



SUMNER PLANNING COMMISSION

MINUTES

REGULAR MEETING

Thursday, June 4, 2009

7:00 p.m.

Sumner City Hall
1104 Maple Street

CALL TO ORDER

SWANSON called the meeting to order at 7:02 p.m.

FLAG SALUTE

SWANSON led all in the flag salute.

ROLL CALL

Members Present: Bush, Ganz, Hayden, Morrison and Swanson
Members Absent: Powers and Vezzetti
Also Present: Ryan Windish, Planning Manager

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTE

SWANSON had a revision to the April 2, 2009 regular meeting minutes, in that on page 1, 410th should be changed to 420th. BUSH also noted that on page 1, under approval of minutes, the noted correction was still not quite right. It should read "50 dwelling units per acre." Also, on page 7, it should read "the Calvary Conditional Use has been approved, but it is going to go to appeals."

GANZ motioned to approve the April 2, 2009 regular meeting minutes as amended. HAYDEN seconded the motion and it passed unanimously.

NEW BUSINESS

a) Zoning Code Amendments – Parking (discussion)

WINDISH reviewed for the Commission Staff's Memorandum as to New Business agenda item a) Zoning Code Amendment – Parking. This is a discussion item. This is the "Good Samaritan" -- Zoning Code Amendment for Parking Standards. Staff's memorandum is summarized below:

The City Council approved a Comprehensive Plan Map Amendment related to the Good Samaritan health clinic located at 914 Meeker Avenue for additional parking area. The property zoning changed from Low Density Residential-6,00 to Central Business District. The applicant has also submitted a request for Zoning Code amendments to the parking requirements to allow the health clinic parking to exceed the maximum allowed. The applicant submitted two options:

- A. *OPTION A: Proposed amendment is to allow non-residential development over 4,000 square feet and located outside the NC, CBD, GC and IC zones to be exempt from the maximum parking allowance.*

The proposal is to exempt non-residential uses that have a building area of greater than 4,000 square feet and located outside the NC, CBD, GC, and IC zones. This would allow the clinic to be exempt from the maximum parking standard and have unlimited parking and meet their needs.

- B. *OPTION B: Proposed amendment would exempt non-residential buildings with an area of up to 6,000 square feet.*

The building area of the clinic is 5,665 square feet, so increasing the number to 6,000 would exempt the clinic from the maximum parking requirement.

Staff recommends that the Planning Commission DISCUSS the proposed amendment. The next step will be a Public Hearing on July 2, 2009 relating to this proposal before the Planning Commission.

STAFF's recommendation is that we do not change our standards at this point, and have Good Samaritan get a variance. They are going way beyond what we allow for some types of uses. There are good grounds for a variance, and Staff would support that. If it is that unique of an issue, Staff thinks that they should just apply for a variance rather than apply it as a citywide standard. It is an important limit in our code. He would also add that WinCo has applied for a variance from the parking standard, and Staff was looking at their use as also being fairly unique. Staff is looking at allowing them. There is a need for that variance. Staff does not want to open the flood gates and allow this.

SWANSON asked whether, as time goes on and as less land is available, we will begin running into this type of situation more often?

WINDISH stated that if the City started to see a steady need for variances, then they would, at that time, look into adjusting the code. We have not seen a need to give variances very often. There are a couple of uses here asking for variances that are justifiable.

GANZ commented that both of the uses appear to have good grounds for a variance.

WINDISH further noted that the patient load seen by Good Samaritan, and the people they serve, calls for a variance. It is a pretty good option for them, and Staff would be supportive of it. In the worst case, if the variance route does not work out, Staff can always come back and reassess it. That would be Staff's recommendation.

SWANSON commented that the City has kind of gone along previously in allowing them to expand their facility. He would assume this would go along with that. SWANSON asked Staff which option, out of the two options noted in Staff's Memorandum, does Staff favor?

WINDISH stated that if Staff were to chose an option, they would recommend Option B.

SWANSON commented that he could understand not wanting unutilized asphalt all over the place. It needs to be in scale or proportionate.

WINDISH noted that some people think Fred Meyer does not have enough parking, however, it appears to be just right. WINDISH asked if the Commission was directing Staff to look at Option B?

BUSH asked how hard it would be for them to get a variance?

WINDISH stated that they are fairly restrictive.

HAYDEN asked if there is a charge for seeking a variance?

WINDISH stated that it is \$400.00 to go before the Hearings Examiner, for the hearing of the case and for the rendering of a decision. While Staff will be giving this a good recommendation, the Hearing Examiner may not go along with it. He is an attorney and may know case law that does not allow for it. Generally speaking, Staff is trying to keep parking down in downtown.

MORRISON stated that he is not comfortable amending the parking regulations. Sumner is pretty generous in our parking as it is. This is unique. He does not want the City to even think about amending the parking regulations. They have a strong case for a variance. The parking we have in place is there for many reasons. His recommendation is to go for a variance.

HAYDEN noted that while Good Samaritan has 100+ visits per day, not all of those people are there at once.

WINDISH state that there is employee parking to take into consideration as well.

SWANSON noted concern as well about getting free and loose with the parking standards.

MORRISON stated that the word “exempt” is a strong word. Rarely do we get people in here complaining about parking, and that is because we are already very generous.

HAYDEN also commented that a variance is the best way to go as well.

SWANSON announced that the Planning Commission agrees to deny this proposed amendment and to suggest that Good Samaritan pursue a variance.

SWANSON asked Staff if this would require a vote?

WINDISH stated there will be no action this evening, as he would first go back to check and see if a public hearing is necessary.

b) Zoning Code Amendments - Urban Village Overlay (discussion)

WINDISH reviewed for the Commission Staff's Memorandum as to agenda item b) Zoning Code Amendment - Urban Village Overlay District.

The City Council approved a Comprehensive Plan Map Amendment adding an Urban Village Overlay designation on property near Stewart Road (8th Street) in northern Sumner. The UV Overlay has a mix of zoning designations: High Density Residential (HDR), Light Manufacturing (M-1), and General Commercial (GC). There were a variety of amendments that were necessary to the Urban Village Overlay District (UV) section of the Zoning Code in order to implement this Comprehensive Plan amendment. A summary of proposed amendments are as follows:

- A. Proposed amendment to allow apartments in the HDR zone within the Urban Village Overlay zone;*
- B. Proposed amendment to include M-1 uses in the Urban Village Overlay zone;*
- C. Proposed amendments adding a new section regarding private streets and driveway;*
- D. Proposed amendments as “clean-up” such as amending GC designations, adding performance standards, etc; and*
- E. Proposed amendments to the Design and Development Guidelines to clarify that they apply to stacked flat apartment configurations.*

Staff recommends that the Planning Commission DISCUSS the proposed amendment. The next step is a Public Hearing on July 2, 2009 relating to this proposal before the Planning Commission.

SWANSON asked if the applicant is Investco?

MORRISON thought it might be Greenwater?

WINDISH stated that it is Investco / Greenwater, and that there are other various names.

SWANSON noted that Stewart Road is a heavily impacted two-lane road. For four-years we were going to build sewers and widen the road, and the County was going to pitch in. Does the applicant have to make improvements before we implement this?

WINDISH stated that they do. As the property owner they would be on the hook for street improvements and infrastructure, if the City was not moving forward with the project. First the sewer is coming in, and then the road and the water.

SWANSON noted that Staff is recommending discussion of this agenda item. He would like a little time to study it further. It seems somewhat complicated.

WINDISH asked if the Commissioners would like him to walk through the changes.

SWANSON asked if it is set for public hearing next month?

WINDISH stated that they had planned to have the public hearing next month, however, it has not yet been advertised. There can be another meeting on it before it goes to public hearing.

BUSH noted that there was previous legislation that proposed requiring higher density by railroad stations. Where is that legislation at now?

WINDISH thought that it was taken out.

BUSH asked if casinos fit in the conditional use category, or if they are prohibited?

WINDISH stated that they are not listed, and therefore technically they are prohibited. There are also other restrictions in the code that prohibit mini casinos as well.

SWANSON commented that there is really no such thing as an attractive apartment house. That area is already so unattractive. What will this be doing for Sumner?

WINDISH stated that it will be providing a housing option that is not there now. There is also a good transportation connection in that area, and further there is a commercial designation there. One of the challenges of developing is analyzing how it will connect to the rest of the city. This does not connect very well, however, there is the golf course

in that area that gives it a sense of place, and it is also designated as a potential area for a train station.

MORRISON commented that that would be beneficial as far as the Growth Management Act. Further, the widening of Stewart will alleviate the congestion.

SWANSON thought that the City had green lighted Greenwater. He noted concern that it is now back before them. He would like to study it a little bit more, and discuss it further with them. He felt that a little bit of caution should be exercised here.

WINDISH suggested that as the Commissioners read through the proposal, that they try to visualize the intent and how that intent fits with the urban village idea, and further that the Commissioners consider the scale and intensity of the development.

SWANSON commented that when you look at the stacked flat apartments, the thought of more apartments does not sound very appealing.

MORRISON asked if Staff had seen any conceptual drawings yet?

WINDISH stated that they have a conceptual site plan. If it hits a certain scale, they might want to consider doing some of them as townhouses or cottages. There are other things to think about.

BUSH asked what the height restriction is for the urban village?

WINDISH stated that it is 35 feet.

SWANSON asked if Sumner meets its density, and if we are in compliance with the GMA?

WINDISH stated that we are in compliance with density and the Growth Management Act, however, there are some areas that can be done better by the Buildable Lands Report. By the County's standards, we have excess capacity and we are meeting our housing obligations. The Growth Management Act speaks to rural and urban development. In the city there needs to be urban density. Some hearings board cases have challenged jurisdiction. The steep slopes and other elements in Sumner are an argument for lower density. We could be challenged on it though. Generally we can make a good case that our LDR 12 is in compliance. Our high and medium density zones are very restrictive. Not much can be done with those restrictions as far as with multifamily in town. If somebody were to come through and analyze our high and medium density zones, we could run into issues with that. Those zones may not do what they are intended to do in the Comprehensive Plan.

SWANSON advised that the Planning Commission is in agreement that this agenda item should be put off for one more meeting for further review and discussion.

OLD BUSINESS

There was no old business.

CORRESPONDENCE

WINDISH provided the Commissioners a copy of the Regional View, published by the Puget Sound Regional Council. This issue addresses trends in the region. The PSRC's main focus is transportation, land use and economic development.

WINDISH also provided a copy of the Planning Commissions Journal. He felt that the journal is applicable to what is being talked about with the stacked, flat apartments. If designed well it could look a lot less dense. WINDISH will look on line for some of those examples.

SWANSON asked Staff what the reasoning was when the 35 foot height restriction was established?

WINDISH noted that 35 feet allows 3 stories, and possibly 4, further it fits in with the scale for the width of our streets which also addresses fire / emergency. In the mixed use area the height restriction is up to 45 feet.

WINDISH also noted that he meant to provide the Planning Commission a TNT article on porches, and how they are making a comeback. An 8 foot porch is a good sized porch. Front porches provide that public/private space area, and is a good connection to the community.

STAFF COMMENTS

WINDISH had the following Staff comments:

- 1) Staff would like to do another bus tour of the City on July 9th, which is the second Thursday of the month. It can be scheduled at 7:00 p.m. or earlier;
- 2) Calvary Community Church has been appealed to Council. There is going to be a hearing for the appellants and the applicant on the 15th of June. This is not a public hearing, and only the appellants will be allowed to speak;

SWANSON asked who is appealing?

WINDISH stated that the citizens / neighbors are appealing.

- 3) Another big thing on the 15th is the hearing of the Manufacturing Industrial Center Designation;
- 4) Also discussed before Council will be the electronic reader signs. The Design Commission recommended denying it. Staff will be discussing that with City Council;

- 5) City Council has also been looking into neo-traditional standards that allow for bonuses / incentives for traditional neighborhood designs. They are looking at reducing those setbacks. Paul Rogerson is looking at that with them for options;
- 6) The biggest thing that is being looked at is expanding the urban growth area to the south. They are looking to expand it south of SR410 where the Honda Dealer is and the WinCo is going in, and then on to 75th or 78th, and then back over to Valley Avenue and the Orting Highway. There is 300 acres south of 410. Not many specifics have been presented to Council. It is a big policy question;

SWANSON asked if they are talking about annexing the City?

WINDISH stated that they are. Part of looking into that is to look at a potential YMCA in that area. The process is going to be somewhat arduous. First we need to amend the Comprehensive Plan to show the area we want to include. Then we need to go to county and ask for an urban growth area expansion. It will be the biggest asked for yet. Another thing that will come into play is our capacity. We would be hard pressed to ask for more land if we have capacity. We would have to ask for more population and go back and redo our capacity analysis. What we have to show is reasonable measures to up our density before we can expand out. Lots of things spin off of that. We have to show a water plan, sewer plan and transport plan that will accommodate it. We also have to show what it is going to look like down there as well. There are lots of questions to answer. It is a huge undertaking. Staff ran it by City Council at the last study session. The general sense was to move forward with it.

BUSH asked what the real benefit of it would be?

WINDISH stated that the sales tax revenue for a life style center (YMCA) would be a benefit. And further the property taxes generated by the YMCA. Another benefit would be having a housing development outside of the downtown core.

HAYDEN asked if that area is all interchange commercial?

WINDISH stated that it is a mix of uses and mixed zones. This is exciting for use planners. We will see where it ends up.

- 7) Staff has been doing a lot of noise enforcement with the new noise meter. It is nice to have a meter. It has a print out noting the maximums and minimums;

MORRISON asked if Staff has tested the train noise?

WINDISH stated that he has tested it from his house. It is at a 70 at his front window, and 80 on the front porch. He also walked around the train station. When the train hits the Old Cannery, it is at about 80 decibels. Ambient noise at night is about 55 to 58 decibels. Our code allows for only up to 45 decibels in neighborhoods at night. We need to look into that.

- 8) WINDISH went to a training today for credits for AICP certification. He went out to Kopechuck in Gig Harbor to look at shoreline erosion, and the wave action process that erodes bluffs, and how people protect from that, and the effects of that protection further down the shoreline.

COMMISSIONER COMMENTS

BUSH asked Staff about the grocery store on Parker Road. Is the YMCA not interested in that anymore?

WINDISH stated that it was a part of their study, however, the location that they would prefer is the location south of town. The library is doing a Capital Facility Master Plan Amendment. They are looking at the QFC site, and possibly adding Pierce College classes as well.

GANZ noted that it is important that we keep in mind that we get the information out to the public, so that the little guy can make known their point of view with regard to the changes we have been making over the last few years. He noted that BUSH is always very good about looking out for the little guy. He feels that is important.

ADJOURNMENT

SWANSON adjourned the meeting at 8:31 p.m.



Ryan Windish
Planning Manager