

A regular meeting of the Astoria Common Council was held at the above place at the hour of 7:00 pm.

Councilors Present: Nemlowill, Jones, Price, Brownson, and Mayor LaMear.

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Cosby, Finance Director Brooks, Deputy Fire Chief Halverson, Public Works Director Harrington, City Forester, City Engineer Crater, City Planner Ferber, Planning Consultant Morgan, Library Director Pearson, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### REPORTS OF COUNCILORS

- Item 3(a): Councilor Jones had no reports.
- Item 3(b): Councilor Price had no reports.
- Item 3(c): Councilor Nemlowill had no reports.
- Item 3(d): Councilor Brownson had no reports.
- Item 3(e): Mayor LaMear had no reports.

### CHANGES TO AGENDA

There were none.

### CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes of February 5, 2018
- 5(b) Boards and Commission Minutes
  - (1) Library Board Meeting of October 24, 2017
  - (2) Library Board Meeting of November 28, 2017
  - (3) Parks Board Meeting of January 24, 2018

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Jones, to approve the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

### REGULAR AGENDA ITEMS

- Item 6(a): Public Hearing and Ordinance: Amendment A17-02 by Garry Vallaster, Astor Venture, LLC, represented by Jennifer Bunch, dba Wickiup Consulting, LLC, for a map amendment to the development Code to change zoning from Attached Housing-Mill Pond (AH-MP) to Local Service (LS) on approximately 1.04 acres (45,452 sq. ft.) of land, and also a text amendment to remove certain uses from the LS Zone between 23rd and 29th Streets north of Marine Drive. The intent is to construct a retail grocery that will accommodate the expansion of the Astoria Co-op Grocery

On January 24, 2018 the Planning Commission voted to recommend approval of a proposed map and development code text amendments for property located at the northeast corner of 23rd and Marine Drive. The applicant has requested the amendment to permit the development of the Astoria Coop grocery. The proposed map amendment would extend the Local Service (LS) zone east across 23rd Street to incorporate approximately one acre of land for the grocery. Text amendments would allow (east of 23rd) retail sales up to 14,000 square feet without providing housing, eliminate (also east of 23rd) single family dwellings, business

service establishments, gasoline service stations, transportation service establishments, and allow building heights of up to 45 feet.

It is recommended that the City Council hold a public hearing and consider the Planning Commission's recommendation.

Mayor LaMear asked if anyone objected to the jurisdiction of the City Council to hear this matter at this time. There were no objections. She asked if any Councilor had a conflict of interest or ex parte contact to declare.

Councilor Nemlowill declared that she was the marketing director for the Astoria Co-op. She recused herself and stepped down from the dais.

Later in the meeting, Councilor Brownson stated he had been an owner of the Co-op for several years, but that would not influence his decision in any way.

Mayor LaMear 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. She opened the public hearing at 7:06 pm.

City Manager Estes presented the written Staff report. Correspondence received after the agenda packet was published and provided to the Council.

Mayor LaMear called for a presentation by the Applicant.

Jennifer Bunch asked City Council to consider the Planning Commission's recommendation to change the zoning from Attached Housing – Mill Pond (AH-MP) to an amended Local Services (LS) Zone. Via PowerPoint, she displayed a list of the uses allowed in the AH-MP zone and the proposed uses in the amended LS zone, which were very similar. The adjacent C-3 commercial zone on the south side of Marine Drive had more intense and industrial types of uses. The amended LS zone would be a natural progression between the AH-MP and the C-3 zones. As required by the State of Oregon, she conducted a traffic impact analysis and Transportation Planning Rule assessment. The analysis and assessment were conducted by DKS from Portland. DKS also developed the City of Astoria Transportation System Plan (TSP) so they are very familiar with the area and community. A traffic impact analysis looks at existing conditions, infrastructure, traffic volumes, safety, an impact analysis, site access, trip generations, distribution of the trips, background traffic information, and a Transportation Planning Rule assessment that identifies impacts in 20 years.

- She displayed a map of the area included in the traffic study, which included the intersections of Marine and Commercial, Marine and Exchange, Marine and 23<sup>rd</sup>, and Marine and 29<sup>th</sup>. Marine and 23<sup>rd</sup> would be the main access point to the site. Traffic counts at those intersections were conducted on Wednesday, September 6, 2017, after school was back in session but there was still quite a bit of tourist traffic. The studied intersections were monitored through mobility targets intended to maintain a minimum level of efficiency for motor vehicle travel. The study used a volume to capacity ratio, which is the number of vehicles on a roadway at a particular time divided by the capacity of the roadway. A ratio of 1 indicates the transportation facility is at capacity and a ratio less than 1 indicates acceptable mobility.
- She indicated on the screen where the loading dock would be located on the site, which would be accessed off 23<sup>rd</sup> Street. She also indicated the location of the two access points into the parking lot from Steam Whistle Way. According to the transportation impact analysis, this project was not expected to generate much travel through the neighborhood to the north and east of the site. Steam Whistle Way currently has a 20-foot right-of-way and an 18-foot travel surface. Pending the City's approval, the Mill Pond Homeowner's Association has agreed to allow the Applicant to widen the right-of-way by four feet to 24-feet with a 22-foot wide travel surface. She indicated this on the screen and noted the widening would be along the full length of the tax lot. Signage would be installed to encourage drivers to turn left out of the parking instead of traveling through Mill Pond.
- The study estimated the number of vehicles added to the surrounding roadway network as a result of the project. The trip generation analysis for the co-op was estimated using similar land uses reported by the Institute of Transportation Engineers. In this case, the supermarket was used. She displayed a table that summarized the expected trip generation for the co-op. At the peak hour of 4:15 pm to 5:15 pm at the 23<sup>rd</sup> St intersection, an estimated 36 percent of the trips generated by the co-op would be diverted

trips from Highway 30. These drivers would already be passing by the co-op, not making a trip specifically to the co-op. From Highway 30, there would be 21 trips into the co-op and 20 trips back out of the co-op. This would leave 73 new trips, 37 in and 36 out, during the peak hour.

- Trip distribution involves estimating how project generated traffic would leave and arrive at the site. A zone analysis based on a regional travel demand model was used. An estimated 75 percent of the traffic would arrive from the west and 25 percent would arrive from the east.
- The Transportation Planning Rule analysis projected mobility standards in the area 20 years from now. The 2039 zone change scenario included 12,000 square feet of retail on the site, which is 6,000 square feet more than the TSP scenario was based on. The added traffic associated with the zone change would have little impact on traffic operations when compared to the 2039 TSP baseline operations. Three of the studied intersections were expected to operate at a volume to capacity ratio of 0.86 or better and meet mobility standards. The TSP already anticipated that the intersection at Exchange would exceed the volume to capacity ratio by 2039. The project would have little or no impact because only five percent of trips generated by the co-op would come from Exchange St. The TSP recommends a traffic signal or roundabout at the intersection of Exchange and Highway 30 and this analysis reaffirms the need for improvements at that location.
- The report concluded that no transportation facilities would be significantly impacted and the Plan amendments would not degrade the performance of existing or planned transportation facilities.
- She displayed comments submitted by the Oregon Department of Transportation (ODOT), which noted the zone change would not significantly affect surrounding transportation systems. ODOT was in agreement with the proposed zone change because the Transportation Planning Rule had been satisfied. The City of Astoria Engineering Department also reviewed the transportation impact analysis and had not identified or voice any concerns. Public testimony submitted so far indicated concerns that land for multi-family workforce housing would be removed and that housing would suffer. The map amendment would remove just over one acre from the AH-MP zone to transfer it to the LS zone. This would not significantly impact the supply of commercial or residential land. The Buildable Lands Inventory still identified 52 acres in the R-3 zone and 23 acres in the R-2 zone available for family housing with approximately 26 units per acre. If the zoning map amendment was approved and the co-op was not built after two years, the City would rezone the property back to AH-MP or another acceptable zone. The Applicants fully support that as a condition of approval. The current zoning would allow three or four 6,000 square foot buildings on the entire two-acre lot. Three or four different businesses could have a larger impact than an 11,500-square foot co-op building. She had already covered the traffic. Widening Steam Whistle Way would be addressed during the design review.

Mayor LaMear called for testimony in favor of the request.

Matt Stanley, 664 Kensington Ave, Astoria, said he had a page and a half of comments and would appreciate being given enough time to finish what he had to say. He had been the general manager of the Co-op for the last ten years. He asked members of the audience to raise their hands if they supported the Co-op. He believed the most powerful piece of evidence was the letter from Paul Benoit. Mr. Benoit was Community Development Director when Mill Pond was under development and he worked with Art Demuro and the community to design and implement a vision for this part of town. In particular, Mr. Demuro had a vision for the part of Mill Pond referred to as the Wauna site at 23<sup>rd</sup> and Marine Drive. He desired a development at this site that would reflect and serve Astoria. Mr. Benoit asserted in his letter that 'I can think of no better use than the Co-op to finally realize the long-held vision that Art Demuro and the City had for this site.' Mr. Benoit's letter emphasized that the zoning intended to prevent large box retailers who would not reflect Astoria. He asked City Council to seize this opportunity to ensure the fulfillment of a 20-year old vision by making appropriate adjustments to zoning that enables this project, which is critical to the community. The Co-op is a business owned by and operated for Astorians. It has taken the Co-op almost five years to get to this point. This project is viable and ready to move forward with the City's approval. The Co-op has made decisions conservatively and their planning for this project has been thorough and sound. The shoppers and the broader community have been engaged and the Co-op knows that 98 percent of the people who have engaged supported the project. Astoria wants an Astoria-owned grocery store to expand its services and thrive. This was made clearer than ever when the Co-op raised over \$1.6 million for the project in September and October 2017 from about 170 community members who each invested \$10,000 in the project. Site selection took several years. Several market studies paid for by the Co-op showed it was imperative to be located on the main thoroughfare in town in order to remain competitive and generate the level of sales necessary to add services the community wants. These additional services include a full-service deli, indoor and outdoor seating, expanded local seafood and meats, and ample parking for their growing numbers of shoppers. During the site selection process, it became clear that it would be difficult to find a



site within a mile of downtown. In order to afford this project, the Co-op needed a partner willing to invest significant money to build a shell that would meet the needs of a grocery store with loading gates and significant off-street parking. The Co-op does not have a Plan B. There is no other site available for the Co-op that has such ideal retail characteristics and a developer partner. A vote against the zone change would severely limit the Co-op's ability to maintain itself as a viable business in Astoria. The investments made by Co-op owners were specific to this site and the Co-op would have to return the funds if the request is denied. Natural foods are mainstream. A competitor opened last week in Warrenton. This is a time when Astoria is losing businesses and institutions that drive the local economy. The closing of Astoria Warehousing meant 20 jobs and families have left the city, as well as significant economic activity. Voting in favor of this request would allow the creation of 35 new jobs that pay an average wage of almost \$17.00 per hour. The Co-op supports local farmers and producers by selling their products. For every dollar spent at the Co-op, \$1.60 is generated in the local economy. Over 4,000 households are Co-op owners who want to see the Co-op thrive in a similar fashion as some of the best food co-ops in the country. The impact to the community would be meaningful jobs and local foods. The Co-op needs this site in order to make the store a national leader. The Co-op will make City Council proud to have voted in favor of this request when making the Astoria Co-op part of the gateway to the city.

Arlie Jensen, 1885 Huckleberry Dr, Seaside, said she owned the first four lots in Mill Pond and the garages have direct access on to Steam Whistle Way. She supported the Co-op, but was concerned because Steam Whistle Way was the only access to those homes. Her husband is handicapped and the garage entrance provides ADA access. Additional traffic would be challenging. She only heard about this project a few days ago, but understood the Mill Pond Homeowners Association was aware of it. Earlier that day, she sent a letter to Planning Consultant Mike Morgan. She was concerned about safety and accessibility.

Norma Hernandez, 92335 Youngs River Rd, Astoria, said that while the economic development aspect of this project was important, so was the educational component. Families want to live healthier and the Astoria Co-op can provide a healthy living initiative through its partnerships with the Astoria Food Web and Astoria Parks and Recreation. The Co-op is involved in the community in a way that for-profit organizations are not and they care about the community's well-being. How can the Co-op educate the community without enough products or space? The project is about a healthy way of living and partnerships that develop the community. She asked City Council to consider approving the request. The Co-op has been owned by Astorians for more than 40 years and it needs to grow in order to provide better services and more jobs.

Misha Cameron-Lattek, 1820 SE 3<sup>rd</sup> St, Astoria, said an expanded Co-op would have an economic impact on local growers in Clatsop County. He co-owns a café in Astoria that sources much of its ingredients locally. He works with farmers, growers, and foragers from Puget Island to Nehalem to get chicken, beef, cheese, greens, and herbs source within an hour's drive. Currently, the Co-op has a lot of local produce and that would strengthen with a larger produce section in the store. Providing a larger marketplace for the young farm families is an important aspect of the economic impact this project would have. Astoria is surrounded by farmers who are customers, friends, and people who should be supported. Farmers markets allow farmers to sell their produce seasonally, but the Co-op is the only place where local growers can sell year-round.

Mayor LaMear called for testimony against the application.

Jim Wolcott, 2735 Mill Pond Ln, Astoria, said when the Co-op first proposed expanding to this location two years ago he was Chair of the Mill Pond Homeowners Association. The association welcomed the proposal and their only caveat was that access had to be on 23<sup>rd</sup> St. Steam Whistle Way has an 18-foot wide roadway and a dual-wheeled one-ton pick-up truck is eight and a half feet wide. Two of these trucks passing on an 18-foot wide road would leave one foot for access on either side and in the center. Adding four feet to Steam Whistle Way would only move incidents a few hundred yards to the east because it would not be possible to widen the entire street. Mill Pond Ln is also a narrow road. When traffic passes, one side much yield. Astoria requires all homes in Mill Pond to be sprinkled because fire trucks have a difficult time accessing the neighborhood on the narrow roadways. He welcomed the Co-op if there was a way to manage ingress and egress on 23<sup>rd</sup> St. He did not welcome the dangerous situation that might exist from increased retail traffic on an 18-foot wide road, even if it were widened to 22-feet for a few hundred feet. There are two senior citizen apartment complexes with people who have limited mobility. They access Mill Pond and the Riverwalk using scooters, walkers, and wheelchairs primarily via Steam Whistle Way.

Mayor LaMear called for the Applicant's rebuttal.

Ms. Bunch stated Mr. Wolcott made all of the same points in a letter received on March 2<sup>nd</sup>. Adding four feet to the right-of-way and road width on Steam Whistle Way would result in a 22-foot wide road and a 24-foot right-of-way, which would address concerns about the properties to the north. She had been negotiating with the current head of the homeowner's association and they have a tentative agreement on delivery hours so that deliveries would not occur during the middle of the night. Deliveries would occur on 23<sup>rd</sup> after 6:00 am. Currently, the AH-MP zone allows commercial and retail uses in 6,000 square foot buildings. The store would not be 25 feet from residential properties, as stated in Mr. Wolcott's letter. The right-of-way would be 24 feet and there would be a sidewalk and landscaping along Steam Whistle Way. She had discussed with the homeowner's association Mr. Wolcott's concerns about the Co-op becoming a magnet for vagrant elements of the community. Fencing would be installed and there would be no can return machines to prevent loitering.

Councilor Price confirmed sidewalks would extend around the entire site.

Mayor LaMear closed the public hearing at 7:40 and called for Council discussion and deliberation.

Councilor Brownson stated he had been an owner of the Co-op for several years, but that would not influence his decision in any way. He listened to the entire Planning Commission hearing and read through all of the letters. The three concerns that stood out were traffic, rezoning instead of a variance, and the impact to the neighborhood. He believed it was unfair for an applicant to say they had no Plan B and would be doomed if the City Council did not grant their request. The Co-op could provide a better argument and he disregarded the comment. He heard references to the homeowner's association, but there had been no representation of the association. He did not find the traffic study very compelling because it was just a snapshot taken outside of the busiest time in that area. He drives on 23<sup>rd</sup> in the summer and knew what it took to get out on to the street from City Lumber. Not that many people turn left on to 23<sup>rd</sup> because they know better. Instead of turning left, local people wind through Mill Pond to the stoplight to get out on to the highway. He believed the improvements proposed for Steam Whistle Way would be good. It might be a good idea to consider making that portion of Steam Whistle Way one-way traffic to the west. However, he understood why the people who had houses there were concerned; they would be directly impacted. The entire highway from Alderbrook into town was already problematic, especially during the summer and on weekends. The stoplight at Safeway backs traffic up and the highway is the only way in to Astoria. He hoped the City would begin looking at that entryway if this project is approved. The intersection at 23<sup>rd</sup> St awkward and something needs to be done make the traffic situation better through that part of town because other new developments would happen in that area. If the Co-op did not expand to that site, four retail businesses could go in and create additional traffic. He was also concerned about spot zoning, which is zoning to accommodate one business or person. This rezoning request was very similar to spot zoning and he did not want people to perceive that the City was doing something out of line. The condition of approval requiring the City to revert the rezoning if the Co-op was not built in two years suggests that the City is doing something special for one business. The City would not likely consider a rezoning request for this site if the applicant was a dollar store, an outlet mall, or something other than a local institution that is respected. If this rezone is approved, he preferred the zoning remain. And if the Co-op is not built, another company could build on the site. He believed the Co-op was trying very hard to be a good neighbor, but he wanted to hear from the homeowner's association. A lot of times, concerns about impacts to the neighborhood are perceived, but are not reality. City Council needs to consider the real potential impact.

Councilor Jones said it was great that an Astoria business wanted to grow, create more jobs, and provide products that Astorians seem to want. He valued the letter written by Mr. Benoit because he was not in Astoria when Mill Pond was built. It seems the rezoning would be in keeping with the spirit and intent of the original Mill Pond design that included single-family homes, senior living, apartments, town homes, and some retail all within walking distance. He agreed with Councilor Brownson's concern about the traffic impact study's credibility. He asked what the impact to the City would be if this project resulted in the need for a traffic light.

City Manager Estes said as traffic changes over time, the City must discuss the impacts with ODOT because the highway is controlled by ODOT. Warrants must be met in order for ODOT to consider adding a traffic signal to an intersection and payments for such improvements would be coordinated with ODOT. In this case, it would not be possible for the City to require the developer to make traffic improvements on the highway.

City Engineer Crater added that all traffic studies are based on standards and other studies. Trip generations have been defined very well and the City knows that a 1,000-square foot retail business would generate a set



range of traffic. There would not be a substantial jump unless the nature of the business changed. The current TSP identified the need for a signal or roundabout at Exchange St and coordinate the signals at Safeway and 30<sup>th</sup> St. The signal coordination project is more likely to be funded and that could help mobility. If something created more traffic than anticipated, the City would discuss the issue with ODOT and pursue grant funding. However, he did not anticipate that this project would increase traffic in the area.

Councilor Price said the City was considering the rezoning because the Co-op was a beloved community organization. She was concerned about the traffic study because it focused on additional trips on Marine Drive and did not consider the traffic impacts on Steam Whistle, which would be huge. In order for the store to succeed, there would need to be at least 120 cars in and out of parking lot on to Steam Whistle every day. That would be significantly more traffic than Steam Whistle currently has. There is no left turn lane from Marine Drive on to 23<sup>rd</sup> St going east. This could cause serious problems during peak traffic times. Access to Exchange St and the hospital could be blocked. She appreciated that the Applicants were negotiating with the homeowner's association to expand Steam Whistle. The AH-MP zone includes conditions for outdoor lighting in residential areas. The proposed LS zone does not include these conditions, but lighting would be considered during the design review process. Each lot or parcel in the AH-MP zone must abut a street alley or access easement of a width of at least 25 feet. The proposed LS zone would get close to that, but would still have a lot of traffic on a small street. She confirmed sidewalks were required for new developments. Housing with this development would not be considered, but new development should make an equitable contribution to future upgrades to public facilities and services. This is why widening Steam Whistle was necessary, but she believed one of the conditions should require sidewalk on the housing side of the street. She stated she was a member of the Co-op. She believed the interest in making this zoning change was to create a good space for a local community owned business that offers living wages. The City has good economic reasons for approving this request. She wanted to know how the City could address the lack of a left turn lane from Marine Drive on to 23<sup>rd</sup>. She also wanted to know if the Co-op could find a way to install sidewalks on the housing side of Steam Whistle. City Manager Estes explained that right-of-way dedications and taking of lands would be necessary to install sidewalks on the north side of Steam Whistle.

Councilor Price said the widening would decrease the property that the Co-op was asking for by five to ten feet. The sidewalk would be built out in the current roadway. City Manager Estes said that would require a complete rebuild of Steam Whistle and additional right-of-way dedications. City Engineer Crater added that Steam Whistle was an alley and did not have pedestrian improvements. The alley is developed 100 percent from property line to property line with a mountable curb and pavement. In order to put a sidewalk on the north side, the street would need to be shifted over five feet and realigned so it connected with the regular road section. Not all of the property owners would want to give up extra space. It would be challenging to make those changes even along that small stretch. He stated the homeowner's association was concerned about the lack of a turn lane on to 23<sup>rd</sup> from Marine. Staff asked ODOT to analyze this concern and after doing so, ODOT made no changes to their comments on the traffic study. Staff would address this issue during the design review process if this request is approved. City Manager Estes confirmed that the City cannot require ODOT to accept a turn lane.

Councilor Price asked if Staff had spoken with the hospital about these issues. The City should be honest that they would be approving this business for economic reasons and that would cause traffic nightmares. City Engineer Crater said the Engineering Department had not interfaced with the hospital on this specific issue. The Engineering Department typically gets involved during the design review process.

Mayor LaMear said she wanted the Co-op located on that site, but was very concerned about the traffic implications. Steam Whistle does not have enough room for two cars to pass. It did not make sense to have two entrances on Steam Whistle because it is an alley. It would be a nightmare for the people who live there. She concluded that ODOT must think there are problems in that area because the TSP says a traffic circle or light is necessary. City Engineer Crater explained that the TSP was a 25-year projection and the volumes of traffic at Exchange St and Marine Dr are getting close to the 20-year projection and would be near a volume to capacity ratio of one. That is the trigger for intersection improvements. The Applicant's traffic study did not know any differences at that intersection in the year 2039. That is why they stated there would be no significant impact at Exchange St. The volume of hospital traffic was far greater than a proposed development on the lot.

Mayor LaMear said she understood this application was about zoning, not transportation impacts. However, the traffic impacts would be huge. She was undecided because she wanted the Co-op in that location, but did not want access off of Steam Whistle Way. Marine Dr needs a stop sign or traffic circle. City Engineer Crater

explained that the Public Works Department considers how a change in use due to rezoning could add intensity. This discussion would not be necessary if the proposal was for a use that was allowed outright, like the Wauna Federal Credit Union proposal. That proposal was for a 21,000-square foot, three story building, which would have generated more trips during the peak hour than the current proposal. Current uses in the existing zone could create an equal amount of traffic.

Councilor Jones said he was pleased to hear about the other projects under consideration and that traffic issues could be addressed upstream and downstream from the proposed Co-op site. He asked what issues would remain under negotiations if this zone change request were approved. City Manager Estes said upon approval of this request, the Applicants would submit a Design Review application, which would allow the Design Review Committee (DRC) to review a site plan and all the architectural details. The Mill Pond Homeowner's Association would be involved in the design review process because they have their own design standards that are in addition to the City's design requirements. Access points would likely be discussed, but the DRC focuses more on the building and landscaping. The traffic issues would be reviewed by the Planning and Public Works Departments during the review process to determine whether the project met minimum City and ODOT requirements.

Mayor LaMear asked what body of government could change access points. City Engineer Crater said access points were partially outlined in City Code in a section regarding driveways. The standards establish driveway widths, the distance between driveways, and the distance from a driveway to a corner. Public Works applies this Code to residential and commercial properties during the design review process. Planner Ferber added that the Gateway and Greenway Overlay Zones that apply to this site require the DRC to review criteria specific to pedestrian access and what the building looks like. City Manager Estes noted that traffic congestion was reviewed by Public Work, the traffic impact analysis, and ODOT. Public Works also reviewed driveway access standards during the site plan process.

Mayor LaMear believed people would enter and exit the parking lot via the light on 29<sup>th</sup> St.

City Attorney Henningsgaard stated City Council was tasked with considering whether the zone change would increase traffic to a point that the roads would no longer meet State or City standards, not the design of the building. There are existing permitted uses that would have at least as much traffic impacts in the area. The traffic study was done by professionals and reviewed by ODOT. It was not appropriate for City Council to speculate that the traffic study was incorrect because the study applied the methodology required by law and there was no counter evidence against the study's conclusions. City Council must decide whether the zone change would increase allowable traffic to that property, not the design of the building.

Councilor Brownson said new businesses, more traffic, and more tourists were coming in to Astoria. With more pressure on the existing road system as that area changes, the highway conditions will be poor whether the Co-op is built there or not. These conditions need to be addressed at some point. The Co-op has been a good neighbor and they reach out to the community better than most businesses. The City is getting ready to work with ODOT on transportation and traffic issues in the western gateway. He encouraged Staff to begin working on the eastern gateway when the western gateway was complete.

Councilor Price believed that when the traffic was really horrible, people would complain to the Co-op, not to City Council.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Jones, to conduct the first reading of the Ordinance amending the Astoria Land Use and Zoning Map.

Mayor LaMear stated she was not voting against the Co-op, but was voting against the zone change because she believed the transportation issues needed to be covered.

Motion carried 4 to 1. Ayes: Councilors Price, Jones, Nemlowill, and Brownson; Nays: Mayor LaMear.

Director Cosby conducted the first reading of the ordinance.

Mayor LaMear called for a recess at 8:22 pm. The City Council meeting reconvened at 8:26 pm.



**Item 6(b): Addition of Job Title for Schedule F-1 Salary Resolution 18-01 – Parks Special Projects Manager**

Parks and Recreation Department proposes the creation of a temporary, on-call, position of Parks Special Projects Manager in order to implement recommendations of the Parks and Recreation Comprehensive Master Plan.

This position would assist with but not be limited to the following tasks:

- Conducts research, analyzes, interprets, and packages data for presentations, and develops written report on assigned projects.
- Develops and refines Park Maintenance Plans.
- Assists in the preparation, implementation, updating of the Comprehensive Parks and Recreation Master Plan.
- Coordinates with staff and stakeholders to enhance services offered by the Parks Department.

It is recommended that City Council approve the addition of the Job/Title/Duties and use of Schedule F-1, Range 3 as contained in Salary Resolution No. 18-01.

City Manager Estes said that due to the Parks Department's inability to fill vacancies early in this fiscal year, funds in the Parks Operations and Maintenance Division would be used to fund this position.

Director Cosby confirmed the job description was written with flexibility that would allow the Parks Department to fill potential future needs with the same position. She anticipated this position would total about 50 hours of Staff time this fiscal year.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Brownson, to approve the addition of the Job/Title/Duties and use of Schedule F-1, Range 3 as contained in Salary Resolution No. 18-01. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

**Item 6(c): Addition of Job Title for Schedule E-1 Salary Resolution 18-01 – Support Engineer**

With the recent staff transitions in the Public Works Department as a result of Ken Cook's retirement, the part-time Support Engineer position in the Engineering Division has been left vacant. The Support Engineer position has been primarily responsible for special projects such as the CSO (Combined Sewer Overflow Program), wastewater improvements and ODOT bridge projects. This part-time position is limited to 1,500 hours per year.

After an evaluation of tasks, projects and workflow, Staff determined that creation of a permanent full-time Engineering Designer position will best meet the current and future needs of the Engineering Division. This position would take the place of the Support Engineer and be primarily responsible for project management, infrastructure design and development review (full job description attached). This will allow Cindy Moore, previous Support Engineer, to continue to manage a variety of special projects in her Assistant City Engineer role.

Before a position can be posted, the creation of a job description is required to identify the essential duties, expectations, required experience and education as well as to review the current marketplace establishing appropriate salary range to fulfill the current requirements of the City. It is proposed that Schedule E-1, Range 39, be utilized and step determined based on the experience and education of the candidate. Funds currently budgeted for the Support Engineer position can be utilized for the Engineering Designer in this fiscal year. Funds are also included in the proposed budget for FY2018-19 to accommodate the addition of this permanent position. Compared to the Support Engineer position, the addition of a permanent Engineering Designer is anticipated to be cost neutral at this point and converts a part-time position to full time.

The job recruitment would commence immediately upon City Council approval. It is recommended that City Council approve the addition of the Engineering Designer job title and duties, and use of Schedule E-1, Range 39 in Salary Resolution 18-01.



City Manager Estes explained that this position would only budget neutral until future salary increases were approved. However, the Public Works Department has found new funding sources that would offset staffing costs in the next fiscal year and not affect sewer and water rates.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Jones to approve the addition of the Engineering Designer job title and duties, and use of Schedule E-1, Range 39 in Salary Resolution 18-01. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

**Item 6(d): Authorization to Bid Spur 48 1 Combo Harvest 2018**

A commercial thinning and variable retention treatment is proposed on approximately 50 acres of the Bear Creek Watershed property for the summer of 2018. The harvest is located near the north-eastern boundary of the property, on a flat ridge between Cedar Creek and Fat Buck Creek. All treatments have been designed for long-term water quality and forest health goals, increasing diversity, structural complexity, and resilience of the forest on the Bear Creek Watershed.

The commercial thinning is proposed in a Spruce-dominated stand that has stagnated due to very tight spacing. The goal of the thinning is to increase species diversity in the stand and allow the remaining trees to optimally utilize the available growing space.

An area of variable retention harvest is proposed adjacent to the thinning unit. The Douglas Fir in these stands is impacted by Swiss Needle Cast, a fungus that attacks the crowns of the trees and inhibits growth, stunting the trees and decreasing canopy cover. By removing the Douglas Fir, the treatment leaves large and wind-firm Hemlock and Spruce both dispersed throughout the stand and in a few small clumps. The treatment has the operational benefits of a patch cut while improving seed sources for natural regeneration and leaving large legacy trees throughout the stand.

The harvest unit is bisected by the Spur 1 Road, which may require minor repairs. In addition, two other small spurs will be restored, providing greater fire access towards the edge of the property. Map showing the treatment area as well as the location within the watershed are attached. Our City Forester will be in attendance at the meeting to answer any questions.

The net proceeds to the Capital Improvement Fund from this forest treatment are estimated to be \$200,000 after harvest and reforestation costs.

It is recommended that City Council authorize staff to solicit bids for the Spur 48 1 Combo Harvest 2018.

City Forester Hays noted the bids would be for work on Spur 1, not Spur 18 as the Staff report erroneously stated. He gave a brief PowerPoint presentation that showed the area of the watershed where the harvest would occur, gave details of the scope of work, and explained the benefits of the harvest. He answered questions about replanting practices and natural regeneration.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Brownson to authorize staff to solicit bids for the Spur 1 Combo Harvest 2018. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

**Item 6(e): Downtown Parking and Visitor Information Agreement with Astoria Downtown Historic District Association (ADHDA)**

An initial agreement for parking and tourist information services with Astoria Downtown Historic District Association (ADHDA) was approved by Council on September 6, 2016 and ADHDA began recruitment for a parking enforcement officer which has ADHDA has designated as the Community Outreach Officer (COO). At about the same time of the recruitment for the COO position was culminating, the ADHDA Executive Director resigned and the COO position was delayed until the new Executive Director, Sarah Lu Heath, was in place. In early spring of 2017 the COO position was filled and training provided. City of Astoria provided \$ 8,500 to the ADHDA in compliance with their request and the approved agreement. Due to unforeseen circumstances the

new employee did not complete the probationary period. Further recruitment efforts have been underway since summer of 2017 with candidates being offered the position and subsequently declining, necessitated renewing the search for candidates. The ADHDA had \$ 7,484.89 available at June 30, 2017 to recruit for and establish the new employee in the current fiscal year.

Effective January 2018 the ADHDA hired and the City Manager has appointed (per City code) Ms. Ronni Harris as the Community Outreach Officer. An agreement for fiscal year ending June 30, 2018 has been pending the successful recruitment by the ADHDA for this position.

During the January 10, 2018 City Council work session ADHDA made a request to Council to utilize a portion of Promote Astoria Funds allocated for a parking officer to work with a contractor conducting a downtown parking study to better utilize existing parking on private lots and improve pedestrian safety. Council requested ADHDA determine the economic impact of parking spaces and to consider how parking in downtown might impact other areas of town. In response to Council direction from this work session ADHDA prepared a scope of work for the downtown parking study which has been incorporated in the scope of work for the attached agreement for Downtown Parking and Tourist Information Services Agreement. The Parking Study is budgeted for \$11,000. It should be noted that work from the parking study will be presented to Council along with some analysis of on-street parking configurations being prepared by the Public Works Department. This will be done to address the City Council goal on this topic.

It is recommended that Council approve the agreement with ADHDA.

Sarah Lu Heath, Executive Director, ADHDA, stated the scope of work included reviewing of the City Engineering Department's work, gathering more data about parking spot usage, and facilitate agreements with owners of private parking to help businesses provide parking for their employees. At the work session, Councilor Jones had asked if a value could be put on a parking spot in downtown Astoria. That value would be one of the outcomes of this survey. The contractor would be using the Oregon Transportation and Growth Management Program's guide on managing parking. A single stall in Bend has a \$46,000 annual economic impact to the area. That number would be slightly different for Astoria. Parking is a valuable resource and using it to maximum capacity is important.

**City Council Action:** Motion made by Councilor Jones, seconded by Councilor Brownson, to approve the downtown parking and visitor information agreement with ADHDA. Motion carried unanimously. Ayes: Councilors Price, Jones, Nemlowill, Brownson, and Mayor LaMear; Nays: None.

#### **NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)**

Cheryl Christie Mattsen, 5450 Old Highway 30, Astoria, said she was excited when City Council passed the law allowing accessory dwelling units (ADUs) up to 850 square feet because she wanted to bring her 87-year old father-in-law to her home to live in a 437-square foot space. However, she was disappointed to learn that dwelling units delivered on wheels were considered manufactured homes and manufactured homes had to be a minimum of 1,000 square feet. The new law negated her desire to put in a new little home for her father-in-law. She discussed this with City Manager Estes and Planner Morgan in February. She would like the law to be amended to allow smaller micro park model homes on wheels in her neighborhood. She did not need to rezone her land because she did not need a 1,000-square foot home, just a small apartment dwelling. It is much cheaper to buy a manufactured home; stick built dwellings and dwellings delivered on platforms cost almost twice as much. If the law were amended, her home would come from McMinnville, set up on a pad, and strapped down.

City Manager Estes explained that the law was intended to prevent single-wide manufactured homes from being located on city lots. Double-wide manufactured homes are allowed because they have an appearance similar to stick built homes. When the ADU law was being developed, there was no discussion about allowing manufactured homes as ADUs because manufactured homes are a specific housing type defined by State Statutes. The State is in the process of developing definitions and statutes for tiny homes.

Ms. Mattsen said the home she wanted was considered a micro park model home, not a tiny home. It was more of an ADU. The home would be built with a basic floor plan for handicap accessibility and would not have a loft. The homes are manufactured small on site. The manufacturer gets better materials at better prices than she



can. She has been unable to get a contractor to give her a bid. The home would even come with appliances. The only difference would be that the home would be delivered on wheels and locked down instead of being put together.

Councilor Brownson said he would be willing to consider tiny homes and manufactured homes. Many details would need to be considered in order to change the Code. Manufactured homes are frowned upon in many cities because they tend to be cheaply made, they do not age well, and they decrease the value of the neighborhood. He would want to regulate the quality of manufactured homes if it were possible.

Ms. Mattsen stated she would have to hire a contractor who was State certified to tie down the home. The manufacturer would not deliver the home to her until she had the City's approval and a contractor's seal of approval. The home would be built with 2 by 6s and composite roofing. She would pay for upgrades on the wrapping and siding so that the siding would be identical to her home. The manufacturer currently has a seven month wait time so she had time to work with the City and get approval. At the end of January, the homes was listed at \$19,900, which was inexpensive.

Mayor LaMear asked if a variance could be granted for this project. City Manager Estes explained that variances are not granted for uses not permitted in the Code. The Planning Commission can only consider variances to numerical values and other similar requirements.

Councilor Price said this needed to go through the Planning Commission first, but she would be willing to consider tiny homes and ADUs.

Ms. Mattsen said she agreed people should not be living in busses and recreation vehicles. Her home would be locked down. She also wanted to build a deck with a ramp for handicap accessibility. It would look like her cottage home. She would not have to consider assisted living in the future.

Councilor Brownson was willing to reconsider the Code. The State has insisted on higher standards for these homes so they are better built than they used to be. However, he wanted to learn more. Quality could be addressed during the Code amendment process.

Ms. Mattsen offered to contact the manufacturer to get answers to any of Council's questions. The homes are built with 2 by 6s. She would get to pick the linoleum, appliances, and furnishings. It would be ready for delivery in seven months so she could move her father-in-law to Astoria from Minnesota before winter next year.

Councilor Brownson said he had worked on manufactured homes and knew their shortcomings.

Mayor LaMear asked how long the Code amendment process would take.

City Manager Estes reminded that the ADU ordinance contained a clause requiring a review one year after taking effect. That review would be done in April, so consideration of this amendment could be added to that review. Once a Code amendment is initiated, the process would take six months if everything went smoothly. Staff capacity, Planning Commission discussions, and public testimony could extend the timeline.

Councilor Nemlowill said she wished City Council could help Ms. Mattsen get the place she wanted for her father-in-law. However, many citizens raised concerns during the ADU discussions about tiny homes manufactured off site. One safety concern was that tiny homes were inspected to recreational vehicle standards. A State seal and inspection could alleviate that concern. Another concern was about the character and historic compatibility of homes manufactured off site. She did not believe this amendment would sail through the process quickly. Before the City dedicates time and resources to this, she believed it would be best to wait and see what the definitions and statutes the State adopted.

Councilor Brownson noted that Ms. Mattsen was talking about a manufactured home, not a tiny home. The design review process would ensure compatibility to the neighborhood.

Councilor Nemlowill stated there was uncertainty about what a tiny home was and how it was different from a manufactured home.

Councilor Brownson said manufactured homes had a very clear and long history and were very well defined in the building industry. Tiny homes are new.

Ms. Mattsen stated she was not trying to put in a tiny home. She wanted to put in a park model manufactured home, which must be 1,000 square feet. She did not need that much space and did not want to put that much additional space into her home or on to her property. She could build up to 850 square feet, but the home she wanted was 437 square feet.

City Manager Estes explained that if Ms. Mattsen were to propose an ADU, it would have to be stick built and could be up to 850 square feet. The other option would be to divide the lot, create a second lot, and put in a larger double-wide manufactured home.

Councilor Price confirmed this issue could be taken up during the review in April.


City Manager Estes stated Staff would let Ms. Mattsen know when the Planning Commission was scheduled to review the ADU ordinance. He confirmed this topic would be part of the review.

Ms. Mattsen said thank you and added that tiny homes were not handicap accessible.

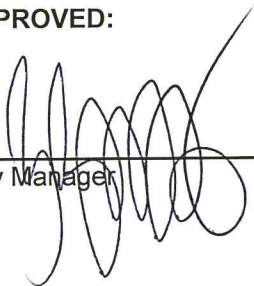
**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:08 pm.

**ATTEST:**

  
\_\_\_\_\_  
Finance Director

**APPROVED:**

  
\_\_\_\_\_  
City Manager