

GIG HARBOR CITY COUNCIL MEETING OF NOVEMBER 25, 2002

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

CALL TO ORDER: 7:03 p.m.

PLEDGE OF ALLEGIANCE

Mayor Wilbert welcomed Colonel Schumacher, the city's new liaison with Ft. Lewis.

PUBLIC HEARING:

1. **2003 Proposed Budget.** Mayor Wilbert opened the public hearing at 7:03 p.m. David Rodenbach, Finance Director, explained that there was one change in the ordinance since the last public hearing regarding the Harborview Street End Viewpoint. He addressed Councilmember Franich's concerns on the expenditure of the funds.

Mayor Wilbert then asked the audience for comments. As there were none, she closed this public hearing and opened the next at 7:08 p.m.

2. **2001 Comprehensive Plan Amendments** – John Vodopich, Community Development Director, explained that this was the second public hearing on the 2001 Comprehensive Plan amendments. He said that this evening's hearing was for applications 01-01; 01-02; 01-05; 01-06; 01-07, and 01-11. He explained that the map delineated where the applications lie in relation to the city, and then gave an overview of each application.

John explained that applications 01-01 and 01-02 were both submitted by Ken Uddenberg, for property located at the corner of Pioneer and Grandview, which are presently designated as Residential-Low. He added that the application was requesting Residential-Medium density with the intent to pursue a rezone to construct a professional office building. He said that both staff and the Planning Commission recommend approval. The Planning Commission recommended additional language under the Planning Unit Boundary of the Comp Plan and asked that the proponent enter into a development agreement prior to conducting construction. He said that after review with the City Attorney, staff is recommending approval of the application, but without the added language or the requirement for a development agreement.

Application 01-05 was submitted by Burnham Construction, LLC for the Northharbor Business Campus for a change from the mixed-use designation to an employment center designation. He said that the justification for this request is that the existing uses at this site are more consistent with the employment center designation. He added that both the Planning Commission and staff recommended approval of this change.

John continued with application 01-06, from Burnham Construction, LLC, for the Burnham Drive Commercial Park. He said that this is a similar request for an

employment center designation.

Application 01-07, Kaltnic-Baerg, is for a change from residential-low to residential-medium in the 5400 block of 36th Avenue NW. He said that the applicant is asking for the change for the purpose of constructing town homes on the site. He said that after review by the Planning Commission, it was recommended that the application be denied given the proximity of the established single-family residential development, inconsistencies with the Comprehensive Plan policies, and the fact that the city has typically utilized residential-medium designation as a zoning buffer for more intensely developed properties.

He said that application 01-11 was discussed at the last meeting and is Councilmember Owel's recommendation for low-impact development guidelines. He said that a recent Growth Management Hearings Board case states that when a Comprehensive Plan change that requires development regulations is proposed, they need to come at the same time.

John reminded Council that this ordinance would return at the December 9th Council Meeting for a second reading. The Mayor opened the hearing for public comment.

Les Wilson – 3719 53rd St. NW. Mr. Wilson explained that his property was adjacent to the property in application 01-07, adding that this proposal was turned down last year under a different address of 36th Avenue. He said that the applicant was requesting a change in density to construct nine structures, and that he is adamantly opposed to this. He said he had submitted 30 signatures opposing this proposal. He talked about concerns with traffic, and then said he would like to know what is proposed to be built on the site. John explained that no applications had been submitted, but the applicant had indicated the desire to build town homes on the site. Mr. Wilson said that he saw no reason to have apartment buildings in the middle of a residential development.

Mrs. Wilson said that this change would give the developer the ability to put nine structures with up to four units in each, totaling 36 units. She said that this would cause a tremendous impact on the traffic and surrounding properties. She said that the area residents were opposed to this amendment. She then asked if the people were notified of this public hearing.

John explained that if the change were made, the implementing zoning would be R-2, which has a density range of 6-7.8 dwelling units per acre, which would not allow 36 units. He then answered Councilmember Owel's questions regarding noticing requirements. He said that only legal notification in the newspaper is required, but that his department mailed notices to all adjoining property owners within 300 feet due to the site-specific nature of the amendments.

Geoff Moore – 9216 Randall Drive. Mr. Moore explained that he was representing the proponent for amendment 01-07 and passed out an aerial photo of the area. He explained that they would like reconsideration of the recommendation by the Planning

Commission to deny this request. He explained that in June of 1975, prior to the city annexing the property, the County applied a mixed-use designation to this area, and that is how the area has developed. He said that he thought the Planning Commission had taken an overly simplistic look at the zoning map without considering the surrounding area. He pointed out that the property to the east was apartments, the property to the north had a gas station and a day-care, and directly across the street from that are professional offices. He discussed Patterson's Market across from the gas station to the west, adding that categorizing this area as all single-family residential is incorrect. He stressed that the requested Comprehensive Plan change does not grant the ability to build anything, but allows the property owners to come back to the city with a proposal. He added that the utilities were already in place. He said that they would like the opportunity to have an architect design town homes to be brought to the city for consideration.

Paul Kaltnic – 4732 Old Stump Drive. Mr. Kaltnic explained that he and Dick Berg have owned the property for many years and were originally involved with the apartments constructed to the rear of this property. He said that they retained this property on the basis that at a later date they would develop it into apartments. He said that due to other factors nothing had been done, and then the property was annexed into the city. He said that the nature of the location and the kind of property lends itself to a well-situated, multi-family, low-density project, or even a small office building. He said that they would like the opportunity to follow through on this plan, adding that whatever they decide will be in good taste and representative of the kind of projects that he and Dr. Berg had been involved with over the years.

Councilmember Franich asked Mr. Moore to characterize the existing structures surrounding the property. Mr. Moore talked about a small office, duplexes, and single-family homes.

Monty L. Laughlin – 3617 53rd St. NW. Mr. Laughlin explained that he lives south of the proposed property in 01-07. He said that he has been a resident there and owned property there for 37 years. He talked about the apartments directly north of him, stating that they have had nothing but problems since these were constructed. He discussed the vandalism and trespassing that has occurred over the years, stressing that he does not want any more apartments north or west of his property. He said that he has submitted a letter stating his concerns with the environmental impact statement on the property. He concluded by saying he was in favor of the property zoning to be single-family residential.

Paul Miller – 917 Pacific Avenue, Tacoma. Mr. Miller explained that he couldn't make the last public hearing, but wanted to speak on amendment 01-10, which includes four parcels designed to conform to the county boundary. He said that his four parcels adjacent to the existing employment center within the current UGA. He said that he received no notice when the county made changes to the Gig Harbor plan, and consequently, those four parcels were removed. He said that the four parcels are part of the overall employment-center development and the only road access is the one off

54th Avenue, which dead-ends at these four parcels. He said that it would be unlikely that someone would develop rural housing if they would have to drive through an industrial or commercial area. He said that the County Council has agreed to sponsor an amendment to the Comprehensive Plan to put those four parcels back into the UGA, and asked that the City of Gig Harbor hold off on those parcels until the county has a chance to act on this after the first of the year.

Ken Uddenberg – 45 Raft Island Blvd. Mr. Uddenberg gave an overview of the letter he submitted for consideration regarding application 01-01 and 01-02. He said that this amendment was a culmination of nearly 4-1/2 years of studies, public hearings, and deliberation by the Planning Commission. He said that the staff report prepared by John Vodopich adequately summarizes the rationale for the recommendation of approval. He talked about the corner of Pioneer Way and Grandview Street as a gateway to the city, adding that transforming the two properties from the deteriorating rental properties into professional offices, would make a significant improvement to the area. He said that the attached photos were intended to help visualize the improvement that could result. He said that the property on Grandview had been operated as a daycare since the 1980s under a conditional use permit, and that the current use has a greater impact than what would result from a professional office of the same size. He asked for support of the Planning Commission's recommendation for approval of these two applications.

John Vodopich explained that staff had prepared a wetland map and more information regarding the property in response to the request from Paul Miller. He reminded Council that they were not taking action at this meeting.

Councilmember Ruffo explained that he knew both owners of the property, and that he has discussed this issue with them. He asked if it would be appropriate for him to abstain from further discussion. Carol Morris, City Attorney, explained that because it is a legislative issue, Councilmembers could talk to anyone about this with no problems.

There were no further comments and the public hearing was closed at 7:52 p.m.

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 November 12, 2002.
2. Correspondence/Proclamations: a) Proclamation – Drunk/Drugged Driving Prevention.
3. Tax Discovery Audit Service – Consultant Services Contract.
4. Pierce County Franchise Agreement – Gig Harbor Waterlines in County Right-of-Way.
5. Gig Harbor Civic Center – Easement Agreement.
6. Employees' and Supervisory Employees' Guild Contracts.
7. Canterwood Sewer Request.
8. Liquor License Application – Happy at the Bay.
9. Liquor License – Change in Corporate Officers – Hy-lu-Hee-Hee
10. Approval of Payment of Bills for November 25, 2002.
Checks #38461 through #38589 in the amount of \$238,167.78.

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

OLD BUSINESS:

1. Second Reading of Ordinance – Adopting the 2003 Budget. David Rodenbach, Finance Director, explained that the only change to the ordinance is the attachment A, Salary Schedule.

Councilmember Franich said that he had a meeting with a number of the members of the Maritime Pier Committee and proposed a change in the language to the goal for the Maritime Pier.

MOTION: Move to make amendments to language in the Parks and Recreation portion of the Budget, Narrative of Goals to read "Identify an appropriate location for the development of a Maritime Pier with possible waterfront access for recreational activities."
Franich/Owel – unanimously approved.

MOTION: Move to adopt Ordinance No. 919 adopting the 2003 Budget as amended.
Ekberg/Ruffo – unanimously approved.

2. Second Reading of Ordinance – Adopting the Amendments to the States Uniform Codes, the State Energy, Ventilation, and Air Quality Codes. John Vodopich presented this ordinance that would bring the city's building codes into consistency with the local state amendments. He introduced Dick Bower, Building Official, to answer questions. Dick explained that these code amendments were not remarkable and would present no costly increases to the building industry.

MOTION: Move to adopt Ordinance No. 920.
Young/Dick – unanimously approved.

3. First Reading of Ordinance (continuation) – 2001 Comprehensive Plan Amendments. John Vodopich explained that this was a first reading and second public hearing, and that this would return at the December 9th meeting.

Councilmember Ruffo asked for clarification on voting on the amendments. He said that there are specific items that might require more discussion or additional study. He was assured that a motion could be made to discuss any application separately. Councilmember Ruffo said that the specific application recommended denial by the Planning Commission might deserve additional study, due to the difficulty. He said that because there was two weeks until the next meeting, some Councilmembers might want to visit the site to see if the proposal is consistent with the surrounding neighborhood.

Councilmember Young said that he lives in the Forest Grove Apartments, and is familiar with the site. He said that all the property that is more intensely developed is several lots to the north of the proposed 01-07, with the only exception being the apartments, which has a large buffer area. He added that the apartments would not be obtrusive to a low-density residential development on the Kaltrnic property, but it is the only abutting property that isn't currently zoned R-1. If it were changed to medium-density, it would basically be an island. He added that everything else constructed such as the gas station and Patterson's, was done so under the County's general zoning and everything else is low-density.

Councilmember Franich asked for clarification of the definition of "dwelling unit." He then asked if there had been consideration by the Planning Commission for the "creeping" of commercial property on Grandview or further down Pioneer. John addressed both questions. He said that there had been consideration not only in the Grandview/Pioneer area, but other transitional areas, which led to the recommended language amendments. He said that this was addressed in his staff report, and that the language would be considered as a Comprehensive Plan Amendment Plan application at a later date. Councilmember Ekberg pointed out that this was the original reason for the creation of the RB-1 zoning designation. He said that he also was concerned with the creeping of commercial into residential.

Councilmember Young asked about the Pierce County cycle of amendments to their Comp Plan in response to the request by Paul Miller. John stressed that anyone interested could make application for changes to the Pierce County plan up until early December for the 2003 changes. Carol Morris said that the Growth Management Act says that the city has to be consistent with the county on the Urban Growth Boundary, but if Council wished to wait on this particular application until the next cycle to see what the County was going to do, it would have an error on the city map until that time. John explained that the intent is to make all the amendments to the Urban Growth Area to match what Pierce County had adopted in March.

Councilmember Dick recommended that the city stay consistent with the county's map to minimize confusion. Other Councilmembers agreed, and Paul Miller was urged to move forward with his recommendation to Pierce County for an amendment.

NEW BUSINESS:

1. First Reading of Ordinance – Providing for extension of the LID No. 99-1 Bond. David Rodenbach explained that this is an extension of the bond due date of December 19th. He said that the project is now complete, however, the LID assessment process will take additional time to complete. He said that the rate in this offer is substantially lower than the per diem rate if it were to be paid off late, and recommended approval at the second reading.

2. First Reading of Ordinance – Revised Hours of Operation. Molly Towslee, City Clerk, explained that this ordinance was housekeeping in nature, and would amend the city code to more accurately reflect the hours of operation and the name of the new

Civic Center. This will return for a second reading at the next meeting.

STAFF REPORTS:

Gig Harbor Police Department – October Stats. No verbal report given.

PUBLIC COMMENT:

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Franich commented about signage on the new Civic Center and the lack of mention of city services. Mark Hoppen explained that the issue is signage on the street and described how this will be remedied with additional signage on Pioneer and Grandview. John Vodopich added that lighting on the main sign will be resolved with the contractor.

Councilmember Franich then voiced concerns with the safety of the design of bicycle lanes on Borgen Boulevard. Mark said that he would have the City Engineer take a look at the design.

Councilmember Ruffo commented that other round-a-bouts in other parts of the world rarely have more than one travel lane designation. He asked if it would better serve the traffic to make this change at Borgen Boulevard. Mark explained that the line is a recent addition, and the design originally called for one large, single lane with options. He quoted recent DOT statistics on intersections and the surprising decrease in collisions, especially those resulting in injury or death. He said that there is strong evidence that round-a-bouts are safe, and the issue of the divided lanes may need further study.

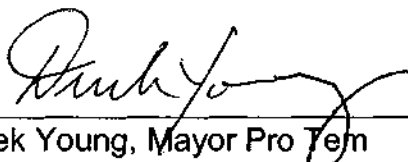
ANNOUNCEMENT OF OTHER MEETINGS: None.

EXECUTIVE SESSION: None required.

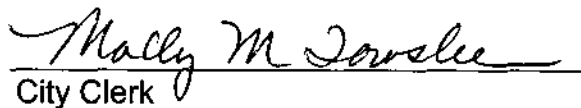
ADJOURN:

MOTION: Move to adjourn at 8:17 p.m.
Ekberg/Young - unanimously approved.

Cassette recorder utilized:
Tape 666 – Side B 240 - end.
Tape 667 – Both Sides.



Derek Young, Mayor Pro Tem



Mally M. Jovslic
City Clerk