

**MINUTES**  
**Nye Beach Design Review Overlay**  
**Ad Hoc Work Group Meeting**  
**Newport City Hall Conference Room A**  
**Wednesday, July 9, 2014**

**Ad Hoc Members Present:** Kathy Cleary, Jody George, Don Huster, Michael Franklin, and Wendy Engler.

**Ad Hoc Members Absent:** Karen Wilson.

**Planning Commission Liaison Absent:** Jim Patrick (*excused*).

**City Staff Present:** Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

Tokos opened the meeting at 10:31 a.m.

**I. Review existing architectural guidelines and how they have been applied and discuss their adequacy to identify questions or concerns for an independent design consultant to consider in evaluating the guidelines.** Tokos said that the purpose of this meeting is to review the existing architectural guidelines, which the members had received copies of. He wanted to walk through those guidelines in an overview manner and then work into a discussion about the adequacy of the guidelines. Then he will work that into a list of questions to forward to an architect who will take a look at it. Then, having the benefit of reviewing the guidelines and the questions, the architect will come in and sit down with the group and share their objective of where they think we should go with the guidelines. They will take that conversation and adjust their thoughts accordingly and put it into a memorandum with recommendations. Franklin asked what that will cost the City. Tokos said as it notes on the back of the letter, the proposed fee is \$2500. He noted that in the Community Development Department budget he has funds for professional services to cover that.

George said that she didn't know this person but knew that Engler had mentioned some people. Tokos said that he had talked with SERA and had been directed back to them by other folks. Eric Ridenour will be the lead on this project. Tokos said that SERA is a multi-disciplinary firm. He said that they did a number of projects where they worked through design standards in Portland for example. Ridenour was a lead designer in Wilder and the concept planning for the Marine Science Drive round about design. George said but he's talking about an undeveloped area with new contemporary development. Tokos said he is talking about Newport examples of their work. SERA has extensive experience working through Portland's design standards, which are very extensive. He said that if we are going to have somebody look at these standards, it would be helpful to have somebody with the experience of working with design guidelines do that. SERA also noted in their letter that they will have Ridenour tap into other resources they have in their office. Ridenour will be the lead person but has access to all of this other expertise in SERA's office. Engler asked what small towns SERA has worked with. Tokos said Newport; there are others, but he doesn't have the list. Engler said that in her recent travels she has seen several small towns lately that have all been revitalized. One was in eastern Washington and used to be nothing. She said Carlton, Oregon is a great example. All three of these towns she is thinking of have design overlays. Engler noted that the planner in Carlton said she worked with a TGM grant and Scott Segel, who is also familiar with Newport, and was impressed with how he brought people together. Tokos said that Scott Segel is a planner; and his name also came up in different discussions.

Tokos said this is a very narrow scope of work strictly focused on the architectural aspects of the guidelines. We are not drafting a code; that would be a different scope of work entirely. When you are putting guidelines together from scratch, and a number of these jurisdictions have done a full-out revisioning of their downtowns, there is a pretty significant code aspect. The scope of this work would provide targeted recommendations for how the architectural standards can be improved based on the feedback from this group and SERA's evaluation as a professional architectural firm. He said if after that it looks like there's a need for a more significant code update, it would have to be determined if we want to do that in house or use outside resources for that. George said that her concern is that who we work with really has some understanding of a neighborhood like Nye Beach. Experience with Wilder doesn't help her understand how that will help this person in working with Nye Beach. Franklin said to think of the horrible neighborhoods in Portland that have been turned around. George said that a lot of people don't feel that way. She hopes to avoid that Nye Beach will look like another neighborhood; she wants it to look like Nye Beach. She said it's a tricky fine line to keep things progressing and progressive but not lose the character. She said it leaves her feeling not really confident that this person will hear what we are trying to say. Huster said these people are experienced in going through the process. They can guide us and make recommendations through the whole process; not redefine the whole neighborhood. George said that she would like somebody who understands what most of us would like to see. She said having somebody who can read the letter of the law but not relate to where we are coming from concerns her. Tokos said that their relating to you is incumbent upon this group outlining what your concerns are with the existing guidelines. Anybody is not going to know where you want to go unless you articulate it. Tokos said in talking with persons in this profession, he found that there are not a whole bunch of

firms that specialize in design guidelines for small towns. So what we want is a firm with multi-discretionary focus that can work through design issues in communities that are small, mid-range, and large like Portland. SERA is one that does that. The resource we are getting through SERA is that these folks have experience with design guidelines and can talk intelligently about them. They know there's different context and have an understanding that they aren't the same in all locations.

Engler asked Tokos if he is offering SERA as the only option. Tokos said that is what he is offering as an option. He said we don't have anything specifically budgeted for this. The City Council didn't say we want "x" amount budgeted. He is taking it out of the department's personal services line item to keep the process moving along. We don't need to get bogged down. He said that SERA is an excellent resource. Tokos said the concerns were about the architectural standards; so we bring in an architect, not a planner, and not a citizen living in the area. Engler asked if this went out for bid. Tokos said it's only \$2500 and didn't need to. Engler asked what we are going to have them do. Tokos said in this proposed approach, they will review these guidelines and the list of questions and concerns that you put together and how they are working or not. They will take into consideration that list of concerns in reviewing this document. They will put together recommendations where you may want to focus on making adjustments. They will come out and meet with you, share their observations, and take your feedback. They will put together a memorandum with some suggestions for areas to target for adjustments in the design guidelines. Huster said they will help us through the thought process. Engler asked what other projects SERA has worked on that are similar to ours. Tokos said there is a range of them. He can ask them to provide a list of references. They are a firm that has done a lot of work with design guidelines. Engler said that she would like to see some other options; Scott Segel maybe, and there are a number of other contractors who work with small towns. She said she's uncomfortable saying let's do this. Tokos asked what it is about their qualifications that would make her not want them doing this work. Engler said she hasn't seen their qualifications for working with historical neighborhoods or with beach neighborhoods to strengthen their character; they have worked with urban neighborhoods. She said the Pearl District is all about huge buildings and converted warehouses. She wondered what they have done with small communities. Huster said it's more about managing the process. He said an architect has to be like a chameleon and help and guide a client to a satisfactory result because all little towns have different goals. George said that you wouldn't hire someone who builds skyscrapers to design your home. She said you have to have someone who relates to what you are doing. Her feeling is that they need to have some experience with small town projects. Tokos said he is happy to ask SERA; they do have that. He will follow up with that. They have that background. Tokos said we are not prepared to do a full RFP. This is a work group to provide feedback to the Planning Commission. There wasn't anything by the City Council this budget cycle for revisiting the code. The scope is just for managing the current guidelines. We have to be careful. The review is targeted on the guidelines. We don't need a planner. Tokos has plenty of experience on design guidelines; but he is not an architect. We should probably bring in somebody who is an architect. George said, but you wouldn't have an architect who just builds skyscrapers build your 3-bedroom 1800 square-foot home. Tokos said that SERA has this experience; and he can have them provide it so you have that background. He said this firm has done extensive work in communities in design guidelines. He is not too concerned about that one. Cleary said if we don't like what they say, it doesn't mean we are locked in. Tokos said it is a piece of the process. Cleary said she doesn't particularly like it until we see what they have done in Portland and what kind of neighborhood work. She said we can give them a chance. If they don't get the concept of a historical neighborhood; we're not locked in. Tokos said the group is not locked into their recommendation; nor is the Planning Commission. He noted that the group wanted someone with architectural experience to field your questions.

Franklin said that maybe we should come up with what is the Nye Beach design that you are trying to maintain; we don't know what it is. There is a bunch of stuff. George said that it is here; the guidelines talk about it. It is in here; but whether it's as clearly as it should be or accomplishing what it should is the question. Tokos said it talks about what Nye Beach historically has been and what is in the Comprehensive Plan. He read from the guidelines: "a collection of cohesive architectural resources and landscape elements which reflect a working-class neighborhood. The area consists of wood frame buildings, 1 to 2 ½ stories in height." He noted that it talks about the architectural character and then moves into landscape aspects. It does provide parameters. Engler said she would like to see actual guidelines and standards that reflect that. Tokos said that is what we want to capture in terms of questions and concerns so that SERA can take a look at this. Then as a multi-discipline firm they will determine how this really meshes or not and get you some feedback.

Cleary asked what you want Nye Beach to look like in ten years. She said we haven't really addressed that. What is our vision for Nye Beach in thirty years? She said if we are reviewing the guidelines, the part that Tokos read is not being adhered to. Engler said even trimming the windows as much of the old ones do gives a historical look. She sees things other towns have done in their historical design overlay. It always increases property values. Huster asked what the vision is for ten to twenty years down the road. This should feed into that. Has that vision been articulated? George said it's somewhat right there; but it's not always enforced to unfold that way. Tokos said he didn't think the guidelines were drafted that way. It was so there was flexibility. There was a range of options from folks that you may not agree with. When you read through the guidelines, they are flexible. They talk about elements that can be incorporated; not "musts." He said when you look at Sisters; it is a "must." They have a very consistent theme. There's no flexibility there. It's very consistent-looking. Engler noted that it's only the commercial property. Tokos said if it's set up to be very specific, that will have "shalls" all over the code. Then it's do you hit these things or not. Our guidelines are not set up that way; it's, here's a range. Huster asked if the code had flexibility way back when. George thought there's just more possibilities in building these days. They were more cohesive because of limitations in

finances and materials and how long things last here at the coast. Engler noted that the Historical Society has photos of what Nye Beach looked like in the past. She noted that when we started the overlay in 1994, Mike Shoberg did preference surveys. When the original guidelines went into effect in 1997, they were really flexible. They were always supposed to be and not dictate. It was just to reflect the history in the narrative. John Painter didn't like them, and Mayor Mark Jones was happy to get rid of those because it was considered takings by many people. Then out of a design book, James Bassingthwaite wrote the guidelines to be clear and objective because people felt it wasn't clear. Engler said we needed a lot of help to start. It was a bold experiment intended to protect the character of the neighborhood. She said they did need to be clear and objective standards.

Franklin said that he feels this group is bringing their personal architectural opinions to the table. He said we all have our own opinions on what we find appealing. On the whole we can't tell someone they can't build something because we don't like it. He said looking at the pictures distributed at the last meeting, on page 7 is the new McEntee building. The building sides are completely flat, it has front gables, some round windows, and recessed decks with alcoves below. It has block work, which is durable for this climate. On page 11 is the Overlook building, which is very similar. It has a similar height at 39 feet as compared to 35 feet. You have square sides, a fire wall, and recessed decks on top. He said that was appealing to the majority of this group. George said it is acceptable because the square footage is so much smaller than the McEntee building; taste-wise, no. Franklin asked if that would be acceptable now compared to the little tiny house that was there before. Engler thought it is too large. Franklin referred to the photo on page 9 of Nana's originally, which was the Italian restaurant, compared to what it looks like today. He said just because of growth, you have to do that; and the feel of the street will change completely. He asked if that's acceptable. He said that he finds it fine. He thinks there's nothing wrong with the current overlay. Huster thought it now looks better than the original Nana's building. Franklin said that the tea shop already remodeled and is 3 ½ stories tall and is part of the Nye Beach area. Engler said but that house doesn't cover the whole lot. Franklin said he meant the tea shop next to the Sand Bar. That is huge mass and is completely acceptable to the area. He thinks it looks fine. He wondered if now you are going to tell people next to them that they can't build up. They already went high. The Sylvia Beach and the Greenstone Inn are part of the look and feel of Nye Beach. It was acceptable when the Panini building was built and when the Overlook was built.

Huster said there was a conscious decision made for having C-2 in this core and more residential out from there. George said she thinks there always will be evolution; but it comes down to scale. She loves the little cottages Huster built. That's how she perceives Nye Beach from her childhood. Huster said those are a little out of the core area. George said she wishes they were in the core. Huster said again that gets into the practicality of economics. George said when you put things into large scale, they look like they could be on Hawthorne. It makes that neighborhood in Portland not feel like itself; and it makes Nye Beach not feel like itself. She said it's scale. Cleary said when you look at Niki's building, it is giant. In her opinion, it's too tall and doesn't fit into the neighborhood. Mass and scale are her big concerns. It needs to be part of the neighborhood it is in. Huster asked if she is thinking that there is a commercial area and a residential area. Franklin said there's not a lot of commercial area down at the actual core of Nye Beach that will build as large if you are asked to accommodate for off-street parking. Cleary said just because you pay too much for a parking lot that in order to get a fair return you put a big building on it is not fair to the neighborhood. She said Huster hasn't heard the complaints. She said they don't come with complaints to Huster because he is the builder. She said he doesn't hear the negative comments like she does when people come into her store. George said it's not that they don't like the building. It's just that they ask what that is doing here. Franklin said he never hears anything. He said you get what you seek out. George said that the Nikki building had to follow design review, but it seems too tall to have done that. That may be because it's on one lot. If there were a big building next to it with a driveway between, there would be some break in the mass. Huster asked if that is in C-2. Engler said it was spot zoned. Huster said the core area is the business area, and you do need larger mass there. Maybe we should make the suggestion as a group that as the distance goes out from the core, the mass needs to come down. George asked who's to say this won't all be rezoned. There is the potential of Coast Street not being R-4 and becoming commercial. She said for Nye Beach as a unit, scale is going to be what takes the neighborhood down if we don't be really careful. Regarding scale, Huster said you could continue to have the core area where you want density and mass; then as you go out, it goes down. That is what he has heard from other architects and planning professionals. You do want to get a critical mass of buildings together because it adds to the vibrancy of the area. There are people who do want to live in condos in the middle of it. Cleary agreed that in the commercial area you do want the mass of buildings; you don't want missing teeth. That is important. She said scale is maybe what we are talking about more. The height of buildings; not so tall. Cleary said Franklin is not affected by Archway Place. Franklin said something could be built across the street from him, and he would understand the difference. Cleary said he didn't know how that would feel. She said it would completely block his sun and would change the feel of the Chowder Bowl. Franklin said it would change the feel, but he would swallow it and move on. He said that is how it is and what is acceptable. Cleary said that she could have bought the lot that Archway Place is on. She added that it went through several buyers, and Huster paid an arm and a leg for it. She doesn't feel it should be to the detriment of the neighborhood. Huster said that is an opinion, and not everybody feels that way.

Franklin said he will not be a part of changing the rules to dictate your personal opinion on what Nye Beach should be. A broad scope allows people to work in what they feel their property dictates to them. He said there are personal issues on each and every property down there. Just to come up with hard and narrow rules will hurt the area. Cleary said she is not talking about hard and narrow. In the minutes from the City Council meeting, people were concerned about the scale. Everybody said we have to get a handle on the scale. They were concerned about future building in Nye Beach. She said that's not just the opinion of three

of us at this table. She said this came from people outside of Nye Beach too. They do not want to see another Archway Place. They have that right. She said it is our job to make sure that doesn't happen; if we lower the height by ten feet, if that's all we do, to keep it from happening again. George said Archway Place is a very nice building; it's just too much. It is two buildings. Two buildings that look like one. Franklin asked if Sylvia Beach Hotel would be able to rebuild. That is original Nye Beach. Cleary said she thought they could. Engler said the Sylvia Beach Hotel footprint is nothing like Archway Place. As she mentioned at the previous meeting, it has an east/west orientation; and it doesn't block the sun because it's on the cliff. She said if you look at the Overlook on page 10, it completely blocked the property behind it. Huster said if somebody is behind George's property, they would be affected. George said as a conscientious neighbor they left a view way down the street. Engler said that she thinks it's a takings issue for the property behind the Overlook because her view was taken. Tokos said this is the way it is. Nobody is entitled to land use right over somebody else's property unless they have purchased it; that's on the ground or in the air. He said view easements are all over the place; but you have to acquire those. Then you control whether a 50-foot building is going to happen. If you don't have that view easement, zoning allows a 50-foot building and you lose your view. You never had a right to it over another person's property. Cleary said that she had the restriction on her property off the Bay Road that her trees couldn't block the view of the person up the hill. It can be included in CC&Rs.

Engler said that she agrees with Franklin that we shouldn't be putting on our own opinions. She would love to have the neighborhood weigh in. They did in the City Council minutes. She thinks it is a matter of scale. Tokos said that is what he heard from prior meetings. When we move into architectural stuff, having an architectural firm look at what can be done in terms of treatment and provide clearer standards. When it gets kicked to the Planning Commission for review, they know what they are evaluating against. He said if we can just start to get at this; then at the end of the day if you're not comfortable with what comes back and you can't go with 50 feet, maybe you have to cap it at 35 feet. That is something you make of record. You should take that step. We have thresholds, but maybe they need to be adjusted. What he is clearly hearing is that the existing thresholds of when it kicks to the Planning Commission, the 100-foot uninterrupted length and above 35 feet in height in the commercial zone, need to be looked at to see what can be done to ensure the architectural treatment is consistent with what the purpose of the design guidelines are. Engler said that she didn't care about the architecture; she cares about mass and scale. She said you can't do anything to make a large building look smaller. Tokos said that's why we have an urban design architect that deals with this on a daily basis address what we can do to make this fit. Again, Engler said you can't make a large building look small. Tokos said yes you can. Tokos said look at a 100-foot uninterrupted building as opposed to a building with a lot more changes in detail; more recesses, maybe the roof broken up. Engler said that's an architectural way. She realizes about step backs. But that's her opinion. George didn't think it was just Engler's opinion. The issue is scale and how to defer it so it doesn't become too much. George said a question she would pose to the architect is what if a person wants to build two buildings to go past the 100 feet; but both buildings match. Then you have much longer than a 100-foot stretch. That is a big, long space. She wondered if there is a way that can be written into this. Tokos asked if the 100-foot allowance is too generous. George said that is one question; but what about two buildings side by side that look just like each other. She asked if that can be written in. But she agrees that it definitely is a question if the 100-foot building length is too long. Tokos said he can ask SERA the question of how to build in mass where you have a 100-foot building next to another 100-foot building. George said that if you look at her building, the Overlook, and Nana's, they are all distinctly different buildings. Even though you have a 300-foot run, it doesn't feel like it. She wondered how you write that into the ordinance. Cleary said for example on Archway Place if it were open where the cutout is to the parking, if there were recesses, balconies, different colors, and that kind of thing. George said they were supposed to be two separate buildings so they weren't attached. Huster agreed that even different colors visually breaks things up. George agreed that even though you have a repeating pattern, you don't have the sense of huge scale.

Cleary had a question about how height is figured. She said looking at Niki's, the driveway goes up to the back of the house, but the street front is four stories. She asked, do you take the average of the four corners? She asked if there is a way to change that. Tokos said there are other ways of measuring. But there are many ways that you can influence height architecturally; and those that want to stay under that height will utilize those. He said we could do peak height. He said he doesn't know if height is so much the issue. Even if you go with a different way of calculating height; people will manipulate it. They will adjust the architecture to avoid the height to keep from going to the Planning Commission; and we will get goofy-looking structures. Franklin asked about the height of Niki's. Tokos said we would be measuring into the roof; we would be looking at the main structure. Engler said on page 11, it says the Brusselback building is 39 feet, which would be the same as Niki's. Huster said maybe the four-corner rule would make it come out to that. Franklin said the calculations would be done off the plans. Cleary said that not everybody sticks to the plans. Franklin said it depends on the finished grade. Tokos said we very rarely have a situation where they don't adhere to the plans. He said you don't get out of a photograph the finished grade. The Brusselback building is not at street grade; it is below. It is measured from the finished grade adjacent to the building up. The Brusselback building is already below street grade. Franklin said the McEntee building is at grade and is about 35 feet. It might have looked better if it had a variation in roof pitch; but that might have put it before the Planning Commission. George agreed that we want to be careful what we write into the rules so that goofy things don't happen. Engler thought the roof pitch is supposed to be 5:12; but thought the McEntee building was 4:12 and didn't meet the minimum. Franklin said that could be 5:12. That would have been reviewed by the City; and they are not going to change.

Engler said whatever consultant we hire, we should go over these pictures with them. Tokos said this would be the Community Development Department hiring this individual to answer the questions the group has. We are not opening the RFP for the Ad Hoc group to sit down and discuss the whole thing with them. He said what we are after here is generally we would like their feedback as to whether the standards can be improved to more effectively implement the objectives or purpose of the district as articulated in the guidelines. Specifically there is concern about larger massing; the 100 foot or more building size, the over 35 foot height size. When dealing with larger ones, particularly going to the Planning Commission, what can be done to reduce the visual impact of large massing? What can be done in the standards to ensure you don't have a compound effect of multiple large buildings undermining the guidelines where one might be fine, but four right next to each other compromises the character? Franklin asked how the City is able to tell one person yes you can build to that size and tell another they can't. Tokos said that you use your guidelines to ensure that. To avoid that, you have to provide separation between the buildings or some type of relief. That may mean one can't build to the property line where the other did. There are things you can do to reduce that. Maybe an emphasis on adjustments for solar access on the whole block where some will have to leave space.

Engler said that she had mentioned before the town in Florida that allows people to have view towers. They have guidelines written in so everybody is getting a view. They can build a tower but not a giant building. She said people come here for the ocean views. It's so valuable. If one developer is just grabbing everything, everybody else will want to leave. She asked if Tokos could show the testimony from the City Council meeting to the architect so he can get an idea of the public testimony as background. Franklin asked if anybody not opposed to the guidelines testified. Cleary said nobody spoke. Tokos said there was testimony in these minutes of folks that don't want to see changes so significant that it impacts the economic return on their property. It was captured. It wasn't the majority, but there was some. He said the City Council wants to look at this in a thoughtful way; not re-write it and start from scratch. George said a concern being addressed by sharing the testimony is that this person is not just looking at checking off boxes but also gets more of the flavor of the desire of the people who spoke. She supports the architect getting an understanding of the needs and desires of the neighborhood.

Engler asked if it's appropriate to talk about what we want Nye Beach to look like in ten years. Maybe the City Council would want to open this up again. It wouldn't be starting from scratch. Huster asked if it hasn't been defined here. Engler said it is defined, but the actual standards don't reflect that. She said we are here to represent people. She said granted they are opinions. You will bring your opinions and those of people you have spoken with. Then we get to figure out what the issues are. Maybe we should ask them for their opinions and see what they can offer us to address these concerns in the community and what we can put to the Planning Commission for the best way to incorporate the changes into our community to feel better about the future. George thought that was a reasonable quick approach. She also thought maybe this is a good body to throw out a few ideas of what we would like to see the neighborhood look like in ten years; not spelled out. Tokos said you might capture that as a report from the group. You can also point out the limitations of what our work is; it doesn't look long-term and whether or not there should be some revisioning of what Nye Beach is and rethink the character of the area as captured here. Tokos thinks that is a report out to the Planning Commission; when making recommendations to note the limitations of the recommendations and where they don't go and that the Planning Commission should think about it at some time. He noted that this isn't a revisioning of Nye Beach at this point. When you report back to the Planning Commission, it would be reasonable to say this is what we are reporting based on the scope of what we are to do, but we think we should also start thinking about these things. Cleary said in reviewing these things and asking our questions, it is taking us into a direction; but what is that direction. George said it seems like a fair thing to have just some kind of discussion of where we should be going. Cleary said like do we want another park somewhere. Engler mentioned garage parking and how you add parking to postage stamp properties. Cleary said we are talking about garages and driveways. Tokos said it would be surface parking. Going underneath you have a limited area you can go. The district only generates enough money for maintenance; not major overhaul. He said he is already talking to the Bay Front about structured parking. To finance that you have to have a consistent revenue source. They have started talking about metering. Then you can bond that and come up with funds to construct structured parking and generate revenue to retire the debt. Tokos said the Bay Front has density and is very pedestrian-friendly so it has to go structured parking. George said that the Bay Front is one long street; Nye Beach is a network. Tokos said that Coast Street could end up in a similar situation. Especially if residences go down by the PAC. George thought it is still different; and Tokos agreed.

Engler had something that she wondered if we could ask the architect. She said she sees creative parking every once in a while. What about looking at zoning and tiny lots. Her vision is to see more houses where people live in them than using them as vacation rentals. She would love to have people look at little lots. There are some lots where you can't build a cottage. Her step son wanted to, but couldn't. It's R-4 because the lots are so small. What could we do as a neighborhood to make little residential properties more able to build? Huster asked why you couldn't build. Engler said it was SDCs; it was the financial side. She said there are a lot of issues with little lots. She thinks R-4 zoning leaves it vulnerable for high density. Tokos said most everything is R-4 in Nye Beach. Lower density zones don't work with the lot pattern. The minimum lot size in R-1 is 7,500 square feet. George thought that having it not be R-4 would be productive if a lot is not open to putting a 4-plex on it. Huster said maybe a special R-1 zone with a smaller lot size. Tokos said it is R-4 outside the commercial. He asked if there are examples where residential neighborhoods are being converted into apartments. George thought it would be wonderful to encourage single-family residences to build in Nye Beach. Huster said it's not discouraged; it's allowed. Tokos said that is more of a recommendation to look at changes to the R-4 zone; not a question for the architect. Franklin said that Nye Beach is so built out,

that you'd have to buy two or three lots to build a 4-plex. He said R-4 has a density of 1,250. The minimum lot size is 3,000 square feet. Maybe you'd be looking at a duplex or something. Then you also run into the parking challenges.

George asked when a building goes up toward the maximum 50-foot height if somehow we could have a requirement to have the square footage of the upper stories decrease; have some kind of setback in size. She said that her building does that; the roofline sets the second story back from the street. Tokos said it gets at the question of what can be done architecturally to address building mass so larger buildings with multi-stories don't impact in terms of visual scale.

Tokos asked the group if they had some other questions about specific buildings that are of concern that they would like to point out. He can pass the photos along to the architect. He has heard Archway Place, the McEntee building, and Niki's. Engler asked if the architect could see some historical photos from Nye Beach if the code is supposed to preserve the character. Tokos said if anyone had any photos, to email them to him. Huster said it comes down to parking back then. Rules change. Regardless, it would probably not be developed that way today. Tokos said we are not taking it from the perspective that any of these buildings are bad. That's not what this group is doing. This visual appearance is something you're not comfortable with being with the character of what it is supposed to be about. Engler wondered how you can say that the McEntee building is fine. Franklin said to look at the Overlook. When you look at the old picture with the little house, you can say the exact same. It's just growth. Tokos said that everything built over time redefines the character to a degree. It is the evolution of what is happening taking it into what the character is you are trying to achieve. George said that is the envisioning part. It seems what we are exactly doing.

Tokos said for the architect he has that we have historic character. A cluster of working-class cottages with a mixture of density (hotels, etc.). We have design guidelines that get at some architectural features. We are concerned with mission creep of the larger, more density wave and are afraid it will have ramifications. We need SERA's feedback about with this additional density, what can be done to provide for better architectural relief that doesn't make this massing seem so big and overwhelming. George thought that "not so overwhelming" was good. She said hopefully the architect will address it with specific language to protect us from massing happening; somehow have it written in. She said no one wants no change in Nye Beach. We want it to be economically reasonable for someone to build but not damage the nature of the neighborhood. It's a very fine line. Cleary said she understands someone saying, "it's my property, and I should be able to do what I want." But it's also completely unfair of that person to want to change everybody in the neighborhood. George said there are rules here; we have to make sure the rules work. Franklin asked what kind of setback for an owner to be able to put something on their property; 40%, or a controlled amount of the mass? Tokos said maybe the higher up you go, we restrict your footprint or your lot configuration to ensure more free space. They will go up as much as they can. You can cap that too. It will drive density down a little bit. It is pretty substantial now; 85-90%. You can go with a floor area ratio. It's a trade-off; to cover more, you have to provide certain things such as front yard patio space, lower height, or second floor setback. George said that hearing all that talk of taking a little more complex view with trade-offs is appealing to her if it could be done with some control.

Engler thought that the problem of having a little house with a driveway is you'll see cars parked on the sidewalk. She thinks that's a big mistake for the design overlay. We want to be pedestrian friendly. It would be great to have some solution to that. We shouldn't allow short driveways. George said it's illegal and is an enforcement issue. Franklin said you could call parking enforcement. Tokos agreed they would flag them. Huster thought it would be better if the problem could be designed out rather than continually having it be an enforcement issue. Tokos said we have that captured from a previous meeting.

Engler said there was talk about as you go out from the core area, the guidelines are different. One thing that Carlton has done is form four different districts with variations on guidelines. It's working well for them. Huster said here we have C-2 to R-4 with nothing in between.

Tokos said that he will take the minutes and frame up a list of questions and send it out to the group to see if the list is acceptable based on the talk today. He also will ask for a list of areas that SERA has worked with.

**II. Date for next meeting.** Tokos said he would like to see the next meeting in August. He was looking for a couple of dates in late August that he could share with SERA to potentially come in. Wednesday, August 27<sup>th</sup> from 10:30 to 12:00 was selected, with Wednesday, August 20<sup>th</sup> as a backup. Tokos will follow up and confirm the meeting date. He will also talk to Victor Mettle about getting historic photos.

**III. Adjournment.** Having no further business, the meeting adjourned at 12:04 p.m.

Respectfully submitted,

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Wanda Haney  
Executive Assistant