

**City of Gig Harbor Planning Commission
Minutes of Work-Study Session and Public Hearing
August 7th, 2008
Gig Harbor Civic Center**

PRESENT: Commissioners: Harris Atkins, Joyce Ninen, Dick Allen, Jim Pasin, Jill Guernsey and Jeanne Derebey. Commissioner Theresa Malich was absent.
Staff Present: Tom Dolan, Emily Appleton, Jeff Langhelm and Diane Gagnon

CALL TO ORDER: Chair Harris Atkins called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES:

It was decided to defer approval of the minutes until the end of the meeting.

WORK-STUDY SESSION

Planning Director Tom Dolan noted that this was the second meeting on these comprehensive plan amendments and that tonight we will have a work study session where the proponents will each make a 15 minute presentation. He went on to say that they will then have a public hearing at 7:00 pm on the city sponsored amendments. He noted the spreadsheet that Joyce Ninen had created that identified all the Comprehensive Plan amendments and then each of the criteria that will have to be addressed.

1. **Harbor Reach Estates LLC, PMB 79, 5114 Point Fosdick Drive, Gig Harbor WA 98335** – (COMP 07-0005) – Gig Harbor Wastewater Comprehensive Plan Amendment to Sewer Basin C14.

Carl Halsan spoke on behalf of the applicant noting on a map where the sewer basin was located. He stated that the current plan calls for the entire area to be served by gravity sewer requiring connection to an existing pipe. He continued by saying that as they designed their project they realized that it was an impossible standard to meet. Mr. Halsan stated that they felt the plan needed to be amended to allow for a force main or install a new lift station. The cost of the new lift station will be borne by the developer. He said that they have worked with city engineering staff and believe staff is in support of this amendment. Commissioner Allen asked about the location of the line and Mr. Halsan pointed out that the location wouldn't change.

Senior Engineer Jeff Langhelm said that it would add a new lift station to our maintenance and operations but we accept this due to the difficulty of installing a gravity system; therefore, staff is in support of the amendment.

Jim Pasin asked if it was left as it was would the development of this area be more difficult. Mr. Langhelm answered that it would be more expensive and our city operation

and maintenance would be higher. Mr. Langhelm stated that the city would likely amend it later if it was not done now. Ms. Derebey asked about the language on their proposal and corrected some with the applicant. Mr. Atkins asked what had changed to require this amendment. Mr. Langhelm said that now they have more accurate contours.

2. MP8 LLC and Pioneer & Stinson LLC, 363 7th Lane, Fox Island WA 98333.

Carl Halsan spoke on behalf of the applicant. He stated that this proposed amendment covered a 4.3 acre piece of property bounded by Stinson, Grandview and Pioneer and was two parcels. He went on to say that the proposal is to have the designation changed from RL to RM and went over the two projects they have envisioned for the site. Mr. Halsan said that each piece will be developed separately; however, it was submitted as a single application but he would like to request that this be two separate recommendations by the Planning Commission since there are two separate owners and two separate properties. He noted that they had submitted a development agreement and are committing to that even though they don't know what the project will look like. Mr. Halsan stated that their proposal rests on a few fundamental issues that you don't put opposing zones across the street from each other, and in this case south of the property is B-2 and in the hierarchy of zones that is a pretty big jump. He stated that the Comprehensive Plan designation is residential business across the street and their property is residential low which is a really big jump. He stated that they are not asking to be the same as the people across the street but to at least go up one more level. He noted that they did hear from one of the property owners on Butler who was very concerned about a large commercial project looming next to his property and pointed out on the aerial how the residential project will serve as a buffer between the commercial and the residential. He also wanted to point out the existing vegetation and that they will have to provide a buffer. He noted that the commercial project will have to have a 40' buffer. He displayed a cross section to illustrate the topography.

Mr. Atkins asked about the issue of splitting out the application and Mr. Dolan said that the Planning Commission could accept a portion of the amendment and deny another portion and asked Mr. Halsan to provide a letter requesting such. Ms. Guernsey pointed out an error where the map said R-1 rather than RB-1. Carl Halsan verified that the portion on Grandview was RB-1 not R-1. Mr. Allen asked about the recent change to allow fourplexes in R-2. Mr. Dolan said that his understanding was that the proposal was to bind the property to duplexes through a development agreement. Mr. Halsan agreed. Mr. Dolan said that the impervious coverage would change and also the density. He also stated that the applicant could request to change to the development agreement. Mr. Halsan said that they can bind it to whatever the group wants and make it something that would run with the land. Ms. Derebey asked if they were planning 6 or 7 duplexes when the drawing showed 8 and Mr. Halsan said that 8 was incorrect as they had to modify the property lines and that there are seven duplexes proposed.

3. Michael Averill of Lighthouse Square LLC, 3720 Harborview Drive, Gig Harbor WA 98332 – (COMP 08-0003) – 3720 Harborview Drive Land Use Map Amendment.

Mike Johns of Davis Roberts and Johns representing Lighthouse Square spoke on their behalf. He stated that the property was located on the southeast corner of Harborview and Stinson and houses marine sales and repair and Speedy Auto Glass. He noted that it is a busy intersection and has been commercial for decades. Additionally he stated that it is a legally nonconforming use. He outlined that they are asking for an amendment to change from RL to RM to allow a change from R-1 to RB-1 and the use would no longer be non-conforming which would reflect the use and value of the property. He went on to say that there is no plan to change the nature of the business or expand; however they are constrained in what they can do with a nonconforming use. It would allow for the continuation of this small business in this urban area. He stated that the business has operated for many years and does provide a benefit to the community. Joyce Ninen asked what businesses are in the houses with businesses and the applicant went over the several home based businesses in the area. Mr. Pasin disclosed that he had had business dealings with Mr. Johns over the years but didn't think this was an issue. He stated that this use wasn't an allowed use in RB-1. Mr. Dolan confirmed that it would still be a nonconforming use even with the change. Mr. Pasin suggested that they should ask for something that would make them conforming. Mr. Dolan pointed out that the only neighboring property which is commercial is RB-1 and there is a requirement that new zones be at least two acres in size so they have to ask for RB-1. The applicant stated that they had asked the yacht club to rezone and they said no. Ms. Guernsey pointed out that they had said that they can't perform repairs on a nonconforming use which she didn't believe to be true. Mr. Johns said that they can do repairs but cannot remodel. Mr. Dolan said he encouraged the applicant to meet with staff since there had been some recent changes to the code regarding nonconformities. Ms. Ninen asked how long their business had been there and they said 20 years.

Mr. Dolan pointed out a letter from neighboring property owners.

Acting Chair Harris Atkins called a short break until at 6:55 p.m. He called the meeting to order at 7:00 p.m.

Mr. Atkins asked if staff would summarize each issue and then he would ask for public comment.

4. City of Gig Harbor, 3510 Grandview St., Gig Harbor WA 98335 – (COMP 08-0002) Parks, Recreation and Open Space Element (PROS). Planning Director Tom Dolan said this was a minor amendment and they were asking the Planning Commission to make a recommendation that would identify specific properties for acquisition. He went over the location of the properties and noted that the city has recently hired a consultant to prepare a complete redo of the PROS and that the new

plan will come before them in the latter stages of this year and next year hopefully adopt that as part of the 2009 comprehensive plan amendment process.

Mr. Pasin asked about the first property and single family dwelling located there and what would be the expected use and Mr. Dolan said that has not been identified as of yet and it is outside the city limits and we will be taking action to bring it into the city. Mr. Pasin asked about the age of the home and if it had historic significance. Mr. Dolan said he would ask the historic preservation officer and get that information to them. Ms. Ninen asked about the size of the properties and Mr. Dolan went over each. Ms. Derebey asked about the amount of acreage we have in parks. Mr. Atkins pointed out that there are no policy issues in this change.

Acting Chair Harris Atkins opened the public hearing at 7:10 p.m., there being no public testimony the public hearing was closed at 7:11 p.m.

5. City of Gig Harbor, 3510 Grandview St., Gig Harbor WA 98335 - (COMP 08-0004) – Area-Wide Land Use Map Amendments. Mr. Dolan went over the application which is to make the comprehensive plan designations consistent with the zoning of certain properties. The first amendment referenced as area 1 is located on the westerly side of Soundview north of Spinnaker Ridge. He stated that it is presently zoned R-1 and the conflict is that the comprehensive land use identifies this as suitable for residential medium development which could allow duplexes and triplexes in an R-2 zone. Mr. Dolan went on to say that it is being proposed to change the comprehensive plan designation from residential medium to residential low; the zoning will stay the same. He noted that we had received a letter from Thomas Bauer whose property is presently zoned R-1 and Mr. Bauer has had an application in since 2006 to rezone that property to R-2. The application is presently on hold as there are sewer capacity issues and it doesn't appear that any action could be taken on it since there is no sewer capacity. Mr. Bauer is asking that the Planning Commission not change the comprehensive plan designation. Mr. Dolan noted that staff will talk to the city attorney regarding the possible vesting of his application. Ms. Ninen asked if Mr. Bauer's property was vacant and noted that the letter also references property next to him which was rezoned to R-2 and Mr. Dolan pointed it out on the map. Mr. Pasin asked if the rezone would come before them and Mr. Dolan said that no, it would go to the hearing examiner. Mr. Dolan noted that none of the properties that are developed now would change as a result of this amendment.

Mr. Dolan then displayed the second area and noted that it is located on the easterly side of Soundview and is zoned R-2; however the land use map has it designated as residential low. The proposal is to change the land use map designation from residential low to residential medium to make it consistent. Mr. Pasin asked about the piece at the tip that is zoned RB-1 and asked if it could get rezoned to RB-2. Mr. Dolan said that was possible.

Mr. Dolan further explained that the third area is currently not within the city limits of Gig Harbor but will be shortly as it is in the last stages of annexing to the city. It was determined that the preannexation zoning for this area was R-2 and some other minor zones however the land use designation was residential low and the proposal would change it to residential medium to make it consistent with its present zoning.

Mr. Atkins asked how long these specific designations have been in place and Mr. Dolan said prior to 2004. Mr. Dolan said he wasn't sure how the inconsistency took place and reminded them that it is required through the Growth Management Act that the land use designations and zoning be consistent.

Connie Schick, 8803 St Hwy 16, Gig Harbor – Mr. Schick stated that when he bought his property there was supposed to be a frontage road and he wanted to know when that would happen. Mr. Dolan stated that this change would not have an impact on his access.

Randy Stewart, 6726 Soundview Drive, Gig Harbor – Mr. Stewart pointed out where his property was located next to the Bauer property and noted that the Bauer property accesses from McDonald . He stated that he rezoned his property and this seems to be a reverse course complying with zoning rather than complying with the comprehensive plan. Mr. Stewart said that at the time of his rezone it was decided that providing a transitional zone was a good thing and it seems that rules are changing. He stated that he would like to see the Bauer rezone move forward.

Mr. Pasin asked if what has been presented moves ahead then how that impacted Mr. Stewart and Mr. Stewart answered that without developing with the Bauers his property would be very narrow and difficult to develop.

Jim Suko, 7506 Soundview Drive, Gig Harbor – Mr. Suko stated that he owns about two acres along Soundview Drive and the area is already pretty congested and this would make it even more congested and he would like it to maintain its current integrity.

Charles McPherson, 7122 Grandview Place, Gig Harbor - Mr. McPherson expressed concern that notification of this meeting was mailed the 28th of July and he had received it this past Saturday. He stated that he would like it explained to him what the changes would be. Mr. Dolan explained that Mr. McPherson's property zoning or comprehensive plan designation was not being proposed to change. He further stated that the property north of Mr. McPherson would not change its zoning but would remain R-2.

Lisa Clark, 7117 Soundview Drive, Gig Harbor WA – Ms. Clark expressed concern with increased density and the possibility of increased traffic on their private road.

Eric Baron, 3171 Soundview Ct., Gig Harbor WA – Mr. Baron stated that he represented the homeowners association and they are against R-2 zoning and believe that it is island zoning. He stated that they believe that a homeowner should be allowed to develop their property but consistently with the character of the area. He pointed out

the area he lives in and noted that three years ago there had been discussion of this. Mr. Pasin noted that in this particular area the proposal was to change it to residential low R-1. Mr. Atkins noted that this change does not change the zoning and explained that the rationale for a rezone to R-2 was that the comprehensive plan designation was residential medium and we are asking to change that to residential low.

Mr. Dolan said that there will be an opinion from the city attorney that if this change goes through how it will affect the Bauer property. He stated that the Planning Commission will be making their final recommendation to the City Council on September 18th.

George Nelson from Haven of Rest asked for confirmation that they had received a letter from their consultant Rob White and the Planning Commission acknowledged receipt of the letter.

Larry Storset, 7507 Soundview Drive, Gig Harbor WA - Mr. Storset confirmed that the area in question is currently zoned R-2 and the proposal will change the comprehensive plan to match the current zoning. He asked if this would make any of the properties non-conforming. Mr. Dolan answered that that this would not make any of the properties non-nonconforming.

Beverly McPherson, Grandview Place, Gig Harbor – Ms. McPherson stated that she lives on a private road across the street from where this proposal would allow a rezone to R-2 and she expressed concern with increased traffic. Mr. Dolan pointed out that the property is currently zoned R-2.

Mr. Dolan said that staff would confirm the zoning and find out when it was zoned R-2. Jim Pasin asked if that is a private road then he assume that there is ownership by property owners on each side and several property owners in the audience said yes.

Acting Chair Harris Atkins closed the public hearing at 8:00 p.m. He then called a recess until 8:10 p.m. The meeting was reconvened at 8:10 p.m.

6. City of Gig Harbor, 3510 Grandview St., Gig Harbor WA 98335 –

(COMP 08-0005) – Gig Harbor Wastewater Amendments to Sewer Basins C1, C5 and C8

(COMP 08-0006) – Utilities Element Update

(COMP 08-0007) – Capital Facilities Plan Update

(COMP 08-0008) – Transportation Element Update

Mr. Dolan stated that these have been grouped together since they are technical changes to the comprehensive plan. He explained why these proposed amendments were before the Planning Commission stated that they are not here because the Planning Commission can make decisions about the appropriateness of sewer basins or traffic plans but the requirement is that the Planning Commission review them to assure that they are consistent with the land use policies of the City of Gig Harbor. He

noted that there was no public present to testify. Mr. Dolan stated that Senior Engineers Jeff Langhelm and Emily Appleton had given them a summary and they could just take questions. Mr. Atkins asked if there were any policy changes with these amendments. Mr. Dolan said there were not any land use policy changes with these amendments and asked Mr. Langhelm and Ms. Appleton if there were any. Mr. Langhelm said that the wastewater amendment had no policy changes and the utilities element update did not recommend changing a policy just proposed using reclaimed wastewater. Ms. Ninen asked if it that had to be stated as a goal in the comprehensive plan in order to develop a plan and Mr. Langhelm said yes, and we will be developing a plan as to where we will be progressing to in the next six years. Ms. Ninen asked how long until implementation and Mr. Langhelm said that we have not been given any timeframe from state or federal agencies.

Ms. Appleton asked if they should add a policy that goes with the goal. Mr. Atkins said that if it improves the strength of the initiative maybe we should do that or even at a later date. He then asked about the golf courses and if they used city water and Mr. Langhelm said no, they have their own water systems.

Mr. Langhelm then said that the capital facilities plan update just updated the projects and did not change policy

Ms. Appleton said that in the transportation plan there were some policy changes, changing the functional classification of roads. She explained that there are proposed changes to three roadways and to delete a policy to establish a Kimball connector and there was a minor revision to the policy wording.

Evan Dust from HDR Inc. described the functional classification changes. Ms. Guernsey asked if there was a map to go with the changes and Mr. Dust referenced the map on 11-63. Ms. Guernsey asked about the change to 38th and Emily noted that there may be a mistake since the boundary ends at 38th. Mr. Dust noted that on 11-12 you can see another illustration. Ms. Guernsey said that was her point would you reclassify half the street and Mr. Dust answered no, we would reclassify the whole street. Mr. Dust said that may be an issue that would have to be resolved between the city and the county. Mr. Pasin said that he had a concern on 144th street that they were reducing to a minor collector when it gives some access to Hwy 16. Mr. Dust explained the different classifications. He explained only arterials should connect to Hwy 16 so making the case for 144th ideally you would want that to be an arterial. He went on to say that he didn't think that it affected the ability to connect as it is only the section from Peacock to Crescent Valley. Ms. Guernsey asked why the city is classifying that section at all as it's not in the city or in the UGA. Ms. Appleton said it has always been on the map, but perhaps it should be removed. She then suggested showing the UGA on the classification map and then show Pierce County classifications outside the UGA. Ms. Ninen asked about the project tables and differences between the two. Mr. Dust said that the title on 11-10 was a little misleading and should say capacity related improvements. He then asked that any small changes that they see to please give those to staff before next work study session.

Ms. Ninen asked about the hospital benefit zone and she was wondering if that was included in the revenue source. Mr. Dust said that was news to him and he will need to get with staff. Ms. Appleton stated that that revenue was to go toward improvements at the Borgen interchange.

Mr. Atkins asked about the policy 11.93 establishing a Kimball connector. Mr. Dust said that he didn't see on the projected volumes it was needed.

Ms. Ninen asked about the funding source for non-capital improvements and Mr. Dust explained the differences. Mr. Pasin suggested that there be a particular heading regarding the hospital benefit zone. Ms. Guernsey asked Ms. Appleton if perhaps they were studying more area than needed. Ms. Appleton stated that they had talked about limiting their study to the UGA and she would like to think about that some because there are some impacts outside the UGA. Ms. Guernsey said that there was a little area within the UGA that was not included 11-17.

Mr. Dolan stated that the next meeting is another work study session on the private applications and that meeting is on the 21st and on Sept 4th will be the public hearing on the private amendment and then on Sept 18th staff had anticipated the Planning Commission would be formalizing their recommendations on both and then a joint work study session with the City Council where the Planning Commission can go over the proposed comprehensive plan. He continued by saying that on the 21st staff will have a synopsis of what we've learned tonight.

Mr. Dolan pointed out the letter from Rob White and noted that staff is recommending that they not include that in their recommendation and that Mr. White should file for a comprehensive plan amendment for the 2009 cycle.

Mr. Atkins asked if we had the latitude to alter the boundaries on the land use amendment. Mr. Dolan said that they could reduce the scope; however if you enlarged it then we would have to have another public hearing.

MOTION: Move to postpone approval of the minutes until the next meeting.
Pasin/Ninen – Motion carried.

ADJOURNMENT

MOTION: Move to adjourn at 9:10 p.m. Ninen/Derebey – Motion carried.