

**GIG HARBOR CITY COUNCIL
DESIGN REVIEW MANUAL WORKSESSION**

October 18, 2004, 6:00 p.m. – Civic Center Community Rooms

PRESENT:

Councilmembers: Steve Ekberg, Derek Young, Paul Conan, Jim Franich, John Picinich and Frank Ruffo. Mayor Wilbert presided over the meeting.

Staff: Mark Hoppen, John Vodopich, Steve Osguthorpe, and Molly Towslee.

Mayor Wilbert opened the work-study session at 6:07. Councilmembers reviewed several pieces of correspondence that had been submitted. Steve Osguthorpe, Planning Manager, gave an overview of the agenda, and the Mayor recommended beginning with the request from the school district, as the representative was present.

3.1.01(4) Measurement of building height.

Steve Osguthorpe explained that the school district is proposing an amendment to the P-I district designation to exclude schools from the limited building height requirement.

Mr. Kattermann, AHBL, explained that the additional height would allow the school to build a gymnasium and fine arts addition that would match the other buildings at the Harbor Ridge Middle School site.

Councilmembers and staff discussed this amendment and whether it was appropriate to amend all P-I districts, or to address this site through other means to allow the additional height.

Wade Perrow said that he owns the property behind the school, which is located in the view basin. He said that he strongly opposes the amendment, which he said would jeopardize his property.

Councilmember Ruffo asked what Mr. Perrow thought Council should do. Mr. Perrow said that it should be handled as a Conditional Use. He stressed that outright permitting the 55' height would disregard the impact on adjoining properties.

Doug Sorensen asked the representative from the school district what they would do with the existing gym. Mr. Katterman explained that the proposal is to replace the old science wing and gym, which would be the next phase of the rebuild of the middle school. The height limit under the new definition would only allow them to build up to 16', which would not allow a gym or to match the existing architecture.

Planning Manager Steve Osguthorpe explained that he was unsure that the existing CUP criteria would be adequate to address protection of the views. He said that they may have to come up with a new process for a height exception. Chuck Hunter said that he is against allowing 55' in the P-I Districts as it opens it up for other structures. He suggested that there could be some process that the school could come to the city to apply for the additional height that would allow public input. He concluded by saying Gig Harbor is nice because there aren't a lot of tall buildings.

Mr. Osguthorpe suggested reviewing the performance based height criteria to see if there would be a way to address this.

Michael Kattermann asked Council to refer to his handout where it describes other cities who allow additional height in particular instances for functional needs such as gymnasiums. He explained that he was unsure of the actual height required to complete the construction at this site.

Lita Dawn Stanton suggested that it would be wise to determine exactly what would be needed to build the gymnasium before making a decision.

Roseanne Sachson recommended that the Councilmembers and Mayor go and visit the site to look at it from all sides and from the harbor itself.

Mr. Osguthorpe said that he would determine what height would be needed to construct a gymnasium. Councilmembers further discussed whether the height should be adjusted in all other P-I Districts in order to serve the student needs. It was agreed that this needs to be addressed on a case-by-case basis. Mr. Osguthorpe was directed to explore a performance based process to address this type of issue.

2.6.01(1) Residential setbacks within the PCD-RMD District. Mr. Osguthorpe explained that this amendment was at the request of Carl Halsan, who was representing a property owner in Gig Harbor North. He described the current setbacks in this area, which were designed to address single parcels developed for multi-family housing rather than individual lots. He said that the current regulations would result in far more restrictive setbacks than in other single-family zone in the city.

Mr. Halsan described the proposal and addressed questions from Council while Mr. Osguthorpe illustrated both existing and the proposed setbacks on the whiteboard. Councilmembers discussed the project described by Mr. Halsan, and several concerns such as alley width, garbage cans, and overflow parking were addressed. Mr. Halsan said that many of these issues could be dealt with through CC & R's and through project approval at the Hearing Examiner level.

Steve Osguthorpe recommended leaving the existing setbacks for apartment buildings and to reference the PCD-RMD section in a footnote. He suggested amending the setbacks for this section as recommended by the Planning Commission, but to change the setbacks so that the garage would be back from the alley by at least 3 feet. Councilmembers agreed.

3.14.02(2) Height Standards for Non-Residential Structures within the Historic District. Mr. Osguthorpe said that this is a follow-up item from the last meeting and gave an overview of the concerns raised and the draft language developed to address these concerns. He used the whiteboard to illustrate how height would be measured.

There was discussion on the concern that two separate buildings, one in front of another, would take on the appearance of one, large building unless there was a requirement that different materials or architectural design be used.

Lita Dawn Stanton suggested a performance standard to require that a project go before the Design Review Board. Councilmember Young explained that not all projects could be required to go before the DRB.

Mr. Osguthorpe suggested language that would specify that separate structures on the same lot be so many feet apart and shall have varying siding and roof type. He said that there would have to be criteria in place for the DRB.

Rosanne Sachson said that the only language required would be that “No mirror imaging is allowed.” She then commented that the DRB has no power to look at an entire project, adding that this needs to be addressed as soon as possible.

Mr. Osguthorpe explained that the process would be addressed separately, after the Design Manual is updated.

Wade Perrow mentioned the letter from his attorney recommending that the Design Review Board be authorized to approve departure from the general requirements set forth in the manual. He said that if developers all use a design manual “cookbook”, eventually you will have a city of sameness. He recommended that Council direct the City Attorney to review and respond to the recommendation before the next session. Councilmember Young said that Ms. Morris had already responded to the letter, adding that it may be possible to address this in some way. The attorney’s main concern is an equal protection issue.

Councilmember Ruffo stressed that Council does not want to over-legislate, but it also wants to make sure that appropriate protections are in place. Councilmember Ekberg explained that it is a challenge to preserve something that was created with no Design Manual, and in some cases, no zoning.

Chuck Hunter asked for clarification on why the process is a separate issue and why it couldn't be addressed at the same time as the updates to the manual. Lita Dawn Stanton requested that Council at least schedule the worksession to address the process. Councilmembers and Mr. Osguthorpe stressed the importance of getting the manual in place, but agreed of the need to address the Design Review process as soon as possible.

There was further discussion about the Design Review process and how to allow the board to review projects on a case by case basis. Lita Dawn Stanton stated that if you have the maximums identified, the zoning code will work, but when you get into design, it is subjective.

Wade Perrow asked what the words "avoid architectural gimmickry and fads" contained in the Design Review Manual meant. He said that he is going to challenge the manual for the purpose that it is vague, subjective, and contains arbitrary language. Councilmembers said that there is a list of things included, but Mr. Perrow said it also says "not limited to the following", so you could pick whatever.

Councilmember Ruffo said that done properly, this is a guideline for a "brilliant committee" to look at and decide the intent and try to adhere to the intent.

Mr. Perrow suggested having the two attorneys work on finding words that will allow the "brilliant people" to have an opportunity to overcome some of the difficulties. Councilmember Young asked for clarification on what language is currently in the Design Review Manual. Mr. Osguthorpe responded that this language is the same.

Councilmembers stressed the need to move on. Councilmember Franich asked if there was a consensus on overall height, and Steve Osguthorpe returned to the illustration on the whiteboard.

Mr. Perrow asked Council to look at Non-residential / Multi-family 3.2 Massing and Scale, asking if the illustration Steve had drawn meets the requirement to avoid unusual or atypical rooflines on all structures. He continued to explain that when someone comes in with a project, staff is acting as judge and jury. He asked that the Design Review Board become the jury to listen and decide, with the Hearing Examiner for the appeal process.

Staff and Council addressed Mr. Perrow's concerns about the roof design and the comments that the DRB should review project designs. Councilmember Young stressed that it just isn't as simple as letting every design go to the DRB for decision due to the possibility of lawsuits. Mr. Perrow said that by hiring an attorney for a Hearing Examiner and for the appeal process, that concern would be addressed. He added that he wanted people being treated fairly, adding that

developers would prefer to have several people making a determination rather than just a staff person.

Lita Dawn Stanton said that having a Board making the decisions would relieve staff from taking the entire community's sentiments. If the board is well-appointed there would be representation from the community, and unity in order to work with staff instead of all the opposition.

Rosanne Sachson added that there can't be that much time needed to work on the process as there is already a board in place. Councilmembers explained that there are several lengthy legal issues to address, and agreed to schedule worksessions on the process as soon as possible. The Mayor said that she hopes that Council moves in the direction of allowing the Design Review Board to review as many projects as possible.

Mr. Osguthorpe was directed to get the draft manual on the next Council agenda. He explained that he had been working on the Certified Local Government ordinance that dovetails with the Design Review Board process. He said that he would be recommending that the DRB also serve as the Local Review Board, which would require that Council look at qualifications for this committee.

Councilmember Ruffo requested that Mr. Osguthorpe identify two or three people to work with staff and the city attorney to make a recommendation to the Community Development Committee.

Mr. Osguthorpe suggested another ten minutes to complete the agenda, as there were no further worksessions scheduled.

2.0.01(3) Reduced side and rear yard setbacks for garages in the historic district.
Mr. Osguthorpe explained the proposed setbacks and addressed Council concerns. Council agreed that this was an appropriate amendment and agreed to move on.

The final agenda item discussed was Zone Transitions. Mr. Osguthorpe said that he revised the table to make it so that it just basically residential against non-residential and provided language to clarify what is being accomplished. Council approved of the amendment.

There were no further comments and the worksession ended at 8:27 p.m.

Respectfully submitted:


Molly Towsee, City Clerk