



Application

To Amend

The Comprehensive Plan or Land Use Regulatory Code

Application No.:

#2017-18 -

Date Received:

Year of Amendment	2017-2018	
Application Deadline	Friday, March 31, 2017, 5:00 p.m.	
Application Fee	\$1,400	
Type of Amendment (Check all that apply)	<input type="checkbox"/> Comprehensive Plan Text Change <input checked="" type="checkbox"/> Regulatory Code Text Change <input type="checkbox"/> Land Use Designation Change <input type="checkbox"/> Area-wide Rezone <input type="checkbox"/> Interim Zoning or Moratorium	
Summary of Proposed Amendment (Limit to 100 words)	<p>Amend how building height is measured in the Old Town commercial district (C-2; VS Overlay). In stead of measuring building height <u>from existing grade at the proposed building corners</u>, amend the language to measure building height <u>from a site's average existing grade along it's N 30th Street frontage</u>.</p> <p>Old Town's topography consistently slopes <u>up</u> from the <u>south</u> side of N 30th Street and <u>down</u> from the <u>north</u> side. This disparity gives development/design advantages to property owners on the south side, including larger building envelopes, higher ceiling heights and first and second floor footprints that match.</p> <p>(The additional 1-foot of height granted for the rear of the building (for sites sloping down from N 30th Street) is insignificant. A site with a slope of just 8% is 1-foot lower than the frontage sidewalk just 12.5-feet from it.)</p>	
Applicant	Name	Kenneth A. Thiem
	Affiliation / Title	
	Address City, State & Zip Code	6277 119 th PI SE Bellevue, WA 98006
	E-mail	Kthiem27@gmail.com
	Phone / Fax	Phone 425-442-1741 Fax
Contact	Name	

Staff Note: The first 6 pages are part of the application form and contain no information provided by the applicant, and are not included here. (March 31, 2017)

(if not Applicant)	Affiliation / Title		
	Address City, State & Zip Code		
	E-mail		
	Phone / Fax	Phone	Fax
	Relationship to Applicant		

I hereby state that I am the applicant listed above and the foregoing statements and answers made, and all the information and evidence submitted are, in all respects and to the best of my knowledge and belief, true and complete. I understand that submitting this application does not result in automatic acceptance of this application or guarantee its final approval.

Signature: *Kenneth A. Hines* Date: *March 21, 2017*

REQUIRED QUESTIONNAIRE

1. Describe the proposed amendment. If submitting text changes to the *One Tacoma* Comprehensive Plan or Regulatory Code, provide the existing and the proposed language. If submitting changes to the Comprehensive Plan land use designation(s) or the zoning classification(s), provide the current and the proposed land use designations and/or zoning classifications for the affected/proposed area.
2. Why is the amendment needed and being proposed?
3. Please demonstrate how the proposal is consistent with the applicable policies of the *One Tacoma* Comprehensive Plan, and consistent with the criteria for amending the Comprehensive Plan or development regulations.
4. If the proposed amendment is associated with a geographic area, please provide a more detailed description, along with maps, if applicable, of the affected area and the surrounding areas, showing all parcels (with parcel numbers), ownership of each parcel, current land uses, site characteristics, and natural features.
5. If the proposed amendment is associated with a geographic area, please describe how it is compatible with the existing and planned land uses and development patterns of the adjacent neighborhood and explain how it may further enhance the adjacent neighborhood.
6. If the proposed amendment is associated with a geographic area, please describe the applicant's interest in the affected property. Describe any plans for future activity related to or connected with this site. If you are not the owners, submit proof that the property owners have been notified and are aware of the application.
7. Describe any community outreach you have conducted (i.e., when and how you contacted affected and abutting property owners and neighbors), and any community response received to the proposed amendment. Attach any letter(s) of support or written community response, if applicable.
8. Please provide any supplemental information, which may include, but is not limited to, completion of an environmental checklist, wetland delineation study, visual analysis, or other studies.

Required Questionnaire Responses (City of Tacoma Code Amendment)

1. The proposed amendment and described on page 7 of the application, including proposed code language;
2. The amendment is needed because the existing method for measuring building height in the Old Town Commercial District unfairly produces a smaller building envelope for properties on located on the north side of N 30th Street, and dictates the need for a Height Variance for any viable two-story commercial building. The attached Section Drawing through N 30th Street illustrates what is driving the disparity in the allowable building envelopes from one side of the street to the other;
3. The amendment proposal is consistent with the following policies of the *One Tacoma Comprehensive plan*:

Policy DD-7.6 Encourage new development to optimize the range of benefits from solar and renewable resources, tree canopy, green roofs, and building design;

Policy H-3.3 Promote transit supportive densities along designated corridors that connect centers, including duplex, triplex, cottage housing, and townhouses;

Policy H-5.10 Promote innovative development techniques to better utilize land, promote design flexibility, preserve open space and natural features and conserve energy resources;

GOAL UF-9 Promote future residential and employment growth in coordination with transit infrastructure and service investments;

Policy H-1.7 Consider land use incentives (e.g. density or development bonuses, lot size reductions, transfer of development rights, height or bulk bonuses , fee waivers, accelerated permitting, parking requirement reductions, and tax incentives) in appropriate locations to facilitate the development of new housing units;

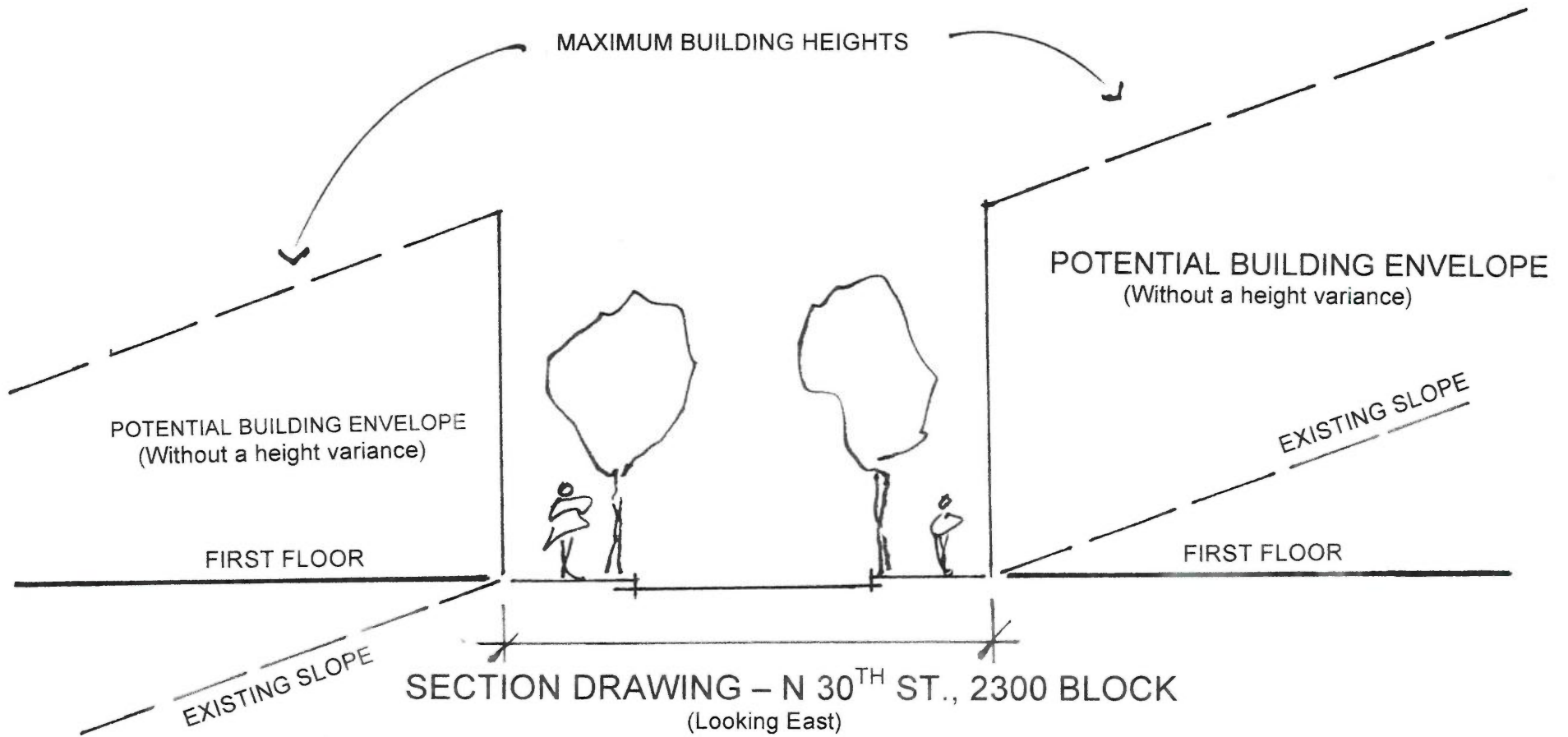
Policy H-5.10 Promote innovative development techniques to better utilize land, promote design flexibility, preserve open space and natural features and conserve energy resources;

General Commercial (includes C-2 zone) This designation encompasses areas for medium to high intensity commercial uses which serve a large community base with a broad range of larger scale uses. These areas also allow for a wide variety of residential development, community facilities, institutional uses, and some limited production and storage uses. These areas are generally located along major transportation corridors, open with reasonably direct access to a highway. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.

Target Development Density: 45–75 dwelling units/net acre.

- Concentrate new housing in and around centers and corridors near transit and services to reduce the housing/transportation cost burden.

4. The proposal would affect the commercial building on the north and south sides of N 30th Street. This commercial area has a mix of uses including restaurant retail, service, business and professional office uses. Access to the "Front Door" (or main entrance) for all these is from N 30th Street.
5. The proposal is compatible with existing and planned uses. Old Town was approximately 90% developed when the View Sensitive Overlay was passed. Most of the buildings are two stories in height, and several are 45-feet in height, (measured from the public sidewalk on N 30th Street). Floor-to-ceiling heights in these existing buildings are gracious, what you would expect to see in small-footprint commercial uses. The C-2 zoning designation and supporting policies clearly support two story, viable multi-use structures, which may be done successfully without a height variance on the south side of N 30th Street. But may not be done on the north side of the street, even with a "minor" variance. This regulated imbalance in development potential from one side of the street to the other is a result of commercial building.
6. I've owned a small commercial lot on the north side of N 30th Street for years. The site slopes down from the public sidewalk at 8-percent. For every 12.5-feet of distance from the sidewalk existing grade drops a foot. You get the picture. In the early 90s I applied for a pseudo variance. Denied. Attached to this application are preliminary drawings for a mixed-use project that includes a small food-related use next to the street, a professional office behind it and a single residence above. The proposed height is 25-feet at the public sidewalk. The elevation and perspective drawings include a yellow line delineating the maximum allowable height. Even with a site that slopes at the same gradient as the frontage sidewalk, I can't get a second level without a variance. If the same site were located on the other side of the street I would be treated differently under the City's code. If it made sense to locate this project's front door off of N 31st Street, it would not be an issue. However, it should be clear to everyone that the front door for all commercial uses should face N 30th Street, regardless of which side of the street the building is locate
7. Community outreach has been limited to brief conversations. I have no letters of support or oppose the requested code change.
8. The supplemental information is included in this packet. The underlying question: Was it the City's intent to permit outright, in the Old Town commercial district, two-story buildings on the south side of N 30th Street and one-story buildings on the north side of N 30th street?



This drawing illustrates how the existing requirement for measuring building height in the Old Town commercial district unfairly reduces the allowable building envelope on the north side of the street, and mandates the need for a height variance for any two-story on that side. This wouldn't be an issue if N 31st street could function as the Front Door. It cannot, as the properties across the alley are residential. The front door for all commercial uses in this district is N 30th Street.

It should also be noted that using the same height calculation for measuring commercial and residential building heights does not take into consideration the inherent dimensional differences between these uses. Commercial uses tend to need more ceiling height to accommodate mechanical equipment and to make the building occupants/customers feel comfortable. This fact has been noted in height variance approvals for development on the south side of this street.



OLD TOWN DELI - PRELIMINARY FRONT PERSPECTIVE

Address: 2309 N 30th Street, Tacoma, WA
Parcel: 8910000470
Owner: Ken Thiem 425.442.1741
Date: May 9, 2014

CLINKSTON
ARCHITECTS

104 West Kinneer Place
Seattle, WA 98119
206.286.2000

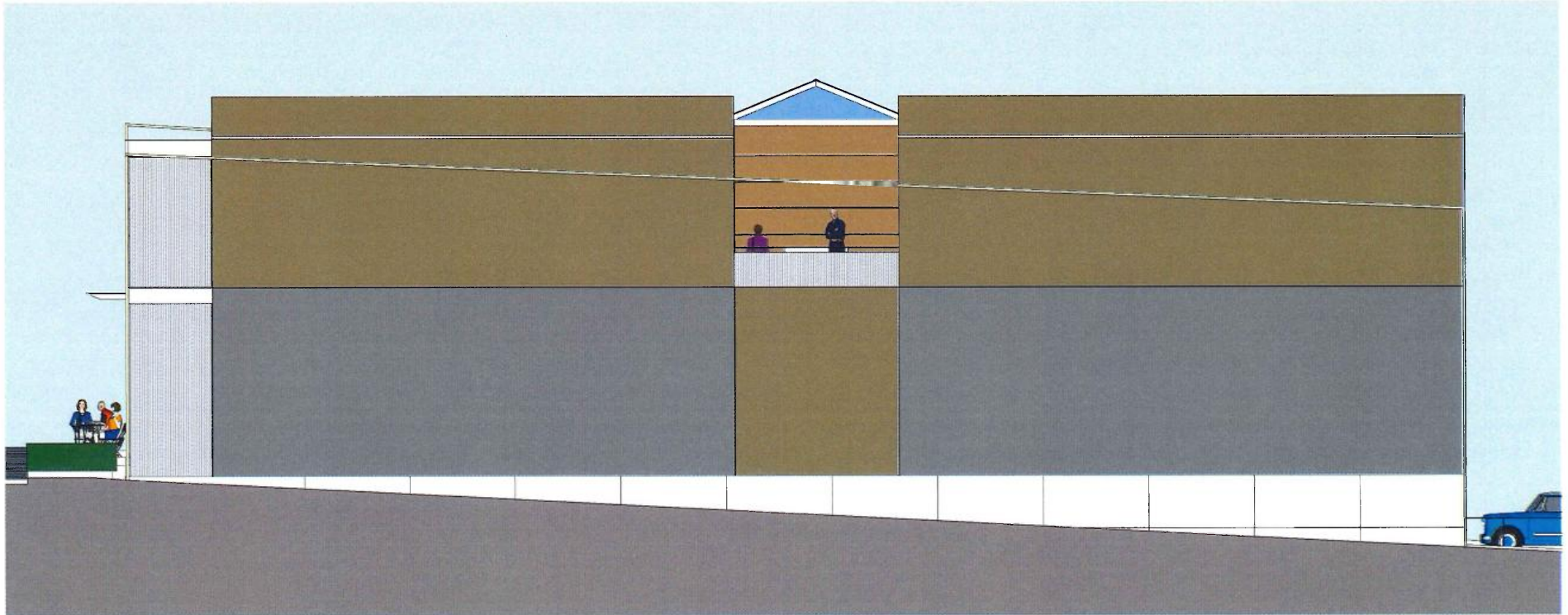


OLD TOWN DELI - PRELIMINARY REAR PERSPECTIVE

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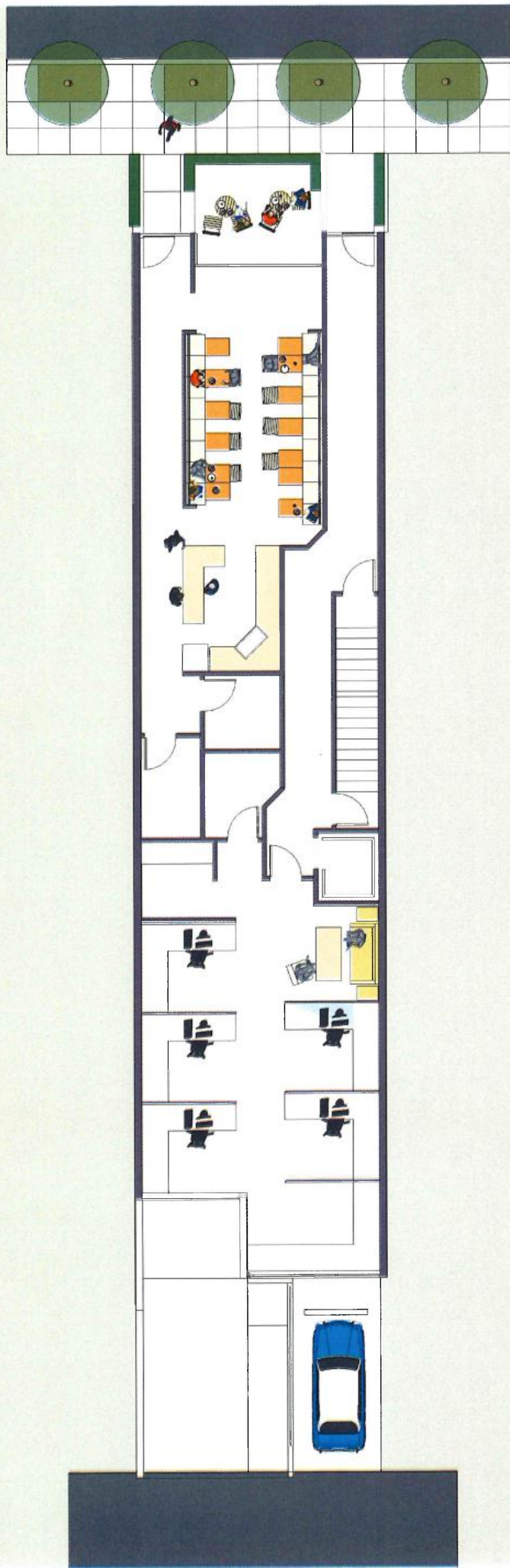


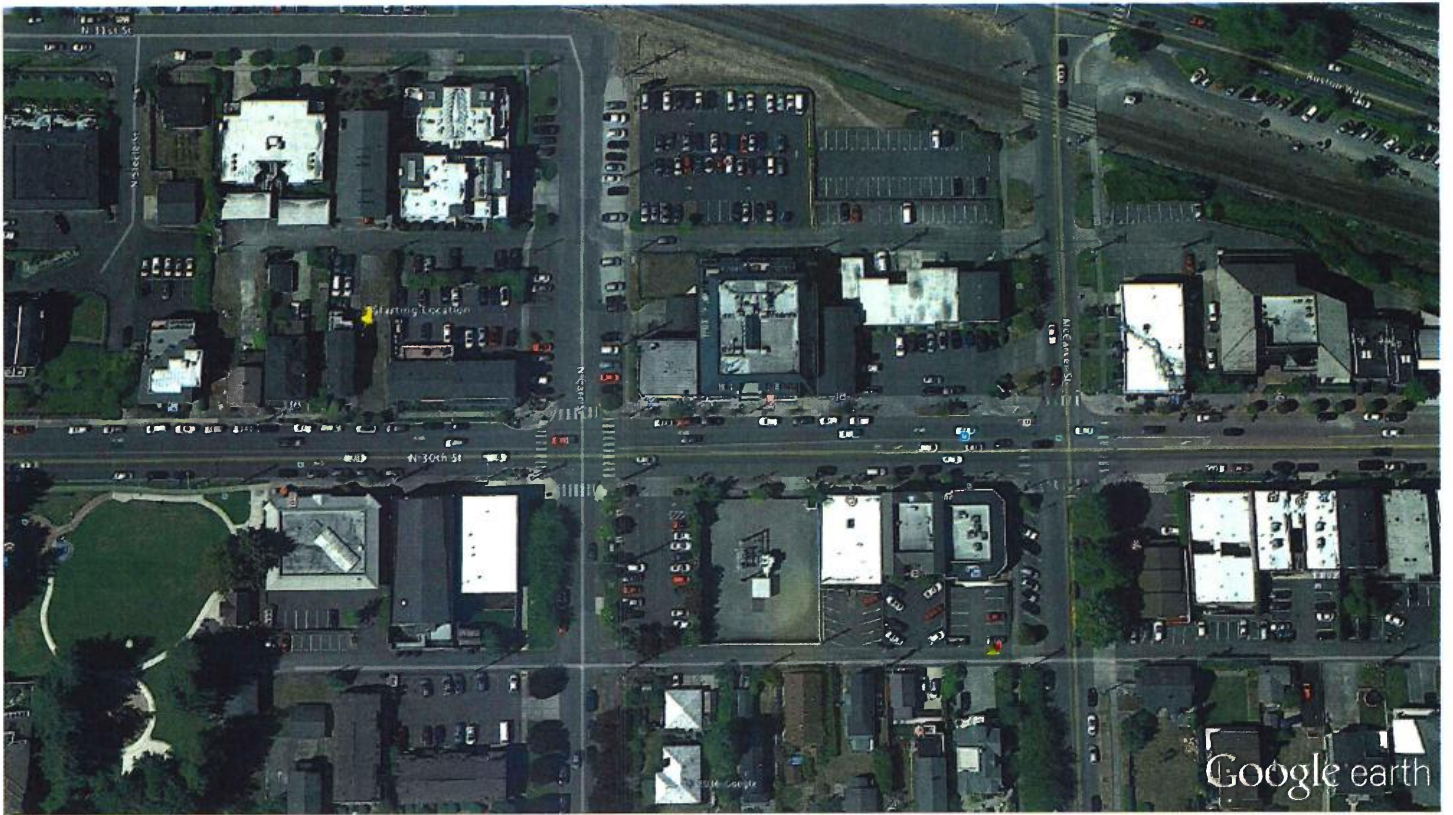
OLD TOWN DELI – PRELIMINARY EAST ELEVATION

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Google earth

feet
meters

