

**A G E N D A**  
**ASTORIA PLANNING COMMISSION**

<i>Astoria City Hall Council Chambers, 1095 Duane Street, Astoria</i>
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**Tuesday, June 25, 2013**

*Immediately Following the Traffic Safety Committee Meeting at 7:00 p.m.*

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
  - a. May 6, 2013
  - b. May 28, 2013
4. PUBLIC HEARINGS
  - a. Conditional Use CU13-08 by Lawrence Cary to locate a distillery as light manufacturing and conduct indoor entertainment of distillery tours with tasting room and retail sales at 1270 Duane in the C-4, Central Commercial zone. Staff recommends approval of the request
5. OLD BUSINESS
  - a. Transportation System Plan Update
6. REPORT OF OFFICERS
7. ADJOURNMENT

## ASTORIA PLANNING COMMISSION WORK SESSION

Astoria City Hall

May 6, 2013

### CALL TO ORDER - ITEM 1:

President Innes called the meeting to order at 7:00 p.m.

### ROLL CALL - ITEM 2:

Commissioners Present: President McLaren Innes, Vice-President Mark Cary, Al Tollefson, David Pearson, and Zetty Nemlowill

Commissioners Excused: Thor Norgaard

Staff Present: Community Development Director / Assistant City Manager Brett Estes and Planner Rosemary Johnson.

### REPORTS OF OFFICERS - ITEM 3: No reports.

### NEW BUSINESS - ITEM 4(a): Transportation System Plan Update Presentation and Discussion

Director Estes explained that the Planning Commission would ultimately review the Transportation System Plan (TSP) Update and provide a recommendation to City Council regarding adoption of the final TSP document. Staff wanted to get feedback at this meeting in order to address issues now as they continue working on the project. The TSP should be complete in late 2013 with public hearings at the Planning Commission being conducted in November 2013 and City Council public hearings in December 2013.

The Commissioners stepped down from the dais to watch the presentation.

Chris Maciejewski, DKS & Associates, presented the TSP Update via PowerPoint, which included a review of the TSP Update process; key proposed projects, public involvement, and options for addressing various transportation issues in the city. He also presented the feedback received at the community meeting regarding citizen preferences on transportation options pertaining to Downtown, the Port, Road Diet, Pedestrian Bicycle System Management and Bicycle and Walking Improvements. The PowerPoint and material regarding the community's preferences were included in the meeting packet.

Mr. Maciejewski addressed questions and comments from the Commission with additional comments by Staff as noted:

- Director Estes stated that while 15 out of 20 people preferred two-way streets with Marine Drive as the highway, it is too early to know what the downtown businesses supported. Representatives from the Astoria Downtown Historic District Association (ADHDA) spoke at the public open house. While they would like to see two-way traffic on Marine Drive, removal of the parking without replacing it would be detrimental to the businesses. This concept was suggested by Michelle Reeves about two weeks prior to the public meeting. Her plan is currently being reviewed by the ADHDA, who will likely make a formal statement about this over the next month.
- Mr. Maciejewski stated he and Ms. Reeves agreed that implementation of two-way streets could be completed in phases and would begin with the local streets. This would allow the community to see if they like the new traffic pattern prior to changing the highway.
- He clarified that his job is to identify issues and make policy statements or directions towards future solutions. Considering the feasibility of how to create more service parking lots is beyond the scope of work for the TSP.
- Director Estes stated the City has no parking requirements in the downtown area. The City will rely on ADHDA to provide feedback on what they, as a group of business owners, believe is needed downtown. There are no public parking lots in the area. Land and funding would have to be secured to build a public parking lot or garage. Costs can be up to \$50,000 per parking space for a garage.
- An estimated 80 parking spots per block would need to be removed.

- Director Estes added that ADHDA is conducting an informal parking inventory of the downtown area. He asked ADHDA for specific feedback because the City is moving forward with a plan while the ADHDA is acting on the advice of their consultant. Individuals from the ADHDA at the public meeting stated that they supported the idea of two-way traffic on Marine Drive as long as the parking issues were addressed.
- Marine Drive is an Oregon Department of Transportation (ODOT) facility. ODOT has been a key participant at all the stakeholder meetings and have appointed a planning lead to work with the City. ODOT supports the local community's desires as long as no flaws are created in the system.
- No one voted for the Duane Street option at the community meeting after Mr. Maciejewski shared some of Ms. Reeves' views that one-way flow would not be beneficial to downtown and would create an island on Commercial that people may try to avoid.
- The network congestion graphics show what congestion would look like 20 years in the future and compares suggested solutions to making no changes.
  - One simulation compared converting local streets to two-way streets versus existing conditions and the overall delay in the network. Slowing and stopping at traffic signals or stop signs added up throughout the entire downtown. The result was slightly less congestion leaving the highway as is and converting to two-way streets.
    - A complete two-way flow resulted in much more congestion because traffic diverts off the highway, resulting in more flow on local streets because of the reduced capacity. It is also harder for local traffic to get onto the local highway.
- Simulation File #1 was also displayed, featuring the west side of the downtown along 8<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> Streets during weekday PM peak flow. Local cross streets are a two-way flow and the highway maintained as a one way.
- He confirmed that trucks and large vehicles have been figured into the models, as well as pedestrians crossing at intersections, so all that resulting congestion impact is figured in. The simulation is unable to capture on-street parking friction that occurs when a driver stops to parallel park. The model shows average traffic conditions 20 years in the future rather than a worst-case scenario.
- The reaction of many who view these models is that not enough congestion is showing, because most remember the worst weekend scenarios and believe that happens all the time. However, that is not what the City is designing for.
- Traffic solutions that increase safety and promote pedestrian traffic can worsen congestion during peak periods; tradeoffs exist for safety, walkability and two-way flow.
- If Marine Drive were converted to a two-way with three lanes, Commercial Street would be a local two-way street and likely all the traffic signals would be replaced with stops signs. It could be a one-lane, one-way street with diagonal parking. He noted a 20-foot through way was required for emergency vehicles to drive through. A single lane is 12-feet wide and diagonal parking takes up more space. Diagonal parking may not be an option if it encroaches into emergency response standards.
- Director Estes confirmed the Engineering Department could assist the ADHDA with gathering information to make a more informed decision about the Marine Drive option. The City has considered various scenarios. Benefits from diagonal parking occur in areas where no driveway cuts exist. The City researched diagonal parking on Duane Street a few years ago and discovered driveways reduce the number of parking spaces. A larger number of parallel parking spaces would fit in these areas.
- At the Port, 10 of 11 people preferred one eastbound through lane coming into town. At all the crucial locations, two westbound through lanes are necessary. A reversible lane is ideal for a corridor with heavy commuter traffic that contains twice as much traffic in one direction. During peak conditions at the Port, traffic is pretty well balanced in both directions. The traffic pattern at the Port does not support a reversible lane.
- With regard to the Road Diet, Director Estes confirmed that reopening Bond Street is possible. Some reconstruction would have to occur, but the Public Works Department has been considering various funding options. The hillside would need to be removed where it extends out over the road, which would also have to be reconstructed a bit.
  - Mr. Maciejewski added many people wanted alternate routes for emergency vehicles and events. It was very difficult to reroute traffic with Bond Street only being a one-way.
  - Mr. Maciejewski showed the traffic simulation for the area west of the Holiday Inn, noting that a Road Diet at the Holiday Inn would prove to be a fatal flaw as congestion would gridlock the entire traffic system. In order to accommodate a road diet at this intersection, the City would need to eliminate turn movements or close one leg of the intersection, which would be difficult without negatively affecting

businesses and connections in the area. Hume Street is the recommended transition point. The one eastbound lane in the Port area could continue through Uniontown and extend up to Columbia. The road would still be four lanes, but the center turn lane would be retained making it better for pedestrians.

- Surprisingly safety upgrades in the downtown area did not receive more votes. He believed this might be because specific ideas have not yet been developed.

President Innes commented it was difficult to get close enough to the exhibits at the public meeting to understand which section she was on; all the choices were overwhelming. She believed simplifying the choices would encourage more public input. People may feel frustrated if they are unable to address each issue and make their points known.

Mr. Maciejewski stated he would like to hear the Commission's preferences about the options presented, which will help shape bike and pedestrian as well as other improvements.

Director Estes stated the TSP committee that has been working in an advisory role would take all public and Planning Commission feedback to begin refining recommendations. Mr. Maciejewski added the TSP will include goals, which will be ranked by the committee in order of importance at the next meeting. Having high, medium, and low priorities helps simplify the Plan. If an item is missing from the ten high priority projects taken from fifty choices, people tend to pay attention and engage more in the process.

Commissioner Tollefson stated he would like the opportunity to study the information packet more before making comments, as the packets were just recently received by the Commissioners due to mailing issues.

Commissioner Nemlowill explained the Traffic Safety Committee has been discussing pedestrian safety improvements in the downtown area, which seems like a big priority. She asked if one of the four options would improve pedestrian safety downtown. Mr. Maciejewski stated he has been looking for additional research data on the safety of two-way versus one-way traffic. He knows having a couplet, two lanes in each direction, is better than a four-lane highway. He has not seen evidence that suggests that two-way local streets are better than the one way flow for pedestrian safety. On one-way streets, drivers tend to look in one direction for oncoming traffic and may not look as often for pedestrians in the wrong leg of the intersection. When the nearest parking spot is removed at intersections to increase pedestrian safety, only the spaces on the approaching legs of the intersection would need to be removed. On two-way streets, parking spaces all the way around the intersection would need to be removed.

Commissioner Nemlowill noted that there would be no parking on Marine Drive and Commercial Street would be more pedestrian friendly with no highway traffic. Option 4 seemed to be the best solution for pedestrian safety. Mr. Maciejewski added that traffic signals would remain on Marine Drive at every other block with Option 4. Refuge islands would allow pedestrians to cross one lane of traffic at a time, which tends to be safer than crossing two lanes at once. On two-lane, one-way streets, one car may stop and the driver in the other lane does not see the pedestrian. More design work is required to determine whether refuge islands could be installed because freight mobility requirements may prevent a reduction of the current width capacity of the highway. Refuge islands can be barriers but can be installed if the minimum width dimension can be maintained.

Commissioner Nemlowill reiterated that she prefers Option 4, the Marine Drive Option, if the parking issue could be offset. She would like to find out if diagonal parking with one lane of traffic along Commercial Street is feasible and if that would fit the mobility standards for emergency vehicles. If diagonal parking on Commercial Street is possible, she would also like to know the ratio of diagonal versus parallel parking spots that could be installed. Director Estes replied that would depend on the angle of the spaces. Mr. Maciejewski estimated diagonal parking would provide a 25% increase in the number of parking spaces. Planner Johnson added diagonal parking could only be along one side of the street, so two rows of parallel parking would be replaced with one row of diagonal parking. Mr. Maciejewski added if the street were wide enough, it could accommodate parallel parking on one side, diagonal parking on the other side, and one through lane of traffic. Director Estes recalled that the ADHDA and some committee members have expressed concern that parking would not be available directly in front of businesses on Marine Drive. The committee has recognized this as an issue. The closest parking space would be about a block away.

Commissioner Pearson asked if other communities have successfully implemented such options, like decoupling. Mr. Maciejewski replied that downtown Vancouver has done this on some of their streets, of course

no major State highway was involved. He has not seen this implemented in smaller communities in the last five or ten years. Silverton and Sisters considered, but chose not to use couplets. He has not seen conversions like that being considered in Astoria implemented very often.

Mr. Maciejewski asked if the Commission believed they are on the right path; were they hearing the community's desires. President Innes believed they are on the right track. She was not aware of anything the consultants have missed, but there was still material to review.

Vice-President Cary asked how much it would cost to connect Irving Avenue and Nimitz Street. He liked the idea of the proposed road extension. Mr. Maciejewski stated the extension would cost about \$2,000 per foot if the terrain were not severe. Director Estes estimated the connection would be about  $\frac{3}{4}$  mile long. Mr. Maciejewski added the \$10 million cost estimate is only for the construction of a two-lane road. It does not include rights-of-way. Planner Johnson noted topographic issues could increase the cost.

Vice-President Cary supported the extension being a high priority because it provides an alternate emergency route. He would prefer that it cross the pipeline, but that would be considerably more expensive. Mr. Maciejewski stated a civil engineer on his team could look at some of these projects to develop a cost estimate. Projects outside of the urban growth boundary (UGB) will require discussions with the Department of Land Conservation and Development (DLCD) representative who is on the committee. Any new roads built within city limits and outside the UGB would have to be used for emergency response and alternate routes. New roads cannot free up lands for new development that cannot develop today.

Director Estes stated all of the TSP materials are available on the project website. The Planning Commission agreed to email any comments to Planner Johnson within one week. Mr. Maciejewski stated the next update would include a shorter list of prioritized projects. The revenue stream is limited and grants will be the main source of funding for many of the projects. Other financing options will be presented in the TSP.

President Innes recommended that funding be considered at future hearings when looking at the various options.

#### PUBLIC COMMENT - ITEM 5

Pamela Mattson McDonald, 1264 Grand Avenue, Astoria, commented that topography is an issue, especially on the local two-way streets. Hills and larger vehicles, like SUVs, reduce sight distances even on one-way streets. A 15-foot clearance should be marked to increase sight distances on two-way streets.

- Replacing traffic signals with stop signs on Commercial Street is unsafe. Commercial Street is pedestrian friendly because speeds are slower; one reason is because of the turn from 8th Street. Marine Drive has a higher speed limit and does not have as many pedestrians.
- The time allowed for pedestrians to cross the intersection at Safeway (Lief Erikson & 33rd) is too short for someone who is disabled.
- The proposed intersection changes at Holiday Inn (W Marine and Columbia) are unsafe for both vehicles and pedestrians.
- She wants pedestrians described as a mode of transportation, not a disruption to transportation.
- She did not understand how the mass transit system works with the TSP; whether the transit system is part of the TSP or jurisdictional situations apply.
- She did not see that the demand side has been addressed. She wanted to know how decreasing the use of cars could also decrease congestion.

Mr. Maciejewski responded that the presentation did not include details of each project. He clarified that the TSP does cover all modes of travel, including the mass transit system. The Sunset Transit routes will be part of the functional plans in the TSP, which reflects that Sunset Transit does its own route planning. Pedestrian and bicycle connections to transit routes generally are ranked as a higher priority versus other facilities. Getting people to transit reduces the number of vehicles used. Bicycle and pedestrian modes of transportation are important modes within the TSP and have their own sections, maps, project lists, etc. These modes are important pieces to demand management as far as getting people out of their cars. These projects are prioritized on their own merits within the Plan and are separate from motor vehicle projects.

ADJOURNMENT - ITEM 6:

There being no further business, the meeting adjourned at approximately 8:30 p.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Community Development Director /  
Assistant City Manager



## ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall

May 28, 2013

### CALL TO ORDER:

Acting Chair Nemlowill called the meeting to order at 7:19 p.m. and proceeded to Roll Call.

### INTRODUCTION OF NEW MEMBER – KERA HUBER:

### ROLL CALL:

Commissioners Present: Zetty Nemlowill, Thor Norgaard, Al Tollefson, David Pearson and Kera Huber

Commissioners Excused: Vice-President Mark Cary, President McLaren Innes

Staff Present: Community Development Director Brett Estes and City Attorney Blair Henningsgaard, and Planner Rosemary Johnson.

### APPROVAL OF MINUTES:

Item 3(a): April 23, 2013

Acting Chair Nemlowill asked for approval of the minutes of the April 23, 2013 meeting.

Commissioner Norgaard moved to approve the minutes of April 23, 2013; seconded by Commissioner Tollefson. Motion passed 4 to 0 to 1 with Commissioner Huber abstaining.

### PUBLIC HEARINGS:

Acting Chairman 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 the staff.

### ITEM 5(a):

V13-06 Variance V13-06 by Stephen Lakatos from the maximum allowed 4' high fence to install a 6' fence on the north, east and west property lines of a single family dwelling at 529 35th Street in the R-2, Medium Density Residential zone.

Acting Chair Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. Acting Chair Nemlowill asked if any member of the Planning Commission had a conflict of interest or any ex parte contacts to declare. There were none.

Planner Johnson reviewed the written Staff report. No correspondence has been received and Staff recommends approval of the request with standard conditions.

Commissioner Norgaard asked how far the fence would be from the unimproved alley. Planner Johnson stated the fence would be right on the property line. Page 3 of the Staff report shows the site plan and Page 4 shows the elevated deck and walkway. The fence will be very close to the elevated walkway.

Acting Chairman Nemlowill opened the public hearing and called for testimony from the Applicant.

Stephen Lakatos, 529 35<sup>th</sup> Street, explained the property has experienced an increase in vandalism. Most recently, both wooden gates and most of the decorative bamboo fencing in the backyard was kicked in. He met with Quackenbush Builders to discuss repairing the damage. Three years ago, an American Elm in his yard was

chopped down with a machete. He had planted this tree with a close friend whose wife passed away during her ninth month of pregnancy. He directed the Commission to the picture on Page 3, noting people have climbed under the east portion of the deck and spray painted the wall underneath the deck. He senses the vandalism may be increasing. The kicking in of the gates suggested that someone either entered or exited from the area below. He and his wife believe it is time for some kind of reasonable deterrent in the form of a high fence to prevent people from coming on the property.

- Additionally, children play in the front of the house, especially during the summer. The area is very steep. He distributed an illustration showing a full double deck that was in place several years ago. The Applicant hopes to restore that deck eventually. However, remnants of the deck's support structure are still exposed and pose a danger to the children playing the yard. He noted he does not live primarily at this property and does not have the ability to constantly deal with the children. The fence would mark the property lines and help prevent the children from entering the unsafe area, especially with the very steep slopes.
- The Applicant is getting close to redoing the foundation of the house. Architectural, engineering, and geotechnical surveying has been completed for a new concrete foundation. The contractor is in the process of finalizing excavation plans and obtaining permits. The property will need to be secured during that period, and once the foundation is completed, restoring the rest of the house is expected to take years. The house is in poor shape due to decades of deferred maintenance.
- A systematic 6-foot fence is necessary because a 4-foot fence in the front would not deter people from trespassing.

Acting Chair Nemlowill called for any testimony in favor of, impartial, or opposed to the application. Hearing none, she closed the public hearing and called for Commissioner comments.

Commissioner Pearson stated he supports the variance request. Other properties in the neighborhood that do not border an alley are able to build 6-foot fences, so this is not an exception beyond what already exists in the neighborhood.

Commissioner Norgaard also favored the variance, adding he likes that the Applicant is restoring the house.

Acting Chair Nemlowill said she agrees with Planner Johnson; based on topography and security, the variance makes sense.

Commissioner Pearson moved to adopt the Findings and Conclusions contained in the Staff report and approve Variance V13-06 by Stephen Lakatos from the maximum allowed 4' high fence to install a 6' fence on the north, east and west property lines of a single family dwelling at 529 35th Street in the R-2, Medium Density Residential zone, with conditions; seconded by Commissioner Norgaard Motion passed unanimously.

Planner Johnson explained the rules of appeal to the Applicant, noting that a building permit is not needed for at 6-foot fence.

Acting Chair Nemlowill read the rules appeal into the record.

#### REPORTS OF OFFICERS/COMMISSIONERS:

Planner Johnson stated that the Member List of Commissioners has been updated. Any errors should be reported to Sherri Williams.

#### ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:32 p.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

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Community Development Director /  
Assistant City Manager

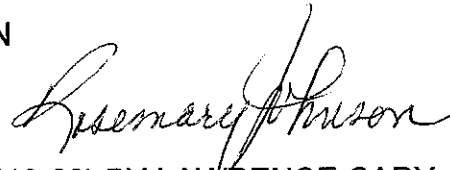


## STAFF REPORT AND FINDINGS OF FACT

June 18, 2013

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: CONDITIONAL USE REQUEST (CU13-03) BY LAWRENCE CARY, NORTH COAST DISTILLING LLC TO LOCATE LIGHT MANUFACTURING AND INDOOR ENTERTAINMENT WITHIN AN EXISTING BUILDING LOCATED AT 1270 DUANE STREET

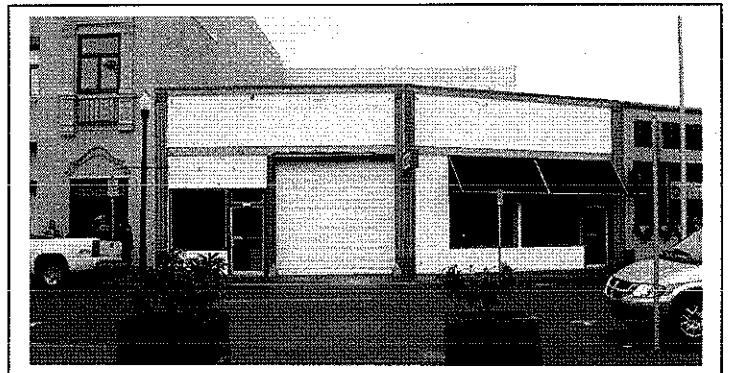
### I. SUMMARY

- A. Applicant: Lawrence Cary  
North Coast Distilling LLC  
268 Lexington Ave  
Astoria OR 97103
- B. Owner: Liberty Restoration Inc.  
1203 Commercial Street  
Astoria OR 97103
- C. Location: 1270 Duane Street; Map T8N R9W Section 8CA, Tax Lot 6100;  
Lot 6, Block 62, McClure
- D. Zone: C-4, Central Commercial
- E. Lot Size: approximately 50' x 90' (4,500 square feet)
- F. Proposal: To locate light manufacturing of a distilling operation and indoor entertainment of tours, with tasting room and retail sales in an existing commercial structure

### II. BACKGROUND INFORMATION

#### A. Site:

The one-story building is currently vacant but was previously occupied by Astoria Plumbing. It was purchased by Liberty Theatre Restoration for future expansion of the theater operations.



The property is generally located between 12th and 13th Streets on the north side of Duane Street in a developed area. The building to the west is the Liberty Theater Building which can be accessed from this building allowing for the expansion of the Liberty Theater operations. The Liberty Theater will occupy the west portion of this building at this time. Liberty Theater Director Rosemary Baker-Monaghan has indicated that the Theater also plans to expand into the subject portion of the building in the distant future and that the distillery could occupy the space until that time.

B. Neighborhood:

The area is bounded on the north by the commercial buildings fronting along Commercial Street; on the west by the Liberty Theater building; on the east by the Fiber Arts Center; on the south across the Duane Street right-of-way by Banker's Suite, professional office, vacant portion of a building, and the City parking lot at 13th Street.

Duane Street is a two-lane, one-way street going west that runs parallel with the north property line of the site. 12th Street is a two-lane, one-way street going south that runs parallel to and about 100' west of the site. 13th Street is a two-lane, one-way street going north into Duane Street from Exchange Street just across the right-of-way from the site. Duane and Exchange Streets have a 60' right-of-way width and 12th and 13th Streets have a 50' right-of-way. On-street parking is allowed on both sides of each of these streets.

C. Proposal:

The applicant is proposing to locate a distillery operation into the vacant building that was most recently occupied by Astoria Plumbing and is owned by Liberty Theater Restoration. He plans to provide tours and/or public viewing of the operation as indoor entertainment. There would be a production area, tasting room, storage, and retail sales area. The uses would occupy approximately 4,700 square feet of the building and would all be at street level.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on May 31, 2013. A notice of public hearing was published in the Daily Astorian on June 18, 2013. 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 2.430(14) concerning Uses Permitted Outright in the C-4 Zone lists *"Retail sales establishment."*

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

Section 2.435(3) concerning Conditional Uses Permitted in the C-4 Zone lists *"Light manufacturing."*

Section 2.435(10) concerning Conditional Uses Permitted in the C-4 Zone lists *"Wholesale trade, warehouse, mini-storage, or distribution establishment (see Section 11.170)."*

Finding: The applicant intends to locate a distillery as light manufacturing with some wholesale trade. Both are allowed as conditional uses. He also plans to have a tasting room, retail sales, and tours/viewing of the production area as indoor entertainment which are allowed outright in the C-4 Zone. The use proposed would require review as a conditional use.

- B. Section 7.100(F) concerning Minimum Parking Space Requirements identifies parking spaces for manufacturing as follows: the greater of 0.75 spaces per employee; or one space per 5,000 square feet for buildings of 0 to 49,999 square feet.

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"*.

Finding: The subject site is within the C-4 Zone and off-street parking or loading is not required in the C-4 Zone.

Off-street parking needs can be considered during the conditional use review. The parking impact of the light manufacturing in conjunction with other outright uses such as retail sales would be minimal and similar to other approved outright uses. In fact, light manufacturing generally utilizes more building area with fewer employees. 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.

- D. 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.

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

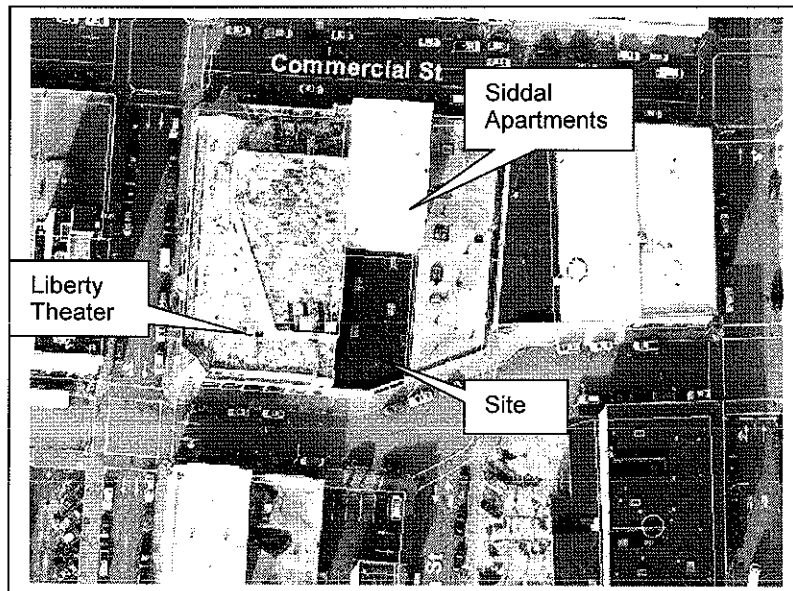
Finding: The distillery would generate some odor common to the cooking of food products such as a restaurant and/or brewery. This is generally not considered as extensive and not of an amount that would be considered a nuisance. Light manufacturing operations would be a low impact operation with minimal odor, dust, etc.

- F. Section 11.110(B) concerning Light Manufacturing, Storage states that *"Storage of materials and equipment shall be screened from adjacent properties or public streets by sight-obscuring fencing, landscaping or both. Clear vision areas shall not be obscured."*

Finding: All materials and equipment would be stored in the building and/or screened from view.

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

Finding: The use would be in an existing building that was previously used for a construction business. There are windows on the south side of the building. The site is not adjacent to a residential zone. There is an apartment building at the rear of the building facing Commercial Street. The proposed light manufacturing would have a minimal impact due to the nature of the distilling process.



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

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

[illegible]

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.”*

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building to make it more conducive to some retail sales and other pedestrian friendly uses. The proposed use for light manufacturing and associated uses allows a reuse of the building in its current configuration.

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 light manufacturing 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, it is becoming a destination for these facilities also. The proposed use of the building for light manufacturing has the potential to become an important part of the downtown redevelopment.

3. CP.020(6) concerning Community Growth, Plan Strategy states that *"The City encourages historic preservation generally, the restoration or reuse of existing buildings. However, these structures must be improved in a timely manner."*

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 1938. It has been underutilized for many years since Astoria Plumbing vacated the building. The current owners have restored the adjacent Liberty Theater building and plan to eventually expand into this area. Liberty Theater Director Rosemary Baker-Monaghan has stated that it would be several years until they are able to use this space and the proposed distillery would provide a viable interim use of the space during those years. Approval of the conditional use for the proposed light manufacturing would give the property owner the ability to have the space rented to provide additional funds to support the continued restoration of both buildings. It is necessary to have tenants in the buildings to help defray part of the restoration expenses, which are very 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 light manufacturing including tours, tasting room, and retail sales would support the economic health of the area. The growing cluster of breweries and distilleries would give Astoria a competitive edge in the craft brewing/distilling field and could help to promote Astoria as a destination city for tourists. The proposed uses would strengthen the downtown as well as provide year round job opportunities.

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

- K. 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 automotive service and construction office. Use for light manufacturing as a distillery with tours and retail sales would not be a major impact to the area as

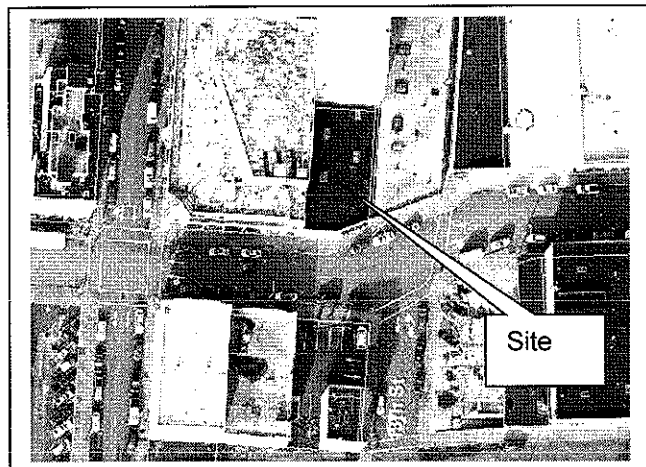
this site has been used for construction with sales office and only the front portion is designed for pedestrian related uses. There are few downtown buildings that have easy vehicular access to the buildings for deliveries. With the ability to drive in the building for truck deliveries, this building is ideal for light manufacturing operations due to the minimal impact to the streets for these functions.

The uses would benefit from a downtown location due to the pedestrian traffic and the close proximity to other similar sales and services such as art galleries, restaurants, retail sales, and other general commercial businesses. With the storefront glass windows, high ceilings, open production area in rear, and garage door, the building is ideal for light manufacturing operations without major changes to the facade. The site is appropriate for the proposed use.

- L. 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 three streets around the site on the east, west, and south. On-street parking is available on both sides of all streets that surround the site. The entire building is approximately 5,000 square feet and only 4,700 square feet is proposed to be utilized by the applicant. The remaining portion of the building would be used by Liberty Theater and as an enclosed solid waste disposal area for both buildings. 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 generally require more parking than the proposed light manufacturing. The parking impact of the light manufacturing would be minimal and similar to the approved uses. Therefore, additional required parking is not warranted. Loading and unloading can be done on the site.

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 WOW on the location and size of the refuse collection area for the proposed use. Solid waste disposal areas shall be screened from view. The property owner, Liberty Theater Restoration, has begun work on an enclosed solid waste disposal area within the building adjacent to the garage door for the proposed use.

- M. 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 distillery would need more water than some other uses generally in the downtown area; however, Public Works Supervisor Ken Nelson has indicated that there appears to be sufficient water to meet the needs of the proposed distillery operation. As with all new or increased businesses and development, there will be incremental impacts to police and fire protection but the proposed use will not overburden these services. Various types of light manufacturing may require possible conditions related to a fire suppression system. 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 to assure that the services are adequate to accommodate the proposed use. The applicant has been meeting with the Building Inspector concerning the proposed use.

- N. 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 Liberty Theater is currently in the process of alterations to the front of this building separate from this permit. The site is not within 100' of a known geologic hazard area. Additional studies are not required.

- O. 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. The applicant shall work with Recology/WOW on the location and size of the refuse collection area for the proposed use in the building.

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 to assure that the services are adequate to accommodate the proposed use.

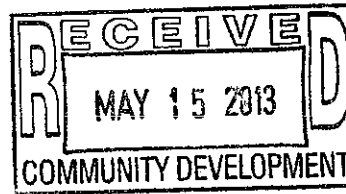
The applicant should be aware of the following requirements:

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

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 13-03

Fee: \$250.00

**CONDITIONAL USE APPLICATION**

Property Address: 1270 Duane St., Astoria, OR 97103

Lot ~~1100~~ 6

Block 62

Subdivision McClure

Map 8.9.8 CA

Tax Lot ~~89036A~~ 06100

Zone C-4

Applicant Name: North Coast Distilling LLC (Lawrence Cary)

Mailing Address: 268 Lexington Ave, Astoria OR 97103

Phone: 503.884.7175 Business Phone: 503.884.7175 Email: Lcary@NorthCoastDistilling.com

Property Owner's Name: Liberty Restoration Inc

Mailing Address: 1203 Commercial ST, Astoria OR 97103

Business Name (if applicable): \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: 5.14.2013

Signature of Property Owner: \_\_\_\_\_ Date: 5.14.13

Rebecca Baker-Monaghan Exec Director

Existing Use: Storage

Proposed Use: Manufacturing / Retail

Square Footage of Building/Site: 4700

Proposed Off-Street Parking Spaces: NOT APPLICABLE

to locate a distillery as light manufacturing and conduct indoor entertainment of distillery tours, with tasting room and retail sales

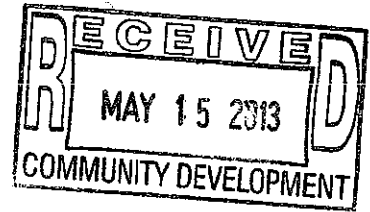
**SITE PLAN:** A Site Plan depicting property lines and the location of all existing and proposed structures, parking, landscaping, and/or signs is required. The Plan must include distances to all property lines and dimensions of all structures, parking areas, and/or signs. Scaled free-hand drawings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

in an existing commercial building

For office use only:

Application Complete:		Permit Info Into D-Base:	<u>5/17/13</u>
Labels Prepared:	<u>5-17-13</u>	Tentative APC Meeting Date:	<u>6/25/13</u>
120 Days:			

## Conditional Use Application



North Coast Distilling LLC

11.030 A2

The proposed use is manufacturing the product, which will support the space zoned for retail included in the footprint, fronting on Duane Street.

11.030 A3

Site layout includes an area off street for deliveries, loading and unloading. There should not be any impact to existing traffic flow, emergency access, movement or safety. Refuse collection will be included in the Liberty Restoration Inc. complex wide trash and recycling area, which will be completed this summer.

11.030 A3 - Not applicable.

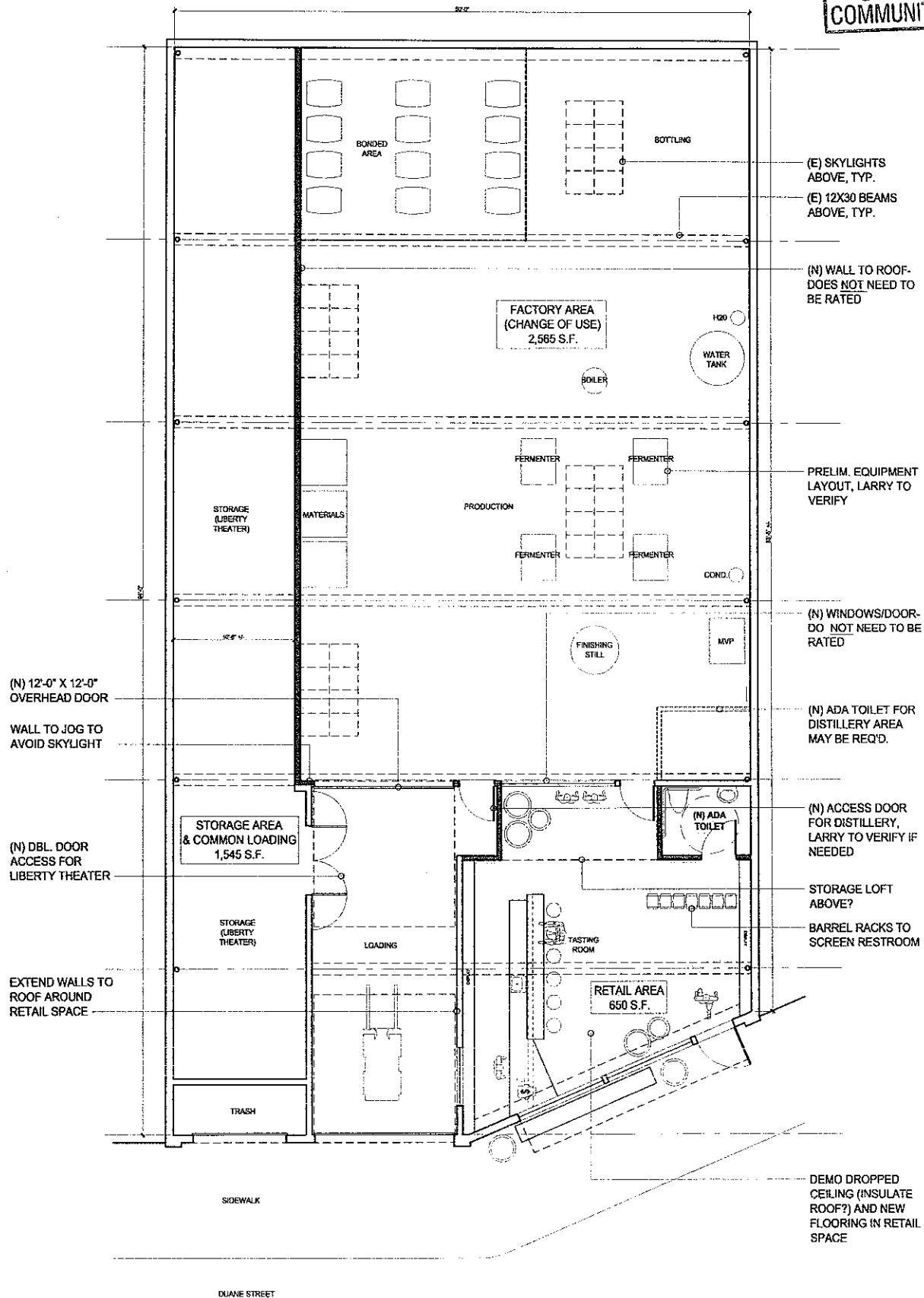
11.030 A4 - Site is appropriate for use.

11.030 A5 – Not applicable

11.030 B – Not applicable

### Notes:

2-0-1 Commercial property is an improved property that has commercial use as its highest and best use. This highest and best use is as income-producing property. Examples of commercial property include, but are not limited to: retail stores, supermarkets, discount stores, department stores, convenience marts, financial institutions, office buildings, small retail laundries, dry cleaners, medical and dental office buildings, recreational vehicle parks, hospitals, restaurants, theaters, automobile service stations and truck stops, automotive service centers, parking garages, car dealerships, hotels, and motels.



**1 MAIN FLOOR PLAN**  
1/8" = 1'-0"

