

CITY OF FIRCREST PLANNING COMMISSION
REGULAR MEETING MINUTES

November 1, 2011
6:00 p.m.

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

Chair Randy O'Brien called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

ROLL CALL

Commissioners Jerry Foss, Greg Nellist, Randy O'Brien, Karen Patjens and Jim Otness were present. Staff present: Planning/Building Director Ray Gilmore and Permit Coordinator/Code Compliance Officer Lisa Keely.

APPROVAL OF MINUTES

The minutes of the regular meeting of October 4, 2011 were presented for approval. Commissioner Foss stated the minutes should be corrected to reflect a vote of 4:0 instead of 3:0 on page 7, the vote for Case 11-11. It was moved by Foss and seconded by Patjens to approve the minutes as corrected. AYES: Foss, Nellist, O'Brien, Patjens and Otness. NOES: None. Motion carried 5:0.

CITIZEN COMMENTS (for items not on the agenda)

None.

NEW BUSINESS

Public Hearing

Chair O'Brien opened Case 11-05, a continuation of the Commission's discussion for a Comprehensive Plan amendment to amend language in the Community Commercial Land Use Element to allow multi-family residential as an outright permitted use. O'Brien outlined the process for the meeting, noting that two resolutions had been prepared for the Commissioners - one recommending denial and the other recommending approval. Commissioner Patjens requested an overview of the supplemental staff report.

Planning/Building Director Gilmore stated in addition to the current proposal, and based upon the Planning Commission discussion of October 4th, two options had been prepared for consideration. Option 1 required a minimum parcel size (five acres) for allowing multi-family in the Community Commercial area. He noted that multi-family residential wouldn't preclude a mixed-use environment (retail with residential), but the property could also be developed completely as residential. Gilmore further noted that if the comprehensive plan amendment was adopted, the development code would also need to be amended to accommodate multi-family residential in the Community Commercial zoning district. An

additional Option 2 amended the land use map to re-designate 2119 Mildred Street West as high density residential. If adopted, Gilmore stated it would preclude any future commercial/retail use of the property.

Otness inquired if there had been any changes to the original applicant that had initiated the proposal.

Linn Larsen, 11531 Clovercrest Drive Southwest, Lakewood WA 98499, stated he was a commercial real estate broker and a consultant to the Eaton Family LLC that recently purchased the property that was the subject of the comprehensive plan amendment. He confirmed that it was the intention of the Eaton Family LLC to clean up the property and make it available for commercial resale redevelopment and reuse. The Eaton Family LLC was in support of continuing on with the application to have the option to construct multi-family housing on their property. Larsen stated they were working towards making the property maximally productive to get the maximum value for it, bringing the maximum benefit to the City of Fircrest. Larsen further noted that Kevin Foley, with Baseline Engineering, now worked for him instead of the previous applicant. He stated he had submitted a signed and notarized document naming Linn Larsen with authority on all matters pertaining to the property on behalf of the Eaton Family LLC.

Otness noted the issue still came down to a conflict with the development regulations, and utilizing the five acre minimum requirement opened up opportunities within the Community Commercial area and wasn't applicable to just the Eaton Family LLC property. Otness stated he was uncomfortable with the current proposal and was hopeful that it could have been boxed differently and made applicable only to the Eaton property. He further noted issues with Option 2, as it precluded any future commercial/retail uses of the property, despite the current market. Otness inquired if there were other options that could be considered that hadn't been discussed.

Commissioner Foss stated he had listened to the recording from the October 4th meeting, due to his absence, and had heard comments about the prior owners and the situation they were in. He commented that due to the recent sale of the property, the prior owners had maximized their profit and the issues that had been surfaced had been resolved.

O'Brien reiterated that the Commission's actions tonight were to make a recommendation to the City Council, and the Council would be conducting their own public hearings on the issue. He suggested a resolution should be adopted tonight and the issue moved on for consideration by Council. O'Brien called attention to a sentence in previously prepared staff report that noted:

As residents of the community, the commission members must decide if the community commercial area should place a higher emphasis on residential in order to meet our growth targets under the Growth Management Act or retain the retail component as currently stated.

He felt that statement was what the Commission members needed to decide and O'Brien polled the Commissioners.

- Foss stated he was concerned with what was in the long-term best interest of the City of Fircrest and he was in agreement with Option 1.
- Nellist stated he would vote to deny the application.
- Patjens stated she hadn't changed her mind and would err on the side of an emphasis on residential and would vote in favor of Option 1.
- Otness inquired about the process to modify the development regulations. Gilmore responded the process was applicant driven. Otness stated he struggled with the proposal regarding a minimum of five acres, as it could be applied anywhere within the Community Commercial areas and reiterated his concerns with the conflict of the proposed amendment to the development regulations. He indicated he would vote to deny the application.
- O'Brien stated he would vote to deny the application.

It was moved by Foss and seconded by Nellist to adopt Resolution 11-06, a Notice of Decision/Resolution of the Planning Commission of the City of Fircrest, Washington recommending denial of the proposed amendments to the Comprehensive Plan to allow multi-family housing in the Community Commercial area. Ayes: Nellist, O'Brien and Otness. Noes: Foss and Patjens. Motion carried 3:2. Findings in support of this motion are contained in Resolution No. 11-06 attached hereto.

OLD BUSINESS


None.

COMMITTEE REPORTS

None.

ADJOURNMENT

It was moved by Foss and seconded by Patjens to adjourn the meeting at 6:18 p.m. AYES: Foss, Nellist, O'Brien, Patjens and Otness. NOES: None. Motion carried 5:0.



Randy O'Brien, Chair



Ray Gilmore, Planning/Building Director

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CITY OF FIRCREST PLANNING COMMISSION
Notice of Decision / Resolution No. 11-06
Case No. 11-05

A NOTICE OF DECISION / RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FIRCREST, WASHINGTON, RECOMMENDING DENIAL OF THE PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN TO ALLOW MULTIFAMILY HOUSING IN THE COMMUNITY COMMERCIAL AREA

WHEREAS, an application was submitted by Janet Freeman Daily on May 13, 2011 by her agent Baseline Engineering to amend the comprehensive plan to permit outright multifamily development in the Community Commercial Area; and

WHEREAS, current policy requires that any residential development be subordinate to retail commercial uses in the Community Commercial Area in the form of a mixed use development; and

WHEREAS, the Planning Commission discussed the proposal at its regular meeting of August 16, 2011; and

WHEREAS, the Planning Commission conducted public hearings on October 4, 2011 and November 1, 2011; and

WHEREAS, public comment was received generally in favor of the proposal; and

WHEREAS, following the public hearing, the commission voted to recommend denial of the proposal based upon the following findings:

- a) The proposed amendment is not consistent with the goals, objectives and policies of the Comprehensive Plan, Community Commercial Area, in that permitting large parcels of land to be developed with multifamily homes effectively eliminates any future potential for new retail development along the Mildred corridor.
- b) The proposed amendment would detract from, rather than promote, the public health, safety, morals and general welfare due to the type and "high impact" nature of multifamily development, as there is little assurance that the character and quality of the development would be maintained.
- c) The proposed amendment is not needed as the current policy allows residential associated with retail uses in a mixed-use configuration (retail on the ground floor with residential on the upper floors).

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THEREFORE BE IT RESOLVED: the Planning Commission recommends denial of the proposed Comprehensive Plan amendments as per attached Exhibit A.

PASSED AND ADOPTED by the Planning Commission of the City of Fircrest on the 1st day of November 2011 by the following vote:

AYES: (Nellist, O'Brien and Otness)

NOES (Foss, Patjens)

ABSENT: (None)

Randy D. O'Brien
Randy O'Brien, Planning Commission Chair

ATTEST: Ray Gilmore
Ray Gilmore, Planning/Building Director

Assessor's Notice Per HB 2567: Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Goal 3: Commercial Uses

The approximate proportion of land designated for commercial use shall be maintained unless a specific re-designation proposal establishes a clear benefit to Fircrest's residents from an expanded commercial area. Fircrest shall encourage the revitalization of existing commercial areas with a character that harmonizes with the residential character of the city. Existing commercial areas shall be redeveloped in conformance with this goal and its associated policies.

Policies:

- 3.1 Commercial businesses that serve the daily needs of Fircrest's residents for retail items or professional services should be encouraged.
- 3.2 Fircrest should encourage locally owned and operated businesses to be established and remain in Fircrest.
- 3.3 Environmentally clean, non-polluting businesses shall be encouraged in Fircrest through the implementation of performance standards and associated procedures that expedite the processing of applications for such businesses.
- 3.4 Commercial strip development should be discouraged. Buildings and off-street parking should be sited so that the streetscape is enhanced and pedestrian orientation encouraged.
- 3.5 Automobile-oriented businesses such as restaurants with drive-up windows should be discouraged in neighborhood commercial areas (see section titled *Land Use Designations* in this element). Businesses providing delivery services may be permitted in these areas subject to a review against performance standards that ensure there will be no negative impact on the surrounding neighborhood and streets.
- 3.6 Automobile-oriented businesses such as restaurants with drive-up windows may be permitted in community commercial areas (see section titled *Land Use Designations* in this element), subject to compliance with site design performance standards. Site design for such businesses should ensure safe and convenient pedestrian access separate from drive-up access and that does not require the pedestrian to cross drive-up facilities to reach the pedestrian entry. Site design shall consider the safety of motorists, bicyclists, and pedestrians on the streets, shoulders, and sidewalks adjacent to the business driveways.
- 3.7 The visual appearance of commercial areas should be improved through public and private measures for beautification, design strategies, maintenance, and streetscape improvements. Commercial buildings should conform to design guidelines and be of a scale and architectural style that is compatible with

1 surrounding development. Where commercial rehabilitation, development, or
2 redevelopment occurs in an area with historic significance, it should be sensitive
3 to the historic significance of the area. Commercial development should
4 incorporate landscaping, seating, and other pedestrian-oriented amenities to
provide pleasant and comfortable resting, socializing, and picnicking areas for
employees and shoppers.

5 3.8 Commercial development should include high quality, safe, and contiguous
6 facilities for pedestrians, bicyclists, disabled persons, and users of the public
7 transit services. Fircrest should work with public transit providers to improve
transit service to commercial areas.

8 3.9 Maximum automobile parking standards should be implemented for various
9 types of commercial development. Shared parking facilities should be
10 encouraged. Parking areas shall include plantings of vegetation appropriate for
11 the setting. Incentives to promote the location of parking to the side or rear of
buildings should be established. Parking facilities should conform to the
parking-related policies of the transportation element.

12 3.10 Appropriate proportions and types of vegetative landscaping in commercial
13 development shall be installed consistent with design guidelines and landscaping
regulations.

14 3.11 Special planning area designations shall apply to two neighborhood commercial
15 areas. One shall be the commercial area located between Regents Boulevard and
16 Princeton Street west of Alameda Avenue and east of Arondale Avenue. The
17 other shall be for the area south of Emerson Street and west of Orchard Street.
18 For each special planning area, developer(s) shall be required to prepare a master
19 plan. All rehabilitation, redevelopment, and new development shall conform to
20 the master plan. For the area between Regents Boulevard and Princeton Street,
21 the master plan shall emphasize the historic significance of the area as the
22 commercial focus of the city. Both master plans shall establish a mix of
commercial uses that are predominantly neighborhood serving. Each master
plan should incorporate a pedestrian-oriented plaza with transit facilities,
landscaping, seating, and tables that render the plaza a pleasant and comfortable
resting, socializing, and picnicking area for employees and shoppers.

23 3.12 Culturally enriching uses such as libraries, bookstores, galleries, museums, live
24 theaters, and senior centers should be encouraged in commercial areas.

25 3.13 Multifamily housing uses can be allowed in community commercial districts
26 subject to specific performance standards, including design guidelines, location
27 adjacent or proximate to a principal arterial street, adequate open space and
recreation facilities. Limited residential uses in the form of accessory apartments
and second floor dwelling units associated with commercial uses will be allowed

1 ~~in commercial areas subject to compliance with design guidelines.~~ The overall
2 design should ensure the privacy of residents.

3 3.14 Commercial uses that are low in their impact on adjacent areas shall be
4 preferred immediately adjacent to residential land uses. Potential impacts on
5 adjacent uses shall be mitigated through compliance with adopted performance
6 standards.

6 **Community Commercial**

7 Allowable Uses

8 Community commercial areas will allow the same types of retail businesses, offices,
9 and organizations that are allowed in neighborhood commercial areas. In addition,
10 community commercial areas may include businesses that serve a clientele that will
11 most likely be drawn equally from the Fircrest community and the surrounding
12 University Place and Tacoma area. Examples of such businesses include large grocery
13 stores and other retail outlets, consolidated medical and professional centers, major
14 financial institutions, movie theaters, etc. Automobile-oriented businesses such as
15 restaurants with drive-up windows, multifamily housing and businesses providing
16 delivery services may be permitted provided they are compatible with the goals and
17 policies of this comprehensive plan.

18 Parks and other recreational facilities may be allowed in community commercial areas.
19 ~~In addition, multifamily housing and mixed use developments residential uses in the~~
20 ~~form of upper floor dwelling units may be allowed by review in commercial areas. The~~
21 ~~overall design should ensure the privacy of residents. Any parks, recreational facilities,~~
22 ~~or residential uses should must complement commercial uses and must not negatively~~
23 ~~impact the commercial viability or functional operation of the any abutting commercial~~
24 ~~areas. Retail commercial uses must continue to be the predominant use in the~~
25 ~~commercial area. Any noncommercial development should not cause a practical~~
26 ~~restriction on continued commercial use of the commercial areas, however, these types~~
27 ~~of uses can be permitted subject to further review and restriction. A further restriction~~
28 ~~is the establishment of a minimum parcel size of five acres for multifamily housing.~~

29 Public facilities, including transit facilities such as stops, shelters and benches that
30 support development in the commercial areas, will be allowed, as will public and quasi-
public facilities that are compatible with the surrounding development.

Included in Community Commercial areas are several properties that historically have
been used for light industrial activities. It is expected that over time, these properties
will be redeveloped for a variety of uses, primarily retail commercial. Until such
redevelopment occurs, light industrial activities such as assembling, distributing,
manufacturing, packaging, warehousing, research and related administrative activities
may continue to be allowed, provided they meet the performance standards for light
industry specified in the City's Land Development Code (Title 22 FMC). The

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following parcels may continue to be used for light industrial activities so long as these activities do not generate noise, dust, glare, or other pollution that extends beyond their respective parcel boundaries: APN 0220112005, APN 0220112070, APN 0220112099, and APN 0220112100.

Building Intensity

New development, rehabilitation, and redevelopment in community commercial areas will incorporate sufficient landscaping and alternatives to impermeable surface (such as pervious pavement) to limit the impermeable surface coverage on a project-by-project basis to less than 85 percent of the site. Other limitations on building intensity are specified in the city's Land Development Code (Title 22 FMC).