



## PLANNING COMMISSION

September 6, 2017

### MINUTES

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#### I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:00 p.m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

##### a.) ROLL CALL/ESTABLISHMENT OF QUORUM

Planning Commission Members present were: Chair Judi Roland, Commissioner Mason, Commissioner Lee, Commissioner Copple, Commissioner Shin, and Commissioner Moutzouris. Commissioner Stephens was excused and Commissioner Smith arrived after the approval of minutes.

Staff present included: City Attorney Dan Heid, Assistant Director of Community Development Jeff Tate, Planning Services Manager Jeff Dixon, and Planning Administrative Assistant Tina Kriss.

Members of the public present: Valley Regional Fire Authority Fire Marshal Karen Stewart, Rob Renner, Bob Zimmerman, Dave Krons, Wayne Jones of Lakeridge Development, and Jeremiah Lafranca of the Pierce County Master Builders Association.

##### b.) PLEDGE OF ALLEGEANCE

#### II. APPROVAL OF MINUTES

##### A. August 8, 2017

Commissioner Copple moved and Commissioner Lee seconded to approve the minutes from the August 8, 2017 meeting as written.

MOTION CARRIED. 6-0

Commissioner Stephens was excused and Commissioner Smith arrived after the approval of minutes.

#### III. PUBLIC COMMENT

Bob Zimmerman, 33029 46<sup>th</sup> Pl., Auburn

Mr. Zimmerman expressed his frustration with a neighbor who built a concrete retaining wall without a permit. Mr. Zimmerman is concerned with the stability and seismic risk of the wall adjoining his property. After bringing these concerns to the city's attention, a correction notice was issued by the city to the property owner to enforce the wall and make it more structurally sound and seismically safe. The property owner was required to undertake additional construction to reinforce the wall. Mr. Zimmerman does not believe the work to reinforce the wall has taken place and is concerned with the wall failing and being a safety hazard and causing damage to his property.

Mr. Zimmerman also expressed his concern with a 1,000-gallon propane tank located on the same property. He stated in the event there is an earthquake there are no state regulations requiring safety valves or straps. Without these safety precautions if a natural disaster takes place the neighborhood is open to a large explosion which would cause severe life safety risks and property damage in the vicinity.

Mr. Zimmerman stated Fire Marshal Karen Stewart visited the site and informed him that the tank has met code and the fire authority is only able to enforce minimum code.

Chair Roland thanked Mr. Zimmerman for his comments and explained the Planning Commission at large has no direct authority over either issue but appreciated his bring this to their attention.

#### **IV. PUBLIC HEARING**

##### **A. ZOA17-0005 – Rezone of EP, Environmental Park to M-1, Light Industrial**

Chair Roland opened the public hearing on ZOA17-0005, Rezone of the EP to M-1 at 7:09 p.m.

Assistant Director Tate provided the staff report to ZOA17-0005, and an overview of the Environmental Park (EP) Zone. The EP Zone consists of a mix of pre-existing industrial properties as well as several large cities owned properties that include the Auburn Environmental Park and wetland properties that are a component of the City wide stormwater management system. Assistant Tate noted that the Auburn Environmental Park (AEP) will not be rezoned by this action as it is now designated as "Open Space".

Because the EP Zone is no longer listed in the Comprehensive Plan as an implementing zoning designation, a change to M-1 will eliminate the existing inconsistency with the Comprehensive Plan and challenges that have been described in developing using the current EP Zoning. Changing the zoning map to M-1 will expand the viability to utilize, develop, and market the affected properties.

Since the inception of the EP Zone in 2006 there has been very little private sector investment into the privately owned properties within this commercial designation according to information provided to the city.

Chair Roland invited members of the public forward for public comment regarding ZOA17-0005, Rezone of EP to M-1.

With no public present for public testimony, the Public Hearing was closed at 7:15 PM.

Commissioner Shin asked if incentives were provided to folks developing in the EP Zone when it was established. Staff stated no incentives were

provided as it was more of an approach to require a certain type of sustainable design and green building practices.

Commissioner Smith asked staff if a customer called to report street and sewer concerns from properties within the area being rezoned would the city have information on the call. Staff explained if a call is received to report an issue it is generally logged and noted. Commissioner Smith asked staff if they could check and see if a call was logged in for a street in the EP and staff explained that calls are logged by address and helpful if the street name was provided. The general vicinity was provided by Commissioner Smith.

The Commission and staff discussed the concerns of some of the owners within the zone at the time of the EP Zone designation regarding conforming and non-conforming uses.

With no other questions for staff, the Commission deliberated.

Vice-Chair Copple moved and Commissioner Moutzouris seconded to move forward ZOA17-0005, Rezone of EP Zone to M-1 Zone, to Council for approval.

MOTION CARRIED. 7-0

**B. ZOA17-0006 – Code Change Regarding Calculating Residential Density**  
Assistant Director Tate provided background information on ZOA17-0006, Calculating Residential Density.

Staff discussed the methodology for calculating density and explained that at the August 8, 2017 Planning Commission meeting two calculation formulas were discussed, calculating density based on “net site area” and “gross site area”. Net site area formula takes the property and removes a variety of features from the land area before calculating the density on what is remaining. The wetlands, storm ponds, roads, etc., are removed before calculating net site area. By contrast, for the gross site area, the entire property area is considered in calculating the density allowed in the zone.

The developer and staff face challenges with the current net site area calculations. In order to make a determination on the development potential of the property key features must first be designed and the removed before calculating the allowed number of lots and dwelling units (i.e., stormwater design, right-of-way dedication, streets and other necessary components).

The zoning of a property can be provided to a customer quickly. However, if staff is working through the pre-application process or has an interaction with

a customer at the counter information is not available and valuable time is lost to do the layout work in determining the net site calculations.

The Commission and staff discussed the option of removing the minimum density requirement as applicable to short plats. If a customer comes to the counter and wants to develop an acre of land with a home located in the center into one or two additional lots, the answer from staff is that you can't do that because it needs to be divided into more lots to meet the minimum density requirement. The City has turned away potential short plat customers because it is not possible to meet the minimum density with restrictions based on undevelopable aspects of the land.

Also, the minimum density applicable to short plats does not encourage infill development. Also, if a property intended for traditional subdivision is encumbered with critical areas that the developer can prove limits meeting the minimum density, removing it allows the developer to utilize the usable land. Staff is suggesting the minimum density requirement as applicable to short plats be eliminated.

Staff provided a PowerPoint presentation depicting the scale of different lot size and widths at different densities. Staff explained that irrespective of the lot size the zoning density regulations still must be met. The thinking often is if you go with smaller lot size you get more lots. If it is a R5, five-acre property, you could have 25 lots and if the lot size changes it remains at 25 lots as the maximum. Set-backs, coverage limits and those other types of standards also still must be met (engineering standards, storm design, driveway widths).

Removing the minimum density, it will allow the developer to still accommodate lot fit and be flexible enough to provide a desirable community. It will reduce the need for applicants to seek deviations from other standards, most often engineering standards.

Chair Roland opened the public hearing on ZOA17-0006, Calculating Residential Density at 7:24 p.m.

The Commission and staff discussed the need to adhere to mandates in order to accommodate the Growth Management Act (GMA) and still make desirable communities. Staff discussed maximum lot coverage and maximum impervious surface within specific zones. These lot coverage maximums vary based on the zoning designation.

Chair Roland invited members of the public forward for public comment regarding ZOA17-0006, Calculating Residential Density.

Wayne Jones, Lakeridge Development, PO Box 146, Renton

Mr. Jones stated that most of the changes noted in the proposed amendment relate to the R5 Zone which has been difficult to work with because of the density requirements. Eliminating the minimum density while having a 50-foot width requirement and the flexibility with depth will produce a product that is more affordable because you are not having to first design around all of the wetlands and features of the property. You can use the width of the lot and still achieve the density standards.

Mr. Jones stated he is supportive of the amendments to ZOA17-0006 and believes these updates still will meet the GMA mandate and zoning requirements.

Jeremiah Lafranca of the Master Builders Association of Pierce County  
3711 Center Street, Tacoma

Mr. Lafranca thanked staff for talking with folks in the industry to discuss this amendment. The MBA is supportive of the ZOA17-0006. MBA feels the amendment achieves the goals of the city, to maximize density and allow for greater infill to take place while maintaining the look and feel desired in Auburn neighborhoods.

The key component to the amendment with smaller lots is to allow for more amenities. The density can be achieved while still providing a good look and feel for the neighborhood without crowding the development. The MBA is appreciative of the work that staff and the city has done to bring this forward.

If the amendment is approved, it will assist in achieving growth target goals to provided needed housing in Auburn while still preserving the desired neighborhoods.

Bob Zimmerman, 33029 46<sup>th</sup> PL. S., Auburn

Mr. Zimmerman expressed his concern with the proposed density standards and asked how the city would protect their exposure to a fully-involved structure fire. Because may be built so close to one another it seems difficult for fire not to spread through the entire block.

The Chair asked if the Karen Stewart, representative from VRFA wanted to comment on the question.

Karen Stewart, Valley Regional Fire Authority

Ms. Stewart explained that hazards that present themselves due to density of lots is managed by installing sprinklers during the building phase which would prevent a fire from extending to the neighboring homes. Ms. Stewart also reported that fire-resistant construction walls can be installed between houses

during the construction phase. Those measures along with other improvements help with reducing the spread of fire and suppression of a fire.

A discussion was held on infill development and the regulations that would need to be met. Staff provided several examples of what infill may look like based on city standards.

With no further public testimony from the public, Chair Roland closed the public hearing at 7:59 p.m.

Commissioner Smith expressed his support of removing the minimum density requirements and he is concerned that it may lead to allowing a minimum lot size of 4,500 square feet. Commissioners Smith stated he would like to divide the recommendation.

Commissioner Smith moved and Vice-Chair Copple seconded to recommend moving forward to Council for approval the elimination of the minimum density requirement for subdivisions.

**MOTION CARRIED. 7-0**

Commissioner Smith moved and Vice-Chair Copple seconded to recommend moving forward to City Council for approval a minimum lot size of 6,000 square feet with a width of 50 feet.

Vice-Chair Copple withdrew his second to the motion. Chair Roland accepted his withdrawal. Chair Roland asked if there was a second on the floor; with no second to the motion, the motion failed.

Vice-Chair Copple moved and Commissioner Shin seconded to recommend moving forward to City Council for approval (as noted in the staff report on Page 26, Items 1-5):

1. Modify ACC 18.07.030.C to eliminate the requirement that the developer achieve an overall minimum average lot size across the entire subdivision.
2. Modify ACC 18.02.065.A to reorganize the code so that it is easier to understand how to calculate density.
3. Modify ACC 18.02.065.A to change the method of calculating density from "Net Site Area" to "Gross Site Area".
4. Modify ACC 18.02.065.A to allow for administrative consideration of deviations to the minimum density requirement.
5. Add ACC 18.02.065.B which exempts short plats from the requirements to meet minimum density.

**MOTION CARRIED. 5-2**

The Commission and staff discussed minimum lot size and density.

Commissioner Smith moved and Commissioner Mason seconded to recommend to City Council for approval a minimum lot size of 6,000 square feet with a width of 50 feet.

**MOTION APPROVED. 4-3****V. OTHER BUSINESS**

No items were brought forward for other business.

**VI. COMMUNITY DEVELOPMENT REPORT**

Assistant Director Tate explained that Karen Stewart of Valley Regional Fire Authority (VRFA) would like to provide a presentation to the Planning Commission on September 19, 2017. The presentation would provide information on the tactics and operations in responding to fires from the perspective of the fire authority. Some of the information ties into construction practices. The Commission was supportive of this presentation.

A rendering of a drawing of the property at 102 East Main Street, the building south of Nelson Jewelry, containing the tax service business was shown to the Commission. Efforts to rehabilitate the building by the city and property owner have been forthcoming. Phase 1 includes a façade improvement, structural improvements, refacing the building, and adding doorways for multiple tenant spaces. Phase two would include efforts to re-tenant the building. The building was built in 1909. Staff reported that discussions are also taking place with the owner of the adjacent building just south for renovations.

Also, the storefront of the Masonic Lodge continues to be restored bringing it back to its historic style and original glory. These Façade Improvements are partially funded by the City through their Façade Improvement Program.

Other notable development activity includes that the Holiday Inn Express building permit, located off C Street, has been issued. The City, along with Valley Cities, and the Auburn Food Bank has opened up the day shelter at 26<sup>th</sup> St. NE and I Street. Overnight services will eventually be offered on the north side by Valley Cities where their Phoenix Rising Group facility is located.

Assistant Director Tate reported that the first steps have begun an all-electronic plan review for our civil engineering process, eliminating the need for paper copy submittals. This will start the process and deploying the same approach for other planning and building applications. Customers will be happy to see efficiencies in the process.

**VII. ADJOURNMENT**

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:34 p.m.