

CITY OF CARLTON PLANNING COMMISSION AGENDA MONDAY, APRIL 22, 2024, 6:00 p.m. VIA ZOOM AND 945 WEST GRANT STREET

The Mission of the City of Carlton is to sustain and enhance the viability of the community by providing essential services with professionalism and integrity.

1.	Call to Order – Roll Call A) Changes to the Agenda	<u>Pages</u>
2.	Minutes Approval- April 8, 2024	2
3.	Citizen Comments (Topics not on Agenda)	
4.	Discussion topics/Action Items A. VAR 2024-02/SDR 2024-02; 211 North Pine street Tendril Wines	5
5.	Commissioner comments	

6. Adjournment

Due to spacing issues at City Hall, the public is invited to attend this meeting virtually. To attend or participate in the meeting, you can log in with a computer using the link below, or the phone option below: https://us02web.zoom.us/i/84162885931?pwd=dEdNN3NROUpjVzBzUVk0SEl0NmpDUT09

This meeting ID: 841 6288 5931

Passcode: 005768

Or you can call 1-253-215-8782, input the meeting ID and password and enter the meeting using your phone.

Planning Commission Regular Session Minutes Monday, April 8, 2024, 6:00 PM Via Zoom and at 945 West Grant Street

	n Vice Chair Susan Turrell called the meetir	ng to order at 6:07 PM.
Members Present:	Noelle Amaya Jennifer Nordstrom	Susan Turrell Annette Fernandez-Madrid (logged in 6:07)
Members Absent:	Anthony Stuart (excused) Jim Bandy (unexcused)	
Staff Present:	Scott Whyte, City Planner Shannon Beaucaire, City Manager Julie Brandão, Customer Experience Spec	City Attorney Tyler Yeoman-Millette Aimee Amerson, City Recorder cialist
Others:	-	ve Faust 3J Consulting, Brent Goodfellow, Marie Frugia, Shirley Ward-Mullen, Catherine
2. MINUTES APPRO	OVAL- March 11, 2024	6:08 PM

MOTION: Amaya/Nordstrom: to approve the Planning Commission minutes from March 11, 2024, as submitted. Motion carried. (4 Yes/0 No/2 Absent [Stuart, Bandy]/0 Abstain).

3. CITIZEN COMMENTS

None given.

4. ACTION / DISCUSSION ITEMS

A) Development Code Update

Planning Commission Vice Chair Susan Turrell introduced City Project Planner Elizabeth Decker to review the proposed updates to the Carlton Development Code. Turrell opened the Public Hearing at 6:13 PM, read the hearing and disclosure statement, and asked the Commissioners if they had any bias, abstentions, or ex-parte contact. Turrell disclosed that she has spoken with ODOT in a fact-finding capacity.

Decker discussed the proposed updates included exhibits and the staff report. She gave an overview of the code structure, code definitions, zone updates, and proposed residential use updates. She gave an overview of the clarifications, definitions, location and language updates in simplifying downtown design standards, AH holding zone function and flood definitions and language. She emphasized that the street standards cannot be significantly updated at this time because it has to follow the Transportation System Plan (TSP), which has not currently been amended.

Decker also presented comments submitted by the Oregon Department of Land Conservation and Development (DLCD) Housing Division.

Upon completion of the staff presentation by Decker, Commissioners began their discussion at 6:56 PM.

City of Carlton – Planning Commission Regular Session Minutes – April 8, 2024

6:13 PM

ARLION

MEETING TO ODDED & DOLL CALL

6:07 PM

6:10 PM

Commissioners asked City Planner Scott Whyte to comment on the DLCD comment about Type II Administrative Review and definitions of subdivision. Whyte discussed the recommendations from DLCD and how they would apply to current statutes and standards. Decker responded to Commissioner concerns regarding specific types of housing, City Attorney Tyler Yeoman-Millette and Whyte discussed various types of housing and their definitions. Commissioners discussed proposed updates and state recommendations and supported continued transparency in the approval process with the public. Commissioners and staff disussed current existing street and sidewalk improvement standards. Commissioners discussed the need for street trees, requested the street code be updated to accommodate these concerns, and proposed various edits and updates to add language addressing trees and streets.

Public testimony was opened by Vice Chair Turrell at 8:01 PM.

Against:

- Wes Mills of 1030 West Lincoln expressed concern about property value change, for his other inquiries regarding tax lots and records he was directed to contact Yamhill County as it was out of the City's jurisdiction.
- Carol Fredrick of 1030 Hwy 47 has a property currently in the AH Zone and is concerned about the property value change and the inability for divisions with the recommended changes to lot size and permitted land use.
- Chris Fugia of 310 W. Lincoln expressed a desire to see more regulation or a cap for vacation rentals in town to preserve more housing for families.

Public testimony was closed by Vice Chair Turrell at 8:11 PM.

MOTION: Nordstrom/Fernandez-Madrid: to recommend approval of LA2024-02, Development Code Update to the City Council for consideration at their meeting on May 7, 2024 based on the findings of fact in the staff report dated April 1, 2024 with the amendments that Agricultural Holding should remain as current in the code, that bike parking should be covered, replace distance for street trees to 25 feet and recommend the diversity of trees guidelines be included. (3 Yes/1 No [Amaya]/2 Absent [Stuart, Bandy]/0 Abstain).

B) April 22 nd Meeting Reminder City Recorder Aimee Amerson reminded attendees of the meeting on April 22 nd .	9:11 PM
5. COMMISSIONER COMMENTS None.	9:11 PM
6. ADJOURNMENT The meeting adjourned at 9:12 PM.	9:12 PM

ATTEST:

Julie Brandão, Customer Experience Specialist

Anthony Stuart, Planning Commissioner Chair



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CITY OF CARLTON PLANNING COMMISSION STAFF REPORT

SUBJECT:	Public Hearing for Tendril Wine Cellars Building Addition	
REPORT DATE/HEARING DATE:	April 15, 2024 / April 22, 2024	
APPLICANT/OWNER:	Carlton Custom Wineworks, LLC	
APPLICANT's REPRESENATIVE:	Moore Architecture + Design, LLC	
CITY FILE NUMBERS:	SDR 2024-02, VAR 2024-03, LLA 2024-01	
REQUEST:	Minor Site Design Review, Major Variance and Lot Line Adjustment applications, subject to concurrent hearing. The application for Minor Site Design Review (SDR) pertains to a proposed single-story, 685 square foot building addition to the existing Tendril Wine Cellars building. The application for Major Variance (VAR) proposes a building setback less than the zone standard of 15-feet (minimum) applied to the rear property line when abutting a city-owned parking lot. The application for Lot Line Adjustment (LLA) consolidates the two existing lots identified below.	
SITE LOCATION:	Addressed at 211 North Pine Street and further described as Tax Lots 3400 & 3601 on Yamhill County Tax Assessor's Map 3-4-21AD. Generally located at the southwest corner of N. Pine Street and W. Monroe Street.	
SITE SIZE: PLAN MAP DESIGNATION: ZONING:	15,568 square feet (combined area of both Tax Lots) Commercial (C) Downtown District-Wine Gallery (DD-WG)	
STANDARDS & CRITERIA:	 Carlton Development Code (CDC) Sections 17.30.050DD-WG – use and standards of the zone 17.30.060 - Development and Design standards of the zone 17.60 - 17.104 - General Development Standards 17.148 – Major Variance approval criteria 17.156 - Site Design Review Process & Application 17.168 – Property Line Adjust, Process & Application 	
EXHIBITS:	Exhibits A-1 through A-5 submitted by Applicant A-1 - Site Design Review application and plans A-2 –Supplemental response to relevant design standards A-3 - Major Variance application & response to approval criteria A-4 –Property Line Adjustment application & plans A-5 - Building Elevation Plans	

I. REQUEST

Moore Architecture + Design, on behalf of Carlton Custom Wineworks, property owner and applicant, request Minor Site Design Review, Major Variance and Lot Line Adjustment approval. The applicant's project narrative explains the proposal to build a one-story addition to the existing building which is used for wine production and general winery operations. Total floor area of the proposed building addition is 685 square feet. The breakdown of floor space includes a main room for wine tasting (at 430 square feet) a restroom for building code compliance (at 45 square feet) circulation space (at 106 square feet) and miscellaneous storage (42 square feet). The applicant requests Variance approval specific to the rear yard setback standard described in CDC 17.30.050 and shown below:

• Minimum Rear Yard: None, except 15 feet when abutting a residential district or city- owned plaza or parking lot.

The subject property abuts a city-owned parking lot to the south. As explained in this report, the south property line meets the Development Code definition of "Rear Lot Line" and "Rear Yard" found in Chapter 17.12, *Definitions*.

II. PROCEDURE

Major Variance applications are subject to the Type II process as described CDC Section 17.188.020. The Type II requires a notice and a public hearing held before the Planning Commission (described in CDC 17.196). While Minor Site Design Review and Lot Line Adjustments are not subject to public hearing consideration, Section 17.188.020 explains how more than one application pertaining to the same development plan may be combined and heard concurrently. As such, a public hearing (quasi-judicial, described in CDC Section 17.196) is required before the Carlton Planning Commission for the combined application proposal. Key dates are:

- March 5, 2024 City received initial SDR application, plans, materials, and fee.
- March 21, 2023 City received VAR and LLA applications, materials, and fee.
- March 22, 2024 City deemed application set complete issued status letter.
- March 29, 2024 City mailed required notice to property owners in 100 feet.
- April 5, 2024 Applicant submitted supplemental plans / materials.

The applicant's plans have been forwarded to agency representatives at the Oregon Department of Transportation (ODOT), Yamhill County and private utility companies. Also, plans were forwarded to the City Engineer, the City Public Works Director and the Carlton Fire District Chief. Comments received from <u>ODOT Region 2</u> are as follows:

The proposed OR47 realignment will have no effect on this proposed new construction. The property owner is aware of the proposed impacts to his property due to the OR47: realignment project and it looks that they have taken those proposed future impacts into consideration for their proposed news construction (e-mail of April 2, 2024, from Zdenek Vymazal, PE, PLS).

Comments received from <u>Yamhill County</u> are as follows:

I have reviewed the variance request and I can't think of any comments or concerns – the property is not within our jurisdiction and we do not foresee any conflicts (e-mail of April 1, 2024, from Tiffanie Willis, Yamhill County Planning).

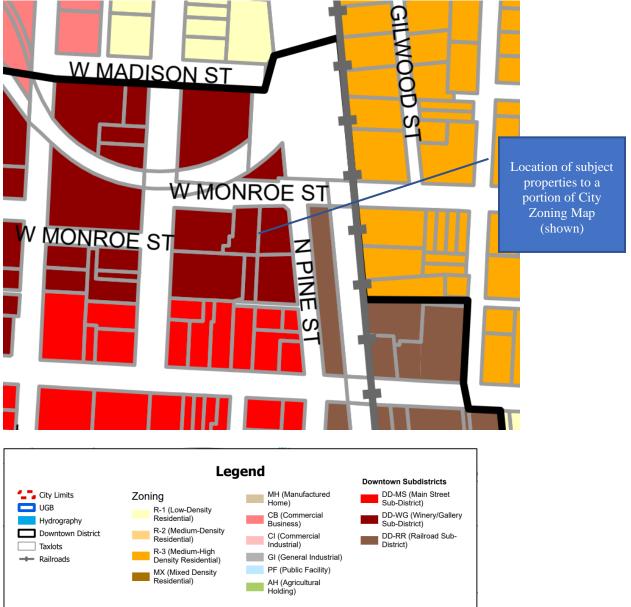
The City Engineer and City Public Works Director have reviewed the applicant's plans and materials and have no comments in response to the proposal.

III. APPEAL

Appeals are governed by the Carlton Development Code CDC Section 17.204. An appeal of the Commission's decision shall be made in writing to the City Council within 10 days of the Planning Commission's final written decision.

IV. SITE AND SURROUNDINGS:

Abutting properties to the north, south and west are zoned Downtown District – Wine Gallery (DD-WG). Properties on the east side of N. Pine Street are zoned Downtown District – Railroad subdistrict (DD-RR).





V. CRITERIA AND FINDINGS:

Chapter 17.30 DOWNTOWN (D) DISTRICT

Section 17.30.050 of the Carlton Development Code includes a table summary of base development standards for all subdistricts of the Downtown District. The applicant's plan to construct a building addition at a maximum height of 21 feet and four inches, is below the maximum building height standard of the zone (at 35-feet). The applicant's plan to construct the addition is also consistent with minimum front yard setback (five feet).

Front, side and rear yards are determined by applying the Development Code definitions found Section 17.12. These definitions are shown below:

• Lot Line, Front. "Front lot line" means the property line separating the lot from a street, other than an alley. In the case of a corner lot, the shortest property line along a street, other than an alley.

- Lot Line, Rear. "Rear lot line" means a property line that is opposite and most distant from the front lot line. In the case of an irregular, triangular or other-shaped lot, a line ten (10) feet in length within the lot, parallel to and at a maximum distance from the front lot line.
- Lot Line, Side. "Side lot line" means any property line that is not a front or rear lot line.

Staff observe property line along W. Monroe Street to be the shorter two street frontages, in the case of corner lot. The rear property line (abuts a city-owned parking lot to the south) is therefore the south property line. Also, yard definitions, found in Chapter 17.12 Definitions, are shown below.

- Yard, Front. "Front yard" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto at the nearest point of the foundation of the main structure.
- Yard, Rear. "Rear yard" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto at the nearest point of the foundation of the main structure.
- Yard, Side. "Side yard" means a yard, between the main structure and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard or the rear lot line if no rear yard is required; the width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the foundation of the main structure.

As previously stated, the applicant requests Variance approval specific to the rear yard setback standard described in CDC 17.30.050, shown below:

• Minimum Rear Yard: None, except 15 feet when abutting a residential district or city- owned plaza or parking lot.

Chapter 17.148 of the Development Code describes the approval criteria for Minor and Major Variance. The applicant's Variance proposal exceeds the 20% qualification identified for Minor Variance (i.e., 20% deviation from the standard). Accordingly, the application for Major Variance is sought.

VARIANCE CRITERIA AND FINDINGS

Major Variances are subject to evaluation of approval criteria identified in CDC Section 17.148.050.

17.148.050. Criteria and Procedure - Major Variance

The section above explains how the Planning Commission may allow a major variance from a requirement or standard after a public hearing is conducted, and provided that the applicant provides evidence that the following circumstances (A through E) substantially exist:

A. Exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of the ordinance codified in this title, topography, or other circumstances over which the applicant has no control.

<u>Findings</u>: Exhibit A-3 is the applicant's written response to A through E of CDC 17.148.050. In response to A (above) the applicant explains how the primary building entrance is located on the south side (facing

Staff Report for Tendril Cellars Building Addition - SDR 2024-02, VAR 2024-03 & LLA 2024-01 Page 5

the city-owned parking lot). The applicant also observes the existing south-facing wall of the building to be located three feet-eight inches from the south property line. The applicant further explains how the north side of the building is recognized as the front yard by Development Code definition but does not currently function as such (referring to current winery operations).

The applicant also explains how the north facing building wall (facing W. Monroe Street) has no distinguishing features indicative of a front building wall. The applicant describes specific architectural elements (i.e., single solid hollow metal door providing no indication of primary entry and no other building openings) and explains how these elements are uncommon to many buildings that face a street. The applicant also identifies on-site utilities that are located along the north property line (along W. Monroe Street) including a shed with compressor and chiller, transformers. The applicant also observes vegetation and trees that largely conceal sight of the building from W. Monroe Street.

The applicant also calls attention to the northeast corner of the subject property where ODOT proposes to acquire a portion of the subject property for accommodating future realignment of Highway 47. According to the applicant, property acquisition for street realignment will reduce property size by approximately 1,800 square feet (approximately 22% reduction of existing property size). The applicant also explains how the plan to acquire this portion of the property will affect the availability of required space and functional use of the site. According to the applicant, requiring a 15-foot setback at the south property line will force the proposed addition farther into the property and further limit the viability and functioning of the future crush pad.

Staff refer to comments received from ODOT (email of April 2, 2024, from Zdenek Vymazal, PE, PLS) provided in this report and acknowledge how purchase of the northeast portion of this property will effectively reduce lot size and change the shape. Staff observe Criterion A to identify property "...lot size or shape" as factors when evaluating a Variance application. Also, with the statement received from ODOT (acknowledging the subject property will be impacted due to realignment of OR-47) staff observes potential circumstances "over which the applicant has no control" (as A describes). Staff therefore finds in support of Criterion A.

B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.

<u>Findings</u>: In response to B, the applicant describes specific architectural features of the south building wall and how these features signify the front entrance of a building. The applicant also explains how setting the building entry 15 feet from the south property line will allow public access further into the property than desired and eliminate the necessary functional connection with existing building spaces. The applicant also observes how the City of Carlton is a wine destination and that the visitors to this property often arrive from other locations in Carlton and how there is a need for making the building entrance clear and highly visible.

Staff observe how the 15-foot rear yard setback would be <u>zero</u> if a "city-owned" parking lot were not shown to abut this property. Also, if the same parking lot were privately owned, the qualifier "city-owned" would not be applicable and the setback would be zero. Staff finds in support of the Criterion in B because the city-owned parking lot is recognized as the exception and is not applicable to most properties in the same vicinity or district. Comparatively, other properties in the same vicinity / district that do not abut a city-owned parking lot enjoy the right to construct building additions to the rear property line (if not constrained by easement or other factors). For this reason, staff finds in support of Criterion B. Staff also

acknowledge the applicant's need for retaining a functional connection with existing building elements and equipment specially designed to produce wine, a use permitted outright in the DD-WG zone.

C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

<u>Findings</u>: In response to C, the applicant does not foresee the proposed addition / setback reduction to cause any detrimental effect on the public or adjacent properties. According to the applicant, the variance will allow the front entry of the addition to be clear and easily accessible to the public.

Staff concur and observe no policy or objective from the Comprehensive Plan that speaks specifically to building setbacks from city-owned parking lots in the Downtown District. Staff also observe how the proposed setback (four feet) is specific to a south facing building elevation and therefore will not cast shadows on adjacent properties (causing depletion of solar access, etc.). In part, the applicant's plan set includes site photographs of existing conditions. The area subject to building addition and Variance consideration is currently paved and utilized for outdoor activities and events (with a temporary weather canopy for this purpose). The immediate area subject to building addition and Variance consideration is also devoid of existing mature trees and significant vegetation. Additionally, the City Engineer and Public Works Director have reviewed the request to ensure the building addition does not cross existing utility and access easements. Staff finds in support of Criterion C because the proposed building addition (if constructed four feet from the property line as proposed) will not be materially detrimental to the public welfare or injurious to property in the vicinity or district for the reasons as stated above.

D. That the special conditions and circumstances on which the application is based does not result from the negligent or knowing violation of this Ordinance by the applicant.

<u>Findings</u>: The applicant acknowledges being aware of the Development Code requirements and is not knowingly or negligently violating the title / code provision (as D describes).

Staff concur. As previously mentioned, the rear yard building setback would be zero if the subject property did not abut a city-owned parking lot. Also, if the code were to recognize architectural elements indicative of a street-facing wall for determining the front line or yard, staff would agree with the applicant and the minimum building setback would be five feet (shown as minimum for front yards in the DD-WG zone). Staff has not researched past building permits or codified setback standards applicable at the time / date when the main structure was constructed. The Carlton Development Code is amended periodically, and past provisions may have described a different means for determining front, side and rear yards. In review of D above, staff finds no reason to conclude that special conditions and circumstances on which the application is based are the result of negligence or a known violation of code. Accordingly, staff finds in support of Criterion D.

E. The variance requested is the minimum variance that would alleviate the hardship.

<u>Findings</u>: According to the applicant, the proposed building addition is set back from the south property line as much as will allow for functional use of the addition in relation to the existing building spaces. The applicant further explains how the addition needs to be located adjacent to the existing retail / tasting space (existing building southeast corner) so both spaces can function efficiently and in tandem. The applicant also states that locating the addition 15 feet back from the property line will eliminate the

required adjacency, limit functionality, and make very difficult any connection between existing and new without negatively impacting the function and operation of the existing spaces. The applicant also reiterates future loss of property in the northeast corner (for highway realignment purposes) and the impact on future winery expansion potential.

Staff observe how the south facing wall of the existing Tendril building is currently set back three feet, eight inches from the south property line (abutting the parking lot) and how the proposed building addition is shown to be set back slightly more (between five and four feet). Staff also observe how the distance of four / five feet (between parking lot / building addition wall) will allow sufficient area for certain plants to take root. On the applicant's site is a note that reads "new vegetation" and indicates something to be planted between the parking lot and the proposed addition. The applicant's proposal shows the location of existing on-site trees (located north and east of the addition) and how these trees are intended to remain. Staff also observes how the proposed building floor area addition (at 685 sq. ft.) is minor (i.e., accounting for approximately 11% of the total building footprint once added). This would be less the area anticipated by the applicant for Highway 47 realignment purposes (at approximately 1,800 square feet as mentioned).

Staff also reviewed design standards in CDC Section 17.84.070 that pertain to screening and buffering. One provision in Section 17.84.070 identifies perimeter screening and buffering of parking areas, but staff observe this provision to be applicable in cases where new parking lots (or parking lot additions) are proposed. Staff also observe how the proposal does not introduce a new use or activity that is different from uses / activities already occurring on-site. Staff therefore finds the variance requested is the minimum variance that would alleviate the hardship (as Criterion E describes).

<u>Conclusion</u>: For the reasons stated above, staff finds in support of the applicant's Major Variance proposal and concludes that criteria are met.

MINOR SITE DESIGN REVIEW CRITERIA AND FINDINGS

17.156.040 – Applicability of provisions.

B. <u>Minor Site Design Review</u>. Minor site design review shall be applicable to all new developments, exterior alterations to existing developments, and changes in use that do not otherwise meet the threshold criteria for major site design review under 17.156.040A, except for exterior alterations listed as exempt under subsection 17.156.040(C).

<u>Findings</u>: Staff observe the building addition to qualify for Minor Site Design Review because the floor area shown for expansion is less than the threshold shown for Major Site Design Review (i.e., Major is a 25% or more increase in total square footage). Staff incorporate the above-mentioned floor space and numbers provided in review of the applicant's concurrent Variance application.

17.156.060 - Evaluation of site plan.

The review of a site plan shall be based upon consideration of the following:

A. Conformance with the General Development Standards, <u>Chapters 17.60</u> through <u>17.104</u>, of this title.

- *B.* Application of the standards of this title relative to the characteristics of adjoining and surrounding uses;
- C. Drainage and erosion control requirements relative to applicable city and DEQ standards, and engineering best practices;
- D. Public health factors relative to applicable building codes, sanitation requirements, and city standards;
- *E.* Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways and pedestrian facilities;
- *F.* Provision for adequate noise and/or visual buffering from non-compatible uses or activities;
- *G.* Balancing retention of natural features with individual property rights and growth management policies; and
- H. Avoidance of natural hazards.

<u>Findings</u>: Staff incorporate findings identified to the above-mentioned case file for Major Variance. Staff also incorporate the applicant's project narrative found on page 2 of Exhibit A-1. In part, the narrative describes existing site conditions, including natural features. Staff concur with the applicant's narrative for findings in support of items subject to consideration under CDC 17.156.060.

Staff observe Chapters 17.60 through 17.104 (General Development Standards) to be inclusive of several development standards (including but not limited to *Street Standards, Off-Street Parking and Loading, Storm Drainage, Signs, Site Landscaping Design, Development Standards for Land Divisions, Accessory Structures, Access Control Standards and Historic Sites*). Staff analysis in response to these standards would be appropriate if the scope of work were greater, inclusive of a new or redevelopment proposal, or a partition / subdivision, or a new / modified access, or if the project were to meet a threshold identified for a codified study (e.g., Traffic Study described in CDC 17.100.070 is only required when a development project generate 25 or more peak-hour trips or 250 or more daily trips).

Staff also observe how the subject property is located within the delineated boundary set by the city for the downtown parking district. As explained in E of Section 17.69.020, off-street parking and loading requirements for a particular use (shown in table in 17.68.050) are not required for a new or expanding use when located within the parking district. Accordingly, the building addition of 685 square feet does not incur the need for off-street parking under CDC 17.68.050.

Staff also observe the site to be served by all necessary wet utilities (water, sanitary sewer and storm). In part, the applicant's supplemental information letter (Exhibit A-2) responds to a question asked by the City Engineer for evaluating potential impacts to water and sanitary sewer demand. Street frontages are improved with curb, sidewalk and gutter and will be subject to future improvements (by ODOT for Highway 47 realignment purposes as mentioned).

17.30.060 – Development and design standards.

<u>Findings</u>: The subject property is located within the DD-WG zone. As such, design standards specific to commercial and industrial zones (listed in 17.156.100) do not apply. Only design standards specific to the downtown district zones (described in CDC 17.30.060) are applicable for consideration.

Staff observe the limited scope of this proposal (new building addition of 685 sq. ft. to existing outdoor patio). Earlier in this report, staff explained how development standards of the Downtown District include a 15-foot building setback standard (for rear year) when abutting a city-owned parking lot. If the Planning

Staff Report for Tendril Cellars Building Addition - SDR 2024-02, VAR 2024-03 & LLA 2024-01 Page 9

Commission approves the applicant's Variance request, staff also recommends approval of the associated application for Minor Site Design Review.

Staff refer to and incorporate the applicant's supplemental response (Exhibit A-2) specific to applicable design standards. Staff further finds the applicant's limited list of standards in Exhibit A-2 to be eligible based on project scope. In part, Site Design Review applicability under CDC 17.30.060 reads:

Site review is required only for that portion of a structure or development that is proposed to change.

The applicant's building addition is localized to the southern portion of the site. Sheet A1.0 (the site plan) clearly indicates the extent of new construction. All other portions of the subject property / existing building are not proposed for change and therefore are not subject to consideration via this application for Minor Site Design Review. Staff also incorporate the applicant's building elevation plans (Exhibit A-5) where notes are shown to illustrate compliance with the applicable design standards. For reference, applicable design standards, based on project scope, include:

- G. <u>Building Openings (3)</u>. All ground floor building elevations located more than one hundred (100) feet from Main Street and facing a street, plaza, or courtyard shall comprise not less than thirty (30) percent transparent windows.
- G. <u>Building Openings (4)</u>. All side building elevations not otherwise subject to the provisions of subsection 2 or 3, above, shall comprise not less than twenty (20) percent transparency; except zero-lot line/common wall elevations are not required to provide windows.
- G. <u>Building Openings (7)</u>. Windows shall contain trim, reveals or recesses of not less than four (4) inches in width or depth as applicable. The use of sills and decorative detailing and ornamentation around windows (e.g., patterning, corbels, medallions, pediments, shutters, or similar features), as appropriate for the sub-district, is required. This provision also applies to false windows.
- I. <u>Building Line and Rhythm (4)</u>. Vertical Rhythm. Buildings shall reflect a vertical orientation, through either actual volume, roof form, and/or the use of surface detail; for example, the use of vertically oriented sash windows and masonry trim in the D-MS sub-district, and pitched roofs and/or board and batten siding and corrugated metal detailing in the D-WG and D-RR subdistricts. See examples in Section 17.30.070.
- I. <u>Building Line and Rhythm (5) Roof Form, b. D-WG</u>: Predominate roof form shall be pitched (4:12 minimum); gabled, hipped, modified pitched roof forms are allowed.
- J. <u>Materials and Color 1. Exterior Cladding, b. D-WG</u>: Except as permitted under subsection 'd', below, exterior cladding of buildings shall predominately consist of wood or fiber cement (lap, panel, board and batten, shingle or similar siding), stucco, stone, textured concrete, split-face concrete block, and/or similar masonry. Corrugated metal may be used as a secondary material only; vinyl siding and faux/cultured stone are not permitted.

<u>Summary / Conclusion</u>: Staff agree with the applicant's written statement prepared in response to the above and incorporate as supportive findings to this report. Staff therefore concludes that criteria for Minor Site Design Review are met.

LOT LINE ADJUSTMENT CRITERIA AND FINDINGS

17.168.020 - Standards.

- A. The number of lots or parcels as large as the minimum lot size in the affected zone is at least the same after the adjustment as before the adjustment.
- B. The number of lots or parcels resulting from the adjustment is the same or less than the number of lots or parcels existing prior to the adjustment.
- C. Following the lot line adjustment, all lots must comply with lot size and dimensional standards of the applicable land use district. For nonconforming lots, the adjustment shall not increase the degree of non-conformance of the subject property or surrounding properties.
- D. All lots or parcels having access to a public or private street before the adjustment must retain access after the adjustment.
- E. The lot line adjustment shall not reduce any required development feature or standard, such as parking, landscaping, or building setbacks, to a size or dimension that does not meet the minimum standards of this title.

<u>Findings</u>: Staff observe no minimum lot size standard in the DD-WG zone (17.30.050). Staff also observe the number of lots or parcels resulting from the adjustment to be less than the number of lots or parcels existing prior to the lot line adjustment. The DD-WG zone also does not describe minimum dimensional standards for lot (i.e., lot width and depth). Also, with a line to be removed (in this case) the proposed adjustment does not cause any change to existing street access. Finally, with the adjustment limited to consolidation of two existing lots, there is no reduction to a required development feature or standard.

As stated in item B of CDC 17.168.040, the applicant is to submit a copy of the recorded lot line adjustment survey map to the city prior to issuance of any building permits on the re-configured lots. Staff proposes a condition accordingly. Approval of the Lot Line Adjustment will assist the applicant with Building Code compliance which is not a matter subject to land use consideration. The lot consolidation proposal is mostly intended for compliance with current Building Code provisions that pertain to fire resistive rating when walls are situated along property lines.

<u>Summary / Conclusion</u>: For the reasons stated above, staff conclude the applicant's proposal meets applicable criteria for Lot Line Adjustment approval.

VI. PUBLIC WRITTEN STATEMENTS

As of the date of this report, there have been no written comments received from the public. If written comments are received after the report date, staff will forward accordingly.

VII. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings and conclusions stated in this report, staff recommend that Planning Commission approve SDR 24-02, VAR 2024-03 and LLA 2024-01, subject to the following conditions:

1. Prior to issuance of building permits:

- a. The Lot Line Adjustment (LLA 2024-01) for purpose of consolidating two lots shall be recorded with Yamhill County Survey. Plans submitted for city building permit review are to include proof of recording with Yamhill County Survey.
- b. The applicant shall provide the city with a landscape plan (plant type, container size at planting and number) specific to the area via note shown on Sheet A1.1 of the plan "new vegetation" (between parking lot and south building wall of the addition).

2. Prior to final building permit inspection / issuance of Certificate of Occupancy:

a. Plants identified to the landscape plan within the "new vegetation" of Sheet A1.1 shall be planted and done so in accordance with CDC 17.84.080 (Planting and maintenance).

VIII. MOTION OPTIONS

- A. Move to approve SDR 24-02, VAR 24-03 and LLA 24-01, based on findings contained in the staff report, subject to conditions of approval therein, or
- B. Move to approve SDR 24-02, VAR 24-03 and LLA 24-01, based on findings in the staff report, subject to conditions of approval therein, as modified by the Planning Commission (indicating the condition subject to modification).
- C. Move to continue the hearing to a date / time certain (observing the 120-day period for issuing a final written decision which includes appeal).
- D. Move to deny SDR 24-02, VAR 24-03 and LLA 24-01 (indicating basis*)
 - * Staff report does not provide findings in support of a decision to deny.



Architecture, Planning, Urban Design

2327 SW Market Street Drive, B Portland, Oregon 97201 t: 503.708.3165 e: jim@moorearchdesign.com w: www.moorearchdesign.com

March 4, 2024

City of Carlton Planning and Zoning 191 E. Main Street Carlton, OR 97111

Re: Site Design Review Application Carlton Custom Wineworks LLC

Please accept this submittal as application for Major Site Design Review for the property located at: 211 N Pine Street / 130 W Monroe Street. The property owner is Carlton Custom Wineworks LLC and the facility is operated as Tendril Wine Cellars.

The information below includes a description of the site and a narrative of the proposed project. Supplemental information attached herein also includes:

- Minor Site Design Review Application
- Names, addresses of property owners within 100 feet of site boundaries
- Site Plan A1.0
- Renderings
- Proof of ownership

Project Narrative

The joint property located at 211 N Pine Street / 130 W Monroe Street is located in the City of Carlton Downtown District in zone DD-WG. Site address 130 W Monroe Street has an existing building of 5,400 square feet (56'-0" x 96'-4"). The building height is 21'-4" from finished grade at building perimeter (south) to the top of the roof (ridge). The building is used for wine production and general winery operations. The property at 211 N Pine Street adjoins 130 W Monroe Street and is unoccupied.

The proposed project is to construct a 430 square foot one-story space on lot 03400 connected to the existing winery to be used for wine tasting, employee break room and employee meeting space. In addition, a 45 square foot accessible (ADA) bathroom will be constructed to comply with current Yamhill County building code. Circulation space of 106 square feet and miscellaneous storage of 42 square feet will be added.

The existing winery building has a 210 square foot space currently used for meetings, wine sales, wine tasting. The proposed project will allow this existing space to function as a much needed administrative area. Activities that currently take place in the existing space such as wine sales, meetings and wine tastings will be focused on the new space. There is no anticipated increase in

pedestrian or vehicular traffic resulting from the proposed project.

Depending upon final project cost, the proposed ADA bathroom and miscellaneous storage space may be excluded from the project. If this occurs, one of the two bathrooms in the existing building will be modified to be accessible (ADA), pending Yamhill County Building Department approval.

Utilities required for the proposed project will be routed from the existing building. Electrical needs for the project will be minimal consisting of code required convenience outlets, lighting and switching, power for small HVAC system. Water and sanitary lines for the proposed bathroom will also be routed from the existing building. No other plumbing utilities are anticipated for the project.

Construction materials for the proposed building addition:

- Exterior siding to match the existing building siding: painted wood board and batten.
- Two new aluminum / glass overhead doors are proposed for the east side.
- Roofing to be corrugated metal roofing similar to the existing building roof.

Site Analysis

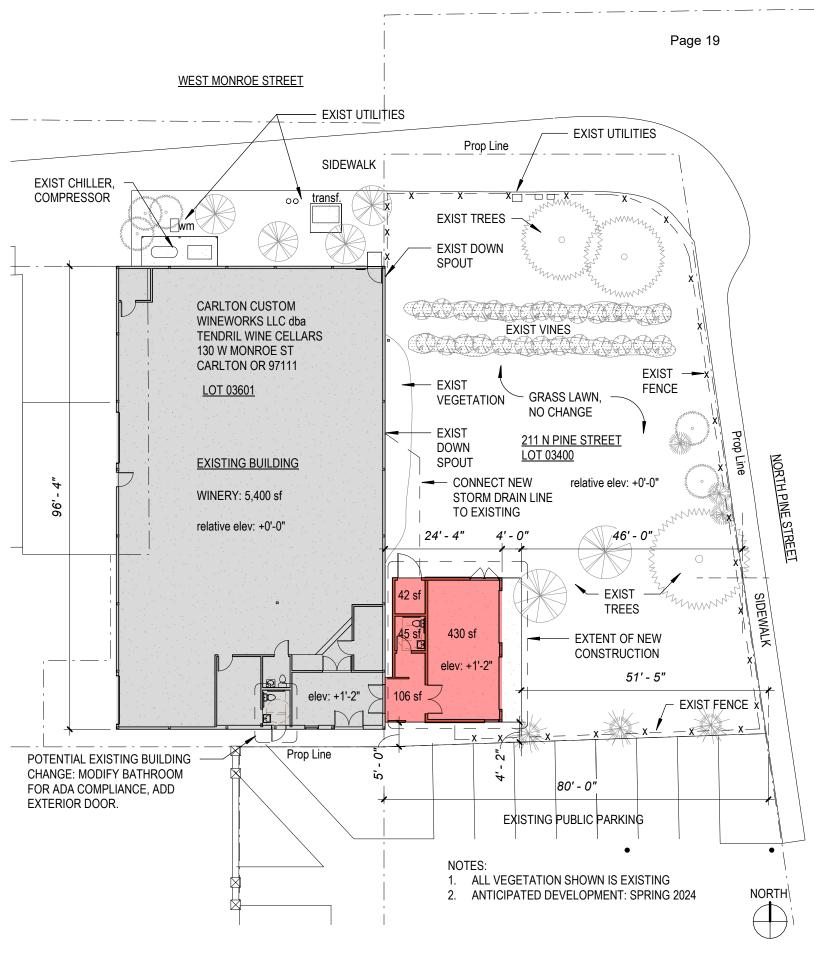
The site is flat and planted with a mix of evergreen and deciduous trees, shrubs, grasses and grape vines. The property is surrounded by a wood fence. There are no anticipated changes to site plantings; all vegetation to remain. There are no observed areas exceeding 10% slope. The site is currently self-draining and there are no known areas of potential flooding. The site (lot 03400) is approximately 8,000 square feet excluding property area occupied by City of Carlton sidewalk. The proposed building addition footprint is 730 square feet.

The proposed project schedule is to begin construction in Spring 2024

Thank you,

ams Chrore

James Moore, AIA



Carlton Custom Wineworks LLC

MOORE ARCHITECTURE + DESIGN, LLC 2327 SW MARKET STREET DRIVE | PORTLAND, OR 97201 | 5 0 3 . 708 . 3165

Sheet Name: SITE PLAN - DESIGN REVIEW

	••••••	
Date:		03/04/24
Sheet Scale 1" = 20'-0"	Sheet N	^{Io.} A1.0





Carlton Custom Wineworks LLC

MOORE ARCHITECTURE + DESIGN, LLC 2327 SW MARKET STREET DRIVE | PORTLAND, OR 97201 | 5 0 3 . 708 . 3165

Sheet Name: RENDERINGS - DESIGN			
Date:	REVIEW	03/04/24	
Sheet Scale	Sheet No.	A2 0	

Minor Site Design Review Application City of Carlton

Applicant:	Name _ Jim Moo	e & Design LLC	
Mailing Address		2327 SW Market Stre	eet Drive
		Portland, OR 97201	
	Phone 503.708.	3165	
Title Holder:	Name Carlton (Custom Wineworks LL	С
	Mailing Address	6672 NE Chestnut St	reet
		Hillsboro, OR 97124	
Location:	Street Address	211 S Pine Street (N	Pine Street?)
	Tax Lot Number	03400	_Map
Description:	Comprehensive	Plan Designation <u>Com</u>	mercial
	Current Zoning	DD-WG	

Prerequisites: In accordance with Development Code Section 17.156.020, the Planning Commission shall have the power to hear and decide site design review requests. To request a hearing and approval of a site design review request by the Planning Commission, there shall be submitted to the City Recorder in addition to this application and filing fee:



A Site Analysis that describes the following:

- 1. Existing site topography;
- 2. Identification of areas exceeding 10% slopes;
- 3. Site drainage, areas of potential flooding;
- 4. Areas with significant natural vegetation;
- 5. Classification of soil types;
- 6. Existing structures, roadway access and utilities:
- 7. Fire flow information.
- 8. Existing and proposed streets, bikeways, and pedestrian facilities within 300 feet.

- A Site Plan (8¹/₂ x 11 inches or multiples thereof) illustrating the following information:
 - 1. Proposed grading and topographical changes;

- 2. All proposed structures including finished floor elevations, setbacks, exterior elevations, and exterior finishing.
- 3. Vehicular and pedestrian circulation patterns, parking, loading and service areas;
- 4. Proposed access to public roads and highways, railroads or transportation systems;
- 5. Site drainage plan including methods of storm drainage, sanitary sewer system, water supply system and electrical services. Invert elevations may be required for all underground transmission lines;
- 6. Proposed landscape plan, to include appropriate visual screening and noise buffering, where necessary, to ensure compatibility with surrounding properties and uses;
- 7. Proposed on-premise signs, fencing or other fabricated barriers, together with their heights and setbacks;
- 8. Proof of ownership and signed authorization for the proposed development if applicant is not the owner of the site; and
- 9. A schedule of expected development.
- 10. A traffic impact analysis if requested by the City Manager.
- 11. Other appropriate studies and information that may be required by the City Manager to adequately evaluate the project.

The names and addresses of all property owners within 100 feet of the site boundaries, as shown on the last preceding tax roll of the Yamhill County Assessor. Note: A list of property owner names and addresses within 100 feet of the property may be obtained from a title company or the Yamhill County Assessor Department located at: 535 NE 5th Street, Room 42, McMinnville, OR, phone: (503) 434-7521.

A detailed description of the proposed development.

One (1) paper copy and **one (1) electronic copy** (PDF format preferred) of this application and all of the application attachments. Copies must be clear and legible.

17.156.060 Evaluation of the Site Plan

The review of a Site Plan by the Planning Commission shall be based upon consideration of the following:

- A. Conformance with the General Development Standards Chapters 17.60 through 17.104 of this title;
- B. Application of the standards of this title relative to the characteristics of adjoining and surrounding uses;
- C. Drainage and erosion control requirements relative to applicable city and DEQ standards, and engineering best practices;
- D. Public health factors relative to applicable building codes, sanitation requirements and city standards;
- E. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways and pedestrian facilities;
- F. Provision for adequate noise and/or visual buffering from non-compatible uses or activities;
- G. Balancing retention of existing natural features with individual property rights and growth management policies; and
- H. Avoidance of natural hazards.

Public Improvements

As part of a design review approval, the decision body may impose the following conditions on a new or expanding development to ensure compliance with the city's public facility standards:

- A. Limit or prohibit access to streets, including requiring consolidation or reconfiguration of existing accesses;
- B. Require transportation improvements, including but not limited to new or widened streets, sidewalks, bicycle lanes, on-street parking, roadway markings, traffic controls, but transit waiting areas, or other improvements consistent with the city's transportation system plan or as recommended in a traffic impact analysis pursuant to Chapter 17.100;
- C. Require the dedication of additional right-of-way and/or street improvements where necessary to meet city street standards; and
- D. Require the replacement, extension, and/or upgrade of other essential infrastructure, public or private, including but not limited to water, sewer and storm drainage facilities, provided the required improvements must be necessary to serve the proposed development in conformance with city standards, and the cost borne by the developer/applicant must be roughly proportional to the impact the development is expected to have on those facilities.

I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

lure AAAA A

Applicant's Signature March 4 2024

Date

Applicant's Signature

March 4 2024

Date

Title Holder's Signature

Date

Title Holder's Signature

Date

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.

Moore Architecture + Design, LLC

Architecture, Planning, Urban Design

2327 SW Market Street Drive, B Portland, Oregon 97201 t: 503.708.3165 e: jim@moorearchdesign.com w: www.moorearchdesign.com

March 4, 2024

Lot #

City of Carlton Planning and Zoning 191 E. Main Street Carlton, OR 97111

Re: Names and addresses of property owners within 100 feet of site boundary: 211 North Pine Street / 130 W Monroe Street

03300:	<u>120 S Pine Street</u> Carlton 2007 LLC PO Box 190 Carlton, OR 97111	05800	<u>101 W Monroe Street</u> Carlton 2007 LLC PO Box 190 Carlton, OR 97111
03800:	<u>City of Carlton</u> 535 NE 5 th St McMinnville, OR 97128	10002	Carlton 2007 LLC PO Box 190 Carlton, OR 97111
03710:	<u>City of Carlton</u> 535 NE 5 th St McMinnville, OR 97128		
03700	236 N Kutch Street Ken Wright Cellars Co PO Box 190 Carlton, OR 97111		
03600	<u>258 N Kutch Street</u> Janell M Taylor 25464 N LK. Pleasant Pkwy Unit 103-306 Peoria, AZ 85383		
05700	Carlton 2007 LLC PO Box 190 Carlton, OR 97111		

Lot #

Ticor Title Company of Oregon

1215 NE Baker Street, McMinnville, OR 97128 Phone: (503)472-6101 | Fax: (503)434-5311

FINAL BUYER'S STATEMENT

Settlement Date:	August 31, 2021	Escrow Number:	471821109465
Disbursement Date:	August 31, 2021	Escrow Officer:	Tiffany N. Best
		Email:	tiffany.best@ticortitle.com
Buyer:	Carlton Custom Wineworks, LLC 1706 Main Street Forest Grove, OR 97116		
Seller:	North Pine, LLC P.O. Box 974 Carlton, OR 97111		
Seller:	David Grooters P.O. Box 974 Carlton, OR 97111		
Property:	130 W Monroe Street Carlton, OR 97111		
Property:	211 S Pine Street Carlton, OR 97111		

		\$	DEBITS	\$	CREDITS
FINANCIAL CONSIDERATION					
Sale Price of Property		1,	120,000.00		
Deposit or earnest money					25,000.00
Buyer's funds to close					1,095,508.49
PRORATIONS/ADJUSTMENTS					
County Taxes at \$1,898.25	07/01/21 to 08/31/21 (\$1,898.25 / 365 X 61 days)				317.24
County Taxes at \$2,755.47	07/01/21-08/31/21 (\$2,755.47 / 365 X 61 days)				460.50
County Taxes at \$626.90	07/01/21-08/31/21 (\$626.90 / 365 X 61 days)				104.77
TITLE & ESCROW CHARGES					
Title - Escrow Fee	Ticor Title Company of Oregon		1,290.00		
Title - Recording Service Fee to Simplifile	Ticor Title Company of Oregon		5.00		
GOVERNMENT CHARGES					
Recording Fees (\$182.00)	Ticor Title Company of Oregon		96.00		
Subtotals		1,7	121,391.00	,	1,121,391.00
Balance Due FROM Buyer					0.00
TOTALS		1,7	121,391.00		1,121,391.00

To the best of my knowledge, the Settlement Statement which I have prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

Ticor Title Company of Oregon Settlement Agent

THIS IS A CERTIFIED COPY OF THE ORIGINAL DOCUMENT(S) BY TICOR TITLE COMPANY OF OREGON

.....

.....

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Page 26



2327 SW Market Street Drive, B Portland, Oregon 97201 t: 503.708.3165 e: jim@moorearchdesign.com w: www.moorearchdesign.com

April 5, 2024

City of Carlton Planning and Zoning 191 E. Main Street Carlton, OR 97111

Re: Supplemental Response to Minor Site Design Review Application Carlton Custom Wineworks LLC

Supplemental Responses

G. Building Openings (3). All ground floor building elevations located more than one hundred (100) feet from Main Street and facing a street, plaza, or courtyard shall comprise not less than thirty (30) percent transparent windows.

The east wall is approximately 50 feet from the east property line adjacent to North Pine Street. This space between the proposed addition and North Pine Street is grass with trees and other landscaping and will remain as such. The east elevation wall area is 295 square feet and includes two 11' x 8' glass and aluminum overhead doors. The estimated glazing area at the east elevation is 170 square feet totaling 57% of the total east elevation area. Note that this substantially exceeds thirty (30) percent transparency.

The south wall faces a public parking. This wall elevation area is 235 square feet and includes a window and a sliding door. The estimated glazing area of the window is 22 square feet (9%) and the opening of the sliding door is approximately 40 square feet (17%). When the winery is open and occupied the sliding door will be open. Total percentage of window and sliding door openings on the south elevation is therefore approximately 26%. Note that this elevation does not face a street, plaza, or courtyard and may not be required to have 30% transparency, depending upon how this site is evaluated by the development code.

The north wall is approximately 88 feet from the north property line adjacent to West Monroe Street. This space between the proposed addition and West Monroe Street is grass with trees and other landscaping and will remain as such. This wall elevation area is 235 square feet and includes a window of approximately 45 square feet (6'-0''x7'-6'') totaling 19% of the total north elevation area. Because the north side of the proposed addition is not accessible to the public, is a significant distance from the adjacent road, and is obscured by existing landscaping, providing glazing or transparency of 30% does not seem to be necessary.

G. Building Openings (4). All side building elevations not otherwise subject to the provisions of subsection 2 or 3, above, shall comprise not less than twenty (20) percent transparency; except zero-lot line/common wall elevations are not required to provide windows.

See response to G.3 above.

G. Building Openings (7). Windows shall contain trim, reveals or recesses of not less than four (4) inches in width or depth as applicable. The use of sills and decorative detailing and ornamentation around windows (e.g., patterning, corbels, medallions, pediments, shutters, or similar features), as appropriate for the sub-district, is required. This provision also applies to false windows.

Windows on the north and south side will include 4" trim. The glass and aluminum overhead doors on the east side will also include trim.

I. Building Line and Rhythm (1). Horizontal Rhythm.

Not Applicable. Building Addition is less than 50 feet width.

I. Building Line and Rhythm (4). Vertical Rhythm. Buildings shall reflect a vertical orientation, through either actual volume, roof form, and/or the use of surface detail; for example, the use of vertically oriented sash windows and masonry trim in the D-MS sub-district, and pitched roofs and/or board and batten siding and corrugated metal detailing in the D-WG and D-RR sub-districts. See examples in Section 17.30.070.

The siding on the proposed addition will match the existing building's vertical wood board-andbatten system and color. The north and south windows are vertically oriented.

I. Building Line and Rhythm (5) Roof Form, b. D-WG: Predominate roof form shall be pitched (4:12 minimum); gabled, hipped, modified pitched roof forms are allowed.

Based on the size of the proposed addition, a combination of 1:12 single slope roof and flat roof form is the most appropriate for design and function of the small space. The slope roofing material will match the existing roof material. The intention is to have the proposed addition, due to its small size, act as a simple complement to the existing large building and therefore not be too complex in form. The existing building roof form is gable with a 3:12 slope.

J. Materials and Color 1. Exterior Cladding, b. D-WG: Except as permitted under subsection 'd', below, exterior cladding of buildings shall predominately consist of wood or fiber cement (lap, panel, board and batten, shingle or similar siding), stucco, stone, textured concrete, split-face concrete block, and/or similar masonry. Corrugated metal may be used as a secondary material only; vinyl siding and faux/cultured stone are not permitted.

Building materials for the proposed addition will include vertical wood board-and-batten siding to match the existing building, fiber cement accent panels, corrugated metal roofing on sloped portion to match the existing building, roof membrane on flat roof portion.

Please clarify if building addition is intended for wine tasting daily or occasionally. This information is helpful for review of potential impact on traffic, water, and sanitary use.

The building addition is intended for occasional wine tasting and operates under a reservation model. Reservations are taken in advance and occur seasonally on Thursday – Sunday. The building addition will be also be used as employee break room and employee meeting space. The existing winery building has a 210 square foot space currently used for meetings, wine sales, wine tasting. The proposed project will allow this existing space to function as a much needed administrative area. Activities that currently take place in the existing space such as wine sales, meetings and wine tastings will be focused on the new space. There is no anticipated increase in pedestrian or vehicular traffic resulting from the proposed project.

The new ADA bathroom is being provide as a building code requirement. The two existing bathrooms suffice for total use except that they are not considered "accessible" unless upgraded. There is not an anticipated increase in use of the sanitary system.

Thank you,

ames Chrito

James Moore, AIA



2327 SW Market Street Drive, B Portland, Oregon 97201 t: 503.708.3165 e: jim@moorearchdesign.com w: www.moorearchdesign.com

April 5, 2024

City of Carlton Planning and Zoning 191 E. Main Street Carlton, OR 97111

Re: Major Variance Application Carlton Custom Wineworks LLC

Please accept this submittal as application for Major Variance for the property located at: 211 N Pine Street (lot 03400) / 130 W Monroe Street (lot 03601). The property owner is Carlton Custom Wineworks LLC and the facility is operated as Tendril Wine Cellars. The property owners are currently in the application process to combine the two lots into one. A property line adjustment application is being submitted separately.

The following describes the proposed project and how it addresses the approval criteria identified in the Development Code Section 17.148.050. Supplemental information attached herein also includes:

- Major Variance Application
- Names, addresses of property owners within 100 feet of site boundaries
- Site Plan sheet A1.1 dated 03/20/24
- Building Photos sheet A1.2 dated 03/20/24

The proposed project is to construct a one-story building addition on lot 03400 connected to the existing winery on lot 03601 to be used for wine tasting, employee break room and employee meeting space. The building addition is 685 square feet (building footprint) which includes 430 square feet main room, a 45 square foot accessible (ADA) bathroom to comply with current Yamhill County building code, circulation space of 106 square feet and miscellaneous storage of 42 square feet.

The existing winery building has a 210 square foot space located at the southeast corner of the building currently used for meetings, wine sales, wine tasting. The building addition is to be located next to this existing space which will function as a much needed administrative area and support space for the uses that will occur in the building addition.

The project is located in the D-WG downtown sub-district. Building setbacks as indicted in table 17.30.050 are:

Minimum Front/Street Side Yards: 5-foot minimum.

Minimum Rear Yard: None, except 15 feet when abutting a residential district or cityowned plaza or parking lot.

Minimum Side Yard: None, except 10 feet required when abutting a residential district or city-owned plaza or parking lot.

The project is requesting a variance to the rear yard setback of 15 fee when abutting a city-owned parking lot.

Major Variance Criteria Response: Development Code Section 17.148.050

- A. Exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of the ordinance codified in this title, topography, or other circumstances over which the applicant has no control.
 - Response:

The existing building was constructed in 1997 with the primary building entry located on the south side and continues to be used as the primary building entry today. The building and primary entry are located 3'-8" from the south property line. The Development Code identifies the south property line as "rear yard" resulting in a 15 foot setback due to its adjacency to a city-owned parking lot. At the time of the original building construction it appears that a setback of 15 feet and identification of the south property line as "rear yard", as currently identified in the development code, was not enforced or was not the standard.

The north side of the building, defined in the Development Code as the front yard, has no distinguishing features that would designate this as the front of the building. As shown in the site plan, this side has a single solid hollow metal door with no indication as a primary entry, and no other building openings. There are numerous on-site utilities that are located along the north property line including a shed with compressor and chiller, transformers. There is also heavy vegetation and trees that largely conceal this side of the building.

There is a potential significant impact to the property with future ODOT Realignment Plan. Preliminary drawings from ODOT indicate that the northeast corner of this property will be taken by ODOT as part of roadway widening. Rough calculations based on ODOT preliminary designs indicate that approximately 1,800 square feet totaling 22% of lot 03400 will be taken from the property owner for the ODOT Realignment Plan. The property owner has future plans to create a winery crush pad at the northeast corner of the building. ODOT's plan to acquire this portion of property will affect the availability of required space and functional use of the future crush pad. By requiring a 15 foot setback at the south property line, this will force the proposed addition farther into the property and further limit the viability and functioning of the future crush pad. See response to criteria E below for further discussion of concerns with the 15 foot setback.

- B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.
 - Response:

The functional use of the existing building identifies the south side of the building as the primary building entrance and functionally the primary entry / front of the building, as originally intended when constructed. Building features on the south side include full glass double entry doors, window, awning, signage, wall mounted light fixtures all of which help define this side of the building as the front. Vegetation can also be added to the area in front / south of the addition along the property line as a way to screen the building addition from the parking lot, if determined to be necessary. There is also an existing wood fence along the south property line which will remain.

Entry to the building addition is desired at the south side of the property adjacent to the existing entry so that a clear entry is identified for the public. It is also necessary to create a functioning connection with the existing adjacent support space. Setting the entry 15 feet back from the property line will allow public access further into the property than desired and eliminate the necessary functional connection with the existing building spaces. The City of Carlton is a wine destination and visitors to this property often are arriving on foot from other locations in Carlton and may in fact have parked their vehicle in another part of the City. It is important that the entry be clear and highly visible.

- C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any city plan or policy.
 - Response:

We do not see a detrimental effect on the public or adjacent properties. The variance will allow the front entry of the addition to be clear and easily accessible to the public.

- D. That the special conditions and circumstances on which the application is based does not result from the negligent or knowing violation of this title by the applicant.
 - Response:

The applicant is aware of the development code requirements and is not knowingly or negligently violating the title. This application is requesting a variance in the development code requirements of a 15 foot rear yard setback.

- E. The variance requested is the minimum variance that would alleviate the hardship
- Response:

The proposed building addition is set back from the south property line as much as will allow for functional use of the addition in relation to the existing building spaces. The addition needs to be located adjacent to the existing retail / tasting space (existing building southeast corner) so both spaces can function efficiently and in tandem. Locating the addition 15 feet back from the property line will eliminate the required adjacency, limit functionality, and make very difficult any connection between the existing and new without negatively impacting the function and operation of the existing spaces. An additional concern related to the rear yard setback limitation is the possible future loss of property area at the northeast corner. ODOT has tentative plans to take ownership of a significant portion of the northwest corner of lot 03400 as part of their Carlton roadway realignment plan. This will restrict the usable area for future winery expansion. By allowing the currently proposed building addition to be located within the 15 foot setback at the south property line the potential future expansion of the winery to areas north of the building addition will be less impacted and able to be sized appropriately.

Thank you,

ames Christo

James Moore, AIA

City of Carlton 191 **E. Main St. Carlton, OR** 97111 Phone: 503-852-7575 Fax: 503-852-7761 www.ci.carlton.or.us



Major Variance

A major variance is a request to modify a development standard (e.g. setback) by more than twenty (20) percent. The Carlton Development Code (CDC) Chapter 17.148* establishes a procedure to vary development standards for lands or uses with unique characteristics where the intent and purpose of the development standards are maintained.

Applicability

A property owner or designee may propose a variance from a standard or requirement of the Carlton Development Code (Carlton Municipal Code, Title 17), except when one or more of the following applies:

- A. The proposed variance would allow a use that is not permitted in the zone district;
- B. Another procedure and/or criteria is specified in the Carlton Development Code for modifying or waiving the particular requirement or standard; or
- C. Modification of the requirement or standard is prohibited within the zone district (CDC 17.148.020).

Application Process

A major variance is processed as a Type II land use action in accordance with the procedures found in CDC Section 17.188.020. The Planning Commission conducts a public hearing to review the request and makes a final decision on whether or not to approve the application. The Planning Commission may approve a major variance from a requirement or standard provided that the applicant provides evidence that the criteria for major variance approval found in CDC 17.148.050 substantially exist (see attached application form). The Planning Commission's decision may be appealed to the City Council by filing an appeal application within 12 days following the final written notice of the Commission's decision.

Application Requirements

To request a major variance, there shall be submitted to the City Recorder:

____ **One (1) paper copy** and **one (1) electronic copy** (PDF format preferred) of the application form and the application attachments. Copies must be clear and legible.

____ Application filing **fee**

Expiration of Approval

If an approved variance has not been implemented within eighteen (18) months, the approval shall expire.

Variance approval shall be voided immediately if the use established on the site does not substantially conform to the approval granted by the Planning Commission.

The property owner or designee may submit a written request to extend the approval period for not more than six (6) months upon payment of the required fee, provided that:

- 1. No changes are made to the approved variance;
- 2. The applicant can show intent to implement the variance within the six (6) month extension period; and
- 3. There have been no changes in existing conditions, facts, or applicable policies or ordinance provisions on which the original approval was based;
- 4. The request for extension shall be submitted, in writing, thirty (30) days prior to the expiration of the approval period.

*The Carlton Development Code is available online at: <u>www.ci.carlton.or.us/municode</u>

Major Variance Application City of Carlton

Docket No.:	
Date:	
-ee:	
Receipt No.:	

Applicant:	Name Jim Moore, Moore Architecture & Design LLC			
	Mailing Address 2327 SW Market Street Drive			
		Portland, OR 972	01	
	Phone 503.708	8.3165 Email	jim@moorearchdesign.	com
Title Holder:	Name Carlton Custom Wineworks LLC			
	Mailing Address			
		Hillsboro, OR 9712	4	
Location:	Street Address	211 N Pine Stree	et	
	Tax Lot Number	03400	Map_R3421AD	
Description:	Comprehensive I	Plan Designation	Commercial / Downtowr	District
	Current Zoning	DD-WG		

The applicant is seeking a variance to the requirements of Development Code Section(s)

17.30.050 Dimensional Standards [Cite applicable Development Code Section(s)] Rear Yard Setback

Prerequisites: In accordance with Development Code Section 17.148.020, the Planning Commission shall have the power to hear and decide major variance requests. To request a hearing and approval of a major variance by the City Planning Commission, there shall be submitted to the City Recorder in addition to this application and filing fee:

A Site Plan (8 $\frac{1}{2}$ x 11 inches or multiples thereof) illustrating the following information:

- 1. The date, north point, scale and sufficient description to define the location and boundaries of the parcel(s) on which the proposed development or use is to be located.
- 2. Name and address of the recorded owner or owners and of the person who prepared the Site Plan.
- 3. Approximate acreage(s) and dimensions of the parcel(s) under a single contiguous ownership directly involved in the major variance request.

- 4. For land adjacent to and for the site of the major variance, show locations, names and existing widths of all streets and easements of way; location, width and purpose of all other access or utility easements; drainage ways; and other significant site features.
- 5. Outline and location of existing and proposed buildings. Plan shall indicate existing setback distance from building to the property lines.
- 6. Indicate areas of flooding, soil hazard or areas of steep slopes.

The names and addresses of all property owners within 100 feet of the major variance site boundaries, as shown on the last preceding tax roll of the Yamhill County Assessor. Note: A list of property owner names and addresses within 100 feet of the property may be obtained from a title company or the Yamhill County Assessor Department located at: 535 NE 5th Street, Room 42, McMinnville, OR, phone: (503) 434-7521.

A detailed description of the proposed major variance and specifically how it addresses the criteria for approval from Development Code Section 17.148.050. It is the sole responsibility of the applicant to provide adequate evidence upon which the Planning Commission can base a decision.

17.148.050 Criteria and Procedure – Major Variance

The Planning Commission may allow a major variance from a requirement or standard of this Ordinance after a public hearing conducted in accordance with the Type II review procedures provided that the applicant provides evidence that the following circumstances substantially exist:

- A. Exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances over which the applicant has no control.
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.
- C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located or otherwise conflict with the objectives of any City plan or policy.
- D. That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.
- E. The variance requested is the minimum variance that would alleviate the hardship.

One (1) paper copy and **one (1) electronic copy** (PDF format preferred) of this application and all of the application attachments. Copies must be clear and legible.

Conditions of Approval: As specified by Development Code Section 17.188.020 (I), approval of a Major Variance may be granted subject to conditions. The following limitations shall be applicable to conditional approvals:

- 1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following:
 - a. Protection of the public from the potentially deleterious effects of the proposed use; or
 - b. Fulfillment of the need for public service demands created by the proposed use.
- 2. Changes or alterations of conditions shall be processed as a new administrative action.
- 3. Whenever practical, all conditions of approval required by the City shall be completed prior to the issuance of an occupancy permit. When an applicant provides information which demonstrates to the satisfaction of the Planning Commission that it is not practical to fulfill all conditions prior to issuance of such permit, the Planning Commission may require a performance guarantee as provided in Development Code Section 17.216.

I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Applicant's Signature

March 20, 2024

Date

Applicant's Signature

Date

Martin B. Sherman Carlton Custom Wineworks, LLC

Title Holder's Signature

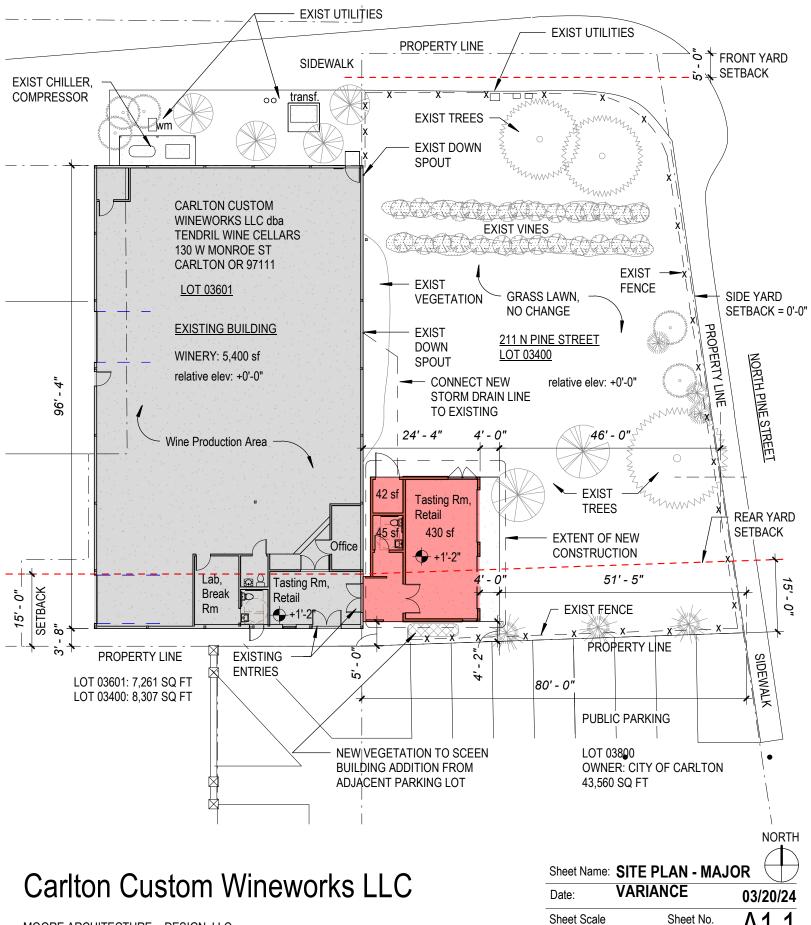
March 19, 2024

Date

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.







1" = 20'-0"

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SOUTH SIDE OF THE BUILDING

Page 40

SOUTHEAST CORNER OF THE BUILDING

NORTH SIDE OF THE BUILDING

Carlton Custom Wineworks LLC

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Sheet Name: BUILDING PHOTOS

		••
Date:		03/20/24
Sheet Scale	Sheet No.	A1.2

Moore Architecture + Design, LLC

Architecture, Planning, Urban Design

2327 SW Market Street Drive, B Portland, Oregon 97201 t: 503.708.3165 e: jim@moorearchdesign.com w: www.moorearchdesign.com

March 4, 2024

Lot #

City of Carlton Planning and Zoning 191 E. Main Street Carlton, OR 97111

Re: Names and addresses of property owners within 100 feet of site boundary: 211 North Pine Street / 130 W Monroe Street

03300:	<u>120 S Pine Street</u> Carlton 2007 LLC PO Box 190 Carlton, OR 97111	05800	<u>101 W Monroe Street</u> Carlton 2007 LLC PO Box 190 Carlton, OR 97111
03800:	<u>City of Carlton</u> 535 NE 5 th St McMinnville, OR 97128	10002	Carlton 2007 LLC PO Box 190 Carlton, OR 97111
03710:	<u>City of Carlton</u> 535 NE 5 th St McMinnville, OR 97128		
03700	236 N Kutch Street Ken Wright Cellars Co PO Box 190 Carlton, OR 97111		
03600	<u>258 N Kutch Street</u> Janell M Taylor 25464 N LK. Pleasant Pkwy Unit 103-306 Peoria, AZ 85383		
05700	Carlton 2007 LLC PO Box 190 Carlton, OR 97111		

Lot #

Exhibit A-4

City of Carlton 191 **E. Main St. Carlton, OR** 97111 Phone: 503-852-7575 Fax: 503-852-7761 www.ci.carlton.or.us



Property Line Adjustment

A property (lot) line adjustment is used to relocate a common property line between two abutting properties. A property line adjustment does not involve the creation of a new lot or parcel.

Application Process

Carlton Development Code (CDC) Chapter 17.168* describes the approval process and standards for property line adjustments. A property line adjustment is processed as a Type I land use action in accordance with the procedures found in Carlton Development Code (CDC) Section 17.188.010. The City Planner reviews the request and makes a recommendation on whether or not to approve the application to the City Manager. The City Manager shall approve the property line adjustment if the application complies with the Carlton Development Code (CDC). The City Manager's decision is the final, unless appealed to the Carlton Planning Commission within 12 days of the date of the final written notice.

After a property line adjustment is approved, the new boundary becomes effective only if within one year of the written city approval the following steps are completed:

- 1. A new deed and legal description is recorded with the Yamhill County Clerk's Office.
- 2. If required by Oregon Revised Statutes (ORS) Chapter 92, a final survey is prepared and all new boundaries are monumented as required by ORS chapters 92 and 209.

The applicant shall submit a copy of the recorded property line adjustment survey to the city prior to the issuance of any building permits on the re-configured lots.

Application Requirements

To request a property line adjustment, there shall be submitted to the City Recorder:

____ **One (1) paper copy** and **one (1) electronic copy** (PDF format preferred) of the application form and the application attachments. Copies must be clear and legible.

____ Application filing **fee**.

*The Carlton Development Code is available online at: www.ci.carlton.or.us/municode

Property City of Car		dj ust	ment	Applicatio	n	Docket No.: Date: Fee: Receipt No.:
Title Holder (Parcel #1):	-		Custom Wineworks LLC 6672 NE Chestnut	_	Marty Sherman sherman.marty@gmail.com
Title Holder (Parcel #2):	Name _ Mailing	Carlton C	HIIIsboro, OR 97124 70-5442 Custom Wineworks LLC <u>6672 NE Chestnut</u> HIIIsboro, OR 97124 70-5442	_ email: : Street	Marty Sherman :sherman.marty@gmail.com
Surveyor and	/or Engineer:	Name _				
Location:	Street Address			0 W Monroe St; Par		211 N Pine St
	Tax Lot Numbe	r (Parcel	#1)03	3601	_Map _	R3421AD
	Tax Lot Numbe	r (Parcel	#2)03	3400	_Map _	R3421AD
Description:	Comprehensive Current Zoning	e Plan De		Downtown Dist	rict	

Prerequisites:

To request approval of a property line adjustment by the City Manager, there shall be submitted to the City Recorder with this application and filing fee, the following evidence:

_____ Narrative statement of what is being requested (For example - Move property line common to tax lots 1100 and 1101, 3 feet to the east.)

Combine lots 03601 and 03400 into a single lot.

Reason for Property Line Adjustment:

Both lots are owned and operated by the same entity. The lots are contiguous and are being used for the for the permitted use "winery". Combining the lots will allow future development and building additions to address building and fire code issues in a more straightforward manner.

_____ Preliminary maps drawn to scale of not less than one inch equals 50 feet illustrating the following information:

1. The configuration of Parcel A and Parcel B before the proposed adjustment.

- 2. The configuration of Parcel A and Parcel B after the proposed adjustment.
- 3. North point, scale and date.

4. Name and address of the recorded owner or owners and of the person who prepared the preliminary maps.

5. Map number and tax lot or tax account number of subject property.

6. Approximate size [in square feet or acres] and dimensions of the parcels impacted by the property line adjustment both before and after the proposed adjustment.

7. For land adjacent to and within the parcels show locations, names and existing widths of all streets and easements or right-of-ways; location, width and purpose of all other existing access or utility easements.

8. Outline and location of existing buildings. Map shall indicate existing setback distance from buildings to the property lines. (NOTE: Buildings must continue to conform to zoning requirements, such as setbacks, following a lot line adjustment.)

Review Standards: In addition to compliance with the prerequisites listed above the City Manager shall review this application in accordance with the following standards:

- A. The number of lots or parcels as large as the minimum lot size in the affected zone is at least the same after the adjustment as before the adjustment.
- B. The number of lots or parcels resulting from the adjustment is the same or less than the number of lots or parcels existing prior to the adjustment.
- C. Following the property line adjustment, all lots must comply with lot size and dimensional standards of the applicable land use district. For non-conforming lots, the adjustment shall not increase the degree of non-conformance of the subject property or surrounding properties.
- D. All lots or parcels having access to a public or private street before the adjustment must retain access after the adjustment.
- E. The property line adjustment shall not reduce any required development feature or standard, such as parking, landscaping, or building setbacks, to a size or dimension that does not meet the minimum standards of this Code.

One (1) paper copy and **one (1) electronic copy** (PDF format preferred) of this application and all of the application attachments. Copies must be clear and legible.

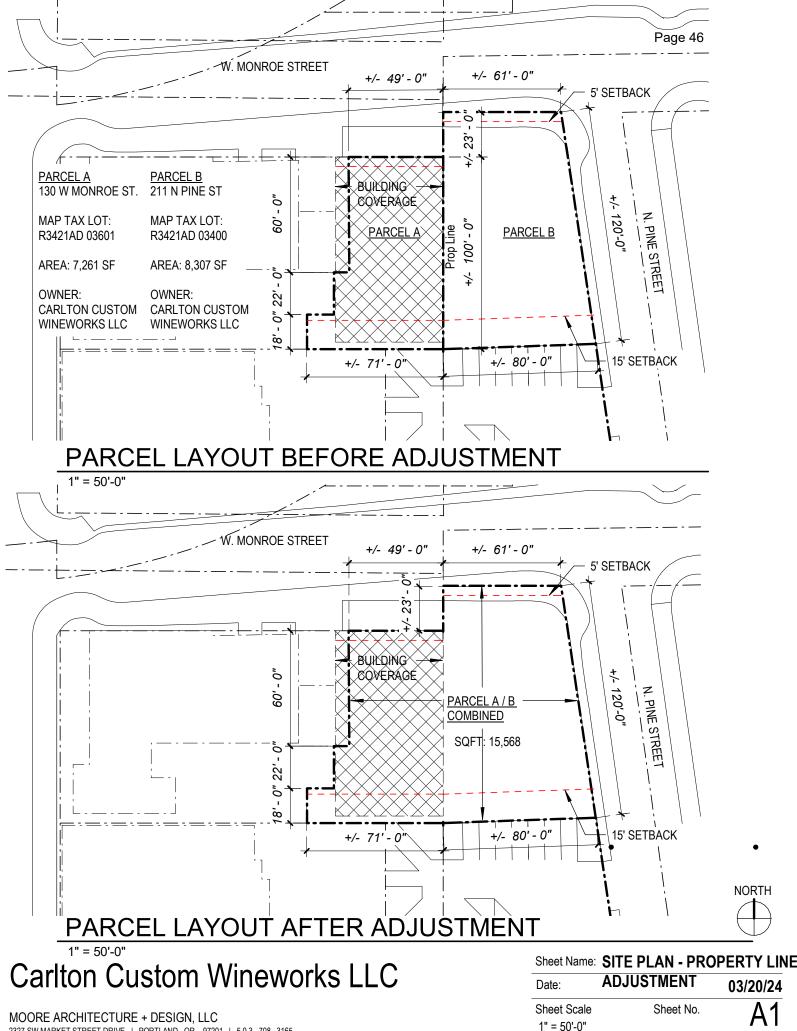
I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Parcel 1	Mac Martin B. She	erman			
March 20, 2024	Carlton Custom Wineworks, LLC				
Date	Applicant	<u>III WINEWOIKS, L</u> LC			
Date	Applicant	Linda D. Wallen			
March 18, 2024	Linda D. Wallen	Carlton Custom Wineworks LLC			
Date March 19, 2024	Title Holder(s)	Diane Simpson Carlton Custom Wineworks LLC			
Date March 19, 2024	Title Holder(s) Matthew Martin B. She	erman			
Parcel 2	<u>Carlton Cust</u> on	n Wineworks, LLC			
	MAS Martin B. She	erman			
March 20, 2024	Carlton Custon	<u>n Wineworks, L</u> LC			
Date	Applicant	Linda D. Wallen			
March 18, 2024	Linder D. Wallen	Carlton Custom Wineworks LLC			
Date	Title folder(s)	Diane Simpson			
March 19, 2024		Carlton Custom Wineworks LLC			
Date	Title Holder(s)				
March 19, 2024	Matthe Martin B. Sherman				
Date NOTE: ALL OWNERS MUST SIG	<u>Carlton Cust</u> or Carlton Custor CARLICATION OR SUBM	m Wineworks, LLC AIT LETTERS OF CONSENT.			

INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.

Tony Rynders Carlton Custom Wineworks LLC

Title Holder(s)



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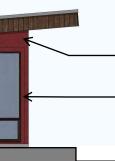
Sheet	No





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Exhibit A-5 47



Sheet Scale: 1/8"=1'-0"

Sheet No.