



MINUTES (Approved on 9-6-17)

TIME: Wednesday, August 2, 2017, 4:00 p.m.
PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402
PRESENT: Stephen Wamback (Vice-Chair), Carolyn Edmonds, Jeff McInnis, Anna Petersen,
Brett Santhuff, Andrew Strobel, Dorian Waller, Jeremy Woolley,
ABSENT: Chris Beale (Chair)

A. CALL TO ORDER AND QUORUM CALL

Vice-Chair Wamback called the meeting to order at 4:03 p.m. A quorum was declared.

B. APPROVAL OF AGENDA AND MINUTES OF JULY 19, 2017

The agenda was approved. The minutes of the regular meeting on July 19, 2017 were reviewed and approved as submitted.

C. PUBLIC COMMENTS

Vice-Chair Wamback invited citizens to provide comments on items related to the agenda. The following citizens provided comments:

- 1) Valerie Fyalka-Munoz:
Ms. Fyalka-Munoz commented that the owners of Michael's Plaza were opposed to the road going through their property proposed in the Tacoma Mall Neighborhood Subarea Plan, adding that they had participated in various meetings and nothing had changed on the maps.
- 2) Eleanor Brekke:
Ms. Brekke commented that they appreciated the opportunity to participate in the process, but ongoing concerns regarding the proposed 37th Street and connectivity requirements were still not being addressed. They had hopes that research being conducted would address economic impacts the proposed alignment would have, but it was not included as a research topic. She expressed concern that including it in the subarea plan would negatively impact and bind them until it happens. She reported that the property owners in the northwest quadrant were asking the Planning Commission to make sure the issue was fully addressed in the final EIS.
- 3) John Brekke:
Mr. Brekke commented that the proposed 37th Street alignment was impractical, cutting through private property, limiting development options, and leaving unusable portions of parcels. They were asking that the EIS include a review of practical alignments and options that would include existing connections and not be restricted to the current 200-foot corridor. He commented that the private sector was going to be required to participate financially in Tier 2 streets and the 37th street alignment would be very expensive. He commented that alternatives should provide the greatest public benefit with the least impact on private property owners.
- 4) Beverley Bowen-Bennett:
Ms. Bowen-Bennett commented that the Brekkes were good neighbors and that she too opposed the 37th Street alignment because she did not see a benefit to it. She commented that she was also opposed to the loop road. She expressed concern about the lack of parks and that there were too many townhomes without accessible units for people of all ages.

- 5) Dakota Case, Puyallup Tribe of Indians:
Mr. Case requested that a formal meeting invitation be sent out to the Tribal representatives for future meetings, noting that the Land Claims Settlement included stipulations that they were to be consulted with on environment issues and land use issues.
- 6) John Burkhalter:
Mr. Burkhalter commented that he was concerned about the costs associated with the construction of roads, which would be much higher than people were anticipating. He asked how the City would come up with the money when other streets were not being maintained. He commented that the current zoning was not being used to its highest potential and the proposed increase in allowable building height would not be used for the foreseeable future either.

D. DISCUSSION ITEMS

1. Tideflats Area Land Use Interim Regulations

Stephen Atkinson, Planning Services Division, provided a review of draft findings of fact and the initial concept and options for the interim regulations. He discussed how the City Council had adopted the resolution initiating the Tideflats subarea planning process and directed the Planning Commission to begin deliberation on the need for interim regulations. He reviewed having briefed the Commission on June 21 and noted that they had continued to receive written comments from the public, which they had provided to the Commission at the meeting. Mr. Atkinson discussed guiding parameters, reviewing that they did not want to predetermine the outcomes or preempt the subarea plan. He commented that they wanted to pause the potential development that could happen and take a balanced approach to do the plan right.

The draft findings of fact and recommendations report concerning the need for interim regulations was discussed. Mr. Atkinson reviewed findings including recognition of the industrial center status and presence of industrial lands; presence of critical areas; encroachment issues; transportation studies including emergency response issues; issues related to impacts from climate change; and other emergency ordinances with overlap on issues in the Tideflats. Findings would not include findings that were expressive of what uses should be allowed long term in the Port Tideflats.

The staff concepts for potential interim regulations were discussed. Mr. Atkinson noted that the first concept was based on industrial lands retention, to prevent new non-industrial uses or uses that would have a very large footprint like golf courses, schools, or agricultural uses.

Commissioner Petersen asked why housing was not on the proposed list of prohibited uses. Mr. Atkinson responded that it was because they were largely already prohibited, though there was some overlap with correctional facilities and group homes. Commissioner Petersen commented that she did not want those uses allowed there.

Commissioner Strobel asked if hospital uses might be added to the list of prohibited uses. Mr. Atkinson responded that they could add uses to the list, though hospitals were prohibited in the Port Maritime & Industrial District (PMI), which was the majority of the zoning for the Tideflats area.

The next staff concept was to prohibit new high risk or high impact uses such as coal terminals, bulk chemical storage, and the surface mining. Mr. Atkinson commented that they weren't doing a blanket prohibition on all fossil fuels, which would have prevented people from getting fuel that serves uses in the Tideflats. He commented that the listed uses were proposed as a blanket prohibition on new uses, while accommodating the existing uses.

Commissioner Waller asked why they had used a blanket approach. Mr. Atkinson responded that it was so that there would be pause on significant development projects during the planning process.

Commissioner Edmonds asked if there were any existing permits for the listed uses. Mr. Atkinson responded that the Liquefied Natural Gas (LNG) facility was currently being constructed and the interim regulations would not have impact on current permits.

Commissioner Strobel asked why storage and transport of LNG was not included on the list of uses proposed for prohibition. Mr. Atkinson responded that it was because they currently had no coal terminal or storage but they did have significant transport of liquid and natural gas through pipelines. Commissioner Strobel asked if the list included loading facilities which shift between different modes of transport for those types of uses. Mr. Atkinson responded that it did not as it was more about limiting bulk storage and processing.

Commissioner Waller asked about the purpose for option 2 on the table of interim regulation options that had been included in the meeting packet. Mr. Atkinson responded that the second option would, instead of outright prohibiting the uses, allow them with a conditional use permit (CUP).

Commissioner Edmonds asked if allowing CUPs would give them information about the impacts of those businesses that they do not currently have. Brian Boudet, Planning Services Division Manager, responded that the CUP process would give them more discretion, but not necessarily more information.

The next staff concept concerned distinguishing between new and existing uses, recognizing that the uses were legally permitted and providing some distinction to accommodate those uses. The proposal would follow the standards for nonconforming uses which would allow up to 10% expansion. Mr. Atkinson reported that staff were also proposing to also allow up to 20% expansion with a CUP.

Commissioner Edmonds asked if there would be exceptions for businesses doing environmental improvements that expand beyond 20%. Mr. Atkinson responded that they could include exceptions, though maintenance would not be considered expansion.

Commissioner Edmonds asked if prohibiting residential uses on the slopes would be considered a taking. Mr. Atkinson responded that they had broad discretion for temporary interim regulations.

Commissioner Strobel asked if staff had considered allowing a CUP for new residential development on the slopes above Marine View Drive instead of allowing one residential unit per parcel. Mr. Atkinson responded the CUP process would allow more units by not preventing subdivision of the parcels.

Mr. Atkinson discussed expanded notification, reviewing that they had received a lot of feedback about people not getting notification of projects in the Tidelands. He reported that they would be proposing a new notification range of 2500 feet from the Manufacturing/Industrial Center (MIC) boundary for any project within the Tidelands.

For unlisted uses, the staff recommendation was to prohibit any uses specifically not listed in the table and allow the Planning and Development Services Director authority to determine an approximate use.

Mr. Atkinson reported that there were many uses that would still be allowed despite the interim regulations such as container shipping, wood products, marine supply, machining, and wholesalers. He commented that they also wanted to provide flexibility for expansion of existing facilities in the interim while providing some limitations to maintain the integrity of the planning process. Mr. Atkinson suggested other approaches that could be considered by the Commission such as being more restrictive in limiting expansion, prohibiting additional uses, reducing the number of uses subject to prohibition.

Vice-Chair Wambach suggested they go through table of Interim Regulation Options provided in the meeting packet and provide feedback row by row for the Commission's preferences.

For non-industrial uses, Mr. Atkinson clarified that Option 3 would be more prohibitive with a broader set of uses prohibited in the interim. Commissioners concurred with preferring Option 3 with the inclusion of group homes, hospitals, and unlisted residential uses. Commissioner Santhuff commented that clearer definitions of the uses already listed would be helpful.

For new high risk/high impact uses, Commissioners concurred with preferring Option 1 to prohibit the uses per the staff recommendation. Commissioner McInnis and Vice-Chair Wambach expressed concern about having a list of specific uses for the category.

Commissioners discussed interim regulation options addressing encroachment of non-compatible uses. Commissioner Edmonds expressed support for Option 3, to prohibit new residential development and platting. Commissioner McInnis commented that he preferred Option 1 as it would be difficult to tell a

parcel owner that they can't build a home on their property. Commissioner Santhuff requested a map identifying the parcels being impacted and their development potential.

For the expansion of existing high risk/high impact uses, Commissioner Petersen expressed support for Option 1 as the alternative approaches introduced uncertainty. Commissioner Edmonds requested clearer definitions of what kind of expansions were being allowed.

For unlisted uses, Commissioners concurred with the staff recommendation. Commissioner Santhuff commented that they needed to be clear in materials provided to the public that there is a path forward for uses not identified in the table. Commissioner Strobel suggested discussing unlisted uses that came up in applications as they went through the process. Vice-Chair Wamback concurred, suggesting that they include a specific finding of fact requesting that the Planning Commission receive notification for every development application within the MIC.

Vice-Chair Wamback asked how the Commission could message that the public wants the subarea plan sooner than later. Mr. Boudet commented that they could include it in their recommendations back to the City Council. Discussion ensued on the possibility of recommending the package directly to the City Council without a public hearing.

Vice-Chair Wamback recessed the meeting at 5:54 p.m. The meeting resumed at 6:06 p.m.

2. Tacoma Mall Neighborhood Subarea Plan

Elliott Barnett, Planning Services Division, facilitated a discussion to authorize the distribution of the final draft plan and associated documents for public review and set a public hearing date. He reviewed the timeline of the subarea plan which had been under development for two years, including a great deal of public engagement and creation of technical supporting documents.

Mr. Barnett discussed changes made since the preliminary draft. He reviewed that they had created a package that included progress on issues such as townhouses on alleys, accessibility, parks, and schools. Mr. Barnett noted that the Commission had strengthened housing affordability policies to broaden the focus and monitor affordability for lower income levels. The biggest change made to the draft was to make the message less prescriptive and communicate that the long term vision would take a great deal of time. Mr. Barnett noted that in the Madison district they were presenting two zoning alternatives for the public to evaluate. For the street network they had calibrated the proposal to tie street connections to major redevelopment. They also had built in flexibility for alternative connections that still meet the intent of the district. In response to comments made concerning costs for Tier 2 street connections, Mr. Barnett reported that they would work with the Public Works Department to get some cost estimates.

Mr. Barnett discussed the technical information that was being communicated in the draft plan. He noted that in the Code Changes Appendix they had provided where changes would be found in the Code and the policy background and intent for each. They were also working on some additional streetscape view graphics.

Mr. Barnett reviewed the contents of the package, which included the Draft Subarea Plan, with code changes and street designs, and the Draft Environmental Impact Statement (EIS). The future package would include additional graphics, EIS appendices, and Comprehensive Plan consistency updates.

The market study was discussed. Mr. Barnett noted that they had not had time to do an extensive cost/benefit analysis. He reported that they had looked at case studies of how connectivity proposals had worked in other communities and what it would mean for property owners in terms of value.

Commissioner Waller asked how they would measure success in public participation. Mr. Barnett responded that it would be important that all stakeholders are informed and have the opportunity to comment. He commented that he was also willing to go to people and answer questions.

Commissioner Strobel encouraged Mr. Barnett to go to the Bicycle Pedestrian Technical Advisory Group (BPTAG) and the Transportation Commission for a recommendation on the proposed 37th street alignment. Vice-Chair Wamback suggested that they encourage both organizations to participate in the September 6 public hearing.

Mr. Barnett noted a second bus tour on Sept 13 for Infrastructure, Planning, and Sustainability Committee and asked if there were any additional Commissioners that wished to attend. Commissioner McInnis and Commissioner Edmonds indicated that they would attend.

Commissioner Santhuff noted that there were inconsistencies with the maps as earlier versions were being shown in Appendix 4, the Subarea Plan, and the EIS.

Commissioner Santhuff asked how they would inform the public of the reach and impact of changes that would affect other mixed-use centers. Mr. Barnett responded that they would start messaging to make it clear that they were proposing some generally applicable changes across MUCs.

Commissioner McInnis commented that the Tacoma Mall Boulevard relocation seemed like a new component. Mr. Barnett responded that they had discussed a few concepts regarding the Tacoma Mall Boulevard relocation, but only as a potential future discussion, which was the intention of its inclusion.

Commissioner Petersen recommended being clear in photo citations as to why the pictures are there.

Vice-Chair Wamback commented that they would need an understanding of what they would be sacrificing if they affected the connectivity concepts. He asked if allowing significantly intense development would make connectivity more possible.

Commissioner Petersen motioned to authorize staff to send out the revised Tacoma Mall Subarea Plan and EIS for public review and set a public hearing date for September 6th. The motion was seconded by Commissioner McInnis. The motion was approved unanimously.

E. COMMUNICATION ITEMS & OTHER BUSINESS

Mr. Boudet noted an invitation to the Connecting to Our Community Workshop on August 7.

Mr. Boudet reported that at the City Council public hearing on July 25 for Emergency Temporary Shelter Interim Regulations no one had testified and the Council maintained the interim regulations.

F. ADJOURNMENT

At 7:02 p.m., the meeting of the Planning Commission was concluded.