

**City of Gig Harbor Planning Commission**  
**Minutes of Work-Study Session**  
**February 8, 2008**  
**Gig Harbor Civic Center**

**PRESENT:** Commissioners Jim Pasin, Harris Atkins, Theresa Malich, Jill Guernsey, Joyce Ninen, Jeane Derebey and Dick Allen. Staff present: Jennifer Kester, Tom Dolan and Diane Gagnon.

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

**NEW BUSINESS**

1. **Carol Davis, P.O. Box 621, Gig Harbor WA 98335** (ZONE 07-0013) Limiting Office Uses in Waterfront Millville Zone

The applicant, Carol Davis noted that her major concern and her reason for proposing this text amendment was that there was no limit on the number of office buildings that could be built along Harborview. It was her impression that the intent of the original allowance was to protect the offices that were already there. She didn't think that anyone foresaw a 3500 sq ft office building being built across from a residential zone. She noted there is nothing in the code to prevent the entire water side of the WM zone from becoming offices. Her idea was to limit the amount of offices in some way, perhaps using a percentage and that offices be an ancillary use.

Chairman Theresa Malich said that there have been some conversions of houses into offices. Commissioner Joyce Ninen asked about personal services and product services which are also allowed, she pointed out that the intent of the zone is to provide a wide range of uses and activities. She stated that she felt that it was really important to have many things that would draw people to the downtown. Ms. Davis stated that offices don't really draw people downtown. Commissioner Harris Atkins asked if the size of the building was really the issue rather than use. Senior Planner Jennifer Kester pointed out that in the mixed use portion of the comprehensive plan where it sets out specific percentages for each use. Commissioner Jill Guernsey asked if the concern was that the uses that are allowed in this zone are too broad. Ms. Davis said that her concern was that current buildings will be torn down and larger office buildings will be built. Commissioner Jim Pasin asked if she was really concerned with the size and she said she was concerned with that but didn't feel that it could be changed. Mr. Pasin asked if it was a concern that it might be an office use rather than retail. Ms. Davis said that yes, tourists will not come here if it's all office buildings. Ms. Kester stated that there will be things changed in that area with the Shoreline Master Program update and the View Basin plan along with a discussion with the Mainstreet program. Planning Director Tom Dolan said that he believed that one of the primary issues in the Shoreline Master Program update will be to look at all the allowed uses along the water. Dick Allen said that he felt that retail should not be allowed in the WM zone. He said that he felt that once you have limited the size of the building then the use is really limited.

Commissioner Joyce Ninen pointed out that Sales Level One is shown as not allowed in WM on the matrix; however, in the development standards of WM it limits the hours of sales level one, she was wondering if the matrix was a mistake. Ms. Kester said that she would research what had happened. She then asked that everyone state their position. Ms. Malich felt there was an issue that needed to be addressed as there are some properties that could be redeveloped and do we really want the waterfront to be all offices. Mr. Pasin said that he didn't feel that would ever happen. Ms. Ninen said that she felt that it was probably too expensive to develop into offices. Mr. Pasin asked if there was a difference between a 3500 sq ft house and 3500 sq ft of offices and added that an office building is less intrusive than a personal service use. Planning Commissioner Jeane Derebey said that office uses are going to be able to comply with the limited hours of operation when things such as personal services may not. Commissioner Harris Atkins agreed with the concept of making the downtown more vibrant and viable; however, he was hesitant to regulate the amount of each use. He said that if and when the marinas are converted we will definitely need to address these issues. Mr. Allen said that he would be concerned if there were not a size limitation in place. He stated that the WM zone was put in place in order to prevent the spread of the DB into that area, to make more of a smooth transition. Ms. Ninen stated that she did think that it was important to keep the downtown viable and personal services are more likely to draw more people downtown. She felt that since the buildings have to go through design review she felt that there was some control and that 3500 square feet wasn't really very big. Ms. Derebey said that if we are worried about the viability of the downtown we may not be able to save Millville and still keep the downtown vibrant. Ms. Ninen mentioned that since there is more development happening on the north end of Harborview then maybe it takes Millville to be the link. Mr. Dolan suggested that this really could be part of the discussion during the Shoreline Master Program update because anything done now could be undone. Ms. Guernsey said that there is an underlying issue of whether we should look at redefining the uses allowed in Waterfront Millville, but she didn't think now was the time to do that since we have the 3500 sq ft limitation in place. She felt that the discussion could happen at the time that we discuss the Shoreline Master Program. Ms. Davis agreed that the item could be tabled until the discussion during the Shoreline Master Program update. Ms. Kester agreed to let Ms. Davis know when those meetings happen.

2. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – (ZONE 07-0006) Removal of Mixed Use District overlay and determination of appropriate underlying zoning.

Senior Planner Jennifer Kester stated that after the last meeting they had suggested a zoning chapter that kind of melded the MUD and the underlying zones and so she noted where she had created a new chapter called the Mixed Use District. She stated that the overlay had most of the components for a zone; there were just a few items that needed to be addressed.

Ms. Kester went over each of the seven talking points and the recommended changes to the land use matrix.

Ms. Kester asked if they were supportive of the approach to the new zone and Mr. Pasin said that he was in favor of it as long as everyone understood that the boundaries may change. Ms. Derebey asked if he was suggesting that we should remove the residential portion from the MUD and he agreed that perhaps that would be the case. Ms. Derebey noted that there was not much area left if we removed the residential area. Ms. Kester stated that perhaps the property owners would want to keep their underlying zone and when it comes to population allocation this is considered a mixed use zone. Mr. Atkins noted that the residential area could develop today as a mixed use.

Mr. Pasin stated that the transition standards could be difficult. Ms. Kester pointed out that she was proposing that the zone transition standards not apply internally. Ms. Guernsey stated that those situations would happen throughout the city. She added that the main problem is getting rid of the cumbersome overlay. Mr. Allen asked if the overlay had been difficult to administer and Ms. Kester said that yes it was difficult to administer. Ms. Guernsey said that it gives each property dual zoning and we don't do that for everyone else. Ms. Derebey asked why not just give people the underlying zone. Ms. Kester explained that some people have expectations of their zoning so if we just removed the overlay, it would be down zoning property. Ms. Guernsey cautioned against down zoning with no real public benefit other than that it's too difficult to administer. Ms. Ninen asked wasn't there people in the MUD who get to choose and Ms. Kester said that yes they either choose the overlay or the underlying zone. Ms. Ninen asked how many property owners would be down zoned if we took away the overlay. Ms. Kester answered maybe 3.

Mr. Pasin asked what would happen if we just rezoned it to RB-2. Ms. Kester noted that the retail component would go away and the density would be much higher. She added that there may be a comprehensive plan issue, so it would be easier to create a mixed use district zone rather than RB-2. Mr. Pasin stated that if we really create a mixed use zone it may be a model for zoning in the future. Mr. Dolan asked if they wanted to look at this as a separate zone or just down zone it. Mr. Atkins suggested that they propose adoption of the underlying zone to simplify the process and then see what the public says. Ms. Kester said that she had thought perhaps we could put forth options. Mr. Pasin said he would rather remove the overlay and then if people wanted to ask for a rezone they could. Ms. Malich asked that everyone give their opinion on the issue. Mr. Atkins said that down zoning would be the easiest but it doesn't give any direction and maybe Ms. Kester's approach is better to define a zone. Mr. Allen was unsure. Ms. Ninen asked how many underlying zones were there and Ms. Kester said that there was R-1, PI, RB-2 and B-2. Ms. Ninen said that she liked the idea of a mixed use zone, but didn't know if it was the right time to take it on; however, it seems right for the area. Ms. Derebey clarified that if they changed to this new zone the zoning that is there will go away and will become a new zone and Ms. Kester answered yes. Ms. Derebey pointed out that this new zone would give them most of the options they had. She stated that she felt that we needed an area of this type and this may be the only area. Ms. Guernsey said that she was not against a mixed use zone because they are a good mix, the problem is that this area is difficult to envision as appropriate for mixed use.

She continued by stating that with or without the creation of a mixed use zone we need to look at the zoning of this area. She stated that she didn't like the existing dual standards. Ms. Malich said that she was worried about how this is administered currently. Ms. Kester said that as long as the overlay goes away it will work for staff and noted that there must have been some intent that this was an area for mixed use.

Ms. Kester said that overall everyone seems to want to hear from the property owners and perhaps they should hold the public hearing March 6<sup>th</sup> and then discuss it further. Mr. Dolan asked if staff could advertise the hearing as being for both options. Mr. Pasin stated that he would have a problem with this proposal. Ms. Guernsey asked what he wanted to do. Mr. Pasin said he just wanted to take away the overlay and would not want to take the existing overlay and just make it one zone. Mr. Atkins stated that he didn't think that R-1 was appropriate for the area.

Mr. Atkins asked about the impact of the new road that will go through the area. Ms. Kester said that she would expect that it would be commercial development since it will connect to the freeway. Mr. Dolan asked if they wanted to advertise for two options or just the down zone for the March hearing date. Ms. Derebey thought the choice was better, Ms. Ninen agreed. Mr. Pasin said that he felt everyone was overlooking that some of these areas are high intensity use. Ms. Derebey said that she wasn't so sure that we shouldn't be looking at the fact that this zone could possibly be used elsewhere in town. Ms. Derebey pointed out that we are charged with planning the future land use of the city not necessarily just doing whatever the property owners want; of course we would take it into consideration. Ms. Guernsey said that people could ask to be rezoned individually. Ms. Kester noted that they could and then perhaps create a sub area plan. She pointed out that it may be a concern that a major arterial would go through an R-1 zone. Mr. Pasin asked why staff had not proposed PCD-NB and Ms. Kester answered that because we would have to do a comprehensive plan amendment; however, if that is what everyone wants, then we can go that route. Ms. Malich said she would like the two options presented for a public hearing. Mr. Pasin noted that if they remove the overlay the greatest impact is on the R-1 zone.

Ms. Kester then went over the seven talking points and her proposals for each.

1. Minimum lot area and lot width. Ms. Kester stated that she was not recommending a minimum lot area or width. Mr. Pasin said that there should be no minimum lot area or minimum lot width.
2. Minimum setbacks for detached single-family and duplexes. Ms. Kester stated that she was proposing the same setbacks as the rest of the city. Mr. Pasin said he didn't want that but had no suggestion for what it should be. Ms. Kester explained the standards.
3. Minimum development parcel size. Ms. Kester said that she was proposing that this be removed and everyone agreed.
4. Density. Ms. Kester explained the current density regulations and proposed a minimum of 4 with a maximum of 8 and the 30% increase provision (up to 10.4). Mr. Atkins asked how the density allowances compared with the way it would

have been with the overlay. Ms. Kester answered that over all you have the potential for more units. Mr. Pasin mentioned the issue of the existing amenities in the area and that he didn't understand why we would ask them to provide more in exchange for additional density. Ms. Guernsey stated that the real issue is do we want a minimum density. Ms. Kester suggested that they not do away with it entirely so that they don't get large lot developments, but could offer a lesser density when someone is doing a true mixed use development. She explained how it could possibly work. Ms. Guernsey and Ms. Derebey both said they liked the 4-8 and everyone agreed.

5. Zone transition standards. Ms. Kester proposed that the zone transition standards not be required internally and everyone agreed that this was a good start for the public hearing.
6. Buffer requirements between new single-family and existing multiple-family developments. Ms. Kester suggested getting rid of Item D. Ms. Guernsey and Ms. Derebey agreed. Ms. Kester suggested they think about the other buffering requirements and whether they make sense along with the townhouse and zero lot line residential developments section.
7. Land Use Matrix. Ms. Kester went over several changes she was suggesting in the land use matrix. Ms. Guernsey asked about the living/nursing facilities and suggested that perhaps they should be conditional rather than permitted. She liked the idea that the performance standards make sure they fit. Mr. Pasin said that he didn't see the need to make it conditional in a mixed use environment. Everyone agreed that they should be conditional. Ms. Ninen suggested that a museum could be an allowed use in this zone; everyone agreed that it could be a conditional use in the zone. It was suggested that auto fuel facilities and vehicle wash should perhaps be allowed conditionally. Ms. Kester noted that wireless communication facilities are being proposed as permitted and stated that she would research if the wireless communication section of the municipal code deals with siting near residential.

3. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – (ZONE 07-0031) Nonconforming Uses in R-2 zone and nonconforming structure regulations.

Discussion was held on whether this issue could be discussed at the next meeting. Ms. Kester noted that the discussion on the neighborhood design areas is coming up and that several members of the Design Review Board want to be involved. She added that there will be a public hearing on the 6<sup>th</sup> of March, so that leaves the discussion on the appropriateness of RB-1 zoning at the next meeting and then also finishing up nonconforming uses in the R-2 zone. It was decided that at the next meeting on the 21<sup>st</sup> of February we will discuss RB-1 zoning and nonconforming uses.

### **APPROVAL OF MINUTES**

**MOTION:** Move to approve the minutes for January 17th, 2008.  
Guernsey/Atkins – Motion passed unanimously.

Planning Director Tom Dolan noted that we have tentatively scheduled April 21<sup>st</sup> as a joint meeting with the City Council. He also noted that the Council approved the Planning Commission's recommendation on the direction for underground structures and were very complimentary of the Commissions thoughts and hard work. The City Council placed it on the second quarter work program.

Mr. Pasin stated that there was a resolution by the City Council on the use of Skansie Brothers Park and they are asking for a Planning Commission member to help. Jeane Derebey and Jim Pasin said that they both would be interested. It was decided that Jeane Derebey would represent the Planning Commission.

### **ADJOURNMENT**

**MOTION:** Move to adjourn at 8:35 p.m. Ninen/Derebey – Motion passed.