

**City of Gig Harbor Planning Commission  
Minutes of Work-Study Session and Public Hearing  
March 19, 2009  
Gig Harbor Civic Center**

**PRESENT:** Commissioners: Joyce Ninen, Jill Guernsey, Jim Pasin, Michael Fisher, Jeane Derebey and Dick Allen. Chairman Harris Atkins was absent.  
Staff Present: Tom Dolan, Jennifer Kester and Diane Gagnon.

**CALL TO ORDER:** Acting Chair Joyce Ninen called the meeting to order at 5:00 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move to table the minutes of February 19<sup>th</sup>, 2009 until the next meeting. Derebey/Fisher. Motion passed unanimously.

**5:00 WORK STUDY SESSION**

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** –  
ZONE 07-0006 – Mixed Use District Overlay (MUD) Amendments and Area-Wide Rezone

Senior Planner Jennifer Kester went over the memo that had been sent out to reflect the changes the commission had discussed at the last meeting and noted the specific changes.

Ms. Kester stated that since the last meeting she had talked to the City Building Official regarding height and that he had said a 10-foot floor with some wiggle room for each floor would be adequate. She continued by saying that a 35' height limitation from footprint would get three stories with a flat roof but not necessarily a pitched roof, 45' would get you four stories with a flat roof. She also stated that Rick Gagliano was willing to do some calculations on what would be necessary to get 3 floors and with incentive 4 floors. Commissioner Ninen voiced concern with a four-story building with a flat roof. Commissioners Pasin and Derebey said they were not concerned and felt that it was a better use of the height. Ms. Ninen said she would like to see what Mr. Gagliano came up with since he is an architect and also on the Design Review Board. Commissioner Allen said that he wanted to know what it took to get 3 and 4 floors comfortably without thinking about the 35 and 45 feet and he felt that it would be good to get Mr. Gagliano's advice.

Ms. Kester noted that Mr. Pasin had asked that she talk about the affect of the enhancement corridor standards on this new district. She said that along Burnham Drive there is a 30-foot setback on either side of that right of way in which no building or parking or tree removal is allowed. If there is not adequate screening to screen 50% of the development then they have to provide plantings to reach 50% and have to do all

facades as prominent façades within the enhancement corridor. She noted that the development standards for front yards could be larger than stated in the proposed ordinance. Ms. Ninen asked if perhaps there should be a footnote in the development standards stating that within the enhancement corridor the setbacks may be different.

Commissioner Michael Fisher asked what the lines on the map represented and did the math work when it was a small parcel. Ms. Kester stated that it may be difficult to get the 50% increase in density but it is achievable. Mr. Allen asked for clarification of what the footnote would say. Ms. Kester gave an example of what it could say.

Ms. Ninen asked if there was any feedback from the council meeting on Monday which would have an impact on this proposal. Planning Director Tom Dolan said that there were no specific recommendations but after public testimony there may be changes necessary.

Mr. Allen asked about the 5' sideyard setback and what the rationale was for that. Ms. Kester said that she believed that it was currently written that way in the MUD overlay. Mr. Allen expressed some concerns with it being so narrow and Ms. Kester said it may be an issue with larger buildings with windows, etc. Mr. Dolan agreed that they should look at that and talk to the building official about whether there would be a conflict with fire codes and the design manual. Mr. Allen asked if the 5' was being offered as some kind of incentive and Ms. Kester said she didn't think so.

Ms. Ninen said that she had looked at other zones that have mixed use and she hadn't seen anything less than 8 feet and Ms. Kester said that there was one that had 5.

Commissioner Guernsey asked about the front yard and side yards on page 4. She asked that the word setback be inserted. Ms. Kester agreed.

Ms. Kester noted that Ms. Ninen and Mr. Allen had dropped off some language suggestions for page 2 of 10 in the setback section, recommending that the word "minimum" should be inserted. In addition, Ms. Ninen and Mr. Allen recommended that on page 4 under section 100, the word "line" be inserted after the word "property". She stated that the council had a discussion on height at the work study session. They also pointed out the boundary on the southern section did not follow the parcel lines. Mr. Pasin said that there is one portion on the west side of the road and given the fact that it's an enhancement corridor he asked if we were doing those people any favors with this proposal. Ms. Kester noted that staff has talked to those property owners and they seem to be desirous of a nonresidential use. Mr. Dolan further explained the location of the property. Discussion continued on properties along Burnham Drive and reasonable use exceptions.

Ms. Kester suggested that perhaps after the hearing, the commission may want to take another look at the uses proposed since it had been awhile since they had proposed them.

A ten minute recess was called at 5:50 pm.

The meeting was called to order at 6:00 pm

### **6:00 PUBLIC HEARING**

Acting Chair Joyce Ninen opened the public hearing.

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** –  
ZONE 07-0006 – Mixed Use District Overlay (MUD) Amendments and Area-Wide  
Rezone

Ms. Ninen asked Ms. Kester to give an overview of the proposal for this public hearing. Ms. Kester went over the proposal for the new MX zone. She went over the new amendments for incentives for mixed use and some other housekeeping changes. She reviewed the proposed increase in allowed density and the removal of limitations to mixed use occupancies. She then went over the changes to the uses. She stated that she was here to answer questions.

Tom Sturgeon, P.O. Box 1800, Orting WA 98360

He said that McCormick Creek plat was his property and that the mixed use district intent states that they are promoting the intent. He didn't think that he would be able to get the density or height that the commission was proposing so he was here to see if this proposal would allow him to apply for a new plat. He said that it would allow him to possibly get more density. He asked that they look at what is best for everyone. He thought that they could consider height and underground parking. He noted that one of his conditions was to build a road to Harbor Hill. He noted that they have some of this mixed use in Puyallup and it isn't working. It works in Kirkland, but it may not work here. Jim Pasin said that he felt that this proposal provided property owners with more flexibility. Mr. Sturgeon said that he liked the idea that he could get 9 dwelling units per acre. Ms. Ninen asked if the 185 units were all single family and Mr. Sturgeon said that it was all single family. Ms. Ninen asked what price range he was shooting for and he said somewhere between \$216,000 and \$260,000. Commissioner Fischer asked what his density was and Mr. Sturgeon said that he felt it was a little more than four per acre. He said that he wasn't sure that 9 dwelling units per acre could be achieved with some of these regulations. He asked that since this is a rather large piece that it's development be considered.

Sean Mondavi, P.O. Box 2352, Gig Harbor WA 98335

Mr. Mondavi stated that he would like to have his office and construction yard be a permitted use. He noted that his neighbor has a contractor yard. Mr. Dolan said that this was a violation and there had been cutting of trees without permits. He continued by saying that Kristin Moerler is working with him to figure out a way to locate an office and noted that his property is severely impacted by steep slopes and wetlands. Mr.

Dolan stated that staff is in the process of trying to figure out if what he wants to do can be accomplished, given the constraints of the property. Ms. Kester noted that on page 2 of 10 it talks about the neighboring uses and the Planning Commission is proposing to strike that. Mr. Mondavi stated that times are hard and asked for help with his project.

Ms. Kester noted that she had received an e-mail from Loretta Larimore and Jerry Larimore and stated that they were in agreement with the proposed changes. Mr. Allen asked how big their property was and Ms. Kester said that she thought that it was about ten acres.

Acting Chair Joyce Ninen closed the public hearing 6:37 p.m.

Mr. Pasin stated that he had some comments regarding the proposal. He stated that in the permitted uses on page 8 of 10 he noticed that tavern is not a permitted or conditional use and since there were some taverns further south he asked why we were not allowing them. He then asked about the drive thru and felt that it should at least be a conditional use and he would actually permit it outright. Ms. Ninen said she was not against having drive thru be conditional in that zone and everyone agreed. Ms. Guernsey said that since we were allowing all restaurants we should allow taverns and everyone agreed that it should be at least a conditional use.

Ms. Derebey asked why they had spent so much time on this when Mr. Sturgeon had a plat for such a large chunk and Ms. Kester said he has expressed that he might not go forward with his plat.

Mr. Pasin recommended getting the additional information and tabling this item until the next meeting. Ms. Kester went over what additional information they had asked for. Ms. Derebey asked if she would also check continuity with the fire code and Ms. Kester said that she would check on the minimums.

## **OTHER BUSINESS**

Planning Director Tom Dolan said that the Planning Commission may be asked to look at an area wide rezone within the newly annexed Burnham/Sehmel annexation area. He further stated that one of the property owners; Paul Garrison has expressed concern with the preannexation zoning of RB-1 since he has industrial uses on his property and would like to bring his property in as an employment district. Mr. Garrison did not appear before the council when these issues were discussed for preannexation zoning. It was noted that the City Attorney advised that in order to change the zoning at this point we would have to do the annexation all over again so we may be looking at an area wide rezone and that the annexation should be final April 6<sup>th</sup>. Mr. Dolan noted that the areas where the zoning code and comprehensive plan don't match really need to be cleaned up.

## **ADJOURNMENT**

**MOTION:** Move to adjourn at 6:55 p.m. Guernsey/Derebey. Motion carried unanimously.