

**City of Gig Harbor Planning Commission  
Minutes of Special Meeting  
Thursday, July 29, 2004  
Gig Harbor Civic Center**

**PRESENT:** Commissioners Carol Johnson, Kathy Franklin, Bruce Gair, Dick Allen, Theresa Malich, Scott Wagner and Chairman Paul Kadzik. Staff present: Steve Osguthorpe and Kristin Riebli.

**CALL TO ORDER:** 6:00 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move to approve the minutes of July 15, 2004 with a correction to page 8 paragraph 2 to add the word "certain".  
Malich/Johnson – unanimously approved.

**WORK-STUDY SESSION**

**Design Manual Update -**

Planning Manager Steve Osguthorpe went over his staff report outlining the 16 changes to the Design Manual the Planning Commission had agreed upon thus far. He then asked the commission to review those and they agreed they were correct. He then briefed the commission on the recommendations of the Zone Transition Subcommittee, stating that they had developed language that would (a) eliminate the zone transition buffering option in the height restriction area (view basin) in order to better protect views in that area, (b) group each zone in the City into specified categories and not apply zone transition standards between any two zones that fall within the same category, and (c) provide an alternative method for meeting zone transition standards that would allow the DRB to review development in the context of its surroundings. He then referred the Planning Commission to page 3 of 4 of his staff report for a copy of the proposed changes to the zone transition section.

Mr. Osguthorpe then updated the commission on the two items that they had asked staff to do further research on. The first of which was placing deed restrictions on property which had received an industrial building exemption. Mr. Osguthorpe reported that the City Attorney stated that the deed restriction would not prevent transfer of ownership and therefore would not cloud that title. She was concerned, however, that the only way to enforce the deed restriction was through the courts.

Discussion followed on how difficult it may be to remove the deed restriction. Commissioner Wagner pointed out that city staff does not get a title report before issuing a business license so how would they even know the deed restriction was in place. Commissioner Allen stated that if the city imposes a regulation it should be their duty to track it. A consensus was reached to keep a record of the Industrial Building Exemption in the city's files and not record it against the property.

The second item was Randy Boss's concern over setback of buildings and location of parking. Planning Manager Steve Osguthorpe presented proposed language that he felt addressed this concern by replacing the words "in front" with the words "forward of the front façade" in the non-residential setback section 2.7.01.

Chairman Kadzik asked Mr. Boss if this resolved his concerns. Mr. Boss asked for further clarification of how the buildings could be placed on a site and how the language would be interpreted. Mr. Kadzik explained that secondary structures do not have to face the front setback. Planning Manager Steve Osguthorpe further explained the intent of the regulation to Mr. Boss.

Commissioner Gair asked how staff would interpret the phrase "directly behind". Commissioner Wagner suggested that the word "directly" be removed. Commissioner Gair asked weren't we really trying to control where parking is located rather than the placement of buildings and if so, why not say that. Chairman Kadzik responded that the intent was to avoid having one small building at the front setback then a huge expanse of parking followed by a large strip mall to the back of the property.

Planning Manager Steve Osguthorpe drew some examples that would be administratively approved and referred the Planning Commission to the illustration on page 36 of the current design manual.

Chairman Kadzik pointed out that the existing language has been working and asked for verification of that from Design Review Board Member Lita Dawn Stanton who was present in the audience. Ms. Stanton suggested adding in the intent section, the language "in order to diminish parking lots and service areas". She drew some possible scenarios on the board and stated that if a developer had a more superior design they could go to the DRB. Discussion followed on whether projects of a certain size should automatically go to the DRB. Mr. Osguthorpe pointed out that we still needed to provide an administrative option.

**Motion:** Move to remove the word "directly" from paragraph 2 of Section 2.7.01. Gair/Wagner – motion carried.

**Motion:** Move to change "in front of" to "forward of the front façade" in Section 2.7.01 and 2.10.01. Gair/Johnson – motion carried.

Planning Manager Steve Osguthorpe then went over the recommendations made by the zone transition subcommittee. The first recommendation was to add an additional section 1.4.04 providing an alternative zone transition standard subject to 11 criteria. Mr. Osguthorpe read the 11 criteria aloud.

Chairman Kadzik expressed his appreciation for the committee and their hard work. Commissioner Johnson stated that her hope was that the developers would see this as the intent and address these issues in their design.

Mr. Osguthorpe then pointed out the second recommendation which was the creation of zone categories where zone transition would not apply within. Commissioner Allen

pointed out that R-2 and R-3 should have a zone transition between them. It was decided to create another category labeled Low-Medium Density Residential with R-2 and R-3 within that category.

The third item Mr. Osguthorpe presented on behalf of the sub committee was specifying a minimum building size to which zone transition standards would not apply. Mr. Osguthorpe reported that the subcommittee could not reach an agreement on this issue and stated that the main concern was that a small house could drive development on adjoining parcels.

Commissioner Johnson asked why not let these types of situations go to the Design Review Board and be resolved on a case by case basis. Commissioner Wagner stated that he felt that there should be some point where it's small enough that zone transition standards do not apply.

Commissioner Gair suggested that a scaled model be required when zone transition decisions are considered and Mr. Osguthorpe pointed out that the Design Review Board has the authority to require that.

Chairman Kadzik called for a vote. Those in favor of the zone transition exemption were Commissioners Wagner and Allen. Those against the zone transition exemption were Commissioners Johnson, Franklin, Malich and Gair.

Design Review Board member Lita Dawn Stanton pointed out that item #6 on the list of criteria for the Alternative Zone Transition Standards (Section 1.4.04) should have the word "negative" inserted before the word "impacts". The Planning Commission agreed to the change.

Chairman Paul Kadzik asked Chuck Hunter, the Chairman of the Design Review Board who was present in the audience, to brief the Planning Commission regarding the letter from the Design Review Board to the Planning Commission about the desire to leave the section on right of way design in the manual.

Mr. Hunter stated that he felt that it was important that these items remain in the Design Manual so that the entire community is given an opportunity to take part in the design review of public spaces. Chairman Kadzik stated that these requirements should also be placed in the Public Works Standards.

Planning Manager Steve Osguthorpe stated that the city attorney had recommended that these items be removed from the manual and put in the public works standards as there was a concern with non-engineering staff deciding on engineering items. He further stated that the intent was for the DRB to review street trees, furnishings and lighting in the right of way, not get involved in engineering related items. Mr. Osguthorpe also reminded the Planning Commission that public parks are not in the right of way and therefore are subject to site plan review and design review just like any other non-residential project.

Discussion was held on the need for the public parks to comply with design standards

and set a good example.

**Motion:** Move to retain a chapter on right of way design along with a statement excluding safety issues. Franklin/Johnson – motion carried.

Commissioner Gair voiced his concern for the need for parks direction and review. Planning Manager Steve Osguthorpe suggested that if the Planning Commission felt that there was a need for more public review of parks, they may wish to forward a letter to the City Council expressing their concerns.

**Motion:** Move that the chapter on right of way design be changed to say all public projects in the right of way and on publicly owned land shall go through the design review process. Gair/Franklin – motion carried.

Chairman Kadzik then asked if the Planning Commission members had any other items for review.

Commissioner Gair distributed a memo to the other Planning Commission members regarding the use of trees to solve design problems. Planning Manager Steve Osguthorpe pointed out that the buffering option in the zone transition section had been removed.

Commissioner Malich stated that rows of large trees which block someone's view should not be allowed to be planted but it is difficult to regulate someone's yard.

Commissioner Gair expressed his desire to have tree heights considered and suggested that trees in all zones not be allowed to exceed the building height limit in all zones. Commissioner Johnson asked would 100' foot tall trees within an area of significant vegetation in a new development be cut down in order to comply, and Commissioner Gair replied that he would like it considered by the Design Review Board.

Commissioner Malich noted that trees are not mass and volume. Lita Dawn Stanton stated that in some areas of the city the trees are the view and are highly desired and questioned whether the Design Review Board had the knowledge to make decisions about which trees to plant where.

**Motion:** Move to ask Council to pursue the study of the interfacing of tree height into design review. Gair/Franklin - 6 against, motion withdrawn

Commissioner Wagner stated that he had some issues that he wanted to bring forward. The first item was the driveway width requirement needing an Industrial Building Exemption because tandem trailers cannot make that narrow of a turn. He added that even in shopping center situations when there are three lanes and a car is in the middle lane there is no room for a truck to make that corner. It was decided to put the 15, 24 and 34 width requirement into the specific language and to change the intent statement

to say “limit driveway width to maximize landscaping at the street face” and not have an Industrial Building Exemption.

Commissioner Wagner’s next item for discussion was the requirement to plant vines or shrubs on blank walls. Mr. Wagner recommended that this also be eligible for an industrial building exemption as many industrial buildings are metal and vines can damage the structure. He also stated that these plants are usually not maintained and usually die.

Commissioner Gair pointed out that there is still a need for livable surroundings for the employees in industrial developments.

Planning Manager Steve Osguthorpe reminded the Planning Commission that the intent of the Industrial Building Exemption was to exempt those items that have a practical reason to not apply them, such as windows in a warehouse.

Chairman Kadzik suggested adding the phrase “encourage the use of” and to change the “shall” to “may”. The commission agreed.

Commissioner Wagner pointed out a conflict in the language located in Section 1.5. Mr. Osguthorpe agreed to clarify the wording to say “except as allowed”.

Design Review Board member Lita Dawn Stanton suggested that on page 5 section C the word “neighborhoods” be added after the phrase “project proponents”.

**Motion:** Move to forward to the City Council, a recommendation for approval of the updated Design Manual. Franklin/Gair – motion carried.

**NEXT REGULAR MEETING:**

August 5th, 2004 at 6pm – Work-Study Session

Commissioner Malich announced that she would be absent from the August 5<sup>th</sup>, 2004 meeting. Commissioner Wagner announced that he would be recusing himself from the next two meetings due to a conflict of interest.

Planning Manager Steve Osguthorpe announced that the Planning Commission agenda from September on was being reserved for the Comprehensive Plan amendment.

**ADJOURN:**

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

CD recorder utilized:  
Disc #1 Track 1  
Disc #2 Track 1  
Disc #3 Track 1