



AGENDA

ASTORIA CITY COUNCIL

Monday, March 18, 2019
7:00 p.m.
2nd Floor Council Chambers
1095 Duane Street • Astoria OR 97103

1. CALL TO ORDER

2. ROLL CALL

3. PRESENTATIONS

- a) Astoria Downtown Historic District Association Annual Report
- b) Downtown Parking Study

4. REPORTS OF COUNCILORS

5. CHANGES TO AGENDA

6. CONSENT CALENDAR

The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the City Council requests to have any item considered separately. Members of the community may have an item removed if they contact the City Manager by 5:00 p.m. the day of the meeting.

- a) City Council Minutes of February 19, 2019
- b) Liquor License Application from Diana Gulley, for a New Business as Gulley's Butcher Shop, Located at 1255 Commercial St., Astoria for a New Outlet for Off Premises license
- c) Liquor License Application from Ron Neva & Amanda Cordero, for a New Business as Cordero-Neva LLC Doing Business as Hurricane Ron's, located at 1331 & 1335 Marine Drive, Astoria for a New Outlet for Full On-Premises Commercial License.

7. REGULAR AGENDA ITEMS

All agenda items are open for public comment following deliberation by the City Council. Rather than asking for public comment after each agenda item, the Mayor asks that audience members raise their hands if they want to speak to the item and they will be recognized. In order to respect everyone's time, comments will be limited to 3 minutes.

- a) Public Hearing and First Reading: Unlawful Transfer Ordinance
- b) Discussion of Historic Preservation Legislation: Senate Bill 929 and Senate Bill 927
- c) Local Historic Preservation Grant Rollout

8. NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)

THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING THE CITY MANAGER'S OFFICE, 503-325-5824.



CITY OF ASTORIA

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MEMORANDUM • CITY MANAGER

DATE: MARCH 12, 2019
TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: ASTORIA CITY COUNCIL MEETING OF MONDAY, MARCH 18, 2019

PRESENTATION

Item 3(a): **Astoria Downtown Historic District Association Annual Report**

ADHDA Director, Sarah Lu Heath will present the ADHDA Annual Report.

Item 3(b): **Downtown Parking Study**

ADHDA Director, Sarah Lu Heath will present the Downtown Parking Study.

CONSENT CALENDAR

Item 6(a): **City Council Minutes for February 19, 2019**

The minutes of the City Council meeting are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 6(b): **Liquor License Application from Diana Gulley, for a New Business as Gulley's Butcher Shop, Located at 1255 Commercial St., Astoria for a New Outlet for Off Premises license**

A liquor license application has been filed by Diana Gulley doing business as Gulley's Butcher Shop. This application is a New Outlet for an Off-Premises Sales License. The appropriate Departments have reviewed the application and it is recommended that the City Council consider approval of the application.

Item 6(c): **Liquor License Application from Ron Neva & Amanda Cordero, for a New Business as Cordero-Neva LLC Doing Business as Hurricane Ron's, located at 1331 & 1335 Marine Drive, Astoria for a New Outlet for Full On-Premises Commercial License.**

A liquor license application has been filed by Cordero-Neva LLC doing business as Hurricane Ron's. This application is a New Outlet for a Full On-Premises Sales License. The appropriate Departments have reviewed the application and it is recommended that the City Council consider approval of the application.

REGULAR AGENDA ITEMS

Item 7(a): **Public Hearing and First Reading: Unlawful Transfer Ordinance**

The City of Astoria is experiencing an increase in people making transfers of goods or monies between pedestrians and motor vehicles on the vehicular

portion of the roadway, creating a traffic safety concern. Motor vehicle drivers who are focused on non-traffic distractions are not attentive to other drivers, pedestrians, changing traffic, signage and lights. Drivers who are looking for property inside their vehicle and are handing items to pedestrians are not attentive to traffic. Offering items from a vehicle to a pedestrian encourages the pedestrian to enter the roadway outside of a crosswalk or sidewalk putting the pedestrian at unreasonable risk. Inattentive drivers cause can traffic obstructions and traffic delays. A prohibition on the transfer of items from a motor vehicle to a pedestrian will address these concerns.

It is recommended that Council hold a public hearing and consider holding a first reading of the ordinance adding City Code 6.390 relating to unlawful transfer on vehicular portion of the right-of-way. This ordinance also includes the addition of city code section (e) to the current Penalties language in section 1.010(4) to address the associated penalties. Former section (e) moved to (f).

Item 7(b): Discussion of Historic Preservation Legislation: Senate Bill 929 and Senate Bill 927

John Goodenberger and City Manager Estes will discuss proposed Senate Bills dealing with Historic Preservation Issues. Information on the bills provided by Restore Oregon is included in this packet.

Item 7(c): Local Historic Preservation Grant (CLG) Funds Available

The City of Astoria received a \$12,000 grant from the State Historic Preservation Office (SHPO) to assist property owners with renovations or rehabilitation projects. The funds are currently available to owners of historic homes, or homes designated as contributing in a historic district.

Eligible projects may receive 50% of the project cost up to a maximum of \$4,000 of grant funds. Proposals may require review by the Historic Landmarks Commission. Projects must be completed by July 2019.

The attached documents and application materials explain the grant program guidelines which are established by SHPO for these “pass through” grants. Applications for the renovation grant funds are available through the Community Development Department. Applicants are asked to submit the attached intake form to confirm eligibility and establish a waiting list if necessary. City Planner Nancy Ferber is available to answer questions about project ideas, eligibility, or program requirements.



Astoria Downtown Historic District Association

*Encouraging community involvement and investment in preserving
the character of historic downtown Astoria while promoting its health and future.*

P.O. Box 261 · No.1-12th Street, Suite 114 · Astoria, OR 97103

Phone: (503) 791 -7940 · Email: office@astoriadowntown.com · Web: www.astoriadowntown.com

ADHDA Report: July to December 2018

The volunteers, Board of Directors, partners and staff of ADHDA continue to thrive, building vitality and community in Astoria.

Our Promotions Committee spearheaded the district wide sidewalk over the July 4th weekend to leverage natural foot traffic during the holiday. Later in the year, this group promoted the Downtown Lighting, bringing hundreds of locals to The Liberty Theater for caroling, a sit on Santa's lap, and the countdown to turning on the holiday lights for the season.

ADHDA serves as the fiscal sponsor for the Astoria Holiday Club who has stored, maintained, installed and taken down our extraordinary holiday décor for nearly two decades. We stand in admiration of their tenacity and longevity.

The Promotions Committee also executed an expanded Shop Local Shop Plaid during the holiday season. Special shopping promotions were offered on Plaid Friday, the Downtown Raffle garnered hundreds of respondents, and partnered with the Daily Astorian to produce a downtown Shop Local Shop Plaid guide to our independent retailers.

The autumn of 2018 saw our Design Committee hard at work to ensure that Mitch's Witches had another safe and festive holiday season. These decorations were much enjoyed by the hundreds and hundreds of trick or treaters that came to visit out downtown merchants on Halloween.

The 13th Street Alley activation project is another effort of the Design Committee. At this time, we have an active request for proposals out and hope to have the mural installed by June 2019. This project was funded by individual donors, the Sunday Market, the Pacific Power Foundation, and the City of Astoria via a Heritage All Star Community grant.

Our Business Development Committee continued their welcoming efforts with our near-quarterly walkabouts. During these walkabouts we welcome new businesses downtown and celebrate others relocations. We also provide information on parking and share resources that are available to them as small business owners.

The Biz Dev Committee also hosted a NEDTalk, Novel Efforts Downtown highlighting relevant local issues as a continuing education opportunity for our business and property owners. In November the NEDTalk topic was Experience Enhancement from the sidewalk to the store and more. We hosted it on The Liberty Theater stage to highlight their upcoming renovations to create a better experience for performers, attendees, and staff.

Last but certainly not least, the event that keeps us going, the Pacific Northwest Brew Cup, our most important fundraiser, underwritten in part by Promote Astoria funds. Our 18th festival was a



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great success. We were about to net over \$40,000 in no small part due to the dedication of a dozen committed committee volunteers and over 200 event weekend volunteers.

The festival highlights our fermentation industry from breweries to distilleries and ciderworks. We estimate over 3,500 attendees enjoyed sampling beers, listening to live music, and making fish prints on Sunday Funday.

Sunday Funday was a re-branding effort of the last day of the festival to increase attendance, and we saw incredible results. We estimate attendance was up four-fold for Sunday. We also made efforts to reduce our carbon footprint by switching out grounds lighting to all LEDs.

As an organization we wanted to check in with ourselves and our community about our progress and future priorities. In late October we hosted urban strategist Michele Reeves and over 65 attendees that were able to give feedback on what they value about living in Astoria and what kind of community and town we would like to have if anything were possible.

Overwhelmingly, our community values... COMMUNITY! Our walkable streets, the ability to stop and hi to your neighbor, and our independent retailers stood out as areas we need to protect and strengthen.

On the flip side, our membership is worried about heavy traffic, lighting, homelessness and the high-cost of housing, as well as vacancies and business mix. ADHDA is working all of these topics into our strategic plan and can see opportunities for us to recruit and expand small businesses as well as have an impact on both private and municipal lighting.

ADHDA currently has a membership of over one hundred residents, business owners, and property owners, and enjoys working with over three dozen regular volunteers. Our funding comes from Promote Astoria funds, membership, and special events. Together we're making our downtown historic district more welcoming, economically viable, fun, and respectful.

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

Councilors Present: Brownson, Rocka, Herman, West, and Mayor Jones.

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Williams, Special Projects Planner Johnson, Planner Ferber, Finance Director Brooks, Interim Fire Chief Curtis, Police Chief Spalding, Public Works Director Harrington, City Engineer Crater, Library Director Pearson, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

PRESENTATIONS

Item 3(a): Library Renovation Plan Update

David Wark, Principal Architect from Henneberry Eddy, will present the current design plan for the Astor Public Library renovation.

Mayor Jones said City Council would have a work session to prepare for goal setting on February 20th from 1:00 pm to 5:00 pm in City Council Chambers at City Hall. The Council's goal setting session would be on February 25th at 8:00 am, also in City Council Chamber at City Hall. Both meetings are open to the public. Since the library was a goal last year, the Council may choose to make the library a priority again this year.

David Wark, Henneberry Eddy, gave a PowerPoint presentation on the design plans for the library. He provided a brief history of his work with library Staff and an advisory group to develop plans that would achieve the City's goals. His plans incorporated data from reports of previous studies and feedback from the public. He explained how specific elements of the design concepts would solve existing problems, satisfy the community's desires, provide upgraded services and facilities to the public, and achieve the City's goal to offer a 21st Century library.

Mayor Jones thanked Ruth Metz and David Wark for their work. He believed the design plans were brilliant and visionary. The new library would be a showcase for the community. He also believed the designs were very practical and functional. He noted that the Library Foundation was not asked to do a presentation on fundraising or financing at this meeting. If the Council chooses to proceed with this plan, the financing can be discussed at a future work session.

Councilor Herman asked what would happen to the existing mezzanine.

Mr. Wark explained the mezzanine would be removed. The structure is a prefabricated system made in the 1950s and there is no way to affordably adjust it or make it wider to meet current accessibility standards. Additionally, if the mezzanine remained, an accessible way to get to that level would need to be constructed. Therefore, he believed keeping the mezzanine would not be a good use of funds. Providing an elevator to the basement would help accommodate space for a larger collection.

Councilor Herman asked if the extra 9,000 square feet in the basement would require more staff.

Director Pearson said he was not able to answer that yet, but he had been discussing security in a larger space.

City Manager Estes added that when City Council originally provided direction to move forward on this renovation, the anticipation was that no funds would be budgeted for additional staff.

Mr. Wark stated the specific spaces in the basement were designed to be used on a reservation system so that Staff would know who was in the basement and when. Additionally, the counters will overlook the space below so that citizens can help monitor the space. He believed the openness and the types of spaces in the basement would be very manageable for Staff.

Councilor Rocka said he was impressed by the amount of unused space in the building as it currently exists. He liked that the design would allow for the historic items to be displayed.

Councilor Brownson stated he was looking forward to discovering ways to make this renovation happen.

Mr. Wark added that Director Pearson was very determined and directed. It has been a pleasure to work with Director Pearson, his Staff, and Ms. Metz. He looked forward to working on the next phase.

Mayor Jones called for public comments.

Phillip Wikki] asked if green building standards would be incorporated into the renovation like radon mitigation.

Mr. Wark stated the library would be radon free. The basement and perimeter would be encapsulated. The design will have more natural light, which is free. The daylighting controls will allow the library to use less energy. The new variable refrigerant flow heating ventilation and air conditioning (VRF HVAC) system will use liquid refrigerant to transfer heat, which is much more efficient than a typical system. The renovations will be done to Leadership in Energy and Environmental Design (LEED) standards. The building will have minimized toxic content and materials, maximized recycled materials, and efficient controls and systems.

Lisa Morely asked what the plan was for emergency exits, Americans with Disabilities Act (ADA) access to the lower floor, and accommodating differently abled kids in the kids area. She also wanted to know what the return on investment would be for this renovation.

Mr. Wark stated the design included an elevator in the lobby and two sets of stairs to get out of the building. He displayed the elevator and stairs on the screen and explained where each would be located in the building. According to the Code, the two exits are far enough apart. He also explained how emergency responders would use the designated area of refuge in the basement to assist people getting out in an emergency. Every square foot of the renovated spaces will be accessible. Every library his company has renovated or built has had a very high spike in daily visitations and circulations. However, programming draws people to the library. Word will get out that people can use a study room or hold a meeting for free. Community based libraries bring people together in new ways. The Flag Room will include a teaching kitchen that can be used to expand food literacy. The renovated library will offer a wider spectrum of opportunities for people to interact, learn, and do. He confirmed he had opened about 30 libraries.

Ruth Metz said she had been working with Mr. Wark, Director Pearson, and the Library Board on this project for a while. She completed the 2013 needs assessment and was excited that the project had come to this point. She had also opened many libraries and many studies show the return on investment to the community in terms of economic development. It is very well documented that a renovated library improves the economic vitality of the community. Over time, educational levels increase due to early literacy and the different types of literacy that a renovated library provides. Library usage will increase by about 50 percent and material circulation will increase. The capacity of the library to deliver new technologies will increase as well. This design will be the heart of the community. The library Staff, foundation, and board are very committed and the community is excited.

Jim Stoffer stated people with few housing resources will be at the library because they use the library persistently. He asked how, from an architectural perspective, the design would address resources and needs.

Mr. Wark explained that libraries are making policies that help Staff manage the issues. Architecturally, the design will be easy to navigate with a lot of open view corridors so that Staff doesn't have to go looking behind corners and shelves. The Director's office will be front and center in the middle so he can monitor what is going on to some degree.

Ms. Metz added this was a management and Staff issue, as well as a design issue.

Mr. Stoffer said that sounded like policing more than targeting needs that might be addressed. He was speaking about a population that would be in the library for many hours throughout many days of the week. That is inevitable. He believed the library needed more toilets and people will want a place to sleep.

Mr. Wark noted that policing is one thing but having a system in place that expects a certain type of behavior in public is just a standard of behavior and care that gives the community a shared understanding of how to act in public. He does a lot of work with Multnomah County's library system and they instituted a no sleeping policy that even prohibited the appearance of sleeping. Their policies also limit how much a person can bring into the library and regulates hygiene. It would be up to the Astoria community to decide how to embrace this issue.

REPORTS OF COUNCILORS

Item 4(a): **Councilor Herman** had no reports.

Item 4(b): **Councilor Brownson** reported that he went for a ride along with the Police Department on Friday night. It was quiet and peaceful, but it was informative and insightful. Sergeant Aydt was a great guide. They returned a dog and helped a woman get to the warming center, which demonstrated the quality of the Astoria Police force.

Item 4(c): **Councilor West** reported that she toured the library with Director Pearson. When she went into the basement, she felt like she was on an archeological dig. The items in the basement are incredible and Director Pearson is enthusiastic about his Staff. She also spent time with Director Brooks, Chief Spalding, and Deputy Chief Halverson. At the Police Department, Staff spent extra time speaking with her about some of the topics around housing issues and homelessness, and they answered a lot of her questions. The tours demonstrated how hard the Staff works. She could not believe how much the City does with such limited Staff. Every individual she spoke with really cared about the job they do for the City. She was looking forward to touring Public Works, Parks and Recreation, and the Fire Departments next. She also announced her meet and greet was scheduled for March 14th at 4:30 pm at Alderbrook Hall. She scheduled the event after the completion of Clatsop Community College's historic restoration workshops at Alderbrook Hall so that everyone could see the work that was done.

Item 4(d): **Councilor Rocka** reported that he enjoyed the Meet the Mayor event and hearing what people were thinking about. The Uniontown Reborn meeting on February 6th was really productive and he appreciated the way Staff reached out after the meeting to make sure people had the opportunity to comment online. The City's website still contains a link to the information from that meeting. He used a gift certificate to spend the night at the Cannery Pier to experience what Astoria's visitors get to enjoy. He also sat in on the municipal court on February 11th to get a better understanding of how the court works.

Item 4(e): **Mayor Jones** reported that about 22 people attended his Meet the Mayor event. He had great conversations and looked forward to scheduling the next event. Earlier that day, he met with Congresswoman Bonamici and Senator Merkley's field representative. He presented them with a list of issues, including the need for support for community college education at the federal level to offset the cuts at the state level. In 2017, the Maritime Administration Center for Excellence was approved as part of House Bill HB2286. He encouraged the Congresswoman and field representative to attach some funding to that bill to help expand the Marine and Environment Research and Training Station (MERTS) campus because the county needs skilled jobs and training for jobs in the maritime industry. He also spoke about the need to support the home porting of the new Coast Guard cutters that might come to Astoria. The Alert and the Steadfast will be leaving Astoria in the next decade. He also spoke about the need for federal incentives or grants for affordable housing. He discussed the case of Ruben Perez, the Astoria resident who was detained by Immigration and Customs Enforcement (ICE) in Tacoma. Many people including Congresswoman Bonamici and Senator Merkley's staff assisted Mrs. Perez. He wrote a letter on the Mayor's stationery in support of Mr. Perez and he was released several days ago. He also spoke about disaster preparedness in Oregon.

CHANGES TO AGENDA

There were no changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 6(a) City Council Minutes of 1/22/19
- 6(b) Park Board Minutes of 219
- 6(c) NW Natural Co Location Agreement at Reservoir Ridge Communications Site
- 6(d) Budget Resolution to Correct Scriveners Error

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Brownson, to approve the Consent Calendar. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

REGULAR AGENDA ITEMS

Item 7(a): Public Hearing: Ordinance Amending City Code 1.600 – 1.640 Relating to the Ambulance Franchise Program

Oregon Revised Statute (ORS) 682.062 was enacted in 2003 effectively giving counties the authority to develop a plan relating to the need for, and coordination of, ambulance services. Clatsop County established an ambulance service area plan consistent with statutes for the efficient and effective provision of ambulance services. ORS 682.031 also gives the City the authority to establish an ordinance regulating ambulance services; however, it must comply with the County plan making that need unnecessary for the City of Astoria. The City of Astoria originally passed Astoria Codes 1.600 – 1.640 on August 16, 1976, encompassing fifteen pages. Astoria Code 1.600 – 1.640 is outdated and in conflict with the County's Ambulance Service Area Plan. The outdated City Code language can be found online (starting on Page 1–25) at: http://www.astoria.or.us/Assets/dept_1/pm/pdf/chapter%201%201-19.pdf

It is recommended that Council hold a public hearing and consider holding a first reading of the ordinance amending City Code 1.600 – 1.640 relating to The Ambulance Franchise Program.

Mayor Jones opened the public hearing at 7:53 pm and called for public testimony on the ordinance. Hearing none, he closed the public hearing at 7:53 pm.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor West, to conduct a first reading of the ordinance amending City Code 1.600 – 1.640 relating to the Ambulance Franchise Program. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

Director Brooks conducted the first reading of the ordinance.

City Manager Estes noted he had just discovered a typographical error in the title. He said the correct title should be stated as, "An ordinance revising Ordinance 1.600 to 1.640 relating to the Ambulance Franchise Program."

City Attorney Henningsgaard confirmed that the City Manager's restatement of the correct title sufficed as the first reading.

Item 7(b): Contract Amendment: 2018 Trolley Trestle (River Trail) Repair Project

The subject contract amendment is a request for approval to amend the contract with OBEC to include costs required for additional design work and load rating evaluation. This is to ensure that repairs can be made in a manner that does not leave this area load restricted for vehicles.

It is recommended that City Council authorize approval of Contract Amendment #1 with OBEC Consulting Engineers in the amount of \$40,060.80 for additional engineering services associated with the 2018 Trolley Trestle Repair Project.

Mayor Jones said everyone loves the Rivertrail and Trolley and this was a good reminder of how expensive they are to maintain. These costs are ongoing because of the nature of the infrastructure, but it is a worthwhile expense.

Councilor Herman said she hoped the transient lodging taxes that fund the Promote Astoria Fund would bring in just as much next year as they have this year and in the past. She asked how old the trestles were and how long they would last after the planned maintenance work.

City Engineer Nathan Crater said he believed the trestles were from the 1940s or 1950s, but there is evidence of older portions of the trestles. That results in varying degrees of maintenance. He explained that the maintenance work targets critical components and the repairs typically last between 20 and 25 years. Much of the recent maintenance work has involved replacing timber with steel, which has a much longer life. This particular contract amendment is focused on bringing one portion of the structure up to a rating that will allow it to accommodate vehicles, which makes this piece of work a bit trickier than the rest of the maintenance work.

Councilor Brownson asked if the same work would be done at any of the other bridge repair sites.

Engineer Crater said no, this was a unique situation. The rest of the sites were bridge ends that go into private structures. In this case, there is a little extension to the south east that vehicles drive along. The only area with a similar situation is on 6th Street where vehicles cross. However, when the bridge end on 6th Street is replaced, it will tie into both the south and west sides, which will prevent the type of situation that required this contract amendment.

Councilor West asked what else relied on the transient lodging tax funding that could be impacted by this project.

City Manager Estes explained that transfers to the Parks Department and other projects and programs are funded by Promote Astoria Funds. The City does not anticipate a reduction in transient lodging tax revenue that would jeopardize the budget. It is up to the Budget Committee and City Council to prioritize what is funded. Councilor Rocka asked if the businesses in the area would be impacted by the work.

Engineer Crater stated the timing had not been finalized yet, but much of this maintenance activity can be done from underneath the structure or at night during businesses off hours. Even if the area needed to be closed, the buildings on 11th Street would still be accessible.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor West, to approve Contract Amendment #1 with OBEC Consulting Engineers in the amount of \$40,060.80 for additional engineering services associated with the 2018 Trolley Trestle Repair Project. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

Item 7(c): 11th Street Emergency Repair – Contract Change Order

The subject change order is a request for approval increasing the original contract with Bergeman Construction for emergency repair of infrastructure under 11th St.

It is recommended that City Council approve the Change Order with Bergeman Construction for up to \$36,525.67 for the 11th Street Emergency Repair Project.

Councilor Brownson stated he wanted people to appreciate how the required prevailing wage rates impact project costs. Prevailing wages ensure people are paid what they should be paid.

City Council Action: Motion made by Councilor Herman, seconded by Councilor Brownson to approve the Change Order with Bergeman Construction for up to \$36,525.67 for the 11th Street Emergency Repair Project. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, West, and Mayor Jones; Nays: None.

Item 7(d): Discussion of Bridge Vista Overlay Code Amendments

Staff will make a short presentation overview of potential amendments to the Bridge Vista Overlay Zone of the Riverfront Vision Plan to the City Council for information and discussion. The Council had expressed a concern with the language of the current code at their December 20, 2018 meeting during the public hearing on the appeal of the Design Review Request on the hotel proposed to be located within the Bridge Vista Overlay Zone (BVO).

Mayor Jones explained that the City has been working on the BVO for a year. While reviewing the development proposal on the former Ship Inn property and working on the Urban Core Overlay Zone, it became apparent that there was a need for more clarity and specificity in the Codes implementing the Bridge Vista, Civic Greenway,

and Neighborhood Greenway Overlay Zones. The Port Uniontown Overlay Area portion of the Comprehensive Plan states, "to the extent possible, the design and development standards are intended to be clear and objective so that most proposed developments can be evaluated administratively." Staff has been working very hard on proposed revisions to the Code language over the last several months and will ask for Council direction on those revisions after their presentation. The ongoing work on the Urban Core Overlay Zone and the Uniontown Reborn project are equally important, as are the other miscellaneous zoning and Code issues that Staff is working on concurrently. Therefore, there is a need for prioritization and adjustments to timelines. He and City Manager Estes discuss several timeline scenarios, all of which involve trade-offs and the need to prioritize Staff's time. City Manager Estes would be providing the Council with feedback on those timelines. Additionally, it became apparent last year that some of the specific Codes for the BVO, like building height standards, might no longer reflect the current intents of the community or City Council. Over the past few months, he had been discussing with City Manager Estes the most practical way to move forward on potentially revisiting the issues given the other ongoing work. To initiate the process of potentially amending the land use Codes in accordance with State requirements, the City sent a notice of proposed changes to the Department of Land, Conservation, and Development (DLCD). Several people have proposed a moratorium on new development while the Code is being amended. However, State land use laws do not allow for such a moratorium, which would be considered a way around the public process.

City Manager Estes added that he and Planning Staff had been working on changes to the BVO that would address some of the administrative items Staff felt needed to be resolved and as directed by City Council. The notice to the DLCD will not preclude changes that might be made throughout the Planning Commission and City Council hearings for this process.

Mayor Jones called for a recess at 8:16 pm. The meeting reconvened at 8:28 pm

Special Project Planner Johnson explained that the initial notice to DLCD started the timing of the Code amendment process and the City can make changes to the draft sent to DLCD. She added that if a draft is approved by the Planning Commission during their first review of the proposed amendments, the Planning Commission's public hearing could be held on March 26th. Then, the City Council could hold a public hearing and first reading on May 6th, and the second reading and adoption on May 20th. This is a tight schedule. Simple amendments can take six months because of the required timing for public notices and if Commissions or Councils need more than one meeting to discuss the amendments. She gave a PowerPoint presentation, which was included in the Agenda packet, on Staff's work to amend land use Code's per City Council's direction. Her presentation included a brief overview of the work done to date to implement the Riverfront Vision Plan, a review of unintended interpretations of adopted Code language, lack of clarity in the Code language and definitions for construction criteria and the applicability of mass and scale guidelines, and other miscellaneous corrections, additions, and clarifications to standards and definitions. During the presentation, Staff answered clarifying questions from Councilors about existing Code and the proposed changes.

Mayor Jones said the industrial buildings along the Riverwalk were more aesthetically offensive than the hotels because they do not have any design feature and are monolithic shapes. Staff confirmed the current Code did require some design standards for industrial buildings and the Council could direct Staff to add more.

Mayor Jones noted that the presentation was a brief overview of a very long list of Code changes. He thanked Planners Johnson and Ferber for spending so much time over the last several months diligently reviewing the language and responding to the public and the Council.

Councilor Herman asked if it would make sense to apply some of the language changes to the entire Riverfront Vision Plan. Staff confirmed that was the intent, but there were some issues specific to the BVO. Councilor Herman asked how Staff's proposed changes addressed the multiple interpretations of the word "retain" and whether certain sections applied to new construction, existing construction, or both.

Planner Johnson explained that she proposed separate sections for new construction and existing buildings. Additionally, the section on new construction would state, "new construction should ~~retain~~ respect the original characteristics." Existing buildings and new construction would not necessarily be subject to the same requirements because new construction could not retain something that did not yet exist.

City Manager Estes added the proposed language also included a more definitive area of two to three blocks so that decision makers know where to focus.

Councilor Herman stated she did not want a new building right next to Astoria Warehousing to respect the warehouse architecture.

Planner Johnson said additional proposed language read, "development should be designed so that structures do not create negative impacts on adjacent properties or stand out prominently when seen from a distance." She was not sure that language would work, but the word prominent relates to mass and scale and the negative impacts would be considered for the entire two to three block area, not just the warehouse.

Councilor Herman believed the words "negative impact" were open to interpretation. She suggested the phrase use more specific and concrete language. New construction and remodels should respect the entire BVO.

Planner Johnson explained one of the issues with the hotel was determining what the hotel should be compatible with. The BVO contains such a variety of designs. One section of the BVO is more industrial and one block over there are residential buildings, so comparing mass, scale and design to a broader area is difficult.

Mayor Jones said one of the issues the Historic Landmarks Commission (HLC) and City Council had when interpreting the Code was the fact that the landmark that triggered the review was not a building. He asked how that issue had been addressed in the proposed changes. He also wanted to know what other historic landmarks in the BVO were not buildings.

Planner Johnson said Tidal Rock was one example of a historic structure that was not a building. She did not have exact language yet, but she was trying to address the issue so that compatibility would be compared to all structures in the area, not just the historic features. She clarified for Councilor Brownson that she was not proposing any changes to the historic review Codes but was working on how the BVO would require reviews of structures and buildings.

Councilor Rocka appreciated Staff's detailed work, but he was concerned that this was not enough. He proposed that the City adopt a universal height limit of two stories, approximately 24 feet, for all new construction between Marine Drive and the Columbia River along the entire river front to Tongue Point. He believed this would preserve the city that current residents want for the future while allowing opportunities for things that could benefit the community. The height limit would be compatible with the look and feel of most of the existing two-story commercial buildings downtown. This would leave a wide variety of opportunities for river front property owners but precludes the kind of development people argue against. This would also preserve views and the economic value of existing homes and would keep the Riverwalk at a pedestrian scale. He urged City Council and Staff to seriously consider his proposal.

Mayor Jones asked if Staff knew what height limit the Planning Commission would be recommending for the Urban Core area.

Planner Johnson said the Commission planned to propose 35 feet with step backs along the Rivertrail. So, the maximum height would be three stories.

Mayor Jones stated the Urban Core recommendations were developed out of a lengthy process that involved significant public input. Therefore, he would feel comfortable reducing the height limit in the BVO to match that of the recommended limit for the Urban Core. However, he would not feel comfortable with two stories or lower. Historically, there are quite a few buildings that go above 24 feet, like the Helping Hands building that is four stories tall. He was not in favor of four stories, but the Planning Commission's recommendation is a standard the community has provided extensive public input on.

Councilor Rocka responded that in all of the discussions to date, the public has not been given the opportunity to consider 24 feet as the height limit because it has never been presented as a possibility.

Councilor Herman said she completely agreed with Councilor Rocka. She read some of the principles in the Riverfront Vision Plan, as follows:

- Promote physical and visual access to the river

- Maintain current areas of open space
- Create new open space areas
- Provide for public access to the river within private developments
- Protect view sheds along the river including corridors and panoramas from key view points

She believed that maintaining current areas of open space was particularly interesting and that it would be difficult to provide access to the river through a private development except along a narrow corridor. A lot of people will not have the money to eat at a restaurant or stay at a hotel. Even a three-story hotel would be too tall and would still prohibit many people from enjoying the river and wide-open vistas. People disagree about hotels and condominiums along the water front, but she liked Councilor Rocka's suggestion of 24 feet. Astoria is a one of a kind place and it is up to City Council to protect it for Astorians and all who visit. People come to Astoria because of the way it is.

Councilor Brownson said he would like to consider Councilor Rocka's proposal because the Council has heard that four stories is not acceptable. People have been concerned about overwater development and views being obstructed from the Riverwalk. Therefore, the overlays only allow docks over the water, not buildings, in certain areas. This creates the view corridors. He was in favor of doing everything possible to preserve the riverfront but believed the land side of the Riverwalk should have flexibility. He also noted that the City had not heard from the property owners who would be impacted by zone changes. He believed the Fairfield still would have built something even if the height limit were 35 feet. If the Codes are too restrictive, property owners could be negatively impacted. He wanted to find a balance that preserved what Astoria has. He appreciated the work of Staff and the Planning Commission and enjoyed this discussion.

Staff reconfirmed for Councilor Brownson that the timeline for these Code amendments was tight, but the public would have several opportunities to provide input at the upcoming public hearings with the Planning Commission and City Council. Fixing the entire BVO would take several months. However, Staff was just directed to make some corrections and clarifications that could be adopted quickly. Major amendments could be completed later.

Planner Johnson added that Staff has worked extensively with the property owners throughout the process to make sure they are aware of potential impacts to their properties, buildings, and property rights. She also noted that Astoria already has several viewpoints and access point, including the 6th Street viewing tower, the 14th Street dock for the River Pilots, and the portion of the Rivertrail that goes around the red building at the Port. Within the Bridge Visa, public viewpoints and access points include Pier 1 and the hotel area to the west, 2nd Street on the east side, and from Marine Drive to the pier head line.

Councilor Brownson asked what changes would be made to the Civic Greenway Codes.

Staff explained most of the changes would be clarifications. The height limitations currently being discussed would be specific to the BVO. The Civic Greenway has more protected areas and no build areas because it was intended to be the most vista open area of the riverfront. Downtown was intended to be an urban area with more density, the Bridge Vista was intended to have more development, and the Neighborhood Greenway was intended to be residential. Staff has not proposed any changes to the height requirements in the BVO, but City Council could direct the Planning Commission to consider alternative height requirements.

Mayor Jones said he appreciated the distinct difference between the north and south side of the Riverwalk and trolley. He expects to have different views on either side and the size of the Fisher Brothers building does not bother him because it sits on the urban side of the trail where the city is located. He did not want to see another condominium built over the water, which is the most precious side of the Riverwalk. River views from the road are blocked by one-story buildings, yet no one protests the one-story buildings. Things that block views from the road will not block views from the Riverwalk, and drivers should be looking at the road instead of the river. He read the comments made on the online petition and takes them very seriously. There were comments in opposition to out of town corporate developers. But, the property owners coming into the Planning Department recently are local people. The Riverwalk has about 5 ½ miles of waterfront, much of which is preserved. How much should be preserved and how much should have development? The Neighborhood Greenway is about 1 ¼ miles and nothing can be built there in perpetuity. The Riverfront Vision Plan recognizes the need for balancing development with protecting vistas and views. The Urban Core section is specifically intended to be the area with the most intense development. Each section of the river front are different, so they should each be discussed differently. In December, during discussions of the Fairfield Inn, people made strong sentiments about restricting the hotel to three stories. However, the Code was crystal clear that four stories was allowed. City

Council can direct Staff to change the BVO height limit to 15 feet or up to 35 feet with a 10-foot step back. That would be a significant improvement and in line with what people asked for in December.

Councilor West stated she was glad the current property owners' perspectives were being incorporated. She was not sure if existing properties could be grandfathered in or if conditional uses could be granted for current property owners. If a current property owner wanted to sell their business or property to an entity that wanted to build a four-story hotel, she would not be in favor of that. She supported preserving the Riverwalk because of the community feedback she has heard. However, she also wanted to find a balance between development and concerns about the river and would support a two-story height limit. She understood how the Fairfield Inn was approved, but believed it was unfortunate. Sometimes, projects like that have to happen in order to get Codes cleaned up or fixed. She did not believe that these discussions were necessary 15 years ago, so there was not sense of urgency to put clear Codes in place. The Council is genuinely interested in community feedback around the decisions being developed.

Mayor Jones confirmed for Staff that three Councilors were in favor of a two-story height limit in the BVO. He clarified for the audience that the Council could not vote on that but was directing Staff to begin the Code amendment process.

Staff confirmed with the Council that with a two-story limit, buildings would be allowed setbacks, but no step backs, and that the height limit only apply to on land development because overwater development should be restricted.

Councilor Brownson believed the square footage should also be restricted to prevent wide/long two-story buildings.

Staff noted that currently, the three-story buildings were limited to 10,000 square feet and advised that changing the massing would delay this process. Historically, this area has been developed at an urban scale, unlike the west side of Portland with suburban areas and lawns where structures have large 20-foot setbacks. The suburban model is counter to Astoria as a community.

Councilor Brownson clarified that he was trying to understand the relationship between square footage, massing, and height limits so that he could determine a good way to formulate the Codes.

Planner Johnson explained that mass and scale relate to square footage. Because this is an urban area, larger buildings could be built on each lot. Changing all over water development standards would need a second amendment process so that Staff could complete the clarifications quickly.

Councilor Rocka recommended building square footage be reduced by the same percentage as lowering the height limit from three stories to two stories.

Staff clarified that their proposal allows quick adjustment to address Codes that have been brought up during recent permit hearings. City Council's direction to Staff was to clarify these Code items sooner than later. If the Council wanted to make straight forward changes to the Code tonight, Staff can include them in this process. However, if the Council wanted to rewrite the BVO, the City will need to conduct a longer process to complete those changes.

Mayor Jones confirmed with Staff that in order to complete these Code amendments by May, the language on building height standards in the BVO could be changed to limit height to 28 feet without any other substantive amendments. He also confirmed that lowering the height limit for over water development would not impact existing facilities at the Port because the Port is outside of the BVO.

Staff reminded that new hotels and condominiums were not permitted over the water in the BVO. However, the Riverwalk Inn could be rebuilt. Additionally, the BVO already addressed most of the Council's concerns about overwater development. The development that is allowed in the BVO is working waterfront related.

Councilor Brownson added that building over the water was unlikely because it would be so expensive right now.

Councilor Herman said she understood the need to get the clarifying amendments expedited. However, she recommended that in the future, the City set limitations that prevent developers from spreading a 30,000 square foot building out over a larger footprint so that views are not lost. She did not understand why the City could not simply reduce the percentage of the square footage by one-third per story.

City Manager Estes explained that would require a discussion about building forms. Unintended consequences can occur when changes are made independently.

Councilor West asked if reducing the height would still allow for 30,000 square feet.

Staff explained that when the Riverfront Vision Plan began, the consensus among the Planning Commission and City Council was to require a smaller footprint as the building gets higher, which would result in larger view corridors. A one story building the full length of a lot will block views. However, the Code currently does not preclude a developer from building a 30,000 square foot structure on one floor. Some property owners with waterfront lots on the land side feel that 30,000 square feet is too restrictive.

Councilor West said people prioritize each section of the river front differently. She received feedback from people who lived across the street from the dialysis center who said they were not happy that the building blocked their view. However, many people who live on that stretch of Bond St. and Marine Drive are renters, not owners.

City Manager Estes noted that during the Historic Landmarks Commission's public hearing on the dialysis center, the HLC required the center to increase the height of the building to keep it in character with the historic structures in the area.

Planner Johnson confirmed for Mayor Jones that she had the direction she needed from the Council. Staff would complete the quick fixes now and the larger issues could be discussed in the future.

City Manager Estes reminded that the Planning Commission's recommended Urban Core amendments would be discussed at the next City Council meeting. This would allow the Council to provide the Planning Commission with direction before they start holding public hearings on the amendments. Staff is also working on Development Code amendments for the transient lodging permit established by City Council in 2018. These amendments are the highest priority for Community Development Staff because the permitting process is being implemented. Other miscellaneous Code amendments are needed to address housekeeping items. The Community Development Department is swamped with work right now. Therefore, Staff will also propose Code amendment that streamline and simplify City processes. Staff would like to propose these Code amendments next, along with the transient lodging Codes. Then, the Urban Core amendments would be handled, and would be a daunting task for the Planning Commission and City Council. The Code amendments on the backburner include amendments to the accessory dwelling unit (ADU) ordinance and the warming center ordinance, which would be addressed by Staff over the summer at the earliest. Then, Staff would begin on the Uniontown amendments in the fall.

Mayor Jones thanked City Manager Estes for the reality check and for supporting Staff. He thanked Staff for their work and said it was important for Staff to have a life outside of work and take vacation days, even if it meant timelines had to be pushed out.

Planner Johnson added that the amendments to City processes would also make the permitting process easier on the public and allow people to get projects started more quickly.

Councilor Brownson said Staff needed to be sure to look at Sections 14.115(a) and (b) on new construction and major renovations.

Mayor Jones called for a recess at 9:51 pm. The meeting reconvened at 9:57 pm.

Mayor Jones called for public comments on the proposed Code amendments.

Cindy Price, P.O. Box 477, Astoria, said she believed the Council was having a historic conversation. The civic sentiment about development on the river front has not changed from the Riverfront Vision Plan. The sentiment

was always for extraordinarily limited development. The Council is what has changed. The Council is now much more sensitive and responsive to public sentiment. That is what democracy is all about. The idea that the Planning Commission had very long discussion about keeping the 45-foot height limit was impacted by Mayor Jones. The Commission just agreed at its last meeting to lower the height to 35 feet. She had told the Council that Mayor Jones had stated the height limit could be lowered by changing the Code. The first time she said it, she was not acknowledged. However, she said it again two weeks later and the Planning Commission agreed that she was right. Twenty-four feet was never in anyone's prayer book. She believed there were two reasons people have not complained about the dialysis center. One is that almost everyone who want limited development understand that no development is impossible. It has been 30 years since the saw mill closed and more than 40 years since there was much development along the river. However, most people remember Number Ten 6th Street and many people felt it would be redeveloped. So, having a building there is not so onerous.

Laurie Caplan 766 Lexington Ave. Astoria, said she believed several people were joyful at the bunch of nice people up front who listened to what people want and to each other instead of coming in with a preset agenda and just humoring the public. This is democracy at its best. The Council is doing the right thing instead of just doing what it has the right to do. She presented Staff with petitions by the Friends of Astoria Waterfront that contained over 400 signatures. The petitions show that Astorians want to work with the City Council and Staff. The Friends are not adversarial, but the petitions provide information about what Astorians want. Astoria is a horizontal town that looks for the horizon because the horizon is gorgeous, but it is also practical. Also, Astoria is adaptable. The city adapted after the fire and as fishing and logging economies changed. And the city is thriving in ways that people could not imagine 20 years ago. People here are so invested in keeping the town livable. She thanked the Council for listening. It is clear everyone wants to move forward together.

Olenska Levy 509 Kensington, Astoria, thanked City Council for listening. She just learned about the petition and was able to get 40 signatures in one day. The consensus is overwhelming. It is important to people to preserve and protect what the community has because it is so special. She urged City Council to see this as a priority if possible because it is extremely important. She knew the business owners but believed that in the long run, Astoria's uniqueness will drive the economy.

Lisa Morley 4908 Cedar St. Astoria, thanked the Council for listening. She believed that without a vision, a lot of knee-jerk reactions would be made. When Councilor Herman read the statements from the Riverfront Vision Plan, she thought that said it all. She did not believe that even a two-story height limit would align with the Vision Plan that has apparently been approved. New buildings would not fit in with the statements in the Vision Plan. She encouraged the Council to adopting limits that line up with the approved plan. She asked that no changes be made to the Vision Plan because the plan is what the City uses to make decisions. She did not protest the one-story building because she did not know about it until she drove by and saw it half way built. She travels full time and spends more nights in Marriott hotels than she does in her own bed. She did not want Marriott in Astoria at any height. She does not decide where to stay based on whether a view of a river is available. This ship has not sailed on the Fairfield and the City still has time to do the right thing for Astoria.

Mayor Jones noted that the Riverfront Vision Plan is available on the City's website.

Elizabeth Menetrey, 3849 Grand Ave. Astoria, said the city has been working on this since 2007. One of the first things discussed was the views from the road and from the waterfront. She seldomly walked on the waterfront but walks a lot downtown and in the hills. She enjoyed looking down on the waterfront. And from the waterfront is it nice to see the hills. One-story buildings make a difference to her because she can still see the hills. People did not believe 28 feet was possible because they had to fight so hard to get to 35 feet. In the beginning, she participated in petitions, signs, and meetings at the library. Then, Mr. Van Dusen established a riverfront committee that was heavily stacked with business owners and developers, and a couple of token people like herself. She was sure people who owned waterfront property had some deep feelings, but she spoke with hundreds of people at public input meetings who were in favor of open spaces and small buildings.

Chris Farrar, 3023 Harrison Ave. Astoria, said a lot of what was discussed at this meeting was very good. However, it is easy to do a search and replace in a document. Find the number 30,000 and replace the value with 20,000. Then, the City can come back later and entertain correcting where that becomes a problem. There is no sense in having a building that would amount to 100 by 150 feet on a lot in that area. He was not against development and would not have protested one-story buildings. The City has to allow some development. So,

protesting one-story buildings is a silly argument. One Councilor does not understand that tall buildings actually block views in a different way than lower buildings. The view of the hills and the residences is important and that view can be seen on top of a one-story building. He believed the City should make the idea of building a hotel anywhere along the waterfront a conditional use and not an outright use in any case. This town does not need more hotel rooms because that would bring in a lot of people from outside and stresses the infrastructure. Fire and Police need the ability to evacuate people and deal with people in all types of situations. Those departments have to be staffed up at the expense of staffing the library or other facilities that would be useful to people who live here.

Will Johnson 509 Kensington Ave. Astoria, said it was overwhelming and pleasing to see something like this out of a suggestion to move forward and quickly. He thanked everyone for their comments. He works as a boat captain every week. He loves the view of the river as he drives through town to work every morning. When he is on the water, he gets the view from both sides. That is a rare opportunity that not everyone has. The water is a treasure and the town is a treasure. If Astoria does not have any more hotels, more money would still come into the rooms that are already here. People would be willing to pay more to see the gem that Astoria is preserving. Just as downsizing the height of the buildings was discussed, he also believed the number of hotel rooms should be downsized since hotels are only full for one-third of the year. The Council is responsible for representing the community and the community asks that the Council continues to listen.

Gordon Shriver 2778 Grand Ave. Astoria, thanked the Mayor, City Council, and Staff for the Uniontown storefront revitalization grant program that he got to participate in.

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

Mia Metcalf 3834 Franklin, Astoria, said she moved to Astoria six years ago and was concerned about the problem with homeless people. In the last two weeks, her car was burglarized. Also, someone banged on the door of her home, shaking the door handle. She was fearful and called the police. She found it odd that no police report was made for either incident. The woman who broke into her car had an ankle bracelet. Her boyfriend had tried to prevent the woman from leaving when the police were called and the police seemed to be more concerned with him holding her. There was never a discussion about why she broke into the car or why she was wearing an ankle bracelet. The police told her they would take the woman home and if any charges were made, they would only charge her boyfriend for holding the woman. She was very upset about this. When she walks on the riverfront, there is fecal material, homeless people urinating, smoking, and fighting with each other. Certain people are being excused for some pretty bad behavior. She did not know if it was normal to refrain from making police reports, but the City should have police reports and collect data on what is going on. The City also needs controls on some of the things that are going on. She would love to serve on a committee to work towards a solution because the problem is unacceptable. She did not care for police officers who say, "You're lucky you weren't killed. It's just a little vomit. It's just fecal material. Just clean it up and go away because you're so lucky." The woman with the ankle bracelet who broke into her car was on her street again three days later. She hoped the City would take these problems seriously because they are not acceptable.

City Manager Estes asked Ms. Metcalf to follow up with him after the meeting.

Olenska Levy 509 Kensington Ave. Astoria, said her shop was right on Marine Drive and she was very aware of the traffic, especially in the summer. It seemed to her as if Marine Drive was at capacity. Before the City begins talking about all of this development, the City has to consider that traffic is a real issue. Traffic is part of the environmental impacts.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:23 pm. [3:23:50]

ATTEST:

APPROVED:

Finance Director


City Manager



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

MEMORANDUM • FINANCE DEPARTMENT

DATE: March 8, 2019
TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: LIQUOR LICENSE APPLICATION FROM DIANA GULLEY DOING BUSINESS AS GULLEY'S BUTCHER SHOP LOCATED AT 1255 COMMERCIAL STREET, AS A NEW OUTLET FOR AN OFF-PREMESIS SALES LICENSE (FINANCE)

DISCUSSION/ANALYSIS

A liquor license application has been filed by Diana Gulley doing business as Gulley's Butcher Shop. This application is a New Outlet for an Off-Premises Sales License.

The Off-Premises Sales license allows the following:

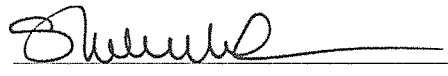
- May sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises.
- A factory-sealed container of malt beverages may not hold more than 2 ¼ gallons.
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises (the container may not hold more than 2 gallons)
- Eligible to apply to get pre-approval to provide sample tastings of malt beverages, wine, and cider for consumption on the premises.
- The license comes with the privilege to make next-day delivery of malt beverages, wine, and cider directly to an Oregon resident. Note: must follow OAR 845-006-0392 and 845-006-0396.
- To make same-delivery of malt beverages, wine, and cider directly to an Oregon resident the licensee must apply and received OLCC prior approval. Note: must follow OAR 845-006-0392 and 845-006-0396.

The site is located at 1255 Commercial Street, Astoria. The application will be considered at the March 18, 2019 meeting. A copy of the application is attached.

The appropriate Departments have reviewed the application. The Astoria Police Department has prepared the attached memorandum for Council's review. No objections to approval were noted.

RECOMMENDATION

It is recommended that City Council consider this application.

By: 

Susan Brooks, Director of Finance
and Administrative Services



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received: <u>2/21/19</u>
<input type="checkbox"/> Brewery 2 nd Location	Name of City or County: <u>City of Astoria</u>
<input type="checkbox"/> Brewery 3 rd Location	Recommends this license be: <input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Brewery-Public House 1 st location	By: _____
<input type="checkbox"/> Brewery-Public House 2 nd location	Date: _____
<input type="checkbox"/> Brewery-Public House 3 rd location	
<input type="checkbox"/> Distillery	
<input type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege 1 st location	
<input type="checkbox"/> Grower Sales Privilege 2 nd location	
<input type="checkbox"/> Grower Sales Privilege 3 rd location	
<input type="checkbox"/> Limited On-Premises	
<input checked="" type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
<input type="checkbox"/> Winery 2 nd Location	
<input type="checkbox"/> Winery 3 rd Location	

OLCC USE ONLY
Date application received: <u>J. Orwick 2/16/19</u>
By: _____
Date application accepted as initially complete: <u>2/8/19</u>
By: <u>J. Orwick</u>
License Action(s): <u>N/O</u>

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

Gulley's Butcher shop, LLC

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)

OLCC USE ONLY

OLCC FINANCIAL SERVICES USE ONLY



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

3. Applicant #1 Diana Lynn Gulley		Applicant #2 Charles Glenn Gulley	
Applicant #3		Applicant #4	
4. Trade Name of the Business (Name Customers Will See) Gulley's Butcher Shop			
5. Business Address (Number and Street Address of the Location that will have the liquor license) 1255 Commercial Street			
City Astoria	County Clatsop	Zip Code 97103	
6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail) 1255 Commercial Street			
City Astoria	State Oregon	Zip Code 97103	
9. Phone Number of the Business Location 503-325-2478		Email Contact for this Application gulleysbutchershop@gmail.com	
Contact Person for this Application Diana Gulley		Phone Number 503-791-3068 cell/ 503-325-2478 shop	
Mailing Address 1255 Commercial Street	City Astoria	State OR	Zip Code 97103

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

Diana Lynn Gulley
(Applicant #1)

Charles Glenn Gulley
(Applicant #2)



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Diana Lynn Gully Phone: (503) 325-2478
Trade Name (dba): Gully's Butcher Shop, LLC
Business Location Address: 1255 Commercial Street
City: Astoria Oregon ZIP Code: 97103

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 10am to 3pm
Monday closed
Tuesday 9:30 to 6pm
Wednesday 9:30 to 6pm
Thursday 9:30 to 6pm
Friday 9:30 to 6pm
Saturday 10 to 5pm

Outdoor Area Hours:

Sunday N/A to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

The outdoor area is used for:

☐ Food service Hours: _____ to _____
☐ Alcohol service Hours: _____ to _____
☐ Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☒ Yes ☐ No If yes, explain: Closed Sundays from
October 13th 2018 to May 12th, 2019

ENTERTAINMENT

Check all that apply:

- ☐ Live Music ☐ Karaoke
☐ Recorded Music ☐ Coin-operated Games
☐ DJ Music ☐ Video Lottery Machines
☐ Dancing ☐ Social Gaming
☐ Nude Entertainers ☐ Pool Tables
☐ Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday N/A to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: _____
Lounge: _____ Other (explain): _____
Banquet: _____ Total Seating: 0

OLCC USE ONLY

Investigator Verified Seating: N/A (Y) (N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Diana Gully Date: 2/07/2019

1-800-452-OLCC (6522)

March 6, 2019

INVESTIGATION REPORT FOR LIQUOR LICENSE APPLICATION

Type of License: Off-Premises



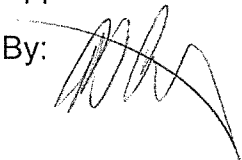
Amount and Receipt # \$150.00 – Receipt #253920

Applicant: Diana Lynn Gulley
Trade Name: Gulley's Butcher Shop

Address: 1255 Commercial St., Astoria
Contact #: Diana Gulley (503) 791-3068 (cell)

Representatives of the departments listed below have reviewed this application with respect to the requirements of their departments.

Reviewed: (Initial below)

Public Works	Approved By: 	Denied By:	Conditional Approval By: Comments:
Community Development	Approved By: 	Denied By:	Conditional Approval By: Comments:
Building Inspector	Approved By: 	Denied By:	Conditional Approval By: Comments:

Return to Finance by 5:00 pm: Friday, March 8, 2019

March 6, 2019

INVESTIGATION REPORT FOR LIQUOR LICENSE APPLICATION

Type of License: Off-Premises

Amount and Receipt # \$150.00 – Receipt #253920

Applicant: Diana Lynn Gulley
Trade Name: Gulley's Butcher Shop

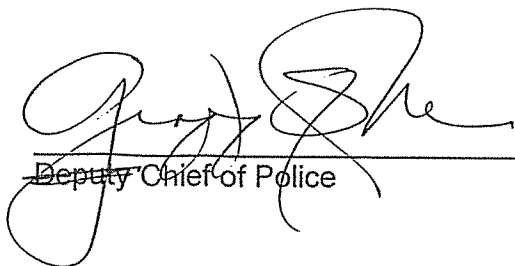
Address: 1255 Commercial St., Astoria
Contact #: Diana Gulley (503) 791-3068 (cell)

Return to Finance by 5:00 pm: Friday, March 8, 2019

****Copy of all forms received is attached****

Representatives of the Police Department have investigated the background of the applicant named above and find no derogatory information except as follows:

Residents in the area do not object to the granting of the liquor license except as follows:



Deputy Chief of Police

Email with .pdf file attachment to APD: Eric Halverson
Sent: March 6, 2019



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

MEMORANDUM • POLICE DEPARTMENT

DATE: MARCH 8, 2019
TO: MAYOR AND CITY COUNCIL
FROM: BRETT ESTES, CITY MANAGER
SUBJECT: LICENSE RECOMMENDATION GULLEY'S BUTCHER SHOP OFF-
PREMISES LIQUOR LICENSE APPLICATION

DISCUSSION / ANALYSIS

On March 6, 2019, The City of Astoria received notice that Gulley's Butcher Shop located at 1255 Commercial Street, applied for a liquor license for off-premises sales of alcohol.

The Off-Premises Sales License privileges and requirements include:

- May sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises.
- A factory-sealed container of malt beverages may not hold more than 2 ¼ gallons.
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises (the container may not hold more than 2 gallons)
- Eligible to apply to get pre-approval to provide sample tastings of malt beverages, wine, and cider for consumption on the premises.
- The license comes with the privilege to make next-day delivery of malt beverages, wine, and cider directly to an Oregon resident. Note: must follow OAR 845-006-0392 and 845-006-0396.
- To make same-delivery of malt beverages, wine, and cider directly to an Oregon resident the licensee must apply and received OLCC prior approval. Note: must follow OAR 845-006-0392 and 845-006-0396.

Gulley's Butcher Shop's hours of operation are 9:30 AM – 6:00 PM Tuesday through Friday, and 10:00 AM – 5:00 PM on Saturday and 10:00 AM – 3:00 PM on Sundays. They are closed on Mondays.

APPLICANT

The applicants for the license are Diana Lynn Gulley and Charles Glenn Gulley. The Gulleys are the owners of the butcher shop. Representatives from the Astoria Police Department have investigated the backgrounds of the applicants named above, utilizing available databases specific to restrictions for licensing.

During the background investigation Charles Gulley's individual history form question 15 indicated yes to the question (In the past 12 years, have you been in an alcohol or drug diversion program?

Mr. Gulley replied he had two DUIs in which he was placed in diversion programs. He said the diversion stemmed from a DUI in 2007 and 1998. Two DUIs were confirmed in his background check. One on 2/24/2006 and the other on 8/14/1998.

NEIGHBORHOOD SURVEY

The location of this business is in a business district and therefore those surveyed were other businesses. Nine other businesses were contacted in the immediate vicinity. Two of those businesses were closed. Four businesses had no concerns and one business stated they did have concerns as "there were enough places selling alcohol already." There were no objections to the additional privilege by any of the entities contacted. The Officer conducting the survey indicated that support was generally in favor from the parties he contacted.

RECOMMENDATION

Given the listed information staff has no objection to the granting of the approval of the license. As to the one concern of the business owner regarding the amount of places that sell alcohol, that determination is not within the jurisdiction of the police department and is governed by the OLCC.

By: 


Geoff Spalding, Chief of Police



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

MEMORANDUM • FINANCE DEPARTMENT

DATE: March 8, 2019
TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: LIQUOR LICENSE APPLICATION FROM CORDERO-NEVA LLC
DOING BUSINESS AS HURRICANE RON'S LOCATED AT 1331 AND
1335 MARINE DRIVE, AS A NEW OUTLET FOR A FULL ON-
PREMISES SALES LICENSE (FINANCE)

DISCUSSION/ANALYSIS

A liquor license application has been filed by Cordero-Neva LLC doing business as Hurricane Ron's. This application is a New Outlet for a Full On-Premises Sales License.

The Full On-Premises Sales license allows the following:


- May sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises (this is the license most "full-service" restaurants obtain).
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises (the container may not hold more than 2 gallons).
- Eligible to apply to get pre-approved to cater some events off of the licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity).
- Eligible to apply for a "special event" license
-

The site is located at 1331 and 1335 Marine Drive, Astoria at the southwest corner of 14th street and Marine Drive. The application will be considered at the March 18, 2019 meeting. A copy of the application is attached.

The appropriate Departments have reviewed the application. The Astoria Police Department has prepared the attached memorandum for Council's review. No objections to approval were noted.

RECOMMENDATION

It is recommended that City Council consider this application.

By: 

Susan Brooks, Director of Finance
and Administrative Services



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

Pending

1. Application. Do not include any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received: <u>2/20/19</u>
<input type="checkbox"/> Brewery 2 nd Location	Name of City or County: <u>City of Astoria</u>
<input type="checkbox"/> Brewery 3 rd Location	Recommends this license be:
<input type="checkbox"/> Brewery-Public House 1 st location	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Brewery-Public House 2 nd location	By: _____
<input type="checkbox"/> Brewery-Public House 3 rd location	Date: _____
<input type="checkbox"/> Distillery	
<input checked="" type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege 1 st location	
<input type="checkbox"/> Grower Sales Privilege 2 nd location	
<input type="checkbox"/> Grower Sales Privilege 3 rd location	
<input type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
<input type="checkbox"/> Winery 2 nd Location	
<input type="checkbox"/> Winery 3 rd Location	

OLCC USE ONLY
Date application received: <u>2-7-19</u>
By: <u>J. Onwick</u>
Date application accepted as initially complete: <u>2-14-19</u>
By: <u>J. Onwick</u>
License Action(s): <u>CLC / C / TR</u>

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

Cordero-Neva LLC

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)

OLCC USE ONLY	OLCC FINANCIAL SERVICES USE ONLY
RECEIVED FEB 07 2019 SALEM REGIONAL OFFICE	



OREGON LIQUOR CONTR. COMMISSION

LIQUOR LICENSE APPLICATION

3. Applicant #1 Cordero-Neva LLC		Applicant #2	
Applicant #3		Applicant #4	
4. Trade Name of the Business (Name Customers Will See) Hurricane Ron's			
5. Business Address (Number and Street Address of the Location that will have the liquor license) 1331 and 1335 Marine Dr			
City Astoria		County clatsop	Zip Code 97103
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail) 306 west exchange st			
City astoria		State OR	Zip Code 97103
9. Phone Number of the Business Location 503 741 3033		Email Contact for this Application mandab1986@yahoo.com	
Contact Person for this Application amanda cordero		Phone Number 503 791 5330	
Mailing Address 306 west exchange st		City astoria	State OR
			Zip Code 97103

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Cordero-Neva LLC Phone: 503 791 5331

Trade Name (dba): Hurricane Rons

Business Location Address: 1331 + 1335 Marine Dr

City: Astoria ZIP Code: 97103

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>11</u>	to	<u>9³⁰ 9³⁰</u>
Monday	<u>11</u>	to	<u>7 12</u>
Tuesday	<u>11</u>	to	<u>9 12</u>
Wednesday	<u>11</u>	to	<u>9 12</u>
Thursday	<u>11</u>	to	<u>9 12</u>
Friday	<u>11</u>	to	<u>9 12</u>
Saturday	<u>11</u>	to	<u>9 12</u>

Outdoor Area Hours:

Sunday	<u>11</u>	to	<u>9 9</u>
Monday	<u>11</u>	to	<u>9 9</u>
Tuesday	<u>11</u>	to	<u>9 9</u>
Wednesday	<u>11</u>	to	<u>9 9</u>
Thursday	<u>11</u>	to	<u>9 9</u>
Friday	<u>11</u>	to	<u>9 9</u>
Saturday	<u>11</u>	to	<u>9</u>

The outdoor area is used for:

☒ Food service Hours: 11 to 9-12³⁰
☒ Alcohol service Hours: 11 to 9-12³⁰

☐ Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☒ Yes ☐ No If yes, explain: Outdoor service shortened
until dark in winter months

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input type="checkbox"/> DJ Music | <input type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input type="checkbox"/> Pool Tables |
| | <input type="checkbox"/> Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

SEATING COUNT

Restaurant: 32 Outdoor: 12
Lounge: 19 Other (explain): _____
Banquet: _____ Total Seating: 63

OLCC USE ONLY

Investigator Verified Seating: _____ (Y) _____ (N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 2/15/19

1-800-452-OLCC (6522)

www.oregon.gov/olcc

(rev. 12/07)



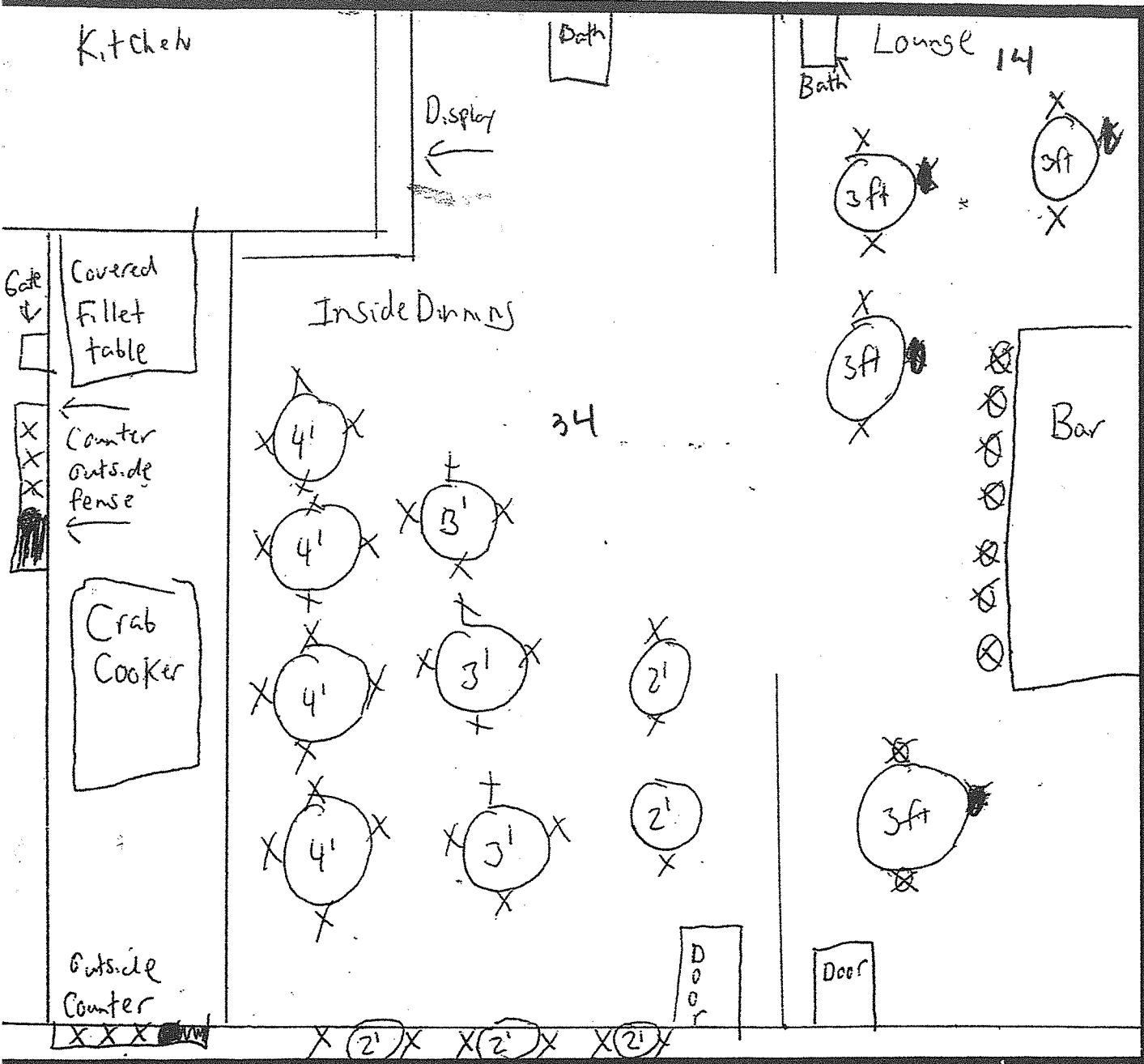
OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

Your floor plan must be submitted on this form.

Use a separate Floor Plan Form for each level or floor of the building.

The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)

Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.



Cordero-Neva LLC

Applicant Name

Hurricane Rows

Trade Name (dba):

Astoria 97103

City and ZIP Code

.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

Date: _____ Initials: _____

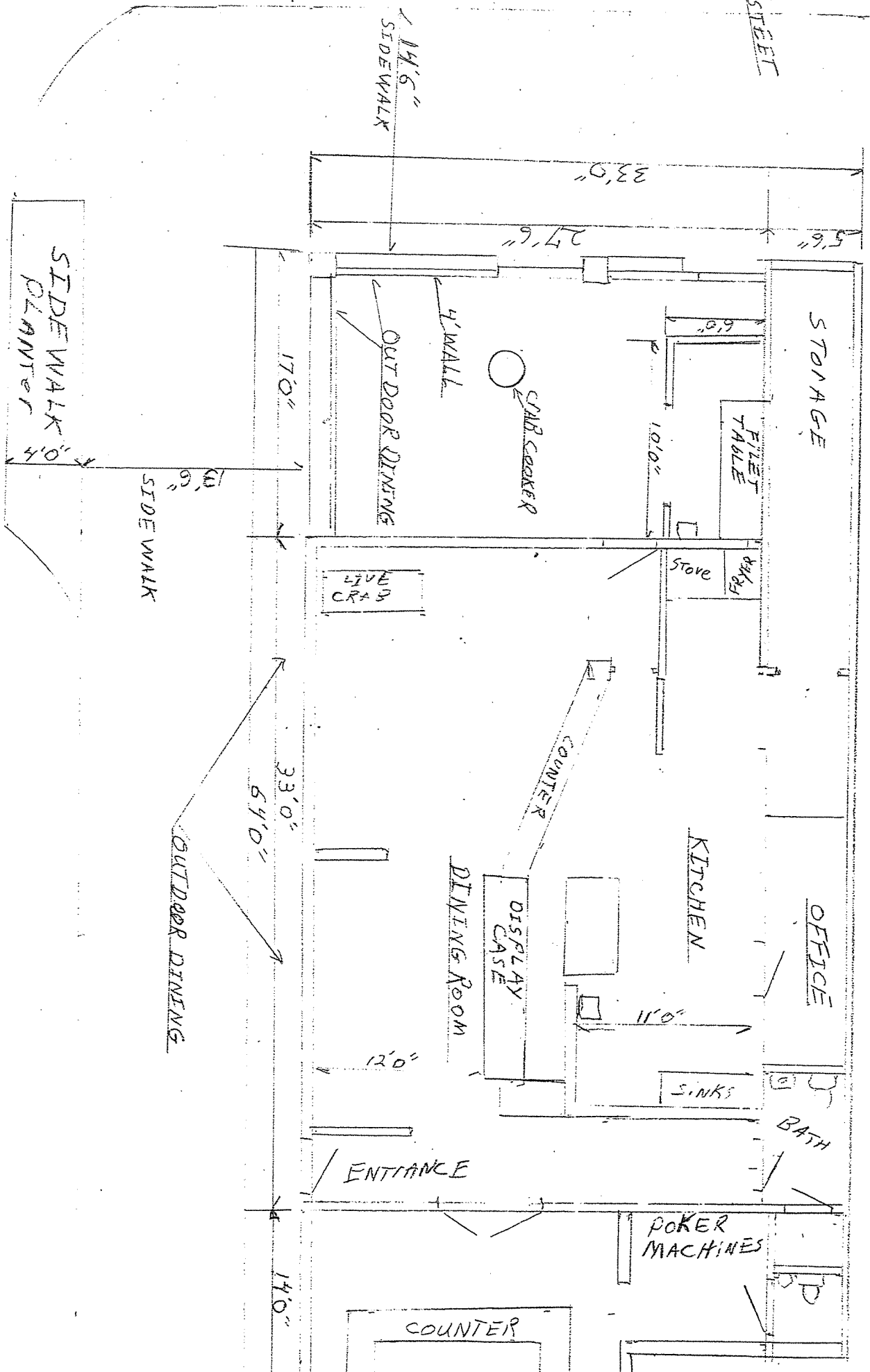
1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 09/12)

MARINE STREET

HURRICANE RONS
1335 MARINE DRIVE

1/8 IN. = 1'0"



March 6, 2019

INVESTIGATION REPORT FOR LIQUOR LICENSE APPLICATION

Type of License: New Outlet – Full On-Premises Commercial License




Amount and Receipt # \$150.00 – Receipt #253865

Applicant: Cordero-Neva LLC
Trade Name: Hurricane Ron's

Address: 1331 and 1335 Marine Drive, Astoria
Contact #: Amanda Cordero (503) 741-3033 (cell)

Representatives of the departments listed below have reviewed this application with respect to the requirements of their departments.

Reviewed: (Initial below)

Public Works	Approved By: 	Denied By:	Conditional Approval By: Comments:
Community Development	Approved By: 	Denied By:	Conditional Approval By: Comments:
Building Inspector	Approved By: 	Denied By:	Conditional Approval By: Comments:

Return to Finance by 5:00 pm: Friday, March 8, 2019

March 6, 2019

INVESTIGATION REPORT FOR LIQUOR LICENSE APPLICATION

Type of License: New Outlet – Full On-Premises Commercial License

Amount and Receipt # \$150.00 – Receipt #253865

Applicant: Cordero-Neva LLC
Trade Name: Hurricane Ron's

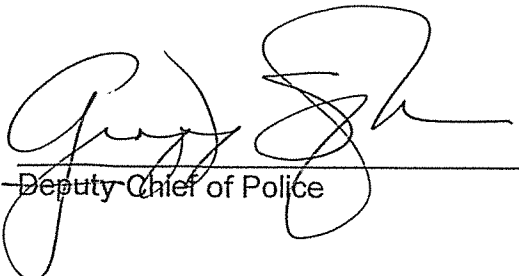
Address: 1331 and 1335 Marine Drive, Astoria
Contact #: Amanda Cordero (503) 741-3033 (cell)

Return to Finance by 5:00 pm: Friday, March 8, 2019

****Copy of all forms received is attached****

Representatives of the Police Department have investigated the background of the applicant named above and find no derogatory information except as follows:

Residents in the area do not object to the granting of the liquor license except as follows:



Deputy Chief of Police

Email with .pdf file attachment to APD: Eric Halverson
Sent: March 6, 2019



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

MEMORANDUM • POLICE DEPARTMENT

DATE: MARCH 8, 2019
TO: MAYOR AND CITY COUNCIL
FROM: BRETT ESTES, CITY MANAGER
SUBJECT: LICENSE RECOMMENDATION - HURRICANE RON'S FULL ON-
PREMISES COMMERCIAL LIQUOR LICENSE APPLICATION

DISCUSSION / ANALYSIS

On March 6, 2019, The City of Astoria received notice that Cordero-Neva LLC DBA Hurricane Ron's, located at 1331 and 1335 Marine Drive has applied for a full On-Premises Commercial liquor license for on-premises sales of alcohol.

The license privileges and requirements include:

- May sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises (this is the license most "full-service" restaurants obtain).
- May sell malt beverages, wine, and cider to individuals in a securely covered container ("growler") for consumption off the licensed premises.
- Eligible to apply to get pre-approved to cater some events off of the licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity).
- Food service is a requirement of this license.

Hurricane Ron's hours of operation are proposed to be 11:00 AM – 12:00 AM seven days a week.

APPLICANT

The applicant for the license is Ronald Lee Neva. I clarified with Neva that he is the sole applicant and Amanda Cordero is simply his assistant and the one who completed the application. Representatives from the Astoria Police Department have investigated the background of the applicant named above, utilizing available databases specific to restrictions for licensing.

No derogatory information was located regarding applicant Neva in the databases.

Cordero-Neva LLC also owns and operates Northwest Wild Products located at 354 Industry Street in Astoria. They have a valid limited on-premises and off-premises liquor license at that location. A premises history was conducted to ensure no concerns due to management of that operation. Since they opened for business in November of 2016 there were approximately 21

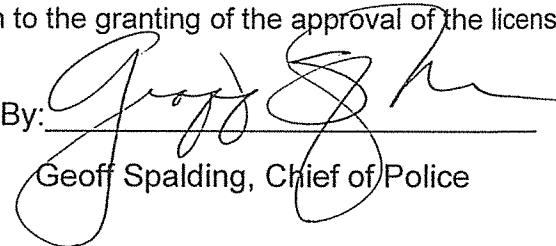
calls for service. Not an unusual amount of calls for a two-year period and most if not all were not alcohol-related.

NEIGHBORHOOD SURVEY

The location of this business is in a business district and therefore those surveyed were other businesses. This business replaces a business at the same location that also sold alcoholic beverages. The Officer conducting the survey indicated that support was positive from the parties he contacted. At this time Ron Neva is proposing an outdoor service area and has been directed to Community Development for appropriate permits.

RECOMMENDATION

Given the listed information staff has no objection to the granting of the approval of the license.

By: 
Geoff Spalding, Chief of Police




CITY OF ASTORIA

Founded 1811 • Incorporated 1856

MEMORANDUM • POLICE DEPARTMENT

DATE: MARCH 7, 2019

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: PUBLIC HEARING: ORDINANCE ADDING CITY CODE 6.390
RELATING TO UNLAWFUL TRANSFER ON VEHICULAR PORTION OF
THE RIGHT-OF-WAY

DISCUSSION/ANALYSIS

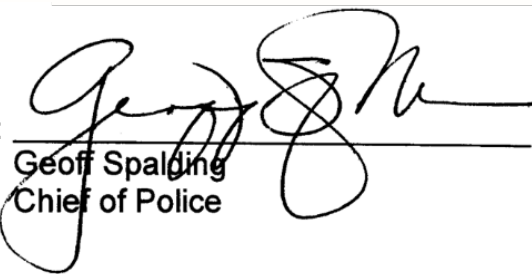
The City of Astoria is experiencing an increase in people making transfers of goods or monies between pedestrians and motor vehicles on the vehicular portion of the roadway, creating a traffic safety concern. Motor vehicle drivers who are focused on non-traffic distractions are not attentive to other drivers, pedestrians, changing traffic, signage and lights. Drivers who are looking for property inside their vehicle and are handing items to pedestrians are not attentive to traffic. Offering items from a vehicle to a pedestrian encourages the pedestrian to enter the roadway outside of a crosswalk or sidewalk putting the pedestrian at unreasonable risk. Inattentive drivers cause can traffic obstructions and traffic delays. A prohibition on the transfer of items from a motor vehicle to a pedestrian will address these concerns.

This ordinance also includes the addition of City Code section (e) to the current Penalties language in section 1.010(4) to address the associated penalties. Former section (e) moved to (f).

RECOMMENDATION

It is recommended that Council hold a public hearing and consider holding a first reading of the ordinance adding City Code 6.390 relating to unlawful transfer on vehicular portion of the right-of-way.

By:


Geoff Spalding
Chief of Police

ORDINANCE NO. 19-____

AN ORDINANCE REVISING ORDINANCE 6.390 RELATING TO UNLAWFUL
TRANSFER ON VEHICULAR PORTION OF THE RIGHT-OF-WAY AND REVISING
ORDINANCE 1.010 RELATING TO PENALTIES

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Addition of Astoria City Code 6.390 Astoria City Code section 6.390 is added to read as follows:

6.390 Unlawful Transfer on vehicular portion of the right-of-way.

- (1) A person commits the offense of unlawful transfer under this section if the person:
 - (a) While a driver or passenger in a vehicle on the vehicular portion of a highway, road or street within the boundaries of the City of Astoria, gives or relinquishes possession of, or control of, or allows another person in the vehicle to give or relinquish possession or control of any item of property to a pedestrian; or
 - (b) While a pedestrian, accepts, receives or retains possession or control of any item of property from a driver or passenger in a vehicle on the vehicular portion of a highway, road or street within the boundaries of the City of Astoria.
- (2) For purposes of Astoria City Code 6.390, the phrase “on the vehicular portion of a highway, road or street” means located in the vehicular travel or turning lane or any associated shoulder, driveway or traffic divider area within the right-of-way where vehicles are reasonably expected to be encountered. The prohibitions of the section do not apply if the vehicle is parked in a legal parking space located on or off the right-of-way or during a law enforcement stop or action.
- (3) The prohibitions of Astoria City Code 6.390 do not apply to persons participating in a “Pedestrian Activity” as defined on Oregon Administrative Rules, Chapter 734, Division 58, for which a permit has been issued by the Oregon Department of Transportation, so long as all terms of the permit have been met.

Section 2. Amend Astoria City Code 1.010 Astoria City Code section 1.010 (4) is amended to read as follows:

1.010 Penalties.

(4) Violations of the Astoria Traffic Code are as follows:

(e) Violation of Section 6.390 constitutes a traffic violation and is punishable by a fine not to exceed \$75.00.

(ef) When a warrant of arrest issued by the Municipal Court is served, the amount of bail shall be increased \$100.

Section 3. Effective Date. This ordinance shall become effective 30 days after its adoption.

ADOPTED BY THE CITY COUNCIL THIS 18th DAY OF MARCH 2019

APPROVED BY THE MAYOR THIS 18th DAY OF MARCH 2019

Mayor

ATTEST:

City Manager

ROLL CALL ON ADOPTION
Councilor

YEA NAY ABSENT

Brownson
Herman
Rocka
West
Mayor Jones

Restore Oregon urges your support of SB 927: Fix Oregon's Broken System of Historic Preservation

Oregon's current system of protecting and revitalizing its historic buildings and districts is considered "worst practice" in the U.S.

The Public Participation in Preservation Act brings Oregon policy in line with the rest of the U.S. It will make preservation in Oregon more equitable, flexible, relevant, and community-centered.

- Less demolition/landfill/contamination = greater environmental sustainability.
- More retention & restoration = less displacement; retained cultural history; greater affordability.
- Using a public process = a balance of public benefits, economic development, private property rights, and local land use goals.



LESS DEMOLITION



MORE RESTORATION

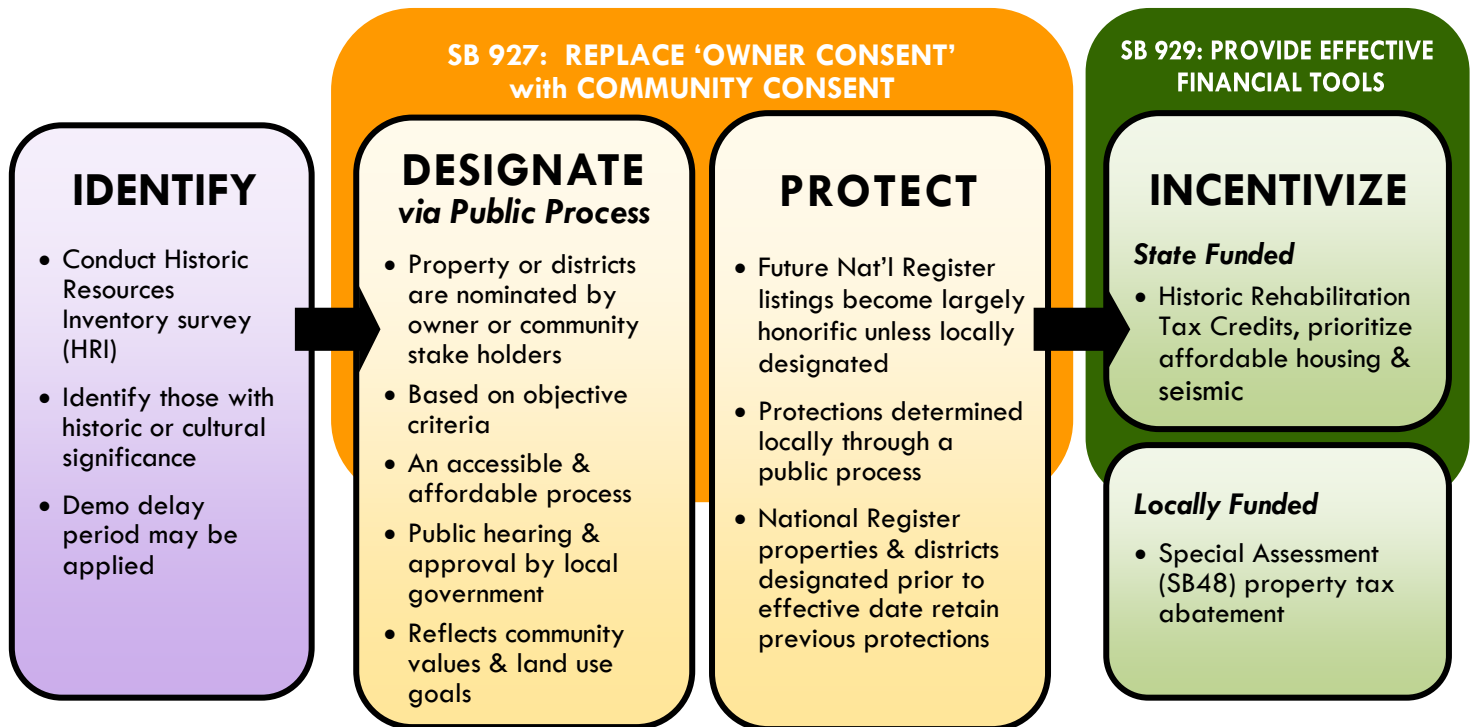


Housing Added HERE!

ACCESSIBLE PUBLIC PROCESS



SB 927 Would Align Management of Historic Resources with the Rest of Our Land Use Laws



Frequently Asked Questions:

What are the benefits of historic preservation? Retention of community history, cultural heritage, and an authentic sense of place; increased sustainability through building reuse; economic development from restoration jobs, new businesses setting up in old buildings, heritage tourism; and more affordable housing.

Why do we need this change? The system Oregon has now is broken, unpredictable, opaque, inefficient, and completely one-sided. The demolition of important historic resources impacts the entire community, as does their designation and protection, but the community currently has no say at all. Times have changed – we now understand that community voices, including tenants, deserve to be heard, in these important decisions.

What do other states do? Oregon is the only state in the nation that has a state-wide owner consent law and the only state that uses the National Register for automatic regulatory purposes. A public process for local landmark designation similar to the model illustrated above is typical across the U.S.

How would this change fit with the rest of Oregon's land use laws? SB 927 would align our treatment of historic resources with the other types of resources managed through our land use programs: farmland, forestland, wetlands, etc.

What will protect property owner's from an unwanted historic designation? Mailed notice to property owners of a nomination; a public hearing where all interested parties may be heard; a decision by the local elected government based on clear standards and public policies; a right to appeal; and Measure 49, which provides relief should a local government adopt a regulation that restricts a residential use. Nothing prevents a local government from giving weight to, or requiring owner consent, as part of its local standards for designation.



[Contact your legislators](#) by phone, in person, or by email and urge their support.

Restore Oregon urges your support of SB 929: The Preservation, Housing, & Seismic Safety Act



What It Does:

- **Provides a 25% rebate on rehabilitation costs for historic buildings** – apartments, stores, hotels, schools, churches, theaters, factories, etc.
- Or —
- **Provides a 35% rebate for qualified seismic retrofitting costs** of historic Unreinforced Masonry Buildings (URMs).
- **Prioritizes housing** - projects that create or preserve workforce housing affordable to households earning 80%-120% of Median Family Income.
- **Saves historic buildings that embody our heritage** and reduces demolition.
- **Ensures rural communities get their share** - at least 30% of funds reserved for small and rural projects.



Why We Need It

- **Hard-working Oregonians need good, affordable places to live.** Historic buildings are well-suited for conversion to “missing middle” housing.
- **The high cost of seismic retrofitting** is out of reach to average building owners - but we can't afford to be unprepared for a major quake.
- A state rehab/seismic rebate can be **paired with the federal Historic Tax Credit** to close the financial gap keeping many buildings from being restored and reused.
- **Attract more investment in rural communities.** At least 5,000 buildings in 77 towns could use the rebate. Two-thirds are outside of Portland.



What It Will Cost

- A fund would be created by the auction of state income tax credits at a **capped amount** per biennium (like the film production credit).



According to a Study by EcoNorthwest, an investment of \$10.6M will generate:

- 4X more buildings rehabbed than without the incentive.
- 1,369 jobs per year generating income of \$25.5M.
- \$2.3M net increase in property taxes/year for schools and services.
- \$13.3M new federal Historic Tax Credit dollars spent in Oregon per year.
- \$35.8M net gain per year in direct development spending.

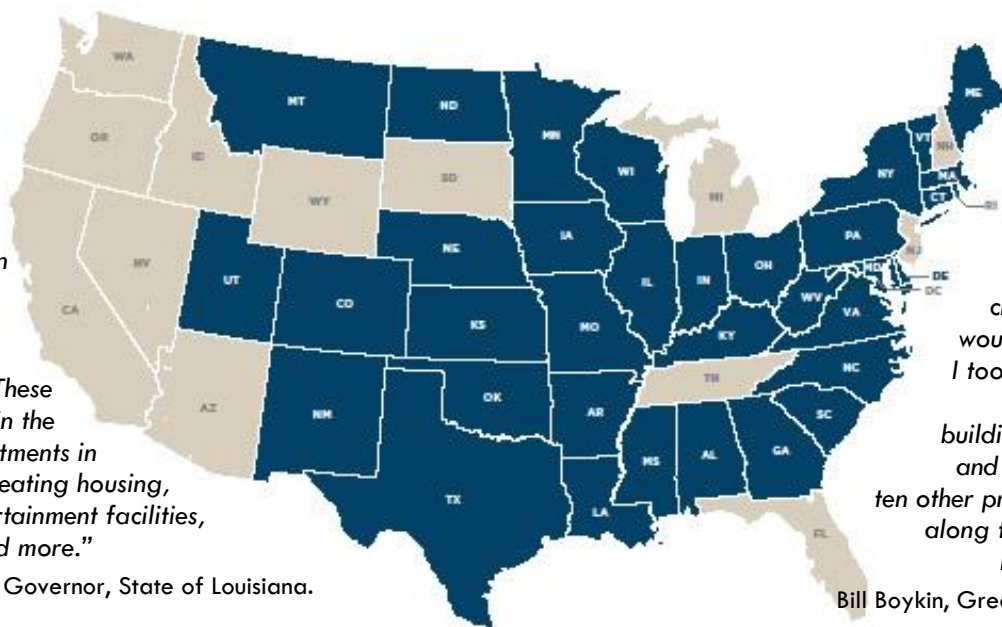


Historic Rehab Tax Credits Work in 35 States

(+ Tennessee and California are considering bills now)

"In the last decade more than \$2.2 billion has been invested throughout the state using [the Louisiana Historic Tax Credit]. These were not investments in the past; these were investments in Louisiana's future - creating housing, offices, arts and entertainment facilities, restaurants, stores and more."

Billy Nungesser, Lt. Governor, State of Louisiana.



"Without historic tax credits, projects like mine would not be feasible. Since I took the risk to rehabilitate the former 1940s Sears building into a boutique hotel and loft apartments, nine or ten other properties have been sold along the street. We now have nearly 75 employees...."

Bill Boykin, Greenville, MS (pop. 31,500)

Frequently Asked Questions:

What would be eligible for the "Rehab Rebate?" Properties listed on the National Register of Historic Places on or before January 1, 2020; and/or designated as historic by a local government. Properties that are exclusively residential of less than three units are not eligible. (i.e. a mixed-use building adding apartment units above a storefront IS eligible.)

Who would administer the funds? The State Historic Preservation Office, who also administers the federal Historic Tax Credit program and who would certify the historic rehab projects.

Funds will be limited, so what gets prioritized? Priority will be given to properties creating or preserving workforce housing (affordable to households making 80% - 120% of MFI) and for seismic retrofitting of Unreinforced Masonry Buildings (URMs).

What is the amount of the rebate? 25% of total qualified rehab expenses (which can include restoration and seismic work); or 35% of qualified seismic retrofitting expenses alone.

What's the minimum investment to qualify? \$10,000

What will this cost the state? The program will have an aggregate cap per biennium. The amount of the cap is has not been set at the time of bill introduction.

Is there a per-project cap? Yes, 10% of the aggregate cap, up to a maximum of \$2M per project.

Are certain standards required? Work must adhere to the Secretary of Interior Standards for Rehabilitation for the exterior façade of the buildings and for significant public interior spaces, while accommodating change of use and interior conversions to multi-family residential use.

Will rural Oregon get its fair share? At least 30% allocated for small (< \$1M rehab/seismic costs) and rural projects.

How would it work? An auction of state tax credits creates a Fund to provide rebates to approved projects. Work must be completed before the rebates are issued.

How can I support this bill? [Contact your legislators](#) by phone, in person, or by email and urge their support.






CITY OF ASTORIA

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MEMORANDUM • COMMUNITY DEVELOPMENT

DATE: March 11, 2019
TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: HISTORIC PRESERVATION (CLG) GRANT FUNDS AVAILABLE

DISCUSSION/ANALYSIS

The City of Astoria received a \$12,000 grant from the State Historic Preservation Office (SHPO) to assist property owners with renovations or rehabilitation projects. The funds are currently available to owners of historic homes, or homes designated as contributing in a historic district.

Eligible projects may receive 50% of the project cost up to a maximum of \$4,000 of grant funds. Proposals may require review by the Historic Landmarks Commission. Projects must be completed by July 2019.

The attached documents and application materials explain the grant program guidelines which are established by SHPO for these "pass through" grants. Applications for the renovation grant funds are available through the Community Development Department. Applicants are asked to submit the attached intake form to confirm eligibility and establish a waiting list if necessary. City Planner Nancy Ferber is available to answer questions about project ideas, eligibility, or program requirements.



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

The City of Astoria has received a grant from the State Historic Preservation Office to assist property owners with needed historic renovations.

This intake form is the first step in determining your project's eligibility for the grant. Please note that not all applications will result in a grant award.

If your alterations require a land use review for historic review and/or a building permit, these will be processed concurrently with any grant application. The applicant is responsible for associated fees.

HISTORIC PRESERVATION RENOVATION GRANT SCREENING APPLICATION

Intake date _____

Property Address: _____

☐ National Landmark ☐ Historic Landmark in a National Register District: _____

Contact Information

Applicant Name: _____ email: _____

Mailing Address: _____

Phone: _____ Business Phone: _____

Property Owner's Name: _____

Mailing Address: _____

Business Name (if applicable): _____

Signature of Applicant: _____

Signature of Property Owner (if different): _____

☐ **Project Description:** Briefly explain the proposed work and the materials to be used.

Eligibility Information

Historic or Preservation Significance: Please choose which of the following categories best describes your project:(check all that apply)

- ☐ **PRESERVATION** focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time. (Protection and Stabilization have now been consolidated under this treatment.)
- ☐ **REHABILITATION** acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.
- ☐ **RESTORATION** depicts a property at a particular period of time in its history, while removing evidence of other periods.
- ☐ **RECONSTRUCTION** re-creates vanished or non-surviving portions of a property for interpretive purposes.

Eligible projects may include, but are not limited to: restoring architectural details such as transom windows, or removing contemporary alterations. Restoration and renovation projects will be given priority over maintenance-type projects. Projects should be located on a façade that is highly visible to the public. Designs and materials must keep with the architectural integrity of the site (e.g. installing vinyl windows are not eligible for grant funding).

Describe how the project will enhance the historical aspects of the structure. Please note interior upgrades are not eligible for reimbursement.

- ☐ Attach a **Site Plan** indicating location of the structure on the property and the location of the proposed alterations. Plan shall show the proposed alterations indicating style and type of materials proposed to be used. Free-hand drawings are acceptable.
- ☐ Attach an estimate of the **Project Costs** for materials and labor. Note: eligible labor costs are limited to those performed by a licensed contractor. An itemized budget may be requested in follow-up application materials. *See example budget below:*

Item	Who is performing the work	Cost (per hour/unit/item)
<i>Example: 20 feet of lap siding</i>		<i>20 feet at \$3.00 per linear foot</i>
<i>Install lap siding</i>	<i>Contractors, Inc.</i>	<i>4 hours at \$__ per hour</i>

- ☐ Provide an estimate of the **Project's Schedule** as number of weeks/months. Exact dates of completion may be requested in follow-up application materials.
- ☐ As the Applicant, I understand that the project must be completed by July 1 of this year.

For office use only:			
Lot: _____ Tax Lot: _____ Block: _____ Subdivision: _____ Map# _____			
Historic DR req'd:		Full Application Requested:	
Building Permit req'd:		Date applicant contacted re: follow up	