

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
August 2, 2016

CALL TO ORDER:

President Pearson called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present: President David Pearson, Vice President Kent Easom, McLaren Innes, Sean Fitzpatrick, Daryl Moore, Jan Mitchell and Frank Spence

Staff Present: Community Development Director Kevin Cronin, City Attorney Blair Henningsgaard, and Planner Nancy Ferber. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

PUBLIC HEARINGS:

President Pearson explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff. He announced that the public hearing for Item 3(b): Conditional Use CU16-06 would be conducted last.

ITEM 3(a):

CU16-05 Conditional Use CU16-05 by Robert Johnston to locate light manufacturing (smoking and packaging nuts) and retail sales in an existing commercial building at 1820 SE Front Street in the S-2, General Development Shorelands zone.

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

Planner Ferber reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

President Pearson opened the public hearing and confirmed the Applicant did not have a presentation. He called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he closed the public hearing and called for Commission discussion and deliberation.

Commissioner Fitzpatrick said there was no difference between cooking in the kitchen and mixing dry rubs in the kitchen. Commissioner Mitchell added there would be no expansion. The building has had trouble maintaining businesses, so this might help the business remain ongoing. President Pearson agreed that the proposal met the criteria the Commission had been asked to review.

Vice President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions with the conditions contained in the Staff report and approve Conditional Use CU16-05 by Robert Johnston; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

The Planning Commission proceeded to Item 3(c): Conditional Use CU16-09 at this time.

ITEM 3(c):

This Item was addressed immediately following Item 3(c): Conditional Use CU16-05.

CU16-09 Conditional Use CU16-09 by Becka Blacksten to locate a day care in an existing commercial building at 609 Bond Street in the C-3, General Commercial zone.

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

Planner Ferber reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

President Pearson opened the public hearing and confirmed the Applicant did not have a presentation. He called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, closed the public hearing and called for Commission discussion and deliberation.

Commissioner Innes asked if the Applicant had discussed using the nearby park. Director Cronin confirmed Staff had discussed the park with the Applicant during the preapplication conference. The Applicant uses the park and she had been in contact with Parks Director Cosby about the use of the park.

Commissioner Innes said she was glad because it costs quite a bit to keep the park open.

Commissioner Fitzpatrick said the request seemed reasonable. The Applicant is already operating in the neighborhood and there are no issues with the existing business. The space seems like a logical place to grow into and it puts the daycare on the same side of the street as the park.

Commissioner Mitchell said she lives a few blocks from site. This is a good use because there are kids and school busses in the neighborhood. The community needs after school resources for kids. The park makes the location much nicer and she did not believe it would be overused. The daycare next to the park is a great connection.

Commissioner Spence said he visited the site and believed a fully equipped fenced and playground right behind the building is a great asset and benefit to the Applicant. He agreed there was a need for daycare.

Vice President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions with conditions contained in the Staff report and approve Conditional Use CU16-09 by Becka Blacksten; seconded by Commissioner Mitchell. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

The Planning Commission proceeded to Item 3(c): Conditional Use CU16-06 at this time.

ITEM 3(b):

This Item was addressed immediately following Item 3(c): Conditional Use CU16-09.

CU16-06 Conditional Use CU16-06 by Mo's Clam Chowder / Newport Pacific Corporation to locate a tourist oriented activity, indoor family entertainment (viewing chowder production) and eating/drinking establishment in an existing building at 101 15th Street in the A-2A, Aquatic Two A Development and S-2A, Tourist Oriented Shorelands zone.

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

Commissioner Fitzpatrick declared ex parte contacts. People have wanted to speak to him about this application at just about every event he has attended over the past six to eight weeks. He has suggested it would be best for everyone if people attended the public hearing to speak to the entire Planning Commission.

Vice President Easom declared ex parte contacts similar to Commissioner Fitzpatrick's, noting he had not discussed this request with anyone.

President Pearson asked Staff to present the Staff report.

Director Cronin reviewed the written Staff report. He reminded that audience members could refer to the criteria when providing testimony. If the request does meet the criteria, the Commission can place conditions of approval on the application or reverse Staff's recommendation. If Staff's recommendation is reversed, Staff will need to create findings in support of the decision. He also reminded that Planning Commission does not review designs, as the Design Review Committee is tasked with doing so. Additionally, there is no Design Overlay Zone for this property. Applicable criteria do not specify any type of architecture, vernacular, or other form based requirements. However, materials are specified in the Development Code. The only public comment received to date was available at the dais. Staff recommended approval of the request with the conditions listed in the Staff report.

Commissioner Fitzpatrick noted that each of the three uses in the building had its own parking requirements and it appeared as if more parking would be needed. Director Cronin said he used a stricter standard when calculating the necessary parking and the square footage was not included in the parking requirements for employees.

Commissioner Mitchell said the architectural drawing was nice, but it gave the impression of far more space between the railroad tracks, the right-of-way, and the building. She asked if the drawing assumed a parking lot would be built across the pilings. Director Cronin deferred to the Applicant to answer that question.

Vice President Easom asked if the Historic Landmarks Commission (HLC) would review this project. Director Cronin confirmed the building was outside of the Downtown Historic District, which was inventoried in the early 1990s. An inventory sheet was included in the Staff report.

Commissioner Mitchell asked if the Riverfront Vision Plan had any impact on this project. Director Cronin replied no, this building resides in the Urban Core, which is the last of the four sections of the riverfront identified by the Plan. Therefore, there were no additional regulations related to the Plan for this part of Astoria.

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

Jolie Mancroft, 589 S.E. Vista Drive, Newport, President of Newport Pacific, said over 40 years ago, her father approached Mo Niemi, who had established a restaurant 30 years prior, with idea to expand the business into other towns along the Oregon Coast. Over 16 years, they built restaurants in Lincoln City, Florence, and Cannon Beach. Although some might consider Mo's a chain restaurant, she felt that Mo's was far from that. They are a family business that is about guests, the wellbeing of their crew, and the success of the cities they reside in. Over the last 70 years, together with Mo's family, they have grown Mo's into a restaurant that serves delicious seafood and chowder with a smile. They are also committed to each community they reside in to make them unique and better places, from holding senior class fish fries to raising money for drug-free graduations, purchasing over 50 hanging baskets to line the streets of Lincoln City, donating endless pots of chowder for high school sporting events, holding fundraisers to combat bullying in schools, to feeding chowder to everyone who helps at beach clean-ups and sandcastle contests. She could go on and on about what they do each year to support their communities. Mo's strives to find the best way to support the communities with time and talent, not just cash donations. They also help communities by providing jobs with competitive wages, benefits, retirement plans, and scholarships to trade schools and universities. If they are able to build a Mo's in Astoria, they plan to employ about 30 full time employees and about 50 part time employees. When she was approached by former Mayor Willis Van Dusen about five years ago, he believed Mo's would be a great fit for Astoria. She still agrees to this day. Mo's in Astoria will be unique because it will be their only restaurant that will show guests how the chowder is made, give them the opportunity to learn about chowder production, the history of Mo's, and the history of Astoria. They will try to do everything possible to be good neighbors and attract people to Astoria.

Joey Sheer, 12965 SW Herman Road, Tualatin, AKS Engineering and Forestry, said he had been coming to Astoria his whole life, but this was the first time he had been in a professional capacity. He said it was funny that the Staff report mentioned Buoy Beer. Several years ago, he attended a planning conference in Portland, along with Astoria's Planning Department Staff and one of the men who opened Buoy Beer. The session he attended

was laid out as a model for successful collaboration between a city and a private business to get the brewery and restaurant off the ground. The seminar stuck with him and now he has come to this meeting to see references to Buoy Beer, which submitted a similar application. He has tried to model his approach in the same way in the context of uses and the waterfront location. He has worked with Staff, including the Fire Chief, to put the application together. He appreciated Staff's time and attention to answer their questions and work with him through the process.

Staff gave a good summary and provided some technical details. He gave a PowerPoint presentation that reviewed some of the key elements of the project, adding that the Staff report was much more detailed. Currently, the existing building is underutilized, as the vast majority of the space is vacant. The waterfront location is unique and ideal for an iconic Oregon seafood restaurant like Mo's. The site is located at the end of 15th Street along the Riverwalk, which makes it easily accessible to pedestrians, bicyclists, vehicles, the trolley, and public transit. He hoped the location would attract locals and tourists to the waterfront with spillover benefits for the surrounding businesses in the area. The restaurant will be open to the general public and the floor layout puts the waterfront front and center with a lot of windows and high ceilings that will give visitors stellar views. An outdoor patio and dining area with roll-up doors will provide visual access to the waterfront. The chowder production facility will be integrated with the restaurant, as illustrated on the preliminary building plans included in the agenda packet. This will provide visitors with an opportunity to observe how the famous Mo's clam chowder is made. The plan is for this area to be separated from the restaurant by windows or Plexiglas. Informational materials will explain the process and Mo's history, which is linked to the Oregon Coast history. Anyone who comes to the restaurant will have an opportunity to see the chowder making process and history. They are able to accommodate all of the required parking on the site and landscaping for the parking area in excess of the requirements. He displayed a Google street view of the existing façade and said a project architect developed the design shown in the application. Per the Findings and Conditions in the Staff report, they are willing to work with the City to revise the southern façade to provide a more appropriate window. He was confident they could work with the architect to create a façade that meets the Conditions and respects the storefront window design concept. Mo's is a family owned seafood business with a long history on the Oregon coast and except for their recent opening at Portland International Airport; this would be the first new Mo's in many decades. Clearly, they are very cautious and careful about when, where, and how they open new restaurants because they recognize that moving into a new city means becoming a part of that community. He supports Staff's findings and concurred with the conditions of approval. He respectfully requested the Planning Commission approve the application.

Commissioner Fitzpatrick said he recently saw the Mo's at the airport and asked how many locations they had. Ms. Mancroft said Newport Pacific had four locations and Mo's family owned two locations in Newport. Mo's family is part of Newport Pacific. She explained that they did not look for an establishment at the airport. The airport came to them in Cannon Beach and said they wanted to give a little taste of all places in Oregon in the airport. The airport also has Made in Oregon, Henry's Tavern, and places where people can enjoy a little taste of all of Oregon. The Mo's at the airport is a small quick service place that serves fish and chips and chowder. It is good exposure for the coast.

Commissioner Fitzpatrick asked where the ingredients in the clam chowder came from. Ms. Mancroft said the potatoes come from Washington or Idaho, depending on the year. The bacon comes from Columbia, depending on supplies. This has been an extremely crazy clam season, so the surf clams are from the east coast. Sometimes they get razor clams, depending on availability. They go through hundreds of thousands of pounds of clams, so sometime they are cut off from the Oregon coast and have to get them somewhere else. All of the other ingredients come from a local distributor.

Commissioner Moore said the parking diagram in the Staff report does not indicate where the railroad tracks or the trolley tracks are located. He asked if the tracks and Riverwalk were outside of the diagram and if there was room for people to walk across the parking lot. He also wanted to know if the parking lot was 15 feet from the railroad tracks. Mr. Sheer said he did not know the exact distance from the tracks. Director Cronin displayed a map and explained the location of the Riverwalk relative to the parking lot. He noted the sidewalk, the area for vehicles, and the off-street parking area. The Riverwalk will not cross into the property, just adjacent and parallel to the property. He did not have an overlay of the tracks or the continuance of the Riverwalk, but Staff has assumed the Riverwalk would remain adjacent and parallel to the parking. Mr. Sheer added that the building front is actually being moved back to accommodate more space. That is why some of the diagrams make the space look tighter.

Commissioner Mitchell asked how much of the building would be cut off. Ms. Mancroft said the building would be reduced from 20,000 square feet to a 16,000 square foot building.

Commissioner Moore confirmed the assumption was that the parking would not impede the Riverwalk and people will not have to walk around the parking lot. Commissioner Mitchell added that cars go by that location, not just people walking. Therefore, a lane of at least 11 feet will be necessary.

Commissioner Innes could not understand where the loading zone began. She asked how a truck would get into the loading zone and if it would back up to the building. Mr. Sheer said the truck would come through the u-shaped area of the parking lot. Loading is typically done during off hours, so vehicles will not be parked in the area. Trucks should be able to pull through. The area has been designed to accommodate emergency services, so trucks should be able to enter and exit going forward.

Commissioner Innes said she was unable to tell from the map where the street becomes a loading zone, but she assumed the loading zone was close to the building. Mr. Sheer referred to the diagram on the screen and explained where the loading zone began. Director Cronin added that the foot of 15th Street is vacated and the Applicant's property begins on the other side of the railroad.

Commissioner Mitchell understood the parking lot provided about 10 parking spaces. She asked where the rest of the parking would be located. Mr. Sheer said the property extension to the east contains a long narrow strip with existing stripped parking currently reserved for Vintage Hardware. Ms. Mancroft added there were 20 more parking spots in that area.

Commissioner Mitchell said those parking spots were used, but not for Vintage Hardware. Director Cronin said Staff would suggest the Applicant relabel the parking. Mr. Sheer noted the parking was not located in a public right-of-way, but on private property.

Commissioner Mitchell said she still believed the parking was a bit crowded.

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

Jesse Miller, 2908 Marine Drive, Apartment 1, Astoria, urged the Planning Commission to vote yes for Mo's. He is a full-time college student at Clatsop Community College. He and many other students would like to have a very nice restaurant that is affordable and within walking distance of the college.

Willis Van Dusen, 2314 Irving, Astoria, said his business, Van Dusen Beverages, is the oldest family business in Oregon established in 1849. He was here in support of another family business and urged the Planning Commission to vote in favor of Mo's. Mo's chowder is the type of business Astoria needs. When he was mayor, he and former City Manager Paul Benoit worked very hard to get Ms. Mancroft to consider Astoria. This is the fourth location and this is best location. They had considered the old train depot at the Maritime Museum, the old Red Lion and Riverwalk Inn, the Seafarer, and Pier 39. This location is the best. He spent from 1985 to 2015 on Astoria City Council, the last 24 years as Mayor. He worked very hard with the team to develop this Riverwalk and the zoning and the planning. This is the perfect use and they are the perfect family. He reminded that Burlington Northern abandoned Astoria and the City fought to get the right-of-way. Tom Carmichael and Pat Lavis sued the City because they wanted to put buildings on the right-of-way, but the City of Astoria prevailed. The one stretch of the Riverwalk that is privately owned is this property. He was glad the Commissioners asked if the Riverwalk would remain. The property is leased. It is the only property from Alderbrook to the roundabout that is not public property. The Riverwalk started with the 6th Street tower, then the 17th Street Dock, the Maritime Memorial, and slowly more projects were added. But it was always a working riverfront. He strongly believed this was the perfect business and that it met the criteria.

Another reason Astoria needs Mo's is because the town needs more business women. Ms. Mancroft runs Mo's by herself. Someone at the Sunday Market said they did not want Mo's in Astoria because they were a chain. However, Astoria has Pig and Pancake. Bob and William Poole started out in Seaside, Astoria, and Cannon Beach. They were a very small family owned business. Astoria also has Fultano's. Robert Fulton wanted to start the chain to get buying power and now there are several Fultano's. Doogers, started by Doug Reece, his college roommate, had locations in Seaside, Warrenton, and Cannon Beach. When he lost his Cannon Beach

restaurant, he put one in Long Beach. Jason Thiel owns Gino's Pizza. Englund Marine is also a family owned chain. Those are not like Target, Wal-Mart, or Sam's Club. Van Dusen Beverages has been doing business with Mo's for 30 years. His dad dealt with Tom Becker, Ms. Mancroft's grandfather, 30 years ago in Cannon Beach. He was 32 at the time and delivered their products to Mo's. The two companies got to know each other very well. Ms. Mancroft was not involved with the business at that time, but she has developed into a very successful and confident young woman. He believed Astoria should help her become part of the community. He was proud of what Ms. Mancroft has done for Mo's. He is president of the trolley association and part of the problem with Mo's is that Ms. Mancroft must work on parking and getting to and from Mo's without using automobiles. Ms. Mancroft has already approached the trolley association, which is very willing to work with her. The trolley could add another stop or create a different schedule to help alleviate part of the parking problem and congestion. This is a great project and he hoped the Commission would approve it.

Loren Matthews, 8120 7th Street, Astoria, said he has lived in Astoria for 58 years and served on City Council for a total of 12 years over two terms. He has also been very involved with the Chamber of Commerce and the Scandinavian Festival. He was on Council with Mr. Van Dusen when the City began talking about starting the Riverwalk. The old Riverwalk was dingy. The railroad did not want anyone in the area, so the Riverwalk was built in stages. It turned out very nice and has brought the city back to the waterfront, especially with the trolley. In 1999, 15,000 people rode the trolley, but last year there were over 50,000 riders on a limited schedule. He has eaten at Mo's and believed it was a good restaurant. Many people look forward to going to Mo's and he believed it would be a great addition to the area. As the Riverwalk has developed over the last few years, this area was neglected a little bit. However, the area is going through resurgence with two new restaurants and Mo's will only enhance the area. Later this month, the Scandinavian Festival will present a proposal to City Council to build in People's Park, right across from Mo's. The Rotary Club built a viewing platform in the park, but it was removed because it had rotted. The Scandinavian Club had been looking for a place to establish a monument in honor of the Scandinavians who came to Astoria in the late 1800s and early 1900s. They would like to put the monument in People's Park. He believed Mo's would enhance the park and make the area viable. He urged the Commission to vote yes. The height will not interfere with that stretch of the track.

Bruce Connor, 323 Alameda, Astoria, said he owns Sundial Travel and Tours and is the marketing director for the Port of Astoria. He spoke with Chris Holen at Baked Alaska and Peter Roscoe of Fulio's, who are prospective competitors, about Mo's coming to Astoria. He wanted to find out if sales would be diluted by another restaurant, but they both agreed Mo's would enhance the businesses. Mo's marketing is excellent and they would market the City of Astoria in a way that has not been done. The competitors were positive and said they would welcome another restaurant into their cluster. He encouraged the Commission to vote yes.

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

Dan O'Donnell, 992 15th Street, Astoria, said he was not opposed to Mo's as a business or restaurant, but he was opposed to the industrial kitchen Mo's would use as part of the facility, which is marked as a secondary function of the building. However, the Applicants have stated the industrial kitchen would be used to process hundreds of thousands of pounds of clams in Astoria's downtown riverfront area. He was also concerned about parking, safety, and riverfront access. The initial conditional use application talked about the proposed use being a seafood restaurant, office, and industrial kitchen, with an emphasis on the industrial kitchen, which everyone seems to be glossing over. The kitchen will be 40 percent of the building and used to process clams and making chowder. There is no mention of the tourist use in the initial proposed use. He believed this was because it was one of the conditions of using the space. The ability to see the chowder making through a Plexiglas window has somehow made this a tourist attraction. He believed this was just a way to get past the conditions of approval. Page 1 of the Staff report mentions the building will be used as tourist-oriented retail sales and light manufacturing. This light manufacturing was previously referred to as an industrial kitchen.

- Page 2 of the Staff report acknowledges that the building was only built in 1924, but the Riverwalk itself is historic even if it is not classified that way, and that there is limited one-way access for vehicles along the Riverwalk. This is a particularly difficult choke area for traffic. He believed anyone who had tried to drive through that area on a Sunday would agree that the traffic gets quite heavy. Many of the one-way streets in the area get convoluted and crossing over Commercial along 15th Street on busy days is very difficult. This will not make things any easier.

- Page 3 of the Staff report mentions the proposed chowder production will be an accessory use, yet it takes up 40 percent of the building and will be processing hundreds of thousands of pounds of clams and many gallons of dairy. Staff began with an unfounded assumption that the uses were aligned, but he preferred they had not included this assumption in the Staff report. It would have been better for Staff to start this from a neutral perspective. Page 4 of the Staff report says the Applicants intend to locate an eating and drinking establishment, tourist-oriented retail sales, and indoor family entertainment, which are allowed conditional uses. Industrial kitchen is not mentioned. Essentially, we are talking about a clam chowder factory. He understood this factory would produce clam chowder for all of the other retail outlets, including Costco. This will be a non-trivial, non-restaurant amount of chowder that will be produced downtown on the Riverfront.
- The Staff report also states that any exterior alterations would need to comply with Article 4, but the front of the building will be demolished to make room for the car park. The diagram shows a two-story tower at the front with a neon blue Mo's sign, which does not fit in with the style of the Astoria riverfront.
- Page 6 of the Staff report indicates the chowder production will take up approximately 5,300 square feet, which is about 40 percent of the building. That is not an accessory usage. They are setting up a factory downtown. The Applicant has said they would try to curtail truck deliveries to off peak times, but there is no guarantee. We do not know what size trucks will come through or how many trucks. Even though the car park is designed with a u-turn, there are cars all around the area that the trucks will have to negotiate with. It will be a very tight fit for people trying to get through.
- Page 9 of the Staff report mentions odor, which is particularly important. Section M states that no use shall generate odor. When people talk about old Astoria, they talk about how Astoria used to smell like fish. People used to hate how much Astoria smelled like fish. He did not understand how hundreds of thousands of pounds of clams could be processed without any mention of air filtration or odor mitigation to keep downtown on the Riverwalk from smelling like clams. The Findings gloss over this issue, saying the production process would generate some odor common to cooking food processes such as a restaurant. This will not be clam chowder production at a restaurant scale. This is 5,000 square feet of clam production. Staff does not consider this extensive or a nuisance. He disagreed and said the odor would be quite noticeable from several blocks away.
- Page 13 of the Staff report says Mo's chowder would give a competitive edge to the foodie production field in Astoria. He did not know how Mo's chowder tasted, but doubted it could be considered a foodie niche. It is more of a comfort food or general seafood. Section S says light manufacturing as food production is an accessory to the eating, drinking, and retail sales. He disagreed.
- The Staff report also says the building would be reconfigured for pedestrian-related access. This is another big issue. People will be walking and bicycling through the car park area and there is no reference in the Staff report about a bicycle thoroughfare. Many people use the bike path to get from one end of town to the other. The continuous Riverwalk will be cut to put the car park in because there is not enough room for the number of people expected. This hinders bike access and makes it dangerous. Staff has agreed that the proposed façade is not appropriate. Section T says consideration should be given to sidewalks, bike paths, and other transportation and that suitability should be determined in part by potential impacts of these facilities on safety, traffic flow, control, and emergency vehicle movements. Anyone who lives within earshot of Commercial or Bond can hear the fire engines take ten minutes to get from one end to the other because there is so much traffic. This will not make things better. There are many one way streets and a section where people try to cross Commercial. This will overload the area with more traffic than it can handle.
- Page 14 of the Staff report says if the actual traffic count exceeds the planned amount, or the parking strategy is ineffective, a traffic study will be required and mitigation measures determined. This will be difficult one year after the fact. The location is bordered by water and one of the biggest streets in town. The only place to get more parking space is People Place Park. That would eat into the green space and could prevent the Scandinavian monument.
- Page 15, Section U of the Staff report says food production along with the restaurant will require more water than some other uses generally in the downtown area; however, supply is not an issue. This is because it is an industrial kitchen. Let's not forget this. He has not seen anywhere in the document how much water the Applicant plans on using or where the water will be disposed of. It would be interesting to know how all of these clams will be processed without extra infrastructure for the water. He wanted to know where the chowder was currently being made and whether Staff could have done a study on how much they produce, what goes into their systems and what comes out of their systems. He asked if an impact study had been done on the current chowder manufacturing facility. He asked why the facility needed to be brought downtown. He was not objecting to the restaurant, but he does not welcome a clam factory on the riverfront.
- Page 16 of the Staff report says the request does not meet all applicable review criteria as submitted. So, obviously more work and more consideration is necessary. He was still not sure whether the rail lines were

included in the plan and this should be considered more before approving this request. Traffic mitigation will be too late after one year and the Staff report makes no mention of bike access for what is our highway for cyclists getting through town. Visitors to Astoria spend an estimated \$135 to \$140 million because of the historic buildings, magnificent river, and quality, unique restaurants, not for the McDonald's, Pig and Pancake, Burger King, or Fultano's. Astoria's vision, which is still incomplete, should preserve the riverfront. We should use this as an opportunity to finish Astoria's Riverfront Vision Plan to preserve the riverfront, walking spaces, reduce fish and industrial smells in the downtown area, and preserve historic values. Once these riverfront spaces are gone, they are gone for good. This is a particularly important space because it is the one that will cut the Riverwalk in half. He questioned why the City would bring an industrial kitchen to a downtown riverfront location when there are plenty of places to do this away from the gateway to the downtown.

Zach Tutor, 1592 Franklin, Astoria, said he has not done any research like others have, but as a 20-year resident of Astoria, he has many friends who work in the service industry. Mo's is a great company, but something like that coming to Astoria takes away from the small businesses. This is counterproductive in Astoria because we are about a small, growing community. People come in off the boats and ride the trolley. Many elderly people do not leave the trolley and seeing Mo's as they ride will distract them from walking through town to find a place to eat and see other places. Half of the fun in Astoria is walking through town to find a place to eat and finding a cute shop to look at. He did not believe Mo's was right for that location in Astoria. There are many other locations to put a Mo's and Astoria should be looking at putting other things in that building.

President Pearson called for the Applicants' rebuttal.

Mr. Sheer said Staff addressed the commercial kitchen in the Staff report and said he agreed with the Findings. The Findings reflect a consistency on the part of the City about how accessory uses, light manufacturing and commercial scale uses, are treated. Buoy Beer is manufacturing beer at their location and the City found that was an accessory use because it is a minor square footage compared to the overall use and is in conjunction with the other activities going on at the site. The same thing is true for Mo's, which is primarily a restaurant by square footage and traffic. The kitchen facility is an accessory to the restaurant and there will be crossover that will provide an opportunity for entertainment and education. Mo's is very proud of their history and he tried to include some of it in the application. It is a good story to tell and it ties into the history of the Oregon coast. He believed this would be a legitimate amusement or entertainment factor. In regards to parking and safety, he met with the Fire Chief who was concerned with emergency vehicle access to the site. The proposed design is reflective of changes made in response to the Fire Chief's comments. As far as he knows, all of the parking and safety requirements have been met. Emergency services must deal with traffic congestion and they have done their best to address the issue.

Ms. Mancroft said all of their chowder was currently being produced in Newport on the third story of the original Mo's. They are looking for another location because their current location is at capacity, especially during the summer. They try to keep up and keep everything within the Food and Drug Administration (FDA) guidelines. They are surviving, but if given the opportunity to build another restaurant in Astoria, they will need to build another chowder factory. No matter where they go, they would have to build a combined facility in order to save money. Buying one piece of property instead of two is more economically savvy. The Astoria facility will not take over all of the chowder production, but will just take over maybe the north half of their locations. No decisions have been made about how much each production facility will make. The clams are produced in an outside clam producing facility and they arrive at Mo's already chopped. Mo's does not have shells and there will not be a huge issue with garbage odors. They do have garbage, but not any more than a restaurant would produce. The chowder facility will use less water than the restaurant because the chowder is not full of water. The only reason the infrastructure needs to be updated is to add sprinklers to the pilings and the restaurant portion of the building.

Mr. Sheer added that the Public Works Department had a representative at the preapplication meeting. All of the questions about infrastructure and building codes were addressed. He also believed the site is so attractive because it has the potential of being a high traffic location. Mo's will not develop the building or any of the parking on any areas within public rights-of-way or existing easements. He hoped cyclists would be riding on the river trail, not on the private property. Obviously, it is in Mo's best interest to have a safe environment.

Ms. Mancroft said she had proposed to install a stop sign, so cars stop on their way out of the turnaround. Additionally, Mo's never accepts deliveries during business hours and truck drivers know that they cannot deliver

any product between 10:00 am and 7:30 pm. Deliveries are always made during the morning hours, so trucks should not be a huge problem.

Mr. Sheer reiterated that Staff has addressed all of the applicable criteria in good detail. The application meets all of the criteria. Staff has also recommended conditions that would allow the application to meet the criteria and Mo's agrees with those conditions of approval. He asked the Commission to consider the application based on the criteria that has been presented and their past interpretations of the criteria.

Mr. Van Dusen confirmed that no deliveries could be made to Mo's during their business hours.

Ms. Mancroft did not believe deliveries could be made to any restaurant during business hours.

President Pearson closed the public hearing and called for Commission discussion and deliberation.

Commissioner Moore said he reviewed the City's Codes regarding light manufacturing and industrial kitchens. In April 2014, the Code was amended to include examples of light manufacturing like food products, breweries, distilleries, clothing, electronics, and wood working. Heavy manufacturing is defined differently. He believed an industrial kitchen meets the definition of light manufacturing in the Codes.

Commissioner Mitchell said she remembered the area before the Riverwalk. She moved to Astoria in part because it was a working town. A lot of the planning that went into the Riverwalk was for a working waterfront. There is no attempt here to become a Santa Cruz, Carmel, or Cannon Beach. Astoria has a deep history of loggers and fisherman and it did not smell as good as Buoy Beer when it was a shrimp processing facility. However, people walked their dogs in that area anyway. This is part of what makes Astoria authentic. We have held on to our connection to the river, fish, the odors, the sounds of the water, and all that is common to Astoria. Therefore, she did not believe the City needed make things pretty. She appreciated the comments about small businesses and Mo's being a family operation. She had not considered some of the other businesses that the community loves that have expanded beyond the area. She was not persuaded that the odor of chopping onions and potatoes would be an issue and people like to see how things are made. She believed Mo's would fit with the nature of the location. She noted that the Planning Commission makes recommendations, not decisions, and therefore suggested that the Applicant's make a map that delineates the railroad right-of-way, car lanes, and bike lanes. Such a map will make it easier for City Council to make a decision.

Director Cronin clarified that the Planning Commission would be making a decision on this application. This is not a legislative amendment, so a quasi judicial decision must be made.

Commissioner Fitzpatrick thanked everyone who spoke. He understood that public hearings can be an imposition on one's schedule, but he appreciated all of the views and opinions. He was concerned about parking and did not believe 31 spaces would be enough. He was also concerned about the Riverfront Vision Plan because this site is in the portion of the Plan that the Planning Commission has not yet reviewed. The Commission has had some very impassioned discussions about the Plan and almost everyone who has spoken about the Plan has said no hotels or restaurants on the north side of the trolley tracks. However, the Commission has not had the opportunity to look into this area of the riverfront. He was concerned that the current Codes do not prohibit hotels or restaurants in this location.

Commissioner Spence believed the facility would definitely need a lot more water. Findings on Page 16 of the Staff report state the existing water supply is inadequate and a review by the Fire Department will require the facility to have a fire suppression system throughout the building. Contractors are working with the Public Works Department and will pay for a larger water line to the facility. Staff has indicated that even with the larger water line, the new use would not overburden existing utilities. The Commission must review facts and their opinions and biases should not be taken into consideration when making a decision. Astoria has a Development Code and a Comprehensive Plan and if applicants meet the conditions that are spelled out, they are entitled to have the business at that location, regardless of their name. Staff has done an excellent job. The public does not see that there are 17 pages in the Staff report, which is single-spaced and quotes each section of the various Codes and conditions that the Applicants must meet. He believed, and Staff's Findings state that, the Applicants have met the criteria. He supported Staff's recommendation for approval.

Vice President Easom said he found no reason to deny the request.

Commissioner Moore said he was concerned about traffic, but was also confident that Staff could evaluate the potential impact. Their evaluation and his visualization of the project did not seem to change much. Vintage Hardware is pretty popular and they take in quite a bit of traffic. The parking diagram may actually provide a clearer delineation of where pedestrians and bicyclists should be going, which might be closer to the railroad tracks than the parked cars. There is no easement for the Riverwalk in front of that property, so anything the Applicant does to allow access is a positive change for that section of the Riverwalk. The Planning Commission does not review the neon signs. He said he was in favor of the application, despite the comments suggesting the request be denied. There are no facts that would inhibit a positive vote.

Commissioner Innes said after reviewing the facts, she saw no reason to deny the request.

Commissioner Mitchell was concerned about the condition requiring a traffic assessment after one year. The City will not give away a park to accommodate parking, so she wanted to know what Staff would do if more parking were needed. Director Cronin said Staff would work directly with the Applicant on a parking demand mapping strategy, which considers ways to reduce demand for off-street parking in that location and on-street parking in the downtown area. This provides an incentive to promote bicycle, pedestrian, and public transit traffic to employees.

Commissioner Mitchell said getting around the area, particularly on weekends, is already crazy. Director Cronin added that the current traffic analysis indicates there are no issues.

President Pearson noted this project is in A-2A zone, no visibility of the waterfront will be lost, and it uses an existing structure built in 1924. The building has been modified many times throughout its uses, which is typical of any healthy working waterfront. This project is a natural evolution of that. Significant visual and pedestrian access will be preserved, in addition to the trolley line and Riverwalk. Every other aspect of this location will remain as is and the project meets all of the City's parking requirements. Making chowder in a town that once had 38 canneries along the waterfront will have a minimal impact on manufacturing along the waterfront. This fits with Astoria's heritage and meets the economic development policy, which the Commission is also asked to review. He believed this would be a good reuse of the property and he fully supported the request.

Commissioner Spence moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU16-06 by Mo's Clam Chowder / Newport Pacific Corporation; seconded by Commissioner Moore. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

The Planning Commission proceeded to Item 4: Reports of Officers and Commissioners at this time.

REPORTS OF OFFICERS/COMMISSIONERS:

This Item was addressed immediately following Item 3(c): Conditional Use CU16-06.

Director Cronin updated the Commission on the following:

- Library Director Meet and Greet – Thursday, August 4th at the Barbey Center from 4:30 pm to 5:30 pm.
- No Planning Commission meeting would be held on August 23rd.
- Corrections to the June minutes would be presented for approval and a public hearing on accessory dwelling units would be held at the next Planning Commission meeting in September.
- Building Official/Code Enforcement Officer - Three candidates were interviewed, but none would work for out for Astoria. Therefore, the contract with Building Department LLC has been extended. He would meet with the County Building Official and County Community Development Director on Thursday to discuss options. He has also discussed sharing a building official with Cannon Beach.

Vice President Easom believed the City needed to fill the position urgently, but understood the budget constraints. Director Cronin noted that the last fiscal year ended with about \$380,000 in revenue. This will not increase unless fees increase. If he is unable to work something out with the contractor, the county, or Cannon Beach, he will raise the salary for the position and try to recruit again.

Director Cronin noted that all of the Conditional Use Permits approved over the last six months have turned into businesses.

Commissioner Mitchell asked for an update on the request for a chowder boat near the marina. Director Cronin said he believed the Applicant has decided not pursue a lease with the Port at this time.

Commissioner Mitchell understood Staff time was limited, but wanted the City to move ahead with the remainder of the Riverfront Vision Plan. The City dodged a bullet in 2007 and 2008, as the project discussed tonight would have been a condominium. Commissioner Moore recommended Commissioner Mitchell take her concerns to City Council. Director Cronin explained that Staff time and funding were necessary. The City has been lucky to receive grants from the State to fund consultant time for the previous sections of the Plan. Staff has contacted the Department of Land Conservation (DLCDC) about the next round of grants, which will be awarded spring or summer of 2017. Additionally, Staff is working to complete City Council Goals from the last fiscal year. However, City Council has not set goals for the new fiscal year because one of last year's goals is a Strategic Plan.

Commissioner Moore thanked Staff for the Staff reports they prepared for tonight's public hearings.

PUBLIC COMMENTS:

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:24 pm.

APPROVED:



Community Development Director