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# **AGENDA**

## **ASTORIA PLANNING COMMISSION**

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**August 26, 2014  
6:30 p.m.  
2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street • Astoria OR 97103**

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
  - a. July 22, 2014
4. PUBLIC HEARINGS
  - a. Parking Variance V14-06 by Jennie Hillard for Rod Gramson, from the required two off-street parking spaces to increase the existing single-family dwelling to a two-family dwelling with zero off-street parking at 1626 Grand in the R-3, High Density Residential zone. The applicant has requested that this item be continued to the September 23, 2014 meeting.
  - b. Conditional Use CU14-09 by Leigh Oviatt to locate a wellness center as a professional service establishment in an existing industrial/residential building at 3930 Abbey Lane #108 in the GI Zone, General Industrial. Staff recommends approval with conditions.
  - c. Conditional Use CU14-10 by Klean Astoria-OR, LLC, to locate a ten bedroom group living facility in an existing single-family dwelling at 1188 Harrison Avenue in the R-3 Zone, High Density Residential. Staff recommends approval with conditions.
  - d. Variance V14-08 by Klean Astoria-OR, LLC, from the required off-street parking requirements of 13 spaces to provide zero off-street parking for a proposed ten bedroom group living facility in an existing single-family dwelling at 1188 Harrison Avenue in the R-3 Zone, High Density Residential. Staff recommends approval with conditions.

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER  
FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS  
OF ORS 192.630 BY CONTACTING SHERRI WILLIAMS, COMMUNITY  
DEVELOPMENT DEPARTMENT, 503-338-5183.**

- e. Conditional Use CU14-11 by Nicole Keller to locate a retail sales establishment in an existing commercial building at 1820 SE Front Street in the S-2 Zone, General Development Shoreland. Staff recommends approval of the request with conditions.

5. REPORT OF OFFICERS

6. STATUS REPORTS

Planner Johnson has included status report photographs of the following: 1270 Duane for CU13-03; #1 – 8<sup>th</sup> Street for V13-15 and CU13-05; 1195 Irving for V13-11. All projects are complete or near completion and conditions have been met. These status report photographs are for Commission information.

7. ADJOURNMENT

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING SHERRI WILLIAMS, COMMUNITY DEVELOPMENT DEPARTMENT, 503-338-5183.**



## ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall

July 22, 2014

### CALL TO ORDER:

President Nemlowill called the meeting to order at 6:39 pm.

### ROLL CALL:

Commissioners Present: President Zetty Nemlowill, Vice President McLaren Innes, Thor Norgaard, Kent Easom, David Pearson, and Sean Fitzpatrick

Commissioners Excused: Peter Gimre

Staff Present: City Manager Pro Tem/Community Development Director Brett Estes and Planner Rosemary Johnson. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### APPROVAL OF MINUTES:

#### ITEM 3(a): May 27, 2014

President Nemlowill, Commissioner Easom, and Commissioner Fitzpatrick noted the following corrections:

- Page 4, Paragraph 3, line 19: "... \$6,500, so if Mr. Nebeker wanted to put a new roof on his building..."
- Page 12, Paragraph 3: "Mr. Holcom said that for the last 18 years, he has planned to build ..."
- Page 12, last sentence: "... recalled discussing the height restriction again where his understanding of it was ..."
- Page 13, Paragraph 4: "Planner Johnson suggested that overwater development be limited to the height of the riverbank from 16<sup>th</sup> to 35<sup>th</sup> Streets, ..."

President Nemlowill moved that the Astoria Planning Commission approve the minutes of the May 27, 2014 meeting as corrected; seconded by Vice President Innes. Motion passed unanimously.

#### ITEM 3(b): June 24, 2014

Commissioner Fitzpatrick noted the following corrections:

- Page 14, Paragraph 3: "Commissioner Fitzpatrick said he was surprised that he had not heard ..."
- Page 14, Last Sentence: "Commissioner Fitzpatrick asked what the consequences of this would be."

Vice President Innes moved that the Astoria Planning Commission approve the minutes of the June 24, 2014 meetings as corrected; seconded by Commissioner Easom. Motion passed unanimously.

### PUBLIC HEARINGS:

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

#### ITEM 4(a):

V14-06

Parking Variance V14-06 by Jennie Hillard for Rod Gramson, from the required two off-street parking spaces to increase the existing single-family dwelling to a two-family dwelling with zero off-street parking at 1626 Grand in the R-3, High Density Residential zone. The Applicant has requested that this item be continued to the August 26, 2014 meeting.

Commissioner Pearson moved that the Astoria Planning Commission continue the public hearing for Parking Variance V14-06 by Jennie Hillard to August 26, 2014; seconded by Commissioner Easom. Motion passed unanimously.

ITEM 4(b):

CU14-08                      Conditional Use CU14-08 by Rickenbach Construction, Inc. for Columbia River Maritime Museum to locate professional offices in an approximate 2,600 square foot portion of an existing commercial structure at 1777 Marine in the FA, Family Activities zone.

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

Commissioner Pearson declared that he was employed by the Columbia River Maritime Museum and would stand down from the dais. He stated he had not spoken to any of the Commissioners about the application. He stepped down from the dais.

President Nemlowill asked Staff to present the Staff report.

Planner Johnson 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 Nemlowill called for questions of Staff. Hearing none, she opened the public hearing and called for a presentation by the Applicant.

David Pearson, 3595 Franklin Street, Astoria, said the Columbia River Maritime Museum appreciates the work of Staff when creating the Staff report. The Museum agrees with all of the conditions and has a bike rack ready to be installed. He said he was available to answer questions.

Vice President Innes confirmed there were no elevators in the building, but noted that medical offices were proposed on the second floor. Mr. Pearson stated there were no Americans with Disabilities Act (ADA) accessibility for the second floor. The medical offices would be business offices for a medical business, so all of their public offices would remain at their main facility.

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

Commissioner Norgaard said he had no problems with the application and believed this would be a great use of the building. He planned to move forward with the application.

Vice President Innes and Commissioners Fitzpatrick and Easom indicated they also supported the application.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-08 by Rickenbach Construction, Inc. for Columbia River Maritime Museum; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

President Nemlowill read the rules of appeal into the record.

Commissioner Pearson returned to the dais at this time.



ITEM 4(c):

A14-03                      Amendment A14-03 by Stefanie Slyman of Harper Houf Peterson Righells, Inc for Nomadic Properties LLC, and Cannery Loft Condominium Owners Association to amend the land use and zoning map to rezone an area from GI (General Industrial) zone to S-2A. Staff recommends the Astoria Planning Commission recommend that City Council adopt the ordinance.

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

Planner Johnson reviewed the written Staff report. One letter had been received regarding the application, which was presented at the dais. Although the letter referred to the Riverfront Vision Plan, it was actually discussing the condominium rezone. Staff recommended approval of the request.

President Nemlowill called for questions of Staff. Hearing none, she opened the public hearing and called for a presentation by the Applicant.

Stefanie Slyman stated that Dr. Ted Forcum has been authorized by the Cannery Loft Condominium Owners Association to make the application for the zone change. Dr. Forcum is the Applicant and she was representing the Applicant.

Dr. Ted Forcum, 3930 Abbey Lane, Astoria, thanked the Planning Commission for their time. As an owner of a condominium at the Cannery Loft Condominiums, he found the vacancies in the commercial spaces unappealing and obvious. The General Industrial zoning has not been a viable application of this zone for businesses in this particular use; after all, who would want a fish processing plant underneath their home? The intent is to create a more livable rezone application that would allow businesses in the east Astoria community. As an owner, he wants to see the vibe and community maintained in the region. He has businesses there that he has been able to convert. However, he has only been able to convert less than 20 percent of the spaces based on conditional use applications for the zone. Those businesses have shown a track record of being good neighbors to the community. He has made multiple attempts through emails, phone calls, and meetings to educate the owners about the rezoning process. He has met with several owners individually and conducted a survey to determine the level of support for the rezone. Of the 70 percent of owners who participated in the survey, 98 percent were in favor of the rezone. Planner Johnson met with the Association's board and the general membership to answer questions. He also published a 22-minute video online, which recapped much of what transpired during the rezoning of a lot next door to the condominiums. The owners have received an overwhelming amount of information to make an educated decision on the rezoning. The homeowners association conducted a vote and with just over 84 percent of the owners participating in the vote, 93 percent of those voters approved of the rezoning. He would like the Application for the rezone submitted to City Council.

Ms. Slyman thanked Staff for recommending approval of the application. The zone change would make two parcels consistent with the surrounding zoning, helping to revitalize the area and activate some currently underused spaces within the buildings. The rezoning will help the City with its overall commercial deficit without changing the Buildable Lands Inventory. The rezone is consistent with the 2011 Economic Opportunities Analysis. The site is already developed and is fully served by public services. As Planner Johnson stated, a thorough traffic study was completed, which indicated that the zone change would have no significant impacts on the transportation facilities. There will be no need for any mitigation, there are no safety concerns, and all intersection sight distances are still met. The only impact will be a positive change for the site and for the community. She asked the Planning Commission to recommend the zone change to City Council. She offered to answer questions.

President Nemlowill called for any testimony in favor of the application.

Leslie Moorehead, 3990 Abbey Lane, Building B, Unit 406, Astoria, stated she was Vice Chair of the Board of Directors and Chair of the Governance Committee. She was responsible for administering the vote that was conducted in early May 2014. She read into the record the Board's report of the affirmative vote from the owners.



The vote was held among our owners from May 9, 2014 through May 19, 2014. It was a mail-in ballot. They had an 84 percent response rate, which was extraordinarily good for remote voting. Of the 84 percent of the total membership interests, the final tally of votes was 92.7 percent in favor and 7.3 percent opposed. That is 64 votes in favor and 4 votes opposing. They had votes per unit and the voting was done by square footage. Different units have different percentages of voting rights. She wanted to make sure the Planning Commission understood that an overwhelming number of members voted and an overwhelming number of voters approved of the application.

President Nemlowill called for any testimony impartial to, or opposed to the application. Hearing none, she called for closing comments of Staff. There were none. She closed the public hearing and called Commission discussion and deliberation.

Commissioner Pearson stated the application appears to have overwhelming support from the condominium owners at the site. The application meets all of the criteria that the Commission has been asked to review the request which meets the Comprehensive Plan and Development Code. He supported the application as presented.

Commissioner Fitzpatrick agreed, adding the new use seems to make much more sense than the current use.

Vice President Innes and Commissioner Norgaard said they were in favor of the application.

Commissioner Easom agreed, noting that the Applicants gave an informative presentation, did their homework.

Commissioner Norgaard moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report, approve Amendment A14-03 by Stefanie Slyman of Harper Houf Peterson Righells, Inc for Nomadic Properties LLC, and Cannery Loft Condominium Owners Association, and recommend that City Council adopt the ordinance; seconded by Commissioner Easom. Motion passed unanimously.

#### ITEM 4(d):

A14-02

Amendment A14-02 by the City of Astoria Community Development Department to amend the Development Code and Zoning map to implement the Riverfront Vision Plan in the Civic Greenway Area (16<sup>th</sup> to 41<sup>st</sup> Streets, Marine Drive to the Columbia River); add Compact Residential zone; add Civic Greenway Overlay zone; and clear and objective design standards for residential development; renumber several zones and overlay zone; miscellaneous related changes with the new code references; and rezone the area on the north half of the blocks between Marine Drive and the Columbia River from 30<sup>th</sup> to 32<sup>nd</sup> Streets from the C-3 (General Commercial) zone to CR (Compact Residential) zone. Staff recommends that the Astoria Planning Commission recommend adoption by City Council. The City Council meeting is tentatively scheduled for August 26, 2014 at 7:00 pm in City Hall Council Chambers. This item was continued from the June 24, 2014 Planning Commission meeting. The public hearing was closed at the June 24, 2014 Planning Commission meeting and Commission deliberation was continued to the July 22, 2014 meeting.

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

Commissioner Pearson declared that he is employed by the Columbia River Maritime Museum. However, the museum has no role in this application and he will be making a decision as an individual. He believed he could make an unbiased decision.

President Nemlowill declared that she did not believe she had a conflict, adding she had previously consulted with the City Attorney, who agreed. She noted that her husband is co-owner of Fort George Brewery. She asked Staff to present the Staff report.



Planner Johnson reviewed the written Staff report, which had been updated with new meeting dates. The proposed City Council meeting would be on August 18, 2014. Page 18 of the Staff report, Item 14, Findings, the last sentence has been corrected to state, "City ownership of these properties would allow protection as possible public access areas." She also reviewed the comments and discussions made during the public hearing at the previous Planning Commission meeting, noting the conclusions drawn by Staff of those discussions. Correspondence had been received, but was not available for presentation because the correspondence was received after the public hearing closed. However, this correspondence will be presented to City Council at their public hearing. Staff recommended approval of the request.

President Nemlowill called for questions of Staff. Hearing none, she called for Commission discussion and deliberation. She noted that Staff had broken down each issue in the memo and a straw vote was taken on each one with additional comments as noted.

1. No variances for height of development over water: Straw vote was 5 to 1 in favor of the proposed ordinance.
  - Commissioner Pearson was opposed because he believed variances are a useful tool.
2. Development of the East End Mooring Basin: Straw vote was 5 to 1 in favor of the proposed ordinance.
  - Commissioner Pearson believed it was a good compromise to provide development in certain areas while also protecting the Greenway.
  - Vice President Innes stated she opposed the proposal because it could be the beginning of future view-blocking development in the area.
  - President Nemlowill believed this proposal provided great balance in the Riverfront Vision Plan, which states, "promote physical and visual access to the river" and "encourage a mix of uses that support Astoria's working water front and the City's economy." The City's Comprehensive Plan also encourages development in the East End Mooring Basin, which she also supported.
3. Allow restaurants associated with a water dependent use: Straw vote was 3 to 2 in favor of the proposed ordinance, with Commissioner Fitzpatrick undecided.
  - President Nemlowill was opposed because she did not believe eating and drinking establishments are maritime related uses, which is the only type of development she saw in the Civic Greenway portion of the Riverfront Vision Plan.
  - Vice President Innes was also opposed because restaurants would introduce activities and a different type of population or experience. She wanted a calm, open-viewed environment in the area.
4. Land development north of the railroad/Rivertrail property: Straw vote was 6 to 0 in favor of the proposed ordinance.
  - President Nemlowill read from the Staff report noting the ordinance had been amended to state, "The Overwater Development Standard shall also apply to on land development north of the Rivertrail 50 ft wide railroad line property between 19<sup>th</sup> and 41<sup>st</sup> Streets. This draft would exclude the land area between 16<sup>th</sup> and 19<sup>th</sup> Street from the Overwater Standards. All other standards for development of that site would apply.

President Nemlowill moved that the Astoria Planning Commission find the proposed amendment to be necessary and recommend to the Astoria City Council that the proposed amendment A14-02 be approved; seconded by Commissioner Norgaard. Motion passed unanimously.

#### REPORTS OF OFFICERS/COMMISSIONERS:

Vice President Innes reported there was a lot of interest in this meeting; many people had talked to her about it.

Planner Johnson announced that she would retire on September 1, 2014. The Planning Commission congratulated her and expressed their appreciation for her work.

Director Estes explained the next steps regarding the implementation of the Riverfront Vision Plan, noting that the Planning Commission's recommendation would be forwarded to City Council, for a public hearing on August 18, 2014 during the regular City Council meeting which starts at 7:00 pm. Any testimony received since the last Planning Commission meeting will be forwarded to City Council in addition to any testimony received over the next few weeks. The hearing will be a de novo hearing, a fully open hearing where the Planning Commission's recommendation will be considered and testimony will be received from all interested parties.

#### ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:25 pm.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

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

DRAFT



## STAFF REPORT AND FINDINGS OF FACT

August 11, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU14-09) BY LEIGH OVIATT TO LOCATE PROFESSIONAL OFFICE AT 3930 ABBEY LANE

### I. Background

- A. Applicant: Leigh Oviatt  
5295 Birch  
Astoria OR 97103
- B. Owner: Nomadic Properties LLC  
10139 NW Skyline Heights Drive  
Portland OR 97229
- C. Location: 3930 Abbey Lane; Map T8N-R9W Section 9AA, Tax Lot 90108;  
Building A, Cannery Loft Condominium Stage 2, Astoria Business  
Park
- D. Zone: GI, General Industrial
- E. Lot Size: condominium units approximately 16.5' x 25.5' (424 square feet)  
plus approximate 180 square foot covered parking space
- F. Request: To locate a wellness center as a professional office in an existing  
industrial/residential building

### II. BACKGROUND

#### A. Subject Property

The property is located on the north side of Abbey Lane in Building A of the Cannery Loft Condominium complex. The structure is four stories tall with general industrial use spaces on the ground floor and residential use on the upper floors.



B. Adjacent Neighborhood

The neighborhood is developed with a mixture of industrial and commercial uses. To the south across Abbey Lane is the Astoria Business Park with Fastenal construction supplies, AAMCO, automotive repair/detailing, carpet store, and OBJJ Gym. To the north is the City Trolley line and River Trail, Columbia River, and Pier 39 facility with Rogue Brewery, boat storage, offices, and marine related supplies. To the west across the 39th Street right-of-way is Hampton Inn & Suites; to the east is Building B of the condominium complex.

Abbey Lane right-of-way is 50' wide with a paved area of approximately 35' wide and parking on the north side only.

C. Proposed Use

The applicant has requested a conditional use to locate a wellness center as a professional office in one ground floor unit of the building. The unit is approximately 424 square feet. It would also include one of the covered parking spaces reserved for the industrial uses at approximately 180 square feet for a total of 604 square feet of non-industrial use.

The General Industrial Zone allows up to 20% of non-industrial uses on the ground floor and residential use above the ground floor of buildings. As a condominium, each unit is individually owned, but the building envelope, parking and other common areas are owned jointly by all condominium owners through a Home Owners Association.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on August 1, 2014. A notice of public hearing was published in the Daily Astorian on August 19, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.480, Conditional Uses in the GI Zone, lists *"Professional service establishment"* as an allowable conditional use.

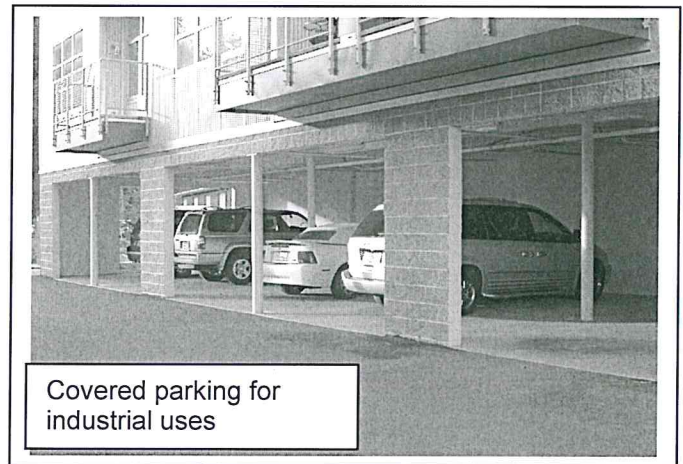
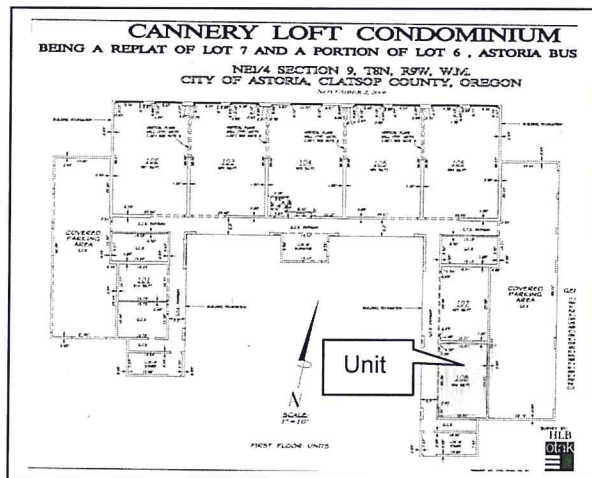
Section 2.485(12), Other Applicable Use Standards, Mixed Use, states *"Any of the following uses as listed in Astoria Development Code Section 2.480 may be incorporated into a development plan for any other permitted or conditional use in the zone provided that the following uses as listed in Code Sections 2.480 occupy no more than 20% of the ground floor and that the uses are demonstrated to be compatible with other uses in the proposed building and with other existing or planned adjacent uses."*

- a. *Professional service establishment;*



- b. Business service establishment;
- c. Retail sales establishment not exceeding 3,000 square feet of gross floor area;
- d. Eating and drinking establishment without drive-through facilities, not exceeding 3,000 square feet of gross floor area."

Finding: The applicant proposes to locate a professional office in approximately 424 square feet of the existing ground floor not including any covered parking spaces. The gross floor area of the ground industrial level includes 7,390 square feet (enclosed building area excluding parking and outdoor covered walkways) with the covered parking and communal areas of approximately 3,030 square feet for a total of 10,420 square feet. The covered parking areas are restricted to use by the industrial tenants. The maximum square footage allowed for non-industrial uses is 20% which would be 2,084 square feet. If the applicant obtains covered parking, each space would be approximately 180 square feet. Therefore, the final square footage for the professional office could be 604 square feet (approximately 0.58%) with one covered parking space.



- B. Section 2.485(11) Other Applicable Use Standards, Site Usage, states "For the site lying North of Highway 30, South of the former Burlington Northern Railroad Right-of-Way, and extending east from 39th Street to the Mean Higher High Water line, excluding wetlands or other areas unavailable for development or redevelopment, a maximum of 30% of the site may be developed exclusively with the following uses as listed in Astoria Development Code Section 2.480 provided such development is demonstrated to be compatible with existing or planned adjacent uses. Before such exclusive uses can be approved, the property owner must submit a master site plan depicting the location of all proposed uses for the entire site as described in this Section.

- a. Professional service establishment;
- b. Business service establishment;
- c. Eating and drinking establishment without drive-through facilities, not exceeding 3,000 square feet of gross floor area."



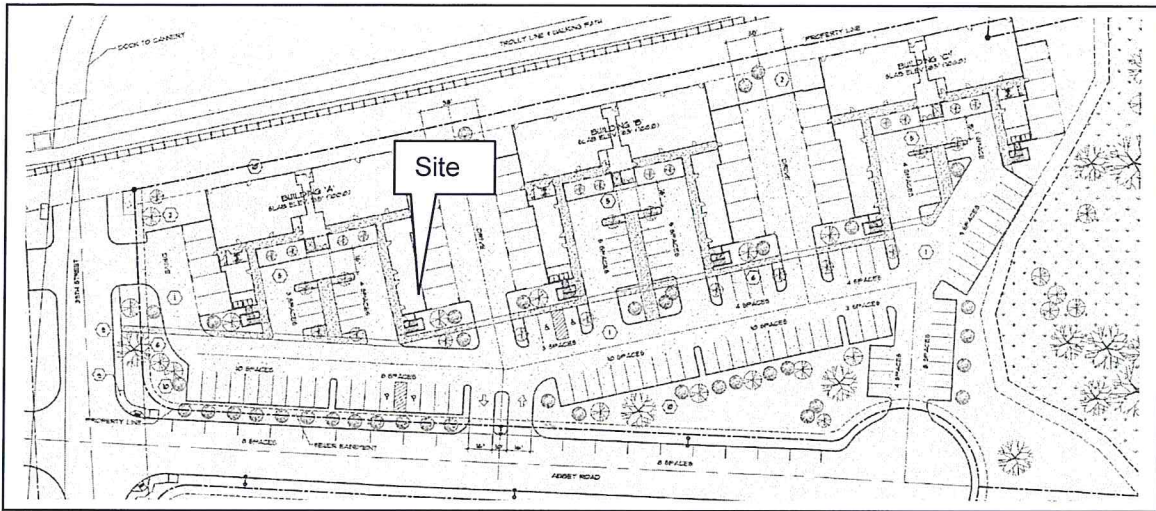
Finding: This is the first request for a use from this list of restricted uses in the Astoria Business Park Subdivision for Building A as described in this section. The existing ground floor uses include a mini-storage of approximately 6.7% in Building A and 6% in Building B, with 23.4% offices in Building B. Other uses within the zone included a building management office, educational classes, and vehicle storage in the Cannery Lofts Condominiums, and construction supplies, carpet store, auto repair/detailing, AAMCO, OBJJ Gym, party supply store, and various other industrial uses in the Astoria Business Park area on the south side of Abbey Lane. The two Condominium sites are approximately 72,156 square feet; Astoria Business Park site is 192,341 square feet, for a combined area of approximately 264,497 square feet. The vacant Building C Condominium site was recently rezoned to S-2A and is no longer subject to this limitation. The Astoria Business Park and Condominium sites have submitted master plans showing development of the sites with industrial related uses. The proposed 604 square feet of office space with parking would be approximately 0.002% of the entire GI Zone site which is less than the maximum 30% allowed.

- C. Section 2.485(2) Other Applicable Use Standards, Parking, states *"All uses will comply with access, parking and loading standards in Article 7. Where feasible, joint access points and parking facilities for more than one use should be provided. Within the GI Zone, on-street parking fronting on the lot proposed to be developed may be applied toward meeting the minimum parking space requirements specified in Astoria Development Code Section 7.100. In-lieu of the paving requirements for parking areas specified in Astoria Development Code Section 7.110 (B), an applicant may propose an alternative pervious surface. Such alternative must be reviewed and approved by the City Engineer."*

Section 7.100(C), Minimum Parking Space Requirements, Business and Professional Services, requires one off-street parking space per 500 square feet of gross floor area.

Finding: The Cannery Loft Condominium complex was constructed with parking in the common areas. Covered parking within the two buildings is limited to the ground floor industrial uses as per conditions of the original Conditional Use Permit (CU04-04) and Amendment to Existing Permit (AEP05-05) and may not be used for residential parking. The building was developed with 11 covered parking spaces allocated for uses within the ground floor of Building A. The proposed 424 square feet of office space would require one space per 500 square feet of space for a total of one parking space. There are no additional parking spaces available in the common parking area as they are all allocated for the already constructed residential units. The site was developed with 30 residential units in Building A requiring 40 parking spaces, and 33 units in Building B requiring 45 parking spaces. With the completion of construction of Building B, 85 common area parking spaces are available.





Office use has a higher requirement for parking than most industrial uses. Therefore, the remaining square footage for future industrial tenants may not require all of the remaining covered parking spaces.

- D. Section 11.020(B.1) states that *"the Planning Commission shall base their decision on whether the use complies with the applicable policies of the Comprehensive Plan."*
1. CP.200, Economic Development Goal 1, states *"The City of Astoria will strengthen improve, and diversify the area's economy to increase local employment opportunities."*

CP.200, Economic Development Goal 1 Policies, states

4. *Encourage private development such as retail, restaurants, commercial services, transient lodging.*
5. *Provide a supportive environment for new business.*
6. *Encourage a diversity of businesses, target firms to add to the business mix and strengthen the overall economic base.*
7. *Encourage and support local industrial development in order to diversify beyond the City's predominant industrial sectors, while maintaining strong support for these sectors."*

Finding: The proposed office is a new business to Astoria. The existing industrial spaces in the two condominium buildings are underutilized. They were constructed as small condominium units that are not conducive to heavy industrial operations. The site is in the General Industrial Zone and is pending a rezone to S-2A (Tourist Oriented Shoreland). By allowing the proposed office in compliance with the maximum 20% for the site, it allows for this new, year-round business while pending the rezone which would eliminate the 20% maximum limitation. The proposal helps diversify the industrial site.

Finding: The proposed use complies with the Comprehensive Plan.

E. Section 11.030(A) requires that *“before a conditional use is approved, findings will be made that the use will comply with the following standards:”*

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

Finding: The proposed use is an appropriate use of an existing under-utilized building. The property is accessed from 39th Street, north of Lief Erikson Drive. There is an existing parking lot at the site with sufficient area for vehicle maneuvering. The nature of the applicant's business is similar to a medical office with customers physically coming to and from the site by appointment or at limited times, minimizing traffic and accessibility impacts on the site. Other zones which allow this type of use outright may be available; however, the property is underutilized and otherwise appropriate for the use.

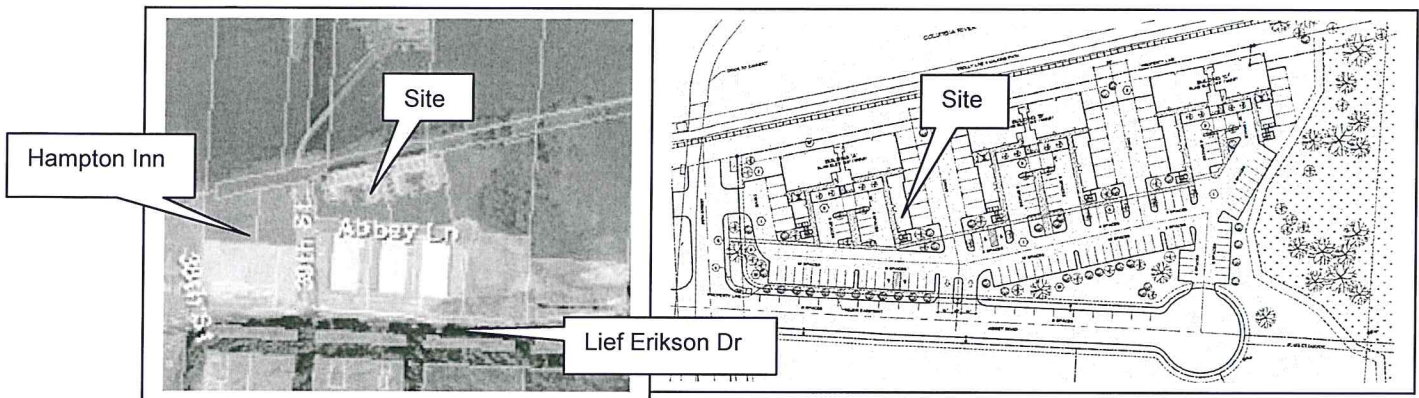
2. Section 11.030(A)(2) requires that *“an adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other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

Finding: There is ample area available for maneuvering of vehicles on the site. The 39th Street and Abbey Lane rights-of-way are improved to a width of approximately 35', with existing curbs and sidewalks. The site is easily accessible by bike and foot, via the River Trail. The site is located within walking distance of the trolley line. The site is accessible by vehicle. Vehicle traffic on 39th Street is increasing yearly with the development at Pier 39, the occupancy of the Condominium buildings, and the new Hampton Inn Hotel. However, the proposed use should not add a larger volume of vehicle trips to the site due to the nature of the client appointments for the business. With the recent property sale, it is unknown when the vacant condominium site to the east will be developed. Future development adjacent to the subject site is not anticipated in the near future, and the proposed use would not overburden the existing street system for access.

With the proposed rezone to S-2A Zone (A14-03), a Traffic Impact Study was completed by Lancaster Engineering, dated June 19, 2014, indicating that the proposed zone, which allows professional offices, retail, and other



similar uses, would not have a major traffic impact. That report is included as part of this request by reference.



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

Finding: All utilities are at the site and are capable of serving the use. As with all new or increased businesses and development, there will be incremental impacts to police and fire protection but it will not overburden these services.

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

Finding: The site is not within 100' of a known geologic hazard as indicated on the City map. No new construction is proposed.

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

Finding: The site is landscaped and is buffered from other uses. No additional landscaping is required.

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

The applicant should be aware of the following requirements:

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



# CITY OF ASTORIA

Founded 1811 • Incorporated 1856

## COMMUNITY DEVELOPMENT

CITY OF ASTORIA

JUL - 9 2014

No. CU 14-09

Fee: \$250.00 *pd*  
*ck*

### CONDITIONAL USE APPLICATION

Property Address: 3930 ABBEY LANE BUILDING A #108.

Lot —

Block —

Subdivision Cannery Loft Condominium

Map 9AA

Tax Lot 90108

Zone G1 *on*

Applicant Name: LEIGH OVIAATT

Mailing Address: 5295 BIRCH ST. ASTORIA, OR 97103

Phone: 503-812-2492 Business Phone: 503-812-2492 Email: leighoviatt@gmail.com

Property Owner's Name: TED FORCUM

Mailing Address: 10139 NW SKYLINE HEIGHTS DR. PORTLAND, OR 97229

Business Name (if applicable): PRANA WELLNESS CENTER

Signature of Applicant: *[Signature]*

Date: 7-7-14

Signature of Property Owner: *[Signature]*

Date: 7-7-14

Existing Use: NONE / GENERAL INDUSTRIAL

Proposed Use: WELLNESS CENTER

Square Footage of Building/Site: 424

Proposed Off-Street Parking Spaces: ABBAY LANE.

*to locate a wellness center as a professional service establishment in an existing industrial building.*

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

#### For office use only:

Application Complete:		Permit Info Into D-Base:	<u>7/24/14</u>
Labels Prepared:		Tentative APC Meeting Date:	<u>8/26/14</u>
120 Days:			



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

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

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

NO OTHER EXISTING USES ARE IN EAST ASTORIA. THE LOCAL COMMUNITY CAN BE SERVED THROUGH EXISTING TRANSPORTATION.

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

THIS USE WILL BE WELL UNDER TRAFFIC USE & PARKING FOR THE EXISTING ZONED COMPLEX.

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

WILL USE EXISTING WATER/SEWER FACILITIES & SUPPLY.

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

N/A

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

N/A

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

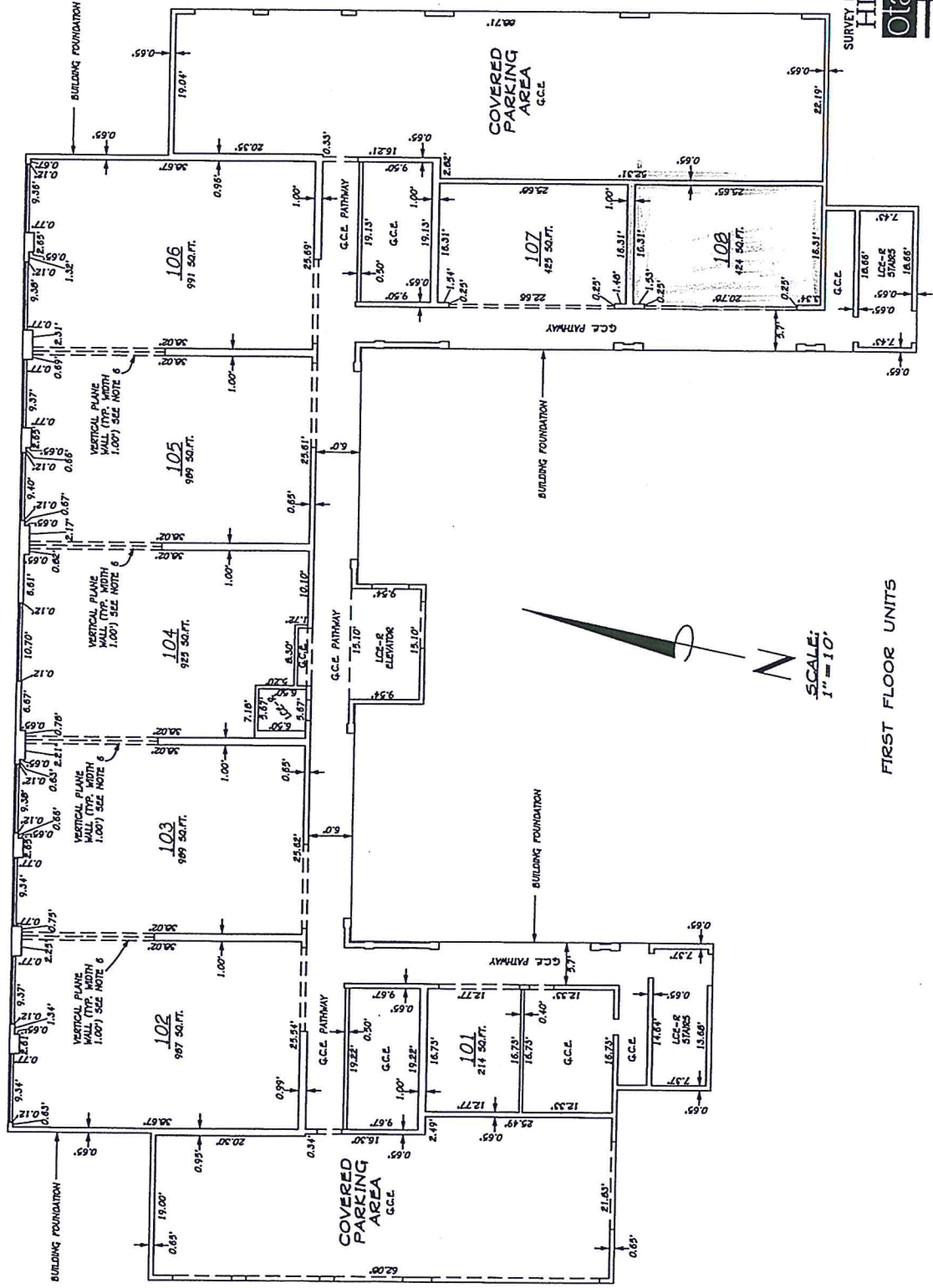
# CANNERY LOFT CONDOMINIUM

BEING A REPLAT OF LOT 7 AND A PORTION OF LOT 6, ASTORIA BUSINESS PARK

NE1/4 SECTION 9, T8N, R9W, W.M.  
CITY OF ASTORIA, CLATSOP COUNTY, OREGON

SHEET 1' 4 OF 9

NOVEMBER 2, 2006



## GENERAL PLAT NOTES

- 1) SEE SHEET 2 FOR BOUNDARY INFORMATION AND FOUNDATION TIES TO PROPERTY LINES.
- 2) SEE SHEET 3 FOR ELEVATIONS CREATED BY THIS SURVEY.
- 3) ALL SPACE OUTSIDE UNITS ARE A COMMON ELEMENT (G.C.E.), UNLESS LABELED AS LIMITED COMMON ELEMENT (L.C.E.) AND IS SHOWN WITH A SHADING PATTERN.
- 4) SEE SHEETS 10 & 11 FOR UNIT FLOOR AND CEILING ELEVATIONS.
- 5) ALL UNIT MEASUREMENTS ARE DELETED FROM A COMMON ELEMENT (G.C.E.) UNLESS SHOWN AS AN ARCHITECTURAL FLOOR FINISH.
- 6) VERTICAL PLANE WALL IS A NONSTRUCTURAL BOUNDARY FOR A COMMERCIAL UNIT AS SHOWN.
- 7) ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.
- 8) UNIT SQUARE FOOTAGE SHOWN HEREON ARE REPORTED TO THE NEAREST SQUARE FOOT.
- 9) ALL UNIT MEASUREMENTS ARE +/- .005 OF A FOOT.
- 10) DIMENSIONS SHOWN HEREON ARE TO THE NEAREST ONE HUNDREDTH OF A FOOT FOR CLOSURE PURPOSES.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Dan M. M. M.*  
OREGON  
JAN. 11, 2000  
DARRYL E. MCGART  
LICENSE NO. 1111  
RENEWAL DATE: JUNE 30, 2008

SURVEY BY: HLB  
CLATSOP COUNTY  
1715 S. N. W. 1000  
ASTORIA, OR 97103  
PHONE (503) 325-1000  
FAX (503) 325-1001  
WWW.HLB-OTAK.COM

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DRAWING NO. 008-0023-03-01





## STAFF REPORT AND FINDINGS OF FACT

August 18, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: CONDITIONAL USE REQUEST (CU14-10) BY KLEAN ASTORIA OR LLC TO LOCATE A GROUP LIVING FACILITY AT 1188 HARRISON AVENUE

### I. SUMMARY

- A. Applicant: Milt Parham  
Klean Astoria OR, LLC  
211 Pioneer Road  
Longbeach WA 98631
- B. Owner: Peter M Hackett  
Jan M Hackett  
1188 Harrison Ave  
Astoria OR 97103
- C. Location: 1188 Harrison Avenue; Map T8N-R9W Section 8CD, Tax Lot 6200; Lot 8 and east 25' Lot 9, Block 91, McClure
- D. Zone: R-3, High Density Residential
- E. Lot Size: 75' x 100' (7,500 square feet)
- F. Proposal: To locate a group living facility with 10 bedrooms in an existing single-family dwelling

### II. BACKGROUND INFORMATION

#### A. Site:

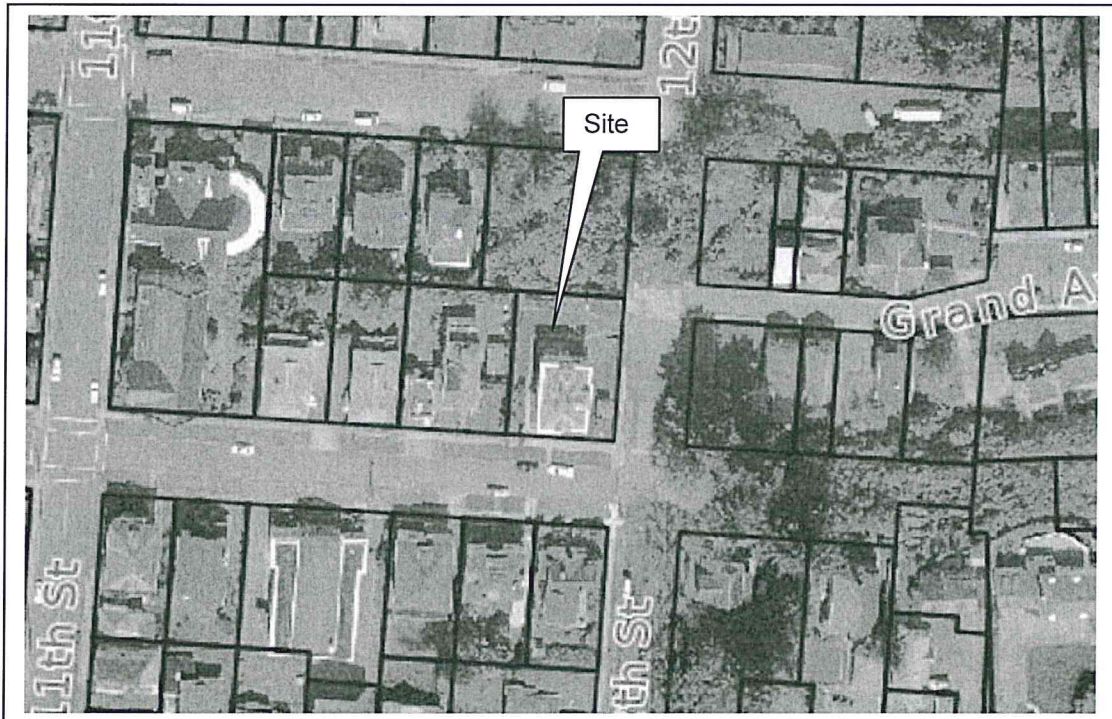
The 2.5 story building is located on the north side of Harrison Avenue on the west corner of 12th Street. It is currently operated as a single-family dwelling. The structure is designated as historic.





B. Neighborhood:

The surrounding area on Harrison Avenue is developed with a variety of uses including single-family dwellings, two-family dwellings, and a church. To the east across the 12th Street right-of-way is a single-family dwelling, and a vacant City-owned lot; to the west is single-family dwellings; to the south across Grand Avenue right-of-way is single- and two-family dwellings and a church; and to the north is a vacant lot in a known geologic hazard area.



Harrison Avenue is 60' wide and developed with a 22' street, parking on both sides, and sidewalks with green space. 12th Street is 50' wide with parking and sidewalks on both sides. Grand Avenue is 24' wide with no parking on either side and sidewalks on both sides. All three streets do not go through at this intersection which results in this not used as a main vehicular route but does serve as a local street connecting the neighborhoods.

C. Proposal:

The applicant manages the building and is proposing to house up to 10 unrelated people there as a group living facility as a transitional housing for women who have completed a drug/alcohol rehabilitation program and are on their own. There would be no care or program provided on site. There would be a daytime manager on-site.

The applicant cannot provide on-site parking for the building and has submitted a Variance application (V14-08) which will be considered at the same APC meeting.

### III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on August 1, 2014. A notice of public hearing was published in the Daily Astorian on August 19, 2014. Any comments received will be made available at the Planning Commission meeting.

### IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.160(2) concerning Conditional Uses Permitted allowed in the R-3 Zone allows *"Boarding or rooming house, or other group housing, not mentioned above"*.

Section 1.400 defines "Group Housing" as "Dwelling in which no more than 15 individuals reside who do not require treatment, excluding Residential Facility and Residential Home."

Section 1.400 defines "Family" as *"An individual, or two or more persons related by blood, marriage, legal adoption, or guardianship, living together in a dwelling unit and no more than four additional persons, who need not be so related, who live together as a single household unit."*

Finding: Group Housing is allowed in the zone. The number of people proposed is 10 unrelated people which would exceed the four additional residents allowed with any number of related persons as a single-family dwelling and therefore would be classified as Group Housing.

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

Section 7.100 concerning Minimum Parking Space Requirements states that *"group housing" shall have "1.25 spaces per dwelling unit limited to one bedroom, or one bedroom group housing units."*

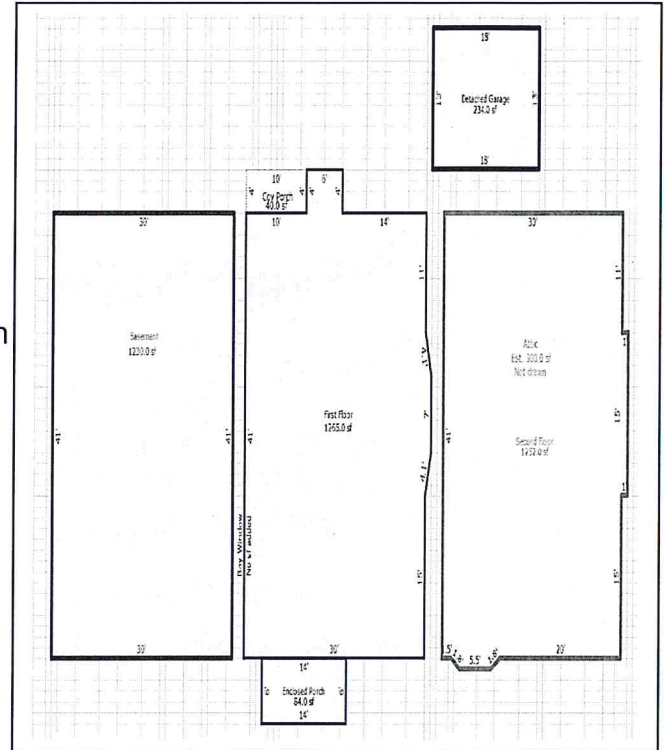
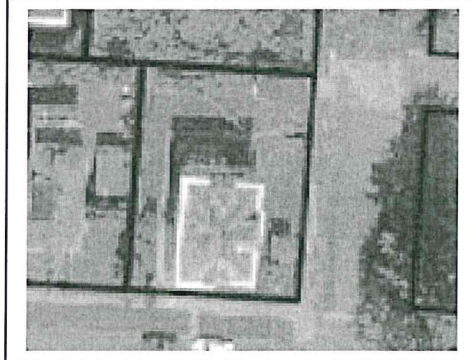
Finding: The existing single-family dwelling has no off-street parking spaces. The ten bedroom group housing dwelling would be required to have 13 parking spaces. The single-family dwelling requires two spaces which are "grandfathered" and not required. Since the proposed use requires a conditional use permit, parking is a consideration. Therefore, the proposed use would need to provide 13 parking spaces for the conditional use. The applicant has submitted a Variance application (V14-08) from the parking requirement (Condition 1). The need for off-street parking or loading will be addressed in the Variance (V14-08) Findings of Fact.

- C. Section 2.185.10.a, Other Applicable Use Standards, Group Housing - Density, states that *"Group housing resident density is limited to two (2) residents per*



1,000 square feet of total gross floor area. Residents include all people living at the site, including those who provide support services, building maintenance, care, supervision, etc. People who only work at the site under a valid Home Occupation Permit (see Section 3.095) are not considered residents. Maximum number of residents per site is limited to 15. Usable outdoor area shall be provided at a ratio of 50 square feet per resident."

Finding: The proposed use is for ten residents and one day-time manager. The manager is not considered as a resident. The site is 7,500 square feet. The total gross floor area of all buildings is approximately 4,405 square feet which would allow nine residents. The outdoor area is approximately 5,877 square feet which is more than the required 50 square feet per resident.



With the maximum allowed occupancy per square feet for group living, the unit would be limited to a maximum of nine individuals plus the daytime manager (Condition 6).

- D. Section 2.185.10.b, Other Applicable Use Standards, Group Housing - Parking, states that "Where the Community Development Director determines that a group housing facility may require parking in excess of that provided for staff persons, a parking area of sufficient size to provide for anticipated needs shall be provided."

Finding: There is no on-site parking for this dwelling. The applicant has applied for a Variance (V14-08) from the parking requirement which will be considered by the APC at this same meeting.

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

1. Section CP.045.1, Central Residential Area Policies, states *"Refer to policies on historic preservation, street improvements (transportation), geologic hazards, parks and recreation, and housing."*

Finding: The applicable Comprehensive Plan Sections are addressed below.

2. Section CP.218.1, Housing Goals, states *"Provide opportunities for development of a wide variety of housing types and price ranges within the Urban Growth Boundary."*

Section CP.220.1, Housing Policies, states *"Maintain attractive and livable residential neighborhoods, for all types of housing."*

Section CP.220.5, Housing Policies, states *"Encourage low and moderate income housing throughout the City, not concentrated in one area."*

Finding: The proposed group housing would provide affordable housing for women in transition after rehabilitation. It would be located in an existing traditional residential neighborhood. The request supports these CP sections.

3. Section CP.220.6 concerning Housing Policies states that *"Neighborhoods should be protected from unnecessary intrusions of incompatible uses, including large scale commercial, industrial, and public uses or activities."*

Section CP.220.15 concerning Housing Policies states *"Ensure that multi-family developments in primarily single-family neighborhoods are designed to be compatible with the surrounding neighborhood, in terms of scale, bulk, use of materials and landscaping."*

Finding: The dwelling was constructed as a single-family dwelling. The site has been used as a single-family dwelling facility since construction. The dwelling has five bedrooms, an attic, and additional room that could be used as bedrooms. The use is not classified as commercial nor public use and the zone does allow multi-family dwellings that would accommodate large numbers of residents. The site is large enough for a duplex and is 500 square feet short of being large enough for a triplex. No changes to the exterior of the building are proposed. The site has landscaping typical of a residential neighborhood.

The request supports these CP sections.





4. Section CP.218.2, Housing Goals, states *"Maintain and rehabilitate the community's existing housing stock."*

Section CP.204, Economic Development Goal 5 and Goal 5 Policies, states that the City will *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."* Policy CP.204.4 states *"Protect historic resources such as downtown buildings to maintain local character and attract visitors."*

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

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

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

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

Finding: The building is designated as historic in the Shively-McClure National Register Historic District. The building has been restored by the owner and continued maintenance of the building to preserve the historic



character of the building requires a significant financial investment. The owners wish to lease the property and/or sell the property in the future. The ability to use the building for group housing would help the current and future owners to preserve this structure as part of Astoria's variety of housing stock. The request supports these CP sections.

Finding: The request complies with the Comprehensive Plan.

- F. 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 has five bedrooms with the space available for additional bedrooms. The zone allows a variety of residential uses as outright including multi-family dwelling. There are limited number of single-family residences located near the downtown and public transportation that would be suitable for group living that provide the type and size of housing needed to accommodate ten individuals. A multi-family dwelling would separate the residents into individual living units rather than the desired "group" living aspect. The proposed use at this site provides a good location close to downtown and public transportation.

Group housing is allowed only in the R-2 and R-3 Zone as a conditional use. The use is appropriate for this site.

- G. 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 Harrison Avenue via 11th and 12th Streets. On-street parking is available on both sides of Harrison and on both sides of 12th Street north of Harrison and one side south of Harrison. The site is a corner lot with street parking on the south and east sides. Two off-street parking spaces would be required for a single-family dwelling. The proposed use would have nine to ten bedrooms which would require 1.25 spaces per bedroom for a total of 11 to 13 spaces.



There is no on-site parking as the existing garage is old and not large enough for contemporary vehicles. The applicant has applied for a Variance (V14-08) from the parking requirements.

Approval of the use would require that either the parking be provided or a variance obtained (Condition 1).

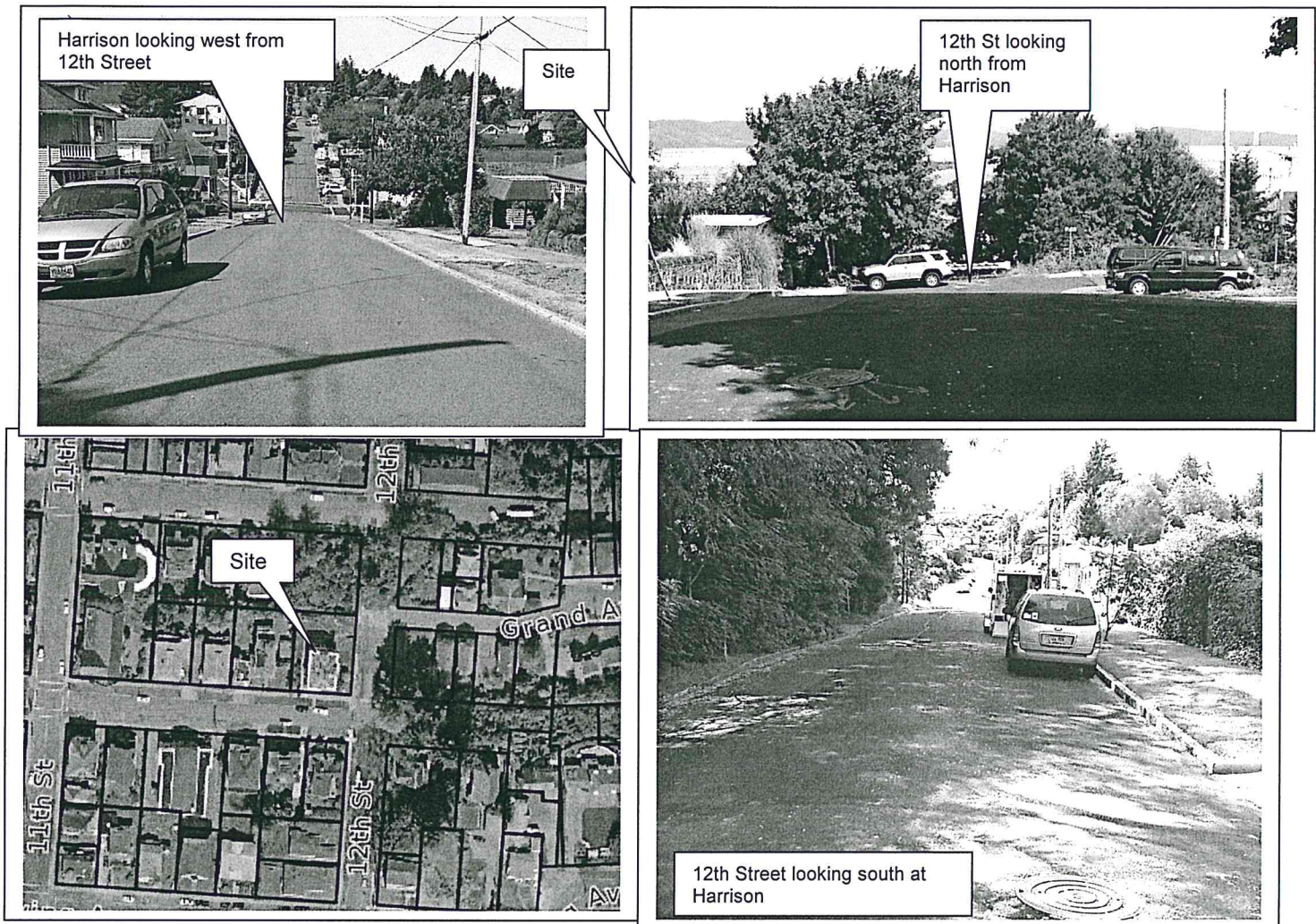


There are sidewalks on both sides of the street with sidewalks leading to the downtown area and public transportation. Solid waste disposal would be handled with residential trash cans that are stored on the site except when placed on the street on pick up days.

The neighborhood is developed with single- and two-family dwellings and two churches. Harrison Avenue is paved 24' wide with parking on both sides of the streets which results in travel lane of approximately 10'. When vehicles are parked on both sides of the street, traffic flow is reduced and emergency vehicles would have limited movement. Harrison, Grand, and 12th Streets are not through streets at this intersection. Harrison ends at 12th, 12th ends at Grand, and Grand to the northeast of the site ends at 12th and is a single lane road with no on-street parking. The two churches have no off-street parking and create a parking situation when there are church functions. While not limited to church dates, the majority of the congestion occurs on Sunday mornings and Wednesday nights. These are normal occurrences at different times but do not utilize the parking on a regular daily basis.

These are existing situations in the neighborhood. The addition of numerous vehicles in the neighborhood could potentially compound the problems. However, the applicant has indicated that most tenants either do not driver or do not own vehicles. They state that since April 2013 (16 months), only 15% of their residents have had vehicles. With nine residents, that would result in one or two vehicles for the residents. This would be the same as that required for a single-family dwelling. All residential use is expected to have visitors and deliveries that add to the traffic to the site. The group housing facility with nine women living on the site would be similar to that of a large family living at the site. It is not anticipated that the proposed use would generate any more traffic than a large single-family in the dwelling. However, to assure that this aspect of use complies with the approval review, the residents should be limited to a maximum of two resident vehicles at any given time (Condition 2). Any additional resident vehicles shall be parked off-site in a parking area approved by the Planner. The applicant and/or facility manager shall submit a report in September each year on the number of residents vehicles at the site and the parking location for any additional vehicles (Condition 3). The manager vehicle and non-resident vehicles shall not be counted toward this limitation requirement.





The Building Inspector has indicated that a group living facility is classified the same as a single family dwelling for up to 15 individuals. There would be no change of use. However, any conversion of space into bedrooms would require a change of use for that room for compliance with building codes. Therefore, prior to start of operation, the applicant shall work with the City Building Inspector and County Electrical Inspector concerning any needed changes to the facility (Condition 4).

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

Finding: Public facilities are available to the site. The use will not overburden water, sewer, or storm drainage. As with all new or increased development/use, there will be incremental impacts to police and fire protection but the proposed use will not overburden these services.

- I. Section 11.030(A)(4) requires that *"the topography, soils and other physical characteristics of the site are adequate for the use. Where determined by the*



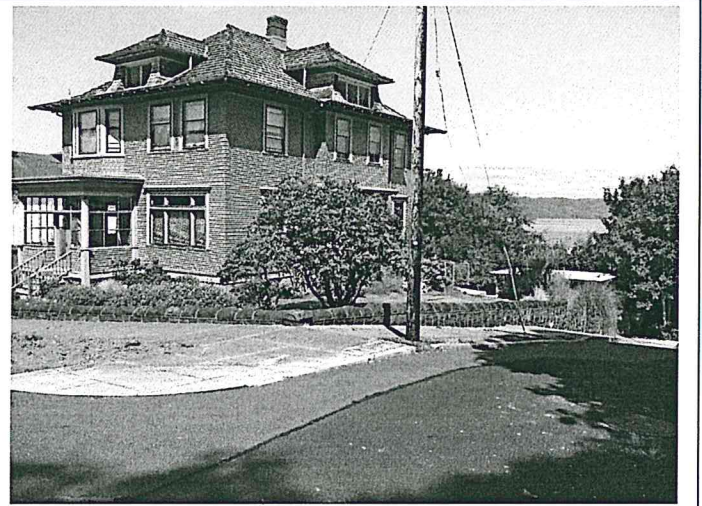
*City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction."*

Finding: No construction is proposed as part of this request. This section does not apply.

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

Section 2.185.6, Other Applicable Use Standards for the R-3 Zone, states that *"All uses except those associated with single-family and two-family dwellings shall meet the landscaping requirements in Sections 3.105 through 3.120."*

Finding: The building is existing and the site is landscaped with ground cover, shrubs, and trees. There is no established required square footage for landscaping in the R-3 Zone. However, the zone has a maximum lot coverage of 50% which would result in the remaining 50% either landscaped or hardscaped. The buildings cover approximately 1,623 square feet (22%) of the 7,500 square foot site. The site contains approximately 70% landscaped area. Additional landscaping is not required.



## VI. CONCLUSIONS AND RECOMMENDATIONS

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

1. The applicant shall provide 11 off-street parking space or obtain a Variance to the parking.
2. The residents shall be limited to a maximum of two resident vehicles at any given time. Any additional resident vehicles shall be parked off-site in a parking area approved by the Planner.

3. The applicant and/or facility manager shall submit a report in September each year on the number of residents vehicles at the site and the parking location for any additional vehicles.
4. Prior to start of operation, the applicant shall work with the City Building Inspector and County Electrical Inspector concerning any needed changes to the facility due to the change in occupancy classification.
5. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.
6. The number of residents shall be limited to a maximum of 9.

The applicant should be aware of the following requirements:

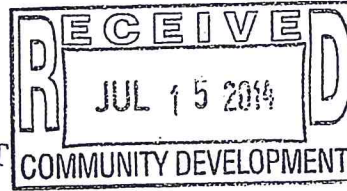
The applicant shall obtain all necessary City and building permits prior to the start of operation.





CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT



No. CU 14-10

Fee: \$250.00 *pd.*

## CONDITIONAL USE APPLICATION

Property Address: 1188 Harrison Ave. Astoria, OR 97103

Lot 8 East 25th of Lot 9 Block 91 Subdivision McClure

Map 8C D Tax Lot 6200 Zone R-3 thst *OK*

Applicant Name: KLEAN Astoria-OR, LLC Milt Parham

Mailing Address: 211 Pioneer Rd Long Beach, WA 98631

Phone: (360) 642-3105 Business Phone: (360) 969-4787 Email: apoli@kleancenter.com

Property Owner's Name: Peter + Jan Hackett

Mailing Address: 821 Dock Street 3-3, Tacoma WA 98402

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

Signature of Applicant: M. Parham Date: \_\_\_\_\_

Signature of Property Owner: Dr. Hackett, Jan Hackett Date: July 8, 2014

Existing Use: Residential Living (5 Residents)

Proposed Use: Transitional Living (10 Residents)

Square Footage of Building/Site: 4,999 / ft 7,500 \*

Proposed Off-Street Parking Spaces: None

*to locate a 10 bedroom Group Living facility in an existing SFD.*

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

For office use only:

Application Complete:		Permit Info Into D-Base:	<u>7/24/14</u>
Labels Prepared:	<u>7/24/14</u>	Tentative APC Meeting Date:	<u>8/26/14</u>
120 Days:			



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

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

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

*Daytime only on-site manager, No care, no therapy*  
The use at the proposed location is appropriate because  
It is easily accessible to downtown, is very spacious, and has  
needed amenities. Also, there are not many other women only housing.  
Has 5 bedrooms plus attic space & other room for potential bedroom

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

There will be no given transportation at the  
women's transitional living. Residents mainly walk, two  
residents have vehicles. Garbage uses roll out residential carts.

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

According to zoning requirement of 2 people per 1,000 sq ft,  
the house is sustainable enough for up to 10 people.

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

yes, the houses outside environment is clean and  
sanitary.  
No exterior construction propose.

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

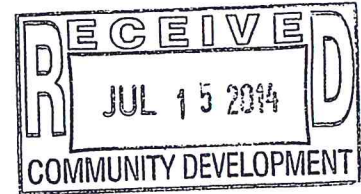
The house is separated by shrubs and fencing on  
all sides of the property.

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

held neighborhood meet & greet on July 13, about 5  
neighbors attended.



## Harrison House



**Operational Plan:** Operated by one Sober Living Manager and a Sober Living House President. Managers are available 24 hours a day, seven days a week.

Sober Living Manager is responsible for accepting/supplying applications to prospective residents, conducting thorough interviews, verifying personal references, income, and backgrounds, meeting with Director to discuss possible candidates, sending weekly Sober Living reports to the Director, facilitating weekly community meetings with current residents, ensuring residents sign the contract agreement, providing new residents with a detailed orientation (orientation checklist, rules, rent, contract, keys, community meetings, and requirements). The Sober Living Manager is also responsible for mediating any issues with residents, keeping an overhead of house maintenance for proper functioning, provides adequate materials regarding safety and housing needs, and assists residents with proper life skills, job searches, and parental training. As well as, follows protocols which address misbehaviors and corresponding actions. (UA's/Breathalyzer's, Emergency calls, rule enforcement, and evictions)

Sober Living Resident House President is responsible for ensuring safety to guests, UA 2 times weekly and Breathalyze daily at random times, provide proper documentation of UA/Breathalyzer results, administering weekly written reports to Director, attends all house meetings, monitoring residents attendance to AA or NA meetings, monitoring residents work schedules, whereabouts, and curfew (with a sign in/sign out log), scheduling weekly/daily chores for residents, being a source of information for residents, attending a minimum of 5 AA or NA meetings weekly, immediately reports relapse/safety issues to Director, follows all house and pass rules.

KLEAN Sober Living will supply all UA cups and a Breathalyzer with proper equipment and all necessary paperwork for documentation.

Failure of protocols/responsibilities of Sober Living Resident Manager may result in removal of position. Failure to follow house rules will lead to removal from program.

**Housing rules and requirements:** KLEAN Sober Living has a comprehensive list of rules and requirements in order to provide the best possible environment for all residents in the KLEAN Sober Living Program. Failure in following these rules and requirements will result in curfew modification or discharge from the program.

The house rules include being home at scheduled curfew times (as assigned), smoking only in designated areas, performing mandatory daily chores, comply with random drug testing at the discretion of management, no improper sexual contact or harassment, timely payment of rent, attend weekly mandatory meetings.

Any act of violence which include physical, verbal, and threats will result in immediate discharge.

Residential living/requirement rules include no possession, consumption, selling or distributing of alcohol, drugs, or other mind altering controlled substances; residents must obey all laws and refrain from instituting or becoming involved in violent or threatening violent behavior; residents

need to attend one (1) meeting a day for the first thirty (30) days; after thirty (30) days residents are required to attend 5 meetings a week; all scheduled house meetings are mandatory; must continue an active program of recovery and cooperate with other residents; no smoking in the house; all enrollment fees must be paid in advance and kept current; identification of other residents is a violation of anonymity; no men allowed in the women's housing; no visitors are allowed in residents room; visitors are only allowed Sundays (11am-3pm), must obey house rules, and are only allowed in common area; all residents are responsible for an inside chore and community chore; residents must maintain household cleanliness ( clean bedroom, dishes, and community areas); No music or TV after 10 pm; follow scheduled laundry times; morning meditation is mandatory; lock house when leaving; and room inspections will take place daily.

**Parking:** Since April 1, 2013 the average percent of residents with their own automobile was 15%, which leaves 85% of residents without an automobile. At the current moment there is only two residents

with a car. The house is on a dead end which also provides extra parking.

**Safety and Egress window codes:** The house consists of a fire evacuation route and fire drills are performed routinely. In addition to the stairway that leads to the front door, there is a fire evacuation ladder in each room next to the window. Also, KLEAN Sober Living on Harrison Avenue has 4 windows in the attic for assurance and fits the egress window codes. Attached, are pictures of the windows.

To the knowledge of the KLEAN facility there has been no calls to the Police or any other law enforcement. KLEAN strictly enforces that all residents obey the law.



# KLEAN

LONG BEACH, WA



360.642.3105 • 211 Pioneer Rd. West Long Beach, WA 98631

**POSITION TITLE:** Sober Living Manager

**REPORTS TO:** Director of Operations

**WAGE RANGE:** \$15.00 – \$17.00

**POSITIONS SUPERVISED:** Sober Living Resident Managers

**POSITION SUMMARY:** The Sober Living Manager is responsible for the day-to-day operations of the Sober Living program.

## SOBER LIVING DUTIES INCLUDE:

- Supplying and accepting applications for prospective residents.
- Identifying appropriate candidates based on company criteria.
- Scheduling intake interviews with discharge planners, referrals or interested applicants.
- Verifying the means to pay for IOP/Rent.
- Filling out intake screen.
- Meeting with the Director to discuss possible candidates.
- Scheduling new resident orientation with facility, referral, or resident.
- Provide orientation for new residents, to cover; rules, rent, contract, keys, community meetings and requirements for residency using the orientation checklist.
- Ensure that all residents have signed the contract and the orientation checklist.
- Follow all of the protocols to address misbehaviors and corresponding actions, including UA's/Breathalyzer, Emergency calls, and evictions.
- Collect weekly reports from resident managers and send to Director.
- Send SL weekly report to the Director.
- Attend weekly community meetings.
- Mediate issues with residents.
- Assist in budgeting and purchasing supplies for house.
- Develop resources to assist residents with life skills, job search, and parental training
- Provide adequate furniture and supplies to organize and keep the house clean
- Schedule maintenance as needed to keep the house functioning properly
- Plan and discuss with Director any major or long term projects
- Comply with corporate and department policies and procedures.
- Perform other responsibilities and duties as required.

## INCREMENTS OF REVIEW

**KLEAN Sober Living - Astoria, Oregon**

**House Lead Responsibilities**

- Insure safety of guests
- UA and Breathalyze guests. UA 2 times a week and breathalyze daily at random times and document results
- Weekly written house reports to Director
- Attend all house meetings
- Monitor guest attendance to AA or NA meetings
- Monitor guests work schedules and whereabouts ( via sign in sign out log) including curfew
- Schedule weekly and daily chore lists for guests
- Be a role model and source of information for guests
- Attend a minimum of 5 AA or NA meetings a week
- Immediately report any safety or relapse issues to Director
- Work with Director to insure successful Sober living program
- Follow all house and Pass rules

KLEAN Sober living will supply the Sober living house lead with UA cups, Breathalyzer and tubes, gloves, and necessary paperwork.

In Exchange, the Sober living house lead shall have the following guest fee Schedule:

1<sup>st</sup> month \$200.00

2<sup>nd</sup> month \$100.00

3<sup>rd</sup> Month and all following months \$0.00

In the event the Sober living house lead fails to complete his/her responsibilities to the satisfaction of the SL Director, She/he may be removed from the position immediately and be responsible for the normal guest fees of the house. Failure to follow the House rules in general will lead to removal from the program .

Signature: \_\_\_\_\_ Date; \_\_\_\_\_

Directors Signature: \_\_\_\_\_ Date: \_\_\_\_\_





### HOUSE RULES

BREAKING OF THE FOLLOWING RULES WILL RESULT IN DISCIPLINARY ACTION RANGING FROM CURFEW MODIFICATION TO DISCHARGE.

1. BE IN YOUR HOUSE AT OR BEFORE SCHEDULED CURFEW TIME.
2. CURFEW AS ASSIGNED
3. SMOKING IN THE ROOMS IS PROHIBITED. SMOKING ONLY IN THE DESIGNATED AREAS IS ALLOWED.
4. HOUSE CHORES ARE MANDATORY 7 DAYS A WEEK.
  - SEE MANAGEMENT FOR WHAT YOU NEED TO DO.
5. RANDOM DRUG TESTING AT THE DISCRETION OF THE MANAGEMENT.
6. VERBAL OR PHYSICAL THREATS OF VIOLENCE WILL NOT BE TOLERATED AND WILL RESULT IN IMMEDIATE DISCHARGE.
7. IMPROPER SEXUAL CONTACT OR HARASSMENT OF ANY KIND.
8. NON-PAYMENT OF FEES ON THE DUE DATES.
9. NON-COMPLIANCE WITH MANDATORY MEETINGS.

I \_\_\_\_\_ HEREBY AGREE AND:

- ACKNOWLEDGE THAT I HAVE READ AND FULLY UNDERSTAND THESE RULES AND THE ENTIRE CONTENTS OF THIS PACKET PROVIDED TO ME BY KLEAN ASTORIA, LLC AND ITS STAFF.

Guest Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

1230 Marine Drive Suite 201 Astoria, OR 97103  
(503)325-2067 Fax (503)325-2153 KLEANcenter.com

# Harrison KLEAN Sober Living



## Daily Schedule:

6:00-8:00 AM: Wake up, Personal Hygiene, Breakfast, Reflection

8:00 AM – 5:00 PM: Work, Looking for Work, Meetings, Volunteering

5:00 PM – 7:00 PM: Dinner, TV

7:00 PM – 10:00 PM: Meetings

10:00 PM: Quiet Time, no TV or loud music

11:30 PM: Curfew Must be home unless given a pass





### ACKNOWLEDGEMENT OF RESIDENTIAL LIVING ENVIRONMENT RULES

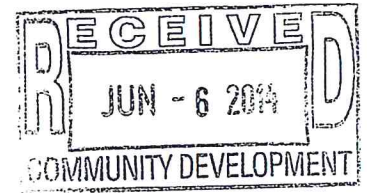
- No guest may possess, use, consume, sell or distribute any alcohol, marijuana or other mind altering or controlled substance while in this house.
- Each guest shall obey all laws and refrain from instituting or becoming involved in violent behavior or threatening violent behavior.
- Each guest is required to attend one (1) meeting daily in his or her first thirty (30) days during their stay.
- After your first 30 days you will be required to attend 5 meetings weekly during the remainder of your stay with us.
- All scheduled "house meetings" are mandatory, NO EXCEPTIONS!!
- Each guest must continue to pursue an active program of recovery and live in cooperation with other Guests.
- **NO SMOKING IN THE HOUSE** – Smoking is permitted only in designated areas.
- All guest fees for enrollment and continued enrollment must be *paid in advance and kept on a current basis*.
- Harrison KLEAN Sober Living assumes no responsibility for loss of money, personal belongings or valuables of any kind.
- Identification or reference to other guests in the house is a violation of another's anonymity.
- No men are allowed in the women's housing area.
- **NON-RESIDENTS ARE NOT ALLOWED IN THE GUESTS' ROOM**

Guest Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**ACKNOWLEDGEMENT OF RESIDENTIAL LIVING ENVIRONMENT RULES**  
(Continued)

- Female visitors are welcome between the hours of 11:00 am – 3:00 pm, Sunday only and must obey all house rules. No visitors are allowed in the guest rooms or apartments and are restricted to visiting in the common area only.
- Each guest is responsible for an inside chore and a community chore. (Assigned by House Manager)
- All Guests are to maintain household cleanliness. Harrison KLEAN Sober Living guests should keep rooms cleaned and wash dishes after use and not allow them to sit in the sink.
- Each guest will do their best in keeping their house and the community areas clean
- Beds will be made, clothes hung up, and rooms straightened each morning by 8:00am.
- There will be a 10pm quiet time. No music or TV during quiet time.
- T.V. time will be limited, see posting on bulletin board
- Laundry schedules will be posted on bulletin board
- Keep house locked when leaving.
- Morning meditation will take place daily, everyone is required to attend and participate please see schedule posted on the bulletin board
- Room inspections will take place daily and will be conducted by the house manager, please have your house and personal areas tidy prior to inspection.
- You will be asked to test for alcohol or drugs at random. The house manager must be aware of any prescribed medications you are taking. Please notify us of any changes in medications or new medications you are taking.

Guest Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

1230 Marine Drive Suite 201 Astoria, OR 97103  
(503)325-2067 Fax (503)325-2153 KLEANcenter.com





Post Office Box 310  
115 Bolstad Avenue West  
Long Beach, WA 98631  
Telephone 360.642.4421  
FAX 360.642.8841  
[planner@longbeachwa.gov](mailto:planner@longbeachwa.gov)



June 27, 2014

**Subject:** KLEAN Center  
Long Beach, Washington

Dear Sir or Madam,

This letter serves to describe the relationship of the City of Long Beach, Washington to the KLEAN Center located there. It also expresses my opinion regarding how KLEAN has performed as a corporate citizen.

Prior to purchasing their property in our city, representatives of KLEAN came to us to describe what they do, how they do it, their overall success rate, their standards for participants in their rehabilitation programs, how they ensure community safety, the number and types of jobs the facility was expected to generate, and to ask us about any City of Long Beach requirements for such a facility. They then made complete and professional applications for required permits, paid their permit and utility system connection fees promptly, and proceeded to greatly improve a property that had sat vacant for several years.

Since opening its doors, the KLEAN Center has continued to improve the property, operate in a professional and low-key manner, pay their utility bills to the city promptly, provide more than 50 non-seasonal high-quality jobs, operate without financial impact to police services, purchase from local vendors to the extent cost and schedule criteria allow, and most importantly bring sobriety to several hundred individuals. Approximately 40 of those individuals are local citizens who were treated at no cost. Overall, they are an outstanding corporate neighbor.

Should you have questions or require further information, please do not hesitate to contact me.

Regards,

Gayle Borchard  
Director, Community Development

## STAFF REPORT AND FINDINGS OF FACT

August 19, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: VARIANCE REQUEST (V14-08) BY KLEAN ASTORIA OR LLC FROM OFF-STREET PARKING REQUIREMENTS TO ALLOW A GROUP LIVING FACILITY AT 1188 HARRISON AVENUE

### I. BACKGROUND SUMMARY

- A. Applicant: Milt Parham  
Klean Astoria OR, LLC  
211 Pioneer Road  
Longbeach WA 98631
- B. Owner: Peter M Hackett  
Jan M Hackett  
1188 Harrison Ave  
Astoria OR 97103
- C. Location: 1188 Harrison Avenue; Map T8N-R9W Section 8CD, Tax Lot 6200; Lot 8 and east 25' Lot 9, Block 91, McClure
- D. Zone: R-3, High Density Residential
- E. Lot Size: 75' x 100' (7,500 square feet)
- F. Proposal: Variance from 13 required off-street parking spaces to locate a group living facility with 10 bedrooms in an existing single-family dwelling

### II. BACKGROUND INFORMATION

A. Site:

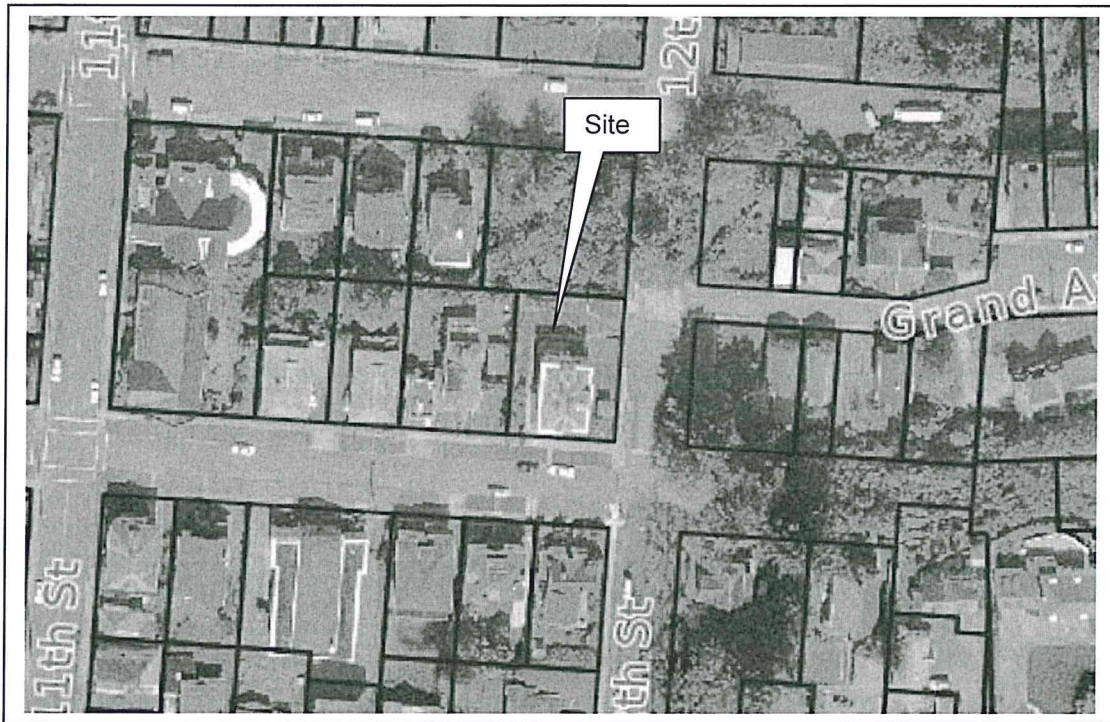
The 2.5 story building is located on the north side of Harrison Avenue on the west corner of 12th Street. It is currently operated as a single-family dwelling. The structure is designated as historic.





B. Neighborhood:

The surrounding area on Harrison Avenue is developed with a variety of uses including single-family dwellings, two-family dwellings, and a church. To the east across the 12th Street right-of-way is a single-family dwelling, and a vacant City-owned lot; to the west is single-family dwellings; to the south across Grand Avenue right-of-way is single- and two-family dwellings and a church; and to the north is a vacant lot in a known geologic hazard area.



Harrison Avenue is 60' wide and developed with a 22' street, parking on both sides, and sidewalks with green space. 12th Street is 50' wide with parking and sidewalks on both sides. Grand Avenue is 24' wide with no parking on either side and sidewalks on both sides. All three streets do not go through at this intersection which results in this not used as a main vehicular route but does serve as a local street connecting the neighborhoods.

C. Proposal:

The applicant manages the building and is proposing to house up to 10 unrelated people there as a group living facility as a transitional housing for women who have completed a drug/alcohol rehabilitation program and are on their own. There would be no care or program provided on site. There would be a daytime manager on-site. The applicant has submitted a Conditional Use application (CU14-10) which will be considered at the same APC meeting.

The applicant cannot provide the 13 required on-site parking for the 10 bed room group living facility and has submitted this Variance application.

### III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on August 1, 2014. A notice of public hearing was published in the Daily Astorian on August 19, 2014. Any comments received will be made available at the Planning Commission meeting.

### IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.160(2) concerning Conditional Uses Permitted allowed in the R-3 Zone allows *"Boarding or rooming house, or other group housing, not mentioned above"*.

Section 1.400 defines "Group Housing" as "Dwelling in which no more than 15 individuals reside who do not require treatment, excluding Residential Facility and Residential Home."

Section 1.400 defines "Family" as *"An individual, or two or more persons related by blood, marriage, legal adoption, or guardianship, living together in a dwelling unit and no more than four additional persons, who need not be so related, who live together as a single household unit."*

Finding: Group Housing is allowed in the zone. The number of people proposed is 10 unrelated people which would exceed the four additional residents allowed with any number of related persons as a single-family dwelling and therefore would be classified as Group Housing. The applicant shall obtain a conditional use for operation at this location (Condition 1).

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

Section 7.100 concerning Minimum Parking Space Requirements states that *"group housing" shall have "1.25 spaces per dwelling unit limited to one bedroom, or one bedroom group housing units."*

Finding: The existing single-family dwelling has no off-street parking spaces. The single-family dwelling requires two spaces which are "grandfathered" and not required. The ten bedroom group housing dwelling would be required to have 13 parking spaces. Since the proposed use requires a conditional use permit, parking is a consideration. Therefore, the proposed use would need to provide 13 parking spaces for the conditional use for the requested 10 bedrooms. The applicant has submitted a Conditional Use application (CU14-10) for the use and the recommendation for that permit approval limits the number of bedrooms to nine. Therefore, 11 parking spaces are required for nine bedrooms.

- C. Section 12.040 states that *"Variances from the requirements of this Code with respect to off-street parking and loading facilities may be authorized as applied for or as modified by the City Planning Commission, if, on the basis of the application,*

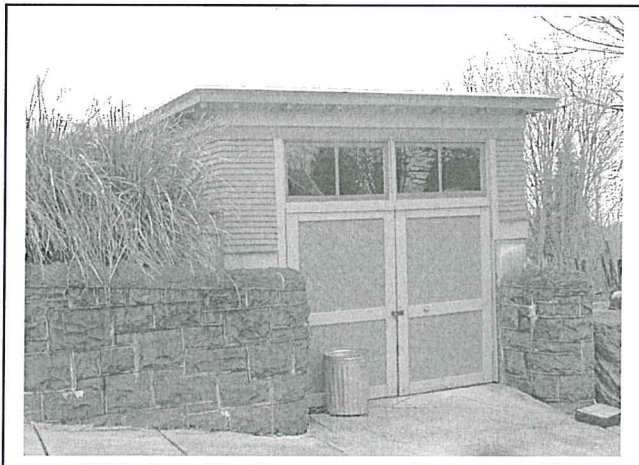


*investigation, and the evidence submitted by the applicant, all three (3) of the following expressly written findings are made:*

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

Finding: The present use as a single-family dwelling requires two off-street parking spaces which is not currently provided and is grandfathered. The proposed use would have nine to ten bedrooms which would require 1.25 spaces per bedroom for a total of 11 to 13 spaces. The Conditional Use request to change to a group home recommends that the site be limited to nine bedrooms which would require 11 parking spaces.

The site is accessible from Harrison Avenue via 11th and 12th Streets. On-street parking is available on both sides of Harrison and on both sides of 12th Street north of Harrison and one side south of Harrison. The site is a corner lot with street parking on the south and east sides. Two off-street parking spaces would be required for a single-family dwelling. There is no on-site parking as the existing garage is old and not large enough for contemporary vehicles.



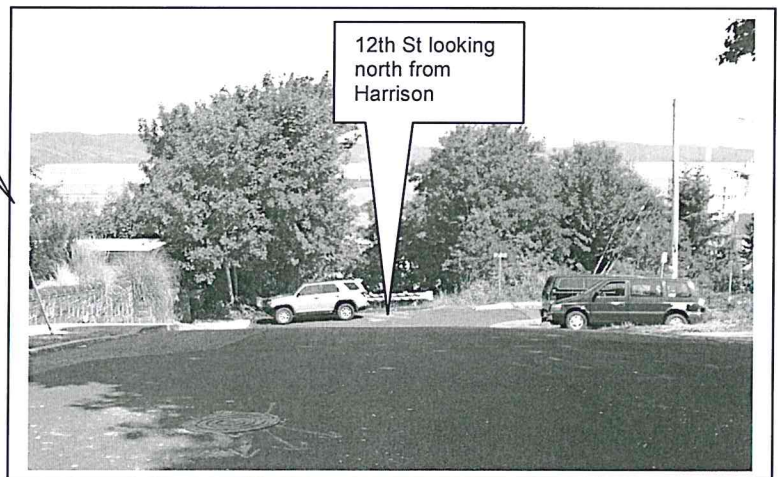
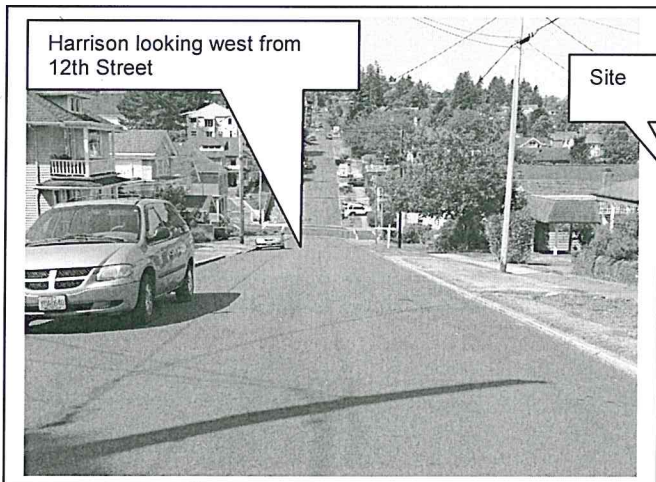
The neighborhood is developed with single- and two-family dwellings and two churches. Harrison Avenue is paved 24' wide with parking on both sides of the streets which results in travel lane of approximately 10'. When vehicles are parked on both sides of the street, traffic flow is reduced and emergency vehicles would have limited movement. Harrison, Grand, and 12th Streets are not through streets at this intersection. Harrison ends at 12th, 12th ends at Grand, and Grand to the northeast of the site ends at 12th and is a single lane road with no on-street parking. These streets are not used as through streets for cross City travel. They are primarily used by the local residents in the general area and church patrons and therefore do not have a heavy traffic flow.

The two churches have no off-street parking and create a parking situation when there are church functions. While not limited to church dates, the

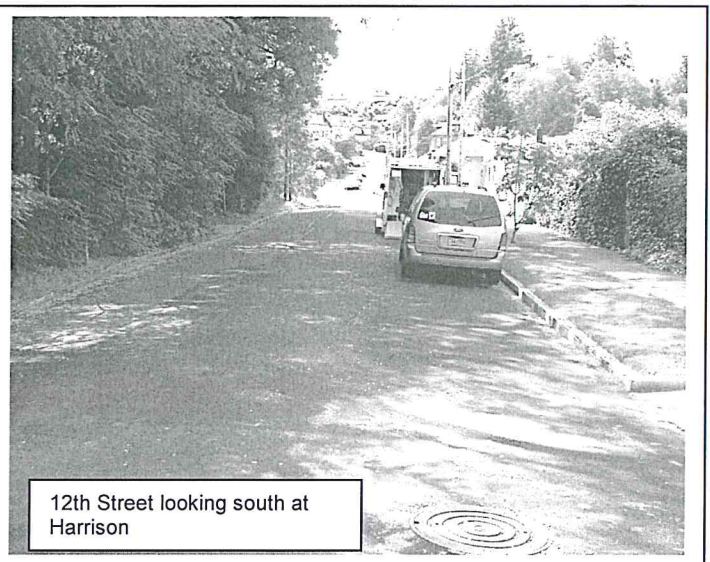
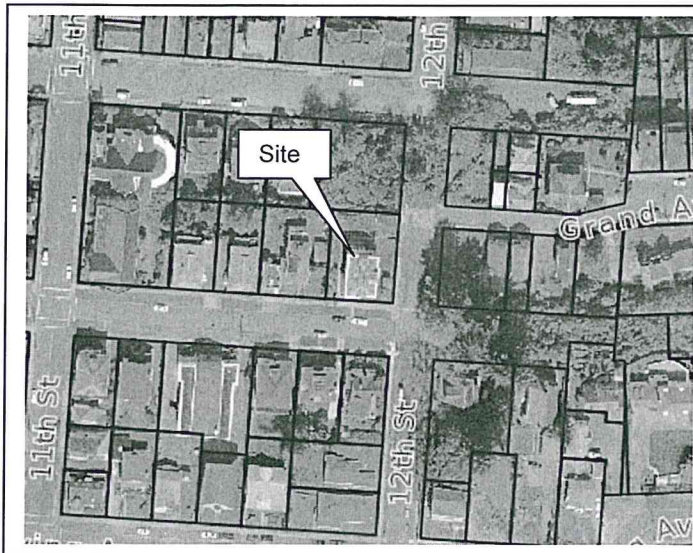


majority of the congestion occurs on Sunday mornings and Wednesday nights. These are normal occurrences at different times of the week, but do not utilize the parking on a regular daily basis.

These are existing situations in the neighborhood. The addition of numerous vehicles in the neighborhood could potentially compound the problems. However, the applicant has indicated that most tenants either do not driver or do not own vehicles. They state that since April 2013 (16 months), only 15% of their residents have had vehicles. With nine residents, that would result in one or two vehicles for the residents. This would be the same as that required for a single-family dwelling. All residential use is expected to have visitors and deliveries that add to the traffic to the site. The group housing facility with nine women living on the site would be similar to that of a large family living at the site. It is not anticipated that the proposed use would generate any more traffic than a large single-family in the dwelling. However, to assure that this aspect of use complies with the approval review, the residents should be limited to a maximum of two resident vehicles at any given time (Condition 2). Any additional resident vehicles shall be parked off-site in a parking area approved by the Planner (Condition 2). The applicant and/or facility manager shall submit a report in September each year on the number of residents vehicles at the site and the parking location for any additional vehicles (Condition 3). The manager vehicle and visiting non-resident vehicles shall not be counted toward this limitation requirement. A strict interpretation of the requirement is not required.

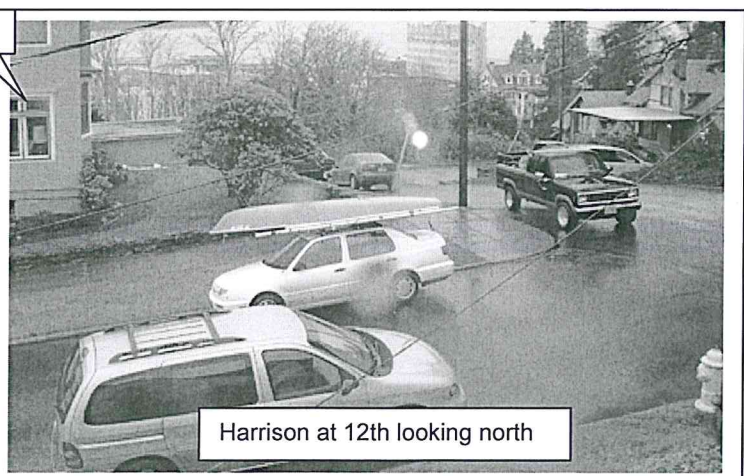
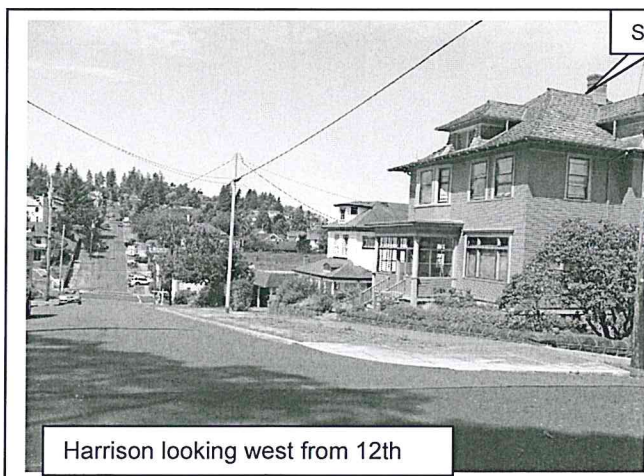






- “2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets;”

Finding: Residents would need to load and unload their personal items from a vehicle parked on the street at the curb the same as a single-family dwelling. This type of loading does not require long periods of parking and would be considered as part of the regular parking of a vehicle on the street. The street is straight with good length of visibility and wide enough for only one lane of traffic with parking on both sides. There is room at the garage on 12th to park a vehicle at the dead end of 12th Street. With the limitation of two resident vehicles, the manager, and the occasional guest parking, the anticipated parking and loading for the proposed use would be similar to that of a large single-family living in the house. Parking would not materially interfere with traffic flow or cause a safety hazard any more than the other residential parking in the neighborhood. With the sight distances, parking maneuvering should not be a problem. It is anticipated that the street will be able to accommodate future traffic generated by the nine bedroom group home based on the limited number of resident vehicles which is equivalent to a large single-family dwelling usage.





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

Finding: As noted above, Harrison Avenue is not developed to its full width but has parking on both sides creating a narrow travel lane. However, it is not a through street and is used mostly by local residents and church patrons. There is good visibility toward the west and the street dead end at this intersection which results in slower traffic. With the limited number of vehicles associated with the proposed use, the traffic generated by this site would be similar to the allowable single-family dwelling. Granting the variance will not create a safety hazard.

## **V. CONCLUSION AND RECOMMENDATION**

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

1. The applicant shall obtain conditional use approval for the proposed use.
2. The residents shall be limited to a maximum of two resident vehicles at any given time. Any additional resident vehicles shall be parked off-site in a parking area approved by the Planner.
3. The applicant and/or facility manager shall submit a report in September each year on the number of residents vehicles at the site and the parking location for any additional vehicles.
4. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

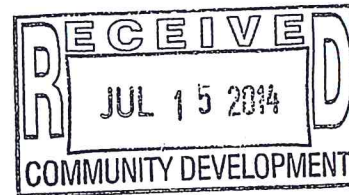
The applicant should be aware of the following requirements:

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





CITY OF ASTORIA  
Founded 1811 • Incorporated 1856  
COMMUNITY DEVELOPMENT



No. V 14-08

Fee: Administrative Permit \$150.00  
or Planning Commission \$250.00 *RC*

PARKING VARIANCE APPLICATION

Property Location: Address: 1188 Harrison Ave Astoria, OR 97103

Lot Lot 8 3 East 25ft or Lot 9 Block 91 Subdivision McClure

Map 8CD Tax Lot 6200 Zone R-3 Hst OK

Applicant Name: KLEAN Astoria-OR, LLC Milt Parham

Mailing Address: 211 Pioneer Rd Long Beach, WA 98631

Phone: (360)642-3105 Business Phone: (360)969-4787 Email: Apoli@kleancenter.com

Property Owner's Name: Peter + JAN Hackett

Mailing Address: 821 Dock Street 3-3, Tacoma, WA 98402

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

Signature of Applicant: M-L. Paul Date: \_\_\_\_\_

Signature of Property Owner: M. Hackett Jan Hackett Date: July 8th, 2014

Existing/Proposed Use: Transitional Living Group Housing

AD/Group - PKG 1.25/unit - Proposed 10 beds = 12.5 spaces.  
What Development Code Requirement do you need the Variance from? (Describe what is required by the Code and what you are able to provide without a Variance.)

Minor On-Street Parking needed for women  
living in the transitional living.  
Existing garage - to provide zero off-street pkg.  
from the required off-street parking requirements to provide

zero off-street parking for a proposed 10 bed Group living facility  
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 SFD.

For office use only:

Application Complete:		Permit Info Into D-Base:	<u>7/24/14</u>
Labels Prepared:	<u>7/24/14</u>	Tentative APC Meeting Date:	<u>8/26/14</u>
120 Days:			

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

Briefly address the following criteria to **PARKING RELATED VARIANCES:**

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

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

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

Tenants generally do not have vehicles or driving license  
Anticipated # of vehicles on-site would be less than  
an average family of that number.

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

parking on both sides of street; corner lot w/@ 200'  
& frontage

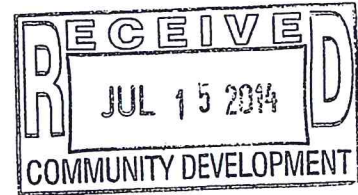
3. That the granting of the variance will not create a safety hazard.

No anticipated issues with street safety.

**Attach Site Plan**



## Harrison House



**Operational Plan:** Operated by one Sober Living Manager and a Sober Living House President. Managers are available 24 hours a day, seven days a week.

Sober Living Manager is responsible for accepting/supplying applications to prospective residents, conducting thorough interviews, verifying personal references, income, and backgrounds, meeting with Director to discuss possible candidates, sending weekly Sober Living reports to the Director, facilitating weekly community meetings with current residents, ensuring residents sign the contract agreement, providing new residents with a detailed orientation (orientation checklist, rules, rent, contract, keys, community meetings, and requirements). The Sober Living Manager is also responsible for mediating any issues with residents, keeping an overhead of house maintenance for proper functioning, provides adequate materials regarding safety and housing needs, and assists residents with proper life skills, job searches, and parental training. As well as, follows protocols which address misbehaviors and corresponding actions. (UA's/Breathalyzer's, Emergency calls, rule enforcement, and evictions)

Sober Living Resident House President is responsible for ensuring safety to guests, UA 2 times weekly and Breathalyze daily at random times, provide proper documentation of UA/Breathalyzer results, administering weekly written reports to Director, attends all house meetings, monitoring residents attendance to AA or NA meetings, monitoring residents work schedules, whereabouts, and curfew (with a sign in/sign out log), scheduling weekly/daily chores for residents, being a source of information for residents, attending a minimum of 5 AA or NA meetings weekly, immediately reports relapse/safety issues to Director, follows all house and pass rules.

KLEAN Sober Living will supply all UA cups and a Breathalyzer with proper equipment and all necessary paperwork for documentation.

Failure of protocols/responsibilities of Sober Living Resident Manager may result in removal of position. Failure to follow house rules will lead to removal from program.

**Housing rules and requirements:** KLEAN Sober Living has a comprehensive list of rules and requirements in order to provide the best possible environment for all residents in the KLEAN Sober Living Program. Failure in following these rules and requirements will result in curfew modification or discharge from the program.

The house rules include being home at scheduled curfew times (as assigned), smoking only in designated areas, performing mandatory daily chores, comply with random drug testing at the discretion of management, no improper sexual contact or harassment, timely payment of rent, attend weekly mandatory meetings.

Any act of violence which include physical, verbal, and threats will result in immediate discharge.

Residential living/requirement rules include no possession, consumption, selling or distributing of alcohol, drugs, or other mind altering controlled substances; residents must obey all laws and refrain from instituting or becoming involved in violent or threatening violent behavior; residents

need to attend one (1) meeting a day for the first thirty (30) days; after thirty (30) days residents are required to attend 5 meetings a week; all scheduled house meetings are mandatory; must continue an active program of recovery and cooperate with other residents; no smoking in the house; all enrollment fees must be paid in advance and kept current; identification of other residents is a violation of anonymity; no men allowed in the women's housing; no visitors are allowed in residents room; visitors are only allowed Sundays (11am-3pm), must obey house rules, and are only allowed in common area; all residents are responsible for an inside chore and community chore; residents must maintain household cleanliness ( clean bedroom, dishes, and community areas); No music or TV after 10 pm; follow scheduled laundry times; morning meditation is mandatory; lock house when leaving; and room inspections will take place daily.

**Parking:** Since April 1, 2013 the average percent of residents with their own automobile was 15%, which leaves 85% of residents without an automobile. At the current moment there is only two residents

with a car. The house is on a dead end which also provides extra parking.

**Safety and Egress window codes:** The house consists of a fire evacuation route and fire drills are performed routinely. In addition to the stairway that leads to the front door, there is a fire evacuation ladder in each room next to the window. Also, KLEAN Sober Living on Harrison Avenue has 4 windows in the attic for assurance and fits the egress window codes. Attached, are pictures of the windows.

To the knowledge of the KLEAN facility there has been no calls to the Police or any other law enforcement. KLEAN strictly enforces that all residents obey the law.



# KLEAN

LONG BEACH, WA



360.642.3105 • 211 Pioneer Rd. West Long Beach, WA 98631

**POSITION TITLE:** Sober Living Manager

**REPORTS TO:** Director of Operations

**WAGE RANGE:** \$15.00 – \$17.00

**POSITIONS SUPERVISED:** Sober Living Resident Managers

**POSITION SUMMARY:** The Sober Living Manager is responsible for the day-to-day operations of the Sober Living program.

## SOBER LIVING DUTIES INCLUDE:

- Supplying and accepting applications for prospective residents.
- Identifying appropriate candidates based on company criteria.
- Scheduling intake interviews with discharge planners, referrals or interested applicants.
- Verifying the means to pay for IOP/Rent.
- Filling out intake screen.
- Meeting with the Director to discuss possible candidates.
- Scheduling new resident orientation with facility, referral, or resident.
- Provide orientation for new residents, to cover; rules, rent, contract, keys, community meetings and requirements for residency using the orientation checklist.
- Ensure that all residents have signed the contract and the orientation checklist.
- Follow all of the protocols to address misbehaviors and corresponding actions, including UA's/Breathalyzer, Emergency calls, and evictions.
- Collect weekly reports from resident managers and send to Director.
- Send SL weekly report to the Director.
- Attend weekly community meetings.
- Mediate issues with residents.
- Assist in budgeting and purchasing supplies for house.
- Develop resources to assist residents with life skills, job search, and parental training
- Provide adequate furniture and supplies to organize and keep the house clean
- Schedule maintenance as needed to keep the house functioning properly
- Plan and discuss with Director any major or long term projects
- Comply with corporate and department policies and procedures.
- Perform other responsibilities and duties as required.

## INCREMENTS OF REVIEW

**KLEAN Sober Living - Astoria, Oregon**

**House Lead Responsibilities**

- Insure safety of guests
- UA and Breathalyze guests. UA 2 times a week and breathalyze daily at random times and document results
- Weekly written house reports to Director
- Attend all house meetings
- Monitor guest attendance to AA or NA meetings
- Monitor guests work schedules and whereabouts ( via sign in sign out log) including curfew
- Schedule weekly and daily chore lists for guests
- Be a role model and source of information for guests
- Attend a minimum of 5 AA or NA meetings a week
- Immediately report any safety or relapse issues to Director
- Work with Director to insure successful Sober living program
- Follow all house and Pass rules

KLEAN Sober living will supply the Sober living house lead with UA cups, Breathalyzer and tubes, gloves, and necessary paperwork.

In Exchange, the Sober living house lead shall have the following guest fee Schedule:

1<sup>st</sup> month \$200.00

2<sup>nd</sup> month \$100.00

3<sup>rd</sup> Month and all following months \$0.00

In the event the Sober living house lead fails to complete his/her responsibilities to the satisfaction of the SL Director, She/he may be removed from the position immediately and be responsible for the normal guest fees of the house. Failure to follow the House rules in general will lead to removal from the program .

Signature: \_\_\_\_\_ Date; \_\_\_\_\_

Directors Signature: \_\_\_\_\_ Date: \_\_\_\_\_





### HOUSE RULES

BREAKING OF THE FOLLOWING RULES WILL RESULT IN DISCIPLINARY ACTION RANGING FROM CURFEW MODIFICATION TO DISCHARGE.

1. BE IN YOUR HOUSE AT OR BEFORE SCHEDULED CURFEW TIME.
2. CURFEW AS ASSIGNED
3. SMOKING IN THE ROOMS IS PROHIBITED. SMOKING ONLY IN THE DESIGNATED AREAS IS ALLOWED.
4. HOUSE CHORES ARE MANDATORY 7 DAYS A WEEK.
  - SEE MANAGEMENT FOR WHAT YOU NEED TO DO.
5. RANDOM DRUG TESTING AT THE DISCRETION OF THE MANAGEMENT.
6. VERBAL OR PHYSICAL THREATS OF VIOLENCE WILL NOT BE TOLERATED AND WILL RESULT IN IMMEDIATE DISCHARGE.
7. IMPROPER SEXUAL CONTACT OR HARASSMENT OF ANY KIND.
8. NON-PAYMENT OF FEES ON THE DUE DATES.
9. NON-COMPLIANCE WITH MANDATORY MEETINGS.

I \_\_\_\_\_ HEREBY AGREE AND:

- ACKNOWLEDGE THAT I HAVE READ AND FULLY UNDERSTAND THESE RULES AND THE ENTIRE CONTENTS OF THIS PACKET PROVIDED TO ME BY KLEAN ASTORIA, LLC AND ITS STAFF.

Guest Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

1230 Marine Drive Suite 201 Astoria, OR 97103  
(503)325-2067 Fax (503)325-2153 KLEANcenter.com

# Harrison KLEAN Sober Living



## Daily Schedule:

6:00-8:00 AM: Wake up, Personal Hygiene, Breakfast, Reflection

8:00 AM – 5:00 PM: Work, Looking for Work, Meetings, Volunteering

5:00 PM – 7:00 PM: Dinner, TV

7:00 PM – 10:00 PM: Meetings

10:00 PM: Quiet Time, no TV or loud music

11:30 PM: Curfew Must be home unless given a pass





### ACKNOWLEDGEMENT OF RESIDENTIAL LIVING ENVIRONMENT RULES

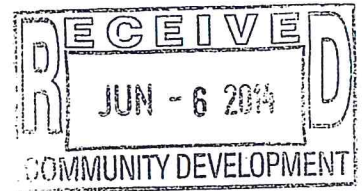
- No guest may possess, use, consume, sell or distribute any alcohol, marijuana or other mind altering or controlled substance while in this house.
- Each guest shall obey all laws and refrain from instituting or becoming involved in violent behavior or threatening violent behavior.
- Each guest is required to attend one (1) meeting daily in his or her first thirty (30) days during their stay.
- After your first 30 days you will be required to attend 5 meetings weekly during the remainder of your stay with us.
- All scheduled "house meetings" are mandatory, NO EXCEPTIONS!!
- Each guest must continue to pursue an active program of recovery and live in cooperation with other Guests.
- **NO SMOKING IN THE HOUSE** – Smoking is permitted only in designated areas.
- All guest fees for enrollment and continued enrollment must be *paid in advance and kept on a current basis*.
- Harrison KLEAN Sober Living assumes no responsibility for loss of money, personal belongings or valuables of any kind.
- Identification or reference to other guests in the house is a violation of another's anonymity.
- No men are allowed in the women's housing area.
- **NON-RESIDENTS ARE NOT ALLOWED IN THE GUESTS' ROOM**

Guest Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**ACKNOWLEDGEMENT OF RESIDENTIAL LIVING ENVIRONMENT RULES**  
(Continued)

- Female visitors are welcome between the hours of 11:00 am – 3:00 pm, Sunday only and must obey all house rules. No visitors are allowed in the guest rooms or apartments and are restricted to visiting in the common area only.
- Each guest is responsible for an inside chore and a community chore. (Assigned by House Manager)
- All Guests are to maintain household cleanliness. Harrison KLEAN Sober Living guests should keep rooms cleaned and wash dishes after use and not allow them to sit in the sink.
- Each guest will do their best in keeping their house and the community areas clean
- Beds will be made, clothes hung up, and rooms straightened each morning by 8:00am.
- There will be a 10pm quiet time. No music or TV during quiet time.
- T.V. time will be limited, see posting on bulletin board
- Laundry schedules will be posted on bulletin board
- Keep house locked when leaving.
- Morning meditation will take place daily, everyone is required to attend and participate please see schedule posted on the bulletin board
- Room inspections will take place daily and will be conducted by the house manager, please have your house and personal areas tidy prior to inspection.
- You will be asked to test for alcohol or drugs at random. The house manager must be aware of any prescribed medications you are taking. Please notify us of any changes in medications or new medications you are taking.

Guest Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

1230 Marine Drive Suite 201 Astoria, OR 97103  
(503)325-2067 Fax (503)325-2153 KLEANcenter.com





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115 Bolstad Avenue West  
Long Beach, WA 98631  
Telephone 360.642.4421  
FAX 360.642.8841

[planner@longbeachwa.gov](mailto:planner@longbeachwa.gov)



June 27, 2014

**Subject:** KLEAN Center  
Long Beach, Washington

Dear Sir or Madam,

This letter serves to describe the relationship of the City of Long Beach, Washington to the KLEAN Center located there. It also expresses my opinion regarding how KLEAN has performed as a corporate citizen.

Prior to purchasing their property in our city, representatives of KLEAN came to us to describe what they do, how they do it, their overall success rate, their standards for participants in their rehabilitation programs, how they ensure community safety, the number and types of jobs the facility was expected to generate, and to ask us about any City of Long Beach requirements for such a facility. They then made complete and professional applications for required permits, paid their permit and utility system connection fees promptly, and proceeded to greatly improve a property that had sat vacant for several years.

Since opening its doors, the KLEAN Center has continued to improve the property, operate in a professional and low-key manner, pay their utility bills to the city promptly, provide more than 50 non-seasonal high-quality jobs, operate without financial impact to police services, purchase from local vendors to the extent cost and schedule criteria allow, and most importantly bring sobriety to several hundred individuals. Approximately 40 of those individuals are local citizens who were treated at no cost. Overall, they are an outstanding corporate neighbor.

Should you have questions or require further information, please do not hesitate to contact me.

Regards,

Gayle Borchard  
Director, Community Development

August 14, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: RYAN E. CRATER, COASTAL PLANNER (CREST)

PRESENTED BY: ROSEMARY JOHNSON, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU14-11) PROPOSED RETAIL SALES –  
FEED STORE AT 1820 SE FRONT STREET

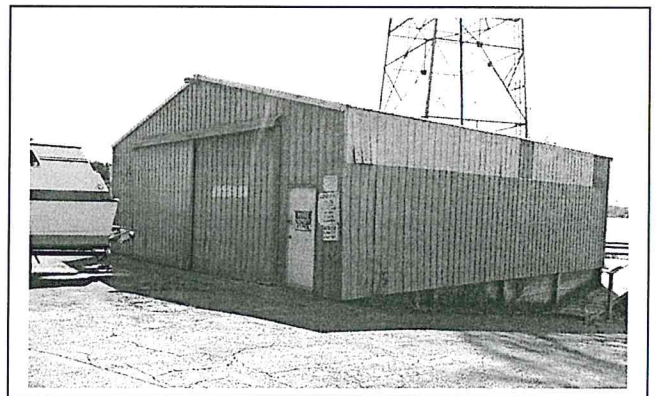
**I. BACKGROUND SUMMARY**

- A. Applicant: Nicole Keller  
77071 Delena Mayger Rd.  
Rainier OR 97048
- B. Owner: Robert Stang  
Rising Tide Enterprises LLC  
3834 Franklin  
Astoria OR 97103
- C. Location: 1820 SE Front Street; Map T8N-R9W Section 17DD, Tax Lot  
4700; Lots 1 to 7 and 10 to 32, Block 33, Cases Astoria
- D. Proposal: To locate a Retail Sales Establishment in an existing commercial  
building.
- E. Zone(s): S2 (General Development Shorelands Zone)  
CRESO (Columbia River Estuary Shorelands Overlay)

**II. BACKGROUND**

**A. Project Site**

The project site is located on the south side of Highway 202 (SE Front Street) approximately 0.27 miles west of Williamsport Road. It is a flat area surrounded on three sides by Youngs River.



**B. Adjacent Neighborhood**

The project site is located in the southern portion of the South Slope subarea of the City. Adjacent to the project site to the north consists mostly of single-family residential housing; to the south of the project site the property is surrounded by



Young's Bay. The proposed site has an existing building on site that houses a restaurant.

C. Proposed Use

The applicant is proposing to use an existing building on site for retail sales (feed store). Currently the structure is used as a storage building for marine equipment. The feed store will offer retail sales to residences in Astoria and the greater community of Clatsop County. No new construction is being proposed on the property to accommodate the use. However, this would be a change of use within the building and 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.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on August 1, 2014. A notice of public hearing was published in the Daily Astorian on August 19, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDING OF FACT

- A. Section 2.675 concerning the Purpose for S-2 Zone (General Development Shorelands Zone) states that *"The purpose of the S-2 Zone is to provide an area where a mixture of industrial, commercial, residential, public and recreational uses can locate. Uses which are water-dependent or water-related and other uses which would benefit from a water-front location are preferred. The S-2 Zone includes areas less suitable for marine-oriented uses than the S-1 Zone, such as shoreland areas with limited backup land."*

Finding: The purpose of the proposed retail sales establishment is to offer agricultural items and feed for sale. The project as proposed is consistent with the intent of the S-2 Zone purpose as a conditional use.

- B. Section 2.685.22 concerning Conditional Uses in the S-2 Zone (General Development) lists *"Retail"* as an authorized use under a conditional use in accordance with Article 11, Conditional Uses, when they meet the provisions of 2.690, Development Standards and Procedural Requirements.

Section 2.690.1 concerning Development Standards and Procedural Requirements states that *"All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Use and Activity Standards in Article 4. Where a proposal involves several uses, the standards applicable to each use shall be satisfied."*

Finding: See Section IV.M & N of this staff report for Article 4 review and findings.

- C. Section 2.690.2 concerning Development Standards and Procedural Requirements states that *"Outdoor storage areas will be enclosed by appropriate vegetation, fencing or walls."*

Finding: No outdoor storage areas are proposed under this application. Should outdoor storage areas be considered in the future they will be appropriately enclosed by vegetation, fencing or walls.

- D. Section 2.690.3 concerning Development Standards and Procedural Requirements states that *"All uses will comply with access, parking, and loading standards in Article 7."*

Finding: See Section IV.O & P of this staff report for Article 7 review and findings.

- E. Section 2.690.4 concerning Development Standards and Procedural Requirements states that *"When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure."*

Finding: The proposed project does not propose several uses under this request. The project is consistent with this standard.

- F. Section 2.690.5 concerning Development Standards and Procedural Requirements states that *"Signs will comply with requirements in Article 8."*

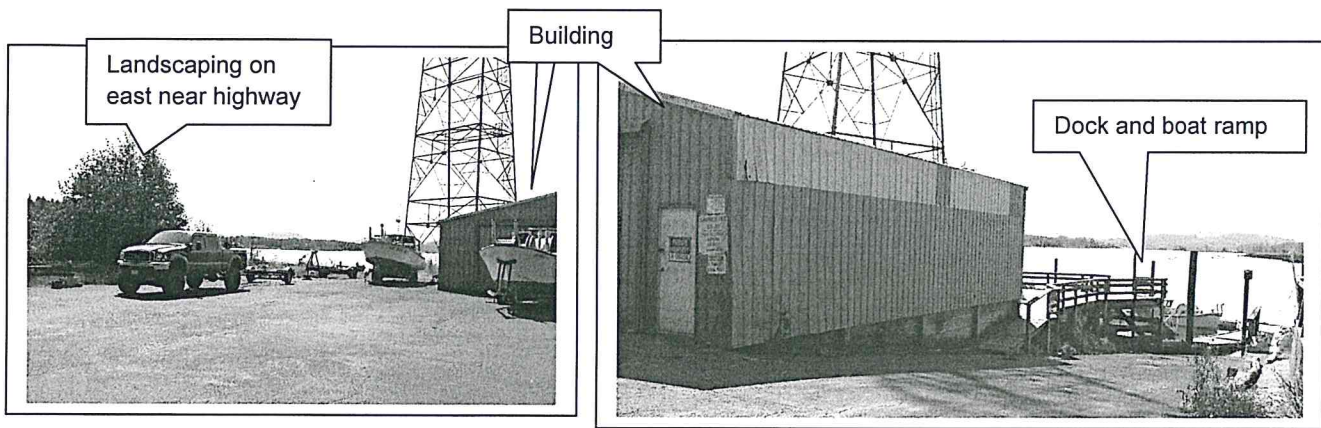
Section 4.160.1 concerning sign placement states *"Signs shall not impair views of water areas. Signs shall be constructed against existing buildings whenever feasible. Off-premise outdoor advertising shall not be allowed in aquatic areas."*

Finding: The proposed retail sales – feed store shall apply for a "Sign Permit" per the standards of Article 8 of the Development Code prior to erecting any signs associated with this use.

- G. Section 2.690.8 concerning Development Standards and Procedural Requirements states that *"Uses which are non-water-dependent, non-water-related or which otherwise derive no benefit from a waterfront location and which have frontage on the water shall provide a landscaped buffer along the waterfront."*

Finding: The existing site does not require additional landscaping along the water front as the site includes docks and a boat ramp. There is some landscaping between the building and the highway. Should the proposed project require additional landscaping from that existing on site, the applicant will work with the City Planner regarding what additional landscaping would be necessary. The project is consistent with this standard.





- H. Section 2.690.9 concerning Development Standards and Procedural Requirements states that *"Whenever possible all structures shall be designed and orientated to maintain views of the river from public rights-of-way."*

Finding: The proposed retail sales – feed store will be utilizing an existing building on site. No new structures are proposed under this conditional use request that would affect existing views. The proposed use is consistent with this standard.

- I. Section 2.690.10 concerning Development Standards and Procedural Requirements states that *"Uses in this zone which are water-dependent or water-related must meet the criteria for water-depending uses (Section 4.220(A)), or for water-related uses (Section 4.220(B))."*

Finding: The proposed retail sales – feed store is neither water-related nor water-dependent, therefore not subject to this standard.

- J. Section 2.690.11 concerning Development Standards and Procedural Requirements states that *"Accessory structures in the General Development Shorelands Zone are limited in size to a maximum of 10% of the lot or parcel size."*

Finding: The proposed retail sales – feed store is not requesting to construct any accessory structures under this conditional use request. Should accessory structures be proposed in the future they shall meet all applicable permit review standards, setback requirements, and size limits.

- K. Section 2.750 concerning the Purpose and Areas Included in the CRESO (Columbia River Estuary Shoreland Overlay District) states that *"This overlay district establishes additional requirements for shoreland areas adjacent to the Columbia River Estuary to assure that estuary shorelands are managed in a way that is compatible with adjacent estuarine aquatic areas. This district includes the following shoreland areas:*

1. *Areas within 50 feet of the estuary shoreline;*
2. *Adjacent area of geologic instability where the instability is related to or will impact the estuary;*

3. *Riparian vegetation;*
4. *Area of significant shoreland and wetland biological habitats where habitat quality is derived from or associated with the estuary;*
5. *Areas in the S-1, S-2, S-2A, S-3, or S-4 Zones.*
6. *Area of exceptional aesthetic or scenic quality, where the quality is primarily derived from or associated with the estuary;"*

Section 2.760. concerning Development Standards and Procedural Requirements states that:

- "1. *All uses will satisfy applicable Columbia River Estuary Shoreland and Aquatic Area Use and Activity Standards in Article 4. Where a proposal involves several uses, the Standards applicable to each use shall be satisfied.*
2. *Proposal involving a development that is only partially within this Overlay District shall be reviewed so that only the uses and activities actually within the Shorelands Boundary are subject to the requirements of this Overlay District.*
3. *The shorelands Boundary describes the landward limit of this Overlay District. The shorelands Boundary is described in the Subarea Plans, Section CP.155 through CP.180 of the Comprehensive Plan."*

Finding: The proposed retail sales – feed store is located within the S-2 Zone and is subject to the standards contained within this overlay district and is subject to the development standards and procedural requirements for the CRESO overlay district. The proposed use is located within the S-2 overlay district.

- L. Section 2.755. concerning Permitted and Conditional Uses states that:
- "1. *Use and activity listed in the underlying zone, subject to the procedure specified in the underlying zone.*
  2. *Accessory use and activity associated with development in adjacent Columbia River Estuary aquatic areas, subject to the procedure specified in the Aquatic Zone."*

Finding: The proposed retail sales – feed store meets the standards and procedures specified in the underlying S-2 Zone as a conditional use. The proposed project is not located within an aquatic zone. The proposed retail sales establishment under this conditional use application meets this standard.

- M. Section 4.010. concerning Columbia River Estuary and Shoreland Regional Standards states that *"Article 4 establishes use and activity standards for developments in Columbia River Estuary aquatic areas and shorelands. Some apply only to the estuary's waters and tidal water wetlands: These are indicated by qualifying phrase "aquatic areas" or "aquatic designations". Standards applicable only to estuary shorelands, including associated non-tidal wetland areas, are so indicated by the phrase "shoreland areas" or shoreland designations".*



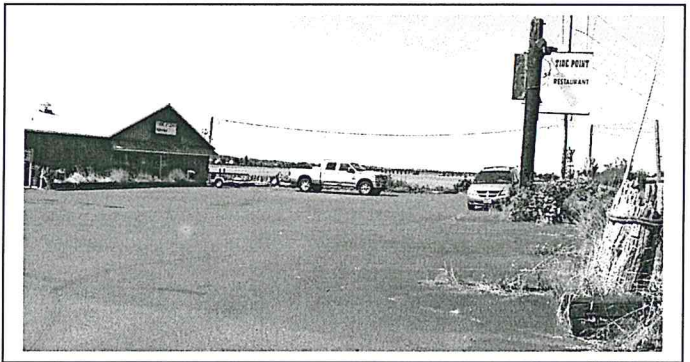
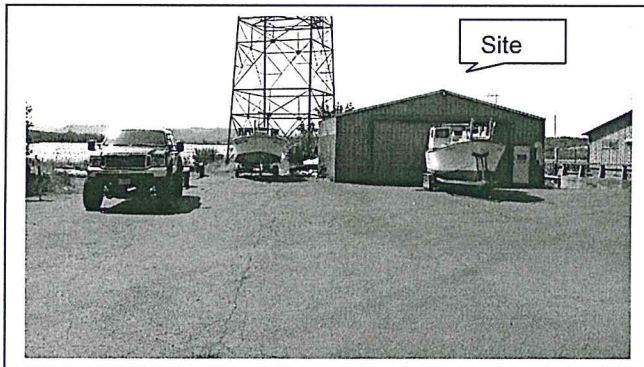
Finding: The proposed project is subject to the development standards and procedural requirements for the CRESO overlay district pursuant to Section 2.750.1 and 2.750.5. Section 4.160 Residential, Commercial and Industrial Development is the only section applicable to this project. This section is reviewed below.

- N. Section 4.160.3 concerning Residential, Commercial And Industrial Development, states that *“Joint use of parking, moorage and other commercial support facility is encouraged where feasible and where consistent with local code requirements.”*

Finding: The proposed project does not propose joint-use of parking areas. The location does have an existing restaurant on site and the potential to share parking is feasible as the lot affords plenty of off-street parking spaces to support both uses. The project is consistent with this standard.

- O. Section 7.100. concerning Minimum Parking Space Requirements requires parking for *“Retail Sales, General Merchandise”* at *“One space per 500 square feet of gross floor area.”*

Finding: The square footage of the retail floor area is 1,408 square feet, which requires the use to provide three (3) parking spaces. The existing parking lot has enough room to accommodate greater than three (3) parking spaces. The proposed use meets this requirement.



- P. Section 7.160.C concerning Minimum Loading Spaces Requirements states *“Commercial, Non-office, Public and Semi-Public – Under 5,000 sq. ft. requires zero (0) number of spaces for loading.”*

Finding: The proposed use is 1,408 square feet which does not require a loading area; however, the site has ample space for loading and unloading of retail items from distributors for sale. The proposed use meets this requirement.

- Q. Section 11.020.B.1 of the Development Code states that Conditional Uses requires that *“The proposed use comply with applicable policies of the Comprehensive Plan.”*

1. Section CP.060 to CP.065 refer to the South Slope Area.

Finding: The applicable South Slope Area Policies were reviewed for the requested conditional use. There are no applicable policies of the South Slope Area.

2. Section CP.140.E concerning Columbia River Estuary Aquatic and Shoreland Designations, Development Shoreland, states that *"Development Shoreland areas are designated to provide for water-related and water-dependent development along the estuary's shoreline. Development Shorelands areas include urban or developed shorelands with little or no natural resource value, and shorelands with existing water-dependent or water-related uses. These areas are in the General Development Shorelands Zone (S-2), or the Tourist-Oriented Shorelands Zone (S-2A). Some of these areas are in residential or commercial zones with a Shorelands Overlay Zone."*

Finding: The proposed project is located within an (S-2) General Development Shorelands Zone.

3. Section CP.150.E.16. concerning Permitted Uses in the Columbia River Estuary Aquatic and Shoreland Designations for S-2 Zones (General Development Shorelands) list *"Non-dependent, non-related uses."* as a permitted use.

Finding: The proposed project is consistent with the above standard as an allowed conditional use. The proposed use of the existing structure as a retail sale – feed store is permitted under CP.150.E.16. The proposed project is located within the South Astoria Subarea Plan as identified in CP.160.A.

4. Section CP.160.G.2. concerning South Astoria Subarea Plan Subarea Policies states that *"Potential conflicts between new development and existing uses on the South Astoria Waterfront will be evaluated on a case-by-case basis during permit review."*

Finding: The proposed project is consistent with the subarea plan for South Astoria. No new conflicts will result as a result of this project being approved. No other subarea policies listed under Section CP.160.G.2 are applicable to the proposed project.

- R. Section 11.030.A concerning Basic Conditional Use Standards requires that *"Before a conditional use is approved, findings will be made that the use will comply with the following standards:"*
  1. *"The use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other*

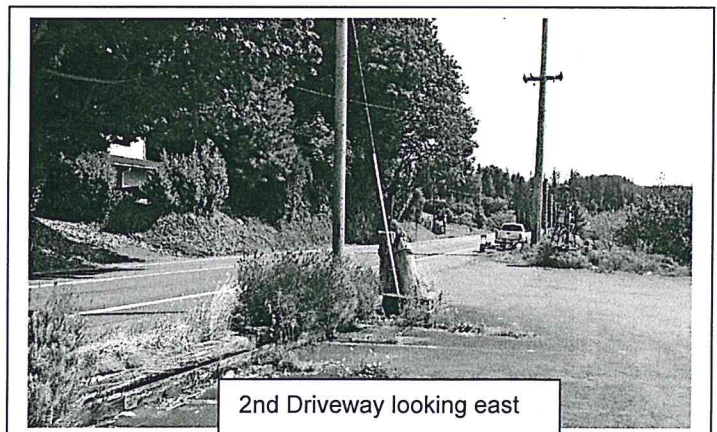
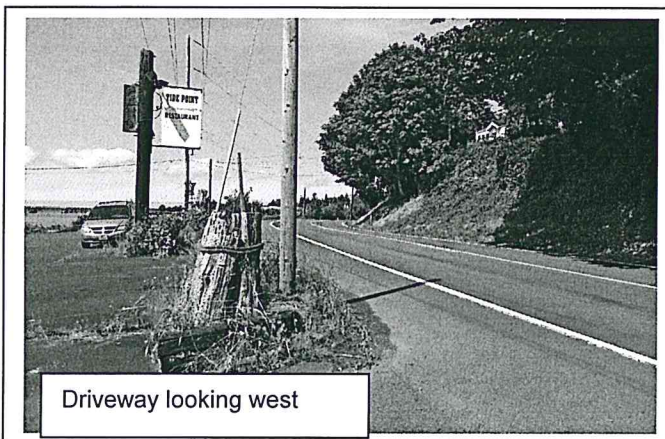


*appropriately zoned sites; and the desirability of other suitably zoned sites for the use."*

Finding: The proposed project is located within the S-2 Zone (General Development Shorelands). The proposed project is listed as an allowable conditional use and is compatible with the intent of the S-2 Zone. The site is located along Highway 202 which is the main route to the rural farmland southeast of Astoria. There are no other feed stores in this general area and customers generally travel to Miles Crossing area which is across the Old Youngs Bay Bridge approximately five miles away. The site would serve this east area of the County. While other sites would allow the retail sales outright, the more rural nature of the site outside of the urban area of the City and the location on the highway with ample on-site maneuvering space make this an ideal location for this use.

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

Finding: The use will not require a site layout for transportation activities. The proposed project is requesting a Conditional Use Permit for the authorization to use an existing building for retail sales – feed store. The project has been reviewed for compliance with applicable regulations stated above and it has been determined the project meets the above review criteria. The highway is fairly straight along the front of this property with a gentle curve to the west allowing for good visibility for vehicles entering or leaving the site. The size of the parking area and paved/graveled storage areas provide ample maneuvering space for trucks and other vehicles coming to the site. There are no sidewalks in this area but customers would generally not walk or bike to this type of retail facility.







The site has an on-site solid waste disposal area. The applicant shall contact Recology, the waste disposal company in the City, to assure that the existing or any proposed disposal area is ample for the proposed use. Any new area shall be screen from view and shall be reviewed by the Planner prior to installation.

3. *"The use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities."*

Finding: The proposed project will not overburden or increase demands on City facilities and Fire and Police protection. The retail store – feed store is being proposed in an existing building and does not overburden or increase demands on City facilities and services which are existing at the site. The project meets the above review criteria.

4. *"The topography, soils and other physical characteristics of the site are adequate for the use. Where determined by the City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction."*

Finding: The proposed project will be operated out of an existing building and does not require an engineering or geologic study for the requested use. No new buildings are proposed to be constructed under this request. The location is adequate for the use and the project meets the above review criteria.

5. *"The use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses."*

Finding: The proposed project contains the appropriate amount of landscaping, buffers and berms from adjacent uses. No additional



measures are necessary to buffer the project location from adjacent uses. The proposed project meets the above review criteria.

V. CONCLUSIONS AND RECOMMENDATIONS

The conditional use request meets all applicable review criteria, policies and standards reviewed above that are found in the Development Code and Comprehensive Plan. Staff recommends approval of the request based on the Findings of Fact above with the following conditions:

1. If requested, the applicant shall submit copies of all State and Federal permits prior to initiating the proposed use.
2. The applicant shall work with Recology/WOW on the location and size of the refuse collection area for the proposed use in the building.
3. If a new solid waste disposal area is installed, the area shall be screened from view and the design shall be submitted to the Planner for review and approval prior to installation.
4. 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.
5. If the parking area is changed, the applicant shall meet all applicable design standards for parking as addressed in Article 7 of the Development Code. The parking site plan shall be reviewed and approved by the Planner prior to installation.
6. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

The applicant should be aware of the following requirements:

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



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT



No. CU

14-11

Fee: \$250.00

pd cash.

## CONDITIONAL USE APPLICATION

Property Address: 1820 SE FRONT ST ASTORIA, OR 97103

Lot 10 to 32 & 1-17

Block 33

Subdivision

Cases Astoria

Map 17DD

Tax Lot 4700

Zone

S-2

OK

Applicant Name: NICOLE KELLER

Mailing Address: 77071 DELENA MAYGER RD, Spinier 97048 ?

Phone: (503) 791-2955 Business Phone: \_\_\_\_\_

Email: FULBRIGHTNICOLE@YAHOO.COM

Property Owner's Name: ROBERT STANG

Mailing Address: 3834 Franklin

Business Name (if applicable): TIDE POINT

Signature of Applicant: [Signature]

Date: 7/30/14

Signature of Property Owner: See email

Date: 7/30/14

Existing Use: Marine Storage

Proposed Use: Retail Sales - feed store

Square Footage of Building/Site: 1408 sqf

(Restaurant @ 3,000 sqf) 12 pkgs req

Proposed Off-Street Parking Spaces: 26 OFF. STREET PARKING / HAS PARKING (3 required)  
to locate a retail sales establishment in an existing commercial building

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

For office use only:

Application Complete:		Permit Info Into D-Base:	<u>8/5/14</u>
Labels Prepared:	<u>1</u>	Tentative APC Meeting Date:	<u>8/26/14</u>
120 Days:			



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

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

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

THIS IS A PERFECT LOCATION FOR CUSTOMERS TO EASILY  
PULL IN & OUT OF WITH LARGE VEHICLES & TRAILERS TO  
LOAD UP HAY & SUPPLIES. THERE IS PLENTY OF PARKING FOR EMPLOYEES +  
CUSTOM

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

THERE IS PLENTY OF ON SITE PARKING & SPACE FOR LARGE  
TRUCKS & TRAILERS SO IT WILL NOT AFFECT THE TRAFFIC  
FLOW OR EMERGENCY VEHICLE MOVEMENTS.

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

THIS WILL NOT OVERBURDEN WATER OR SEWER BECAUSE I WILL  
NOT BE ADDING ANY ADDITIONAL RESTROOMS OR ACCESSIVE  
WATER ~~USE~~ USAGE.

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

THERE IS AN ~~EXISTING~~ EXISTING BUILDING SO NO NEW  
CONSTRUCTION WILL BE DONE.

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

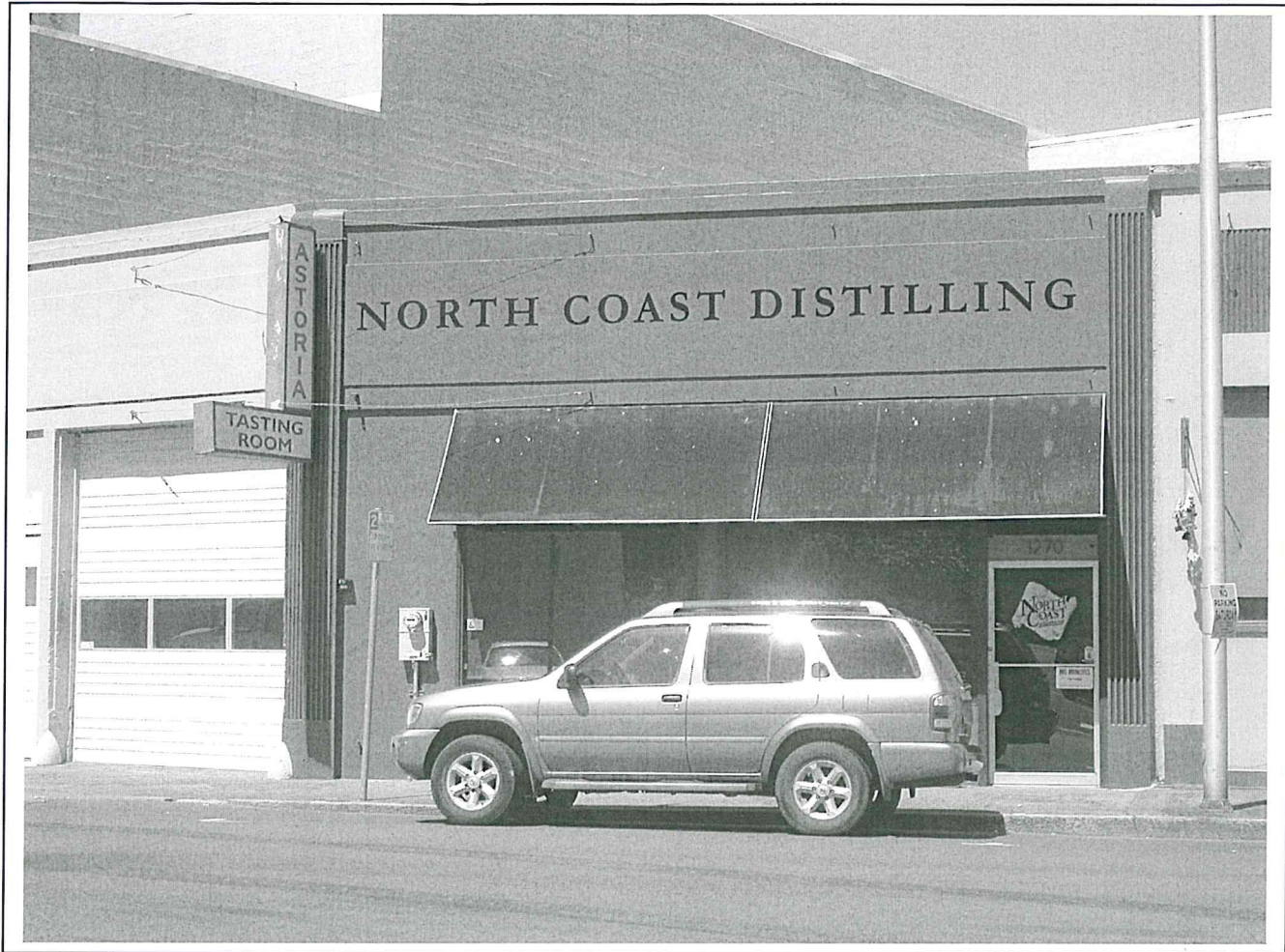
No changes proposed

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

1270 Duane Street

CU13-03

8-16-13



light manufacturing, indoor  
entertainment with retail sales.  
All conditions met.



1 8th Street AKA 2 7th Street  
CU13-05 and V13-15 and HD13-03  
8-16-13

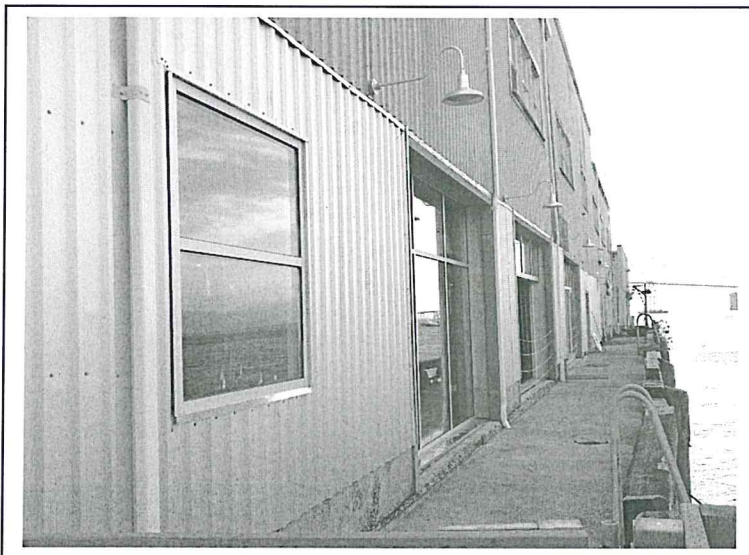
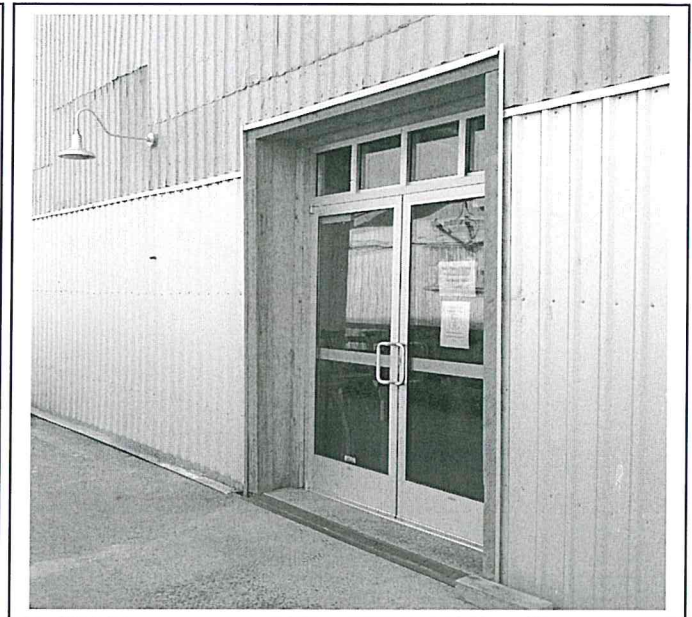


Eating/drinking establishment,  
light manufacturing, parking  
variance. Historic designation  
based on proposed design. .  
All conditions met.





1 8th Street AKA 2 7th Street  
CU13-05 and V13-15 and HD13-03  
8-16-13



Eating/drinking establishment,  
light manufacturing, parking  
variance. Historic designation  
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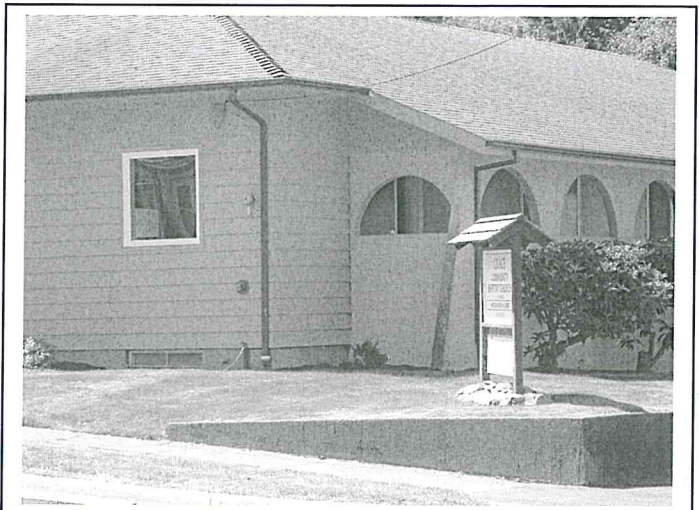




1195 Irving Avenue

V13-11

8-6-14



Sign change. All conditions met.