

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
May 23, 2017

CALL TO ORDER:

President Pearson called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present: President David Pearson, Vice President Kent Easom, Jennifer Cameron-Lattek, Sean Fitzpatrick, Daryl Moore, Jan Mitchell and Frank Spence

Staff Present: Community Development Director Kevin Cronin and Planner Nancy Ferber. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Pearson asked for approval of the minutes of the April 25, 2017 meeting. Vice-President Easom moved that the Astoria Planning Commission approve the minutes as presented; seconded by Commissioner Cameron-Lattek. 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):

CU17-04 Conditional Use CU17-04 by Nancy Schoenwald to use office space for professional services at 143 9th Street in the S-2A, Tourist Oriented Shorelands Zone.

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

Commissioner Fitzpatrick declared that he had a perceived conflict of interest because he is in the property management business. However, as a private property manager who manages his own properties, he does not look for clients. He did not believe this was a conflict and believed he could be impartial.

Vice-President Easom declared a conflict of interest because he is in the property management business for other property owners. However, he believed he could vote impartially.

President Pearson asked Staff to present the Staff report.

Planner Ferber reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

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

The applicant stated he had no presentation.

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

Commissioner Fitzpatrick believed the use was appropriate and that the proposal met the guidelines. He wanted to see the space built with a business like this one. Commissioner Moore agreed.

President Pearson said it was great to see an adaptive use of a vacant building. He supported the application as presented.

Commissioner Mitchell stated it was nice the building already had a kitchen that would be used.

Vice-President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU17-04 by Nancy Schoenwald; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

ITEM 4(b):

CU17-05 Conditional Use CU17-05 by Julie House, Riverfront Trading Company, to use an existing retail space for a sporting goods, apparel, and novelty goods tourist-oriented retail sales establishment at 80 11th Street in the A-2, Aquatic Two Development Zone.

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

Vice-President Easom declared that the property owner is his accountant. However, he did not believe that would influence his decision. He confirmed he had not discussed the application with anyone.

President Pearson asked Staff to present the Staff report.

Director Cronin reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

Vice-President Easom asked if landscaping was required. Director Cronin said none of the conditions of approval mentioned landscaping; however, the Commission could add those requirements. Staff recommended container plantings. Vice-President Easom did not believe plants seemed appropriate on over-water properties.

Director Cronin noted that Hannah Dankbar of the Columbia River Estuary Task Force (CREST) wrote the Staff report to help relieve Staff's workload.

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

Julie House confirmed she had no testimony.

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

Vice-President Easom believed this would be a great adaptive reuse of an existing structure. A tourist-oriented business on the Riverwalk would work well. President Pearson agreed.

Commissioner Mitchell stated she had been in the Pier 11 building twice in the last week. She discussed how she has seen businesses go in and out of that building across the way, and it was nice to see that some life would be added to the building. She believed the building contained enough diversity that the business would be stable. The site has always been great and many people walk by it.

Commissioner Cameron-Latteck appreciated that the area was the only place in the city where roller sports were legal. Parking spaces might be used less if many of the customers are on skateboards.

Commissioner Moore was concerned about basic conditional use standards. While the use might be appropriate for the proposed location, it might not include accessibility for customers and employees, the availability of other similar existing uses, the availability of other appropriately zoned sites, and the desirability of other suitably zoned sites for the use. There are not many overwater buildings available for water-dependent or water-related uses,

so he was opposed to having a retail establishment in an overwater building. A sporting goods store seemed more appropriate downtown, even though rollerblading is allowed at the waterfront. Additionally, he did not see how a sporting goods store over the water in that small space could provide significant visual access to the water. He believed the standard requiring significant visual access to the water should imply that the retail establishment would provide the visual access instead of allowing visual access around the building. People should be able to look out over the river from within the building, so he believed that standard had not been met. Therefore, he did not support the application.

Commissioner Mitchell believed there had been two or three unsuccessful attempts to put a seafood store at this location. A use cannot be forced even though the location seems like a great place for a seafood store.

Commissioner Moore noted that those seafood stores were placed over the water because they were water-related businesses, but they could have failed because they were poorly run. City Codes specifically states that a seafood sales business is appropriate. He did not believe this conditional use met the standards.

Commissioner Fitzpatrick agreed with some of Commissioner Moore's concerns, but this use would be such a small portion of the building and it is located on the Riverwalk. The most compelling point for him was that roller skating is allowed on the Riverwalk, not downtown where the business was located before. He understood Commissioner Moore's concerns, but believed that in this case, the use was appropriate for the location.

Vice-President Easom stated he supported the application because the property has been vacant off and on for years. The only water-related uses in the space were the seafood stores and other water-related uses do not want to use the space.

Commissioner Moore said according to the Code, there is a more appropriate place for a sporting goods store. He recommended the Commission move towards the proper use of this space so that someone who wants to do a water-dependent use has water-dependent facilities available.

Commissioner Cameron-Lattek asked if the sporting goods store would prevent the rest of the building from being used. Director Cronin said he was unaware of the relationship between the property owner and the tenants. However, the rest of the building could be used for water-dependent uses.

Julie House stated she owned Riverfront Trading. The upstairs portion of the building hosts Astoria Visual Arts during the art walks. The back half of the building is privately used by the building's owner and has separate access.

Commissioner Spence said he supported Commissioners' Easom and Mitchell's comments. He has seen the turnover in the space and did not believe it was the Commission's responsibility to second-guess the market. He believed that entrepreneurs have the right to risk investment in any property. He supported the application.

Vice-President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU17-05 by Julie House; seconded by Commissioner Mitchell. Motion passed 6 to 1. Ayes: President Pearson, Vice-President Easom, Commissioners Spence, Mitchell, Fitzpatrick, and Cameron-Lattek. Nays: Commissioner Moore.

President Pearson read the rules of appeal into the record.

ITEM 4(c):

A17-01 Amendment A17-01 by the Community Development Director to amend the Astoria Comprehensive Plan Economic Element map and policy to create an economic development strategy, City Wide.

President Pearson called for Staff's presentation.

Director Cronin presented the Staff report via PowerPoint. Staff received comments from Erik Thorsen, CEO of Columbia Memorial Hospital, who wanted more information on partnership between firms and the City's plans to develop Heritage Square. Mr. Thorsen had also indicated the hospital would be willing to sublease or relinquish

their use of the Oregon State University (OSU) Extension Service's commercial kitchen. Mr. Thorsen also suggested the addition of a research and development workforce strategy. Director Cronin noted the Staff report would be updated to address all of Mr. Thorsen's comments and suggestions. He added Staff recently learned that Commissioner Moore owns the name *Made in Astoria*, so the name of the made in Astoria concept recommended for microenterprises will be changed to avoid the proprietary issues. Staff recommended that the Planning Commission recommend adoption of the amendment by City Council after holding a public hearing to take public comments.

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

Commissioner Moore declared a potential conflict of interest because Foundational Strategy 7.3 references some intellectual property that he owns. Therefore, he would recuse himself from the discussion.

Commissioner Spence declared a potential conflict of interest because he was recently elected as a commissioner for the Port of Astoria. He would not take office until after July 1, 2017 and believed he could consider this amendment impartially.

President Pearson called for any testimony on behalf of the Applicant. Hearing none, he called for any testimony in favor of the application.

Jim Knight, Executive Director of the Port of Astoria, said the potential for a close working relationship between the City and the Port is a wonderful opportunity. Future development of waterfront properties is so important, particularly from the Port's perspective. He was pleased at the outcome of the Port's elections and the motivation of the future commission to open the Port's arms to the City and work through the barriers that have come up over the last decades. The Port can now focus on developing a beautiful waterfront in cooperation with the City.

Jim Servino, 1080 Valley Street, Astoria, said he has lived in the community for 30 years and has experienced a lot of change. As a property owner, he was thrilled that the community has a plan, which he hoped Staff, the Planning Commission, and City Council would unanimously approve. Fifteen years ago, five or more alcohol-based businesses were not on the radar for Astoria. He liked that this report looked at the assets in the community and that Staff has given the public ample opportunity to voice their opinions. The City can focus on this plan for the next five years. The plan is well thought out and does not prohibit a new or unknown industry from coming in and developing. He supported these efforts to advance Astoria. He thanked Director Cronin for conducting open public meetings where all opinions were valued and factored into the process.

Patrick Wingard, 4301 3rd Street, Tillamook, North Coast Regional Representative, Oregon Department of Land Conservation and Development (DLCD), stated that DLCD's Coastal Management Program was excited to provide the City with grant money to help get the Advance Astoria project going. He supported the Planning Commission recommending that City Council adopt the project as presented by Staff. The Economic Opportunities Analysis (EOA) meets all State requirements, which include very prescriptive administrative rules. This project was done very well and creates a good starting point for a policy discussion. He believed some of the recommended policy changes would lead to some great successes for Astorians. It will be very important for the City to consider alternative uses for water-dependent industrial lands when there is an oversupply. In the 1970s, CREST and several local, State, and Federal partners developed an inventory of water-dependent industrial lands. The State now requires cities and counties to maintain a minimum supply of these lands. Astoria's supply of water-dependent industrial land is implemented through S-1 and A-1 zoning ordinances. As time goes on, things change and plans need to be done in front of or in partnership with these changes in order to capitalize on economic opportunities. In 1973, the State began to offer grant funding to assist cities and counties to keep their plans updated. However, the funding has decreased over the years and the Advance Astoria project is the last project that the Coastal Management Division will fund for several years. He added that the State fully supports this project.

President Pearson called for any testimony impartial to or opposed to the application. Hearing none, he closed the public hearing and called for Commission discussion and deliberation.

President Pearson thanked the Advance Astoria team and Staff for all of their hard work. It is rare for the Planning Commission to receive such a complete document and it has been a pleasure reviewing this application.

Commissioner Mitchell stated the report was well written, but she would have appreciated easy to understand graphics. However, it was a thorough analysis given the skills and information currently available. It was also timely and speaks to things that have begun to develop in the area while acknowledging the history of the area. It is difficult to work in a city with limited land. She appreciated Staff and the consultant's work. Director Cronin noted the final document was still in development and would include graphics.

Commissioner Spence complemented Staff for putting together a great report. The consultants, Community Attributes, Inc., hired with grant funds, also did a great job on the 48-page report, which is the foundation of Staff's recommendations. The report addresses all major issues and identifies steps to move forward. He believed it was timely to develop a new five-year economic development program as the economy turns around and as Astoria is advancing into a destination and a desirable place to live. The housing situation is being addressed by Council and other organizations, but the economic opportunities identified in the report spotlights the great potential that Astoria has. As a cruise host, he greets cruise guests as they get off the bus and hears their comments about how much they enjoy the community. The economic strategy will be the foundation for moving forward and being successful.

Vice President Easom believed the document was great, and he hoped everything would come together to make some of the recommended projects happen. He supported the application.

Commissioner Cameron-Lattek stated she had been following the Advance Astoria project since one of its first events. The fact that the tourism industry does not need a lot of support really comes through in this document. She understood the value of the tourism industry to Astoria, but also recognized that people are drawn to Astoria by everything else. This project was a great use of City resources. She was concerned about the language in Staff's finding that the amendments satisfy Comprehensive Plan Section 10.070(A)(2). The language implies that Astoria wants more seafood processing, but she believed the finding indicated the usage was disproportionately higher by seafood processing. She recommended the following change to the Staff report:

- Page 5, Section D, third sentence: "The City's Public Works Department conducted an analysis of water meter data of active seafood processors and craft brewers and found the usage rates were overwhelmingly in favor of **disproportionately higher in** seafood processing."

Commissioner Fitzpatrick thanked everyone involved in the Advance Astoria project.

President Pearson noted that Page 2 of the Staff report included a timeline of the Advance Astoria events. The total number of people who attended the events speaks to the importance of this project.

Vice President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report as amended, approve Amendment A17-01 by the Community Development Director, and recommend that the Astoria City Council adopt the amendment request; seconded by Commissioner Spence. Motion passed unanimously.

REPORTS OF OFFICERS/COMMISSIONERS:

There were none.

STAFF UPDATES:

Staff provided an update on Innovative Housing's efforts to purchase and renovate the Merwyn building.

Item 6(a): Homestay Lodging Review

A work session was held May 10th to discuss potential policy changes. City Council directed Staff to review a moratorium on conditional use permits allowing homestay lodgings. Staff's findings and recommendations for Code enforcement will be presented to Council at the July 5th City Council meeting.

Item 6(b): Affordable Housing Strategy

Amendments to Comprehensive Plan Articles 3 and 9 were adopted by City Council in April, and Staff has received many inquiries about adding accessory dwelling units to their properties. Support is building for construction excise taxes (CET) on commercial building values, so Staff plans to present a draft ordinance on CETs to City Council in June.

Item 6(c): Bond Street Revitalization

The City's traffic consultant, DKS, is reviewing Staff's proposed solution to sight line issues at the intersection of 3rd and Bond. The proposal is to turn 3rd Street into a one-way street that only allows downhill travel. This will provide more on-street parking and facilitate better traffic flow. An update on the Bond Street project and a corresponding bid package will be presented to City Council on June 19th.

Item 6(d): American Planning Association Conference NPC 17 NYC

Director Cronin gave details about the APA conference he attended in May and shared photos from a walking tour through Lower Manhattan. He offered to share the work sessions and presentations that were given at the conference.

MISCELLANEOUS: There was none.

PUBLIC COMMENTS: There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:45 pm.

APPROVED:



Community Development Director