



## STAFF REPORT

**TO:** Manzanita Planning Commission  
**FROM:** Walt Wendolowski, Contract Planner  
**SUBJECT:** Planning File – Winery at Manzanita Design Review  
**DATE:** July 7, 2022

### I. BACKGROUND

- A. **APPLICANT:** Mark Proden (The Winery at Manzanita).
- B. **PROPERTY LOCATION:** The property is located on the north side of Laenda Avenue, midway between North 2<sup>nd</sup> and 3<sup>rd</sup> Streets. The site address is 253 Laenda Avenue, and the County Assessor places the property within Township 3 North; Range 10 West; Section 29BD; Tax Lot #16901.
- C. **PARCEL SIZE:** The property contains approximately 5,000 square feet.
- D. **EXISTING DEVELOPMENT:** The subject property holds a winery, with tasting room, that also serves other beverages and appetizers. The lot fronts a public street and is served by public sewer and water.
- E. **ZONING:** The parcel is zoned Commercial (C-1).
- F. **ADJACENT ZONING AND LAND USE:** Property to the west, south and east is also zoned C-1 and includes a mix of homes and commercial businesses. Located to the north are single-family homes on property zoned High Density Residential/Limited Commercial (R-4).
- G. **REQUEST:** Design Review to: (1) convert the second floor from a Residential use to a Commercial use; and (2) the installation of two awnings above the second-floor deck.
- H. **DECISION CRITERIA:** This application is evaluated against the following: Manzanita Ordinance 95-4 Sections 4.080, 4.090 and 4.137 through 4.156 (Design Review Standards) and Section 3.040 (Standards for the Commercial Zone).

### II. APPLICATION SUMMARY

- A. The applicant previously received approval to install an awning above the first-floor deck. The applicant now wishes to install two retractable awnings on the second

floor of the existing building. The larger one will be centered above the existing deck and contain 247-square feet of area. The smaller one, at 122-square feet, will be located to the right of the main awning. The intent of the improvement is to provide protective shade on the businesses' second floor dining area. No part of the awnings will extend beyond the building's footprint. The awnings will be retractable, motorized, and colored "Logo Red". The Commission previously reviewed and approved the installation of similar awnings on the ground floor.

- B. Pursuant to Section 4.152.2, a Design Review is mandated as a building permit is required to install the awnings. This action is subject to a public hearing and review by the Planning Commission.
- C. In reviewing this application, the City determined the applicant converted the second-floor residence into a commercial use - in this case, a second-floor dining area – without receiving land use approval. While the restaurant is allowed, the conversion from a residential to a commercial use also requires a building permit and is therefore subject to a Design Review.
- D. This report reviews both Design Review requests, beginning with the conversion from a residential use to a commercial use. Finally, the City did not receive any comments as of the date of this report.

### III. CRITERIA AND FINDINGS – DESIGN REVIEW

#### CONVERSION OF SECOND FLOOR FROM RESIDENTIAL TO COMMERCIAL

- A. Sections 4.080 establishes the City's parking requirements. It specifically notes that "(A)t the time a new structure is erected, or the use of an existing structure is changed or enlarged, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section unless greater requirements are otherwise established."

FINDINGS: Since the proposal changes the existing second floor use from residential to commercial, parking must be addressed. Per Section 4.090.2:

*Development of no more than two (2) retail, restaurant or office spaces on lots of 5,000 square feet or less in the C-1 or L-C zones will require no parking spaces in excess of that required by the Americans with Disabilities Act [ADA] or required by Section 4.090(3)(b) below.*

Based on this Section, added parking spaces exceeding ADA requirements are not required. The City building official determines whether an ADA parking space is required.

- B. Provisions in Sections 4.137 to 4.142 address site plan reviews (4.137), the use of fill for structural elevation (4.138), parking structures in the front yard (4.141) and matters regarding trees (4.142).

FINDINGS: This application and process are consistent with provisions in Section 4.137 which describe the submittal requirements. Fill is not required as part of the change in use and the project does not involve the installation of parking in the front yard (Sections 4.138 and 4.141). Finally, the proposal does not involve the removal, pruning or replanting of trees (Section 4.142).

- C. Section 4.150 identifies the purpose of the design review process, while Section 4.151 lists applicable definitions. Section 4.152 shows when a design review is required.

FINDINGS: This application is consistent with provisions in Section 4.150 as the application and process seek to determine whether the proposal maintains the unique characteristics of the community. However, this is not an issue as the change in use does not alter the building's exterior. The definitions apply to the design review process but do not establish design criteria (Section 4.151). Finally, as previously noted, a design review is needed as a building permit is required to change the use of the second floor (Section 4.152).

- D. Section 4.153 outlines the review procedures. For this Section, a pre-application conference occurred, and the applicant submitted the required material. The City mailed notice to area property owners in compliance with applicable provisions.

- E. Section 4.154 outlines the purpose behind the design review criteria. This Section states "(T)he design review criteria are intended to provide a frame of reference for the applicant in the development of site, building and landscape plans and to provide the city with a means of reviewing proposed plans. These criteria are not intended to be inflexible requirements, nor are they intended to discourage creativity or innovation. The criteria do not intend to specify a particular architectural style." Further: "(T)he Design Review Board is not authorized to approve projects which do not adhere to specific development standards provided by this ordinance (e.g., building height or setbacks.)"

- F. Section 4.155 contains the specific decision criteria; each item is reviewed below:

- 1. In terms of setback from street or sidewalk, the design creates a visually interesting and compatible relationship between the proposed structure and the surrounding area.

FINDINGS: Setbacks are not altered as there is no change in the structure's exterior; all improvements related to the change in use are limited to the building's interior.

- 2. The design incorporates existing features such as rocks, slopes, and vegetation.

FINDINGS: Incorporation of existing rocks, slopes or vegetation is not a factor in the interior revisions.

3. Where appropriate, the design relates or integrates the proposed landscaping/open space to the adjoining space in order to create pedestrian pathways and/or open system that connects other properties.

FINDINGS: Again, there is no exterior change to the structure. Existing landscaping improvements and building access are not affected.

4. The design gives attention to the placement of storage or mechanical equipment so as to screen it from view.

FINDINGS: This change in use does not add visible storage facilities or mechanical equipment.

5. All functions, uses and improvements are arranged to reflect and harmonize with the natural characteristics and limitations of the site and adjacent properties.

FINDINGS: The interior revisions to accommodate the change in use do not impede or affect area private properties.

- G. Section 4.156 contains the decision criteria evaluating architectural and landscaping design; each item is reviewed below:

1. The design integrates and harmonizes the existing and proposed development with the existing surroundings and future allowed uses. This standard shall be applied in a manner that encourages village design and visual diversity within development projects and the surrounding area. Corrugated siding is prohibited as it does not harmonize with siding used on most existing buildings.

FINDINGS: This criterion is not applicable as the as the exterior of the building remains unaltered.

2. The landscape design acknowledges the growing conditions for the climatic zone, and provisions are made for the survival and continuous maintenance. The landscape design shall include the use of local native species of trees and shrubs.

FINDINGS: The interior change in use does not alter existing landscaping.

3. The minimum lot area required to be landscaped under Section 3.040(3)(d) for commercial, mixed use, or non-residential uses shall be located in the front and side yards and the portion of the lot adjacent to the front or street side yards and not within the foundation footprint or rear yard. Living plant material shall cover at least 50% of this required minimum landscape area. For corner lots, at least 25% of the living plant material required by this section shall face each street frontage.

This paragraph addresses only the landscape requirements of Section 3.040(3)(d). Additional living plant material may be required to meet screening requirements specified elsewhere in this Ordinance.

FINDINGS: As noted, existing landscaping will not be altered.

4. [Reserved]
5. The grading and contouring of the site, and on-site drainage facilities, shall be designed so there is no adverse effect on neighboring properties or public rights-of-way.

FINDINGS: The interior improvements do not alter the building's existing footprint or impervious surface and will therefore not impact site drainage.

6. The design avoids monotony and provides visual interest by giving sufficient attention to architectural details and to design elements.

FINDINGS: This criterion does not apply as the change in use improvements will not alter the building's exterior.

7. The design adequately addresses the pedestrian nature of the commercial area and places structures in relation to sidewalks and open areas to foster human interaction.

FINDINGS: The interior modifications to accommodate the commercial use will not impact the adjacent sidewalk and private properties, and given the second-floor location, have an impact on street level human interaction.

8. Lighting is non-industrial and non-invasive in character and contributes to the village character.

FINDINGS: The request does not alter, or add to, existing lighting.

9. Compatibility. All new commercial and mixed-use buildings and exterior alterations shall be designed consistent with the architectural context in which they are located. This standard is met when the Design Review Board finds that all of the criteria in a.- c., below, are met.
  - a. There is compatibility in building sizes between new and existing commercial and mixed-use buildings;
  - b. The size, shape and scale of the structures are architecturally compatible with the site and with the village character of the surrounding neighborhood. Particular attention will be paid to addressing the visual impact of the structures on residential uses that are adjacent or on the opposite side of the same street.

- c. All buildings and developments shall provide human scale design. The design avoids a monolithic expanse of frontages and roof lines, diminishes the massing of buildings by breaking up building sections, and/or by use of such elements as visual planes, projections, bays, dormers, second floor setbacks or changes in the roof line, and/or similar features generally shown in the following figure (see Ordinance). Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features will not independently satisfy this criterion.

FINDINGS: The character of the structure is not altered as the existing building frontage, scale and design remain unchanged.

- H. Section 4.158 includes on performance assurance, including building permit requirements and time limitations.

FINDINGS: These are administrative requirements applicable to both the City and applicant.

#### IV. CRITERIA AND FINDINGS – DESIGN REVIEW INSTALLATION OF SECOND FLOOR AWNINGS

- A. Sections 4.080 establishes the City’s parking requirements. It specifically notes that “(A)t the time a new structure is erected, or the use of an existing structure is changed or enlarged, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section unless greater requirements are otherwise established.”

FINDINGS: Parking was previously addressed under item III.A., above.

- B. Provisions in Sections 4.137 to 4.142 address site plan reviews (4.137), the use of fill for structural elevation (4.138), parking structures in the front yard (4.141) and matters regarding trees (4.142).

FINDINGS: This application and process are consistent with provisions in Section 4.137 which describe the submittal requirements. Fill is not required as part of the awnings’ installation and the project does not involve the installation of parking in the front yard (Sections 4.138 and 4.141). Finally, the proposal does not involve the removal, pruning or replanting of trees (Section 4.142).

- C. Section 4.150 identifies the purpose of the design review process, while Section 4.151 lists applicable definitions. Section 4.152 shows when a design review is required.

FINDINGS: This application is consistent with provisions in Section 4.150 as the

application and process seek to determine whether the proposal maintains the unique characteristics of the community. The awning meets the intent of a “human scale” of development and does not appear out of character with the existing building as it protects customer seating consistent with the purpose of the structure and business. The definitions apply to the design review process but do not by themselves establish design criteria (Section 4.151). Finally, as previously noted, a design review is needed as the proposed awning requires a building permit (Section 4.152).

- D. Section 4.153 outlines the review procedures. For this Section, a pre-application conference occurred, and the applicant submitted the required material. The City mailed notice to area property owners in compliance with applicable provisions.
- E. Section 4.154 outlines the purpose behind the design review criteria. This Section states “(T)he design review criteria are intended to provide a frame of reference for the applicant in the development of site, building and landscape plans and to provide the city with a means of reviewing proposed plans. These criteria are not intended to be inflexible requirements, nor are they intended to discourage creativity or innovation. The criteria do not intend to specify a particular architectural style.” Further: “(T)he Design Review Board is not authorized to approve projects which do not adhere to specific development standards provided by this ordinance (e.g., building height or setbacks.)”
- F. Section 4.155 contains the specific decision criteria; each item is reviewed below:
  - 1. In terms of setback from street or sidewalk, the design creates a visually interesting and compatible relationship between the proposed structure and the surrounding area.  
  
FINDINGS: Based on the applicant’s submitted information, the awning color will match the existing red Adirondack chairs seated in the courtyard as well as the previously approved ground floor awning. With the existing black, rust orange trim and cedar shingles of the building, the awnings complement the building style and look.
  - 2. The design incorporates existing features such as rocks, slopes, and vegetation.  
  
FINDINGS: The installation covers the existing second-floor deck. Incorporation of existing rocks, slopes or vegetation is unnecessary.
  - 3. Where appropriate, the design relates or integrates the proposed landscaping/open space to the adjoining space in order to create pedestrian pathways and/or open system that connects other properties.  
  
FINDINGS: The awnings provide flexibility for the business, whereby the

deck can be open or covered depending on the weather. Existing landscaping improvements and building access are not affected.

4. The design gives attention to the placement of storage or mechanical equipment so as to screen it from view.

FINDINGS: Based on the submitted drawings, the awnings retract back toward the building and into its cassette hood when not in use. Therefore, mechanical aspects of the awnings are effectively screened from view. In addition, based on the submitted material, it appears the awnings and their improvements match the existing awnings on the ground floor with regards to mechanisms, retractability (including manually) and strength of material. Finally, the mechanical nature of the awnings will effectively be screened from view, thereby meeting the intent of this review criterion.

5. All functions, uses and improvements are arranged to reflect and harmonize with the natural characteristics and limitations of the site and adjacent properties.

FINDINGS: Based on the site plan, the retractable awnings will only extend into the existing second floor deck. The adjacent sidewalk and private properties are not affected by the additions.

- G. Section 4.156 contains the decision criteria evaluating architectural and landscaping design; each item is reviewed below:

1. The design integrates and harmonizes the existing and proposed development with the existing surroundings and future allowed uses. This standard shall be applied in a manner that encourages village design and visual diversity within development projects and the surrounding area. Corrugated siding is prohibited as it does not harmonize with siding used on most existing buildings.

FINDINGS: Generally, the awnings do not alter the characteristics of the building. Awnings are typical for many small, commercial downtowns and this improvement has the added benefit of better use of the building's second floor. Finally, the improvement does not include the use of corrugated siding.

Development requirements for the C-1 zone are contained in Section 3.040, specifically in subsection "(3)". These include height limitations, setbacks and so forth. For the record, the existing building's height and setbacks will not be altered. Item (3)(g) states signs, awnings, marquees and sidewalk coverings shall extend not more than 10 feet from a building or more than 5 feet over a sidewalk, whichever is less. Staff recognizes the awnings will extend more than 10-feet from the building. However, being located on the second floor, the awnings will still be situated within the building's envelope



and footprint, and not extend into an existing yard.

2. The landscape design acknowledges the growing conditions for the climatic zone, and provisions are made for the survival and continuous maintenance. The landscape design shall include the use of local native species of trees and shrubs.

FINDINGS: The project is for the installation of two awnings and does not involve the alteration of the existing landscaping.

3. The minimum lot area required to be landscaped under Section 3.040(3)(d) for commercial, mixed use, or non-residential uses shall be located in the front and side yards and the portion of the lot adjacent to the front or street side yards and not within the foundation footprint or rear yard. Living plant material shall cover at least 50% of this required minimum landscape area. For corner lots, at least 25% of the living plant material required by this section shall face each street frontage.

This paragraph addresses only the landscape requirements of Section 3.040(3)(d). Additional living plant material may be required to meet screening requirements specified elsewhere in this Ordinance.

FINDINGS: As noted, existing landscaping will not be altered.

4. [Reserved]
5. The grading and contouring of the site, and on-site drainage facilities, shall be designed so there is no adverse effect on neighboring properties or public rights-of-way.

FINDINGS: The improvement is limited to the installation of two retractable awnings on the second floor of the building. The awnings stay within building's envelope and not extend into an existing yard. Further, the awnings will cover an existing impervious surface (deck) so that, overall, existing site drainage should not be affected.

6. The design avoids monotony and provides visual interest by giving sufficient attention to architectural details and to design elements.

FINDINGS: The awnings supply a visual contrast to the existing structure without altering the building's external characteristics.

7. The design adequately addresses the pedestrian nature of the commercial area and places structures in relation to sidewalks and open areas to foster human interaction.

FINDINGS: The retractable awnings will only extend into the existing second floor deck with drainage falling entirely on the subject property. Their inclusion will therefore not affect the adjacent sidewalk and private properties. Given the second-floor location, it would appear street-level human interaction is unaffected.

8. Lighting is non-industrial and non-invasive in character and contributes to the village character.

FINDINGS: The request does not alter, or add to, existing lighting.

9. Compatibility. All new commercial and mixed-use buildings and exterior alterations shall be designed consistent with the architectural context in which they are located. This standard is met when the Design Review Board finds that all of the criteria in a.- c., below, are met.
  - a. There is compatibility in building sizes between new and existing commercial and mixed-use buildings;
  - b. The size, shape and scale of the structures are architecturally compatible with the site and with the village character of the surrounding neighborhood. Particular attention will be paid to addressing the visual impact of the structures on residential uses that are adjacent or on the opposite side of the same street.
  - c. All buildings and developments shall provide human scale design. The design avoids a monolithic expanse of frontages and roof lines, diminishes the massing of buildings by breaking up building sections, and/or by use of such elements as visual planes, projections, bays, dormers, second floor setbacks or changes in the roof line, and/or similar features generally shown in the following figure (see Ordinance). Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features will not independently satisfy this criterion.

FINDINGS: The character of the structure is not altered as the existing building frontage, scale and design remain unchanged. The larger issue is whether the awnings are compatible with the area's architectural context. Staff notes this is effectively a temporary type of improvement and will not be visible 24/7. It provides a benefit for a local business yet does not irrevocably alter the structure's design. On balance, staff finds the improvement consistent with the intent of the design standards.

- H. Section 4.158 includes on performance assurance, including building permit requirements and time limitations.

FINDINGS: These administrative requirements apply to the City and applicant.

## V. RECOMMENDATION AND CONDITIONS OF APPROVAL

City staff finds the proposal complies with the applicable Design Review criteria and recommends the Planning Commission approve the application to change the second-floor use from residential to commercial, and, to install the two awnings on the second-floor balcony, subject to the following Conditions:

- A. The applicant shall obtain a building permit for improvements and modifications associated with the conversion of the second floor from a residential use to a commercial use.
- B. The applicant shall obtain a building permit to install the proposed awnings. Their design, location and operation shall comply with the submitted proposal.
- C. If required by the building official as part of the building permit review process, the applicant shall install an ADA parking space. The location of the space shall comply with provisions in Ordinance 95-4, Section 4.080.4., and be improved to applicable ADA standards. The space shall be installed concurrently with the interior improvements and awnings.
- D. The second-floor improvements and awning installations (and if so required, an ADA parking space) shall comply with building permit requirements and conform to the submitted plans. The applicant is advised that modifications to approved plans may require a new design review application and decision.
- E. Compliance with the conditions of approval shall be the sole responsibility of the applicant.

## VI. PLANNING COMMISSION ACTION

- A. The Planning Commission has the following options:
  - 1. Approve the application, adopting findings and conditions contained in the staff report;
  - 2. Approve the application, adopting modified findings and/or conditions;
  - 3. Deny the application, establishing findings as to why the application fails to comply with the decision criteria.
- B. Staff will prepare a document for the Chair's signature.