

**MINUTES
PLANNING COMMISSION
REGULAR MEETING**

November 18, 2004

PLANNING COMMISSIONERS PRESENT:

Chair Donna McKinney;
Michael Cox, Abra Bennett, Julie Kriegh.

STAFF PRESENT:

Larry Frazier, Director of Planning and Community Development;
Jennifer Sutton, Planner;
Bob Katai, Senior Planner;
Diane Sawyer, Secretary.

ISSUES DISCUSSED:

**Capital Facilities Process;
Haggar Scribner Properties Comprehensive Plan Amendment (Phase II);
Code Revisions Title 18 (Phase III) - Light Manufacturing.**

Chair McKinney called the regular meeting to order at 7:04 p.m. Commissioners Averill, Osmond and Luria were absent. There following a brief discussion of a potential Planning Commission retreat. It was determined to address this issue under New Business. Chair McKinney called for public comments regarding non-agenda items.

Councilmember Debbie Vancil (Capital Facilities Committee Chair), stated that on behalf of the Committee, she was relaying apologies for any confusion or distress caused to the Commission by the Capital Facilities Plan as presented for discussion and public input at the

November 4, 2004 meeting. She stated the Commission will be involved in the evolution of next year's Plan, starting in the new year.

Mary Jo Briggs, City Administrator, addressed follow-up work on the Capital Facilities Plan. She explained there has been a debriefing process since the Commission's last meeting in which attention was paid to the problems with the process and how to plan for the future.

Larry Frazier, Director of Planning and Community Development, addressed the Capital Facilities Plan. He explained the Department is developing a methodology to be used in the process which will commence early in 2005.

Vince Mattson, 9651 Green Spot Place, addressed the Capital Facilities process. He provided details of his professional background. Mr. Mattson stated the plan cannot reasonably be implemented; funding is not available to finance all of the proposed projects; too many projects are concentrated in the first three years; the plan is a "wish list". Mr. Mattson proposed the following steps: realistic assessment of needs based on criteria; financial analysis of available funds; allocation of funds to each class of facilities based mostly on needs data; prioritize projects for each type of facility; and program projects realistically based on complexity of projects, project costs, staff availability, etc. Programming should be based on a rational, easily understood system.

In response to Chair McKinney, Director Frazier agreed to provide information on the timeline for City Council review of the Capital Facilities Plan.

**HAGGAR SCRIBNER PROPERTIES COMPREHENSIVE PLAN AMENDMENT
PHASE (II)
Public Hearing and Study Session - Jennifer Sutton, Planner**

Planner Sutton provided an overview of the application and summarized the Staff Report. Using an overhead display she explained surrounding zoning and development; decision criteria; development standards in the Core and Ericksen Districts; design review for compatibility. She noted that a Determination of Nonsignificance was issued and staff is recommending approval of the application.

Thomas Haggart, M.D., Applicant, explained there are no current plans to redevelop the subject property or the clinic facility. The main reason for the rezone application is the limitation under the current zoning of a 2,500 square foot building footprint. He noted that with the five legal parcels, one with differing zoning, design possibilities are severely limited. A change of zoning will enable consideration of a much broader range of solutions to respond to the needs of the clinic and the downtown and Ericksen neighborhoods. Studies have indicated

that the clinic is a significant “anchor” establishment in the downtown. Dr. Haggar addressed the planning problems associated with the downtown area and the applicant’s need to know regulatory parameters to enable future planning. Using a visual display, he explained the possibilities and restraints of the current zoning and the limitations of the existing buildings on the site. He believed that the Design Review process and Site Plan review will address design concerns. Ultimately, a proposed design could provide for a “transitional zone.” In summary, Dr. Haggar stressed, parking will be a limiting factor for any future plan for the property.

Sean Parker, Architect, Applicant’s representative, explained the scope of Core zoning, noting the subject parcel had been removed from that zoning. Using photographs of specific structures, he addressed the potential future of the Ericksen Avenue area. He commented that the current scale of structures on that street are not indicative of what will happen in the future.

Erica Varga, Executive Director, Bainbridge Island Historical Society, read a letter from the Historical Society Board indicating they have voted to rescind their prior support and are now in opposition to the application. The Board is concerned that such rezoning will set a precedent that could endanger the historic Ericksen neighborhood. She cited the Comp Plan’s reference to the preservation of the neighborhood and the call for a mix of residential and small-scale nonresidential development. In response to Chair McKinney, Ms. Varga stated she could not speak for her Board, but Design Guidelines may make a difference. In response to Commissioner Bennett, Ms. Varga explained the Board’s concerns involve the setting of precedent and are not based on knowledge of a specific project. The Commission discussed the Design Review process. It was noted the Historical Society would be involved in that process. Ms. Varga was informed that “The Winslow” building on the corner of Winslow Way/Ericksen was developed prior to establishment of the Design Review Board, but was subject to design review guidelines and Site Plan review.

Sandy Fischer, Winslow Tomorrow Project Manager, used a visual display to indicated downtown project activity. She noted that the Winslow Tomorrow Congress has indicated the desire to retain “anchors” in the downtown area. She believed these applicants are willing to work with the community. She cautioned against deferring all project decisions, pending completion of the Winslow Tomorrow project. She noted she could not speak on behalf of the Committee, however, expressed personal support for this application for rezone. Director Frazier commented that working with design review and a cooperative applicant is important; the Department is recommended approval of the rezone.

Commissioner Kriegh asked about the opportunity for the creation of a transitional overlay district, if this application were delayed to next year. Planner Sutton explained the application of specific decision criteria to a repeated application. In response to Commissioner Kriegh’s question regarding potential transitional standards, Planner Sutton explained that FAR, building height, lot coverage and parking regulations work interdependently; confusion could result from changing specific aspects of the those standards. She commented that the easiest

standards to adjust may be front setback and building height regulations which could possibly be averaged. Commissioner Kriegh supported development of an appropriate transitional zone. Chair McKinney suggested a transition element could be incorporated into the zoning regulations and design guidelines. Commissioner Cox recognized the risk in resale of the property; however, he believed a rezone to be appropriate in this case; a recommendation could be made to City Council with regard to a transitional area. Commissioner Bennett suggested language could be added to guide the permit reviewer toward the transitional concept. Planner Sutton noted the Comp Plan is currently taken into consideration with regard to sensitivity to size and scale. Commissioner Bennett noted if this property is rezoned, comparable buildings would come under the Core District, unless there is specific language included to address transition. Director Frazier noted the Design Review Board will have the ability to make recommendation to address scale, size and relationship to the community. He added, the creation of a transition zone is a different process and an important discussion for the City Council. Commissioner Bennett commented that the Historical Society must be included in the review of specific development of the subject property.

MOTION: Commissioner Cox moved to recommend approval of Comprehensive Plan Amendment 12990 with the recommendation that the City Council ask the Planning Department to look at transitional standards and their applicability to the Core District and adjacent districts. Commissioner Bennett seconded the motion which carried (2-1). Commissioner Kriegh cast the dissenting vote based upon her opinion that a transition zone should be developed before this application is approved.

Director Frazier responded to Chair McKinney that the Commission can recommend transitional zones be addressed under Phase III Code Amendments. Commissioner Kriegh stated transitional zones should have a high priority; the Comp Plan is not strong enough without a Code change.

MOTION: Commissioner Cox moved to recommend to the City Council that Phase III and IV Code amendments include the development of transitional zoning regulations. Commissioner Kriegh seconded the motion which carried unanimously.

PHASE III CODE AMENDMENTS – Light Manufacturing (LM) Uses Study Session – Bob Katai, Senior Planner

Planner Katai explained the subject code amendments to the Zoning Ordinance (BIMC 18.72) pertaining to Light Manufacturing provisions, are intended to implement the Comp Plan policy revisions recommended at the October 28th meeting. Staff is recommending changes to the Purpose, additions to the list of permitted and conditional uses, and an addition to the site plan development standards to address relationship to adjoining and nearby uses. In response to Commissioner Kriegh, Planner Katai explained Staff's recommendation to eliminate the list of

types of goods/products under Permitted Uses (A). He explained that hazardous materials standards are included under 18.72.070. It was agreed that *which can be performed with minimal adverse impact on the environment and the community* should also be deleted from Subsection A. Commissioner Cox proposed that reference to environmental impacts be included under the Purpose statement. Planner Katai agreed to provide the environmental impact standards for the next meeting.

Tom Coultas, 9492 New Brooklyn Road, spoke in strong support of the proposed changes.

Neil Mark, 7052 New Brooklyn Road, asked that manual car washes be included under permitted uses. He noted that such use would be of benefit to the island; will decrease the cost of a car wash; will mitigate runoff; will decrease traffic and resulting pollution; and increase tax revenues. The Commission discussed car trips generated by a car wash facility. Commissioner Bennett noted that under Accessory Uses vehicle trips are limited to five per day. Mr. Marks commented the City and School District already have exclusive facilities which are subject to stringent operational regulations.

Ed Gillanders, Island Childrens Montessori School, supported the proposals and thanked the Commission.

The Commission agreed to the following amendments to the revisions:

***Purpose:** It is the further purpose... ..minimize traffic congestion, visual impacts, environmental impacts, and other....*

18.72.020 Permitted Uses:

A. ...wholesale of goods or products ~~which can be performed with minimal adverse impact on the environment and the community.~~ Add reference RCW codes.

*C. **Research and development laboratories;** Add reference to RCW codes.*

Commissioner Bennett expressed her discomfort with allowing uses such as laboratories next to childrens' educational and cultural activities.

*D. **Publishing and printing business;** Following discussion about whether this could be included under A, it was agreed to leave in.*

*E. **Personal and professional offices;** Planner Katai agreed to provide a potential modification of the existing definition of personal and professional offices and services.*

18.72.030 Accessory Uses. In response to Commissioner Bennett's concerns, Planner Katai noted that accessory uses are not included under any other zone; he suggested that retail on-site

sales could be addressed under development standards and agreed to provide appropriate language for discussion at the next meeting.

The Commission agreed that manual car washes should be included. Planner Katai will research the issues with regard to restrictions and will develop appropriate language for review at the next meeting.

NEW BUSINESS

The Commission discussed the scheduling of a facilitated Planning Commission study session to discuss the operation of the Commission. In response to Commissioner Bennett Director Frazier stated such a meeting would not have to be noticed to the public. Director Frazier agreed to poll the entire Commission with regard to when to hold the meeting and preferences for an off-island versus on-island facilitator.

MINUTES

MOTION: Commissioner Cox moved to approve the Minutes of the meeting of November 4, 2004. Commissioner Bennett seconded the motion which carried unanimously.

There being no further business, the meeting was adjourned at 9:55 p.m.

Donna McKinney, Chair

Diane Sawyer, Secretary

Approved: December 9, 2004

Next Regular Meeting: December 9, 2004