

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session and Public Hearing
January 5, 2006
Gig Harbor Civic Center**

PRESENT: Commissioners Jim Pasin, Harris Atkins, Theresa Malich, Scott Wagner, Jill Guernsey and Chairperson Dick Allen. Staff present: Jenn Sitts, Rob White and Diane Gagnon.

CALL TO ORDER: 6:00 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of November 17th, 2005
Move to approve the minutes of December 15th, 2005
Malich/Pasin – unanimously approved

Election of Officers for 2006

Chairman Allen opened up the nominations for Chairman and Vice Chairman. Commissioner Malich nominated Dick Allen to continue as Chairman. Commissioner Guernsey seconded the nomination. Commissioner Wagner nominated Theresa Malich to continue as Vice Chair and Commissioner Guernsey seconded the nomination. There being no other nominations Chairman Allen called for a vote and the motion carried unanimously.

NEW BUSINESS

Colson & Colson Construction Co., P.O. Box 14111, Salem OR 97309 –

Chairman Dick Allen introduced the proposal and then asked Senior Planner Jennifer Sitts to give a brief overview of her staff report. Ms. Sitts reminded the Planning Commission that this was a work session and the proposal was to add Independent Living Facilities to the list of conditional uses in the B-2 zone and that there would be a public hearing at 7:00 p.m. She further reminded the Planning Commission that after the public hearing they may make a recommendation to the City Council or may make a recommendation at another meeting. She directed the commission to the overhead and pointed out where the B-2 areas were in the city and stated that she had put a list of allowed uses and a zoning map at each of their places.

Ms. Sitts read the definition of Independent Living Facilities and went through the applicable code sections. She then read the intent section of the B-2 district and stated that an Independent Living Facility would be reviewed as a multi-family development. She stated that staff was recommending approval based on the compatibility with the other uses in this zone and reminded them that it was being proposed as a conditional use and therefore would go through an additional review process.

It was noted by Ms. Sitts that there is no density requirement in this zone therefore there would be no density limits. Additionally, she pointed out that there is a maximum gross floor area in this zone; however it only applies to commercial structures. She then went over the limitations in the other zones where Independent Living Facilities were allowed and reminded the Planning Commission that there are zone transition standards in the design manual so if an Independent Living Facility abutted single family residential there would be requirements for buffering or making the building size reflect surrounding development.

Commissioner Wagner stated that a building size limitation was increased to 65000 square feet in the Point Fosdick area and Independent Living Facilities hadn't been considered. Commissioner Pasin stated that the 65000 square foot limitation was about commercial/retail establishments, not an Independent Living Facility. Mr. Wagner reiterated that he felt that there was a public desire to keep buildings at 65000 square feet regardless of their use.

It was then pointed out by Commissioner Wagner that the Comprehensive Plan Section 2.2.3 regarding the Commercial Business Land Use designation stated that it was to provide primarily for retail and wholesale facilities. He stated that he didn't think that the intent of the zoning code was to conditionally allow every use in every zone and went on to say that there is a limited amount of B-2 property in the city and he didn't see this as a retail use.

Commissioner Pasin agreed that there are limited amounts of commercial property and that it should be maximized; however, he stated that he felt that the increased density was maximizing its potential.

Ms. Sitts then pulled up the zoning code matrix and showed where Independent Living Facilities were currently allowed. She then pointed out that that there is no specific form size or type indicated in the definition of Independent Living Facility and that could take many forms including detached single family housing.

It was asked by Commissioner Atkins what standards exist that limit the size and Ms. Sitts answered there are no standards that limit the size of this type of development in B-2 and stated that size would be governed by the design manual's zone transition standards.

A question was asked about the parking requirements and Ms. Sitts illustrated the section on parking requirements, explaining that the requirement was one parking stall for every four beds based on maximum capacity. She noted that the traffic was much less and what traffic there is, is not during peak hours.

Commissioner Guernsey asked if a multi-family apartment building would currently be allowed in this zone and Ms. Sitts answered yes it would be and would also have no size limitation.

It was pointed out by Commissioner Atkins that it seemed to be an oversight that Independent Living Facilities were omitted from the definition of residences.

Ms. Sitts made a map on the overhead that highlighted all the zones where Independent Living Facilities outright and conditionally allowed. She reminded the Planning Commission that this would be an area wide amendment and showed on the map where the applicant was thinking of doing the development. She pointed out that it is a conditional use in RB-2 and the area that they are considering is next to RB-2 and R-1. Ms. Sitts also stated that the Planning Commission could include performance standards as part of their recommendation to the City Council

Discussion followed on the process for a site specific rezone and Ms. Sitts stated that she had presented that option to the applicant and they chose to go this route.

Commissioner Atkins pointed out the intent of the zone and asked about when staff is evaluating a conditional use would they evaluate how much land was being dedicated to meeting that intent. Ms. Sitts replied that the applicant would have to show how they were compatible with surrounding uses and if those surrounding uses were retail they may suggest that they incorporate those uses into their development.

Chairman Allen called a five minute recess at 6:55.

Chairman Allen opened the public hearing at 7:05.

Ms. Sitts reminded the Planning Commission that they would be making a recommendation to City Council and staff was recommending approval; however, the Planning Commission could make additional performance standards part of their recommendation.

Dan Roach, Colson and Colson Construction, P.O. Box 14111, Salem OR 97309 - Mr. Roach stated that he wanted to make himself available to answer any questions and make a comment that making this change would make other areas available to develop however there are limitations. He continued by saying that there are no sites that have enough open space for the residents and near services and residential to maintain the residential feel. He stated that putting this project in the middle of a large commercial area is very unlikely and went on to say that the downtown sites are not big enough to do what we would like to do.

Commissioner Wagner asked how many units and what was the square footage and footprint of the building.

Mr. Roach answered that typically they are about 115 suites or 125 residents and the building would be somewhere in the order of 90,000 to 100,000 square feet with 2-3 stories. He went on to say that the footprint would be about 30,000 square feet.

Ms. Sitts asked what the implications would be of requiring some retail services on the lower floor and Mr. Roach answered that they don't typically provide doctor type

services and if food service wasn't considered then it could be a problem. He stated that they do offer services such as a beauty salon. He stated that people from the neighborhood do come for meals and some services, but they do not hang out a sign and solicit that.

Mr. Roach finished by saying that he agreed with the staff recommendation that this is an appropriate amendment to the code as they do fall in between several of these uses that are currently conditionally allowed already and want to be located near these uses.

Chairman Allen closed the public hearing at 7:15.

Chairman Allen asked the Commissioners if they wanted to take action tonight and it was decided that they would hold further discussion and then perhaps take action.

Commissioner Wagner stated that he really didn't have a problem with this proposal but did have a concern with the fact that the definition of commercial building does not include this type of use. He stated that he knew this couldn't be addressed at this point but felt it was important to look into. Chairman Allen stated that he also was surprised that it would not be considered a commercial building.

Commissioner Pasin spoke in support of what the staff had provided stating that he knew that the definition had been used for a number of years and that other projects had been built under or around that definition and there are examples of that in that particular area and reiterated that he felt he had been applied consistently for a number of years.

Planning Manager Rob White stated the he had been told by legal counsel that this was an appropriate interpretation of that definition.

A discussion followed on the different definitions of commercial structure in the building code and the design manual and Ms. Sitts stated that this is a very specific term used in a very specific location only.

Commissioner Guernsey stated that she agreed that it is surprising that the definition of commercial structure does not include these types of facilities or other things that I would definitely include as a commercial structure. She stated that she had heard a lot of concern for building size all throughout the town and felt that the Planning Commission needed to deal with that. She stated that she didn't have any objections to this particular proposal as residences are allowed in the B-2 zone and she felt that Independent Living Facilities were a residential type use.

Jennifer Sitts stated that this application came along as the matrix was beginning and there was talk of allowing Assisted Living Facilities in the B-2 zone and therefore felt that adding Independent Living Facilities was a logical approach and they didn't feel that the time element was any different and the applicant verified that that was indeed the reasoning behind the application.

Commissioner Guernsey stated that they may not have qualified for a rezone because there was no change in circumstance.

Commissioner Wagner asked if they could forward this for a recommendation for a footprint limitation and Ms. Sitts answered that they could as long as they developed a whereas statement that supports it.

MOTION: Move to accept staffs recommendation
Pasin/Atkins –

Commissioner Wagner stated that he would like to discuss a square footage restriction. Commissioner Pasin stated that he felt that was dangerous for a couple of reasons and went on to say that if you are applying that to a specific use, why is that limited and not anything else and you are also creating a nonconformity of existing buildings.

Mr. Wagner went on to ask if there was support for allowing the use outright and Commissioner Atkins expressed that since residences are a conditional use it seems that this would be interpreted as a residential use and making this outright allowed would not be consistent with the intent of the zone.

Ms. Sitts pointed out that if you look at what is conditionally allowed they are things that don't fit the norm of the district. She reminded the Planning Commission that Independent Living Facilities can take any number of forms, and pointed out that currently there is an application in right now that looks like a regular subdivision with a community hall. She went on to say that having the conditional use allows us to assure that the form it takes is compatible with the surrounding area.

Harris – a conditional use can be evaluated in terms of whether it is compatible with areas in that zone and there are some areas where a large building with this use would not be compatible.

Ms. Sitts then read the whereas statements from the proposed ordinance.

Chairman Allen restated the motion and called for the question.

MOTION: Move to accept staffs recommendation.
Motion carried unanimously.

OLD BUSINESS

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** –
(ZONE 04-51) Work session on draft ordinance relating to creation of GHMC 17.14
Land Use Matrix

Senior Planner Jennifer Sitts asked if the Planning Commission would like to continue work on the matrix tonight or set a special meeting or an earlier start time. She stated

that the first hearing on the matrix can occur on March 16th and stated that they will be working on the Comprehensive Plan Amendments at the next meeting.

It was suggested by Commissioner Pasin that a special meeting be held. Commissioner Wagner stated that he would rather meet on their regular meeting date at an earlier time. Ms. Sitts went over the memo sent to them, what loose ends needed to be cleaned up and what needed to be covered in the parking table along with the draft ordinance of all the changes. Mr. Wagner then asked how long she thought these items would take and Ms. Sitts estimated two hours.

It was decided that they would meet at 5:00 on the next meeting date of January 19th, 2006.

Commissioner Wagner inquired about the Planning Commission work program for 2006 and timing of several issues. Ms. Sitts went over the process and stated that the list of proposed changes that the Planning Commission had developed would go to council who would give guidance on which of those things would be considered.

Discussion continued on how long some of the issues would take and Ms. Sitts stated that she felt the list of proposed changes would probably take more than two work sessions.

Commissioner Atkins asked if everyone could get a list of the proposed changes in order for everyone to try to prioritize them ahead of the meeting and Ms. Sitts said she would provide everyone with a list and would attempt to group them.

Planning Manager Rob White announced that he had received a letter from the American Planning Association thanking him for the presentation regarding single family residential design review in Gig Harbor.

UPCOMING MEETINGS

January 19th, 2006 @ 5:00 p.m. – Work-Study Session and Public Hearing

ADJOURNMENT

MOTION: Move to adjourn at 8:05 pm
Wagner/Malich – passed unanimously