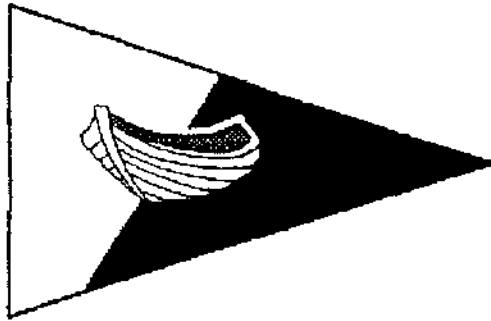


**GIG HARBOR  
CITY COUNCIL MEETING**



*September 25, 1995*

**7:00 P.M., CITY HALL COUNCIL CHAMBERS**



**AGENDA FOR GIG HARBOR CITY COUNCIL MEETING**  
**September 25, 1995 - 7:00 p.m.**

**PUBLIC COMMENT/DISCUSSION:**

**CALL TO ORDER:**

**APPROVAL OF MINUTES:**

**CORRESPONDENCE:**

1. Pierce County - District 7 Meeting December 12, 1995.
2. State Representative Mike Carrell - Property Taxes Working Group.
3. Peninsula High School Student - Jennifer Bisenius.

**OLD BUSINESS:**

1. Second Reading - Ordinance for 1995 Budget Amendment for Debt Redemption.
2. Resolution - Chapel Hill Presbyterian Church.

**NEW BUSINESS:**

1. Hearing Examiner Recommendation for Approval - SP95-04, Gig Harbor Motel.
2. Liquor License Renewal - Hy Iu Hee Hee.

**MAYOR'S REPORT:** City Hall Foyer.

**COUNCIL COMMENTS:**

**STAFF REPORTS:**

**ANNOUNCEMENT OF OTHER MEETINGS:**

**APPROVAL OF BILLS:**

**EXECUTIVE SESSION:** None.

**ADJOURN:**



## REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 11, 1995

**PRESENT:** Councilmembers Picinich, Platt, Owel, Ekberg, Markovich and Mayor Wilbert.

### **PUBLIC COMMENT / DISCUSSION:**

Jim Boge - 6606 Soundview Drive. Mr. Boge shared his concerns that the code allows temporary construction or project identification signs, which are limited to information about a building under construction or being remodeled, but in several instances, the signs located at construction sites in Gig Harbor only have the construction company's name. He wanted to know why the contractors are not being held to the code, or why the code isn't changed. He added that the signs are nothing more than advertising for the contractor.

John Miller - 6556 Snug Harbor Lane. Mr. Miller gave a brief overview of the placement of a lien by the City of Gig Harbor on the James Richardson property, up to the current request by Mr. Richardson to remove the lien so he could obtain a loan. Mr. Miller said it is ludicrous for Council to even consider removal of the lien until Mr. Richardson proves he is in compliance.

**PUBLIC HEARING:** Chapel Hill Presbyterian Church - Site Plan.

Mayor Wilbert opened the Public Hearing at 7:10. Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. She then asked all parties who had signed up to speak at this hearing to stand and take an oath of honesty in any testimony that he or she may give. The following persons stood and replied affirmatively to the oath of honesty: Tom Morfee, Joseph Meyers, Bill Lynn, Dan Barsher, Mark Toone, Kathy Keagle, Bill Reed, Steve Osguthorpe, and Ray Gilmore. The Mayor continued with the public hearing.

Ray Gilmore, Planning Director, introduced Steve Osguthorpe as the project planner for the Chapel Hill project. He added that the City had received substantial comments on the project, which had been distributed to Councilmembers.

Steven Osguthorpe gave a history of the Council's decision to hold their own Public Hearing on the proposed Chapel Hill Presbyterian Church Site Plan citing concerns over the height, mass, and scale of the project. He added that the conditional use permit for the project is conditional to the approval of the site plan, and if the Council were to require changes to the site plan, the conditional use permit would have to go back to the Hearing Examiner for approval.

Mr. Osguthorpe said that the staff's original recommendation was to deny the site plan, and that had not changed. He offered two design options that would address the mass and scale of the project, while still allowing the approved height of the structure. The first option would be to increase the screening, and the second option would be to move the sanctuary further back on the property. He said that the illustrations and model before Council were the same as the ones submitted to the

Hearing Examiner in the original application. Mayor Wilbert added that there were two new exhibits prepared by staff to be presented, which were shown on the overhead projector and identified as Exhibit #1 and Exhibit #2. Mr. Osguthorpe presented these exhibits, which compared the scale of the neighboring PTI building and the Gig Harbor High School to the proposed Chapel Hill project.

Mayor Wilbert opened the public testimony portion of the hearing.

Tom Morfee, President of PNA, P.O. Box 507, Gig Harbor. Mr. Morfee asked Council and the Church representatives to take into consideration the aesthetic quality of the area, and protection of the SR-16 corridor. He added that he was concerned that if this proposed project was allowed, it would set a precedent for construction of other buildings of this scale.

William Lynn - PO Box 1157 Tacoma. Mr. Lynn spoke on behalf of Chapel Hill. He explained that the unique features of the 35 acre parcel, including its heavily treed buffers, distance from SR-16, and the surrounding commercial use, lessens the impact of the scale of the project. He added that the real indication of the compatibility of the project is the support shown from neighbors on all four sides of the property, plus other community groups who would benefit from the project. He demonstrated how the curve on SR-16, the drop of the east lane, and the backdrop of trees minimized the visual impact. He then mentioned that a Supreme Court decision had upheld the First Amendment protecting freedom of religion and that whole ordinances have been thrown out in regards to regulating the building and remodeling of churches. He suggested that in order to avoid the concern of "setting a precedence" in allowing the project, the Council's decision could rest on the Constitution. He introduced Dan Barsher, architect for the project.

Dan Barsher - 12202 Pacific Avenue, Tacoma. Mr. Barsher said he had been working with Chapel Hill on this project for four years. He gave an overview of the master planning process used by the Chapel Hill Congregation to arrive at a final design for their church, taking into account the wetlands located on the property, the slope of the land, and the neighboring residential areas. Mr. Barsher showed photos that illustrated "looking into the site" from the outlying areas. He showed the six different schemes that had been developed, and the final conceptual drawing that led to the actual final design. He added that they had opted to move the building back from the original drawing to lessen the impact on the neighboring Quiet Maples neighborhood. Mr. Barsher gave a report on how the final design of the sanctuary was developed to make the most of acoustics and seating to meet the needs of the growing congregation, while attempting to control sprawl. He referred to the model to illustrate how the sanctuary had been moved back on the site, and the landscaping plan designed to protect the Quiet Maples development and to provide screening from SR-16. Additional exhibits illustrated the heights of other churches in the City and the view of the site from different points along SR-16, including one with the new sanctuary superimposed upon the photo. In conclusion, he said that the illustrations and exhibits reveal that the project will not have a negative impact, and in fact, demonstrate that it would be a great addition to the community.

Mark Toone - 4814 Rosedale Street. Pastor Toone emphasized that a lot of hard work and time had been spent the last 5-1/2 years planning for this project. He said that the last 2-1/2 years had been spent in raising money and that he had been able to announce on Sunday that 5.5 million

dollars had been raised. He said that the present sanctuary is designed to seat 250 people, but that on an average Sunday, 800 people attend services, with Easter Sunday reaching 1,200, and Christmas service having 2,000 people in attendance. Because of this growth services have been moved to the gymnasium, and an additional service has been added. He said that if a building of the proposed size and scale of the new sanctuary were only used for 2-1/2 hours twice a week it may appear to be a waste of resources, but in fact, the facilities would be a gathering place for community events throughout the week. He said that the facility would be used for speakers, classes, and school events such as commencement exercises. He said church's past practice of allowing their facilities to be used for community activities, at no charge was proof of this. He said that if the City were to build a community center, it would cost the taxpayers millions...and Chapel Hill is willing to supply it for free. He pointed out the level of support from the surrounding neighborhoods, other ministers in the community, and the school district and added that this project was not a detriment to the community, and that it would have a positive affect. He talked about the breakdown of the small-town nature of Gig Harbor, the recent drive-by shooting, and the amount of young runaways in the past year. He said that the church would lend moral and spiritual support to the town. He respectfully asked for support of the project., and reintroduced Bill Lynn to address the City's Comprehensive Plan.

Mr. Lynn said he wanted to address the two issues of the Comprehensive Plan that were in question. First he talked about placing an incompatible structure where it would impact the surrounding area. He said that this did not apply to the project because the surrounding area was protected by the natural features of the property, and added that he could offer no better testimony to the compatibility than the letters of support from the neighbors. He then talked about freeway visibility. He said that the building would be far less visible than existing buildings in the area. He said that if the property were smaller, or if there were no trees, and if the property were closer to SR-16, this might be an issue. He again referred to the photos taken from the freeway showing the site with the new sanctuary superimposed upon one photo, and said that there is no visible impact upon the freeway. Mr. Lynn then cited the case of "City of Sumner vs the Baptists" and added that the court had told Sumner to "work it out". He said that freedom of religion has to prevail and thanked the Council for the opportunity to present his information.

Kathy Keagle - 4619 Salmon Creek Lane. Ms. Keagle, a neighbor of Chapel Hill, said she had been vocal during the project because of her concerns regarding the traffic impacts that may result from the access road from the church into North Creek Estates. She said that the church had added another access onto Skansie to the project, and that she was very appreciative. She said that due to the multi-use nature of the facility, she asked if the church would also consider blocking off the access to the North Creek road with a gate that could still be fire-truck assessable, but would discourage other, through traffic. She added that Pastor Toone had indicated to her that this access would remain open, but she asked if they would reconsider. She said that the neighborhood would love the City to take over the maintenance of their road, but had been told it would cost over \$100,000 to bring it up to city standards. Because they cannot afford those costs, they are hoping to minimize the traffic to make the road last as long as possible.

Bill Reed - 9810 Franklin Avenue. Mr. Reed said that he has lived in the Gig Harbor area since 1959 and that he would like to speak in favor of this development. He added that he is an

architect and has served on the Planning Commission. He added that he has seen a lot of activity and growth happen in the area, most of it congruent, and some of it he is sorry to see. He said that he loves this area and it seems there should be a place in the harbor for a large place of worship. He urged Council to accept this project.

Joseph Meyers - 11106 36th Ave. Ct NW. Mr. Meyers said he was the current Chairperson for the Peninsula Advisory Commission and had done considerable construction from Tukwila to Portland. He said he has a reputation on the PAC for being critical of variances, but he believes that this particular project benefits hundreds if not thousands of people and the variance should be considered in that context. He said he didn't think it was a bad thing for Gig Harbor to have a reputation of having a strong, Christian atmosphere.

Councilmember Owel asked for more specifics on how to address the traffic concerns in North Creek Development. Mr. Brasher used the aerial photo to show the proposed 3-lane access off Skansie. He said that this entrance was designed to reduce the traffic off Rosedale. He said that the access into North Creek was intended to be maintained but that the design of the 3-lane Skansie entrance would minimize the use of the North Creek access. Councilmember Owel then asked if there would be any problem barricading the North Creek access as had been requested by Ms. Keagle. He said he didn't believe there would be a problem, but the use of it, just by the very nature of the design of the proposed Skansie entrance, would be minimized. Councilmember Owel interjected that this assumption was relatively unpredictable, and that it is difficult to predict traffic impacts. She added that she knows there are concerns about the traffic, and added that obviously, there will be lots of activity if it is to be a Gig Harbor center whose use wouldn't be confined to Sundays. She said if it is a concern, she would like to see it vigorously addressed. She said that if he insists that no one will be using it anyway, there would be no problem with closing the road off. She said that if they do intend on using it then obviously it will contribute to a traffic problem. Mr. Brasher said that this is a concern that could be taken into consideration.

Councilmember Ekberg asked how the traffic flow from the parking lot out to Rosedale Street would be handled. Mr. Brasher said that due to the nature of the design of the proposed entrance off Skansie, it would be easier for people to use this entrance, taking the bulk of the traffic off Rosedale. Councilmember Ekberg then asked for an explanation of the proposed landscaping behind Quiet Maples and the area extending over to Rosedale. Mr. Brasher explained that the proposed landscaping is a 25' width buffer of dense evergreens called deodar cedars. He added that these are dense, columnar trees that can grow up to 80 feet. In addition to that he said that low landscaping would be added along with a six foot high fence to block the headlights of cars from shining into Quiet Maples.

Councilmember Owel asked about concerns about drainage. Mr Brasher answered that the problem had been solved two or three years ago when the church had built a retention and outfall system.

There were no further questions and Mayor Wilbert closed the public hearing portion of the meeting.

**MOTION:** Move for the adoption of Resolution #455 granting site approval for



Chapel Hill Presbyterian Church incorporating the findings, conclusions and recommendations of the Hearing Examiner in his report dated June 1, 1995 and his reconsideration dated June 26, 1995, listed as items numbered one through thirteen.  
Platt/Picinich -

Legal counsel recommended that because Council held their own Public Hearing, that they do not adopt the Hearing Examiner's findings and conclusions, but to adopt their own which would be based upon the Hearing Examiner's, but would also include their own findings that may be made at this meeting.

**AMENDED MOTION:** To adopt Resolution #455 as rewritten by legal counsel and based upon the Hearing Examiner's findings and conclusions number one through thirteen.  
Platt/Picinich -

Councilmember Picinich asked if Councilmember Owel wished to include a condition to this motion regarding the blocking off of the entrance into North Creek Estates. Councilmember Owel asked staff if the City had any options. Carol Morris advised the Council that any agreement to place a barrier on this access would have to be between the property owners. Councilman Picinich asked Pastor Toone about the road. Pastor Toone answered that the church had agreed to allow that road to be put in at the request of the North Creek development for placement of a sewer easement, and in exchange the church was given access to the road. Ms. Keagle added that the problem is that this was done by the developers, not the homeowners, who did not know about the agreement. Mayor Wilbert reminded the audience that the public testimony portion of the hearing had been closed.

Councilmember Ekberg said he heard concerns about the access to North Creek being used for more than just Sunday Sessions and that the Church has tried to arrange the traffic to address the concerns. He asked Staff if a condition could be placed on the site plan that this road be maintained for fire access only and be gated. Ray Gilmore said that it is a private road and that fire access is dealt with on only public roads, and it would be difficult to justify to require gating of a private road from a private street. Councilmember Owel said that her whole point in bringing it up is that she understood that it is a private road and not addressable, but added that she would like the church's word that if the traffic impacts develop to the degree that they need some relief that it will be worked out. Pastor Toone replied "I feel that this is fair."

Councilmember Markovich questioned whether traffic impact aren't usually a part of the site plan review process. Mr. Gilmore answered that yes, but that the Public Works Department had not identified a traffic impact issue with that road.

Mayor Wilbert called for the question on the motion on the table.

**AMENDED MOTION:** To adopt Resolution #455 as rewritten by legal counsel and based upon the Hearing Examiner's findings and conclusions number one through thirteen.  
Platt/Picinich - unanimously approved.

Mayor Wilbert announced a recess at 9:00 p.m. The Council Meeting resumed at 9:05 p.m.

**CALL TO ORDER:** 9:07 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move approval of the minutes of the August 28, 1995 meeting with correction.  
Picinich/Platt - unanimously approved.

**CORRESPONDENCE:**

1. Washington Finance Officers Association - certification of Professional Finance Officer for Tom Enlow. Mayor Wilbert congratulated Tom Enlow for his hard work in obtaining this certification.
2. Washington Finance Officers Association - certification of Professional Finance Officer for Fumiko Tamaru. Mayor Wilbert also congratulated Ms. Tamaru for her diligence in maintaining such a high level of professionalism. Tom Enlow said he was very proud of Fumiko and added that she had grown a lot professionally in the last year.

**OLD BUSINESS:**

1. Resolution for Appeal of Right-of-Way Permit Denial - Doug Sorensen. Carol Morris informed Council that the information that Mr. Sorensen submitted still did not meet the code's requirement. She added that the document is evidence of an easement for a portion of the property owned by the Currier's and a common users easement on a portion of the vacated Otter Street. She said that this easement is for right of use, not right of possession of the property. She advised Council that they could adopt the resolution limiting the fence to be placed only in front of his own property, or to wait and request the applicant to obtain more information on who the "common users" are for Otter Street and have these parties also apply for the right-of-way permit, along with the Curriers.

Councilman Picinich said he would like to allow the applicant to begin construction in front of his own property. Carol Morris advised him that the applicant could come back later and make another application when he was able to obtain signatures from the Curriers and the other "common users". The Sorensen's asked for clarification of the application process and agreed that they would like to place the fence where it originally was, but if they could not, they would like the option of putting it in front of their own property.

Councilman Ekberg stated that there are two issues here, one of placing a fence on City right-of-way, and the ordinance regulating the fence height in a front yard. He said he wanted to make his concerns known, because it is not the only unique piece of property in town, and added that just because someone currently has a fence on right-of-way, they automatically cannot replace the fence if it is removed.

**MOTION:** Move we approve Resolution No. 453 with the amendment to Section 2 that we allow construction of a fence six feet in height to be placed along 9409 North Harborview Drive beginning five feet south of the monument marking

the beginning of the Sorensen's property, continuing south for 100 feet to their southern most property line. In addition, the Sorensen's will be responsible for any cost incurred in removing the existing fence and transport of the materials to the public works shop, and the construction of a new fence.

Picinich/Markovich - unanimously approved.

**NEW BUSINESS:**

1. 1995 Budget Amendment for Debt Redemption. Tom Enlow introduced the first reading of this ordinance amending the 1995 budget to authorize the transfer of funds and redemption of the remaining 1985 Water/Sewer Advance Refunding Bonds, and to adopt the updated 1995 salary schedule. This ordinance will return at the next meeting for a second reading.
2. Special Occasion Liquor License - Fall Harvest Festival, St. Nicholas Church. No action taken.

**MAYOR'S REPORT:**

Commencement Bay Maritime Fest. Mayor Wilbert briefly introduced her report on the Maritime Fest. She said that she would not be available to participate in the festivities and asked if any Councilmembers were interested in representing the City.

**STAFF REPORT:**

Mayor Wilbert welcomed Lt. Bill Colberg as the acting Chief of Police, who gave a brief report on the past months activities, stating that things had been reasonably quiet, and that DWIs were down.

**ANNOUNCEMENT OF OTHER MEETINGS:** None.

**APPROVAL OF BILLS:**

**MOTION:** Move approval of warrants #14655 through #14723 in the amount of \$47,103.31.  
Platt/Ekberg - unanimously approved.

**APPROVAL OF PAYROLL:**

**MOTION:** Move approval of warrants #11552 through #11685 in the amount of \$190,368.56.  
Platt/Ekberg - unanimously approved.

**EXECUTIVE SESSION:** None.

**ADJOURN:**

**MOTION:** Move to adjourn at 9:36 p.m.  
Owel/Ekberg - unanimously approved.

Cassette recorder utilized.  
Tape 398 Side B 138 - end.  
Tape 399 Side A 000 - end.  
Tape 399 Side B 000 - end.  
Tape 400 Side A 000 - end.  
Tape 400 Side B 000 - 369.

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Mayor

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City Administrator



## Pierce County

Office of the County Council

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930 Tacoma Avenue South, Room 1046  
Tacoma, Washington 98402-2176  
(206) 591-7777  
FAX (206) 591-7509  
1-800-992-2456

### PIERCE COUNTY PUBLIC MEETING NOTICE

NOTICE IS HEREBY GIVEN that the Pierce County Council will hold its evening meeting in Council District No. Seven at 7 p.m. on Tuesday, December 12, 1995, in the Gig Harbor City Hall, 3105 Judson Street, Gig Harbor, Washington.

NOTICE IS FURTHER GIVEN that the December 12, 1995, evening meeting shall be held in lieu of the regular 4 p.m. Tuesday meeting held in the Council Chambers.

By Council action of September 12, 1995 (Resolution No. R95-154).



1 FILE NO. 227

PROPOSAL NO. R95-154

2 Sponsored by: Councilmember Karen Biskey  
3 Requested by: Pierce County Council

4 RESOLUTION NO. R95-154

5 A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE EVENING  
6 DISTRICT MEETING IN COUNCIL DISTRICT NUMBER SEVEN, FOR 7  
7 P.M. ON TUESDAY, DECEMBER 12, 1995, IN THE GIG HARBOR  
8 CITY HALL, 3105 JUDSON STREET, GIG HARBOR, WASHINGTON.

9 WHEREAS, Section R.01.030 of the Permanent Rules of the County  
10 Council provides in part that the County Council shall conduct  
11 regularly scheduled meetings at 4 p.m. on Tuesday of every week in  
12 the County Council Chambers in the County-City Building, unless  
13 otherwise ordered by the Council; and

14  
15 WHEREAS, in addition to, or in place of the regularly scheduled  
16 meetings, the Council shall conduct at least one evening meeting each  
17 year in each Council District, the specific time, place, and date to  
18 be set by the Council and announced; and

19  
20 WHEREAS, it is the desire of the Council to establish the date,  
21 time, and place for the evening meeting to be held in Council  
22 District No. 7; NOW, THEREFORE,

23  
24 BE IT RESOLVED by the Council of Pierce County:

25 Section 1. The evening meeting in Council District No. 7 will  
26 be held at 7 p.m. on Tuesday, December 12, 1995, in the Gig Harbor  
27 City Hall, 3105 Judson Street, Gig Harbor, Washington.

28

1        Section 2. The December 12, 1995, evening meeting shall be held  
2 in lieu of the regular 4 p.m. Tuesday meeting.

3  
4        Section 3. The Clerk of the Council shall so note the change in  
5 time and place on matters to come before the Council on December 12,  
6 1995, and shall notice and advertize accordingly.

7  
8        PASSED this 12th day of September, 1995.

9        ATTEST:

PIERCE COUNTY COUNCIL  
Pierce County, Washington

10  
11 *[Signature]*  
12 Clerk of the Council

*[Signature]*  
Council Chair

13        Approved As To Form Only:

14 *[Signature]*  
15 Deputy Prosecuting Attorney

16        NOTE:  
17 Contact person: Mayor Gretchen Wilbert  
18 Phone number: 851-8136  
19  
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28





STATE REPRESENTATIVE  
28th DISTRICT  
MICHAEL CARRELL

State of  
Washington  
House of  
Representatives



FINANCE  
VICE CHAIRMAN  
CHILDREN & FAMILY SERVICES  
LAW & JUSTICE

Hon. Gretchen Swayze Wilbert  
Mayor of Gig Harbor  
8825 Harborview N #8  
Gig Harbor, WA 98332

September 15, 1995

Dear Gretchen:

Speaker of the House Clyde Ballard has appointed a bipartisan working group to study problems related to the property tax and develop possible legislative solutions for consideration in the 1996 Session. I have the privilege of chairing this group.

During the past months, the Property Taxes Working Group has studied the strengths and weaknesses of the state's present property tax system, examined potential tax relief strategies, and explored ways in which property tax administration might be improved.

On September 30 the Working Group will hold a public hearing for the purposes of receiving the views of the public on property tax issues. The hearing will be held from 10-12 A.M. at the Special Events Center at Lakewood Mall, which is located at 10509 Gravelly Lake Drive SW, Lakewood.

Some of the issues of greatest interest to us for the purposes of this hearing include:

- (1) The general level and burden of property taxes in Washington;
- (2) The adequacy of present legal limitations on property taxes;
- (3) The level and uses of special levies by local governments;
- (4) The impacts of large increases in assessed valuations, and ways those increases might be mitigated;
- (5) The merits of various options for additional property tax relief; and
- (6) The equity and efficiency of local property tax administration.

We would be most interested in having the benefit of your views on these and other property tax issues on September 30.

Thank you for your consideration. Do not hesitate to call me at my Olympia (786-7958) or Lakewood (589-7090) offices if I can answer any questions you may have about this public hearing.

Sincerely,

A handwritten signature in black ink that reads "Mike Carrell".

Mike Carrell  
State Representative  
28th District



## **GIG HARBOR-KEY PENINSULAS EMERGENCY PREPAREDNESS**

P.O. Box 611 -- Gig Harbor, WA. 98335  
(206) 857-3268 Tel/Voice Mail -- (206) 857-3368 FAX

### **Board Of Directors**

Bob Schmidt,  
Chairperson

Norm Harris  
Vice Chairperson

Nick Markovich  
Secretary

Don Tjossen  
Treasurer

### **Directors**

Frances McNair

Gretchen Wilbert

Tom Hulst

Dave Freeman

John Miller

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September 15, 1995

A Gig Harbor - Key Peninsula Emergency Preparedness **Board Of Directors** meeting will be held:

On: September 27

At: 7:00 PM

In: The Gig Harbor Peninsula  
Chamber of Commerce Building  
3125 Judson Street  
Gig Harbor, WA. 98335

Any Gig Harbor and Key Peninsula residents, business owners, etc., interested in actively participating in earthquake and other disaster preparedness should attend this meeting. The GH-KP EPC is a Gig Harbor Lions non-profit community service corporation that performs:

1. Neighborhood and Business Training - Plan Development and implementation
2. Building Survival Studies
3. Water Resource Studies
4. Emergency Communications (HAM, CB, Emergency Preparedness Radio KGHP, etc.) Coordination
5. First Aid/CPR Training
- 6..... and more

Attend this meeting and join this effort to minimize the impact on our families, elderly and/or disabled, businesses, schools, hospitals, other groups and organizations. Meetings are held each month except August and December.

Our police, fire and national guard services will more than do their part. However, in the event of a major disaster that shuts down the Narrows Bridge, everyone needs to be prepared to survive for a couple of weeks and also take a very real part in the recovery of the Pierce County Peninsula.

September 15, 1995

To whom it may concern;

My name is Jennifer Bisenius. I am a junior currently attending Peninsula High School. I'm writing in regards to the very fashionable demeanor downtown Gig Harbor has portrayed.

We recently had a speaker in our Sociology class, explaining that when our school and community pull together and recycle we can continue making incidents like the above possible.

I would like to congratulate the person or persons in charge of organizing and leading this project to make it possible.

I thank-you for making Gig Harbor a pleasant place to be! I'm proud to be a member of this greatly jointed community.

Sincerely,

Jennifer Bisenius  
Jennifer Bisenius

Peninsula High School





*City of Gig Harbor. The "Maritime City."*  
3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(206) 851-8136

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: TOM ENLOW**  
**SUBJECT: 1995 BUDGET AMENDMENT FOR DEBT REDEMPTION**  
**DATE: September 12, 1995**

#### **INTRODUCTION**

The remaining 1985 Water/Sewer Advance Refunding Bonds may be redeemed on or after December 1, 1995. There will be \$230,000 in outstanding bonds at that time with interest rates ranging from 9.2% - 9.75%.

Additionally, the 1995 budget was adopted before the Employee and Police Guild contracts were finalized. The salary schedule included with the budget ordinance did not reflect adjustments to salary ranges for positions covered under those contracts. Attachment A lists the salaries as approved in those contracts.

#### **FINANCIAL IMPACT**

We have sufficient reserves in dedicated revenue bond funds to redeem these bonds and still satisfy bond covenants.

There would be a net savings of approximately \$30,000 from redeeming the bonds instead of investing the funds over the remaining five years.

The corrected salary schedule has no financial impact since it merely reflects salaries already approved by council.

#### **RECOMMENDATION**

Staff recommends adoption of the attached budget amendment ordinance to authorize the transfer of funds and redemption of the remaining 1985 Water/Sewer Advance Refunding Bonds and Attachment A, the updated 1995 salary schedule.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE 1995 BUDGET FOR THE CITY OF GIG HARBOR, WASHINGTON.**

**WHEREAS**, adjustments to the 1995 annual appropriations are necessary to conduct city business,

**NOW, THEREFORE**, the City Council of the City of Gig Harbor, Washington, **ORDAINS** as follows:

Section 1.

The annual appropriations in the departments and funds listed below shall be increased to the amounts shown:

<u>Fund/Dept.</u>	<u>Original Appropriations</u>	<u>Amendment</u>	<u>Amended Appropriations</u>
408-Utility Bond Redemption	653,000	230,000	883,000
413-Adv. Refunding Bond Redemption	76,147	230,000	306,147

Section 2. The following interfund transfers are within 1995 appropriations, as amended above, and are hereby authorized:

<u>Originating Fund</u>	<u>Receiving Fund</u>	<u>Amount</u>
408-Utility Bond Redemption	413-Adv. Ref. Bond Redemption	230,000

Section 3. Attachment "A" is adopted as the updated 1995 personnel salary schedule, retroactive to January 1, 1995.

Section 4. This ordinance shall be in force and take effect five(5) days after publication of a summary according to law.

**PASSED** by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this     day of     , 1995.

\_\_\_\_\_  
Gretchen A. Wilbert, Mayor

ATTEST:

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Mark Hoppen  
City Administrator/Clerk

Filed with city clerk: 9/5/95

Passed by the city council:

Date published:

Date effective:

ATTACHMENT "A"  
1995 SALARY SCHEDULE

<u>POSITION</u>	<u>RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
City Administrator	\$4,564	\$5,706
Public Works Director	4,087	5,109
Chief of Police	3,867	4,833
Planning Director	3,603	4,503
Finance Director	3,476	4,344
Police Lieutenant	3,321	4,152
Police Sergeant	3,163	3,954
Public Works Supervisor	3,196	3,995
Sewer Plant Supervisor	3,059	3,823
Fire Marshal/Building Official	3,155	3,945
Construction Inspector	2,655	3,318
Planning Associate	2,700	3,375
Police Officer	2,653	3,316
Sewer Plant Operator	2,614	3,269
Equipment Operator	2,588	3,234
Maintenance Worker	2,422	3,027
Engineering Technician	2,361	2,951
Administrative Assistant	2,287	2,859
Public Works Assistant	2,287	2,859
Court Administrator	2,207	2,758
Laborer	2,051	2,564
Court Clerk	2,001	2,501
Police Services Specialist	1,919	2,399
Accounting Clerk	2,089	2,611
Utility Clerk	2,089	2,611
Office Clerk	1,778	2,222
Administrative Receptionist	1,811	2,121





*City of Gig Harbor. The "Maritime City."*  
3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(206) 851-8136

**TO:** MAYOR WILBERT AND CITY COUNCIL MEMBERS  
**FROM:** RAY GILMORE, PLANNING DIRECTOR  
**DATE:** September 18, 1995  
**SUBJECT:** Resolution for Approval - SPR95-01 (Chapel Hill Church Site Plan)

Attached for your approval is the resolution adopting findings, conclusions and conditions of approval for the Chapel Hill Church expansion project, SPR 95-01. The findings and conclusions have been prepared by Legal and Planning staff and reflect the Council's action on this application following its September 13, 1995 public hearing.



ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY:

BY: \_\_\_\_\_

FILED WITH THE CITY CLERK: 9/10/95  
PASSED BY THE CITY COUNCIL: 9/11/95

Use classifications of all rooms and areas, building type of construction, area separation walls and their types of construction

6. Access must be provided to all areas in accordance with the Washington State Standards for Access. Access must also be provided in accordance with the Federal ADA Standards. A private walk must be provided from the public sidewalk to the main entrance of the building. Accessible parking stalls must be provided in accordance with the Washington State Standards for Access.
7. Roadway emergency vehicle access must be provided around the building complex with maximum grades of 15%, minimum inside radius of 20 feet with a minimum outside radius of 45 feet and a minimum width of 24 feet.
8. A fire resistant roof will be required in accordance with Chapter 32, 1994 UBC. The existing shake roof must be replaced with an approved fire resistant roof.
9. If the main entrance to the site is being changed to Skansie Ave. the address will need to be revised to **7700 Skansie Ave.** The address numbers must be posted at the entrance sign. Use contrasting letter colors to the background. Size of letters to be readily visible from Skansie Ave.
10. Fire lanes must be signed and painted to maintain required access. Fire hydrants must be maintained accessible. Paint curbs and areas in front of fire hydrants.
11. The existing fire hydrant on the northeast corner of the property is not accessible as shown on the site plan. Relocate or make accessible.
12. Due to the height of the new sanctuary fire department access and staging areas are required and a complete review by Fire District No. 5 is required.
13. Fire department knox box, alarm panels and occupant notification (announcing system) are required.

**RESOLVED** by the City Council this 11th day of September, 1995.

APPROVED:

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MAYOR, GRETCHEN WILBERT

consistent with the Court's decision in both of these cases, and will not set a precedent for other applications not involving churches or First Amendment rights to free exercise of religion.

**2. GHMC Section 17.96.030(2): Compatibility with the surrounding buildings' occupancy and use factors.**

The structure as proposed is compatible with the surrounding buildings and uses. The landscaping, buffers and wetlands all serve to ensure compatibility with surrounding residential uses. Although one neighbor raised concerns with regard to congregant's use of a private road, the City does not have the authority to require that the Church restrict access on a private road to ensure that members of the public are excluded. This is a matter to be resolved by the private property/easement owners.

**3. GHMC Section 17.96.030(3): All relevant statutory codes, regulations, ordinances and compliance with the same.**

The Council concludes that the site plan as submitted, together with the conditional use permit and variance approved by the Hearing Examiner, complies with applicable codes.

**DECISION**

The City Council hereby approves SPR 95-01, subject to the following conditions:

1. The project shall meet all setback requirements of the R-1 zoning district;
2. The separate parcels shall be combined into one lot of record or a binding site plan shall be recorded which ties the parcels together.
3. Fire flow must be provided to within 150 FT of all portions of the building in accordance with the Section 10.401, 1991 Uniform Fire Code. Fire hydrants and water mains may need to be extended up the existing road to the North Creek Lane right of way to provide the necessary fire protection.
4. Fire flow must be provided to the building in accordance with the Section 10.401, 1991 Uniform Fire Code (See Appendix III-A & B): Portions of buildings which are separated by one or more **four-hour** area separation walls constructed in accordance with the Building Code, **without openings and provided with a 30-inch parapet**, are allowed to be considered as separate fire areas in accordance with Appendix III-A, 1991 UFC. A complete fire flow analysis must be provided by the Civil Engineer who will be designing the site utility system.
5. A complete code analysis will be required to determine if auto-fire sprinkler systems and other fire protection will be required. Additional information will be required, such as:

5. Mark Toon, Chapel Hill pastor, applicant, testified on the following aspects of the development:
  - a. the need for a new worship center because the current structure only seats 250 people;
  - b. the overcrowded situation at the church now, as people in the gym;
  - c. the present need for a structure to seat 1,500 people;
  - d. the Church's willingness to provide the structure for the community's use as a gathering place for "bona fide" community events.
  
6. Kathy Kegel, neighbor, testified on the following aspects of the development:
  - a. that she lives on a private street near the church and thinks that congregants will use the private street for fast access to and from the church if there is no way to restrict such access;
  - b. her desire that the Church block the access, and states that otherwise, the Church has been a good neighbor.
  
7. Bill Reed, testified that the development was a good one, and that he was in support of the site plan approval.
  
8. Joseph Meyers testified that the Church was not asking for a typical variance in which only the applicant's needs were considered. In this situation, the variance benefits a large number of people, and he recommended that the Council approve the development.
  
9. Exhibits A through Z and AA through LL were admitted into evidence.

Section 2. Based upon the above findings, the City Council makes the following conclusion and decision:

**A. Conformity with Criteria for Site Plan Approval.**

**1. GHMC Section 17.96.030(1): Compatibility with the City's Comprehensive Plan.**

The site plan application is not compatible with the City's comprehensive plan. However, the Hearing Examiner has granted a variance to allow the Church to construct a portion of the church structure to a height of 59'6". The Hearing Examiner's decision on the variance is final.

The City Council is also aware of the legal restrictions on the City's regulation of the Church's exterior. Two Washington Supreme Court cases address the issues raised by the Church's planned development and the permissible extent of the City's regulation: Sumner v. First Baptist Church, 97 Wn.2d 1, 639 P.2d 1358 (1982); First Covenant Church v. Seattle, 120 Wn.2d 203, 840 P.2d 174 (1992). The City Council's decision to conclude that the site plan may be approved even though not consistent with the site plan approval criteria and the City's comprehensive plan is

A. The following portions of the Staff Report dated April 19, 1995 are hereby adopted by reference and supported by the testimony and evidence presented at the public hearing: Sections I, II, III(1), IV, V, VI, VII(1), VII(2) and VII(3).

B. The Council considered the criteria for approval of the site plan, as set forth in GHMC 17.96.030(B).

C. The Council heard testimony from the following persons:

1. Steve Osguthorpe, representing the City Planning Department, who outlined the information in the staff report dated September 11, 1995;

2. Tom Morfee, testified by addressing vegetative buffers and the precedent setting nature of the development;

3. William Linn, attorney for the applicant, who addressed the following aspects of the development and its height, bulk and scale:

a. the large lot mitigates the bulk and scale;

b. the lot is heavily treed and provides a buffer to the adjacent residential development;

c. the lot contains a wetland which provides an additional buffer to the adjacent residential development;

d. the development is compatible with the neighboring residential development;

e. the impacts of the development are oriented towards the freeway;

f. the best evidence of the development's compatibility with the neighboring property are the letters of support from the neighbors;

g. the development is not visible from the residential portions of the neighborhood;

h. the development/property is set back 700 feet from the freeway and from the freeway only the trees are visible;

i. the law requires that the City be flexible when permitting this development due to the possible infringement on First Amendment freedom of religion constitutional rights.

4. Dan Barscher, architect for the applicant, testified on the following aspects of the development;

a. the evolution of the design of the church;

b. the part topography played in the siting and design of the church;

c. the necessity for the "direct link" between the church building and the other structures on the church campus;

d. the background behind the Church's decision to provide the buffers;

e. how the balcony in the portion of the structure subject to the variance is necessary for additional seating, acoustics and to improve sight lines.

**RESOLUTION NO. 455**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, CONDITIONALLY APPROVING THE SITE PLAN FOR CHAPEL HILL PRESBYTERIAN CHURCH, GIG HARBOR FILE NO. SPR 95-01 AT 4814 ROSEDALE STREET, GIG HARBOR.**

---

**WHEREAS**, Chapel Hill applied for three approvals from the City in order to construct a development at 4814 Rosedale Street in Gig Harbor; and

**WHEREAS**, the development required a height variance for the sanctuary and chancel of 24.5 feet, which was approved by the Hearing Examiner under Gig Harbor File No. VAR 95-01 on June 1, 1995; and

**WHEREAS**, the development also required a conditional use permit which was conditionally approved by the Hearing Examiner under Gig Harbor File No. CUP 95-01 on June 1, 1995 and modified upon reconsideration on June 25, 1995; and

**WHEREAS**, the development also required site plan approval, and the Hearing Examiner recommended that the approval be granted subject to three conditions, under Gig Harbor File No. SPR 95-01, dated June 1, 1995, which was modified on June 25, 1995 to eliminate the final condition; and

**WHEREAS**, The City Council rejected the Hearing Examiner's recommendation to conditionally approve the site plan at the Council's regular meeting of July 24, 1995, and determined to hold its own public hearing on the matter; and

**WHEREAS**, the applicant requested that the Council public hearing be scheduled so that all of the City Council members could be present, and so agreed to set the date for the public hearing for September 11, 1995; and

**WHEREAS**, on September 11, 1995, the City Council held a public hearing on SPR 95-01; now, therefore,

**THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

Section 1. The City Council makes the following findings with regard to the site plan application of the Chapel Hill Presbyterian Church:





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3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(206) 851-8136

**TO:** MAYOR WILBERT AND CITY COUNCIL  
**FROM:** Ray Gilmore  
**DATE:** September 18, 1995  
**SUBJ.:** Hearing Examiner Recommendation for Approval - Shoreline Permit 95-04  
(Robert Mitton, Gig Harbor Motel)

---

Attached for your review is the Gig Harbor Hearing Examiner's findings, conclusions and recommendation on the above referenced shoreline permit application. The project consists of the construction and operation of a 15-unit motel on Harborview Drive. This project has previously been approved by the Council as SPR 93-05 in 1994. Because a portion of this project lies within 200 feet of the ordinary high water of Gig Harbor Bay, a shoreline substantial development permit must be granted prior to issuance of the building permit for the project.

Documents pertinent to your review are attached.





*City of Gig Harbor. The "Maritime City."*

3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(206) 851-8136

September 15, 1995

Robert Mitton  
3118 Harborview Drive  
Gig Harbor, WA 98335

RE: Hearing Examiner Decision - Shoreline Substantial Development Permit (SDP) 95-04

Dear Mr. Mitton:

The City Hearing Examiner has recommended conditional approval of your request for a shoreline substantial development permit for the construction a motel on Harborview Drive. The Hearing Examiner's decision is a recommendation to the Gig Harbor City Council and is scheduled for the September 25 meeting of the City Council at 7:00pm or shortly thereafter. A copy of the Hearing Examiner's report and recommendation is attached. The Council's review and consideration of the Examiner's findings, conclusions and recommendation is not a public hearing. Nonetheless, your presence is encouraged should the Council pose any questions on the application or proposed project.

Should you have any questions, please call me.

Sincerely,

Ray Gilmore  
Director, Planning-Building Department

c: parties of record

**CITY OF GIG HARBOR  
HEARING EXAMINER  
FINDINGS, CONCLUSIONS AND RECOMMENDATION**

---

**APPLICANT:** Robert Mitton

**CASE NO.:** SDP 95-04

**LOCATION:** 3212 Harborview Drive

**APPLICATION:** Shoreline substantial development permit to construct a 15 unit motel, a portion of which is within the shoreline management act jurisdiction of Gig Harbor Bay. The project has approval as SPR 93-05, as approved by the City Council in March of 1994. Improvements within the SMA jurisdiction specifically consist of:

- 4 attached motel units along the front of the structure
- Portion of driveway access and pedestrian access to courtyard
- Landscaping

**SUMMARY OF RECOMMENDATIONS:**

Staff Recommendation: Approve with conditions

Hearing Examiner Recommendation: Approve with conditions

**PUBLIC HEARING:**

After reviewing the official file which included the Community Development Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Mitton application was opened at 6:08 p.m., September 13, 1995, in the City Hall, Gig Harbor, Washington, and closed at 6:09 pm. Participants at the public hearing and the exhibits offered and entered are listed in the minutes of the meeting. A verbatim recording of the hearing is available in the Planning Department.

Case No. SDP 95-04

Page 2

**FINDINGS, CONCLUSIONS AND DECISION:**

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

**A. FINDINGS:**

1. The information contained on Parts I through II of the Planning Staff Advisory Report (Hearing Examiner Exhibit A) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and by this reference is adopted as the Hearing Examiner's findings of fact. A copy of said report is available in the Planning Department.

**B. CONCLUSIONS:**

1. The conclusions prepared by the Planning Staff and contained in Part III of the Planning Staff's Advisory Report accurately set for the conclusions of the Hearing Examiner and by this reference is adopted as the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.

**C. RECOMMENDATION:**

Based upon the foregoing findings of fact and conclusions, it is recommended that the application be approved, subject to the following conditions:

1. The project shall comply with the terms and conditions of City of Gig Harbor Resolution 406.

Dated this 15th day of September, 1995.

  
Ron McConnell  
Hearing Examiner

Case No. SDP 95-04

Page 3

**RECONSIDERATION:**

Any aggrieved person feeling that the decision of the Examiner is based on erroneous procedures, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the prior hearing, may make a written request for reconsideration by the Examiner within ten (10) days of the date the decision is rendered. This request shall set forth the specific errors of new information relied upon by such appellant, and the Examiner may, after review of the record, take further action as he or she deems proper.

**COUNCIL ACTION:**

Any application requiring action by the City Council shall be taken by the adoption of a resolution or ordinance by the Council. When taking any such final action, the Council shall make and enter Findings of Fact from the record and conclusions therefrom which support its action. The City Council may adopt all or portions of the Examiner's Findings and Conclusions.

In the Case of an ordinance or rezone of property, the ordinance shall not be placed on the council's agenda until all conditions, restrictions, or modifications which may have been stipulated by the Council have been accomplished or provisions for compliance made to the satisfaction of the Council.

The action of the Council, approving, modifying, or reversing a decision of the Examiner, shall be final and conclusive, unless within twenty (20) business days from the date of the Council action an aggrieved party of record applies for a Writ of certiorari to the Superior Court of Washington for Pierce County, for the purpose of review of the action taken.

**MINUTES OF THE HEARING ON THE APPLICATION:**

Ron McConnell was the Hearing Examiner for this matter. Participating in the hearing was Ray Gilmore, representing the City of Gig Harbor, and Robert Mitton, the applicant.

The following exhibit was offered and entered into the record:

- A. Staff advisory report
- B. Photo of the site

**PARTIES OF RECORD:**

Robert Mitton  
3118 Harborview Drive  
Gig Harbor, WA 98335

**CITY OF GIG HARBOR  
SHORELINE MANAGEMENT  
SUBSTANTIAL DEVELOPMENT PERMIT**

- Substantial Development
- Conditional Use
- Variance

Application No: SDP 95-04

Date Received: August 2, 1995

Approved: XXXX

Denied:

Date of Issuance: September 25, 1995

Date of Expiration: September 25, 2000

Pursuant to RCW 90.58, a permit is hereby granted to:

**Robert Mitton  
3118 Harborview Drive  
Gig Harbor, WA 98335**

To undertake the following development:

*Shoreline substantial development permit to construct a 15 unit motel, a portion of which is within the shoreline management act jurisdiction of Gig Harbor Bay. The project has approval as SPR 93-05, as approved by the City Council in March of 1994. Improvements within the SMA jurisdiction specifically consist of:*

- 4 attached motel units along the front of the structure
- Portion of driveway access and pedestrian access to courtyard
- Landscaping

Upon the following property:

The property is located at 3212 Harborview Drive, which is within a portion of the NW 1/4 of Section 8 Township 21N, Range 2 E.

On the Gig Harbor Bay Shoreline and/or its associated wetlands. The project will not be within shorelines of Statewide Significance per RCW 90.58.030 and is within an Urban Environment designation.

Development pursuant to this permit shall be undertaken subject to the following terms and conditions:

1. The project shall comply with the terms and conditions of City of Gig Harbor Resolution 406.

Findings for the Approval of this Shoreline Management Permit are as follows:

1. The motel is a permitted use in the DB zoning district and has been granted site plan approval by the Gig Harbor City Council in March of 1994.
2. The proposal does not front Gig Harbor Bay nor does it have the potential for shoreline access.
3. The proposed motel is within easy walking distance of the City's only public moorage facility, Jerisich Park dock, and would provide accommodations for overnight boaters.
4. The proposed commercial development of the property as a motel is in conformance with the general standards of the City of Gig Harbor Shoreline Master Program as follows:
  - A. It is located a minimum of 165 feet from OHWM and is well away from the shorelines edge. As a consequence, it maintains its non-water oriented activity landward of the OHWM.
  - B. It supports a tourist/recreational type of activity.
  - C. It provides adequate parking for guests.
  - D. It is in compliance with the City Zoning and Building Codes.
  - E. It provides some visual access to the shorelines.
  - F. The landscaping plan approved for the site plan phase of the project is consistent with the City of Gig Harbor Zoning Code.

This permit is granted pursuant to the Shoreline Management Act of 1972 and the City of Gig Harbor 1994 Shoreline Master Program. Nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act, RCW 90.58.

This permit may be rescinded pursuant to RCW 90.58.140(7) in the event the permittee fails to comply with the terms or conditions hereof.



**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD  
TO A CONDITIONAL USE OR VARIANCE PERMIT.**

Date received: \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Development shall be undertaken pursuant to the following additional terms and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Department Official



*City of Gig Harbor. The "Maritime City."*  
3105 JUDSON STREET  
GIG HARBOR, WASHINGTON 98335  
(206) 851-8136

**STAFF REPORT  
ENVIRONMENTAL EVALUATION AND  
REPORT TO THE HEARING EXAMINER**

Robert Mitton  
15-unit Motel, 3212 Harborview Drive  
August 31, 1995

---

**PART I: GENERAL INFORMATION**

**A. APPLICANT:**

Robert Mitton  
3118 Harborview Drive  
Gig Harbor, WA 98335

**B. OWNER:**

Same as applicant

**C. AGENT:**

Same as applicant.

**D. REQUEST:**

Shoreline substantial development permit to construct a 15 unit motel, a portion of which is within the shoreline management act jurisdiction of Gig Harbor Bay. The project has approval as SPR 93-05, as approved by the City Council in March of 1994. Improvements within the SMA jurisdiction specifically consist of:

- 4 attached motel units along the front of the structure
- Portion of driveway access and pedestrian access to courtyard
- Landscaping

**E. PROPERTY DESCRIPTION:**

**1. Location:**

The property is located at 3212 Harborview Drive, which is within a portion of the NW 1/4 of Section 8 Township 21N, Range 2 E.

**2. Site Area/Acreage:**

The total site area is approximately 15,000 square feet, upland of Harborview Drive.

The property does not have shoreline frontage or access.

3. **Physical Characteristics:**

The existing facility is a single family dwelling on the west side of Harborview Drive, portions of which have been demolished in order to construct the motel. The project site lies upland of Gig Harbor Bay and Harbor View Drive, being 165 feet from OHWM at its closest point.

**F. SURROUNDING LAND-USE/ZONING DESIGNATION:**

The entire project area is a mix of residential and commercial along this portion of Harborview Drive.

**G. UTILITIES/ROAD ACCESS:**

Access is provided by way of Harborview Drive.

**H. PUBLIC NOTICE:**

Public notice was provided as follows:

- Published twice in Peninsula Gateway:  
August 9 and 16, 1995
- Mailed to property owners of record within 300 feet of the site:  
August 30, 1995
- Posted in three conspicuous places in the vicinity of the property:  
September 1, 1995

## **PART II: ANALYSIS**

**A. AGENCY REVIEW:**

1. **Building Official/Fire Marshal**  
Comments submitted for SPR 93-05 apply. Building permit and plan review is complete. Final plan approval contingent upon shoreline permit approval.
2. **Gig Harbor Public Works Department**  
Comments previously submitted for SPR 93-05 apply.
3. **Washington Department of Ecology**  
No comments received as of the date of this report.
4. **SEPA Responsible Official**  
A Notice of Adoption of Existing Environmental Document was issued for this project on August 14, 1995, and is based upon the original SEPA document (Determination of Nonsignificance) issued December 22, 1993.

Other Correspondence Received

NONE.

## B. APPLICABLE LAND-USE POLICIES/CODES

### 1. Comprehensive Plan:

The City of Gig Harbor Comprehensive Plan designates the area as waterfront. Pertinent goals and policies are as follows:

#### Shoreline Management

- A) Goal, page 71 -- Protect Natural Quality: Preserve and protect the unique, interdependent relationship between the water, land and cultural heritage.
- B) Goal, page 72 -- Mixed Use Waterfront: Retain a mixed-use waterfront including those fishing, boating, tourist and residential uses which provide the shoreline's unique appeal.
  - 8) Commercial Uses - Encourage development of water-oriented commercial uses in waterfront locations which can be provided adequate and unobtrusive supporting services and improvements, including parking. Require commercial developments to provide public facilities and access to shoreline beaches, docks, walkways and other facilities including views and vistas.

### 2. Zoning Ordinance:

The existing facility is located within a DB (Downtown Business District). The use of the site for a motel is a permitted use and has been granted site plan approval by the Gig Harbor City Council.

### City of Gig Harbor Shoreline Master Program

The following sections of the City of Gig Harbor Shoreline Master Program are applicable to this project:

#### Part 2: Goal Statements

- 1. Character  
The Shorelines of the City of Gig Harbor support its fishing, boating and tourist activities as well as the residential community. Therefore, preservation of the characteristics beneficial to these industries should be a primary consideration in evaluating the effect of all shoreline proposals.
- 9. Recreation and Public Use

Maximize use of publicly owned shoreline locations and to provide for additional public access.

**Part 3.01: Overall Statements Applicable to All Use Activities in the Shoreline Area (pertinent to this proposal)**

1. New structures should not dominate the shoreline in terms of size, use, location or appearance.
2. Shoreline developments should provide visual access to the water
3. All developments should be designed to minimize their adverse effect on surrounding areas.
4. Sites undergoing development shall be landscaped consistent with the City Zoning Code
5. No new and/or additional covered moorage shall be allowed on or over the surface waters within the City of Gig Harbor.

**Part 3.05 Commercial Development**

Commercial uses are those uses which are involved in wholesale and retail trade, business, or professions, along with accessory activities such as services, storage, and parking. For uses such as marinas, piers, industries, the commercial fishing industry and parking, see Policies and Regulations for the appropriate use activity category.

**GOALS:** Commercial uses should meet the Overall Goals of this Master Program as well as conform to the goal for Commercial areas and Shopping.

**POLICIES:**

1. All commercial developments should incorporate visual or public access or public recreational opportunities into the design of their establishments and shall consider the public's health and safety, as appropriate.
2. Commercial users should maintain their non-water oriented activities landward of Ordinary High Water or the existing bulkhead.
3. Commercial developments should provide adequate parking.
4. Within each group of commercial activity, diverse types of uses should be encouraged.

**REGULATIONS:**

1. Commercial developments within the shoreline area shall provide, at a minimum, visual access to the water. Visual access shall consist of one of the following:
  - a. A public view corridor measuring twenty frontage feet along the street or twenty percent of the total waterfront footage of the parcel, whichever is

the greater. View corridors shall be from public rights-of-way. Parking shall not be allowed in view corridors. Fences or railings shall only be permitted where required by the City Building Code.

- b. A six-foot wide public pathway along the property perimeter down one side line of the property to the ordinary high water mark or bulkhead or to the waterside face of the structure, whichever is further waterward, thence across the waterside face of the property or structure and back to the street along the other side property line. Landscaping may be interplanted along the pathway.
- c. A public viewing platform at the highest level of any structure on the property, with the platform having a minimum area of fifty square feet. Railings around the platform, consistent with the Uniform Building Code, may extend the maximum allowable height.

If visual access cannot or is not provided to the water, public access or recreational opportunities shall be provided as per Regulation #3 of this section.

- 2. All commercial structures on the shorelines within the City of Gig Harbor shall adhere to the City's zoning and building ordinances.
- 6. Six (6) foot wide concrete sidewalks with curbs and gutters shall be constructed at the City's right-of-way edge fronting the Commercial Development.
- 7. Lighting levels shall not exceed fifteen (15) foot candles when measured at a point twenty (20) feet from the base of a light fixture. Light shall be diverted downward. Direct lamp light from the light fixture shall not be visible from any point which lies one hundred feet or greater from the light fixture base as measured five feet above the fixture base's ground elevation.
- 8. All public access on or to the property shall be recorded against the property with the Pierce County Auditor.

### **PART III: FINDINGS AND CONCLUSIONS**

Based upon the analysis in Section II of this report, staff recommends that the Hearing Examiner find as follows:

- 1. The motel is a permitted use in the DB zoning district and has been granted site plan approval by the Gig Harbor City Council in March of 1994.
- 2. The proposal does not front Gig Harbor Bay nor does it have the potential for shoreline access.

3. The proposed motel is within easy walking distance of the City's only public moorage facility, Jerisich Park dock, and would provide accommodations for overnight boaters.
4. The proposed commercial development of the property as a motel is in conformance with the general standards of the City of Gig Harbor Shoreline Master Program as follows:
  - A. It is located a minimum of 165 feet from OHWM and is well away from the shorelines edge. As a consequence, it maintains its non-water oriented activity landward of the OHWM.
  - B. It supports a tourist/recreational type of activity.
  - C. It provides adequate parking for guests.
  - D. It is in compliance with the City Zoning and Building Codes.
  - E. It provides some visual access to the shorelines.
  - F. The landscaping plan approved for the site plan phase of the project is consistent with the City of Gig Harbor Zoning Code.

#### **PART IV: RECOMMENDATION**

Based upon the findings presented in Section III, staff recommends that Shoreline Permit 95-04 be approved, subject to the following conditions:

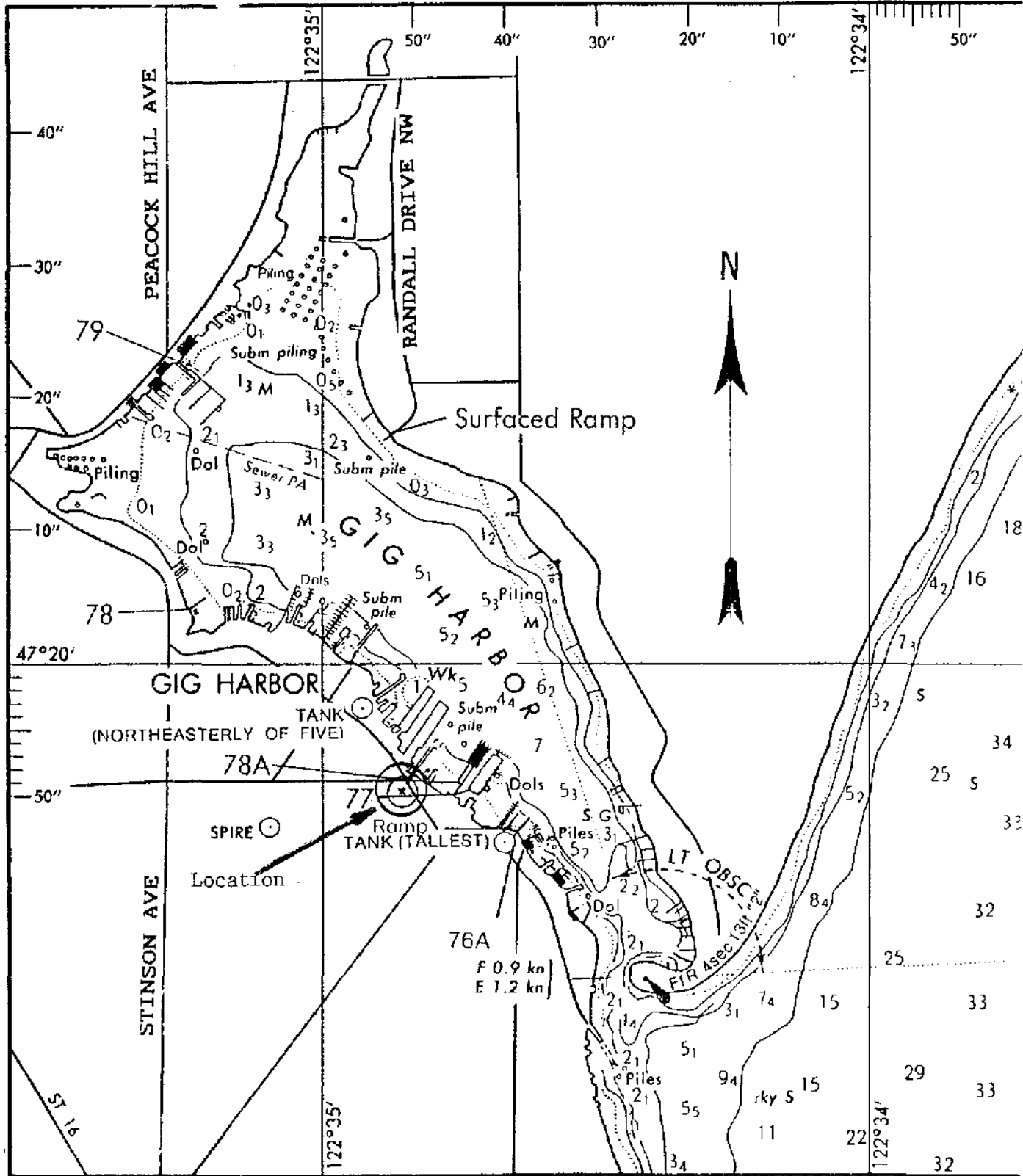
1. The project shall comply with the terms and conditions of City of Gig Harbor Resolution 406.

Documents pertinent to the Hearing Examiner's review are attached.

Staff report prepared by: Ray Gilmore, Planning Director  
DATE: August 30, 1995

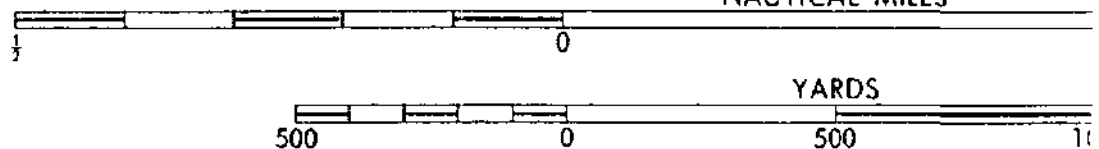


GIG HARBOR BAY VICINITY M  
SDP 95-04



INSET 7

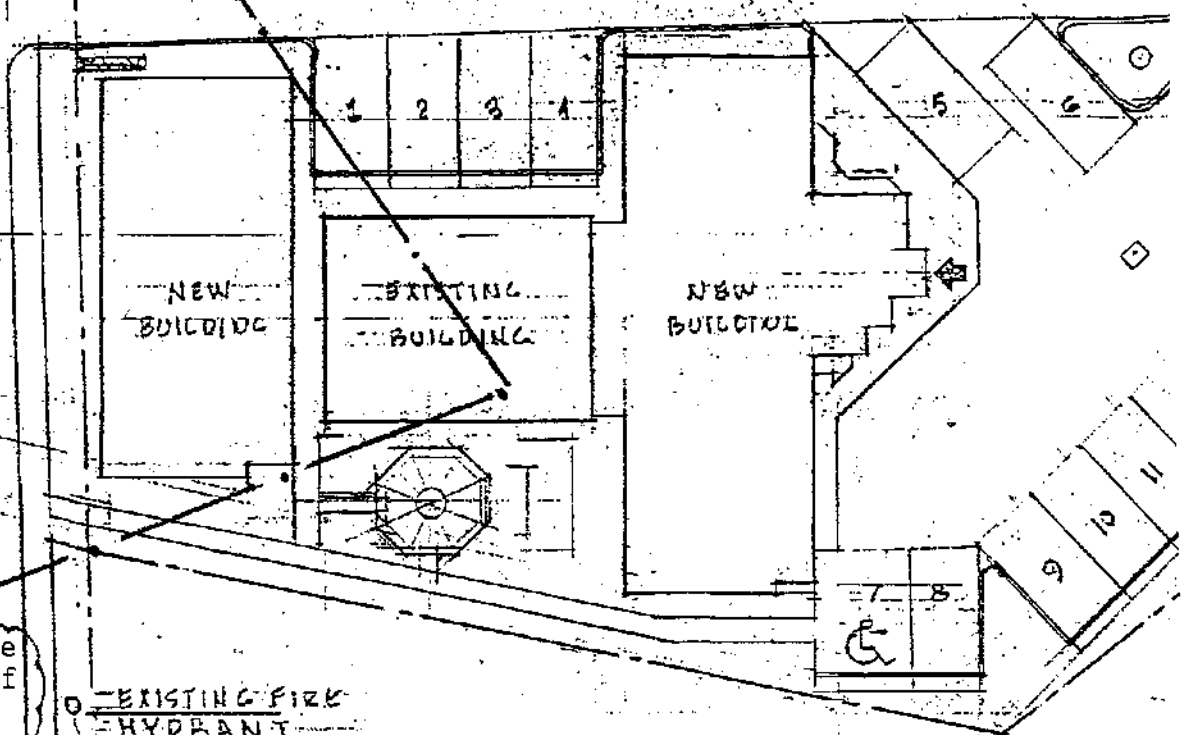
SCALE 1:20,000  
NAUTICAL MILES





RELOCATE POLE

HARPORE VIEW DRIVE



SITE PLAN

SCALE 1"=20'

NOT TO SCALE

Approximate location of 200' SMA limit.

PROJECT SCOPE

Rental Units 15

PARKING

Required 18.75

Proposed 20

EXISTING REMODEL 1768 S.F.

NEW CONSTRUCTION 2936 S.F.

TOTAL CONSTRUCTION 4704 S.F.

SITE COVERAGE 79.9%

TONA ELMIND KRAY MASTER DESIGN



Attention:

Enclosed is a listing of liquor licensees presently operating establishments in your jurisdiction whose licenses expire on NOVEMBER 30, 1995. Applications for renewal of these licenses for the upcoming year are at this time being forwarded to the current operators.

As provided in law, before the Washington State Liquor Control Board shall issue a license, notice regarding the application must be provided the chief executive officer of the incorporated city or town or the board of county commissioners if the location is outside the boundaries of an incorporated city or town.

Your comments and recommendations regarding the approval or disapproval for the enclosed listed licensees would be appreciated. If no response is received, it will be assumed that you have no objection to the reissuance of the license to the applicants and locations listed. In the event of disapproval of the applicant or the location or both, please identify by location and file number and submit a statement of all facts upon which such objections are based (please see RCW 66.24.010(8)). If you disapprove then the Board shall contemplate issuing said license, let us know if you desire a hearing before final action is taken.

In the event of an administrative hearing, you or your representative will be expected to present evidence in support of your objections to the renewal of the liquor license. The applicant would presumably want to present evidence in opposition to the objections and in support of the application. The final determination whether to grant or deny the license would be made by the Board after reviewing the record of the administrative hearing.

If applications for new licenses are received for persons other than those specified on the enclosed notices, or applications for transfer of licenses are received by the Board between now and NOVEMBER 30, 1995, your office will be notified on an individual case basis.

Your continued assistance and cooperation in these licensing matters is greatly appreciated by the Liquor Control Board.

LESTER C. DALRYMPLE, Supervisor  
License Division  
Enclosures

MAYOR OF GIG HARBOR  
P.O. BOX 145  
GIG HARBOR

WA 983350145

C090080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 9/04/95

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR  
FOR EXPIRATION DATE OF 11/30/95

RECEIVED

SEP - 8 1995

CITY OF GIG HARBOR

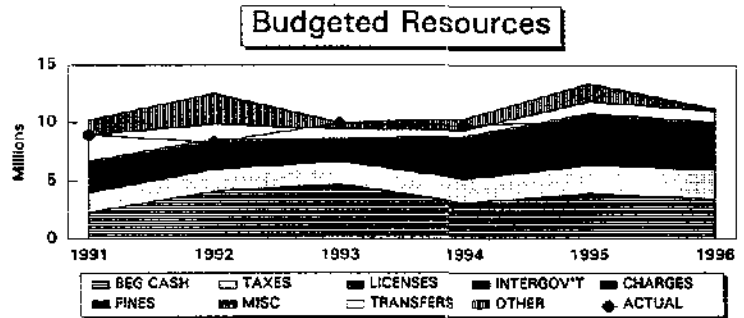
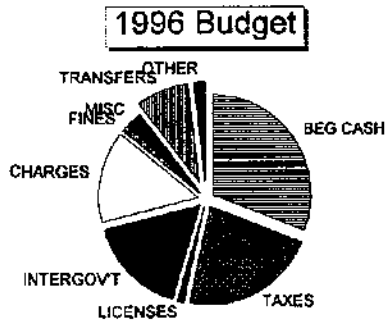
LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	CLASSES
1 ISEMAN, INC.	HY-IU-HEE-HEE 4309 BURNHAM DR GIG HARBOR WA 98335 0000	367497	B C E F

**City of Gig Harbor  
1996 Annual Budget**

**All Funds**

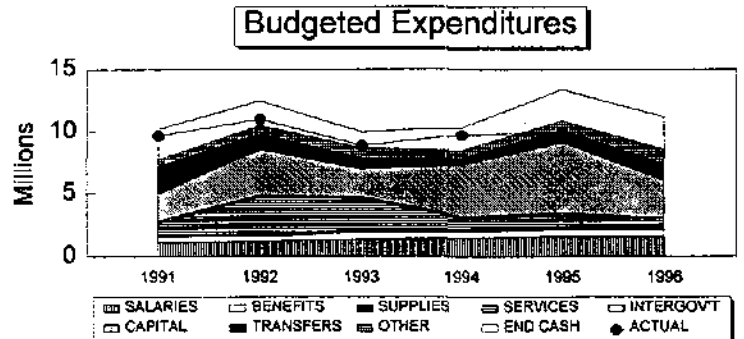
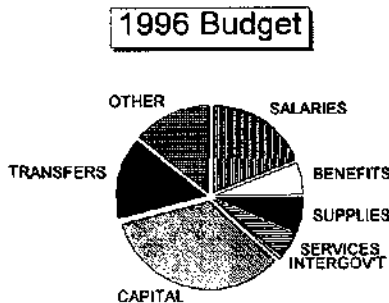
**Resources**

CATEGORY	1993 BUDGET	1993 ACTUAL	1994 BUDGET	1994 ACTUAL	1995 BUDGET	1995 THRU SEPT	1996 BUDGET
BEGINNING CASH	\$4,746,849	\$5,036,229	\$3,136,179	\$4,288,691	\$3,977,925	\$5,045,903	\$3,474,450
TAXES	1,901,309	2,115,178	2,027,949	2,422,671	2,386,097	1,433,516	2,504,176
LICENSES & PERMITS	68,700	136,669	114,900	133,668	145,200	64,021	135,500
INTERGOV'T REVENUES	232,944	223,644	1,410,938	305,914	2,322,378	1,031,037	1,845,414
CHARGES FOR SERVICES	1,369,210	1,547,649	1,842,500	1,399,901	1,817,100	1,176,480	1,672,000
FINES & FORFEITS	88,000	98,377	95,000	100,196	105,000	58,046	110,000
MISCELLANEOUS	222,051	345,384	175,540	442,892	297,250	232,212	300,136
TRANSFERS IN	759,139	424,595	533,692	430,292	979,647	370,000	963,625
OTHER	594,255	2,115	990,851	217,494	1,590,851	730,318	208,473
<b>TOTAL REVENUES</b>	<b>6,236,608</b>	<b>4,893,610</b>	<b>7,191,370</b>	<b>5,453,027</b>	<b>9,443,523</b>	<b>5,095,629</b>	<b>7,739,324</b>
<b>TOTAL RESOURCES</b>	<b>9,981,457</b>	<b>9,929,839</b>	<b>10,327,549</b>	<b>9,741,717</b>	<b>13,421,448</b>	<b>10,141,532</b>	<b>11,213,774</b>



**Expenditures By Type**

CATEGORY	1993 BUDGET	1993 ACTUAL	1994 BUDGET	1994 ACTUAL	1995 BUDGET	1995 THRU JULY	1996 BUDGET
SALARIES	1,435,526	1,381,592	1,528,814	1,506,762	1,868,974	949,564	1,618,600
BENEFITS	524,858	448,328	501,784	473,581	528,190	283,070	501,350
SUPPLIES	211,617	172,075	218,167	178,962	253,677	103,401	566,500
SERVICES	2,452,766	657,271	848,938	690,184	854,359	327,887	391,324
INTERGOV'T CHARGES	123,785	124,229	146,296	114,322	205,826	46,849	61,700
CAPITAL EXPENDITURES	2,220,379	456,552	4,048,662	346,379	5,620,768	2,925,352	2,906,670
TRANSFERS	828,084	409,561	533,692	461,301	979,647	370,000	1,266,625
OTHER	818,082	780,415	652,196	790,688	800,908	339,090	1,202,068
<b>TOTAL EXPENDITURES</b>	<b>8,615,097</b>	<b>4,430,022</b>	<b>8,478,549</b>	<b>4,562,179</b>	<b>10,912,349</b>	<b>5,345,211</b>	<b>8,514,837</b>
ENDING CASH BALANCE	1,366,360	4,406,123	1,849,001	5,141,846	2,509,099	4,588,724	2,698,937
<b>TOTAL USES</b>	<b>\$9,981,457</b>	<b>\$8,836,145</b>	<b>\$10,327,550</b>	<b>\$9,704,025</b>	<b>\$13,421,448</b>	<b>\$9,933,935</b>	<b>\$11,213,774</b>



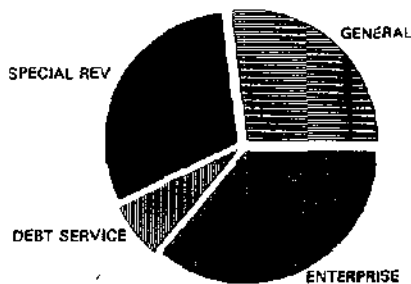
**City of Gig Harbor  
1996 Annual Budget**

**All Funds**

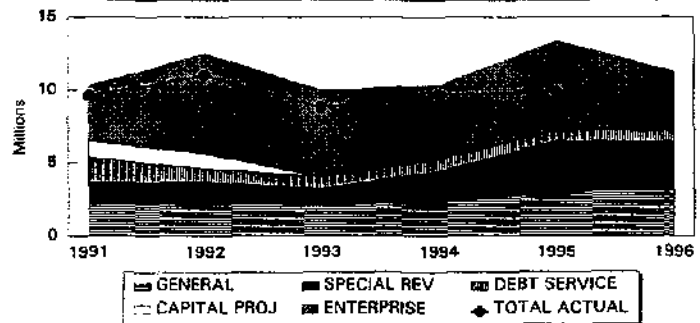
**Expenditures By Fund**

CATEGORY	1993 BUDGET	1993 ACTUAL	1994 BUDGET	1994 ACTUAL	1995 BUDGET	1995 THRU JULY	1996 BUDGET
<b>GENERAL FUND</b>	<b>\$2,087,271</b>	<b>\$2,521,889</b>	<b>\$2,219,338</b>	<b>\$2,971,239</b>	<b>\$2,950,359</b>	<b>\$2,348,820</b>	<b>\$3,024,111</b>
<b>SPECIAL REVENUE FUNDS</b>							
STREET FUND	815,464	538,138	1,744,500	645,500	2,879,086	1,304,747	2,665,803
DRUG INVESTIGATION FUND	11,250	10,453	15,000	19,463	15,000	7,870	15,000
HOTEL - MOTEL FUND	1,000	1,448	1,804	2,281	2,200	1,723	2,200
PARK ACQUISITION FUND					52,000	51,002	104,000
GENERAL GOV'T CAPITAL ASSETS	218,000	274,734	321,000	364,000	400,000	412,271	414,000
GENERAL GOV'T CAPITAL IMP	86,000	90,926	141,000	172,265	207,000	213,961	206,000
LIGHTHOUSE MAINTENANCE	4,140	4,402	4,140	3,835	3,950	3,967	4,150
TOTAL SPECIAL REVENUE	1,135,854	920,101	2,227,444	1,207,345	3,559,236	1,995,540	3,411,153
<b>DEBT SERVICE FUNDS</b>							
78 GO BONDS - FIRE FUND	21,000	18,400	20,917	18,348	17,900	16,803	12,000
75 GO BONDS - SEWER FUND	82,000	65,478	76,130	68,798	41,825	44,149	8,500
85 GO BONDS - PW BLDG FUND	30,700	60,095	33,400	2,013			
87 GO BONDS - SEWER CONST	588,612	626,774	598,299	625,809	618,000	556,200	643,000
91 GO BONDS - SOUNDVIEW DR	100,000	170,227	97,335	167,631	99,500	101,561	102,500
TOTAL DEBT SERVICE	822,312	940,972	826,081	882,599	777,025	718,712	766,000
<b>CAPITAL PROJECT FUNDS</b>							
SOUNDVIEW DR CONST		89,997					
TOTAL CAPITAL PROJECTS		89,997					
<b>ENTERPRISE FUNDS</b>							
WATER OPERATING	485,008	505,184	506,602	623,669	628,645	491,775	797,138
SEWER OPERATING	670,551	885,103	712,666	1,129,119	958,790	749,106	1,085,538
UTILITY RESERVE	414,000	405,809	426,000	424,761	445,000	441,375	475,000
UTILITY BOND REDEMPTION	416,271	285,033	410,583	716,425	653,000	608,458	739,834
SEWER CAPITAL CONST	1,700,000	1,340,102	2,621,851	1,392,621	3,000,851	2,279,726	665,000
STORM SEWER OPERATING	181,707	210,100	183,380	149,568	169,395	153,232	75,000
ADVANCE REFUNDING BOND RED.	118,895	53,670	118,604	47,732	76,147	13,924	
ULID #3 CONSTRUCTION	1,770,000	657,249					
WATER CAPITAL ASSETS	179,588	20,936	75,001	158,948	203,000	133,466	175,000
TOTAL ENTERPRISE FUNDS	5,936,020	4,363,186	5,054,687	4,642,842	6,134,828	4,871,063	4,012,510
<b>TOTAL EXPENDITURES</b>	<b>\$9,981,457</b>	<b>\$8,836,145</b>	<b>\$10,327,550</b>	<b>\$9,704,025</b>	<b>\$13,421,448</b>	<b>\$9,933,935</b>	<b>\$11,213,774</b>

**1996 Budget**



**Budgeted Expenditures by Fund Type**



MAYOR'S REPORT  
September 25, 1994

**THE CITY HALL FOYER**

First impressions are lasting and since we all hold some pride in our City and its appearance, the staff at City Hall launched a small effort over a year ago to bring artistic life to the front foyer at City Hall. The only guidelines given the artist is the rendering should show a harbor theme.

Several pieces were hung for short periods of time and staff was asked to share their opinion. Sandy Newhouse's "Harbor Morning" has been hanging for quite a while and is the favorite so far. Since there are no funds allocated for art, some staff members suggested taking up a collection to pay the \$500 cost. If there is a consensus to purchase the work, Sandy Newhouse will, at no charge to us, replace the glass with a non-glare variety.

Another option is to extend another invitation to the artist community to submit other ideas for an artistic "face lift" for the City's front hall.

Before any decision is made, I'm asking City Councilmembers to really take a look at the foyer. Ideas from Councilmembers would help to guide the process as we take one more step into history by creating a first and lasting impression in the front foyer at City Hall. The purchase of a piece of art for the front hall may be what the 50th Anniversary Committee would look for as a commemoration gift in honor of the event.

Your comments are invited.

