

City of Gig Harbor Planning Commission and Design Review Board
Minutes of Joint Work-Study Session
March 1, 2007
Gig Harbor Civic Center

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

CALL TO ORDER: 6:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of February 1, 2007 as written. Guernsey/Allen – Motion passed unanimously.

It was decided to postpone approval of the minutes of February 15th, 2007 until the next meeting.

NEW BUSINESS

Senior Planner Jennifer Kester went over the goals for the evening and the first three text amendments to take to a public hearing. She noted for the record the e-mail comments received from Charles Carlson and Rick Gagliano.

Noticing Amendment

Ms. Kester outlined the current process for noticing a DRB meeting references a procedure within Title 19 for a DRB meeting to be noticed similarly to a public hearing. She noted that this delays the process a great deal by requiring a 4 week lead time for scheduling a meeting. She went over the process improvement that staff had proposed which was to reduce the four weeks to two weeks. She said that instead of referencing the manner of a public hearing, it would reference the design process chapter and the noticing would not be less than 7 days. She opened the floor for questions.

Jim Pasin said that he felt that the large postings are getting a lot of attention and that he felt that the requirement to mail to property owners within 300' should be a greater distance. Harris Atkins asked if every adjoining property owner received a notice. Ms. Kester said yes, and she explained that 300' is an industry standard; however, some cities do have a greater distance. She suggested that if they wanted to do something greater it should be done for everything not just for Design Review Board meetings. Mr. Dolan stated that perhaps there were some overall changes in noticing that need to be made.

Mr. Atkins asked about the current process and for clarification of how this would improve the process. Ms. Kester explained how the change would help speed up the process by allowing for quicker scheduling of DRB meetings. Ms. Ninen pointed out that Scott Inveen had said that his

project needed two meetings and with the noticing requirements he couldn't schedule two meetings consecutively.

John Jernejcic pointed out that in Item G it should say "complete application".

Ms. Kester asked if they were okay with posting within 7 days or should it be 10. She noted that there had been discussion of adding a posting of the notice of application and that perhaps further change would be proposed at a later date. There was consensus that the proposed timeframe for noticing was appropriate.

Mr. Pasin asked about the distance of the mailing and Mr. Dolan said that he felt that the distance of the mailing was not necessarily important but rather the length of the posting and that he would rather not do more than 400 feet within the project since it seems that no matter what distance you make it someone will say its not enough.

MOTION: Move to recommend approval of the proposed ordinance as written by staff with the changes proposed by Mr. Jernejcic. Pasin/Derebey – Motion passed

Setbacks

Ms. Kester went over the current code and the proposed changes explaining that there is really no purpose in these standards being in the Design Manual since the DRB does not have the authority to vary from them. The proposal is to move these standards to the appropriate section of the zoning code.

Mr. Jernejcic pointed out that there should be a comma before the word "provided". Mr. Allen said that he understood the rationale for taking the setbacks out of the Design Manual but he didn't understand why the historic district residential setbacks weren't being removed. Ms. Kester explained that the concern was that the historic district encompassed many zones and rather than include this information in all those zones it was easier to reference back to the historic district. Jill Guernsey suggested that perhaps it could be in a separate section in the zoning code and Ms. Kester said that was possible; however it may need to be done at another time. She also pointed out that most cities put historic district standards in their Design Manual. Mr. Pasin said that what is defined as a historic district is not a true historic district and he felt that leaving it in the manual caused confusion. Ms. Kester said that she had heard a lot of concern for the historic district area standards and stated that there was an item in the second tier of proposed changes to define the historic district and perhaps that was the time to discuss this. It was decided that it should be looked at within the study of the historic district during the next phase of changes.

Ms. Kester said that she felt that there was some discussion needed for B-2 and C-1 zones where residential uses are allowed but there really is no reference to their standards. She asked if the conditional use process should deal with these issues or should it be spelled out. Ms. Guernsey said that she was more inclined to put in the specific text rather than deal with it in the conditional use process. Mr. Pasin suggested that they use what was in the RB-2 zone for B-2 and C-1. He asked about whether there was going to be an amendment to get rid of the mixed use district overlay. Ms. Kester said that there had been some discussion regarding making it a

zone rather than an overlay. Mr. Pasin expressed concern with putting off some of these changes and noted that there is pressure for development in that area and if we wait too long it will be too late.

Mr. Dolan stated that there will be a joint City Council and Planning Commission meeting on March 19th where some of these issues should be discussed.

Mr. Pasin asked if on Item 8 it would be okay to take the RB-2 standards and apply the same single family duplex standards to B-2 and C-1.

Chairman Theresa Malich noted that the comments from Mr. Carlson and Mr. Gagliano both agreed with moving the setbacks out of the Design Manual.

It was decided to leave the MUD as it is until further study is done of this district.

Ms. Kester then noted that the DB zone is wholly within the Historic District and refers to the Historic District standards. She then went over the other zones that wouldn't need a change since they did not allow residential uses.

Mr. Pasin asked if when the matrix was done there was discussion that B-2 and C-1 should have the same limitation of business on the lower floor and residential on top. Ms. Kester checked their list of proposed changes and didn't see it on the list. She stated that she felt that this was a use issue outside of the design review process improvements. Ms. Kester reiterated that this first phase of changes were to get some momentum for real process improvements. Harris Atkins said that he liked the idea of showing progress and he felt that it should be discussed in the joint meeting.

Ms. Guernsey suggested that there be a footnote as part of the staff report stating the reasons why the changes were not made to the other sections. Mr. Pasin then asked if it was still appropriate to use the RB-2 residential setbacks in the B-2 and C-1 given the discussion. Ms. Guernsey said that she felt it was appropriate to make the change until we look at the larger picture. Discussion was held on what setbacks would be used for residential development in a commercial zone.

Ten minutes recess was called from 7:30 to 7:40 p.m. Darrin Filand and John Jernejcic left during the recess.

MOTION: Move that staff develop language for the public hearing on this proposed change. Guernsey/Atkins – Motion passed with Mr. Pasin opposed.

Landscaping

Ms. Kester went over the current code and the proposed changes.

Mr. Atkins asked for clarification that the material shown would be an addition to the code and Mr. Kester replied that it is a mixture.

Ms. Kester noted that both Mr. Filand and Mr. Jernejcic voiced their support prior to leaving the meeting. She also noted that Mr. Carlson had submitted comments indicating that he was concerned that if we remove these requirements from the Design Manual it might limit the DRB in using landscaping as mitigation. Ms. Kester said that she didn't see why that would need to change as they could still use landscaping as mitigation. Mr. Atkins asked for clarification on how that would work. Ms. Kester explained it more fully using the Uptown project as an example.

Ms. Ninen asked about Item G, noting that the old Item G talked about replacing trees and she didn't see anything within the new Item G which addressed that. Ms. Kester checked the reference and said that it was supposed to be Item I.

It was pointed out by Ms. Kester that Mr. Gagliano's e-mail expressed concern that there are other issues with the landscaping code that need to be addressed. Ms. Kester pointed out that that there was an item in Phase 2 that would address that.

Ms. Kester then proposed that they go through the each section one at a time. She went through each item and where they would be located or if they were no longer applicable. She stated that at this time the intent is to not make substantive changes but rather just a process change, the substantive changes will happen with Phase 2.

Mr. Pasin wanted assurance that the specifics of the landscape standards would be dealt with in Phase 2. Ms. Kester clarified that he wanted an item added to Phase 2 and Mr. Pasin said that he wanted to discuss the landscape standards as a whole.

Mr. Pasin expressed concern with maintaining the symmetry of trees being a design standard and stated that he did not see any relevance in having such a requirement. Ms. Kester explained the current regulations and that they would apply to existing development. There was concern expressed for how that was enforced. She explained that there is no permit required for topping a tree; however, they are required to get an arborist report and then staff issues a letter stating that they are in compliance. She further explained that if the tree topping standard was moved into the zoning code it will only apply to commercial development. Mr. Pasin said that he would like to see some of these things taken out of the Design Manual and the zoning code because they don't have relevance. Ms. Kester reiterated that this particular amendment was to move these things rather than discuss the regulations themselves. Mr. Atkins asked if there had been discussion of a tree preservation ordinance. Ms. Kester said yes and that the Planning and Building Committee had asked that it be part of these design review process improvements. It was noted by Ms. Ninen that in the community design element of the Comprehensive Plan it talks about tree preservation after construction. Ms. Kester then went over the next items and where they were being proposed to be moved to within the zoning code.

Ms. Guernsey asked for clarification of what a continuous tree canopy is and Ms. Kester explained the definition and its purpose. Ms. Ninen asked if the reference was correct and suggested that there be wording added that it was in the glossary. She also noted in the next section where the reference could be more specific.

Ms. Kester then went over the enhancement corridor map and explained the proposed text change. Ms. Guernsey pointed out that where it said Tacoma City Light it should say Tacoma Public Utilities and Ms. Kester said she would highlight that and research the correct name. Ms. Guernsey asked if it was really a right of way and Ms. Kester said that no, it is really fee simple property.

Discussion was held on continuous tree canopy standards and Ms. Kester went over where the text had been relocated.

Discussion was then held on tree barricades. Ms. Kester stated that there was a statement added for steel posts or wood posts. She noted that you still have to have chain link. Mr. Pasin said that when this was first adopted it didn't make sense and he felt that it needed to go away. Ms. Kester said that the orange construction fence does not do an adequate job protecting trees and that staff had seen many instances of the flimsier fencing being moved and knocked down. Mr. Pasin asked about how the standards were applied and Ms. Kester explained that the fencing is required at the limits of construction. Mr. Atkins said that the reason this was being done was to remove things that the DRB does not deal with. He stated that this really did not seem to be something that belonged in the Design Manual but rather in the site development section or in the section on tree preservation. Everyone agreed. Ms. Ninen pointed out a couple of references that needed to be expanded upon.

Mr. Dolan asked the Planning Commission to note on their calendars that on Wednesday the 14th at 6:00 pm. there will be a Gig Harbor North Visioning Meeting with the City Council and Olympic Property Group to talk about development of properties in Gig Harbor North. He also noted that the 15th of March was their regular meeting which will be a public hearing and on the 19th of March there will be a joint meeting with the Planning Commission and City Council.

MOTION: Move to direct staff to prepare an ordinance for the proposed changes to the landscaping standards. Atkins/Guernsey – Motion passed with Jim Pasin opposed.

Mr. Pasin stated that he would like to see more support and input from the Design Review Board during these meetings on the design review process improvements.

ADJOURNMENT

MOTION: Move to adjourn at 9:00 pm – Pasin/Ninen – Motion passed.

CD recorder utilized:

Disc #1 Track 1

Disc #2 Track 1

Disc #3 Track 1