

City of Gig Harbor Planning Commission and Design Review Board
Minutes of Joint Work-Study Session
May 17th, 2007
Gig Harbor Civic Center

PRESENT: Commissioners Jim Pasin, Joyce Ninen, Dick Allen, Jill Guernsey, Jeanne Derebey, Theresa Malich and Harris Atkins. Board members John Jernejcic, Darrin Filand and Rick Gagliano were present. Staff present: Jennifer Kester and Diane Gagnon. Kurt Latimore from the Latimore Company was also present.

CALL TO ORDER: 5:30 p.m.

APPROVAL OF MINUTES:

The minutes were not prepared as of the meeting date. They will be voted on at the next meeting.

OLD BUSINESS

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – Zoning Code Text Amendment amending the complete design review application requirements and design review procedures (ZONE 07-0023)

Senior Planner Jennifer Kester stated that the Design Review Board had recommended approval of this draft ordinance. Additionally, she pointed out that Rick Gagliano had suggested that the wording of “site layout plan” be changed.

Darrin Filand suggested that perhaps the wording should be schematic site plan. Jeanne Derebey asked if perhaps schematic layout plan would work better. John Jernejcic said he would rather keep it as site layout. It was agreed that it should say site layout and drop the word site within the description.

Chairman Theresa Malich asked about page 10 where it references the historic register and asked whether that designation prevents a structure from being used as something else if the zone were to change. Ms. Kester stated that a structure on the historic register could change use; however, they would have to obtain a certificate of appropriateness in order to change the exterior.

MOTION: Move to forward a recommendation of approval to the City Council with the change of the wording to site layout. Pasin/Derebey – Motion carried unanimously.

Rick Gagliano arrived at 5:45.

NEW BUSINESS

2. **Design Review Process Improvements – Batch 1c** – Discussion of the third batch of proposed amendments in Phase 1.

DRB Quorum

Ms. Kester went over the current problem with the way the quorum is currently handled. She stated that she had spoken with the City Attorney who had suggested that the quorum be different dependent upon which kind of meeting is being held. For a Historic Preservation meeting it would be the majority of the members of the DRB. Project review meetings would require a majority of the appointed members of the DRB excluding the CLG members. She noted that both CLG members must attend for meetings where recommendations are being made to the state. Discussion was held on how to refer to the two historic preservation members. Mr. Filand asked if there was a purpose in stating that the quorum may include the Chairman. Ms. Kester explained that it was just for clarification. Mr. Gagliano said he felt that the wording was confusing.

Joyce Ninen asked if there was a requirement for one of the historic preservation members to attend certain meetings and Ms. Kester answered that it was not required. Mr. Gagliano said that he felt that one of them needed to be there. Discussion followed on the two separate historic preservation members and whether their attendance should be required. Jim Pasin expressed that he didn't feel it would be fair to an applicant if there were recurrent quorum issues. It was decided to refer to them as Historic Preservation members. Ms. Kester showed the item in the code relative to the Historic Preservation members and Mr. Atkins pointed out that the wording said that they shall participate in applications received pursuant to Chapter 17.97. It was decided for project review meetings the Historic Preservation members would not need to attend but CLG items would need a basic majority.

Common Area Requirements

Ms. Kester said that in talking to the City Attorney it was indicated that there had been some recent case law that had struck down open space requirements that were a blanket percentage. She explained that the common area section had been given to the City Attorney to suggest some new wording and would have the section by the end of June.

Industrial Building Exemption Criteria

Ms. Kester pointed out that she had sent an administrative interpretation that dealt with the industrial building exemption and explained that it had helped clear up some of the confusion but now it was necessary to get it into the code. She went over the exemptions. John Jernejcic asked why it says building, structure or site. Ms. Kester answered that there are various uses that do not necessarily include a building. Mr. Pasin said that he felt that there had not been an original intention to have 800 feet as criteria. Mr. Gagliano asked if they were making substantive changes or if perhaps this should be moved entirely to Phase 2. Ms. Kester suggested that she go through how the standards are applied today and then decide what we want to change.

Jill Guernsey suggested that in Item 2 the word industrial should be struck so that it just said building and that in 2a remove the comma after "or" and in 2b move the comma. She asked if it should say Subsection C and it was decided that it should just say "eligible for the industrial building exemption". Mr. Gagliano said that it really just needed to say not within the Historic District and not visible from the right of way. Ms. Kester pointed out that within the

Employment District it can be visible. Mr. Pasin said that he felt that using 800 feet was causing people from using an exemption. Ms. Kester asked if perhaps they should just deal with the larger issue of the IBE and not examine each word. Mr. Pasin said that he really felt that 800 feet made it impossible for an industrial building to be built. It was decided to remove it from the table

MOTION: Moved to table this issue. Guernsey/Atkins –

Mr. Pasin said that he felt that tabling the item without modifying the 800 feet would be detrimental and prolong the problem. Ms. Kester reminded them that it can put it into Phase 2. Mr. Gagliano illustrated where some of the zones were located and what these regulations could mean in different areas. Ms. Derebey asked when they would reach Phase 2 and Ms. Kester said that the text amendments themselves will probably not happen until October or November.

Motion carried with Jim Pasin opposed.

Zone Transition Update

Ms. Kester went over the current problems and explained that this was codifying an interpretation along with some further clarification.

John Jernejcic asked why a property owner cannot negotiate an easement for putting the buffer on and Ms. Kester explained that the City Council felt that it should be on their property. Mr. Pasin said that as an example the Stroh's property has been there forever, but if the Strohs want to rebuild they will have to buffer from the townhouses. Mr. Pasin said that the residential property should have to have the buffer. Ms. Kester explained that they could go through the development standards by averaging the building footprint and height rather than having a buffer.

Mr. Gagliano said that although he never really liked the rule he did support it and noted that it needs to be thought about in conjunction with the building size maximums. Mr. Pasin said that he felt that this would not work within the downtown area. Ms. Kester pointed out that the buffer option is not applicable in the height restriction area. Mr. Gagliano said that it should be a reflection of the scale of surrounding structures. Mr. Allen asked for clarification of the buffer requirements. Discussion was held on what an appropriate amount of buffer was. Mr. Gagliano asked about what the different transitions were. Ms. Kester went over the standards in 17.99.170. Discussion followed on how the standards are applied in the different zones.

MOTION: Move that draft language is developed to codify the administrative interpretation. Guernsey/Atkins –

Mr. Pasin said that he didn't feel that it was clear as to who was creating the need for the buffer. Ms. Ninen said that maybe it should say as a result of recurring development or the parcel being developed. Ms. Kester pointed out that both properties could be developed at the same time. It was decided on "entirely located on the parcel being developed". Ms. Kester said that there may be a need to totally look at zone transition standards and maybe the Council will accept it more readily. Mr. Pasin said he would like clarification on where this standard applies. He said that it

seemed to say that a residential development may be required to have a 40' buffer. Ms. Guernsey said that she believed it may be a problem but she still believed the language should be clarified. Ms. Kester explained how this section of code was applied today.

Motion carried with Jim Pasin opposed.

Discussion was then held on Item 2 of zone transition. Ms. Kester explained the average building footprint and building height measurement. She explained that the amendment was to make it so that the same method would be used for averaging the building footprint and height. Ms. Guernsey suggested that in item 2A the words "at the discretion of the applicant" be added. Mr. Pasin explained a situation where the 200' could be unreasonable. Kurt Latimore asked about legal nonconforming uses. Ms. Kester explained that if they were in the same zone then zone transition would not apply. She reminded them that they were only trying to fix the consistency of the height and footprint measurement.

MOTION: Move to approve the change as written Guernsey/Ninen – Motion passed unanimously.

Prominent facades

Ms. Kester stated that there was no specific language written at this time and she was looking for direction on what language to write. She stated that in the 1996 manual it was clear that the architectural standards only applied to prominent facades. In 2004 when it was updated some of those exemptions did not follow through so staff has had to struggle with how to apply the standards to non prominent facades. She stated that of particular interest were mass and scale, windows and doors and siding and trim. She asked if they wanted to increase the number of standards which are exempt if the façade is considered not prominent. Mr. Pasin said that it is not practical to not have a back side to a building. Ms. Kester said that what she was asking was given what the definition is, do we want to change the standards which apply to prominent facades. Mr. Jernejcic pointed out that Mr. Pasin had been concerned about the view seen from residential properties to a commercial property. Mr. Gagliano stated that when changes have been made to non prominent facades it has been more material and windows not to mass and scale. Ms. Kester suggested that mass and scale should be the only ones exempt. Mr. Filand asked why look at it at all if it's not a prominent façade. Mr. Gagliano said that he didn't like having one or two sides of a building looking good. Ms. Kester said that maybe that was why in 1996 the only exemption was mass and scale. Mr. Gagliano said that he felt that solid/void ratio should also not apply. Ms. Kester said that it is not applicable to non prominent facades now. She then suggested that they apply the language as it was in 1996 and she would bring some suggested language. Mr. Gagliano suggested that it also state what does apply on non prominent façades. Ms. Kester said she didn't think it was necessary but it could be more specifically stated. Everyone agreed that avoid long low wall planes and provide substantial shifts in walls and roof surfaces should not apply to non prominent facades. Ms. Kester said that she would separate the prominent and non prominent facades requirements and bring back language.

MOTION: Move to recommend that staff bring back language for the categories of review including 2 and 3 as prominent facades only. Atkins/Guernsey – Motion passed unanimously.

UPCOMING MEETINGS

- June 7th Work study session at 5:30 with 7:00 p.m. public hearing on zone transition and prominent facades
- June 11th Council meeting on the 1st reading of the process improvements.
- June 21st Phase 2 Plan for comp plan amendment changes.

ADJOURNMENT

MOTION: Move to adjourn at 7:49 p.m. Atkins/Guernsey – Motion passed unanimously.