

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

<i>Astoria City Hall Council Chambers, 1095 Duane Street, Astoria</i>

Tuesday, May 6, 2014
6:30 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. **PRESENTATION**
 - a. **Astoria Downtown Historic District Association (ADHDA) Re: Downtown Planning Initiatives**
4. PUBLIC HEARINGS
 - a. Conditional Use CU14-04 by Brad Smithart to locate an arcade as indoor family entertainment in an existing commercial structure at 1084 Commercial in the C-4, Central Commercial zone. This item was continued from the April 22, 2014 meeting. Staff recommends approval with conditions.
 - b. Conditional Use CU14-02 by Kurt Englund to locate a tourist oriented retail sales establishment in the west half of the existing commercial building at 101 - 15th in the A-2A, Aquatic Two A Development and S-2A, Tourist Oriented Shorelands zone. Staff recommends approval with conditions.
 - c. Conditional Use CU14-05 by Jeannie Alexander to locate an approximate 1,764 square foot party retail and rental facility in an existing industrial building at 4025 Abbey Lane in the GI, General Industrial zone. Staff recommends approval of the request.
5. REPORT OF OFFICERS
6. ADJOURNMENT

STAFF REPORT AND FINDINGS OF FACT

April 9, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU124-04) BY BRAD SMITHART TO
LOCATE AN ARCADE AS AN INDOOR FAMILY ENTERTAINMENT AT 1084
COMMERCIAL STREET

I. SUMMARY

- A. Applicant: Brad Smithart
1650 9th Street
Astoria OR 97103
- B. Owner: Jeffrey Bjornsgard
Katherine Bjornsgard
515 Salmon Creek Road
Naselle WA 98638-9104
- C. Location: 1084 Commercial Street; Map T8N R9W Section 8CB, Tax Lot
8900; Lots 5 & 6, Block 59, McClure, and vacated portion of 11th
- D. Zone: C-4, Central Commercial
- E. Lot Size: approximately 100' x 90' (9,000 square feet)
- F. Proposal: To locate an arcade as indoor family entertainment in and existing
commercial structure

II. BACKGROUND INFORMATION

A. Site:

The one-story building is currently vacant but was previously occupied by Deals II for storage and retail sales. It is located at the corner of Commercial and 11th Streets.



B. Neighborhood:

The area is bounded on the north by other commercial buildings fronting along 11th Street and Marine Drive with Astoria Coffee House, tattoo parlor, and Bikes and Beyond; on the west by a Thai restaurant and downtown grocery store; on the east across the 11th Street right-of-way by Godfather's Books, a hair salon, Cargo retail store; on the south across the Commercial Street right-of-way by a bank, Silver Salmon Restaurant, and a furniture store.

Commercial Street is a two-lane, one-way street going east that runs parallel with the south property line of the site. 11th Street is a two-lane, one-way street going north that runs parallel to the east property line. On-street parking is allowed on both sides of each of these streets.

C. Proposal:

The applicant is proposing to locate an arcade as an indoor family entertainment facility. It would include video arcades and games of skill with some food and soda fountain area. The use would occupy approximately 4,000 square feet of the building and would all be at street level. The applicant proposes to serve alcoholic beverages (beer & wine) after 6:00 pm with adults only after 9:00 pm. Additional permits are required through the Oregon Liquor Control Commission (OLCC) and City Council. The applicant shall obtain these permits prior to serving these beverages (Condition 1).

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on March 28, 2014. A notice of public hearing was published in the Daily Astorian on April 15, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.430(5) concerning Uses Permitted Outright in the C-4 Zone lists *"Eating and drinking establishment without drive-thru facilities."*

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

Finding: The applicant intends to locate an arcade open to all ages with some food service. Both uses are allowed, food service as outright use and entertainment as conditional use. He also plans to serve alcoholic beverages in the evening which would be allowed as an eating/drinking establishment outright. The use proposed would require review as a conditional use.

- B. Section 2.445(6) for the C-4 Zone requires that all uses with access, parking, or loading areas will comply with standards in Article 7.

Section 7.180 of the Development Code states, *"Uses in the C-4 Zone are not required to provide off-street parking or loading"*.

Section 7.100.A requires that Indoor amusement and recreation provide *"One space per 400 square feet of gross floor area. . ."*

Section 11.040(A.5) concerning Special Conditions for a Conditional Use states that *"In permitting a conditional use or the modification of an existing conditional use not involving a housing development (e.g. multi-family development, manufactured dwelling park), the Planning Commission may impose, in addition to those standards and requirements expressly specified in this Code, other conditions which it considers necessary to protect the best interest of the surrounding property or the City as a whole. These conditions are: . . . (5) Increasing the required off-street parking spaces. . ."*

Finding: The subject site is within the C-4 Zone and off-street parking or loading is not required in the C-4 Zone. However, since this is a conditional use permit, off-street parking needs can be considered during the conditional use review. Therefore parking may be required by the APC if it is deemed to be necessary.

The parking impact of the entertainment facility (1/400 sqft) is higher than general retail and office use (1/500 sqft), but less impact than an eating/drinking establishment (1/250 sqft). Given the nature of an entertainment facility drawing from the younger crowd that would not be driving to the site, the parking impact should be similar to other allowable uses in the downtown. The indoor entertainment would not generate large numbers of vehicles as most patrons would be walking in the downtown area and/or frequenting other businesses such as restaurants and retail stores. Therefore, additional required parking is not warranted.

- C. Section 2.445(8) requires that signs will comply with requirements in Article 8.

Finding: No signs are proposed as part of this request. Any future sign installation shall comply with the requirements of Article 8, specifically regulations pertaining to the C-4 Zone.

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

1. Section CP.055(4) concerning Downtown Area Policies states that *"The City encourages the reuse of existing buildings prior to the expansion of commercial zones."*

Finding: The applicant is proposing to reuse an existing building. The nature of the structure with large open areas and storefront windows allows a good opportunity for adaptive reuse for the proposed

entertainment facility. The applicant would be improving the building to make it more conducive to the proposed use and would need to work with the Building Official on any needed upgrades to the building for the proposed use (Condition 2).

2. CP.015(1) concerning General Land and Water Use Goals states that *"It is the primary goal of the Comprehensive Plan to maintain Astoria's existing character by encouraging a compact urban form, by strengthening the downtown core and waterfront areas, and by protecting the residential and historic character of the City's neighborhoods. It is the intent of the plan to promote Astoria as the commercial, industrial, tourist, and cultural center of the area."*

Finding: The proposed entertainment facility would allow for continued compact urban form development of an area currently serviced by City utilities. Astoria is becoming the cultural center of the region with its numerous historic properties and districts, and with the increase of breweries and distilleries, the downtown is becoming a destination for tourists. The proposed use of the building for entertainment has the potential to become another draw for the downtown redevelopment.

3. CP.200(6) concerning Economic Development Goals states that *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."*

Finding: The existing building is not designated as historic but has been a part of the downtown since its construction in 1949. It has been underutilized for many years except for some storage/retail sales uses in the building. Approval of the conditional use for the entertainment facility would give the property owner the ability to have the space rented to provide additional funds to support the continued maintenance of the building. It is necessary to have tenants in the buildings to help defray part of the maintenance/restoration expenses, which can be costly.

4. CP.205(1) concerning Economic Development Policies states that *"The downtown core of Astoria, generally extending from Sixth to Sixteenth Streets, and from the waterfront to Exchange Street is the retail, service and governmental center of the area. The City, through its zoning actions and support of the Astoria Downtown Development Association, will promote the Downtown."*

CP.200(2) concerning Economic Development Goals states that *"The City of Astoria will assist in strengthening the City's Downtown core as the retail center of the area, with the support of the Downtown Association and the Downtown Manager."*

CP.200(3) concerning Economic Development Goals states that *"The City of Astoria will encourage the broadening of the economy, particularly in areas which help balance the seasonal nature of existing industries."*

CP.205(5) concerning Economic Development Policies states that *"The city and business community should develop a cooperative program for strengthening and upgrading the core commercial area's competitive position."*

Finding: The existing buildings and businesses in the area are active participants in the downtown core commercial area. They are visually and physically linked to the downtown and help strengthen the downtown as a central business district. The possible use of this building for indoor family entertainment and eating area would support the economic health of the area. The proposed use would strengthen the downtown as well as provide year round job opportunities.

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

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

Finding: The site is easily accessible to pedestrians, bicyclists, vehicle traffic, and those using public transit. The existing building was constructed and used for a pharmacy until 1983 and a shoe store. Other tenants were a tire store, Western Auto Supply, Antique Mall, and Deals Only Two. Use as an indoor family entertainment arcade would change the nature of the site from mostly retail to entertainment. Both are pedestrian related uses. There would be no large scale deliveries to the building with the arcade as opposed to the former retail facilities. The proposed use required a conditional use permit no matter in which zone it is located.

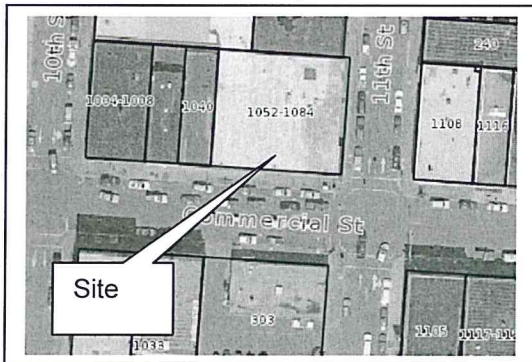
The uses would benefit from a downtown location due to the pedestrian traffic and the close proximity to other similar tourist oriented and sales and services facilities such as art galleries, restaurants, retail sales, and other general commercial businesses. The site is appropriate for the proposed use.

- F. 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 two streets as it is a corner lot at 11th and Commercial Streets. On-street parking is available on both sides of all streets that surround the site. The entire building is approximately 9,000 square feet on the main floor plus a basement area and only 4,000 square feet is proposed to be utilized by the applicant. The remaining portion of the building would be used by Deals Only Two or other future tenants. Section 7.180 of the Development Code states, “*Uses in the C-4 Zone are not required to provide off-street parking or loading*”. The outright uses allowed within the zone would require more parking for eating/drinking establishments (1/250 sqft) and less parking for office and retail uses (1/500 sqft) than an entertainment facility (1/400 sqft). The parking impact of the entertainment facility would be minimal and similar to the average of the approved uses. Therefore, additional required parking is not warranted. Loading and unloading can be done on the street as there are few off-street loading areas in the downtown area.

Sidewalks for pedestrians, bicycle facilities, public transit are in close proximity to the site and vehicle access is readily available to the site to accommodate visitors using various modes of transportation.



Garbage collection is provided by Recology/Western Oregon Waste (WOW) under contract with the City. The applicant shall work with Recology on the location and size of the refuse collection area for the proposed use (Condition 3). Solid waste disposal areas shall be screened from view. At this time, the disposal area is located within the building and placed on the City sidewalk on collection days. This process is not anticipated to change.

- G. 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 businesses and development, there will be incremental impacts to police and fire protection. The Building Official and Fire Chief has indicated that the change of occupancy from mercantile (retail) to an assembly occupancy (entertainment facility) could require changes to the building for exiting and fire protection. This type of use may require possible conditions such as installation of a fire suppression system.

Prior to use of the building, the applicant shall obtain a building permit and/or change of occupancy permit to be reviewed and approved by the Building Inspector to assure that the services are adequate to accommodate the proposed use (Condition 2). The applicant has been meeting with the Building Inspector concerning the proposed use.

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

Finding: No exterior construction is proposed as part of this request. The site is not within 100' of a known geologic hazard area. Additional studies are not required.

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

Finding: The building is existing and encompasses the entire parcel. No additional landscaping requirements will be imposed as part of this request.

VI. CONCLUSIONS AND RECOMMENDATIONS

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

1. If the applicant proposes to serve alcoholic beverages, additional permits are required through the OLCC and City Council. The applicant shall obtain these permits prior to serving these beverages.
2. Prior to use of the building, the applicant shall obtain a building permit and/or change of occupancy permit to be reviewed and approved by the Building Official to assure that the services are adequate to accommodate the proposed use.
3. The applicant shall work with Recology on the location and size of the refuse collection area for the proposed use.
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

BUILDING CODES

MAR 20 2014

CITY OF ASTORIA

No. CU 14-04

Fee: \$250.00

CONDITIONAL USE APPLICATION

Property Address: 1084 Commercial St, Astoria OR 97103

Lot 5-6 Block 59 Subdivision McClure

Map 8CB Tax Lot 8900 Zone C-4

Applicant Name: Brad Smithart

Mailing Address: 1650 9th St Astoria, OR 97103

Phone (503) 791-9081 Business Phone (503) 791-9081 Email: bsmithart@gmail.com

Property Owner's Name: Don Sloan

Mailing Address: 1173 Commercial St Astoria, OR 97103

Business Name (if applicable):

Signature of Applicant: [Signature] Date: 3/20/14

Signature of Property Owner: [Signature] Date: 3/15/14

Existing Use: Vacant - Storage

Proposed Use: Classic Arcade

Square Footage of Building/Site: 2500+ 4,000 sq 100' x 90'

Proposed Off-Street Parking Spaces: Street Parking X
to locate an arcade as indoor family entertainment in an existing commercial structure.

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:	3-24-14
Labels Prepared:	3/24/14	Tentative APC Meeting Date:	4-22-14
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.

Site is centrally located. Proposed business of Classic Arcade will help bring additional clients for existing businesses without impeding their revenues

- 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.

Site will operate as a green property implementing green recycling solutions. Limited transportation activities - Monthly supply deliveries

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

Site will be utilizing latest energy efficiency and energy conservation practices

- 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.

Site has always been commercially used

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

Site has appropriate sidewalk standards

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



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: May 2, 2014

TO: PLANNING COMMISSION

FROM: BRETT ESTES, COMMUNITY DEVELOPMENT DIRECTOR /
ASSISTANT CITY MANAGER

SUBJECT: CONDITIONAL USE CU14-04 BY BRAD SMITHART

The attached memorandum from Deputy Police Chief Brad Johnston, regarding the Conditional Use permit CU14-04 by Brad Smithart, is attached for your review and as an attachment to the original Staff Report for this case.



CITY OF ASTORIA
POLICE DEPARTMENT

DATE:

M E M O R A N D U M

TO: Astoria Planning Commission

FROM: DEPUTY CHIEF JOHNSTON

SUBJECT: CONDITIONAL USE REQUEST 1084 COMMERCIAL

The Astoria Police Department has researched the issues surrounding the new business proposed to be located at 1084 Commercial Street. The business proposed there would be an arcade which serves Beer, Wine and Cider. These businesses are commonly called Barcades. The Police Department is concerned about a business that purports to be aimed at "young people" that is also licensed to serve alcohol. There is no other similar business model in the City of Astoria. In Oregon all of the similar businesses we could locate are in large metropolitan areas and clearly targeted at young drinkers. All of them offer substantial food service in addition to the arcade games and the alcohol service. The applicant does not plan to offer any food other than gourmet hot dogs.

When interviewed relating to his liquor application Mr. Smithart indicates that he would like to have an occupancy of 50-100 people with 85 machines and no table service. He wants to have a split bar that on one half serves alcohol and on the other half is a soda fountain. Mr. Smithart plans to monitor this with one person on the floor and one behind the bar. He offers only a minimal plan on how to keep minors and adults consuming alcohol from comingling to the point that there is no consumption of alcohol by minors accompanying adults.

Mr. Smithart offers that he is designing this business specifically to attract children with the alcohol being a side interest. This makes sense with the food service options proposed the types of games proposed, and the soda bar. Without alcohol this is a promising proposition. The addition of alcohol to an environment targeted toward youth is contrary to every other message we are trying to send as a community.

Mr. Smithart has offered that he will serve alcohol after 6:00 PM and that the facility would be closed to minors after 9:00 PM. This is a more significant restriction than the most significant minor posting likely to be handed out by OLCC, unless they make a determination that alcohol consumption is the primary purpose of the business, and then it might be posted as no minors. That determination will not be made until after the City makes a recommendation on the Liquor License. Without any restrictions placed by the Astoria Planning Commission the applicant will be much less restricted than his proposal.

In this case, the primary proposed use is the arcade. It is not accessory to any other use. Since the proposed arcade is in the downtown zone and is being classified as indoor family entertainment and not adult entertainment the family age use of the facility should be limited and not include the hours where liquor is served. Once the facility changes to a primary use of eating and drinking the arcade use becomes accessory to the eating and drinking use and should be limited to adults only, similar to bars with video lottery machines, pool tables, shuffle board, etc.

The department requests that the Planning Commission place a special condition on the approval of the zoning change to restrict the presence of minors during hours that alcohol is served.

STAFF REPORT AND FINDINGS OF FACT

April 8, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU14-02) BY KURT ENGLUND FOR VINTAGE
HARDWARE TO LOCATE A TOURIST ORIENTED RETAIL SALES AT 101 15TH
STREET

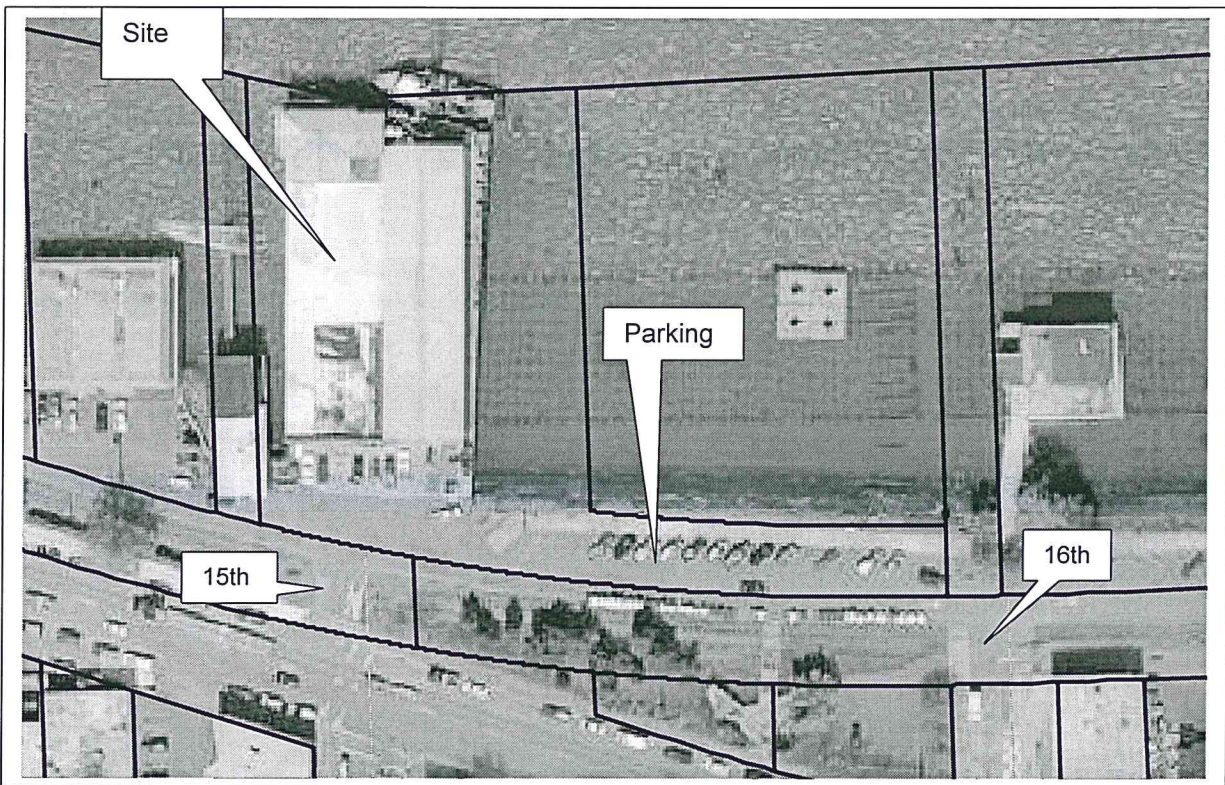
I. BACKGROUND SUMMARY

- A. Applicant: Kurt Englund
Englund Marine
PO Box 296
Astoria OR 97103
- B. Owner: Englund Marine Supply Co (Tax Lot 500)
PO Box 296
Astoria OR 97103
- OR Division of State Lands (Tax Lot 501)
Englund Marine Supply Co
101 15th Street
Astoria OR 97103
- Division of State Lands
Submerged Lands Leases
Jim Grimes
775 Summer Street NE, Suite 100
Salem OR 97301
- C. Tenant: Vintage Hardware
380 14th Street
Astoria OR 97103
- D. Location: 101 15th Street; Map T8N-R9W Section 8DB, Tax Lots 500, 501,
580
- E. Zone: A-2A Aquatic Two-A Development
S-2A Tourist-Oriented Shoreland
- F. Proposal: To locate Vintage Hardware as a tourist oriented retail sales in the
existing waterfront commercial building

II. BACKGROUND

A. Subject Property

The subject property is located at the foot of 15th Street north of the Trolley line. A small portion of the lot is shoreland while the majority of the lot is in the Columbia River. Submerged lands are owned by the Division of State Lands (DSL) and the property owner of the "tax lot" must lease the submerged lands from DSL for any use or construction. The property owner may need to update their lease with DSL and should provide the City with a copy of the approved lease (Condition 1). The west portion of the site is currently developed with the former Englund Marine Supply Co. which relocated to 95 Hamburg Avenue. The west portion of the building is currently vacant but has been used for several community events such as the Bicentennial, Goonies Celebration, and Garden of Surging Waves display. The east portion of the building is used by Englund Marine for storage. The adjacent site to the east is vacant except for a historic pile field and a small concrete slab. A portion of the City River Trail is constructed on the shoreland portion of the lot under a revocable agreement between the City and property owner. Parking is located on the land portion of the lot.

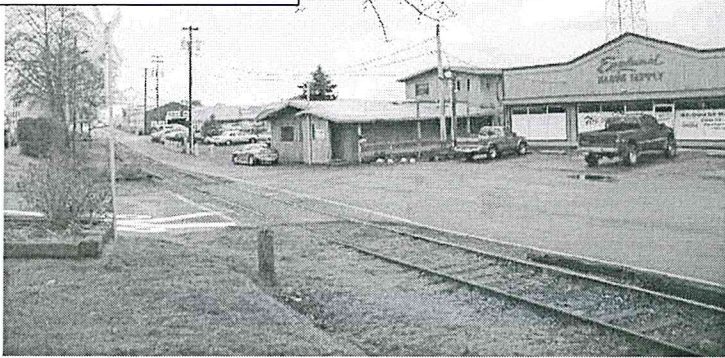


B. Adjacent Neighborhood

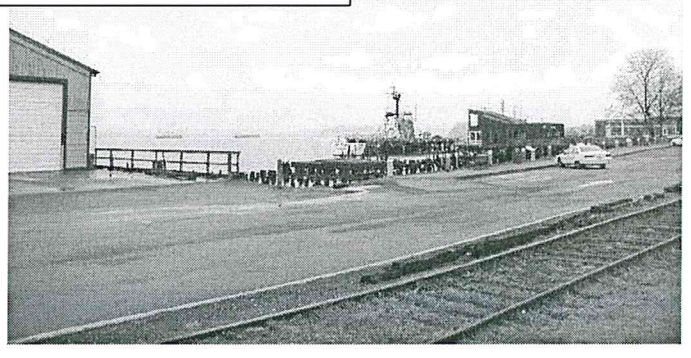
To the west of the site is a waterfront building formerly occupied by KVAS Radio and several miscellaneous retail sales establishments. To the south is the City trolley line, 16th Street People Places Park, and the Marine Drive right-of-way. To

the east is a City-owned parcel within the former 16th Street right-of-way which was vacated, and the Bar Pilots office building. Further to the east is the USCG mooring, City transient moorage for tour boats, and the Columbia River Maritime Museum (CRMM). To the north is the Columbia River.

15th St looking west



15th Street looking east



C. Proposed Use

The applicant proposes to locate Vintage Hardware from their current location within the John Jacob Astor Hotel Apartments building at 14th and Commercial. The use is considered as tourist oriented retail sales. No exterior building alterations are proposed. The east portion of the building is currently used for storage by Englund Marine. Any possible use of this space by Vintage Hardware for storage would be considered as a continuation of an existing use (ie. storage) and would not require conditional use review. At this time, Vintage Hardware proposes to only use the bay door in the east portion of the building for access and deliveries.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet, pursuant to Section 9.020 on March 28, 2014. A notice of public hearing was published in the Daily Astorian on April 15, 2014. Comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Development Code Section 2.565(2), Development Standards and Procedural Requirements for the A-2A Zone, states that *"When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent provision."*

Finding: The applicant proposes to locate the tourist oriented retail establishment within the existing building located in the A-2A Zone (Aquatic Two A Development). The parking associated with this use would be located within the S-2A Zone (Tourist Oriented Shoreland). The more stringent provision of each zone will be applied to this request as applicable.

- B. Development Code Section 2.560(12) allows *“Tourist oriented retail sales establishment which provides significant visual access to the waterfront”* as a conditional use in the A-2A zone.

Development Code Section 2.705(1) allows *“Tourist oriented retail sales establishment”* as an outright use in the S-2A zone.

Finding: The proposed use is allowed as an outright use in the S-2A Zone and as a conditional use within the A-2A Zone. The use requires a conditional use permit.

The site is mostly submerged lands which are owned by Oregon Division of State Lands. The applicant may need to obtain an amendment to the existing Submerged Lands Lease for the proposed use.

- C. Section 2.540(1) for the A-2A Zone and Section 2.715(1) for the S-2A Zone states that *“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. . .”*

1. Section 4.160(1) concerning Residential, Commercial and Industrial Development standards of the Columbia River Estuary and Shoreland Regional Standards states that *“sign placement 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: Signage is not proposed with this application. A sign permit will be required for any signs at this location and will be reviewed against this Development Code standard and the Sign Code standards.

2. Section 4.160(2) concerning Residential, Commercial and Industrial Development standards of the Columbia River Estuary and Shoreland Regional Standards states that *“Off-street parking may only be located over an aquatic area if all of the following conditions are met:*
 - a. *Parking will be on an existing pile-supported structure; and*
 - b. *Suitable shoreland areas are not available; and*
 - c. *The amount of aquatic area committed to parking is minimized; and*
 - d. *The aquatic area is in a Development designation.”*

Finding: Parking is existing on the adjacent upland shoreland area. No new over-water parking is proposed.

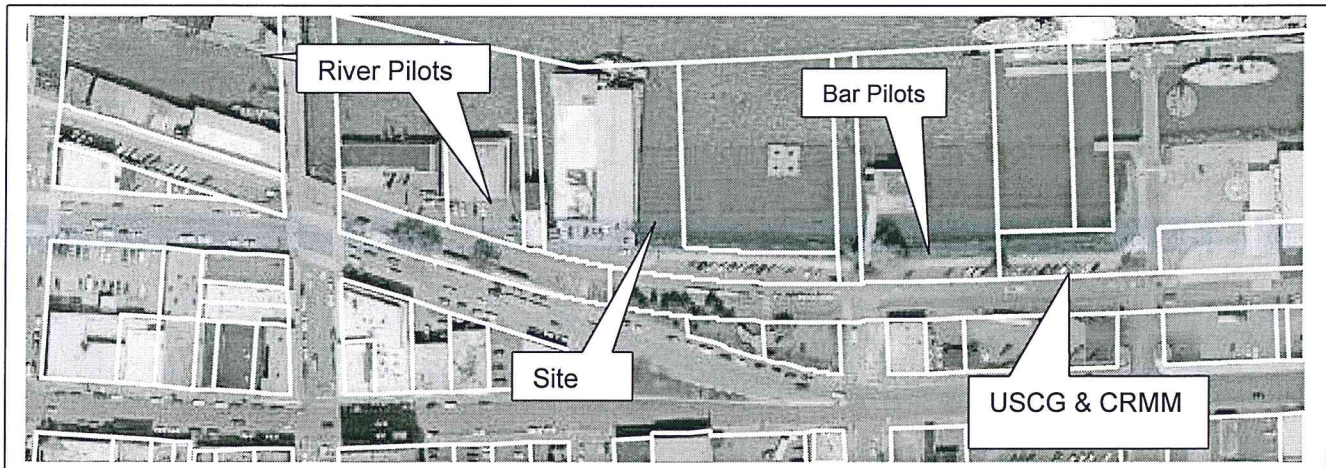
Finding: The proposed use satisfies applicable Columbia River Estuary Shoreland and Aquatic Area Use and Activity Standards in Article 4.

- D. Section 2.565(4) concerning Development Standards and Procedural Requirements in the A-2A Zone states that *“Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity. Particular attention shall be given to the possible impacts of traffic generation and parking on the operation of existing or probable water-dependent uses.”*

Finding: The building is existing and has been mostly vacant since Englund Marine moved in 2006 other than sporadic use for community events. The east side of the building has continued to be used by Englund Marine for storage. No new construction is proposed with this request.

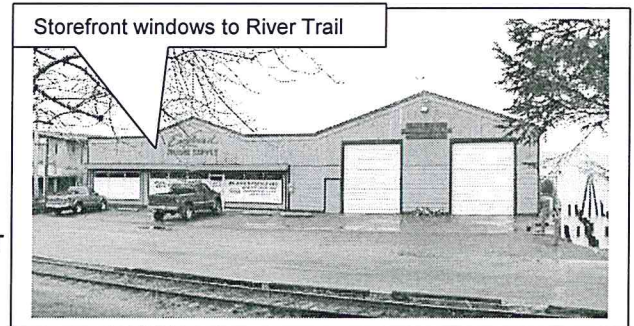
With changes in the fishing industry in the Columbia River area, the need for water-dependent facilities along the downtown waterfront is declining. With the cost to build over the water, the lack of need for water-dependent commercial development in the downtown, it is unlikely that a water-dependent or water-related facility would be located or constructed at this site. The Code states that it should not preclude “probable” future water-dependent use. Use of the building as a tourist oriented retail facility would not preclude a future water dependent use.

There is the possibility of impact from this project on “. . .parking on the operation of existing or probable water-dependent uses”. If ample parking is not provided, the overflow from this project will encroach on the parking areas for the adjacent businesses. Therefore, sufficient parking should be provided for the proposed use. Ample parking is being provided as noted elsewhere in these Findings to minimize the impact on the adjacent uses.



- E. Development Code Section 2.715(6) for the S-2A zone states that *“Commercial and recreational facilities having a tourist orientation shall be designed to take maximum advantage of river views.”*

Finding: The building is existing and has limited windows. The windows face north from the warehouse/storage area of the building and south along the front of the building facing the parking and River Trail. Having the commercial use fronting the River Trail provides better access to the use while maintaining some views of the river.



- F. Section 2.715(3) for the S-2A Zone concerning Development Standards and Procedural Requirements states that *"Uses located between 8th and 14th Street are not required to provide off street parking or loading. Uses located in other portions of the S-2A zone shall comply with access, parking, and loading standards in Article 7."*

Finding: The site is located between 15th and 16th Street in the S-2A and A-2A zone therefore off-street parking and loading is required.

- G. Section 7.010(A) requires that *"off-street parking areas and off-street loading areas meeting the applicable requirements of this section shall be provided and maintained. . ."*

Section 7.100(I) concerning Minimum Parking Space Requirements requires one off-street parking space per 500 square feet of gross floor area for retail sales establishments.

Section 7.100(F) concerning Minimum Parking Space Requirements requires one off-street parking space per 1,500 square feet of gross floor area for wholesale, warehousing, and similar use.

Section 11.040(A.5) concerning Special Conditions for a Conditional Use states that *"In permitting a conditional use or the modification of an existing conditional use not involving a housing development (e.g. multi-family development, manufactured dwelling park), the Planning Commission may impose, in addition to those standards and requirements expressly specified in this Code, other conditions which it considers necessary to protect the best interest of the surrounding property or the City as a whole. These conditions are: . . . (5) Increasing the required off-street parking spaces. . ."*

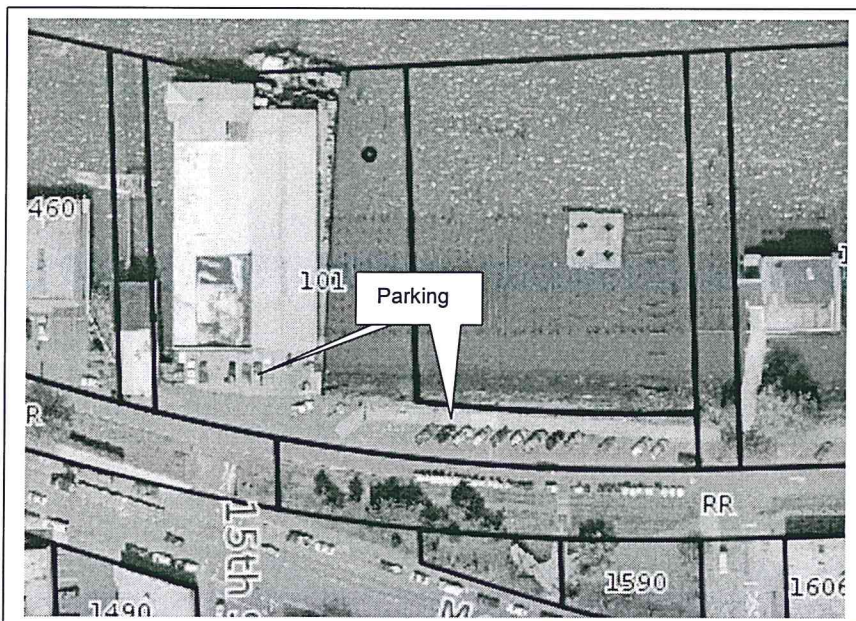
Finding: Proposed use of the building is for a mixture of warehousing/storage by Englund Marine and retail sales. The APC may impose additional parking requirements if it is needed. There has been an incremental increase in the uses in the downtown and along the River Trail that have put increasing demands on parking in the downtown area. Many areas that were once utilized for overflow parking such as the Maritime Museum (CRMM), unimproved waterfront areas, and street area adjacent to vacant buildings is no longer available. Any new

development needs to address the actual impact of its parking needs on the downtown area.

There are 25 on-site parking spaces for this building. The retail sales will encompass the west half of the building with 8,250 square feet. At one space per 500 sqft, the use would require 17 parking spaces. However, not all of the space would be devoted to retail sales as there would be a large area used for warehousing / storage for the retail sales establishment, which would reduce the amount needed for the proposed conditional use. The warehouse half of the building would require one space per 1,500 sqft or 6 spaces. The total parking needed for the proposed uses would be 23 spaces or less. Ample parking is provided for the proposed use.

- H. Section 7.110(E) concerning Parking and Loading Area Development Requirements states that *"Parking or loading areas having more than 4 spaces shall be designed so that vehicles do not back into public streets, or do not use public streets for maneuvering. All entrances and exits onto public streets shall first have a driveway permit from the Engineering Department and shall be designed and constructed to City standards."*

Finding: The parking along the south edge of this property is existing and will have approximately 15 parking spaces that will back out into the City owned trolley line that is currently used as a travel lane. This is not a dedicated right-of-way and therefore this code does not apply. Many of the parking areas along the waterfront back out into the City trolley line and vehicle travel lane and this would be similar to other development.



- I. Section 7.110(G) concerning landscaping states that *"Landscaping shall be provided as required in Section 6.170 and Sections 3.105 through 3.120."*

Section 7.170 concerning Landscaping of Outdoor Storage or Parking Areas states that *"A minimum of 5% of the gross parking lot area shall be designed and maintained as landscaped area, subject to the standards in Sections 3.105 through 3.120."*

Finding: The building and parking are existing. No additional landscaping is required.

- J. Section 7.160(C) concerning Minimum Loading Space Requirements requires one loading zone of 12 foot x 55 foot x 14 feet high for commercial projects between 5,000 square feet and 59,999 square feet.

Finding: The project consists of 8,250 square feet of commercial space which would require one loading zone. With the excess of parking spaces provided, and the bay door access in the east half of the building with room in front of the building, there is ample space for the required loading area as needed.

- K. Section 11.020(B)(1) concerning Conditional Uses Application and Procedures, requires that the proposed use comply with the applicable policies of the Comprehensive Plan.

- a. Section CP.020(3) concerning Community Growth Plan Strategy states that *"The Columbia River waterfront is considered a multiple use area. The development of this area is to be encouraged in a flexible manner, under the shorelands and estuary section."*

Finding: The subject site is located on the Columbia River waterfront. The shorelands and estuary sections of the Astoria Development Code (specifically the A-2A and S-2A Zones in this case) allow for retail sales through a Conditional Use process. Such use also is required to meet other applicable provisions of the Astoria Development Code and Astoria Comprehensive Plan. Applicable policies of the shorelands and estuary section are being addressed during the conditional use process. The proposed development is consistent with this section of the CP with some commercial use.

- b. CP.055(4) concerning the Downtown Area Policies states that *"The City encourages the reuse of existing buildings prior to the expansion of commercial zones."*

Finding: This building is existing and has been vacant for several years except for some community special event use. Reuse of the existing building is consistent with this CP section.

- c. CP.055(5) concerning the Downtown Area Policies states that *"Shoreland zone policies and standards will be designed to encourage public access along the downtown waterfront."*

Finding: Downtown relative to the Comprehensive Plan is described as *"Downtown extends from Fifth Street to Sixteenth Street, and from the pier head line in the Columbia River to Exchange Street."* The structure is located between 15th Street and 16th Street, south of the pier head line to the approximate shoreline. The proposed use of 8,250 square feet of commercial space along the west portion of the existing building adjacent to the River Trail would continue to provide public access to this area. The proposed use is consistent with this section of the Comprehensive Plan with some commercial use.

- d. CP.185(N.1) concerning Regional Estuary and Shoreland Policies states that *"New non-water dependent uses in aquatic areas or in areas zoned Marine Industrial Shorelands shall not preclude or pose any significant conflict with existing, proposed or probable future water-dependent uses on the site or in the vicinity."*

Finding: No new construction is proposed with this use. The proposed use will not affect the existing water-dependent uses in the vicinity. As noted above, the use would not preclude possible future water-dependent uses in the area.

- e. CP.200.1, Economic Development Goal 1 and Goal 1 Policies, states that *"The City of Astoria will strengthen improve, and diversify the area's economy to increase local employment opportunities."* Policy: *"Encourage, support, and assist existing businesses."*

Finding: Relocation of the existing business to this location would allow expansion of the business which will increase local employment opportunities. The proposed tenant has been searching unsuccessfully for a new location for a while. Approval of the conditional use would assist this business in its efforts to find a new location and retain this business in the downtown retail core.

- f. CP.202.1, Economic Development Goal 3 and Goal 3 Policies, states *"Strengthen the City's downtown core as the retail center of the region, with the support from the Astoria Downtown Historic District Association."* Policy: *"Promote Astoria's downtown core. The downtown core of Astoria, generally extending from 6th to 16th Streets, and from the waterfront to Exchange Street is the retail, service and governmental center of the region."*

Finding: This site is located within the downtown core and with its location on the River Trail is a primary retail location to attract both locals and tourists.

- g. Section CP.210.1 concerning Economic Development Recommendations states that *"The City should reevaluate its plan and zoning designation for its waterfront in light of the decline of the fishing industry. The reevaluation should focus on the waterfront's potential for tourist oriented development. Plan policies and implementing measures should be developed to encourage and promote tourist oriented development of the waterfront. Possible rezonings should include the A-1 area between 6th and 10th Streets, and in the vicinity of the Samuel Elmore Cannery."*

Finding: The proposed use as tourist-oriented retail sales is encouraged by the CP. The River Trail is used widely by tourists and local citizens and the waterfront is being developed with multiple tourist oriented facilities. The interactivity of any commercial facility enhances the tourist-oriented nature of the area.

Finding: The proposed uses comply with the applicable policies of the Comprehensive Plan with the conditions as noted.

- L. Section 11.030(A), 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. 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 appropriate at this location. Other uses in the area include the River Pilots' offices at 14th Street, the Bar Pilots' offices at 16th Street, Maritime Museum at 17th Street, commercial and retail facilities across Marine Drive. The site is within walking distance to other downtown services, which would encourage pedestrian traffic rather than the need for the use of private vehicles. The proposed uses could be located in other commercial zones, but the desirability of a waterfront location near to the tourist oriented uses and tourist facilities such as the Trolley line and River Trail, make this a desirable site for the facility. The site is also a large building with off-street parking which is needed for the warehouse/storage of the large furniture items for sale in the retail space. There are limited number of buildings in Astoria that meet the need for space, parking, and easy accessibility to tourists and customers. With the decline in the need for water-dependent commercial space in the downtown area as these uses relocate to the Port and East end of town, rejuvenation of the downtown with some retail development that provides adaptive reuse of vacant buildings in the downtown is appropriate. To have commercial, tourist related, and other

commercial uses along the waterfront creates an activity in the area that promotes a healthier downtown. This criteria is met.

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.”*

Development Code Section 2.715(2), Development Standards and Procedural Requirements for the S-2A Zone states that *“Outdoor storage areas will be enclosed by appropriate vegetation, fencing, or walls.”*

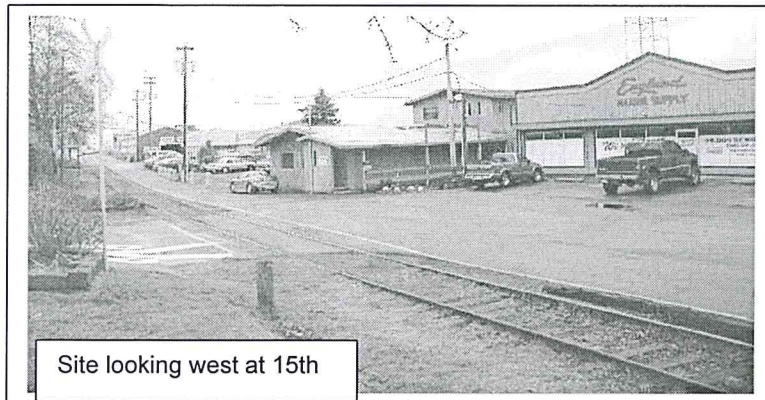
Finding: Access to this site crosses the City-owned trolley line at both 15th and 16th Streets. These crossings have existed for years and the amount and frequency of traffic would be less than the former Englund Marine store. Both uses are retail in nature.

The existing refuse collection area is located inside of the building. The applicant should work with the City's solid waste disposal company, Recology, on the location of the receptacle area and access by Recology vehicles. Any solid waste disposal area shall be screened from view. The applicant should submit a plan for the enclosure to the Planner for review and approval if outdoor storage is proposed.



As noted above, there is off-street parking for the proposed and existing uses and ample room for a loading area.

The site is accessible by pedestrians, is close to public transportation, and is located near major traffic routes notably Marine Drive and Commercial Streets. The site is also adjacent to the City's trolley line. There is a one-way road going west to east on the south edge of this property in the City's trolley line. This would be the access to the site from 15th Street heading towards 16th Street. The site has no street frontage.



Compliance with this section is met.

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: Most utilities are available in the area and are capable of serving the use. The subject building historically housed a retail establishment with storage and the proposed use would continue that trend and would not have a negative impact on Police or Fire protection. This criteria is met.

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 subject site is flat, and almost completely over water. The site is not located within 100' of a known geologic hazard area, and is located in Flood Zone AE "Special Flood Hazard Area subject to inundation by the 1% annual chance flood - (Base Flood Elevation 12') of the Flood Insurance Rate Map, Community Panel Number 410028-0229-E, dated September 17, 2010. The site is located within the Tsunami Inundation Zone as noted on the US Department of the Interior Geological Survey map as prepared by the Corps of Engineers. No new construction is proposed and the building is existing. Therefore, the site is adequate for the proposed use. This criteria is met.

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

Finding: The A-2A and S-2A zones do not require landscaping. However, 5% of the parking area is required to be landscaped. Both the building and parking are existing and therefore, no additional landscaping would be required. This criteria is met.

V. CONCLUSION AND RECOMMENDATION

Based on the Findings of Fact above, the request, in balance, meets the applicable review criteria. Staff recommends approval of the request with the following conditions:

1. The applicant shall provide a copy of the approved Division of State Lands (DSL) permit/submerged land lease to the Community Development Department indicating that the proposed use is approved by DSL.
2. The applicant shall work with the City's solid waste disposal company, Recology, concerning the size and location of the refuse collection area. The area shall be screened from view. Site plan and design of any exterior refuse area shall be submitted to the Planner for review and approval.



CITY OF ASTORIA
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COMMUNITY DEVELOPMENT

No. CU 14-02

Fee: \$250.00

CONDITIONAL USE APPLICATION

Property Address: 101 - 15th

Lot — Block — Subdivision — ☒

Map 8 DB Tax Lot 500 Zone A2A pk in 32A

Applicant Name: Kurt Englund, Englund Marine Flood zone AE
410028-0229E

Mailing Address: POB 296, Astoria

Phone: — Business Phone: 325-4341 Email: Kenglund@englund

Property Owner's Name: Englund Marine marine.com

Mailing Address: —

Business Name (if applicable): 330-14th St, Astor 325-1313 Astor Properties ofc
Astoria Vintage Hardware (proposed tenant)

Signature of Applicant: K Englund Date: 3-10-14

Signature of Property Owner: K Englund Date: 3-10-14

Existing Use: east 1/2 Englund Marine Storage & west 1/2 vacant

Proposed Use: west 1/2 antique & house item retail sales & storage
"tourist oriented retail sales"

Square Footage of Building/Site: West 1/2 = 8,250 sq ft

Proposed Off-Street Parking Spaces: 25

to locate a tourist oriented retail sales establishment in the west
half of the 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:	<u>3/10/14</u>	Permit Info Into D-Base:	<u>3/11/14</u>
Labels Prepared:	<u>3/11/14</u>	Tentative APC Meeting Date:	<u>4/22/14</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.

located in downtown on River Trail & Follen line, accessible from Marine Drive; tourist retail sales are ideally located along River Trail & in downtown close to other similar uses. Need for large storage area limits available locations.

- 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.

Site has on-site parking with street access from Marine & roadway along Follen line @ 14th & 15th w/ exit on 16th. Ample visibility for vehicles, pedestrian walkways; all exterior solid waste disposal areas will be screened from view.

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

previous use was retail/storage - existing services - no increased needs

- 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.

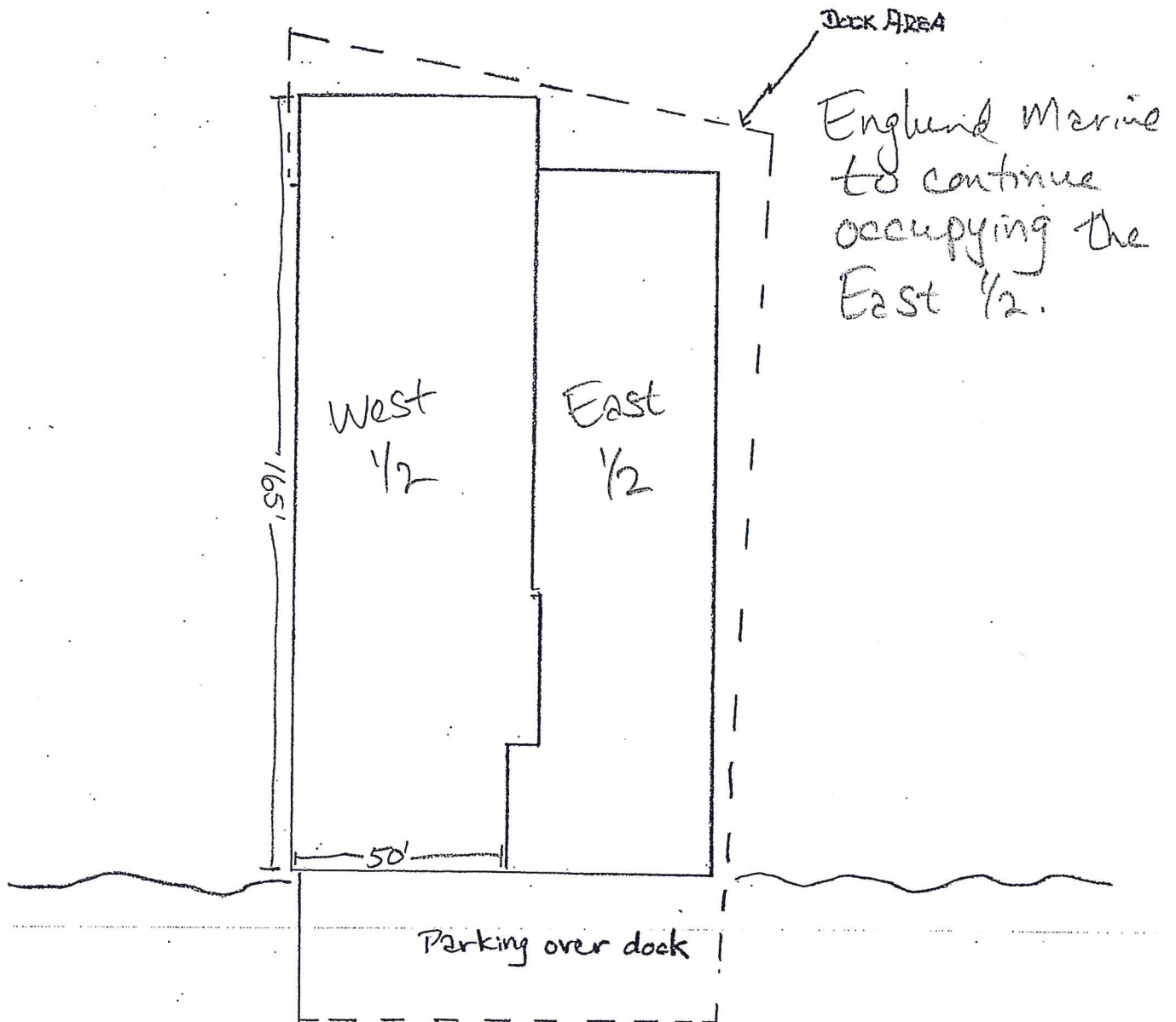
No construction proposed,

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

No add landscaping required - no change to site

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

Vintage Hardware to occupy the West $\frac{1}{2}$. Approximate square footage is 8,250.



STAFF REPORT AND FINDINGS OF FACT

April 24, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU14-05) BY JEANNIE ALEXANDER TO
LOCATE A RETAIL FACILITY AT 4025 ABBEY LANE

I. Background

- A. Applicant: Jeannie Alexander
Party Jesters
92927 Keller Road
Astoria OR 97103
- B. Owner: Hotel Gearhart Inc.
Blake Osburn
PO Box 2468
Gearhart OR 97138
- C. Location: 4025 Abbey Lane; Map T8N-R9W Section 9AD, Tax Lot 904; Lot 3, Astoria Business Park
- D. Zone: GI, General Industrial
- E. Lot Size: Irregular lot approximately 257' x 116' (39,049 square feet)
- F. Request: To locate a retail sales and party rental facility in an existing industrial building

II. BACKGROUND

A. Subject Property

The property is located on the south side of Abbey Lane on the east end at the cul-de-sac. The structure is one story tall with general industrial uses in the building.

B. Adjacent Neighborhood

The neighborhood is developed with a mixture of industrial, commercial, and residential uses. To the west is two other Astoria Business Park buildings with Fastenal construction supplies, AAMCO, automotive repair/detailing, carpet store,



and agym. To the north across the Abbey Lane right-of-way is a vacant lot and the two Cannery Loft Condominium buildings with residential use above the first floor and general industrial spaces on the ground floor. To the east is a vacant wetlands area with City River Trail.

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 party supply store with retail sales, rentals, and tuxedos in approximately 1,764 square feet of the existing industrial building. The General Industrial Zone allows up to 20% of some non-industrial uses on the ground floor.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on April 10, 2014. A notice of public hearing was published in the Daily Astorian on April 29, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.480.7, Conditional Uses in the GI Zone, lists *"Retail sales establishment not exceeding 3,000 square feet of gross floor area proposed as part of a mixed use (see limitations specified in Section 2.485(12))"* 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 retail sales and rental establishment in approximately 1,764 square feet of the existing building. The gross floor area of the industrial building is approximately 16,128 square feet. The maximum square footage allowed for non-industrial uses is 20% which would be 3,225 square feet. The proposed use would be approximately 10.9% of the building. A portion of the

use will be warehousing of party supplies for rent which would reduce the actual square footage used for the retail portion of the establishment. There are no other known non-industrial uses in this building. This criteria is met.

- 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: There are several non-industrial uses within the Cannery Lofts Condominium buildings that would be included in the over maximum for the site. The proposed use is for “retail sales and rentals” which is not included in the list of uses limited to 30% of the site. This section does not apply.

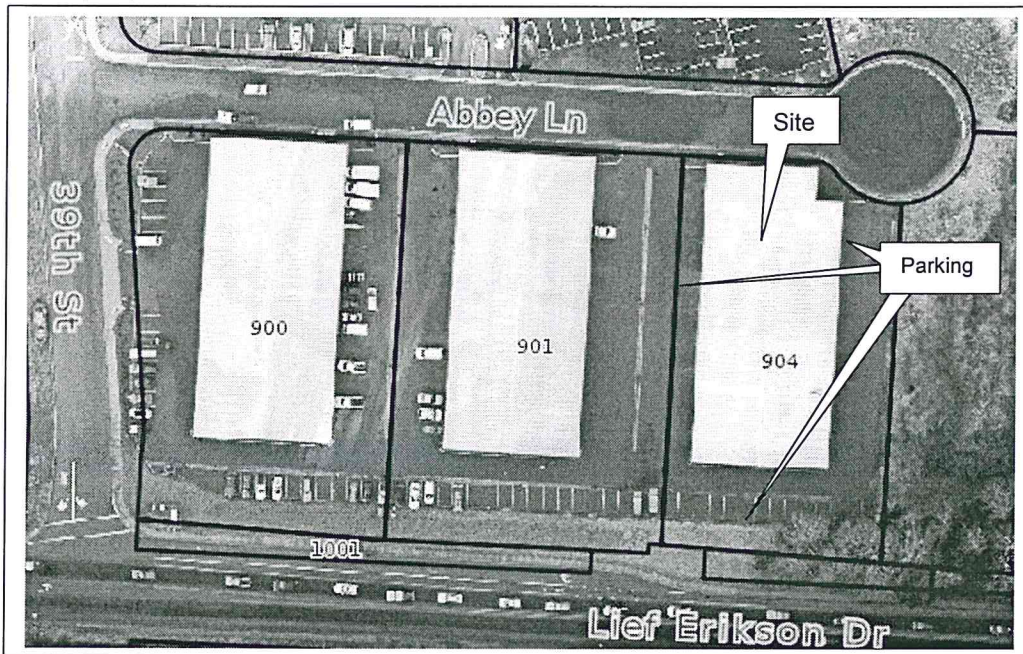
- C. Section 2.485(2) Other Applicable Use Standards, Parking, states *“All uses will comply with access, parking and loading standards in Article 7. Where feasible, joint access points and parking facilities for more than one use should be provided. Within the GI Zone, on-street parking fronting on 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(F), Minimum Parking Space Requirements, for wholesale, warehousing, and similar use requires one space per 1,500 square feet gross floor area.

Section 7.100(I), Minimum Parking Space Requirements, for Retail Sales, requires one off-street parking space per 500 square feet of gross floor area.

Finding: The industrial complex was constructed with parking in the common areas between the buildings with additional parking to the south. The proposed use has a mixture of retail space and storage area totaling 1,764 square feet. At 1/500 sqft for retail, the site would require 4 parking spaces. However, a portion of the building will be warehousing of rental stock at 1/1,500 sqft which would require less parking. Parking on the site is shared and with the existing industrial

uses that require less parking, there is ample parking for the mixed use needs of the proposed business.



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 retail/rental facility is a new business to Astoria. The existing industrial spaces are underutilized. By allowing the proposed retail/rental business in compliance with the maximum 20% for the site, it allows for this new, year-round business while retaining the ability to utilize the remaining units for a more industrial use. The proposal helps diversify the industrial site.

Finding: The proposed use complies with the Comprehensive Plan.

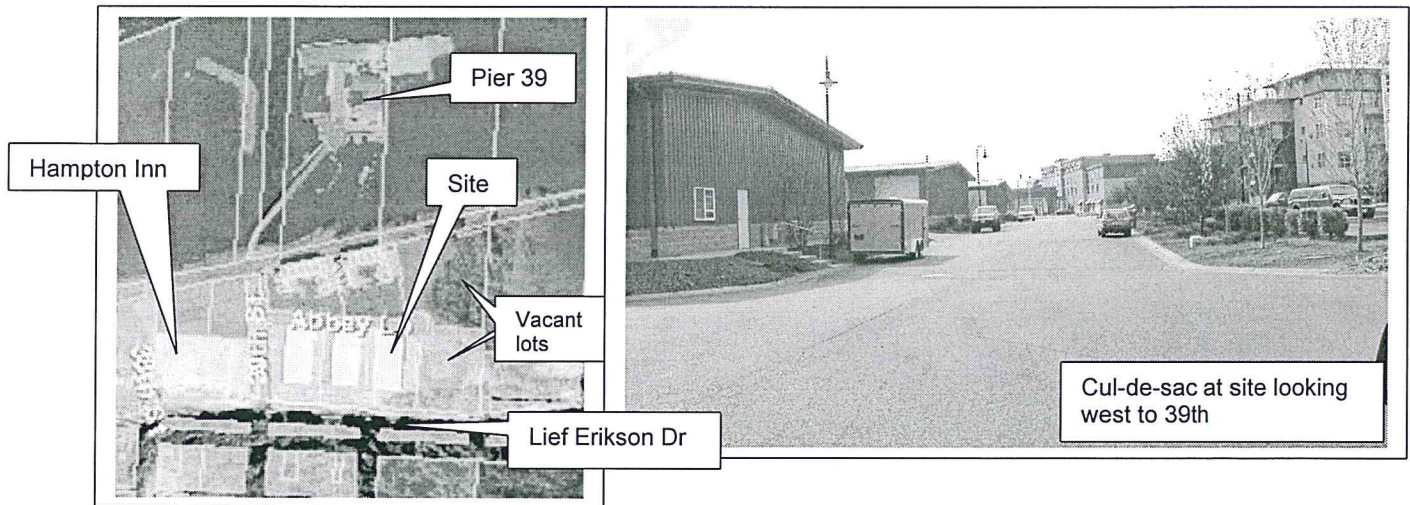
E. Section 11.030(A) requires that *"before a conditional use is approved, findings will be made that the use will comply with the following standards:"*

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 mostly retail with customers physically coming to and from the site for both retail and the rental portion of the operation. Other zones which allow this type of use outright are available. However, the applicant also needs the larger warehouse nature of this site for the rental portion of the business. With the need to load the rental items there is a need for a location with off-street parking.

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 Hampton Inn Hotel. However, the proposed use should not add a large volume of vehicle trips to the site due to the nature of the business generally for standard vehicles versus the larger trucks associated with allowable industrial uses. With the recent property sale, it is unknown when the vacant site to the north across Abbey Lane or the vacant site to the east would 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.



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 developed and landscaped and is buffered from other uses. No additional landscaping is required.

V. CONCLUSIONS AND RECOMMENDATIONS

Staff recommends approval of the request based on the findings of fact above.

The applicant should be aware of the following requirements:

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

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



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT



No. CU 14-05

Fee: \$250.00

CONDITIONAL USE APPLICATION

Property Address: 4025 Abbey Lane Suite 4 Astoria OR 97103
Lot 3 Block - Subdivision Astoria Business Park
Map 9AD Tax Lot ~~80909AD0094~~ 904 Zone G1 OK

Applicant Name: Jeannie Alexander / Party Testers

Mailing Address: 92927 Keller Road Astoria OR 97103

Phone: 503 741-0509 Business Phone: 503 468-0885 Email: partytesters@gmail

Property Owner's Name: Burr Osburn

Mailing Address: PO Box 2468 Gearhardt OR 97138

Business Name (if applicable): Hotel Gearhardt Inc

Signature of Applicant: [Signature] Date: 4-2-14

Signature of Property Owner: [Signature] Date: 4-2-14

Existing Use: Warehouse space 16,128 sq bldg.

Proposed Use: party store w/tx & party rentals 20% = 3,225 sq

Square Footage of Building/Site: 1764 sqt warehouse space (11%)

Proposed Off-Street Parking Spaces: main

to locate an approx 1764 sq retail & rental facility in an existing industrial building in the G1 zone

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>4-17-14</u>
Labels Prepared:	<u>4/7/14</u>	Tentative APC Meeting Date:	<u>5/27/14</u>
120 Days:			

April 2, 2014

City of Astoria

Attachment for conditional use application

Submitted by Jeannie Alexander Party Jesters

Filing Information

11.030(A)(1) Astoria Business Park complies with all the needs for our customers to access the store. There is no aspect of potential blocking traffic or any public use areas.

11.030(A)(2) Astoria Business Park has plenty of space for parking and loading.

11.030(A)(3) Our store will not exceed normal use of utilities or cause unusual use of public services.

11.030(A)(4) Not Applicable: existing building

11.030(A)(5) The building is compliant

11.030(B) Not Applicable



4025 Abbey Lane Suite 4
Astoria, Oregon 97103
503 468-0885
partyjesters@gmail.com

To: Sherry

Subject: Business Sign Codes

Good Morning, I am opening a new business called Party Jesters. We are located by Pier 39 and I would like to be clear on what are the restrictions for business advertising with signs on the building and alongside Hwy 30. Other tenants have signs posted on the grass above the warehouse space I am at.

Also if you could include any fee schedule I will need to pay.

Thank You

Jeannie Alexander

Owner/Operator

A handwritten signature in cursive script, appearing to read "Jeannie Alexander", written in black ink.