

Alternative Design Review

For the

**MALLARD'S LANDING LOT 7 – SENIOR LIVING
FACILITY DEVELOPMENT**

CITY OF GIG HARBOR , WASHINGTON

Parcel No's:

4002770010
4002770020
4002770030
4002770040
4002770050
4002770060
4002770070

Property Owner:

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Date:

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<u>Table of Contents</u>	<u>Page</u>
I. PROJECT NARRATIVE	2
A. <u>Introduction-Conditional Use Permit</u>	2
B. <u>Site Description</u>	3
C. <u>Project Description</u>	3
II. DESIGN REVIEW CRITERIA	5

Exhibits

Exhibit A	EVA Access exhibit
Exhibit B	Site Survey
Exhibit C	Plan Set
Exhibit D	Legal Description

Mallard's Landing Lot 7 -Senior Living Facility

I. PROJECT NARRATIVE

A. Introduction

The proposed project includes construction of a single three-story Assisted Living building with daylight basement, along with surface parking, and associated site landscaping and pedestrian amenities. The proposed building will house 83 living units. 12 of the units will be dedicated to Memory Care and the balance will be licensed as Assisted Living but may accommodate Independent Living according to market demand.

Vehicular access is proposed via two new driveways. One on the south east portion of the site connecting to Wagner Way and one on the northern portion of the site connecting to 72nd Street NW. Surface parking is proposed along the west side of the proposed building.

The property is located in the Mallard's Landing Large Lot subdivision, and subject to a Annexation and Concomitant Zoning Agreement adopted by City Council Resolution No 398-ANX 91-07 , originally recorded June 4, 1995 and updated August 22, 2001. This concomitant agreement designates Assisted Living Facilities as a Conditional Use. The underlying zoning is RB-2 which also treats Assisted Living as a Conditional Use.

B. Site Description

The project site is approximately 4.46-acres and is located on the south west corner of the intersection of 72nd Street NW and Wagner Way. The site is bordered as follows:

- To the north by the 72nd St. NW and the proposed Dogwood Plat property. *
- To the west by "Legacy Residential Plat" .
- To the east by a strip of wooded, undeveloped open space tracts between the subject parcel and Wagner Way, with such tracts part of the Mallards Landing Lots 5 and 6 lying east of Wagner Way, under the ownerships of One Mallards Landing LLC, HNP Development LLC and David Warren Properties LLC. These properties are occupied by two commercial buildings and The Lodge Independent/Assisted Living facility.
- To the south by the existing Rush Companies office building.

** Owned by Rush Residential, is currently anticipated to build out the infrastructure in 2019-2020.*

(See Figures 2 – Vicinity Map and Figure 3 – Site Plan)

The site is currently undeveloped. The site was previously cleared years ago under grading permits in anticipation of building the six (6) small retail/office buildings. However, that project never proceeded due to the 2008-2010 downturn of the national economy. The current site is generally vegetated with grasses, brush, Scots broom, dense growth of blackberries and some trees.

The 4.46-acre parcel is generally irregular in shape and measures approximately 215 to 315 feet wide (east to west) by 630 to 715 feet deep (north to south). The site is located in the central portion of the Gig Harbor glacial upland area. The site generally slopes down from northwest to southeast. From the west, the site slopes down to the southeast at about 10 to 30 percent. The east portion of the site slopes down to the southeast at about 5 to 10 percent. Total topographic relief across the site is on the order of 55 feet. The existing site topography and configuration is shown on Exhibit 'C'.

There are two small Category IV wetlands along the east portion of the site. (See Exhibit 'D'). The natural drainage swale existing on the neighboring open space tracts abutting the subject property (see as described above) runs into and out of these small wetlands. The wetlands have been established with 50-foot buffers for this project with an additional 15' setbacks to any structures. A wetland report is submitted with the SEPA application package for this project.

C. Project Description

The project site is located within a City of Gig Harbor's RB-2 zoning district. As such, an assisted & independent living facility is allowed within a RB-2 zoning district under a Conditional Use Permit (CUP). In addition to submitting a CUP application for the project, the City of Gig Harbor project approval process requires the initial steps of submitting a Master Site Plan Review (MSPR), Design Review (DR) and SEPA applications for this type of project.

A Binding Site Plan (BSP) was previously recorded on the property to provide for the construction of six (6) smaller retail/business buildings on the site which were never built. Under the current BSP, the site is made up of seven (7) separate parcel number representing the proposed six (6) building and one open space tract. These parcel numbers include:

<u>Building #</u>	<u>Parcel #</u>	<u>Address</u>
7A	4002770010	6916 Wagner Way
7B	4002770020	7012 Wagner Way
7C	4002770030	7046 Wagner Way
7D	4002770040	7082 Wagner Way
7E	4002770050	7124 Wagner Way
7F	4002770060	7166 Wagner Way

With the proposed independent/assisted living facility project, the existing BSP will be amended to revert the property back to once single lot upon which the independent living facility will be built. The BSP amendment application will be submitted simultaneously with the CUP, MSPR, DR & SEPA applications for the project. Once approved and recorded the above parcel numbers will be replaced with one parcel number for the site. The current legal description for the site is provided as Exhibit 'A'. A vicinity map is included as Exhibit 'B'.

Upon completion of the CUP, MSPR, DR, SEPA & BSP amendment process, and Hearing Examiner's decision, a Commercial Building permit, civil grading and utility construction permit, NPDES will be applied for.

Additionally, since the project will include an Assisted Living and Memory Care component, it will be required to be reviewed and licensed by the Washington State Department of Health.

1.1. Project Overview

The proposed project includes construction of a single three-story building with daylight basement of approximately 94,680 SF of Type V-A construction and will have automatic fire sprinklers throughout designed according to the National Fire Protection Association. The building will be a senior housing community serving independent active adults and those needing various levels of medical assistance (Independent and Assisted Living). The proposed building will house 83 living units. 12 of the units will be dedicated to residents with Dementia and Alzheimer's, collectively called Memory Care. Licensed Memory Care facilities have special program requirements to ensure resident safety and security. The Memory Care wing will be segregated from the rest of the population, and will be located on the basement level of the project with a secure outdoor courtyard/recreation space overlooking the greenspace to the east.

The site includes surface parking for 53 vehicles, loading and services spaces, and associated site landscaping and pedestrian amenities. Total impervious area proposed is approximately 70,725 SF or 36.4%.

The remaining 71 units will be designated for active senior adults with varying needs of assistance, or Levels of Care. These units will have limited kitchen and laundry facilities. In order to provide the most operational flexibility, all the units will be licensed with the Department of Health as Assisted Living, but may be leased to fully Independent Seniors or those with specific assistance requirements, according to market forces.

The facility will provide a variety of services customary a seniors community, including, but not limited to: Prepared meals, congregate dining facilities, exercise and fitness facilities,

salon and spa services, game room, tv/movie room, laundry service, transportation service to surrounding shopping and church facilities, etc. The facility will be designed and operated in accordance with the definition of “Assisted Living” and “Independent Living” in the Gig Harbor Municipal code as follows:

“Assisted living facility” means a multiunit establishment which provides living quarters and a variety of supportive personal care, limited health care, housekeeping, and transportation services to individuals who are unable to live independently due to infirmity of age or physical handicap, but who do not need the medically oriented care of a skilled nursing facility. Individual dwelling units are of a barrier-free design with separate bathroom facilities and a mini-kitchen without range. Communal areas include a dining room in which three meals per day are served, social and activity areas, laundry facilities, and open space. Assisted living facilities are licensed under Chapter [388-110](#) WAC. (Ord. 990 § 2, 2005).

“Independent living facility” means a multiunit establishment which provides living quarters and a variety of social, housekeeping, and transportation services to senior citizens who choose to live in a congregate setting. Individual dwelling units are of a barrier-free design with separate bathroom facilities and may contain a full kitchen, partial kitchen, or no kitchen. Communal areas include a dining room in which at least one meal per day is served, social and activity areas, laundry facilities, and open space. (Ord. 990 § 3, 2005).

II. DESIGN REVIEW CRITERIA

The project was initially intended to comply with the prescriptive requirements of the Design Review Manual, and an active Major Site Plan; Binding Site Plan; Conditional Use; and SEPA application were submitted in January of 2019. A number of review comments were received, and we are in the process of responding to these comments. We feel that the design meets, or can be adjusted to meet the majority of the concerns raised in the review through prescriptive compliance, however we are struggling with understanding and complying with two sections of the Design Manual.

1. Section 17.99.380.B – Prominent Facades:

Although we feel we meet the intent of section 17.99.380.B as it relates to building massing and modulation for “prominent facades”, we cannot meet the letter of the design requirement. The issue was discussed in a Pre-App with the Design Review Board on November 7, 2019. There appeared to be general consensus that given the scale of the building, the dimensional modulation required by 17.99.380.B, would lead to excessive modulation that might actually be counter to the intent of the code. While not meeting the

letter of the code, the design appears to meet the spirit or intent. The DRB requested that we provide enlarged elevations of one or two sample areas of the façade.

Applicability:

The Gig Harbor Design Manual contains the following definition. *“Prominent Façade
Prominent facades include all building facades visible from waterways, public rights-of-way, or from any customer or client parking or pedestrian area within a defined activity center. Prominent facades also include facades which face the road(s) providing primary access to the building’s site.”*

The North and South facades meet the modulation requirements of for “Prominent Facades”

During the November 7th DRB meeting, there was some conversation regarding the applicability of the “Prominent Façade” language to the East and West facades. After some discussion, the general consensus was that rather than debate the applicability of the provision, we should submit the design to request a deviation from 17.99.380.B.

It is our understanding that the intent of this section of the code, is to assure that the building expresses strong modulation to avoid exposing long, uninspired building planes to the public. When a building is screened to the extent the modulation is unreadable or inaccessible from the locations in the definition, it’s unclear if the definition should be applied, and what would constitute sufficient screening for planning or the DRB to take that position. The design appears to meet the intent of the code, if not the letter of the code.

Application:

Our understanding is that the building massing must contain modulation at a rate of 10% of the entire length of the façade with no more than 80’ of the building length between each change in modulation. For an approximately 360’ long building, this would require 36’ steps in the building. Because our building is on a narrow site, and we are attempting to work as seamlessly as possible with the natural topography, our building contains several angles. In addition, the code does mention that the change in modulation can occur at 6’ intervals, but it is silent on a condition where the modulation is formed by angles and other stops in the design. The modulation gained in the angles of the building helps blend the building into the natural topography better than a compliance with a strict reading of the code of creating 6’ intervals in the stepping of the building, the result would be to create a “sawtooth” elevation, that would be visually distracting and would not benefit the building or the public. Similarly, 36’ deep steps in modulation would create a busy and distracting façade in relation to the natural slopes of the site. Given the size, scale, and irregular shape of the building, we are requesting a deviation from the standards in 17.99.380.B.

Alternate Design Review:

The East and/or West facades are determined to be “prominent facades”. We cannot bring the design into prescriptive compliance and are requesting approval of the deviation under Alternate Design Review, and seek the Design Review Board’s approval.

1. 1. The alternative design represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements;

The proposed design better aligns with the intent of the 17.99.380.B than it would if we were to comply with the strict letter of the requirement. The size and scale of the building would trigger modulation depths that would be disproportionate, and actually make the building too busy and distracting.

In addition, the long narrow shape of the site, topography, and development constraints created by the buffers and wetlands do not lend themselves to a design at perfect 90 degree angles. Rigid application of the requirement would lead to a number of undesirable effects, and would counter other requirements of the Design Review Manual.

- a. There is a choke point in the site. Forcing a 36' bay or change in modulation on both the East and West facades, would force the building +20' closer to the single family to the West. It would also pinch and disrupt the parking, forcing most of the parking to the far south end of the site. The pinch would be so dramatic, that it would not be possible to get a vehicle turnaround or functional Porte Cochere in the building. The site would become disjointed both visually, and functional, as the protruding wings cut deeply into the drive aisle and parking areas.
- b. Modulation to the East or West would contradict the intent of GMC 17.99.370.A, which requires the building to work with the natural topography. There is consistent slope across the site from West to East. Currently the shape and stepped daylight basement design of the building work optimally with the changes in topography. With the exception of the detention vault, the cut and fill are balanced. Artificially forcing significant modulation in the East and West would have a negative impact on the building by creating an imbalance in the cut and fill, and resulting in sections of the building significantly below grade, or raised above the grades to the East.

2. The alternative design meets the intent of the general requirements of Chapter 17.99 GHMC, Design Manual.

The intent of the design manual is to prevent long, blank, uninspired facades from public view. The only requirement we may be unable to meet is that of 17.99.380.B, related to "prominent façade" modulation. As previously noted, the required depth of the modulation would be disproportionate given the size and scale of the building, and become visually distracting. The proposed level of modulation is more appropriate to the buildings scale. In addition,

- a. The building is heavily screened from the East and West. To the extent it may be visible from some areas, it will be difficult or impossible to read the modulation from those perspectives. The angles of the building also help meet the intent of the code, whether or not they meet the letter as the code is written. Note that our roof, does meet the requirements for modulation.

- b. Strict application of the code would violate other requirements of the Design Review Manual, and lead to a less functional and visually aesthetic site layout due to the slope, shape, and size of the site. In addition to directly contradicting GMC 17.99.370.A and 17.99.240.C, there may be additional awkward conditions created by forcing a prescriptive interpretation of modulation on the building.

2. Section 17.99.240.C – Maintain Natural Topography:

We cannot meet the requirement of section 17.99.240.C as it relates to the limitation that site retaining walls not exceed 6'. Our original design did manage to limit wall heights to a maximum of 6', however the fire department has requested that we provide a fire access lane extending partially around the rear of the building. We have competing requirements between the request for a fire access lane, modulation requirements in the design manual, as well as minimum building widths to maintain a functioning structure. There is simply no way to get a fire access lane behind the building without allowing some portions of the resulting retaining wall to exceed 6'.

Applicability:

The Gig Harbor Design Manual contains the following language. *“Maintain natural topography. Buildings and parking lots shall be designed to fit natural slopes rather than regrading the slope to fit a particular building or parking lot design. Cuts and fills on a site shall be balanced and finished grades shall not include any retaining walls that exceed six feet.”*

The stepped design of the basement level, and the cut and fill of the site are close to balanced. Given the slope across the narrow dimension of the lot, and the competing requirements, we cannot get fire access to the rear of the building without a limited portion of the resulting retaining wall exceeding 6'.

Application:

We have added a retaining wall to support the fire access lane at the rear of the building. The wall transitions from 0' to 13.5' in height, before returning to a previously proposed wall at just under 6' in height. The wall is partially screened from the East by the vegetation on the site. Additional planting will be done at the base of the wall to further screen it from view. We are providing several options for the wall finish for the DRB's input and/or approval.

Alternate Design Review:

1. 1. The alternative design represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements;

The wall is necessary for life safety in allowing us to bring fire department access to the rear of the building. The site is so narrow that in order to meet the building and fire departments requirement, our only other option would be to significantly reduce the modulation of the building, which would have far more significant impacts on the character of the design. It should be noted that given the slope and the narrow site, even a reduction in modulation would not necessarily result in reducing the necessary walls below 6'.

2. The alternative design meets the intent of the general requirements of Chapter 17.99 GHMC, Design Manual.

The intent of the requirement is to achieve the following. 1. To assure that large blank sections of wall not be an eyesore. 2. To assure that designs are working with the natural topography. We are proposing both materials and screening to minimize the visual impact of the wall, to bring it into compliance with the intent of the code. Between the existing and proposed landscaping, the visual amount of wall will be in close alignment with the maximum wall height. We are selecting a finish that we feel will work with the existing architecture and will visually enhance, rather than detract from the built portion of the site, meeting the intent of the Design Manual.

The building design makes significant efforts to work with the natural topography. The cut and fill is close to a balance, and the site design is sensitive to the slope by stepping the grade transitions with smaller walls, and through steps within the building. Given the size of the building, the taller wall is proportionate to the overall scale of the building and site, in alignment with the Intent of the Design Manual.