

**CITY OF MANZANITA PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS**

Design review of a mixed use (residential and commercial) building in the Commercial zone

Location: 253 Laneda Avenue
Assessor's Map: Map 3N-10-29BD, Tax Lot 16900
(Lot 15, Block 13, Manzanita Beach)
Applicant: By the Sea Investments IV, LP
Owner: Same as applicant
Zoning: C-1 (Commercial)
Criteria: This application will be evaluated against the design review standards listed in Sections 4.070, 4.080, 4.090 and 4.137 through 4.158 of Ordinance 95-4, and the standards for the Commercial (C-1) zone listed in Section 3.040 of Ordinance 95-4.

Date of Hearing: February 17, 2015

FINDINGS OF FACT

1. Applicant By the Sea Investments IV through its member, Charley Lostrom, submitted an application on January 12, 2015 for design review of a mixed use (commercial and residential) building. The fee for site design review will be collected at the time building permits are issued for the proposed structure. The application was determined to be complete on January 14, 2015. A copy of this application (5 sheets and 6 pages) is included as Exhibit A of this report. The applicant provided a site plan and drawings of the proposed structure.
2. Written notice of the public meeting on this design review application was mailed on January 27, 2015 to property owners of record within 150 feet of the subject property as required by Article 10 of Ordinance 95-4. Public comment was taken at the regular Planning Commission meeting of February 17, 2015.
3. Applicant wishes to construct a mixed use (commercial and residential) building on property zoned C-1 (Commercial). The initial commercial occupant is anticipated to be a small scale winery and tasting room. The subject property is currently vacant.
4. The subject property is one of two 50' by 100' lots on the northwest corner of Laneda Avenue and Third Street. The lot faces Laneda Avenue. The regulations for the C-1 zone are described in Section 3.040 of Ordinance 95-4. The adjacent properties to the west and across the street south of the parcel in the Commercial (C-1) zone have commercial structures (community center, retail and restaurant); the adjacent property to the north is in the High Density Residential/Limited Commercial (R-4) zone and is a residence.
5. Section 3.040(3) of Ordinance 95-4 specifies the standards for structures in the C-1 zone as follows:
Section 3.040 Commercial Zone, C-1.
(3) Standards. In the C-1 zone the following standards shall apply:

- (a) The minimum lot size, setbacks and height for residential uses, except in mixed use development, shall be the same as in the R-2 zone. [Amended by Ord.03-06, passed July 9, 2003].
- (b) For commercial, nonresidential, or mixed use development uses, the minimum front yard shall be 10 feet, the minimum side yard shall be 5 feet, and the minimum rear yard shall be 5 feet. For corner lots adjacent to Laneda Avenue, the yard facing Laneda Avenue shall be considered the front yard. [Amended by Ord. 11-04, passed November 9, 2011].

Findings: The minimum front, side, and rear yard setbacks are met. Architectural features may extend into any required setback by no more than 18 inches (Ord. 95-4, Section 6.040); the plan shows the cover over the east entrance door as being 36 inches into the required 5 foot setback and should be modified. The cover over the rear loading area extends 12 inches into the required 5 foot setback and is acceptable.

- (c) The maximum building or structure height shall be 28 feet, 6 inches. However, if more than one-half of the roof area has a roof pitch of less than 3 in 12, the building or structure height shall not exceed 24 feet. The height of a stepped or terraced building shall be the maximum height of any segment of the building or structure. [Amended by Ord. 95-4, passed March 6, 1996; Amended by Ord. 01-03, passed 8/27/01]

Findings: The building is shown to be 26 feet, 8 inches in height and within the 28 feet, 6 inches maximum building height.

- (d) Minimum landscaped area: At least 10% of the total lot area of commercial, mixed use, or non-residential uses shall be devoted to landscaping or usable open space such as playgrounds, sitting areas or picnic areas. For developments exempt from on-site parking requirements under Section 4.090(2) and for commercial and mixed use developments providing less than the required number of parking spaces on-site, an additional 10% of the total lot area shall be devoted to landscaping. The minimum lot area required for landscaping in residential and other uses shall be 20%. Placement of landscaping is subject to standards specified in Section 4.156. [Amended by Ord. 11-04, passed November 9, 2011]

Findings: A total of 20% of the lot area is required to be in landscaping. The commercial development is exempt from on-site parking requirements under Section 4.090(2). For the 5,000 square foot lot, the requirement would be for 1000 square feet of landscaping. **About 1,230 square feet of landscaping is shown on the site plan revised after the hearing.** This standard is met.

Type and placement of landscaping is addressed in findings later in this report.

- (e) Parking shall be in accordance with Article 4, Section 4.080.
- (f) Signs shall be in accordance with Article 4, 4.070.
- (g) In the C-1 zone, 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. [Amended by Ord. 14-02, passed April 9, 2014].

Finding: The 14 foot wide cover over the rear loading area is not a “sign, awning, marquee or sidewalk covering” and is therefore not subject to this 10 foot limitation.

- (h) Adequate storm drainage shall be provided as specified by the City.

Findings: The lot is served by a pre-existing connection to the storm drainage system within Laneda Avenue. In order to minimize the impact on the neighboring pre-existing building, Pine Grove Community House, City staff has recommended that the proposed building drainage system be permitted to connect to the City storm drainage system rather than installing the underground infiltration chambers normally required to handle storm water retention. The connection requirements, including sizing calculations and a cleanout, will be addressed and approved by the Building Official at the time the building permit is applied for. This criterion is met.

- (i) Design review subject to Section 4.152. [Amended by Ord. 95-4, passed March 6, 1996].
- (j) Building(s) on a lot shall have a floor area ratio of no more than 0.65. The combined floor area of all buildings on a lot shall be used in calculating the floor area ratio. If a development is proposed on a lot divided between the R-4 and C-1 zones, the area in the R-4 zone shall be assumed to be no greater than the area in the C-1 zone for purposes of calculating the floor area ratio. [Added by Ord. 11-04, passed November 9, 2011]

Findings: The lot area is 5,000 square feet. The gross floor area of the proposed building is 3,250 square feet. Therefore the floor area ratio is .65, which is the maximum standard. This criterion is met.

- (k) If a development is proposed on a parcel consisting of two or more contiguous lots, the lots must be legally combined into one lot. [Added by Ord. 11-04, passed November 9, 2011]

Finding: The proposed building is contained on one 50'x100' lot with a proposed easement over the adjacent 50'x100' lot for driveway access to Third Street. This provision does not apply.

9. Sections 4.137 through 4.158 of Ordinance 95-4 specify the procedures and standards for design review of construction within the C-1 zone.

Section 4.137 Site Plan Approval. All commercial and residential development proposals shall be reviewed for conformance to the standards established by this Ordinance. Site plan approval shall be a condition of issuance of a building permit.

Condition of issuance of a building permit:

1. A site plan shall be to scale and shall contain:
 - (a) The exterior outline of all structures.
 - (b) Required on-site parking areas.
 - (c) Required yard setbacks and building height.
 - (d) Existing trees and proposed trees.

Findings: The applicants submitted a site plan which addresses the items in this section. There are two existing trees on the adjacent lot owned by the applicant that will need to be removed to allow the driveway easement.

2. Removal of trees. The City encourages retention of existing trees wherever feasible and prohibits clear cutting of lots prior to review and approval of a site plan or tree replacement plan.
 - (a) Removal of a tree(s) from a lot which is not associated with a development proposal may be permitted subject to City approval of a tree replacement plan. [Section 4.137(2) amended by Ord. 95-4, passed March 6, 1996].
3. Replanting of trees. Trees that have been removed from the building site shall be replaced by trees of a species native to the area or by a species that has demonstrated an ability to adapt to this area. The number and location of such trees shall be shown on the site plan. Prior to final building inspection, all trees noted on the tree replacement plan shall be planted. Replanted trees which die shall be replaced within 90 days of the death of the trees. [Amended by Ord. 06-04, passed September 18, 2006]

Section 4.150 Design Review. The purpose of Sections 4.150 through 4.158 is to provide design standards for commercial and mixed use development in Manzanita's commercial zones and in the High Density Residential/Limited Commercial zone. Design review provides aesthetic judgment over development projects in order to maintain the unique character of the community by keeping buildings to human scale and reflecting the natural beauty of the city's setting, to encourage the traditional style of the Pacific Northwest, and to protect the viability of the commercial zones. The standards provide for originality, flexibility and innovation in site planning and development and encourage development where structures, use areas, artistic expression and site elements are integrated in a manner that is harmonious within the site and with adjacent properties. Design review_criteria shall be applicable to all new construction, alteration of site improvements, or exterior alteration of commercial and mixed use development in the C-1, LC, and R-4 zones. [Amended by Ord. 06-04, passed September 18, 2006; and amended by Ord. 14-02, passed April 9, 2014].

Section 4.151 Definitions. [Amended by Ord. 06-04, passed September 18, 2006; and amended by Ord. 14-02, passed April 9, 2014].

- a. New construction: New building, public improvements such as sidewalks, benches, lighting and/or landscaping.
- b. Alteration of site improvements: The removal of landscaping of an area of 100 square feet or more.
- c. Exterior alteration: The addition of more than 100 square feet of interior building space.
- d. Minor alteration: Modification of a building or improvement which is (a) not a Major Revision to an approved design review plan, (b) does not significantly alter or move an exterior wall or roof or change the height of a portion of a building, (c) does not relocate an existing building on its lot, (d) creates no new driveways, and (e) adds no additional uses to the building.
- e. Major revision: Modifications to an approved design review plan which result in a significant change to the plan; including but not limited to changes to the siting of a building or improvements, the modification of the areas to be landscaped, the placement of mechanical or electrical equipment not shown on the approved design review plan, or modifications to a plan element that was the subject of a Design Review Board condition.
- f. Minor revision: Minor modifications to an approved design review plan which result in an insignificant change to the plan; including but not limited to minor_changes to the dimension or placement of windows or doors, changes in building materials where only a limited area is affected and which do not affect the overall architectural design, or the substitution of landscape materials which do not affect the overall landscape design.

- g. Design Review Board: The Planning Commission or a separate board designated by the City Council.

Section 4.152 Design Review Plan - When Approval is Required. Design review plan approval shall be required prior to:

1. Site clearance activities such as tree removal, grading, excavation or filling.
2. The issuance of a building permit for new construction or alteration. This shall include reconstruction of a nonconforming structure. The plan for which a building permit is issued shall conform in all aspects to the plan approved through the design review process. [Amended by Ord. 14-02, passed April 9, 2014].
3. Alteration of site improvements.
4. Design review approval is not required for minor alterations as defined in Section 4.151.

[Section 4.152 amended by Ord. 06-04, passed September 18, 2006]

Finding: Construction of this building on the subject lot requires design review plan approval as listed in Section 4.152(2).

Section 4.153 Design Review Plan - Review Procedures.

1. Pre Application Conference. Prior to applying for design review approval, applicants shall meet with the City Manager or designee, and present a plan which shall contain, in preliminary form, the information required on a design review plan application. The City will advise the applicant of the intent, standards, criteria and provision of the ordinance, other City ordinances, variance requirements, conditional uses, etc. Preliminary information presented shall be considered confidential.
2. Property owners, or their designated representatives, shall file a design review application and submit site plans, elevations, renderings, landscape plans, models, or other materials to insure a clear understanding by the Design Review Board. The materials submitted must include at least one rendering or model showing the proposed development and the adjacent properties so that the Design Review Board can evaluate the project's harmony relative to adjacent structures. The applicant bears the responsibility or burden of proof that the proposed development complies with the design review criteria.

Findings: The Applicant contacted City staff to discuss the design review requirements. The Applicant submitted two renderings of the proposed building in context with the surrounding buildings.

3. The design plan must identify:
 - a. Natural and man-made features, including trees and structures onsite and on adjacent properties having a visual or other significant relationship with or that may affect the development.
 - b. The location and external dimensions of proposed buildings and structures, and of existing buildings and structures to be retained.
 - c. The location of fences, retaining walls, mechanical equipment, garbage disposal areas, utility appurtenances and similar structures.
 - d. Pedestrian, parking and vehicular circulation areas including service areas for the loading and delivery of goods.
 - e. Private and shared outdoor areas, including walkways, plazas, courtyards, seating areas, street furniture and permanent outdoor features including sculptures and artwork.

- f. Exterior lighting on all buildings and in landscape areas, including type, intensity and area to be illuminated.
- g. Location, size and method of illuminating signs.
- h. Points of access and interior floor plans on architectural plans to the extent required to clarify access functions and the relationship to decks, porches, balconies, stairs or other exterior features.
- i. The color and texture of finish materials, window and door placement and materials, light fixtures, stairways, unique architectural elements, especially in development plans that are unique or innovative.
- j. Location and proposed living plant material for landscaped areas, including type, number and size of living plant materials and including visual representations of the living plant materials relative to building elevations. [Added by Ord. 14-02, passed April 9, 2014].

Findings: The applicant has submitted documentation on the plan sheets addressing these requirements. Although the renderings show a business sign, the location and size of signs for the new business was deferred until that business applies for sign permits. The applicant indicated to staff that a heat pump not shown on the plans would be installed on the northwest corner of the building screened by vegetation. The installation or placement of any other mechanical or electrical equipment on the outside of the building will require further review and approval by the Design Review Board. The artist rendering of the building and the vicinity includes visual representations of the living plant materials relative to building elevations.

4. The City Manager or designee shall prepare a report to the Design Review Board on conformance with pertinent zoning ordinance requirements. The report shall be available to the public, at reasonable cost, at least 7 days prior to the date set for the hearing.
5. Design Review Board Meeting and Decision
 - a. Before the Design Review Board may act on a design review plan, written notice must be sent to all property owners within 150 feet of the proposed development or alteration informing them of the date, time and location of the Board meeting in which the design plan will be reviewed.
 - b. The Design Review Board shall determine whether the proposed development meets all applicable design review criteria. The Board may request additional materials from the applicant prior to reaching a decision. The Board may approve, approve with conditions, or deny a design review plan.

[Section 4.153 amended by Ord. 06-04, passed September 18, 2006]

Findings: The Planning Commission acting as the Design Review Board met on February 17, 2015 at 4:30pm in the City Council Chambers to determine whether the proposed development met all applicable design review criteria.

Section 4.154 Design Review Criteria

1. The 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.
2. The 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.)

[Section 4.154 added by Ord. 06-04, passed September 18, 2006]

Section 4.155 Site Design Evaluation Criteria.

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.
2. The design incorporates existing features such as rocks, slopes and vegetation.
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.
4. The design gives attention to the placement of storage or mechanical equipment so as to screen it from view.
5. All functions, uses and improvements are arranged to reflect and harmonize with the natural characteristics and limitations of the site and adjacent properties.

[Section 4.155 renumbered and amended by Ord. 06-04, passed September 18, 2006]

Findings: The design of the proposed building takes into account surrounding buildings in order to harmonize with the surrounding area. Although a retaining wall is proposed along the west boundary, the structure is designed with a recessed second floor to allow the neighboring Pine Grove Community House to be readily visible from the street. A driveway is proposed along the northern side of the property so as not to impact Laneda Avenue with additional driveways. **At the hearing, the applicant indicated that a fence between the residential property on the north side and the proposed development is now proposed instead of the landscape screen.** The applicant indicated to staff that a heat pump not shown on the plans would be installed on the northwest corner of the building screened by vegetation. Trash and recycling storage is located inside the building, and the trash container will only be placed at the Third Street curb on trash collection days. **The criteria in this section are met.**

Section 4.156 Architectural and Landscape Design Evaluation Criteria.

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.

[Amended by Ord. 14-02, passed April 9, 2014].

Findings: The design integrates and harmonizes with existing buildings along Laneda Avenue, including the neighboring Pine Grove Community House. By placing a smaller building on one of the lots owned by the applicant rather than one large building, the design encourages the village atmosphere desired by the community. The parapet wall shown on the west side of the building was proposed to respond to a building code concern; the applicant indicated to staff that another solution was found and the parapet wall will not be necessary.

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 proposed general landscape plans use plants that are common to this area. The applicant must specify how the landscaping will be maintained **and kept to the size shown on the drawing** . Otherwise, this criterion is met.

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. [Amended by Ord. 11-04, passed November 9, 2011]
4. Living plant material shall constitute of minimum of 50% of the total required landscape area, which can include landscaping around buildings, in parking lots and loading areas, outdoor recreation use areas, and screening and buffering areas. For corner lots, no less than 25% of the total landscape area required to be in living plant material shall face each street frontage. [Amended by Ord. 11-04, passed November 9, 2011]

Findings: A total of 20% of the lot area is required to be in landscaping. For the 5,000 square foot lot, the requirement would be for 1,000 square feet of landscaping. Of this amount, 500 square feet of landscaping (50%) must be in living plant material. **This minimum amount must be in the front and side yards. About 1,230 square feet of landscaping is shown in the front and side yards of which 500 square feet of landscaping is in living plant material (after revisions made at the hearing)** . There is a total of about **1,230 square feet of landscaping shown on the site plan.** This standard is met.

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

Findings: In order to minimize the impact on the neighboring pre-existing building, Pine Grove Community House, City staff has recommended that the proposed building drainage system be permitted to connect to the City storm drainage system rather than installing the underground infiltration chambers normally required to handle storm water retention. The connection requirements, including sizing calculations and a cleanout, will be addressed and approved by the Building Official at the time the building permit is applied for. This system creates no adverse effect on neighboring properties or public rights-of-way.

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

Findings: The design uses a recessed second floor and deck as well as various wall and window treatments to create visual interest. The roll up garage doors on the front of the building are acceptable **as the dark brown trim on the doors blends in with the primarily wood siding as described by the Applicant during the hearing.**

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 design provides for a large patio area in front of the main commercial entrance. The walkway encourages pedestrian activity between the parking area and the front of the building. This criterion is met.

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

Findings: The lighting identified on the plan is appropriate in intensity and location. There does not appear to be any conflicts with neighboring uses given that the proposed lighting is screened and directed downward. Pictures of the proposed fixtures were provided. This criterion is met.

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.
 - 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, setbacks or changes in the roof line, and/or similar features generally shown in the following figure (Note: The examples shown below are meant to illustrate these building design elements, and should not be interpreted as a required architectural style).

Findings: The size and shape of the building is compatible with the surrounding commercial buildings and the scale is consistent with the village character of the surrounding neighborhood. Criteria a, b and c are met.

Section 4.157 Revision of Approved Plans.

Building permits and construction documents shall conform to all aspects of the approved design review plan. Where circumstances, unknown or unforeseen at the time the design review plans are approved, make it undesirable or unfeasible to comply with some particular aspect of the approved plan, the applicant shall request in writing that the city review the modification. The City Manager and the Design Review Board Chair shall review the proposed modification to determine whether it constitutes a major or minor revision of the approved plans. Major revisions require approval of the Design Review Board in the same manner as a new application. Minor revisions may be approved by the City Manager and do not require a new approval by the Design Review Board.

[Section 4.157 added by Ord. 06-04, passed September 18, 2006]

Section 4.158 Performance Assurance.

1. Site, building and landscape improvements required pursuant to an approved design review plan shall be installed prior to the issuance of certificate of occupancy or final inspection, unless the property owner submits a performance assurance agreement committing to the installation of landscaping or other site improvements within 6 months. In no case shall the property owner delay performance for more than 6 months.
2. The final approval of a design review plan shall be void after one year of the date of approval unless a building permit has been obtained. [Sections 4.150 - 4.157 added by Ord. 95-4, passed March 6, 1996; Section 4.158 renumbered by Ord. 06-04, passed September 18, 2006]

10. Sections 4.080 and 4.090 of Ordinance 95-4 specify the standards for off street parking as follows:

Section 4.080 Off-Street Parking and Off-Street Loading Requirements. At 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. If such facilities have been provided in connection with an existing use, they shall not be reduced below the requirements of this Ordinance.

1. Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission, based upon the requirements of comparable uses listed.
2. In the event several uses occupy a single structure or parcel of land, the total requirements shall be the sum of the requirements of the several uses computed separately.
3. Owners of 2 or more uses, structures, or parcels of land may agree to utilize the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the Planning Commission in the form of deeds, leases, or contracts to establish the joint use.
4. Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located not farther than 200 feet from the building or use they are required to serve, measured in a straight line from the building.
5. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting business or use.
6. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all-weather use and drained so as to avoid flow of water across public sidewalks or adjacent property.
7. Except for parking to serve dwelling uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbances of residents by the erection between the uses of a sight-obstructing fence of not less than 5 or more than 6 feet in height except where vision clearance is required.
8. Parking spaces along the outer boundaries of a lot shall be contained by a curb or bumper rail at least 4 inches high and set back a minimum of 4 1/2 feet from the property line.
9. Artificial lighting which may be provided shall not create or reflect glare in a residential zone or on any adjacent dwelling.
10. Groups of more than 4 parking spaces shall be served by a driveway so that no backing movements or other maneuvering within a street, other than an alley, will be required.
11. Loading of merchandise, materials, or supplies, buildings or structures which receive and distribute material or merchandise by truck shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this ordinance may be used for loading and unloading operations during periods of the day when not required to take care of parking needs.
12. Groups of 4 or more parking spaces shall be required within the Commercial and Limited Commercial zones to be clearly marked and shall not be less than 9 feet by 18 feet in size for each space required. An information sign of 4 square feet, visible from the street, road or highway will be used to identify the location of off-street parking areas.

13. For corner lots on Laneda Avenue, access to parking areas for new structures shall not be from Laneda Avenue. [Added by Ord. 06-04, passed September 18, 2006]
14. When a use in the commercial zone existing as of November 9, 2011 does not have the number of off-street parking spaces required by this ordinance and the use or size changes, the total number of parking spaces required for the new use or size shall be reduced by the deficient number of spaces for the existing use or size. [Added by Ord. 11-04, passed November 9, 2011]
15. For development on lots adjacent to Laneda Avenue, offsite parking for commercial uses may be located further away than outlined in Section 4.080(4) above if the following conditions are met:
 - a) The parcel on which the parking is located shall be deeded to the City after the required number of parking spaces is developed to City specifications.
 - b) The entrance to this remote, offsite parking must be clearly visible to the flow of traffic on Laneda Avenue.
 - c) This parking will be available for the general public to use.

[Item 15 added by Ord. 11-04, passed November 9, 2011]
16. Parking spaces within a structure shall be on no more than one level. [Added by Ord. 11-04, passed November 9, 2011]

Section 4.090 Off-Street Parking Requirements.

1. In determining the number of parking spaces required by this section, all fractions shall be rounded to the nearest whole number. [Added by Ord. 11-04, passed November 9, 2011]
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. [Added by Ord. 11-04, passed November 9, 2011]
3. Requirements for specific uses [Amended by Ord. 11-04, passed November 9, 2011]

USE	REQUIREMENTS
(b) Dwelling on lots 5000 square feet or smaller in the C-1 or L-C zones	One space for the first dwelling, two spaces for each additional dwelling unit.

Findings: The commercial space is exempt from on-site parking requirements per Section 4.090(2). The apartment on the second floor requires one parking space. The Applicant shows 2 parking spaces on the plan, including the accessible space required by the Americans with Disabilities Act (ADA). As only two parking spaces are designated, the requirement for maneuvering room specified in Section 4.080(10) does not apply. A parking space is defined in Section 1.030 of Ordinance 95-4 as a space 9 feet by 18 feet. All of the spaces on the plan meet this standard. The Applicant plans to provide a mutual easement between the subject property and the adjacent property to the east so that users of both properties may use the ADA accessible space. As the ADA accessible space is intended to be placed partially on both lots, the mutual easement is required.

Per Section 4.080(6) the parking area is required to be covered with a durable and dustless surface. The applicants propose to install asphalt paving. This requirement is met. A paved driveway out to the existing street pavement on Third Street must be provided. The Applicant will be required to provide an easement on Lot 14 for the parking and loading area on Lot 15.

11. Sign requirements are specified in Section 4.070 of Ordinance 95-4.

Section 4.070 Sign Requirements.

3. Sign Requirements – Commercial Zones

b. Total Square Foot Restrictions for Commercial Businesses

(2) Businesses not abutting Highway 101 will be allowed 24 square feet of signs not including Incidental Signs, Temporary Signs, one exterior reader board/bulletin board, and not more than one (1) A-Frame/sandwich board or portable-type sign meeting the requirements of Section 3.a.(2).

Findings: The site plan suggests a sign location, but indicates that future businesses will seek a sign permit at the time that signs are needed.

PLANNING COMMISSION CONCLUSIONS AND DETERMINATION

The site design for a mixed use building on the subject lot meets the standards specified in Ordinance 95-4 and is **APPROVED**, subject to all conditions specified in this report being met and maintained and especially the following conditions:

1. At least 60 additional square feet of living plant landscaping in the front and side yards shall be shown on the final site plan to meet the requirement for 50% of the required landscaping to be in living plant materials.
2. Applicant shall submit a plan to demonstrate how the living material landscaping will be maintained and kept to the size shown on the design plan.
3. Applicant shall submit for City review and approval a mutual easement which allows the ADA accessible parking space to be used by both properties currently owned by the Applicant. The applicant will also provide a driveway easement across Lot 14 to Lot 15. Proof of filing such easements shall be a condition of issuing any building permit on Lot 15 (subject lot).
4. The installation or placement of any other mechanical or electrical equipment on the outside of the building will require further review and approval by the Design Review Board.
5. The cover shown over the east entrance shall be modified to conform to the standards for architectural features extending into required yards.



LANEDA AVENUE

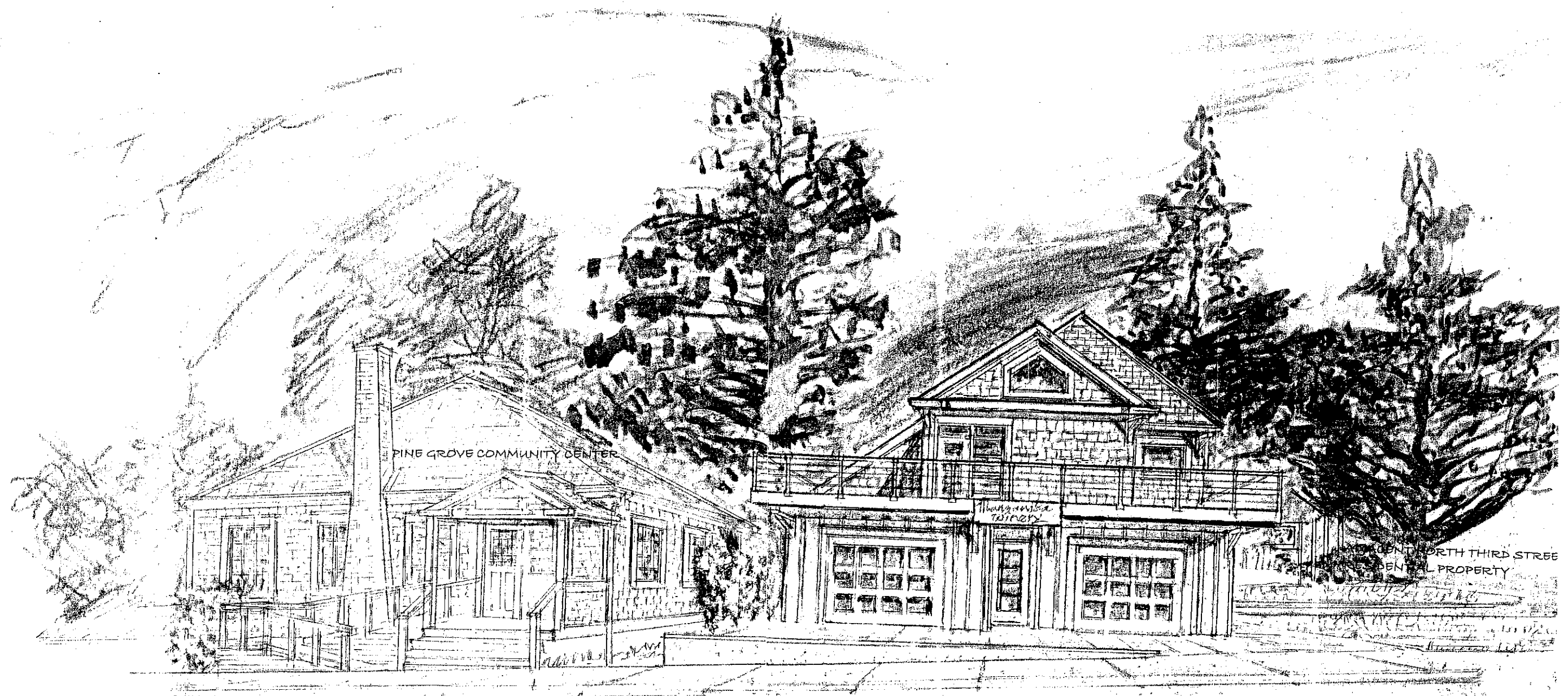
VIEW FROM SOUTHEAST.

RECEIVED

APR 12 2015

CITY OF MANZANITA

PLANS FOR C-1 LOT 15, BLOCK 15, MANZANITA BEACH		
Submitted by: By the Sea Investments IV, LP.		
SCALE: 1" = 10'	APPROVED BY:	DRAWN BY: <i>[Signature]</i>
DATE: 1-8-15		REVISED:
REIVER CREATIVE DESIGN SOLUTIONS		DRAWING NUMBER



PINE GROVE COMMUNITY CENTER

100 NORTH THIRD STREET
GENERAL PROPERTY

LANEDA AVENUE

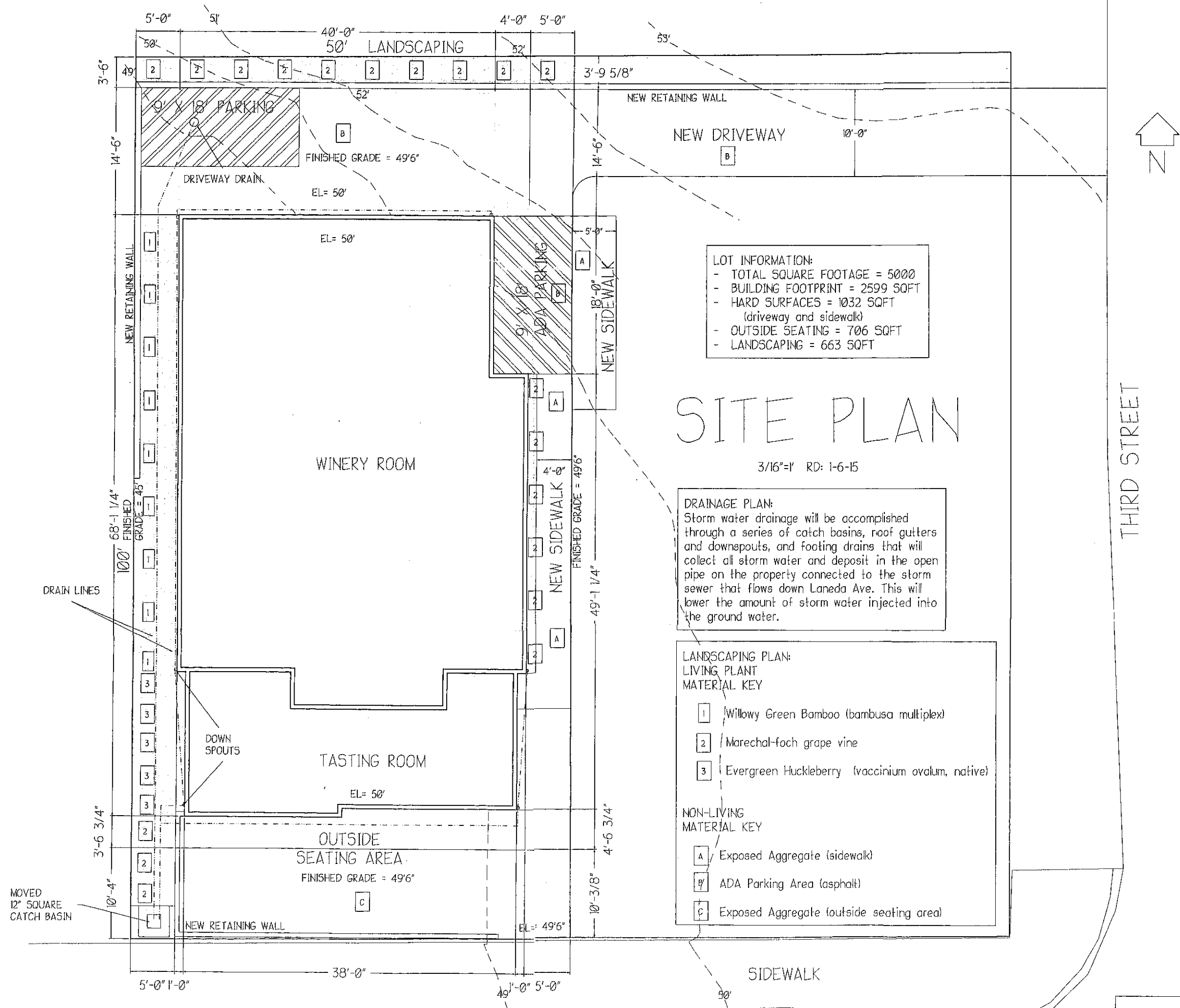
VIEW FROM SOUTH.

RECEIVED

JAN 12 2015

CITY OF MANZANITA

PLANS FOR C-1 LOT 15, BLOCK 13, MANZANITA BEACH			
Submitted by: By the Sea Investments IV, LP.			
SCALE: /	APPROVED BY:	DRAWN BY: <i>[Signature]</i>	
DATE: 1/9/15		REVISED	



LOT INFORMATION:

- TOTAL SQUARE FOOTAGE = 5000
- BUILDING FOOTPRINT = 2599 SQFT
- HARD SURFACES = 1032 SQFT (driveway and sidewalk)
- OUTSIDE SEATING = 706 SQFT
- LANDSCAPING = 663 SQFT

SITE PLAN

3/16"=1' RD: 1-6-15

DRAINAGE PLAN:
 Storm water drainage will be accomplished through a series of catch basins, roof gutters and downspouts, and footing drains that will collect all storm water and deposit in the open pipe on the property connected to the storm sewer that flows down Laneda Ave. This will lower the amount of storm water injected into the ground water.

LANDSCAPING PLAN:
LIVING PLANT MATERIAL KEY

- 1 Willowy Green Bamboo (bambusa multiplex)
- 2 Marechal-foch grape vine
- 3 Evergreen Huckleberry (vaccinium ovalum, native)

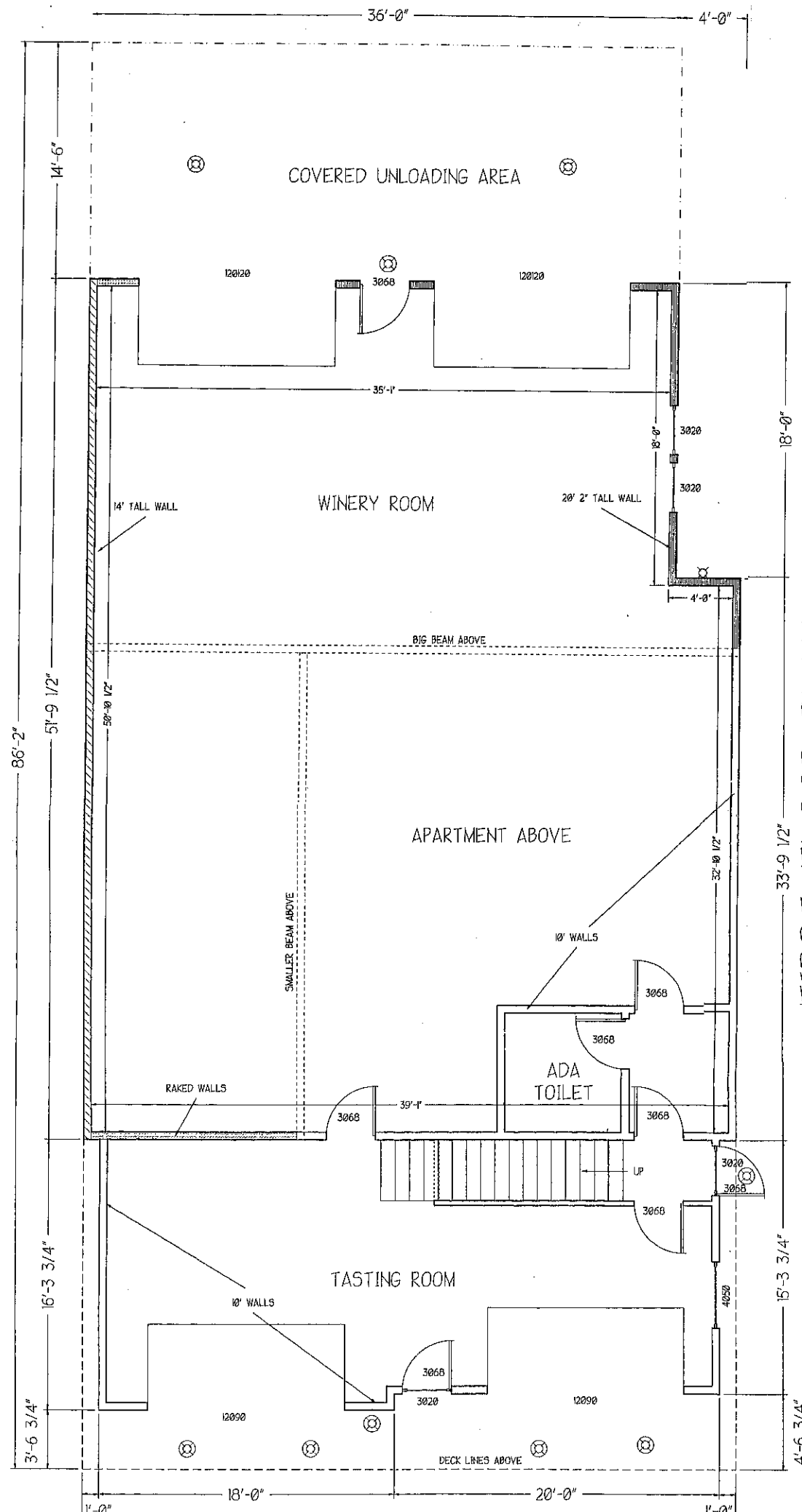
NON-LIVING MATERIAL KEY

- A Exposed Aggregate (sidewalk)
- B ADA Parking Area (asphalt)
- C Exposed Aggregate (outside seating area)

THIRD STREET

LANEDA AVENUE

PLANS for C-1 Lot 15, Block 13 Manzan
 Submitted by: By The Sea Investments



OUTDOOR LIGHTING

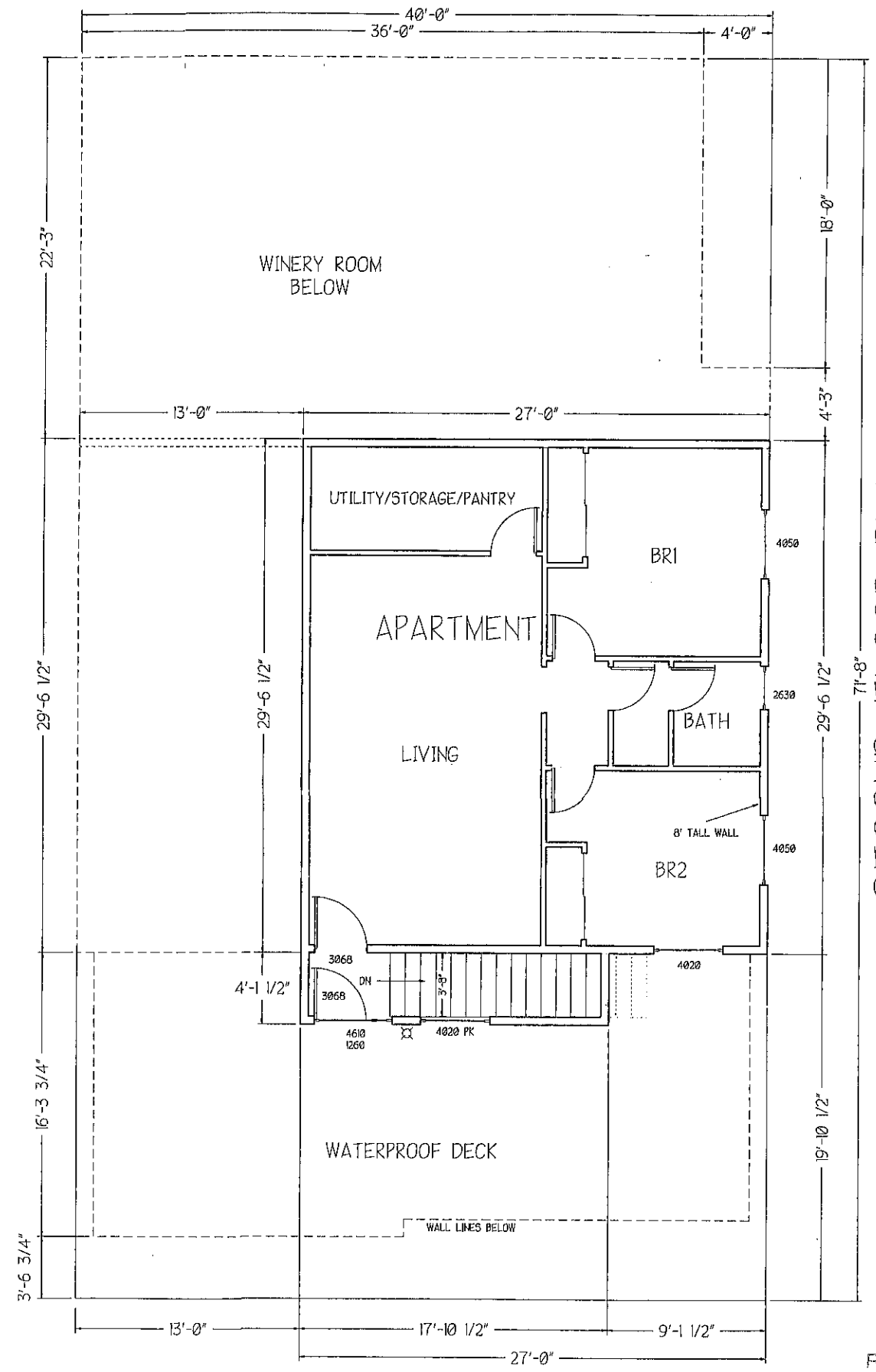
A total of 5 Dark Sky Compliant fixtures will be mounted on exterior walls at 7 ft. above ground level. Fixtures will be Lightcrafters Model #137 constructed of unfinished solid copper. Light source will be completely shielded 60 watt incandescent or equivalent. Fixture locations are located on Floor Plan by Symbol \otimes at every exterior door and one at the ADA parking location. In addition there will be 2 soffit mounted 'down' lights denoted by Symbol \otimes at the Covered Unloading Area and 4 under the deck overhang along the front of the building. Power will be provided for signage area.

FIRST FLOOR PLAN

FLOOR AREA RATIO

Gross Area square footage inside perimeter walls = 3,250 sq. ft.

Lot Size = 5,000 sq. ft.
 3,250 sq. ft. / 5,000 sq. ft. = .650 FAR for building.

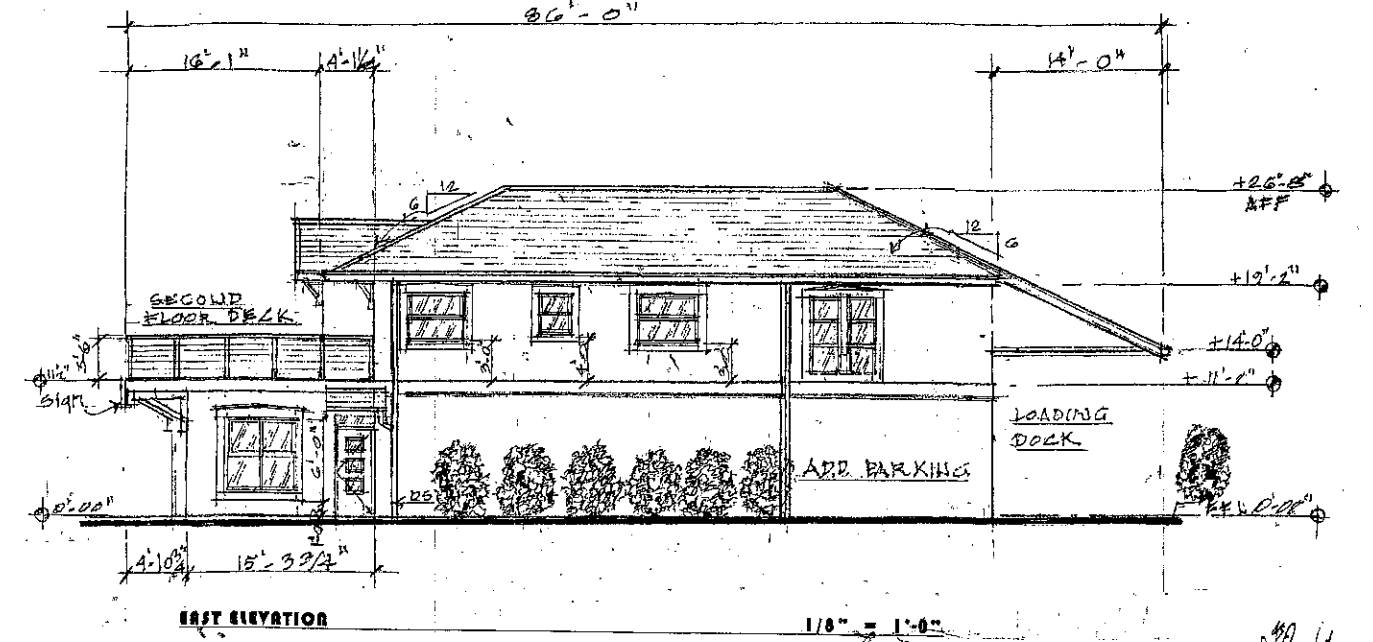
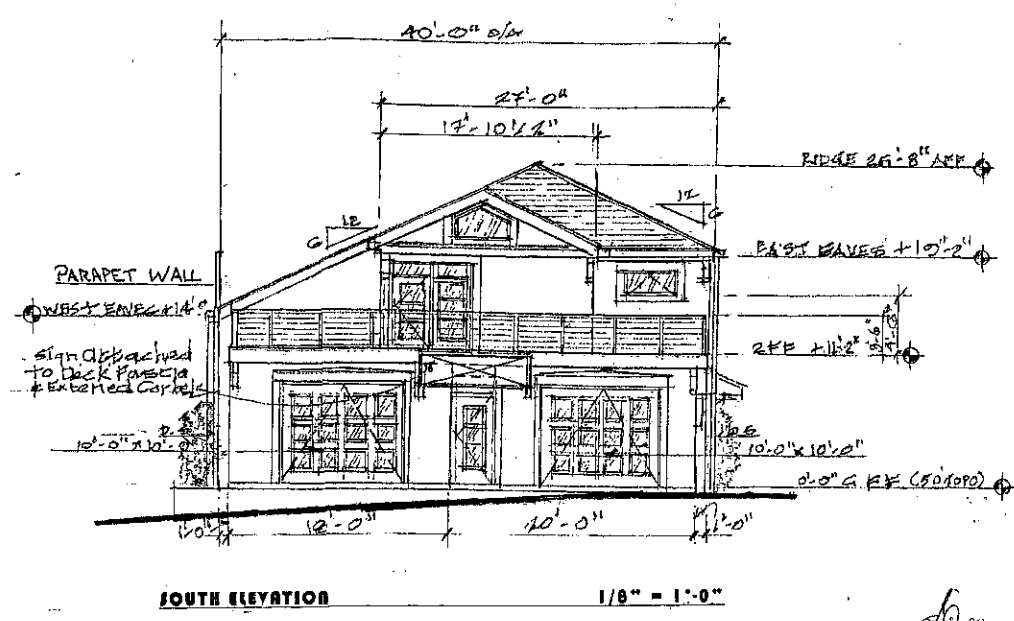


SECOND FLOOR PLAN

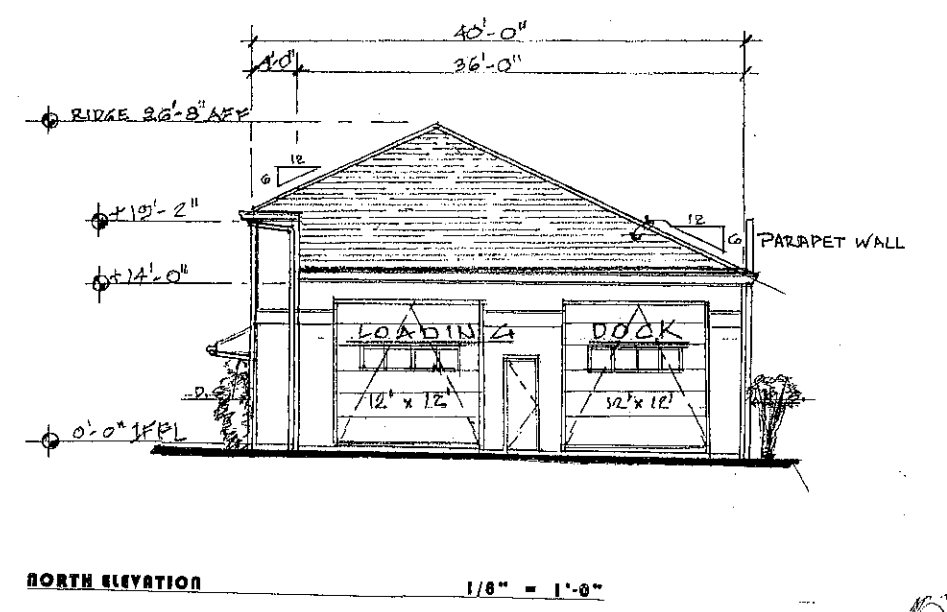
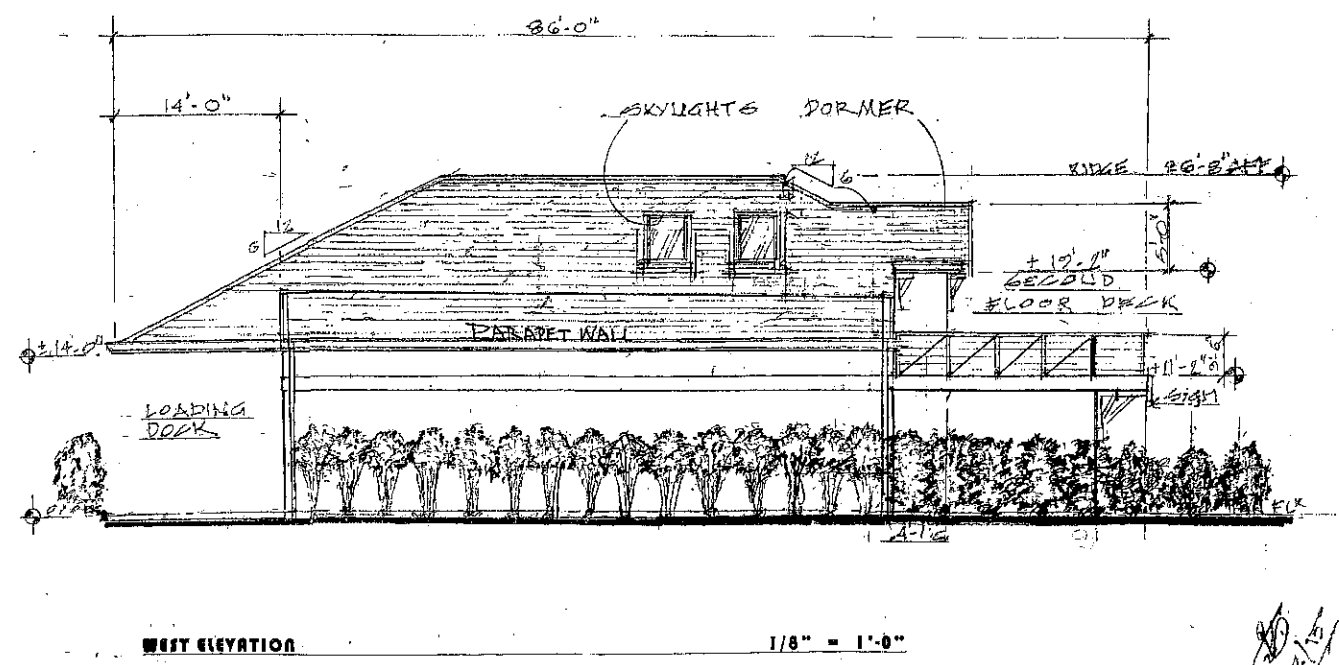
Reduction - Not to Scale

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 Submitted by: By The Sea Investments IV, LP



ELEVATIONS.
EXTERIOR MATERIALS:
 1ST LEVEL: -----Cedar Board and Batten.
 UPPER LEVEL:-Cedar Shingles
 WINDOWS:-----"Milgard" Vinyl w/ 1"x 4" Exterior Painted Trim.
 GUTTERS:----- 5" Grey Aluminum.
 ROOF: ----- Architectural Grade Asphalt Composition Roofing; Color to be "Driftwood".



Reduction - Not to Scale

PLANS for C-1 Lot 15, Block 13 Manzanita I
 Submitted by: By The Sea Investments IV,

**CITY OF MANZANITA
PLANNING COMMISSION MEETING
FEBRUARY 17, 2015**

I. CALL MEETING TO ORDER: Chair Owen Nicholson called the meeting to order at 4:30 p.m. in the City Council Chambers.

II. ROLL: Members present were: Owen Nicholson, Burt Went, John Nanson and Phil Mannan. Karen Reddick-Yurka, Colleen Everroad and Steve Bloom were absent and excused. There was a quorum. Staff present: City Manager Jerry Taylor, Office Support Specialist Judy Wilson.

III. AUDIENCE INTRODUCTION: There were 30 persons in the audience.

QUASI-JUDICIAL ITEM

IV. DESIGN REVIEW OF A MIXED USE (RESIDENTIAL AND COMMERCIAL) BUILDING IN THE COMMERCIAL ZONE. LOCATION: 253 LANEDA AVENUE. ASSESSOR'S MAP: MAP 3N-10-29BD, TAX LOT 16900 (LOT 15, BLOCK 13, MANZANITA BEACH). APPLICANT: BY THE SEA INVESTMENTS IV, LP. OWNER: SAME AS APPLICANT. ZONING: C-1 (COMMERCIAL)

Chair Nicholson asked members to announce any conflict of interest, bias, or ex parte contact. Each of the Planning Commission members present stated that they had visited the site and had no conflict of interest. There was no challenge to the Planning Commission's authority to review the design of this project. Charley Lostrom, By the Sea Investments, explained that the proposal was for a mixed use building housing a small-batch winery and restaurant with living quarters on the second floor that would be located on the lot immediately to the east of the Pine Grove Community House. He gave an overview of the building design, lighting, landscaping, driveway and retaining walls; presented elevation drawings; and explained the accommodations they were making to lessen the impact on the Pine Grove Community House. Commissioners asked the applicant about bi-products that may go into the sewage system, hours of operation, possible odors, mechanical equipment needed, the type of garage doors that would be used, driveway traffic, and the use of exhaust fans.

City Manager Taylor presented a proposed Findings of Facts and Conclusion report. He explained that connection to the City storm drainage system will be allowed for this property and should alleviate Pine Grove's water drainage issues. He also noted that the east entrance overhang would need to be adjusted because it would extend too far into the setback. The Commission noted some discrepancies between the elevation plan and the site plan, and expressed concern about the driveway and parking.

Chair Nicholson asked for public comment. Julianne Johnson, Tom Bender, Scott Galvin, and Bob Joseph expressed concern about the impact of the project on the Pine Grove Community House. Their main concerns were the retaining wall, drainage, landscaping, the driveway and

parking. Kay Covert stated that the proposed project would be a good visitor draw for Manzanita.

The Commission went over each of the proposed findings of fact. It was noted that based on testimony at the meeting, the findings report should state that a fence will be built along the north side of the property at the neighbor's request and that the parapet wall shown on the plan is no longer needed because a different solution was found to meet building code concerns. Commissioner Went expressed concern about the landscaping and staff's interpretation of the related criteria. After discussion, the finding will be altered to state that 60 or more square feet of living plant material will be added to the front or side yards and the rear yard area will not be used to meet the landscaping criteria. Taylor recommended that the applicant widen the driveway for accessibility and maneuvering. Taylor next reviewed the Staff Conclusions and Recommendation which were modified to reflect information presented at the meeting. Commissioner Went asked that the additional soft landscaping to be installed next to the sidewalk on the property be included specifically in the conditions of approval. Taylor recommended that the Commission accept the findings report as modified.

A motion was made by Nanson, seconded by Mannan to approve the site design for the mixed use building and adopt the Findings of Fact and Conclusions as modified. Motion passed unanimously.

LEGISLATIVE ITEM

V. PROPOSED RENAMING OF A PORTION OF RIDGE DRIVE AS CLASSIC STREET.

City Manager Taylor recommended that the portion of Ridge Drive north of Necarney City Road to the new intersection be renamed as Classic Street to recognize Classic Street's status as a north-south collector street. This portion of the road would connect with the current Classic Street extension. He noted that there would be two street signs posted until people were used to the change. Mannan suggested having speed signs as drivers turning into the street going north are exceeding the speed limit. City Manager Taylor said that he would review the signage in that area.

A motion was made by Went, seconded by Mannan to recommend to the City Council that the portion of Ridge Drive north of Necarney City Road to the new intersection be renamed as Classic Street. Motion passed unanimously.

Taylor informed the Commission that it would have a revision of the Classic Street Cottages Planned Unit Development to consider at its March meeting and a related zone change application to consider in April.

ADJOURN

A motion was made by Went, seconded by Mannan to adjourn the meeting. Motion passed unanimously. Chair Nicholson adjourned the meeting at 7:00 p.m.

**MINUTES APPROVED THIS
16TH DAY OF MARCH, 2015**

D. Owen Nicholson, Chair

ATTEST:

Jerald P. Taylor, City Manager/Recorder