures with undiffused, undirected light that do not focus the light to the ground and that will potentially destroy the night sky view."*

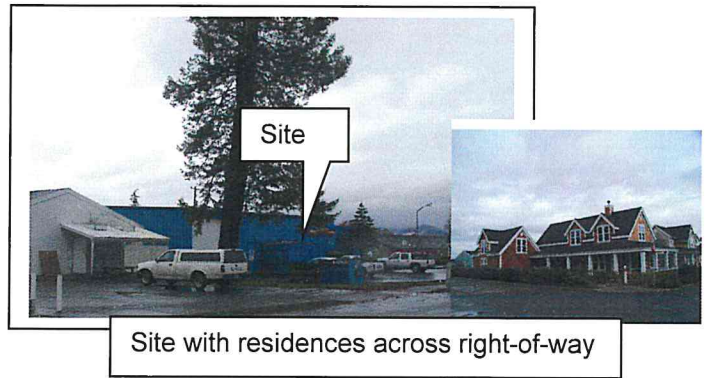
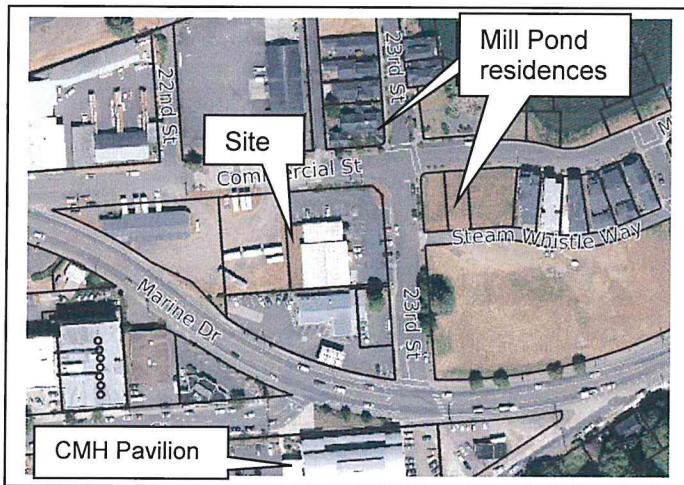


Section 14.070.A.2, Other Development Standards in the Civic Greenway Overlay Zone states *"The following development standards are applicable within the Civic Greenway Overlay Zone.*

2. *Exterior lighting.*

"Outdoor lighting shall be designed and placed so as not to cast glare into adjacent properties or rights-of-way. Light fixtures shall be designed to direct light downward and minimize the amount of light directed upward. The Community Development Director may require the shielding or removal of such lighting where it is determined that existing lighting is adversely affecting adjacent properties or contributing to light directed into the night sky."

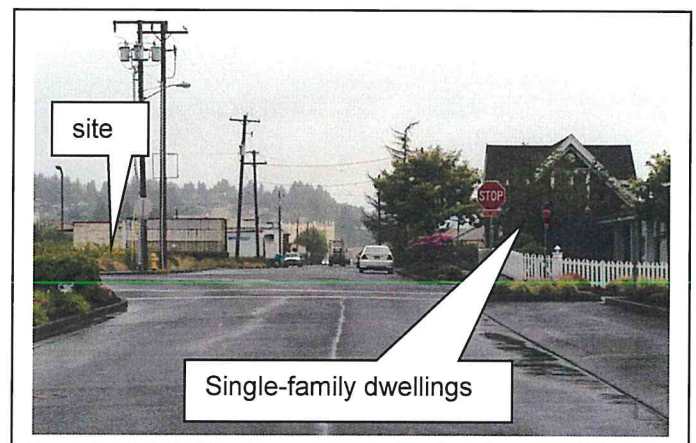
Finding: Historic street lamps along walkways and parking lights are encouraged. However, the applicant has proposed single and two head goose neck bronze or black pole lights in the parking lot which are fixtures in the encouraged category of lighting. The support poles will be bronze or black and will match the wall lights. The Code requires that lighting be down cast and not glare into adjacent properties, rights-of-way, and/or night sky. The proposed fixtures would have a clear glass bulbs recessed within the fixture and shall not create a glare (Condition 4). This site is adjacent to Mill Pond and single-family residences and therefore, the lighting will have a greater impact on the residential development.



Site with residences across right-of-way



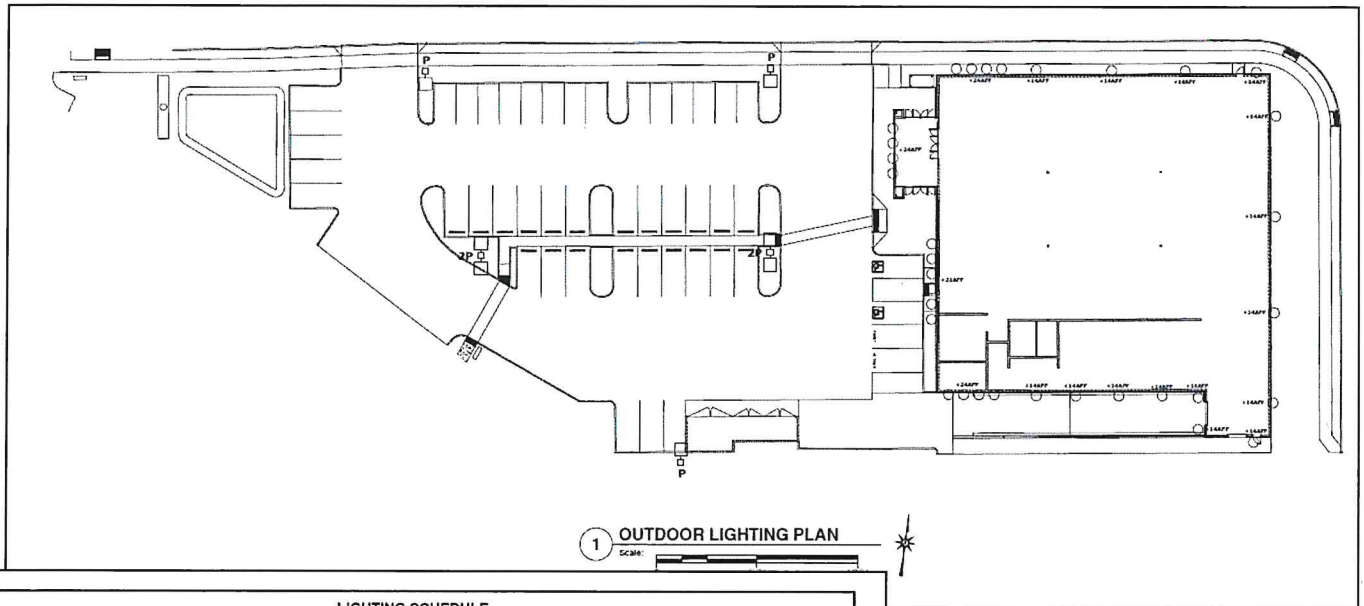
Single-family dwelling site



Single-family dwellings

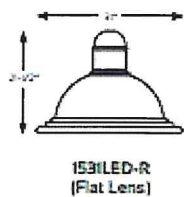
The location of the parking lot light poles will need to be verified as the lighting plan appears to show the poles located outside the applicant's property lines. The pole on the south elevation near the solid waste disposal enclosure and three parking spaces is on the adjacent property and should be moved to the west to within the property lines. The two light poles on the north property line appear to be located within the Commercial Street right-of-way. These should be moved to be within the property lines (Condition 4).

No street light fixtures are proposed along street rights-of-way. The existing utility poles with street lights are not proposed to be removed.



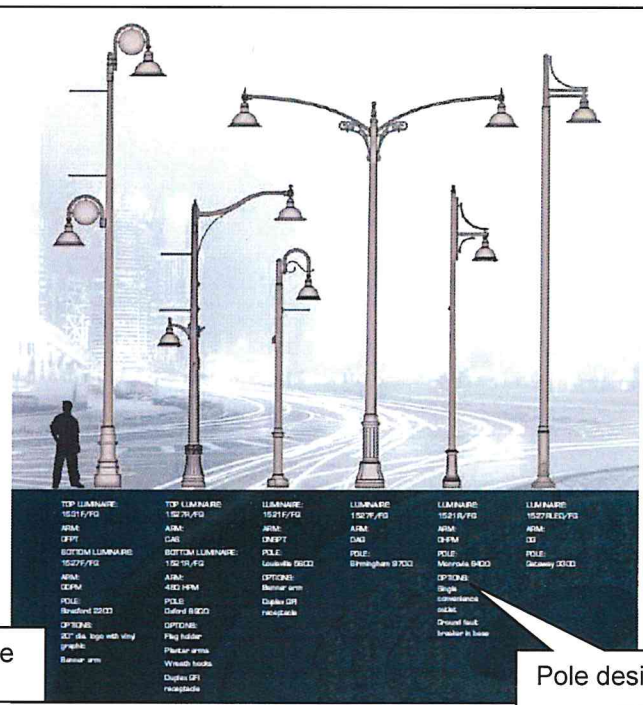
LIGHTING SCHEDULE							
SYMBOL	ILL	MANUFACTURER	MODEL#	LAMP TYPE	VOLTAGE	WATTAGE	DESCRIPTION
○	LI	STERNBERG LIGHTING	1531LED-12L40T3-MDL008-FG	LED	120/277	27W	BUILDING EXTERIOR GROSS NECK DOWN LIGHTING - LED 24V, 3095LM, 4000K, BRONZE, TYPE III DISTRIBUTION. VERIFY PER LOCAL REQUIREMENTS PRIOR TO ORDERING - WATTS/LUMENS, KELVIN LIGHT TEMPERATURE, TYPE BEST, MOUNTING CONFIG. FOR SINGLE HEAD, COLOR AND HEIGHT. VERIFY COLOR/HEIGHT BEFORE ORDERING.
□	P	STERNBERG LIGHTING	1531LED-40L40T3-MDL016-FG	LED	120/277	178W	PARKING LOT SITE POLE HEAD, LED 178W, 10090LM, 4000K, BRONZE, TYPE III DISTRIBUTION, WITH A 20 BRONZE POLE. VERIFY PER LOCAL REQUIREMENTS PRIOR TO ORDERING - WATTS/LUMENS, KELVIN LIGHT TEMPERATURE, TYPE BEST, MOUNTING CONFIG. FOR SINGLE HEAD, COLOR AND HEIGHT. VERIFY COLOR/HEIGHT BEFORE ORDERING.
2□	2P	STERNBERG LIGHTING	1531LED-40L40T3-MDL016-FG	LED	120/277	178W	SAVE AS ABOVE WITH (2) LIGHTS AT 180°
<p>A. INSTALLATION OF LIGHT FIXTURES SHALL BE ACCORDING TO MANUFACTURER'S RECOMMENDATIONS AND RELEVANT MUNICIPAL CODE REQUIREMENTS.</p> <p>B. VERIFY THE EXACT MOUNTING HEIGHT AND FINISH OF ALL LIGHTING FIXTURES WITH ARCHITECT PRIOR TO PLACING ORDER OR COMMENCING ROUGH-DI.</p> <p>C. LIGHT FIXTURES SHALL BE PROVIDED BY THE ELECTRICAL CONTRACTOR.</p>							

Fixtures



Wall and parking lot light fixture

Parking light fixture pole



Pole design

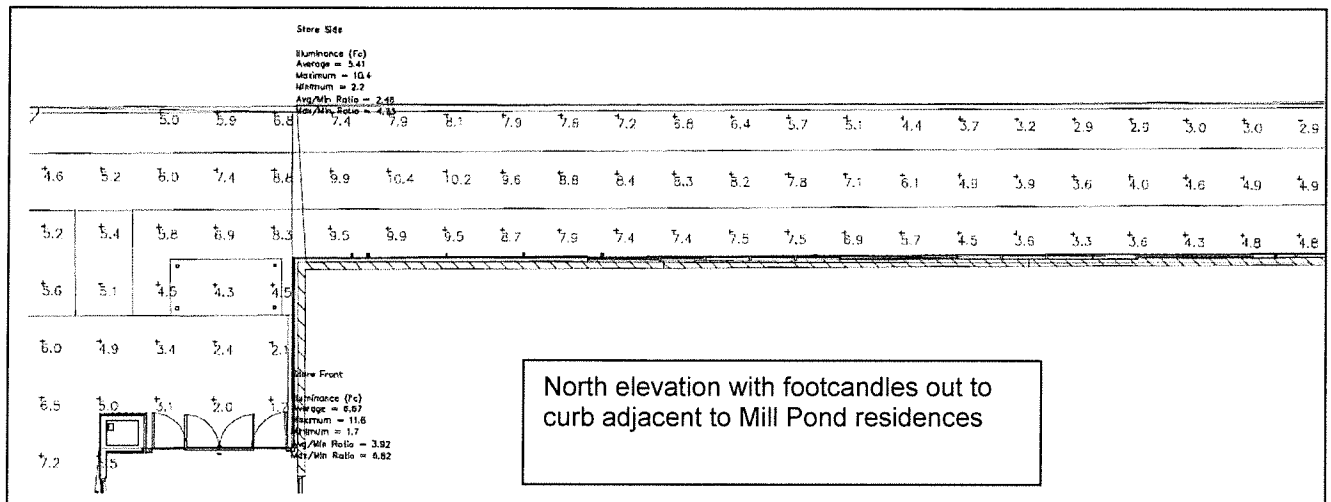


The exterior building lights are proposed to be goose neck, bronze or black, wall mounted lights to match the parking lot lights. The fixture will extend from the face of the building. The Code requires that lighting be down cast and not glare into adjacent properties, rights-of-way, and/or night sky. The proposed fixtures would have a clear glass bulb recessed within the fixture to prevent glare.

Examples of lighting approved in the Gateway Area include OSU Seafood Lab, Safeway, and Gateway Cinema. The proposed lighting design meets the criteria.

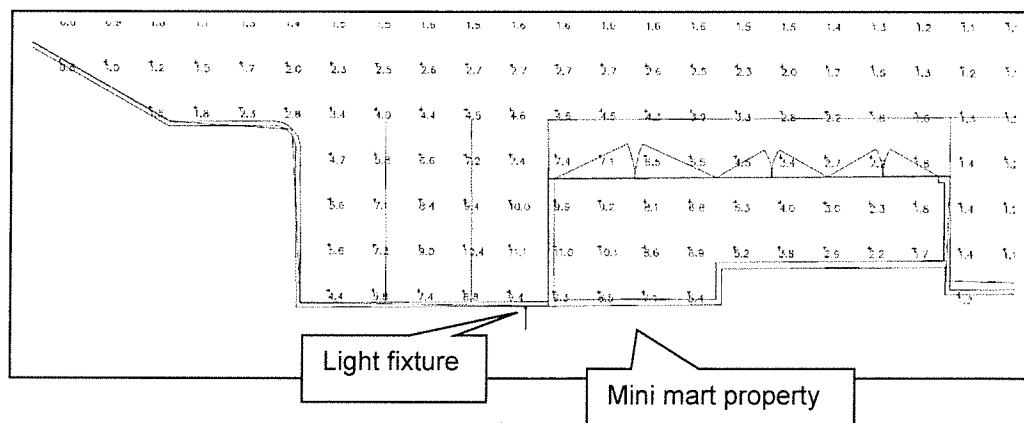


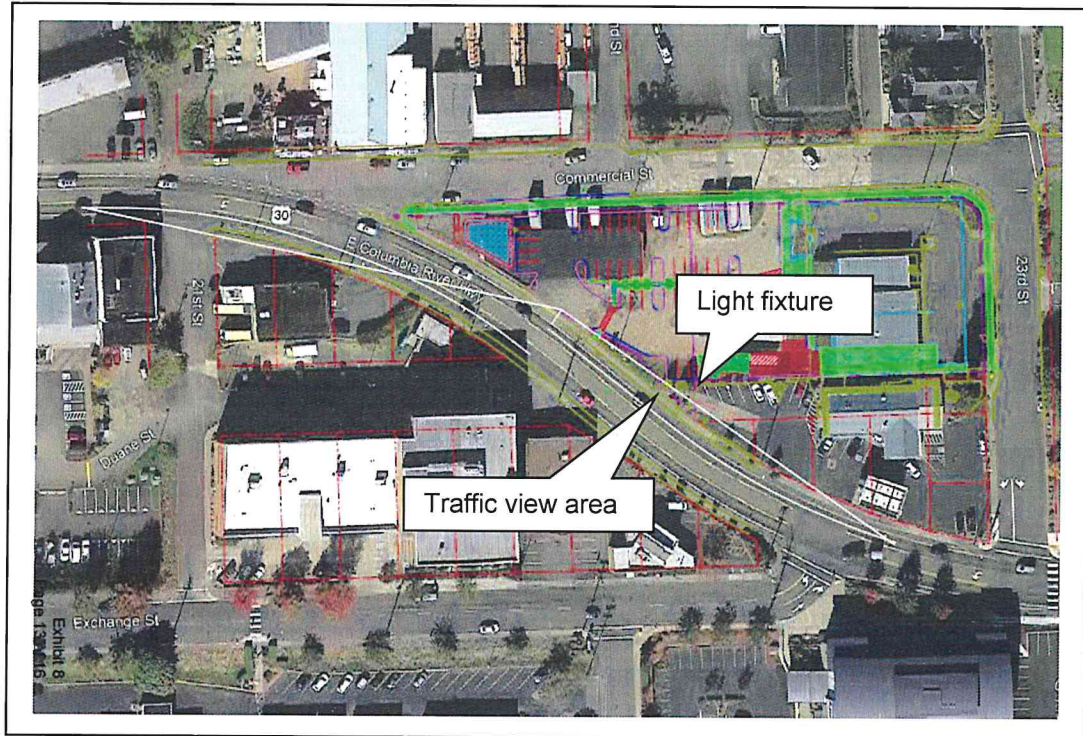
The applicant has submitted a lighting plan and photometric plan of the proposed lighting. There are four wall lights proposed on the east elevation adjacent to 23rd Street facing residences; eight wall lights on the north elevation adjacent to Commercial Street facing residences; ten wall lights on the south elevation adjacent to the mini mart for the loading dock; and ten on the west, front elevation facing the parking lot. The photometrics indicates the intensity of light from each fixture measured by "footcandle" at various distances from the source. This analysis allows you to determine how much light is trespassing beyond the property line. Many city codes prohibit light trespass in residential areas of even one footcandle. Dark Sky Organization suggests that *"Limit light to spill across the property lines. Light levels at the property line should not exceed 0.1 footcandles (fc) adjacent to business properties, and 0.05 fc at residential property boundaries."* Astoria does not specify the amount of light that can trespass but does require that *"Outdoor lighting shall be designed and placed so as not to cast glare into adjacent properties or rights-of-way."* The proposed lighting plan shows lighting along the north property line which is one of the closest elevations to the adjacent residential properties with eight wall lights with photometric calculations of between 2.2 fc to 8.1 fc at the curb. This would create a very bright elevation adjacent to residences and should be drastically reduced (Condition 5). The applicant shall submit a revised lighting plan that reduces the trespass of light beyond the property line reducing the potential glare into adjacent properties and rights-of-way (Condition 7).



The photometric calculations for the delivery ramp on the south elevation are also extremely bright and will draw even more attention to the elevation that does not have windows. The footcandles in this area range from 9.9 fc to 12.5 fc on the east end and from 5.8 fc to 13.1 fc on the west end. If the brighter lights are needed for safe deliveries, a revised lighting design may be required. The proposed lighting along the south elevation at the delivery area shall be either reduced in number and/or footcandles to reduce glare, or limited in use at times other than during deliveries to just provide security while not glaring brightly at any time (Condition 6).

The photometric calculations along the south property line at the solid waste disposal area with a parking lot pole light ranges from 4.4 to 9.4 at the property line. This is the view area for traffic turning into the site as noted in the TIS Technical Memorandum, dated August 23, 2019, provided by the applicant in response to Greenlight Engineering Analysis Letter. This could create glare into the right-of-way that could be a safety issue. As noted above (Condition 4), the light pole should be moved more to the west which will cause the intense light to encroach even more into the traffic view. The photometric calculations do not show the amount of light that will trespass onto the adjacent property (mini mart).





The number and intensity of the lighting in some areas as noted above do not meet the criteria of preventing light from glaring into adjacent properties and/or rights-of-way. A revised lighting plan shall be submitted for review and approval of the Planner prior to issuance of the building permit that reduces the glare trespass into adjacent properties and rights-of-way (Condition 7).

K. Section 14.025(L) identifies signs encouraged.

1. *All Building Types: a) Hanging blade signs; b) Signs painted on building facade; c) Signs applied to building facade; d) Front lit; e) Graphics historic in character.*
2. *Commercial: a) Exterior neon.*

Section 14.025(M) identifies signs discouraged.

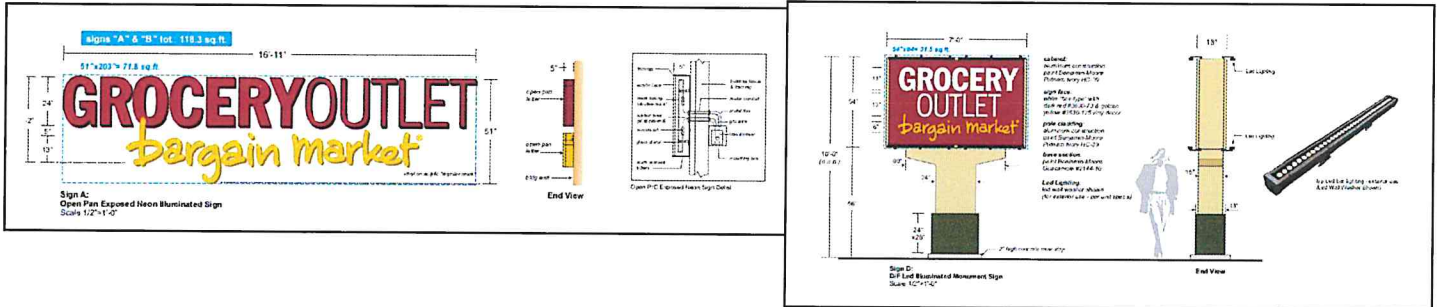
1. *All Building Types: a) Pole mounted freestanding signs; b) Plastic or internal and back lit plastic.*

Section 1.400, Definitions, contains the following definitions:

"FREESTANDING OR GROUND SIGN: *A sign which is supported by one or more upright poles, or other support structure, and which is not attached to a building, but not including sandwich boards."*

“MONUMENT SIGN: A sign, other than a freestanding sign, in which the entire bottom is in contact with or is close to the ground and is not attached to any part of a building or other structure. A monument sign shall not exceed 10’ in height. Any sign over 10’ in height shall be classified as a “freestanding sign”.

Finding: Signage is proposed on the east and west elevations with a monument sign on the northwest corner of the lot. Wall signs are proposed to be neon channel lettering with a clear acrylic cover for protection. The monument sign would have external lighting. This portion of the criteria is met.



The monument sign proposed by the applicant had a narrow base. The code discourages “pole mounted freestanding signs”. Freestanding signs are defined as “supported by one or more upright poles, or other support structure”. When the code was written, the term “pole mounted” freestanding sign was used to differentiate it from other “freestanding signs” such as sandwich boards. However, the code is not specific. At the public hearing on August 1, 2019, a comment was made that the proposed sign was not a “monument” sign as the entire bottom of the sign was not in contact with the ground. The applicant submitted a revised sign design that fully meets the definition of a monument sign. With the 10’ height of the sign, this full base creates a much larger structure. The DRC should decide if the original design meets the requirements of an allowable sign for this area or if the full base is required. The final location of the sign will need to be reviewed and approved by the City Engineer for vision clearance at an intersection (Condition 8).

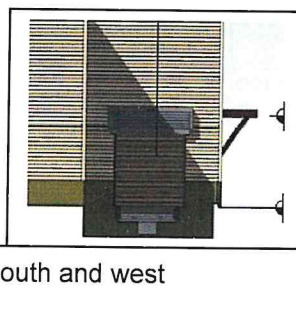
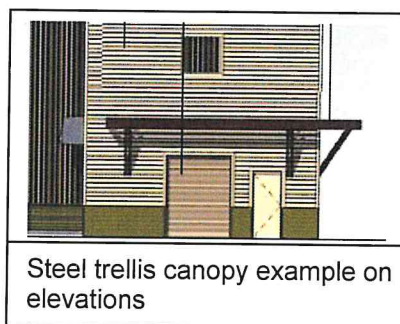
L. Section 14.025(P) identifies other design elements encouraged.

1. Commercial: a) Canvas awnings or fixed canopies for rain protection.

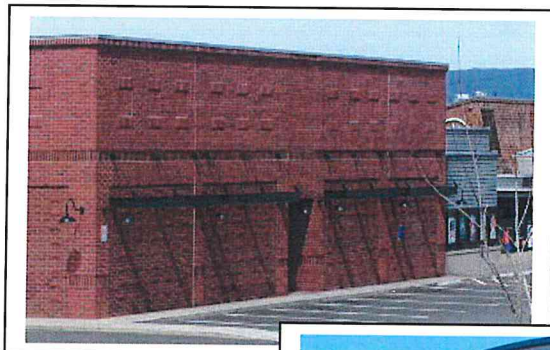
Section 14.025(Q) identifies other design elements discouraged.

2. Commercial: a) Vinyl awnings; b) Back lit awnings.

Finding: Metal solid canopy is proposed over the entryway on the northwest corner of the building. Steel trellis canopies are proposed on three sides. Corner boards are proposed on the horizontal siding.



Metal canopies and trellis canopies are found on several buildings in the area, mostly on newer construction at Gateway Cinema, CHM Pavilion, and Safeway.

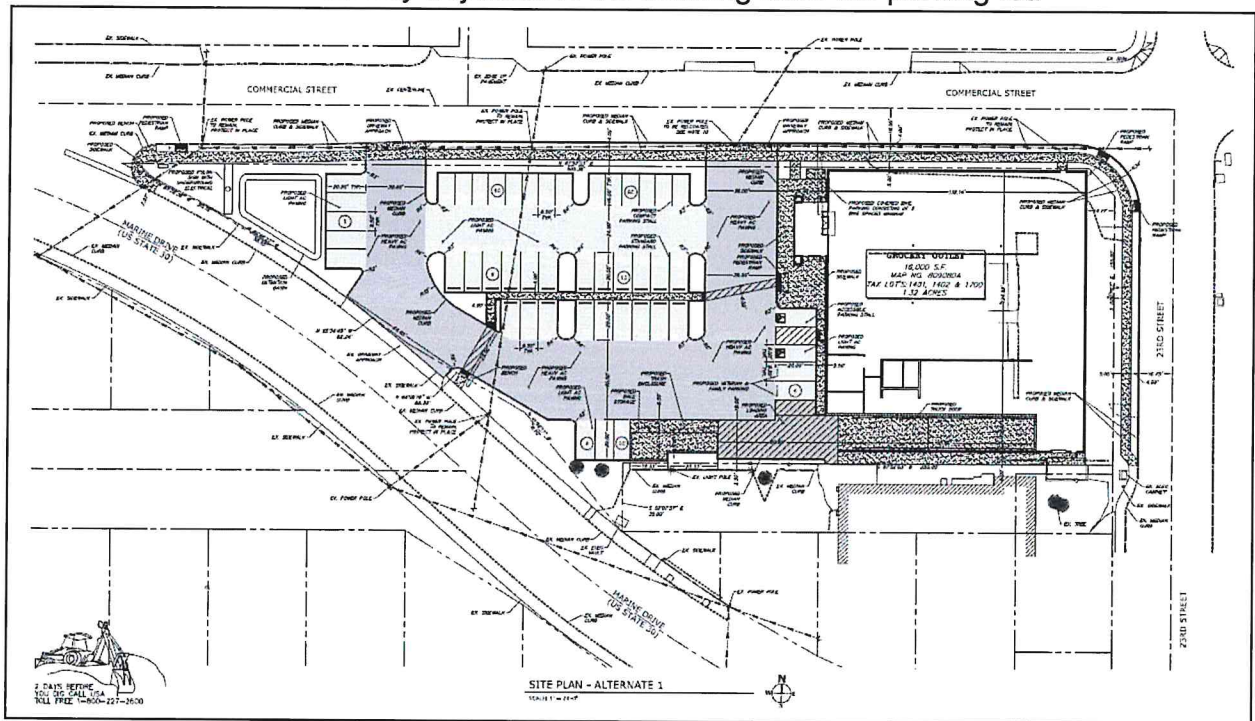


- M. Section 14.030.C.2, Other Applicable Use Standards, Access and Parking Design, in the Gateway Overlay Zone, states *"Building facades and entries should face the adjacent street. Main entrances should face a connecting walkway with a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or across driveways."*

Section 14.001, Definitions for Overlay Zones, defines *"SHOULD: A requirement, unless it can be shown that to comply with the requirement would be unreasonable, impractical, or unfeasible. Economic hardship alone shall not be justification for noncompliance with the requirement, but may be considered in conjunction with other reasons for noncompliance."*

Finding: The proposed project will include approximately 2/3 of the block which is an unusually shaped triangular piece of property. The building entrance is on the west side of the building facing the parking lot. Doors at the

entrance will face north with a pedestrian path from Commercial Street and south with a walkway adjacent to the building from the parking lot.



The current design does not promote a pedestrian-oriented street front. Due to the triangle shape of the lot, there is right-of-way on all three sides of the project site. The narrow shape makes it difficult to design parking and buildings that would not have parking between the building and a right-of-way. The building is proposed to be located on the east side of the lot which is the largest area of the lot. Parking would be to the west with a large landscaped area at the far west triangle point of the lot for stormwater.

The design and orientation of the building takes more advantage of the vehicular access from the parking lot. There is a proposed pedestrian pathway from Marine Drive just southeast of the driveway, through the parking lot, to the front entry. The plan also includes a pedestrian access from a walkway onto Commercial Street. There are no other pedestrian accesses to the building from a right-of-way.



The neighboring areas are zoned for commercial, residential, and family activities, all of which draw populations other than just retail sales customers to

the area. This is not a high pedestrian area along Commercial Street or Marine Drive in this block. The River Trail is located one block to the north and is the primary pedestrian route in this neighborhood. With the construction of the Co-op Grocery store across the 23rd Street right-of-way from this site, there will be increased vehicle and pedestrian traffic to the area.

The building orientation and entrances to the site are all part of the site plan review. In considering these issues, the site configuration poses constraints to development of the site. The use is allowed outright on the site but must meet the design standards of the Overlay Zones. The guidelines/standards concerning building orientation and entrances are identified as criteria that “should” be met, not “shall” be met. Therefore, there is some flexibility on the part of the DRC to determine if these standards can be met or mitigated by other means. If this request was a conditional use permit, there would be more emphasis on the appropriateness of the proposed use/construction at this site. Another type of development could occur on this triangular site that could meet more of the design standards, but since the use is allowed outright, and with the various conditions for mitigating landscaping and other design elements, it may be “unreasonable” to require full compliance with these criteria. The DRC will need to balance the criteria for pedestrians not walking “through” parking lots to access the building with the possible flexibility of being “*unreasonable, impractical, or unfeasible.*”

- N. Section 14.030.A.1, Other Applicable Use Standards, Building Orientation, in the Gateway Overlay Zone, states that *“development projects should form visually continuous, pedestrian-oriented street fronts with no vehicle use area between building faces and the street. Exceptions to this requirement may be allowed to form an outdoor space such as a plaza, courtyard, patio, or garden between a building and a sidewalk. Such a larger front yard area should have landscaping, low walls, fencing, railings, a tree canopy, or other site improvements.”*

Section 14.030.C, Other Applicable Use Standards, Access and Parking Design, in the Gateway Overlay Zone, states

- “1. All uses which are served by an alley, local street, or collector street should have alley or street vehicular access and egress. Curb openings onto Marine Drive or Exchange Streets are discouraged. Parking lots should be on the interiors of blocks or behind buildings, and should be designed to be as unobtrusive as possible. . .*
- 3. Parking areas should be shared among various uses where a development or block is planned as a whole. On-street parking on internal streets may be counted towards the off-street parking requirements with the approval of the Community Development Director.”*

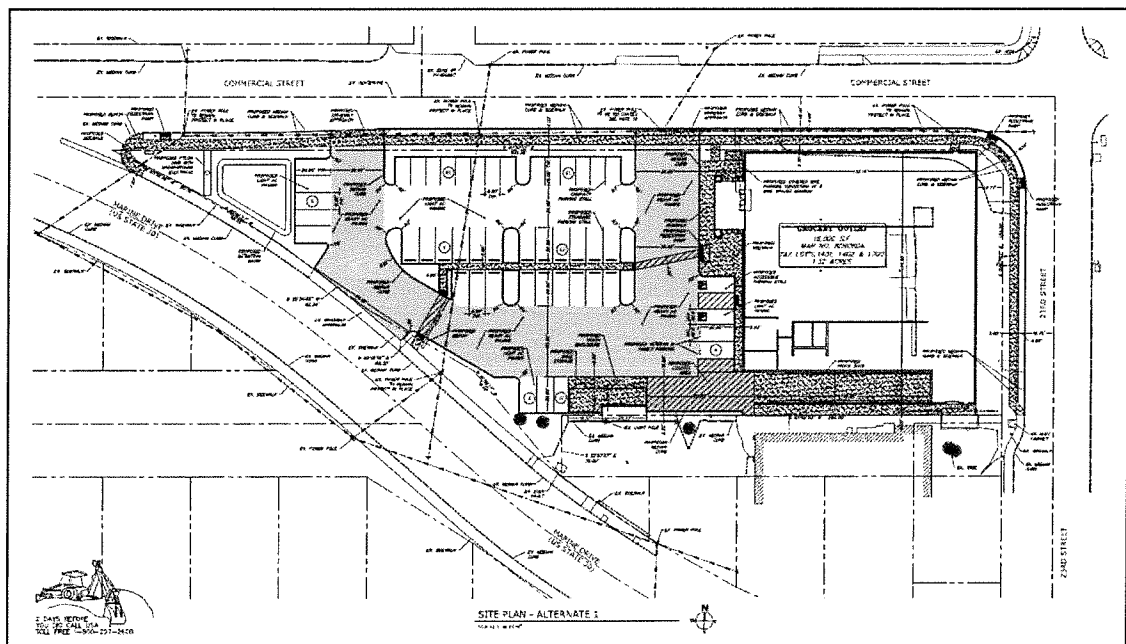
Section 2.975, Purpose of the LS Zone states, *"The purpose of the Local Service Zone is for those uses that may be of a more vehicular oriented nature, such as gasoline service stations, mini-marts, and other neighborhood commercial uses."*

Section 2.981, Other Applicable Use Standards, in the LS Zone, states:

3. *Where feasible, joint access points and parking facilities for more than one use should be established. This standard does not apply to multi-family residential developments.*
4. *Access drives and parking areas should, where possible, be located on side streets or non-arterial streets in order to minimize congestion on Marine Drive."*

Section 14.001, Definitions for Overlay Zones, defines **"SHOULD:** A requirement, unless it can be shown that to comply with the requirement would be unreasonable, impractical, or unfeasible. Economic hardship alone shall not be justification for noncompliance with the requirement, but may be considered in conjunction with other reasons for noncompliance."

Finding: The proposed project will include approximately 2/3 of the block which is an unusually shaped triangular piece of property. The narrow shape makes it difficult to design parking and buildings that would have parking on the interior of the lot behind buildings. The LS Zone allows a more vehicle-oriented development than other zones within the overlay zone areas.



Location of the parking area was also determined by the location of access to the site. There are existing driveways on the Commercial Street and Marine Drive sides of the property. Access from 23rd Street was determined to be problematic due to the existing traffic conditions at the 23rd and Marine Drive intersection as indicated in the Astoria Grocery Outlet Traffic Impact Study, Supplemental Memo by ARD Engineering, dated June 27, 2019. The Development Code states: *"Exceptions to this requirement may be allowed to form an outdoor space such as a plaza, courtyard, patio, or garden between a building and a sidewalk."* A stormwater detention area which would be landscaped is identified on the site plan for the west corner of the triangle. The applicant still needs to confirm with City Engineering if a stormwater detention area is allowed. If not, the area could still be a landscaped garden area adding buffering of the parking lot.

Landscaping is proposed along the perimeter and will need to be sufficient to buffer the parking area from the pedestrian walkways and view from the right-of-way (Condition 9). Landscaping will be discussed later in the Findings of Fact.

Vehicle access from Marine Drive is discouraged in the Gateway Overlay Zone and the LS Zone. The site has existing access from both Marine Drive and Commercial Street. The Astoria Grocery Outlet Traffic Impact Study (TIS) dated May 31, 2019 (page 9) states that the 23rd Street intersection is operating at a "D" Level of Service (LOS) and Marine Drive is at a "C" LOS. Page 17 of the TIS indicates 23rd Street at a "D" LOS for 2021 without the new retail establishment and at an "E" LOS for 2021 with the new retail establishment. LOS "E" would indicate *"operations with significant intersection approach delays and low average speeds"* as noted in the chart below.

LOS is a *"qualitative measure used to relate the quality of motor vehicle traffic service. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measure like vehicle speed, density, congestion, etc."* (Wikipedia)

Table B-5
CMP Level of Service Criteria for Arterials^a Based on
Volume-to-Capacity Ratios

Level of Service	Description	V/C ^b
A	Free-flow conditions with unimpeded maneuverability. Stopped delay at signalized intersection is minimal.	0.00 to 0.60
B	Reasonably unimpeded operations with slightly restricted maneuverability. Stopped delays are not bothersome.	0.61 to 0.70
C	Stable operations with somewhat more restrictions in making mid-block lane changes than LOS B. Motorists will experience appreciable tension while driving.	0.71 to 0.80
D	Approaching unstable operations where small increases in volume produce substantial increases in delay and decreases in speed.	0.81 to 0.90
E	Operations with significant intersection approach delays and low average speeds.	0.91 to 1.00
F	Operations with extremely low speeds caused by intersection congestion, high delay, and adverse signal progression.	Greater Than 1.00

^a For arterials that are multilane divided or undivided with some parking, a signalized intersection density of four to eight per mile, and moderate roadside development.
^b Volume-to-capacity ratio.

≥ greater than or equal to.
 < less than.

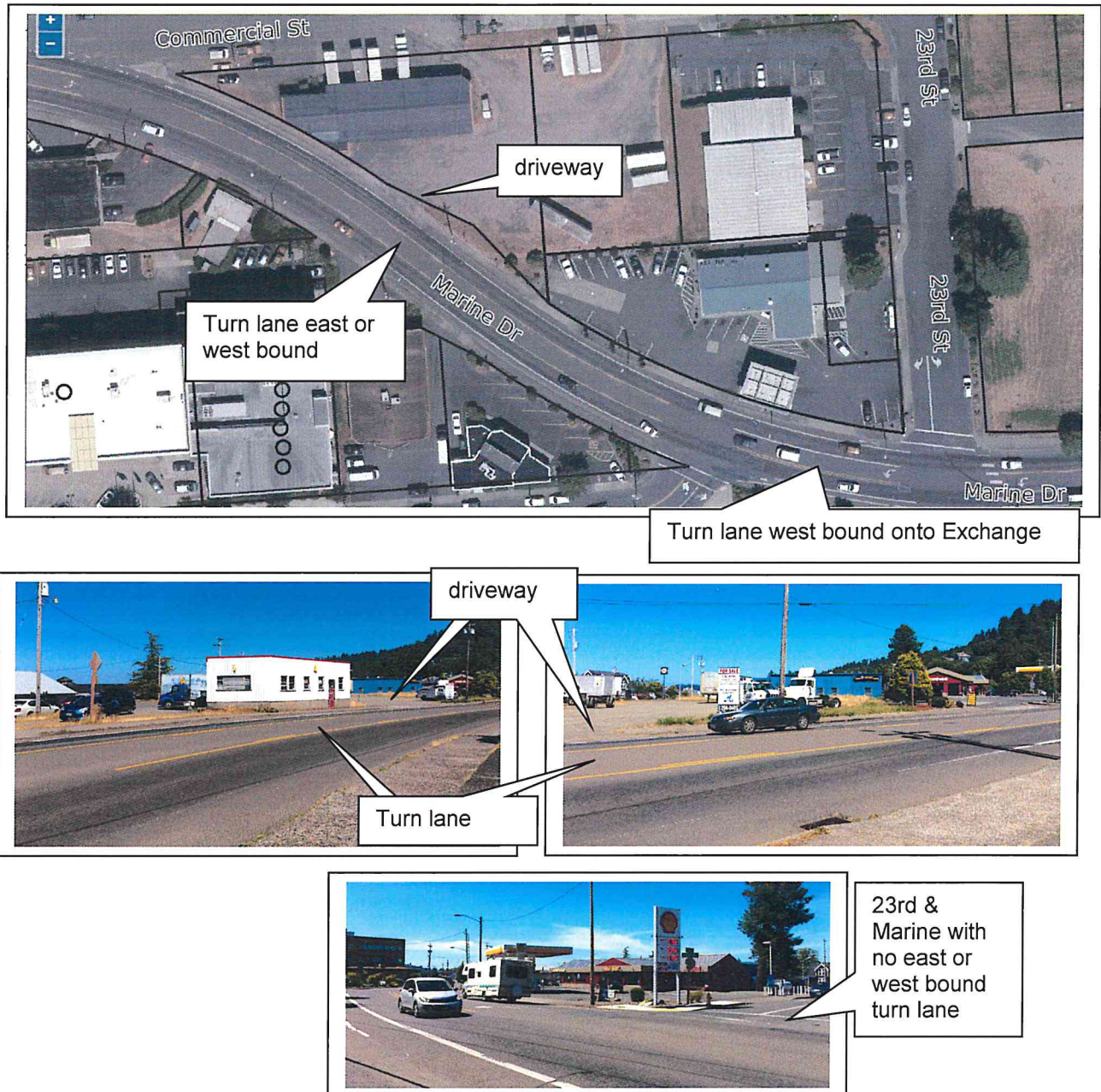
Source: Transportation Research Board, *Highway Capacity Manual, Special Report 209* (Washington, D.C., 1994).

The Technical Memorandum from ARD Engineering, dated June 27, 2019, addresses the justification for allowing the use of the Marine Drive access in lieu of the Commercial Street access for this project. One of the key elements in this justification is the location of the turn lane on this portion of Marine Drive that would allow b easy ingress and egress from the Marine Drive driveway. The 23rd Street intersection does not have a turn lane refuge and has experienced eight motor vehicle accidents in the last five years (page 19 of the TIS).

An alternative TIS by Greenlight Engineering, dated August 1, 2019, was submitted by the Co-op. The applicant has responded with a Technical Memorandum, dated 8-23-19. These documents will be reviewed by the City Engineer and ODOT.

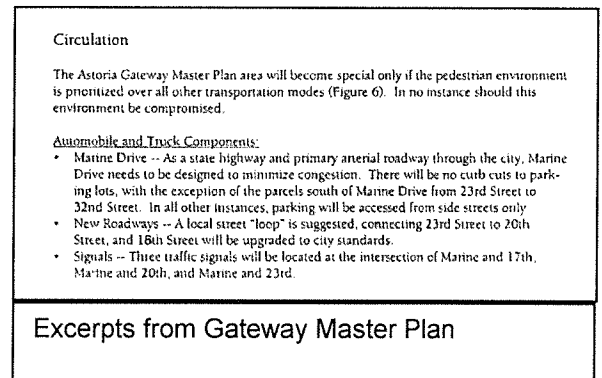
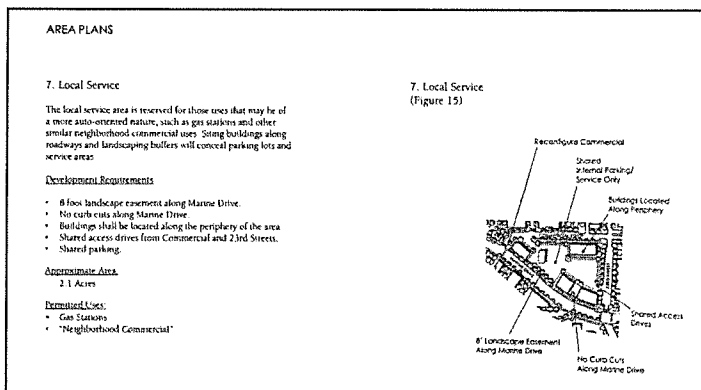
The DRC does not review traffic impacts as they are charged with design review of the site plan, structures, landscaping, lighting, etc. The inclusion of the traffic studies and discussion on proper access points and safety are due to the DRC review of the code that access from Marine Drive is discouraged in the overlay zones and is a design feature. The technical issues of the traffic studies will be reviewed by the City Engineer. The DRC needs to decide if the Marine Drive access should be allowed primarily based on the design aspect but with the knowledge of how this decision affects the traffic impact review by others. The

actual width of the existing driveway is 64' will also impact the design as it creates a larger paved driveway area and reduces the amount of landscaped buffering. This driveway is shown on the plans to the full existing width, but the applicant has indicated that he will work with the City Engineer and ODOT on the proper width of this driveway which could possibly be 36' similar to the Commercial Street driveways. Reduction in width will allow for additional landscaping to buffer the view of the parking area (Condition 10).



The Gateway Master Plan, dated April 1997, emphasizes the proposed pedestrian-oriented nature of the area and addresses this with design suggestions to minimize the impact of parking lot locations, building orientation,

and site access. It included the concept of a LS Zone that would allow more vehicle-oriented uses. The Plan describes the LS Zone on page 29 and envisioned a landscape buffer along Marine Drive. It suggested “No curb cuts along Marine Drive”; however, the proposed access would use an existing curb cut, not a new one. Page 16 of the Gateway Plan states “. . . Marine Drive needs to be designed to minimize congestion. . .” The recommendations in the Gateway Master Plan were codified into Development Code Section 2.981.4 which states “Access drives and parking areas should, where possible, be located on side streets or non-arterial streets in order to minimize congestion on Marine Drive.” At the time of the 1997 Gateway Plan, Marine Drive in this area did not contain a turning lane. Some time prior to 2004, Marine Drive was upgraded to include a turning lane that served the TP Freight driveway on Marine Drive, the mini-mart/gas station, and the other uses along this portion of Marine Drive and helped to “minimize congestion”. The Gateway Master Plan language is included as background information and is not criteria for review.



Therefore, staff believes that one of the intents of the Overlay and LS Zones to minimize the impact of traffic delays on Marine Drive would be best served by allowing use of the existing turn lane refuge into the Marine Drive access to the site. Another intent is to create more aesthetic designs for the gateway entry into the downtown area which could possibly be accomplished with additional landscape buffering of the site and reduction in the width of the driveway (Condition 10).

Marine Drive is a State highway under the jurisdiction of Oregon Department of Transportation (ODOT) as well as the City. An email from Asst. City Engineer Cindy Moore dated 6-24-19 states "Access to site from Marine Dr. The Public Works Department is willing to approve a driveway off of Marine Dr (as proposed) if ODOT and the Community Development Department concur. The driveway configuration, alignment and section must meet Astoria Engineering Design Standards." In an email dated 1-30-19, David Smith, ODOT Region 2, Development Review Engineer states "There is an existing approach at/near the proposed GO 30' approach on Marine Drive and it does not appear as though there are access control restrictions. Thus, at first glance, I don't see issues with the approach on Marine Drive. Of course, you'd need to go through

the approach application process. . .” Both ODOT and the City Engineer have tentatively approved the Marine Drive access pending submittal and approval of final plans and site upgrades. The Marine Drive access appears to be feasible if the DRC determines it meets the design standards for the Overlay zones. While not an issue for DRC consideration, the applicant will need to submit an application for review by the City Engineer and ODOT concerning the access driveways, ADA accessibility at crosswalks, and the right-of-way intersection at Commercial and Marine Drive. These issues will be reviewed separately from the design review phase but could impact the final site design and access. The ODOT application requires the City to sign a Land Use Compatibility Statement (LUCS) that the proposed project meets the City zoning requirements. The City cannot sign a LUCS until the project has zoning approvals such as the Design Review request before the DRC for consideration. If there are major changes as a result of the transportation related reviews, a revised site plan would need to be reviewed and approved by the DRC. Minor revision would be reviewed and approved by the Planner (Condition 11).

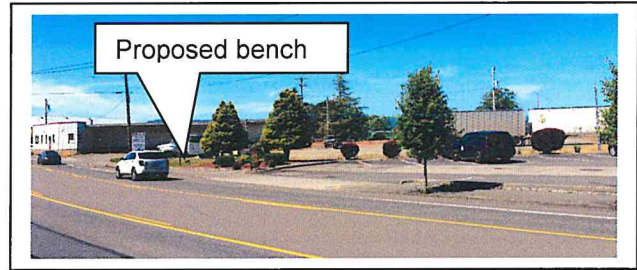
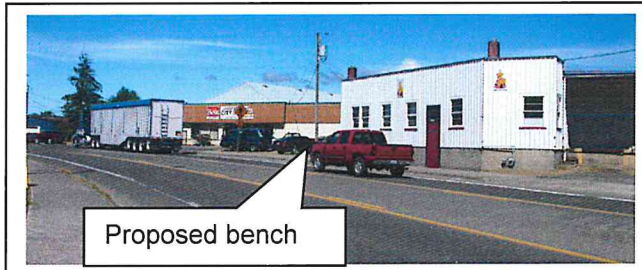
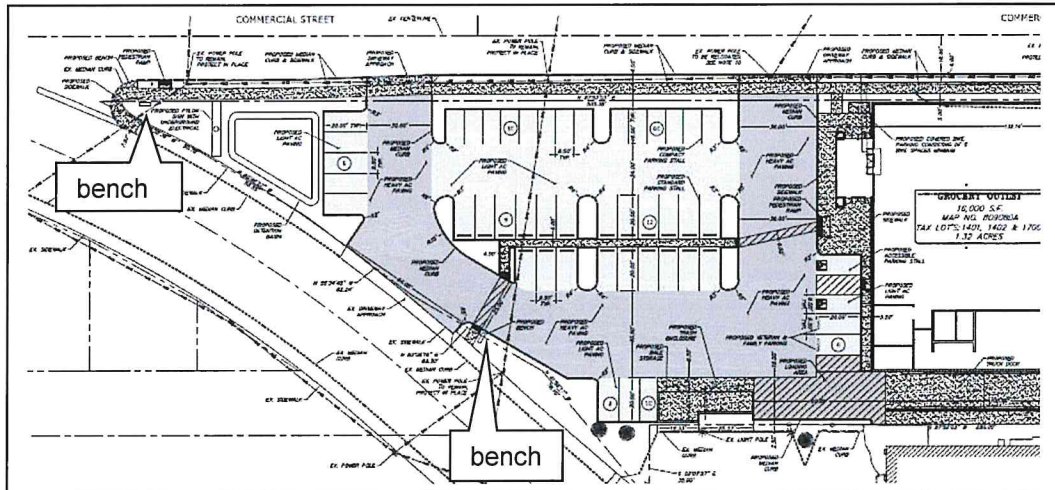
The parking and vehicle access to the site are part of the site plan review. In considering these issues as noted above, the site configuration poses constraints to development of the site. The use is allowed outright on the site but must meet the design standards of the Overlay Zones. The guidelines/standards concerning parking and vehicle access to the site are identified as criteria that “should” be met, not “shall” be met. Therefore, there is some flexibility on the part of the DRC to determine if these standards can be met or mitigated by other means. If this request was a conditional use permit, there would be more emphasis on the appropriateness of the proposed use/construction at this site. Another type of development could occur on this triangular site that could meet more of the design standards, but since the use is allowed outright, and with the various conditions for mitigating landscaping and other design elements, the DRC needs to determine if it would be “unreasonable” to require full compliance with these criteria.

- O. Section 14.030.A.2, Other Applicable Use Standards, Building Orientation, in the Gateway Overlay Zone states that *“new uses should be sited to take advantage of the Columbia River and hillside views.”*

Section 1.4001, Definitions, for Overlay Zones, defines *“SHOULD: A requirement, unless it can be shown that to comply with the requirement would be unreasonable, impractical, or unfeasible. Economic hardship alone shall not be justification for noncompliance with the requirement, but may be considered in conjunction with other reasons for noncompliance.”*

Finding: The building does not contain functions for views. It is a retail establishment with no on-site extended use. The use is allowed outright. Windows on the north, south, and east side of the building will not necessarily provide exterior views as the applicant has indicated that they will be blocked

with racks of products. Windows on the west elevation face the parking lot. Orientation of the building does not allow views of the Columbia River or hillside. This criteria is not met but is a “should” not a “shall” requirement. Customers to this establishment will be shopping and leaving the site immediately and not staying to enjoy the views. The LS Zone is intended for more vehicular oriented uses. It would be unreasonable to require a retail sales establishment with no on-site extended use to provide views of the River or hillside. However, the DRC needs to determine if the proposed use meets this criteria as it is “*unreasonable, impractical, or unfeasible*” to require compliance or if it does not meet the criteria.



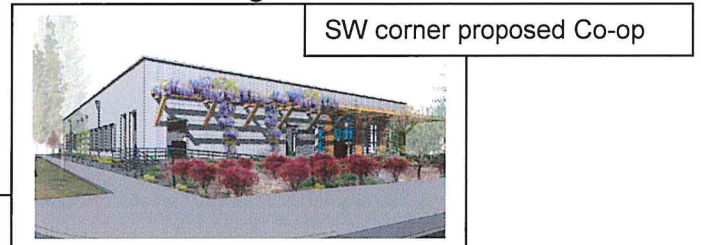
The applicant has noted the addition of a bench on the Marine Drive side partially within the right-of-way near the driveway at the pedestrian path into the parking lot. A second bench is shown on the far western point of the property. While a bench is a good pedestrian amenity, the locations are not in pedestrian friendly areas for use. They are proposed along a heavily used right-of-way and not in close proximity to a use or a bus stop. A revised location for a bench should be considered. A revised location for one or two benches shall be submitted to the Planner for review and approval. (Condition 12).

- P. Section 14.030.A.3 Other Applicable Use Standards, Building Orientation, in the Gateway Overlay Zone states that “*if the proposed project is large or situated so as to become an entrance or major focus of the City, the design should recognize the project’s prominence and should be both compatible with its surroundings and complementary to the City as a whole.*”

Finding: The building will be visible from eastbound traffic on Marine Drive and partially visible from westbound traffic. It is separated from Marine Drive by the existing mini-mart/laundry/gas station at 2264 Marine Drive. The site is not highly visible from the River Trail to the north. With the proposed location of the building on the east end of the lot, the project does not become a major focus at an entrance to Astoria. The proposed design utilizes materials that reflect the surrounding commercial buildings with the use of horizontal fiber cement siding, and vertical corrugated metal. These are materials similar to City Lumber at 2142 Commercial Street, Astoria Co-op at 2350 Marine, and CMH Pavilion at 2265 Exchange Street. The building will be a contemporary commercial design which is compatible with the other commercial buildings in this area.



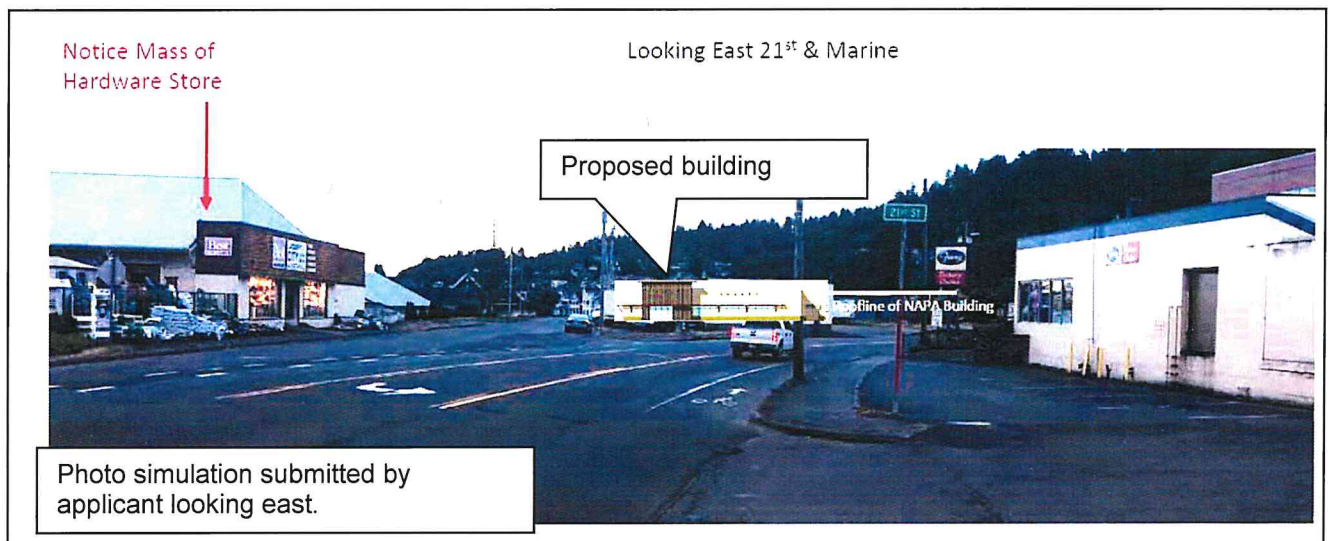
City Lumber



SW corner proposed Co-op



Mini-mart



- Q. Section 14.030.B.1, Other Applicable Use Standards, Building Massing, in the Gateway Overlay Zone states that *"buildings should have a floor area ratio on their lots of at least 1:1 (One square foot of building area for one square foot of lot area), in order to maximize use of the land."*

Section 14.070.A.1, Other Development Standards for the Civic Greenway Overlay Zone states *"The following development standards are applicable within the Civic Greenway Overlay Zone."*

1. *Floor area ratios.*

Floor area ratio and height standards in Section 14.030(B)(1) and Section 14.030(B)(2) of the Gateway Overlay Zone do not apply to on-land development in the Civic Greenway Overlay Zone. Other use standards in Section 14.030 apply."

Finding: The lot is approximately 57,600 square feet and the buildings would have approximately 16,000 square feet of floor space. The project would have a floor area to lot ratio (FAR) of 0.28:1 (approximately 28%). However, per Section 14.070.A.1, the FAR criteria requirement does not apply to "on-land development in the Civic Greenway Overlay Zone within the Gateway Overlay Zone." This ratio requirement is not required.

- R. Section 14.030.B.2, Other Applicable Use Standards, Building Massing, in the Gateway Overlay Zone states that *"buildings should be a minimum of 24 feet in height from grade to highest point of the structure, excluding those features exempt from building height as identified in Development Code Section 3.075."*

Section 2.980, Height of Structures in the LS Zone, states *"No structure will exceed a height of 35 feet above grade, with exception of structures on lots with frontage on Marine Drive between 23rd and 29th Street which are limited to a maximum height of 45 feet above grade."*

Section 14.060.A, Standards for On-Land Development, Height, in the Civic Greenway Overlay Zone, states *"The following development standards apply to on-land development in the Civic Greenway Overlay Zone south of the River Trail / 50' wide railroad line property. The Overwater Development standards shall apply to on-land development north of the River Trail / 50' wide railroad line property. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control."*

1. *Maximum building height is 28 feet.*
2. *Building height up to 35 feet is permitted when building stories above 28 feet are stepped back at least 10 feet in accordance with Section 14.060(C)(2).*
3. *Exceptions to building height restrictions may be granted through provisions in Section 3.075."*

Section 14.060.C, Standards for On-Land Development, Stepbacks, in the Civic Greenway Overlay Zone, states

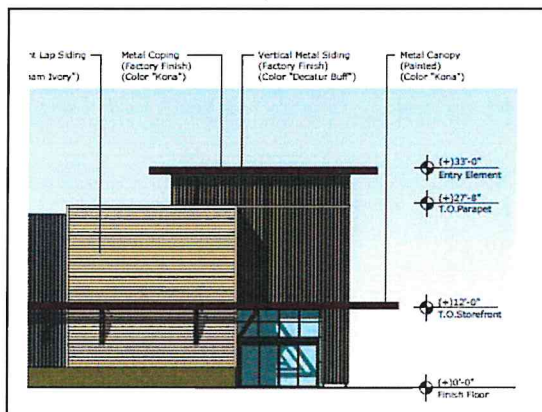
“1. Purpose.

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

2. Additional Building Height.

Where the height of a building or building addition is proposed to exceed 28 feet, at least that portion of the building exceeding 28 feet, shall provide a stepback of at least 10 feet from the front plane of the proposed building or building addition that faces the street or the River Trail.”

Finding: The proposed building height is 27.7' to the top of the flat roof and 33' to the top of the tower element flat roof. This meets the criteria of 24' minimum. The LS Zone has a maximum height of 35' above grade. The Civic Greenway Overlay Zone allows a height of 35' with a 10' stepback for the portion above 28' fronting on a right-of-way and/or River Trail. The tower element facade along Commercial Street above 28' is stepped back 10' of unobstructed open area. The building meets the allowable height criteria.

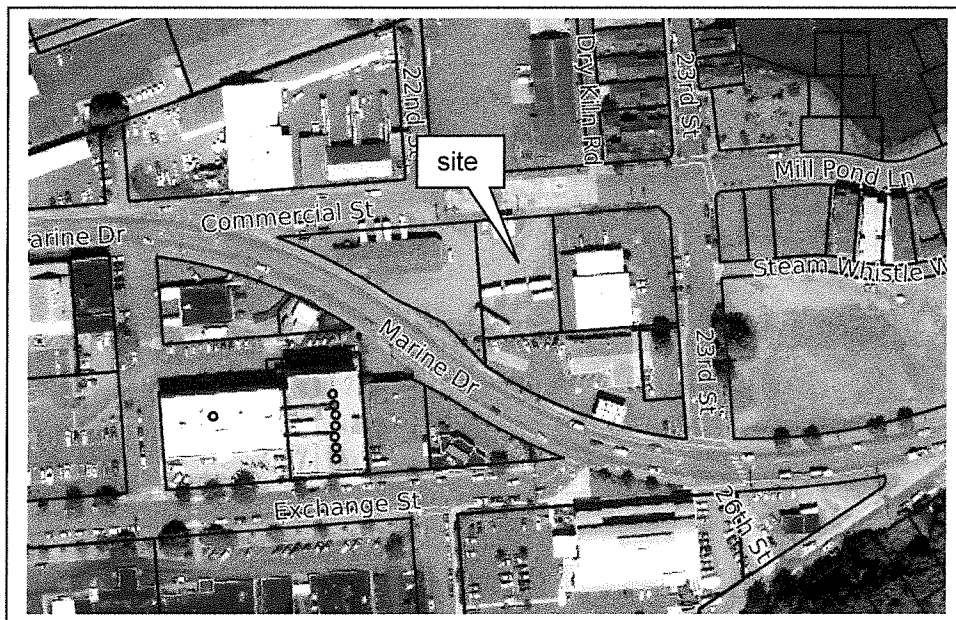


- S. Section 14.030.B.3, Other Applicable Use Standards, Building Massing, in the Gateway Overlay Zone states that *“the height, mass, and scale of buildings should be compatible with the site and adjacent buildings. Use of materials should promote harmony with surrounding historic structures and the character of the waterfront.”*

Finding: The proposed building will be 16,000 square feet, one story with a small tower element at the entry. The buildings in the general area are as follows:

City Lumber, 2142 Commercial: store 10,260 sqft; upper sheds 5,800 sqft; lower shed 10,400 sqft; (total 26,460 sqft); one story
Walter Nelson wholesale, 2240 Commercial: 7,900 sqft; one story
Dr. Park Medical Center, 2120 & 2158 Exchange: 25,500 sqft; four story
CMH Pavilion, 2265 Exchange: 18,400 sqft; three story
Mini-mart/Laundry/Shell gas station, 2264 Marine: 6,100 sqft; one story
Astoria Co-op, 2350 Marine: 11,580 sqft; one story
Residence, 285 23rd: 3,200 sqft; two story

The existing buildings on the site include TP Freight at 2140 Commercial (5,000 sqft) and Napa Auto at 2275 Commercial (7,200 sqft) for a total of 12,200 square feet of buildings.

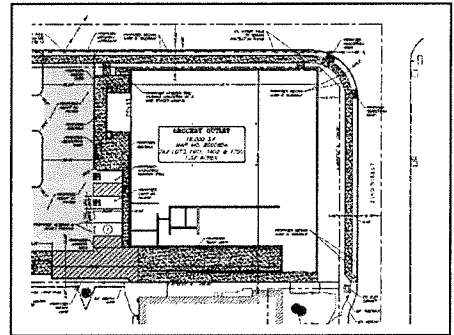


At 16,000 square feet, the proposed building would be comparable with City Lumber facility, Dr. Parks building, and the Pavilion, and would be slightly larger than the Astoria Co-op building. It would be substantially larger than the other buildings in the area. To envision the size of the building, the center lot as noted by "site" above is 15,000 sqft and the lot to the east where the building will be located is 22,300 sqft; therefore, the building would be just slightly larger than the center 15,000 sqft lot.

Buildings range from one to four stories tall and the proposed building would be one story at 28' tall. The other one-story buildings in the area are also approximately 20' to 28' tall.

The building would have horizontal smooth fiber cement siding and vertical corrugated metal siding. Other buildings in the area have wood and/or fiber cement panels, horizontal siding, corrugated metal, brick, and some cedar shingles. The proposed materials are compatible with the character of the waterfront in this area.

- Finding:** The proposed building would be along 23rd Street and is proposed to be set back 14' from the 23rd Street property line. No structural encroachments shall be allowed within 5' of the property line other than approved landscaping. This criteria is met.



- Finding:** All utilities are proposed to be underground. No surface mounted facilities are shown. The final site plan showing any surface facilities shall be reviewed and approved by the Planner prior to issuance of the building permit and shall be screened from view (Condition 13).

V. Section 14.030.D, Other Applicable Use Standards, Landscaping in the Gateway Overlay Zone, states

- "1. Street trees should be planted within the right-of-way along both sides of the streets within the Gateway Overlay Zone.
 - a. Spacing should be 30 feet on center, depending on species and branching habit.
 - b. Minimum size of deciduous trees should be 2" caliper, with an upright form.
 - c. Mature branching height should be a minimum of 15'.
 - d. Durable tree grates and trunk protectors should be installed.*
- 2. Areas between trees should be landscaped with a variety of shrubs and perennials, with an emphasis on flowering species."*

Section 14.075.A.3, Landscaping, Street Trees, in the Civic Greenway Overlay Zone states *"Street trees are required to be planted within the right-of-way along both sides of the street in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Section 14.030.D.*

- a. Maximum height for street trees along north-south streets between Marine Drive and the Columbia River is 45 feet.*
- b. Street trees along north-south streets between Marine Drive and the Columbia River shall have narrow profiles and/or be pruned to a maximum width of 15 feet.*
- c. Street trees along north-south streets between Marine Drive and the Columbia River shall be one of the columnar species listed in Section 3.125, unless otherwise approved by the Community Development Director.*
- d. Required street trees shall be maintained by the adjacent property owner and/or other identified entity. There shall be a maintenance agreement or other City approved agreement."*

Finding: The applicant has been advised that street trees will be required on Commercial and 23rd Streets and Marine Drive. The applicant will need to work with the City Engineer on the location and installation of the trees within the right-of-way. A landscape plan has been submitted and indicates the required street trees. A draft maintenance agreement shall be reviewed and approved by the Planner prior to issuance of the building permit. The trees shall be installed prior to occupancy of the building (Condition 14).

The TIS notes that visibility at the Marine Drive driveway is partially blocked by an existing street tree adjacent to the Mini-mart location. The TIS recommends that this tree be trimmed for safety. The applicant shall work with the City Engineer and the adjacent property owner concerning trimming of this tree at the applicant's expense. Since street trees are required in the overlay zone and the aesthetics of the area are a concern, the tree shall be trimmed and/or replaced rather than removed. The tree shall be trimmed prior to occupancy of the building (Condition 15).

- W. Section 14.075.A.2, Landscaping, Land side or upland standards, in the Civic Greenway Overlay Zone, states *"Landscaping is required in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Sections 3.120 to 3.125. The provisions in this Section apply to new construction or exterior renovations with a value of at least 20% of the assessed value of the structure, or in the event of installation of new parking areas. . .*

2. *Land side or upland standards.*

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

- a. *Height and spacing.*
- 1) *Maximum spacing of trees is 20 feet on center.*
 - 2) *Maximum spacing of shrubs is five (5) feet on center.*
 - 3) *Ground cover landscaping is required in between shrubs and trees.*
 - 4) *Trees shall not exceed 35 feet in height at maturity."*

Section 2.979, Landscaped Open Area, in the LS Zone, states *"A minimum of 20% of the total lot area will be maintained as a landscaped open area."*

Section 3.110, Landscaping Required, states *"At the time a building permit is requested for new construction, or for remodeling with a value of at least 33% of the assessed value of the structure, or in the event of a change of use or installation of new parking areas, the property shall come into compliance with the landscape requirements and a landscaping plan shall be submitted to the Community Development Director. Such landscaping plan may also be used as a site or plot plan for the development, provided all information necessary for the site or plot plan is provided. The plan shall be of sufficient scale to show existing and proposed features, proposed materials, contours (where appropriate) and other features."*

Section 3.115, Review of Landscaping Plans, states *"The landscaping plan shall be reviewed by the Community Development Director to determine if it meets the quantitative requirements of the Code. Landscaping in conjunction with Uses Permitted Outright may be approved by the Community Development*

Director. Landscaping in conjunction with Conditional Uses shall be reviewed by the Planning Commission as part of the review under Section 11.010. In such cases, the Planning Commission may review schematic plans and the final plans may be reviewed by the Community Development Director. No Certificate of Occupancy or other final approval shall be issued by the building official or the City until the landscaping is installed as specified by the Planning Commission or Community Development Director. Minor changes in the landscape plan may be allowed by the Community Development Director, so long as they do not alter the overall character of the development."

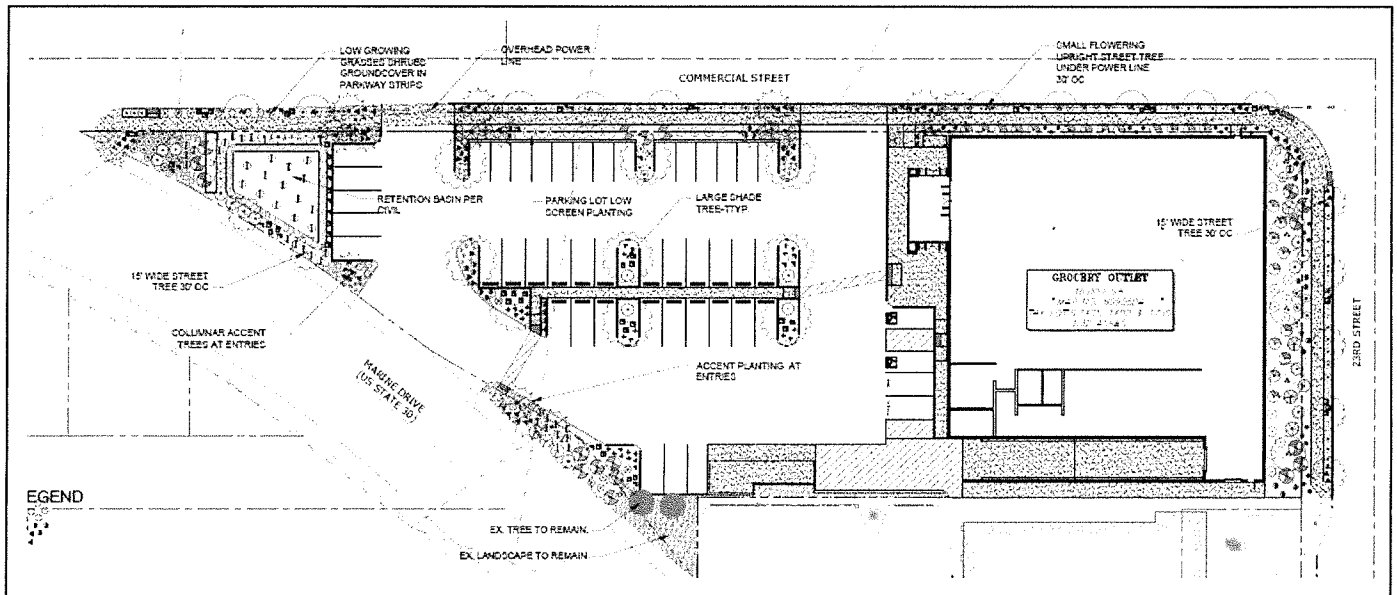
Section 3.125.A, Native Plants, Use of Native Plants, states "The following shall apply to landscaping within the Riverfront Vision Plan Overlay Area Zones.

A. Use of Native Plants.

Landscaping shall consist of native plants from the list of recommended native trees, shrubs, grasses and groundcover listed in Section 3.125(B), or that are otherwise determined to be native plants in documents such as the following: Flora of the Pacific Northwest (1973) by Hitchcock & Conquist; Gardening with Oregon Native Plants, West of the Cascades (2008) by Oregon State University Extension Service; or a comparable document recommended by the City staff will be the reference for determining other native plants.

The Community Development Director, or designee, may approve plants that are not native if it is determined that the plant better addresses environmental constraints, habitat value, transparency, height, resilience, and maintenance needs."

Finding: The applicant has submitted a landscape plan that indicates landscaped areas on the site plan with on-site and landscaping within the right-of-way for a total of 11,936 square feet. The site is approximately 57,500 square feet and 20% landscaping would be 11,500 square feet. The plants indicated on the plan are mostly native plants. However, staff will review the list in detail to confirm the various species proposed are acceptable for this area. One issue staff will review is that trees adjacent to public walkways should not be fruit bearing trees to avoid fruit dropping on the sidewalks requiring clean up and possibly causing unsafe walking conditions. Landscaping shall be installed prior to occupancy of the building (Condition 16).



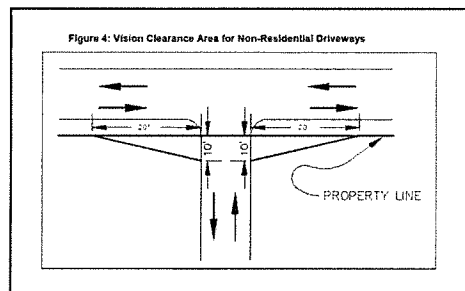
X. Section 3.120.A, Landscaping Requirements, states “Specific requirements governing the placement and maintenance of landscape materials are as follows. . .

7. *Planting areas shall be designed to separate parking lots from the sidewalk and street and shall contain a mixture of trees and shrubs, except where the presence of chairwalls or public utilities makes the planting infeasible, as determined by the City Engineer, in which case concrete, stone, or other manufactured containers may be used.*
8. *Parking areas with 20 spaces or more shall have a minimum of one landscaping divider per ten (10) parking spaces. Each ten (10) parking spaces shall be bordered by a landscaped area. Such area shall consist of a curbed planter of at least three (3) feet by 16 feet, or at least 48 square feet. Each planter shall contain at least one (1) tree, along with hedge or shrub material.*
9. *For new construction, parking areas shall be separated from the exterior wall of a structure, exclusive of paved pedestrian entranceways or loading areas, by a strip of landscaping material. All planting areas shall be protected by the use of concrete bumper blocks affixed to the paving.*
13. *Up to 50% of the landscaping requirement may be satisfied by the use of City rights-of-way for landscaping, as approved by the City Engineer. The property owner shall be responsible for the maintenance of such landscaping. (See City Code 2.350 through 2.353.)”*

Section 7.110.G.1, Parking and Loading Area Development Requirements, Landscaping, states *"Landscaping shall be provided as required in Section 7.170 and Section 3.105 through 3.120."*

Section 7.170, Landscaping of Outdoor Storage or Parking Areas, states *"A minimum of 5% of the gross parking lot area shall be designed and maintained as landscaped area, subject to the standards in Sections 3.105 through 3.120. This requirement shall apply to all parking lots with an area of 600 square feet or greater. Approved sight obscuring fences or vegetative buffers shall be constructed where commercial parking lots abut Residential Zones. The minimum 5% landscaping shall be counted as part of the total landscaping required for the property."*

City Code Section 6.100.5, Vision Clearance Area, Non-residential driveways, states *"A vision clearance area shall consist of a triangular area, two sides of which are 20-foot and 10-foot lengths along the property line and edge of the driveway, respectively, and the third side of which is a line across the corner of the lot connecting the ends of the other two sides (Figure 4)."*



Finding: The applicant has submitted a landscape plan with both on-site and some landscaping in the right-of-way. Up to 50% of the landscaping may be in the right-of-way. The site requires 11,500 square feet of landscaping and a maximum of 5,750 square feet may be located in the right-of-way.

Parking areas are required to be separated from pedestrian areas with landscaping. The site plan indicates landscaping between the parking area and the pedestrian sidewalk in the right-of-way. As noted in Sections 14.030.A.1 and 14.030.C above, the parking area should be located behind the building and not adjacent to pedestrian areas. Due to the lot configuration, the parking lot is proposed to be located at the focal point of the site adjacent to the Commercial Street and Marine Drive pedestrian walkways. However, to mitigate this location, landscaping should be installed to be sufficient to buffer the view of the parking area from the adjacent rights-of-way (Condition 9). However, the landscaping shall also comply with the Vision Clearance Area as required by City Code.

Not all landscaping requirements are being addressed in the Findings of Fact as they are generally reviewed administratively. However, the above issues

were specifically addressed as they deal with mitigation of design review issues that are reviewed by the Design Review Commission. A landscape plan has been submitted for DRC review and approval. The Planner shall review and approve the final landscape plan prior to issuance of the building permit and installation to assure compliance with all zoning requirements for landscaping (Condition 16).

Y. Section 3.215, Outdoor Storage Area Enclosures, states

1. *Outdoor Storage Area Enclosure Required.*

Outdoor storage areas shall be enclosed to provide physical and/or visual buffers. Required enclosures shall be maintained in such condition as to not become so defective, unsightly, or in such condition of deterioration, disrepair, or unsanitary condition that the same causes potential depreciation of the values of surrounding properties or is materially detrimental to nearby properties and/or improvements.

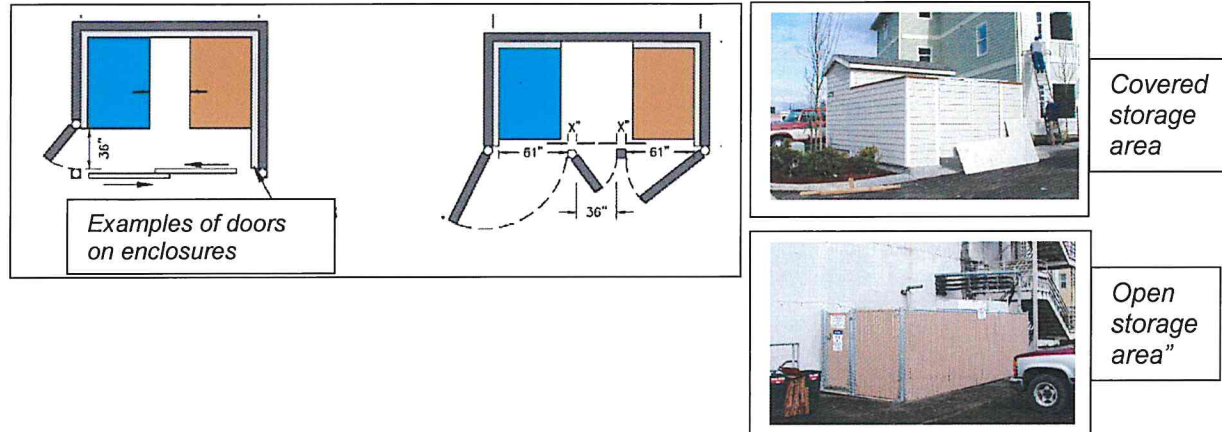
2. *Applicability.*

The provisions of this Section shall apply to all new construction or major renovation of the existing structures, where "major renovation" is defined as construction valued at 25% or more of the assessed value of the existing structure, unless otherwise specified by the provisions in this Section. The provisions shall also apply to all new storage areas; relocation of an existing storage area; and/or expansion of an existing storage area.

3. *In addition to other Code requirements such as Historic and/or Design Review, enclosures shall be provided as follows:*

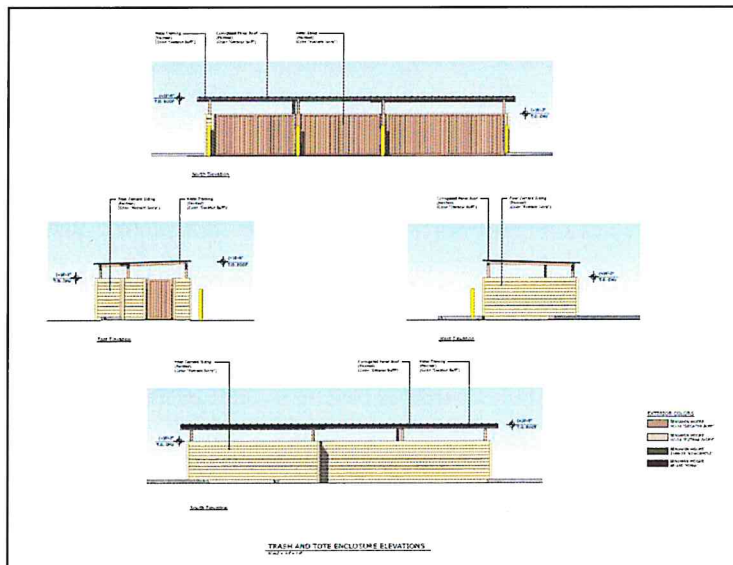
- a. *Outdoor storage areas shall be enclosed by appropriate vegetation, fencing, or walls, except for single-family and two-family residential use.*
- b. *Section 3.215 does not apply to outdoor retail sales areas.*
- c. *An enclosed storage area visible from other properties and/or rights-of-way shall be required to include a cover to buffer the view from other properties and/or rights-of-way. The minimum clearance inside a covered enclosure shall be 7'6" with a 6'8" high entryway for pedestrian access.*
- d. *Enclosed storage areas greater than 7' tall shall contain a pedestrian access door in addition to the main service doors.*

- e. *The design and location of any enclosed solid waste disposal storage area shall be reviewed and approved by the collection service company.*
- f. *Unless approved by the Planner, access to enclosed storage areas shall not be blocked by parking spaces.*



Section 14.030.G.3.b, Other Applicable Use Standards, Exterior Wall Treatments / Siding, states “Solid waste disposal area and mechanical equipment enclosures should be sided to match the main structures.”

Finding: The proposed solid waste disposal area is approximately 771 square feet (approximate 19' x 44'); 6.2' tall with a corrugated metal roof over the full structure at 7' tall. The structure is proposed to be smooth, horizontal fiber cement siding with metal cargo and person doors.



The enclosure would be visible from a right-of-way and therefore needs to have a cover. Structures with a cover are required to have at least 7.5' interior clearance and contain a person door. The solid waste disposal storage

enclosure shall comply with the requirements of Section 3.215 and 14.030.G.3.b. The applicant shall work with the solid waste disposal company to verify size and location of the facility. The final plans shall be reviewed and approved by the Planner prior to issuance of the building permit (Condition 17).

- Z. Section 3.158.B, Legal Lot Determination, Combining of Lots, states *"When a project will extend into adjacent lots, parcels, or tracts whether to meet lot size requirements, for the placement of structures or accessory uses, or to provide for requirements such as parking, the Community Development Director or Planner shall require that the properties be combined either through a Property Line Adjustment or by recording a deed or memorandum containing a covenant preventing the separate sale, transfer, or encumbrance of either property except in compliance with building codes, City of Astoria Development Code, and other applicable land use regulations."*

Finding: The applicant has been advised of the need to combine the lots. Prior to any construction, the applicant shall submit a Legal Lot Determination (LLA) permit to the Community Development Department to combine the lots on the deed. Combining of lots does not require public review but will be required to be completed prior to occupancy of the building and final inspection (Condition 18).

V. CONCLUSION AND RECOMMENDATION

If the Design Review Commission determines that the request in balance meets the Design Review Guidelines and approves the request, Staff recommends the following conditions:

1. Fiber cement siding shall be smooth not textured.
2. The bicycle storage area shall have siding to match the main structure to be reviewed and approved by the Planner.
3. The bicycle storage area shall have roof of metal or other approved material to match the main structure to be reviewed and approved by the Planner.
4. The pole on the south elevation near the solid waste disposal enclosure and three parking spaces is on the adjacent property and should be moved to the west to within the property lines. The two light poles on the north property line appear to be located within the Commercial Street right-of-way. These should be moved to be within the property lines.
5. The proposed lighting along the north property line which is one of the closest elevations to the adjacent residential properties shall be reduced in number and/or amount of footcandles encroaching beyond the curb.

6. The proposed lighting along the south elevation at the delivery area shall be either reduced in number and/or footcandles to reduce glare, or limited in use at times other than during deliveries to just provide security while not glaring brightly at any time.
7. A revised lighting plan shall be submitted for review and approval of the Planner prior to issuance of the building permit that reduces the glare trespass into adjacent properties and rights-of-way.
8. The final location of the sign shall be reviewed and approved by the City Engineer for vision clearance at an intersection.
9. Landscaping between the parking area and the rights-of-way / pedestrian walkways shall be sufficient to buffer the view of the parking area from the adjacent rights-of-way.
10. The width of the Marine Drive driveway shall be reduced, and additional landscape installed to buffer the parking lot from view.
11. Any change in design, material, site plan, or modifications to the proposed plans as described in this Staff Report shall be submitted to the Community Development Department for review and approval.
12. A revised location for one or two benches shall be submitted to the Planner for review and approval.
13. The final site plan showing any surface facilities shall be reviewed and approved by the Planner prior to issuance of the building permit and shall be screened from view.
14. A landscape plan for the required street trees and a draft maintenance agreement shall be reviewed and approved by the Planner prior to issuance of the building permit. The street trees shall be installed prior to occupancy of the building.
15. The applicant shall work with the City Engineer and the adjacent property owner concerning trimming of the street tree on Marine Drive adjacent to 2264 Marine Drive at the applicant's expense. The tree shall be trimmed and/or replaced rather than removed. The tree shall be trimmed prior to occupancy of the building.
16. The final landscaping plan shall be reviewed and approved by the Planner. Landscaping adjacent to public walk ways shall not be fruit bearing. Landscaping shall be installed prior to occupancy of the building.
17. The solid waste disposal storage enclosure shall comply with the requirements

of Section 3.215 and 14.030.G.3.b. The applicant shall work with the solid waste disposal company to verify size and location of the facility. The final plans shall be reviewed and approved by the Planner prior to issuance of the building permit.

18. The applicant shall submit a Legal Lot Determination (LLA) permit to the Community Development Department prior to issuance of the building permit, to combine the lots on the deed. Combining of lots shall be required to be completed prior to occupancy of the building and final inspection
19. The applicant shall obtain all necessary City, State, building permits, or other permits as needed.

August 26, 2019

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VIA E-MAIL

Jared Rickenbach, President
City of Astoria Design Review Committee
Astoria Community Development Department
Astoria City Hall
1095 Duane Street
Astoria, OR 97103

RE: City of Astoria File No. DR19-03; Application by MMCG Astoria, LLC

Dear President Rickenbach and Members of the Design Review Committee (the "DRC"):

This office represents MMCG Astoria, LLC, the Applicant. This letter is the Applicant's response to issues raised through the August 1, 2019 initial evidentiary DRC hearing, including exhibits showing revised plan elements that address the approval criteria.

The Applicant agrees with the Staff Report recommendation for approval and with the recommended conditions of approval.

1. Status of Matter.

The DRC opened the initial evidentiary hearing on August 1, 2019. The DRC heard the Staff Report, testimony by the Applicant and public testimony for and against the Application.

At the request of the Applicant, the DRC continued the public hearing until September 5, 2019 at 5:30 p.m. at Astoria City Hall. The Applicant extended the 120-day period in ORS 227.178(1) by thirty-five days, the period of the continuance.

The continued public hearing will be conducted as was the initial evidentiary hearing was conducted. The Applicant respectfully requests that the DRC grant it fifteen minutes for its initial presentation and ten minutes for rebuttal in order to properly address all off the issues raised before the DRC. The Applicant does not waive final written argument under ORS 197.763(6)(e).

2. Summary of Applicant's Response to Issues.

A. The Applicant will maintain the existing Marine Drive driveway and it is feasible to be approved based on City of Astoria Public Works Department and ODOT comments.

- B. The Applicant will remove the CMU as a building material.
- C. Windows are not required on the wall by the loading bay because it is blocked by an existing building and the “tower” portion of the building is not a large expanse of a windowless wall.
- D. The site design is pedestrian friendly because:
 - a. A separated sidewalk leads from the building entrance through the parking lot to Marine Drive.
 - b. Benches will be located on both streets.
 - c. The building entrance vestibule has entrances facing both streets and a sidewalk to Commercial Street.
- E. Revised lighting fixtures will prevent light spill and direct light down.
- F. The trash enclosure will be completely enclosed with metal siding.
- G. The non-building mounted sign will meet the definition of a monument sign.
- H. Landscaping.
- I. Sight view.
- J. The revised windows are of the “encouraged” type.
- K. Astoria Development Code (the “ADC”) purpose statements and the Gateway Master Plan are not approval criteria.
- L. Traffic impacts are not an approval criterion but even if they were, Mr. Ard’s letter demonstrates that there will be no adverse traffic impacts.

3. ADC 14.020, “Applicability of Design Review Standards,” Provides that the Design Review Guidelines are Not Prescriptive Standards.

ADC 14.020 is a useful guide to the DRC in applying the Design Review Guidelines in ADC 14.025.B-Q to this Application. By stating that the Design Review Guidelines are not prescriptive standards but are instead “broad design guidelines,” the DRC is not required to strictly apply each guideline and is allowed to weigh the building’s compliance with the broad objectives in ADC 14.025.B-Q. Further, ADC 14.001, defining “should,” allows the DRC to consider if a Guideline is unreasonable, impractical or unfeasible.

4. Response to Issues Raised at the DRC Initial Evidentiary Hearing.

A. Characterization of the Application.

The Application is a “Limited Land Use Decision” as defined in ORS 197.015(12) because the use is a permitted use in the Local Service (“LS”) zone and is within the City of Astoria’s Urban Growth Boundary (the “UGB”). Accordingly, only the City’s land use regulations (the Astoria Development Code (the “ADC”)) may be applied to the Application. ORS 197.195(1); *Paterson v. City of Bend*, 201 Or App 344, 118 P2d 842 (2005).

B. Testimony regarding competition is unrelated to the applicable approval criteria.

A number of persons argued that the DRC should make its decision based on the Application’s impact on the Astoria Co-op Grocery (the “Co-op”). No applicable approval criteria allows the DRC to make a decision on this basis. While the DRC may hear such testimony, the Applicant respectfully requests that the DRC disregard it because it is irrelevant to the approval criteria. Only those applicable approval criteria in the ADC may be applied by the DRC to this Application.

One witness asserted that the existing Co-op store in downtown Astoria would be affected by competition from this Application. No applicable approval criteria applies to this issues but even if there were, by the time the Grocery Outlet Store opens, according to the testimony of Mr. Stanley, the Co-op in downtown Astoria will have been closed.

C. Windows.

The Applicant has proposed a revised window design.

a. Window Type.

ADC 14.025.D.1 and .3 encourages certain kinds of windows for commercial structures. **Exhibit 1** shows the Applicant’s revisions to the windows. The revised windows are included in “encouraged” windows under ADC 14.025.D.1.d and .h. The revised windows are clear glazing and are recessed.

b. Loading dock wall windows.

The DRC asked about windows in the wall along the loading dock. ADC 14.025.E.f. discourages windowless walls but allows such walls “in areas not visible to the public.” The loading dock wall is not visible to the public because it is blocked by an existing building. Only the “tower” portion of the wall is visible to the public but it is not a “large expanse of blank wall” and is, therefore, not discouraged. Moreover, walls next to a loading dock are not reasonable, practicable or feasible because they could be broken during loading and unloading. ADC 14.010 permits such circumstances.

One witness argued that the loading bay produces a blank wall. However, the loading bay is mostly against an existing building. One DRC member suggested that it might be appropriate to consider whether that building is removed in the future. The DRC must consider the facts as they exist today and not speculate on conditions in the future. Because the loading bay is against a blank wall, no discouraged element in ADC Article 14 is proposed.

D. Pedestrian Access From the Primary Entrance is Provided.

Exhibit 2 shows revised pedestrian access, a sidewalk through the parking lot, from Marine Drive to the primary entrance of the proposed building. This pedestrian access satisfies ADC 14.030.1. The building vestibule is served by a sidewalk to Commercial Street.

E. The ADC Purpose Statements are Inapplicable to the Application.

The purpose statements in ADC 14.005 and 14.025 are not applicable approval criteria. As both the Applicant and the Astoria City Attorney advised the DRC, purpose statements are not applicable approval criteria unless specifically included as applicable approval criteria. ADC 14.025.B-Q do not make the purpose statement an applicable approval criteria. Therefore, these sections are not a basis for the decision on the Application.

F. Proposed driveway to Marine Drive.

Marine Drive is an Oregon Department of Transportation (“ODOT”) facility (U.S. Highway 30). Several persons asked about the location of the proposed driveway to Marine Drive and whether the Applicant had submitted an Approach Permit (approval for the driveway) to ODOT.

a. The Applicant will maintain the existing driveway location.

The Applicant originally proposed to move the driveway location for purposes of better sight distance. The record shows that both ODOT and the City of Astoria Public Works Department tentatively agreed with the proposed driveway location (**Exhibits 3 and 4**). However, the Applicant has revised the site plan to show that the driveway will remain in its present location (**Exhibit 5**). Evidence in the record demonstrates that it is feasible that ODOT will approve the driveway. Because Marine Drive is an ODOT facility, the DRC may not deny the driveway location; a driveway that is access to an ODOT facility is approved by ODOT. **Exhibit 6** is OAR 734-051-3020 which requires an ODOT permit for the driveway.

b. Submittal of the Driveway Permit to ODOT.

Exhibit 7 is a portion of the Oregon Administrative Rules (“OAR”) regulating Approach Permits. OAR 734-0511-3030(3)(h)(i) provides as follows:

“A Land Use Compatibility Statement provided by the department, completed and signed by the local jurisdiction

that certifies that all necessary local land use planning approvals have been obtained or are under review and demonstrates that the proposed use is consistent with the acknowledged comprehensive plan, and transportation system plan and local development code. In lieu of the Land Use Compatibility Statement, the department may accept the final land use decision;"

The Applicant cannot apply for an Approach Permit unless the City signs a Land Use Compatibility Statement ("LUCS") stating that the Application meets applicable approval criteria in the ADC, or the City issues a final decision on the Application.

Mr. Mike Ard, the Applicant's transportation engineer, spoke with Ms. Rosemary Johnson on August 21, 2019, and asked if the City would sign the LUCS. Ms. Johnson stated, "No," correctly, because the City cannot yet find the approval criteria met until a final decision is issued. Therefore, the Applicant may not request an Approach Permit from ODOT until the City issues a final decision on the Application.

G. Transportation Issues are not an Approval Criterion.

Some of the testimony concerned adequacy of transportation to and from the site. The DRC must find that nothing in ADC Article 14, "Gateway Overlay Zone," pertains to transportation. **Exhibit 8** is Mr. Ard's August 23, 2019 transportation memorandum responding to testimony on transportation, including testimony by Mr. Rick Nys in his letter dated August 1, 2019.

One DRC member noted that traffic around the site is "bad." However, there is no applicable approval criteria addressing traffic and while a traffic signal might be desirable, that is not an issue relevant to the approval criteria.

H. Trash Enclosure.

The metal siding on the trash enclosure is continued to the ground on all walls
Exhibit 9.

I. Building Entry.

The building entry faces both Marine Drive and Commercial Street. **Exhibit 2** shows that the entry vestibule has doors on both sides, thus meeting ADC 14.030.A.1 and .C.1.

J. Lighting.

Exhibit 10 shows the proposed lighting which shines light down, which meets ADC 14.25.E.1 and E.1d.

K. Signs.

Exhibit 11 shows the proposed sign plan, which meets ADC 14.025.L.

I. Findings on ADC 14.030, "Other Applicable Use Standards."

The DRC can find that the standards in this section are satisfied by substantial evidence in the whole record.

a. ADC 14.030.A.

The DRC can find that ADC 14.030.A.1 is satisfied. The DRC can note the site's triangular shape and the impracticability of siting a building that satisfies ADC 14.030.1. The proposed design includes a building that is visually continuous and that contains a pedestrian-oriented storefront because it provides pedestrian access to both Marine Drive and Commercial Street. It is not possible to site a building without vehicle use between the building faces and the street. ADC 14.010 provides that "should" is a requirement "unless it can be shown that to comply with the requirement would be unreasonable, impracticable, or unfeasible." To meet ADC 14.030.A.1 is unreasonable, impracticable, and unfeasible when considering the site. Further, **Exhibit 2** shows added pedestrian benches, one on each street.

Several DRC members noted that it might be impossible to design a building to meet the approval criteria for this site. However, that outcome is not warranted. A site that cannot be developed leaves the property owner with no reasonable economic use of the property. In this case, the Applicant proposed a building which is pedestrian friendly and meets more "encouraged" requirements than "discouraged" requirements.

b. ADC 14.030.B.

The DRC can find that ADC 14.030.B.1-3 are satisfied. ADC 14.030.B.1 and .2 are objective numerical standards satisfied by the Application.

ADC 14.030.B.3 is a subjective standard requiring compatibility with the site adjacent buildings. The DRC can find that the height, mass and scale of the proposed building is both consistent with the dimensional standards in the base zone, the LS zoning district, and with the adjacent buildings (**Exhibit 12**). The height and mass of the building are compatible because the building proposed is a one-story building, just like adjacent buildings. The scale of the building is appropriate as well, because it is also compatible with surrounding buildings.

c. ADC 14.030.C.

The DRC can find that ADC 14.030.C.1 is satisfied. While curb openings onto Marine Drive are "discouraged," the site has an existing driveway to Marine Drive. Both the Astoria Public Works Department and ODOT have tentatively said that the new driveway location was approvable; the existing driveway location is certainly approvable. The proposed

parking lot must be located where it is shown and is designed to be as unobtrusive as possible because of landscaping and the pedestrian amenities.

The DRC can find that ADC 14.030.C.2 is satisfied. The proposed building's façade and entry face both Marine Drive and Commercial Street. The main entrance faces a connecting sidewalk with a direct pedestrian connection to the street. While the sidewalk is through the parking lot, it provides pedestrians with a safe and reasonable access to the adjacent streets.

d. ADC 14.030.D.

The DRC can find that ADC 14.030.D is satisfied (**Exhibit 13**). The proposed street trees are planted within the right-of-way on both sides of the street. Further, the areas between the trees are proposed to be landscaped with a variety of shrubs and perennials with an emphasis on flowering species.

M. Findings on ADC 14.025, "Design Review Guidelines."

a. ADC 14.025.B.

The DRC can find that the proposed building form is encouraged (ADC 14.025.B.1.a and .b:3a).

b. ADC 14.025.D.

The DRC can find that the standards found in ADC 14.025.D.b. is satisfied.

c. ADC 14.025.F.

The DRC can find that ADC 14.025.D.1 is satisfied (D.1.b and .e) are satisfied.

The DRC can find that ADC 14.025.F is satisfied (F.1 and F.3).

d. ADC 14.025.G.

The DRC can find that ADC 14.025.G is satisfied because the Applicant will delete the exposed textured, concrete block (G.1.a).

e. ADC 14.025.H.

The DRC can find that ADC 14.025.H.2 is satisfied (H.2).

f. ADC 14.025.L.

The DRC can find that ADC 14.025.L is satisfied. The proposed sign meets ADC 14.025.L and the definition of “monument sign” in ADC 1.400.

g. ADC 14.025.N.

The DRC can find that ADC 14.025.N is satisfied. The Applicant’s revised lighting plan proposes lighting consistent with ADC 14.025.N.1.d.

N. Response to Other Issues.

a. One witness argued that there are “too many conditions.” The number of conditions proposed in the Staff Report are not unusual and in any event, the Application stands on its own. It is permissible under Oregon law to include conditions of approval addressing relevant issues, to ensure that approval criteria are satisfied prior to construction and otherwise address relevant issues required by the decision making body or offered by the Applicant. None of the proposed conditions of approval are unwarranted under Oregon law and the totality of the conditions is not inappropriate.

b. A DRC member was concerned about pedestrian access, false windows and signage. The Applicant has addressed the issue of pedestrian access and false windows. While the Applicant would like to address the signage requested by the DRC member, the proposed signage is acceptable under ADC Article 14.

c. A DRC member suggested that the DRC consider the Gateway Master Plan. As noted above, the Gateway Master Plan is not an applicable approval criterion because it is not incorporated into the ADC as required by ORS 197.195(1) in reference to the Gateway Master Plan and the purpose statement in ADC 14.005 does not make it an approval criterion.

d. A DRC member noted that Marine Drive access was not desirable. The site has Marine Drive access now and both the Astoria Public Works Department and ODOT have tentatively approved the Marine Drive access. In fact, the Applicant now proposes to leave the Marine Drive access at its current location.

e. A DRC member noted that the SMU and smooth materials were acceptable. The Applicant has changed the materials.

5. Conclusion.

The DRC has before it a complete Application that satisfies the relevant approval criteria. The various modifications to the proposed Application shown in the exhibits demonstrates the Applicant’s response to both the public and the DRC and further demonstrates that the Application satisfies the relevant approval criteria in ADC Article 14.

Testimony regarding competition between one business and another is irrelevant to the Application. The Applicant understands the importance of the Co-op to the community but

Jared Rickenbach, President
August 26, 2019
Page 9

notwithstanding this, the DRC may not consider this issue. As one witness suggested, and the DRC should find this is the case, that Grocery Outlet and the Co-op serve different customers. A healthy economic environment such as the one Astoria seeks to foster, can accommodate a variety of retailers serving different markets within the community.

For all of these reasons, the Applicant respectfully requests that the DRC, after hearing all of the argument and evidence and after the Applicant's final written argument, close the record and tentatively approve the Application with the staff-recommended conditions of approval, any conditions of approval the DRC believes are warranted and those proposed by the Applicant.

The Applicant appreciates the time that the public and the DRC have spent on this Application.

Very truly yours,



Michael C. Robinson

MCR:jmhi

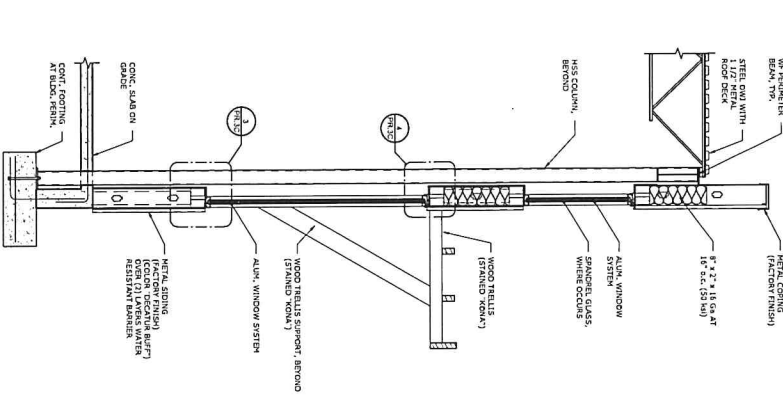
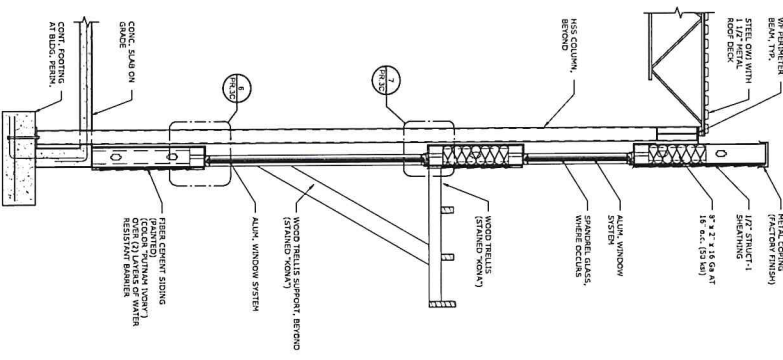
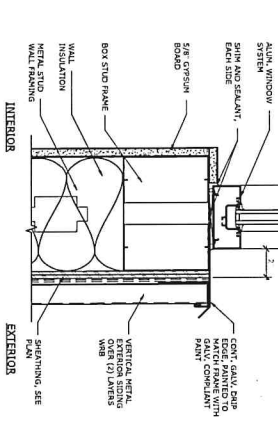
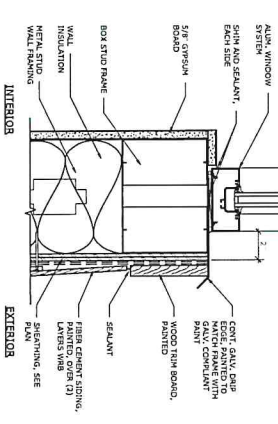
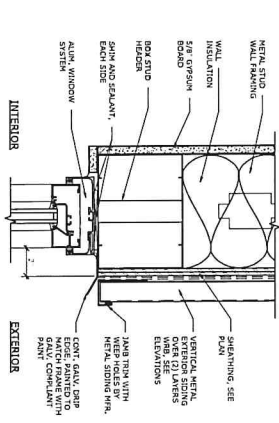
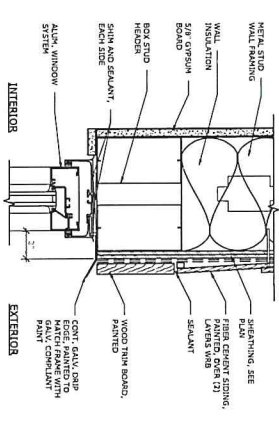
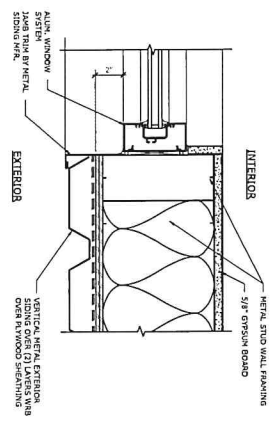
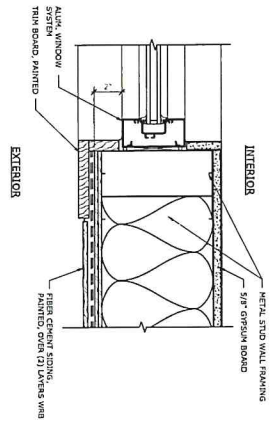
Enclosures

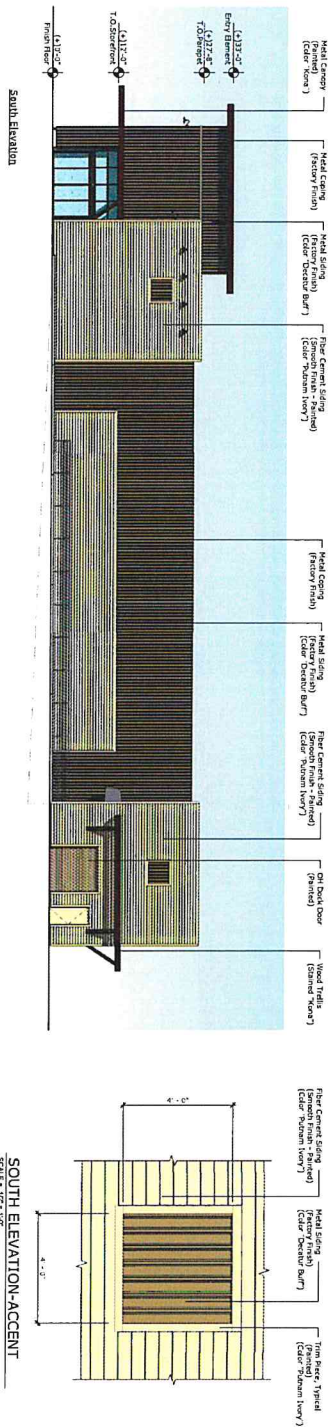
cc: Ms. Rosemary Johnson *(via email) (w/enclosures)*
Ms. Barbara Fryer *(via email) (w/enclosures)*
Mr. Dan Dover *(via email) (w/enclosures)*
Mr. Mike Ard *(via email) (w/enclosures)*
Mr. Matt Rasmussen *(via email) (w/enclosures)*
Mr. Brett Estes *(via email) (w/enclosures)*
Mr. Blair J. Henningsgaard *(via email) (w/enclosures)*

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EXHIBITS

- Exhibit 1** Window system, elevation showing windows and depth of windows
- Exhibit 2** Pedestrian access to Marine Drive and Commercial Street
- Exhibit 3** ODOT Comment on Marine Drive driveway
- Exhibit 4** City of Astoria Public Works Department Comment on Marine Drive driveway
- Exhibit 5** Existing driveway location to Marine Drive
- Exhibit 6** OAR 734-051-3020
- Exhibit 7** OAR 734-051-3030
- Exhibit 8** Mike Ard August 23, 2019 transportation memorandum
- Exhibit 9** Trash enclosure plan
- Exhibit 10** Lighting plan
- Exhibit 11** Sign plan
- Exhibit 12** Site view
- Exhibit 13** Landscaping





SCALE • 1/8" = 1'-0"



TABLE 3. 9 (continued)

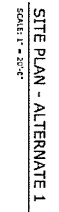


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SITE PLAN

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DESIGNED: M.O.J.
CHECKED/STAMPED:
MATT K. NASMUSSEN, P.E.

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Exhibit 2
Page 1 of 1

Therefore, staff believes that one of the intents of the Overlay and LS Zones to minimize the impact of traffic delays on Marine Drive would be best served by allowing use of the existing turn lane refuge into the Marine Drive access to the site. Another intent is to create more aesthetic designs for the gateway entry into the downtown area which could possibly be accomplished with additional landscape buffering of the site (Condition 5).

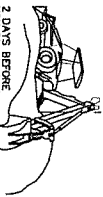
Marine Drive is a State highway under the jurisdiction of Oregon Department of Transportation (ODOT) as well as the City. An email from Asst. City Engineer Cindy Moore dated 6-24-19 states *"Access to site from Marine Dr. The Public Works Department is willing to approve a driveway off of Marine Dr (as proposed) if ODOT and the Community Development Department concur. The driveway configuration, alignment and section must meet Astoria Engineering Design Standards."* In an email dated 1-30-19, David Smith, ODOT Region 2, Development Review Engineer states *"There is an existing approach at/near the proposed GO 30' approach on Marine Drive and it does not appear as though there are access control restrictions. Thus, at first glance, I don't see issues with the approach on Marine Drive. Of course, you'd need to go through the approach application process. . ."* Both ODOT and the City Engineer have tentatively approved the Marine Drive access pending submittal and approval of final plans and site upgrades. Therefore, the Marine Drive access appears to be feasible if the DRC determines it meets the design standards for the Overlay zones. While not an issue for DRC consideration, the applicant will need to submit an application for review by the City Engineer and ODOT concerning the access driveways, ADA accessibility at crosswalks, and the right-of-way intersection at Commercial and Marine Drive. These issues will be reviewed separately from the design review phase but could impact the final site design and access. If there are major changes as a result of the transportation related reviews, a revised site plan would need to be reviewed and approved by the DRC. Minor revision would be reviewed and approved by the Planner (Condition 12).

The parking and vehicle access to the site are part of the site plan review. In considering these issues as noted above, the site configuration poses constraints to development of the site. The use is allowed outright on the site but must meet the design standards of the Overlay Zones. The guidelines/standards concerning parking and vehicle access to the site are identified as criteria that "should" be met, not "shall" be met. Therefore, there is some flexibility on the part of the DRC to determine if these standards can be met or mitigated by other means. If this request was a conditional use permit, there would be more emphasis on the appropriateness of the proposed use/construction at this site. Another type of development could occur on this triangular site that could meet more of the design standards, but since the use is allowed outright, and with the various conditions for mitigating landscaping and other design elements, it would be "unreasonable" to require full compliance with these criteria.

Therefore, staff believes that one of the intents of the Overlay and LS Zones to minimize the impact of traffic delays on Marine Drive would be best served by allowing use of the existing turn lane refuge into the Marine Drive access to the site. Another intent is to create more aesthetic designs for the gateway entry into the downtown area which could possibly be accomplished with additional landscape buffering of the site (Condition 5).

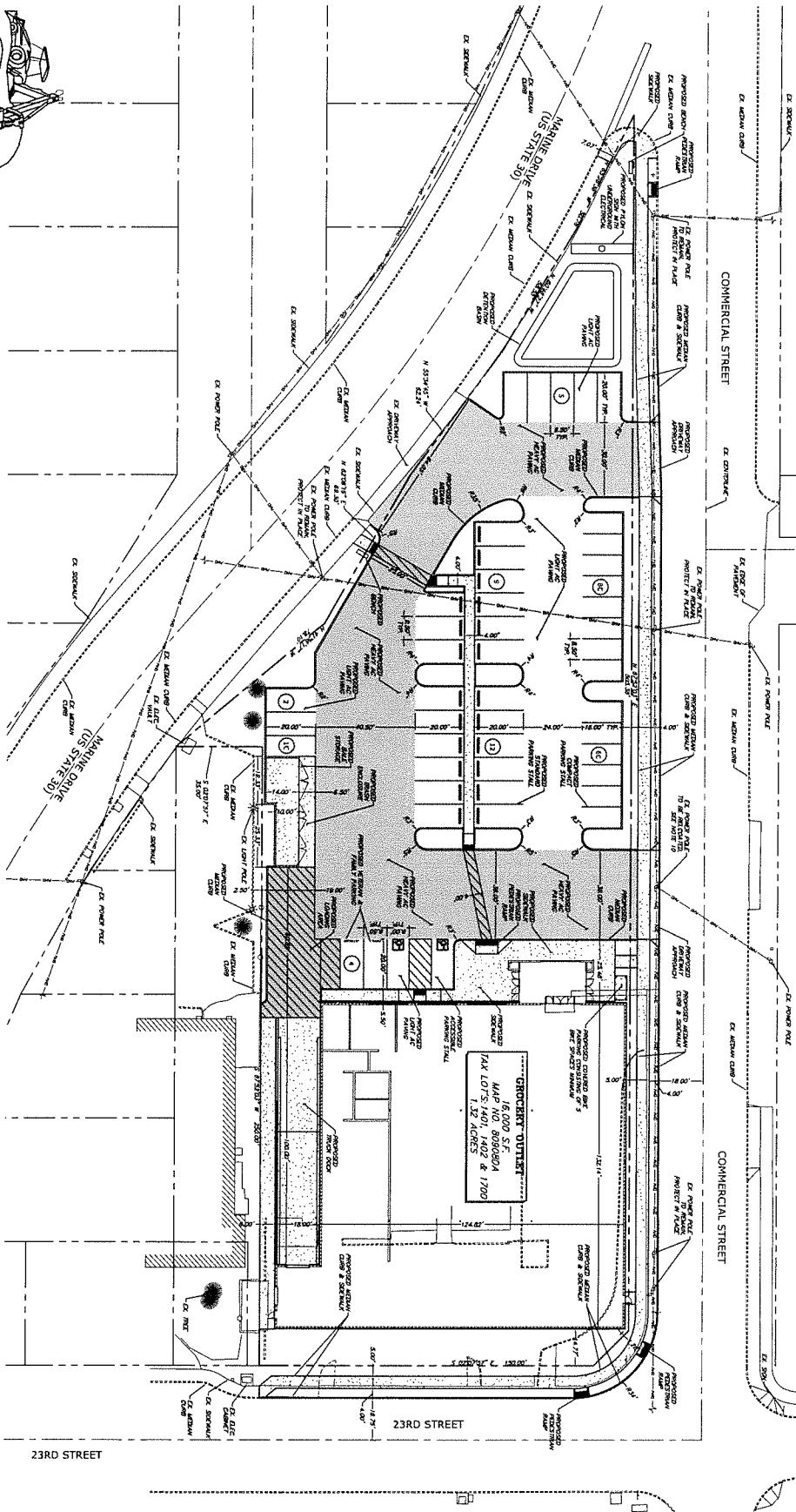
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C2.1	SITE PLAN		DATE: 1/10/21 DRAWN BY: GORDON KENNEDY CHECKED BY: <div style="text-align: center;"> Grocery Outlet Astoria, Oregon <hr/> MAIN & MAIN 6600 Palge Road, Suite 224, The Colony, TX 75056 </div>	 <p>TETONICS DESIGN GROUP</p> <p>730 Goodhill Rd., #250, Reno, Nevada 89511 tel 775-624-0566 fax 775-624-0565 www.tectonicsdesigngroup.com</p>	PRELIMINARY DESIGN <div style="float: right;"> DRAWN: N.K.L. CHECKED: J.W.H. IN CHARGE: M.A.F. </div>	All drawings remain the property of Tectonics Design Group and shall not be reproduced or used for any purpose without the written permission of Tectonics Design Group.

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Department of Transportation

Highway Division - Chapter 734

Division 51

HIGHWAY APPROACHES, ACCESS CONTROL, SPACING STANDARDS AND MEDIANS

734-051-3020, 

Change of Use of a Private Connection

(1) Applicability.

(a) This rule sets forth procedures and requirements for a change of use of an existing private connection to a state highway.

(b) A new application is required for the purpose of permitting all connections to a property when there is a change of use as set forth in section (2) of this rule. All connections to the property are subject to this rule whether they exist under a Permit to Operate, are grandfathered under OAR 734-051-1070(30), or the department provides written permission under 734-051-3015.

(2) Changes of Use Requiring an Application for State Highway Approach. Except as provided under section (5) of this rule, a new application is required for a change of use when any one of the following:

(a) The number of peak hour trips increases by fifty (50) trips or more from that of the property's prior use and the increase represents a twenty (20) percent or greater increase in the number of peak hour trips from that of the property's prior use; or

(b) The average daily trips increases by five hundred (500) trips or more from that of the property's prior use and the increase represents a twenty (20) percent or greater increase in the average daily trips from that of the property's prior use; or

(c) The daily use of a connection increases by ten (10) or more vehicles with a gross vehicle weight rating of twenty-six thousand (26,000) pounds or greater; or

(d) ODOT demonstrates that safety or operational concerns related to the connection are occurring as identified in OAR 734-051-4020(3); or

(e) The connection does not meet the stopping sight distance standards, as measured in feet, of ten (10) times the speed limit established in ORS 811.111 or the designated speed posted under 810.180 for the highway as measured in miles per hour, or ten (10) times the 85th percentile speed of the highway where the 85th percentile speed is higher or lower than the speed limit established in 811.111 or the designated speed posted under 810.180. The applicant may perform a study to determine if the 85th percentile speed is higher or lower than the speed limit established in 811.111 or the designated speed posted under 810.180. The sight distance measurement, as described in OAR 734-051-4020(2)(c)(A)-(B), and the study to determine the 85th percentile speed shall be performed according to published department procedures by or under the supervision of a professional engineer as defined in 734-051-1070. The measurement shall be taken under existing and proposed site conditions.

(3) Mandatory Meeting. Unless waived by the department, a meeting between ODOT staff and the applicant is required for a change of use application prior to the department deeming the application complete. It is preferable that the meeting be held prior to submittal of the change of use application.

(4) Determinations of Change of Use. The department shall determine whether a change of use meets the thresholds in section (2) of this rule by using one or more of the following methods:

(a) Field counts;

(b) Site observation;

(c) Traffic impact analysis;

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(d) Field measurement;

(e) Crash history;

(f) Trip Generation, 9th Edition published by the Institute of Transportation Engineers (ITE); or

(g) Information and studies provided by the local jurisdiction or the applicant.

(5) Exempt from Application for Change of Use. Buildout of an approved site plan or multi-phased development does not require a new application for an approach road permit where the department determines that the buildout is consistent with the land use approval by the local government and the permit issued by the department for development.

(6) Approval Criteria. The department shall approve an application for a state highway approach that does not pose a safety or highway operations concern, as set forth in OAR 734-051-4020(3), or all such concerns are sufficiently mitigated pursuant to OAR 734-051-3070, and:

(a) The application meets the applicable approach road spacing, channelization and sight distance standards set forth in OAR 734-051-4020(2)(a) through (c); or

(b) The department and the applicant reach agreement that the application moves in the direction of conforming to approach road spacing, channelization, and sight distance standards under sections (7) through (9) of this rule; or

(c) The applicant and the department reach agreement under section (6)(b) that the existing condition without change is sufficient to support approval of an application.

(7) Moving in the Direction of Conformity Collaborative Process. The department and applicant, through a collaborative process, shall determine whether an application moves in the direction of conforming to the spacing, channelization or sight distance standards subject to safety and operations concerns. The collaborative process shall be made available to the applicant within thirty (30) days of the date an application for state highway approach is deemed complete.

(8) Criteria for Moving in the Direction of Conformity. In determining whether an application for a private approach to a state highway moves in the direction of conformity with the spacing, channelization and sight distance standards of OAR 734-051-4020, the department shall consider all connections on the subject site. An application moves in the direction of conformity with 734-051-4020 when changes are made to a connection that include, but are not limited to, one or more of the following:

(a) Eliminating or combining existing connections to the highway resulting in a net reduction in the number of connections; or

(b) Improving the distance between connections; or

(c) Improving sight distance; or

(d) Widening an existing connection to accommodate truck turning radius requirements; or

(e) Widening an existing connection to accommodate additional exit lanes; or

(f) Narrowing an existing connection to provide the appropriate number of entry and exit lanes as required for the property; or

(g) Developing a throat on a connection to allow for more efficient movement of motorists from the highway.

(9) Agreement. Where the department and applicant agree that a change of use application moves in the direction of conforming to spacing, channelization, and sight distance standards, the department shall approve the application without requiring separate deviations from those standards. The department, upon completion of the terms of agreement, shall issue a Permit to Operate for all approaches that are to remain operational as identified in the agreement. An agreement to remove, modify, or mitigate a connection pursuant to the agreement between the department and the applicant is not an appealable decision.

(10) Where Agreement is Not Reached.

(a) If, after participating in a collaborative process pursuant to section (7) of this rule, the applicant and the department cannot agree that an application is moving in the direction of conformity pursuant to sections (8) and (9) of this rule, the region manager shall document the issues of agreement and non-agreement with the applicant through a written statement of non-agreement. The applicant may then request further collaboration on the issues of non-agreement under OAR 734-051-3090, sections (1) through (3), and/or a review by the Dispute Review Board under 734-051-3100.

(b) Where agreement cannot be reached under the processes of subsection (a) of this section, the department may require additional information to complete the application and make a decision pursuant to the standards of OAR 734-051-4020 and issue a final decision to approve, deny, or approve with mitigation, consistent with the procedures in OAR 734-051-3030 and 3040. The department's decision to deny or approve with mitigation applications under the standards of OAR 734-051-4020 are subject to post-decision review under OAR 734-051-3080.

(11) Connections Not Subject to Moving in the Direction of Conformity Criteria. Notwithstanding sections (6) through (8) above, the "moving in the direction of" criteria as set forth in section (8) of this rule shall not be applied to the connections in subsections (a) through (f), below. For these connections, the department shall apply the standards of OAR 734-051-4020⁽⁵⁾ to approve, deny, or approve with mitigation the application, consistent with the procedures in OAR 734-051-3040⁽⁵⁾.

(a) Connections where no right of access to the property exists at the location of the connection, and an application for a grant of access or indenture of access is not approved;

(b) Connections to undeveloped property without an approved site plan or land use approval allowing for development of the property;

(c) Connections for which the department rebuts a presumption of written permission under OAR 734-051-3015⁽⁵⁾;

(d) Connections to property abutting a highway segment with a statewide classification and a posted speed of 50 miles per hour or greater;

(e) Connections to property abutting a highway segment designated as an expressway; and

(f) Connections to property within the boundaries of an adopted facility plan, or corridor plan, where the connection is inconsistent with the plan, and the planned component for the access to the property has been constructed or is funded to be constructed within four years at the time of the application.

Statutory/Other Authority: ORS 184.616, 184.619, 374.310–374.314, 374.345 & 374.355

Statutes/Other Implemented: ORS 374.300–374.360, §27, ch. 330 & OL 2011

History:

HWD 7-2014, f. & cert. ef. 7-9-14

HWD 2-2014, f. 6-25-14, cert. ef. 6-30-14

HWD 8-2012, f. 6-27-12, cert. ef. 6-29-12

HWD 7-2012(Temp), f. & cert. ef. 5-3-12 thru 6-29-12

HWD 16-2011(Temp), f. 12-22-11, cert. ef. 1-1-12 thru 6-29-12

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Department of Transportation

Highway Division - Chapter 734

Division 51

HIGHWAY APPROACHES, ACCESS CONTROL, SPACING STANDARDS AND MEDIANS

734-051-3030 

Application Requirements for State Highway Private Approach

(1) Purpose. This rule sets forth the requirements for an application for state highway approach.

(2) Pre-Application Meetings.

(a) The department or applicant may request a pre-application meeting for any approach permit application.

(b) The purpose of a pre-application meeting is to review general application requirements and processing timelines, technical application requirements, and any issues specific to the proposal, including understanding the economic needs and objectives that are pertinent to the subject property.

(c) Applicant requests for pre-application meetings shall be made on forms provided by the department and shall be accompanied by a preliminary site plan, description of existing and proposed land use(s), including estimated vehicle trips, and any additional information or questions the applicant chooses to provide.

(d) The department encourages applicants to provide complete and accurate information regarding potential changes in land use and development with requests for pre-application meetings in order to avoid unnecessary delays in processing any future application.



(3) Application. An application for a state highway approach permit must include the following information in subsections (a) through (j) below:

(a) Application form for a state highway approach;


(b) A site plan illustrating the existing and proposed location of all approaches, and any other buildings, facilities, and natural geographic features that impact vehicle circulation on the property, circulation to and from the highway, or sight distance;

(c) Property owner's signature or evidence of the property owner's consent to apply for a permit where the applicant is not the owner of the subject property;

(d) Information required by the department to evaluate sight distance concerns, including but not limited to measurements, diagrams, calculations, or other information that may require preparation by a professional engineer;

(e) Information identified by the department that is required to demonstrate compliance with the approval criteria of OAR 734-051-3010  or 734-051-3020 , as applicable;

(f) Identification and request for approval of all deviations from spacing, channelization and sight distance standards, as applicable;

(g) Information required by the department to evaluate a deviation pursuant to OAR 734-051-3050 .

(h) A Traffic Impact Analysis (TIA) where the department determines that a TIA is required to evaluate the approach permit application pursuant to OAR 734-051- 3030(4);

(i) A Land Use Compatibility Statement provided by the department, completed and signed by the local jurisdiction that certifies that all necessary local land use planning approvals have been obtained or are under review and demonstrates that the proposed use is consistent with the acknowledged comprehensive plan, and transportation system plan and local development code. In lieu of the Land Use Compatibility Statement, the department may accept the final land use decision;

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(j) Tax lot map(s) with names and addresses of persons who own the properties adjacent to the subject property.

(4) When a Traffic Impact Analysis is Required.

(a) A traffic impact analysis is required for a request for a deviation from the spacing, channelization or sight distance standards as set forth in OAR 734-051-4020, [§](#), unless waived by the department.

(b) Except where the criteria in subsections (A) and (B) of this section, below, are met for the highway segment where an approach permit is sought, the department may require a person applying for an approach permit to submit a traffic impact analysis in conjunction with the application for an approach permit.

(A) The average daily volume of trips at the property is determined to be four hundred (400) or fewer trips; or

(B) The average daily volume of trips at the property is determined to be more than four hundred (400) but fewer than one thousand one (1001) trips and:

(i) The highway is a two-lane highway with average annual daily trip volume of five thousand (5,000) or fewer motor vehicles;

(ii) The highway is a three-lane highway with average annual daily trip volume of fifteen thousand (15,000) or fewer motor vehicles;

(iii) The highway is a four-lane highway with average annual daily trip volume of ten thousand (10,000) or fewer motor vehicles; or

(iv) The highway is a five-lane highway with average annual daily trip volume of twenty-five thousand (25,000) or fewer motor vehicles.

(5) Traffic Impact Analysis Submittal Requirements. Traffic Impact Analyses (TIA), when required, shall be subject to the requirements of subsection (a) through (e). To the extent possible the department shall coordinate the analysis needs associated with the approach application with any local jurisdiction TIA requirements.

(a) A Professional Engineer (PE) employed by the department shall determine the scope of the TIA, and shall determine the sufficiency of the TIA for the purpose of evaluating the application.

(b) The TIA shall assess highway peak hour and average daily trips for the type of land use action proposed, for the year of the analysis, the year of each phase opening, and future years beyond project completion or buildout, but not greater than the year of the planning horizon for transportation system plans, or fifteen (15) years, whichever is greater.

(c) A Professional Engineer (PE) must prepare the study in accordance with methods and input parameters approved by the department.

(d) The scope and detail of the study must be sufficient to allow the department to evaluate the impact of the proposal and the need for roadway capacity, operational, and safety improvements resulting from the proposed approach.

(e) The study must identify the data used and the application of data in the analysis.

(6) Waiver of Application Requirements. The department may waive requirements for information and documentation required under this rule depending on the nature of the application and the sufficiency of other information available to the department for its evaluation of an application.

Statutory/Other Authority: ORS 184.616, 184.619, 374.310-374.314, 374.345 & 374.355

Statutes/Other Implemented: ORS 374.300-374.360, §27, ch. 330 & OL 2011

History:

HWD 8-2012, f. 6-27-12, cert. ef. 6-29-12

HWD 16-2011(Temp), f. 12-22-11, cert. ef. 1-1-12 thru 6-29-12

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21370 SW Langer Farms Pkwy
Suite 142, Sherwood, OR 97140

Technical Memorandum

To: Rosemary Johnson, City of Astoria

From: Michael Ard, PE

Date: August 23, 2019

Re: Astoria Grocery Outlet: Response to Greenlight Engineering Analysis Letter

EXPIRES: 12/31/19

Subsequent to submittal of the traffic impact study for the proposed Astoria Grocery Outlet, opposition comments were received from Rick Nys of Greenlight Engineering questioning the scoping, analysis approach and conclusions of the traffic impact study. This memo was prepared to respond in detail to the technical concerns raised in Mr. Nys' August 1, 2019 opposition letter.

Based on the detailed re-examination of the issues raised by Greenlight Engineering, we have reached the following conclusions:

- Access to Marine Drive is permissible per both ODOT and the City of Astoria.
- Adequate sight distance will be available for the site access on Marine Drive.
- Approving the proposed access to Marine Drive improves safety and operations both for the site and for through traffic on Marine Drive.
- The scope of the traffic impact study was appropriately determined by City of Astoria and ODOT staff based on site impacts and in conformance with city code.
- The proposed site plan can operate efficiently and no obstructions to through traffic are projected on the adjacent public streets.
- The count data, trip estimates and peak hour factors used in the analysis were appropriate to the scope of work and reflect appropriate projections of anticipated conditions. No revisions to the operational analysis provided in the Traffic Impact Study are required.

Each of these points is examined in detail on the following pages.

ACCESS TO MARINE DRIVE

The proposed development includes three access driveways, with two on Commercial Street and one on Marine Drive. It is correct that access to lower-classification roadways is generally preferred both under City of Astoria and ODOT standards. However, this preference is not a prohibition on access to higher-classification roadways. Decisions regarding specific points of access must be made while considering the impacts of the access alternatives.

Mr. Nys correctly cites Astoria Development Code sections 3.008(D)(1) and 3.008(D)(4).



ADC 3.008(D)(1)

The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.

ADC 3.008(D)(4)

The City Engineer may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority requires mitigation to alleviate safety or traffic operations concerns.

However, Mr. Nys omits any reference to the purpose of these code sections which is described in ADC 3.008(A).

ADC 2.008(A) – Purpose and Intent

Section 3.008 implements the street access policies of the City of Astoria Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this Section, extends to all modes of transportation.

In this instance, the cited code sections indicate that “where practicable, access shall be taken first from a lower classification street.” Notably, the proposed development does take access at two driveway locations to the lower-classification Commercial Street frontage.

An additional access is proposed to Marine Drive to reduce the operational and safety impacts that would otherwise occur at the intersection of Marine Drive and 23rd Street. As detailed in the Ard Engineering technical memorandum dated June 27, 2019, consideration was given to the impacts associated with a direct access to Marine Drive as compared to exclusive indirect access via Commercial Street. It was determined that the access to Marine Drive can provide a center left-turn refuge that is unavailable at 23rd Street. The presence of the center lane means that eastbound left-turning vehicles at the proposed site access can wait for a gap in the westbound traffic stream without impeding the flow of eastbound through traffic on the highway. If these turns were made at 23rd Street all eastbound traffic on Marine Drive would need to stop while turning drivers wait for a gap in the westbound traffic stream. Since such turning movements cause unexpected stops on Marine Drive, they are associated with increased risk of rear-end collisions. Drivers waiting to turn left may also feel pressured to accept smaller gaps in order to avoid obstructing the busy roadway, increasing the risk of turning-movement collisions. With direct access to Marine Drive vehicles entering and exiting the site can make safe turning movements without delaying or obstructing through traffic. Thus, the access to Marine Drive will improve safety and operation on Marine Drive.

During the public hearing on August 1, 2019 the Astoria Design Review Commission heard considerable public testimony regarding the difficulty of turning from Commercial Street and 23rd Street onto Marine Drive. The addition of a direct site access to Marine Drive would allow site traffic to utilize this



alternative access point, thereby reducing queues, congestion and delays for vehicles entering Marine Drive from both Commercial Street and 23rd Street. Since the access is within an area that has a paved center median, the direct access will also accommodate two-stage left turns where vehicles exiting the site can wait for a gap in the westbound traffic flow in order to enter the median area, then wait for a gap in the eastbound traffic flow to merge into the eastbound travel lane. Such two-stage left turns are not possible under congested conditions at the intersection of Marine Drive and 23rd Street since westbound vehicles queuing to turn left onto Exchange Street obstruct the center lane.

In summary, the third point of access conforms with the requirement of ADC 3.008(D)(1) to first take access to lower classification roadways where practicable, since the site will also take access to Commercial Street and operations and safety are improved by allowing the proposed direct access to Marine Drive. Pursuant to ADC 3.008(D)(4), the City Engineer may limit the access to Marine Drive in order to alleviate safety or traffic operations concerns. However, in this instance allowing the full-movement access minimizes safety and traffic operations concerns. Thus the proposed access also conforms to the purpose and intent of the code sections. As such, the access is permissible per City of Astoria standards.

SIGHT DISTANCE AT THE PROPOSED MARINE DRIVE ACCESS

The traffic impact study prepared for the proposed development used the posted speed of 30 mph to determine the required intersection sight distance for the access to Marine Drive. My Nys points out that the posted speed and the design speed of a roadway are not necessarily the same, and that ODOT routinely assumes a design speed of 5 mph above the posted speed in the absence of detailed speed data.

The project team recognized that the limits of sight distance occur on a curve which limits the speeds of approaching traffic. Accordingly, Ard Engineering conducted a speed survey at the limits of sight distance for the proposed access to Marine Drive to determine the 85th percentile speed of westbound traffic approaching the driveway. The 85th percentile speed represents the speed at or below which 85 percent of traffic travels. It is generally assumed that 85 percent of drivers travel at a speed that is “reasonable and prudent”, and that the fastest 15 percent of drivers may travel at imprudent speeds that should be subject to enforcement rather than accommodated in design. The Oregon Department of Transportation routinely uses the 85th percentile speed for design when available for evaluating intersection sight distance.

As shown in the detailed speed data included in the attached technical appendix, the measured 85th percentile design speed for westbound traffic was 30 mph. Since the measured 85th percentile speed and the posted speed are identical, it is correct per ODOT standards to use a design speed of 30 mph to determine the required intersection sight distance.



Mr. Nys also asserted that the required intersection sight distance should have accounted for an additional travel lane on Marine Drive, since it has three lanes rather than two. Accounting for this additional travel lane, the required intersection sight distance increases by 20 feet, from 335 feet to 355 feet.

Mr. Nys indicated that there are obstructions to the required sight lines which would prevent providing adequate sight distance. These include parking stalls on the Shell property, vehicles parked at fueling positions at the gas station, and street trees along Marine Drive. However, these assertions (and the diagram he provided) were based on maintaining 415 feet of intersection sight distance, which was calculated using an incorrect design speed. Although the actual required sight lines did not pass through the positions of parking stalls on the Shell property, the required sight line did extend somewhat under the canopy of the Shell station. In order to maximize the available sight lines and address Mr. Nys' concerns about the relocated site access, the site plan was modified to show access at the existing driveway location. With this change, there is also no intrusion of the required sight lines under the fueling station canopy.

A diagram showing the current site plan and the required sight lines based on the correct design speed is included in the attached technical appendix.

Mr. Nys also asserted that there is a conflict between three existing street trees along the frontage of the fuel station and the required sight lines. He cited ODOT's Highway Design Manual Section 4.2.6, which contains requirements for roadside trees on ODOT facilities. These standards do not define what is required for intersection sight distance. Rather, they are ODOT standards regarding requirements for street trees. The design standards are intended to ensure that street trees do not obstruct sight lines, pedestrian access, or the movement of vehicles along the roadway. If sight lines are compromised by the three existing trees, they will require trimming or replacement per ODOT standards. This requirement for trimming or removal was also explicitly included in the Astoria Grocery Outlet Traffic Impact Study dated May 31, 2019.

Based on the analysis, adequate sight lines meeting ODOT standards can be achieved for the proposed site access on Marine Drive.

ODOT ACCESS REQUIREMENTS

Access to state highway facilities is permitted through an ODOT approval process based on conformance with the requirements of OAR 734-051-4020. Mr. Nys cited a portion of the relevant code related to access spacing, concluding that the ODOT standards cannot be met for the proposed access. However, he did not address the fact that ODOT personnel have already determined that the access is permissible.

Section 734-051-4020(4) states that "The department may approve an application that does not meet the approval standards and criteria of this rule for approach spacing, sight distance and/or channelization..."



It further contains specific language regarding when deviations from the standards are permissible. Mr. Nys did not attempt to explore the relevant code language regarding when deviations are allowed.

ODOT's Region Access Management Engineer (RAME) reviews and permits all proposed access to state highway facilities in the region. The RAME is extremely familiar with the Division 51 access rules and has already opined that since there are no access control restrictions and the department has looked at this approach in the past and determined it to be permissible, that a direct access to Marine Drive can be allowed with application for a new approach permit. Mr. Nys' assertion that ODOT's requirements cannot be met is false.

JUNE 27, 2019 ARD ENGINEERING MEMORANDUM

Mr. Nys raised various objections to the methodologies, assumptions and conclusions included in the analysis memorandum dated June 27, 2019. Having reviewed his concerns, it is appropriate to provide some additional information and analysis for the record.

Mr. Nys indicated that the record did not contain any evidence of ODOT's acceptance of the access on Marine Drive. Additionally, he indicated that since the access has been moved it must be considered a new access rather than an existing one. The site plan has been modified to retain the existing site access location, so Mr. Nys' objection that the access is new is no longer applicable. However, the change in use on the subject property means that the access will still require a new approach permit from ODOT. Since the proposed development plan includes direct access to an ODOT facility the project team sought direct input from ODOT staff regarding whether an approach permit can be granted for the proposed change in use. Included in the attached technical appendix is the email response from David Smith of ODOT indicating that an access can be allowed. Based on statutory requirements, the approach permit application for the proposed access to Marine Drive cannot be accepted or evaluated by ODOT until after a proposed land use has been determined to comply with local jurisdiction requirements. Since that is the purpose of the Design Review hearing, it is not possible for ODOT to accept or process the required application for a new approach permit prior to city approval of the development. The assurance provided by ODOT that an access is permissible is the best and only assurance that can reasonably be provided prior to completion of the current city approval process.

In his review, Mr. Nys asserts that the patrons of the proposed development will be "very likely primarily local users"; however he omits the fact that Astoria serves a great deal of seasonal traffic, and that the number of non-local trips peaks during the summer season when traffic volumes are at their design levels. It is reasonable to believe that some local resident trips and many non-local trips would not turn onto Commercial Street prior to reaching the proposed development, since it is somewhat counter-intuitive to turn off from Marine Drive prior to reaching an intended destination that is directly visible on Marine Drive. This is particularly true since even absent the proposed direct access a curb cut serving the existing fuel station will remain in place on Marine Drive immediately adjacent to the store. Drivers would be



likely to see that there is no connection to the Grocery Outlet site only after passing Commercial Street. Accordingly, these trips would need to turn left on 23rd Street to reach the site.

In response to Mr. Nys' assertion that there is no evidence of a problem at the intersection of Marine Drive and 23rd Street, it should be noted that the existing volume of turning traffic at this intersection will increase upon occupancy of the Astoria Co-Op. An examination of left-turn lane warrants reveals that the volume of left-turning traffic at the intersection far exceeds the level at which a left-turn lane would be required if it were possible to provide one. Specifically, based on the volume of through traffic on Marine Drive and per the requirements of ODOT's Analysis Procedures Manual, an eastbound left-turn lane is needed on Marine Drive at 23rd Street if there are more than 10 eastbound left turns during the evening peak hour. This volume is exceeded either with or without the addition of site trips from the proposed Grocery Outlet facility. Notably, with the proposed site access on Marine Drive, the proposed development would not be projected to add trips to this left-turn movement, thereby ensuring that the need for a turn lane is not significantly affected by traffic from the proposed Grocery Outlet store.

JULY 23, 2019 STAFF REPORT

Mr. Nys objected to staff's assertion that "[a]ccess from 23rd Street was determined to be problematic due to the existing conditions at the 23rd and Marine Drive intersection as indicated in the Astoria Grocery Outlet Traffic Impact Study dated May 31st, 2019." Mr. Nys is correct that this assertion was not made in the original TIS; however, it was included in the supplementary memo dated June 27, 2019.

Mr. Nys then asserts that staff incorrectly stated that "the proposed access would use an existing curb cut not a new one." Although we believe it was clear from context that staff was indicating that an additional access would not be created, since the existing access location is now being maintained, this objection no longer applies.

Finally, Mr. Nys asserts that staff cannot use the fact that a center turn lane was added to Marine Drive after adoption of the Gateway Plan to justify allowing the site access. In fact, since the intent of the code is to provide for safe and efficient operation of the roadway the presence of this lane is directly material to the discussion of operations, safety and site access. The added center lane is what allows the proposed access to operate more safely and efficiently than the nearby public intersection of Marine Drive at 23rd Street and is the reason that providing direct access to the site will better maintain safe and efficient flow of traffic along Marine Drive than prohibiting the access. It is therefore appropriate that staff considered this material change in the design environment.

ACCESS TO COMMERCIAL STREET VIOLATES CITY STANDARDS

Mr. Nys asserts that the eastern site access on Commercial Street is offset by 15 feet from an existing driveway on the north side of the roadway, while city code requires a minimum offset of 25 feet. In fact, the centerlines of the driveways fall within the width of the driveway on the opposite side. Accordingly,



the driveways can be considered to be aligned. Importantly the direction of the centerline offset is such that there are no conflicts between vehicles simultaneously turning left from Commercial Street into the respective driveways. Further, since vehicles exiting from the driveways can easily see traffic approaching from all directions (including from the opposing driveway) there are no significant conflicts projected in association with the proposed access. The proposed driveway is functionally aligned with the existing driveway on the north side of Commercial Street and no significant operational or safety concerns arise as a result of the proposed driveway alignment.

STUDY AREA

Mr. Nys opines that city code requires the traffic study to include all intersections within one half mile of the project site. In fact, the code creates no such requirement. Instead, it generally limits the study to no more than a half mile radius but provides an exception for large-scale developments which would meaningfully impact intersections beyond this radius.

If Mr. Nys' interpretation of the code was correct, the required study area would include an absurd analysis of 15 intersections along Marine Drive, most of which would experience virtually no change in operation as a result of the proposed development. The one-half mile radius would also include 6 additional intersections along Exchange Street and numerous unaffected local-street intersections.

When scoping a traffic impact study, the City Engineer and ODOT are tasked with determining where site impacts may meaningfully impact intersection operation and safety, then establishing a scope of work that is responsive to the project scale and impacts. Both ODOT and City of Astoria staff were extensively involved in developing the final, approved scope of work.

Mr. Nys noted that the TIS did not include analysis for the intersection of Marine Drive at Exchange Street, where 5 percent of site trips are projected to travel. He omitted the fact that 5 percent of the site trips equates to two trips entering and two trips exiting the site via Exchange Street. Unlike the Astoria Co-Op Grocery Store, trips destined for the proposed Grocery Outlet via Exchange Street can utilize the eastbound left-turn lane from Exchange Street to Marine Drive, which was projected to operate at just 3 percent of capacity per the Co-Op analysis. The impacts of turning movements from the proposed development on the intersection of Marine Drive at Exchange Street are negligible. That is why analysis was not required by either the city or ODOT.

Mr. Nys also opines that Marine Drive at Exchange Street is a critical intersection for analysis, since in the Co-Op's study it was reported to operate with a v/c ratio of 0.82 in 2019, which Mr. Nys states is "just 0.03 below ODOT's mobility standard." However, Mr. Nys significantly misinterpreted both the results of the Co-Op study and the relevant ODOT standards to arrive at this conclusion.



In fact, the Co-Op study showed v/c ratio of 0.82 only for the eastbound Exchange Street approach, which is a side-street approach to the intersection. Per the ODOT's Oregon Highway Plan, the allowable v/c ratio on the side-street approaches for this intersection is 0.95. Accordingly, the Co-Op study demonstrated substantial available capacity at the intersection under year 2019 build-out conditions. The major-street approach v/c ratio at this intersection was reported in the Co-Op study as 0.18, which is again far below the maximum allowable standard of 0.85 for the state highway approaches.

ON SITE CIRCULATION

Mr. Nys asserts that there is insufficient distance between the site access and the nearest parking spaces to allow for efficient access to the site. In making this determination, Mr. Nys ignores several facts. First, the backing maneuvers from the on-site spaces typically require less than 15 seconds to safely execute. Based on the volume of traffic entering the site at the site access driveways no more than one vehicle would be projected to enter the site during a backing maneuver. Accordingly, brief backing maneuvers would not be projected to “obstruct any public right-of-way” or “result in vehicles stacking or backing up onto a street” in a way that is substantially functionally different from vehicles slowing to enter the site while yielding to pedestrians, bicycles and vehicles exiting the site. Second, the parking spaces nearest the proposed access on Marine Drive are oriented such that vehicles backing out from spaces do not obstruct the ingress of vehicles via the driveway, thereby ensuring that traffic will not need to stop within the through lanes on Marine Drive.

Mr. Nys further asserts that the outbound queue during the PM peak hour will be 88 feet long and will obstruct the entry of vehicles to the site. It should be noted that the average queue length during the peak hour is 43 feet, and the 95th percentile queue is 88 feet. The 95th percentile queue occurs during only the peak 3 minutes of the hour. Regardless, the proposed site plan includes a continuous entry path straight toward the front of the store that would not be obstructed by exiting vehicles.

Contrary to Mr. Nys' assertion, there will be no connection to the gas station to the southeast. Accordingly, the non-existent connection cannot become “blocked by outbound traffic queues”.

PEAK HOUR FACTORS

Mr. Nys points out that the traffic count data indicated a peak hour factor of 0.94 for the intersection of Marine Drive at 21st Street and Marine Drive at 23rd Street, while the study used a peak hour factor of 0.95 for future conditions. In this instance, the count data for the study area intersection was collected in early May but was adjusted to represent 30th-highest hour conditions that occur during the peak of the summer season. This equated to an increase of 18.5 percent above the measured traffic volumes. As traffic volumes increase, the peak hour factor typically increases as well, particularly as traffic begins to experience congestion. Accordingly, this adjustment appropriately anticipates a reasonable expectation



regarding operation of the intersections. Regardless, the intersections operate well within ODOT's standards and using a peak hour factor of 0.94 would not change this result.

Mr. Nys also objects that the observed peak hour factor of 0.94 for the intersections of Marine Drive at 21st Street and Marine Drive at Commercial Street was calculated for the combined intersection of all approaches. While this is true, calculating discrete peak hour factors for the two intersections would have resulted in a peak hour factor of 0.94 for 21st Street and 0.95 for Commercial Street, further justifying the use of a peak hour factor of 0.95 for future conditions at the Commercial Street intersection. Based on the detailed examination of this objection, no changes to the report are necessary.

TRAFFIC COUNT ISSUES

Mr. Nys asserts that the count data for the intersections of Marine Drive at 21st Street and Marine Drive at Commercial Street “fail to include data on the presence of heavy vehicles or bicycles. These trip types were included in the counts and were classified under the “Bank 1” and “Bank 2” headings respectively in the count data. The relevant information was appropriately collected, and the operational analysis also included these trips.

STUDY PERIODS AND TRIP GENERATION

Mr. Nys asserts that the analysis should have included the morning peak hour. Neither ODOT nor City of Astoria staff requested an analysis for the morning peak hour for this study. Notably, this was also the case for the Astoria Co-Op Grocery project. Although Mr. Nys would prefer to see this analysis, site traffic volumes are considerably lower during the morning peak hour for the proposed development (approximately 25 percent of PM volumes), and the highway volumes are also lower during the morning peak hour. Accordingly, this is not a critical analysis period.

Mr. Nys then objects both to using the AM peak hour data for the Discount Supermarket land use and to taking a pass-by trip reduction for morning peak hour trips. Although I disagree with Mr. Nys on this point, it is unnecessary to provide a detailed rebuttal since no analysis was required or conducted using the morning peak hour projections.

Finally, Mr. Nys objected that a Saturday analysis was not conducted for the proposed development. Per ODOT standards, analysis is conducted for the 30th-highest hour conditions, which are represented by a weekday during the peak season. No Saturday analysis is required for the proposed development, and similarly none was required for the prior Astoria Co-Op development. The analysis provided was appropriate and responsive to the requested scope of work and the relevant code requirements.



Astoria G.O. – Response to Greenlight

August 23, 2019

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CONCLUSIONS

Based on the thorough review of comments provided by Mr. Nys of Greenlight Engineering, the conclusions of the Grocery Outlet Traffic Impact Study dated May 31, 2019 and the supplemental site access memo dated June 27, 2019 remain valid.

If you have any further questions regarding this analysis, please feel free to contact me at mike@ardengr.com or by phone at 503-537-8511.

Appendix

Speed Study Summary - Radar Data



Location: Marine Drive east of proposed site access
 Direction: Westbound
 Date: June 5, 2019
 Time: 12:15 PM - 12:45 PM
 Weather: Clear/Dry
 Notes: None

85th Percentile Speed **30 mph**
 Average Speed: 27 mph

Recorded Speeds:*

1 mph ----- 0	26 mph ----- 13	51 mph ----- 0
2 mph ----- 0	27 mph ----- 17	52 mph ----- 0
3 mph ----- 0	28 mph ----- 10	53 mph ----- 0
4 mph ----- 0	29 mph ----- 13	54 mph ----- 0
5 mph ----- 0	30 mph ----- 8	55 mph ----- 0
6 mph ----- 0	31 mph ----- 4	56 mph ----- 0
7 mph ----- 0	32 mph ----- 3	57 mph ----- 0
8 mph ----- 0	33 mph ----- 0	58 mph ----- 0
9 mph ----- 0	34 mph ----- 1	59 mph ----- 0
10 mph ----- 0	35 mph ----- 1	60 mph ----- 0
11 mph ----- 0	36 mph ----- 0	61 mph ----- 0
12 mph ----- 0	37 mph ----- 0	62 mph ----- 0
13 mph ----- 0	38 mph ----- 0	63 mph ----- 0
14 mph ----- 0	39 mph ----- 0	64 mph ----- 0
15 mph ----- 0	40 mph ----- 0	65 mph ----- 0
16 mph ----- 0	41 mph ----- 0	66 mph ----- 0
17 mph ----- 0	42 mph ----- 0	67 mph ----- 0
18 mph ----- 0	43 mph ----- 0	68 mph ----- 0
19 mph ----- 0	44 mph ----- 0	69 mph ----- 0
20 mph ----- 1	45 mph ----- 0	70 mph ----- 0
21 mph ----- 0	46 mph ----- 0	71 mph ----- 0
22 mph ----- 5	47 mph ----- 0	72 mph ----- 0
23 mph ----- 9	48 mph ----- 0	73 mph ----- 0
24 mph ----- 6	49 mph ----- 0	74 mph ----- 0
25 mph ----- 9	50 mph ----- 0	75+ mph ----- 0

* Speed data observations include free-flowing traffic only (i.e. no following vehicles)



From: SMITH David R <David.R.SMITH@odot.state.or.us>
Sent: Wednesday, January 30, 2019 7:56 AM
To: Matthew Rasmussen <matt@tdg-inc.com>
Subject: RE: Astoria GO (46463)

Hi Matt,

Yes, Astoria is in D1 so it falls to me.

There is an existing approach at/near the proposed GO approach on Marine Drive and it does not appear as though there are access control restrictions. Thus, at first glance, I don't see issues with the approach on Marine Drive. Of course, you'd need to go through the approach application process - without having done a Change of Use analysis, not sure if this would be considered an upgrade or new full blown application altogether to be determined. It also looks like the Department has looked at this in the past and came to similar conclusions (regarding the approach). Have there been any discussions with the County to this point?

Let me know if I can be of further assistance.

David R. Smith, P.E., PTOE | Development Review Engineer
Oregon Department of Transportation Region 2
455 Airport Road SE, Building B, Salem, OR 97301
O: 503-986-2849 C: 503-509-7173 | David.R.Smith@odot.state.or.us

From: Matthew Rasmussen [mailto:matt@tdg-inc.com]
Sent: Tuesday, January 29, 2019 4:38 PM
To: SMITH David R
Subject: Astoria GO

Hi David,

I think Astoria is your neck of the woods as well correct?

Attached is our preliminary site plan for a Grocery Outlet in Astoria, do you see any issues with our one drive coming off Marine Drive?

Thank you for your time.

Matthew K. Rasmussen, PE, LEED AP | Tectonics Design Group
Office | (775) 824-9988 x11
Direct | (775) 473-9872
730 Sandhill Road, Suite 250 | Reno, Nevada 89521
We've got a new website! www.tectonicsdesigngroup.com

Left-Turn Lane Warrant Analysis (ODOT Methodology)

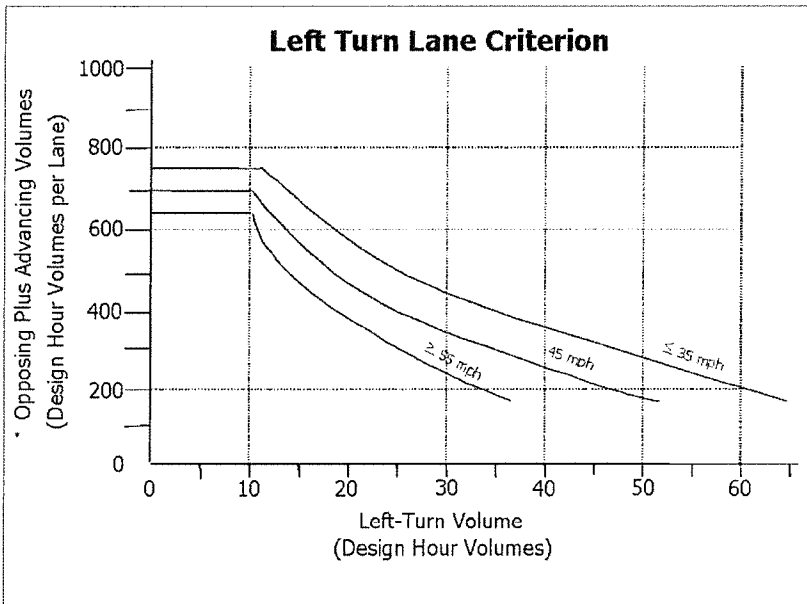


Project Name: Astoria Grocery Outlet
 Approach: Eastbound Marine Drive at 23rd Street
 Scenario: 2021 Background Conditions

Number of Advancing Lanes: 1
 Number of Opposing Lanes: 2
 Major-Street Design Speed: 30 mph

	PM Volume
Advancing Volume for Design Hour:	1123
Opposing Volume for Design Hour:	855
Design Hour Volume Per Lane:	1550.5
Number of Left Turns per Hour:	37
Left-turn lane warrants satisfied?	YES

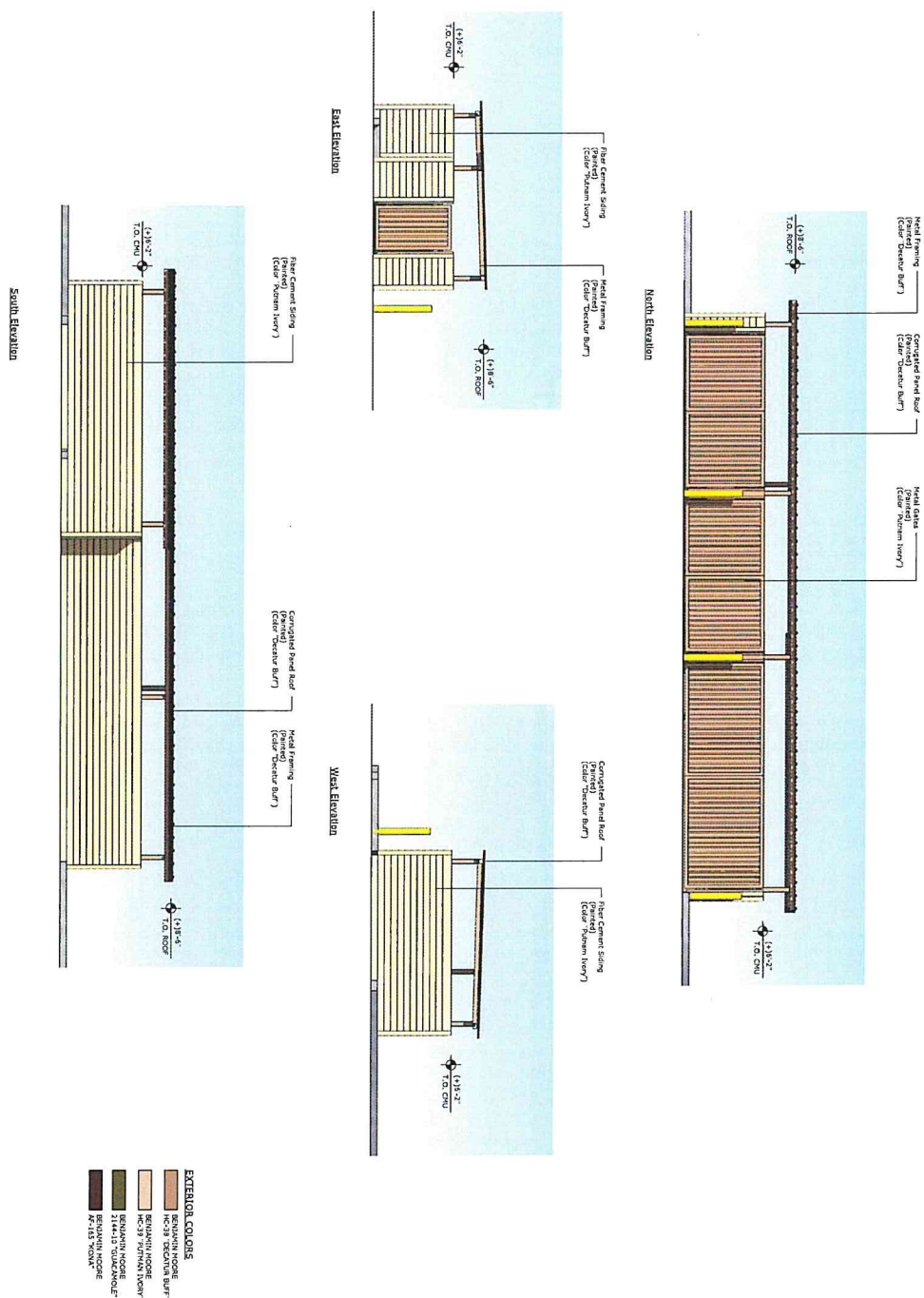
Exhibit 7-1 Left Turn Lane Criterion (TTI)



*(Advancing Volume/Number of Advancing Through Lanes) + (Opposing Volume/Number of Opposing Through Lanes)

TRASH AND TOTE ENCLOSURE ELEVATIONS
SCALE = 1/4" = 1'-0"

SCALE • 1/4" = 1'-0"





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HOURS

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JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: **2A-1531LED-R-24L40T3-MDLO18-SV1-HSHS/CA6/5218P5/RCC/BKT**

Mounting Config.	Fixture	Shade Edge	LED	CCT	Distribution Type	Driver	Lens	Optional Control Receptacle	Optional Control	Option Fuse	Option Hangstraight	Option Term. Block	Option House Side Shield	Arm See Arm Spec Sheets	Pole See Pole Spec Sheets	Finish

Mounting Configuration

(Click here to link to mounting configuration specification page)

- IW • 2A90 • 4A • SH44¹
- 1A • 3A • 1AM • CH44¹
- 2A • 3A90 • 2AM • CAT

W = Wall Mount A = Arm Mount AM = Arm Mid-Mount
SH = Stem Hung CH = Chain Hung CAT = Catenary

¹ Include overall drop length in inches after designation for Stem/Chain application (IE: CH44-48")

Fixture

- 1531LED • 1531LED5M

Shade Edge

- R (Round Edge) • F (Flared Edge)

LED

- 40L • 32L • 24L

CCT - Color Temperature (K)

- 27(00) • 30(00) • 40(00) • 50(00)

Distribution Type

- T2 • T3 • T4 • T5

Driver

- MDLO18² (120V-277V, 180mA)
- MDHO18² (347V-480V, 180mA)
- MDLO16³ (120V-277V, 160mA)
- MDHO16³ (347V-480V, 160mA)
- MDLO14² (120V-277V, 140mA)
- MDHO14² (347V-480V, 140mA)

² 32L or 24L system only

³ 40L system only

Lens

- FG (Flat Glass)
- SG (Sag Glass)
- FSG (Frosted Sag Glass)
- SV1 (Flat Soft Vue Light Diffused Acrylic)
- SV2 (Flat Soft Vue Moderate Diffused Acrylic)
- SV4 (Flat Soft Vue Maximum Diffused Acrylic)

Options (Click here to view accessories sheet)

- R⁴ Pin control receptacle only
- R5⁴ 5-Pin control receptacle only
- R7⁴ 7-Pin control receptacle only

- PE⁵ Twist-Lock Photocontrol (120v-277v)
- PE3⁵ Twist-Lock Photocontrol (347v)
- PE4⁵ Twist-Lock Photocontrol (480v)
- SC⁵ Shorting Cap
- PEC Electronic Button Photocontrol (120v-277v)
- PEC4 Electronic Button Photocontrol (480v)
- FHD⁶ Double Fuse and Holder
- HSHS⁷ Standard Horizontal Hangstraight, Spire Finial
- HSHN⁷ Standard Horizontal Hangstraight, No Finial
- HSHB⁷ Standard Horizontal Hangstraight, Ball Finial
- HSCB⁷ Clamp Style Horizontal Hangstraight, Ball Finial
- HSCS⁷ Clamp Style Horizontal Hangstraight, Spike Finial
- HSCN⁷ Clamp Style Horizontal Hangstraight, No Finial
- EZ⁷ Vertical Hangstraight, Large, "EZ" Mount
- HSV⁷ Vertical Hangstraight, Standard
- TB Terminal Block
- HSS 120° House Side Shield
- BLOC Back Light Optical Control

⁴ Only available with HSH, HSC, & SM.

⁵ Requires control receptacle.

⁶ Ships loose for installation in base.

⁷ Not for use with 1531LED5M.

Arm (Click here to link to arm specification page)

See Arms & Wall Brackets specification sheets.

- CA • CSA • FFA • CAS
- DAG • R3⁸ • RA

⁸ Luminaires above grade height to be 2' higher than pole height, REQUIRES "EZ" hangstraight.

Pole (Click here to link to pole specification page)

See Pole specification sheets.

Finish

Standard Urban Finishes (Click here to view paint finish sheet)

- UGMT Gun Metal Textured
- UGM Gun Metal Matte
- UBT Urban Bronze Textured
- UB Urban Bronze Matte
- ULBT Urban Light Bronze Textured
- ULB Urban Light Bronze Matte
- USLT Urban Silver Textured
- USL Urban Silver Matte
- UWHT Urban White Textured
- UWH Urban White Matte

- UCHS Urban Champagne Satin Smooth
- BKT Black Textured

Custom Urban Finishes⁹

- CM Custom Match

⁹ Smooth finishes are available upon request.

Specifications

Fixture

The 1531LED Omega series is large scale, decorative downlight fixture with a spun aluminum bell styled dome. The dome is available with two types of shades: round edge (R) and flared edge (F) styles. The luminaire measures 31" outside diameter and 21-1/2" overall height. The luminaire has a hinged door for tool-less driver and LED access. The luminaire is U.L. listed in U.S. and Canada.

LEDs

The luminaire shall use high output, high brightness LED's. They shall be mounted in arrays, on printed circuit boards designed to maximize heat transfer to the heat sink surface. The arrays shall be roof mounted to minimize up-light. The LED's and printed circuit boards shall be 100% recyclable; they shall also be protected from moisture and corrosion by a conformal coating. They shall not contain lead, mercury or any other hazardous substances and shall be RoHS compliant. The LED life rating data shall be determined in accordance with IESNA LM-80. The High Performance white LED's will have a life expectancy of approximately 100,000 hours with not less than 70% of original brightness (lumen maintenance), rated at 25°C. The High Brightness, High Output LED's shall be 4000K (2700K, 3000K or 5000K option) color temperature with a minimum CRI of 70. Consult factory for custom color CCT. The luminaire shall have a minimum _____ (see table) delivered initial lumen rating when operated at steady state with an average ambient temperature of 25°C (77°F).

See next page



SternbergLighting

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153ILED OMEGA SERIES

LED

Optics

The luminaire shall be provided with refractor type optics applied to each LED array. The luminaire shall provide Type ____ (2, 3, 4 or 5) light distribution per the IESNA classifications. Testing shall be done in accordance with IESNA LM-79.

BLOC Optic: An optional "Back Light Optical Control" shield can be provided at the factory. This is an internal optic level "House Side Shield" offering significantly reduced backlight and glare while maintaining the original design aesthetics of the luminaire.

Electronic Drivers

The LED driver shall be U.L. Recognized. It shall be securely mounted inside the fixture, for optimized performance and longevity. It shall be supplied with a quick-disconnect electrical connector on the power supply, providing easy power connections and fixture installation. It shall have overload, overheat and short circuit protection, and have a DC voltage output, constant current design, 50/60HZ. It shall be supplied with line-ground, line-neutral and neutral-ground electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines. It shall be a high efficiency driver with a THD less than 20% and a high power factor greater than .9. It shall be dimming capable using a 0-10v signal, consult factory for more information.

Photocontrols

Button Style: The photocontrol shall be mounted on the fixture and pre-wired to driver. The electronic button type photocontrol is instant on with a 5-10 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years. This option removes the current IP rating. See pole spec sheet for pole mounted version.

Twist-Lock Style: The photocontrol shall be mounted externally on the fixture (1527LEDSTM), or mounted on the hang-straight, and pre-wired to driver. The twist lock type photocontrol is instant on with a 3-6 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

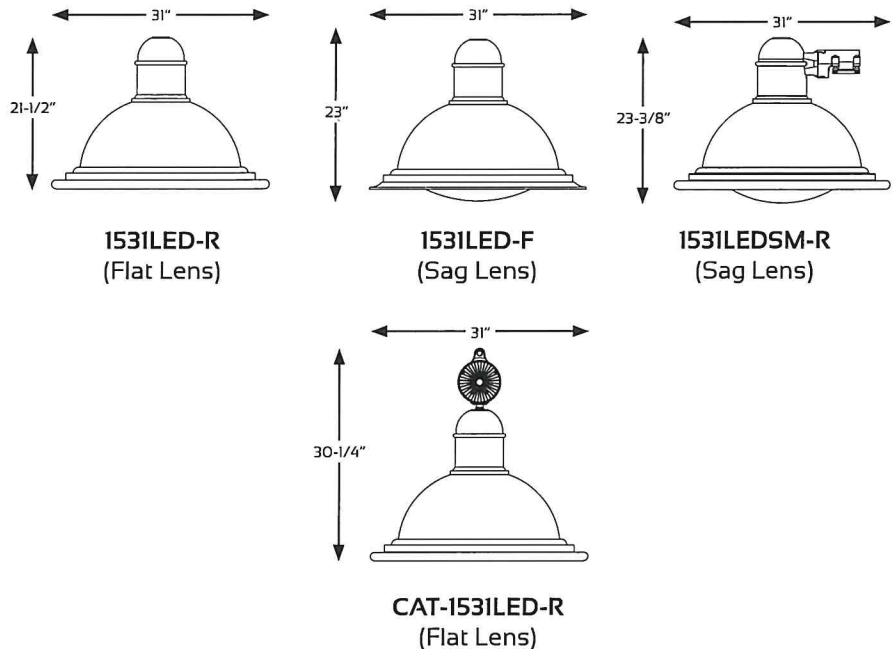
Warranty

Seven-year limited warranty. See product and finish warranty guide for details.

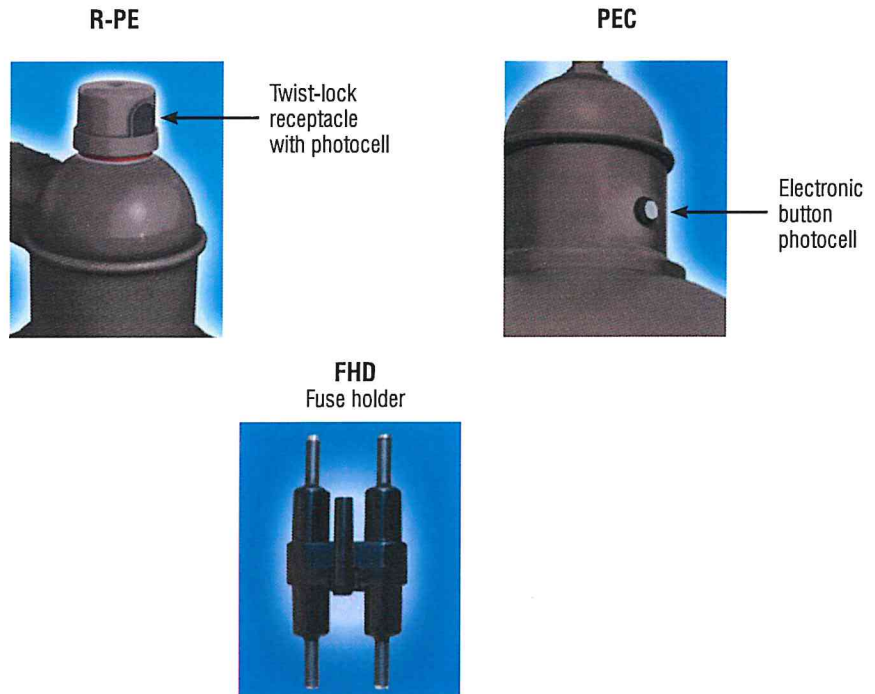
Finish

Refer to website for details.

Fixtures



Options



SternbergLighting

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153ILED OMEGA SERIES

LED

Performance (Based on FG Lens)

MODEL #	T2 DELIVERED LUMENS	EFFICACY (LPW)	T3 DELIVERED LUMENS	EFFICACY (LPW)	T4 DELIVERED LUMENS	EFFICACY (LPW)	T5 DELIVERED LUMENS	EFFICACY (LPW)	WATTS
40L40T_-MDL016	18640	104.7	19020	106.9	17605	98.9	18805	105.6	178
40L30T_-MDL016	17770	99.8	18135	101.9	16785	94.3	17930	100.7	178
40L27T_-MDL016	16070	90.3	16395	92.1	15175	85.3	16210	91.1	178
32L40T_-MDL018	16970	107.4	17190	108.8	15925	100.8	17085	108.1	158
32L30T_-MDL018	16180	102.4	16390	103.7	15185	96.1	16290	103.1	158
32L27T_-MDL018	14630	92.6	14820	93.8	13730	86.9	14730	93.2	158
32L40T_-MDL014	13400	111.7	13590	113.3	12655	105.5	13590	113.3	120
32L30T_-MDL014	12775	106.5	12955	108.0	12065	100.5	12955	108.0	120
32L27T_-MDL014	11550	96.3	11715	97.6	10910	90.9	11715	97.6	120
24L40T_-MDL018	12955	108.0	13180	109.8	12000	100.0	12990	108.3	120
24L30T_-MDL018	12350	102.9	12565	104.7	11440	95.3	12385	103.2	120
24L27T_-MDL018	11170	93.1	11360	94.7	10345	86.2	11200	93.3	120
24L40T_-MDL014	9955	110.6	10050	111.7	9435	104.8	10075	111.9	90
24L30T_-MDL014	9490	105.4	9580	106.4	8995	99.9	9605	106.7	90
24L27T_-MDL014	8580	95.3	8665	96.3	8135	90.4	8685	96.5	90



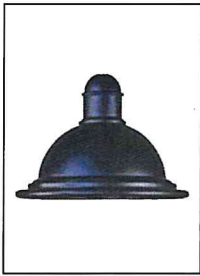
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1521LED OMEGA SERIES

LED

EPA
.72 (ft²)
WEIGHT
27 LBS

7 YEAR
WARRANTY

LUMEN
RANGE
2,640 to
10,090

LIFE SPAN
L70
MINIMUM
100,000
HOURS

UL
LISTED

CLICK
FOR FAQ'S

RATED
IP65

JOB NAME

FIXTURE TYPE

MEMO

BUILD A PART NUMBER

ORDERING EXAMPLE: 2A-1521LED-R-12L40T3-MDLO18-SV2-HSHB/CA4/4212P4/RCC/BKT

Mounting Config.	Fixture	Shade Edge	LED	CCT	Distribution Type	Driver	Lens	Optional Control Receptacle	Optional Control	Option Fuse	Option Hang-straight	Option Term. Block	Option House Side Shield	Arm See Arm Spec Sheets	Pole See Pole Spec Sheets	Finish

Mounting Configuration

(Click here to link to mounting configuration specification page)

- IW • 2A90 • 4A • SH44¹
- 1A • 3A • 1AM • CH44¹
- 2A • 3A90 • 2AM • CAT

W = Wall Mount A = Arm Mount AM = Arm Mid-Mount
SH = Stem Hung CH = Chain Hung CAT = Catenary

¹Include overall drop length in inches after designation for Stem/
Chain application (IE: CH44-48")

Fixture

- 1521LED • 1521LED SM

Shade Edge

- R (Round Edge) • F (Flared Edge)

LED

- 24L • 16L • 12L

CCT - Color Temperature (K)

- 27(00) • 30(00) • 40(00) • 50(00)

Distribution Type

- T2 • T3 • T4 • T5

Driver

- MDLO18² (120V-277V, 180mA)
- MDHO18² (347V-480V, 180mA)
- MDLO14³ (120V-277V, 140mA)
- MDHO14³ (347V-480V, 140mA)
- MDLO08⁴ (120V-277V, 80mA)
- MDHO08⁴ (347V-480V, 80mA)

²16L or 12L system only

³24L or 12L system only

⁴12L system only

Lens

- FG (Flat Glass)
- SG (Sag Glass)
- FSG (Frosted Sag Glass)
- SV1 (Flat Soft Vue Light Diffused Acrylic)
- SV2 (Flat Soft Vue Moderate Diffused Acrylic)
- SV4 (Flat Soft Vue Maximum Diffused Acrylic)

Options (Click here to view accessories sheet)

- R⁵ Pin control receptacle only
- R⁵ 5-Pin control receptacle only
- R⁷ 7-Pin control receptacle only

- PE⁶ Twist-Lock Photocontrol (120V-277V)
- PE³ Twist-Lock Photocontrol (347V)
- PE⁴ Twist-Lock Photocontrol (480V)
- SC⁷ Shorting Cap
- PEC Electronic Button Photocontrol (120V-277V)
- PEC⁴ Electronic Button Photocontrol (480V)
- FHD⁷ Double Fuse and Holder
- HSHS⁸ Standard Horizontal Hangstraight, Spike Finial

- HSHN⁸ Standard Horizontal Hangstraight, No Finial

- HSHB⁸ Standard Horizontal Hangstraight, Ball Finial

- EZ⁹ Vertical Hangstraight, Large, "EZ" Mount

- HSV⁹ Vertical Hangstraight, Standard

- TB Terminal Block

- HSS 120° House Side Shield

- BLOC Back Light Optical Control

⁵ Only available with HSH_N & SM.

⁶ Requires control receptacle.

⁷ Ships loose for installation in base.

⁸ Not for use with 1521LED SM.

Arm (Click here to link to arm specification page)

See Arms & Wall Brackets specification sheets.

- CA • CSA • FFA • CAS
- DAG • R2⁹ • RA

⁹ Luminaires above grade height to be 2' higher than pole height, REQUIRES "EZ" hangstraight.

Pole (Click here to link to pole specification page)

See Pole specification sheets.

Finish

Standard Urban Finishes (Click here to view paint finish sheet)

- UGMT Gun Metal Textured
- UGM Gun Metal Matte
- UBT Urban Bronze Textured
- UB Urban Bronze Matte
- ULBT Urban Light Bronze Textured
- ULB Urban Light Bronze Matte
- USLT Urban Silver Textured
- USL Urban Silver Matte
- UWHT Urban White Textured
- UWH Urban White Matte
- UCHS Urban Champagne Satin Smooth
- BKT Black Textured

Custom Urban Finishes¹⁰

- CM Custom Match

¹⁰ Smooth finishes are available upon request.

Specifications

Fixture

The 1521LED Omega series is small scale, decorative downlight fixture with a spun aluminum bell styled dome. The dome is available with two types of shades: round edge (R) and flared edge (F) styles. The luminaire measures 21" outside diameter and 17" overall height. The luminaire is U.L. listed in U.S. and Canada.

LEDs

The luminaire shall use high output, high brightness LED's. They shall be mounted in arrays, on printed circuit boards designed to maximize heat transfer to the heat sink surface. The arrays shall be roof mounted to minimize up-light. The LED's and printed circuit boards shall be 100% recyclable; they shall also be protected from moisture and corrosion by a conformal coating. They shall not contain lead, mercury or any other hazardous substances and shall be RoHS compliant. The LED life rating data shall be determined in accordance with IESNA LM-80. The High Performance white LED's will have a life expectancy of approximately 100,000 hours with not less than 70% of original brightness (lumen maintenance), rated at 25°C. The High Brightness, High Output LED's shall be 4000K (2700K, 3000K or 5000K option) color temperature with a minimum CRI of 70. Consult factory for custom color CCT. The luminaire shall have a minimum _____ (see table) delivered initial lumen rating when operated at steady state with an average ambient temperature of 25°C (77°F).

Optics

The luminaire shall be provided with refractor type optics applied to each LED array. The luminaire shall provide Type ____ (2, 3, 4 or 5) light distribution per the IESNA classifications. Testing shall be done in accordance with IESNA LM-79.

See next page



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1521LED OMEGA SERIES

LED

BLOC Optic: An optional "Back Light Optical Control" shield can be provided at the factory. This is an internal optic level "House Side Shield" offering significantly reduced backlight and glare while maintaining the original design aesthetics of the luminaire.

Electronic Drivers

The LED driver shall be U.L. Recognized. It shall be securely mounted inside the fixture, for optimized performance and longevity. It shall be supplied with a quick-disconnect electrical connector on the power supply, providing easy power connections and fixture installation. It shall have overload, overheat and short circuit protection, and have a DC voltage output, constant current design, 50/60HZ. It shall be supplied with line-ground, line-neutral and neutral-ground electrical surge protection in accordance with IEEE/ANSI C62.41.2 guidelines. It shall be a high efficiency driver with a THD less than 20% and a high power factor greater than .9. It shall be dimming capable using a 0-10v signal, consult factory for more information.

Photocontrols

Button Style: The photocontrol shall be mounted on the fixture and pre-wired to driver. The electronic button type photocontrol is instant on with a 5-10 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years. This option removes the current IP rating. See pole spec sheet for pole mounted version.

Twist-Lock Style: The photocontrol shall be mounted externally on the fixture (1521LEDSTM), or mounted on the hang-straight, and pre-wired to driver. The twist lock type photocontrol is instant on with a 3-6 second turn off, and shall turn on at 1.5 footcandles with a turn-off at 2-3 footcandles. Photocontrol is 120-277 volt and warranted for 6 years.

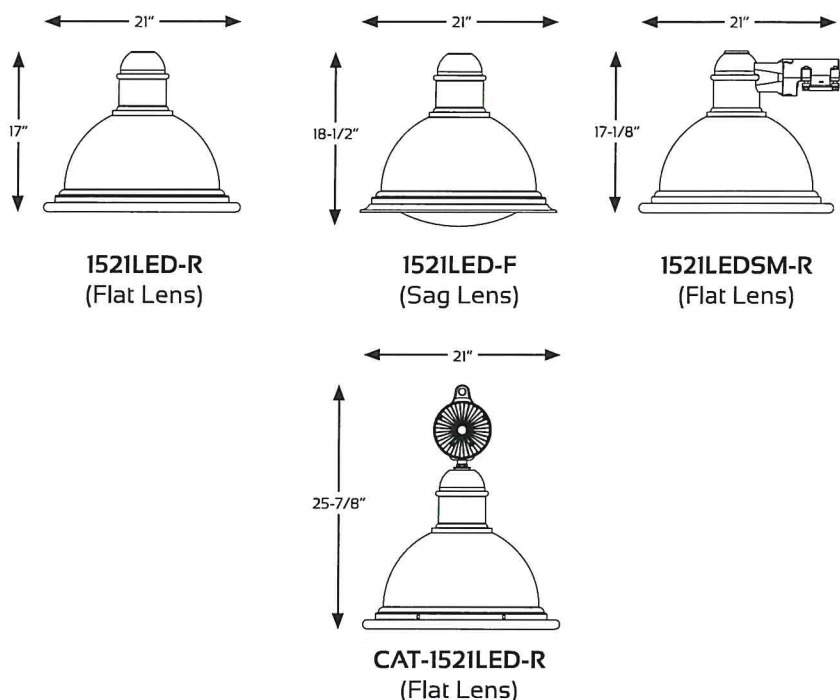
Warranty

Seven-year limited warranty. See product and finish warranty guide for details.

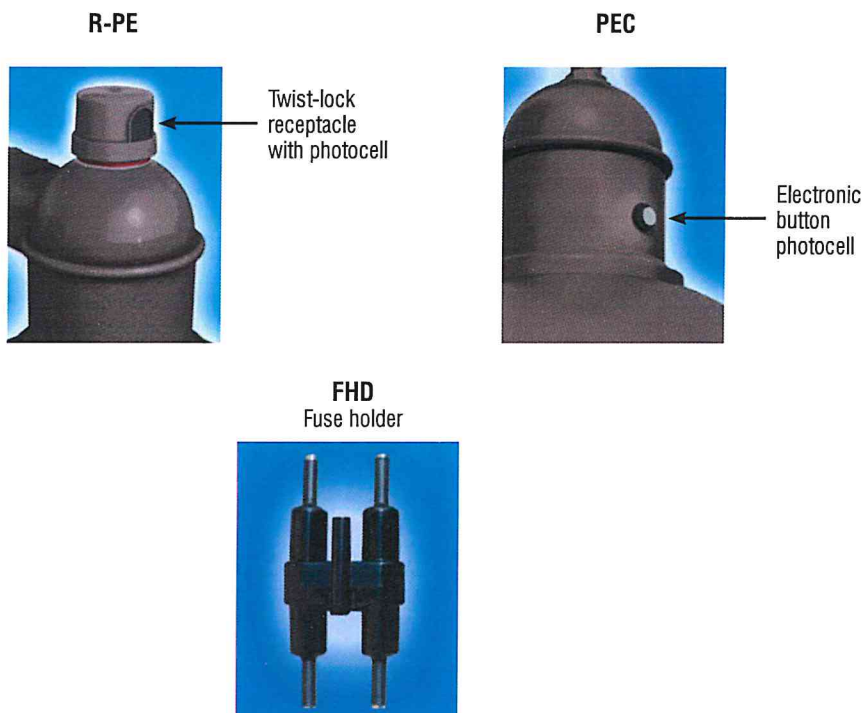
Finish

Refer to website for details.

Fixtures



Options



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1521LED OMEGA SERIES

LED

Performance (Based on FG Lens)

MODEL #	T2 DELIVERED LUMENS	EFFICACY (LPW)	T3 DELIVERED LUMENS	EFFICACY (LPW)	T4 DELIVERED LUMENS	EFFICACY (LPW)	T5 DELIVERED LUMENS	EFFICACY (LPW)	WATTS
24L40T_-MDL014	10200	113.3	10090	112.1	9585	106.5	10045	111.6	90
24L30T_-MDL014	9725	108.1	9620	106.9	9140	101.6	9575	106.4	90
24L27T_-MDL014	8795	97.7	8700	96.7	8265	91.8	8660	96.2	90
16L40T_-MDL018	8610	107.6	8810	110.1	8090	101.1	8730	109.1	80
16L30T_-MDL018	8210	102.6	8400	105.0	7715	96.4	8325	104.1	80
16L27T_-MDL018	7420	92.8	7595	94.9	6975	87.2	7525	94.1	80
12L40T_-MDL018	6445	107.4	6605	110.1	6160	102.7	6435	107.3	60
12L30T_-MDL018	6145	102.4	6300	105.0	5875	97.9	6135	102.3	60
12L27T_-MDL018	5555	92.6	5695	94.9	5310	88.5	5545	92.4	60
12L40T_-MDL014	5265	114.5	5415	117.7	5045	109.7	5285	114.9	46
12L30T_-MDL014	5020	109.1	5165	112.3	4810	104.6	5040	109.6	46
12L27T_-MDL014	4540	98.7	4670	101.5	4350	94.6	4555	99.0	46
12L40T_-MDL008	3195	118.3	3295	122.0	3065	113.5	3215	119.1	27
12L30T_-MDL008	3045	112.8	3140	116.3	2920	108.1	3065	113.5	27
12L27T_-MDL008	2755	102.0	2840	105.2	2640	97.8	2770	102.6	27

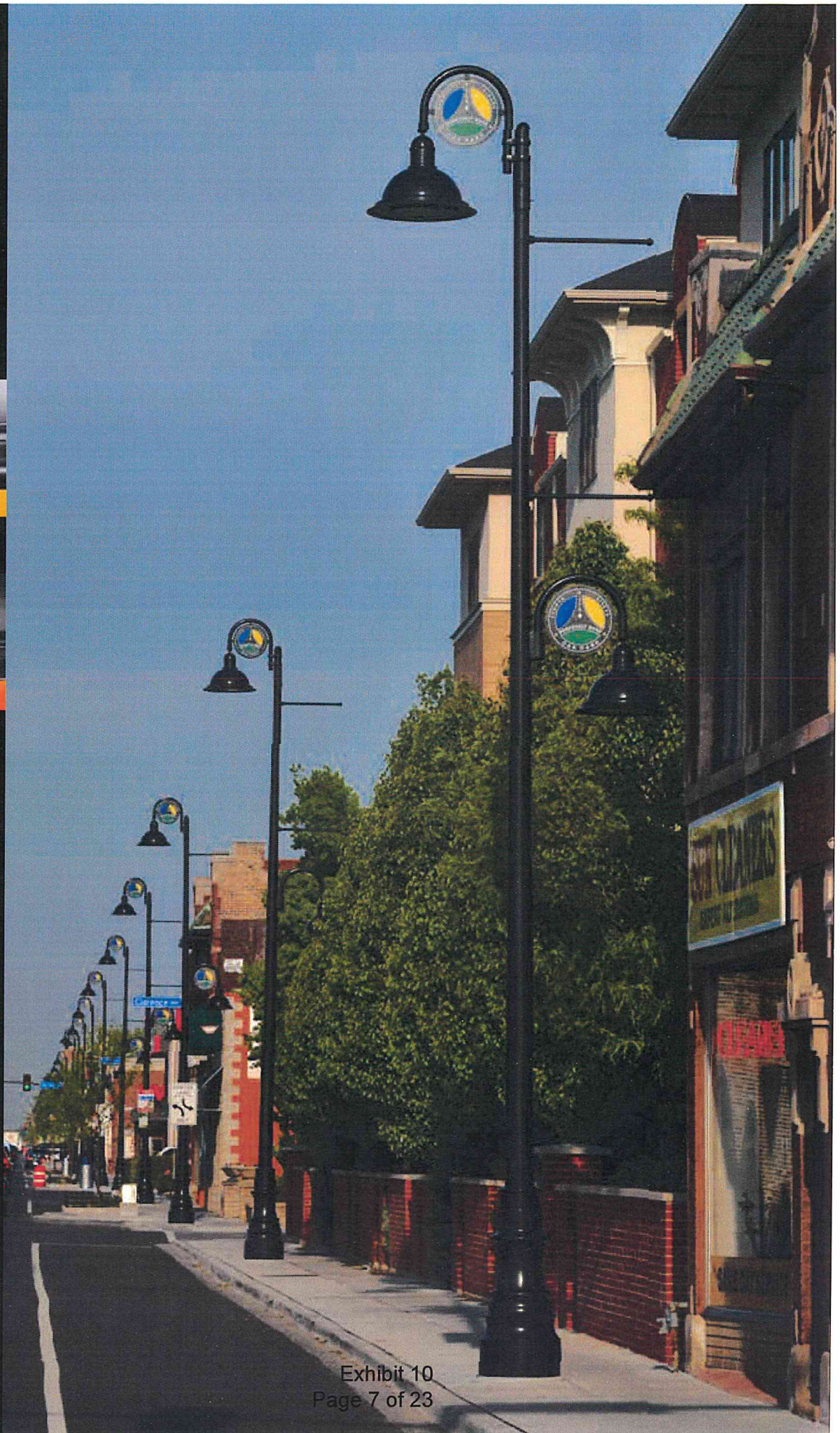
Dome Styles
for all Omegas



Round edge (R)



Flared edge (F)



VERSATILE

The Omega series is engineered to adapt to projects where decorative and functional luminaires are required. Omega has a variety of options and design features to meet the rigors of real world application. With three sizes and two trim styles Omega incorporates LED and HID light sources in a harmonious family of products that address scale and flexibility ultimately achieving harmony in any outdoor lighting project.

CONTENTS

Introduction	3
Advanced Technology	4 - 5
Key Features	6
Soft Vue™ Lens	7
LED Advantage	8
LED Performance	9
LED Specs	10 - 11
HID Specs	12 - 13
Assembly Examples	14
Paint Finishes	15

Omega LED family lens options



SV1*
Flat Diffuse
Acrylic Lens
(LED only)



SV2**
Flat Diffuse
Acrylic Lens
(LED only)



FSG
Frosted Sag
Glass



FG
Clear Flat
Glass



SG
Clear Sag
Glass

* Provides moderate reduction in surface brightness while achieving minimal loss of lumen output. ** Provides maximum reduction in surface brightness while achieving minimal loss of lumen output.

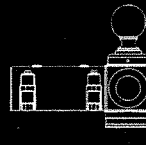
Optional mounting for all Omega products



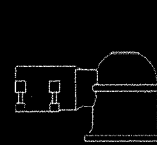
HS-HB
Horizontal
8 1/4" W x
10 5/8" H



EZ
EZ Hang
Vertical
2 3/4" W x
4" H



HS-CB
Clamp
12 1/2" W x
10 5/8" H



SM
Side
Mount

Available sizes



1521R
21" W x 17 1/8" H



1527R
27" W x 19 1/8" H



1531R
31" W x 21 1/2" H



1521F
21" W x 17" H



1527F
27" W x 19" H



1531F
31" W x 21 1/2"

Full cutoff optics for HID

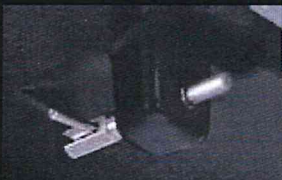


LED and HID sources for each of the three luminaire sizes 21", 27", and 31" diameters. Optics come in types 2, 3 and 5 for HID and 2, 3, 3R, 4 and 5 for LED.

Convenient
tool-less access
using twist-lock
components



Door assembly hinges down
for easy access to driver
assembly. Two stainless
steel, spring loaded, tool-less
latches secure the door in
the closed position.



Spring loaded stainless steel
latches can be retained in the
open position by rotating each
latch 90 degrees.



To open, move handle out of
housing and turn it to lock.



Press and twist driver
assembly counter-
clockwise to open it.
Press and twist assembly
clockwise to close.

ADVANCED TECHNOLOGY

LED

The Omega series LED luminaire incorporates state of the art construction that allows for heat dissipation while sealing the housing to IP65 tightness. The electrical system is equipped with a line to ground, line to neutral and neutral to ground surge protector in addition to the protection within the driver itself. Surge protection meets or exceeds IEEE/ANSE C62.41.2 guidelines and is U.L. or E.T.L listed in the U.S. and Canada.

DRIVER

The LED driver will be provided and shall be a standard dimming type and shall be securely mounted inside the luminaire body and will be accessed by way of a twist lock mechanism that drops the driver out of the optical mounting plate for easy service or replacement. The driver is equipped with electrical quick disconnect devices in order to make electrical connections quickly and safely.

KEY FEATURES

- LED delivered lumens range from 2,465 to 19,250 depending on luminaire body size, optical assembly size and photometric distribution type.
- Flat lens models give a BUG rating of U-0.
- Tool-less driver access.
- Optional lenses - Soft Vue™ 1, Soft Vue™ 2, clear flat glass, clear sag glass, frosted sag glass.
- Optional photometric distribution patterns - IES types 2, 3, 3R, 4 and 5.
- Ingress protection rating of IP65 for the luminaire housing and IP66 for the optical chamber.
- Luminaire housing constructed of spun aluminum housing, cast frame, anodized heat spreader plate, and die cast door.
- Photo control options include twist lock and button type electronic devices.
- L70 life rating is a minimum of 100,000 hours based on TM21 rating method.
- Mounting options include side or top arm configurations.
- Stainless steel hardware is used on all external fastening applications. Plunger type twist and lock latches secure the optical door frame assembly.

HID

The Omega series HID luminaire incorporates state of the art construction that provides IP65 tightness for the optical chamber and the entire housing. All electrical connections are made using quick connect devices for easy and safe installation and maintenance. Omega is E.T.L. listed for outdoor wet locations.

BALLAST

Omega employs a combination lens, doorframe and optical pan assembly to create a one piece system that drops away upon disengaging the door retention hardware. The unitized ballast assembly is revealed with this action and is easily accessed for service and removal by loosening four stainless screws and shifting the ballast tray to disengage it from the key slots used for retention.

KEY FEATURES

- Flat lens models meet IES full-cutoff.
- IES photometric distribution types 2, 3 and 5.
- Tool-less driver access.
- Optional lenses include - clear flat glass, clear sag glass, frosted flat glass and frosted sag glass.
- Ingress protection rating of IP65 for entire luminaire and optical chamber.
- Construction includes aluminum spinning for the bell housing and aluminum castings for the door frame components.
- Photo control options include twist lock and button type electronic devices.
- Mounting options include side or top arm configurations.
- Stainless steel hardware is used on all external fastening applications. Plunger type twist and lock latches secure the optical door frame assembly.

KEY FEATURES

EZ HANG



The EZ Hang device allows the installer a quick and easy way to hang, wire and secure a pendant mounted luminaire. The EZ Hang hardware will assure that the installer can make adjustments for level and plumb making each project and luminaire assembly identical in appearance.



Feed power supply wires through the EZ Hang and ball aligner and into the luminaire.



Lift luminaire, with ball aligner attached, and insert ball aligner into the EZ Hang housing. The castings mate together forming a secure position for the ball to rotate.



After the ball aligner has been seated into the housing casting install the cast security cover preventing the ball aligner from being removed from the housing.



Secure cover with stainless steel screws.



Align fixture to level by placing a bubble level across the bottom of the luminaire. Plumb adjustments are automatic by letting the fixture hang straight down via the EZ Hang apparatus. Once in position the stainless fixation screw is secured in place. The luminaire will not move in any direction once the fixation screw is torqued down.

HANDY REFERENCE TABLE FOR IP RATINGS

First characteristic numeral			Second characteristic numeral		
Protection against solid foreign objects		Degree of protection for people against access to hazardous parts with:	Protection against harmful ingress of water		Degree of protection for people against access to hazardous parts with:
IP	Example	Tests	IP	Example	Tests
0	No Protection		0	No Protection	
1	Full penetration of 50mm diameter of sphere not allowed. Contact with hazardous parts not permitted.	Back of hand	1	Protected against vertically falling drops of water.	Vertically dripping
2	Full penetration of 12.5mm diameter of sphere not allowed. The jointed test finger shall have adequate clearance from hazardous parts.	Finger	2	Protected against vertically falling drops of water with enclosure tilted 15 degrees from the vertical.	Dripping up to 15 degrees from the vertical
3	The access probe of 2.5mm diameter shall not penetrate.	Tool	3	Protected against sprays to 60 degrees from the vertical.	Limited spraying
4	The access probe of 1mm diameter shall not penetrate.	Wire	4	Protected against water splashed from all directions - limited ingress permitted.	Splashing from all directions
5	Limited ingress of dust permitted (no harmful deposit).	Dust protected (Wire)	5	Protected against low pressure jets of water from all directions - limited ingress permitted.	Hosing jets from all directions
6	No ingress of dust.	Dust tight (Wire)	6	Protected against strong jets of water eg for use on ship decks - limited ingress permitted.	Strong hosing jets from all directions
IP Rating specifies the protection against solid and / or liquid of an electrical system. IP65 means that the device is totally protected against dust and protected against low pressure jets of water from all directions.			7	Protected against the effects of immersion between 150mm and 1m.	Temporary immersion
			8	Protected against continuous submersions at a specified depth.	Continuous immersion

PHOTOCELLS

Omega is available with optional photo control devices that include a twist-lock (R1) mounted to luminaire top casting, arm casting or pole tops or button type (PEC) for luminaire mounting.

Twist-Lock (R1)



Button (PEC)



SOFT VUE™ LENS STORY

LUMINANCE ADVANTAGE	LENSES		
	FG*	SV1	SV2
FRONT (70 Deg. Horiz)			
- Luminance (CD/M²)	299,900	145,800	71,690
- Brightness decrease (from Flat Glass)	0%	51.4%	76.1%
SIDE (120 Deg. Horiz)			
- Luminance (CD/M²)	94,900	50,720	46,640
- Brightness decrease (from Flat Glass)	0%	46.6%	50.9%
BACK (180 Deg. Horiz)			
- Luminance (CD/M²)	33,540	26,240	22,940
- Brightness decrease (from Flat Glass)	0%	21.8%	31.6%
Note: Lumen depreciation from Flat Glass	0%	16.6%	20.9%

*Flat Glass

SV1 DIFFUSE ACRYLIC LENS

The SV1 provides moderate reduction up to 52% in surface brightness, with only minimal reduction in lumen output.

SV2 FLAT DIFFUSE ACRYLIC LENS

The SV2 provides maximum reduction in surface brightness up to 76%, with only minimal reduction in lumen output.



OMEGA® SOFT VUE™

Two lens options SV1 and SV2

Mitigates glare associated with flat clear lenses and LED optical platforms. Provides a high degree of visual comfort in flat lens optics. Eliminates discomfort glare in low mounting height applications. Shields high angle glare. Diffuses light over a larger surface area. Meets DLC requirements for efficacy. UV stabilized lens materials. Maintains original IES distribution with minimal loss of intensity.



IP
Rating
Fixture
Housing



IP
Rating
Optic
Assembly



RoHS
Compliant



7 Year
Warranty
Product
Workmanship



Tool-less
Access



Made in
the
United
States



DLC
Qualified
Product
List



Intertek
Listed



STERNBERG LED ADVANTAGE

COMMITMENT TO INNOVATION

Adapting LED and solid state technology into lighting equipment requires commitment to the future and to innovation. In the past several years traditional lighting manufacturers have added commitment and innovation to their mission statements in order to keep pace with the industry. Sternberg Lighting has been in business since 1923 and has been innovating all along the way. Now that shows commitment! Sternberg was one of the very first legacy lighting companies to see the future and to adopt solid state lighting technologies into its traditional product line as well as its designs of new contemporary products.

RESPONSIBLE MANUFACTURING

As a manufacturing company we have responsibilities to our customers, employees and the environment. Sternberg Lighting is actively involved in translating new technologies, designs and manufacturing methods into ways we can industrialize products with these dimensions in mind. Sternberg Lighting is very serious about quality and efficiency in both manufacturing and product performance. All Sternberg products are tested to the most rigorous industry standards and are documented as such. Internal quality controls ensure that the standards we design and test to translate into the final product. In the end our customers can be assured that they are purchasing and installing lighting equipment that meets or exceeds industry test standards and Sternberg quality standards.

PERFORMANCE

Performance in solid state lighting is considered a "given" by most manufacturers and designers when LED technology is mentioned. When compared to legacy technologies like HID, incandescent or induction light sources that word is largely true. However, to build LED products that truly perform a manufacturer needs to manage heat, reliability and photometric output well.

One key to being a responsible solid state lighting manufacturer is how thermal management is handled. Sternberg Lighting takes the thermal characteristics and sensitivity of Solid State components very seriously. Sternberg Lighting's photometric and testing laboratories are state of the art and have certifications of compliance issued by NVLAP. Procedures and records are carefully monitored by NVLAP to ensure consistent results and methods. The use of thermal modeling programs and advanced thermal dynamics principles allows Sternberg Lighting to remain a leader in luminaire design while delivering the best possible performance and lifespan that LED technology can offer.

Reliability is measured in L₇₀ life using the TM21 method coupled with the proper thermal management techniques. Sternberg Lighting tests each product and family to make sure every product meets industry standards for life expectancy.

Sternberg Lighting is proud to own and operate its own photometric laboratory that runs virtually 24 hours a day to stay up with the demands of the market and the many changes occurring with LED chip technology. Lumen output, CCT or Correlated Color Temperature and photometric distribution are tested and reported for each LED luminaire. DLC certification is an industry standard that Sternberg Lighting also holds in high regard. We test and certify all our products with DLC so that our customers can take advantage of Utility rebates and the peace of mind that go with knowing they are buying a product that performs at the highest level.

MADE IN AMERICA

Sternberg Lighting is proud to be an American company based in Roselle, Illinois. We are one hundred percent employee owned and a registered ESOP company. "Made in America" means a great deal to Sternberg Lighting employees. We have been in business continuously since 1923. Nearly twenty percent of Sternberg Lighting employees have been working in our business for over 20 years. They bring quality and consistency to our customers every day.

LED PERFORMANCE

1521 OMEGA LED DELIVERED LUMENS CHART

LM-79 test results with flat glass lens

LIGHT SOURCE	T2	T3	T3R	T4	T5	WATTS
6ARC62	8295	7800	8235	8430	7980	96
6ARC45	7755	7295	7700	7880	7465	96
6ARC35	7280	6845	7225	7400	7005	96
4ARC62	5465	5240	5305	5725	5405	66
4ARC45	5115	4900	4960	5355	5055	66
4ARC35	4800	4600	4655	5025	4745	66
3ARC62	4205	4015	4095	4195	4100	53
3ARC45	3930	3755	3830	3925	3830	53
3ARC35	3690	3525	3595	3685	3595	53
2ARC62	2870	2715	2825	2965	2810	34
2ARC45	2685	2540	2645	2775	2625	34
2ARC35	2520	2385	2480	2605	2465	34

1527/1531 OMEGA LED DELIVERED LUMENS CHART

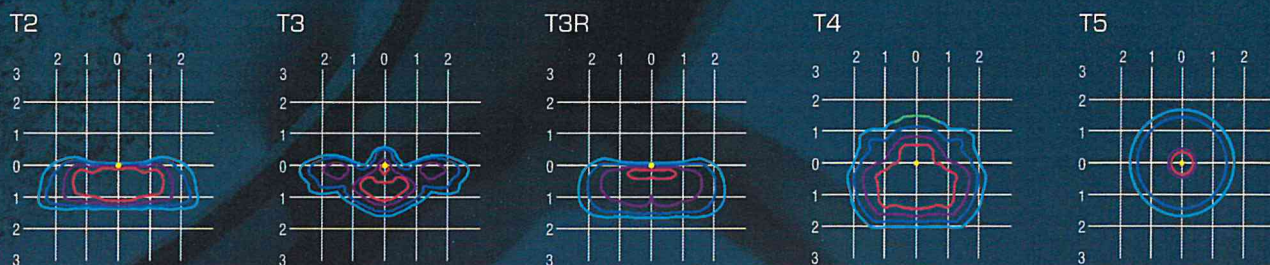
LM-79 test results with flat glass lens

LIGHT SOURCE	T2	T3	T3R	T4	T5	WATTS
10ARC62*	19595	18925	19250	18785	19230	244
10ARC45*	18325	17695	18005	17570	17985	244
10ARC35*	17195	16610	16895	16490	16880	244
10ARC62	14180	13785	13770	13870	14200	160
10ARC45	13260	12890	12880	12975	13280	160
10ARC35	12445	12100	12085	12175	12460	160
8ARC62	11270	10945	11175	11235	11320	126
8ARC45	10540	10235	10450	10505	10585	126
8ARC35	9890	9605	9805	9860	9935	126
6ARC62	8460	8180	8330	8415	8545	96
6ARC45	7910	7650	7790	7870	7990	96
6ARC35	7425	7180	7310	7385	7500	96
4ARC62	5975	5765	5900	6080	6005	66
4ARC45	5590	5390	5520	5690	5615	66
4ARC35	5245	5060	5180	5340	5270	66

*MDL05 and MDH05 available with 1531LED-10ARC only.

ISO FOOTCANDLE PLOT

ISO plots demonstrate light patterns only. Not for total fixture output. See website for complete specifications and IES files.



TOP FIXTURE

Model: Omega 1527FLED/FG 145W
Finish: UBK (Urban Black Matte)
Arm: CAS10

BOTTOM FIXTURE

Model: Old Town A850SRLED 80W
Finish: UBK (Urban Black Matte)
Arm: 480

POLE

Hamilton 6428AT10

LOCATION

Silvis, IL



1521LED/1527LED/1531LED ORDERING INFORMATION

POST & ARM FIXTURES EXAMPLE

No. of Arms	Arm Mounted Fixture	Post	Post Cap	Light Source			Driver	Options	Finish
	Fixture / Lens / Postarm								
2	1527RLED/FFG/OD	9114P5		10ARC	45	T5	MDL03		UBKT
B	A, A1, B	(See Post Spec Sheet)		C1	C2	C3	D	E, F	G

A. Fixture

A1. Lens

FG Clear Flat Glass

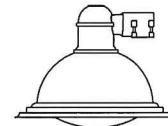
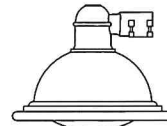
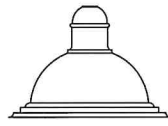
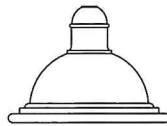
SG Clear Sag Glass

FSG Frosted Sag Glass

SV1 Flat Diffuse Acrylic

SV2 Flat Diffuse Acrylic

PRODUCT	EPA	WEIGHT
1521LED	.72 (ft²)	27 LBS
1527LED	.93 (ft²)	38 LBS
1531LED	1.16 (ft²)	50 LBS



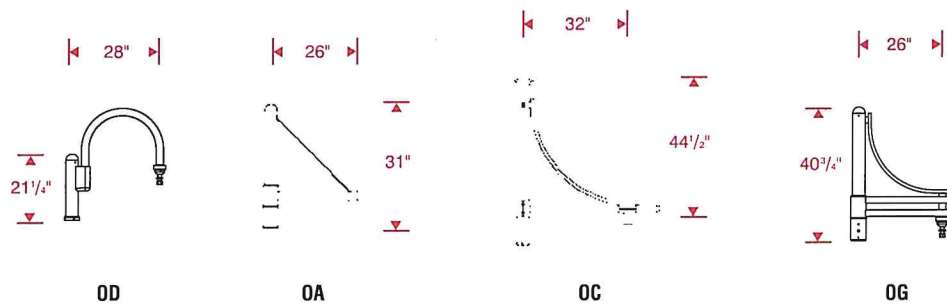
1521RLED 21"W x 17 1/8"H	1521FLED 21"W x 17"H	1521RLED SM* 21"W x 19 1/8"H	1521FLED SM* 21"W x 19"H
1527RLED 27"W x 19 1/8"H	1527FLED 27"W x 19"H	1527RLED SM* 27"W x 21 1/8"H	1527FLED SM* 27"W x 21"H
1531RLED 31"W x 21 1/2"H	1531FLED 31"W x 21 1/2"H	1531RLED SM* 31"W x 23 1/2"H	1531FLED SM* 31"W x 23 1/2"H

*Shown with optional sag glass lens.

B. Mounting Styles

ARMS - POST MOUNT (PM) WALL BRACKET (WB)

More arms available, see spec sheet.



C. Light Sources

Check our website periodically for the most current technical information

1521LED

C1. LED	C2. COLOR	C3. TYPE
6ARC	62(00)	T5
4ARC	45(00)	T4
3ARC	35(00)	T3
2ARC		T3R
		T2

1527LED / 1531LED

Option 525 mA version for 1531LED

C1. LED	C2. COLOR	C3. TYPE
10ARC	62(00)	T5
8ARC	45(00)	T4
6ARC	35(00)	T3
4ARC		T3R
		T2

D Drivers (0-10V dimming)

MDL03: 350mA, 120-277V
MDL05: 525mA, 120-277V
MDH03: 350mA, 347-480V
MDH05: 525mA, 347-480V

E. Options

- PEC Photocell-Electronic 120 - 277 Volt¹
- R Optional Twist Lock receptacle only^{1,2}
- R1 Optional Twist Lock receptacle with photocell^{1,2}
- EZ EZ Hang

F. Optional Fusing

- FHD Dual Fuse and Holder — all voltages

G. Finish

UBKT Urban Black Textured	UBK Urban Black Matte
UBT Urban Bronze Textured	UB Urban Bronze Matte
ULBT Urban Light Bronze Textured	ULB Urban Light Bronze Matte
USLT Urban Silver Textured	USL Urban Silver Matte
UWHT Urban White Textured	UWH Urban White Matte
UCHS Urban Champagne Satin Smooth	

NOTES: ¹ voids IP65 rating. ² Available with SM, HS-HB, and HS-CB versions only. See website for complete specifications and IES files.

TOP FIXTURE

Model: Omega 1527R/FG 150W

Finish: UBK (Urban Black Matte)

Arm: CAS6-HS-LS

BOTTOM FIXTURE

Model: Omega 1521R/FG 70W

Finish: UBK (Urban Black Matte)

Arm: 480PM

POLE

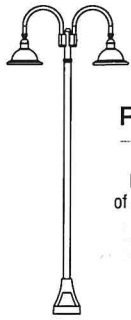
Oxford 6920ATFP/BCC

LOCATION

Belleville, IL

LIGHT SOURCES

TYPE	WATTAGE
1521 HID	
High Pressure Sodium	35, 50, 70, 100 or 150
Metal Halide	50, 70, 100 or 150w
1527 HID	
High Pressure Sodium	35, 50, 70, 100, 150 or 250w
Metal Halide	50, 70, 100, 150, 200 or 250w
1531 HID	
High Pressure Sodium	35, 50, 70, 100, 150, 250 or 400w
Metal Halide	50, 70, 100, 150, 200, 250, 320, 350 or 400w



1521/1527/1531 ORDERING INFORMATION

POST & ARM FIXTURES EXAMPLE

No. of Arms	Arm Mounted Fixture Fixture / Lens / Postarm	Center Post Top Fixture (PT)	Post	Post Cap	Light Source Ballast Watts/Type/Volts	Optics	Options	Finish
2	1527R/FG/OD		9114P5		100MHP120	R03	MHP100/MED	UBKT
B	A, A1, B	(See Post Spec Sheet)			C	D	C	G

A. Fixture

A1. Lens

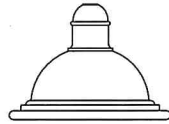
FG Clear Flat Glass

SG Clear Sag Glass

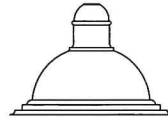
FFG Frosted Flat Glass

FSG Frosted Sag Glass

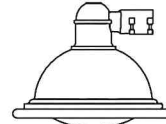
PRODUCT	EPA	WEIGHT
1521HID	.72 (ft ²)	20 LBS
1527HID	.93 (ft ²)	25 LBS
1531HID	1.16 (ft ²)	30 LBS



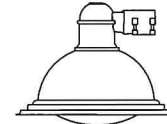
1521R 21"W x 17 1/8"H
1527R 27"W x 19 1/8"H
1531R 31"W x 21 1/2"H



1521F 21"W x 17"H
1527F 27"W x 19"H
1531F 31"W x 21 1/2"H



1521RSM* 21"W x 19 1/8"H
1527RSM* 27"W x 21 1/8"H
1531RSM* 31"W x 23 1/2"H



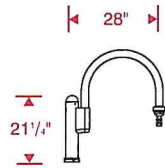
1521FSM* 21"W x 19"H
1527FSM* 27"W x 21"H
1531FSM* 31"W x 23 1/2"H

*Shown with optional sag glass lens.

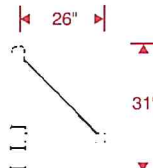
B. Mounting Styles

ARMS - POST MOUNT (PM) WALL BRACKET (WB)

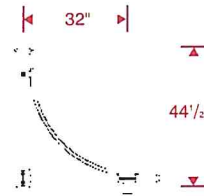
More arms available, see spec sheet.



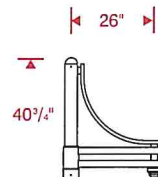
OD



OA



OC



OG

C. Light Sources

HPS High Pressure Sodium

MHP Metal Halide Pulse Start

COS Cosmopolis*

MCE Master Color Elite*

* Or equivalent

BALLASTS ^{2,4}	• 35HPS ¹ • 50HPS • 70HPS • 100HPS	• 150HPS • 250HPS ⁴ • 400HPS ⁵ • 50MHP	• 70MHP • 100MHP • 150MHP • 200MHP ⁴	• 250MHP ⁴ • 320MHP ⁵ • 350MHP ⁵ • 400MHP ⁵	• 45COS • 60COS • 90COS • 140COS	• 210MCE ⁴ • 315MCE ⁵
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LAMPS ³	• HPS35/MED • HPS50/MED • HPS70/MED • HPS100/MED • HPS150/MED • HPS250/MOG ⁴	• HPS400/MOG ⁵ • MHP50/MED • MHP70/MED • MHP100/MED • MHP150/MED • MHP200/MOG/T15 ⁴	• MHP250/MOG/ED28 ⁴ • MHP320/MOG/ED28 ⁵ • MHP350/MOG/ED28 ⁵ • MHP400/MOG/ED28 ⁵ • COS60 • COS90	• COS140 • MCE210 ⁴ • MCE315 ⁴
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D. Optics



RO Roof Optics Horizontal Type 2, 3, or 5

E. Options

- PEC Photocell-Electronic 120 - 277 Volt⁷
- R Optional Twist Lock receptacle only^{6,7}
- R1 Optional Twist Lock receptacle with photocell^{6,7}
- EZ EZ Hang

F. Optional Fusing

- FHD Dual Fuse and Holder - 120, 208, 240, 277, 480 Volt

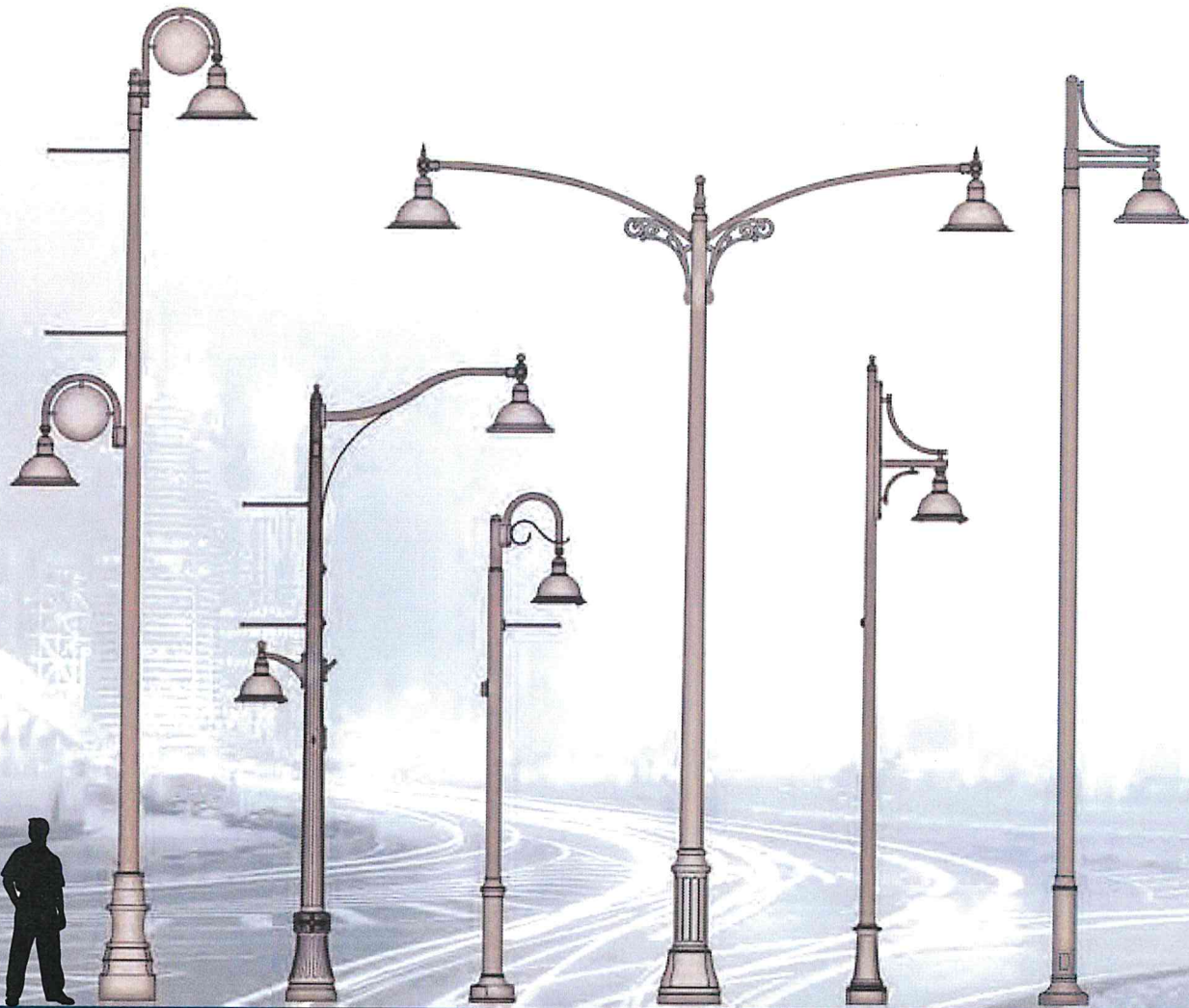
G. Finish

UBKT Urban Black Textured	UBK Urban Black Matte
UBT Urban Bronze Textured	UB Urban Bronze Matte
ULBT Urban Light Bronze Textured	ULB Urban Light Bronze Matte
USLT Urban Silver Textured	USL Urban Silver Matte
UWHT Urban White Textured	UWH Urban White Matte
UCHS Urban Champagne Satin Smooth	

NOTES: ¹ 35HPS is 120 volt only. ² Medium base sockets standard with ballasts up to 150 watts HID. Mogul base sockets are standard with ballasts 200 watts and over. 4-pin for PLS.

³ Metal Halide systems are pulse start. ⁴ 1527 and 1531 only. ⁵ 1531 only. ⁶ Available with SM, HS-HB, and HS-CB versions only. ⁷ Voids IP65 rating.

See website for complete specifications and IES files.



TOP LUMINAIRE:
1531F/FG

ARM:
OFPT

BOTTOM LUMINAIRE:
1527F/FG

ARM:
ODPM

POLE:
Stratford 2200

OPTIONS:
20" dia. logo with vinyl
graphic

Banner arm

TOP LUMINAIRE:
1527R/FG

ARM:
CAS

BOTTOM LUMINAIRE:
1521R/FG

ARM:
480 HPM

POLE:
Oxford 6900

OPTIONS:
Flag holder
Planter arms
Wreath hooks
Duplex GFI
receptacle

LUMINAIRE:
1521F/FG

ARM:
ONSPT

POLE:
Louisville 5600

OPTIONS:
Banner arm
Duplex GFI
receptacle

LUMINAIRE:
1527F/FG

ARM:
DAG

POLE:
Birmingham 9700

LUMINAIRE:
1521R/FG

ARM:
OHPM

POLE:
Monrovia 8400

OPTIONS:
Single
convenience
outlet
Ground fault
breaker in base

LUMINAIRE:
1527RLED/FG

ARM:
DG

POLE:
Gateway 3300

PAINT COLORS



Written Coatings Specification

Stage I: All products to be coated shall receive a 96 second Alkaline cleaner application followed by a 48 second fresh water rinse at ambient temperature.

Stage II: Shall be a 60 second Phosphoric Acid 4% solution treatment with a Fluoride accelerator followed by a 48 second reverse osmosis water rinse at ambient temperature. The rinse will be followed by a high pressure air spray to remove all moisture from the product.

Stage III: Shall be a 48 second Non-Chrome Polymer sealer application.

Stage IV: Shall start with 16 minutes in a drying oven at 400 degrees.

Stage V: Shall be an electrostatic application of polyester powder in a downdraft spray booth and applied by articulated robotic arm sprayer and over sprayed by an application technician. Polyester powder over spray shall be recoverable and reusable.

Stage VI: Shall be 25 minutes oven curing at 450 degrees to harden the powder finish and create final appearance and adhesion to the substrate. Curing shall be followed by 9.5 minutes in a cooling tunnel to prepare for unranking.

Pre-Treatment and curing processes shall be followed by quality checks for adhesion using a cross-hatch test and for proper curing by means of a solvent rub test.

Coatings process shall meet or exceed AAMA-2604-05 standard.



Illuminating
ENGINEERING SOCIETY

Sustaining Member

HID – 5 YEAR LIMITED WARRANTY | LED – 7 YEAR LIMITED WARRANTY

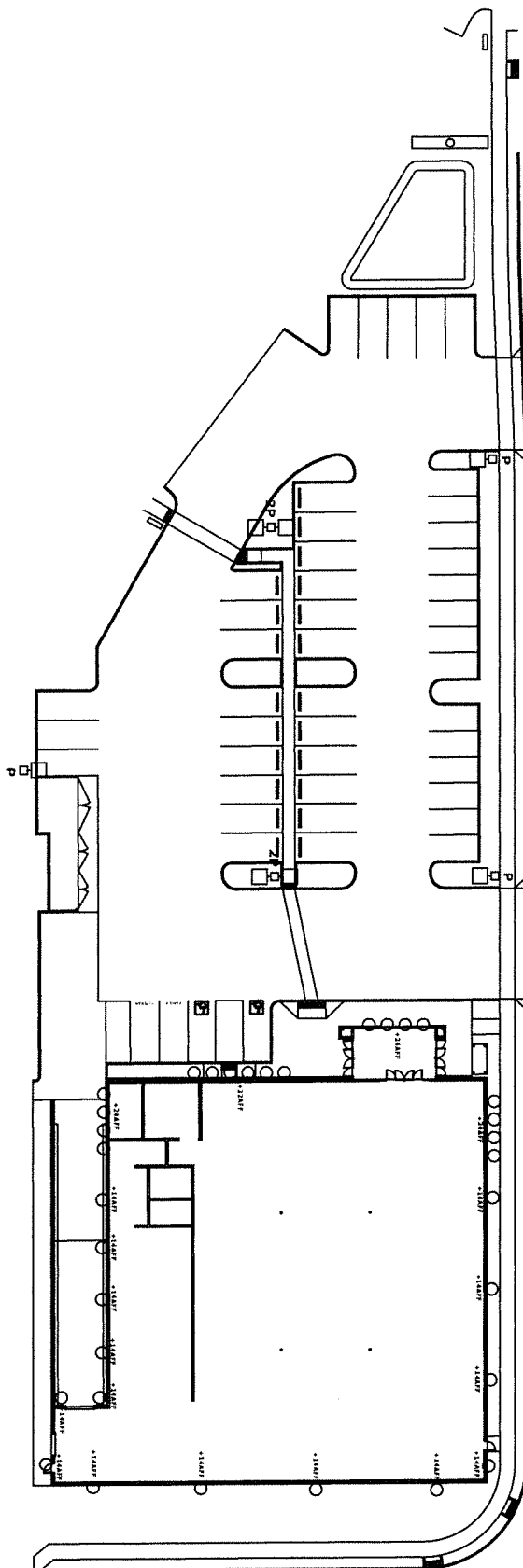
CONTACT US FOR OUR FULL LINE PRODUCT CATALOG



SternbergLighting

ESTABLISHED 1923 / EMPLOYEE OWNED

555 Lawrence Ave., Roselle, IL 60172 | P 800-621-3376 | F 847-588-3440
E info@sternberglighting.com | www.sternberglighting.com



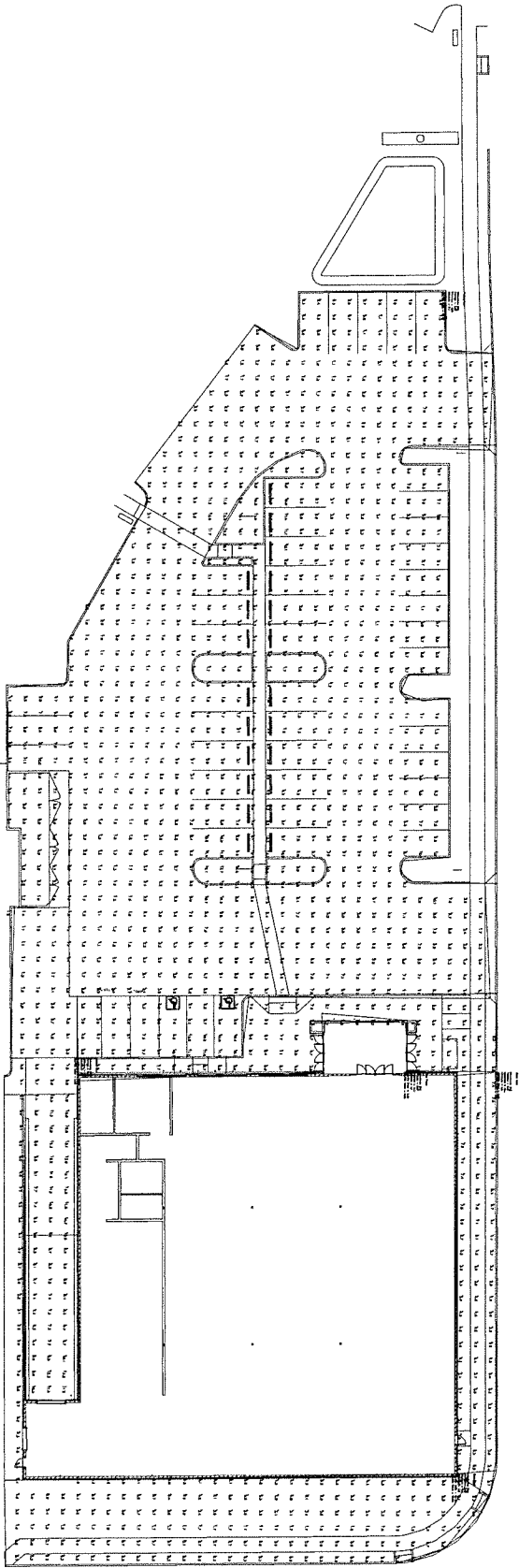
1 **OUTDOOR LIGHTING PLAN**
Scale: _____

Scale: 0 50' 100'



PRELIMINARY
NOT FOR CONSTRUCTION

[illegible]

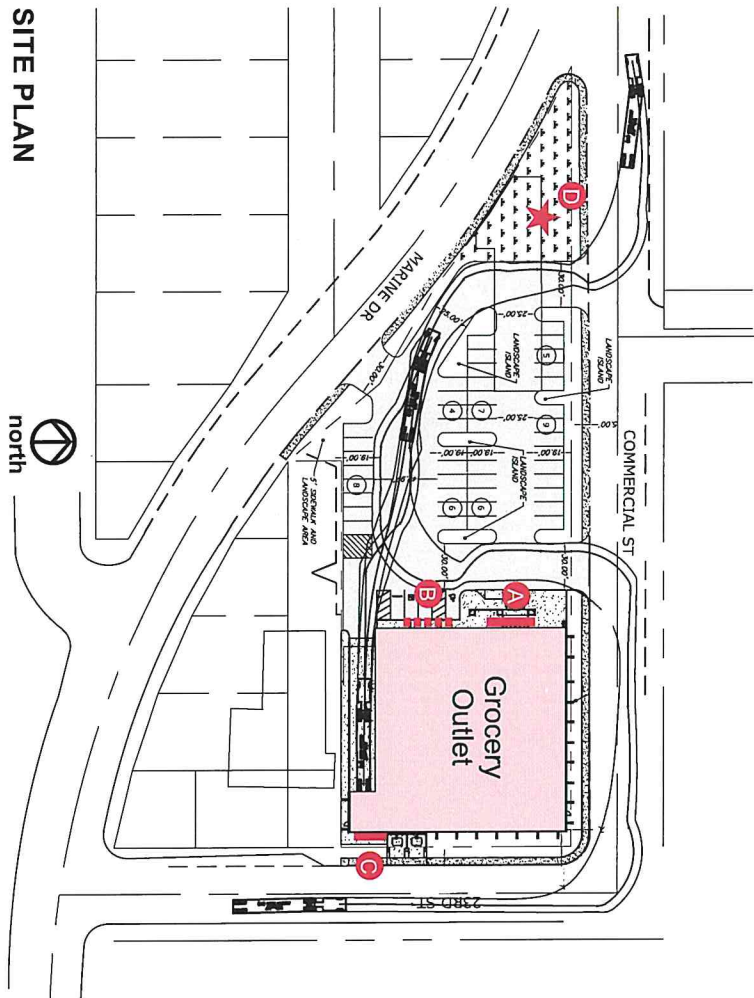


1 **PHOTOMETRIC PLAN**
Scale: N/A

PRELIMINARY
NOT FOR CONSTRUCTION

Photometric Statistics

Packaging Lot					
Illuminance (Fc)					
Average=4.05	Maximum=12.8	Minimum=0.3	Avg./Min=13.50	Max./Min=42.67	
Loading Bay					
Illuminance (Fc)					
Average=9.03	Maximum=13.1	Minimum=4.3	Avg./Min=2.10	Max./Min=3.05	
Store Front					
Illuminance (Fc)					
Average=6.67	Maximum=11.6	Minimum=1.7	Avg./Min=3.92	Max./Min=6.82	
Store Rear					
Illuminance (Fc)					
Average=2.69	Maximum=6.7	Minimum=0.2	Avg./Min=13.45	Max./Min=33.50	
Store Side					
Illuminance (Fc)					
Average=5.41	Maximum=10.4	Minimum=2.2	Avg./Min=2.46	Max./Min=4.73	

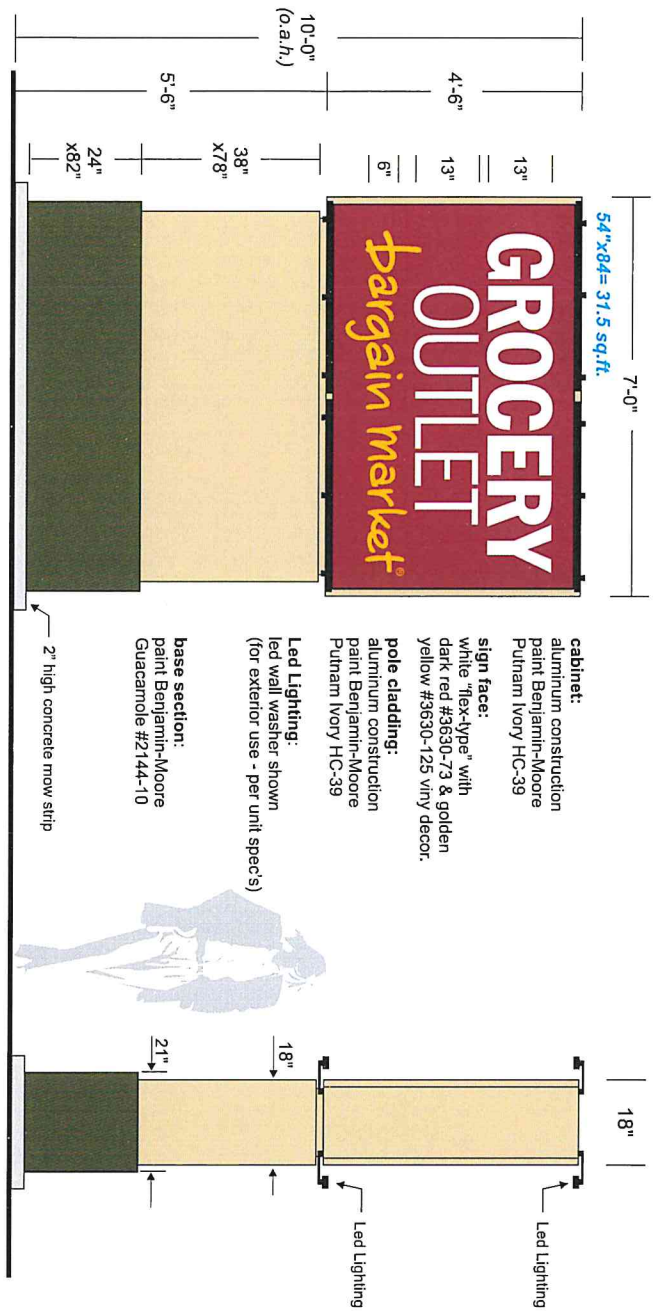


SITE PLAN



1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
 2) The location of the disconnect switch after installation shall comply with the Section 600.6 (A)(1) of the National Electrical Code.

USS UNITED SIGN SYSTEMS 5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326 C.S.C.L. # 718965	JOB #: 00000 CLIENT: GROCERY OUTLET CONTACT: DATE: 7-2-18 PROJECT LOCATION: ASTORIA, OR	SALESPERSON: SEAN CAMPBELL DRAWN BY: BAM PAGE 5 OF 5	REVISIONS: 2-1-18 BAM 4-8-18 BAM 6-8-18 BAM FILE NAME: GROCERY OUTLET ASTORIA	SCALE: NOTED FILE NAME: GROCERY OUTLET ASTORIA	ELECT. 120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/> one box above MUST be checked prior to any mfg.	SPECIFICATIONS See Drawing for Specifications
	DESIGN MANUFACTURING INSTALLATION MAINTENANCE	JOB INFO	FILE	ELECT.	SPECIFICATIONS	



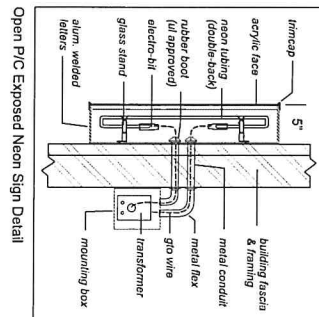
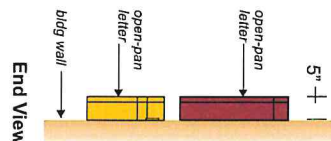
Sign D:
D/F Led Illuminated Monument Sign
Scale 1/2"=1'-0"

1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
2) The location of the disconnect switch after installation shall comply with the Section 600.5 (A)(1) of the National Electrical Code.

USS UNITED SIGN SYSTEMS CSCL # 718965	5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326	JOB #: 00000 CLIENT: GROCERY OUTLET DATE: 7-2-18 PROJECT LOCATION: ASTORIA, OR	SALESPERSON: SEAN CAMPBELL DRAWN BY: BAM PAGE 4 OF 5	FILE REVISIONS: 2-1-19 BAM 4-9-19 BAM 4-25-19 BAM 6-8-19 BAM 8-23-19 BAM SCALE: NOTED FILE NAME: GROCERY OUTLET ASTORIA	ELECT. 120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/> one box above MUST be checked prior to any mfg.	See Drawing for Specifications The Sign is made of 120 volt LED and is intended for use in the exterior of a building. It is not to be used in the interior of a building. The sign is made of 120 volt LED and is intended for use in the exterior of a building. It is not to be used in the interior of a building.
	DESIGN MANUFACTURING INSTALLATION MAINTENANCE					
	JOB INFO					
	SPECIFICATIONS					

signs "A" & "B" tot.: 118.3 sq.ft.

51"x203"= 71.8 sq.ft.

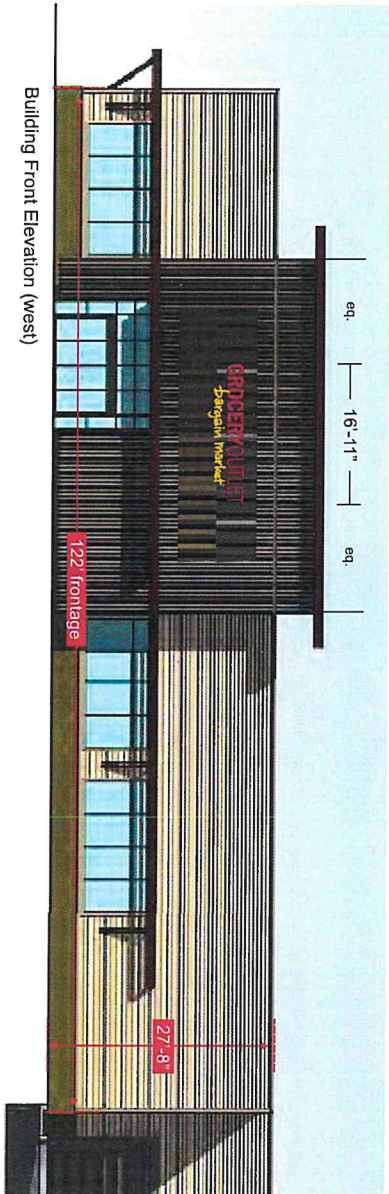


Sign A:

Open Pan Exposed Neon Illuminated Sign

Scale 1/2"=1'-0"

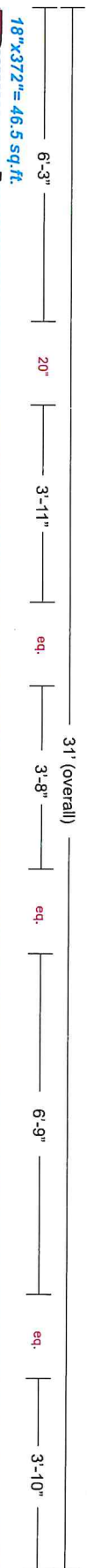
5" deep aluminum welded fabricated open-pan letters paint dark red #3630-73 & golden yellow #3630-125 (interior & exterior), clear acrylic faces with 3/4" truncap - match color of letter. 10 mm exposed double-tube ruby red & sunflower yellow neon illumination. flush mount to building fascia.



Building Front Elevation (west)

- 1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
- 2) This includes proper grounding and bonding of the sign.
- 3) The location of the disconnect switch after installation shall comply with the Article 600.6 (A)(1) of the National Electrical Code.

USS UNITED		JOB INFO	
SIGN SYSTEMS		SALESPERSON: SEAN CAMPBELL	
5201 Pentecost Drive		DRAWN BY: BAM	
Modesto, Calif. 95356		PAGE 1 OF 5	
1-800-481-SIGN		DATE: 7-2-18	
FAX (209) 543-1326		PROJECT LOCATION:	
CSCL # 718965		ASTORIA, OR	
DESIGN MANUFACTURING INSTALLATION MAINTENANCE		CLIENT APPROVAL: DATE	
		LANDING APPROVAL: DATE	
		REVISIONS: SCALE: NOTED:	
		2-1-19 bam	
		4-9-19 bam	
		4-26-19 bam	
		5-13-19 bam	
		6-8-19 bam	
		FILE NAME:	
		GROCERY OUTLET	
		astoria	
		120 Volt <input type="checkbox"/>	
		277 Volt <input type="checkbox"/>	
		Other <input type="checkbox"/>	
		one box above	
		MUST be checked	
		prior to any rig	
		See Drawing for Specifications	
		SPECIFICATIONS	



18"x372"= 46.5 sq.ft.

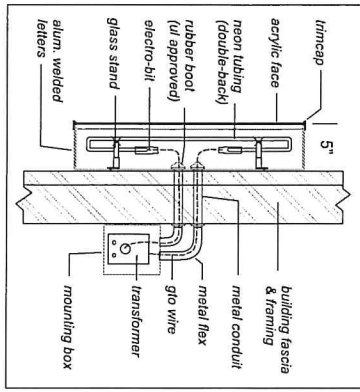
Produce Dairy Meat Organics Wine

Sign B:
Open Pan Exposed Neon Illuminated Sign
 Scale 1/2"=1'-0"

5" deep aluminum welded fabricated open-pan letters paint dark red #3630-73 (interior & exterior), clear acrylic faces with 3/4" trimcap - match color of letter. 10 mm exposed single-tube ruby red neon illumination. flush mount to building fascia.



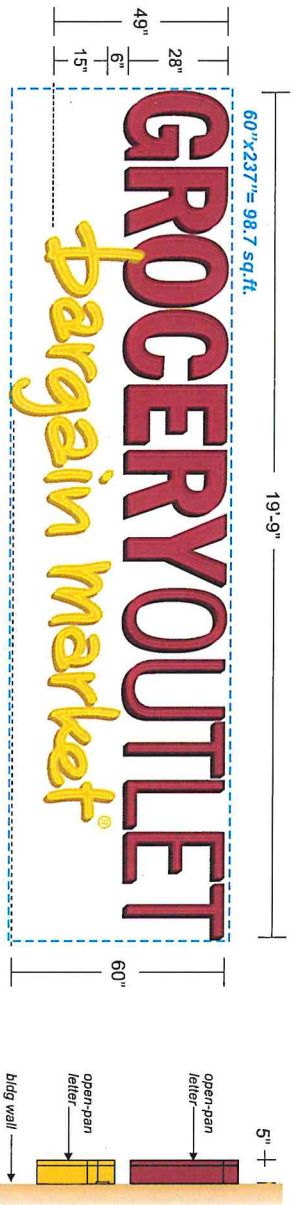
Building Front Elevation (west)



Open P/C Exposed Neon Sign Detail

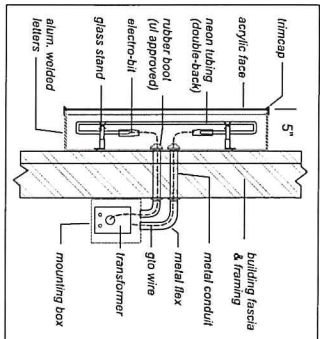
1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
 2) The location of the disconnect switch after installation shall comply with the Article 600.6 (A)(1) of the National Electrical Code

USS UNITED SIGN SYSTEMS C.C.L. # 718965	5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326	JOB #: 00000 CLIENT: GROCERY OUTLET CONTRACT: DATE: 7-2-18 PROJECT LOCATION:	SALESPERSON: SEAN CAMPBELL DRAWN BY: BAM PAGE 2 OF 5 CLIENT APPROVAL: _____ DATE: _____ LANDLORD APPROVAL: _____ DATE: _____	REVISIONS: 6-8-19 BAM SCALE: NOTED FILE NAME: GROCERY OUTLET ASTORIA	ELECTRICAL: 120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/> one box above MUST be checked prior to dry ring	See Drawing for Specifications SPECIFICATIONS
	DESIGN MANUFACTURING INSTALLATION MAINTENANCE					



Sign C:
Open Pan Exposed Neon Illuminated Sign
Scale 3/8"=1'-0"

5" deep aluminum welded fabricated open-pan letters paint dark red #3630-73 & golden yellow #3630-125 (interior & exterior). clear acrylic faces with 3/4" trimcap - match color of letter. 10 mm exposed double-tube ruby red & sunflower yellow neon illumination. flush mount to building fascia.



Open P/C Exposed Neon Sign Detail

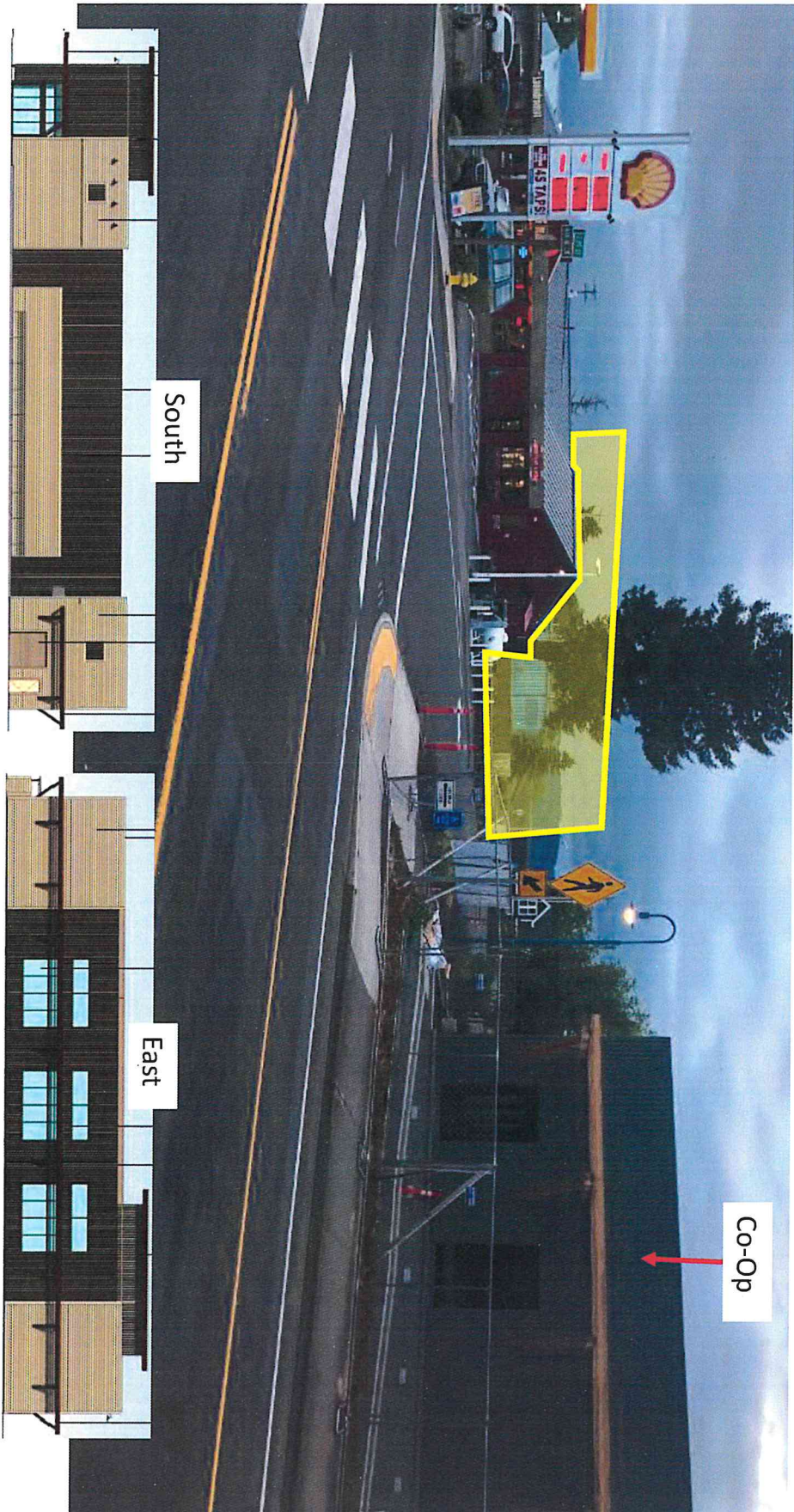
Building Front Elevation (east)



1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
2) The location of the disconnected switch after installation shall comply with the Official 600.6 (A)(1) of the National Electrical Code

USS UNITED SIGN SYSTEMS C.S.C.L. # 718965	5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326	JOB #: 00000 CLIENT: GROCERY OUTLET CONTACT: DATE: 7-2-18 PROJECT LOCATION: ASTORIA, OR	SALESPERSON: SEAN CAMPBELL DRAWN BY: BAM PAGE 3 OF 5 CLIENT APPROVAL: _____ DATE: _____ LANDLORD APPROVAL: _____ DATE: _____	FILE REVISIONS: 2-1-19 bam 4-26-19 bam 5-13-19 bam 6-8-19 bam SCALE: NOTED FILE NAME: GROCERY OUTLET astoria	ELECT. 120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/> Note how above MUST be checked prior to any mfg.	SPECIFICATIONS See Drawing for Specifications
	<p>The Sign System is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. The location of the disconnected switch after installation shall comply with the Official 600.6 (A)(1) of the National Electrical Code.</p>					

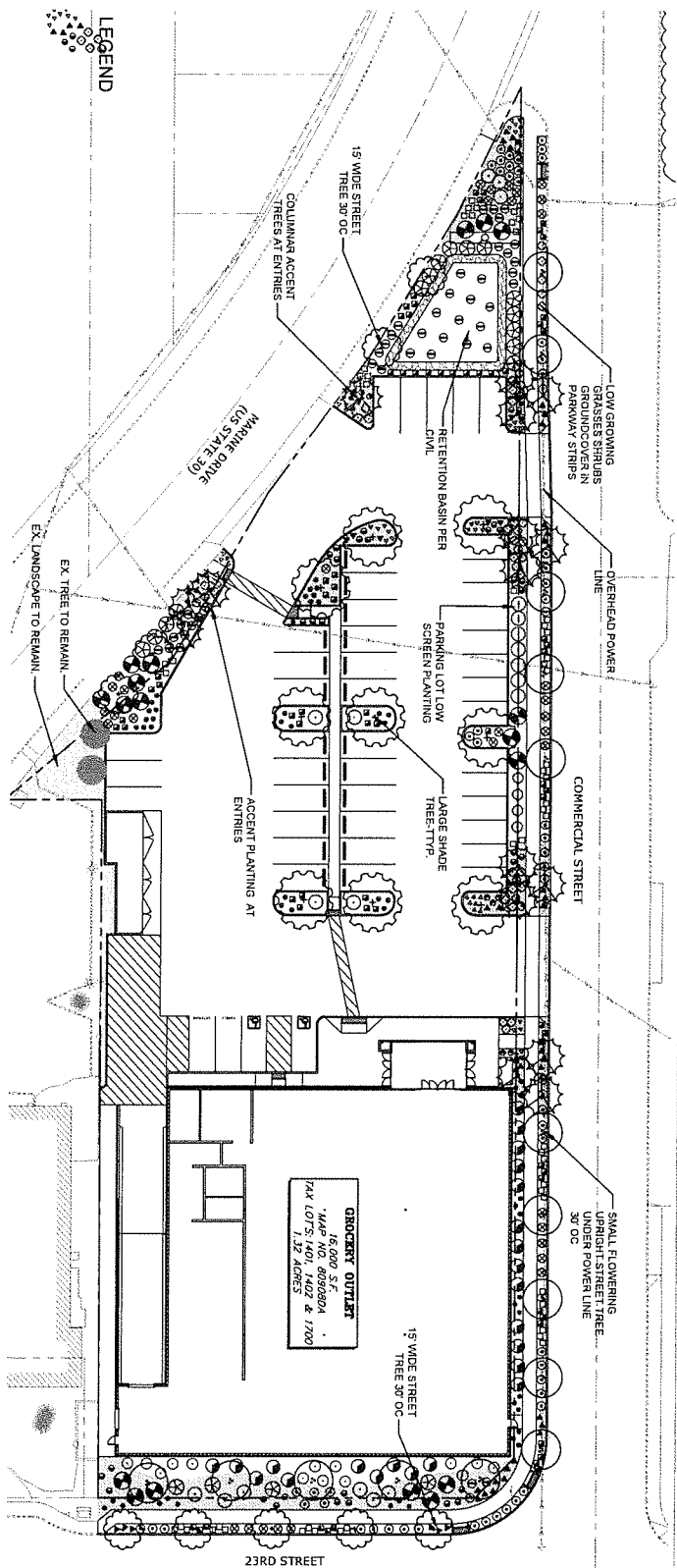
Looking N at Site From 23rd & Marine



Notice Mass of
Hardware Store

Looking East 21st & Marine





LANDSCAPE REQUIREMENTS

RECEIVED 3RD ARMY LABORATORY, 1440 5TH STREET, FORT MONMOUTH, NJ 08050
TOTAL PUNCHES 144,451.52
PUNCHES SERVICES PROVIDED = 47
LABORATORY DIVISION PER FORTY (8) 5' X 6' POKER ENDS
LABORATORY DIVISION GREATER THAN OR EQUAL TO 5' X 6' POKER ENDS
PUNCHES AND TIES PROVIDED, 15
PROVIDED PUNCHES AND TIES LABORATORY (80) = 2,211.52
STREET PUNCHES AND TIES WASTING FOR 140 (1) PROVIDED
STREET PUNCHES 2,000 ST 100 (1) PROVIDED
STREET PUNCHES CONCRETE, ST 100 (1) PROVIDED

LEGEND

[illegible]

PLANT LEGEND:

KEY NO.	BOTANICAL NAME	COMMON NAME	GI/EE	UNIVERSITY USE
TRILETES				
1	ACER RUBRA TORRELLI	BORRALL RED MAPLE	15 GAL.	M
2	PAVIA NERITIVACCA	PAVONE	BALFOOD ASH	1
3	PRUNUS PRUNELLA	PLUM	15 GAL.	M
4	PRUNUS PRUNELLA	PLUM	15 GAL.	M
5	PRUNUS PRUNELLA	PLUM	15 GAL.	M
6	PRUNUS PRUNELLA	PLUM	15 GAL.	M
7	PRUNUS PRUNELLA	PLUM	15 GAL.	M
8	PRUNUS PRUNELLA	PLUM	15 GAL.	M
9	PRUNUS PRUNELLA	PLUM	15 GAL.	M
10	PRUNUS PRUNELLA	PLUM	15 GAL.	M
11	PRUNUS PRUNELLA	PLUM	15 GAL.	M
12	PRUNUS PRUNELLA	PLUM	15 GAL.	M
13	PRUNUS PRUNELLA	PLUM	15 GAL.	M
14	PRUNUS PRUNELLA	PLUM	15 GAL.	M
15	PRUNUS PRUNELLA	PLUM	15 GAL.	M
16	PRUNUS PRUNELLA	PLUM	15 GAL.	M
17	PRUNUS PRUNELLA	PLUM	15 GAL.	M
18	PRUNUS PRUNELLA	PLUM	15 GAL.	M
19	PRUNUS PRUNELLA	PLUM	15 GAL.	M
20	PRUNUS PRUNELLA	PLUM	15 GAL.	M
21	PRUNUS PRUNELLA	PLUM	15 GAL.	M
22	PRUNUS PRUNELLA	PLUM	15 GAL.	M
23	PRUNUS PRUNELLA	PLUM	15 GAL.	M
24	PRUNUS PRUNELLA	PLUM	15 GAL.	M
25	PRUNUS PRUNELLA	PLUM	15 GAL.	M
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27	PRUNUS PRUNELLA	PLUM	15 GAL.	M
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33	PRUNUS PRUNELLA	PLUM	15 GAL.	M
34	PRUNUS PRUNELLA	PLUM	15 GAL.	M
35	PRUNUS PRUNELLA	PLUM	15 GAL.	M
36	PRUNUS PRUNELLA	PLUM	15 GAL.	M
37	PRUNUS PRUNELLA	PLUM	15 GAL.	M
38	PRUNUS PRUNELLA	PLUM	15 GAL.	M
39	PRUNUS PRUNELLA	PLUM	15 GAL.	M
40	PRUNUS PRUNELLA	PLUM	15 GAL.	M
41	PRUNUS PRUNELLA	PLUM	15 GAL.	M
42	PRUNUS PRUNELLA	PLUM	15 GAL.	M
43	PRUNUS PRUNELLA	PLUM	15 GAL.	M
44	PRUNUS PRUNELLA	PLUM	15 GAL.	M
45	PRUNUS PRUNELLA	PLUM	15 GAL.	M
46	PRUNUS PRUNELLA	PLUM	15 GAL.	M
47	PRUNUS PRUNELLA	PLUM	15 GAL.	M
48	PRUNUS PRUNELLA	PLUM	15 GAL.	M
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55	PRUNUS PRUNELLA	PLUM	15 GAL.	M
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63	PRUNUS PRUNELLA	PLUM	15 GAL.	M
64	PRUNUS PRUNELLA	PLUM	15 GAL.	M
65	PRUNUS PRUNELLA	PLUM	15 GAL.	M
66	PRUNUS PRUNELLA	PLUM	15 GAL.	M
67	PRUNUS PRUNELLA	PLUM	15 GAL.	M
68	PRUNUS PRUNELLA	PLUM	15 GAL.	M
69	PRUNUS PRUNELLA	PLUM	15 GAL.	M
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74	PRUNUS PRUNELLA	PLUM	15 GAL.	M
75	PRUNUS PRUNELLA	PLUM	15 GAL.	M
76	PRUNUS PRUNELLA	PLUM	15 GAL.	M
77	PRUNUS PRUNELLA	PLUM	15 GAL.	M
78	PRUNUS PRUNELLA	PLUM	15 GAL.	M
79	PRUNUS PRUNELLA	PLUM	15 GAL.	M
80	PRUNUS PRUNELLA	PLUM	15 GAL.	M
81	PRUNUS PRUNELLA	PLUM	15 GAL.	M
82	PRUNUS PRUNELLA	PLUM	15 GAL.	M
83	PRUNUS PRUNELLA	PLUM	15 GAL.	M
84	PRUNUS PRUNELLA	PLUM	15 GAL.	M
85	PRUNUS PRUNELLA	PLUM	15 GAL.	M
86	PRUNUS PRUNELLA	PLUM	15 GAL.	M
87	PRUNUS PRUNELLA	PLUM	15 GAL.	M
88	PRUNUS PRUNELLA	PLUM	15 GAL.	M
89	PRUNUS PRUNELLA	PLUM	15 GAL.	M
90	PRUNUS PRUNELLA	PLUM	15 GAL.	M
91	PRUNUS PRUNELLA	PLUM	15 GAL.	M
92	PRUNUS PRUNELLA	PLUM	15 GAL.	M
93	PRUNUS PRUNELLA	PLUM	15 GAL.	M
94	PRUNUS PRUNELLA	PLUM	15 GAL.	M
95	PRUNUS PRUNELLA	PLUM	15 GAL.	M
96	PRUNUS PRUNELLA	PLUM	15 GAL.	M
97	PRUNUS PRUNELLA	PLUM	15 GAL.	M
98	PRUNUS PRUNELLA	PLUM	15 GAL.	M
99	PRUNUS PRUNELLA	PLUM	15 GAL.	M
100	PRUNUS PRUNELLA	PLUM	15 GAL.	M

GreenDesign
Landscape Architects, Inc.
1464 Popinjay Drive
Reno, NV.
p: 775 829 1364
email: bhatch00@charter.net

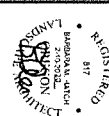
Grocery Outlet
Astoria, Oregon

MAIN & MAIN
6600 Paige Road, Suite 224, The Colony, TX 75056



730 Sandhill Rd., #150, Reno, Nevada 89521
www.technicaldesigngroup.com

tel 775-024-9988
fax 775-024-9986

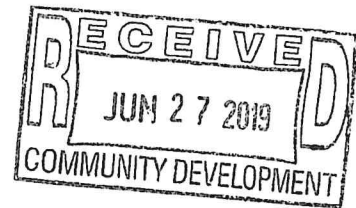


DESIGNED:	DATE:
CHECKED/STAMPED:	BY:
BARBARA M. HATCH RLM ASL	



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT



DR 19-03

☒ Fee Paid Date 7/1/19 By NA TT
Fee: \$750.00

DESIGN REVIEW >25,000 Project Value

Using → 2190 2190 Marine Drive, Astoria, OR 97103
Property Address: 2275 Commercial Street, Astoria, OR 97103
Lot 1-6 Block 127 & vacated portions Duane, 2nd.
portion lot 1, 2, 3 Block 128 Subdivision Shively
Map 8 DA Tax Lot 1401, 1402, 1700 Zone LS, Gateway Overlay
Civic Greenway Overlay
Applicant Name: MMCG GOI Astoria, LLC
Mailing Address: 6600 Paige RD, STE 224, The Colony, TX 75056
Phone (214) 308-0008 Email: dd@maincg.com
Property Owner's Name: Heestand Family, LLC
Mailing Address: 1400 Vibar Cv, Round Rock, TX 78681
Phone: (512) 669-9577 Email: billheestand@protonmail.com
Signature of Applicant: [Signature] Date: 6-26-2019
Signature of Property Owner See Attached Letter of Auth Date: _____

Proposed Construction: CMU building with fiber cement board & vertical metal siding, TPO roofing

Site Dimensions & Square Footage: 1.32 acres total or 57,499 square feet

Building Square Footage: 1st Floor: 16,000 SF 2nd & 3rd Floor: N/A Garage: N/A

Accessory Building Information: N/A

FILING INFORMATION: The Design Review Committee meets on the first Thursday of the month, as needed depending on date of applications. Complete applications must be received by the 1st of the previous month. A pre-application meeting with the Planner is required prior to the acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Design Review Committee meeting is recommended.

For office use only:

Application Complete:		Permit Info Into D-Base:	
Labels Prepared:		Tentative DRC Meeting Date:	
120 Days:			

All information concerning construction materials, design, dimensions, etc. is REQUIRED. If submitting large format plans, please also submit a reduced copy at 11" x 17" for reproducing.

Briefly address each of the Design Review Guidelines and state whether the project complies with the guideline, if applicable, and why this request should be approved. Please provide manufacturer information and/or detailed information for use of any material or design not selected from the "Encouraged" list in the Design Guidelines. (Use additional sheets if necessary.):

1. **Building Form.**

Basic Shape: 131'-4" deep X 124'-0" wide X 27'-4" tall

Porches & Balustrade - Design, Dimension, Features, Materials: N/A

Balconies & Balustrade - Design, Dimension, Features, Materials: N/A

Other: Front entry element, 40'-0" w X 17'-0" deep X 33'-0" tall, vertical metal siding painted Decatur buff

2. **Windows.**

Material: 2"x4.5" Aluminum storefront system with 1' insulated low "E" glazing

Divided Windows (true divided, external muntins, etc): True divided system

Operation (casement, single hung, etc.): Fixed storefront system

Size & Material of Exterior Casings (minimum 5/4" x 4"; provide detail diagram): 2x4 wood casing, Painted

Other: _____

3. **Exterior Wall Treatments.**

Material & Dimensions of Siding (note if material is smooth or textured): Main Body: fiber cement board LAP siding w/ 6" exposure, painted, corner treatment: vertical metal siding.

Decorative Features: Steel trellis on 3-sides

Other: _____

4. **Doors.**

Material & Design: Steel man doors, steel overhead coiling doors, aluminum sliding entrance system

Other: _____

5. **Roof Elements.**

Style and Pitch of Roof: Single slope, 1/4"/FT TPO membrane system over rigid insulation over metal deck

Material: _____

Color: White

Decorative Features (eave brackets, etc): N/A

Other: _____

6. **Garage.**
Garage Door Material & Design: N/A
Window Material & Design: _____
Roof Style & Material: _____
Other: _____
7. **Signs.**
Dimension & Square footage: See attached sign package.
Location: _____
Type, Material & Design: _____
Other: _____
8. **Exterior Lighting.**
Fixture & Lamp Design: Single & 2 head pole mtd fixtures & wall mtd. By mester, LED
Location: Wall mounted by loading dock & general parking area
Other: _____
9. **Other Design Elements.**
(Fences, out buildings, corner boards, belt course, etc. with dimensions): 4'-0" high CMU
wainscot, stacked bond pattern on all 4 – sides of building

10. **Building Orientation.**
To fit building to our unique shaped lot the building is parallel and perpendicular to 23rd Street
and Commercial Street.

11. **Building Massing.**
Building to Lot Ratio: NA _____
Other: _____
12. **Access and Parking Design.**
Number of Off-street Spaces: We have 47 total parking stalls on site. Access TIA study has been
Provided with our submittal. We have two access points off Commercial Street and one off of
Marine Drive.
Other: _____
13. **Landscaping.**
Per code we are required to have 20 percent landscaping or 11,500 sf. We have 8,695 sf onsite
and 4,215 sf within the ROW for a total of 12,910 sf. _____
14. **Underground Utilities.**
We will be undergrounding the power lines adjacent to our building. _____

PLANS: A site plan indicating location of the proposed structure on the property is required. Diagrams showing the proposed construction indicating style and type of materials proposed to be used are required.



June 30, 2019

Rosemary Johnson
Planning Consultant
672 15th Street
Astoria OR 97103

RE: Design Review Submittal

Dear Ms. Johnson,

Attached to this letter is our entire Design Review Application Package. Please find attached the following:

Design Review Application Package

- Signed Design Review Application
- Check for \$750 (send in the mail with the hard copies of the plans)
- Attached Letter of Authorization from the current property owner
- Site Plan (2 Full Size Hard Copies and (1) 11x17 Copy)
- Building Elevations (2 Full Size Hard Copies and (1) 11x17 Copy)

Please let me know if you need anything else at this time.

Sincerely,

TECTONICS DESIGN GROUP, INC

A handwritten signature in black ink that reads "Matt Rasmussen".

Matthew Rasmussen, P.E.

LETTER OF AUTHORIZATION

March 19, 2019

From: Property Owner
Heestand Family, LLC
c/o William Heestand
1400 Vibar Cv
Round Rock, TX 78681
M: (512) 669-9577
E: billheestand@protonmail.com

To: Main & Main Capital Group, LLC
c/o Dan Dover
6600 Paige Road Suite 224
The Colony, TX 75056

RE: Proposed: Astoria, OR Commercial Retail Project
Location: 2275 Commercial Street and 2190 Marine Street, Astoria, OR 97103
APN# 22918, 22919 and 22922

To Whom It May Concern,

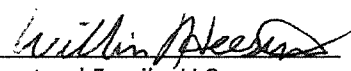
The above referenced site is being developed as a commercial project. The entire property located at the above referenced addresses and parcel numbers will be used in relationship to the construction of that use.

Please accept this letter as authorization for the following entities to apply for, on my behalf, and on behalf of the property, any permits and/or approvals necessary for the development of the project:

Main & Main Capital Group, LLC
MMCG GOI Astoria, LLC
Tectonics Design Group
Woodblock Architecture, Inc.

Should you have any questions, please feel free to contact us directly on my mobile phone listed above.

Thank You,


Heestand Family, LLC

6-20-19
Date

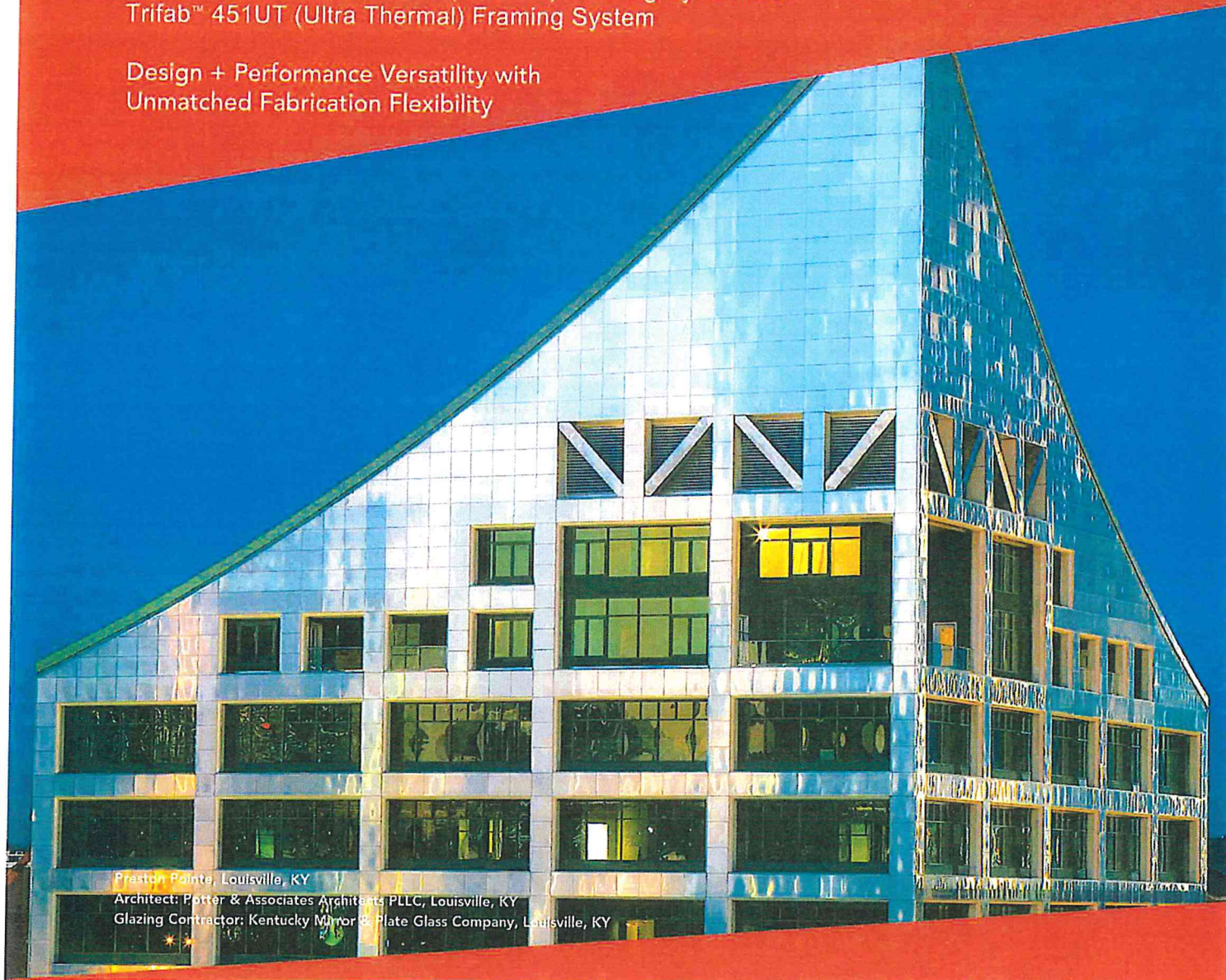
By: William Heestand

Its: Managing Member

Trifab™ VG (VersaGlaze™)

Trifab™ VG 450, 451 & 451T (Thermal) Framing Systems &
Trifab™ 451UT (Ultra Thermal) Framing System

Design + Performance Versatility with
Unmatched Fabrication Flexibility



Praxton Pointe, Louisville, KY

Architect: Porter & Associates Architects PLLC, Louisville, KY

Glazing Contractor: Kentucky Mirror & Plate Glass Company, Louisville, KY

Trifab™ VersaGlaze™ is built on the proven and successful Trifab™ platform – with all the versatility its name implies. There are enough framing system choices, fabrication methods, design options and performance levels to please the most discerning building owner, architect and installer. The Trifab™ VersaGlaze™ family's newest addition, Trifab™ 451UT (Ultra Thermal) framing system, is designed for the most demanding thermal performance and employs a "dual" Isolock™ Thermal Break.

Aesthetics

Trifab™ VersaGlaze™ framing systems offer designers a choice of front-, center-, back- or multi-plane glass applications. Structural silicone glazing (SSG) and Weatherseal glazing options further expand the designers' choices, allowing for a greater range of design possibilities for specific project requirements and architectural styles. All systems have a 4-1/2" frame depth – Trifab™ VersaGlaze™ 450 has 1-3/4" sightlines, while Trifab™ VersaGlaze™ 451/451T and Trifab™ 451UT have 2" sightlines.

With seamless incorporation of Kawneer entrances or windows, including GLASSvent™ visually frameless ventilators, Trifab™ VersaGlaze™ can be used on almost any project. These framing systems can also be packaged with Kawneer curtain walls and overhead glazing, thereby providing a full range of proven, and tested, quality products for the owner, architect and installer from a single source supplier.

Economy

Trifab™ VersaGlaze™ 450/451/451T framing systems offer four fabrication choices to suit your project (Trifab™ 451UT available as screw spline fabrication only):

- **Screw Spline** – for economical continuous runs utilizing two piece vertical members that provide the option to pre-assemble units with controlled shop labor costs and smaller field crews for handling and installation.
- **Shear Block** – for punched openings or continuous runs using tubular moldings with shear block clips that provide tight joints for transporting large pre-assembled multi-lite units.
- **Stick** – for fast, easy field fabrication. Field measurements and material cuts can be done when metal is on the job.
- **Type B** – Same fabrication benefits as shear block except head and sill run through.

All systems can be flush glazed from either the inside or outside. The Weatherseal option provides an alternative to SSG vertical mullions for Trifab™ VersaGlaze™ 450/451/451T. This ABS/ASA rigid polymer



Brighton Landing, Cambridge, MA
Architects: ADD Inc., Cambridge, MA
Glazing Contractors: Ipswich Bay Glass Company, Inc., Rowley, MA

extrusion allows complete inside glazing and creates a flush glass appearance on the building exterior without the added labor of scaffolding or swing stages. Additionally, High-Performance (HP) Flashing options are engineered to eliminate perimeter sill fasteners and associated blind seals.

For the Finishing Touch

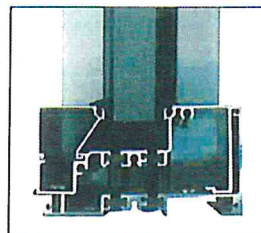
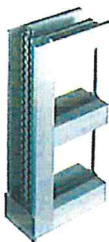
Architectural Class I anodized aluminum finishes are available in clear and Permanodic™ color choices.

Painted finishes, including fluoropolymer, that meet AAMA 2605 are offered in many standard choices and an unlimited number of specially designed colors.

Solvent-free powder coatings add the green element with high performance, durability and scratch resistance that meet the standards of AAMA 2604.

Performance

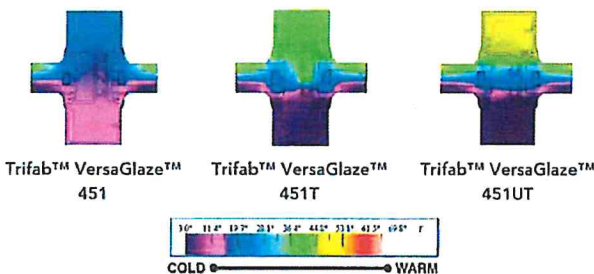
Kawneer's Isolock™ Thermal Break process creates a composite section, prevents dry shrinkage and is available on Trifab™ VersaGlaze™ 451T. For even greater thermal performance, a "dual" Isolock™ Thermal Break is used on Trifab™ 451UT.



Trifab™ 451UT uses a "dual" Isolock™ Thermal Break (right) and features a new HP (High Performance) sill design, which incorporates a screw-applied end dam (left), ensuring positive engagement and tight joints between the sill flashing and end dam.

U-factor, CRF values and STC ratings for Trifab™ VersaGlaze™ vary depending upon the glass plane application. Project specific U-factors can be determined for each individual project. (See the Kawneer Architectural Manual or Kawneer.com for additional information).

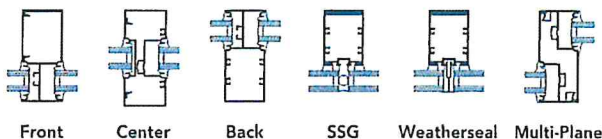
Thermal simulations showing temperature variations from exterior/cold side to interior/warm side.



PERFORMANCE TEST STANDARDS

Air Infiltration	ASTM E 283
Water	AAMA 501, ASTM E 331
Structural	ASTM E 330
Thermal	AAMA 1503
Thermal Break	AAMA 505, AAMA TIR-A8
Acoustical	AAMA 1801, ASTM E 1425

Trifab™ VersaGlaze™ 450/451/451T glazing options
(note: Trifab™ 451UT available as center set glass plane only).



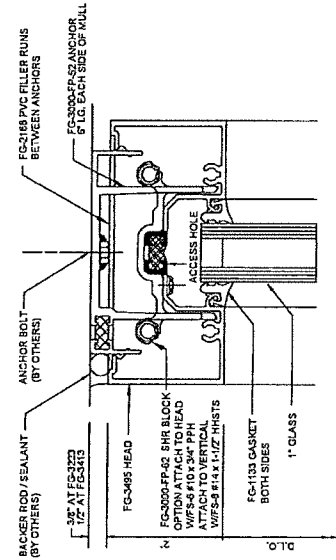
Kawneer Company, Inc.
Technology Park / Atlanta
555 Guthridge Court
Norcross, GA 30092

kawneer.com
770 . 449 . 5555

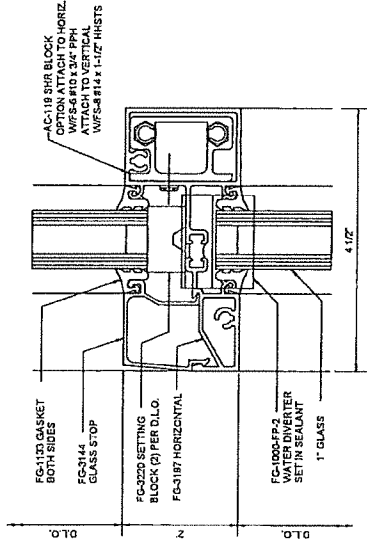
KAWNEER
AN ARCONIC COMPANY



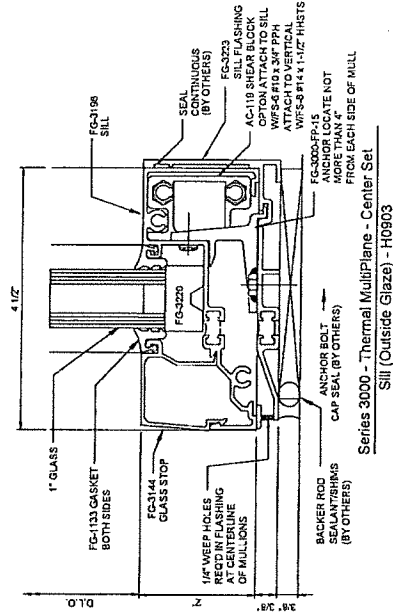
Series 3000 : Storefront : Thermal : Multiplane : Center Set : Outside Glazed : Screw Spine: 3413 Sill: Head Can



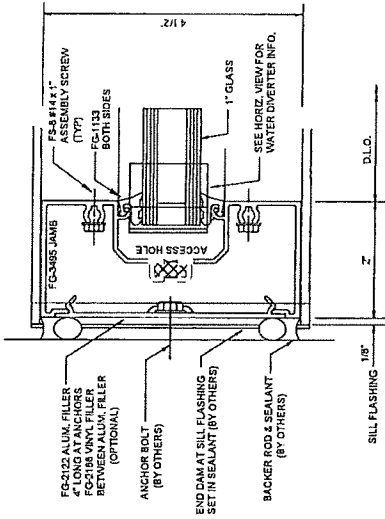
Series 3000-Thermal Multiplane - Center Set
Head- H0902



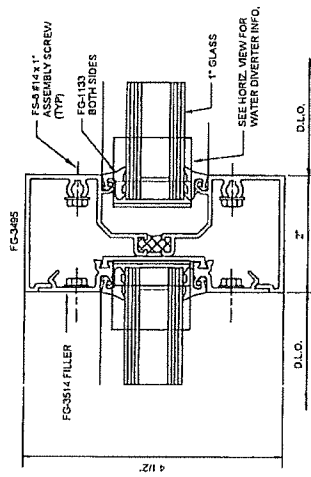
Series 3000 - Thermal Multiplane - Center Set
Horizontal- H0901



Series 3000 - Thermal Multiplane - Center Set
Sill (Outside Glaze) - H0903



Series 3000-Thermal Multiplane - Center Set
Jamb - V0902



Series 3000-Thermal Multiplane - Center Set
Typical Vertical - V0906

Thickness (inches)	Transmittance UV %	Transmittance Visible %	Transmittance Total Solar %	Exterior Solar Reflectance %	Exterior Visible Reflectance %	Interior Visible Reflectance %	U-Value (Winter Nighttime) (Btu/hr·ft ² ·°F)	U-Value (Summer Daytime) (Btu/hr·ft ² ·°F)	Shading Coefficient (SC)	Solar Heat Gain Coefficient (SHGC)	Light To Solar Gain (LSG)	Thermal Stress Factor
Solarban® 60 on Clear 5mm (2) Air 1/2" (12.7mm) Clear 5mm												
7/8"	19	71	35	30	11	12	0.29	0.27	0.45	0.39	1.82	Low

Specifications

Insulating Unit Construction

Solarban® 60 on Clear 5mm (2) | Air 1/2" (12.7mm) | Clear 5mm

Outdoor Lite: Clear with a second surface Solarban® 60

Indoor Lite: Clear 5mm

Vitro Approved Manufacturers/Where to Buy Vitro Products: Vitro Authorized™ Fabricator

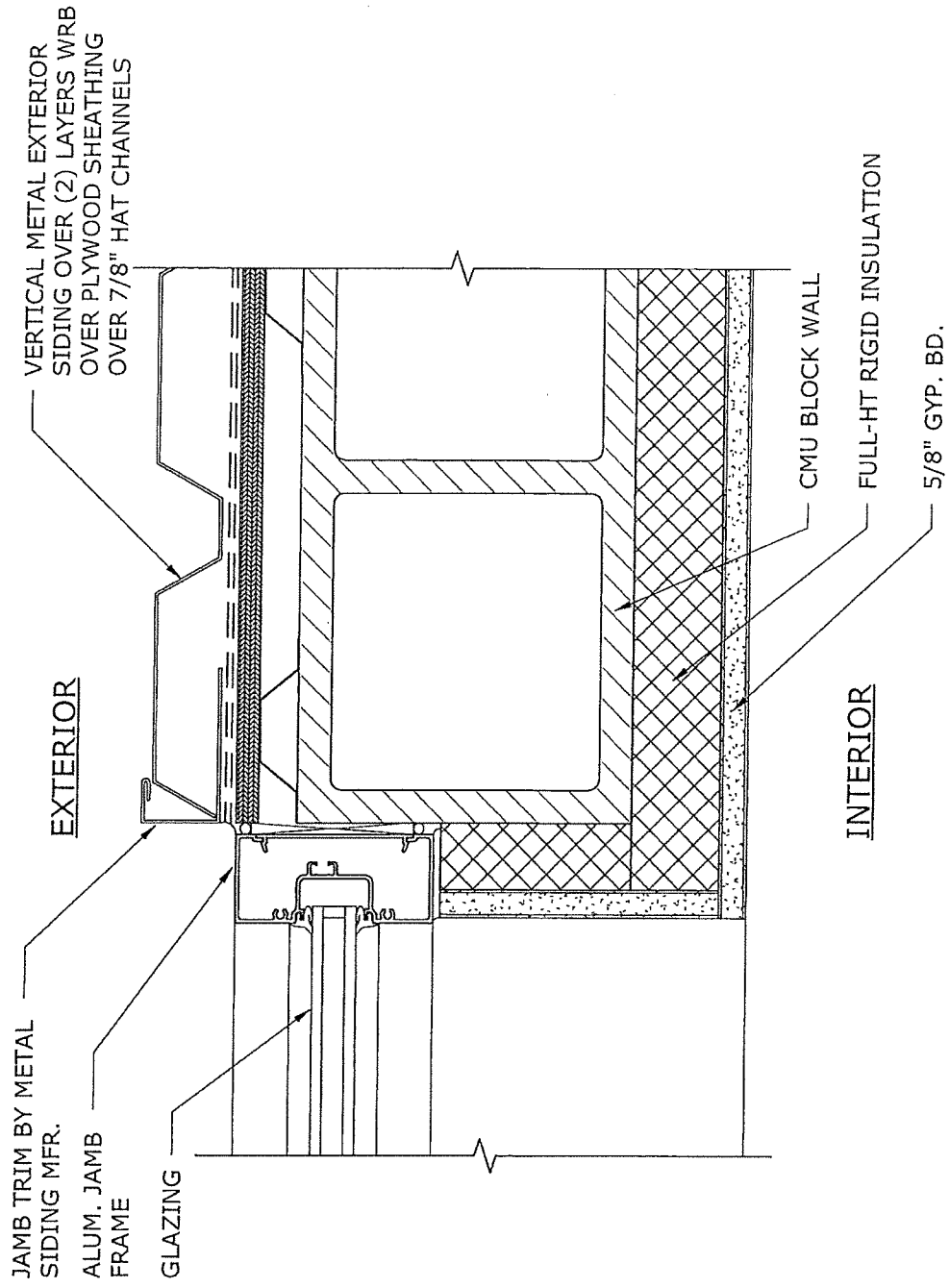
Certification: Vitro lite(s) are Cradle to Cradle certified by McDonough Braungart Design Chemistry, LLC (MBDC www.mbdcc.com)

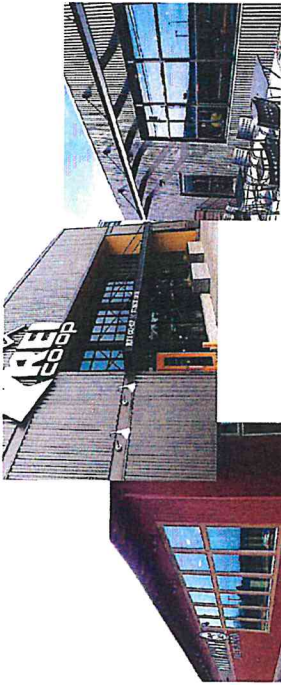
Solarban® 60: Solarban® 60 glass is a mid-range MSVD solar control low-e glass. Though the coating is transparent (on clear or Starphire® Ultra-Clear glass), it can also be paired with, or applied directly on most Vitro tinted glasses in an insulating glass unit.

The results represent Center-of-Glass performance data based on NFRC 100 Environmental Design Conditions utilizing the LBNL Window 7.3 software program. Performance data is based on representative samples of factory production. Actual values may vary slightly due to variations in the production process. This data is to be used for comparison purposes and should not be considered a contract. It is the recipient's responsibility to ensure the manufacturability of the above glazing configurations as well as evaluating appropriate design considerations such as wind and snowload analysis, thermal stress analysis, and local building code compliance. Vitro recommends that a full size mock-up be reviewed under the specific job-site conditions and retain the mock-up as a basis of acceptable product.

Vitro Architectural Glass | 400 Guys Run Road Cheswick, PA 15024 USA | ©2001-2019 Vitro Flat Glass Inc. - All Rights Reserved | Legal Notices & Privacy Policy
Atlantica, Azuria, Graylite, IdeaScapes, Optiblue, Optigray, Pacifica, Solarban, the Solarban logo, Solarblue, Solarbronze, Solarcool, Solargray, Solalexia, Starphire, the Starphire logo, Sungate, Vistacool, Vitro, the Vitro logo, and the Vitro Certified network logos are registered trademarks owned by Vitro. Cradle to Cradle is a trademark of MBDC.
Glass colors represented are approximate.

While Vitro has made a good faith effort to verify the reliability of this computer based tool, it may contain unknown programming errors that may result in incorrect results. The user is encouraged to use good judgment and report any questionable results to Vitro for evaluation. The applicability and subsequent results of data simulated by this tool will be compromised if the user fails to input the correct information. Vitro makes no warranty or guarantee as to the results obtained by the user of this tool and assumes no responsibility for the accuracy of the data from non-Vitro manufacturers available for simulations in this program.

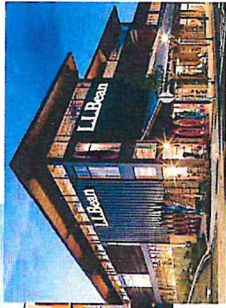




Metal Siding



CMU Wainscot



Metal Coping & Canopy



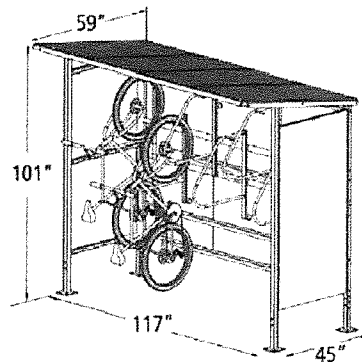
Fiber Cement Siding



Wood Trellis

RECEIVED
AUG 01 2019
COMMUNITY DEVELOPMENT

POCKET SHELTER



CAPACITY

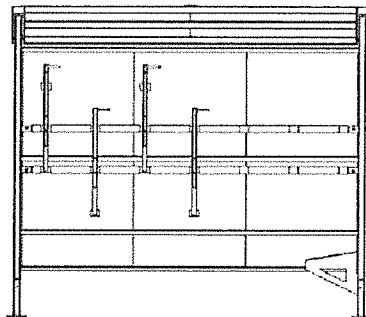
With Ultra Space Savers: 6 Bikes
With Bike Files: 10 Bikes

MATERIALS

Uprights: 2" x 3/16" square tube
Feet: 3/8" plate
Horizontal members: 3/16" formed sheet
Roof panels: 26g type S deck or 1/4" polycarbonate
Roof members: 3/16" formed sheet
Side panels: 1/4" polycarbonate (optional)

FINISHES

- ☐ **Galvanized**
An after fabrication hot dipped galvanized finish is our standard option.
- ☐ **Powder Coat**
Our powder coat finish assures a high level of adhesion and durability by following these steps:
1. Sandblast
2. Epoxy primer electrostatically applied
3. Final thick TGIC polyester powder coat



MOUNT OPTIONS

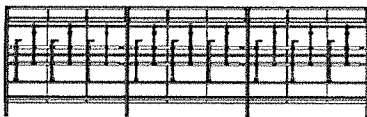
- ☐ **Surface**
Has four 6" square foot which must be anchored to the ground with supplied anchors.

LOAD DATA

Dead load = self weight of structure
Live load = snow load = 45 psf
Wind load = 90 mph exposure B
Seismic load = moderate
Footing: see page 4
Anchor bolt = Simpson strong-bolt 2, 1/2" x 5 1/2", 3 7/8" minimum embed

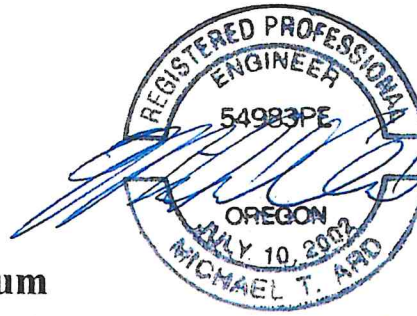
A bench may be mounted to the inside of the Pocket Shelter and still allow room for four bikes

- ROOF OPTION** ☐ **Galvanized S Deck**
☐ **Polycarbonate Panel**



Dero Shelters can be used in a modular fashion (shared uprights). However, when used in this manner, please consult a Dero Bike Rack sales associate for layout, as the rack spacing and bike capacity can change!





21370 SW Langer Farms Pkwy
Suite 142, Sherwood, OR 97140

Technical Memorandum

To: Matt Rasmussen, Tectonics Design Group

EXPIRES: 12/31/19

From: Michael Ard, PE

Date: June 27, 2019

Re: Astoria Grocery Outlet: Site Access Considerations

A new Grocery Outlet discount supermarket store has been proposed for a site on the northeast side of Marine Drive (Highway 30) between Commercial Street and 23rd Street in Astoria, Oregon. The site is proposed to take access via two driveways on Commercial Street and one driveway on Marine Drive. The Oregon Department of Transportation has indicated that the existing access on Marine Drive could remain open following completion of the proposed development; however, the City of Astoria has a goal to limit the number of access locations along higher-classification roadways such as Marine Drive. Accordingly, some justification is required in order to maintain this access. This memorandum is written to provide information regarding the operational and safety impacts that would be associated with closure of the access.

PROPOSED ACCESS

As detailed in the traffic impact study dated May 21, 2019 the proposed development includes two access driveways on Commercial Street and one driveway on Marine Drive. The analysis conducted for the proposed development was based on utilization of all three points of access.

Most of the site trips (70 percent) are projected to travel to and from the west on Marine Drive. These trips have a relatively direct access available by traveling via Commercial Street to the driveways on the local street.

In this instance, there are two primary routes to access the site (i.e. indirect access via Commercial Street and direct access via the proposed driveway on Marine Drive). Given multiple options for site access, most drivers will seek the most direct access to the site. Since the two proposed travel routes provide relatively equal travel distances and times, it is expected that about half of site visitors traveling from the west will use Commercial Street and half will use the proposed driveway on Marine Drive. This distribution of site trips is reflected in the traffic impact study.

OPERATIONAL AND SAFETY IMPACTS OF POTENTIAL DRIVEWAY CLOSURE

The functional classification of streets ranges from local streets to arterial streets. Local streets are intended to prioritize access over mobility, with the primary function of serving as access to end-point destinations. This prioritization often means that the flow of through traffic is interrupted, resulting in some delays to through traffic and less efficient operation of the street. Arterial streets, on the other hand,



prioritize mobility over access, with the primary purpose of serving the efficient flow of through traffic. This prioritization often means that access to end-point destinations is restricted and constrained. Collector streets are intended to balance the needs of access and mobility, and fall somewhere between the two previously described design goals.

Commercial Street is classified as a local street and accommodates low volumes of low-speed traffic. Since it is a local street, there are no significant concerns associated with having two points of access to this roadway.

Marine Drive is classified as an Arterial, and therefore should prioritize mobility and the flow of through traffic over access to individual land uses. Accordingly, it is appropriate to attempt to reduce the number of driveways accessing this roadway.

In this instance, if the proposed direct access to Marine Drive were closed there would be some resulting re-routing of site trips. Since Commercial Street is on the near side of the proposed discount supermarket, eastbound drivers entering the site would need to turn onto Commercial Street just prior to reaching the proposed development. Many drivers traveling along Marine Drive will not know or will not think to turn prior to reaching their destination and will therefore consider their available travel options only after having passed Commercial Street. It is estimated that at least one third to one half of eastbound drivers traveling to the site will pass Commercial Street prior to trying to turn into the site. With closure of the driveway on Marine Drive these trips would need to travel eastbound to 23rd Street, where they can turn left to make their way to the site.

In evaluating whether it is appropriate to close the direct access on Marine Drive, it is critical to compare the operational and safety impacts of the direct access driveway to the operational and safety impacts of rerouted trips traveling via 23rd Street.

The proposed direct site access on Marine Drive is located within a relatively low speed environment, with a posted speed limit of 30 mph and horizontal curves in each direction which also limit the approach speeds. The highway has a three-lane cross-section which includes a center two-way left-turn lane as well as a single through lane in each direction. The presence of this center lane allows left-turning drivers to pull out of the through travel lane when entering the site eastbound, which avoids having stopped traffic within the eastbound through lane on Marine Drive. It also provides a refuge for drivers exiting the site to make two-stage left-turns, wherein they wait for a gap in the westbound traffic stream prior to entering the center median, then wait for a gap in the eastbound traffic stream prior to merging with through traffic. Thus, the center turn lane allows the access to operate more safely and efficiently, with reduced delays to turning vehicles and without significant interruptions to the flow of through traffic on Marine Drive.

With closure of the direct access to Marine Drive, the re-routed site trips would need to make left turns at the intersection of Marine Drive and 23rd Street. In contrast to the proposed site access location, this



intersection does not have a center left-turn lane available, since the roadway width is allocated to one through lane in the eastbound travel direction and two lanes in the westbound direction. One westbound travel lane is an exclusive left-turn lane serving the high volume of westbound left-turning traffic from Marine Drive onto Exchange Street, while the other is a westbound through/right travel lane.

Without the presence of a center turn lane, eastbound vehicles making left turns onto 23rd Street must stop within the through travel lane. This results in unexpected, random stops for eastbound traffic in the through travel lane. The stops are unexpected since the intersection is unsignalized and typically operates in free flow in the eastbound direction but turning vehicles must wait for an appropriate gap in the westbound flow before turning onto 23rd Street. The unexpected stops on Marine Drive would be expected to increase the frequency of rear-end collisions within this travel lane. Under existing conditions, there were 12 vehicles making the eastbound left turn from Marine Drive onto 23rd Street. Closure of the proposed site access on Marine Drive would be expected to result in approximately 12-15 additional eastbound left turns at this intersection.

Since the closure of the direct access to the proposed store would increase the number of eastbound left-turning vehicles at this intersection and vehicles making left-turns into a driveway directly serving the site on Marine Drive would not result in stopping within the eastbound travel lane, it is anticipated that closure of the access would result in an increase in collisions in the site vicinity.

In addition to the safety impacts of closure of the direct access, some operational concerns would also be anticipated. Stopped vehicles in the eastbound travel lane will clearly increase delays for eastbound traffic on Marine Drive in the site vicinity. But it will also result in some secondary impacts and delays to westbound traffic. Eastbound left-turning vehicles stopped at 23rd Street will often accumulate queues stacking on Marine Drive west of the intersection. Given the short distance between 23rd Street and Exchange Street, any queues of more than 150 feet (approximately 6 vehicles) could obstruct westbound traffic from turning left onto Exchange Street, thereby increasing delays and queue lengths for the westbound left-turn movement.

CONCLUSIONS

Based on the analysis of the proposed direct site access to Marine Drive, it is projected to allowing direct access to this Arterial roadway will result in improved safety and decreased interruptions to the flow of through traffic. Accordingly, allowing the access will better serve the purpose of the Arterial roadway than would restriction of direct access to the proposed Grocery Outlet site.

If you have any questions regarding this analysis, please feel free to contact me at mike@ardengr.com or by phone at 503-537-8511.

**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	7-8-19
Email	7-8-19
Web	7-8-19
Pub	7-25-19

The City of Astoria Design Review Committee will hold a public hearing on Thursday, August 1, 2019 at 5:30 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. Design Review Request (DR19-03) by MMCG GOI Astoria LLC, to construct a 16,000 square foot Grocery Outlet structure at 2190 Marine Dr. (Map T8N R9W Section 8DA, Tax Lots 1401, 1402, 1700; Lots 1 to 6, Block 127, and north portions of Lots 1, 2, 3, Block 128, Shively; and vacated portions of Duane and 22nd Streets), in the LS Zone (Local Service), GOZ (Gateway Overlay Zone), and CGO (Civic Greenway Overlay Zone). Development Code Standards 2.975 to 2.981, 14.001, 14.005 to 14.030, 14.035 to 14.040, 14.060, 14.070 to 14.075, Articles 7, 8, 9, and Comprehensive Plan Sections CP.005 to CP.028, CP.057 to CP.058 (Gateway Overlay), CP.067 to CP.068 (Riverfront Vision Overlay), CP.190 to CP.210 (Economic Element), 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 Community Development, 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 Design Review Committee, 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 Design Review Committee and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

The Design Review Committee's ruling may be appealed to the City Council by the applicant, a party to the hearing, or by a party who responded in writing, by filing a Notice of Appeal within 15 days after the Design Review Committee's decision is mailed. Appellants should contact the Community Development Department concerning specific procedures for filing an appeal with the City. If an appeal is not filed with the City within the 15 day period, the decision of the Design Review Committee shall be final.

The public hearing, as conducted by the Design Review Committee, will include a review of the application and presentation of the staff report, opportunity for presentations by the applicant and those in favor of the request, those in opposition to the request, and deliberation and decision by the Design Review Committee. The Design Review Committee 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

MAIL: July 8, 2019



Tiffany Taylor
Administrative Assistant