

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session
Thursday, December 16, 2004
Gig Harbor Civic Center**

PRESENT: Commissioners Dick Allen, Scott Wagner, Kathy Franklin, Bruce Gair and Chairperson Paul Kadzik. Commissioners Theresa Malich and Carol Johnson were absent. Staff present: Steve Osguthorpe and Diane Gagnon.

CALL TO ORDER: 6:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of December 2, 2004 Franklin/Wagner – unanimously approved.

NEW BUSINESS

1. City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA – Proposed addition of GHMC Chapter 17.14 (ZONE 04-09) establishing a land use matrix and modifying GHMC Chapter 17.04 Definitions.

Planning Manager Steve Osguthorpe gave a brief overview of the proposal to develop a land use matrix to prevent having to look at each zone to determine where a use is allowed. He further explained that the zoning code has over 170 land uses most of which are either undefined, duplicative and sometimes contradictory and that this would also clean up these situations. Mr. Osguthorpe cautioned the Planning Commission on discussing where the particular uses were or were not allowed as that was not being decided at this time.

The Planning Commission began by going through the matrix in order with Accessory Apartments being first.

Commissioner Dick Allen questioned the reason for requiring the owner to live on the property of the accessory apartment. It was decided to denote those items with a star that had issues not of a housekeeping nature that needed to be addressed at another time.

Next was Dwelling (single-family, two-family and multi-family). Commissioner Wagner suggested that “to the single family dwelling” be added to the end of the definition and the change was agreed upon by the other Planning Commission members.

Commissioner Wagner asked about the definition of “attached” as used in this instance and expressed concern for misuse of the term. Planning Manager Osguthorpe stated that he would have Senior Planner Rob White write a definition of “attached”.

The Planning Commission agreed with the proposed definition of Adult Family Homes

and Retirement Complex but asked that a definition of Nursing Homes be added to accommodate those facilities that are not age related.

The definition of Manufactured Housing was discussed next. Planning Manager Steve Osguthorpe explained that there is a new state law which prevents regulating manufactured housing differently than traditionally built homes. The Planning Commission requested a copy of the state regulations before discussing this issue.

Family day care was discussed and the Planning Commission agreed with the proposed definition. They then reviewed the definition of Commercial Day Care and decided that the definition should be rewritten to allow any number of children.

Home Occupation was discussed and Commissioner Gair stated that he felt the definition should reference Chapter 17.84 which regulates home occupations. It was agreed to revisit the issue of home occupations and to possibly allow one employee.

The definition of Public Utilities and Services was read and the Planning Commission agreed with the proposal.

The Community Recreation definition was discussed next and Commissioner Kadzik expressed concern with rental hall facilities that are really a commercial venture as their primary use is for rental facilities not as a meeting place for club members. Commissioner Allen agreed that this was a concern. Planning Manager Osguthorpe agreed to develop a tighter definition of private clubs and lodges.

The definition of School was discussed next. Planning Manager Osguthorpe explained that the intent was that the definition apply to K-12 schools and not commercial schools. Commissioner Wagner suggested that the words "Washington State accredited" be added and the Planning Commission agreed. Commissioner Kadzik asked how we addressed trade and vocational schools and Mr. Osguthorpe stated that he would develop a definition for those also.

The meeting adjourned at 6:55 for a five minute recess before the Public Hearing.

Chairman Paul Kadzik opened the Public Hearing at 7:00 pm, noting for the record that Commissioner Kathy Franklin had to leave.

PUBLIC HEARING

1. City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA - Proposed amendment to GHMC Chapter 17.67 (ZONE 04-10) to add a provision for schools as a Performance Based Height Exception.

Planning Manager Steve Osguthorpe briefed the Planning Commission on the purpose of the Performance Based Height Exceptions stating that it was to accommodate the need for additional height for certain uses. He then stated that this issue had been raised by the Peninsula School District at a public hearing before the City Council and that they had originally proposed a blanket height increase in the Public Institutional

zone. Mr. Osguthorpe stated that three letters and one e-mail had been submitted into the record as comments for the public hearing and referred the Planning Commission to a memo from AHBL answering questions from the work-study session.

Michael Kattermann, AHBL, 316 Occidental Ave. Suite 320, Seattle

Mr. Kattermann passed out drawings and cross sections of Peninsula School Districts proposal for the 2nd phase of Harbor Ridge Middle School to illustrate how the ability to apply for additional height is necessary for construction of school facilities. He went on to explain that the cupola added about 5-6 feet of additional height but was necessary to screen the mechanical units. Mr. Katterman stated that the height needed for an elementary school gym was 33' including the roof structure and that a high school performing arts centers needs 70' with a flat roof. He further stated that if the Planning Commission were to include a maximum height in their recommendation he would request that it be no less than 55'.

Tom Marshall, McGrenahan Architects, 2111 Pacific Ave., Tacoma

Commissioner Wagner asked what is the needed height for a high school gym and Mr. Marshall answered that it is the same requirement as an elementary school and that it was a WIAA regulation.

Chairman Kadzik asked about the grades at different locations on the middle school site and Mr. Katterman answered that it was 150 at the front, 139 at the band/choir rooms, 143 at bus parking, and 152/153 at the rear fields. He further stated that they had used 139 for their calculations.

Commissioner Gair asked about the Performance Based Height Exception process and whether the neighbors are notified and given an opportunity to voice their concerns. Planning Manager Steve Osguthorpe answered that notice is mailed out to property owners within 300 feet.

The topography of the Harbor Ridge Middle School site was discussed relative to view protection. Mr. Osguthorpe reminded the Planning Commission that this was not a site specific application but rather a change to the Performance Based Height Exception allowing any school in a PI zone to apply for additional height.

Mr. Osguthorpe asked Mr. Marshall if it was possible on a new school site to put the mechanical equipment on the ground rather than on the roof. Mr. Marshall answered that yes, it can be done in some instances with some difficulty.

Chairman Kadzik closed the Public Hearing at 7:35 pm.

Chairman Kadzik suggested that the application criteria include a requirement for a cross section of the site.

Commissioner Allen agreed that models and cross sections are helpful to illustrate the height proposed.

A letter from Dawn Stanton was referenced by Commissioner Gair and he voiced his support for more involvement by the Design Review Board. Planning Manager Steve Osguthorpe pointed out that language had been suggested at the last work session which stated that if an applicant wanted a Performance Based Height Exception that also had a design component requiring additional height, it would go to the Design Review Board.

Chairman Kadzik voiced support for involvement by the DRB for height exceptions for schools but not for things like water towers and light poles. Mr. Kadzik stated that he felt this allowed for more community involvement at an earlier stage in the process.

Commissioner Wagner stated that he didn't see why all Performance Based Height Exceptions couldn't go to the DRB as there are design issues they should look at. Planning Manager Osguthorpe stated that the Performance Based Height Exceptions were intended to be related solely to the use of the structure and the burden of proof is on the applicant to meet the criteria.

Commissioner Gair asked if it wasn't possible for someone to dig down rather than go up and if these uses (i.e. performing arts centers) were really necessary in schools.

Chairman Kadzik stated that he had heard from public input that the public really wanted early involvement in all projects.

Planning Manager Osguthorpe asked the Planning Commission how the process of requiring all performance based height exceptions for schools to go to the DRB, would work as applicants currently have a choice of going through a completely administrative process. Chairman Kadzik answered that the applicant has a choice whether or not to apply for a height exception. Mr. Osguthorpe pointed out that in some instances it wasn't a choice which was entirely the point of the Performance Based Height Exception. It was stated by Commissioner Wagner that there are other issues that can help mitigate the height, such as where it is sited on the property.

Commissioner Gair asked about the Design Review Procedures Committee and whether or not they may come up with something that would address these issues. Planning Manager Osguthorpe asked that this issue be examined through that committee. Commissioner Wagner stated that he felt that these issues were exactly what the Design Review Board was intended to review. Chairman Kadzik stated that he felt that if this issue wasn't addressed now, it may be overlooked and Commissioner Allen agreed.

Commissioner Gair stated that he also felt that the language to allow private schools to apply for the height exception should be added at this time. It was then suggested by Commissioner Allen that better language be drafted which made it clear that it would only apply to institutions approved by the State of Washington Office of Public Instruction.

Mr. Osguthorpe reminded the commission that significant changes to the proposal may

require that we re-advertise and hold another public hearing,

Commissioner Allen stated that he liked the new language in paragraph A and Chairman Kadzik pointed out that Item B had been changed to 55' for an absolute maximum.

Michael Katterman representing Peninsula School District, asked for clarification of the language from Steve Osguthorpe and he stated that how the height is measured is in the current code and that the limit was 45' from the highest point within the buildable area and 56' from the lowest point of the footprint. Chairman Kadzik verified that 45' works for the school district and Mr. Katterman agreed.

The issue of whether or not another public hearing would have to be held was discussed. Planning Manager Osguthorpe stated that perhaps another public hearing could be held at the City Council level rather than the Planning Commission holding another hearing. He further stated that he would still need to examine whether these changes would trigger the re-issuance of the SEPA determination.

Chairman Kadzik asked if the Planning Commission could forward their recommendation to the City Council with the proposed language. Commissioner Gair pointed out that the suggested changes are in response to public input and therefore felt that it was not necessary to hold another public hearing at this level. Chairman Kadzik suggested that they hold another work-study session on this issue and forward a recommendation to the City Council at that time.

Commissioner Allen suggested that the language be brought back at the next work-study session and that the Planning Commission give direction to staff. He also pointed out that there are no private schools in PI zones. Chairman Kadzik stated that private schools could relocate to land in a PI zone if they wished to obtain a height exception. It was pointed out by Commissioner Wagner that the Public Institutional zone was fairly new and when it was created all the public schools were designated PI but private school sites were not considered.

Chairman Kadzik stated that he felt that allowing height exceptions in other zones besides the PI zone changed the scope of the proposal and that it should be zone specific.

Commissioner Wagner stated that since schools are conditionally allowed in an R-1 zone why would they not have the same allowances as schools in other zones as long as they met certain conditions and further pointed out that smaller schools in R-1 zones do not have the resources to move to other locations so that they can have a gym. He then stated that when it was decided to allow schools as a conditional use in an R-1 zone surely it was considered that there would be larger buildings like a gym and performing arts center.

Planning Manager Steve Osguthorpe read the intent statement of the Public Institutional district, noting that it was intended for uses that are larger and more difficult to site.

It was decided that staff should write up some proposed language to address this issue at the January 6th, 2005 meeting and the discussion would continue at that time.

Chairman Kadzik commented that the size of the building is the issue and the use is insignificant. Commissioner Wagner stated that the entire point of zoning ~~if~~ **is** precluding certain uses in certain areas.

Mr. Osguthorpe stated that only allowing the height exception in the PI zone just gives another layer of review and another opportunity for the public to be involved. Commissioner Wagner stated that the same thing could be achieved by adding conditions.

Planning Manager Osguthorpe stated that changing the proposal to more than the PI zone would significantly change the scope of the proposal and its impacts and concerns. Commissioner Allen stated that he disagreed and felt that the proposal allowed the school district to apply for these exceptions and private schools should have the same consideration.

Chairman Kadzik stated that the Planning Commission was really only reinstating what the City Council had taken away by changing the way height was measured. Commissioner Gair mentioned that schools are really changing their scope by serving community uses.

Commissioner Allen asked about the difficulty in obtaining a rezone to PI and the significance of the word public. Mr. Osguthorpe explained the process and stated that uses within the PI did not have to be public institutions.

Commissioner Wagner suggested adding language that would put additional conditions on schools in R-1 zones to obtain a Performance Based Height exceptions and voiced concern for the length and difficulty of the rezone process. Chairman Kadzik pointed out that the hardship of the length of the process does not change the impact on the neighbors.

Commissioner Allen pointed out that the issues and concerns of the neighbors of a PI zone are just as important and that is why the height exception has criteria to be addressed.

The Planning Commission then asked staff to bring back language to open it up to other zones and then continue the discussion with the full Planning Commission on January 6th. Commissioner Allen clarified that the language be worded to open up the exceptions to include private schools and allow height exceptions for schools in other zones in addition to Public Institutional.

NEXT REGULAR MEETING:

January 6, 2004 at 6pm – Work-Study Session

ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.
Johnson/Malich – unanimously approved

CD recorder utilized:
Disc #1 Track 1-4
Disc #2 Track 1