



AGENDA

ASTORIA PLANNING COMMISSION

**November 24, 2015
6:30 p.m.
2nd Floor Council Chambers
1095 Duane Street • Astoria OR 97103**

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a. October 27, 2015
4. PUBLIC HEARINGS
 - a. Miscellaneous Review MR15-01 by Garrett Sign Co. for Fibre Federal Credit Union to install one new 5' x 8' double-faced illuminated monument sign cabinet with changeable text at 85 W Marine in the C-3, General Commercial zone.
 - b. Conditional Use CU15-05 by Jason Oei & Chris West to allow light manufacturing of medical marijuana at 401 Industry in the C-3, General Commercial zone.
 - c. Conditional Use CU15-06 by Teresa Estrada to allow a eating and drinking establishment / mobile food unit adjacent to 300 Industry in the S-2, General Development Shorelands, zone.
5. COMMUNICATIONS
6. REPORT OF OFFICERS
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 SHERRI WILLIAMS, COMMUNITY DEVELOPMENT DEPARTMENT, 503-338-5183.

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
October 27, 2015

CALL TO ORDER:

President Pearson called the meeting to order at 7:04 pm.

ROLL CALL:

Commissioners Present: President David Pearson, Vice President McLaren Innes, Kent Easom, Sean Fitzpatrick, Daryl Moore, Jan Mitchell and Frank Spence

Staff Present: Interim Planner Mike Morgan, Community Development Director Kevin Cronin, Special Projects Planner Rosemary Johnson, and Consultant Matt Hastie, Angelo Planning Group. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

Item 3(a): Minutes of August 25, 2015

Item 3(b): Minutes of September 1, 2015

Commissioner Easom noted that on Page 2 of the work session minutes, in Paragraph 4, Marty Palmer should be corrected to Marty Pollard.

Item 3(c): Minutes of September 16, 2015

Vice-President Innes moved that the Astoria Planning Commission approve the minutes of August 25, 2015 and September 16, 2015 as presented and approve the minutes of September 1, 2015, as corrected; seconded by Commissioner Moore. Motion passed unanimously.

PUBLIC HEARINGS:

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

ITEM 4(a):

CU15-02 Conditional Use CU15-02 by Frank Linza to operate a bed and breakfast in an existing single family dwelling at 364 Floral in the R-3, High Density Residential Zone. This item was continued from the September 22, 2015 meeting in order to allow Staff to develop Findings for denial of the request.

Director Cronin reminded that the public hearing had been closed at a previous Planning Commission meeting and nothing new had been added to the Staff report, which was included in the agenda packet. Staff worked with City Attorney Henningsgaard to develop language for the Findings, as directed by the Planning Commission at their last meeting.

Commissioner Spence moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and deny Conditional Use CU15-02 by Frank Linza; seconded by Commissioner Easom. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

ITEM 4(b):

A15-03

Amendment A15-03 by the Community Development Department to amend the Development Code, Comprehensive Plan, and Astoria Land Use and Zoning Map to implement the Riverfront Vision Plan in the Neighborhood Greenway Area, generally described as between 41st Street and approximately 54th Street, Leif Erikson Drive to the pier head line, commonly known as the Alderbrook Area, in the A-3, Aquatic Conservation; R-2, Medium Density Residential; C-3, General Commercial; IN, Institutional zone. The recommendation of the Planning Commission will be forwarded to the City Council for consideration at a public hearing tentatively scheduled for Monday, November 16, 2016 at 7:00 pm in the City Hall Council Chambers.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. Hearing none, he asked Staff to present the Staff report.

Planner Johnson and Matt Hastie of Angelo Planning Group reviewed the written Staff report and gave a PowerPoint presentation explaining the work that had been completed to date. The presentation was as follows:

- The Riverfront Vision Plan identified four areas, the Bridge Vista Area, Urban Core, Civic Greenway Area, and Neighborhood Greenway Area. The proposed amendment would implement the Neighborhood Greenway Area, which is an area between 41st and 54th Streets and Leif Erikson Drive to the pier head line, also known as the Alderbrook Neighborhood.
 - The Riverfront Vision Plan recommended land use assumptions and objectives for the area, some of which can be implemented via updates to the City's Codes. The public has indicated a desire to keep the area the way it is; therefore, the recommended Code changes are intended to maintain the existing character of the area.
 - Recommended updates to the Comprehensive Plan include an update to the description of the Alderbrook area and any reference to the Neighborhood Greenway area, acknowledgment of the growing impact of traffic to the neighborhood, and the addition of a policy that would allow an investigation of the possibility of extending the trolley into the Alderbrook area. Any codes related to zone changes would also be updated.
 - The A-3 Conservation Aquatic zone known as the Alderbrook Lagoon would be rezoned to A-4 Natural Aquatic zone, which would further restrict allowed uses in the area. The lagoon is not intended for development or large vessels.
 - No changes to allowed uses on land are being recommended.
 - Recommended overwater development standards include limiting the height of any structure to the top of the bank and allowing exemptions for existing buildings.
 - The City owns most of the riverfront parcels in the area and the Division of State Lands owns all of the submerged lands. There are also a few privately owned riverfront parcels in the area.
 - Physical access to the water is located along the Rivertrail to the end of Alderbrook Lagoon, existing street ends, LaPlante Park, Alderbrook Lagoon Park, and a ball field in the area.
 - No additional requirements for providing physical access to the river have been proposed.
 - No new standards are being recommended for single and two-family homes, accessory dwelling units, and non-residential structures.
 - Design standards are proposed for multi-family and non-residential structures, but not single or two-family dwellings. The standards are intended to maintain the character of the area.
 - The City is required to have clear and objective standards for multi-family structures. Staff has identified standards and guidelines, creating a two-track process. The standards and guidelines would also apply to non-residential structures in the area.
 - Staff identified and mapped all of the vacant parcels in the area where development could occur. However, the City does not currently have any plans for development. Most of the parcels are single-family dwelling sites, where no new standards are being proposed. Several parcels could accommodate multi-family dwelling units and would be subject to the proposed design standards and guidelines.
 - No new standards for landscaping are being proposed for single or two-family dwellings. However, for other types of development and along the Rivertrail, Staff is recommending native plants and standards that limit the height and spacing of trees.

- All correspondence that had been received was attached to the Staff report. The Planning Commission's recommendation will be forwarded to City Council. A work session on November 2, 2015 will update City Council on what has been done to date, in preparation for the public hearing and first reading on November 16, 2015. This request will be presented for adoption by City Council in December. No new correspondence has been received and Staff recommended approval of the request.

Vice-President Innes understood the main entrance into Alderbrook was on 45th Street. Planner Johnson explained that the route through 54th Street might have access issues due to the federal lands in the area. Tourists and visitors who are unfamiliar with the area are not aware that 54th Street exits the neighborhood.

President Pearson opened the public hearing. He noted that the City is the Applicant, so the Staff report also served as the Applicant's testimony. He called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he called for closing comments of Staff. There were none. He closed the public hearing and called for Commission discussion and deliberation.

President Pearson thanked everyone who worked on the amendments, including the residents and property owners of Alderbrook. The public comments and input made a big difference and the final document includes some innovative solutions to working with commercial properties while allowing residential properties to remain as is. He commended Staff and the consultants for all of their work.

Commissioner Fitzpatrick said it was nice to receive input from property owners. Commissioner Mitchell added that Staff was very responsive to the neighborhood, which let people know their comments were heard.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report, approve Amendment A15-01 by the Community Development Department, and recommend adoption by City Council; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

NEW BUSINESS: None

REPORTS OF OFFICERS/COMMISSIONERS:

Director Cronin announced that he had selected a final candidate for the City Planner position. Staff is currently conducting a background and reference check. He thanked President Pearson for serving on the panel that helped interview the applicants.

PUBLIC COMMENTS:

George McCartin, 490 Franklin Avenue, Astoria, said he had suggested to several people that the mayor require City Board, Commission, and Committee members to submit a resume and picture to be published on the City website. The mayor has not enforced this, so he suggested the Planning Commission publish this information voluntarily. He believed people wanted to know who was making important decisions. After City Council, the Planning Commission has the biggest influence in the community.

ADJOURNMENT TO WORK SESSION:

There being no further business, the meeting was adjourned at 7:34 pm to convene a work session.

WORK SESSION – HERITAGE SQUARE DESIGN AND REDEVELOPMENT:

Director Cronin gave the same presentation originally presented during a recent open house and published on the project website. The presentation included slides containing a list of the project values developed by the Heritage Square Project Advisory Committee, photographs of the site as it currently exists, weather maps, and design concepts. He explained how each slide pertained to various aspects of the project, including parking, view corridors, pedestrian and vehicle traffic, and the Sunday Market.

- Comments submitted at the open house indicated overwhelming support for turning 12th Street into a 'festival street', a one-lane street with parking on both sides and wide sidewalks that could accommodate street furniture and booths. Booths would be located within the parking bays to allow storefronts to engage with

pedestrians. This arrangement would only be done between Exchange to Commercial during the Sunday Market.

- He showed concept photographs of what Duane Street could become and how adjacent areas would be integrated with the project area. Staff is considering a 45-foot tall library building that could include residential and commercial space above the first story. He showed photographs of libraries in other areas and presented three possible options for a mixed-use library at Heritage Square.

Staff and Commissioners discussed the details of each option, paying particular attention to the parking provided by each. Director Cronin noted that once Staff receives a Notice of No Further Action from the Department of Environmental Quality (DEQ), the site with contaminated material could be redeveloped. Developing the site as underground parking will seal off the contaminated material. Residential units in each option were shown in square feet rather than number of units. Staff can work with a developer to ensure the residential units are affordable housing. He also noted the pros and cons of each option as indicated by comments made at the open house. The concept created by Suenn Ho was not shown at the open house because it did not speak to the direction that City Council gave Staff, which was to develop a library and housing option. Commissioners and Staff discussed open house feedback about trees, greenery, and an amphitheater at the Heritage Square site.

Commissioner Mitchell believed most people at the open house were concerned about workforce housing. The decorative features are secondary to the function of the design and the ability of a multi-use building to produce more housing. Director Cronin said that as he spoke to people who did not frequent the downtown area, he learned that many people were unaware of City Council's housing goal or the concept of a mixed-use building. He tried to educate these people about how a mixed-use building could help with the housing shortage in Astoria.

Commissioner Fitzpatrick said that as the owner of property adjacent to Heritage Square, Options A and C were the best. However, he believed the best location for a mixed-use library building was the space between the old YMCA and the Shark Rock Center, not Heritage Square. The space is a dead zone on Exchange Street between 12th and 14th Streets. He has spoken with people who have indicated this space would be appropriate for a low rise library building. He believed most people understood the Heritage Square site would be more of an open town square rather than a high density space. Cyndi Mudge had said none of the three options would allow the Sunday Market to take place due to lack of space and he did not want to eliminate the Sunday Market, especially when there is another nearby space that could accommodate a mixed-use library. Director Cronin said this project provides the Sunday Market with the opportunity to think about ways they can operate differently. The Sunday Market has been doing things the same way for a long time, so more dialogue with Ms. Mudge and the Board of the Sunday Market will be necessary. It will be important to discuss the market's growth trajectory, whether 12th Street is the best location for the market, and how to ensure the market's success.

President Pearson asked for details about the next steps. Director Cronin said he would put together a packet for the Project Advisory Committee's next meeting on November 5th. After collecting more feedback from the public, a presentation with cost estimates will be given to City Council on December 7th. He is looking for an alternative location for this meeting because he believed Council Chambers would not be able to accommodate the number of attendees. City Council will direct Staff on Phase 2, which will begin in 2016.

Commissioners and Staff briefly discussed the acoustics of several alternative meeting locations throughout town after Commissioner Fitzpatrick said he found it difficult to hear at most locations outside of City Hall. Director Cronin noted a microphone could be brought to the meeting.

There being no further business, the work session was adjourned at 8:06 pm.

APPROVED:

Community Development Director

STAFF REPORT AND FINDINGS OF FACT

November 16, 2015

TO: ASTORIA PLANNING COMMISSION

FROM: KEVIN CRONIN, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST FOR MISCELLANEOUS REVIEW (MR15-01) BY GARRETT SIGN CO. FOR CHANGEABLE TEXT SIGN AT 85 W. MARINE DRIVE

I. BACKGROUND SUMMARY

- A. Applicant: Garrett Sign Co, Inc.
811 Harney Street
Vancouver, WA 98660
- B. Owner: Fibre Federal Credit Union (aka TLC Credit Union)
PO Box 1234
Longview, WA 98632
- C. Location: 85 W. Marine Drive; Map T8N R9W Section 7DB; Tax Lot 4500;
Lots 1 to 3, Block A, Annex to Trullingers Addition, Astoria.
- D. Zone: C-3, General Commercial
- E. Proposal: To install a freestanding changeable text sign on the front property line on the north side of West Marine Drive.

II. BACKGROUND

The subject site is located on the north side of West Marine Drive west of downtown Astoria and east of Uniontown in a commercial area. It is developed with the TLC Credit Union, which is operated by Fibre Federal Credit Union. The sign structure is existing, and the applicant wishes to convert the fixed text sign to a changeable text sign as permitted under a Miscellaneous Review.



Sign location

The development code allows changeable text signs with permits and under certain conditions. One sign may be permitted in a 3,000' radius with a maximum of eight signs total in the City. The only other changeable text signs are at the Astoria High School and the Liberty Theater. These signs are limited in size and type of sign such as wall, projecting, or monument sign. They can only be located in a few zones,

mostly along Marine Drive, West Marine Drive, and Downtown, and on streets with a speed limit of 35 mph or less. The message must stay static for a minimum of ten seconds and cannot scroll, blink, or move; the message must change instantly. The APC review will verify compliance with these requirements in addition to review of compatibility, light intensity, etc. The applicant has submitted additional technical information on the sign that will be reviewed by the APC and is available for review upon request.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet, excluding rights-of-way, pursuant to Section 9.020 on October 30, 2015. A notice of public hearing will be published in the Daily Astorian on November 17, 2015. Any comments received will be made available at the Astoria Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 8.080(M.2.a) states that *"All changeable text signs shall be reviewed as a Miscellaneous Review permit by the Astoria Planning Commission in accordance with Article 9 of the Astoria Development Code."*

Finding: The applicant has submitted an application for Miscellaneous Review.

- B. Section 8.080(M.2.c) states that *"In addition to any other application requirements listed in the Astoria Development Code, all changeable text sign applications shall include manufacturer's information on the operation, illumination, and ability of the sign to comply with the regulations and standards in this Code. The applicant shall also submit a diagram with at least two sample messages for the proposed activity utilizing the lighting capabilities of the proposed sign."*

Finding: The applicant has submitted the required manufacturer's information. The sign will have a display which will allow for letters of 7" with three lines of text. One sample message is included on the graphic attached to this report.

- C. Section 8.080(M.3.a) states that *"The Astoria Planning Commission may approve a changeable text sign if it is compatible with the overall character to be achieved in the area and shall base its compatibility determination on the following criteria:"*

1. *"The relationship of the scale and placement of the sign to the building or premises on which it is displayed."*

Finding: The existing sign is a monument sign with a brick support platform. The existing cabinet will be replaced by a different cabinet that is the same size, 8' x 5' or 35 square feet. The sign is located on the front property line along West Marine Drive and will remain in the same location.

2. *"The similarity or dissimilarity of the sign's size and shape to the size and shape of other conforming signs in the area."*

Finding: The proposed sign is similar to other signs in the area. The TLC has another fixed, illuminated sign on the west side of the building that is 4' x 6' or 24 square feet.



West Marine Drive
looking east with
non-conforming
adjacent site
freestanding sign

3. *"The compatibility of the type and intensity of the illumination of the sign with the type and intensity of other conforming illuminations in the area."*

Finding: The applicant has not indicated if the sign has brightness and contrast controls that are adjustable. The lights are yellow on a blue background. The changeable text portion of the sign will have letters that are 7" high. The applicant will be required to maintain the intensity at a level similar to any other illuminated signs in the City. At this time, there are no other illuminated signs in this area. However, the Planning Commission should require that light intensity be kept low and shall not cast glare into traffic or adjacent buildings.

4. *"The compatibility of the sign to the form and architectural character of the building in which the activity is located and the compatibility of the sign with existing adjacent activities."*

Finding: The building is modern in style although somewhat dated, having been built in the 70s. The sign will be compatible with the existing building.

5. *"The sign illumination shall not unreasonably intrude into residential zones."*

Finding: The sign will be on West Marine Drive and should not be visible from the adjacent residential zones to the south.

6. *"The sign shall not unreasonably block nor visually impair scenic or historic views."*

Finding: The existing sign is located on the front property line of the property and is only 7' high. There are no designated historic buildings or sites in the area along West Marine Drive and the sign does not block any historic view. The sign is on the landward side of West Marine Drive and will not unreasonably block or visually impair the scenic view of the waterfront. With the orientation of the sign, the view down West Marine Drive will not be unreasonably impaired.

- D. Section 8.080(M.4) states that *"All changeable text signs, except those exempted in Section 8.080(M.1) above, shall be in accordance with the following:"*

1. "a. *Type of Sign. The sign shall be limited to monument, wall, or projecting sign.*

Finding: The proposed sign is a monument changeable text sign that will be 7' high. The sign meets this criteria.

2. "b. *Location.*

- 1) *The sign shall be located only in areas along a street or highway having a speed limit of 35 miles per hour or less."*
- 2) *The sign shall not be located within 3,000 feet of another changeable text sign. The distance shall be determined at a 360° radius from the location of the sign."*
- 3) *The sign shall not be located on a vacant lot."*

Finding: West Marine Drive in this area has a speed limit of 35 mph. This is the third changeable text sign proposed in the City. The first sign was located at the Liberty Theater at the corner of 12th and Commercial Streets, and the second sign was installed at the Astoria High School, and neither signs are within 3,000' of another changeable text sign.

3. "c. *Number of Signs.*

- 1) *Only one changeable text sign shall be allowed for each business, use, or activity."*
- 2) *A changeable text sign shall not be allowed in conjunction with any other freestanding sign."*
- 3) *A monument or projecting changeable text sign shall not be allowed in conjunction with another sign of the same type (i.e. another monument or projecting sign)."*

Finding: This is the only proposed changeable text sign for this location; there are no other ones on the building or in the vicinity.

4. "d. Area.

- 1) *The area of a sign with changeable text on more than one independent side of the sign shall be calculated for each side of the changeable text sign. However, both sides will be counted as just one sign for calculating the number of signs.*
- 2) *In addition to other area requirements of the specific zones, the maximum total square footage of changeable text signs shall be as follows:*
 - a) *Monument sign shall be limited to 30 square feet for one side. This limitation is for the changeable text portion of the sign only. A two sided changeable text sign shall be allowed 30 square feet on each side.*

Finding: The sign will be visible on two sides. West Marine Drive is a two-way street, and the sign will be visible to pedestrian and vehicular traffic from both directions. The sign is a monument sign which allows 30 square feet per side. The changeable text portion of the sign is approximately 20 square feet on each side for a total of 40 square feet. The sign meets this criteria.

5. "e. Operation of Sign.

- 1) *Each sign or message shall remain fixed for at least ten seconds. No sign shall contain animation.*
- 2) *When a message is changed, it shall be accomplished immediately and shall not scroll, move, or otherwise change gradually.*
- 3) *The sign shall contain a default design that will freeze the sign in one position if a malfunction occurs."*

Finding: If the sign is capable of animation or moveable display, the applicant shall install instructions at the controlling computer to advise anyone operating the sign of the restrictions on operation. The applicant has not submitted the manufacturer information that the display screen will go to a blank screen should a malfunction occur. That information should be presented to staff for review prior to the operation of the sign for changeable text.

- E. Section 8.080(M.2.b) states that *"All changeable text signs located on a site designated as historic, within a National Register Historic District, on adjacent to or across a right-of-way from a historic site or National Register Historic District shall be reviewed by the Historic Landmarks Commission in accordance with Article 9 of the Astoria Development Code."*

Finding: There are no buildings or sites designated as historic adjacent to the site. This criteria does not apply.

V. CONCLUSION AND RECOMMENDATION

The request meets the applicable review criteria. The applicant should be aware of the following requirements:

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

Staff recommends approval of the request based on the Findings of Fact above, with the following conditions:

1. Information shall be displayed or installed at the controlling computer advising programmers of the required operation of the sign.
2. The light intensity shall be kept low and shall not glare into traffic or adjacent buildings.
3. The applicant shall submit the manufacturer information on the operation of the sign prior to operating the sign as a changeable text sign.
4. The applicant shall provide a statement from the manufacturer that the sign contains a default design that will freeze the sign in one position if a malfunction occurs.



CITY OF ASTORIA
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COMMUNITY DEVELOPMENT



MR 15-01

pk cc 10/22/15
\$250.00 Commission
Fee: \$100.00 Administrative

MISCELLANEOUS REVIEW
(Part 1 – Add Specific Misc. Review Docs)

Property Address: 85W Marine Dr., Astoria, OR 97103

Lot 1-3

Block A

Subdivision Annex to Trullingers
Add Astoria

Map 7DB

Tax Lot 4500

Zone C-3

Applicant Name: Garrett Sign Co., Inc.

Mailing Address: 811 Hamey St., Vancouver, WA 98660

Phone: (360) 693-9081 Business Phone: (360) 693-9081 Email: joet@garrettsgn.com

Property Owner's Name: Fibre Federal Credit Union

Mailing Address: P.O. Box 1234, Longview, WA 98632

Business Name (if applicable): TLC Credit Union

Signature of Applicant: *[Signature]*

Signature of Property Owner: *[Signature]* UP-Branch Operations Fibre Federal C.U.

Proposed Construction / Use: Using the existing footing and base section, install (1) new 5'-0" x 8'-0" double-faced illuminated monument sign cabinet with an electronic message center.

For office use only:

Application Complete:	<i>10/20/15</i>	Permit Info Into D-Base:	<i>10/21/15</i>
Labels Prepared:	<i>10/23/15</i>	Tentative APC Meeting Date:	<i>10/27/15</i>
120 Days:			

City Hall • 1095 Duane Street • Astoria, OR 97103 • Phone 503-338-5183 • Fax 503-338-6538

yjohnson@astoria.or.us • www.astoria.or.us

Miscellaneous Review of Changeable Text Signs:

PART B - APC

Briefly address each of the Changeable Text Sign criteria and state why this request should be approved. (Use additional sheets if necessary.)

Section 8.080(M.3.a). Design Review Standards for Astoria Planning Commission:

The Astoria Planning Commission may approve a changeable text sign if it is compatible with the overall character to be achieved in the area and shall base its compatibility determination on the following criteria:

1. The relationship of the scale and placement of the sign to the building or premises on which it is displayed.
The proposed signage will be the same scale and position as the current monument sign.

2. The similarity or dissimilarity of the sign's size and shape to the size and shape of other conforming signs in the area.
The proposed signage will be the same size and shape as the current monument sign and compliments the building's architecture. The size and shape of the sign are similar to multiple other monument signs in the area. _____

3. The compatibility of the type and intensity of the illumination of the sign with the type and intensity of other conforming illuminations in the area.
The illumination of the proposed signage is consistent with the other fluorescent, LED and neon signage within the corridor. _____

4. The compatibility of the sign to the form and architectural character of the building in which the activity is located and the compatibility of the sign with existing adjacent activities.
The proposed signage will match the squared off architectural character of the building perfectly and is consistent with all neighboring freestanding signs. _____

5. The sign illumination shall not unreasonably intrude into residential zones.
The proposed signage will not affect any residential property. _____

6. The sign shall not unreasonably block nor visually impair scenic or historic views.
Where the current/ proposed sign is positioned, it will not block or visually impair any scenic or historic views. _____

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Miscellaneous Review of Changeable Text Signs: PART A – GENERAL REGULATIONS

The following are the regulations concerning Changeable Text Signs. In addressing each of the Changeable Text Sign criteria on the attached sheet, be sure to include the required information noted below that would indicate that the proposed sign meets the criteria. (Use additional sheets if necessary.)

Section 8.060(B). Required Information For a Sign Permit.

For purposes of review by the Community Development Director, a scale drawing of the proposed sign shall be submitted. The drawing shall include:

1. The dimensions of the sign;
2. Location of the sign;
3. Any structural elements of the proposed sign; and
4. The size, location, and dimensions of any other sign(s) located on the applicant's building or property.
5. A site plan indicating the dimension of the building frontage and/or site frontage.
6. In addition to any other application requirements listed above, all changeable text sign applications shall include the following:
 - a. Manufacturer's information on the operation, illumination, and ability of the sign to comply with the regulations and standards in this Code.
 - b. Diagram with at least two sample messages for the proposed activity utilizing the lighting capabilities of the proposed sign.

Section 8.080(M.4). Standards.

All changeable text signs, except those exempted in Section 8.080(M.1) above, shall be in accordance with the following:

- a. Type of Sign. The sign shall be limited to monument, wall, or projecting sign.
 - 1) An approved freestanding changeable text sign existing prior to January 1, 2004 shall be allowed with a maximum height of 10'.
- b. Location.
 - 1) The sign shall be located only in areas along a street or highway having a speed limit of 35 miles per hour or less.
 - 2) The sign shall not be located within 3,000 feet of another changeable text sign. The distance shall be determined at a 360° radius from the location of the sign.
 - 3) The sign shall not be located on a vacant lot.
- c. Number of Signs.
 - 1) Only one changeable text sign shall be allowed for each business, use, or activity.
 - 2) A changeable text sign shall not be allowed in conjunction with any other freestanding sign.

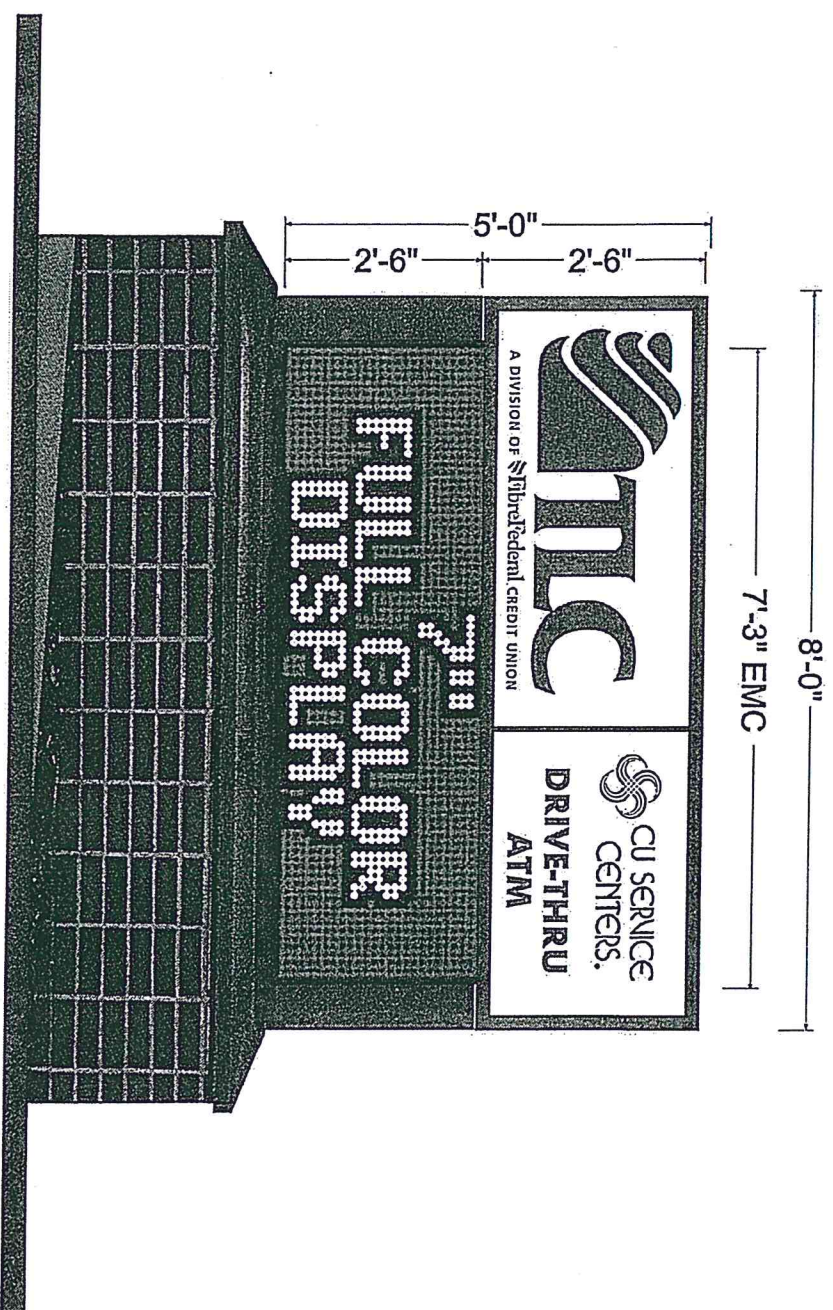
- 3) A monument or projecting changeable text sign shall not be allowed in conjunction with another sign of the same type (i.e. another monument or projecting sign).

d. Area.

- 1) The area of a sign with changeable text on more than one independent side of the sign shall be calculated for each side of the changeable text sign. However, both sides will be counted as just one sign for calculating the number of signs.
- 2) In addition to other area requirements of the specific zones, the maximum total square footage of changeable text signs shall be as follows:
 - a) Monument sign shall be limited to 30 square feet for one side. This limitation is for the changeable text portion of the sign only. A two sided changeable text sign shall be allowed 30 square feet on each side.
 - b) Projecting sign shall be limited to 15 square feet for one side. This limitation is for the changeable text portion of the sign only. A two sided changeable text sign shall be allowed 15 square feet on each side.

e. Operation of Sign.

- 1) Each sign or message shall remain fixed for at least ten seconds. No sign shall contain animation.
- 2) When a message is changed, it shall be accomplished immediately and shall not scroll, move, or otherwise change gradually.
- 3) The sign shall contain a default design that will freeze the sign in one position if a malfunction occurs.



NEW EMC (24X84 MATRIX)
 NEW TOP CABINET
 EXISTING BASE PIPE AND FOOTING

REMOVE EXISTING DOUBLE FACED ILLUMINATED CABINET. INSTALL CABINET AND NEW 25MM FULL
 COLOR ELECTRONIC MESSAGE CENTER WITH MATRIX AS NOTED ABOVE. CONFIRM USE OF EXISTING
 FOOTING AND BASE PIPE.



GARRETT SIGN
 811 MARINE STREET VANCOUVER, WA 08660
 (206) 553-5981 • (800) 594-1191 • FAX (206) 553-5948
 WWW.GARRETTSIGN.COM



A DIVISION OF
 STFCREDIT UNION
 85 W. MARINE DR. ASTORIA OREGON 97103

DATE: 7/15/15 SCALE: 1/2" = 1' DRW:SGT
 DESIGN #: FFCU_TLC_Astoria_monemc4 REDRAW# PERM

SIGNS ARE RENTALS THEY ARE RECOGNIZED AS THE PROPERTY OF GARRETT SIGN. ACCESS TO THE PROPERTY FOR REMOVAL OF THE
 SIGN SHALL BE ALLOWED WITHOUT DELAY. THE LANDLORD WILL NOT LEAN OR ATTACH ANY CLAIM, CONSIDERED ABANDONED
 OR ASSESSED ANY FEES AGAINST RENTAL SIGNS. THE TERMS OF THIS APPROVAL WILL TRANSFER TO FUTURE PROPERTY OWNERS.

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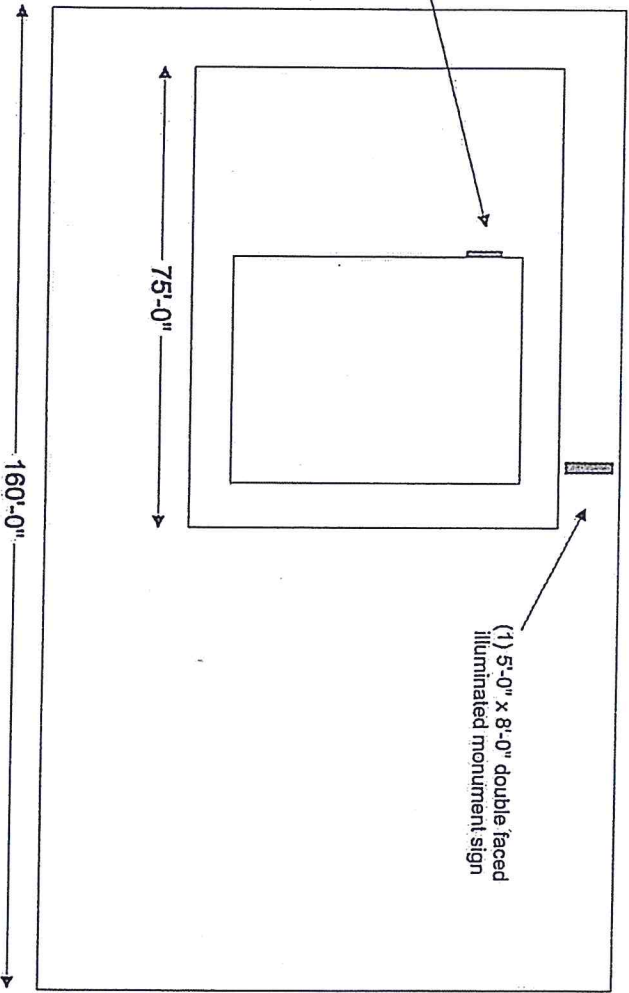
PRINT NAME SIGNATURE & DATE LANDLORD SIGNATURE & DATE

ACCEPTED
 BY & DATE



Existing 4'-0" x 6'-0" single
faced illuminated fascia sign

(1) 5'-0" x 8'-0" double faced
illuminated monument sign



GARRETT SIGN
811 MARINE STREET VANCOUVER, WA 98000
(206) 253-5001 • (206) 253-1191 • FAX (206) 253-9040
WWW.GARRETTSIGN.COM

TLC ASTORIA
85 W MARINE DR ASTORIA, OR 97103

DATE: 9/30/15	SCALE: 1"=30'-0"	DRW:
PLAN: SITE	ELEVATION:	D. Taylor
DESIGN #: FFCU_TLC_Astoria_monta	REDRAW# 1	

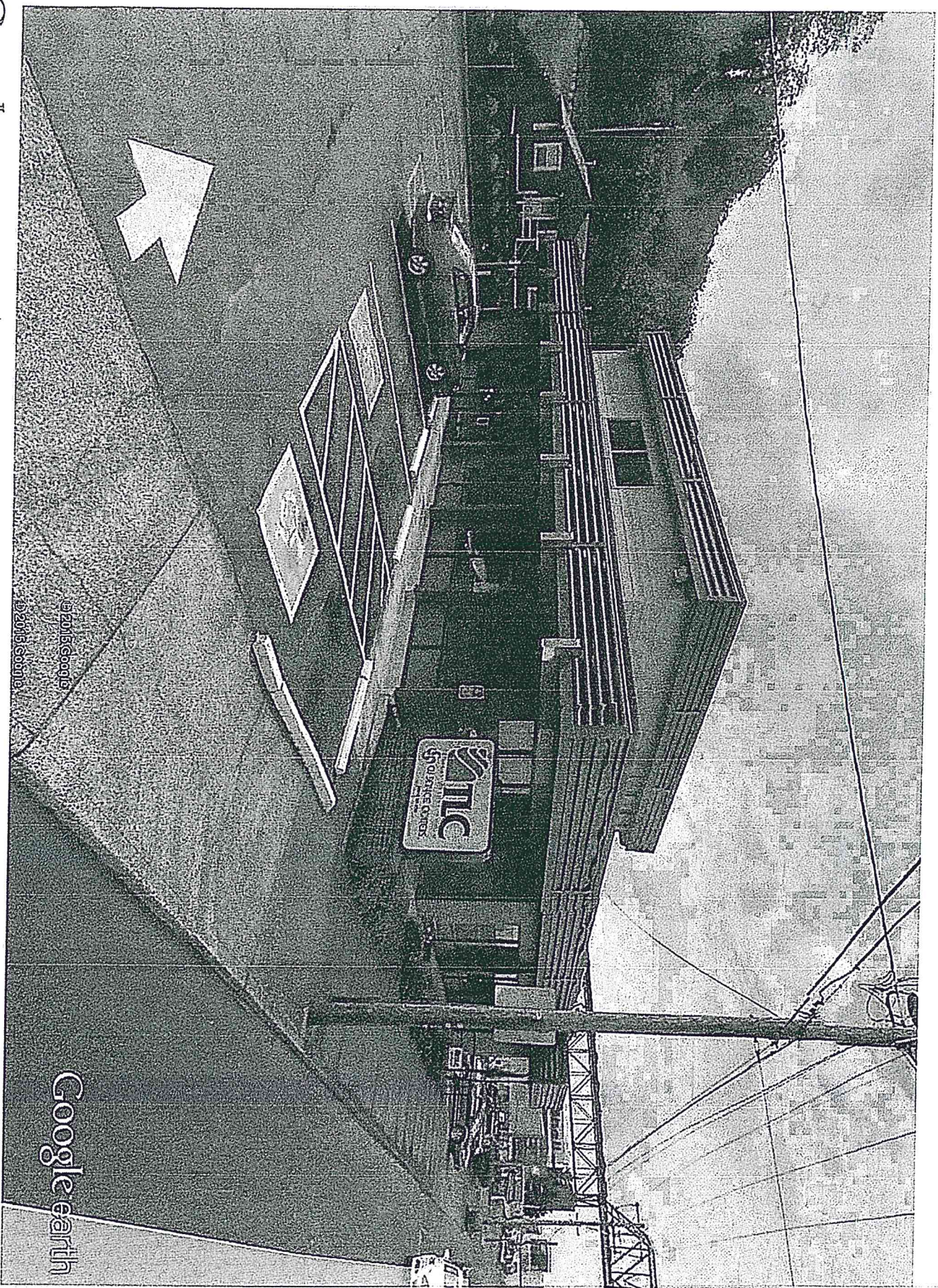


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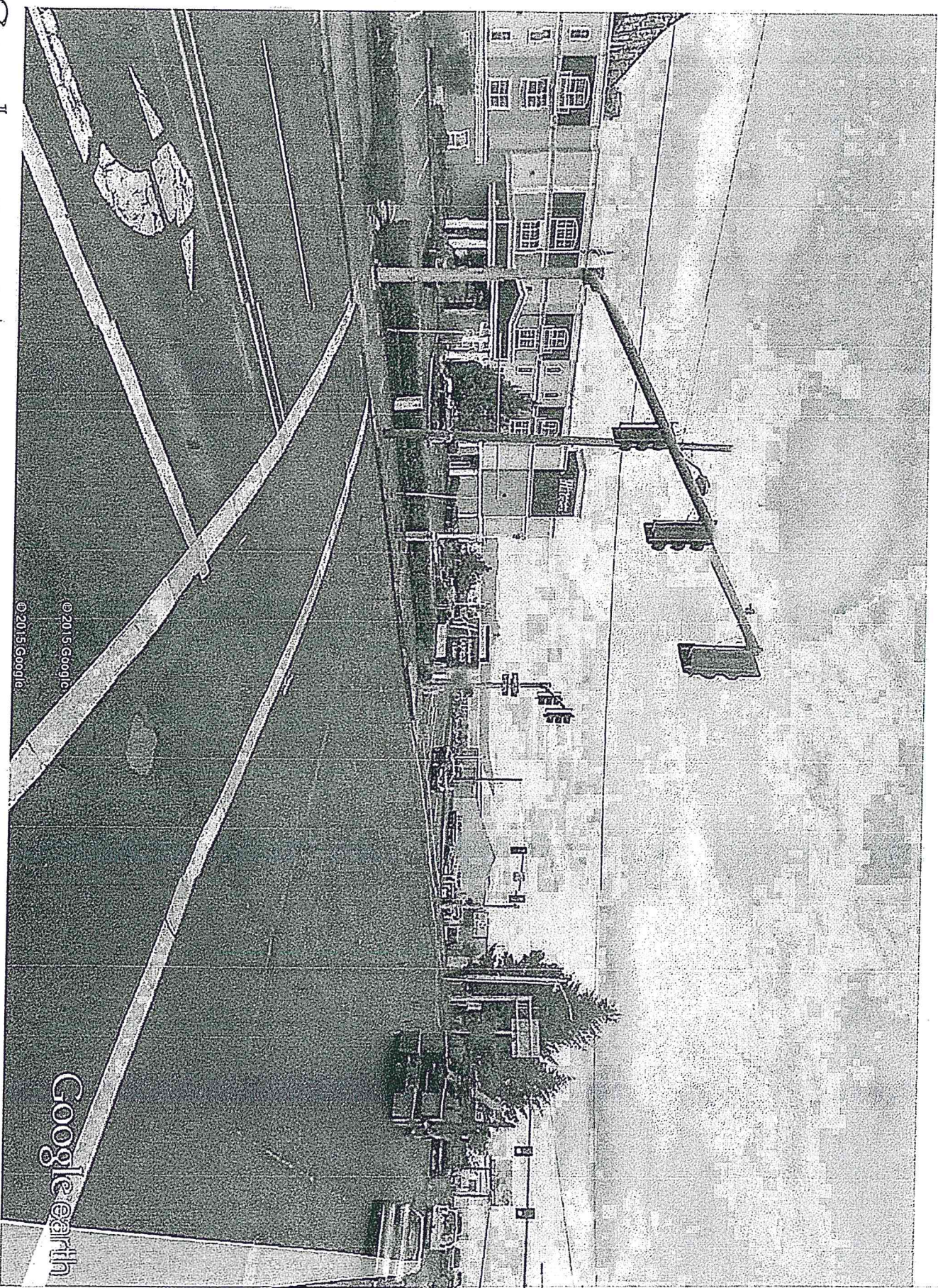
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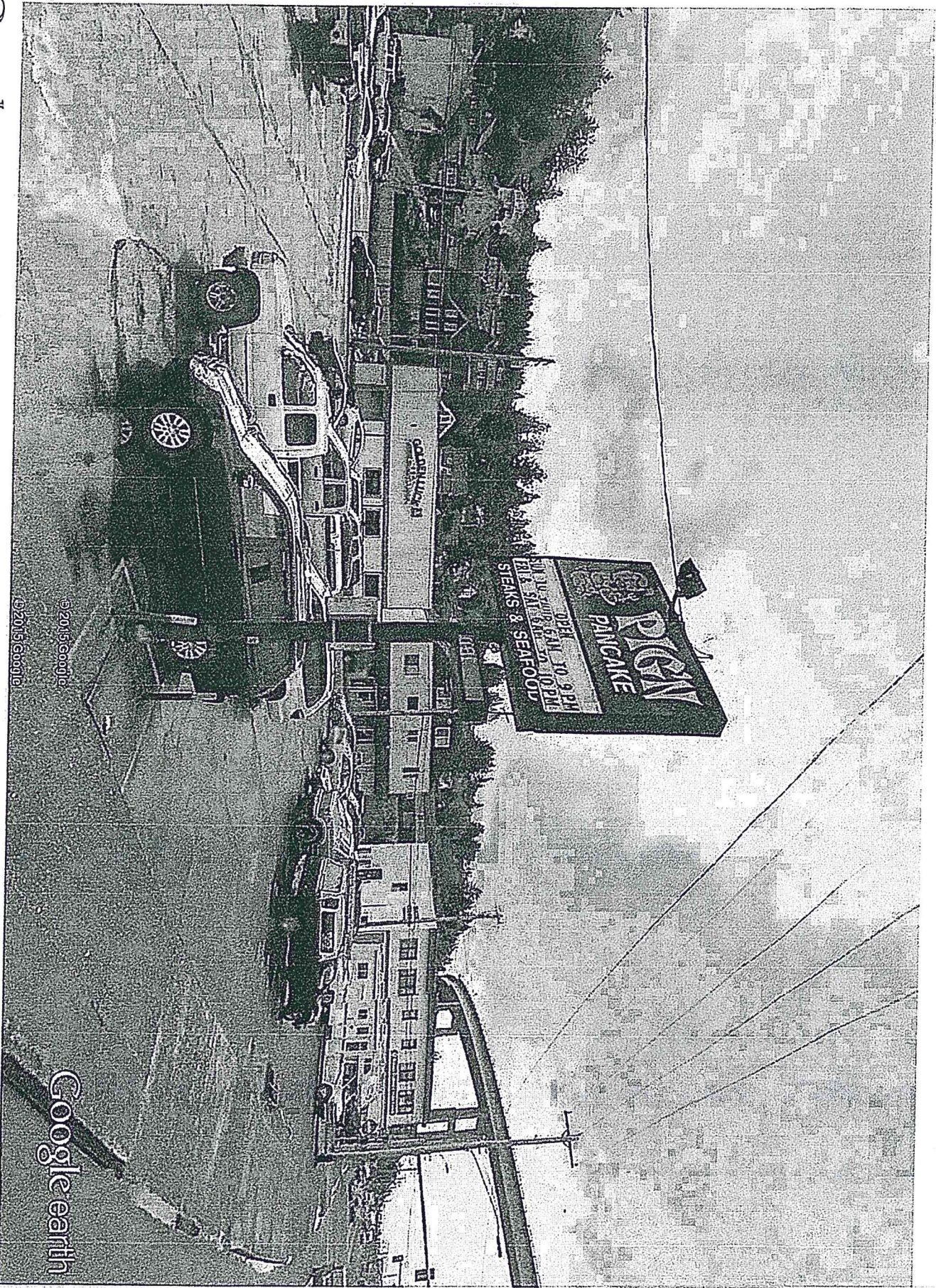
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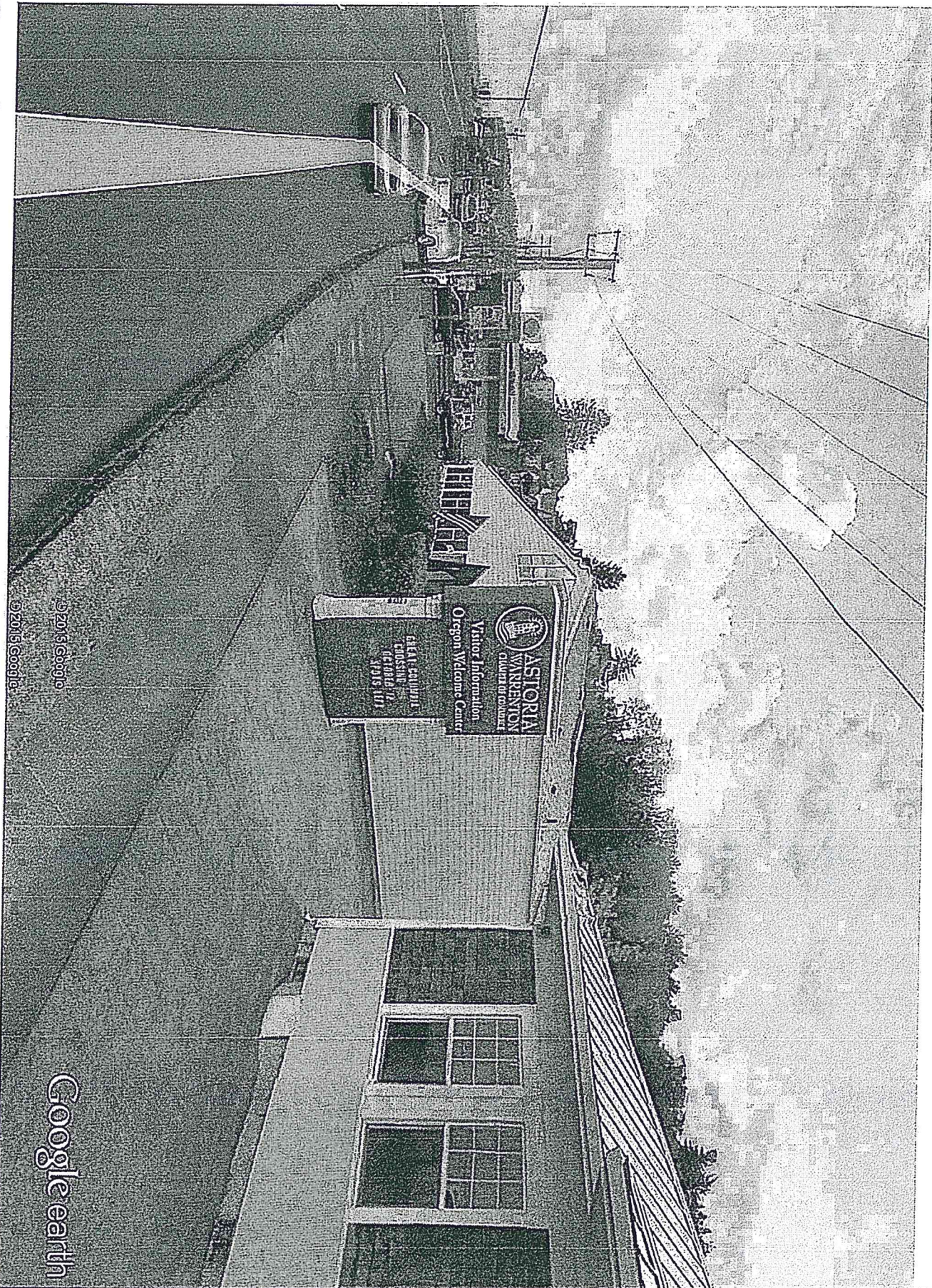
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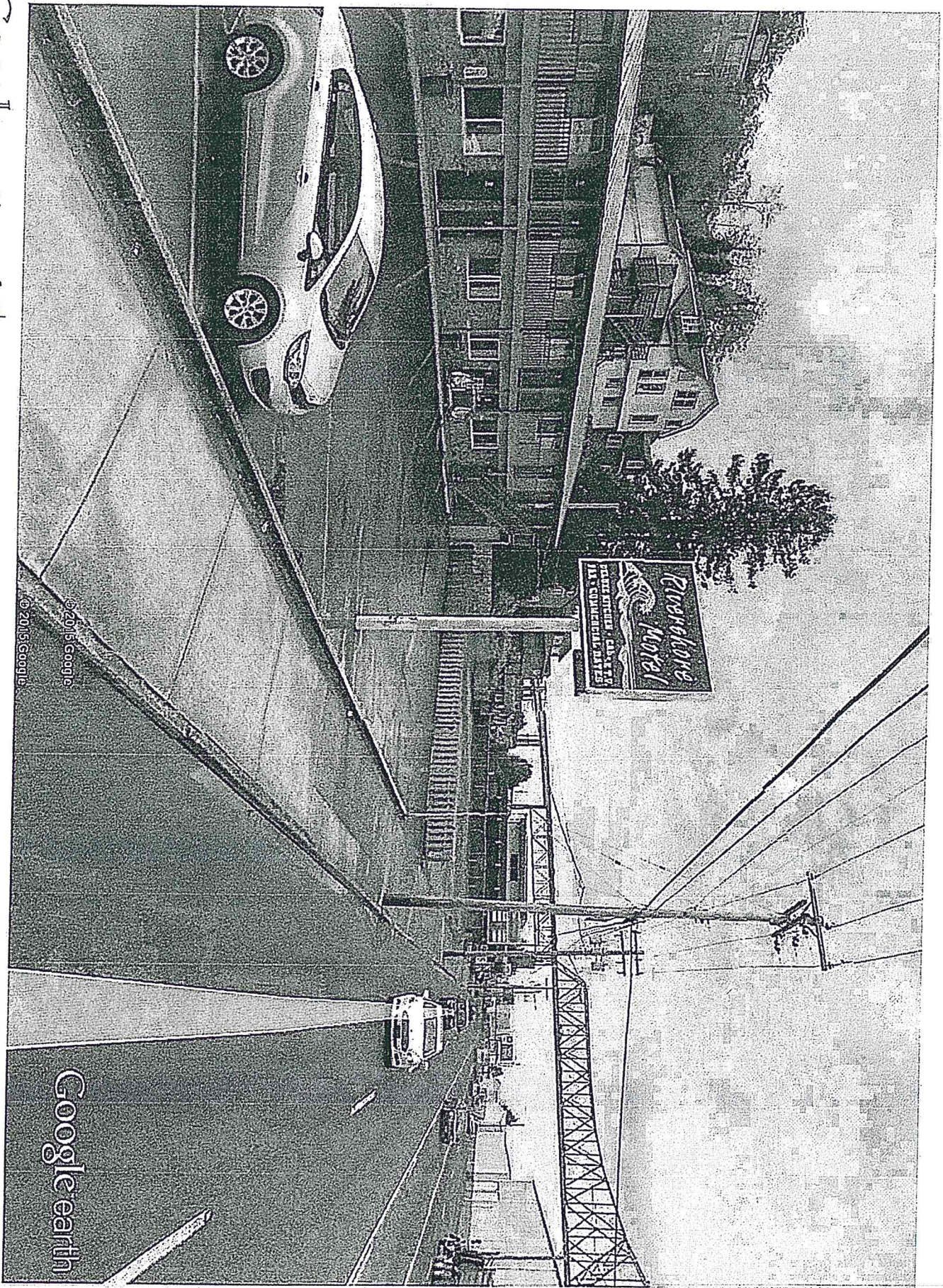


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STAFF REPORT AND FINDINGS OF FACT

October 27, 2015

TO: ASTORIA PLANNING COMMISSION

FROM: KEVIN A CRONIN, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE REQUEST (CU15-05) BY JASON OEI AND CHRIS WEST TO LOCATE A MARIJUANA GROWING SITE AT 401 INDUSTRY STREET AS LIGHT MANUFACTURING WITHIN AN EXISTING BUILDING.

I. SUMMARY

A. Applicant: Jason Oei and Chris West
PO Box 572
Astoria OR 97103

B. Owner: Dick Delphia
PO Box 2504
Gearhart, Or 97138

Mailing address:

990 Astor Street
Astoria, Or 97103

C. Location: 401 Industry Street, Map T8N R9W Section 7CC, Tax Lot 1600
Portion of Lot 1, Block B, Port of Astoria.

D. Zone: C-3, General Commercial

E. Lot Size: approximately 60 x 100', (interior is 4,500 square feet)

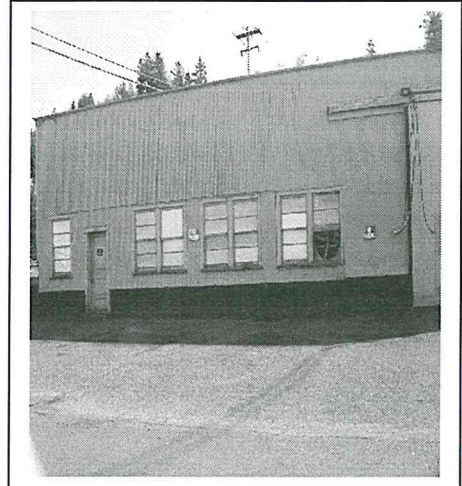
F. Proposal: To locate a growing operation in an existing vacant commercial structure.

G. Prior Applications: No land use applications or code enforcement violations were located on file.

II. BACKGROUND INFORMATION

A. Site:

The building was constructed in 1949 and is the warehouse of the former Delphia Oil or Portway Machine Works at the corner of Industry Street and Portway. It was part of an oil distribution business that included the Texaco station on Marine Drive. It is located down slope from the former station building and is not readily visible from Marine Drive.



B. Neighborhood:

The site is bounded on the north by Industry Street, and is across from Bergerson Construction, and the Portway Tavern parking lot. The area is largely industrial, and Portway Street provides access to the Port of Astoria.



Proposed
location at
401 Industry
Street

C. Proposal:

The applicants are proposing to locate a marijuana grow operation in approximately 4,400 square feet of the warehouse space. They are currently licensed medical marijuana growers, but are planning to obtain a commercial recreation growing permit next year. Construction and some growing is currently underway.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on October 30, 2015. A notice of public hearing was published in the Daily Astorian on November 17, 2015. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.395(7) concerning Conditional Uses permitted in the C-3 Zone lists *"Light Manufacturing"* which is defined as:

An enterprise involved in the manufacturing of goods or products which require minimal primary processing and which have minimal off-site impacts in terms of noise, glare, odor, air and water pollution. Processing, fabricating, assembly or disassembly of items takes place wholly within an enclosed building, and requires only a small amount of raw materials, land area, power, are easy to transport, and does not require large automated production lines. Facilities typically have less environmental impact than those associated with heavy industry. Examples include food products, brewery, distillery, clothing, electronics, wood working, etc. (*Amended by Ordinance 14-03, 4-21-14*)

Finding: It appears that the growing and processing operation meets the definition of light manufacturing in that it involves minimal processing, has little or no off site impacts, and is entirely within an enclosed building. This definition has been applied to recent establishment of breweries in the City.

- B. Section 7.100 concerning Minimum Parking Space Requirements identifies parking spaces for light manufacturing as one space per 2 employees on the largest shift.

Finding: The facility currently has two employees, which requires one parking space. However, there are six or more spaces on the Industry Street side of the building and at least two on the west side of the building. There is sufficient space on the north and west sides of the building for loading and unloading. However, the Development Code does not require a loading space for industrial facilities under 5,000 square feet.

- C. Section 2.445(8) requires that signs will comply with requirements in Article 8.

Finding: No signs are proposed as part of this request. Any future sign installation shall comply with the requirements of Article 8.

- D. Section 11.110(A) concerning Light Manufacturing, Nuisances states that *"No use shall generate odor, dust, gas, fumes, glare or vibration beyond the property line or site boundary."*

Finding: The proposed use will be enclosed in the building and will not generate odor, dust, gas, fumes, glare or vibration. Light manufacturing operations would be a low impact operation with minimal odor, dust, etc.

- E. Section 11.110(B) concerning Light Manufacturing, Storage states that *"Storage of materials and equipment shall be screened from adjacent*

properties or public streets by sight-obscuring fencing, landscaping or both. Clear vision areas shall not be obscured.”

Finding: All materials and equipment would be stored in the building. No outdoor storage is proposed at this time other than the solid waste disposal area which is addressed below.

- F. Section 11.110(C) concerning Light Manufacturing, Buffer states that *“Where a use abuts a residential zone, or other sensitive use (regardless of the presence of a street) a buffer of at least 10 feet shall be established. Such buffer may include plantings, berms, walls, and fencing adequate to provide a separation of the use from the residential area.”*

Finding: The use would be in an existing building that was previously used for oil product storage. There are windows on the north elevation of the building, but they are covered to eliminate light infiltration which is essential to the operation. The site is not adjacent to a residential zone.

- G. Section 11.110(D) concerning Light Manufacturing, Lighting states that *“Exterior lighting shall be shielded so as to direct it away from adjacent property.”*

Finding: No exterior lighting is proposed. Any future lighting shall be reviewed by the Planner for compliance with this standard.

- H. Section 11.110(E) concerning Light Manufacturing, Parking states that *“Uses shall have adequate parking, loading, maneuvering, and vehicle storage areas so as not to impact adjacent public streets or parking facilities. Ingress and egress shall be limited so as to direct parking onto arterial or collector streets.”*

Finding: There is adequate maneuvering space on the street for loading and unloading. The building has a garage door on the north side that could be used for a loading area.

- I. Section 11.020(B)(1) requires that the use comply with policies of the Comprehensive Plan.

5. CP.015(6) states:

“The Plan establishes the goal of encouraging development which the City is capable of servicing. New industry or housing development should be permitted if public facilities such as sewer, water, police and fire protection, and schools, are capable of accommodating increased demand. New development should make an equitable contribution to the future upgrading of public facilities and services.”

Finding: The facility is serviced by all public and private infrastructure.

CP.038(1)(c) states:

“Support redevelopment of former industrial sites and vacant and underutilized lots.”

Finding: The Delphia property has been underutilized for many years. The utilization of the warehouse may stimulate the redevelopment of the rest of the property.

CP.200(3) concerning Economic Development Goals states that *“The City of Astoria will encourage the broadening of the economy, particularly in areas which help balance the seasonal nature of existing industries.”*

Finding: The marijuana industry appears to be an emerging part of the economy based on the number of businesses in Astoria. The grow operation is a legal aspect of the business, along with retail sales, processing and distribution. It is not a seasonal business since it is conducted in an indoor artificial environment. The request is in compliance with the Comprehensive Plan.

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

Finding: The site is easily accessible, although it is not intended to be accessed by persons other than the workers. It is appropriate at the proposed location in that it will utilize an existing building and provide economic activity in an area that has been underutilized for many years. It is considerable distance from any residential uses, schools, parks or other activity centers other than industrial uses. The proposed use will be located in the Port of Astoria industrial area which is zoned for the type of use. Staff is aware of other retail marijuana establishments

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

Finding: The site is adequately paved and accessible from Industry Street, and has adequate parking and loading area on the north and west sides of the building. The site is fully serviced by a sidewalk on Portway and the Astoria

Riverwalk on Industry. There is a crosswalk at the intersection of Portway and Industry creating a safe crossing for pedestrians and bikes. The proposed use is not expected to negatively impact traffic flow based on the number of employees and expected visitors and vendors. The Police and Fire Chief have reviewed the application and have no concerns regarding traffic.

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

Finding: All public facilities and private utilities are available to the site. The growing of marijuana does not use a lot of water, sewer, or storm drainage. As with all new or increased businesses and development, there will be incremental impacts to police and fire protection but the proposed use will not overburden these services. Various types of light manufacturing may require possible conditions related to a fire suppression system. The applicant has submitted a building permit and/or change of occupancy permit to be reviewed and approved by the Building Official to assure that the services are adequate to accommodate the proposed use. The applicant will need to provide adequate solid waste disposal and recycling facilities to accommodate the operation.

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

Finding: No exterior construction is proposed as part of this request. The site is not within 100' of a known geologic hazard area. The site is not located within a Flood Hazard Zone. Additional studies are not required.

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

Finding: The use will be in an existing building and encompasses the entire parcel. There has never been landscaping on this portion of the site, and it would be impractical or difficult to provide up to 600 square feet of surface landscaping without sacrificing parking or loading areas. However, raised planters could be added to soften the appearance of the site, demarcate the entrance for visitors, and improve the aesthetics of the building without compromising the parking standard.

VI. CONCLUSIONS AND RECOMMENDATIONS

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

1. The applicant shall obtain a building permit prior to the start of operation.

2. The applicant shall provide the required off-street parking or obtain a variance from the parking requirement.
3. Any future exterior lighting or signage shall be reviewed by the Planner for compliance with the standards of Development Code Section 11.110.D and Section 8.
4. A Flood Elevation Certificate shall be submitted to the Planner prior to occupancy of the building.
5. The applicant shall comply with the landscaping standards by adding raised planters with perennial or annual flowers or similar plant material around the perimeter of the building or other locations that do not interfere with access.
6. Solid waste and recycling facilities shall be provided and verified at time of final inspection of any new building permits.

The applicant should be aware of the following requirements:

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



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

CITY OF ASTORIA

COMMUNITY DEVELOPMENT

OCT 2 2015

No. CU 15 105

BUILDING CODES

Fee: \$250.00

CONDITIONAL USE APPLICATION

Property Address: 65 PORTWAY / 401 INDUSTRY
Portion Lot 1 Block B Subdivision -

Map 7CC Tax Lot 1600 Zone C-3

Applicant Name: JASON DEI + CHRIS WEST

Mailing Address: PO BOX 572 ASTORIA, OR 97103

Phone: 5037208583 Business Phone: _____ Email: jaoist@yahoo.com

Property Owner's Name: DICK DELPHIA
P.O. BOX 2504 - Gearhart OR 97138-2504

Mailing Address: 990 ASTOR ST, ASTORIA, OR 97103

Business Name (if applicable): ASTORIA TRADING COMPANY

Signature of Applicant: _____ Date: 9/17/15

Signature of Property Owner: _____ Date: 9/26/15

Existing Use: WAREHOUSE

Proposed Use: LIGHT MANUFACTURING

Square Footage of Building/Site: ~ 4600 ft²

Proposed Off-Street Parking Spaces: NONE

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

For office use only:

Application Complete:		Permit Info Into D-Base:	<u>10-21-15</u>
Labels Prepared:	<u>10/23/15</u>	Tentative APC Meeting Date:	<u>11-24-15</u>
120 Days:			

FILING INFORMATION: Planning Commission meets on the fourth Tuesday of each month. Completed applications must be received by the 13th of the month to be on the next month's agenda. A Pre-Application meeting with the Planner is required prior to acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Planning Commission meeting is recommended.

Briefly address each of the following criteria: Use additional sheets if necessary.

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

WE WOULD LIKE TO USE THE SITE FOR LIGHT MANUFACTURING, FI.
THE SITE SHOULD BE ZONED LIGHT INDUSTRIAL.

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

NO PLANS TO CHANGE EXISTING LAYOUT,

- 11.030(A)(3) The use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

WE ARE WORKING WITH PACIFIC POWER TO UPGRADE OUR POWER NEEDS,
OUR INTENDED USE WILL NOT

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

N/A

- 11.030(A)(5) The use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.

EXISTING STRUCTURE WITH PLANS TO IMPROVE ON PREVIOUSLY
APPROVED LANDSCAPING, BUFFERS, ETC.

- 11.030(B) Housing developments will comply only with standards 2, 3, and 4 above.

Project Proposal for 401 Industry St.
Astoria Trading Company
High Tide Biological
Chris West 503 734 5139
Jason Oei 503 720 8583

We are a state licensed medical marijuana grow site and state licensed growers.. We sell and distribute our excess medicine to state licensed medical marijuana dispensaries in Astoria and around the state. Our goal is to produce the finest medical grade cannabis in the northwest. Our products are tested for pesticides, mold, and THC content before being sold.

We chose the warehouse site at 401 Industry for many reasons. We are hoping to position ourselves to be able to obtain a commercial recreation growing permit as they become available early next year. We are expecting that regulations will require us to be in a commercial zone. The site is also over 1000 ft from a school zone.

The Delphia Oil site sat unused for many years. We see this as an opportunity to revitalize an unused warehouse and office space. We have plans to clean up the site and make it look more presentable. As we are able we would like to paint the exterior of the building. We are working towards upgrading much of the building including the electrical, plumbing, and HVAC.

We will have two main rooms for our plants, the grow room and the veg room. We plan to start with 36 Gavita DE Pro lights in our first grow room. We will have 12-16 T-5 fluorescent lights for our clones and small plants in our veg room. We will have multiple plug in fans running for air circulation. We have a 15 ton AC unit we would like to install in the back area of the building with ducting running through our veg room into our grow room to keep the rooms at a comfortable temperature for our plants.

We are working with Pacific Power to upgrade our electrical systems to accommodate our power needs and usage. We have had a licensed electrician calculate our load usage for Pacific Power. We are waiting for the power company to upgrade our transformers.

We have submitted our plans with the city and have applied for a conditional use permit. We are looking to do some modifications to the interior of the warehouse including adding a wall to divide up the space, remodeling the bathroom, and remodeling the entryway.

We look forward to "growing" our business in Astoria and we thank you for your support in our endeavour to be pioneers in a newly legal industry in Oregon.

Jump To:

401 INDUSTRY, SITE MAP.

OCT 8 2015

Clatsop County | City Website | School District | School District |

Sketch Tools

Google Street View

Buffer Selected Features

Search City Addresses

BUILDING CODES

Search City Parcels

Search C



GeoMOOSE 2.6.1 1:150

X,Y: 7352182, 936526 Lat, Lon: 46.187, -123.856

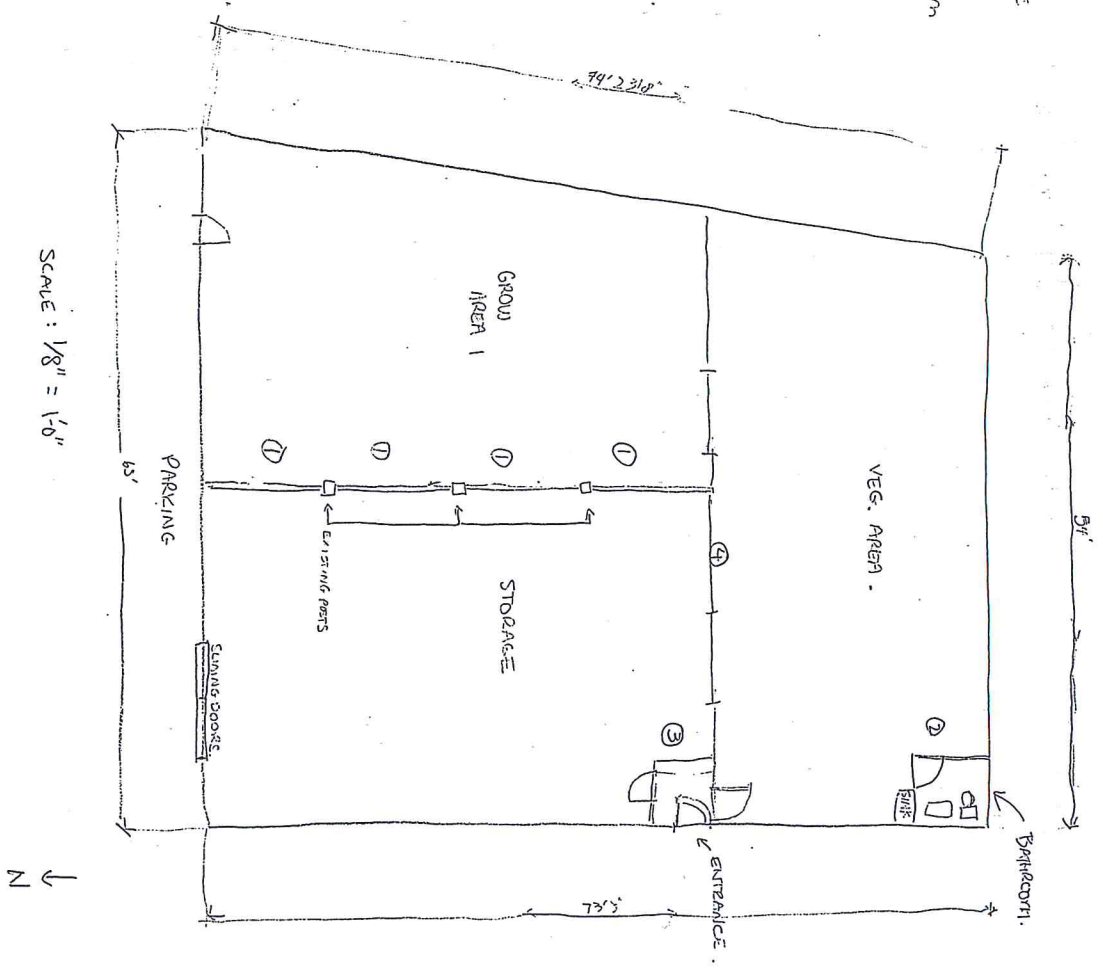
- WE HAVE BUILDING PARKING AVAILABLE ON THE INDUSTRY ST SIDE OF BUILDING.
- WE WILL MAINTAIN AND OR IMPROVE CURRENT LANDSCAPING.

401 INDUSTRY ST.
 ASTORIA TRADING COMPANY
 CHAS WEST : 503 734-5139
 JASON DE I : 503 720-8583

BUILDING AREA : 4352 sq.ft.

WORK TO BE DONE:

- ① BUILD 2x6 WALL TO DIVIDE ROOM INTO TWO SIDES
- ② REFURB, REMODEL BATHROOM TO USABLE CONDITION,
- ③ REMODEL EXISTING ENTRANCE AREA, UPDATE DOORS.
- ④ ADD A WALL TO SEPARATE THE VEG. AREA FROM GROW AND STORAGE AREA



STAFF REPORT AND FINDINGS OF FACT

October 28, 2015

TO: ASTORIA PLANNING COMMISSION

FROM: KEVIN A CRONIN, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE REQUEST (CU15-06) BY TERESA ESTRADA TO
OPERATE A FOOD CART NEAR 300 INDUSTRY STREET.

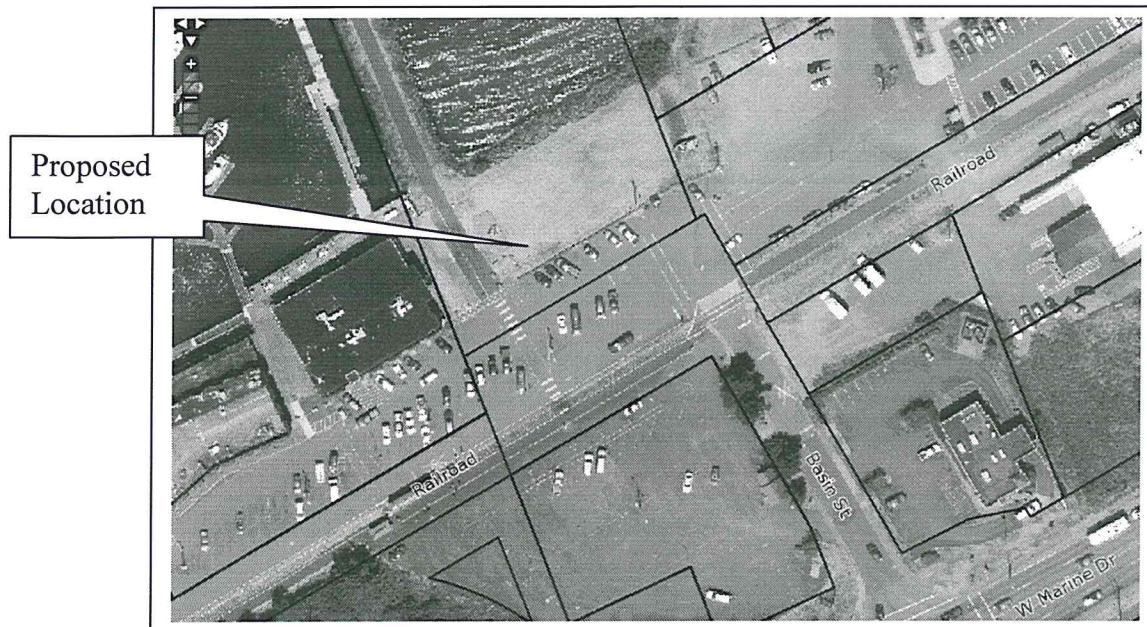
I. BACKGROUND SUMMARY

- A. Applicant: Teresa Estrada
147 Washington Street
Astoria OR 97103
- B. Owner: Port of Astoria
10 Pier 1 Suite 308
Astoria OR 97103
- C. Location: Port property adjacent to 300 Industry Street, Map T8N-R9W Section
7CA, Tax Lot 500;
- D. Proposal: To operate a mobile food unit in a vintage gillnet boat on Port of
Astoria property
- E. Zone: S-2 (General Development Shorelands)
- F. Size: 4.6 acres (includes portion of pier)
- G. Prior History: No other applications for the specific location requested.

II. BACKGROUND

A. Subject Property

The subject property is located within the S-2 Zone (General Development Shorelands), on the north side of Industry Street on Port of Astoria property. The area is generally characterized by industrial and over water or water supporting uses near or on Pier 1. The site is located north of off street parking and the Riverwalk.



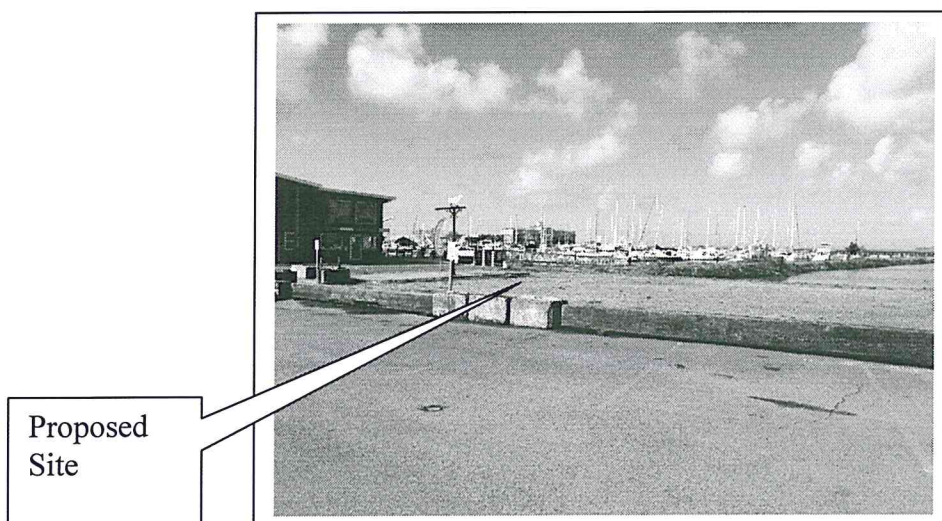
B. Adjacent Neighborhood and Historic Property

The site is bounded on the north by the Columbia River, on the south by Industry Street, on the east by the entrance drive to the Cannery Pier Hotel and the Red Building, and on the west by the commercial buildings housing real estate offices, a seafood market, and an abandoned restaurant. West of this building is the Astoria Riverfront Inn, formerly the Red Lion Motel.

C. Proposed Use

The applicant proposes to position a restored 1946 gillnet boat on a trailer and sell clam chowder containers as a "take out" facility. The boat is similar to a "food cart" in that it is mobile and self-contained, with no sewer or water connections.

The request is for a Conditional Use in the S-2 Zone. The applicant will be required to furnish a rental agreement with the Port of Astoria for use of the site.



III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on October 30, 2015. A notice of public hearing was published in the *Daily Astorian* on November 17, 2015. Comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.665(1) states that *"All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Area Use and Activity Standards in Article 4."*

Section 4.160(1) Residential, Commercial and Industrial Development standards of the Columbia River Estuary and Shoreland Regional Standards states that *"sign placement shall not impair views of water areas. Signs shall be constructed against existing buildings whenever feasible. Off-premise outdoor advertising shall not be allowed in aquatic areas."*

Finding: Signage is minimal and will be displayed on the boat's stern. If any other sign is proposed, a sign permit will be required at this location and will be reviewed against this Development Code standard and the Sign Code standards.

- B. Section 11.020(B)(1) concerning Conditional Uses Application and Procedures, requires that the proposed use comply with the applicable policies of the Comprehensive Plan.

Finding: The proposed use is minimal, and is consistent with the Riverfront Vision Plan and the recently adopted Bridge Vista Overlay Zone.

- C. Section 11.030(A), Basic Conditional Use Standards, requires that before a conditional use is approved, findings will be made that the use will comply with the following standards:

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

Finding: The proposed use is appropriate at this location. The applicant has explored several other locations without success. This area is vacant and underutilized and is located on a street easily accessible from Marine Drive. The site to be used is 28' by 11' (308 square feet). Service will be provided on a walk-up basis. There will be no drive through service. The use will have little impact on the immediate site, as there will not be any permanent structure.

2. Section 11.030(A)(2) requires that *"an adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas,*

refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities. Suitability, in part, should be determined by the potential impact of these facilities on safety, traffic flow and control, and emergency vehicle movements.”

Finding: The proposed site is small as described above, and has sufficient parking provided by the Port. It is in proximity to the RiverWalk, the trolley, Marine Drive, and transit service. The site takes advantage of tourist traffic coming from Port facilities as well as local employers.

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

Finding: All utilities are available in the area, but there will be no connection to utilities as the boat is self-contained and mobile. Solid waste disposal and recycling facilities will be required. There are no restrooms required. The closest public restroom is the Doughboy Memorial.

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

Finding: The subject site is flat, graveled, and no new permanent construction is proposed.

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

Finding: There is no landscaping other than the expanse of grass around the boat’s proposed location. The applicant has proposed to place native plants in containers around the boat.

V. CONCLUSION AND RECOMMENDATION

The request, in balance, meets all the applicable review criteria. Staff recommends approval with the following requirements:

1. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.
2. The applicant shall obtain all necessary City licenses and building permits prior to the start of construction.
3. Solid waste and recycling facilities shall be required and verified on site prior to operation.
4. A fully executed lease with the Port of Astoria shall be required and verified prior to operation.



CITY OF ASTORIA
Founded 1811 • Incorporated 1856
COMMUNITY DEVELOPMENT



No. CU15-66

Fee: \$250.00

*10-19-15
cash*

CONDITIONAL USE APPLICATION

Property Address: ADJACENT TO 300 INDUSTRY ST. ASTORIA, OR 97103

Lot _____ Block _____ Subdivision _____

Map 7CA Tax Lot 500 Zone S 2A & A 2 & A 1

Applicant Name: TERESA ESTRADA

Mailing Address: 147 WASHINGTON ST. ASTORIA, OR 97103

Phone: 503.468.0307 Business Phone: 503.298.3618 Email: t.zisbrich@yahoo.com

Property Owner's Name: PART OF ASTORIA

Mailing Address: 10 PIER 1 SUITE 103 ASTORIA, OR 97103

Business Name (if applicable): T'S ASTORIA CHOWDER

Signature of Applicant: *Teresa Estrada* Date: _____

Signature of Property Owner: *M.D.M. Co* Date: 10-15-15

Existing Use: VACANT

Proposed Use: EATING AND DRINKING ESTABLISHMENT/MOBILE FOOD UNIT

Square Footage of Building/Site: _____

Proposed Off-Street Parking Spaces: EXISTING

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

For office use only:

Application Complete:	<u>10-30-15</u>	Permit Info Into D-Base:	<u>10/21/15</u>
Labels Prepared:	<u>10/23/15</u>	Tentative APC Meeting Date:	<u>11/24/14</u>
120 Days:			

FILING INFORMATION: Planning Commission meets on the fourth Tuesday of each month. Completed applications must be received by the 13th of the month to be on the next month's agenda. A Pre-Application meeting with the Planner is required prior to acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Planning Commission meeting is recommended.

Briefly address each of the following criteria: Use additional sheets if necessary.

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

SEE ATTACHED

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

SEE ATTACHED

- 11.030(A)(3) The use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

SEE ATTACHED

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

SEE ATTACHED

- 11.030(A)(5) The use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.

SEE ATTACHED

- 11.030(B) Housing developments will comply only with standards 2, 3, and 4 above.

Conditional Use Permit Application
N/S Industry St. approximately 75' Wly. of Basin St.

Proposed use: Eating and drinking establishment without drive-thru in the form of a 1946 Columbia River gillnet boat atop a 33' trailer converted to a mobile food unit with operating hours from 11am to 2 pm and 5pm to 7pm.

11.030(A)(1)

Accessibility: The project location is an approximately 33'x10' area of a flat, vacant, grassy lot with a paved walkway located to the west currently used to access the West Mooring Basin marina and businesses within the "Chinook Building". The project does not require or propose the use of stairs or ramps, therefore no review for Americans with Disabilities Act or building permit would be required. The site is easily accessible by users of the nearby Astoria Riverwalk Trail and Astoria Riverfront Trolley. The site is located off of W. Marine Drive through the stop-lighted intersection at W. Marine Drive and Basin Street. Existing driveways within the on-site and adjacent parking lots provide adequate access and parking spaces for customers and the proprietor.

Availability of similar existing uses: The proposed use is an "eating and drinking establishment without drive-thru" per Development Code Section 2.685. Similar uses are located nearby. Bridgewater Bistro is located to the east. Kentucky Fried Chicken and Journey's End Espresso are located to the south, however; those eating and drinking establishments operate with a drive-thru. Northwest Wild Products, an "eating and drinking establishment in conjunction with a water-dependent use (seafood processing plant)" is located within the Chinook Building.

Availability of other appropriately zoned sites: There are other appropriately zoned sites throughout the area but not owned by the Port of Astoria or the applicant. Other appropriately zoned sites owned by the Port of Astoria would reduce existing parking spaces and/or create circulation/safety issues. Other appropriately zoned sites in the MH-Maritime Heritage Zone and the HR-Hospitality/Recreation Zone in which the proposed project is a use allowed by right are not owned by the applicant, nor are the property owners willing to lease to the applicant.

Desirability of other suitably zoned sites for the use: Property owners of other locations suitably zoned for the proposed use, a stand alone mobile food unit, are not willing to lease space to the applicant.

11.030(A)(2)

The site is located in the Port of Astoria West Mooring Basin adjacent to the Chinook Building, which houses business and real estate offices; and charter fishing offices and other water-related commercial and industrial uses, such as an eating and drinking establishment. The proposed use will utilize existing streets, driveways, and parking lots for transportation activities. Adequate parking to serve the project is available within the existing parking lots directly adjacent to the proposed business location, as well as the parking lot further south of the Astoria Riverwalk Trail. An existing trash enclosure with recycling bins is located on the site for use by West Mooring Basin business tenants. The proposed project will take advantage of existing pedestrian traffic along the Riverwalk Trail as well as ridership on the Astoria Riverfront Trolley.

11.030(A)(3)

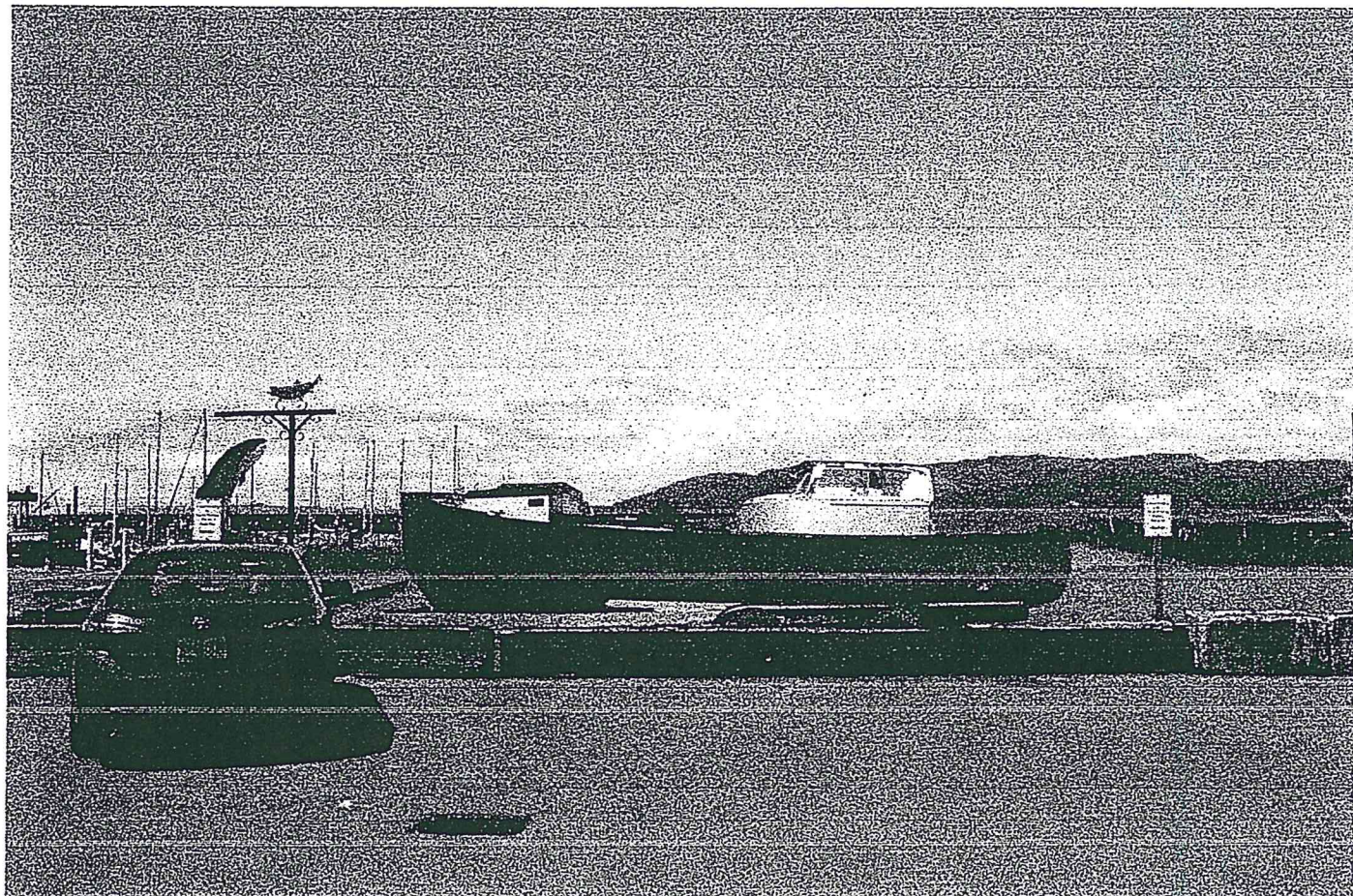
The proposed eating and drinking establishment in the form of the mobile food unit is fully self-contained. Public facilities are available to the site. The use will not overburden water, sewer, or storm drainage. As with all new or increased businesses and development, there will be incremental impacts to police and fire protection, but the proposed use will not overburden these services.

11.030(A)(4)

The site is a vacant and level grassy lot. No exterior construction or pavement installation is proposed or required as part of this request, in order to place the mobile food unit gillnet boat on the site. No geologic report is required.

11.030(A)(5)

The proposed use is located within a vacant, dirt lot. Potted plants consisting of native species compatible with the Columbia River natural vegetation can be provided to enhance the visual quality of the area. The proposed gillnet boat to be placed on site will be adequately set back and separated from the existing parking spaces directly south of the lot.



City of Astoria GIS 2015



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ASTORIA
T'S CHOWDER
CLASS II MOBILE FOOD UNIT

DRAWN BY

TERESA

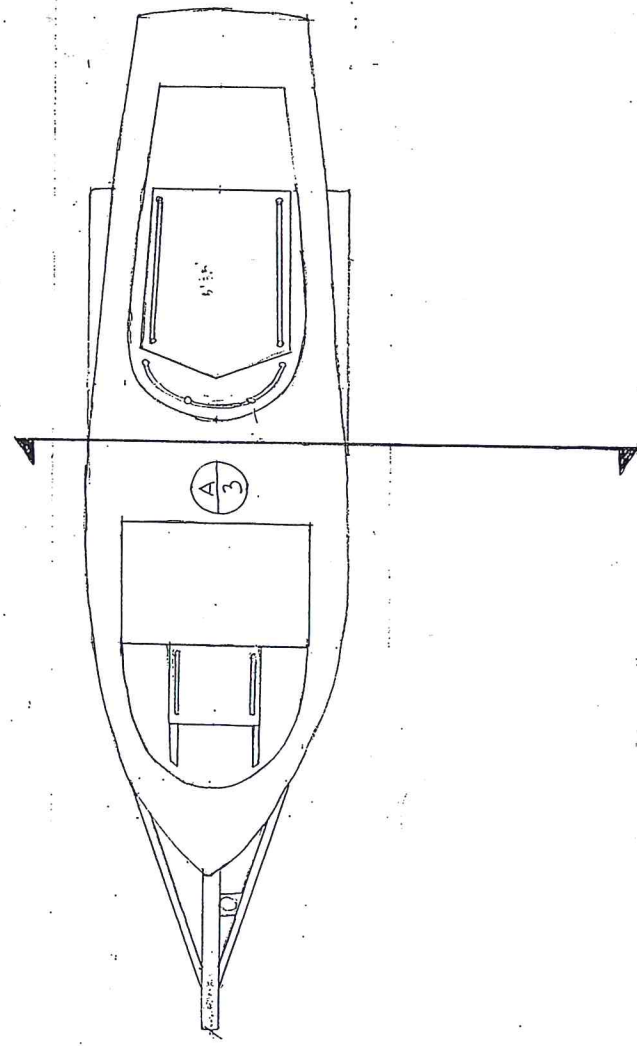
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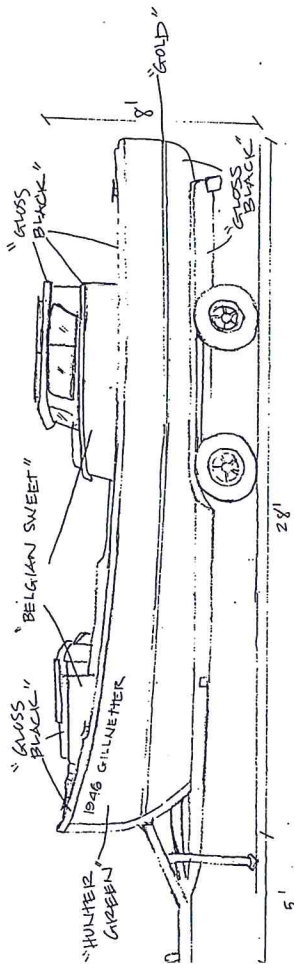
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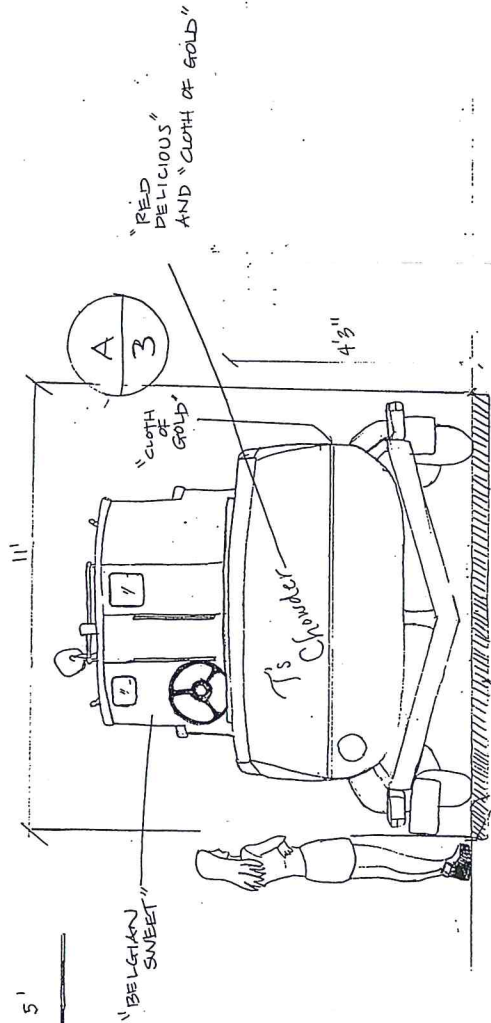
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SCALE 1" = 4'





SCALE: 1" = 5'



SCALE 1" = 3'

ASTORIA
T's CHOWDER
CLASS IV. MOBILE FOOD UNIT

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TERESA
ESTRADA
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