

GIG HARBOR CITY COUNCIL MEETING OF JULY 26, 2004

PRESENT: Councilmembers Ekberg, Young, Franich, Conan, Dick, Picinich, Ruffo and Mayor Wilbert.

CALL TO ORDER: 7:02 p.m.

PLEDGE OF ALLEGIANCE:

PUBLIC HEARINGS: Vacation of Harbor Street. The Mayor announced that this public hearing and agenda item had been postponed. John Vodopich, Community Development Director, explained that this was due to inadequate posting.

CONSENT AGENDA:

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of City Council Meeting of July 12, 2004 and Building Size Worksession 7/6/04.
2. Correspondence: a) Letter from Master Builders Association. b) Safe Streets – National Night Out.
3. State of Washington Dept. of General Administration – Surplus Property Agreement.
4. Approval of Payment of Bills for July 26, 2004:
Checks #44585 through #44707 in the amount of \$232,275.44.

MOTION: Move to approve the consent agenda as presented.
Ekberg / Ruffo – unanimously approved.

OLD BUSINESS:

1. Second Reading of Ordinance – Adopting Findings and Facts for the Continuation of a Moratorium on Water Hook-ups. John Vodopich, Director of Community Development, presented this ordinance that continues the moratorium on issuance of development permits that requires city water hook-ups for a period of six months. He said that he had requested an update from the Department of Ecology, but has heard nothing to date.

MOTION: Move to adopt Ordinance No. 966 as presented.
Ruffo / Picinich – unanimously approved.

NEW BUSINESS:

1. First Reading of Ordinance – Harbor Street Vacation – Hunter. (Postponed)
2. First Reading of Ordinance – Amending Setback Standards in the PCD-BP District. Steve Osguthorpe, Planning / Building Manager, described the PCD zone in the Gig Harbor North area. He explained that as a result of this planned community, there are

zones abutting other zones that normally do not occur in other areas of the city. He discussed the setback requirements for parcels that abut residential zones.

Mr. Osguthorpe explained that Dale Pinney, First Western Development, had proposed a text amendment to amend the setbacks in the PCD-BP zone. This proposal was forwarded to the Planning Commission for review, and the ordinance before Council tonight is a result of that review. The proposed ordinance would create two categories of land uses in the PCD-BP District. Category One uses would be the more intense, manufacturing uses. The less-intense uses, such as professional offices, would be designated Category Two. This purpose of the two categories is to create different setbacks that are appropriate for the use adjacent to the residential area. He gave a detail of the setback requirements for each category, and how the Planning Commission arrived at the recommendations.

Councilmember Ekberg asked for clarification for the setbacks within the PCD zones when not abutting a residential zone. Mr. Osguthorpe explained that the greater setbacks would only apply when abutting a residential zone.

Councilmember Franich asked for a copy of the map referenced in the Planning Commission minutes to help identify the affected sites. He voiced concern that thirty or forty feet of buffering may not be sufficient, adding that an intense buffer may act as a transition zone for residential. He commented that Gig Harbor North is identified as a planned community, but the only thing that can be planned on is the continued change. He further stated that this area has not yet had a chance to develop its residential character. He said that map would help to identify how many residential parcels would be affected.

Mr. Osguthorpe responded that the current code requires a thirty feet buffer, with a dense vegetative screening, when commercial abuts residential areas. The proposed forty foot buffer would be an increase in that buffering requirement. He explained that this increase was in response to the inadequate buffering identified at the Burnham Mini-Storage facility.

Councilmember Dick asked for clarification on the definition of dense vegetation, and whether this definition would occur in the zoning code or in the design manual. Mr. Osguthorpe explained that current code requires a fifty foot buffer, which is proposed to be lowered to forty feet in anticipation of the definition of dense vegetation to be included in the design manual update. If this definition is not adopted, similar language could be inserted in the zoning code, or the fifty feet buffering requirement could be retained.

Councilmember Ruffo asked if the purpose of the buffer is to visually block, to acoustically protect, or to be a combination of both. Mr. Osguthorpe explained that vegetation gives little noise protection, but is primarily for visual screening. In the PCD-BP, the 150 foot buffer is designed to protect the residential development from the impact of the more intense use.

Councilmember Dick asked why buffering would be a design element rather than a zoning issue. Mr. Osguthorpe said that the intent is not to remove this from the zoning code. He said that he mentioned the definition inclusion in the design manual to reference the forty-foot buffer. This would allow three rows of staggered trees which would provide better visual screening. In addition, the transition zone standards also apply to this situation. Under the current design standards, if your property abuts a residential development, you have two options; to provide significant buffering, or to meet the average building footprint and height size.

Dale Pinney – First Western Development. Mr. Pinney gave a history of how the recommendation came about to change the setback requirements in the Gig Harbor North area. He said that the building setbacks would not supersede any other buffering requirements, stressing that the setbacks in the BP zone are greater than any others in the city. He used illustrations to show how the current setbacks would affect development at the parcel adjacent to Albertson's. He said that they had presented the Planning Commission with proposed and existing scenarios for every parcel affected. Mr. Pinney discussed the small sizes of the remaining BP parcels, and then finalized his presentation by voicing support of the proposed ordinance.

Councilmember Franich agreed that the 150 foot buffering requirement on the small parcel next to Albertsons may be excessive, but added that there is a larger parcel of BP abutting residential on the other side of Borgen Boulevard where it may be more appropriate. Mr. Pinney noted that the other remaining BP parcels are sandwiched between the power lines and the freeway, where the hospital will be located, and below the commercial area separated from the low-density zones by the Donkey Creek wetland area. The sites that would impact the residential developments are the ones that he discussed north of Borgen Boulevard.

Councilmember Ekberg asked for clarification on whether the 150 foot setback could contain other uses, such as a parking lot. Mr. Pinney responded yes. Councilmember Ekberg then pointed out that the existing code only requires a 30' buffer from other such uses, and in fact, the proposed change would increase the buffer from an existing 30' to 40' creating a larger, vegetative area.

This will return for a second reading at the August 23rd meeting.

3. Skansie Avenue Pedestrian Improvement Project Testing Services Contract. John Vodopich presented information on the consultant services contract with Krazaan and Associates for geotechnical testing associated with the Skansie Avenue Pedestrian Improvement Project.

MOTION: Move to authorize the execution of the Consultant Services Contract with Krazaan and Associates, Inc. for materials testing services for the Skansie Avenue Pedestrian Improvement Project in

the amount not to exceed four thousand two hundred ninety-five dollars and zero cents (\$4,295.00).

Ruffo – Ekberg – unanimously approved.

4. Harbor Cove Settlement Agreement. John Vodopich presented this proposed settlement agreement for the Harbor Cove mitigated determination of non-significance.

Mayor Wilbert pointed out that page two of the agreement was missing in the packet. John recommended that this be tabled until the complete agreement could be reviewed.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich said that he didn't realize that the subject of this settlement agreement was the Eddon Boat property. He asked to have a copy of the agreement because he owns property in that area, adding that a notice should have gone to all the property owners within 300 feet to let them know the terms of the settlement.

Carol Morris, City Attorney, explained that the reason that the neighbors were not notified is because the agreement would settle the appeal of the MDNS issued on the project. Part of the agreement is that a revised MDNS would issue and would provide for an additional appeal to the neighbors. There would be notice of the MDNS just like any other. She added that there is no procedure to notify people of a settlement agreement, because it specifically provides that the same notice to the neighbors would occur as would have been required in the original action.

MOTION: Move to table the Harbor Cove Settlement Agreement until the next meeting.
Franich / Ruffo – unanimously approved.

STAFF REPORTS:

1. David Rodenbach, Finance Director - Quarterly Finance Report. Mr. Rodenbach gave a brief report, explaining that the funds are right on target. He said that water is doing well, and sewer is ahead of the anticipated amount. He explained that the city's is slowly moving more money out of the investment pool.

2. John Vodopich, Community Development Director – Update on Building Size Analysis. Mr. Vodopich explained that the proposed survey being passed out to Council was developed by Rob White, Senior Planner, to determine the preference for various types and sizes of buildings located throughout the community. He introduced Rob White, who then gave an overview of the survey.

Mr. White used the design for Pump Station 3-A to illustrate the computer aided program that allows you to visually move around a site. He said that when the results of the survey are gathered, he can develop a similar model for each neighborhood.

After the presentation, Mr. Vodopich asked the Councilmembers if they would be interested in mailing this survey, at a cost of approximately \$10 each, to select

individuals, or to have an open workshop to invite the public in to complete the survey. He asked Council to keep in mind that this was not a budgeted objective for 2004.

Councilmember Ekberg asked if this could be sent electronically. Mr. White explained that it is quite a large file.

Councilmember Franich congratulated staff for moving forward with such a promising effort. He said that he did not mind spending money on such an important issue. He said that he would like to talk to the other Councilmembers about their thoughts on the format before making a decision.

Councilmember Ruffo agreed, and said that the moving picture really is a helpful tool to identify the issues that have been discussed. He said that the people who have been attending the meetings are the ones who are most interested. He then agreed that he would like to get input from the other Councilmembers before making a decision on how the survey should be distributed.

The Mayor suggested that a notice be sent to each of the neighborhoods, including the business owners, asking them to come to the Civic Center to pick up a copy of the survey for completion.

Councilmember Dick praised the use of the computer program as a visual aid, and encouraged the use of the website and e-mail to make the information more available and to save production costs.

Councilmembers were asked to complete their survey to turn back in to Mr. White by the end of the week to show the results before it is sent to the public.

PUBLIC COMMENT:

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Ekberg commented on the successful concert held in the Wilkinson Park on Sunday. He said that the venue and setup worked well.

Mayor Wilbert commented on the Safe Street Night Out program. She suggested that participation in this event may be a good project for the future Community Service Officer. She then talked about the summary itinerary for the Japanese Students coming on Wednesday. Mayor Wilbert thanked Councilmember Franich for acting as Mayor Pro Tem in her absence.

ANNOUNCEMENT OF OTHER MEETINGS: None.

EXECUTIVE SESSION: For the purpose of discussing potential litigation per RCW 42.30.110(1)(i) and property acquisition per RCW 42.30.110(1)(b).

MOTION: Move to adjourn to Executive Session at 8:10 p.m. for approximately five minutes for the purpose of discussing potential litigation and property acquisition.
Ruffo / Franich - unanimously approved.


MOTION: Move to return to regular session at 8:12 p.m.
Picinich / Ruffo – unanimously approved.

MOTION: Move to return to Executive Session for an additional five minutes.
Picinich / Ruffo – unanimously approved.

MOTION: Move to return to regular session at 8:16.
Dick / Ruffo – unanimously approved.

MOTION: Move to adjourn at 8:16 p.m.
Franich / Conan – unanimously approved.

CD recorder utilized:
Disc #1 Tracks 1 – 15.



Gretchen A. Wilbert, Mayor



Molly Towslee, City Clerk