



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Consideration of Briggs Village Master Plan Amendment - Hearing Examiner and Design Review Board Recommendations

Agenda Date: 1/28/2014

Agenda Item Number: 6.A

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Title

Consideration of Briggs Village Master Plan Amendment - Hearing Examiner and Design Review Board Recommendations

Recommended Action

City Manager's Recommendation:

Consider the recommendations of the Hearing Examiner and the Design Review Board. Allow limited oral comment as part of the review, and provide staff direction on preparing an ordinance for future action.

Report

Issue:

Whether the City should amend the Briggs Village Master Plan as requested by the applicant and recommended by the Design Review Board and Hearing Examiner.

Staff Contact:

Steve Friddle, Principal Planner, Community Planning & Development, 360.753.8591
Tom Morrill, City Attorney, Legal Department, 360.753.8223

Presenter(s):

Steven Friddle, Principal Planner
Bob Bengford, Makers Architect, Consultant
Tom Morrill, City Attorney
Parties that participated in the Design Review Board or Hearing Examiner process.

Background and Analysis:

The Hearing Examiner and Design Review Board have recommended approval of the applicant's proposed amendments for Briggs Urban Village Master Plan.

Attachment #1 is a table comparing:

- code requirements (OMC 18.05);
- existing master plan requirements (Ordinance 6229);

- the recommended amendments and net change.

In summary, the residential unit count remains the same at 810 units with changes proposed to the mix and location of these units (reducing the amount of residential over commercial). The biggest change is a reduction in the amount of commercial and office square footage of 129,000 Sq. Ft. (a 58% reduction from the approved 224,100 Sq. Ft. down to 94,985 Sq. Ft.). This reduction relates to a second amendment that would allow commercial buildings fronting on the village green to be single story building no less than 24 feet in height. The OMC provides that buildings fronting on the village green shall be at least two stories in height. A minimum height of 24 feet is the typical height for a two story commercial building.

These modifications were recommended for approval by both the Hearing Examiner and Design Review Board who found that they meet the design intent of the requirement.

Design Review: Because the applicant also proposed amendments to the Design Guidelines, it was determined that the Design Review Board's expertise is warranted in order that the Examiner and Council properly consider the entirety of the proposed amendments being requested. Therefore, following the same review process as outlined in the original approval (OMC 18.57.080 (A-G), the Design Review Board reviewed the amendments to the Design Guidelines.

The Design Review Board conducted public meetings on July 25, 2013 with a presentation by applicant and initial Board feedback; August 8, 2013 with staff/consultant analysis and Board direction provided on all aspects; and, August 29, 2013 presentation of revised proposed amendments with final Board direction and recommendation to City Council of approval.

The City retained Bob Bengford, AICP from Makers Architecture and Urban Design LLP to review the applicant's proposed changes to the design guidelines and to make recommendations to improve them. Mr. Bengford is regarded as an expert in the area of design guidelines and development regulations. Mr. Bengford's comments have been incorporated into the recommended Briggs Village Design Guidelines.

Significant changes in the design guidelines in addition to allowing single story buildings that are two stories in height (requiring a minimum of 24-foot exterior façade and 30 feet tall at the corners) include: 1) Providing for overall uniformity in concept and encourage diversity of building forms, materials and details. 2) Significantly revising the existing guidelines that lacked sufficient detail to ensure clarity for high quality development. The recommended amendments to the Design Guidelines provide significantly more specificity and detail to roof form, articulation, public entries, fenestration, weather protection, building materials and design, landscape, signage and utility services. Attached is the Board recommendation and amended Briggs Village Design Guidelines.

Hearing Examiner: Pursuant to OMC 18.57, the Hearing Examiner may not recommend approval of a Master Plan Amendment unless the Examiner determines that the plan complies with the requirements of OMC Chapter [18.05](#)

<http://www.codepublishing.com/wa/olympia/html/Olympia18/Olympia1805.html>, Villages and Centers.

The Examiner received the attached staff report (Attachment #4), presentation by the applicant (portion of the site plans are attached) and conducted an open record public hearing, accepting

written and oral testimony on Monday, December 16, 2013. The Examiner left the record open to Friday, December 20, 2013 for additional written testimony. On January 2, 2014 the Examiner's Decision to recommend approval was issued. In addition to the attachments to this report to Council, the entire Examiner's record is available in the Council Office for review.

Process - January 28, 2014 Council Meeting:

Limited Oral Comment: Tonight, Council will consider oral comment (testimony) only from individuals who previously presented information to the Design Review Board or Hearing Examiner. The comments must be limited to testimony and analysis of information and facts included in the record as established by the Design Review Board and Hearing Examiner. The Hearing Examiner's Recommendation and a list of persons participating in the Design Review Board and Hearing Examiner public record is attached.

Format:

1. Brief factual presentation about the application - presented by staff.
2. (10-15 minutes) Applicant initial presentation and oral comment.
3. (3-5 minutes each) Oral comment by presenters to the Design Review Board and Hearing Examiner.
4. (5-10 minutes) Applicant response.

Council may ask questions to any individual providing comment either during or after their testimony, thus actual testimony time may go beyond the time initially allotted that individual.

Following presentation and questions, Council may deliberate and provide direction to staff. Council may choose to deliberate at another publicly noticed meeting.

Neighborhood/Community Interests (if known):

There is support and opposition to the proposed amendments. Written comments are in the record and the oral comments presented at the Examiner's open record public hearing are summarized in the attached Examiner's Decision. Supporters generally want the commercial components developed and accept the applicant's proposal to reduce the commercial retail/office for this to occur. Opponents also want to see the commercial components developed by holding to the original development standards approved in December 2003.

Options:

The role of the City Council is established in OMC 18.57.080(D), as follows:

1. The Board's and the Examiner's recommendations, together, with any conditions, shall be considered by the Council at a regular public meeting within 30 calendar days after the Examiner's recommendation becomes final, unless the applicant agrees to a later meeting date.
2. Such consideration must be based upon the record established by the Design Review Board and the Examiner.
3. If the Council finds that the Board's or Examiner's recommendation is in conflict with the City's adopted plans, policies and ordinances; or insufficient evidence was presented as to the impact

on surrounding area the Council may:

- a. Deny the MPD application;
- b. Remand the matter back to the Design Review Board or Hearing Examiner for another hearing;
- c. Continue to a future date to allow for additional staff analysis desired by the Council;
- d. Modify the Design Review Board's and Examiner's recommendation based on the applicable criteria and adopt their own findings and conclusions, and deny or approve the Master Plan; or
- e. Schedule its own open-record public hearing.

4. If the Council determines there are no conflicts and sufficient evidence was presented as to the impact on the surrounding area, it shall adopt the Board's and Examiner's recommendation as their own and approve the Master Plan by ordinance.