



CITY OF BAINBRIDGE ISLAND
DESIGN REVIEW BOARD
Regularly Scheduled Meeting Minutes
Monday, November 16, 2015 at 2:00 p.m.
City Council Conference Room
280 Madison Ave N
Bainbridge Island, Washington 98110

Call to Order (Attendance, Agenda, Ethics)
Approval of Minutes – November 2, 2015 Meeting
Bainbridge Medical PLN50366PRE Pre-application
Old and New Business
Adjournment

Call to Order (Attendance, Agenda, Ethics)

Chair Grainger called the meeting to order at 2:05 PM. All Design Review Board members were in attendance: Jim McNett, Chuck Depew, Susan Bergen and Peter Parry. City Staff present were Planner Kelly Tayara and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

A memorandum from Planning Director Kathy Cook was distributed. The DRB felt it was a good clarification of the application of design guidelines and extended their thanks to Director Cook via Ms. Rasely. They also asked that the memorandum be distributed to those who attended the meeting in which the subject was discussed. Ms. Rasely stated she would speak with Director Cook about its distribution.

Approval of Minutes – November 2, 2015

Motion: I move we accept the minutes.
McNett/Depew: Passed unanimously 5-0

Bainbridge Medical PLN50366PRE Pre-application

Planner Kelly Tayara presented background information on the Bainbridge Medical project citing its longtime existence as a medical clinic. Parking and the dangers of backing out of parking onto a busy street were discussed. The question of why there were three different representations of parking presented was brought up. Mr. Grainger asked whether parking was allowed in a setback. Ms. Tayara stated yes with a non-conforming use.

The applicants entered the meeting at 2:30 PM. Introductions were made and Mr. Brachvogel presented the design they were proposing stating they had been working on the design in the last week changing the entry points and providing landscape screening. New plan sets were passed out to each DRB member with a verbal description of siding (Hardi-plank) and roofing (metal) given by Mr. Brachvogel.

Safety of pedestrians and parking were discussed with deep concern about the intersection the building sits on and how to mitigate some of that danger. Mr. Grainger proposed that the DRB was prepared to go to bat for lowering the buffer amounts in order to facilitate a better/safer parking and pedestrian design on the corner of Grow Ave and High School Road. Discussion of how to proceed to accomplish that scenario ensued with a proposal to averaging the buffer to come up with the necessary 25 feet by pushing the bulk of the buffer footage against the building to maintain the average. Mr. Brachvogel stated he would e-mail new plans to Ms. Rasely this afternoon and she agreed to send them out to DRB members. Ms. Tayara asked that a couple of the DRB members meet with Director Cook to explain the logic behind the buffer averaging desired to overcome the safety issues. It was agreed the applicant would return for the December 7, 2015 meeting where the DRB would look at the site plan, landscaping plan AND the revision as discussed.

Old and New Business

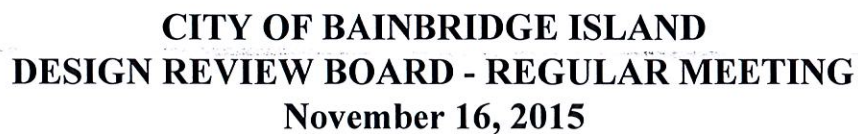
Mr. McNett brought up the proposed project behind the Harbor Square Condominiums on Ferncliff and the open house that would be happening that night. He stated he would report back about the project.

Adjournment

Meeting was adjourned at 3:38 PM.

Approved by:


Alan Grainger, Chair
Jane Rasely, Administrative Specialist



**Join
ListServ
Yes/No**

[illegible]

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Design Review Board

FROM: Kathy Cook
Planning Director

DATE: November 16, 2015

RE: Application of Design Guidelines

The purpose of this memo is to address questions raised by the Design Review Board (DRB) regarding the application of design guidelines which contain the word "shall." Typically, the use of "shall" in the zoning code or other planning documents is seen as a mandate that must be adhered to, unless the code offers some flexibility through the permitting process, such as a variance. The use of "shall" is often found in codified zoning regulations (for example, dimensional standards); however, design guidelines more typically use the word "should," which allows the reviewing parties more flexibility and discretion in applying the guidelines.

The City's Design Guidelines for the Ericksen Avenue Overlay District were revised in 2013 and the decision was made to convert "should" to "shall" in a number of instances to make the guidelines stronger and more enforceable. An example is Design Guideline SD3, which reads:

SD3. Ravine View Corridors: *On the east side of Ericksen Avenue from Winslow Way to 200 feet north of Wyatt Way (where the Winslow Ravine leaves Ericksen to cross under highway 305), the total of both side yard setbacks shall be at least 30% of the width of the frontage on Ericksen. Driveways may be in the setbacks, but the open-air view from the street through to the Winslow Ravine should remain unobstructed by buildings or fences.*

The DRB has asked whether the phrase "...the total of both side yard setbacks shall be at least 30% of the width of the frontage on Ericksen" precludes the DRB from offering any reduction in the side yard setbacks. A secondary question is if some flexibility can be granted, must the applicant submit a separate variance application.

Staff has discussed this with the City Attorney, who advises that the DRB can recommend a reduction in the side yard setbacks as part of their overall recommendation for the site plan that is forwarded to the Planning Commission and Planning Director, and that a variance is not required. Guidelines by their very nature are intended to be flexible. Indeed, the introduction to the adopted guidelines for the Mixed Use Town Center states in part,

Design guidelines are not intended to be like quantitative, fixed zoning standards. They are to be applied with an attitude of flexibility. Each development site and project will have particular characteristics that may suggest some guidelines be emphasized and others de-emphasized.

If the Design Review Board determines that modification of a design guideline that uses the word “shall” is warranted, their recommendation should include an explanation of why the modification is appropriate for that specific land use proposal and how it will contribute to its overall design. The Planning Commission and Planning Director (and in some cases the Hearing Examiner) will then consider that recommendation in their review of the overall project.

I hope this information is helpful. Please don't hesitate to contact me if you have additional questions.