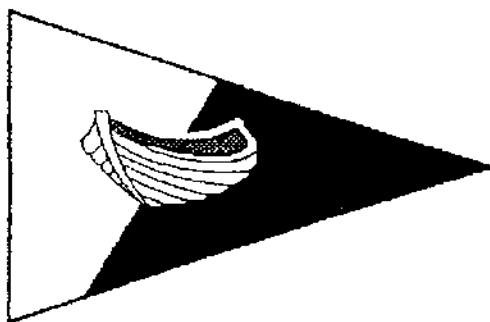


GIG HARBOR CITY COUNCIL MEETING



OCTOBER 24, 1994

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

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
October 24, 1994 - 7:00 p.m.

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

APPROVAL OF MINUTES:

CORRESPONDENCE:

Wollochet Heights Community Club - Senior Center.

OLD BUSINESS:

NEW BUSINESS:

1. Resolution - Commute Trip Reduction.
2. Proposed Modifications to Personnel Manual.
3. HEX Recommendation - PUD 94-01 Nilsson/Clark.
4. SDP 94-03 - Percival Construction (Duplex).
5. Budget Amendment Ordinance.
6. First Reading - '95 Property Tax Ordinance.
7. Presentation of '95 Proposed Budget.
8. Liquor License Renewal - Bayview Grocery & Deli.

MAYOR'S REPORT:

Participation in Community Activities.

STAFF REPORTS:

1. Ray Gilmore - Planning/Building.
2. Tom Enlow - Finance.

COUNCIL COMMENTS:

ANNOUNCEMENT OF OTHER MEETINGS:

APPROVAL OF BILLS:

EXECUTIVE SESSION: Property Acquisition, Negotiations.

ADJOURN:

REGULAR GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 10, 1994

PRESENT: Councilmembers Stevens Taylor, Platt, Picinich, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:02 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the September 26, 1994 meeting as presented.
Picinich/Stevens Taylor - unanimously approved. Councilman Platt abstained.

CORRESPONDENCE:

Mayor Wilbert briefly introduced a letter from the Chamber of Commerce announcing they would no longer sponsor the Trolley Project.

OLD BUSINESS: None.

NEW BUSINESS:

1. **Point Fosdick Sewer Line Material Purchase Bid Rejection.** Ben Yazici explained that the Public Works Department was going to replace the existing PVC sewer pipe on Pt. Fosdick utilizing the Public Works Crew. When the bid for materials came in it was apparent that the project cost for the project to be done in-house would be approximately \$37,000. Because this amount is \$2,000 over what the State statute limit allowed for in-house projects, Ben asked that the material bids be rejected because the whole project was put out for competitive bid.

Mr. Yazici explained that he and legal counsel had explored every avenue available to allow for the Public Works Department to complete the project, but were unable to find a way to overcome the statutes. He asked that Councilmember Stevens Taylor approach the AWC Board at their next conference to increase the state statute for in-house projects from \$35,000 to at least \$100,000 to allow for more flexibility.

Councilmember Stevens Taylor explained that she had brought this to the AWC Board previously, but due to other pressing issues such as health care, this particular item had not made it to consideration. She added that she would again approach the issue at the next conference.

MOTION: Move we reject the Point Fosdick Material Replacement bids.

Platt/Stevens Taylor - Unanimously approved.

2. Point Fosdick Sewer Line Replacement Contract. Ben presented the two bids received for replacing the sewer line of Point Fosdick. He explained that the project was designed in-house and answered questions regarding replacing the old line.

MOTION: Move we award the Point Fosdick Sewer Line Replacement project to Woodworth & Company Inc. for \$71,214.
Picinich/Stevens Taylor - unanimously approved.

3. Liquor License Transfer - Gourmet Essentials. No action taken.

STAFF REPORTS:

Public Works Department. Ben Yazici gave a detailed report of the North Harborview Project using enlargements and plans to illustrate the scope of the project. He went over the problem areas and explained the options available, and said he would discuss the sidewalk dimension issue for the road design between Peacock Hill and Vernhardson with the Public Works Committee.

Police Department. Chief Richards gave an overview of the monthly activity report. He added that his officers had been spending time at Gig Harbor High School directing traffic every morning and afternoon until the traffic signal is fully actuated.

MAYOR'S REPORT: Mayor Wilbert explained that she had attended several transportation meetings in the past three days. She attended the State Department of Transportation workshop on Transportation Investment, where she collected several articles and items that she distributed to Council. She added that additional information would be available to review in the Council's "To Read" basket. On Thursday she attended a Roundtable Forum put on by the Regional Transportation Authority where they discussed three options, which she briefly discussed. She also distributed information on this meeting.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Elected Officials Health and Human Services Roundtable will be held from 5:30 to 9:30 p.m. on Tuesday, October 11th at Pierce County Community Services.

APPROVAL OF BILLS:

MOTION: Move approval of Warrants #12948 through #13014, in the amount of \$47,779.07.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of Warrants #10276 through #10390, in the amount of \$173,865.87.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move we go into Executive Session for the purpose of discussing a litigation report, negotiation matters, and property acquisition for approximately 30 minutes.
Platt/Picinich - unanimously approved.

MOTION: Move we return to regular session.
Platt/Stevens Taylor - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:22 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 365 Side B 167 - end.
Tape 366 Side A 000 - 385.

Mayor

City Administrator



WOLLOCHET HEIGHTS COMMUNITY CLUB

P.O. BOX 82

GIG HARBOR, WA 98335

RECEIVED

OCT 12 1994

CITY OF GIG HARBOR

Ms. Gretchen Wilbert, Mayor Gig Harbor
3105 Judson St.
Gig Harbor, WA 98335

October 7, 1994

Dear Ms. Mayor;

It has come to the attention of the Wollochet Heights Community that the City of Gig Harbor is considering construction of a senior activity center in the Harbor Green park. We of the community would like to pledge our support of the proposed construction as a valuable addition to our city.

The statistics concerning the graying of America are sobering and, even for those of us half a lifetime away, becoming a senior citizen is inevitable. We believe that a senior community center will richly add to the lives of those citizens of Gig Harbor that are alternately know to us as "seasoned citizens".

Thank you.

David Roskoph
Secretary, Wollochet Heights Community Club



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR
SUBJECT: COMMUTE TRIP REDUCTION RESOLUTION
DATE: OCTOBER 19, 1994

INTRODUCTION/BACKGROUND

Commute trip reduction is a noble concept, in fact it is a statutory mandate. Recently, as PTI was judged to be an "affected" employer, we put the state mandate into local ordinance as required. Now, however, upon further introspection, PTI has demonstrated that the company is no longer affected, with only 97 employees who legitimately fall under the act.

Therefore, the City of Gig Harbor is no longer an affected employer, and is no longer required to comply with the Commuter Trip Reduction program.

RECOMMENDATION

Approve the attached resolution which removes the City of Gig Harbor as a jurisdiction with an affected employer in connection to the Commute Trip Reduction program.

**CITY OF GIG HARBOR
RESOLUTION _____**

A RESOLUTION REMOVING THE CITY OF GIG HARBOR AS A JURISDICTION IN PIERCE COUNTY WITH AN AFFECTED EMPLOYER IN CONNECTION TO THE COMMUTE TRIP REDUCTION ACT.

WHEREAS, the 1991 Washington State Legislature enacted the Transportation Demand Management Act and the City Council has passed Ordinance No. 669 to comply with this Act; and,

WHEREAS, the City of Gig Harbor had one effected employer, who recently has shown they are no longer an affected employer and have formally requested to be removed from the "affected employer" status,

NOW THEREFORE, BE IT RESOLVED by the City Council, as follows:

The City of Gig Harbor will no longer be considered a jurisdiction with an affected employer; therefore, will not be required to comply with the Commute Trip Reduction program.

PASSED this ___ day of October, 1994.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Clerk

Filed with City Clerk: 10/14/94
Passed by City Council:



8102 Skansie Avenue
Gig Harbor, Washington
98332-8415

206 851-8118

September 27, 1994

City of Gig Harbor
Attn: Molly Towsell
P.O. Box 145
Gig Harbor, WA 98332

Re: Commuter Trip Reduction program

Dear Molly,

After researching the list of full-time employees that report to our PTI Regional Headquarters office, we found that we are not affected employers under the Commuter Trip Reduction program.

We have 97 employees that meet the criteria mentioned in Ordinance No. 669 and would like to be removed from "affected employer" status. We will monitor staff increases and notify you if we employ 100 or more in the future.

Thank you for your assistance. If you have any questions, please call me at 851-1361.

Sincerely,

A handwritten signature in cursive script that reads "Larry Larsen".

Larry Larsen
Customer Service Supervisor
PTI Communications

c: Don Dennis



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

September 30, 1994

Mr. Larry Larsen
Customer Service Supervisor
PTI Communication
8102 Skansie Avenue
Gig Harbor, WA 98335

Re: Commute Reduction Program

Dear Larry:

I have received your letter and am forwarding a copy to Debbie Germer, Pierce County Public Works, with a request to remove you from the rolls of an affected employer. Along with that request, I am asking that the City of Gig Harbor also be considered a jurisdiction with no affected employers, relieving us of our responsibility.

I spoke to Debbie on the phone, and she seems to think there is no problem, but asked for a letter to back up the request. I am not sure whether this needs to go before the County Council for consideration, but as soon as I hear from her, I will forward a reply to you.

Let me know if you have any further questions.

Sincerely,

Molly Towslee
Administrative Assistant

c: Mark Hoppen, City Administrator



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

September 30, 1994

Ms. Debbie Germer
Pierce County Public Works
Transportation Division
2401 South 35th Street
Tacoma, WA 98409-7487

Re: Commute Reduction Program

Dear Debbie:

As a follow-up to our conversation, I am forwarding a copy of the letter from PTI requesting to be removed from the rolls of affected employers. Along with that request, I am asking that the City of Gig Harbor also be considered a jurisdiction with no affected employers, relieving us of our responsibility.

If this issue must go before the County Council for consideration, please let me know. I have been advised by our legal counsel to allow the ordinance adopting the Commute Trip Reduction Program on the books, but to present a Resolution to Council formally declaring the City a jurisdiction with no affected employers. As soon as I hear from you I will begin drafting the Resolution.

Let me know if you have any further questions.

Sincerely,

Molly Towslee
Administrative Assistant

enclosure

c: Mark Hoppen, City Administrator
Larry Larsen, PTI



2401 South 35th Street, Room 150
Tacoma, Washington 98409-7487
(206) 591-7250 • FAX (206) 596-2740

October 14, 1994

Ms. Molly Towslee
Administrative Assistant
City of Gig Harbor
P.O. Box 145
Gig Harbor, WA 98335

Re: Commute Trip Reduction (CTR) Law

Dear Ms. Towslee:

Thank you for your letter of September 30, 1994 indicating the City of Gig Harbor is not currently affected by the Commute Trip Reduction (CTR) Law. My staff will be presenting a Resolution to the Pierce County Council stating the City of Gig Harbor is not affected by the CTR Law. In the event the City becomes affected again, another Interlocal between the Pierce County and the City of Gig Harbor would need to be passed. Please proceed as directed by your legal counsel.

Please send a quarterly report of CTR activities for the period of July 1 through September 30, 1994. As you know, the City of Gig Harbor will not qualify for Washington State CTR funds while it is not affected under the CTR Law.

Send your quarterly report to Debbie Germer, CTR Coordinator. If you have any questions or change in status, please call Debbie at 591-7172. Thank you for promptly alerting us of this matter.

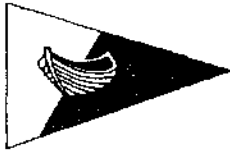
Very truly yours,

GARY N. PREDOEHL, P.E.
Program Development Manager

GNP:DMG:ijh

cc: Debbie M.F. Germer, CTR Coordinator
T.J. Johnson, Washington State Energy Office
file





City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MH*
SUBJECT: MODIFICATIONS TO PERSONNEL MANUAL
DATE: OCTOBER 19, 1994

INTRODUCTION/BACKGROUND

The City of Gig Harbor Personnel Manual needs revision and update in numerous areas. This is primarily house-keeping activity and polishing, although some revisions of substance are suggested in the area of discipline procedure and in the adjustment of merit increases and merit-bonus allowances.

POLICY CONSIDERATIONS

Council has the authority to adjust these policies, although it should be noted that the existing personnel policies have functioned effectively, with only minor revision through resolution, for at least five years. Previously, Council revised the city job descriptions, adopting the job descriptions through simple motion. These job descriptions, therefore, are not part of these personnel regulations, although they are also city policy.

The definitions section has been deleted as superfluous.

Sections have been added to the personnel policy relating to a preamble, commitment to equal opportunity, discriminatory harassment, injury procedure, contact with news media, substance abuse, drug-free workplace, whistleblower protection (already adopted), code of ethics, and travel time.

Sections have been significantly revised on nepotism, probation, hours-of-work (adding flex-time as an option), safety, outside employment, personnel records, performance evaluation, salary range adjustments, and discipline.

FISCAL CONSIDERATIONS

The reduction in the limit for merit salary increases from 8% to 6% is recommended relative to changes in the inflationary cycle. Similarly, the reduction in the amount available for merit-bonus increases (available to meritorious employees who have reached the top of their respective salary range) from 5% to 4% is recommended due to changes in the rate of inflation.

RECOMMENDATION

Approval as presented will be through adoption by resolution. The resolution is attached. **This is a first reading of these alterations. It is anticipated that you will need time to review these changes.**

**CITY OF GIG HARBOR
RESOLUTION NO. _____**

A RESOLUTION ADOPTING MODIFICATIONS TO THE EXISTING PERSONNEL REGULATIONS.

WHEREAS, the City Council has determined that some existing personnel policies need updating and refinement and finds it appropriate and in the public interest to adopt modifications to the existing personnel regulations;

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, HEREBY RESOLVES that Exhibit "A", Personnel Regulations, is hereby adopted as city policy.

PASSED this _____ day of November, 1994.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Clerk

Filed with City Clerk: 10/20/94
Passed by City Council:



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

MEMORANDUM

TO: Mayor Gretchen Wilbert and City Council

FROM: Planning Staff

DATE: October 24, 1994

SUBJECT: SUB 94-01(PUD) - Rod Nilsson -- Request for approval of 14 unit Planned Unit Development at 7502 Pioneer Way

Rod Nilsson of Rikson Development is requesting approval for a 14 unit planned unit development on an R-1 single family parcel of 2.28 acres. The parcel is located on the east (downhill) side of the United Methodist Church on Pioneer Way. The proposal includes the dedication of a public road which will connect Pioneer Way with Edwards Street. It also includes a high level of design amenity intended to reflect and preserve the architectural character of the downtown/Millville area. The design requires an exception to the 16 foot height limit, but the applicant has demonstrated that the parcel is well suited to accent the elements of design which characterize the view basin without adversely impacting views from adjacent parcels.

The Hearing Examiner is recommending approval of the proposed development subject to all conditions recommended by the Staff plus additional conditions pertaining to (a) elimination of a proposed walkway, (b) increased landscaping in the inner court, (c) increased fencing along perimeter, and (d) possible left turn lane on Pioneer Way. A copy of the proposed development plans along with the staff report to the Hearing Examiner and the Hearing Examiner's recommendation to the City Council are enclosed. Also, a draft resolution approving the development subject to the Hearing Examiner's recommendation is included for the Council's consideration.

**CITY OF GIG HARBOR
RESOLUTION NO. ____**

WHEREAS, Rod Nilsson of Rikson Development has requested approval for a planned unit development (PUD) for the construction of 14 residential units at 7502 Pioneer Way; and,

WHEREAS, the Gig Harbor City Council has adopted guidelines for the reviewing of planned unit developments as outlined in GHMC section 17.90; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the PUD, in a staff report dated September 21, 1994; and

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on September 21, 1994 to accept public comment on; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended conditional approval of said PUD in his report dated October 5, 1994; and,

WHEREAS, the City Council, during its regular meeting of October 24, 1994 reviewed the proposed PUD and the findings and recommendation of the Hearing Examiner; and,

WHEREAS, the City Council has determined that the PUD and the recommendation of the Hearing Examiner to be consistent with City codes and policies regulating Planned Unit Developments; and

WHEREAS, the City Council has determined that the development would provide significant public benefits including the dedication and improvement of a public road, an alternative housing choice in the downtown area, and a design which preserves and enhances the architectural character of the downtown/Millville area, in exchange for the increased density and other code exceptions as defined on the site plan and elevation drawings;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington, as follows:

That the findings, conclusions and recommendations of the Hearing Examiner in his report dated October 5, 1994 are hereby adopted and the Planned Unit Development is approved subject to the following conditions:

1. Fire flow must be provided to within 300 FT of the front entrance to each parcel and within 150 FT of each portion of each tri-plex in accordance with the Section 10.401, 1991 Uniform Fire Code. The minimum fire hydrant spacing on Edwards is at each street intersection, at the entrance to the PUD and every 600 FT.

2. Fire flow must be provided to the building in accordance with the Section 10.401, 1991 Uniform Fire Code (Appendix III-A & B) or as required by the Uniform Fire Code as adopted by the City of Gig Harbor.
3. An auto-fire sprinkler system must be included in the tri-plexes if the entire structure exceeds 5000 square feet in area.
4. The sidewalks must match the existing sidewalks on Edwards Drive which include 5'-6" sidewalk width and a 6" curb width as per Public Works Department standards.
5. Utility locations must be reviewed upon submittal of construction plans.
6. A 6-foot privacy fence shall be installed along the Cohoe Street frontage behind units 9 through 14; along the 66 foot portion of the eastern property boundary beside unit 1; and along the portion of the eastern property between unit 14 and the Benum property.
7. Pursuant to GHMC section 17.90.060.C, within three (3) years of the preliminary approval date, the applicant shall file with the City Council a final development plan in the form of a final condominium plat for the PUD which contains the information required in the preliminary plan including a 40-foot wide right-of-way dedicated to the City. Prior to or in conjunction with the final plat approval, the PUD portion of the site (as illustrated) and the single family residence portion of the site (fronting on Pioneer Way) shall be formally short platted as separate parcels.
8. Maintenance of all privately owned common facilities within the PUD, including fences along the periphery of the PUD, shall be the responsibility of the developer or a home owners association. If common facilities are to be maintained by a home owners association, the association shall be established and incorporated prior to final plat approval. A copy of the association's bylaws shall be submitted with the final plat and shall include, at a minimum, the following authorities and responsibilities:
 - A. The enforcement of covenants imposed by the landowner or developer.
 - B. The levying and collection of assessments against all lots to accomplish the association's responsibilities.
 - C. The collection of delinquent assessments through the courts.
 - D. The letting of contracts to build, maintain and manage common facilities.
9. A final landscaping plan for the common areas within the plat shall be submitted to the Planning Department prior to finalization of the plat. The plan shall comply with the provisions of Section 17.78.080 of the Gig Harbor Zoning Code along the eastern portion of the subject property between the Lentz property and parking/circulation area

of the proposed project. The plan shall also make provisions for a triangular shaped landscape area in the center of the common court. Said landscape area shall be the maximum possible size while still allowing for convenient and safe vehicular and fire access. The plan shall include provisions for a mechanical irrigation system. Landscaping shall be installed prior to final occupancy of last three units.

10. In lieu of construction of required improvements prior to final plat approval, a bond equal to an amount of 130% of the contractors bid for all improvements required under the preliminary plat approval shall be posted with the City. If accepted by the City, the bond shall have a term not to exceed eighteen (18) months from the filing of the plat with the Pierce County auditor. Required improvements shall be installed within twelve months of the date of the filing of the plat. Failure to construct or install the required improvements within the time specified to City standards shall result in the City's foreclosure of the bond. Upon foreclosure, the City shall construct, or may contract to construct and complete, the installation of the required improvements.
11. Prior to permit issuance, the applicant shall submit to the Staff a final color palette which shall provide modest variation from unit to unit in order to emphasize the individuality of each unit and maintain the character of the single family neighborhood. To allow buyers choices of colors, the color palette does not have to be unit-specific, provided that contiguous units are not the same color.
12. Prior to building permit issuance a grading and drainage plan, including provisions for storm water collection and retention, shall be submitted to the Public Works Department for review and approval.
13. The strip of land owned by the applicant and shown as the location of the storm sewer line and a pedestrian lane from the project down to Pioneer Way may be used for underground utilities, but shall not be used as designated pedestrian lane.
14. The applicant shall work with the Public Works Director to determine the need and feasibility of a left turn lane on Pioneer Way at the intersection of Pioneer and the new street. If the Public Works Director determines that the left turn lane is needed and is feasible, it shall be installed by the applicant prior to final occupancy of the last three units of the subject development.

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 24th day of October, 1994.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

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

APPLICANT: Rod Nilsson
CASE NO.: SUB 94-01 (PUD)
LOCATION: 7502 Pioneer Way
APPLICATION: Request for approval of a proposed planned unit development consisting of 14 residential condominiums.

SUMMARY OF RECOMMENDATIONS:

Planning Staff Recommendation: Approve with conditions
Hearing Examiner Recommendation: Approve with conditions

PUBLIC HEARING:

After reviewing the official file which included the Planning Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Nilsson application was opened at 5:02 p.m., September 21, 1994, in City Hall, Gig Harbor, Washington, and closed at 6:20 p.m. Participants at the public hearing and the exhibits offered and entered are listed in the minutes of the hearing. A verbatim recording of the hearing is available in the Planning Department.

TESTIMONY:

FROM THE CITY:

Steve Osguthorpe, Associate Planner, reviewed the staff report (Exhibit A).

FROM THE APPLICANT:

Ken Clark, Engineer, reviewed the history of the project. He said that this project will provide a connection between Pioneer and Stinson. He noted that because of the location and topography of the subject property, the proposal will block no views. He explained how the proposed stormwater detention system will detain surface water on site and explained how it would then be metered into the storm water system. He then explained how the condominium association would maintain common spaces in the project.

Rick Jones, Architect, said the goal of this project is to create a neighborhood similar to the older parts of Gig Harbor. He also said that the additional height allows for steeper pitches which relate well to the Millville section of Gig Harbor. He explained the site plan and discussed the different elevation which are proposed to provide variety in the project. He also noted that green space could be provided in the center court area.

Rod Nilsson, Applicant, said he thinks this project will be an asset and thinks it will improve property values in the area.

FROM THE COMMUNITY:

Marsh Allen, representing the United Methodist Church, said the Church would like to have access from the church parking lot to the new street, but expressed concerns that overflow parking in the proposed development may use the church parking lot. He also noted that the church is proposing a new playground on the church property, but said it is not intended to be a public playground.

Al Ross, representing Ruth Baker, who owns nearby property, spoke in favor of the proposal. He said the height does not affect anyone. He said he though more projects like this should be allowed.

Steve Culbertson, neighbor, testified and submitted a letter (Exhibit B). He said a fence and a greenbelt should be provided around the development. He also felt that Cohoe Street and Chinook Road should also be improved and connected to Edwards Drive. He was concerned about drainage and felt the proposal should have fewer units and felt the units should be reduced in height. He also expressed concern about the location of the intersection of Pioneer and the new road and its proximity to the entrance to the Methodist Church.

Diana Gnegy, neighbor, testified and submitted a letter (Exhibit F). She expressed concern that the proposed walkway would be just 8 feet from her house and would impact her privacy and property value. She also felt the proposed condominium would be too high and too highly concentrated. She felt a greenbelt or fence should be required, and said she was concerned about both traffic congestion and speeds on Pioneer Way.

Wes Ulsh, neighbor, said he was for the project and felt it would be a great addition to Gig Harbor. He said he though a traffic light or turn lane on Pioneer would be appropriate and suggested that the Methodist Church close its access on Pioneer Way and develop an access on the new street.

Steve Lovrovich, neighbor, said he did not want the proposed pedestrian walkway to be allowed.

John Rockie, said he was for the project, but questioned if there would be parking on the extension of Edwards Drive.

Charlie Gnegy, neighbor, said he was concerned about surface water from the proposed project and was opposed to the proposed pedestrian access to Pioneer.

RESPONSE FROM THE APPLICANT:

Ken Clark, Engineer, responded to several of the concerns raised and said that if the access to the church was moved to the new street he though the church could gain one or two parking spaces. He also said that the parking and playground issues raised by the church could be addressed and included in the covenants which will be prepared for the condominium association . He said he would work with the public Works Director to determine if there is enough room to put a center

turn lane in Pioneer and would be glad to install it if there is. He noted there will be sidewalks on both sides of the new street and said he would be willing to work with the neighbors on the proposed 11 foot wide pedestrian strip.

WRITTEN COMMENTS:

Letters were submitted to the City by:

Steve Culbertson, expressed concerns which were summarized with this testimony noted above (Exhibit B).

Rose Benham, believes that the proposed development would reduce the quality of life in this residential area and feels the proposed walkway would be an invasion of her property (Exhibit C).

Barrie McDougall, wrote on behalf of the United Methodist Church of Gig Harbor and said they are not opposed to the proposed development. He felt it would not negatively impact the church in any way. He also noted that they were interested in connecting the church parking lot to the proposed street (Exhibit D).

Diana Gnegy, expressed concerns which were summarized with her testimony noted above (Exhibit F).

FINDINGS CONCLUSIONS AND RECOMMENDATION:

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

I. FINDINGS:

- A. The information contained on in Sections I through VI of the Planning's 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.

II. CONCLUSIONS:

- A. The analysis and conclusions prepared by the Planning Staff and contained in Sections VII and VIII of the Planning Staff's Advisory Report accurately set forth a portion of the conclusions of the Hearing Examiner and by this reference is adopted as a portion of the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.
- B. Given the higher density the proposed planned unit development will have compared to the adjacent residential uses, it is reasonable to require a combination of fencing and landscaping to provide a visual separation between the proposed development and the existing lower density residential area. This will be particularly important along units 9 through 14 and along the east side of the subject property.

- C. The central court would result in a large asphalt as shown on the preliminary plan which was submitted. A later plan showed a landscape circle in the center of the court. While the landscape circle will help break up the expanse of asphalt it is believed it would be more effective to develop a 1,500 to 1,800 square foot triangular shaped landscape area within the central court.

The revised landscape area will need to be reviewed by City staff to insure there will be adequate access to provide for fire safety. Other than fire safety and convenient access to the units, the landscape area should be as large as possible to reduce the amount of impervious surface and to provide more of a visual amenity for the future residents of the complex.

- D. It is believed the location of the proposed walkway would have a negative impact on the adjoining residences unless it is well screened. Also, there will be sidewalks along the new street which will provide adequate pedestrian access to Pioneer Way. Therefore, the proposed pedestrian land which would run between the existing residences to the east of the development should not be constructed. The narrow strip of land proposed for a walkway can be used by the applicant for underground utilities such as the storm sewer which are also shown on the plans.
- E. The applicant should work with the Public Works Director to determine if a left turn lane on Pioneer is needed and feasible. If it is determined by the Public Works Director that there is a need for a left turn lane, and that it is feasible, then the applicant should provide it as was offered by the applicant's engineer at the public hearing.
- F. Surface water issues raised by neighbors were addressed by the applicant's engineer at the hearing. The proposal will need to comply with the City's surface water regulations.
- G. The future access to the church parking lot is an issue which the church and City can address in the future. It should not be tied to the approval of this proposal. The existing access to the church parking lot should be reviewed by the City in conjunction with the review of the potential future access on the new street.
- H. The issues raised by the church relative to use of the church parking lot and future playground by residents of the condominium development should be worked out privately between the church and applicant.
- I. If approved subject to the conditions listed below, the proposed development will make appropriate provisions for the public health, safety and general welfare and for drainage ways streets, and for other public ways. It will also serve the public use and interest.

III. RECOMMENDATION:

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

1. Fire flow must be provided to within 300 feet of the front entrance to each parcel and within 150 feet of each portion of each tri-plex in accordance with the Section 10.401, 1991 Uniform Fire Code. The minimum fire hydrant spacing on Edwards is at each street intersection, at the entrance to the PUD and every 600 feet.
2. Fire flow must be provided to the building in accordance with the Section 10.401, 1001 Uniform Fire Code (See Appendix III-A & B).
3. An auto-fire sprinkler system must be included in the tri-plexes if the entire structure exceeds 5000 square feet in area.
4. A complete plan review will be completed upon submittal of plans for a building permit.
5. The sidewalks must match the existing sidewalks on Edwards Drive which include 5'-6" sidewalk width and a 6" curb width a per Public Works Department standards.
6. Utility locations must be reviewed upon submittal of construction plans.
7. A 6-foot privacy fence shall be installed along the Cohoe Street frontage behind units 9 through 14; along the 66 foot portion of the eastern property boundary unit 1; and along the portion of the eastern property between unit 14 and the Benum property.
8. Pursuant to GHMC section 17.90.060.C, within three (3) years of the preliminary approval date, the applicant shall file with the City Council a final development plan in the form of a final condominium plat for the PUD which contains the information required in the preliminary plan including a 40-foot wide right of way dedicated to the City. Prior to or in conjunction with the final plat approval, the PUD portion of the site (as illustrated) and the single family residence portion of the site (fronting on Pioneer Way) shall be formally short platted as separate parcels.
9. Maintenance of all privately owned common facilities within the PUD, including fences along the periphery of the PUD, shall be the responsibility of the developer or a home owners association. If common facilities are to be maintained by a home owners association, the association shall be established and incorporated prior to final plat approval. A copy of the association's bylaws shall be submitted with the final plat and shall include, at a minimum, the following authorities and responsibilities:
 - a. The enforcement of covenants imposed by the landowner or developer.
 - b. The levying and collection of assessments against all lots to accomplish the association's responsibilities.
 - c. The collection of delinquent assessments through the courts.
 - d. The letting of contracts to building, maintain, and manage common facilities.

10. A final landscaping plan for the common areas with the plat shall be submitted to the Planning Department for review and approval prior to finalization of the plat. The plan shall comply with the provisions of Section 17.78.080 of the Gig Harbor Zoning Code along the eastern portion of the subject property between the Lentz property and parking/circulation area of the proposed project. The plan shall also make provisions for a triangular shaped landscape area in the center of the common court. Said landscape area shall be the maximum possible size while still allowing for convenient and safe vehicular and fire access. The plan shall include provisions for a mechanical irrigation system. Landscaping shall be installed prior to final occupancy of last three units.
11. In lieu of construction of required improvements prior to final plat approval, a bond equal to an amount of 130% of the contractors bid for all improvement required under preliminary plat approval shall be posed with the City. If accepted by the City, the bond shall have a term not to exceed eighteen (18) months form the filing of the plat with the Pierce County auditor. Required improvements shall be installed within twelve months of the date of the filing of the plat. Failure to construct or install the required improvements within the time specified to City standards shall result in the City's foreclosure of the bond. Upon foreclosure, the City shall construct, or may contract to construct and complete, the installation of the required improvements.
12. Prior to permit issuance, the applicant shall submit to the Staff a final color palette which shall provide modest variation from unit to unit in order to emphasize the individuality of each unit and maintain the character of the single family neighborhood. To allow buyers choices of colors, the color palette does not have to be unit-specific, provided that contiguous units are not the same color.
13. Prior to building permit issuance, a grading and drainage plan, include provisions for storm water collection and retention, shall be submitted to the Public Works Department for review and approval.
14. The strip of land owned by the applicant and shown as the location of the storm sewer line and a pedestrian lane from the project down to Pioneer Way may be used for underground utilities, but shall not be used as designated pedestrian lane.
15. The applicant shall work with the Public Works Director to determine the need and feasibility of a left turn lane on Pioneer Way at the intersection of Pioneer and the new street. If the Public Works Director determines that the left turn lane is needed and is feasible, it shall be installed by the applicant prior to final occupancy of the last three units of the subject development.

Dated this 5th day of October, 1994.



Ron McConnell
Hearing Examiner

RECOMMENDATION:

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.

EXHIBITS:

The following exhibits were offered and entered into the record:

- A. Planning Staff's Advisory Report with attachments
- B. Letter from Steve Culbertson, dated 9/19/94
- C. Letter from Rose Benham, dated 9/19/94
- D. Letter from Barrie McDougall, undated
- E. Model of proposed project
- F. Letter from Diane Gnegy, undated

PARTIES OF RECORD:

Rod Nilsson
P.O. Box 2237
Gig Harbor, WA 98335

Kenneth Clark, PLS
Clark Land Office
P.O. Box 2199
Sequim, WA 98382

Rick Jones
Nash/Jones Architects
3710 Grandview
Gig Harbor, WA 98335

Wes Ulsh
7401 Pioneer Way
Gig Harbor, WA 98335

Steve Lovrovich
7512 Pioneer Way
Gig Harbor, WA 98335

John Rockie
7112 Olyumpic Vista Ct.
Gig Harbor, WA 98335

Marsh Allen
37 Pt. Fosdick Drive N.W.
Gig Harbor, WA 98335

Al Ross
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Gig Harbor, WA 98335

Diana and Charlie Gnegy
7512 Pioneer Way
Gig Harbor, WA 98335

Steve Culbertson
7508 Pioneer Way
Gig Harbor, WA 98335

Rose Benham
1000 100th Ave. N.E. #18
Bellevue, WA 98004

Barrie McDougall
c/o The United Methodist Church of Gig
Harbor
Gig Harbor, WA 98335



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

**GIG HARBOR COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Hearing Examiner
FROM: Planning Staff
DATE: September 21, 1994

RE: SUB 94-01 (PUD) -- Rod Nilsson - Request for approval of planned unit development consisting of 14 residential condominiums at 7502 Pioneer Way.

I. GENERAL INFORMATION

APPLICANT: Rod Nilsson
P.O. Box 2237
Gig Harbor, WA 98335
Telephone: (206) 8551-5399

OWNER: Rikson Development
P.O. Box 2237
Gig Harbor, WA 98335

AGENT: Kenneth A. Clark, PLS
Clark Land Office
P.O. Box 2199
Sequim, WA 98382

II. PROPERTY DESCRIPTION

1. **Location:** 7502 Pioneer Way
Assessor's Parcel #02-21-08-2-086
2. **Site Area/Acreage:** 2.28 acres

3. **Natural Site Characteristics:**

- i. **Soil Type:** Harstine gravelly sandy loam
- ii. **Slope:** approx. 8 percent
- iii. **Drainage:** easterly
- iv. **Vegetation:** natural vegetation including alder, blackberry and limited fir.

No wetlands or critical areas are known to exist on the site.

4. **Zoning:**

- i. **Subject parcel:** R-1 (single family)
- ii. **Adjacent zoning and land use:**
 - North:** R-1 & R-2 (single family/duplex)
 - South:** R-2 (across Pioneer Way)
 - East:** R-1
 - West:** R-1

5. **Utilities/road access:** The parcel is accessed off of Pioneer Way and Cohoe Street (which is accessed off of Chinook Avenue). These are all City right-of-ways. The parcel is served by City sewer and water.

III. APPLICABLE LAND-USE POLICIES/CODES

1. **Comprehensive Plan:** The comprehensive plan designates this area as low urban residential. The Plan has the stated goal on page 27 to "Create district definitions, control and review an approval processes which allows for innovation and performance". This goal is followed by the following policies:

8. Innovative districts

Establish special planning procedures to govern the review and approval of innovative land use developments. Special planning development procedures could be established for . . . mixed density residential developments . . . or other proposals which may be submitted and considered.

9. Housing choice

Expand housing district and code definitions to allow a broad choice of housing types, locations, and tenures. Housing opportunities may be provided for different types and ages of households to include the family, the single-headed household, the individual and the elderly. To the extent appropriate, recognize social area specializations by household and age group, and provide public services which reflect each area's special needs.

The Comprehensive Plan also states the following transportation goal:

GOAL: CREATE AN EFFECTIVE ROAD AND SIDEWALK NETWORK

Complete a road and sidewalk network grid, establish class and function, improve standards and resolve parking, access and pedestrian conflicts.

2. **Zoning Ordinance:** Chapter 17.90 (GHMC) outlines the review procedures for planned unit developments. This stated intent for planned units developments is as follows:

The intent of planned unit developments is to allow and make possible greater variety and diversification in the relationships between buildings, open spaces and uses, and to encourage the conservation and retention of historical and natural topographic features while meeting the purposes and objectives of the comprehensive plan. To accomplish this purpose, the underlying district regulations such as, but not limited to, setback lines, density, uses, and height and bulk of buildings may be varied; provided, however, such variances shall not conflict with the comprehensive plan and existing uses, nor create adverse environmental effects. A planned unit development may be allow in any district.

For a planned unit development to be approved, the hearing examiner shall first find that all of the following conditions exist:

- A. That the site of the proposed use is adequate in size and shape to accommodate such use and all yards, spaces, walls and fences, parking, loading, landscaping and other features necessary to insure compatibility with and not inconsistent with the underlying district;
- B. That the site for the proposed use relates to streets adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed uses and that adequate public utilities area available to serve the proposal;
- C. That the proposed use will have no significant adverse effect on existing uses or permitted uses;
- D. That the establishment, maintenance and/or conducting of the uses for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to the environment, nor shall the use be inconsistent with or injurious to the character of the neighborhood or contrary to its orderly development.

IV. BACKGROUND INFORMATION:

The subject site is a large triangular parcel located between Pioneer Way and Cohoe Avenue. It is on the east (downhill) side of the United Methodist church and includes a single family

house which fronts on Pioneer Way. Edwards Street, which extends through the Greyhawk Subdivision, dead-ends near the northwest corner of the parcel but was laid out to accommodate future extension to either Chinook Avenue or Pioneer Way. Extension of Edwards Street will not be possible without acquiring additional right-of-way, and acquisition will become more complicated as vacant parcels are developed.

V. REQUEST/PROJECT DESCRIPTION:

Mr. Rod Nilsson is requesting approval of a 14 unit planned unit development which will include dedication and full improvement of a 40 foot right-of-way to the City. The right-of-way would connect Edwards Street to Pioneer and would traverse the site's west property line adjacent to the United Methodist church property.

In exchange for this dedication, Mr. Nilsson is requesting special density, height and setback consideration. Specifically, Mr. Nilsson's proposal includes fourteen units situated in 4 duplex and 2 triplex structures. The units are designed to reflect the two-story historic homes which typify the downtown/Millville area. They include prominent gables, dormers and porches, but detailing and massing is varied to emphasize the individuality of each unit. The more traditional roof line of the two-story units exceeds the sixteen foot height allowance by approximately 13 feet, but Mr. Nilsson has shown that the increased height will not impact views due to the sites topography and proximity to the church.

The proposal includes a 20-foot front yard, 15-foot rear yard, and 10-foot side yard setback. (standard R-1 setbacks are 25, 30, and 8 feet respectively). While the proposal has frontage on Cohoe Street, the front yard setback is measured from the proposed new road which serves as the only access to the project. The Cohoe Street frontage therefore becomes the rear property line.

While the new road provides the only access to the project, most of the units would be oriented to an inner court; only three of the units would have driveway access onto the new road. As a result, four of the units will have their back side facing the new road. However, the architect has attempted to make the rear elevation as attractive as the front. For example, the design includes a porch which wraps around the front, side and rear of the duplex units. It will also include projecting bays on the back side with an modulating roof line to add interest to the structures' massing and detailing.

A preliminary landscape plan has been submitted which includes flowering trees along the new road's frontage and limited height evergreen trees around the remaining perimeter. A more detailed landscape plan will be required which indicates how the inner court and common areas will be landscaped.

VI. PUBLIC NOTICE & INPUT:

The property was posted and legal notice was sent to the Peninsula Gateway and to property owners within 300 feet. The Peninsula School District has responded to the application by stating that the applicant should be required to voluntarily contribute to school impact fees.

However, based upon advise from the City's legal counsel, the collection of impact fees is not appropriate at this time as current city codes and policies do not provide for the same. Additionally, the City does not feel that credible justification for collection of an undetermined dollar amount of impact fees has been presented by the School District. The City needs complete information on the anticipated demand for schools, what the expected costs will be, and what portion of these costs should be collected as a fair and reasonable allocation for required new improvements as a result of additional growth.

VII. ANALYSIS:

The staff is generally supportive of the proposed planned unit development. It provides a way to complete the connection between Pioneer Way and Edwards Street which is a significant public benefit. The Catholic church has recently purchased the property abutting the Edwards Street end and the proposed connection would help diffuse traffic impacts resulting from church activities. Moreover, the connection would provide residents of Greyhawk and North View subdivisions an alternate route to the downtown.

The proposal also provides an alternative housing *choice* in the downtown/Millville area which reflects the single family characteristics of the surrounding neighborhoods. Variation in trim and detailing helps emphasize the individuality of each unit, thereby avoiding a "project" appearance. Variety in color schemes would underscore their individuality and Mr. Nilsson has indicated that this is his intent. The architect has incorporated into the design many of the visual elements which characterize the historic areas of the harbor (e.g., dormers, gables, and steeper roof pitches and front porches). This is one of the few parcels where these elements of design can be applied without affecting views from adjacent parcels.

The staff has identified a couple areas of concern, one being the reduced rear yard setback of 15 feet behind units 9 through 14. While 15 feet is adequate and common to units of this type, a 6 foot privacy fence along the Cohoe Street frontage behind units 9 through 14 would provide a better transition to the adjacent neighborhood. Maintenance of the fence, including the street side, should be assumed by the homeowners association and stipulated in the project's CC&R's (conditions, covenants, and restrictions). Another concern is the close proximity of the proposed pedestrian path to the existing house on Pioneer Way. Either significant buffering or a relocation of the path would be required to provide adequate privacy to this residence.

The proposal is to retain the existing single family house on Pioneer Way. This will not be part of the condominium plat. The site will therefore require formal short plat approval prior to permit issuance.

Additional Staff and/or agency comments are as follows:

1. Building Official:
 - i. Fire flow must be provided to within 300 FT of the front entrance to each parcel and within 150 FT of each portion of each tri-plex in accordance

with the Section 10.401, 1991 Uniform Fire Code. The minimum fire hydrant spacing on Edwards is at each street intersection, at the entrance to the PUD and every 600 FT.

Note: City of Gig Harbor Fire flow is presently available on Pioneer Way and on Edwards Dr. The fire line would likely be looped from Pioneer to Edwards. The fire main in Cohoe Street must be tested.

- ii. Fire flow must be provided to the building in accordance with the Section 10.401, 1991 Uniform Fire Code (See Appendix III-A & B):

REQUIRED FIRE FLOW (Table A-III-A-1):

Note: The minimum Fire Flow is 1,500 gpm at 20 psi for a 3,600 sq.ft. building.

- iii. Provide an auto-fire sprinkler system to the tri-plexes if they exceed 5000 square feet in area.
 - iv. A complete plan review will be completed upon submittal of plans for a building permit.
2. Public Works: The Public Works Department has stated that the proposed sidewalks must match the existing sidewalks on Edwards Drive which include 5'-6" sidewalk width and a 6" curb width as per Public Works Department standards. Utility locations must be reviewed upon submittal of construction plans.
 3. SEPA Responsible Official: The SEPA Responsible Official issued a determination of non-significance on August 24, 1994. No comments were received on this determination.

VIII. FINDINGS AND CONCLUSIONS:

Based upon a site inspection and the analysis contained in Part VII of this report, the Staff finds as follows:

1. The site of the proposed use is adequate in size and shape to accommodate the proposed use and provides sufficient yards, spaces, walls and fences, parking, loading, landscaping and other features necessary to insure compatibility with the underlying R-1 district, provided a 6 foot privacy fence is installed along the Cohoe Street frontage behind units 9 through 14, and provide the pedestrian path is heavily screened or relocated further to the east away to provide adequate distance between nearby houses.
2. The proposal is consistent with the City of Gig Harbor Comprehensive Plan (1986).

3. The density of the project is 6.1 units per acre. The zoning code allows 3.5 units per acre in the R-1 zone. Under the provision of a PUD, density requirements may be waived, per Section 17.90.010.
4. Minimum requirements of the underlying district pertinent to setbacks, lot coverage, bulk and height may be waived in the consideration of this project as a PUD, per Section 17.90.010.
5. Based upon the environmental checklist submitted with the application, a determination of non-significance was issued by the SEPA responsible official on August 24, 1994.
6. The subject site is bordered on the northeast by multi-family development in an R-2 district, on the northwest by the Catholic Church's property in the R-1 zone, on the west by the United Methodist Church in the R-1 zone, and on the south by both R-1 and R-2 zones. The proposed PUD would be a reasonable use for the site which would be compatible and complimentary with surrounding uses and development.
7. The site for the proposed use accommodates and relates to streets, adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed uses and that adequate public utilities area available to serve the proposal;
8. The proposed use will have no significant adverse effect on existing uses or permitted uses, but will in fact provide an alternative housing choice near the downtown, be a positive contribution to the harbor's visual setting and will improve circulation in adjacent neighborhoods.
9. The proposal will not be detrimental to the public welfare, injurious to the environment, nor will the use be inconsistent with or injurious to the character of the neighborhood or contrary to its orderly development.

IX. RECOMMENDATION:

The Staff recommends that the Hearing Examiner forward to the City Council a recommendation to approve the proposed PUD, subject to the following conditions:

1. Fire flow must be provided to within 300 FT of the front entrance to each parcel and within 150 FT of each portion of each tri-plex in accordance with the Section 10.401, 1991 Uniform Fire Code. The minimum fire hydrant spacing on Edwards is at each street intersection, at the entrance to the PUD and every 600 FT.
2. Fire flow must be provided to the building in accordance with the Section 10.401, 1991 Uniform Fire Code (See Appendix III-A & B):
3. An auto-fire sprinkler system must be included in the tri-plexes if the entire structure exceeds 5000 square feet in area.

4. A complete plan review will be completed upon submittal of plans for a building permit.
5. The sidewalks must match the existing sidewalks on Edwards Drive which include 5'-6" sidewalk width and a 6" curb width as per Public Works Department standards.
6. Utility locations must be reviewed upon submittal of construction plans.
7. A 6-foot privacy fence shall be installed along the Cohoe Street frontage behind (at least) units 9 through 14.
8. Pursuant to GHMC section 17.90.060.C, within three (3) years of the preliminary approval date, the applicant shall file with the City Council a final development plan in the form of a final condominium plat for the PUD which contains the information required in the preliminary plan including a 40-foot wide right-of-way dedicated to the City. Prior to or in conjunction with the final plat approval, the PUD portion of the site (as illustrated) and the single family residence portion of the site (fronting on Pioneer Way) shall be formally short platted as separate parcels.
9. Maintenance of all privately owned common facilities within the PUD, including fences along the periphery of the PUD, shall be the responsibility of the developer or a home owners association. If common facilities are to be maintained by a home owners association, the association shall be established and incorporated prior to final plat approval. A copy of the association's bylaws shall be submitted with the final plat and shall include, at a minimum, the following authorities and responsibilities:
 - A. The enforcement of covenants imposed by the landowner or developer.
 - B. The levying and collection of assessments against all lots to accomplish the association's responsibilities.
 - C. The collection of delinquent assessments through the courts.
 - D. The letting of contracts to build, maintain and manage common facilities.
10. A final landscaping plan for the common areas within the plat shall be submitted to the Planning Department prior to finalization of the plat. The plan shall include provisions for a mechanical irrigation system. Landscaping shall be installed prior to final occupancy of last three units.
11. In lieu of construction of required improvements prior to final plat approval, a bond equal to an amount of 120% of the contractors bid for all improvements required under the preliminary plat approval shall be posted with the City. If accepted by the City, the bond shall have a term not to exceed eighteen (18) months from the filing of the plat with the Pierce County auditor. Required improvements shall be installed within twelve months of the date of the filing of the plat. Failure to construct or install the required

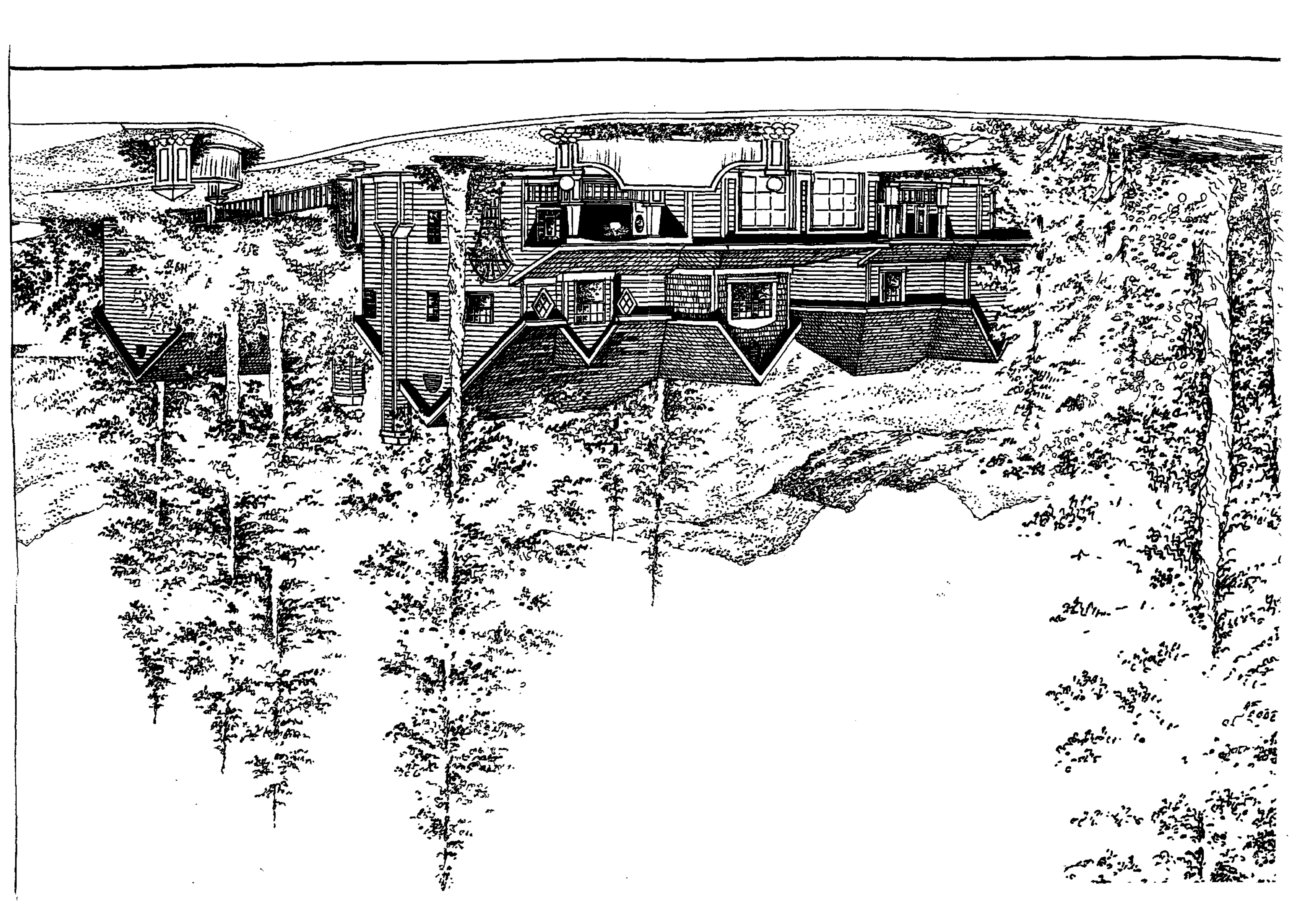
improvements within the time specified to City standards shall result in the City's foreclosure of the bond. Upon foreclosure, the City shall construct, or may contract to construct and complete, the installation of the required improvements.

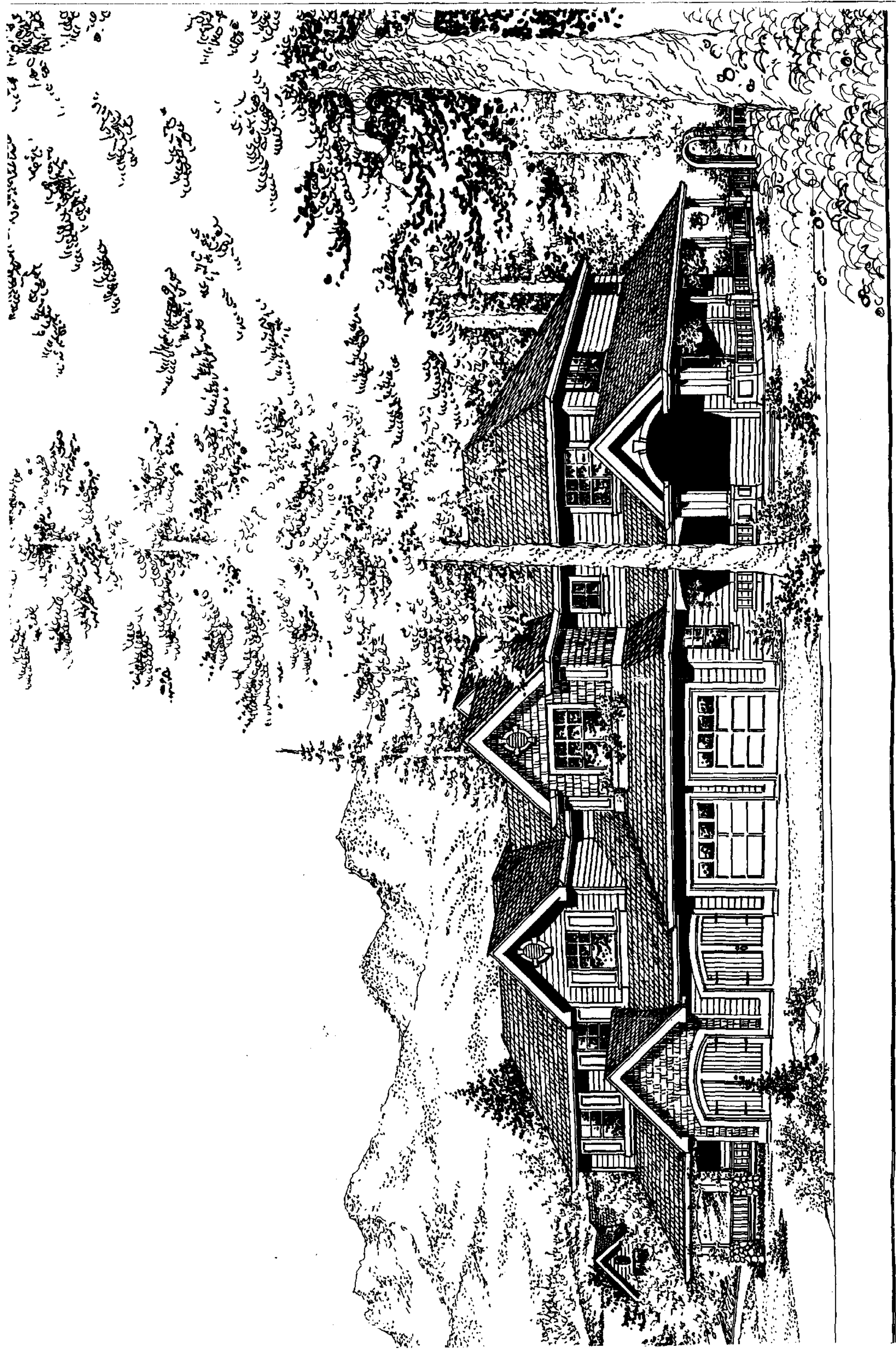
12. Prior to permit issuance, the applicant shall submit to the Staff a final color palette which shall provide modest variation from unit to unit in order to emphasize the individuality of each unit and maintain the character of the single family neighborhood. To allow buyers choices of colors, the color palette does not have to be unit-specific, provided that contiguous units are not the same color.
13. Prior to building permit issuance a grading and drainage plan, including provisions for storm water collection and retention, shall be submitted to the Public Works Department for review and approval.

Project Planner: Steve Osguthorpe, Associate Planner



Date: Sept. 16, 1994





Handwritten notes in Persian script, located in the upper left quadrant of the page. The text is arranged in several columns and includes various annotations and measurements.

Handwritten notes in Persian script, located in the middle left quadrant. This section contains more detailed annotations, possibly describing the architectural features or construction details of the building.

Handwritten notes in Persian script, located in the lower left quadrant. These notes appear to be further specifications or a continuation of the architectural descriptions.

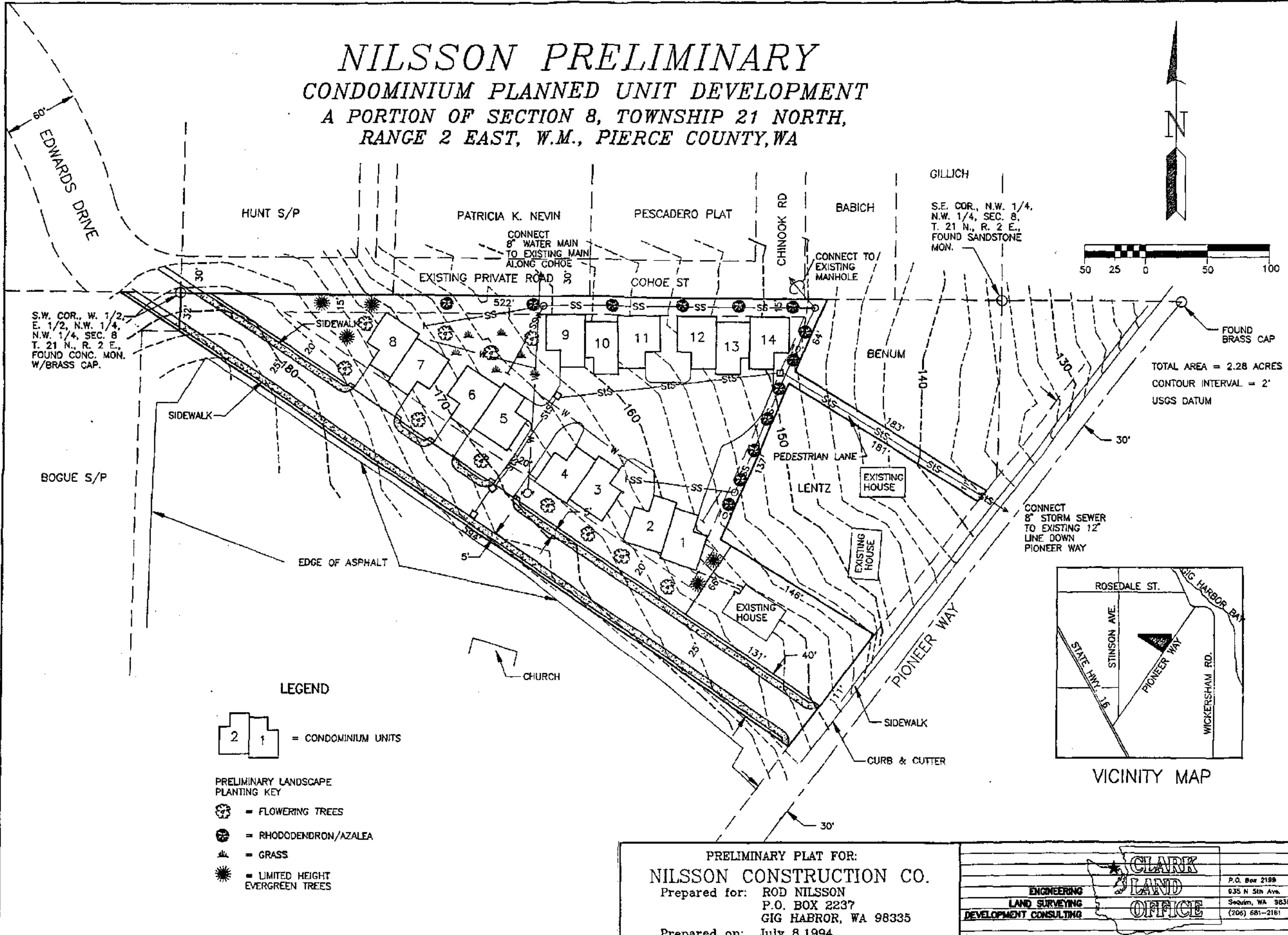
Handwritten notes in Persian script, located in the upper right quadrant. The text is dense and covers a significant portion of the right side of the page.

Handwritten notes in Persian script, located in the middle right quadrant. This section contains additional annotations and details related to the architectural drawing.

Handwritten notes in Persian script, located in the lower right quadrant. These notes provide further context and information about the building and its design.

NILSSON PRELIMINARY CONDOMINIUM PLANNED UNIT DEVELOPMENT

A PORTION OF SECTION 8, TOWNSHIP 21 NORTH,
RANGE 2 EAST, W.M., PIERCE COUNTY, WA



S.W. COR., W. 1/2,
E. 1/2, N.W. 1/4,
N.W. 1/4, SEC. 8,
T. 21 N., R. 2 E.,
FOUND CONC. MON.
W/BASS CAP.

GILLICH
S.E. COR., N.W. 1/4,
N.W. 1/4, SEC. 8,
T. 21 N., R. 2 E.,
FOUND SANDSTONE
MON.

TOTAL AREA = 2.28 ACRES
CONTOUR INTERVAL = 2'
USGS DATUM

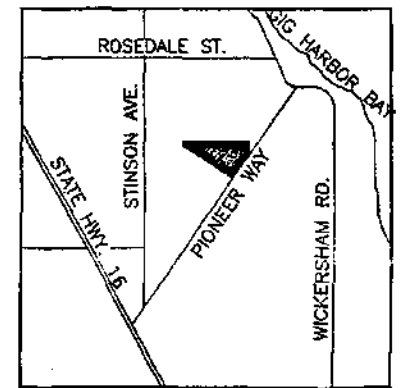
BOGUE S/P

LEGEND

= CONDOMINIUM UNITS

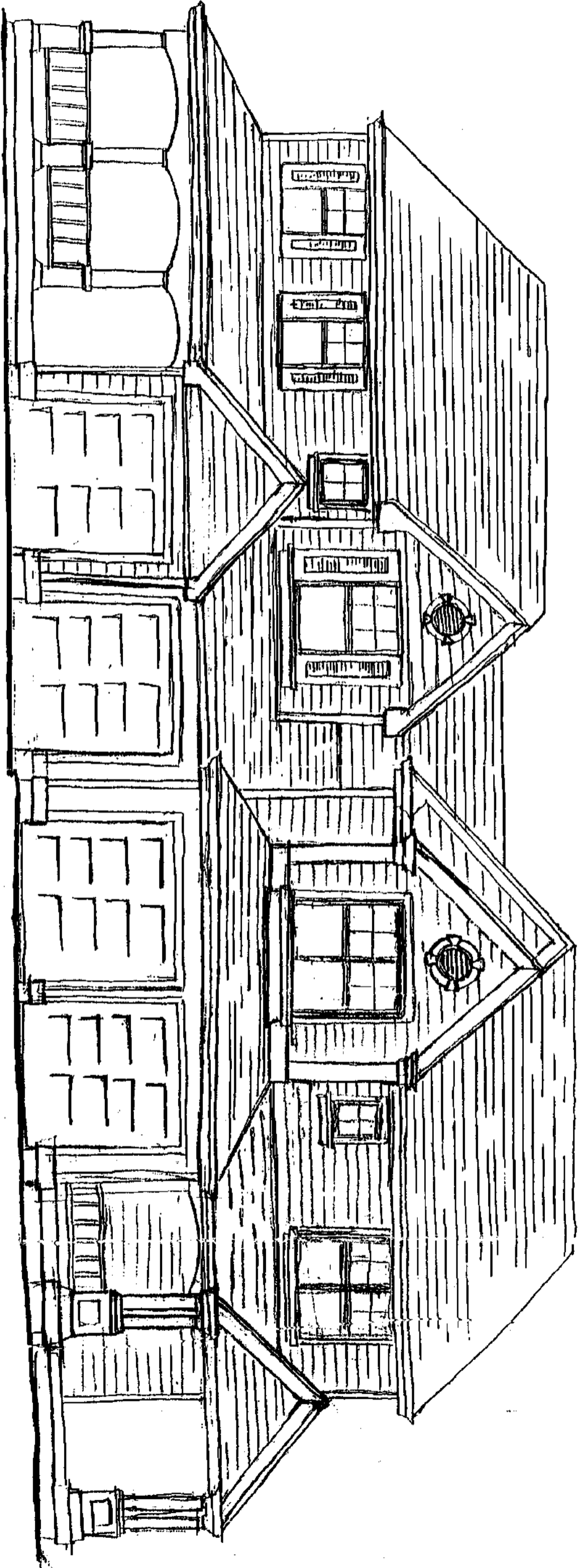
**PRELIMINARY LANDSCAPE
PLANTING KEY**

- = FLOWERING TREES
- = RHODODENDRON/AZALEA
- = GRASS
- = LIMITED HEIGHT EVERGREEN TREES



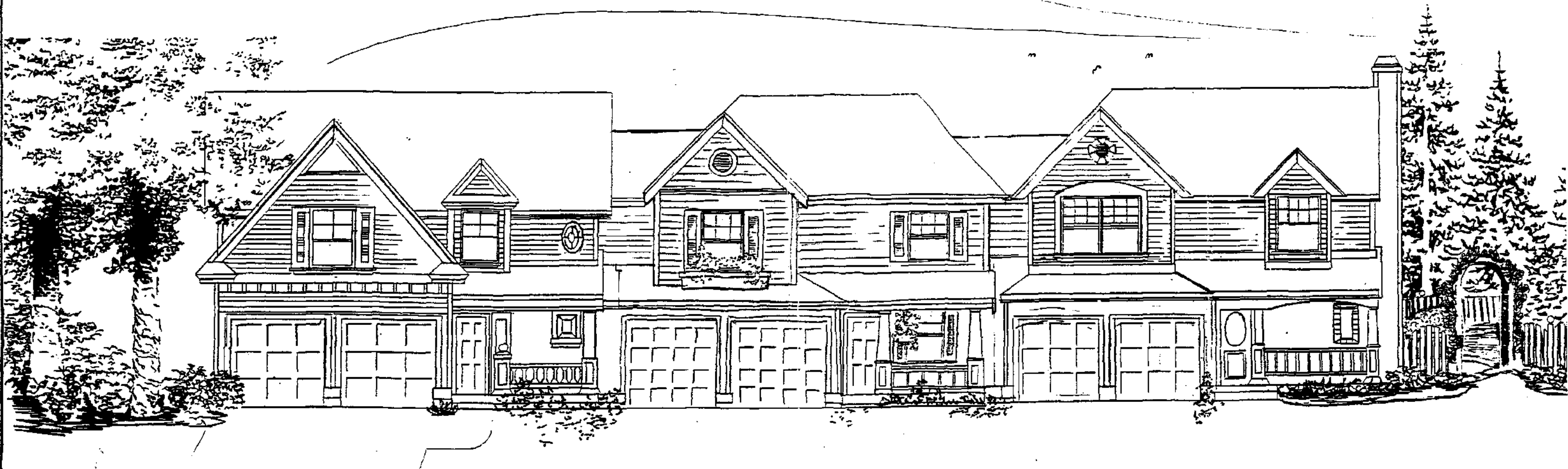
PRELIMINARY PLAT FOR:
NILSSON CONSTRUCTION CO.
Prepared for: ROD NILSSON
P.O. BOX 2237
GIG HARBOR, WA 98335
Prepared on: July 8, 1994

CLARK LAND OFFICE	P.O. Box 2199
	935 N 5th Ave.
	Sequim, WA 98382 (206) 681-2161



DUPLEX ELEVATIONS

Nilsson PUD



TRIPLEX ELEVATIONS.

Nilsson PUD



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

MEMORANDUM

TO: Mayor Wilbert and City Council

FROM: Planning Staff

DATE: October 24, 1994

RE: Hearing Examiner Recommendation -- SDP 94-03 - Percival Construction - Request for shoreline substantial development permit to building duplex adjacent to shoreline at 8715 No. Harborview Drive.

Attached for your consideration is the Hearing Examiner's report and recommendation for conditional approval of the above referenced shoreline substantial development permit application. The request involves a second floor addition to an existing single family residence, resulting in a duplex. No site disturbance or change in existing site conditions is expected.

The Hearing Examiner has recommended approval subject to the same conditions recommended by the planning staff. The following documents are enclosed for your review and consideration:

- Staff report and recommendation to Hearing Examiner.
- Hearing Examiner report and recommendation to City Council.
- Shoreline permit application, vicinity map and site plan.
- Draft resolution approving requested shoreline permit.

CITY OF GIG HARBOR
RESOLUTION NO. _____

*u/s/SDP/Percival/
Res*

WHEREAS, Percival Construction has requested approval of a shoreline su
permit to allow construction of a duplex adjacent to the shoreline at 8715 N
and

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes
guidelines for the reviewing of Shoreline Management permits; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended approval of
the shoreline permit in a staff report dated September 21, 1994; and,

WHEREAS, a public hearing was held on September 21, 1994 with the Hearing examiner to
accept public input relating to this request; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and
conclusions and has recommended approval of the application in his report dated September 29,
1994;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor,
Washington, as follows:

That the findings, conclusions and recommendations of the Hearing Examiner in his report
dated September 29, 1994 are hereby adopted and the application for a Shoreline
Management Substantial Development permit is **APPROVED**.

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 24th day of October, 1994.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

u/s/SDP/Percival/Permit



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

CITY OF GIG HARBOR
SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT
CONDITIONAL USE, VARIANCE PERMIT

- Substantial Development
- Conditional Use
- Variance

Application No: SDP 94-03

Date Received: August 19, 1994

Approved: XXX

Denied:

Date of Issuance: October 25, 1994

Date of Expiration: October 25, 1999

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

Percival Construction (for owner Mike McKean)
P.O. Box 122
Olalla, WA 98359

To undertake the following development:

Build a second residential unit over existing house, resulting in a duplex.

Upon the following property:

8715 North Harborview Drive, Assessor's parcel #02-21-06-4-117 & 410200-0-013

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:

(No conditions of approval applied. Development will be over existing structure with no increased coverage or site alterations. No impacts are expected)

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.

Construction pursuant to this permit will not begin and is not authorized until thirty (30) days from the date of filing with the Department of Ecology as defined under RCW 90.58.140(6) or until all review proceedings initiated within thirty (30) days from the date of such filing have terminated, except as provided in RCW 90.58.140 (5)(a-c).

(Date)

Mayor, City of Gig Harbor

=====

**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
HEARING EXAMINER
FINDINGS CONCLUSIONS AND RECOMMENDATION**

APPLICANT: Percival Construction Co.
CASE NO.: SDP 94-03
LOCATION: 8715 N. Harborview
APPLICATION: Request for a substantial development shoreline permit to allow an existing single family house to be remodeled into a duplex.

SUMMARY OF RECOMMENDATIONS:

Staff Recommendation: Approve
Hearing Examiner Recommendation: Approve

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 Percival Construction application was opened at 6:22 p.m., September 21, 1994, in the City Hall, Gig Harbor, Washington, and closed at 6:27 p.m. 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.

FINDINGS CONCLUSIONS AND RECOMMENDATION:

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

I. FINDINGS:

- A. The information contained in Sections I through VII of the Community Development 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 a part of the Hearing Examiner's findings of fact. A copy of said report is available in the Community Development Department.
- B. No one from the general public offered any testimony either in favor of or in opposition to the subject request.


II. CONCLUSIONS:

A. The information prepared by the Community Development Staff and contained in Section VIII of the Community Development Staff's Advisory Report accurately set forth 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.

III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, it is recommended that the requested substantial development permit be approved.

Dated this 29th day of September, 1994.


 Ron McConnell
 Hearing Examiner

RECOMMENDATION:

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 SEPTEMBER 21, 1994
HEARING ON THE PERCIVAL CONSTRUCTION
APPLICATION**

Ron McConnell was the Hearing Examiner for this matter. Participating in the hearing was: Steve Osguthorpe representing the City of Gig Harbor; and Dave and Mary Lou Percival, representing the applicant.

The following exhibit was offered and entered into the record:

A. Community Development Department Staff Report

PARTIES OF RECORD:

Mary Lou Percival
P.O. Box 122
Olalia, WA 98359

Dave Percival
9520 Burnham Drive
Gig Harbor, WA 98335

Mike McKean
4011 10th Street N.W.
Gig Harbor, WA 98335

CITY OF GIG HARBOR
HEARING EXAMINER
FINDINGS CONCLUSIONS AND DECISION

APPLICANT: Percival Construction Co.
CASE NO.: CUP 94-04
LOCATION: 8715 N. Harborview
APPLICATION: Request for a conditional use permit to allow a duplex in the Commercial/Industrial (C-1) Zone.

SUMMARY OF RECOMMENDATION AND DECISION:

Staff Recommendation:	Approve with conditions
Hearing Examiner Decision:	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 Percival Construction application was opened at 6:22 p.m., September 21, 1994, in the City Hall, Gig Harbor, Washington, and closed at 6:27 p.m.. 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.

FINDINGS CONCLUSIONS AND DECISION:

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

I. FINDINGS:

- A. The information contained in Sections I through VII of the Community Development 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 a part of the Hearing Examiner's findings of fact. A copy of said report is available in the Community Development Department.
- B. At the hearing, the applicants concurred with the staff report and said they had no problems with the recommended conditions.
- C. No one from the general public offered any testimony either in favor of or in opposition to the subject request.

II. CONCLUSIONS:


- A. Section VIII prepared by the Community Development Staff and contained on page 6 of the Community Development Staff's Advisory Report accurately set forth 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.

III. DECISION:

Based upon the foregoing findings of fact and conclusions, the requested conditional use permit to allow a duplex in the Commercial/Industrial Zone at 8715 N. Harborview is approved, subject to the following conditions:

1. Prior to building permit issuance a fire flow analysis will be required to determine adequacy of existing fire flow. Fire flow must be provided to within 300 feet of the front entrance to the building parcel in accordance with Section 10.401, 1991 Uniform Fire Code.
2. Fire flow must be provided to the building in accordance with the Section 10.401, 1991 Uniform Fire Code.
3. One hour fire rated walls and floor ceiling are required to separate the two units of the duplex. One hour walls for the lower floor and one hour ceiling for the lower floor. Three quarter hour fire rated windows and openings are required for openings in the lower floor adjoining the second floor exit stairway.
4. A complete plan review shall be completed upon submittal of plans for a building permit.

Dated this 29th day of September, 1994.


Ron McConnell
Hearing Examiner

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.

APPEAL OF EXAMINER'S DECISION:

Any party who feels aggrieved by the Examiner's decision may submit an appeal in writing to the Gig Harbor Planning Director within (14) days from the date the final decision of the Examiner is rendered, requesting a review of such decision.

Such appeal shall be upon the record, established and made at the hearing held by the Examiner. Whenever a decision of the Examiner is reviewed by the City Council pursuant to this section, other parties of record may submit written memoranda in support of their position. In addition, the Council shall allow each side no more than fifteen minutes of oral presentation. However, no new evidence or testimony shall be presented to the Council during such oral presentation. The City Council shall accept, modify or reject any findings or conclusions, or remand the decisions of the Examiner for conclusions, or remand the decisions of the Examiner for further hearing; provided that any decision of the City Council shall be based on the record of the hearing conducted by the Examiner; however, the Council may publicly request additional information of the appellant and the Examiner at its discretion.

Upon such written appeal being filed within the time period allotted and upon payment of fees as required, a review shall be held by the City Council. Such review shall be held in accordance with appeal procedures adopted by the City Council by resolution. If the Examiner has recommended approval of the proposal, such recommendation shall be considered by the City Council at the same time as the consideration of the appeal.

Further action by the Examiner shall be within thirty (30) days of the reconsideration request.

**MINUTES OF THE SEPTEMBER 21, 1994
HEARING ON THE PERCIVAL CONSTRUCTION
APPLICATION**

Ron McConnell was the Hearing Examiner for this matter. Participating in the hearing was: Steve Osguthorpe representing the City of Gig Harbor, and Dave and Mary Lou Percival, representing the applicant.

The following exhibit was offered and entered into the record:

A. Community Development Department Staff Report

PARTIES OF RECORD:

Mary Lou Percival
P.O. Box 122
Olalla, WA 98359

Dave Percival
9520 Burnham Drive
Gig Harbor, WA 98335

Mike McKean
4011 10th Street N.W.
Gig Harbor, WA 98335



City of Gig Harbor. The "Maritime City."

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GIG HARBOR, WASHINGTON 98335
(206) 851-8136

**GIG HARBOR COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Hearing Examiner
FROM: Planning Staff
DATE: September 21, 1994

RE: SDP 94-03 - Percival Construction Co. -- Request for substantial development shoreline permit allowing single family house to be remodeled into a duplex.

I. GENERAL INFORMATION

APPLICANT: Percival Construction Co.
P.O. Box 122
Ollalla, WA 98359
Telephone: 857-4772

OWNER: Mike McKean
4011 10th St. N.W.
Gig Harbor, Wa 98335
Telephone: 851-3098

AGENT: Dave Percival
9520 Burnham Drive
Gig Harbor, WA 98335
Telephone: 851-8074

II. PROPERTY DESCRIPTION

- 1. Location:** 8715 North Harborview Drive
Tax assessor's parcel #02-21-06-4-117 & 410200-001-3
- 2. Site Area/Acreage:** (unknown)

3. **Natural Site Characteristics:**

- i. **Soil Type:** Harstine gravelly sandy loam
- ii. **Slope:** level area around footprint of house with 30% slope rising to the street level.
- iii. **Drainage:** Southerly toward Gig Harbor Bay
- iv. **Vegetation:** Primarily domestic vegetation with deciduous trees and blackberry.

4. **Zoning:**

- i. **Subject parcel:** C-1 (general commercial/light industrial)
- ii. **Adjacent zoning and land use:**
 - North:** R-1 (single family)
 - South:** Gig Harbor Bay
 - East:** WC (waterfront commercial)
 - West:** C-1

5. **Utilities/road access:** The parcel is served by City sewer and water and is accessed off North Harborview Drive - a public road.

III. **APPLICABLE LAND-USE POLICIES/CODES**

1. **Comprehensive Plan:** The Comprehensive Plan designates this area as waterfront.

The Shoreline Management section of the Comprehensive Plan includes the goal to "Protect Natural Quality" of the shoreline by defining and regulating "activities which can possibly contaminate or pollute the harbor and shorelines including the use or storage of chemicals, pesticides, fertilizers, fuels and lubricants, animal and human wastes, erosion and other potentially polluting practices or conditions." (Comp. Plan, pg. 35).

2. **Gig Harbor Shoreline Master Program:**

The Gig Harbor Shoreline Master Program states that construction having a fair market value in excess of \$2,500.00 requires a substantial development permit. Single family residences are exempt from obtaining a Shoreline Substantial Development Permit.

Pg. 9 of the Gig Harbor Shoreline Master Program has the stated goal to "provide for individual single family homes as well as for a limited number of multi-family residences".

Section 3.15 (Residential Development) includes, in part, the following policies and regulations:

POLICIES:

1. Subdivisions and multi-family developments should be encouraged to provide for public contact with the water.
2. Residences should not extend into the water, thereby diminishing surface water area and restricting movement over the surface of the water and tidal areas.
3. Multiple family developments should cluster residential structures to help preserve views and vistas and a maximum amount of open space.
4. Overwater residential living other than on watercraft should not be permitted.

REGULATIONS:

1. Vegetation, or other suitable means to protect against erosion, shall be maintained in the area between structures and the beach.
2. Subdivisions and multiple-family developments shall provide for visual access or physical access from public rights-of-way to the water and for public access along the water's edge.
3. Residential facilities floating on or constructed over the water, including floating homes, and other than watercraft shall not be allowed on the waters under the jurisdiction of the City of Gig Harbor.
4. Private residential piers shall comply with the standards established under Section 3.11.

3. Zoning Ordinance:

The zoning ordinance states, in part, that all permitted uses in the waterfront zones may be allowed in the C-1 district (GHMC Section 17.40.020.R). The Waterfront Residential district allows duplexes on parcels of at least 15,000 square feet (GHMC Section 17.46.020.A).

IV. BACKGROUND INFORMATION:

The subject site is in the C-1 zone directly east of Beach Basket Nursery on North Harborview Drive. The parcel consists of two platted parcels, one of which is .5 acres. The area of the second parcel is unknown. The site is currently developed with a single family house. The house sits on a level portion of the lot which includes a large parking/turn-around area on the west side of the house. The house's north wall supports a hill which rises up to street level. This results in a high natural grade elevation of the building footprint on the north side.

V. REQUEST/PROJECT DESCRIPTION:

The applicant would like to take advantage of the high elevation of the natural grade around the building footprint. The existing grade will allow considerably more height on the existing house without exceeding the 16 foot height limit. The proposal is to build a unit on top of the existing house, resulting in a duplex structure.

VI. PUBLIC NOTICE:

The property was posted and legal notice was sent to property owners within 300 feet of the property and to the Peninsula Gateway for publication on September 7, 1994, September 14, 1994 and September 21, 1994. The new Shoreline Master Program does not address the legal requirements for notification. RCW 90.58.140 requires a 30 day comment period after the last date of two consecutive publications for public input. This item must therefore remain open administratively until October 14, 1994.

VII. ANALYSIS:

Considering the existing development on this site and the fact that the proposed development is to be placed on top of the existing structure, the staff believes that the impacts of the proposed development will be minimal. There will be no more disturbance to the hillside or need for additional excavation, and there is already sufficient parking areas developed for an additional living unit. Moreover, because the footprint of the structure will not be expanded and the proposed addition will meet current height standards for the basin area, there will be no impacts on visual access to the harbor. The project will therefore meet the goals and policies of the Shoreline Master Program as stated in Section III.2 above.

Additional Staff and/or agency comments are as follows:

1. Building Official:

1. A fire flow analysis will need to be completed to determine what would be required. Fire flow must be provided to within 300 FT of the front entrance to the building parcel in accordance with Section 10.401, 1991 Uniform Fire Code. The minimum fire hydrant spacing on No. Harborview Drive is each street intersection and every 400 feet.

Note: City of Gig Harbor Fire flow is presently available on N. Harborview.

2. Fire flow must be provided to the building in accordance with the Section 10.401, 1991 Uniform Fire Code (See Appendix III-I & B):

REQUIRED FIRE FLOW (Table A-III-A-1):

Note: The minimum Fire Flow is 1,000 gpm at 20 psi for a 3,000 sqft Type V-Non rated building.

3. One hour fire rated walls and floor ceiling are required to separate the two units of the duplex. One hour walls for the lower floor and one hour ceiling for the lower floor. Three quarter hour fire rated windows and openings are required for openings in the lower floor adjoining the second floor exit stairway.

4. A complete plan review will be completed upon submittal of plans for a building permit.

2. Public Works: The Public Works Department has indicated that as long as the application does not involve a change in the driveway location, they have no comments on this proposal.
3. SEPA Responsible Official: The SEPA Responsible Official has determined that this application is exempt from SEPA review as per WAC 197-11-800-1-a-i.

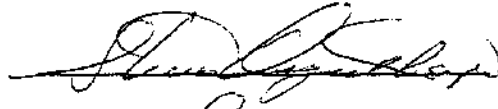
VIII. FINDINGS:

Based upon a site inspection and the analysis contained in Part VII of this report, the Staff finds that the proposed development meets the general goals and policies for development of the shoreline as stated in Part 2 of the City's Shoreline Master Program, and also the specific goals and policies for residential Development stated in Part 3.15 of the Shoreline Master Program.

IX. RECOMMENDATION:

The staff recommends approval of the requested substantial development shoreline permit.

Project Planner: Steve Osguthorpe, Associate Planner



Date: Sept. 16, 1998

SHORT PLAT

L-4 520

85-06-10-0285

L-3 4227
519
4225

FENNIMORE ST.

3825

8	10	1
9		2
10		3
11	12	4
12		5
13		6
14		7
15		8
16		9
17		10
18		11
19		12

9214
9210
9202
9126
9114
WOODWORTH'S

9204
9202
9202
9178
9106
9020

LOT 1

9010
HARBOR RIDGE
OLD GOODMAN School

SCHOOL RD.
BURNHAM (ST) DR.

HARBOR
WABOR

FOREST ST.
TACOMA (ST)

HARBOR
TACOMA (ST)

FULLER ST.
FRANKLIN AVE

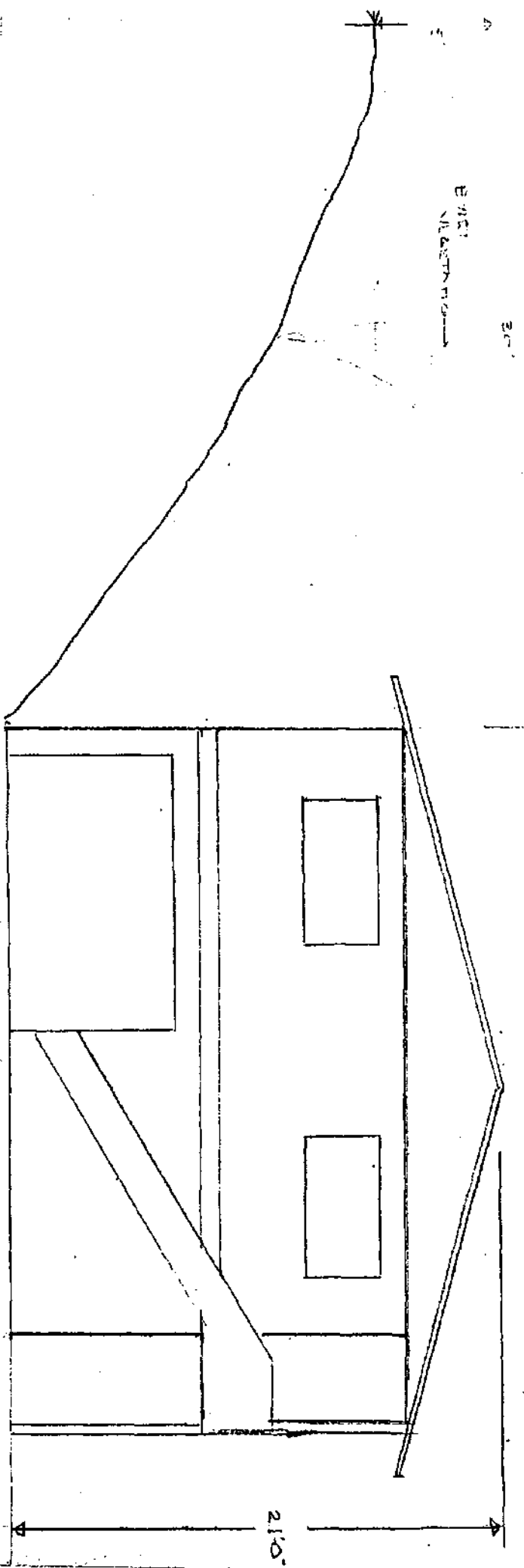
FRANKLIN AVE
MARGERY DRIVE

THIS IS NOT A C
DO NOT USE DATA FOR
OR ASSUME NO LIABILITY FOR
ACQUIRED BY ACTRA
FOR ASSUMED USE

NE 6 T 21 R 2 E

18

Subject Site

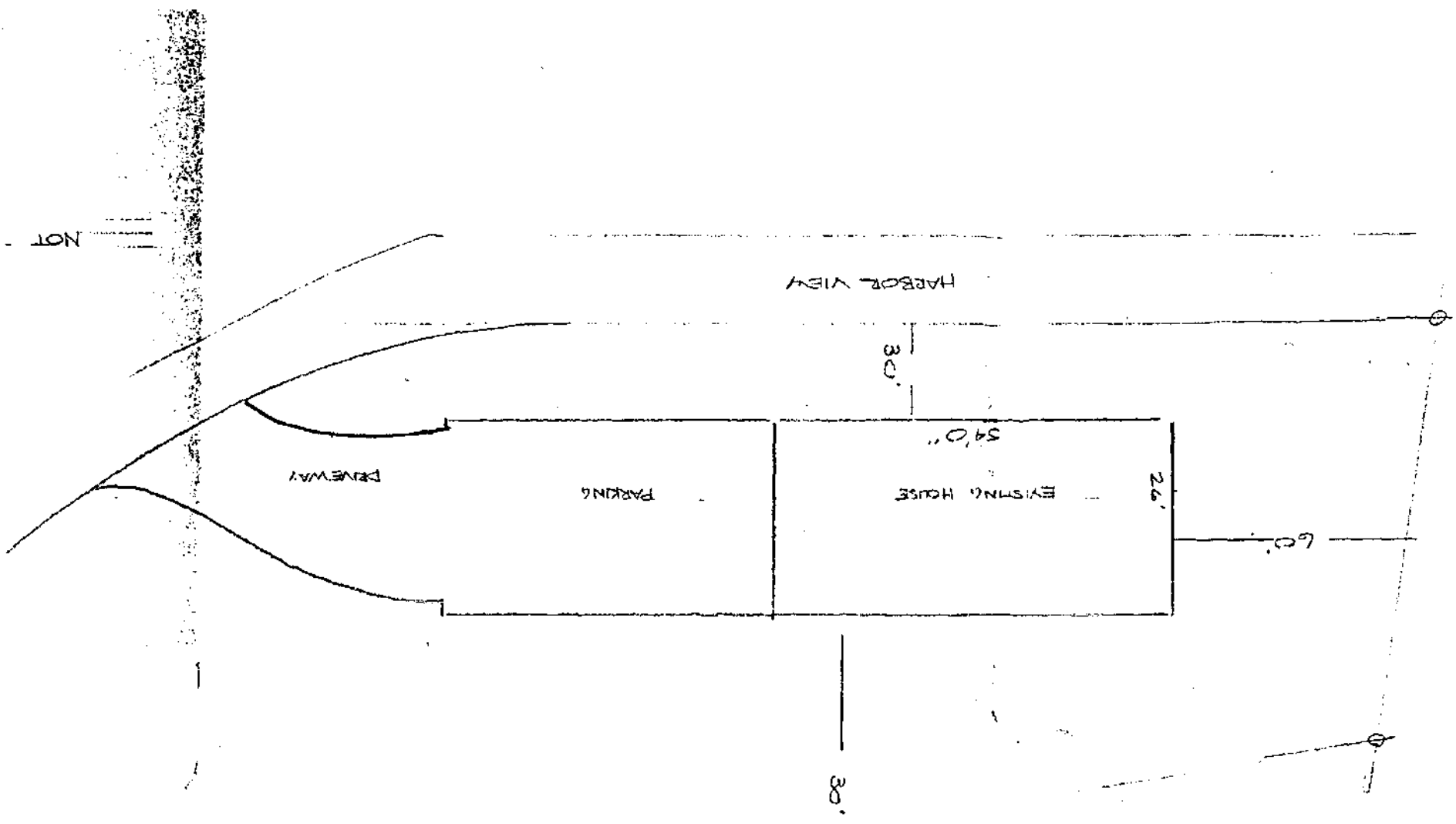


EAST
N.E. QUARTER

20'

SCALE 1/4"=1'

21'-0"





City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: TOM ENLOW
SUBJECT: 1994 BUDGET AMENDMENT ORDINANCE
DATE: October 20, 1994

INTRODUCTION

This is the first reading of an ordinance to amend the 1994 budget and authorize additional interfund transfers.

BACKGROUND

This amendment is needed to respond to changes in circumstances since the budget was adopted last year and to correct oversights in the budget.

General Government Fund - Non-Departmental \$150,000

This increase reflects a transfer to Streets. We originally budgeted transfers from the General Government Capital Assets Fund and the General Government Capital Improvements Fund (capital reserve funds) of \$75,000 each to Streets in order to cover an expected shortfall on the North Harborview and Harborview projects. By the time the budget was finalized, we expected to receive grants to cover the entire projects, but still needed the transfers for general operations and maintenance. Unfortunately, monies in the capital reserve funds are restricted to certain capital improvements and may not be used for general operations and maintenance. This adjustment has no effect on the city as a whole since it increases the capital reserve balances and reduces the General Government Fund balance by the same amount.

General Government Fund - Administration/Finance and Community Development \$2000

The increase of \$1000 in each of these departments is for the purchase of a computer for the Administrative Receptionist (Diane Gagnon) shared by the departments. Diane has been using one surplus computer for data entry and word processing work and another to maintain the building inspection schedule. The delay in switching between programs on one of existing computers was unacceptable for responding to scheduling requests. Using two computers is acceptable while Diane is located upstairs. However, in order to perform her Planning reception duties properly, Diane is going to squeeze into the Public Works/Planning reception area downstairs. Rather than force two surplus computers into the limited space until 1995, we are requesting a new one now.

General Government Fund - Police - \$15,000 When I prepared a salary worksheet to assist department heads with their 1994 budgets I overlooked one of the police benefits that amounted to about \$15,000 for 1994. The worksheet has been corrected for the 1995 budget.

General Government Fund - Revenue - \$167,000 In order to maintain a balanced budget, budgeted revenues must be increased by the same amount as expenditures. Since our actual

beginning cash balance was \$683,238 and we budgeted it to be \$350,000, we will adjust the budgeted beginning cash balance to \$517,000.

'89 Utility Bond Redemption Fund - \$3,200,000 This amendment recognizes the \$2,995,000 ULID#3 and refunding bond issue approved by the council in July. The receipt of the bond proceeds is offset by a disbursement to the refunding escrow account of \$1,561,799, a transfer to the ULID#3 construction fund of nearly \$1,500,000 for payment of the \$1,800,000 Bond Anticipation Note, and the payment of about \$62,000 for bond issuance costs. The remaining increase to budgeted revenues reflects the receipt of the school district's full ULID#3 assessment.

ULID#3 Construction Fund - \$2,100,000 This fund was not budgeted in 1994 because construction was expected to be completed in 1993. The budget amount represents the receipt of the transfer from the '89 Utility Bond Redemption Fund and the beginning cash balance on the revenue side and expenditures of \$1,876,500 for payment of the Bond Anticipation Note with interest plus final construction and administration costs, including retainage.

Water Capital Assets - \$5,000 The only expenditures budgeted in this fund this year were for transfers to debt funds and for state taxes on connection fees. (Beginning July 1993, there is a B&O tax on connection fees.) Since we have received 176% of our budgeted connection fee revenue, our budget for connection fee taxes needs to be increased.

FINANCIAL IMPACT

In the General Fund, the substitution of a \$150,000 transfer from General Fund reserves instead of the capital improvement funds has no real impact on the city as a whole. The remaining \$17,000 authorizes expenditures which could reduce the ending cash reserve, but is considered necessary to conduct city business.

The amendments in the '89 Utility Bond Redemption Fund and the ULID#3 Construction Fund merely recognize ordinances and contracts already approved by the council.

The Water Capital Asset amendment allows the city to comply with state law and recognizes revenues which exceeded our expectation.

RECOMMENDATION

Staff recommends approval of the attached ordinance at its second reading.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 1994 BUDGET FOR THE CITY OF GIG HARBOR, WASHINGTON.

WHEREAS, adjustments to the 1994 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>
001-General Government			
01-Non-Departmental	323,450	150,000	473,450
04-Admin/Finance	282,023	1,000	283,023
06-Police	749,107	15,000	764,107
14-Community Dev.	251,715	1,000	252,715
001-Total General Gov't.	2,219,338	167,000	2,386,338
408-'89 Utility Bond Redemption	410,583	3,200,000	3,610,583
414-ULID#3 Construction	0	2,100,000	2,100,000
420-Water Capital Assets	75,000	5,000	80,000

Section 2.

The following interfund transfers are within 1994 appropriations, as amended above, and are hereby authorized:

<u>Originating Fund</u>	<u>Receiving Fund</u>	<u>Amount</u>
001-General Government	101-Street Maintenance	150,000
408-'89 Utility Bond	414-ULID#3 Construction	1,500,000

Section 3. This ordinance shall be in force and take effect five(5) days after its publication 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 November, 1994.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark Hoppen
City Administrator/Clerk

Filed with city clerk: 10/13/94
Passed by the city council:
Date published:
Date effective:



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: TOM ENLOW
DATE: October 17, 1994
SUBJECT: 1995 TAX LEVY ORDINANCE

INTRODUCTION

This is the first reading of the 1995 tax levy ordinance.

BACKGROUND

We are required to file this ordinance with the county by November 15, 1994 even though the county may not send us the information on which to base the calculations until sometime in December. The preliminary assessed valuation for 1995 taxes is \$325,960,487. Applying the 106% limit formula results in an estimated general levy of \$1.612 per thousand or \$525,442. Assessed valuation increased 13.5% over the previous year, including \$12,741,888 of new construction. The estimated property tax revenue is a 10.4% increase and the rate per thousand is a 2.7% decrease from 1994.

In order to receive the maximum amount of taxes under the 106% limit without final valuation information, the county assessor's office recommends requesting well over the amount we expect to receive. Therefore, this ordinance is based on a 1995 property tax rate of \$1.8407 per thousand raising \$600,000 in taxes. Our 1995 budget will be based on the most accurate information available at the time it is passed, currently \$525,442.

The ordinance also sets excess levy rates for outstanding voted general obligation bonds. By the end of 1994 the 1978 GO Bonds for the public works building will be paid off. By the end of 1995 the 1975 GO Bonds for sewer construction will be paid off. Cash balances and the remaining 1994 property taxes will fund the final payments on these bonds.

The final payment on the 1978 GO Bonds for fire will be made in 1997. Property taxes of \$2500 (\$0.0077 per thousand) in 1995, along with the current cash balance will pay the remaining maturities of those bonds.

Debt service for the 1987 GO Bonds for sewer plant construction is approximately \$140,000 in 1995 or \$0.4295 per thousand.

FINANCIAL

Property taxes are the second largest source of the city's general revenues at approximately 20%.

RECOMMENDATION

Staff recommends adoption of the ordinance at its second reading.

CITY OF GIG HARBOR

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, LEVYING THE GENERAL PROPERTY TAXES FOR THE CITY OF GIG HARBOR FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1995.

WHEREAS, the City Council of the City of Gig Harbor has considered the city's anticipated financial requirements for 1995, and the amounts necessary and available to be raised by ad valorem taxes on real and personal property, and

WHEREAS, it is the duty of the City Council to certify to the board of county commissioners/council estimates of the amounts to be raised by taxation on the assessed valuation of property in the city,

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

Section 1. The ad valorem tax general levies required to raise estimated revenues for the City of Gig Harbor for the ensuing year commencing January 1, 1995, shall be levied upon the value of real and personal property which has been set at an assessed valuation of \$325,960,487. Taxes levied upon this value shall be:

- a. approximately \$1.8407 per \$1,000 assessed valuation, producing estimated revenue of \$600,000 for general government, or the maximum allowable by law; and

Section 2. The ad valorem tax excess levies required to raise estimated revenues for the City of Gig Harbor for the ensuing year commencing January 1, 1995, shall be levied upon the value of real and personal property which has been set at an assessed valuation of \$325,960,487. Taxes levied upon this value shall be:

- a. approximately \$0.0077 per \$1000 assessed valuation, producing an estimated amount of \$2,500 for 1978 fire protection facilities general obligation.
- b. approximately \$0.4295 per \$1000 assessed valuation, producing an estimated amount of \$140,000 for 1987 sewer construction general obligation.

Section 3. This ordinance shall be certified by the city clerk to the clerk of the board of county commissioners/council and taxes hereby levied shall be collected and paid to the Finance Director of the City of Gig Harbor at the time and in a manner provided by the laws of the state of Washington for the collection of taxes.

Section 4. This ordinance shall be published in the official newspaper of the city, and shall take effect and be in full force five(5) days after the date of its publication.

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 __, 1994.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark Hoppen
City Administrator/Clerk

Filed with city clerk: 10/17/94

Passed by the city council:

Date published:

Date effective:



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR
SUBJECT: 1995 CITY BUDGET PROPOSAL
DATE: OCTOBER 19, 1994

INTRODUCTION/BACKGROUND

The 1995 City of Gig Harbor budget is presented to Council for review. We have been engaged in the preparation of this budget since August (see attached schedule). The timeline which we are observing accommodates a reasonable planning process and statutory deadlines. This year's budget is organized by fund and department and includes a "Description of Function," a listing of five year "Goals," and the specific one year "Objectives," objectives which are recommended for funding. Also included are all staff adjustments, capital outlays, and travel/training requests.

In the past, city Goals included legislative functions. These statutory job functions are now summarized in the section "Description of Functions." Therefore, goals and objectives should not take on a tone of unnecessary repetition. The budget narratives and budget will be presented in a notebook.

Explicit in the proposed five year goals are both staff recommendations for city projects and Mayor Wilbert's vision for city activities. These suggestions represent, primarily, a technical context which Council must evaluate from a policy perspective. Implicit in this task is that the five year goals which Council approves in this document represent this Council's collective vision for the direction of the City of Gig Harbor. The objectives selected in this document represent the specific immediate steps through which Council will actualize this vision.

POLICY CONSIDERATIONS

Numerous goals in the budget respond to the Growth Management Act, to the city's increasing role in the provision of municipal services to the defined urban area, and to the specific comprehensive planning goals associated these obligations. Also, these goals and objectives recognize the immediate needs of city residents.

FISCAL CONSIDERATIONS

A priority in this year's budget is establishing cash reserves, which can provide for contingencies, emergencies, and opportunities.

RECOMMENDATION

A budget work session will be conducted on November 21, in addition to two public hearings conducted on November 14 and on November 28. These will be opportunities for public input and for goal adjustment as desired by Council.

CITY OF GIG HARBOR

1995 BUDGET PREPARATION SCHEDULE

- August 8 - 12 City Administrator meets with Mayor to discuss city's goals and objectives and budget process.
- August 18 City Administrator submits notice to file 1995 budget requests and forms.
- August 19 -
September 13 Department Directors discuss goals and objectives with staff, prepare departmental budgets (goals, objectives, revenues, expenditures, capital, staffing, training) using schedules provided.
- September 14 Department Directors return completed schedules and forms to City Administrator.
- September 15 - 30 Department Directors meet with City Administrator to discuss budget requests and review department objectives/programs.
- October 17 City Administrator submits balanced preliminary budget and budget statement to Mayor.
- October 24 Mayor presents 1995 proposed budget to City Council.
- October 24 First reading of 1994 property tax levy ordinance.
- November 9 Publish notice of first public hearing on budget.
- November 9 Publish first notice of final public hearing on budget.
- November 14 First public hearing and reading of 1995 proposed budget ordinance.
- November 14 Second reading and adoption of 1995 property tax levy ordinance. (Forward ordinance to County).
- November 16 Publish second notice of final public hearing on budget.
- November 18 Copies of preliminary budget made available to public.
- November 21 Budget work session with Mayor, City Council, and staff.
- November 28 Final public hearing and second reading of 1995 proposed budget ordinance. (Hearing can be continued until December 5, if necessary.) City Council adopts 1994 city budget (must be adopted by December 31).
- After adoption Forward copies of final budget to State Auditor and AWC.

C090080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE:10/03/94

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
FOR EXPIRATION DATE OF 12/31/94

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	CLASSES
1 BAYVIEW GROCERY AND DELI, INC.	BAYVIEW GROCERY AND DELI 8812 N HARBORVIEW DR GIG HARBOR WA 98335 0000	351392	E F

Attention:

Enclosed is a listing of liquor licensees presently operating establishments in your jurisdiction whose licenses expire on DECEMBER 31, 1994. 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 DECEMBER 31, 1994, 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

MAYOR'S REPORT

October 24, 1994

CONSIDERATION FOR THE CITY OF GIG HARBOR'S PARTICIPATION IN COMMUNITY ACTIVITY

On October 1st the City of Gig Harbor accepted an invitation from the Maritime Celebration Committee of Tacoma to join with the commercial fishing communities of Tacoma and Gig Harbor in a Blessing of the Fleet, the laying of a memorial wreath upon the waters outside the Harbor entrance, and culminating in a boat parade into Thea Foss Waterway to participate in further celebration. This looks like an annual event.

Since then, the Downtown Business Association has asked the city to take over the activity of the holiday decoration of Jerisich Park, including the lighting ceremony of the traditional decorated tree the first Friday in December, and Santa coming by firetruck and distributing a candy cane to the children. George Borgen has always erected the station for Santa in the past. This year, George needs to have someone else take on this duty. Would Council be willing to support this holiday project with a few hours to be contributed by council members?

A second holiday project is taking shape in the form of a Santa Breakfast to be held for families who may not be as fortunate as most of us. This is the dream of two college women, Alice Markovich and Trish Hosea. They are calling the event "Gig Harbor Little Christmas" and will be asking for assistance from a number of groups in the community to provide gifts of clothing or money. The Eagles Hall has been reserved for the occasion. The Gig Harbor Police Officers have been breakfast servers in the past at the Ginger Bear Breakfast, which no longer takes place. I think they may be asked to participate again.

The third happening is a request from Nick Adams' third grade class at Discovery Elementary for the Mayor and city to participate in a Sister City program. The students who appeared at City Hall to make the request were so articulate and enthusiastic I pledged to assist with them in the program.

If you can think of any reason to not participate in these four worthwhile projects, please let me know. Otherwise, City Hall will enthusiastically continue to plan for these superior events.