

HOMEOWNERS FEND OFF NEW SEASIDE MOTEL

Pearl plan stymied as City Council upholds appeal

By R.J. MARX
The Daily Astorian

It wasn't quite a matter of inches, but it came down to a matter of feet. Five feet, to be exact, the difference between city code requirement and a proposed side yard.

Antoine Simmons had been granted a variance this summer from the Planning Commission to go ahead with his 48-room luxury motel, the Pearl of Seaside.

Neighbors said the Planning Commission should have never issued the variance and called for an appeal. And they won.

At the City Council's hearing last month, councilors urged Simmons and neighbors Susan and Dan Calef and Avrel Nudelman to try and work things out.

Early in Monday's meeting it became clear those talks had fallen apart. The Calefs had no intention of selling. Simmons and Nudelman went back and forth on a price for Nudelman's Beach Drive home, but never came to terms.

Simmons, with his wife, Rocio, owns and operates four boutique hotels in Seaside and Cannon Beach, including Seaside's Gilbert Inn, purchased in 2014, and the Inn at the Prom, which they bought in 2011.

Plans for the Pearl called for three stories, a penthouse floor and tower roof. A two-level parking garage on Beach Drive with 41 inside spaces would have been supplemented with an additional 10 outdoor spaces on Avenue A.

But minimum stall lengths, back-out and lane widths required a variance from the Planning Commission. Simmons also requested a height variance of 7 feet because of grade differences on various parts of the property.

After several months of testimony, the Planning Commission granted both variances.



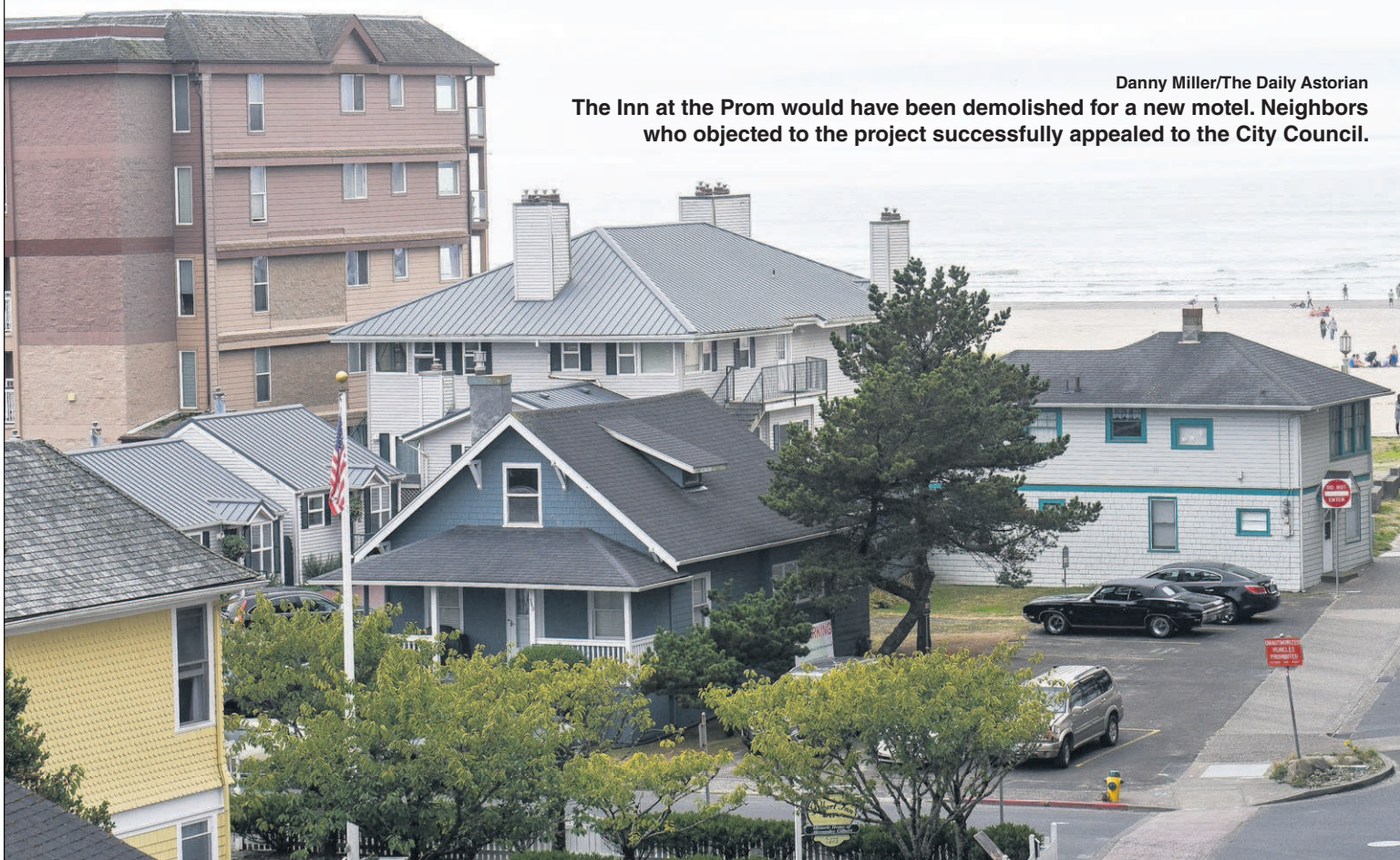
Danny Miller/The Daily Astorian

Negotiations between motel developer Antoine Simmons and Avrel Nudelman, the owner of this home, failed to reach fruition.



R.J. Marx/The Daily Astorian

See MOTEL, Page 10A Antoine Simmons addresses the Seaside City Council.



Danny Miller/The Daily Astorian

The Inn at the Prom would have been demolished for a new motel. Neighbors who objected to the project successfully appealed to the City Council.

Support for tax erodes when voters hear about details

Poll indicates opinions change with arguments

By PARIS ACHEN
Capital Bureau

An overwhelming majority of Oregon voters support a corporate sales tax measure on the November ballot, according to a new poll by icitizen, a nonpartisan survey firm.

It's the second poll in less than a week to show Measure 97 with a big lead, but the icitizen survey included several follow-up questions, which indicate that voters' opinions change when they learn more about arguments for how the gross receipts tax would work.

"This suggests messaging about the effect on an Oregonian's pocketbook can make for a tighter race in November, depending on either camp's ability to market the measure in their favor," said icitizen polling analyst Cynthia Villacis.

The measure, backed by a coalition of public employee unions, would levy a 2.5 percent tax on certain corporations' Oregon annual sales exceeding \$25 million.

See MEASURE 97, Page 10A

Conservation easement drive will seek millions

Grants would protect the state's farmland

By MATEUSZ PERKOWSKI
Capital Bureau

State legislators will likely be asked for \$4.25 million next year to pay for conservation easements that would protect farmland from development.

Plans are beginning to solidify for the Oregon Agricultural Heritage Program, which would provide grants to farmers interested in easements and succession planning, said Meta Loftsgaarden, executive director of the Oregon Watershed Enhancement Board.

The board, which will oversee the program, plans to hold "listening sessions" this autumn based on concepts developed by agricultural and conservation groups before drafting proposed legislation for the 2017 legislative session, she said.

See EASEMENTS, Page 10A

League hopes to protect parks from lawsuits

Astoria parks department worried sites may need to close

By ERICK BENGEL
The Daily Astorian

In the next legislative session, the League of Oregon Cities will likely push for a bill restoring immunity for city parks employees against lawsuits filed by people injured at sites under the employees' care.

The move is a response to a recent Oregon Supreme Court decision that allows parks employees to be held liable for injuries caused through their negligence — a ruling that has compelled some cities to close parks out of caution.

On Monday, Astoria hosted the League of Oregon Cities — which represents the interests of the state's

municipal governments — for a discussion of the organization's top legislative priorities.

Erin Doyle, an intergovernmental relations associate at the league, gathered feedback from several North Coast government officials, state Sen. Betsy Johnson, state Rep. Deborah Boone, Bruce Bobek — Boone's Republican challenger — and members of the public. Astoria is one of 17 cities holding similar forums during "City Hall Week."

The Supreme Court ruling in Johnson v. Gibson last March sent waves of anxiety through the state's local parks departments.

In Oregon, property owners, includ-

ing cities, enjoy "recreational immunity": They are immune from civil liability if a person is injured while recreating on their lands for free, according to Doyle.

The court's decision, however, held that this immunity — enshrined in Oregon Public Use of Lands Act — doesn't specifically apply to landowners' agents, including city employees. Though the state requires cities to indemnify their workers against lawsuits, the court's ruling may have blown a hole in that protection.

The league wants to see a bill clarifying that recreational immunity applies to property owners' employees, not just the property owners themselves.



State Rep. Deborah Boone



State Sen. Betsy Johnson

"We think this is a very simple fix," Doyle said.

Uneven terrain

Astoria's Parks and Recreation Department has not closed any sites

See LEAGUE, Page 10A

