

DESIGN REVIEW COMMITTEE

Astoria City Hall

October 9, 2018

CALL TO ORDER:

President Rickenbach called the meeting to order at 5:30 p.m.

ROLL CALL – ITEM 2:

Commissioners Present: President Jared Rickenbach, Leanne Hensley, Hilarie Phelps and Sarah Jane Bardy.

Commissioners Excused: Vice President LJ Gunderson

Staff Present: Planner Nancy Ferber, City Manager Brett Estes, and City Attorney Blair Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES – ITEM 3:

President Rickenbach called for approval of the minutes of the June 25, 2018 and July 10, 2018 meetings.

Item 3(a): June 25, 2018

President Rickenbach noted the following correction to the June 25, 2018 minutes:

- Multiple Pages – Vice President Dieffenbach should be corrected to Vice President Gunderson.

Item 3(b): July 10, 2018

Commissioner Bardy moved to approve the June 25, 2018 minutes as corrected and the July 10, 2018 minutes as presented; seconded by Commissioner Hensley. Motion passed unanimously.

PUBLIC HEARINGS:

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

ITEM 4(a):

DR18-01R Design Review Request (DR18-01R) by Craig Riegelneegg, Carleton Hart Architecture for Hollander Hospitality to construct a four-story hotel at 1 2nd Street (Map T8N R9W Section 7DA, Tax Lots 11800 and 11900; Lots 1, 2, 3, 4, Block 1, McClure; and Map T8N R9W Section 7DB, Tax Lot 1300, 1400, 1501, 1700; Unplatted lots fronting on Block 1, (Hinman's Astoria) in the C-3 Zone (General Commercial), Bridge Vista Overlay Zone (BVO), Flood Hazard Overlay (FHO), and CRESO Zone

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

President Rickenbach declared that as a general contractor, he had a potential conflict of interest. The property owner had contacted his office a few weeks ago about doing some maintenance on the site, but his company declined because of his position on the Design Review Committee.

President Rickenbach called for a presentation of the Staff report.

Planner Ferber reviewed the Findings and Conditions contained in the Staff report. All correspondence received was included in the agenda packet. Staff recommended several findings be addressed by the Commission, and requested a continuance.

President Rickenbach opened the public hearing and called for testimony from the Applicant.

Craig Reigelneegg, 830 SW 10th Ave. Ste. 200, Portland, stated this was the second Design Review hearing for the hotel. He brought a revised design that was responsive to the feedback received at the last DRC hearing from the Commissioners and the community. He tried to address the considerations mentioned in every way possible while abiding by the Codes and the demands of the program and use. He believed significant changes had been made that did address the concerns. He adapted the building to the character of the late 19th Century working waterfront in Astoria, updated the methods and materials, and tried to be loyal to the context of past architecture. He gave a PowerPoint presentation on the new design, which Commissioners had hard copies of at the dais. The major design shifts were as follows:

- In the original design, the cladding did not match the traditional Astoria buildings closely enough. The cladding was modified to a grey V groove siding taken directly from some precedents. He removed the rust color on the board and batten siding as well.
- Concerns about the flat linear roof were addressed by modifying the roof to a pitched gable, which required some framing changes at an additional expense. The roof height was lower to be Code compliant with small variations following traditional industrial patterns.
- The mansard roofing material was not compatible with the existing Ship Inn. Therefore, the structure would be demolished and replaced with a new structure that conformed to all Code requirements, including setbacks, view corridors, and everything else in the Development Code. The new structure would have more glazing along the street front, and an entry canopy with clearstory glazing.
- Concerns about the form of the tower would be addressed by reducing its footprint and pushing back the projection to be enclosed within the pitched roof.
- He displayed an aerial view of the location and project site located northwest of the intersection of Marine Drive and 2nd Street. The Sanborne Maps indicate the previous Van Kamp Seafood building location, which was a greater size than the building he proposed. He showed examples of other buildings along the waterfront, including the Union Fishermen's Co-op building. These buildings set precedents for buildings smaller and larger than what he had proposed. He wanted to comply with the history and kept his building well within that range.
- He displayed context photographs of the site and said he intended to renovate the Stephanie's Cabin building for a new tenant as a separate project completed under a separate building permit. The existing building precludes any positioning or orientation of the hotel along the frontage. Because the building is existing non-conforming, compliance would be dealt with at the time of that project proposal. At this time, given fire lane access, he was not able to explore other orientations that would put the hotel in that location. He displayed the site plan showing the orientation, which was similar to the previous submittal except for an increased view corridor. The view corridor on 2nd Street was extended to 35 feet in either direction for a total of 70 feet. The fire access requirements and existing building prohibit any other orientation.
- Covered parking would be on the east side. The common area for the hotel would be in the middle with a new entry and lobby in place of the Ship Inn on the east side. The entry would be on the southeast corner. He was looking for guidance on an alternate defined area for the patio, which was currently proposed to be located on the north side. There is an existing stem wall from the Ship Inn and the Code prohibits any cut and fill along that boundary. If he could reuse the stem wall that would reduce the risk of erosion at the water's edge. He believed it was appropriate to keep the wall in place. That means the patio to the north would extend 2' 7" beyond the line shown on the screen.
- He showed the landscaping plan which would be developed to all of the City's requirements. The plantings would incorporate native and riparian species where appropriate and conform to all Code requirements. They would also provide required screening and buffering.
- He showed a summary of the research he did on working waterfronts and noted more details were included in his plan. Early design attempts explored contemporary interpretations of the historic features. Now, the plan more directly applied those features to siding profiles, window detailing, roof pitches, and other components. He displayed photographs of historic buildings with the same V groove siding, board and batten, and the color he proposed for the new hotel. He noted that rather than using the red on the entire building, it would be used as an accent. Many of the examples included a light/dark contrast between the trim and siding, which he adapted to the trim/siding relationship on the new design.

- He showed the elevation with the new materials and presented material samples to the Commissioners at the dais. The V groove and board and batten would be fiber cement and composite materials because modern availability, performance, and durability demands had changed. However, the profiles would match the old architecture. The board and batten siding was a 2 ½-inch band and a 12-inch spacing. The V groove was a 7-inch board. The base of the building was raw board formed concrete on the west portion. Trim detailing around the windows, other openings, and material transitions were based directly on classic details observed in the precedents. Frame profiles on the glazing were a play off the classic window frame shapes and putty glazed assemblies for contemporary performance requirements. They were Marvin Ultimate Clad Wood and Wasco Invent Retro. Trim and standing seam metal roofing would be 22-gauge with 1-inch high battens, which is compliant with Codes.
- The south elevation showed the ground floor, enclosed parking area with open metal grates aligned with the windows above, the vehicle entry in the center, the pedestrian entry on the east corner, and the circulation tower. Window details would be simulated divided lights with exterior muntins to get the closest appearance to true divided lights. The lights would be three high and two wide with symmetrical casements, one operable and one fixed. The windows would be recessed 3 ½ inches. The trim and surround boards would be installed around all sides and sized to meet the Code requirements. Crown molding would be in a configuration taken from their study with a projecting sloped water table on top that merged with the floor line and trim to create a continuous profile. That pattern would be repeated at the window sill and the sill of the mechanical unit below. Mechanical units would be concealed by a custom louver, which makes it completely invisible and acts as a textured infill panel.
- He showed the awning on the south elevation. The Staff reported questioned whether it was properly sized for the building entry or window. It extends 24 inches out from the wall, which is the maximum they could achieve while still meeting the Fire Department's requirement for ladder access. He wanted to break up the south façade visually and provide a cover for people walking underneath. He believed that was compliant with the intent of the Code. The southeast perspective showed a canopy, not an awning as it was called in the Staff report, extending across the entry area and supported independently by columns on one side. He believed it was proportioned well for the building. He showed a photograph of the canopy and said it had the same standing seam roofing. He displayed the entry detailing. Five of the six entry doors would be placed within glazed openings to keep the composition of the glazed opening rhythm. The doors would be integrated with side lights and transoms.
- He showed the details of the store front system with a high performance window system designed to imitate the profile of the older putty glazed profiles. They meet all of the contemporary requirements for wind and structural loading. The northeast perspective would have clearstory glazing that he believed met the intent of the Code by preserving the single gabled roof and applying industrial typology, which makes the north frontage more attractive. The roof pitches would be 3:12 and 2:13 on the east and west elevations. Roof details included a 24-inch projection at the typical eaves. He asked for clarity about whether that applied to the view corridor. Staff's findings suggested that the view corridor could be interpreted as a yard, so he would be allowed up to 24 inches. The east elevation would probably take about 18 inches to help cover the edge. The north elevation also showed the decks and rails visible on the river side. The ground floor would include the north patio and a long planter to create an attractive frontage for the Riverwalk. He showed the details of the patio doors, which would be the same compositional arrangement as the windows. Decking would be covered in a waterproof cement-based coating in an industrial finish. He displayed a photograph of the view along the river trail. The primary mass of the building was brought up in the findings. Compliance with the massing requirements are quite clear in the Code. The building form should be simple geometric shapes like squares and rectangles and triangles. He believed the building clearly complied with that. They were confined to the proposed dimensions on the south side by the historic context that included large singular wall planes. They wanted to do what they could to mitigate the depth of the façade and create visual interest with a floor line break, detailing, windows, grates, cladding, the awning, and the roofline. This created depth through means other than massing breaks.
- He showed the materials palette and details of the benches that match the benches on the Riverwalk and would be placed on the east side. He also showed the door hardware for the entries and patio, which all would be in a pewter finish on the exterior to contrast with the black color. Staff's findings also said that the specific aspects of the design should address sensitivity and craftsmanship of the site and the development as a product of the time. The product of the time is relative because he was being asked to respect historic context, so he viewed that as creating contemporary detailing that honors the classic appearance and still met all of the contemporary requirements. He believed the proposal demonstrated that. Craftmanship represented by the product selection, detailing, and transitions tried to bridge the gap between the old and the new.

- There was a question in Staff's findings about the height as it pertained to the raised parapet area on the tower. He was under the 45-foot height limit for the average height of the roof, as determined by the Development Code. The section at the top of the circulation area included a roof top unit and associated screening, access to the unit, and the elevator overrun. He was claiming two exceptions in the Development Code, one for the mechanical unit and screening of the mechanical unit, and the other for the elevator overrun. There were some questions raised as to whether the area shown for the screening of the mechanical unit was within the tolerances he was aware of. Typically, the building would need three feet of clearance as a work area around the units. Some manufacturers require more or less than three feet. He also wanted to square the corner on the northeast part where the overrun comes across to the unit. It might be possible to chop off part of that corner, but he did not feel that would reduce the visual impact of the tower.
- He displayed the lighting plan to address Staff's findings and questions. Lighting Type F would be used on one light on the monument sign. It would swivel and he would be happy to create a valance around it to prevent a glare. Wall signs were reduced by removing the east facing sign because there were objections to the signage area and height. Signage would be lower on the building and only on the south elevation.
- Staff's findings mentioned the trash enclosure, which would allow proper clearance for the parking spaces next to it. However, he would be happy to put a stop in to prevent the door from swinging into one of the spaces.
- Staff's findings cited issues with scale, massing, and materials along the street facades, and he felt that the original characteristics that were referred to were applicable. The requirement only applied to the 2nd Street frontage, but the current design achieved a far higher percentage of glazing than the Ship Inn and maintained a single-story frontage on the street. The building entry would be located directly adjacent to the street on the southeast. The patio would be to the north and would have a lot of glass and transparency to engage the street while maintaining the required setbacks. It would also be of a similar scale as the Ship Inn and then the larger part of the building would step up on the west side.

Commissioner Phelps asked if the two sections of roofing on the one-story portion of the building that would replace the Ship Inn would both be the same pitch.

Mr. Riegelnegg explained that the roof with the equipment would be a flat roof in the middle with a pitch on both sides and they would be the same pitch as the roof with the clearstory, 3:12 on both sides. The canopy on the south side would be 2:12.

Commissioner Phelps recommended that Mr. Riegelnegg correct the height on the south elevation where the clearstory windows would be located.

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

Jan Faber, 3015 Harrison Ave, Astoria, said the remand by the City Council was not a rejection or a comment on any of the findings the DRC previously made on this matter. At the time of the hearing, the proponents came up with a brand new plan. Rather than consider the new plan without the DRC's input, the plan was remanded back to the DRC. This is just starting all over again. Astoria is not desperate at this time for this type of development. There was a time when the community wanted almost anything to come to town just because they needed the money and the jobs. Now, the community is in a command position. People want to move to this town. Tourists want to visit and people want to invest because of the uniqueness of Astoria. Imagine the waterfront lined with projects like this one. A lot of references were made to the working waterfront. Astoria is not a working waterfront anymore, and this is not a working waterfront project, so, it does not need to look like a cannery or a warehouse. It needs to look like the city; something attractive and something that fits in with the Victorian character of the city, not block buildings. He was dismayed by the constant reference to the City Code because the proponents have done nothing more than push the limits. This hotel plan looks like a box on its side. The reason the plan has that roofline is because the building would push right up to the 45-foot limit and there would be no room for design. He asked if the Applicant considered making a three-story building with peaks and designs. He did not believe so because they wanted to maximize profits. That is not the purpose of the DRC. The design review is supposed to see whether it has style, distinctive characteristics, and craftsmanship. The plan shows nothing more than a flat roof. If you Looking at the building from the front or the back, the roofline is straight across, not a single distinctive or stylistic characteristic. He tried to duplicate the window design with a box at home. He took a marker and ruler and drew a square. The design for all of the windows is just that. There are no overhangs or

peaks. The Applicants have just done the minimal setbacks. He would like the DRC to review this plan using the same criteria they used to review the project last time and see whether the Applicants had done anything to address the distinctive characteristics and the style he wanted in the city.

Elizabeth Menetrey, 3849 Grand Ave. Astoria, said she was glad to see that the view corridor of 35 feet from the center line of 2nd Street would be an entire 35-foot view corridor. She imagined there would be no parking or anything else going on in that 35 feet. A 10-foot setback for such a large building is the absolute minimum. They could do more. It looked like they were proposing balconies. When she walks along the river front she really did not want people looking down at her. A visual link between the people walking on the river and people up in their balconies, she did not see using a balcony as a setback. It is not a visual setback to her and people looking down on her as she walks on the river is really unappealing. The historic canneries were humungous, but this is not the criteria that the Commission needs to compare. The plan should be compared to what Astoria has now with scale. It is completely out of scale with what we have now.

Chris Farrar, 3023 Harrison, Astoria, said he had a mixed attitude about the project. He was impressed with all the work that the Applicants do to try to tweak their project and all the details they went into. He knew they spent countless hours, but just look at it. It is still just a big rectangular box blocking everybody's view of what people cherish in the city. If the Commission wants to destroy what the city is, then approve the big square box. It is ugly no matter how much trim work it has. The people who worked on it worked hard, listened, and tried to make the project fit, but it does not fit the town as the town is now. The way the town should move forward does not include blocking the river with big rectangular boxes with no imagination.

Mike Sensenbach 110 Kensington, Astoria, said he had questions about the maximum setbacks because they were just kind of briefly gone over by the presentation, which said they should be no more than five feet off of Marine Drive. Originally, the Applicant's were going to use the Ship Inn as an existing nonconforming structure, but he did not see where the building would be sited now. He understood the hotel could not physically be moved on the property, but perhaps building a hotel on this property would not fit for the setbacks that are allowed. Josephson's and Stephanie's Cabin are within five or 20 feet of the set back on Marine Drive. He agreed the building would block the river, but Marine Drive is something everyone goes past every day. It will just look weird with a bunch of different buildings at a bunch of different depths along the road.

President Rickenbach called for the Applicant's rebuttal.

Mr. Riegelneegg thanked everyone for their testimony. He heard comments on the style of the working waterfront and how maybe it is not the appropriate style for the site. He wanted to reiterate that on a number of fronts this is what they were pointed towards as the precedent to follow for this design. They worked with the City and the BVO's stated goal is essentially to honor the historic character of the working waterfront specifically referencing the fisheries and cannery buildings. He appreciated personal tastes, but he was pointed towards a very specific style and era. When it comes to the massing and shape of the building, he can reference a draw back directly to the working waterfront precedents. He tried through the details to introduce depth and texture on the façade, but the cannery buildings were large with broad planes. The maximum setback was brought up again, five feet off of Marine Drive. He displayed the site plan on the screen and said the Stephanie's Cabin would not be renovated as part of this project. It happens to fall on the property that the owner owns and it would share some access and fire lanes with the hotel. However, once that project begins it would be independent and would meet the requirements for the setback at the time. Moving the hotel would necessitate demolishing the building and he would not have enough room to orient the hotel on one side or the other. It would also force him to abandon 2nd Street, which had its own Code related demands. They would like to reuse the existing building to address the Marine Drive frontage at the time it proceeds. He believed that would be the wise choice.

President Rickenbach called for closing remarks from Staff.

Planner Ferber said the Commission still needed to flush out some criteria during deliberations. She displayed the Conclusions and Recommended Conditions (Pages 30 – 32 of the Staff report) on the screen. She said the Applicant addressed part of them already and read each Conclusion aloud. She noted the Recommended Conditions could be addressed by Staff.

President Rickenbach closed the public hearing and called for Committee discussion and deliberation.

Commissioner Hensley stated she definitely thought the trash enclosure needed a lid. She believed the Applicants worked really hard to incorporate a lot more details. The intent of the aesthetic of the project is appropriate overall for the location. She did not believe a Victorian look was appropriate for a waterfront. She appreciated the extensive material choices, but still believed there would be too many units. She knew the Applicants were bound by Marriott standards, but on the fourth floor, there is contention with the height. Maybe that should be examined again. She was not proposing the Applicants take another 20 units off, but it should be examined. She did not like that they had no use for Stephanie's Cabin because it was integral to the site. The first-floor plan was hardly adequate for dining. There were four tables and a six-seater for 62 units. She felt like there needed to be some massaging of the programming of the facility in conjunction with the Marriott standards. The City utility impacts should be studied more, and the traffic study should be reevaluated. She did not know if she was a fan of the balconies. She liked the architectural detail and the windows, but it seemed to be a problem amongst the community. She wondered if people would be hanging their towels out. But, overall, she believed the new plan was a much better submittal.

Commissioner Phelps said she was conflicted because she believed a lot of the problems the public are having with the mass and scale are actually due to the Astoria's Code allowing the height and size of the building. She was concerned about the downtown core that would be codified soon and hoped people would attend those meetings. The height is allowed by the Code, which encouraged rectangular buildings. Staff has recommended that the rectangle should be modulated in some way for some relief to the boxiness. She did not believe the roof's change in elevation had taken care of that modulation. She did not mind the balconies because other buildings along the river front have balconies. The pitch of the fourth story looked like wings, which she did not like.

Commissioner Bardy said she believed the clearstory was a nice design element that added some interest to an otherwise recommended rectangular shape. However, if its purpose was mainly to serve to let light in, it might be more effective if it faced south. She believed a lid should be put on the trash enclosure because it would be nice for the people on the hill. It is frustrating that the Code was written to allow a numerical height, which the proposed building is within. But, fortunately, the Code also talks about being within the scale for the neighborhood. The historic canneries that were out over the river and the condominiums were quite tall, but she did not believe they could be built currently. They all sat out over the water. The basic laws of perspective dictate that if something is far away it is smaller. A four-story building over the water did not take up as much visual space as something that sits directly in front of you on the river front. She preferred this design to the previous one. She liked the materials, the red board and batten, and the V groove siding. However, on the east elevation where there is a vertical split, she did not like the red board and batten on one side and the grey V groove on the other. She recommended the Applicant choose one cladding for the entire side. She believed that when debating what the Applicants want versus what the community wants it was important to weigh the whys. It was understandable that the Applicants wanted to build a four-story building because the fourth story would get more views, more rooms, and more profits. But she did not know if that would equally benefit the community. At the last meeting, 22 people spoke in opposition of this project. The two who spoke in favor were members of the Applicant's team. Every person who spoke in opposition shared one common concern, the scale. She believed the Commission needed to pay attention to that. A three-story version of this hotel would be a good compromise for everybody. She knew this was not unheard of for the Fairfield chain because she did some research. There are a number of Fairfields throughout the country that are three stories. If the Applicants wanted to maximize rooms, they could offset that because a lot of the underground parking would not be needed and more rooms could be put downstairs. They would not necessarily lose that many rooms. She believed the scale was too big for the neighborhood. The Commission needed to strike a balance between what benefits the Applicants and what benefits the community; making the building shorter would do that.

President Rickenbach said he believed if the building was out against Marine Drive the perspective would be horrible. He was fine with the location on site and the setbacks. He really appreciated that the Ship Inn building was gone and there would not be four stories on 2nd Street. The scale and massing against 2nd Street is tactful and the aerial space is open to the view corridor. The building is up to the edge, but that is what you do; you maximize a building on a property. He was fine that the Applicants were using 100 percent of the setbacks. It is really hard to visualize all of the details that have been added to the building. However, he believed all the details would help to bring the scale and massing down to where there are breaks in the wall. There are small details above the windows and overhangs down lower. The awning by the front entry would help. There are really nice details that are often times skipped over at this point in the application process. By adding the details to the application, the Commission has an understanding of what they are proposing and how it would be built. The

criteria have been met for the elevation of the building. The surrounds around the mechanical units and the elevator could be smaller or left boxier, but he was okay with the way they were shown. The site lines on the building are nice and he liked the setback and the balconies because it created some change in the lines. If the building was pushed up next to 2nd Street, he would have a bigger issue with the scale and massing, but it has been pulled back with the single-story building against 2nd Street. He believed that met the criteria for scale and massing because it did not feel that big. A lot of existing buildings feel much larger and heavier from Marine Drive.

Commissioner Phelps asked if developments off of secondary streets were required to have a lower height. Planner Ferber answered no, and explained that those buildings had to be set back to maintain a visual corridor.

Commissioner Phelps stated she was okay with the clearstory. She believed they were normally faced towards the north to get soft consistent light rather than glaring light and heat from the south. She asked if the Applicants had ever considered one length of rooms on the fourth story rather than two. That would provide more options for roof pitch and possibly allow for another set of balconies.

Commissioner Bardy said she agreed that the setbacks help open up the view on the river side of the building, but that does nothing for the south side, which is still a really tall wall. The building is still technically a 45- or 48-foot tall mass.

President Rickenbach called for a motion so the Commission could make a decision on Staff's Conclusions and Recommended Conditions.

Commissioner Hensley moved the Astoria Design Review Committee tentatively approve Design Review DR18-01R by Craig Riegelneegg with conditions and adopt the Findings and Conclusions contained in the Staff report. Motion was seconded by President Rickenbach.

Staff advised the Commission on options for next steps and reminded that they needed to direct Staff on findings in support of approval. Commissioners Phelps and Bardy said they would have moved to deny the request. President Rickenbach noted that voting now would result in a tie, which would be a denial of the request. The Commission could continue the hearing.

President Rickenbach reopened the public hearing and asked the Applicant to address the Commission.

Mark Hollander, Bellingham, WA, said he was the developer. The Commission seemed to be focused on the fourth floor. This project is not feasible with 22 fewer rooms, so that is a huge issue. The building could be spread out to make it three stories, but then it would create more frontage along the waterfront and the character of the building would change. The square footage of the building would also be affected. The building is efficient and the size of the building is at the limit, so that is a huge consideration. They have worked hard to try to get the building to conform to Marriott's standards to make the guest rooms work. They would worry about how the interior space functions. They run a lot of hotels so they would make it work. But the Commission is focused on the outside and what it looks like. One of the reasons for having four stories is so all three floors get a view. The garage area does not have a great view because the building sits below the walkway and the dock that sits in front of the hotel. So, guests on the ground floor would be looking at a handrail and they cannot experience an unobstructed view from the lobby. There is a lot of transparency in the lobby and close access to the waterfront, so he could make it work, but he did not want to drop a floor because it would not work at this site. Looking at the hotel from the walkway would not feel that tall compared to everything else in the neighborhood because the building is set down a ways. The perspective from Marine Drive is other single-story building sitting in front of the hotel which would also affect how the building looks from Marine Drive and would take away from the feeling that it is just so massive. This is not a massive hotel, 30,000 square feet is really an architectural accomplishment. Another benefit is that this building would provide some shielding from Marine Drive to those out on the waterfront. Marine Drive is very close to the promenade and the building would give some traffic protection and sound protection, which is a positive thing. If the Commission thinks he can drop the hotel, spread it out, and make it more like the Cannery Pier Hotel, then allow him to do that, but the Code does not allow it. He studied the Code, hired people to evaluate it and figure out what could be done on the site. Based on that, he completed a feasibility analysis and he's gone round and round to try to ask what they want within the Code. That is what he believed he was presenting. He did not know how many more times he could redesign this building and accomplish what the City demands within its Code. He purchased a property with a zoning code, and he had

been working within those parameters. He was trying to listen to the community. While there was some opposition, there were also a lot of people interested in his project. They do not necessarily show up at these meetings, but he believed there were a lot of people in support of the project. This would be a positive contribution to the community.

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

Jan Faber, 3015 Harrison, Astoria, said he had heard the feasibility term used by many developers. Feasibility does not mean it is possible; most of the time it just means maximum profit. There are three-story hotels that do fine. A lot of buildings are not four stories tall that seem to make it okay. The view belongs to everybody, not just for people in the hotel. When walking along the river, in some places he can actually see the hills or trees. But next to this building he would not see anything except sky and a shadow over the Riverwalk. He had never heard anyone complain about the sounds of Marine Drive while walking along the Riverwalk. Astoria does not need a wall to provide a sound barrier. When developers say they are bringing something to town, it is not to bring something to Astoria; it is for profit. Part of the Code the Applicant said he was dealing with is this Design Review Committee, the mass, the sensitivity, the craftsmanship, and the design features. Those things just are not being considered. He did not see any design features on the windows. The mass is just too great for a location along the Riverwalk and blocked the views of the river.

Elizabeth Menetrey, 3849 Grand, Astoria, said the Bridge Vista is very flawed. The Applicant looked at the Bridge Vista but that does not mean the Commission has to approve this project. This is what the community would be looking at for a very long time. This is a big decision. More hotels would be looking at what the Commission decides tonight.

Chris Farrar, 3023 Harrison, Astoria, said the people in the community who have spoken are all opposed and that means something. He did not see any written comments in favor of this project. He asked if the voices of the citizens of this community meant anything to the Commission. Some of the Commissioners are looking for a way to support the community because the Code seemed slack on allowing big square buildings dominating the horizon. He recommended the Commission focus on scale, how it fit with the community and what the community wants. It is great that people come to Astoria and want to make a profit from available property, but they ought to figure out a way to do it without intruding and ruining the community. Ruining the community will dry up the profit anyway.

Loretta Maxwell, 1574 Grand, Astoria, Grandview Bed and Breakfast, said she was brand new when the City was working on the Bridge Vista. She did not really know what setbacks meant. She thought it meant so the view could be to the river rather than along the river. She was not sure how that made the view better other than to not overpower people walking on the river front. Grandview is four stories high, but it is on a hillside about four blocks up from Marine Drive. People who stay at Grandview love the commanding view of the river. From one of the rooms, you can see where the river coming around from Tongue Point and beyond the bridge. She did not really charge a lot and she was not a hotel. If the Applicants want the expansive view, they should go up the hill then the railing would not be in the way, and the view would not be reserved for those only there for a day or two, and taking it away from the people who live here. It is really important to see the river, Washington, and the bridge. She was sorry the Applicants had spent likely tens of thousands of dollars to accomplish this, but it felt like the Applicants were stealing something from the community.

President Rickenbach called for the Applicants rebuttal.

Mr. Riegelnegg said he wanted to reiterate that the BVO was written and exists to maintain certain characteristics, and the prescriptive requirements were built in for a reason. He understood the concerns about the views. The development along the river front was zoned to present a pathway for something to be built. The other option would be to make the building longer and lower, which would not accomplish the goal of maintaining a view of the river front. He wanted to work within the confines and find the most feasible way to construct the hotel.

President Rickenbach called for closing remarks from Staff.

Planner Ferber noted the purpose of the BVO was to allow for development that was water dependent or water related and uses that are consistent for Astoria's working waterfront, encouraging designs that are compatible with the area's historic and working waterfront character and protecting views of and access to the Columbia River while enhancing open space landscaping.

Commissioner Phelps asked what the height limit was prior to the BVO. City Manager Estes said a variety of height limits were allowed along the waterfront, ranging from no height limit to 45 feet. The areas that allowed 45 feet had no provisions for reductions in mass.

Commissioner Phelps stated the Applicant had testified that he did not want to give up the fourth story, but would work with Staff to modulate other aspects of the exterior.

City Manager Estes reminded that the Commission must respond to the design that had been proposed and decide whether it met the criteria. The Commission has not been tasked with redesigning the proposal.

President Rickenbach closed the public hearing.

Commissioner Bardy believed it would be difficult to find anyone in this community who did not have a personal financial investment in the Holiday Inn, to say they are happy it went up. She believed 100 percent of the people who live in Astoria regret that ever happened. It was a mistake, and the City should not continue to make them. The BVO talks about scale, so she would say this did not meet the criteria based on scale. Mr. Hollander said he could not lose the fourth floor because the first floor did not have good enough views for the guests. Those guests would be here one or two nights. This community lives here. She owned a house on the hill she would probably die in and she believed the community's views were more important than someone who is passing through and staying one night. Mr. Hollander also said 30,000 square feet was not massive. It might not be massive compared to other hotels in other cities, but it is pretty massive for Astoria. This is mainly a bed and breakfast town. In her opinion, some large hotels have been mistakenly built recently that she believed everyone regretted. Mr. Hollander also said he held a public meeting and that it was important to him to get community input and have a good relationship with the community. She remembered the public meeting. She was unable to attend, but understood it was particularly heated and a lot of people wanted to go to it. A lot of Council members wanted to attend, but they could not because of when it was scheduled. Some people showed up but had to leave because it was delayed. So, the Applicants did not really get a good rate of everyone's opinion. If the Applicants had listened to those who did show up, their first proposal would have been more similar to what we are dealing with here tonight. The initial design showed that the Applicant's had not listened at all. She believed the whole community was offended when the Applicant's attorney reduced the waterfront to a pile of rocks, sticks, and rusty metal.

Commissioner Hensley said she knew how much hard work went into the submittals. She had been involved in reviewing projects in Astoria for three years and before that in municipalities with much more organized standards. The amount of research that had gone into this submittal she had not seen before. Everyone is judging the project based on the research is ironic because Columbia House Condominiums is hideous and that is what is being defended. The Holiday Inn is the same size and stature, but that is what happens with four stories. This is a much better submittal and she appreciated the amount of mindful detailing and diversity of materials. The only thing she was concerned about was that there was no plan for Stephanie's Cabin in coordination with the lack of dining. The Commission would be wasting time talking about setbacks and the number of floors. The views proposed in this submittal are a lot better.

President Rickenbach believed spreading the building out would really change the massing and the feel on 2nd Street. It would be more difficult to look at a three-story building as not having the right massing, but he liked the feel of pulling it in tighter even if it was a taller building that was not as long and spread out. Some other applicant could propose that.

Commissioner Hensley said when it comes down to the individual conclusions and conditions recommended by Staff, she did not see any reason why it would not pass the qualifications, which are a hodge-podge of different types of styles. Beyond the individual concerns people have, she would not vote against the project.

Commissioner Bardy asked if Commissioner Hensley disagreed that it was out of scale because that is a criterion.

Commissioner Hensley stated that with four floors, removing another 20 units would take the project in another direction and she was not sure that could be solved right now.

Commissioner Bardy asked if Commissioner Hensley believed it was within scale or out of scale; that is what the Commission is voting on.

Commissioner Hensley said she did not want to be vilified, as there was no happy medium. She believed it was out of scale, but given the context of what had been done, it was appropriate. She asked if the Commissioners had any specific concerns about the criteria beyond the fourth floor so she could amend her motion.

President Rickenbach suggested clarifying Items 1 through 9 to complete the motion.

Commissioner Hensley moved to amend the main motion that the Astoria Design Review Committee tentatively approve Design Review DR18-01R by Craig Riegelneegg with the conditions in the Staff report, ***pending the adoption of revised Findings of Fact at the next DRC meeting, date to be determined, regarding the nine plus the additional six conditions of approval.***

City Manager Estes confirmed that the issue of height of the area behind the screening met the intent of the Code; the issues of the scale and massing, as well as the sensitivity and craftsmanship had been addressed by the Applicant; that the form of the building and the clearstory design met the intent of the Code; the awnings as proposed were appropriate and met the intent of the Code, and that the setbacks had been met for the Marine Drive frontage. He confirmed the Commission wanted to add a condition of approval requiring a covered trash enclosure with a man door and to address lighting.

President Rickenbach seconded the amended motion. The motion failed in a tie of 2 to 2.

Ayes: President Rickenbach and Commissioner Hensley. Nays: Commissioners Phelps and Bardy.

City Attorney Henningsgaard said if there was an appeal, it would be good for the Commissioners who voted no to explain the basis of their decision. He believed an appeal was very likely. During the last appeal, City Council was having some difficulty understanding what the findings were. He was concerned about Guideline 14.115(B)2, which addressed the issue of scale. He believed the guideline only dealt with existing buildings, but Staff disagreed with him. The language states buildings should retain significant original characteristics of scale and that is the only time scale is mentioned in this Code section. You cannot retain something if it is not built. Retain means to keep. For those who believe that section applied, it would be helpful to explain their reasoning.

Commissioner Phelps understood that scale was not a consideration because of the way the Code is written.

City Attorney Henningsgaard stated the only Code section that talked about scale and massing was Section 14.115 (B)2 and it uses the words "buildings should retain."

Commissioner Bardy said she would conclude that must be some kind of typographical error. She could not imagine that as detailed as the Code is that the City would not write something in about scale and massing with new construction. She clarified she was not trying to rewrite the Code, but agreeing with Staff's interpretation of the Code.

City Attorney Henningsgaard clarified that if that is the basis of Commissioner Bardy's decision, she should make it part of the findings, which would go to City Council in the case of an appeal. Any other reasons she believed scale and massing applied should be put into the record as well.

Commissioner Phelps asked if the form of the building applied.

President Rickenbach asked Commissioner Phelps to explain on the record which Codes were the basis of her vote.

Commissioners Phelps and Bardy stated they were fine with all of Staff's conclusions except Conclusion 2 and Conclusion 5 (Staff report Pages 30 and 31, respectively). Commissioner Phelps added now that the Commission had been told that the City Attorney did not believe Number 2 applied to new buildings, she was asking about the wording in Number 5 on the form of the building.

City Attorney Henningsgaard explained that the Commission can only determine the intent of the Code by reading the exact language of the Code. The Commission could not put their own spin on what they believe the Code should say. Commissioners took an oath to follow the Code. The Purpose Section of the Code is not a criteria, it is an aide for the Commission to understand why the specific criteria were established, criteria such as height, setbacks, and all of the other objective criteria that the Commission must apply. The Purpose Section is included for people to understand why specific criteria were adopted by the City Council.

Commissioner Phelps said when she read the Code, she interpreted it the way Staff did. She believed Criterion 14.115(B)2 applied to existing buildings. After the downtown area is codified, she wanted the City to take another look at the Bridge Vista.

Commissioner Bardy said she believed scale mattered and was sorry that the Code had been interpreted in another way. If Astoria does not have something written about things being in scale of their surroundings, the City is in trouble for the future. When this Code went in, people did not want to build here. People were not investing in Astoria years ago and now they are coming quick. They are coming in on the south side, too, and if the City does not have anything in the Code about scale and is not willing to enforce it and consider how this affects buildings around, site lines, and views from the hill, then the city is in trouble. She hoped City Council respected that and she hoped they would not overturn this decision.

City Attorney Henningsgaard clarified that he meant to say her comments were particularly important and could guide Staff when making findings. But it is an important issue that could not be glossed over by just saying scale applies because there is a disagreement as to what that Code means. Commissioners Phelps and Bardy are the first step in helping to interpret that Code. Ultimately, City Council would have to interpret it. His interpretation was not gospel. As an attorney, it is his job to state his interpretation, but it is also the Commissioners' job to state their interpretation.

Commissioner Bardy said she just felt the Commissioners' roles were to enforce the Code, but also to represent the community. When there is such an overwhelming outcry about all the same issues, which is scale, she did not believe the Commission should ignore it.

City Manager Estes stated this was a denial and could be appealed to City Council. He was concerned because the findings were quite vague. City Attorney Henningsgaard added that it would be very helpful to include all of the comments, pro and con, in the findings. That way, if it were appealed, Council would be aware of the debate that occurred in this Commission. The comments would be the basis of the findings that Staff draws on.

City Manager Estes explained that the findings would outline both positions for the Commission to review before adopting at a future meeting. He requested a special meeting prior to the next regularly scheduled meeting to ensure compliance with the 120-day rule. Planner Ferber said she would need at least two weeks. Staff confirmed the Commission could review the findings on October 25, 2018 at 5:30 pm.

Commissioner Phelps said she worked for a planning department and served on a historic commission, but never worked in development. She was used to Staff giving their opinion on findings and stating whether or not a project met the Code. The Commission has not had much guidance from Staff on this project. It was difficult for her to be put in this position. For lesser projects, the Code has been met, but this project has been difficult.

City Manager Estes explained that in this case, Staff stated they believed the Code did apply and the City Attorney disagreed. Therefore, the Commission must determine whether the Code applied or not.

President Rickenbach asked Staff if they needed any more clarification from the Commission in order to write findings.

Planner Ferber stated there was no discussion of the awnings, canopy, or relocating the lobby to the other side of the building. There were a number of design alternatives the Commission could ask the Applicant to provide; however, the burden of proof is on the Applicant to demonstrate how the criteria have been met. As much as she would love to go down the list and state which criteria Staff believed had been met, the Code states the burden of proof is on the Applicant.

City Manager Estes said with all due respect to the planner, he did not want to discuss relocating the lobby. However, he did believe the Commission needed to go through the items.

President Rickenbach believed the Commission had already done that. The only concerns were Conclusions 2 and 5. The other items were discussed and they were fine, and that was part of the motion.

Commissioner Hensley said she was not trying to redesign Marriott's interior design standards, but since that is what she does, it was not feasible in her opinion. There was too much parking and it would make sense that the Applicant revisit the first floor spaces being given to amenities like dining, given that they have no plan for Stephanie's Cabin. Her biggest concern was where people would eat.

City Manager Estes confirmed there was a difference of opinion on Conclusions 2 and 5 and that there was a level of comfort on all the other items.

No rules of appeal were read into the record.

REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5:

There were none.

STAFF UPDATES/ STATUS REPORTS – ITEM 6:

There were none.

PUBLIC COMMENTS:

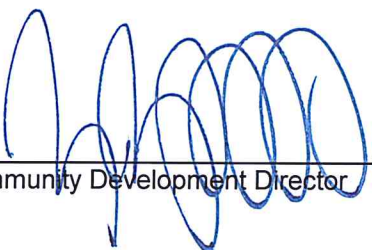
There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:39 p.m.

APPROVED:

at the DRC 11/1/2018 meeting / no changes


Community Development Director