



CITY OF MANZANITA

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BEFORE THE PLANNING COMMISSION OF THE CITY OF MANZANITA ORDER

APPLICANT: Harder Holdings Coastal, LLC (Steeplejack Brewing).
LOCATION: 220 Laneda (Township 3 North; Range 10 West; Section 29BD; Tax Lot #18100).
ZONING: Commercial (C-1).
REQUEST: Design Review approval to construct a restaurant.

The above-named applicant SUBMITTED a Design Review application to the City to construct a restaurant. A public hearing on the above request was held before the Planning Commission on September 19, 2022.

THE PLANNING COMMISSION OF THE CITY OF MANZANITA HEREBY ORDERS that the Design Review request be APPROVED and adopts the findings of fact and conditions of approval in Exhibit A, attached hereto and by this reference incorporated herein, in support of the decision.

This ORDER may be appealed to the City Council by an affected party by filing an appeal with the City Manager within 20 days of the date specified below. A request for appeal, either as a de novo review or review on the record, must contain the items listed in City Ordinance 95-4, Section 10.160 and may only be filed concerning criteria that were addressed at the initial public hearing. The complete case is available for review at the office of the City Recorder, 543 Laneda Avenue, Manzanita, Oregon.

Date: _____

City of Manzanita Planning Commission

Karen Reddick-Yurka, Chair

EXHIBIT A

I. BACKGROUND

- A. APPLICANT: Harder Holdings Coastal, LLC (Steeplejack Brewing).
- B. PROPERTY LOCATION: The subject site is located on the southside of Laneda Avenue, approximately 100-feet west of the South 3rd Street intersection. The property address is 220 Laneda and the Assessor map places the property within Township 3 North; Range 10 West; Section 29BD; Tax Lot #18100. The site is also identified as the Manzanita Beach Subdivision, Block 14, Lot 3.
- C. PARCEL SIZE: The subject site contains 5,000 square feet.
- D. EXISTING DEVELOPMENT: The lot contains two buildings, fronts a public street, and is served by public sewer and water. The site contains minor slopes.
- E. ZONING: The parcel is zoned Commercial (C-1).
- F. ADJACENT ZONING AND LAND USE: Property to the west, north and east is also zoned C-1 and contains a mix of commercial businesses. Land to the south is zoned High Density Residential/Limited Commercial (R-4) and will be developed with a single-family subdivision (Merton Lane subdivision).
- G. REQUEST: The applicant is requesting Design Review approval to construct a restaurant.
- H. DECISION CRITERIA: This application is evaluated against the design review standards listed in Sections 4.080, 4.090 and 4.137 through 4.156 of Ordinance 95-4, and the standards for the Commercial (C-1) zone listed in Section 3.040 of Ordinance 95-4.

II. APPLICATION SUMMARY

- A. The subject Tax Lot is part of the Manzanita Beach Subdivision and is composed of Lot 3 and Lot 4 of Block 14. The applicant submitted two project applications, one for each subdivision lot. As this is a recorded subdivision, these lots remain discrete properties and may develop independently from each other. This application and report focus on the proposed development of Lot 3.
- B. Upon removing the existing structures on Lot 3, the applicant wishes to construct a restaurant on the site that will feature the following:
1. Steeplejack Brewing Company will occupy the site. This location only contains a restaurant and will not include brewing facilities.
 2. The structure features three levels topped with a metal roof. Dining

functions are at the street level floor and top floor. The top floor also includes roof deck seating that can be available, weather permitting. The primary exterior finish is vertical red cedar siding, with ancillary metal and glass trim.

3. The existing steep slope of the site creates a daylight basement serving the kitchen, utility and back of house storage needs. This level features cast-in-place board form concrete with a natural finish. The sloping site effectively conceal utility functions from the view of Laneda Avenue such as propane tanks and the electrical transformer.
 4. A shared 10-foot driveway separates Lot 3 and Lot 4. This driveway includes an easement for maintenance access to the utility services at the rear of the lot and for accessing the dedicated three dedicated parking spaces. The parking lot located on this site is dedicated by easement for the adjacent lot (Lot 4) and is not required for restaurant or adjacent retail use. The driveway and parking area and walkways will be improved with pervious paving stones to assist in storm drainage.
 5. Both this site and the adjacent lot were designed at the same time and by the same design and construction teams. However, each project is reviewed independently as the projects are located on separate lots.
- C. The City sent notice of this application to area property owners and affected agencies. No comments were received at the time of this report.
- D. Per Section 3.040(1)(e), the C-1 zone permits restaurants and lounges. Further, Section 4.152.2, requires a Design Review for all new construction. This action is subject to a public hearing and review by the Planning Commission.

III. CRITERIA AND FINDINGS –DESIGN REVIEW

- A. Section 3.040(3) of Ordinance 95-4 contains the development requirements for the C-1 zone. The following summarizes items applicable to the request:
1. The proposed building meets the minimum setback requirements of 10-feet for the front yard, and 5-feet for the remaining yards.
 2. The City Building Official determined the building does not exceed the maximum 28-feet 6-inch height limitation of the zone.
 3. At least 10% of the 5,000 square foot site must be landscaped, or a minimum of 500 square feet. The site plan identifies 537 square feet of landscaping with an additional 1,117 square feet of improved open space (walkways, patios, etc.).
 4. 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. No part of the building violates these limitations.

5. The site improvements work with the existing terrain to optimize the natural slope of the site to drain stormwater. Infiltration planters combined with parking lot permeable pavers manage the site's stormwater load.
6. The Ordinance requires a design review which is addressed in the following sections of this report.
7. The Floor Area Ratio of this project is 0.618. This ratio does not exceed the 0.65 limit for the C-1 zone.
8. Signs must conform to Ordinance requirements. During the hearing, the applicant identified the location of the proposed sign and proposed illumination. The Commission found this location acceptable, along with the illumination, provided the sign area complied with requirements in Section 4.070.

Based on the above findings, the building conforms to the basic development provisions of the C-1 zone.

- B. Sections 4.080 establishes the City's parking requirements with standards found in Section 4.090. Section 4.090.2 states: "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.

FINDINGS: The subject lot will contain a single commercial space and contains no more than 5,000 square feet in area. Therefore, parking is not required for the restaurant.

The site contains three parking spaces – one ADA van space and two regular spaces. The City contacted Northwest Code Professionals – consultants for commercial building inspection - regarding ADA requirements. Per the Building Code, only one ADA van space is required for developments with 1 to 25 vehicle parking spaces.

To determine applicable ADA parking for this (and the adjacent lot), City staff combined the parking requirements for all businesses on both lots, without consideration of the 5,000 square foot limitation. The result:

Use	Measurement	Use Size	Required Spaces
Restaurant	1 per 400 square feet	3,198	8
Retail	1 per 400 square feet	2,167	6
Hotel	1 per 400 sf room 1.25 for >400 sf room Plus 2 for manager	2 units 1 unit	2.00 1.25* (1.00) 2.00 5 Total Spaces
		TOTAL	19

*Per Section 4.080, this can be rounded down to 1.00 space

As less than 25 spaces would be needed, only one ADA van space is required.

Since parking is not required for the restaurant, or retail space on Lot 4, (based on lot size), only parking is required for the hotel, in this case 5 spaces. To clarify, except for the ADA van parking, vehicle parking spaces are not required for the restaurant (or adjacent retail space). The report related to Lot 4 reviews the details regarding hotel parking.

- C. 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. While site grading is necessary, only minor fill is required to construct the building (Section 4.138). Proposed parking spaces are in the rear yard while the front yard is appropriately improved with vegetation and landscaping material (Section 4.141). While there are no existing trees on site, additional plantings (Oregon grape, wax myrtle, and rhododendron) will be placed along the perimeter (Section 4.142).

- D. Section 4.150 identifies the purpose of the design review process:

“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.”

FINDINGS: Section 4.150 seeks to determine whether the proposal maintains the unique characteristics of the community. Building size and allowable area comply with the City of Manzanita’s Zoning Ordinance. The structure is designed to create interaction between customers and pedestrians. The arrangement of the building responds to the surrounding neighborhood with a focus on restaurant activity at the front (Laneda) of the site. Kitchen functions, parking dedicated to the small hotel use on adjacent lot, and utilities are located on the back side of the property at the end of the driveway. These functions are screened and buffered from view by from neighboring properties with fences, an existing retaining wall, and landscape features.

- E. Section 4.151 lists applicable definitions while Section 4.152 identifies when a design review is required. The definitions are applicable to the design review process but do not by themselves establish design criteria (Section 4.151). Finally, as previously noted, a design review is required as the proposal involves the construction of a new building (Section 4.152).

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

- H. 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.)”*

- I. 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: The structure will be setback 10-feet from the front property line and prioritizes pedestrian-focused space fronting Laneda Avenue. This area provides an entrance to commercial portion of the building surfaced with paving stones and providing outdoor seating. Generally, the space complements the building style and proposed finish.

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

 FINDINGS: The design works with the existing natural slope of the site, meeting the street with public-facing building functions and using the natural slope of the site to aid in hiding back of house functions behind the buildings. The existing structures will be removed, and the site has minimal naturally occurring features such as rocks or vegetation that can be saved. Additional planting will occur along the east and south property lines to improve aesthetics and provide screening. Consistent with this provision, the site is finished with paving stones for the seating area, driveway, and parking.

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 front contains a patio with plantings and allows outdoor dining during favorable times of the year. This patio and improvements effectively connect the restaurant to the sidewalk and pedestrian traffic. The pedestrian access point is located at the northeast corner of the lot where the sloping grade of Laneda is less steep and makes for more favorable and easier pedestrian connection to the building. The applicant noted the front yard design is similar to area commercial structures, thereby enhancing this portion of the street.

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

FINDINGS: Based on submitted drawings a dedicated utility room and crawlspace within the building will contain electrical and mechanical equipment. Exterior mechanical and electrical equipment is so located as not be visible from Laneda Ave or from the primary dining and public areas of the buildings. A shared driveway (dedicated by easement) provides access to propane tanks, utilities, trash receptacles and similar functions providing further separation from the public.

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 site improvements work with the existing terrain to optimize the site's slope, draining stormwater to the south where parking lot permeable pavers and landscape infiltration planters manage the stormwater load. The layout, front patio, and stepped back roof deck permits more daylight into the lower spaces and to Laneda as a whole.

- J. 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: While unique, the building is not a jarring exception from existing structures and complements them by using vertical red cedar siding. While the building includes a metal roof, corrugated metal is not

used in the building's design. Like other commercial structures along Laneda Avenue, the building connects patrons with the street.

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 applicant indicated Oregon and coastal native plants were selected for the site's planting. These include coast wax myrtle, pacific vine maples, and rhododendrons. While an irrigation system will be installed, plants which have gained priority are those that are hardy, drought tolerant and fit within the maintenance capability of the property ownership.

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.

FINDINGS: As noted, above, only 500 square feet of landscaping is required, of which 50% or 250 square feet must be in living plant material. The site contains 537 square feet are in living plan material. The Commission recognizes this includes stormwater plantings. However, the Ordinance does not prohibit the inclusion of stormwater plantings in the calculation, and it must be noted stormwater absorption is a critical component of landscaping regarding where located.

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: Per the applicant, grading and contouring of the site were studied and designed to keep stormwater on-site. A combined approach of permeable pavers and stormwater planters, along with roof stormwater loads, were designed to infiltrate water on the site and not onto neighboring properties or streets. In addition, the applicant submitted stormwater calculation showing the system complies with City public works standards.

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

FINDINGS: The building's three levels create visual interest, and this is enhanced with the indoor/outdoor seating arrangement and architectural details such as the fireplaces and chimney.

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 front setback and balcony overhang offers an open space area that provides outdoor seating. The design effectively places pedestrian-centric functions next to the street, providing connections to the sidewalk and core commercial area. The project's plazas and terraced outdoor space provide opportunities for human interaction.

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

FINDINGS: Plans and schematics for the structure placed the lighting primarily at the doorway entrances, along walkways and near outdoor seating. The lights are commercial in size and style and downward facing thereby ensuring lighting is not directed onto adjacent properties.

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: Building size is comparable and compatible with the adjacent structures on neighboring properties. The analysis indicates the building design is within the zoning code's height limitations and FAR restrictions. The roof forms and scale of structures are compatible with the adjacent properties. The gabled roof forms and cedar wood siding fit with the existing village context and neighboring buildings that have similar characteristics. The applicant will be required to provide a protective coating on the cedar to maintain the finish.

The design avoids creating a single monolithic structure using canopies, material changes, gabled roofs, eaves, upper story setbacks and the open patio on the street level. On balance, the Commission finds the improvement consistent with the intent of the design standards.

- K. 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. CONDITIONS OF APPROVAL

The Planning Commission finds the proposal complies with the applicable Design Review criteria and approves the application subject to the following Conditions:

- A. The developer shall submit engineering plans to the City of Manzanita addressing water, storm water, street improvements and similar private facility improvements. Sanitary sewer plans shall also be submitted the Nehalem Bay Wastewater Agency (NBWA). These plans shall be reviewed and approved by the City and NBWA prior to construction.
- B. The developer shall submit a building permit for construction of the building, conforming to the applicable building code requirements. The submittal shall comply with the following:
 - 1. The submitted site plan shall substantially conform to the approved layout.
 - 2. Building plans shall include evidence ensuring the cedar exterior shall be finished with a durable seal and continually maintained.
 - 3. Plans shall include provisions for a single sign located as indicated by the applicant on sheet North Elevation "B". The sign shall conform to sign code provisions in Ordinance 95-4, Section 4.070. Sign illumination shall be limited to a single overhead light of a design similar to proposed exterior lights.
 - 4. While building plans may be simultaneously submitted with engineering plans, building permits shall not be issued until all engineering plans are reviewed and approved.

- C. Prior to occupancy, the developer shall complete the following:
 - 1. Install and/or extend public facility improvements, consistent with City and/or NBWA approved engineering plans.
 - 2. Install parking improvements consistent with approved building and engineering plans.

- D. The structure shall comply with the building permit requirements and conform to the submitted site plan. The applicant is advised that modifications to the approved plan may require a new design review application and decision.

- E. Compliance with these conditions, the requirements of the Manzanita Zoning Ordinance, Nehalem Bay Wastewater Agency, Nehalem Bay Fire & Rescue, and applicable building code provisions shall be the sole responsibility of the developer.