

# **TUMWATER PLANNING COMMISSION**

## **MINUTES OF VIRTUAL MEETING**

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**CONVENE:** 7:00 p.m.

**PRESENT:** Chair Elizabeth Robbins and Commissioners Doty Catlin, Grace Edwards, Joel Hansen, Terry Kirkpatrick, Nam Duc Nguyen, Nathan Peters, and Meghan Sullivan.

Excused: Commissioner Michael Tobias.

Staff: Planning Manager Brad Medrud.

**CHANGES TO AGENDA:** There were no changes to the agenda.

### **APPROVAL OF MINUTES – NOVEMBER 23, 2021:**

**MOTION:** Commissioner Hansen moved, seconded by Commissioner Kirkpatrick, to approve the minutes of November 23, 2021 as presented. Motion carried unanimously.

**COMMISSIONERS' REPORTS:** Commissioner Sullivan reported on the status of the totem pole located near the entrance of the Old Town Center. Mayor Sullivan met with members from the Squaxin Island Tribe and they have agreed to move the totem pole to the Squaxin Island Tribe Reservation.

**MANAGER'S REPORT:** Manager Medrud advised that the City Council approved the Emergency Housing Ordinance with one change of reducing the separation requirements from 1,320 feet to 400 feet. The Council is considering action on the ordinance at its January 18, 2022 meeting.

**ONGOING 2022 PLANNING COMMISSION MEETING SCHEDULE:** Chair Robbins acknowledged the Commission's 2022 meeting schedule included in the agenda packet.

**PUBLIC COMMENT:** There were no public comments.

**OPEN PUBLIC MEETINGS ACT TRAINING:** Manager Medrud provided training on the Open Public Meetings Act. The training is required for City advisory committees, boards, staff, and elected officials. The Open Public Meetings Act was adopted in 1971. The Act requires all meetings to be open to the public. The Act outlines requirements for all public meetings conducted by local and state public agencies. The public can request recordings of any meetings and records of the discussions. Governing bodies in the City include all Council, Board, and Commissions. Conditions cannot be placed on

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individuals attending a meeting, such as registering, signing in, or providing a name or address. The City can establish regular rules of conduct. The governing body can incur significant penalties for violating the Open Public Meetings Act to include civil penalties against each member who knowingly attends a meeting in violation of the Open Public Meetings Act. Cost and attorney fees may be awarded to the successful party seeking a remedy. Actions taken during a meeting can be declared null and void. Minutes are required for meetings. The state requires training to be provided to each member of the governing body within 90 days of assuming the position.

For the benefit of Commissioners desiring more information, Manager Medrud advised members to visit the Office of the Attorney General webpage for additional information on the Open Public Meetings Act or visiting Municipal Research and Service Center's webpage as a good source of information on the Act.

Public records for government agencies are presumed open to anyone unless the law allows a specific exemption. Public records requests to the City are coordinated by the City Clerk. Public records can include home computers and devices that contain public records and could be subject to public record requests.

Commissioner Sullivan inquired about the status of a previous discussion involving the City providing Commissioners with City-owned computers/tablets for conducting Commission business. Manager Medrud advised that he would follow up with administration as he also recalled an earlier discussion.

Manager Medrud advised that for members not in attendance, he would contact them and arrange for training.

*Commissioner Catlin joined the meeting at 7:27 p.m.*

#### **PRELIMINARY DOCKET FOR 2022 COMPREHENSIVE PLAN AMENDMENTS, ORDINANCE NO. O2022-003:**

Manager Medrud presented the preliminary docket of Comprehensive Plan Amendments. Amendments to the Tumwater Comprehensive Plan are considered at the beginning of each year. The amendments can include text, map, zoning map, and private and public rezones. Each year in September, the City publishes a public notice announcing the acceptance of applications for consideration as part of the City's Preliminary Docket process. Staff also begins efforts to propose amendments for consideration as part of the Final Docket.

The City's two-pronged approach for consideration of Comprehensive Plan amendments includes the Preliminary Docket of all applications for consideration. The Planning Commission reviews the Preliminary Docket and forwards a recommendation to the City Council on which

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amendments should move forward. The City Council issues a final determination on the amendments to move forward for additional review by staff. The second stage of the process following the reviews by staff is establishment of the Final Docket of amendments for consideration. Following several worksessions on the amendments, the Planning Commission conducts a public hearing and forwards a recommendation on the amendments to the City Council.

The 2022 Preliminary Docket includes the following amendments:

- Two proposed private map amendments and associated rezones:
  1. **Wells Littlerock Comprehensive Plan Land Use Map Amendment and Corresponding Rezone.** The application was submitted by proponent Glenn Wells, a local developer, for 2.76 acres comprised of three adjacent parcels located to the south of 7223 Littlerock Road SW owned by Marvin Beagles. The current Comprehensive Plan map designation and zone district is Single Family Medium Density Residential (SFM). The proponent proposes changing the map designation and zone district to Multi-Family Medium Density Residential (MFM). The parcels are vacant. Surrounding uses are zoned Mixed Use.
  2. **Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment and Corresponding Rezone.** The application was submitted by proponent Peter Condyles. The property owner is Dayabir Bath. The amendment applies to two adjacent parcels totaling 1.97 acres located at 6940 Littlerock Road SW and 1850 Israel Road SW. A single-family house is located on one parcel. The second parcel is vacant. Current zoning of the surrounding area is Mixed Use. The applicant proposes changing the Comprehensive Plan Land Use designation and the zone district from Mixed Use to General Commercial. Historically, the two parcels proposed for the amendment were part of the 2017 Sullivan Comprehensive Plan Map and Zoning amendments considered by the City Council in 2017 and 2018 as part of Ordinance No. 02017-024. The 20217 amendments changed the two parcels in addition to four other parcels in the area from Mixed Use Overlay Comprehensive Map Designation and zone district to Mixed Use. The Mixed Use Overlay requires components of residential and commercial uses. The City's Mixed Use zone district does not require a mix of uses. At the time, the City Council did not support another amendment pertaining to parcels 1 through 6,

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which included the Bath Littlerock Israel property to General Commercial. The Council did not approve the amendment in order to maintain some level of mixed use along Littlerock Road. Instead, parcels near I-5 were changed to General Commercial and those near Littlerock were changed to Mixed Use.

- Three proposed public text amendments include:
  - 3. Neighborhood Character.** Review Comprehensive Plan Housing and Land Use Elements and determine if there are amendments needed to address “neighborhood character.”
  - 4. Thurston Climate Mitigation Plan.** Update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311 – Review Comprehensive Plan Conservation and Land Use Elements and determine if there are amendments needed to address HB 2311 2022 Text Amendments.
  - 5. Essential Public Facilities Amendments.** Review the Comprehensive Plan Land Use Element and determine if there are amendments needed to address essential public facilities, including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; and recovery house facilities.
- One proposed public map amendment and associated rezone includes:
  - 6. Dennis/Linderson Triangle.** The City proposed the amendment for a portion of 5.73 acres of vacant land located at 6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW. During the 1980s, Linderson Avenue was located along I-5 with no separation by streets. The area to the south has redeveloped to a multifamily development. The proposal would change the Comprehensive Plan map designation and zone district from Single Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH).

Staff recommends all amendments on the Preliminary Docket go forward with the exception of the Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment (TUM-21-1873) and Corresponding Rezone (TUM-21-1872) because it was considered by the City Council in 2017 and 2018. Conditions do not appear to have changed sufficiently since 2017 and 2018 for the Bath Littlerock Israel proposal to warrant another amendment as required by criteria in Tumwater Municipal Code 18.60.025 that requires, “Whether conditions in the

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area for which comprehensive plan change/zoning amendment is requested have changed or are changing to such a degree that it is in the public interest to encourage a change in land use for the area.”

Next steps in the Preliminary Docket process includes a worksession by the Commission on January 25, 2022 to consider forwarding a recommendation on the Preliminary Docket to the Council. A second Commission worksession is scheduled on January 25, 2022 followed by a briefing to the General Government Committee on February 9, 2022. The City Council has scheduled a worksession on February 22, 2022 with consideration of the Final Docket scheduled in March 2022. The Final Docket will be presented to the Commission at its second meeting in July 2022 for review and consideration.

Chair Robbins asked that staff provide information on surrounding services located within the area of the proposed amendments, such as transportation, transit, or other existing or future services planned for the area (water, sewer, school bus service). Manager Medrud advised that for the Wells Littlerock amendment (near Tumwater Boulevard and Littlerock Road traffic circle), the property is currently not served by transit and staff does not anticipate transit service within the next 10 years based on information from Intercity Transit. The property is served by City water and sewer and is located within the City limits. The Tumwater School District provides bus service for elementary school children. Students at that location attending a high school or middle school would likely be within walking distance. For the Bath Littlerock Israel amendment, the property is served by transit and City water and sewer service. The school district would provide bus service. For the Comprehensive Plan Map amendment process, changes for consideration by the Commission and the Council include the full range of uses that could be constructed on the sites if the amendments were approved. Staff is not aware of any specific projects for either of the proposed amendments.

Chair Robbins commented on her reluctance to increase residential density in areas that are not served by transit.

Commissioner Sullivan referred to prior reviews and conversations surrounding the Bath Littlerock Israel property related to potential uses for Neighborhood Commercial and the potential for a fuel station or convenience store on one of the parcels. Manager Medrud affirmed that there have been multiple real estate agents that have proposed different uses for the parcels. One of the proposals was a service station, as well as other proposed uses. However, no application has been submitted to the City for preliminary review for the site.

Manager Medrud added that the Commission would receive a copy of

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the 2017 ordinance for additional information.

**NEXT MEETING:** The next regular meeting of the Commission is on January 25, 2022.

**ADJOURNMENT:** **Commissioner Sullivan moved, seconded by Commissioner Peters, to adjourn the meeting at 7:54 p.m. Motion carried unanimously.**

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