

**City of Gig Harbor Planning Commission  
Work Study Session  
Community Rooms  
August 18, 2011  
5:00 pm**

**PRESENT:** Harris Atkins, Michael Fisher, Jim Pasin, Jill Guernsey, Craig Baldwin, Bill Coughlin and Reid Ekberg.

**STAFF PRESENT:** Staff: Jennifer Kester and Peter Katich

**CALL TO ORDER:** at 5:00

**APPROVAL OF MINUTES:**

**MOTION:** Move to approve the minutes of July 21, 2011. Fisher/Guernsey – Motion carried.

**1. WWR Properties, Inc., 3803 Bridgeport Way W., University Place, WA 98466**

A proposed text amendment by Randy Boss, on behalf of Jim White of WWR Properties, Inc., to increase the commercial gross floor area in the C-1 district outside of the view basin from 65,000 square feet to 100,000 square feet, provided a conditional use permit is granted.

Mr. Atkins went over the agenda for the evening.

Senior Planner Jennifer Kester went over the packet of information she had provided to the commission. She noted the written public comments received since the public hearing and an e-mail from the applicant. She went over the criteria for approval for this text amendment.

Ms. Kester then went through the planning staff analysis of the criteria. In regard to the consistency with the comprehensive plan, staff did feel this proposed amendment was consistent with the Commercial/Business land use designation. She noted that there weren't any other pertinent policies directly related to retail building size. Additionally she stated that the Westside neighborhood design area is the primary service area for the city; whereas, Gig Harbor North is a regional service area. The second criterion is consistency with the C-1 zoning district. She stated that the intent of the C-1 zone does not speak to building size. Additionally she stated that since there is no apparent difference between B-2 and C-1 in regard to retail building size, if the Planning Commission does recommend approval, staff would recommend that the B-2 zone retail building size limitation also be changed or the C-1 intent statement be change to differentiate it from B-2 as related to retail building size. The last criterion is that the proposal further public health, safety and welfare. She stated that staff has not identified any infrastructure impacts that need to be mitigated, including traffic. She noted that there will more than likely be mitigation at the project review stage. Ms.

Kester went on to discuss aesthetics and stated that a larger retail building would likely need more design alternatives. She then discussed the public comment received and noted that there had been a higher than normal amount of public comment, indicating that people feel strongly about this proposal. She stated that all of the people commenting were part of the greater Gig Harbor community and that the large majority of the comments received have been against the proposal. Ms. Kester then discussed what has and has not changed since the building size limitation was adopted. She stated that the planning staff was recommending denial of this proposal.

Mr. Fisher asked about the statement that Gig Harbor North was a regional service area. Ms. Kester said that the language came about in 2007. Discussion continued on the population of the region being approximately 70,000 people versus the city population being 7,200.

Mr. Fisher asked the applicant about the tenant. He noted that while the proposal is not tenant specific there had been discussion about Fred Meyer. Mr. Boss said that this proposal was initiated on behalf of Fred Meyer. He stated that Fred Meyer did not want to be perceived in the community as jamming some big box down their throats. He continued by saying that Fred Meyer may come back if the increase is approved. He also noted that it may be several tenants. Mr. Boss finished by saying that in regard to the difference between B-2 and C-1 he wanted to say that they are different and he didn't believe they needed to be made the same. Mr. Baldwin asked about Uptown and whether that was a regional service area. Ms. Kester noted that Uptown stayed within the limits.

Mr. Fisher stated that the Design Review Board had asked him to convey to the Planning Commission that if they recommended approval that there is a requirement for a Design Review Board pre-application. He noted that they had a pre-app process with the Safeway project and he felt that it resulted in a better project. Ms. Kester stated that she had checked with the city attorney and the attorney's opinion was that anything that might create delay may be a violation of due process; therefore, she would recommend not adding such a requirement. Mr. Pasin noted that Uptown had followed the design manual without having to go to the board and cautioned that we are talking about one single building within an entire project.

MOTION: Move to recommend approval of the increase to 100,000 square feet.  
Pasin/Baldwin –

Discussion followed. Mr. Pasin noted that the building could be used by multiple tenants. He stated that there were many comments about buffering from the highway and that some of those comments were from a property owner whose property is not buffered from the highway. He then read from notes provided by Kae Paterson and that there were exemptions to the screening requirements. Additionally he noted that the access to Hwy 16 used to be by the lumber store. Mr. Pasin felt that there was inconsistency in the public comment because it seemed that they felt that big boxes were okay elsewhere. He also noted that the public's only objection was to this size of

retail building not other uses. He stated that he has never heard complaints about existing buildings that are over 100,000 square feet. Mr. Pasin felt that the road system would be improved in the area. He also noted that this proposal will provide jobs and increase city revenue which is good for the public.

Mr. Baldwin noted that when this area was in Pierce County it was designated as a commercial use and a lot of the planning was consistent with that designation. He felt that a lot of the public comment had to do with the commercial use rather than building size. He noted that a lot of times projects of this size can provide a benefit to the community through traffic and storm mitigation. He stated that he felt that the conditional use process can address many of the issues raised by the public.

Mr. Fisher said that there is no size limit for other uses so if all those uses are okay at whatever size; it's hard to say that 100,000 square foot retail is not okay. He stated that he felt that Kohl's will be regional and whether we think that these stores will be regional or not, they will be. Mr. Fisher went on to say that we are not just talking about one 100,000 square foot building, there will be more buildings. He also noted that there will be a buffer as there are requirements for that. He went on to say that without a tenant he wasn't sure this application had a standing and it made it hard to review when you can't know what a tenants needs might be. He said that on the one hand he didn't think the size was that big of an issue, but felt it was hard to examine without a tenant.

Mr. Coughlin said that he didn't support this text amendment for various reasons. He noted that many of the people commenting were heavily involved in the process that developed the regulations that we have now. He noted that they had reviewed a proposal for a larger building at the top of Pioneer and Grandview and the public had said that perhaps that was a good project but it was in the wrong place. He felt that this was similar as it was not a bad project just in the wrong place.

Mr. Ekberg said that he did not support this text amendment. He stated that he had looked at the criteria that the commission needs to consider for a text amendment and he felt that it could go either way related to consistency with the Comprehensive Plan and C-1 intent statement. He said that he listened to all the public comment. He felt that they really should not be considering the tenant. It's clear that it will be a national chain in that size of a building and that if it were going to be separate tenants they wouldn't be worrying about the building size. Mr. Ekberg said that he didn't really believe that there would be a net gain of jobs in the community. He emphasized the need to listen to the public's opinion in this matter whether or not they were well versed in the technical aspects of land use. He believed that there was not a need to change all the good work that had been done in the past.

Ms. Guernsey said she had read all the minutes and the testimony. She noted that she is in favor of economic development and is also concerned with what is happening in the downtown core of Gig Harbor. She said that you have to ask yourself what has changed since the last text amendment and in going over the history it didn't seem that anything had changed. She noted that the applicant had at one point asked for an

increase to 80,000 square feet versus 100,000 square feet and there has been no evidence provided as to what is needed for retailers to come to this area. She stated that it concerns her when there is no evidence as to why we should change the limitation; therefore, she stated she was not inclined to change the limitation.

Mr. Atkins expressed his appreciation for the level of examination the Planning Commission members had put into this proposal. He noted that one of the items that really stood out to him were whether it matches in the intent of the C-1 zone. He pointed out that the intent states that that it is to provide for different uses than direct sales and should be manufacturing. Mr. Atkins noted that the jobs possibly provided by retail development would not help the city reach its goals as much as manufacturing jobs would. Additionally he stated that this is a game changer since we have two other developments that have been built under the current requirements. He concluded by saying that he did not support the proposed change.

Chairman Atkins called a ten minute recess.

Senior Planner Jennifer Kester responded to the previous question as to why the staff analysis spoke to one single tenant. She noted that staff needs to analyze to the highest possible level of impact. Additionally she noted that this text amendment will apply to all of the C-1 zoning, not just a specific site.

Mr. Fisher pointed out the areas of C-1 zoning and stated that the QFC building is 900 feet long. He stated that about 93% of the people who live in Gig Harbor work outside of Gig Harbor. Our comprehensive plan goal is to develop commerce in this city that would generate jobs for residents.

Mr. Pasin said that he preferred not to talk about a specific tenant; however, if Fred Meyer wants to expand within this community what kind of a message are we sending about encouraging business within Gig Harbor.

Ms. Kester repeated the motion.

MOTION: Move to recommend approval of the proposed text amendment. Pasin/Baldwin - The motion failed with Commissioners Pasin and Baldwin in favor and Commissioners Ekberg, Guernsey and Coughlin opposed.

Mr. Fisher abstained and Chair Atkins expressed his support for the majority.

Mr. Fisher said that he wanted it noted that he abstained as he felt that he would like to reconsider it when there is a known tenant.

Ms. Kester said that she will write up the findings of fact using the statements made by the majority. Mr. Atkins asked if those in the minority would like to include a statement to the council as well. Ms. Kester asked that all reports come to the next Planning Commission meeting along with the recommendation. Ms. Kester then went over the

schedule and noted that they were hoping for the 26<sup>th</sup> of September for the public hearing before the City Council.

Ms. Kester then went over the schedule of upcoming meetings. She noted that the main project for the fall was the interim zoning ordinance allowing for the change of use of existing buildings in the downtown business district without having to add parking. She stated that they needed to make a recommendation by January as to whether that ordinance should continue. Ms. Kester said that there are some other issues that the City Council has asked them to look at in regard to parking. Mr. Coughlin asked if there was a group looking at the vision for the downtown. Ms. Kester explained what had been done in the past and noted that there has not been any money budgeted at this time. She noted that perhaps they should agree on a mission statement as it relates to the items on this list from the City Council. Mr. Coughlin asked if perhaps they should have a meeting with the City Council to discuss ways to develop a vision. Mr. Pasin asked what the building size issue was downtown and Ms. Kester said that the Planning and Building Committee had brought it up after the QFC had closed. Mr. Fisher noted that there are lots of issues that need to be addressed in order to really help the downtown. Ms. Kester stated that everyone agreed that a more holistic approach was needed; however, at this time the City Council has only authorized the downtown parking portion of the picture. It was agreed that they would get started on the parking issue while organizing a meeting with the City Council. Ms. Kester said that she would provide the Mayor's mission statement regarding the downtown that had been given to the City Council. Additionally she noted that there is another private text amendment regarding performance based height exceptions for private school gymnasium. She stated that the Planning and Building Committee is asking that the Planning Commission find a way to fit that in in October or November. Additionally she stated that after downtown parking there is another interim ordinance that needs to be considered regarding medical cannabis collective gardens. She stated that after that they will need to look at Green First, which is the Design Review Boards concept of considering the green areas first when developing a site.

Senior Planner Peter Katich gave a brief update on the Shoreline Master Program update.

MOTION: Move to adjourn at 7:14 p.m. Fisher/Baldwin – Motion carried.