

STAFF REPORT ADDENDUM #2 AND FINDINGS OF FACT

July 25, 2017

TO: ASTORIA PLANNING COMMISSION

FROM: KEVIN A. CRONIN, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: TEMPORARY CONDITIONAL USE PERMIT BY ASTORIA WARMING CENTER AT 1076 FRANKLIN AVENUE

The purpose of the staff report addendum is to capture developments that have occurred since the publishing of the original staff report dated July 19. Staff has worked closely with the applicant (AWC Board) on three issues related to time and temperature based operations that need to be resolved.

1. *Weather Criteria:* The AWC Board is requesting more flexibility in interpreting the inclement weather conditions that would necessitate opening the center in the weather dependent shoulder periods. Staff recommends using a temperature model based on 37 degrees and inclement weather, but not solely based on rain. The AWC prefers using rain as a criteria. Staff recommends a slight modification that will help alleviate the question of when to open. AWC can use the NWS forecast in making a determination on whether to open. It should be based on a NWS designation as a "storm warning," which usually occurs when an excessive amount of rainfall is expected. **Recommendation:** The following categories shall be used to determine a serious weather event:

Winter Weather/Cold Weather

- Winter Storm Watch
- Blizzard Warning
- Winter Storm Warning
- Ice Storm Warning
- Freezing Rain Advisory
- Winter Weather Advisory
- Freeze Watch
- Freeze Warning
- Frost Advisory
- Wind Chill Advisory
- Wind Chill Warning

2. *Timing:* There is disagreement on the time needed to make a decision on whether to open for the night. Staff recommends 8 hours while the AWC would prefer at least 24 hours or longer. **Recommendation:** The Commission is the final arbiter of how the AWC can open under the 90 day period.
3. *Program Year Extension:* Finally, the AWC would like to clarify the program year and extend the available period of being open until March 15 but only open 90 days within the November 15 to March 15 window. This would allow the AWC to open on inclement weather nights in the latter

part of the winter season and remain closed on warmer weather days. Under the proposed new temperature criteria, this would allow more flexibility to operate within the 90 day period.

Recommendation: Staff agrees with this extension assuming they meet all conditions of approval.

A letter from the AWC Board is attached to the staff report addendum as well as additional public comments received since the Friday when the first addendum was sent to the Commission.

Staff will be available to clarify the latest clarifications and recommendations.

ASTORIA WARMING CENTER

1076 Franklin Ave.
Astoria, OR
97103

Phone 760-289-8932

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—overnight cots
and warm meals
for people experiencing
homelessness
in Clatsop County
during weather conducive
to hypothermia

—shower facilities
year-round

Astoria Warming Center is a
501(c)(3) non-profit
organization

July 24, 2017

In an effort to provide clarity to the procedure, the Astoria Warming Center would like to list here how our application and preferences are different from the submitted staff report.

1. We ask that a wind-chill temperature of 37 degrees or below and inclement weather such as snow, sleet, freezing rain, *and rain in excess of 1/3 inch* forecast for the day be included in the decision of whether or not to open. The staff report recommends all of the above except “NOT solely based on rain.” The AWC respectfully asks that the planning commission consider that when an excess of 1/3 inch of rain falls in one day, homeless men and women are soaked to the skin, and the chance of hypothermia is increased.

2. Our proposal to be open for a maximum of 90 days during the 120-day period of November 15 through March 15 is based on weather. During the first 30 days, November 15-December 15, we would calculate opening according to the predicted weather conditions noted above. During the middle 60 days, from December 15 through February 15, the weather in Astoria would typically qualify as dangerous weather days; we therefore propose to simply operate continuously for those two months. During the last 30 days, we would again follow the first month’s opening weather requirements. We would not exceed being open for 30 days in the first and last two months.

3. The requirement in the staff report that we determine whether or not the AWC opens each night only eight hours in advance is extremely challenging. We don’t know how we could manage scheduling and notification to our staff, our volunteers, and our food donors, not to mention our guests, if we are not able to determine whether we open or close until 11 a.m. each day when we would open at 7 p.m. Donor restaurants need to plan food in advance; volunteers need to prepare if they are going to be up part of the night; staff need to know if they are working or not; and if we decide at 11 a.m. and put the word out, there is no guarantee that volunteers will be lined up until later in the day, even as late as opening time. We must have a full complement of volunteers and staff to operate; it is more than conceivable that guests will be lining up at 7:00 only to be told that we cannot open that night. These hungry men and women will then disperse throughout the downtown area looking for food and alcoves or covered doorways to sleep in. We are asking for a three-day rolling forecast period so we can give proper notice to all involved.

Other than these three points, the AWC is in complete agreement with the staff recommendations for the conditional use permit.

Dan Parkison, President

Annie Dolber, Secretary

Janet Miltenberger, Treasurer

—for the Board of Directors, AWC

To: The Astoria Planning Commissioners

Re: The Warming Center Operated at the United Methodist Church in Astoria

I appreciate the efforts of the United Methodist Church, the volunteers of the Warming Center and their good intentions toward those who are homeless. I am a compassionate person and also want to help those in need. My husband, Sean Fitzpatrick, and I support a "Warming Center" as it was originally conceived. We donated a washer and dryer and donated to the warm socks and blanket campaign at Columbia Bank. We also support the Clatsop Emergency Food Bank located in the basement of the First Presbyterian Church.

However, the "Warming" Center has evolved into a no-barrier or low-barrier homeless shelter (I will hereafter refer to it as a shelter). I have the following issues with how this shelter is operated and where it is located, especially if the intention is for the shelter to remain a no-barrier or low-barrier shelter:

I do not believe that a no-barrier or low-barrier belongs in a neighborhood. The no-barrier shelter has attracted homeless from out of the area. Most shelters have requirements for sobriety. This past winter, some of the guests were very aggressive to those of us who live, work and run businesses in the neighborhood and downtown. As someone who enjoys walking from my home downtown to restaurants and businesses, it has become very uncomfortable, especially as a woman, to walk near my home or downtown when the shelter is open. I want to feel safe in my home, neighborhood and downtown. I do feel safe in my neighborhood and our downtown when the shelter is not open.

The shelter has operated in the same neighborhood for 3 years already. I am a resident and an owner of the Illahee Apartments. As owners of these apartments, my husband and I have invested a considerable amount of money to maintain and improve our apartments and provide housing for our tenants. This is how we make our living. The shelter has a significant impact on the property of the Illahee Apartments when the shelter is open. We have an increase in trash (including beer bottles, drug paraphernalia and feces) on our private property when the shelter is open. These issues taper off and then become non-existent after the shelter closes. We have owned the Illahee and other apartment buildings in Astoria since 2004. I don't believe the same neighborhood should have to deal with these issues year after year.

I do not believe the volunteers are equipped or trained in mental health or drug and alcohol addiction. I would support a shelter that requires guests to be clean and sober and gives priority to families with children. Is the shelter board coordinating with other available services in order to really help those who are homeless?

My issue is with the fairness of subjecting the same neighborhood to a no-barrier or low-barrier shelter for the fourth year in a row. Being a no-barrier shelter, the center has attracted people from out of the area because most shelters have requirements for sobriety. I would like the Planning Commission to understand the problems that having a no-barrier center have created for me, my husband, our tenants, friends and neighbors, and downtown Astoria. As a woman, I want to feel safe in my neighborhood. **The volunteers get to choose how much the shelter and it's guests impact their lives, we who live and work in the neighborhood do not.**

Respectfully,



Anne Carpenter
1046 Grand Ave.
Astoria, OR. 97103

July 23, 2017

Clatsop County Planning Commission
David Pearson, President
1095 Duane Street
Astoria, Oregon 97103

Dear Mr. Francis:

I support the continuation of the Astoria Warming Center at its current location. The Warming Center has been in operation since 2014. Last winter, according to the Center's operational report, 3,126 overnight stays were provided. Volunteers contributed 2,620 hours excluding the work done outside of hours of shelter operations. 212 unduplicated persons were served. In only its third year of operations, the organization received a grant from Meyer Memorial Trust. Local organizations contributed hot meals.

In other words, this is a highly successful venture. The people involved in making this all possible are working very well together. Easy accessibility to the Center is apparent. The collaboration has the confidence of many - supportive volunteers, businesses, Meyer Memorial Trust, the church congregation and its board.

The Astoria Warming Center is a low-barrier service, meaning that people who can be responsible for themselves can participate. A few problems associated with this type of service will occur no matter where the shelter is located. Unfortunately, there are and always will be some participants who are at times loud or boisterous.

Is it a serious problem? From my house, I hear loud noise from numbers of people who struggle to successfully negotiate the round about. Horns honk, and air brakes thunder in the early hours of the morning. People park on my property while using their phones. They walk across my property. They litter on my property. Sometimes at night people who are homeless sit on the bench across the street and stare at me as I get out of my car. The occasional recreational vehicle operator fails to properly use the pump out station and clean up is needed. That smells bad, and twice I've had to call for a clean up. I didn't realize that all these things would be the case when I moved to this location. I'm surprised at people's behaviors. My point is this; it doesn't harm me. None of these things happen frequently enough or are intrusive to the extent that they are real problems. Are the sometimes loud and boisterous people waiting in line to go into the Center doing actual damage? I don't know for sure, but I doubt it. Would more monitoring or over-site help? Probably. We have to tolerate some things that happen, don't we?

I know that it is healthier, more cost effective and more workable for the long run if people have permanent housing. These days, everyone can read the studies on-line. Local organizations whose mission it is to address the causes and conditions of homelessness are doing a great job with the very limited resources available. Since neither they nor the rest of us have the answers to the problems related to securing housing for everyone who needs it, let's keep the Astoria Warming Center open at its current location. It's a piece of a solution. It's working. In my opinion, it is the more sensible, civil, kind and just thing to do.

I am unable to attend the meeting on Tuesday evening. Thank you.

Sincerely,

Liz Bartell, L.C. S. W.
Former Co-Chair of the
Clackamas County Homeless Council &
Program Manager at Clackamas County
Social Services Division

7/23/17

Kevin Cronin,
City of Astoria
Community Development Director
Astoria Planning Commission

Dear Mr. Cronin, City of Astoria and Astoria Planning Commission:

It has come to my attention that there will be a hearing July 25th, on the request by the Astoria Warming Center to further extend their services in the basement of the Methodist Church for the upcoming winter season.

While being a very compassionate person to people from all walks of life, as a business owner in downtown, Astoria I would like to request that the Planning Commission look at all factors when deciding on this request. This subject and request needs to be looked at carefully from many sides. Those being of course, the people the community is trying to help, but also from the neighbors that live in the blocks surrounding the center, the downtown businesses owners that have worked hard to build up their business including a safe, non confrontational environment for their customers and also the safety factor of our law enforcement officers. All these interest groups need to be considered before expanding services.

I spend a lot of hours downtown, mostly in the daytime but occasionally am also working in the evening. I and my employees feel nervous and fearful for our safety many times either going to or leaving work. I fear an expansion of the services we already have at the Warming Center will draw more to the Astoria area without the proper services being in place to handle the increasing numbers of street people. I also feel that the tourists and locals that we have invited to the downtown core to shop should not feel harassed and intimidated. Also majorly concerning to me is the reported amount of weapons seemingly being carried by many of the shelter users. Astoria Police Department is already understaffed and by increasing the use of the Warming Center we are putting our few Officers that we have in harms way.

So in closing I ask the City of Astoria and the Astoria Planning Commission to think of all city users before making a decision on this touchy subject.

Sincerely,



Diane Berry
971 Commercial St.
Downtown Business Owner

Kevin Cronin

From: Estelle Olivares <estelledances@gmail.com>
Sent: Thursday, July 20, 2017 4:45 PM
To: Sean Fitzpatrick
Cc: Celestial; Kris Haefker; Arline LaMear; Brett Estes; Cindy Price; Dulcye Taylor; Kevin Cronin; pastorbill@fpcastoria.org; sarah@astoriadowntown.com; Tom Leiner
Subject: Re: Meeting This Evening about Homeless Shelter

Hello Neighbors!

Simply putting my next letter of concern in about the conditional use permit about the warming center. It is incredibly disturbing to learn that the folks who are running the center are basically disregarding the neighborhood's complaints with the activity surrounding the warming center where it was located last winter, at the Methodist church. I'm disturbed at the lack of recognition about the neighborhood's concerns about the very noticeable increase of negligent activity in our neighborhood during the times when the center was open. If you walk up and down 11th St at this time of year, it is a pleasant street and a major path into the downtown historic district. Which is in stark contrast to the Winter months when there is a marked increase of homeless activity, loitering, people passed out, too many cigarettes and some of our neighbors are being harassed (not to mention, emergencies in the late late hours and a feeling of lack of safety). 11th St and the surrounding areas become a different place in the colder months. Which seems odd to me given that it is not a very hospitable place to be outside in Astoria in those months. While it is certainly a needed societal outlet for folks of lesser means, I think a warming shelter needs to act responsibly within the neighborhood it wants to reside, and that is not the case with what is happening now. The last meeting in June showed us lack of concern, to our faces. And, now this conditional use permit shows us again, almost behind our backs, the warming center folks are not interested in our concerns. They are not interested in trying to collaborate. This is very disconcerting.

I don't know what the solution is, but it seems there needs to be more discussion and a willingness on the part of the people who are trying to run the shelter to be good neighbors. There are other local organizations in our neighborhood who do not pose any problem. The food bank on 11th is a prime example as is the Klean center on 12th. Both of these businesses operate respectfully within the neighborhood and offer much needed resources to those in need, without disturbing the neighborhood. The warming center has not shown respect to our neighborhood and thus should not be granted use of a conditional permit at the Methodist church on 11th.

With an interest in keeping our neighborhood safe, sincerely,

Estelle Olivares
Home Owner on 11th Street
estelledances@gmail.com

Estelle Olivares
"...to dance well is to be well-educated."
-Plato (c. 428- c. 348 BC)

On Tue, Jun 27, 2017 at 12:34 PM, Sean Fitzpatrick <csrefitz@aol.com> wrote:
Hello Neighbors and Friends,

Many of you have heard that the "Warming Center" board has applied for a conditional use permit. Their application

Kevin Cronin

From: Estelle Olivares <estelledances@gmail.com>
Sent: Monday, July 24, 2017 12:22 PM
To: Kevin Cronin; Anna Stamper
Subject: Fwd: Meeting This Evening about Homeless Shelter

Hello again, Kevin and Anna. And, another letter I would like to be submitted. It looked like the one I just sent was the one you were referring to, initially. Apologies for resending. Thank you for your attention on this issue.

Best, E*

Estelle Olivares

"...to dance well is to be well-educated."

-Plato (c. 428- c. 348 BC)

----- Forwarded message -----

From: Estelle Olivares <estelledances@gmail.com>
Date: Fri, Jul 21, 2017 at 7:58 AM
Subject: Re: Meeting This Evening about Homeless Shelter
To: Sean Fitzpatrick <csrefitz@aol.com>, dulcyet@gmail.com
Cc: alamear@astoria.or.us, bestes@astoria.or.us, cprice@astoria.or.us, haefker@gmail.com,
kcronin@astoria.or.us, olive.celeste@gmail.com, pastorbill@fpcastoria.org, sarah@astoriadowntown.com,
twleiner@gmail.com

Hello neighbors! Truly, I couldn't have put it better than Sean, especially because he is so keenly aware of the details regarding this issue from so many angles. But, as one of us who lives in the directly affected neighborhood, off of 11th I can concur, me and my family are not only aware and offended by the dramatic increase of negligent unwanted behavior in our neighborhood when the shelter is open, making us feel unsafe. We were also present at the very inconveniently timed meeting and saw and felt the lack of concern and respect or care from the warming shelter folks. They were clearly just going through the motions and didn't want to hear us. It was rather appalling and affronting. I'm in complete agreement with Sean, the actions of the AWC board are simply going through the motions and their words are nothing more than lip service to appease policy standards. And, that doesn't feel like a very good neighbor.

Sincerely,
Estelle Olivares
estelledances@gmail.com



July 20, 2017

Arline LaMear, Mayor
Councilors Nemiowill, Brownson, Price and Jones
Astoria City Planning Commission
City of Astoria
1095 Duane Street
Astoria, OR 97103

RE: Conditional Use Permit for Astoria Warming Center

Dear Mayor LaMear and Councilors for the City of Astoria:

It has come to my attention that the Astoria Warming Center has applied for a Conditional Use Permit to operate shelter services and if the permit is not granted, this vital service for highly vulnerable people in the Astoria area will close. I am writing this letter in support of the conditional use permit and the valuable services provided by the Astoria Warming Center in hopes that these services will continue to be available for residents in need.

Greater Oregon Behavioral Health, Inc., (GOBHI) is dedicated to the health care needs of rural Oregonians. We administer behavioral health services on behalf of the Columbia Pacific Coordinated Care Organization (CPCCO) for individuals who are Oregon Health Plan (OHP) members in Clatsop, Columbia and Tillamook Counties. We also administer behavioral health services for individuals who are OHP members in the Eastern Oregon Coordinated Care Organization (EOCCO) serving 12 counties in Eastern Oregon. Our service provider networks promote wellness and we believe in the power of preventative and local care.

GOBHI is in a unique position to understand the health and human service needs of vulnerable populations in the North Coast region. We finance and provide leadership supporting the service delivery system for behavioral healthcare and have embarked upon housing development projects to serve families recovering from substance use disorders and individuals with serious and persistent mental illness. Through our network development and partnership efforts with human and social service providers in the North Coast region, we are keenly aware of the housing shortages and homeless challenges facing low-income Clatsop residents, particularly for individuals and families with behavioral health needs.

We understand that secure and stable housing is foundational to recovery from mental health and substance use issues. An estimated 26% of homeless adults staying in shelters live with serious mental illness and an estimated 46% live with severe mental illness and/or substance

use disorders (National Alliance on Mental Illness). This finding bears out in our experience through the provider network delivering complex care management, civil commitment investigations for potential referral and admission to Oregon State Hospital, and responding to crisis situations involving people with serious addictions related issues or mental health problem in the region.

Last year, we conducted an extensive housing needs assessment throughout the GOBHI service areas. Insights from this effort prompted us to invest in housing projects for our most vulnerable members. While we are motivated to continue to make progress, working with our local partners in both the North Coast and Eastern Oregon regions, we are aware that it will take multiple efforts and systems working together to end homelessness. Shelter services, like the Astoria Warming Center, offer life-saving and health promoting services for our most vulnerable members and individuals who are not yet, but may need to be, engaged in healthcare and supported housing services. This is a vital safety net for many people who need help navigating their way out of desperate life situations and challenges.

Thank you for carefully considering the decision to be made on the conditional use permit. I appreciate your service to the residents of Astoria and am available to respond to any questions you may have about GOBHI or any of the information contained in this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Kevin M. Campbell', is written over a horizontal line.

Kevin M. Campbell, CEO

Kevin Cronin

From: George Hague <gbhague@gmail.com>
Sent: Monday, July 24, 2017 12:00 PM
To: Kevin Cronin
Cc: Nancy Ferber
Subject: Support the Astoria Warming Center

Good afternoon Planning Commissioners,

I have read the many letters of support found with your agenda packet. I hope you will hear loud and clear what almost everyone has been writing/saying to you.

I disagree with the 37 degree average temperature recommendation that will trigger the opening of the warming center. You must be assuming those who need the Warming Center have warm clothing as I assume you do. You must also believe those that predict the weather/temperature do not make mistakes. I am in favor of keeping the warming center open during the same days as this past year.

Even the leaders of our Sister City of Waldorf, Germany appreciated our Warming Center. During the 50 anniversary of the Astoria-Megler bridge they spoke at a gathering at the Maritime Memorial. In their speech to many Astoria dignitaries I heard them talk of the importance of Cities taking care of its own and how the Astoria Warming Center was one of the best examples of that in our City. They then explained they were making a donation of thousands of dollars to the Warming Center to help it continue its mission.

I have read the options of moving the Warming Center to another location. None of them are acceptable for the reasons in your report. Everything must be done by the City to make sure this location remains viable. Your own report lets you know that the homeless have the same rights/standing in Astoria as do you and I. I strongly believe the neighbors concerns can be resolved as long as we all have the resolve to maintain the Astoria Warming Center.

Please keep the Warming Center in its current location without overly burdening them with regulations which would lead to less volunteers and its eventual closing.

Thank you,

George (Mick) Hague

1 3rd Street unit #201
Astoria, Oregon 97103

Kevin Cronin

From: Sarah Dailey <director@seasidedowntown.com>
Sent: Tuesday, July 25, 2017 12:18 PM
To: Kevin Cronin; 'Sarah Lu Heath'
Cc: Brett Estes; City of Seaside-Mark Winstanley; barberj573@gmail.com
Subject: RE: Warming Shelter Permit File #: CU 17-06

Hello Kevin,

I would like to take a minute to provide some comments and information regarding the current concern of homelessness and transient populations in downtown areas. ADHDA's Director Sarah Lu Heath and myself have previously discussed this topic, and I've also Cc'd our City Manager, Mark Winstanley and Mayor Jay Barber. These comments are in reference to Permit File #: CU 17-06 for the Warming Shelter in Astoria.

The community of Seaside, Oregon can definitely relate to the challenges Astoria is facing regarding the current transient population. We have and continue to work together as community to diligently educate people (businesses, locals & visitors) about the issue and how they can help. We've found the greatest success to happen when all groups work together toward commonality. We all have the best interests at heart. This is not a competition! It's a real issue involving real people and real businesses. Here are some things we found to be key:

- Keep open communication with local law enforcement, City Public Works Dept, & local resource agencies.
- Keep vegetation trimmed so as to not provide areas of extra protection from outdoor elements (such as for sleeping)
- Inform & educate (we had this as one of the weekly meeting topics) about what the majority of the transient population consists of- which is usually NOT homeless people, rather people who are choosing to be homeless because they are supporting poor habits. We invite guest speakers to our weekly community business meetings from the City Public Works Dept., Chief of Police and the Helping Hands outreach centers who are able to paint a clear picture for business owners and community members about this issue.
- Through these important meetings we've learned it's not recommended to provide monetary donations to 'transients' or even food...again, the population who are living this way are 99% of the time choosing to; they have declined assistance because they want donations to support bad habits. (Helping Hands ReEntry & the Seaside Police Department work together closely to maintain a database with most of these individuals known, which helps track them and their movement to other areas).
- The city & police are great about removing 'camps' or groups that are loitering under bridges and in front of businesses; our community helps with this by keeping officials informed.

I regret I cannot attend the meeting tonight, but I'd be happy to discuss this issue further with you or other officials if you have questions.

Best,

Sarah Dailey
Executive Director
Seaside Downtown Development Association