

**GIG HARBOR CITY COUNCIL  
BUILDING SIZE ANALYSIS WORKSESSION  
June 21, 2004 6:00 p.m. – Civic Center Community Rooms**

**PRESENT:**

Councilmembers: Derek Young, Paul Conan, Jim Franich, Bob Dick, John Picinich, and Frank Ruffo. Mayor Wilbert presided over the meeting. Councilmember Ekberg arrived later in the meeting.

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

Mayor Wilbert opened the worksession at 6:08 and thanked every one for coming. John Vodopich, Community Development Director, explained that this session was to address building size limitations in the Waterfront Residential, Waterfront Millville, and Waterfront Commercial zones. He summarized the recommendations on the comparison chart and other handouts prepared for the meeting. The Mayor then began calling on members of the audience to speak.

Jim Pasin. Mr. Pasin requested clarification of boundary lines for the waterfront commercial and waterfront Millville zones. Steve Osguthorpe responded and identified the waterfront commercial zone begins at the old Wild Birds lot and follows around the bend. The division of the two districts lies at the end of Rosedale Street at Jerisich Dock.

David Boe. Mr. Boe spoke about his experience as an architect working on projects in Gig Harbor. He stated that the real issue was not a question of size but a question of character, scale, and view in connection to the water. He said that this is mainly an urban design issue. He suggested that the city have an urban design study done that takes scale and view into consideration of Harborview Drive, the basin and what it should be from the stand point of view corridors as well as the massing of buildings and lots. Mr. Boe said that as an architect, this was not about setting limitations but the consideration should be about urban design and a vision of what the waterfront should be. He said that he felt that this was what was missing in many of the discussions over the past two and a half years. He spoke of the Russell Building as a huge, modern building in comparison to the small buildings that are across the street. He stated that it has nothing to do with the building itself, because it has good scale, but it is the broad gesture that seems so alien because of the scale of the site. Mr. Boe summarized that the logical conclusion because of property values, that 3500 of gross sq. ft. for a building will create a cost per square foot price that will be so high that from a retail standpoint it will cost \$30-35 a sq. ft. to occupy the buildings which will be unaffordable for most merchants.

Councilmember Dick asked about the existing regulations pertaining to set backs on each of the zones. Mr. Vodopich responded by identifying the set backs in each zone, as identified on the hand out. Mr. Osguthorpe discussed that in the Historic District that

set back is determined by the lot width, which is considered a sliding scale set back. There was further discussion regarding the height in the three zones. Mr. Osguthorpe stated that a flat roof building is the same as identified in the zoning code, which is sixteen feet. A pitched roof building can be eighteen feet but with a minimum roof pitch of 6-12 with the ridge line perpendicular to the view.

Councilmember Dick inquired about the state Shoreline Act and the required set back. Mr. Osguthorpe responded that the only limitation is whether a structure can be built over the water. Each zone specifies what uses are allowed, if it is a permitted use a conditional use as identified in the zoning code. Further permitted requirements were discussed.

Councilmember Franich asked about impervious coverage in relation to buildings that are built over the water. Mr. Osguthorpe said that tidelands may be counted towards the impervious coverage requirements. Over the water commercial structures are discouraged, they must go through the conditional use process, and must be a water-related use, as well as owning the tidelands for this requirement to be met.

Jake Bujacich. Mr. Bujacich said that he was concerned with density and side yards in relation to preserving view. He discussed that there were no restrictions in regards to trees, which could be planted as a wall, which can destroy the view. Mr. Osguthorpe responded to the additional height allowance in the Waterfront Millville section of the code is inconsistent with the Design Manual and is trumped by the Design Manual. Mr. Osguthorpe said that as part of the Design Manual update, the zoning code will be reviewed to eliminate these inconsistencies. This section in the Waterfront Millville will be eliminated so that the 8-ft. provision will no longer be applicable.

Kit Kuhn. Mr. Kuhn asked for clarification on what is considered finished grade. Mr. Osguthorpe stated that the requirement is 27 feet above finished grade, and with the proposed changes to the Design Manual, the outcome will be 27 feet above both finished and natural grade.

Joel Wingard. Mr. Wingard represented Peninsula Neighborhood Association (PNA). He said that PNA had sent out an alert about this meeting to their membership and submitted some copies of their responses. He stressed the importance for access to the bay both visually and publicly. He pointed out that on the east side of the bay are mainly large, trophy homes thus creating less and less opportunity for access to the bay.

Dee Dee Babich. Ms. Babich said that she lived behind the big building (BDR building) and passed around pictures for Council of the trees at this building, showing the plantings of the Douglas fir. She stressed the importance of regulations for landscaping as these newly planted firs will someday block the view to the bay. Steve Osguthorpe stated that the trees that were planted were a condition of approval by the Hearing Examiner. Mayor Wilbert asked how we can put together something that will help maintain the views. Mr. Bujacich stated that there used to be an ordinance that

restricted the height of trees, and later the ordinance was changed. Mr. Bujacich strongly stressed that the city put together a requirement that will restrict tree height in the view corridor. Mayor Wilbert said that a View Retention Policy was discussed a few years ago and maybe we should bring this forward for new plantings that tries to maintain the native forest, take down the rotten trees and as we plant new vegetation, it will help keep the view corridors open.

Debra Nozawa. Ms. Nozawa said that she is the owner/operator of the Isamira Café in the old Poisidon location in Waterfront Millville. She said that she wanted to speak to growth and the restriction on the backside of her property and not the front. She spoke about the signage limitation of 6 feet and her neighbor that had a hedge that was over 6 feet tall. She stated that she went to the city and found that there was no restriction on hedges in the front yard, which blocks her signage currently. She spoke to the restrictions in her zone and stated that she would like to be open for two hours longer each day and would like to sell wine, which is prohibited in this zone.

Roseanne Sachson. Ms. Sachson said that after the last meeting she had emailed Mr. Vodopich twelve different sites around the United States and Canada that look similar to Gig Harbor and suggested that we ask them for all of their design review for both commercial and residential. She requested that the city put this information in a synopsis for the City Council and Mayor to see what other small towns with all of the same issues have dealt with which could be most helpful in assisting in the revision to the Design Manual. Ms. Sachson read an article from the New York Times regarding stricter size limits for single-family homes in Beverly Hills with increased set backs to keep newer homes from overwhelming their neighborhoods. Ms. Sachson also suggested that we have a community workshop like the one Mr. Boe suggested. She said that Beverly Hills has enacted a new style catalog and an incentive reward catalog that provides builder/developer incentives. Ms. Sachson also spoke about the bandstand in Steilacoom that was built whereby the top is removable and can be used when needed.

Diane Hunter. Ms. Hunter read an article in the Peninsula Gateway by Jane Shaw Carlson whom is very unhappy with the character of the town changing and felt that because she was unable to come and speak at these public meetings should not mean that she should not have a voice.

Chuck Hunter. Mr. Hunter expressed his concern about the proposed zoning changes that were included in the building size ordinance. He stated that he thought it was a devious thing to do. He asked the Council that before any zoning changes occurred to look at the Comprehensive Plan and Shoreline Plan for Gig Harbor and get an impartial party to review them. He stated that he would even pay half the fee if that is what it takes. He further stated that the Perteet study only made one reference in the final conclusions to any zoning change. Mr. Hunter discussed the Eddon Boat Company property that is proposed to be changed to Waterfront Millville and his concerns that this is the last stand of the fishing industry in Gig Harbor. He said that if big homes are built there, those residents will be just like the people across Harborview who will not want

any boating activity in front of their homes, with the fishermen starting early in the morning with the boats coming and going. He said that in five years we will be listening to those residents saying we need to get rid of the fishermen. He stated that the City Council can make rules that a restaurant or tavern cannot go in this location. He further stated that if the belief is that Waterfront Commercial and Waterfront Millville are the same thing then let the houses be built in the Waterfront Commercial zone and the fishing community is protected. Mr. Hunter stated that he is against rezoning this area. Mr. Hunter also brought up the issue about the trees, whereby the houses that want to go in at the Edden Boat Company location, most likely will plant trees to block out traffic noise. He went on to state that he believed that the Design Manual still allowed a green belt to delineate from one zone to another using the example of the Lungeon Building on Harborview Drive who have planted trees that in a few years will obscure the view and suggested the Council look carefully at the zoning around the Edden Boat Company. Councilmember Franich asked Mr. Hunter if what he said was it would be a good idea to not allow residential homes in the Waterfront Commercial area. Mr. Hunter said that the property owner takes a chance living in the WC zone and probably will not like the commercial daily activities that could be going on around him. Councilmember Ruffo read the Waterfront Millville Gig Harbor City Code. There was further discussion regarding the proposed joining changes. Councilmember Franich stated that he was in favor of the zoning change because it is more conducive to residential. Councilmember Young asked if removing the retail aspect the part that is against the Comprehensive Plan and Shoreline Management. Lita Dawn Stanton responded saying that planners are working on integrating edges of towns and how historically towns have evolved. Ms. Stanton gave the example of Susanne's Bakery that promotes pedestrian activity. Ms. Stanton suggested leaving the waterfront alone. She agreed with Mr. Boe regarding getting the community involved.

Mr. Hoppen spoke about the technical relationship between the zones. He also addressed the zoning inconsistencies.

Kit Kuhn spoke about the character issues and the need for an in-house workshop before any decisions are made. He also spoke about the restrictions to business owners and the tree height issue. Mr. Kuhn disagreed with the zoning revision. Councilmember Ruffo pointed out that the only difference in the proposed zoning revision is that it prohibits the use of restaurants, taverns and bars. Mr. Ruffo stated that besides the tree issue, he had not heard anything at this meeting that related to building size.

John Moist. Mr. Moist identified himself as living in the Waterfront Millville and discussed the noise issue and the lack of parking that contributes to a lot of late night pedestrian traffic. He was in not favor of zoning restrictions for restaurants and supported the beer and alcohol permit for the Isamira establishment.

Lita Dawn Stanton. Ms. Stanton said that her understanding of the zoning change from WC to WM came about as a result of an application for four homes in that area. She asked for clarification on the difference between the application process for the WC and

the WM zones. Steve Osguthorpe explained that only single-family homes are not required to have a substantial development permit regardless of the zone. Ms. Stanton asked if the zoning change could be taken out of consideration if residences could be built in either WM or WC zones. Councilmembers Ruffo said that he thought it was off the table unless he hears otherwise. Ms. Stanton stressed that parking lots and marinas preserve the view corridors and homes do not, as the homeowners will try to create privacy.

Linda Gair. Ms. Gair said that the waterfront commercial waterfront is very important. She said that if the two major marinas downtown were converted to high-rises, you would almost lose the entire view of the water. She stressed that keeping the 3500 s.f. building size limit is important. She spoke against rezoning the WC to WM, adding that it would be a mistake to eliminate any further waterfront commercial area. She then talked about adding residential to the tops of commercial buildings for those people who like to live in the center of a lot of activity. She said that size restrictions should be placed on residential in that area to prevent the loss of view to the water. Councilmember Dick asked if the 3500 s.f. limitation should be placed on both commercial and residential. Ms. Gair said that both restrictions should be put in place until completion of a process to develop a plan.

Carl Halsan. Mr. Halsan spoke on behalf of Dave Morris. Mr. Halsan agreed with the comments that the Waterfront Commercial zone is supposed to be adjacent to the DB zone. He then requested that the Purdy Shopping Center be exempted from the 3500 s.f. building size limitation that is proposed for the WC zone. He said that structures in the Purdy area would be adequately restricted by other regulations.

Councilmember Young agreed and asked that staff come back with a recommendation to this affect. Councilmember Franich asked for clarification for when the Purdy Shopping Center became part of the city's UGA. Mark Hoppen gave a brief history of the sewer extension in 1994, explaining that it was a financial decision based on the School District's needs. Councilmember Franich stated that he didn't believe that this area should be in the UGA and that Council should reconsider this in the future.

Paul Gustufson. Mr. Gustufson said that David Boe made a good point about consideration of scale, size and the quaintness of the town, not just building size. He said that nothing can be done about the past, but the future can be protected to keep the downtown quaint. He stressed that big buildings are not going to bring the people to Gig Harbor.

Dick Allen. Mr. Allen pointed out that there has been a 3500 s.f. limit in the Waterfront Millville zone for quite some time, and it has served that area well.

Laurie Maples. Ms. Maples spoke in support of the owners of Isamara Cafe. Mayor Wilbert reminded her that this workshop was on zoning issues and asked her to keep her comments on the issue at hand. Ms. Maples said that she agreed with the comments by David Boe that a design study was needed. She recommended research

by Christopher Alexander. She said that she likes to come to town and have access to the water.

Bruce Gair. Mr. Gair agreed with the comments about trees blocking views. He stressed that this is not an urban forest, and warned everyone that there is a section addressing trees in the new Design Manual requirement replacement of trees with a 3 to 1 formula. He urged citizens to come to the public hearing. Mr. Gair then asked Council to seriously consider having the Historical Society move down to the corner where the Eddon Boat Building is located.

Mayor Wilbert agreed with the recommendation, as did many others. This idea gained a round of applause.

Lee Desca. Ms. Desca recommended a gentleman named Nory Winters from Boulder, Colorado to facilitate the charrettes. She gave a brief overview of his qualifications. She asked Council not to move ahead, but to create a way to have dialogue to reach consensus.

Councilmember Dick asked if interim limitations are required until the broader vision could be accomplished. Ms. Desca recommended nothing for the interim. She said that she recommends scale, and size and design guidelines, not a building that is approved administratively and makes people unhappy. She said Council could put a moratorium on new construction permits in the sensitive areas until the process is complete.

Jack Bujacich clarified that there are not four houses, but seven proposed in the Millville area in question. He said that the best thing Council could do is to move the Historical Society downtown. Councilmember Young asked if the citizens would vote for a bond. There was an overwhelming positive response to this question.

Carol Davis. Ms. Davis said that the 3500 s.f. restriction is adequate for all districts along the waterfront, and suggested that a 2400 s.f. restriction be placed on residential along the water to preserve the character of the city. The scale of the original homes along Harborview is more like 24' along the street and 24 x 36 feet deep. On two levels, that results in a maximum 2000 s.f. house. A 2400 s.f. limitation would help to keep the size, scale and history of the city.

Councilmember Franich asked if lot size should have any consideration in the calculation. David Bowe clarified that you could have multiple structures of that size which would have the same result as a larger building.

Bill Fogerty. Mr. Fogerty explained that he attended the Downtown Revitalization conference. He said to look at the Harbor Inn Restaurant as a good example for size and scale. He recommended utilizing commercial on the ground level and apartments or condominiums on the top like is being done in the Proctor area. He said that this would help to retain the quaint downtown. He suggested that we look at what is being done in other communities.

Heidi Henson. Ms. Henson stressed that waterfront access for the public is an important issue. She requested that this consideration be built in to any recommendations. Councilmembers pointed out the recent purchase of the Skansie Brothers Park as an example of the city trying to preserve public access to the waterfront.

Dave Folsom. Mr. Folsom said that what the people are trying to do is to identify what we need to save before it is gone. Waterfront access is key. He mentioned Rockport, Massachusetts as a place that has big buildings, but they also have plenty of places to walk around behind the buildings and along the water. If something can be done to add these ideas to the Comprehensive Plan, then those things that are valuable will be protected.

Rosanne Sachson asked about the status of the property where the seven homes are proposed. Mark Hoppen explained that there is an application pending, which makes it difficult to discuss. He gave a history of the properties and how it has led to the recommendation for a rezone. He stressed that houses are permitted in any zone. He then said that it is an interesting concept if the citizens are willing to bond for the property to relocate the historical society to that spot. He said that the owners would have to be willing to sell.

Mr. Bujacich explained that the original use of the property was the Anderson Boatyard before the Hoppens purchased the site. He said that there is plenty of historical value and the city would have the power to condemn the property and to look into a bond.

**MOTION:** Move we accept the recommendation as is, with all uses limited to 3500 s.f. to bring back to Council at a future date for more work, and staff explore setting up the charrette process to broaden the study into a visioning process. Further, to direct staff to draft a proposed building moratorium in the height restriction overlay area.  
Young / Picinich –

Councilmember Dick asked for clarification on whether this motion included the rezone consideration. Councilmember Young said that he left it out as it should be discussed in a visioning workshop along with building size. He said that he envisioned a series of stations where someone could see how buildings and views would appear with a different set of criteria. He said that he would like to see a more “hands-on” approach to the public input. What has come across is what people do not want, but what isn’t apparent is what they do want. The question is how to get there. The visioning process would help to obtain the desired design elements.

Councilmember Franich said that he was disgusted that the city spent the money on the consultant, who was supposed to do the visioning and gain community input. After a year’s worth of work, the people do not like the results. He agreed that more sessions are required, but he disagreed with hiring another consultant.

Councilmember Young explained that the concept of a facilitator to help the city move through the process and to stay on task.

**MOTION:** Call for the question on the original motion.  
Picinich – Councilmembers Conan, Picinich and Ruffo voted yes.  
Councilmember Young and Dick voted no.

Councilmember Young stated that he would like to hear what Councilmember Dick had to say about zoning.

**MOTION TO RECONSIDER:** Move to reconsider the call for the question.  
Dick / Ruffo – unanimously approved.

Councilmember Dick said that he was against considering the zoning as part of the discussion. He said that he would like to eliminate the zoning change from the original motion. Councilmember Ruffo agreed that this needs to be considered separately. Young clarified that it was not a part of his motion to bring back an ordinance for consideration by Council.

**ORIGINAL MOTION:** Move we accept the recommendation as is, with all uses limited to 3500 s.f. to bring back to Council at a future date for more work, and staff explore setting up the charter process to broaden the study into a visioning process. Further, to direct staff to draft a proposed building moratorium in the height restriction overlay area.  
Young / Picinich – unanimously approved.

Councilmember Franich then made the following motion.

**MOTION:** Move that in conjunction with the charrettes, to come back with an ordinance to include the change to the four parcels from WC to WM for Council to consider.  
Franich /

No second came forward and the amendment to the motion failed.

Councilmember Ruffo made the following motion:

**MOTION:** To postpone or cancel the next two worksessions to allow the visioning process to take place.  
Ruffo / Young – Councilmembers Ruffo, Young, Dick and Conan voted yes. Councilmembers Franich and Picinich voted no.



John Vodopich clarified that the intent of the motion was for the July 6<sup>th</sup> and July 19<sup>th</sup> worksessions were postponed indefinitely until a recommendation could come forward from the visioning process. Councilmember Ruffo concurred.

Councilmember Picinich said that because the worksessions had been advertised, and that people may have not had an opportunity to give testimony as they were waiting for the two remaining worksessions, and that Council should continue with these meetings. There was discussion on the value of continuing the scheduled worksessions.

**MOTION TO RECONSIDER:** Move to reconsider the amendment to the original motion to cancel the remaining worksessions.  
Dick / Picinich – Councilmembers Young, Franich, Dick and Picinich voted in favor. Councilmembers Ruffo and Conan voted no. The motion carried.

**MOTION:** Move to continue with the remaining two worksessions.  
Picinich / Young –

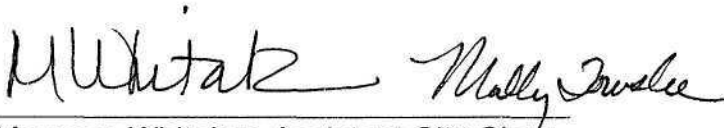
Councilmember Conan said that he valued public input, but in this case, it seems to be redundant as the same issues keep coming forward. He said that he is looking forward to the visioning time which will address these issues. Councilmember Ruffo spoke in favor of an expert facilitator to assist in the process. He said that he didn't see the benefit in continuing the process without a facilitator.

**MOTION:** Move to continue with the remaining two worksessions.  
Picinich / Young – Councilmembers Young, Franich, Dick and Picinich voted in favor. Councilmembers Ruffo and Conan voted no.

Councilmember Young stressed that during the upcoming worksessions, the citizens must be asked to keep to the agenda issues.

**MOTION:** Move to adjourn at 8:35 p.m.  
Ruffo / Conan – unanimously approved.

Respectfully submitted:

  
Maureen Whitaker, Assistant City Clerk  
and Molly Towslee, City Clerk