

**Joint Work Study Session
Gig Harbor City Council / Planning Commission
October 5th, 2009
Council Chambers
5:30 pm**

PRESENT:

Mayor Chuck Hunter, City Administrator Rob Karlinsey
City Council members: Steve Ekberg, Paul Conan, Derek Young, Tim Payne, Jim Franich, Ken Malich and Paul Kadzik
Commission members: Harris Atkins – Chair and Joyce Ninen – Vice Chair
Staff Present: Tom Dolan, Jennifer Kester, Jeff Langhelm and City Attorney Angela Belbeck.

GENERAL BUSINESS

Planning Director Tom Dolan said that there were two items for discussion. First, the Planning Commission's recommendations for the 2009 comprehensive plan amendments and then discussion of the Planning Commission recommendation on the Mixed Use District Overlay (MUD). He then noted that Planning Commission Chair Harris Atkins will go through each of the twelve amendments, explaining them and the Planning Commission's recommendation. Additionally, he pointed out that Senior Planner Jennifer Kester and Senior Engineer Jeff Langhelm were present to answer any questions.

Mr. Atkins thanked the council for the opportunity to meet with them. He began by saying that the Planning Commission was recommending adoption of all twelve of the proposed amendments although a couple of the proposals have had split votes. He stated that they had started work sessions on these amendments in June followed by public hearings and went over the schedule for the upcoming meetings.

The first item for discussion was the Parks, Recreation and Open Space Plan which Mr. Atkins noted was a city sponsored amendment. He stated that this was the removal of the current plan because it is obsolete and that the new plan should be in place in January.

Discussion was then held on the Transportation Element which was also a city sponsored amendment. Mr. Atkins stated that this was a change in philosophy regarding the six year transportation plan, changing the reference to "short range transportation plan" so as not to be confused with the six year TIP. He said that a reference to the Harborview Master Plan had been recommended by staff and the Planning Commission was uncomfortable with that reference because it had never been adopted. They would rather have the goals of the plan incorporated in the transportation element. Mr. Karlinsey asked if some specific goals for providing pedestrian access along Harborview were included. Ms. Kester said that some of those more specific

things can be added if council desires. Mr. Atkins further explained the Planning Commissions unwillingness to incorporate the Harborview plan when they had not had an opportunity to review it nor had the council. Councilmember Derek Young asked if given the financial climate they wanted to reference a plan that has some pretty ambitious goals for the short term. Mr. Karlinsey expressed concern that they may want to do some of these projects and would want the Comprehensive Plan to support that. Ms. Kester read the exact language of the existing policies. Joyce Ninen reiterated that they did not want to adopt a plan that no one had seen. Jim Franich wanted to make sure that things can still be done given the current language in the plan and Ms. Kester agreed. She further explained the difference between the six year tip and the short term transportation plan in the comprehensive plan. Mr. Karlinsey said that the operations committee would be looking at the six year TIP shortly and then it would go to council late November or early December.

The Stormwater Comprehensive Plan was discussed next and Mr. Atkins stated that this is a new plan and he felt that it made the city more proactive in its stormwater management. He further explained that the plan identified some maintenance issues and models some future conditions throughout the city. He stated that the Planning Commission was recommending some minor changes but recommending overall approval. Mr. Kadzik asked if this was a required document for our NPDES Phase II permit and Mr. Langhelm answered that many of the requirements are met between this document and the city's stormwater manual. He continued by saying that the city is required to have a stormwater program not necessarily a plan; however, the proposed stormwater comprehensive plan is a good way to implement a program. Mr. Atkins stated that this plan incorporates revised population projections based on Pierce County buildable lands analysis, uses two foot contours for the basin maps, and also puts reclaimed water facilities closer to areas that might use them. Mr. Langhelm went over the reclaimed water program, illustrating the change to have several sites that produce reclaimed water rather than one central location. Councilmember Tim Payne asked if staff had looked at the cost benefit analysis of the extra piping versus the multiple locations and Mr. Langhelm said they will be doing that. Discussion followed on how the systems work, stream flow augmentation and aquifer recharge. Ms. Kester explained the population allocation.

The discussion continued with the Water System plan, with Mr. Atkins noting the key policy changes regarding extending service beyond the city's service area, revised population projections, an ERU calculation change basing it on the average use over the last six years rather than the maximum daily use, resulting in an ERU value of 200 gallons per day rather than 314. He stated that the Planning Commission was recommending adoption; however, it was a 3-2 vote due to the concern with existing policy for requiring a developer who was driving infrastructure expansion to upgrade the system for fire flow. He continued by saying such developer would have to pay a pro rata share of the infrastructure improvements and two members of the commission felt that was an unnecessary burden. Mr. Kadzik asked about the change in the definition of ERU and would that make someone have to pay for more ERUs. Jeff answered no and further explained how ERU's are calculated and clarified that this means we have

more ERUs available. Mr. Payne asked if this method of calculation was the industry standard and Mr. Langhelm answered yes.

Mr. Atkins then explained that the Capital Facilities Element was being modified to reflect the changes in the other plans. He stated that the only concerns expressed by the Planning Commission were that the financial data had not been updated. They asked staff to revise those numbers and recommended approval. Ms. Kester said that some of the bonding information and tax rates were from when the Comprehensive Plan was first adopted and the finance department is updating those numbers.

Mr. Atkins went over the reference change in the Utilities Element, changing the plan to correctly reference the water system plan rather than the water comp plan as it only deals with our service area. Mr. Payne asked what percentage of the city are we serving and Mr. Langhelm said he would get that number but he estimated it to be around 50%. Mr. Atkins stated that the Planning Commission was recommending approval.

Ms. Kester said that is all of the city infrastructure amendments and Mr. Atkins thanked staff for helping the commission understand these complex issues.

Mr. Atkins then went over the next item which was a request to add one parcel to the city's water system at the Wollochot interchange (the former proposed bowling alley site). He stated that the applicant wishes to build a project that would require city water service and they have included a sketch of their plan with a hotel and two restaurants. Stroh's has indicated they can't provide the water. He said that staff had included requirements that Stroh's give the water rights to city. The Planning Commission felt that this was beyond the applicant's ability and the Planning Commission looked at it as the project being valuable to the city. They recommended approval without that condition but with two other conditions for reimbursements of costs and fees associated with adding this parcel to the water system plan. Mr. Franich asked about the capital costs associated and Mr. Langhelm said that those are already part of the process, so once the parcel is added to the water service area, they will have to pay for the extension. Derek Young asked if Stroh's just didn't have the water and do they have the water rights. Mr. Langhelm said that they did not say that they don't have the rights. Ms. Kester said that the applicant has indicated that they did receive a water availability letter at one time and then it expired and now Stroh's has granted their water rights to others. Mr. Young asked how many ERU's they were wanting and Mr. Langhelm estimated approximately 50-100 ERUs. Mr. Young said he would still prefer to get the water rights, as he understood that Stroh's is ahead of us in line with Department of Ecology to get water rights. Tom Dolan said that on November 9th there will be a public hearing before the city council and they will have an opportunity to ask these questions directly. Rob Karlinsey asked if Mr. Langhelm was concerned with what it does to our rights or to our instantaneous pumping capacity. Mr. Langhelm said we can have ERU's available and still not be able to meet our instantaneous flow requirements. Mr. Ekberg asked if Mr. Langhelm had figures on undeveloped areas in our service area and Mr. Langhelm said yes, he could provide those figures. Mr. Karlinsey clarified that "out of

water" meant asking residents to stop watering their lawns or something similar. Joyce Ninen stressed that the Planning Commission just felt that it was an unfair burden to place on the applicant. Derek Young stated his concern that if we are giving them rights we could potentially be not giving rights to someone else.

Mr. Atkins then presented the next request for expanding our water service, for the property at the corner of Hunt and Kimball at the current Stroh's site. The property owner wanted to expand the development and needed additional fire flow. He stated that the Planning Commission is recommending that the applicant reimburse the city for the fees and/or costs associated with being added to the water service area. Ms. Kester said there were two options considered one being if the applicant only wanted fire flow only; and, two adding them to our service area and providing potable water and fire flow. She went on to say that the applicant preferred the fire flow only option as the applicant already water rights and did not want to give them up. Mr. Langhelm explained where the water line runs and that the city doesn't currently provide fire flow only to any development; therefore, we would need to determine their connection fee. Mr. Kadzik asked what the fire flow requirements were and Mr. Langhelm said in this area it was 3,000 gallons per minute for 3 hours; however, he said the requirements for the building are determined by the building department. The 3,000gpm is the requirement in the right of way. Discussion followed on how to possibly calculate the connection fee.

The Chair called a 5-minute recess.

Planning Director Tom Dolan stated that the last three are all private applications for land use map amendments and reminded everyone of the public hearing on November 9th.

Ms. Kester went over the first application stating that it was in the new annexation area at Burnham and Sehmel. The property was owned by Walt Smith who is proposing to go from employment center (EC) to commercial business (C/B). Mr. Atkins said that the applicant wanted to have the same zoning they had in the county and they would have to change the land use designation in order to do that. He stated that the applicant had made a presentation to the Planning Commission at the public hearing and there were two or three people who spoke in favor who were from the surrounding area. He said that the concerns raised by the commission were: the buffers (staff had suggested that perhaps we should have a more stringent buffer); and whether the intensity of use would increase the transportation impact in an area that is already known for having issues. However, it was determined that the future development of the site had already been evaluated at the higher intensity. He noted that another property owner has asked to have their land use changed in the area, so there didn't seem to be a need to require the applicant to have a larger buffer. Mr. Atkins continued by saying that it could be rezoned to B-2 or C-1 if the land use designation is changed and they had looked at whether they should condition it to be B-2 through a development agreement; however, they elected not to do that. Mr. Young asked if it would be an area wide rezone or a site specific rezone and Mr. Dolan answered that it would be site specific. Mr. Payne asked

if they could get a better understanding of the buffer and Ms. Kester went over the topography and buffers currently on the property and what would be required if it were developed under current standards. Mr. Franich voiced his concern with the proposal meeting the criteria for approval of a comprehensive plan amendment. Mr. Young asked if the applicant had determined that the traffic impact was the same and Ms. Kester said that no, it was the city's determination through our traffic model. He then asked if they could get that information at the public hearing and Ms. Kester said that yes it was part of the Planning Commission packet. Mr. Atkins said that they did receive a letter from the applicant expressing a willingness to restrict their zone to B-2

Mr. Atkins then went over the Haven of Rest proposal stating that their property extends down to Rosedale. Ms. Kester pointed out the property. Mr. Atkins stated that they are requesting a change from residential low to residential medium noting that cemeteries are only allowed in R-2 zones and that would require a designation of residential medium and they are planning to expand the cemetery to include this property. He stated that part of their issue is that they are not allowed to access their property across the power line so the Rosedale property is the only other access point. Mr. Atkins stated that the applicant has also agreed to process a development agreement limiting any rezoning to R-2. He also noted that subsequently city staff has discovered that the property has been listed for sale, so it is possible that these plans will change. Mr. Payne clarified that staff recommended that it be limited to R-2 if the use was a cemetery; however having discovered that it is for sale the Planning Commission is recommending R-2 without a restriction to cemetery use. Mr. Dolan reminded them that this is a land use map change and there are other zones that they could request if there is not a restriction to R-2. Mr. Young said that he would rather just say that they could have a cemetery in their current zone rather than change the comp plan and rezone. Mr. Payne asked that Ms. Kester go over the surrounding zones which she did. Mr. Atkins stated that the Planning Commission is recommending approval with a development agreement restricting the rezoning to R-2.

Ms. Kester went over the proposed comp plan amendment to change 2 acres at Grandview, Stinson and Pioneer from residential low to residential medium with a development agreement to limit the zoning to RB-2. She stated that they are proposing two mixed use buildings. She further explained that they are proposing larger setbacks, additional tree preservation, buffers with significant plantings and screening above current code requirements. Ms. Kester noted that the parking will be primarily underground; the lower property originally submitted last year is not part of the amendment and will remain single family; and, that the project is within the height restriction area. Mr. Atkins said that the Planning Commission was recommending approval with the conditions proposed regarding setbacks, tree retention, mixed use and limiting the rezoning to 2 acres with the configuration presented to the commission. He said that the vote was 3 in favor and 1 opposed but that he did not personally support the amendment (Commission bylaws only allows the Chairperson to vote in cases of a tie vote). He further explained that a member that was absent submitted a letter in support of the proposal. Mr. Atkins said that the feeling of the commission was that the project would compliment that area of the city; provide a step in a direction they

would like to see in that area; and, it would be compatible with the surroundings. He noted that at the public hearing they had six citizens speak and the majority of the people were opposed to the size and scale. Ms. Ninen noted that if you stood on Grandview and looked at city hall it's the same thing, there are other buildings in the area of a similar size. Mr. Atkins said that the commission felt that the development agreement needed to be written in a way to assure that they will get a project that reflects what was shown. Mr. Franich said that he hoped the commission looked at it from the perspective of the underlying land use not in response to the applicant's presentation on their project. Mr. Atkins said that he felt that they did, that they looked at the goals in the comprehensive plan but again they are subjective. Mr. Young asked at what point did the hearing examiner rule on the height restriction issue and Ms. Kester answered that it happened before the Planning Commission saw the proposal but after the application was submitted. Mr. Atkins stated that they considered the vision that was represented not just the specifics of the project. Mr. Dolan said that staff had looked at the policies of the comprehensive plan and while the application with the tree retention, setbacks, etc. met many of the policies; a project must meet them all and it is staff's view that the proposal is out of scale with the surrounding neighborhood so it will be up to the city council to determine if it meets the policies. Mr. Young expressed concern with steps between zones sometimes being too large. Mr. Dolan pointed out that these buildings could be 8-10 times larger than the Uddenberg building. Ms. Kester went over the sizes of other buildings in the surrounding area and the method for measuring height. Ms. Ninen noted that the applicant is stating that at current zoning it would be possible to put 5-5000 square foot buildings on the property. Mr. Atkins said that the applicant will be providing models with their presentation at the public hearing.

Mr. Dolan said that there was another item to talk about which was the mixed use overlay district and asked if they should delay that discussion to another meeting when there are more Planning Commission members present. It was agreed that it should be postponed.

Meeting was adjourned at approximately 7:30 p.m.