

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session
April 2, 2009
Gig Harbor Civic Center**

PRESENT: Commissioners: Harris Atkins, Joyce Ninen, Jill Guernsey, Michael Fisher and Dick Allen. Commissioners Absent: Jim Pasin, Jeane Derebey. Staff Present: Jennifer Kester and Peter Katich. Guest Present: Karl Scherer, Dino Formiller, Paul and Betty Garrison, and Florence Wintermute

CALL TO ORDER: Chair Harris Atkins called the meeting to order at 5:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of February 19, 2009 with corrections – Ninen/Guernsey **Motion passed unanimously**

Minutes for the March 5, 2009 meeting were passed out and will be reviewed at the next meeting.

Minutes for the March 16, 2009 joint meeting of the Commission and Council and the March 19, 2009 Commission meeting will be ready for distribution by the next meeting.

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. Kester addressed proposed approach for rezoning the area currently zoned Mixed Use District Overlay to MX Mixed Use District. She addressed the proposed setback, height and use regulations for the district. In regard to side yard setbacks, Ms. Ninen inquired as to the side yard setback requirements of other jurisdictions. She inquired of Mr. Katich what the city of Tacoma's side yard setback requirements were. Mr. Katich noted that the city had recently revised its code to require a 5 foot side yard setback. Mr. Allen expressed his opinion that reduced setbacks pose a fire safety issue. Chair Atkins inquired as to whether staff had consulted the Fire District regarding the requirement. Ms. Kester indicated that the International Residential Code required fire resistive construction for structures located within 5 feet of a side property line. Ms. Kester suggested that the Commission focus on aesthetics and open space in their deliberations concerning the setback issue, not fire safety as that is addressed by the building code. The Commission reached consensus that a minimum 8 foot side yard setback for nonresidential and residential should be required.

Turning to the proposed height requirement for the district, Ms. Kester indicated that Rick Gagliano, Vice Chair of the city's Design Review Board, had reviewed the height issue and provided his comments as well as a sketch that addresses the minimum floor to floor height required for mixed use buildings that include retail, office and residential uses. In this regard, a minimum floor to floor height for retail is 14 feet, while residential and office uses typically require 10 feet between floors. Ms. Kester addressed how the maximum 35 foot height limit for a structure could actually be taller on the downhill side of sloping parcels. Discussion ensued among the Commission members on the use of incentives that would allow for additional height above the 35 feet. After much discussion on the issue, the Commission reached consensus that the height incentive set forth in proposed GHMC 17.57.070.B should be increased from 10 to 15 feet if at least 25 percent of the gross floor area of a mixed use building contains residential and at least 25 percent of the gross floor area of the building is nonresidential. The additional 15 feet would allow a four-story building with the first floor as retail.

Lastly, with regard to permitted, conditional and prohibited uses within the proposed district, Ms. Kester noted that ministorage and industrial level 1 uses are currently listed as conditional uses within the proposed district and inquired of the Commission regarding whether they should be allowed as such or prohibited. Ms. Ninen indicated her preference to allow them as conditional uses. Chair Atkins indicated that a consistent vision may not exist for the area. Commission members commented that the Comprehensive Plan will need to be amended to align with the regulations of the new mixed use district. Ms. Kester indicated that the GMA required 7 year update to occur in 2011 would be an opportunity to resolve any inconsistencies. Ms. Guernsey indicated her preference to allow the two industrial uses as conditional uses. After discussion, the Commission reached consensus that the two industrial uses should remain conditional uses within the proposed district.

MOTION: Move to recommend approval of the proposed area-wide rezone and new MX District as amended, subject to the preparation of a notice of recommendation and a vision statement for the district by staff. Atkins / Ninen – **Motion passed unanimously**

Future Actions:

- Staff to prepare a draft notice of recommendation which includes a vision statement for the district for Planning Commissions review at a future meeting.

The Commission adjourned for a 5 minute break at 6:20pm

City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335 –
ZONE 09-0003 – Sehmel Drive Area-Wide Rezone

Ms. Kester explained the background associated with the request for an area-wide rezone of the area, which will officially be annexed into the city on April 6, 2009. She noted that the area in question consists of approximately 18 acres and comprised of

11 parcels, all of which are currently designated as RB-1 District under the pre-annexation zoning for the property except for one parcel that has an R-1 District designation. She also noted that a number of owners of property within the proposed area-wide rezone area were in attendance at the meeting. She indicated that the Commission has two options; the area-wide rezone currently before them or other zoning schemes previously discussed in 2008 during their review of all RB-1 zoned areas within the city.

Mr. Allen inquired if there was any opposition to the area-wide rezone by the owners of property within the area. Ms. Kester indicated none that she was aware of but that the property owners in attendance may desire to provide some input at the meeting. Chair Harris inquired as to why the inconsistency wasn't identified earlier. Ms. Kester noted that none of the staff currently involved in the annexation were working on it at the time it was considered by the City Council at the 10% petition stage. Chair Harris indicated his desire to hear what the property owners had to say regarding the proposal. Several property owners, including Paul and Betty Garrison's expressed their support for the rezone and noted that it would allow them to continue and/or expand current uses located on the site and allow additional options for future development. One property owner indicated that she "would just like to be left alone." That property owner currently lives in a single-family residence on a parcel which is subject to the rezone. Ms. Kester explained the owner's nonconforming rights and expressed that the City would have no authority to make her remove her home if this rezone was approved. Ms. Kester indicated that the Planning Commission would be conducting a public hearing on this request on April 16, 2009.

UPCOMING MEETINGS:

Ms. Kester addressed additional meetings and topics to be discussed at future meetings. Chair Atkins requested a status report on code amendments previously considered by the Commission. Chair Atkins indicated his desire to have the City Attorney discuss issues associated with Development Agreements at an upcoming meeting. Chair Atkins also requested that the City Attorney address possible inconsistencies between Comprehensive Plan and zoning designations throughout the city. Ms. Kester indicated that she would prepare a status report on the code amendments; make arrangements to have the City Attorney attend an upcoming Commission meeting to discuss Development Agreements; and, indicated that the plan and zoning district inconsistencies review should be part of a larger effort possibly done in the future.

Future Actions:

- Staff to provide a status report on previous Planning Commission work program items.
- Staff to arrange a meeting with the City Attorney to discuss the upcoming review of Comprehensive Plan Amendments, in particular associated development agreements. Tentative date set: June 4, 2009.

ADJOURNMENT

MOTION: Move to adjourn at 7:18pm. Ninen / Fisher – **Motion passed unanimously**