

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall

May 28, 2019

CALL TO ORDER:

President Fitzpatrick called the meeting to order at 6:37 pm.

ROLL CALL:

Commissioners Present: President Sean Fitzpatrick, Vice President Daryl Moore, Patrick Corcoran, Cindy Price, Chris Womack, and Brookley Henri.

Commissioners Excused: Commissioner Jennifer Cameron-Lattek

Staff Present: City Manager Brett Estes, Contract Planner Mike Morgan, Contract Planner Rosemary Johnson, and City Attorney Blair Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Fitzpatrick called for approval of the April 23, 2019 minutes.

Vice President Moore stated he did not recall making the comments attributed to him in the fourth paragraph of Page 13. However, he accepted the minutes as correct since no one else claimed to make those statements.

Commissioner Womack moved that the Astoria Planning Commission approve the minutes of April 23, 2019 as presented; seconded by Commissioner Henri. Motion passed unanimously.

PUBLIC HEARINGS:

President Fitzpatrick 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):

CU19-04 Conditional Use Request (CU19-04) by Stewardship Homes LLC to locate a 5-room short term lodging facility in an existing apartment building at 641 Commercial Street (Map T8N R9W Section 8CB, Tax Lot 7300, Lot 3, Block 29, McClures) in the C-4 (Central Commercial) Zone.

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

President Fitzpatrick declared that he owned rentals in Astoria, but he did not believe this was a conflict. He believed he could be impartial.

President Fitzpatrick asked Staff to present the Staff report.

Planner Morgan reviewed the written Staff report via PowerPoint. He confirmed the correct address of the property was 641 Commercial, which was stated incorrectly in the Staff report. Staff recommended denial.

Commissioner Price stated the photograph of 641 Commercial actually showed the church next to 641 Commercial. She also said the building had five units, not five rooms.

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

Garrett Stephenson, Attorney, representing Stewardship Homes, said he was not aware Staff would be recommending denial until yesterday. If anyone planned to testify against the project, he would like time for rebuttal. He also wanted the opportunity to submit a final written argument. Staff highlighted two reasons for denial, parking and an upcoming ban on short-term rentals. Section 7.180 of Astoria's Code on the C-4 Zone

states that no parking is required for any use in the C-4 Zone. CP-055(2) states that the City supports efforts to improve the parking problem in downtown and to provide landscaping and other requirements; however, the C-4 Zone will continue to not require off-street parking. Staff's position is that there is an allowance for the City to increase the number of required off-street parking spaces through a conditional use. The problem with that, which is detailed in his letter dated May 10, 2019, is that there are no required parking spaces to increase. He did not agree with Staff's assumption on how much parking is generated by the two different uses, multifamily uses and short-term rental uses. Just because apartment buildings do not have dedicated off-street parking does not mean the people living there do not have cars. Here on the coast, people are more dependent on cars than those in areas with public transportation systems. If there were minimum parking requirements here, a multifamily unit would require 1.25 spaces and a short-term rental would require 1 space. The City's parking regulations typically require more parking for multifamily than for short-term rentals. He believed the use would result in substantially less parking than it would otherwise. This Commission is considering a ban on short-term rentals. The application was submitted on April 5, 2019, but the Commission considered the ban on April 23, 2019. The ban is not relevant to what the Applicants are trying to do because it did not exist at the time the application was submitted, and still does not exist. According to ORS 227.178(3)(a), known as the Fixed Goal Post Rule, the Applicant is entitled to proceed under the standards and regulations that are in place at the time the application is filed. The Applicants are not subject to the merits of banning short-term rentals in the future because they applied before the ban was ever considered. He looked at the Comprehensive Plan policies applicable to the central commercial area and he believed the application was consistent with those policies. CP-055 says the City encourages the reuse of existing buildings prior to the expansion of commercial uses. This is clearly what the Applicants are trying to do. The policy also states the Central Commercial zone, C-4, will continue to be the designation for downtown central business districts and uses in this zone will primarily be retail, offices, general services, and some residential uses. He asked that the Commission consider the consistency of the project with the directly applicable Comprehensive Plan policies. It is clear in the C-4 Zone, the parking code, and the Comprehensive Plan that there are no parking requirements. He asked for two weeks to prepare a final written argument because he was not aware that Staff would recommend denial.

City Manager Estes stated that under State law, the Commission needed to grant the request for a continuance.

Mr. Stephenson clarified that he had not requested a continuance, but an allowance for final written argument as allowed by State statutes.

City Manager Estes explained that the City of Astoria would consider that a request for a continuance.

City Attorney Henningsgaard added that State law provides that the Applicant is entitled to a final rebuttal. The request is appropriate and should be granted.

Commissioner Price asked if the request to allow a written rebuttal was being equated with a request for a continuance.

City Attorney Henningsgaard said yes, after the close of the evidence, the Applicant is entitled to a final written rebuttal. The rebuttal cannot include new evidence.

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

Matt Gillis, 11650 SW 67th Ave. #210, Tigard, said he would spend a lot of money upgrading the façade. When he purchased the property, he was shocked when he saw Staff's recommendation for denial based on the Code, which says no parking required. He purchased the building because it allowed for hotel usage. There are no known properties similar to this one available in the C-4 Zone on the multiple listing service (MLS), so there are no other alternatives for sale. The parking code for this property as a multifamily would require 6.5 spaces, but as a hotel use only 5 spaces would be required. Data shows that average occupancy rates would be 56 percent, so parking demand would be reduced by 44 percent by switching the use. The property already has two parking spaces on site. His goal was to clean up the property and make it nice. The only residential neighbor is a multifamily building across the street. All the other buildings on the block are commercial or other uses, including a park, a church, and a parking lot. There is no required parking in the C-4 Zone, but per the Code, he would be reducing the parking space demand. He had also redeveloped and brought eight vacant properties in Astoria back from vacancy or foreclosure into the housing stock. He had also brought seven other units that were about to be condemned back into the housing stock as well.

President Fitzpatrick called for any testimony impartial to the application. Hearing none, he called for any testimony opposed to the application.

Don Roessler, 612 Franklin, Astoria, said he was the moderator of the First Baptist Church. Apparently, there are no laws about who can park in the area, which is packed all the time. The church supports 14 recovery groups, a Girl Scout group, and the Hispanic Dance Council, which meet at the church. All of the parking spots are taken by 8:00 am. The church has a lot of elderly people who attend church services on Sundays, and they need to park as close to the building as they can. Parking is the biggest of the issues. He felt sorry for the people who had to leave. Only one person used a car. Most of the people lived in that area because they could walk to downtown. So, he had a hard time understanding that the proposed use would reduce parking. He did not know what would happen when the jail moved; it would free up a little bit of parking, but mostly two blocks away. He was concerned about the parking and about the people who do not have any place to live that used to live in downtown.

Brad White, 2011 Irving Avenue, Astoria, said converting a building from housing to an Airbnb was converting it to a commercial use and is discouraged. Astoria has some of the oldest housing in the state. He agreed with Staff that the request should be denied. If the only way the city can rehabilitate and keep housing stock from falling apart is by converting them to short term rental, then the city is in big trouble.

Pamela Matson MacDonald, 22 Nimitz, Astoria, said she knew people who were looking for apartments and could not find one in Astoria they can afford. They are living on the street now and this project will put five more people on the street. She was evicted from her apartment because her landlords upgraded her apartment and raised the rent so high she could not afford to live there. She was against the request and supported Staff.

Cherice Clark, 124 Lake Street, Ilwaco, WA, said she wanted to move to Astoria, but could not find housing. She did not see how most property owners would not get lured when the difference in income is so vast between short- and long-term renting. The effect on a community can be devastating if the only housing is residential and low income. It seemed as if this property was low income, which is really valuable. She asked the Commission to consider the long term effects of opening this door.

Michael Mathis, 109 North Street, Ilwaco, WA, said he recently moved from Portland and saw what was happening in Portland to the low income housing, which is disappearing. His daughter and her fiancé are each working two jobs to try to afford a place to live. He did not want to see Astoria become Portland. Where will these five people go? The five people are probably supporting the restaurant supply. The people who stay in Airbnbs go to restaurants, but where do the workers go? He did not know why others were dwelling on the parking, but the five families would be out of their homes.

President Fitzpatrick called for a rebuttal from the Applicant.

Mr. Stephenson stated he did not believe any of the testimony given had changed what the Code does and does not require. He was sympathetic to the need to encourage the preservation of affordable housing. However, that should not be put on the back of a single property owner, especially considering that the City might ban short term rentals in the future. This application will not break the camel's back. It is fundamentally unfair to an Applicant who looks at what is required by the Code. The issues brought up regarding the conditional use have been specifically addressed or were completely absent from the Code. Parking is addressed very directly in a number of places in the Code, and nothing in the Code prohibits short-term rentals. The reason codes and regulations are in writing is so that people who invest in property and try to make improvements can have a rudimentary understanding of the regulations that apply to their property. He was concerned that the goal post was being moved for this application, which is illegal. It is fortunate that State law allows the Applicants to defend on the regulations that are written on the day the application is submitted.

Mr. Gillis stated when the building was fully occupied, there were seven vehicles. He understood housing was a big issue. If he were given a parking variance, he would add five new units in one of his other buildings where he has some unfinished space.

Commissioner Henri asked if the Commission had legal jurisdiction to increase the required parking spaces. City Attorney Henningsgaard said Section 11.040(5) specifically allowed the Planning Commission to increase the number of required parking spaces for conditional uses.

Commissioner Corcoran asked how the use of the word "required" should be interpreted. Should the Commission consider parking as required for the project to make sense or required as stated in the Code? City Attorney Henningsgaard said the Commission could find it necessary to interpret the Code in a particular way. In this case, there are no required parking spaces, and the Code allows the Commission to increase that number from zero.

Commissioner Corcoran referred to a previously approved conditional use permit for a lodging with a similar need for parking. He asked if that decision set a precedent. City Manager Estes confirmed that in that case, no parking was required by the Code. However, as part of the conditional use application, the Applicant stated they would provide a certain number of parking spaces for the use. While the number of spaces was below the calculation for the use, the Applicants argued that in consideration of the impacts of the use on the zone, the additional parking provided met the criteria. The conditional use permit was granted. Each case stands on its own accord. However, the Commission could consider a similar approach to this request. Standard practice has been to review parking impacts to the downtown commercial zoning district and require mitigation when deemed necessary.

City Attorney Henningsgaard added that the arguments have skipped a couple of steps in the conditional use process. A conditional use is not a permitted use in the zone unless the Commission can find that the proposed use will benefit the city in some way. If the use is found to be beneficial to the city, then the Commission can condition the use to ameliorate the affects of the use on the neighborhood. Those judgements are all very subjective and all must focus on the particular neighborhood. Considering other conditional uses would be misleading. The Commission must consider the effect of converting these five residential units to a hotel use on this particular street. Additionally, the Applicant, who has the burden of proof, must provide evidence that other factors set forth in the conditional use criteria had been met. One criteria is that there must be a need for additional vacation units in the city; second, that there are no other appropriate zones for this particular use; third, that this location is a desirable location for the use; fourth, that the parking in the area is adequate for the use; and fifth, that Airbnb type rental units are compatible with the adjacent properties in the area.

Planner Morgan noted that two letters had been submitted, one from the Astoria Downtown Historic District Association (ADHDA) and one from Linda Oldenkamp, which needed to be added to the record. He also said that in at least two discussions he had alerted Mr. Gillis to the fact that parking was an issue and was required.

Commissioner Womack said there was no specific prohibition for the Applicant to remodel the property and charge four or five times the existing rate. The property would still be grandfathered in under the existing Code, which says no parking is required even if it doubles or triples the number of current spaces.

City Manager Estes reminded that the Applicants have requested the opportunity to provide final written rebuttal within two weeks. He recommended that the public hearing be closed except for the final rebuttal from the Applicant and that Commission discussion and deliberation be continued to the next meeting.

President Fitzpatrick closed the public hearing except for the Applicants final written rebuttal to be submitted to Staff by 5:00 pm on June 11, 2019. Commission discussion and deliberation would be conducted at the next Planning Commission meeting on June 25, 2019.

Vice President Moore moved that the Astoria Planning Commission continue the Planning Commission's discussion and deliberation on Conditional Use Request CU19-04 by Stewardship Homes LLC to the June 25, 2019 meeting at 6:30 pm; seconded by Commissioner Price. Motion passed unanimously.

President Fitzpatrick called for a recess at 7:30 pm. The meeting reconvened at 7:38 pm.

ITEM 4(b):

A19-01B Continued from April 23, 2019 meeting: Amendment Request (A19-01B) by Community Development Director to amend Development Code sections concerning issues relative to

height, maximum gross square footage, stepbacks, and overwater development in the Bridge Vista Overlay Area (BVO) (exempted sections from A19-01A), as well as continued discussions regarding potential sub-areas within the BVO.

President Fitzpatrick asked Staff to present the Staff report.

Planner Johnson reviewed the written Staff report and said Staff needed direction on how to finish writing the Code amendments. Once the amendments had been written, they would be presented to the Commission at a future meeting for approval and a recommendation that City Council adopt them.

President Fitzpatrick opened the public hearing and called for public testimony.

Jim Knight, Port of Astoria Executive Director, 10 Pier 1, Astoria, stated so many opportunities had gone unrecognized. The area of the Port he would like to see designated as a special district will become very important to the community for the future. He gave a PowerPoint presentation, which included photographs of the Port and a map of Port properties. It is important for the community to preserve the views of the river and the historic character in the area. The pedestrian waterfront access is not used very much because it is currently a parking lot. Storm damage has resulted in several dilapidated parking lots along the waterfront. There is also public access to the deck on the Red Building. Open spaces are just to the west of the Red Building. The grassy area next the roadway is not as safe for pedestrians as he would like it to be. This part of the community has opportunities for getting the community involved in Smart City concepts. Interactive programming is now available in many communities around the world. This area of the Port has an enormous amount of open space currently being used for dog parks, sitting, and parking, which provides opportunities to do something the community can enjoy, not put buildings on. He recommended the Seafarer Building be demolished and replaced with a high-end restaurant. He believed this could be developed within the existing Code. He was not asking for changes to the Code, but to augment what the city has with a special district. The Port is currently working on a five-year strategic plan, which would be presented to the public next week. The Port was also involved with the Uniontown Reborn Project. The potential sale of Port buildings in the proposed district is coming quickly, as three buildings are currently being appraised. The continued growth of tourism is not expected to slow down. The community needs to envision the possibilities that rewards the community and attracts residents and visitors to the West Basin Marina District. The Port needs to create a plan that ensures the district is financially self-sufficient and recognizes the important symbiotic relationship between the west district of the marina and the Uniontown District. Security, parking, ingress and egress, travel routes, lighting, and design elements all need to be addressed. The Riverfront Vision Plan should be emphasized for the development of this portion of the Port. Components of the Civic Greenway should also be incorporated. He suggested a boardwalk along the waterfront that connected portions of the Riverwalk Trail, large open spaces for new outdoor waterfront events, enhanced experiences for local events and activities, and an elevated retail and tourist experience at the waterfront which supported existing businesses. He wanted to find the perfect balance of open vistas, waterfront access, and commercial activities that could support the maintenance of the new district. This could be done through the master planning process.

Commissioner Corcoran noted the boundaries shown include properties not owned by the Port.

Mr. Knight stated that during the planning process, it was very important to engage neighbors and get opinions about what they would like to see happen in the community. All property owners should be part of the planning process because there could be issues with ingress, egress, security, lighting, and parking.

Commissioner Price said the Port could do many things now, but the Port has so many other things to do that are essential to the economic vitality and viability of Astoria and Clatsop County. She asked how the Port would get around to developing a master plan that included parks and views.

Mr. Knight stated one objective at a time and one priority at a time. There is a lot on the Port's plate, but it cannot use the excuse that it has too much because the Port needs to grow. His suggestions would take months or years to come to fruition, but if the Port did not get started, then none of it would happen.

Commissioner Price asked why the Port needed a master plan.

Mr. Knight said he did not know what the neighbors perceived. The Cannery Pier Hotel, the Riverwalk Inn, the Seafarer Restaurant, and the Chinook Building might have changes in ownership. A proposed hotel in the district might have an impact on what happens in the community. Additionally, Uniontown is in the midst of the planning

process. A lot of data needs to be collected before the Port can make final decisions on how to develop that portion of the waterfront. It is important to enter into a master planning process that engages the community.

President Fitzpatrick called for public comment.

Elizabeth Menetrey, 3849 Grand Avenue, Astoria, said she was concerned that water related and water dependent uses would be allowed to have variances. She questioned what type of things would need variances from the 28 feet or 35 feet height limits. She also wanted to know what partnerships the Port was considering. At the March 13, 2019 City Council meeting, Mr. Knight spoke about Mr. Hollander and ideas about a marina village. She did not have a great opinion of Mr. Hollander and wanted to know what his ideas were for the community. The City needed to be careful about what would happen if properties were sold and who they would be sold to.

Phil Grillo said he was speaking on behalf of Astoria Warehouse Inc. He recommended the Commission approve clear and objective standards with specific numbers and ratios that do not involve the exercise of discretion. He also encouraged that more height be allowed. He believed 30,000 square feet was way too small and asked the Commission to consider floor area ratio instead of an absolute number. Hood River's waterfront code includes a specific limitation on certain types of retail and restaurant uses so as not to compete with their downtown area. In that case, a specific number is appropriate, but applying a specific number to large spaces is not. Astoria needs a clear and objective pathway in order to address housing issues. The City also needs a discretionary pathway. A planned district is a good idea, but he was concerned that a planned district would require both a legislative text amendment and a quasi-judicial permit. The most efficient way to do that would be to establish the planned district that required a planned unit development (PUD) permit. He was not sure the City was ready to do this, given the existing Code.

City Manager Estes explained that Astoria's Code does allow for PUD applications and the applications can request some exceptions. Applicants must develop a site plan, which would be treated like a zone change. Then, the project could be developed over time as outlined in the PUD.

Mr. Grillo believed the quasi-judicial method would require fewer steps. Having two processes side by side is cumbersome and might not get the city where it needs to be. He would be happy to work with Staff if the City decided to move the concept along.

Chris Farrar, 3023 Harrison Avenue, Astoria, said he liked the ideas presented about the Port property, including a pedestrian friendly development zone. He also liked the idea of cutting that out of any piece the Port may get for its own individual development plan and keep it consistent with the neighboring part of the planned zone, which would guarantee the area did not get corrupted by Port Commission activities. If the planning zones are set up for the Port and the warehouse, there should be height limitations in those areas. Heights should be kept to 28 feet unless it is a water dependent use, a real Port activity that uses the water, or the design requires it to go higher. He did not have a problem with some industrial activity along the waterfront. The City must allow a lot of flexibility but should not allow the Port to have 45-foot tall hotels if other places are limited to 28 feet. If the Port makes a plan for the area, eliminate the use of hotels within the zone. He liked a lot of what Mr. Knight showed in his presentation, but questioned whether any of it would really happen given what the community sees from the Port Commission. The City should keep a very tight reign on the Port Commission and should put constraints on development because developers are smart people with a lot of money who get the right people to design something that will work. It is not true that a building cannot be developed unless it is allowed to be 45 feet.

Will Johnson, 509 Kensington Avenue, Astoria, said he was all about having things for the public and having access to the waterfront. He understood Astoria needed businesses, but less Port growth is better. While he understood the need to plan ahead, the City would need to take care of whatever it owns. The City should take care of what it has first. Growth must happen or the community will die, but the community cannot forget its foundation. Where would people go when Astoria grows? Parking is also an issue. He did not want Astoria to be made ugly with big buildings which people do not want to see. He thanked the Commissioners for their work.

Sarah Jane Bardy, 250 11th Street, Astoria, stated she served on the Design Review Committee but was speaking as an individual. She urged the Commission to approve the Code amendments with the new height restriction across the entire zone and without exemptions for the Port or for Astoria Warehousing. A developer with an idea that would benefit the community could apply for a conditional use or a variance. While these amendments are being discussed or if the Port is granted the ability to develop a master plan, the case can be made that the Code as it exists at the time the application is submitted is what counts. Therefore, time is of the

essence. The slideshow was a poor attempt at trickery because the photographs showed the way the area looks now and had nothing to do with development in the future. She hoped no one was fooled by that. Any of the ideas proposed could have been done already and could still be done with the new Code amendments. The only reason for an exemption would be for purposes that are not being disclosed and were not laid out in the slideshow. She did not believe a height limitation would negatively impact any real development or growth.

Steve Fick, P.O. 715, Astoria, said Astoria did not know what it wanted, so there was no need to rush. The vision plan was created 10 years ago and not a whole lot had changed. Revenue is necessary to maintain development over the water. The City should take a look at where the Port is at. There is not a whole lot that can be developed on the north side of the tracks now and the water restrictions would take care of it. Some people are pushing an agenda to constrain everything so that there is no flexibility in the future. The waterfront plan was good 10 years ago and it has been working. There is no big need to change everything again.

Commissioner Price stated the Fairfield Inn resulted in the need to change everything.

Mr. Fick responded that capitalists take risks and someone is throwing millions of dollars into developing the area. The community wants middle income jobs that will provide for the community. Astoria should raise its expectations from minimum wage jobs and low-income housing to a good quality of life for the entire community.

President Fitzpatrick asked what Mr. Fick paid his entry level workers.

Mr. Fick stated pay depended on the person, but he was not paying anyone, even seasonal employees, minimum wage. He was in a struggling industry. Additionally, he never knows how much he would have or what he would have to pay for. The market is worse than farming. He offers his employees retirement, vacation pay, lunch every day, and above industry standard wages. When the government starts tying the hands of the capitalists, flexibility is necessary. Astoria has some good industries and could have more as livability issues change.

Mike Sensenbach, 110 Kensington, Astoria, hoped the Commission would give Staff the direction they need to get the amendments written so they could be recommended to City Council at the next meeting. He had sat through all but one of the Fairfield Inn hearings. After hours of public testimony and hundreds of pages of documentation, the decision came to down to three votes to approve the hotel. The majority of City Council favors the height and size restrictions being discussed to preserve views and the waterfront for the community. He wanted to see the Commission move forward as quickly as possible. The longer the process is delayed, the more of a chance that another application will come through. He appreciated everyone who put time into the amendments and he would support the Commission's recommendations.

President Fitzpatrick called for a recess at 8:40 pm. The meeting reconvened at 8:48 pm.

Planner Johnson led the discussion of the proposed amendments, answered clarifying questions about existing and proposed Codes, and posed questions of the Commission to get direction on completing the Code amendments as follows:

- Discussion of a 28-foot height limit with an allowance for variances for water dependent and water related uses up to 35 feet and with stepbacks; and an allowance for affordable multi-family housing to go up to 35 feet without a variance in the BVO.
 - Vice President Moore said he was fine with heights of 35 feet, was not attached to variances to go higher, and did not believe stepbacks were necessary. He could not find support in the Code for lowering heights.
 - Commissioner Price said it was impossible to talk about height without talking about mass. She said no to 35 feet and 30,000 square feet, 28 feet and 30,000 square feet, and new overwater development over bank height.
 - Commissioner Henri said she was a proponent of a 28-foot maximum height with exceptions up to 35 feet. She preferred that housing be allowed up to 35 feet with a variance. She agreed with exceptions up to 35 feet for water dependent uses with a variance, but she did not believe 35 feet was necessary for water related uses. Stepbacks may not be as elegant and traditional looking, but they are helpful with massing and view corridor issues.
 - Commissioner Corcoran said he was comfortable with 28 feet with the provisions that Staff described for moderate income housing and a variance to 35 feet, and a variance for over water, water dependent uses. Stepbacks are one way to get a visual corridor, but there are other ideas to consider.

- Commissioner Womack stated he did not believe there was any reason to have variances up to 35 feet. It would be better to set the maximum height at 35 feet. He preferred more creativity on view corridors, building mass, and size, but was fine with the proposed setbacks.
- President Fitzpatrick said he generally agreed with what Staff proposed. However, he agreed with Commissioner Womack that the height limit should be set at 35 feet.
- Vice President Moore explained that at the last meeting he believed the real concern people had was building widths, not massing and height. Tall buildings are not very long, but longer buildings block views of the river. He believed 45 feet was fine but made a concession on the height. He did not have any problem with a 90- by 180-foot building on the Astoria Warehousing site if the shorter side was along Marine Drive. He proposed a 60 percent maximum lot width coverage to ensure view corridors, with a maximum building width along Marine Drive of 90 feet. He presented the other Commissioners with drawings showing lot sizes in the Port area and explained what could be built and how views of the river could be opened up with his recommended requirements. Hotels have a tendency to be parallel to the river, so this may dissuade hotel development. Height is not that big of an issue. He did not like an arbitrary fixed number because the lots are a mix of huge and small. He had gone through the Riverfront Vision Plan and the Comprehensive Plan and found justification and support for his recommendations.
 - Planner Johnson responded that the lot coverage requirement was already used in some of the riverfront areas along the water and it could be applied in the BVO as well. She recommended the Commission also consider a floor to area ratio (FAR), which could keep taller buildings narrower.
 - Commissioner Henri asked Vice President Moore clarifying questions about his proposal. Vice President Moore stated he was not as concerned about FAR because the goal was to ensure views of the river. He also said he would be open to planned districts in addition to the lot coverage he had proposed.
 - Commissioner Price liked the idea of lot coverage because views are essential. She would agree to a 35-foot height limit with a 60 percent maximum lot coverage with no setbacks or variances for on land development. She remained opposed to over water development.
 - Commissioner Corcoran stated he liked the idea of lot coverage better than setbacks but was not sure about a 35-foot height limit.
 - Commissioner Womack asked how the Fairfield Inn would have been impacted by the proposed requirements. Vice President Moore explained that the hotel would have had to build two 90-foot wide buildings and its current orientation would have been prohibited. Less availability of over river views would discourage some hotel/resort development.
 - City Manager Estes clarified that the Fairfield Inn project did not have frontage on Marine Drive, and the recommended requirements were just for buildings with Marine Drive frontage. If the Commission wanted to pursue this, Staff would have to address several scenarios, including lots that do not front Marine Drive.
 - Staff also noted that the Code would need to address partial development of lots. Astoria strives for reuse of buildings rather than demolition, so the cumulative lot coverage would need to be considered.
 - Commissioner Corcoran believed the proposed requirements worked best for the Astoria Warehousing property and PUDs because other sites in the BVO seemed to present too many other challenges and considerations.
 - Commissioner Henri said she wanted to discuss FARs in addition to the proposed requirements.
- Discussion of a planned district for Astoria Warehousing and associated requirements.
 - Planner Johnson gave a detailed description of how a planned district would work, how a master plan would be adopted and implemented, and gave examples of how the Code would be applied to individual projects.
 - The Commissioners discussed height limits in the planned district. Vice President Moore said if a planned district was approved, he was fine with 45 feet if there was a concession on view corridors. Commissioner Womack also agreed that 45 feet would be appropriate. Commissioner Henri believed a maximum FAR should be required if 45 feet is allowed, otherwise, 28 feet should be the maximum height allowed with exceptions up to 35 feet. Commissioner Price preferred 28 feet with a variance to 35 feet and an FAR. Commissioner Corcoran believed a 35-height limit should be the maximum with exceptions for buildings that meet FAR requirements. President Fitzpatrick said he was fine with 35 feet and variances for up to 45 feet.
 - Commissioners discussed the purpose of a planned district, which was intended to solve unique issues in specified areas. Staff explained the difference between a variance and an exception provided in a planned district.

- Commissioner Price said she did not want the district to allow extra height because people did not expect projects to be built to the maximum limits in other areas of the riverfront. Allowing bigger developments does not make sense. She believed that once the limits are established in the Code, there would be no need for a master plan.
- Discussion of a planned district for Port properties and associated requirements.
 - Most of the Commissioners agreed 35 feet should be the maximum height limit. Vice President Moore said he would be fine with 45 feet. Commissioner Henri would agree to 45 feet if there were also restrictions on widths and massing. She also suggested a maximum frontage limit along the river.
- Vice President Moore recommended a sunset provision on both planned districts. The districts could expire or be renewed depending on the needs of the city at that time. The rest of the Commissioners agreed.
- Commissioner Price was concerned that the planned districts would not provide enough public access to the Riverwalk from Marine Drive. Vice President Moore suggested requiring a public access easement. Staff explained that the City would need a nexus for requiring public facilities on private property.

Planner Johnson confirmed she would incorporate the Commission's feedback into the draft Code amendments and present the new Code language at the next meeting.

President Fitzpatrick stated the hearing for Amendment Request A19-01B would be continued to June 25, 2019 at 6:30 pm.

REPORTS OF OFFICERS/COMMISSIONERS:

There were none.

STAFF UPDATES/STATUS REPORTS:

Save the Dates

- Tuesday, June 4, 2019 @ 6:30 pm – APC Meeting (as needed)
- Tuesday, June 25, 2019 @ 6:30 pm – APC Meeting

PUBLIC COMMENTS:

There were none.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:12 pm.

APPROVED:

[at the 6/25/2019 APC meeting / no changes]

Community Development Director