

A G E N D A
ASTORIA PLANNING COMMISSION

Astoria City Hall Council Chambers, 1095 Duane Street, Astoria

Tuesday, April 22, 2014
6:30 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a. February 27, 2014
4. PUBLIC HEARINGS
 - a. Conditional Use CU14-04 by Brad Smithart to locate an arcade as indoor family entertainment in an existing commercial structure at 1084 Commercial in the C-4, Central Commercial zone. Staff recommends approval with conditions.
 - b. Conditional Use CU14-03 by the Lower Columbia Preservation Society to locate an approximate 1,000 square foot office with occasional transient lodging as a semi-public use in an existing multi-family dwelling structure at 1030 Franklin, #2 in the R-3, High Density Residential zone. Staff recommends approval of the request with conditions.
 - c. Variance V14-02 by the Lower Columbia Preservation Society from the required 2 off-street parking spaces for a proposed approximate 1,000 square foot office with occasional transient lodging with zero off-street parking in an existing multi-family dwelling structure at 1030 Franklin, #2 in the R-2, Medium Density Residential zone. Staff recommends approval of the request with conditions.
5. REPORT OF OFFICERS
 - a. Amendment A14-01 - Transportation System Plan – Staff will provide a verbal update on the status of the City Council consideration of adoption of this amendment.
 - b. APC Special Meeting – May 6, 2014
6. ADJOURNMENT

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
February 27, 2014

CALL TO ORDER:

President Nemlowill called the meeting to order at 6:30 p.m.

ROLL CALL:

Commissioners Present: President Zetty Nemlowill, Vice President McLaren Innes, David Pearson and Sean Fitzpatrick

Commissioners Excused: Thor Norgaard, Ron Williams and Peter Gimre

Staff and Others Present: Community Development Director Brett Estes, Planner Rosemary Johnson, and City Engineer Assistant Nathan Crater; Consultants Matt Hastie, Angelo Planning Group and Chris Maciejewski, DKS Associates. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

ITEM 3(a): January 7, 2014

ITEM 3(b): January 28, 2014

Commissioner Fitzpatrick noted a correction on the January 7, 2014 minutes to Page 5, Paragraph 1, Marie Johnson should be identified as "LaRee Johnson ...".

Vice President Innes corrected Page 7, last sentence of the January 28, 2014 minutes under Adjournment to state, "There being no further business, President Nemlowill adjourned the work session at 9:30 p.m." Commissioner Fitzpatrick stated on Page 6, Paragraph 4, he stated that his comments were taken out of context in the following statement. "Commissioner Fitzpatrick said he preferred the development be implemented as a planned unit development (PUD)..." He clarified that he meant if he were to develop a similar project, he would implement a PUD. He said in the future, he would be clear about whether he was speaking as an individual or as a Commissioner. Director Estes stated Staff would make the clarification in the minutes to Page 6, Paragraph 4, Sentence 4: "Commissioner Fitzpatrick said, as a developer himself, he preferred".

Vice President Innes moved that the Astoria Planning Commission approve the minutes of January 7, 2014 and January 28, 2014 with the changes noted; seconded by Commissioner Pearson. Motion passed unanimously.

PUBLIC HEARINGS:

President Nemlowill 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):

CU14-01 Conditional Use CU14-01 by Nancy Karacand to operate a one bedroom home stay lodging with owner occupancy at the same time as guests in an existing single family dwelling at 1293 15th Street in the R-1 zone.

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

Planner Johnson reviewed the written Staff report. No written correspondence had been received, but Staff did receive a phone call from a neighbor of the Applicant in support of the application. Staff recommended approval of the request with the Conditions listed in the Staff report.

Vice President Innes asked where guests would park. Planner Johnson explained that a paved area, which has been measured, has ample space for two vehicles. The Applicant also has a garage. Vehicles can park on the Applicant's property parallel to the street or in the paved driveway, which encroaches into the right-of-way, but is still beyond the curb. Ample parking is available.

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

Nancy Karacand, 1293 15th Street, Astoria, thanked Planner Johnson for structuring the application in a way that covered all of the bases. She said she is the homeowner and is very responsible. She did not want guests on her property when she is not there because she cares about her property. She has spoken to her neighbors and they have been supportive.

President Nemlowill called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, she closed the public hearing and called Commission discussion and deliberation.

Commissioners Pearson, Fitzpatrick, and Vice President Innes said they supported the application.

President Nemlowill believed the application was good, but was concerned about the long-term effect of these types of rentals. The Comprehensive Plan states neighborhoods should be protected from unnecessary intrusions and incompatible uses. Collectively and over time in Astoria, these types of rentals could change the neighborhoods. She recognized that she would be outvoted, as she did not support the application.

Commissioner Pearson moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use 14-01 by Nancy Karacand, with conditions; seconded by Commissioner Fitzpatrick. Motion passed 3 to 1. Ayes: Vice President Innes, Commissioner Fitzpatrick, and Commissioner Pearson. Nays: President Nemlowill

President Nemlowill read the rules of appeal into the record.

ITEM 4(b):

A14-01 Amendment A14-01 by the Community Development Department, City of Astoria, to adopt the 2014 Transportation System Plan (TSP); adopt implementing ordinances in the Comprehensive Plan, Development Code, and City Code. The Planning Commission recommendation will be forwarded to City Council tentatively scheduled on April 7, 2014 at the City Council meeting at 7:00 p.m. for public hearing at 1095 Duane Street.

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

Planner Johnson reviewed the written Staff report. Copies of the Staff report were made available for the audience. Since the draft Transportation System Plan (TSP) was mailed to Commissioners, Section L, Tech Memo 11 of the TSP has been updated. The update was mailed to Commissioners with the staff report separate from the Plan. The updates identified potential code amendments and discussions about those amendments. A letter of support from the Astoria Downtown Historic District Association (ADHDA) was included in the Staff report. Staff recommended approval of the request.

Director Estes noted that Staff worked directly with the Oregon Department of Transportation (ODOT) and the State Department of Land Conservation and Development (DLCD) to develop the document and review the Findings. Staff understood that ODOT and DLCD were comfortable with the entire document. This public hearing would be ODOT's and DLCD's first opportunity to raise any concerns and Staff understood they had no concerns.

President Nemlowill recalled that at the last Traffic Safety Committee meeting, a member of the public spoke about pedestrian access to the new sports complex. The discussion indicated this was not included in the TSP. However, pedestrian access to the new sports complex has been included in the TSP. She asked Staff to explain this. Planner Johnson confirmed a project in the TSP identifies pedestrian access from Niagara to Williamsport Road as a needed project.

President Nemlowill asked for more information about the connection to the high school. Planner Johnson said there are multiple other projects in the TSP, including a sidewalk along West Marine Drive, discussion about trails connecting the middle school to Klaskanine and 7th Street, and additional trails identified in the Trails Master Plan.

President Nemlowill asked if Staff believed that the TSP adequately addressed pedestrian access to the new sports complex from a road point of view, not a trail point of view. Planner Johnson replied the TSP identifies potential projects, but does not identify the details of how each project should be implemented. As long as the TSP states intended projects, the exact location can change. The concepts of the projects are the key elements included in the TSP so that Astoria can seek out funding. The TSP indicates Astoria's goal to provide pedestrian access. The details would be worked out later. She confirmed that Staff believed the projects identified in the TSP were adequate.

President Nemlowill called for the PowerPoint presentation from Matt Hastie of Angelo Planning Group and Chris Maciejewski of DKS Associates.

Chris Maciejewski, 720 SW Washington Street, Suite 500, Portland, OR 97205, said the presentation would review highlights of the TSP and Code amendments. He began by defining a transportation system, which manages growth while maintaining community values. His presentation was as follows:

- Improvement, safety, and capacity projects contained in the TSP cover all modes of transportation. Roadway projects tend to be so costly that only a small portion of them are likely to be funded, but almost all of the biking projects can be funded.
 - The projects included in the Plan are concepts that should be feasible, though some of them may not be implemented. A number of steps would still be necessary to implement each project. The TSP does not offer any funding commitment, so funding for each project would still need to be obtained. A design process would also be necessary before implementing a project.
- The TSP includes a 20-year budget projection that indicates about \$6.4 million would be a reasonable amount for the City to invest in capital improvement projects. Implementing all of the projects in the Plan would cost about \$45 million. High priority and aspirational projects were identified. The high priority projects would cost about \$6.4 million and the aspirational projects would need funding. Inclusion of the aspirational projects in the Plan will help the City obtain funding.
- A Project Advisory Committee guided the technical team on projects. Stakeholder meetings, community meetings, neighborhood meetings, and an interactive website were used to collect public feedback on the projects included in the TSP.
 - The City and the Oregon Department of Transportation decided that a by-pass around Astoria was not likely to be funded in the next 20 years. Therefore, the TSP was built around no by-pass. The TSP includes position statements from both jurisdictions regarding the by-pass with the City continuing support of the concept.
 - Public feedback included a lot of discussion about Downtown and Marine Drive, west of Downtown. Other areas of discussion included Marine Drive near the high school, 8th and Commercial heading towards Downtown, Niagara and 7th, Highway 30, federal streets near Tongue Point, and Bond Street.
- Projects included in the TSP were based on public feedback and are as follows:
 - The downtown traffic signals will need to be replaced and the TSP recommends a feasibility study and community engagement regarding one and two-way streets in the downtown area.
 - A section of Marine Drive just west of Downtown should be repurposed. A center turn lane and a pedestrian refuge should be installed, which would make room for bike lanes.
 - Sidewalks should be installed by the high school.
 - Continue a single lane through the curves west of Downtown and open up to two lanes on Commercial between 8th and 9th Street. The traffic signal would need to be moved from 9th to 10th Street.
 - At Niagara and 7th, vehicle speeds need to be reduced through narrowing curbs or providing landscaping.

- An Irving Street extension to Emerald Heights is recommended. This would not be a major arterial or alternate route project, but would be a local street. This extension would be located outside of the Urban Growth Boundary (UGB), but would remain within Astoria city limits.
- The roadways at Tongue Point need to be upgraded.
- Bond Street should be re-opened to two-way traffic with traffic calming methods to protect the neighborhood. If this is successful, Irving Street should be narrowed to three lanes.
- Implementation of the TSP should result in improvements to motor vehicle operations, safety, and facilities over the next 20 years.
- ODOT has approved the following projects since the packet was mailed out:
 - Repurposing the lanes through the curves on 8th Street
 - On Niagara, east of 15th Street, project maps have been modified to reflect a complete walking route around Niagara to get to Williamsport Road
 - A realignment project to correct the curve at 16th and James
 - The required goal exception to accommodate the portion of the Irving extension located outside of the UGB.

Mr. Hastie reviewed Code amendments via PowerPoint as follows:

- He recommended incorporating goals and policies that were updated during the TSP process and moving other planning documents into a volume of the TSP.
- The code amendments are necessary to address the details of the TSP, to implement specific recommendations, to refer to the TSP, to refer to the City's design and engineering standards, to comply with statewide documents, and/or to resolve issues identified by Staff.
- Some sections of the code are simply being moved from one section to another.
- Vehicular access and circulation codes will be added as a new section. The amendments will relate to subdivisions, some new development, and certain changes in land use. These codes govern the location, number, spacing, and design of approach roads, driveways, and connections to roads.
- All of the amendments are consistent with the State's Transportation Planning Rule (TPR) and the basis for specific code language comes from either the Model Code for Small Communities in Oregon or other jurisdictions.
- Pedestrian and bicycle access and circulation will be added as a new section. This section will address requirements of the TPR and allow for the implementation of the TSP. These codes will apply to new development and land use changes where a new or modified street connection has been proposed. The location and design of walkways within a development are governed by these codes.
- Transportation standards will be added as a new section. This section will include new requirements related to transportation impact studies and standards for the location and design of streets.
- Vehicle and bicycle parking standards will be updated.
- New language will be added regarding ODOT's review of development applications.
- Transportation facilities have been added as permanent use in many zones.
- Vision clearance standards will be added as a new section. The updated standards ensure unobstructed views on a corner or adjacent to a driveway.

President Nemlowill believed there was a discrepancy between state and local vision clearance standards. Director Estes responded there was also a discrepancy between Astoria's Municipal Code and Zoning Standards. Planner Johnson noted that President Nemlowill may have been referring to parking on a city street at a corner, which is a different issue.

Mr. Maciejewski added that one additional change to the draft TSP that was still pending, as he had not yet heard back from ODOT before earlier meetings. He explained the draft TSP recommended the connection to Hamburg be closed between Marine Drive and Taylor near the roundabout and traffic be converted to two-way so that traffic would come out near Florence on the south side of the roundabout. ODOT was concerned about the safety of access near Florence and the highway, so they recommended one-way traffic on Taylor and a reduction of traffic at the intersection of Taylor, Florence, and Marine Drive. The project was removed from the draft TSP because ODOT did not support two-way traffic. He noted next steps would include updating a final adoption version of the TSP that includes the updates discussed at this meeting. If the Plan is adopted, the City will be set up to pursue funding. The City will continue to work with ODOT and other agencies to implement the projects.

President Nemlowill asked the Commissioners if they had questions for the consultants or Staff. Hearing none, she opened the public hearing and called for any testimony in favor of the application.

Drew Herzig, 628 Klaskanine Avenue, Astoria, said that prior to being elected to City Council, people were asking him to re-open Bond Street to two-way traffic. He was very happy that the project was included in the TSP. The Bond Street project has a lot of community support and it is being implemented in a way that should make the neighborhood comfortable with the possible increase in traffic. Keeping the downtown area in the discussion is good because there are very strong feelings on both sides of the issue. He was happy that the City would continue to examine the issue. He urged the consultants and the Planning Commission to keep the discussions as open and transparent as possible because the public needs to feel like they are being heard. He suggested the Advisory Committee and stakeholders be identified regularly so the group does not remain mysterious. The public needs to know who is weighing in on this issue. He reiterated that he was glad the downtown area would continue to be discussed. Offering as much public input and transparency as possible will make this issue better for the future. He confirmed that the Traffic Safety Committee (TSC) would only be meeting quarterly.

President Nemlowill noted that since the TSC met in January, the next meeting would be scheduled for April. Director Estes said he had spoken to the Mayor about changing the frequency of the TSC and the Mayor believed meeting on a quarterly basis would allow the community to raise issues, give the Engineering Department time to investigate the issues while continuing to work with the citizens who have concerns, and return to the TSC to explain how the issues were resolved.

Mr. Herzig said he needed to continue to advocate for the people who live on Hamburg, as they are still contacting him with concerns about Taylor Avenue. He appreciated the information from ODOT, but the residents feel as if they are being put in jeopardy by having to cross three lanes of traffic to turn south from Hamburg. He did not know what the solution was. He recalled the discussion about converting Taylor to one-way southbound traffic, but ODOT was concerned about traffic congestion on Florence. He reiterated that he was still being contacted by people who want the City and the TSC to look into this issue because they feel they are being put in jeopardy. The residents have said they would speak to the Traffic Safety Committee and he must tell them that the meetings have been moved. This is still a concern. He understood that everyone is trying to find ways to make this work. He urged the Commissioners to keep this issue in mind because he was still being urged to bring it to the attention of the Traffic Safety Committee. He added that the TSP has been a picnic compared to the Riverfront Vision Plan. He thanked the Planning Commission and the consultants for all of the time they spent working on the TSP. He understood that some people wanted to get the work over with, but he was glad some of the conversations took place as it was important to have the full community behind some of the decisions.

President Nemlowill thanked Mr. Herzig for his support. She called for more testimony in favor of the application. Hearing none, she called for any testimony impartial to the application.

Fred White, 2011 Irving, Astoria, said he was pleased that the Spexarth Building would not be torn down, as he heard at a meeting that it would be. One-way traffic all the way to 9th Street is the way. He recalled that one of the consultants mentioned Irving Avenue during a discussion about the building. However, Irving Avenue was never mentioned at the meeting he attended at the Liberty Theatre, which may have been the meeting held on September 11, 2013. He believed the Irving Avenue extension was a bombshell that the City should pay attention to. Irving is one lane with parking on each side between 35th and 38th. He did not understand how trucks and traffic loads from Highway 30 would get through this corridor. This section of Irving already receives traffic from Highway 30 when there are traffic issues closer to town. The Irving Avenue extension sounds like an alternate route for Highway 30. He did not understand how this could be implemented without destroying the neighborhood. He understood that there were no alternatives and suggested traffic be routed through Alderbrook on Blue Ridge Road when there are traffic issues. However, there would still be a gap between 45th and 37th. He believed the City needed to be very transparent about this issue because it may sound a lot like selling urban property. This project has been kept under the radar. He did not go to many of the meetings, but did attend one at the Liberty Theatre and heard nothing about the Irving extension until it was mentioned by the consultant in a side conversation. He urged the Planning Commission to get the issue out to the public or there would be many unhappy people if the project snuck out in 10 years. People will ask where the project came from and the City would respond that it was included in the Plan in 2014. However, there are not many people at this meeting.

Director Estes responded that he believed the meeting Mr. White attended was one of the neighborhood meetings. Mr. White said he was at the main meeting at the Liberty Theatre. Mr. Hastie added that the meeting Mr. White attended was either the second or third community meeting. Mr. White noted that he was out of the country until just before the June meeting.

Director Estes explained that community input indicated a desire for an additional east/west thoroughfare. The proposed extension would not be of the same scale as Highway 30, but just a neighborhood route to connect Emerald Heights residents to the rest of town. If Highway 30 needed to be closed, the extension would allow some relief. The Plan does not require this extension to be built. A vote by City Council would be necessary and the City would need to secure funds. The TSP simply facilitates the possibility of the extension.

Mr. White said he realized that the TSP was aspirational, but believed aspirational was a strange word. He asked why ODOT is taking so long to change the walk signals, north and south, in the downtown area. The signals have been at three seconds for about two years. He has been to City Council and Planning Commission meetings and he continues to be told that ODOT will work on the signals as part of the TSP. He asked how difficult it was for ODOT to change the walk signals that are three seconds long. He cannot drive through the intersection in the time that the walk signal is on. The signal blinks for 13 seconds before the light turns red. In three seconds, a pedestrian cannot walk to the middle of Commercial Street.

ODOT representative Bill Johnston said he would explain as best as he could, noting many other people were involved in this issue. He understood that the walk signal was three seconds long in addition to the flashing warning.

Mr. White interjected, stating, if you blink, you miss the walk signal. He is 70 years old and many of the cruise ship visitors are around the same age. The situation is dangerous. Pedestrians cannot get to the middle of the street with 13 seconds of blinking lights and three seconds to cross. He reiterated that the situation is dangerous.

ODOT representative Johnston said that ODOT was very concerned about safety, moving traffic, and the City's concerns. ODOT is looking into the situation, but he was not knowledgeable enough to comment further.

Assistant City Engineer Crater explained that about three to six months ago, the City approached ODOT with some questions about pedestrian safety in the downtown area and upgrading some of the signal infrastructure that has become outdated. The City was notified of some funds that would become available, allowing ODOT to improve the pedestrian signals in the downtown area. He did not know exactly when the funds would become available, but the project could be another year or two out. The project is in the pipeline. A number of upgrades will be completed, including the short walk times.

Mr. White asked if pedestrians could get three more seconds to cross the street, he understood the signal was just operated by a computer. Assistant City Engineer Crater believed the issue was more complicated, noting that he was not a signal engineer. Many elements go into making the lights communicate with themselves so that people are not stopping at every single block.

Mr. White said he was not suggesting the timing on the green signals be changed, but was only suggesting pedestrians be given more time to cross the street while leaving the rest of the signals alone. Assistant City Engineer Crater explained that all of the signals were linked together; adding that signal timing is more complicated than it appears.

Mr. White recalled that traffic calming and pedestrian safety were mentioned throughout the TSP process. He and many others have come before the Planning Commission and TSC to discuss speeding in the city. He was glad to hear that the consultants believe traffic calming is necessary. Past committees have brushed off the citizens, saying the issues were all in their heads. The police have said they were not willing to enforce 25 mile per hour speed limits unless a driver was going 35 or 40 miles per hour. As he has said several times, the right turn permitted signs at intersections throughout town are an invitation to speed. He did not believe many people at the meeting drove standard transmission vehicles and noted that stopping while going up 11th Street could cause issues with the clutch. He did not believe the City needed the right turn permitted signs. He challenged the Commissioners, as he did City Council, to travel from Astoria City Hall to Warrenton without taking Highway 30 and without having to stop more than twice after leaving the downtown corridor. Crossing 11th Street to the other

side of Exchange, and then heading up the hill, will prevent you from stopping at a stop sign or signal until you get to the Senior Center. From his house at 20th and Irving, he only has to stop once.

President Nemlowill thanked Mr. White for his careful attention. She called for more testimony impartial to the application. Hearing none, she called for any testimony opposed to the application. There was none. President Nemlowill closed the public hearing and called for Commission discussion.

Vice President Innes said she was satisfied with the information she had been given and had no questions.

Commissioner Pearson said calling the TSP a document was an incredible understatement. The TSP is more than a document. He thanked the original visioning committee, the consultants, ODOT, and Staff for doing an incredible job. He hoped the process could go more quickly and said he completely supported the application.

Commissioner Fitzpatrick agreed with Commissioner Pearson. He added that one-way streets turning into two-way streets is an important issue. From his home and office, he sees many people driving in the wrong direction where the one-way street turns into a two-way street. He believed the ADHDA would agree that they see the same scenario from their office near 12th Street. It is very important to continue to consider this issue. He agreed with Mr. White that traffic calming is necessary. He has seen speeding cars while walking in the downtown area and agreed that there is a serious need for traffic calming in the area.

President Nemlowill said she was grateful to everyone who worked on the TSP. She thanked the ADHDA for their letter of support. The issue with the couplet was a tough issue because of Michelle Reeve's recommendations. It was difficult to find a solution that would work for downtown businesses. She appreciated the ADHDA's involvement, which helped make her decision easier. She thanked the City Council members that attended.

Vice President Innes moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report for Amendment A14-01, and recommend that the Astoria City Council adopt Amendment A14-01, amending the Astoria Development Code, Comprehensive Plan, and City Code for the adoption and implementation of the 2014 Transportation System Plan (TSP); seconded by Commissioner Fitzpatrick. Motion passed unanimously.

President Nemlowill read the rules of appeal into the record.

REPORTS OF OFFICERS/COMMISSIONERS:

ADJOURNMENT:

There being no further business, President Nemlowill adjourned the meeting was at 7:38 p.m.

ATTEST:

Secretary

APPROVED:

Community Development Director/
Assistant City Manager

STAFF REPORT AND FINDINGS OF FACT

April 9, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU124-04) BY BRAD SMITHART TO
LOCATE AN ARCADE AS AN INDOOR FAMILY ENTERTAINMENT AT 1084
COMMERCIAL STREET

I. SUMMARY

- A. Applicant: Brad Smithart
1650 9th Street
Astoria OR 97103
- B. Owner: Jeffrey Bjornsgard
Katherine Bjornsgard
515 Salmon Creek Road
Naselle WA 98638-9104
- C. Location: 1084 Commercial Street; Map T8N R9W Section 8CB, Tax Lot
8900; Lots 5 & 6, Block 59, McClure, and vacated portion of 11th
- D. Zone: C-4, Central Commercial
- E. Lot Size: approximately 100' x 90' (9,000 square feet)
- F. Proposal: To locate an arcade as indoor family entertainment in and existing
commercial structure

II. BACKGROUND INFORMATION

A. Site:

The one-story building is currently vacant but was previously occupied by Deals II for storage and retail sales. It is located at the corner of Commercial and 11th Streets.



B. Neighborhood:

The area is bounded on the north by other commercial buildings fronting along 11th Street and Marine Drive with Astoria Coffee House, tattoo parlor, and Bikes and Beyond; on the west by a Thai restaurant and downtown grocery store; on the east across the 11th Street right-of-way by Godfather's Books, a hair salon, Cargo retail store; on the south across the Commercial Street right-of-way by a bank, Silver Salmon Restaurant, and a furniture store.

Commercial Street is a two-lane, one-way street going east that runs parallel with the south property line of the site. 11th Street is a two-lane, one-way street going north that runs parallel to the east property line. On-street parking is allowed on both sides of each of these streets.

C. Proposal:

The applicant is proposing to locate an arcade as an indoor family entertainment facility. It would include video arcades and games of skill with some food and soda fountain area. The use would occupy approximately 4,000 square feet of the building and would all be at street level. The applicant proposes to serve alcoholic beverages (beer & wine) after 6:00 pm with adults only after 9:00 pm. Additional permits are required through the Oregon Liquor Control Commission (OLCC) and City Council. The applicant shall obtain these permits prior to serving these beverages (Condition 1).

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on March 28, 2014. A notice of public hearing was published in the Daily Astorian on April 15, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.430(5) concerning Uses Permitted Outright in the C-4 Zone lists *"Eating and drinking establishment without drive-thru facilities."*

Section 2.435(2) concerning Conditional Uses Permitted in the C-4 Zone lists *"Indoor family entertainment or recreation establishment."*

Finding: The applicant intends to locate an arcade open to all ages with some food service. Both uses are allowed, food service as outright use and entertainment as conditional use. He also plans to serve alcoholic beverages in the evening which would be allowed as an eating/drinking establishment outright. The use proposed would require review as a conditional use.

- B. Section 2.445(6) for the C-4 Zone requires that all uses with access, parking, or loading areas will comply with standards in Article 7.

Section 7.180 of the Development Code states, *“Uses in the C-4 Zone are not required to provide off-street parking or loading”*.

Section 7.100.A requires that Indoor amusement and recreation provide *“One space per 400 square feet of gross floor area. . .”*

Section 11.040(A.5) concerning Special Conditions for a Conditional Use states that *“In permitting a conditional use or the modification of an existing conditional use not involving a housing development (e.g. multi-family development, manufactured dwelling park), the Planning Commission may impose, in addition to those standards and requirements expressly specified in this Code, other conditions which it considers necessary to protect the best interest of the surrounding property or the City as a whole. These conditions are: . . . (5) Increasing the required off-street parking spaces. . .”*

Finding: The subject site is within the C-4 Zone and off-street parking or loading is not required in the C-4 Zone. However, since this is a conditional use permit, off-street parking needs can be considered during the conditional use review. Therefore parking may be required by the APC if it is deemed to be necessary.

The parking impact of the entertainment facility (1/400 sqft) is higher than general retail and office use (1/500 sqft), but less impact than an eating/drinking establishment (1/250 sqft). Given the nature of an entertainment facility drawing from the younger crowd that would not be driving to the site, the parking impact should be similar to other allowable uses in the downtown. The indoor entertainment would not generate large numbers of vehicles as most patrons would be walking in the downtown area and/or frequenting other businesses such as restaurants and retail stores. Therefore, additional required parking is not warranted.

- 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, specifically regulations pertaining to the C-4 Zone.

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

1. Section CP.055(4) concerning Downtown Area Policies states that *“The City encourages the reuse of existing buildings prior to the expansion of commercial zones.”*

Finding: The applicant is proposing to reuse an existing building. The nature of the structure with large open areas and storefront windows allows a good opportunity for adaptive reuse for the proposed

entertainment facility. The applicant would be improving the building to make it more conducive to the proposed use and would need to work with the Building Official and Fire Chief on any needed upgrades to the building for the proposed use (Condition 2).

2. CP.015(1) concerning General Land and Water Use Goals states that *"It is the primary goal of the Comprehensive Plan to maintain Astoria's existing character by encouraging a compact urban form, by strengthening the downtown core and waterfront areas, and by protecting the residential and historic character of the City's neighborhoods. It is the intent of the plan to promote Astoria as the commercial, industrial, tourist, and cultural center of the area."*

Finding: The proposed entertainment facility would allow for continued compact urban form development of an area currently serviced by City utilities. Astoria is becoming the cultural center of the region with its numerous historic properties and districts, and with the increase of breweries and distilleries, the downtown is becoming a destination for tourists. The proposed use of the building for entertainment has the potential to become another draw for the downtown redevelopment.

3. CP.200(6) concerning Economic Development Goals states that *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."*

Finding: The existing building is not designated as historic but has been a part of the downtown since its construction in 1949. It has been underutilized for many years except for some storage/retail sales uses in the building. Approval of the conditional use for the entertainment facility would give the property owner the ability to have the space rented to provide additional funds to support the continued maintenance of the building. It is necessary to have tenants in the buildings to help defray part of the maintenance/restoration expenses, which can be costly.

4. CP.205(1) concerning Economic Development Policies states that *"The downtown core of Astoria, generally extending from Sixth to Sixteenth Streets, and from the waterfront to Exchange Street is the retail, service and governmental center of the area. The City, through its zoning actions and support of the Astoria Downtown Development Association, will promote the Downtown."*

CP.200(2) concerning Economic Development Goals states that *"The City of Astoria will assist in strengthening the City's Downtown core as the retail center of the area, with the support of the Downtown Association and the Downtown Manager."*

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.”*

CP.205(5) concerning Economic Development Policies states that *“The city and business community should develop a cooperative program for strengthening and upgrading the core commercial area's competitive position.”*

Finding: The existing buildings and businesses in the area are active participants in the downtown core commercial area. They are visually and physically linked to the downtown and help strengthen the downtown as a central business district. The possible use of this building for indoor family entertainment and eating area would support the economic health of the area. The proposed use would strengthen the downtown as well as provide year round job opportunities.

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

- E. 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 to pedestrians, bicyclists, vehicle traffic, and those using public transit. The existing building was constructed and used for a pharmacy until 1983 and a shoe store. Other tenants were a tire store, Western Auto Supply, Antique Mall, and Deals Only Two. Use as an indoor family entertainment arcade would change the nature of the site from mostly retail to entertainment. Both are pedestrian related uses. There would be no large scale deliveries to the building with the arcade as opposed to the former retail facilities. The proposed use required a conditional use permit no matter in which zone it is located.

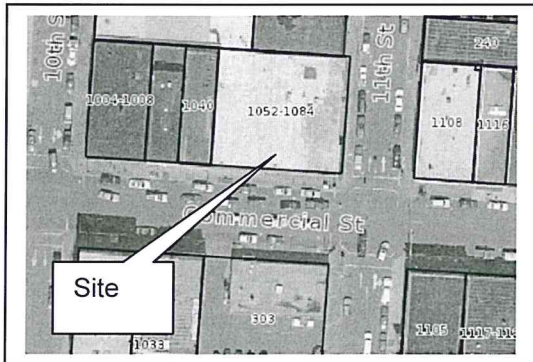
The uses would benefit from a downtown location due to the pedestrian traffic and the close proximity to other similar tourist oriented and sales and services facilities such as art galleries, restaurants, retail sales, and other general commercial businesses. The site is appropriate for the proposed use.

- F. 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 accessible from two streets as it is a corner lot at 11th and Commercial Streets. On-street parking is available on both sides of all streets that surround the site. The entire building is approximately 9,000 square feet on the main floor plus a basement area and only 4,000 square feet is proposed to be utilized by the applicant. The remaining portion of the building would be used by Deals Only Two or other future tenants. Section 7.180 of the Development Code states, “*Uses in the C-4 Zone are not required to provide off-street parking or loading*”. The outright uses allowed within the zone would require more parking for eating/drinking establishments (1/250 sqft) and less parking for office and retail uses (1/500 sqft) than an entertainment facility (1/400 sqft). The parking impact of the entertainment facility would be minimal and similar to the average of the approved uses. Therefore, additional required parking is not warranted. Loading and unloading can be done on the street as there are few off-street loading areas in the downtown area.

Sidewalks for pedestrians, bicycle facilities, public transit are in close proximity to the site and vehicle access is readily available to the site to accommodate visitors using various modes of transportation.



Garbage collection is provided by Recology/Western Oregon Waste (WOW) under contract with the City. The applicant shall work with Recology on the location and size of the refuse collection area for the proposed use (Condition 3). Solid waste disposal areas shall be screened from view. At this time, the disposal area is located within the building and placed on the City sidewalk on collection days. This process is not anticipated to change.

- G. 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: 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. The Fire Chief has indicated that the change of occupancy from mercantile (retail) to an assembly occupancy (entertainment facility) could require changes to the building for exiting and fire protection. This type of use may require possible conditions such as installation of a fire suppression system. Prior to use of the

building, the applicant shall obtain a building permit and/or change of occupancy permit to be reviewed and approved by the Building Inspector and Fire Chief to assure that the services are adequate to accommodate the proposed use (Condition 2). The applicant has been meeting with the Building Inspector and Fire Chief concerning the proposed use.

- H. 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. Additional studies are not required.

- I. 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 building is existing and encompasses the entire parcel. No additional landscaping requirements will be imposed as part of this request.

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. If the applicant proposes to serve alcoholic beverages, additional permits are required through the OLCC and City Council. The applicant shall obtain these permits prior to serving these beverages.
2. Prior to use of the building, the applicant shall obtain a building permit and/or change of occupancy permit to be reviewed and approved by the Building Inspector and Fire Chief to assure that the services are adequate to accommodate the proposed use.
3. The applicant shall work with Recology on the location and size of the refuse collection area for the proposed use.
4. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

The applicant should be aware of the following requirements:

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



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

BUILDING CODES
MAR 20 2014
CITY OF ASTORIA

No. CU 1404

Fee: \$250.00

CONDITIONAL USE APPLICATION

Property Address: 1084 Commercial St, Astoria OR 97103

Lot 5-6 Block 59 Subdivision McClure

Map 8CB Tax Lot 8900 Zone C-4

Applicant Name: Brad Smithart

Mailing Address: 1650 9th St Astoria, OR 97103

Phone: (503) 791-9081 Business Phone: (503) 791-9081 Email: bsmithart@gmail.com

Property Owner's Name: Don Sloan

Mailing Address: 1173 Commercial St Astoria, OR 97103

Business Name (if applicable): _____

Signature of Applicant: [Signature] Date: 3/20/14

Signature of Property Owner: [Signature] Date: 3/15/14

Existing Use: VaCont - Storage

Proposed Use: Classic Arcade

Square Footage of Building/Site: 2,500+ 4,000 sq 100' x 90'

Proposed Off-Street Parking Spaces: Street Parking ☒

to locate an arcade as indoor family entertainment in an existing commercial structure.

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>4-24-14</u>
Labels Prepared:	<u>3/24/14</u>	Tentative APC Meeting Date:	<u>4-22-14</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.

Site is centrally located. Proposed business of Classic Arcade will help bring additional clients for existing businesses without impeding their revenues

- 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.

Site will operate as a green property implementing green recycling solutions. Limited transportation activities. Monthly supply deliveries

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

Site will be utilizing latest energy efficiency and energy conservation practices

- 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.

Site has always been commercially used

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

Site has appropriate sidewalk standards

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

STAFF REPORT AND FINDINGS OF FACT

April 11, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: CONDITIONAL USE REQUEST (CU14-03) BY LOWER COLUMBIA PRESERVATION SOCIETY TO LOCATE A SEMI-PUBLIC USE OFFICE AND ONE BEDROOM TRANSIENT LODGING AT 1030 FRANKLIN AVENUE

I. SUMMARY

- A. Applicant: Ann Gyde
Lower Columbia Preservation Society
PO Box 1334
Astoria OR 97103
- B. Owner: Lower Columbia Preservation Society
PO Box 1334
Astoria OR 97103
- C. Location: 1030 Franklin Avenue; Map T8N-R9W Section 8CC, Tax Lot 2400; Lot 7, Block 45, McClure
- D. Zone: R-3, High Density Residential
- E. Lot Size: 50' x 100' (5,000 square feet)
- F. Proposal: To locate the LCPS office as a semi-public use and operate a one bedroom transient lodging in one unit of the existing multi-family structure

II. BACKGROUND INFORMATION

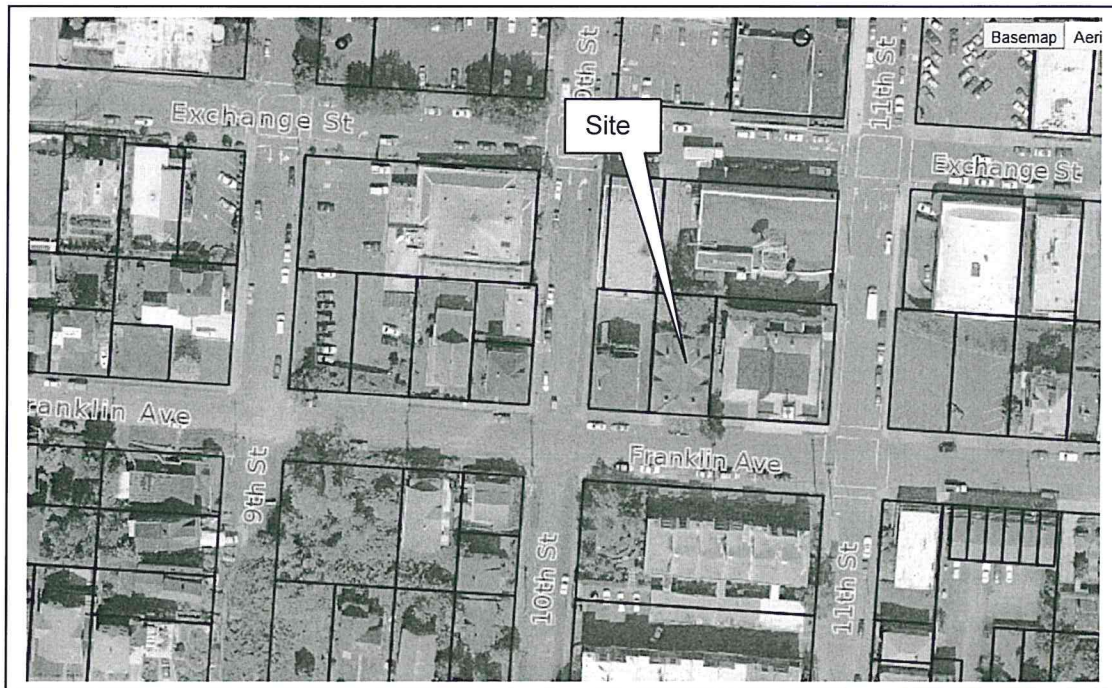
A. Site:

The 2.5 story building is located on the north side of Franklin Avenue between 10th and 11th Streets. It is currently operated as an apartment complex by Lower Columbia Preservation Society (LCPS) who acquired the building several years ago as a bequeath. The structure is designated as historic.

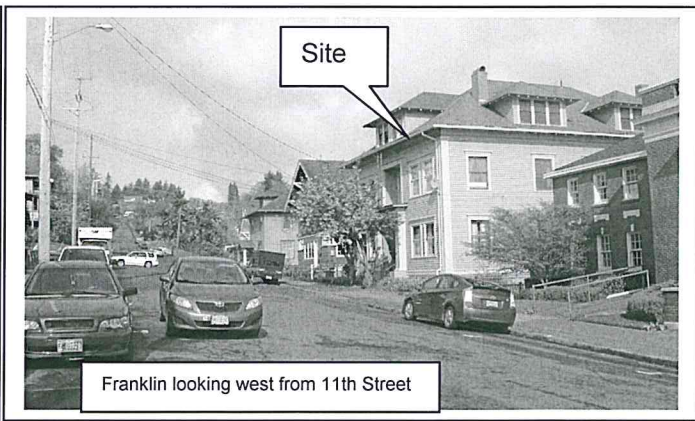
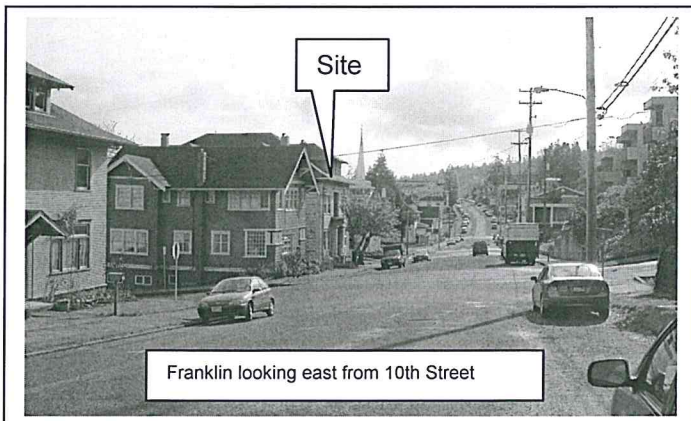


B. Neighborhood:

The surrounding area on Franklin Avenue is developed with a variety of uses including single-family dwellings, multi-family dwellings, a church, and commercial facilities. To the east is a church and across the Franklin and 11th rights-of-way is a Christian Scientist Reading Room; to the north fronting on Exchange Street is a multi-family dwelling and the telephone service facility; to the west are multi-family dwellings and the Daily Astorian facility; to the south is the Illahee Apartments and other dwellings.



Franklin Avenue is 60' wide and developed its full width with street, parking on both sides, and sidewalks. Franklin Avenue is not a main vehicular route but does serve as a local street connecting the neighborhood to downtown. The 10th and 11th Street rights-of-way on either side of the subject property are 50' wide and developed to their full width also with parking on one side. 11th Street is a secondary north-south local route through Astoria.



C. Proposal:

The applicant owns and manages the multi-family building and is proposing to provide one unit as their office and for transient lodging for guest speakers for their organization. LCPS is a local non-profit organization dedicated to historic preservation. They have resources for historic property owners such as a research library. They hold workshops on historic preservation and have guest speakers who come from out of the area. LCPS wishes to use one of the units for their headquarters.

The applicant cannot provide on-site parking for the office and transient lodging and has submitted a Variance application (V14-02) which will be considered at the same APC meeting.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on March 28, 2014. A notice of public hearing was published in the Daily Astorian on April 15, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.160(1) concerning Conditional Uses Permitted allowed in the R-3 Zone allows *"Bed and breakfast, or inn"*.

Section 1.400 defines "bed and breakfast" as *"Any transient lodging facility which contains between three (3) and seven (7) guest bedrooms, which is owner or manager occupied, and which provides a morning meal."*

Section 2.160(7) concerning Conditional Uses Permitted allowed in the R-3 Zone allows *"Public or semi-public use."*

Finding: Bed and breakfast facility is allowed in any residential building and is not limited to single-family dwellings. There are eight units in the multi-family structure, two of which need renovation to be useable, and only one unit would be used for the transient lodging. The owner does not live on-site, but there are five units occupied and would be in residence on the same days as the guests. This would not be a true bed and breakfast as it would not be available to the general public and would be used only for the LCPS guest speakers.

As a non-profit organization, the applicant is a "semi-public" use. The request to locate the LCPS office and lodging for their guests is a semi-public use.

- B. Section 11.140, Public or Semi-Public Use, states that *“Traffic will not congest nearby streets, and structures will be designed or landscaped so as to blend into the surrounding environment and be compatible with the adjacent neighborhood. The activities or hours of operation will be controlled to avoid noise or glare impacts on adjacent uses.”*

Finding: The building is existing and the applicant plans to only use one unit of the eight unit building. No additional landscaping or buffering is required. The office would be used mostly during the day, but there would be occasional evening meetings and use. LCPS plans to hold workshops on the site to renovate two of the units that are not occupied. This would be similar to any property owner having friends or contractors help with construction. These workshops would only be held a few times per year and not on a regular basis. Any construction or workshops would be required to be in compliance with the City Code noise ordinance for allowable hours of work.

- C. Section 2.185(1) requires that *“All uses with access, parking, or loading areas will comply with standards in Article 7.”*

Section 7.100 concerning Minimum Parking Space Requirements states that *“bed and breakfast”* shall have *“One space per bedroom plus two for the owner/manager unit.”*

Section 7.100.H concerning Minimum Parking Space Requirements states that *“Multi-family dwelling containing four or more dwelling units”* shall have *“One and one-half spaces per dwelling unit.”*

Section 7.100.A concerning Minimum Parking Space Requirements states that *“Library and information center”* shall have *“One space per 500 square feet of gross floor area.”*

Section 7.100.C concerning Minimum Parking Space Requirements states that *“Business office or services. . . educational services not elsewhere classified”* shall have *“One space per 500 square feet of gross floor area.”*

Finding: The multi-family dwelling is existing and has no off-street parking spaces. The eight unit dwelling would be required to have 12 parking spaces. The unit proposed to be used is 1,008 square feet which would require two spaces as an office, educational service, or information center. The transient lodging would require one space but it would not be used at the same time as the office as it would be in the same unit and therefore, would be classified as joint use parking. The use of one of the units for the LCPS office/research library, and transient lodging in lieu of a full-time tenant would increase the number of parking spaces required by 0.5 spaces. With the limited use of the facility not on a daily basis, in fact, the proposed uses would tentatively reduce the amount of actual parking use compared to an apartment unit used for a full

time resident. However, since the proposed use requires a conditional use permit, parking is a consideration. Therefore, the proposed use would need to provide two parking spaces for the conditional use. The applicant has arranged for parking on the parking lot located at 11th and Franklin Avenue owned by First United Methodist Church. Since this space is not on the subject site, the applicant has submitted a Variance application (V14-02) from the parking requirement (Condition 1). The need for off-street parking or loading will be addressed in the Variance (V14-02) Findings of Fact.

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

1. Section CP.205(5) concerning Economic Development Policies states that *"The City encourages the growth of tourism as part of the economy. Zoning standards which improve the attractiveness of the City shall be considered including designation of historic districts, stronger landscaping requirements for new construction, and Design Review requirements."*

Section CP.220(6) concerning Housing Policies states that *"Neighborhoods should be protected from unnecessary intrusions of incompatible uses, including large scale commercial, industrial, and public uses or activities."*

Finding: The Francis Apartment building was constructed in 1910 as a multi-family dwelling. The site has been used as a multi-family dwelling facility since construction. There is an increasing need for transient lodging especially ones located near the tourist areas such as Downtown. Use of a multi-family dwelling unit at this location as a transient lodging for guest speakers for LCPS supports tourism as part of the economy.

The facility is not rented at 100% occupancy and the ability to use one of the units for an office/transient lodging would help with the economic occupancy of the building.

Use of one unit of the structure for office/transient lodging would not be an unnecessary intrusion on the residents of the apartments as the transient guests would be held to the same standards as the residential tenants. The owner would not reside in the building, but other tenants would be residence when there is a guest in the unit. The transient lodging would be in the office unit and would be used on a limited basis as it would only be used for guest speakers associated with LCPS. Since the conditional use is being reviewed based on that proposed use, the permit should be limited to guests of LCPS and not open to the public such as with a traditional bed and breakfast (Condition 2).

2. Section CP.204, Economic Development Goal 5 and Goal 5 Policies, states that the City will *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."* Policy 4 states *"Protect historic resources such as downtown buildings to maintain local character and attract visitors."*

Section CP.250, Historic Preservation Goals, states that *"The City will:*

1. *Promote and encourage, by voluntary means whenever possible, the preservation, restoration and adaptive use of sites, areas, buildings, structures, appurtenances, places and elements that are indicative of Astoria's historical heritage. . .*
4. *Actively involve Astoria's citizens in Astoria's historic preservation effort, including the development of a public information and education program."*

Section CP.255(1), Historic Preservation Policies, states that *"The City will use its Historic Properties Section of the Development Code, an educational and technical assistance program, the tax incentives available at the Federal, State, and local levels, and the cooperative efforts of local organizations as the means to protect identified historic buildings and sites."*

Section CP.255(6), Historic Preservation Policies, states that *"The City will make available to property owners information and technical advice on ways of protecting and restoring historical values of private property."*

Finding: The building is designated as historic in the Shively-McClure National Register Historic District. The building is owned by a non-profit historic preservation organization who want to restore portions of the building, and use one of the units as their offices. The LCPS was originally organized through the efforts of the Historic Landmarks Commission and provides education, training, technical assistance, resource library, and much more to historic property owners in the region. The City works closely with LCPS in providing information to property owners and recognizing those who do good work in restoring historic properties.

The LCPS works on a limited budget and with their goal for training and education, they proposed to operate their office and resource library in one of the units of this building that they own. They plan to hold workshops to renovate some of the units. The proposed use is an adaptive reuse of the building and would assist in preserving the historic building.

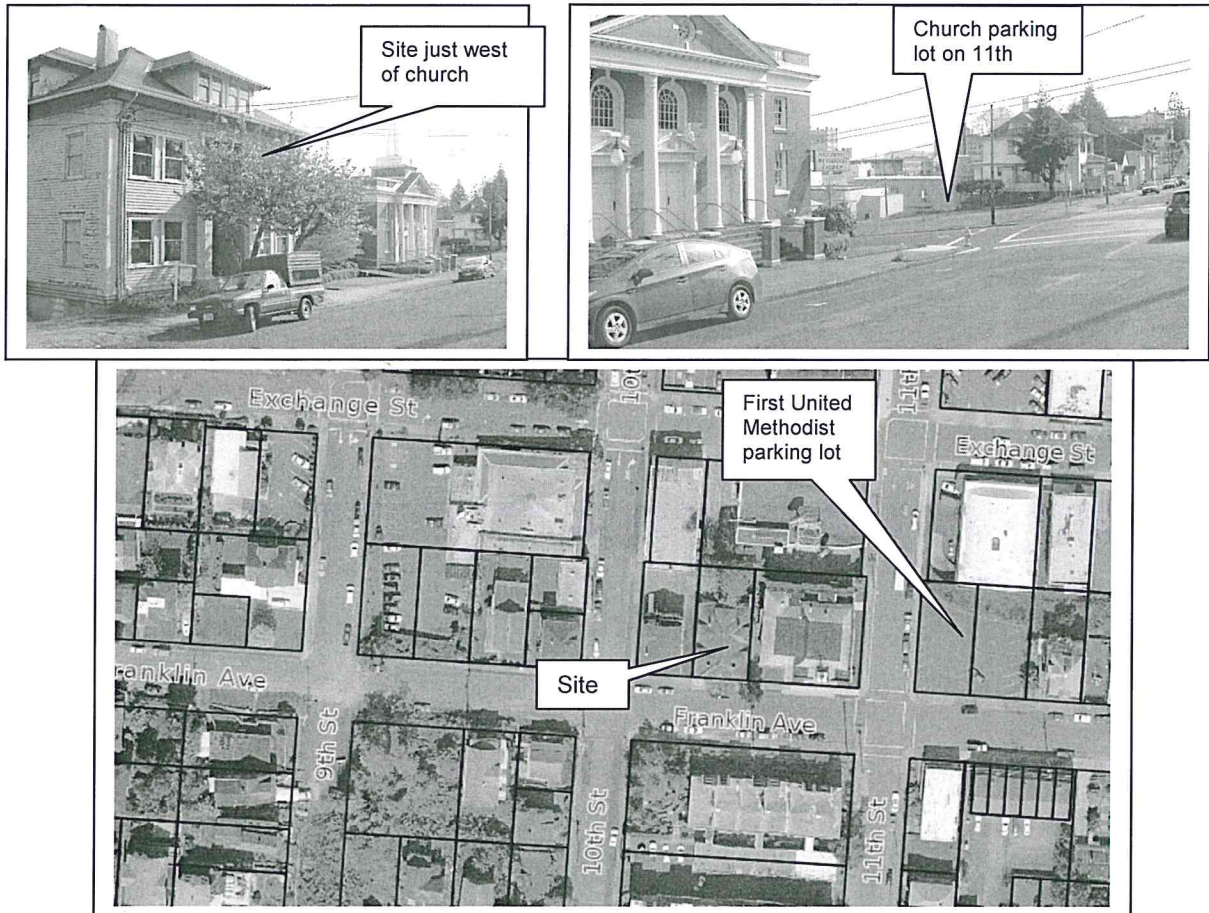
Finding: The request complies with the Comprehensive Plan.

- E. 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 to pedestrians, bicyclists, vehicle traffic and those using public transit. The existing building was constructed and used as a multi-family residence and that use would continue with one unit used for the office/resource center and transient lodging. The zone allows a variety of residential uses as outright. There are few residences located near a commercial zone that would be suitable for transient lodging, and therefore the availability of locations for bed and breakfasts in close proximity to Downtown Astoria is limited. Other transient lodging includes motels and hotels which provide single rooms with limited amenities. Bed and breakfast facilities are mostly located in residential zones and provide lodging but, with limited other amenities. This facility would provide lodging for LCPS guest speakers thereby reducing the cost of LCPS to bring speakers from out of town. The room available for this use would be the proposed LCPS office and not rented as an apartment. The conditional use would be limited to the one unit and to LCPS guest speakers only, not the general public. The proposed use at this site provides a good location close to downtown and other tourist-related services and attractions. Location of the LCPS office needs to be available to the general public and a location close to downtown is desirable. This site is ideal for this type of transient lodging and office.

- F. 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 accessible from Franklin Avenue via 10th and 11th Streets. On-street parking is available on both sides of Franklin Avenue. Two spaces would be required for the proposed use which is 0.5 spaces more than the existing residential unit requirement of 1.5 spaces. The applicant has arranged for parking at the parking lot on 11th and Franklin owned by First United Methodist Church. They have also applied for a Variance (V14-02) from the parking requirements.



Franklin Avenue is platted 60' wide and improved its full width including road, parking on both sides, and sidewalks. There are some commercial operations in the general area including one church, one religious institution, commercial uses to the north, and residential buildings. Franklin Avenue is easily accessible but is not major through street. Loading and unloading would be from the on-street parking.

Sidewalks for pedestrians, bicycle facilities, public transit are in close proximity to the site and vehicle access is readily available to the site to accommodate visitors using various modes of transportation. Garbage collection is provided by Recology (Western Oregon Waste) under contract with the City. The property owner provides this service to all tenants.

The Building Inspector has indicated that there may need to be some upgrades to the building as this is a change in use classification for building codes purposes. Therefore, prior to start of operation, the applicant shall work with the City Building Inspector and County Electrical Inspector concerning any needed changes to the facility (Condition 3).

- G. 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: Public facilities are available to the site. The use will not overburden water, sewer, or storm drainage. The impacts of an office and transient guests on these services would be less than the existing full-time residents. 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.

- H. 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 construction is proposed as part of this request. This section does not apply.

- I. 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 building is existing and encompasses most of the lot. The site is amply landscaped. Additional landscaping is not required.



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:

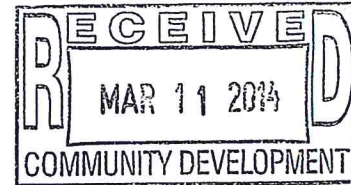
1. The applicant shall provide one off-street parking space unless a Variance is obtained.
2. The permit shall be limited to guests of LCPS and not open to the public such as with a traditional bed and breakfast.
3. Prior to start of operation, the applicant shall work with the City Building Inspector and County Electrical Inspector concerning any needed changes to the facility due to the change in occupancy classification.
4. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

The applicant should be aware of the following requirements:

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



CITY OF ASTORIA
Founded 1811 • Incorporated 1856
COMMUNITY DEVELOPMENT



No. CU H-03

Fee: \$250.00

pd

CONDITIONAL USE APPLICATION

Property Address: 1030 FRANKLIN AVE #2

Lot 7 Block 45 Subdivision McClure

Map 8CC Tax Lot 80908CC(02400) Zone R3 Hist

OK

Applicant Name: LOWER COLUMBIA PRESERVATION SOCIETY

Mailing Address: PO BOX 1334 Ann Gyde

Phone: 503-468-9970 Business Phone: 503-338-2304 Email: Ann.gyde@gmail.com

Property Owner's Name: LOWER COLUMBIA PRESERVATION SOCIETY

Mailing Address: PO BOX 1334

Business Name (if applicable):

Signature of Applicant: Ann Gyde Date: 3-11-14

Signature of Property Owner: Ann Gyde, LCPS President Date: 3-11-14

Existing Use: APARTMENTS - 8 units (2 currently unrentable)

Proposed Use: USE 1 APARTMENT AS COMBO OFFICE/APT. (B/B) for speakers
do work shops to upgrade/repair apartments.

Square Footage of Building/Site: 6,926/BLDG 1,008/APT.

Proposed Off-Street Parking Spaces: 0
to locate an approx 1,000 sq ft office w/ occasional transient lodging
in an existing multi-family dwelling structure.

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>3/24/14</u>	Permit Info Into D-Base:	<u>3/24/14</u>
Labels Prepared:	<u>3/24/14</u>	Tentative APC Meeting Date:	<u>4/22/14</u>
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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.

Site is adj to comm zone & within 1 block of downtown;
Access from 11th & Franklin easy access to public transportation &
walking, 4 blocks to River Trail; minimal daily use limits ability to
keep an active comm location; owner of bldg so no rent.

- 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 parking but is attempting to lease parking from church 1/2 block
to east; Sidewalk.

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

Existing multi-family apts - no increase of utilities use

- 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.

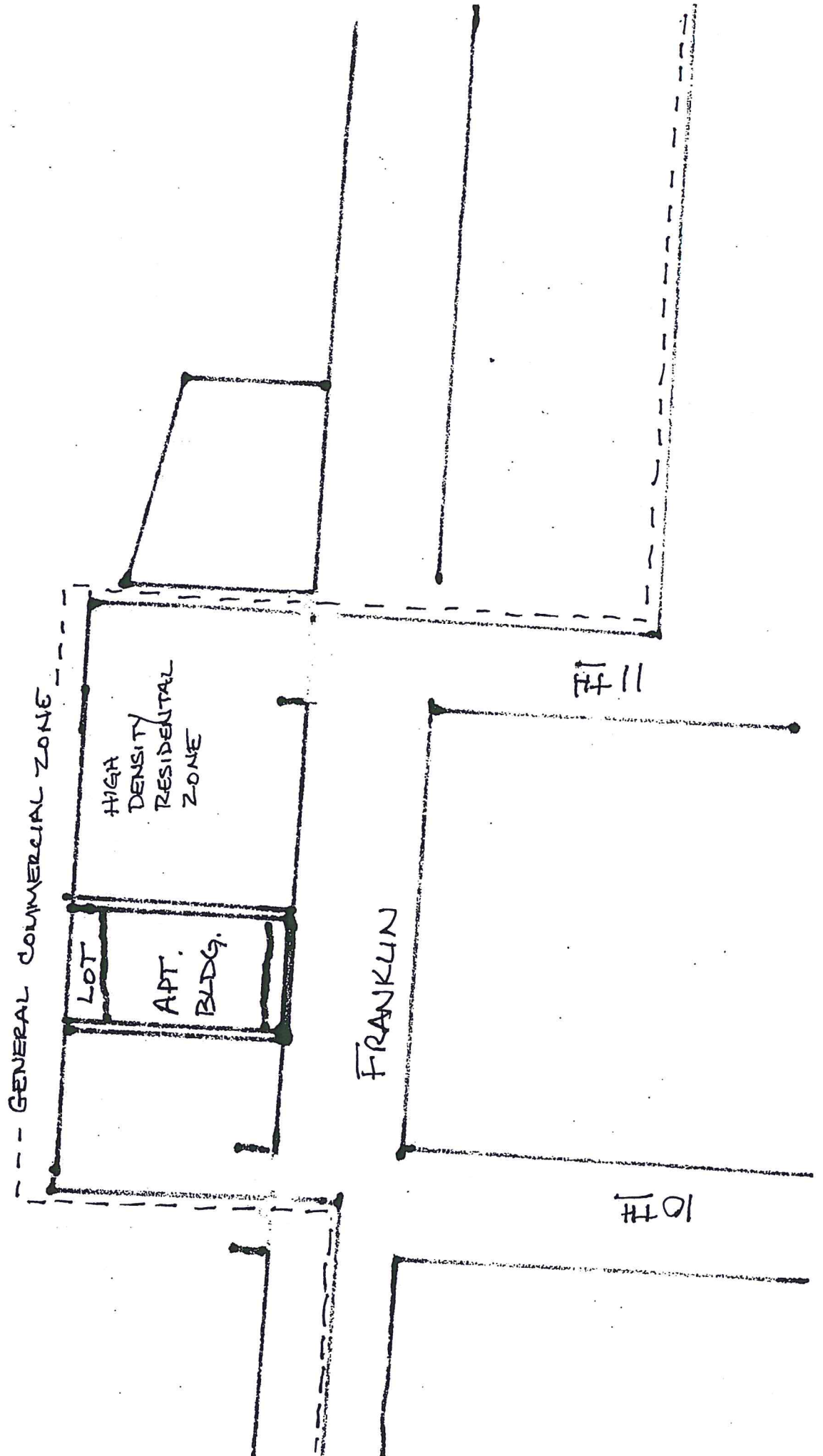
No construction

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

No add'l buffer required

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

EXISTING + PROPOSED



STAFF REPORT AND FINDINGS OF FACT

April 14, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: VARIANCE REQUEST (V14-02) BY LOWER COLUMBIA PRESERVATION SOCIETY FROM OFF-STREET PARKING REQUIREMENTS TO ALLOW A SEMI-PUBLIC USE OFFICE AND ONE BEDROOM TRANSIENT LODGING WITH ZERO PARKING AT 1030 FRANKLIN AVENUE

I. BACKGROUND SUMMARY

- A. Applicant: Ann Gyde
Lower Columbia Preservation Society
PO Box 1334
Astoria OR 97103
- B. Owner: Lower Columbia Preservation Society
PO Box 1334
Astoria OR 97103
- C. Location: 1030 Franklin Avenue; Map T8N-R9W Section 8CC, Tax Lot 2400;
Lot 7, Block 45, McClure
- D. Zone: R-3, High Density Residential
- E. Lot Size: 50' x 100' (5,000 square feet)
- F. Proposal: Variance from the off-street parking requirements of two spaces to locate the LCPS office as a semi-public use and operate a one bedroom transient lodging in one unit of the existing multi-family structure with zero off-street parking.

II. BACKGROUND INFORMATION

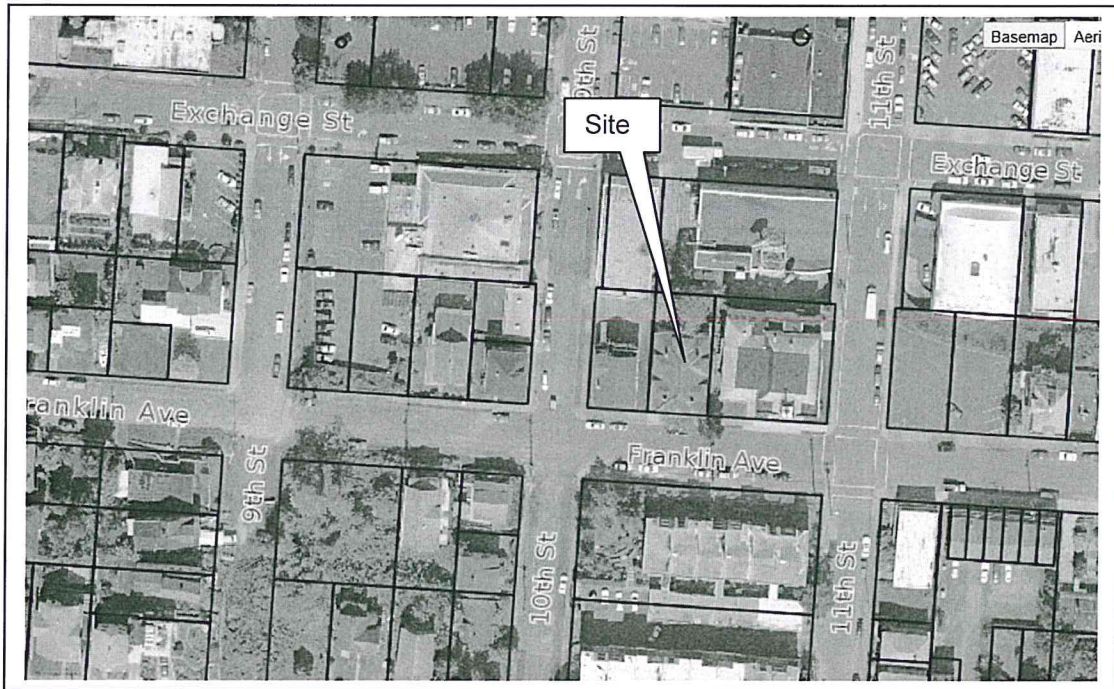
A. Site:

The 2.5 story building is located on the north side of Franklin Avenue between 10th and 11th Streets. It is currently operated as an apartment complex by Lower Columbia Preservation Society (LCPS) who acquired the building several years ago as a bequeath. The structure is designated as historic.

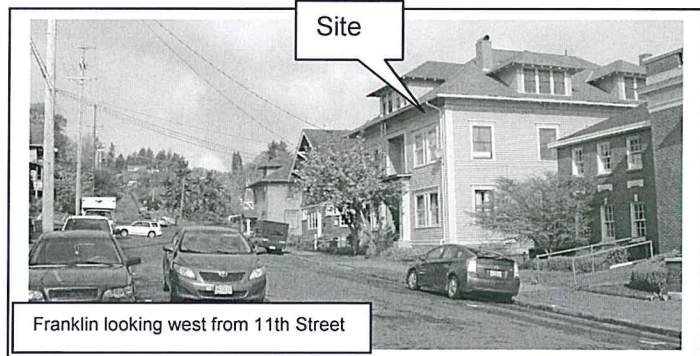
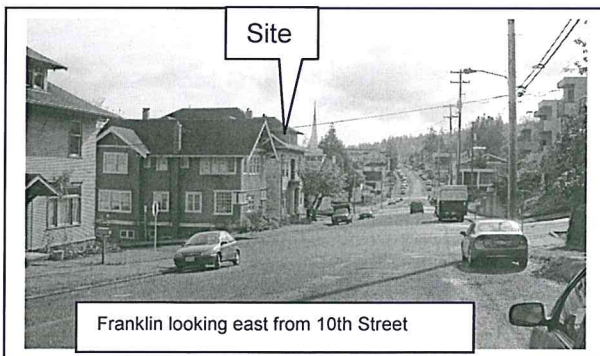


B. Neighborhood:

The surrounding area on Franklin Avenue is developed with a variety of uses including single-family dwellings, multi-family dwellings, a church, and commercial facilities. To the east is a church and across the Franklin and 11th rights-of-way is a Christian Scientist Reading Room; to the north fronting on Exchange Street is a multi-family dwelling and the telephone service facility; to the west are multi-family dwellings and the Daily Astorian facility; to the south is the Illahee Apartments and other dwellings.



Franklin Avenue is 60' wide and developed its full width with street, parking on both sides, and sidewalks. Franklin Avenue is not a main vehicular route but does serve as a local street connecting the neighborhood to downtown. The 10th and 11th Street rights-of-way on either side of the subject property are 50' wide and developed to their full width also with parking on one side. 11th Street is a secondary north-south local route through Astoria.



C. Proposal:

The applicant owns and manages the multi-family building and is proposing to provide one unit as their office and for transient lodging for guest speakers for their

organization with zero off-street parking. LCPS is a local non-profit organization dedicated to historic preservation. They have resources for historic property owners such as a research library. They hold workshops on historic preservation and have guest speakers who come from out of the area. LCPS wishes to use one of the units for their headquarters.

The applicant has applied for a Conditional Use permit (CU14-03) for the semi-public office and transient lodging which will be considered at the same APC meeting.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on March 28, 2014. A notice of public hearing was published in the Daily Astorian on April 15, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.160(1) concerning Conditional Uses Permitted allowed in the R-3 Zone allows *"Bed and breakfast, or inn"*.

Section 1.400 defines "bed and breakfast" as *"Any transient lodging facility which contains between three (3) and seven (7) guest bedrooms, which is owner or manager occupied, and which provides a morning meal."*

Section 2.160(7) concerning Conditional Uses Permitted allowed in the R-3 Zone allows *"Public or semi-public use."*

Finding: As a non-profit organization, the applicant is a "semi-public" use. The request to locate the LCPS office and lodging for their guests is a semi-public use and requires a conditional use permit (Condition 1).

- B. Section 7.100 concerning Minimum Parking Space Requirements states that *"bed and breakfast"* shall have *"One space per bedroom plus two for the owner/manager unit."*

Section 7.100.H concerning Minimum Parking Space Requirements states that *"Multi-family dwelling containing four or more dwelling units"* shall have *"One and one-half spaces per dwelling unit."*

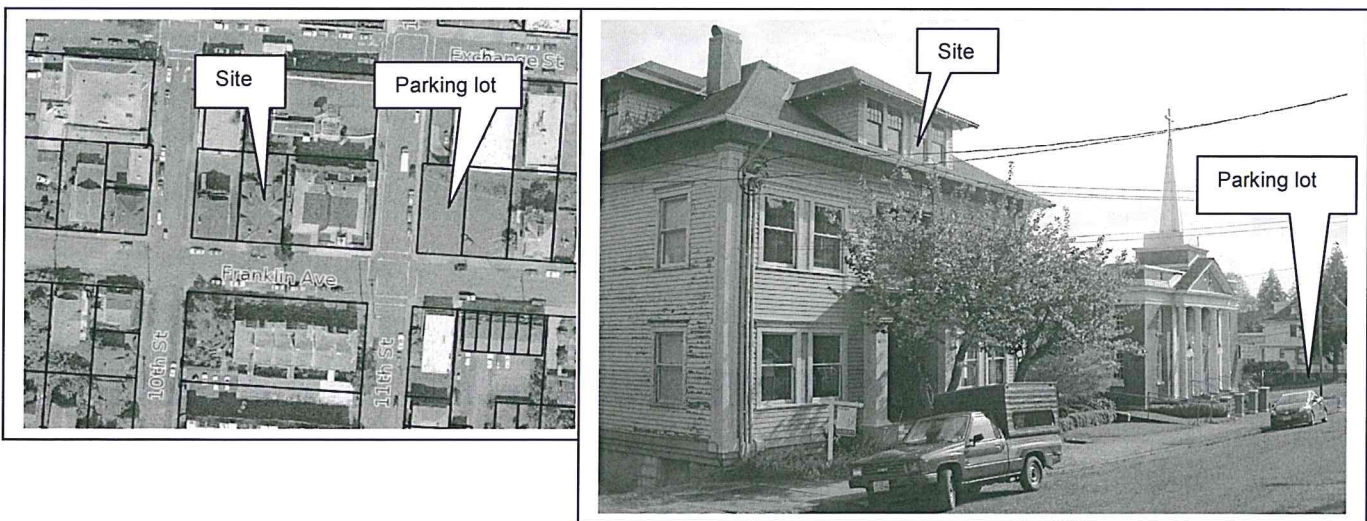
Section 7.100.A concerning Minimum Parking Space Requirements states that *"Library and information center"* shall have *"One space per 500 square feet of gross floor area."*

Section 7.100.C concerning Minimum Parking Space Requirements states that *"Business office or services. . .educational services not elsewhere classified"* shall have *"One space per 500 square feet of gross floor area."*

Finding: The multi-family dwelling is existing and has no off-street parking spaces. The eight unit dwelling would be required to have 12 parking spaces. The unit proposed to be used is 1,008 square feet which would require two spaces as an office, educational service, or information center. The transient lodging would require one space but it would not be used at the same time as the office as it would be in the same unit and therefore, would be classified as joint use parking. The use of one of the units for the LCPS office/research library, and transient lodging in lieu of a full-time tenant would increase the number of parking spaces required by 0.5 spaces. With the limited use of the facility not on a daily basis, in fact, the proposed uses would tentatively reduce the amount of actual parking use compared to an apartment unit used for a full time resident. However, since the proposed use requires a conditional use permit, parking is a consideration. The proposed use would need to provide two parking spaces for the conditional use. The applicant has arranged for parking on the parking lot located at 11th and Franklin Avenue owned by First United Methodist Church. Since this space is not on the subject site, the applicant has submitted a Variance application (V14-02) from the parking requirement.

- C. Section 7.030.A.1, Location, states that *"In any residential zone, up to 50% of vehicle parking spaces for dwellings and other uses permitted in a residential zone may be located on contiguous lots or on a lot across a street or other right-of-way from the lot with the primary use."*

Finding: The applicant has acquired permission from First United Methodist Church to use their parking lot for LCPS functions. The site is located across the 11th Street right-of-way approximately 200' away. The applicant proposes to use this space as needed for the guests. While it does provide a specific parking space, it is not likely to be used on a regular basis. The attempt by the applicant to provide some parking shows a good faith effort on the part of the applicant to comply with the required parking space, but should not be a requirement of the variance. It is proposed that the variance be from the requirement and allow zero parking for the proposed use (Condition 3).



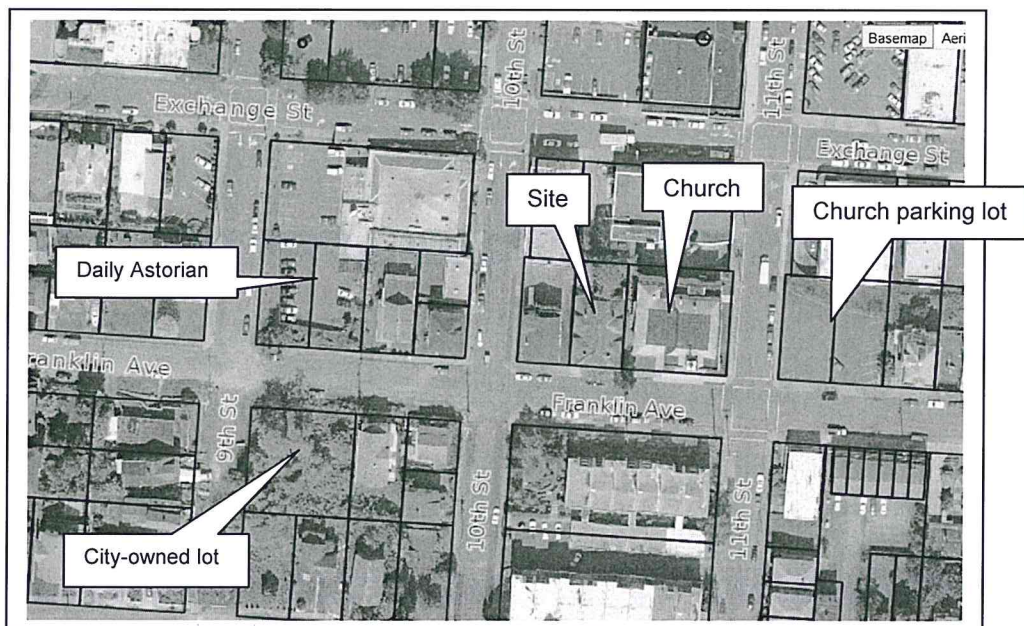
- D. Section 12.040 states that *"Variances from the requirements of this Code with respect to off-street parking and loading facilities may be authorized as applied for*

or as modified by the City Planning Commission, if, on the basis of the application, investigation, and the evidence submitted by the applicant, all three (3) of the following expressly written findings are made:"

- "1. That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the requirements of this Code; and"

Finding: The present use as a multi-family dwelling requires 1.5 off-street parking spaces for each unit which is not currently provided and is grandfathered. The request to change one unit to a semi-public use office and transient lodging requires two off-street parking for this unit which is an increase of 0.5 spaces.

While the change from a dwelling unit to a semi-public use through the conditional use process requires off-street parking, the anticipated increase in parking needed for the use is minimal. The applicant has obtained some off-street parking within 200' of the site that can be used for larger event needs and/or any guests to the site. On-street parking is available on the rights-of-way and there are several commercial/public lots that are available in the evenings and on weekends for additional parking. This is a dense residential urban neighborhood with several multi-family apartment buildings and single-family dwellings with no off-street parking. The Illahee Apartments across Franklin Avenue have ample off-street parking. The site directly to the east is a church with 100' of street frontage on Franklin Avenue. Church use is limited to Sundays and other special church events. The church has a parking lot at 11th and Franklin.



The block is 400' long which would allow for several vehicles to park on both sides of the street. Most of the properties in this block have off-street parking. The block to the west, is developed with four residential buildings but half of the block is undeveloped as the rear of the Daily Astorian facility

on Exchange, and a vacant City-owned parcel. This provides 200' of street frontage with no development for on-street parking.

LCPS would not be open seven days per week and would have sporadic Saturday and evening workshops to restore the two units in the building. This would have a similar impact as an owner working on a building with friends and contractors. The transient lodging would be in the same unit as the office, therefore shared parking would be allowed since they would not be used at the same time. The lodging would not be open to the public and would be used only for LCPS guest speakers. Currently, LCPS hosts quarterly talks, so use of the lodging facility is not anticipated to have an impact. Since the parking is being reviewed on this concept, the permit should be limited to guests of LCPS and not open to the public such as with a traditional bed and breakfast (Condition 2).

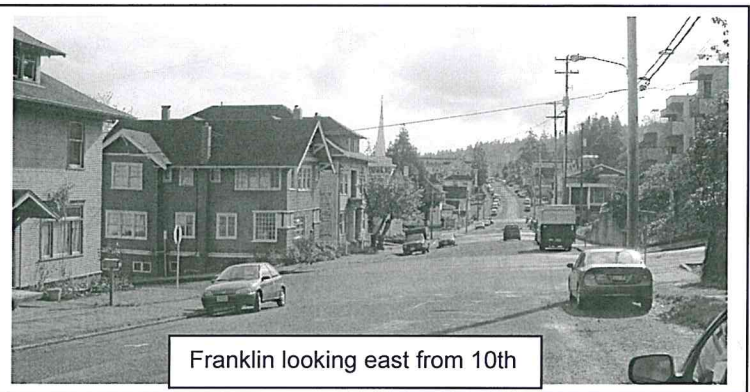
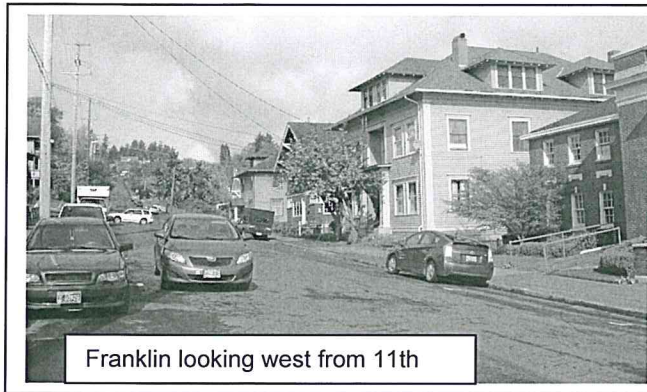
The site is located one block from the commercial area of downtown. The 10th and 11th Street side streets are used during the week by employees and customers. These spaces would generally open up for use after 5:00 pm and on weekends allowing for additional residential parking on the side streets.

Franklin Avenue is a secondary route used by locals in lieu of Commercial or Duane Streets as an east-west route through downtown. This portion of Franklin Avenue has a moderate volume of vehicle usage due to its proximity to downtown.

Since there are a number of on-street spaces available in this block, the applicant has obtained permission to use a parking lot in the area, and the parking requirements for the proposed uses are similar to the existing use, it appears that there may be sufficient on-street parking to accommodate proposed semi-public uses. A strict interpretation of the requirement is not required.

- "2. *That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets;*"

Finding: Guests would need to load and unload their personal bags from a vehicle parked on the street at the curb. This type of loading does not require long periods of parking for large items and would be considered as part of the regular parking of a vehicle on the street. The street is straight with good length of visibility and wide enough for one lane of traffic in each direction. Should a guest need to double park to unload, it would be for a minimal period of time and would not materially interfere with traffic flow or cause a safety hazard. With the sight distances, parking maneuvering should not be a problem.



It is anticipated that the street will be able to accommodate future traffic generated by the semi-public use.

“3. That the granting of the variance will not create a safety hazard.”

Finding: As noted above, Franklin Avenue is developed to its full width with parking on both sides. There is good visibility toward the east and west. Granting the variance will not create a safety hazard.

V. CONCLUSION AND RECOMMENDATION

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

1. The applicant shall obtain conditional use approval for the proposed use.
2. The permit shall be limited to guests of LCPS and not open to the public such as with a traditional bed and breakfast
3. The variance would allow zero off-street parking.
4. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

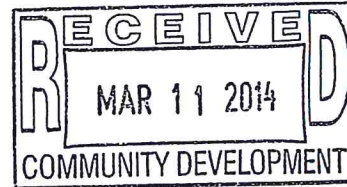
The applicant should be aware of the following requirements:

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



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT



No. V 14-02

Fee: ~~Administrative Permit \$150.00~~
or ~~Planning Commission \$250.00~~

pd.

PARKING VARIANCE APPLICATION

Property Location: Address: 1030 FRANKLIN AVE #2

Lot 7 Block 45 Subdivision McClure

Map 8CC Tax Lot 80908CC02400 Zone R3 Hist.

OK

Applicant Name: LOWER COLUMBIA PRESERVATION SOCIETY

Mailing Address: PO Box 1334

Phone: 503-468-9970 Business Phone: 503-338-2304 Email: ann@gyde@gmail.com

Property Owner's Name: LOWER COLUMBIA PRESERVATION SOCIETY

Mailing Address: PO Box 1334

Business Name (if applicable): _____

Signature of Applicant: Ann Gyde Date: 3-11-14

Signature of Property Owner: Ann Gyde, LCPS President Date: 3-11-14

Existing/Proposed Use: Multi family 8 unit apt to 7 units & 1 ofc w/transient lodging in ofc

What Development Code Requirement do you need the Variance from? (Describe what is required by the Code and what you are able to provide without a Variance.)

Parking for ofc @ 1 sp / 500\$ and 1 space for B/B for guest speakers
Existing multi-family apts require 1.5/unit - none provided
from require 2 off-street parking spaces for a proposed approx 1,000\$ office
occasional transient lodging with zero off-street parking in an
existing multifamily dwelling structure.

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>3/24/14</u>
Labels Prepared:	<u>3/24/14</u>	Tentative APC Meeting Date:	<u>4/22/14</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 the following criteria to **PARKING RELATED VARIANCES:**

12.040. VARIANCE FROM STANDARDS RELATING TO OFF-STREET PARKING AND LOADING FACILITIES.

Variances from the requirements of this Code with respect to off-street parking and loading facilities may be authorized as applied for or as modified by the City Planning Commission, if, on the basis of the application, investigation, and the evidence submitted by the applicant, all three (3) of the following expressly written findings are made:

1. That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the requirements of this Code; and

existing MFD requires 12 spaces - Change to 7 units & one 1,000 sq ft w/ 1 bedroom B/B requires 11 for apts & 2 for ofc/B/B so increased need is one space - not full-time use as compared to full-time apt tenant use

2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets; and

parking on both sides of Franklin; most of use will be on weekends & evenings with more available downtown & lot parking; Illahee apts across Franklin R-o-w have off-street parking

3. That the granting of the variance will not create a safety hazard.

No unusual parking - vehicles will be in approved parking spaces.

Attach Site Plan