

GIG HARBOR CITY COUNCIL MEETING

JUNE 22, 1992

7:00 p.m., City Hall Council Chambers

11

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
JUNE 22, 1992

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

PUBLIC HEARINGS:

1. Ordinance vacating a portion of Sellers St. - 1st reading.
2. Ordinance amending Wetland Ordinance - 1st reading.
3. Ordinance amending zoning code: Accessory dwelling units in R-1 district - 1st reading.

APPROVAL OF MINUTES:

CORRESPONDENCE: None scheduled.

OLD BUSINESS:

1. Ordinance amending fee schedule ordinance - 2nd reading.

NEW BUSINESS:

1. Hearing Examiner report and recommendation on CUP92-02/SPR92-02: Gig Harbor United Methodist Church.
2. Request to amend site plan - Texaco, Inc.
3. Shoreline permit SDP91-02: Walt Williamson office building.
4. Street name for Knox short plat (Kelsey Lane).
5. Ratification of County-wide Planning Policies and interlocal agreement.
6. Liquor license application for change in corporate officers.

DEPARTMENT MANAGERS' REPORTS:

COUNCIL COMMITTEE REPORTS: None scheduled.

MAYOR'S REPORT: None scheduled.

ANNOUNCEMENTS OF OTHER MEETINGS:

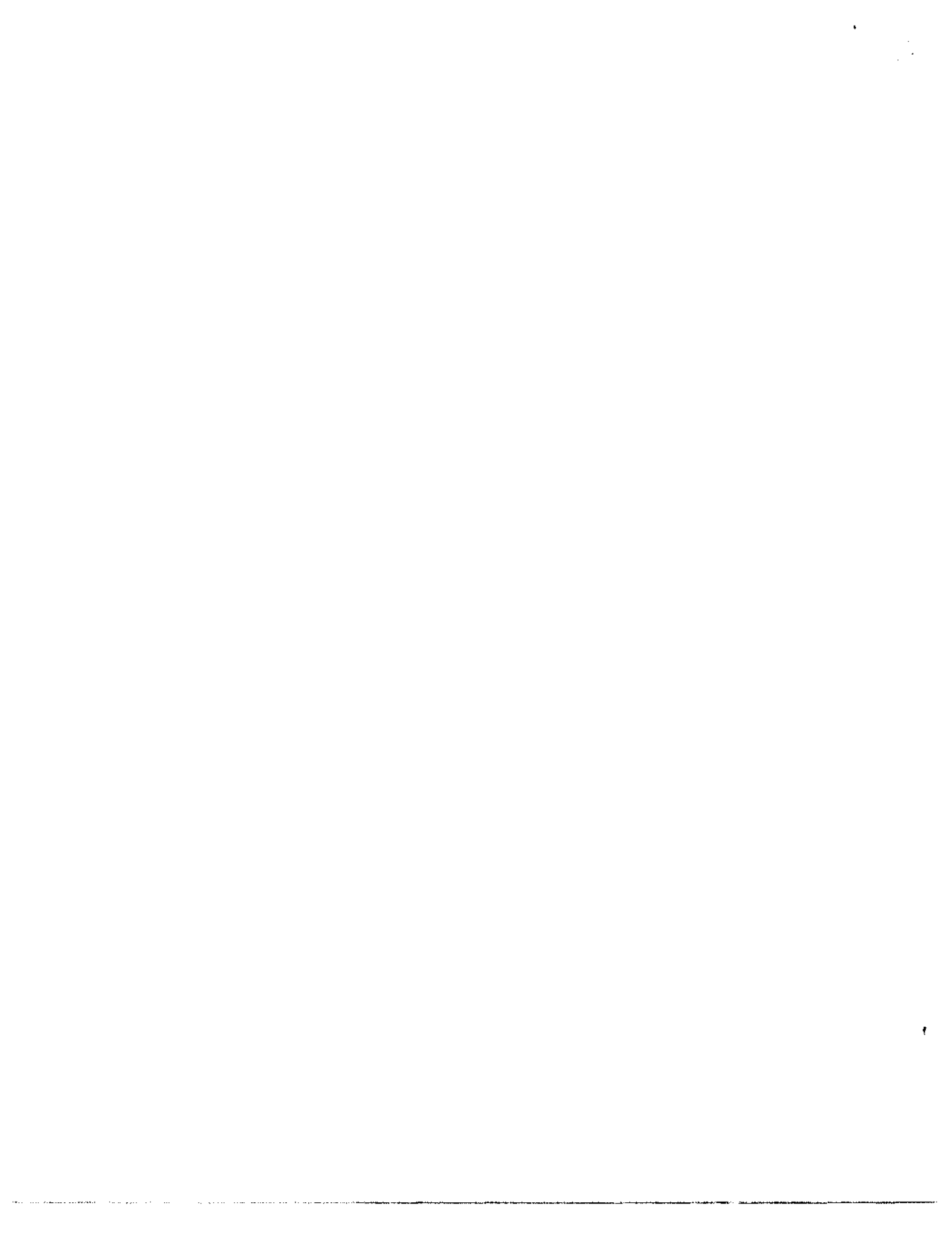
1. Council workshop on wetlands - June 30, 1992, 7:00 p.m.

APPROVAL OF BILLS:

Warrants # through # in the amount of \$

EXECUTIVE SESSION:

ADJOURN:





City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-5136

To: Mayor Wilbert and Council members
From: Mark Hoppen, City Administrator *Mark*
Subject: Request to vacate Sellers Street
Date: June 17, 1992

A request to vacate Sellers Street is being made by adjacent property owners, Mr. Jeffrey Drolshagen, Ms. Margaret Robinson, and Mrs. Rhea Cone. Sellers Street is a street located in north Gig Harbor, adjacent at its southernmost point to North Harborview Drive. It has not been used.

The area, which has a square footage of 12,450 square feet is estimated by the applicant to possess a market value of \$1,245.

A petition filed with the City Clerk has been signed by all adjacent property owners, meeting the requirement that 2/3 of the abutting property owners file for street vacation. Notification has been provided as per statute and an ordinance has been prepared to authorize this vacation. This hearing serves as the first reading of this ordinance.

RCW 35.79.030 states that the City Council has the right to determine: 1) whether to grant the petition for vacation or not; 2) whether or not to reserve easement or to retain the right to grant easement on the vacated land for construction, repair, and maintenance of public utilities and services; and 3) whether or not to require abutting property owners to compensate the city in an amount which does not exceed one-half the appraised value of the area so vacated, except in the event the property was acquired at public expense in which case 100% of the appraised value can be required as compensation.

In this case the city received the land through a grant from the Artena Land and Improvement Club in 1890.

Mr. Ben Yazici, Public Works Director, reports that a feasible use of this street property is for future retention and treatment of storm water, a public utility task which will be required of the city in the future.

Recommendation: Review the attached ordinance, make the decision after the hearing whether or not to vacate, and stipulate changes if desired within the scope of the RCW 35.79.030 (easement and compensation considerations). This is the first reading of the ordinance. Additionally, if the decision is made to vacate, then consider asking staff to have the property appraised by a certified appraiser of staff choosing.

STREET VACATION CHECKLIST

 X Petition filed with City Clerk signed by owners of more than 2/3 of property abutting street. (39.79.010)

4/27/92 Certificate of Sufficiency.

4/27/92 Resolution by City Council (35.79.010).

 N/A Planning Commission Hearing. (Optional)

4/27/92 Resolution setting Council hearing date. Must be not less than 20 days nor more than 60 days after passage of resolution. (35.79.010)

6/2/92 Notices prepared and posted by City Clerk in three public places and on street to be vacated 20 days prior. (35.79.020)

6/2/92 Affidavit of poster.

 N/A If initiated by resolution, notices mailed to all owners abutting on street, as shown on rolls of treasurer. (35.79.020)

 N/A Affidavit of mailing.

 At City Council hearing Council decides:

 _____ (a) Whether to vacate

 _____ (b) Reserve easements

 _____ (c) Require abutting owners on each side to pay up to 1/2 appraised value unless property or portions thereof acquired at public expense then payment of 100% appraised value.

 Council directs attorney

 X Appraisal secured and property owners notified of appraisal.

 X Ordinance prepared, placed on agenda.

 Certified copy of ordinance recorded in auditor's office (35.79.030)

CITY OF GIG HARBOR

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, VACATING THE PORTION OF SELLERS STREET, ORIGINALLY PLATTED AS OAK STREET IN GIG HARBOR, WHICH LIES NORTH OF THE STREET CURRENTLY KNOWN AS NORTH HARBORVIEW DRIVE AND ORIGINALLY PLATTED AS FRONT STREET.

WHEREAS, the referenced portion of right-of-way is undeveloped, and;

WHEREAS, the referenced portion of right-of-way is not necessary to the street and circulation plans of the city, and;

WHEREAS, the City Council passed Resolution No. 353 initiating the procedure for the vacation of the referenced street and setting a hearing date; and

WHEREAS, after the required public notice had been given,, the City Council conducted a public hearing on the matter on June 22, 1992, and at the conclusion of the hearing determined that the aforementioned right-of-way should be vacated.

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, DO ORDAIN as follows:

Section 1. The portion of the street currently known as Sellers Street, originally platted as Oak Street in Gig Harbor, which lies north of the street currently known as North Harborview Drive and originally platted as Front Street, as shown on the plat files on August 20, 1890, denominate as the Town of Artena, Pierce County, Washington, attached hereto as Exhibit 1 and incorporated by this reference as if set forth in full, is hereby vacated.

Section 2. The City Clerk is hereby directed to record a certified copy of this ordinance in the office of the Pierce County Auditor.

Section 3. This ordinance shall take effect five days after passage and publication as required by law.

Ordinance No.

Page 2

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 _____, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 6/17/92

Passed by city council:

Date published:

Date effective:

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

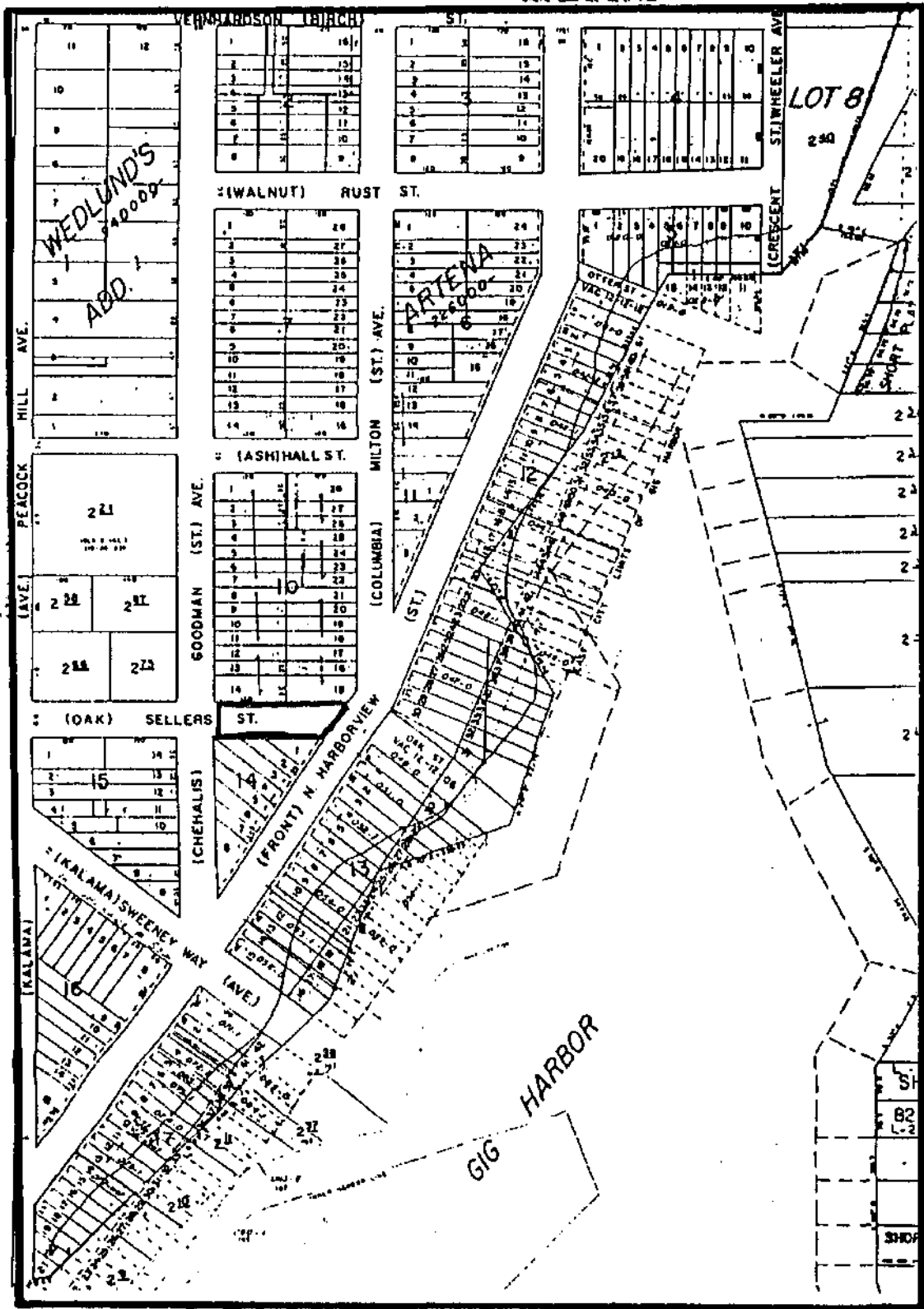
On this day personally appeared before me Gretchen A.
Wilbert, to me known to be the individual described in and
who executed the foregoing instrument, and acknowledged that
she signed the same as her free and voluntary act and deed,
for the uses and purposes therein mentioned.

GIVEN unto my hand and official seal this _____ day of
_____, 1992.

NOTARY PUBLIC in and for the
State of Washington residing
at _____.
My commission expires _____.

SUBJECT SITE - 'Sellers Street' (undeveloped)

FIG. 9 ONLY & OF PART OF
AC. PLAN SHOWING 17 TO DRAFT ST.
SHEETS COM. REC. NO. 81 P. 100








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GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: Mayor Wilbert and City Council
FROM:  Ray Gilmore
DATE: June 17, 1992
SUBJ.: 1st Reading: Amendments to City Wetland
Management Ordinance, Wetland Maps.

Attached for your consideration is a proposed ordinance to amend the City of Gig Harbor Wetlands Management Ordinance to adopt wetlands delineation maps for wetlands within the city. Other revisions include recommendations by the Planning Commission respective to permitting process, wetland analysis reports and categories. A copy of the Planning Commission's transmittal of June 3 is also included.

The first reading is also a scheduled public hearing. A follow-up worksession is scheduled for June 30, 1992 in the Council Meeting Room.

CITY OF GIG HARBOR

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING ORDINANCE NO. 611 AMENDING SECTIONS REQUIRING DELINEATION OF WETLANDS AND TO ADOPT CITY OF GIG HARBOR WETLAND MAPS.

WHEREAS, the City of Gig Harbor adopted Ordinance No. 611 on November 12, 1991; and,

WHEREAS, Section 4 of Ordinance No. 611 provided that upon the completion of wetlands mapping for the City, and upon further review by the planning commission and city council, the ordinance would be revised and its current form would expire; and,

WHEREAS, the City retained a consultant to delineate, identify and classify wetlands within the City, which has been accomplished as of April 30, 1992; and,

WHEREAS, the Planning Commission conducted a public hearing on May 19 to accept public testimony on the proposed maps; and,

WHEREAS, the Planning Commission, in a work session on May 28, reviewed the comments received at the hearing and has recommended, by consensus, that the City Council adopt the maps prepared by I.E.S. Associates and affect revisions to certain sections of the City of Gig Harbor Wetland Ordinance (Section 18.08).

NOW THEREFORE the City Council of the City of Gig Harbor, Washington, DO ORDAIN as follows:

Section 1. The following sections are hereby amended:

...

Section 18.08.070 (H) Permitting Process

Prior to the submittal of a wetlands analysis report or the development of a lot which has a classified wetland as identified on the City Wetland Map, boundaries of wetlands 2,500 square feet or more shall be staked and flagged in the field by a wetland specialist and surveyed by a licensed professional surveyor. Field flagging shall be distinguishable from other survey flagging on the site.

Section 18.08.090 (A) Wetland Analysis Report Requirements

A wetland analysis report shall be prepared by a qualified wetland specialist and submitted to the department as part of the SEPA review process established by the City of Gig Harbor Environmental Policy Ordinance, Chapter 18. ~~In any case in which a land-use application is submitted prior to a determination that a wetland analysis report is required, the wetland analysis report shall be submitted to the Department and distribution by the Department to appropriate reviewing agencies for environmental review.~~ A wetlands analysis report is not required for those wetlands mapped and classified per the City of Gig Harbor wetlands map. A wetlands analysis report is required with all annexation petitions and land-use applications for properties which do not have wetlands mapped and classified per the City of Gig Harbor wetlands map.

18.08.100 Buffer Areas

...

Wetland Category	Buffer Width
Category I	150 Feet
Category II I	100 Feet
Category III II	50 Feet
Category IV III	25 Feet
Category V IV	Type 3 Water-35 Feet
	Type 4 Water-25 Feet
	Type 5 Water-15 Feet

...

18.08.230 Designated Wetlands

...

3. Areas which have been designated as wetlands per the City of Gig Harbor Wetlands Inventory and Maps, May/June 1992.

...

Section 2. Validity. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall no affect the validity or constitutionality of any other section,

Ordinance #
Page 3

sentence, clause or phrase of this ordinance.

Section 6. This ordinance shall take effect and be in full force five (5) days after publication.

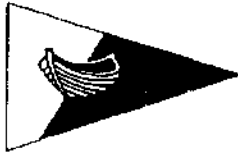
PASSED by the City Council of the City of Gig Harbor, Washington, and approved its Mayor at a regular meeting of the council held on this _____ day of _____, 1992.

Gretchen A. Wilbert, Mayor


ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 6/11/92
Passed by City Council:
Date Published:
Date Effective:



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GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: Mayor Wilbert and City Council
FROM:  Planning Commission/Ray Gilmore
DATE: June 3, 1992
SUBJ.: Proposed Wetland Maps/Revisions to Wetland Management Ordinance.

Rex Van Wormer of I.E.S. Associates will be attending the regular session on Monday to give a presentation on the City's wetland mapping project. This will be an opportunity for Councilmembers and the general public to acquaint themselves with the subject. Mr. Van Wormer will be available, of course, to answer any questions concerning wetlands.

The Planning Commission has reviewed the proposed wetland maps for the city of Gig Harbor and, following its public hearing of May 19 and a worksession of May 28, has recommended adoption of these maps as a part of the Wetland Management Ordinance.

The staff and the Planning Commission discussed, at great length, several aspects of the ordinance relevant to the technical requirements for delineation (field identification and verification), buffers, minimum functional size (threshold for exemption), wetland categories, and replacement ratios (for altered or loss wetlands). Based upon the testimony received and the independent review of the Planning Commission, the Council is requested to consider findings and recommendations as follows:

Minimum Functional Size Threshold

As stated in the Wetland Report by I.E.S. Associates, the Type IV wetlands identified are "marginal". That is the majority of them identified are associated with development, and have been modified. Some are head-waters of short seeps which percolates into the ground, limiting the overall size and influence. Due to the very small size of one Type IV on Bayview Drive, and what appears to be of limited value, the planning commission considered increasing the wetland size threshold for Type IV wetlands as a consideration of reducing the technical burden on the affected property owners. However, based upon the proposed wetland maps,

the properties which have this wetland would still have buildable areas within the current "envelopes". Two properties on Stinson (north of Rosedale) have a Type IV wetland which, according to I.E.S., has functional value as a "surface water purifier". These two properties could be affected in terms of buildable area, but the ordinance is flexible enough to permit some latitude in site development. Amending the threshold size, therefore, does not appear justified.

Buffers

Much discussed and debated during the development of the ordinance, this appears to be the most controversial issue. Arguments have been raised that support or refute the scientific rationale for buffers. Compared to other ordinances, the city's wetland buffers are rather conservative. Additionally, there are provisions within the ordinance (18.08.110) that allow for the alteration of buffers upon the submittal of a mitigation plan. The planning commission does not recommend amending the buffer widths but suggests reviewing the mitigation plan requirements (18.08.150, pgs 21-24) to determine if this section should be simplified or reduced. This should be undertaken as part of the interim ordinance's two-year administration and review period.

Categories

Currently, the ordinance has five categories: four wetland types and the fifth category for streams. Based upon the mapping study, the categories should be reduced to four by the elimination of Category I wetlands. It is extremely doubtful that a category I would be found within the current urban area. It is recommended that Category I be deleted and that the remaining categories be redesignated (Category II becomes Category I, etc.).

Replacement Ratios

No changes recommended at this time.

Field Identification of Wetlands

The only requirement for field identification of a wetland boundary ("flagging") is found in section 18.08.070 which requires this to be done prior to submittal of a wetland analysis report. This should,

of course, be required if the category of wetland is not known. However, because the mapping study has classified all of the wetlands within the city and several immediately adjacent to, we may want to require boundary delineation of these classified wetlands upon the submittal of a development application for the site. This would require the services of a wetland specialist and a surveyor.

The following revisions to the ordinance are recommended:

Section 18.08.070

Prior to the submittal of a wetlands analysis report or the development of a lot which has a classified wetland as identified on the City Wetland Map, boundaries of wetlands 2,500 square feet or more shall be staked and flagged by a wetland specialist and surveyed by a licensed professional surveyor....

Section 18.08.090 A.

Delete second sentence, replace as follows: A wetlands analysis report is not required for those wetlands mapped and classified per the City of Gig Harbor wetlands map. A wetlands analysis report is required with all annexation petitions and land-use applications for properties which do not have wetlands mapped and classified per the City of Gig Harbor wetlands map.

[Intent is to eliminate requirement for wetland analysis reports for properties which have been mapped and classified by the City.]

Section 18.08.090 B.

Add at end of sentence: "... except as provided in Section A. preceding.

[Intent is to maintain consistency with preceding subsection A.]

Section 18.08.230

Add: 3. Areas which have been designated as wetlands per the City of Gig Harbor Wetlands Inventory and Maps of May 1992.

Summary

The maps as prepared by I.E.S. Associates should be adopted as an official City of Gig Harbor Wetlands Map and that the ordinance be amended to reflect the above changes as recommended by the Planning Commission. An ordinance adopting the maps and the proposed changes will be introduced at the next regular meeting of June 22.



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GIG HARBOR, WASHINGTON 98335
(206) 851-8136

**GIG HARBOR COMMUNITY DEVELOPMENT
STAFF REPORT**

TO: City Council
FROM: Planning Department
DATE: June 22, 1992

RE: 1st Reading of Ordinance - Amend Zoning Code
(Sections 17.04.015; 17.16.030; 17.72.030)
Text amendment allowing accessory apartments in
single family (R-1) zones.

=====
Amy Smith is requesting a text amendment to the City of Gig Harbor Zoning Ordinance to allow accessory apartments in Single Family (R-1) zones. The Planning Commission reviewed this request during a public hearing on June 2, 1992 and was generally enthusiastic about the proposal. The Planning Commission expressed that the elderly in our community will be increasingly in need of these types of units and believe that the proposal is consistent with the City's Comprehensive Plan and Growth Management objectives.

The only change recommended by the Planning Commission was to restrict the number of bedrooms allowed in an accessory apartments. While the ordinance as proposed would limit the overall size of accessory apartments, the Planning Commission felt it important to further limit accessory apartments to one bedroom. They believed this would help to assure their use for the intended purpose of providing affordable housing to adult couples and singles while preserving the character of single family neighborhoods.

There being no public input, the Planning Commission voted unanimously to recommend that the City Council approve the text amendment as stated in the staff report, with the added provision that accessory apartments be limited to one bedroom. The Staff agrees with this change and recommends that the City Council approve the proposed text amendment as revised by the Planning Commission. The proposed text amendment is attached for the Council's consideration.

CITY OF GIG HARBOR
ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE ADOPTING STANDARDS FOR THE PROVISION AND REGULATION OF ACCESSORY APARTMENTS IN SINGLE FAMILY (R-1) ZONES.

WHEREAS, Amy Smith has requested a text amendment to the City of Gig Harbor Zoning Ordinance allowing the provision of accessory apartments in single family residents in the R-1 zone; and

WHEREAS, Chapter 17.100 of the Gig Harbor Zoning Ordinance specifies the manner in which the text of said code may be changed; and

WHEREAS, the Planning Staff has determined that the proposed text amendment has been submitted in compliance with City ordinances; and

WHEREAS, the City's Planning Staff, Planning Commission, and City Council have determined that the proposed text amendment is consistent with stated goals, objectives, and purposes as stated in the City's Comprehensive Plan and Zoning Ordinance as outlined in the Planning Staff report dated June 2, 1992; and,

WHEREAS, the Planning Commission and City Council conducted public hearings on June 2, 1992 and June 22, 1992, respectively, to accept public comment on the proposed text amendment;

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

The Zoning Ordinance of the City of Gig Harbor is hereby amended to read as follows:

. . .

17.04.015 Accessory Apartment. "Accessory apartment" means a residential unit with one bedroom, a functional kitchen, bath, and outside entrance, of up to 600 square feet, attached to or on the same parcel as a single family residence in an R-1 (single family) zone and secured from the primary residence with a lock and/or separate entrance. Accessory apartments shall be under the same ownership as the primary residential

unit on the same parcel and may not be condominiumized or otherwise sold separate.

. . .

17.16.030 Conditional uses.

. . .

G. Accessory Apartment - when reviewing a conditional use request for an accessory apartment, the Hearing Examiner shall consider the following guidelines:

(1) The required parking space for the accessory apartment is placed behind the primary structure or is paved with grass-block pavers to avoid an expansive area of hard surface.

(2) The accessory apartment is attached to or placed at least 6 feet behind the primary structure.

(3) The design of the accessory apartment is incorporated into the primary unit's design with matching materials, colors, window style, and roof design.

(4) The entrance to the accessory apartment is oriented away from the view of the street or is designed to appear as a secondary entrance to the primary unit, e.g., garage entrance or service porch entrance.

(5) Utilities for the accessory apartment shall be metered separate from the primary dwelling unit.

(6) The accessory apartment and the primary unit conforms to all other building and zoning code requirements.

. . .

17.72.030 Number of off-street parking spaces required. The following is the number of off-street parking spaces required:

A. For single family dwellings, two off-street parking spaces for each dwelling unit and one additional parking space for accessory apartments associated with single family dwelling units.

. . .

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk:
Passed by City Council:
Date published:
Date effective:

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 8, 1992

PRESENT: Councilmembers Frisbie, Stevens-Taylor, Platt, Markovich, and Mayor Wilbert.

ABSENT: Councilmember English.

PUBLIC COMMENT/DISCUSSION: None scheduled.

CALL TO ORDER: 7:04 p.m.

PUBLIC HEARINGS: None scheduled.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the meeting of May 26, 1992.
Frisbie/Markovich - unanimously approved.

CORRESPONDENCE: None scheduled.

OLD BUSINESS:

1. Request to Extend/Eliminate Expiration Date, Wetland Ordinance - 2nd reading.
Planning Director Ray Gilmore presented information regarding the need for the extension of the expiration date.

Councilmember Frisbie expressed concerns over the length of time already allowed for review of the ordinance.

MOTION: To adopt Ordinance #626.
Stevens-Taylor/Platt - approved by a vote of 3 - 1 with Frisbie voting against.

NEW BUSINESS:

1. Presentation by IES Associates on Wetlands Mapping Project/Recommendation of Planning Commission.
Mr. Gilmore provided council with information on the mapping project and introduced Rex Van Wormer.

Mr. Van Wormer presented an overview of the mapping process and explained the criteria used in determining wetland areas.

2. Interlocal agreement - Peninsula School District.
City Administrator Mark Hoppen introduced the agreement.

Dr. John Armenia, Deputy Superintendent, and John Wegener, District Architect, were present to answer questions.

Councilmember Frisbie questioned the clause relating to sewer system capacity. Dr. Armenia argued the need for the provision.

MOTION: To go into executive session for 30 minutes for the purpose of discussing this agreement. Frisbie/ - motion died for lack of a second.

Discussion followed between the council, Dr. Armenia, and attorney Wayne Tanaka.

MOTION: To approve the interlocal agreement as modified. Frisbie/Markovich - unanimously approved.

3. Hearing Examiner report and recommendation SPR92-03: Foursquare Church.

Mr. Gilmore presented the request for a change of occupancy to allow church services at the Wood Business Complex.

Chris Bayer, church pastor, was available to answer questions.

MOTION: To accept the report and recommendation of the Hearing Examiner and approve Resolution #357. Markovich/Stevens-Taylor - unanimously approved.

4. Hearing Examiner report and recommendation on SUB91-04: Pepperwood Preliminary Plat.

Mr. Gilmore presented the preliminary plat for the Pepperwood subdivision.

Mr. Geoff Moore, agent for the applicant, was available to answer questions.

MOTION: To accept the report and recommendation of the Hearing Examiner and approve Resolution #358 with the additional condition that there be at least a 50-foot buffer of no development from adjacent wetlands. Markovich/Stevens-Taylor - unanimously approved.

5. Stinson Avenue storm drainage improvements contract award.
Mr. Hoppen explained that two bids were received on the project.

MOTION: To award the contract to Spadoni Brothers for \$51,468.00.
Frisbie/Stevens-Taylor - unanimously approved.

6. Ordinance amending fee schedule ordinance - 1st reading.
Mr. Gilmore explained the need for the ordinance.

7. Selection of underwriter for ULID #3 bonds.
Finance Officer Tom Enlow provided council with information relative to the selection of a bond underwriter and recommended choosing the firm Dain Bosworth.

MOTION: To authorize the Finance Officer to proceed with the selection of an underwriter for ULID #3 bonds.
Frisbie/Stevens-Taylor - unanimously approved.

8. Special occasion liquor license - Neville's Shoreline.
No action taken.

9. Renewal of liquor licenses for the Harvester Restaurant, Puerto Vallarta, and Round Table.
No action taken.

DEPARTMENT MANAGERS' REPORTS:

1. Police.

MAYOR'S REPORT:

1. Growth management update.
Mayor Wilbert explained to council the process used in developing the county-wide planning policies.

ANNOUNCEMENTS OF OTHER MEETINGS:

1. Council workshop on county-wide planning policies, June 15, 7:00 p.m.
2. AWC Convention - June 16-19, Bellevue.
3. Pierce County Planning Commission meeting, June 17, 7:00 p.m.

APPROVAL OF PAYROLL:

MOTION: To approve payment of warrants #7074 through #7179 in the amount of \$153,584.50.
Platt/Stevens-Taylor - unanimously approved.

APPROVAL OF BILLS:

MOTION: To approve payment of warrants #8976 through #9045 in the amount of \$84,004.60.
Platt/Stevens-Taylor - unanimously approved.

EXECUTIVE SESSION:

MOTION: To go into executive session at 9:25 p.m. for the purpose of discussing a claim.
Stevens-Taylor/Frisbie - unanimously approved.

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

ADJOURN:

MOTION: To adjourn at 9:45 p.m.
Stevens-Taylor/Platt - unanimously approved.

Cassette recorder utilized.
Tape 279 Side A 311 -
(tape malfunction)
Tape 280 both sides
Tape 281 Side A 000 - 521.

Mayor

City Administrator



City of Gig Harbor. The "Maritime City."

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GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR AND CITY COUNCIL
FROM: *S* STEVE BOWMAN, BUILDING OFFICIAL/FIRE MARSHAL
RE: RADON TEST KIT FEE ORDINANCE
DATE: JUNE 15, 1992

During the 1992 legislative session, legislation (SSB-6386) transferring responsibility for delivery of radon monitoring devices from builders to building inspectors was approved by the legislature and signed by the governor, (1992 Session Laws, chapter 132) enacting a new section to chapter 19.27 RCW. It is appropriate to require sufficient fees to cover the supplying of the radon monitoring devices.

The Gig Harbor Building Code Advisory Board recommended approval of the proposed ordinance during their meeting on June 4, 1992. Pierce County Building Department has adopted a similar ordinance. The City Attorney has reviewed this draft of the adopting ordinance and any revisions have been incorporated for your consideration in this second reading.

RECOMMENDATIONS:

The Mayor and City Council adopt the proposed ordinance as recommended by the Gig Harbor Building Code Advisory Board after the second reading of the ordinance and inclusion of any required revisions.

CITY OF GIG HARBOR

ORDINANCE NO. _____

AN ORDINANCE relating to the Uniform Building Code and the collection of fees for the cost of supplying radon monitoring kits amending Chapters 3.4 of the Official Code of the City of Gig Harbor by adding thereto a new sub-section, to be known and designated as Sub-Section 3.040.010 (S).

The City Council of the City of Gig Harbor, Washington DO **ORDAIN** as follows:

Section 1. That Chapter 3.4 of the City Code of the City of Gig Harbor is hereby amended by the addition thereto of a new sub-section, to be known and designated as Sub-Section 3.40.010 (S), reading as follows:

3.40.010 (S) RADON TESTING

S. Radon Testing. The applicant for a building permit to construct a new single family or multi-family building within the City of Gig Harbor shall pay fifteen dollars (\$15.00) for each living unit to cover the cost of supplying the owner of each new living unit a three-month etched track radon measuring device in accordance with a new section to chapter 19.27 RCW.

Section 2. Severability Clause. If any section or provision of this Ordinance or the State Building Code or its application to any person or circumstance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Whenever any conflict occurs between any section of this Ordinance and the Code referred to in this Ordinance, the Code shall prevail.

Section 4. This Ordinance shall take effect and be in full force on the first day of July, 1992.

PASSED by the Gig Harbor City Council and approved by its Mayor at a regular meeting of the council held on the ____ day of _____, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk:
Passed by city council:
Date published:
Date effective:

RADON MEASURING DEVICES TO BE DELIVERED BY BUILDING INSPECTORS BETWEEN JULY 1, 1992 AND JUNE 30, 1995

BACKGROUND

During the 1992 legislative session, legislation (SSB-6386) transferring responsibility for delivery of radon monitoring devices from builders to building inspectors was approved by the legislature and signed by the governor (1992 Session Laws, chapter 132) enacting a new section to chapter 19.27 RCW.

DELIVERY REQUIREMENT AND LIABILITY

The legislation specifies, in part: **"Beginning July 1, 1992 (and expiring June 30, 1995), at the time of final inspection of a new single-family residence or each ground floor unit in a (new) multifamily residential building, the building inspector shall deliver to each residence and each ground floor unit a three-month etched track radon measurement device (from a supplier) that is listed on a current federal environmental protection agency radon measurement proficiency list."**

This new section to chapter 19.27 RCW goes on to stipulate that the building inspector's approval of the final inspection on the final inspection record will be "prima facie" evidence that the radon measurement device was delivered. It also specifies that the building inspector performing a final inspection (delivering the measurement device), the building inspector's employer, and the county or city (involved with providing this measuring device) will not be liable for failure of the occupant to use the device or for radon found in the building. The use and return of the device to the appropriate laboratory for analysis will be the responsibility of the single or multifamily residence owner.

MEASUREMENT DEVICE PURCHASE REIMBURSEMENT

The legislation does not address how local jurisdictions are to pay for the purchase of these measurement devices; however, during the legislative session, the AWC and WABO testified that building permits may have to be increased to cover such costs.

(continued on reverse side)

MEASUREMENT DEVICE SUPPLIER STATE-WIDE CONTRACT

WABO has initiated efforts to select a "lowest bidder" supplier of radon measurement devices that all local jurisdictions throughout the state can use. Jurisdictions would order the measurement devices directly from the supplier and pay the supplier on a purchase order or any other approved basis. Working with the State of Washington Office of Procurement, the Washington State Energy Office, the State of Washington Department of Health and the Association of Washington Cities, bid specifications for a state general purposes contract have been developed and a pre-bid conference is scheduled for May 29, 1992. The bid opening date is scheduled for June 16, 1992 and selection of the winning bidder and issuance of a contract will be shortly after that. As quickly as it is legally possible, WABO (AWC, WSEO and the Municipal Research Council) will be getting information out to local jurisdictions regarding the specific supplier selected to provide the measurement devices along with information on how and where to order devices.

INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

Local jurisdictions wishing to take advantage of the radon measurement device state contract, when purchasing their devices, must have signed a formal agreement (Intergovernmental Cooperative Purchasing Agreement) with the Office of State Procurement. To verify whether or not your local jurisdiction has signed such an agreement and is eligible to take advantage of this new contract, check with those in your jurisdiction responsible for purchasing for the jurisdiction. If no such agreement currently exists and your jurisdiction wants to pursue one, contact the Office of State Procurement "Help Desk" at (206) 586-7647 or scan 234-7647.

BP:nds





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

**GIG HARBOR COMMUNITY DEVELOPMENT
STAFF REPORT**

TO: CITY COUNCIL
FROM: PLANNING DEPARTMENT
DATE: JUNE 8, 1992

**RE: SITE PLAN REVIEW FOR GIG HARBOR UNITED METHODIST
CHURCH EXPANSION**

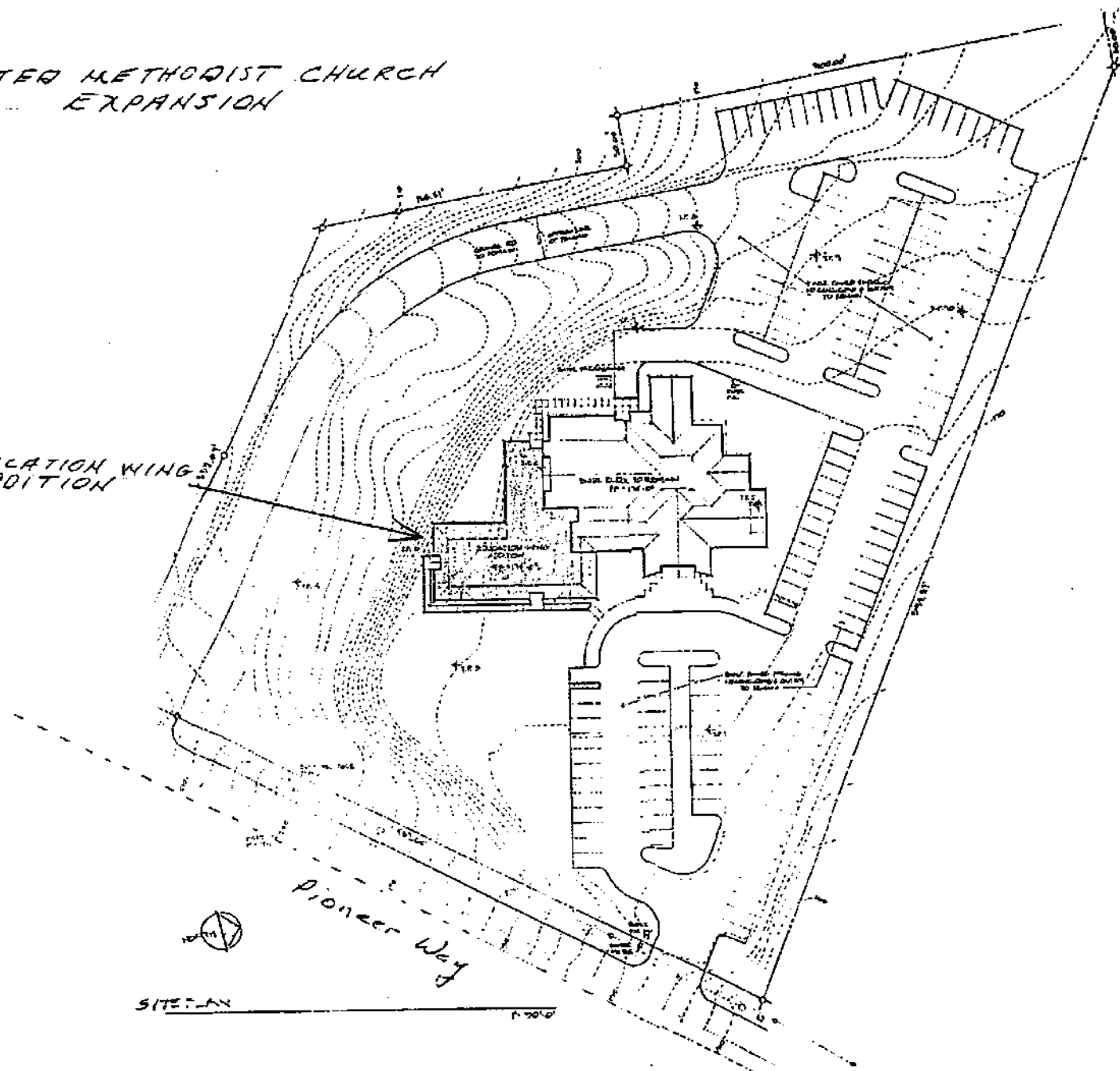
=====

John Rockie, Building Chair for the Gig Harbor United Methodist Church, is requesting site plan approval for a 5776 square foot expansion of the existing church located at 7400 Pioneer Way. The purpose of the expansion is to provide classroom and nursery facilities. No expansion of the assembly area is proposed at this time. Accordingly, no additional parking is required, however, Mr. Rockie indicates that an additional 29 spaces will be provided. This will be achieved by a reconfiguration of the rear parking lot. The design of the addition will reflect the design of the existing structure and will conform to current height and setback requirements.

The Planning Staff and the Hearing Examiner are recommending approval of the proposed expansion. The Staff Report to the Hearing Examiner and the Hearing Examiner's report and recommendation to the City Council are attached. Additional graphics will be presented during the City Council meeting on June 22, 1992.

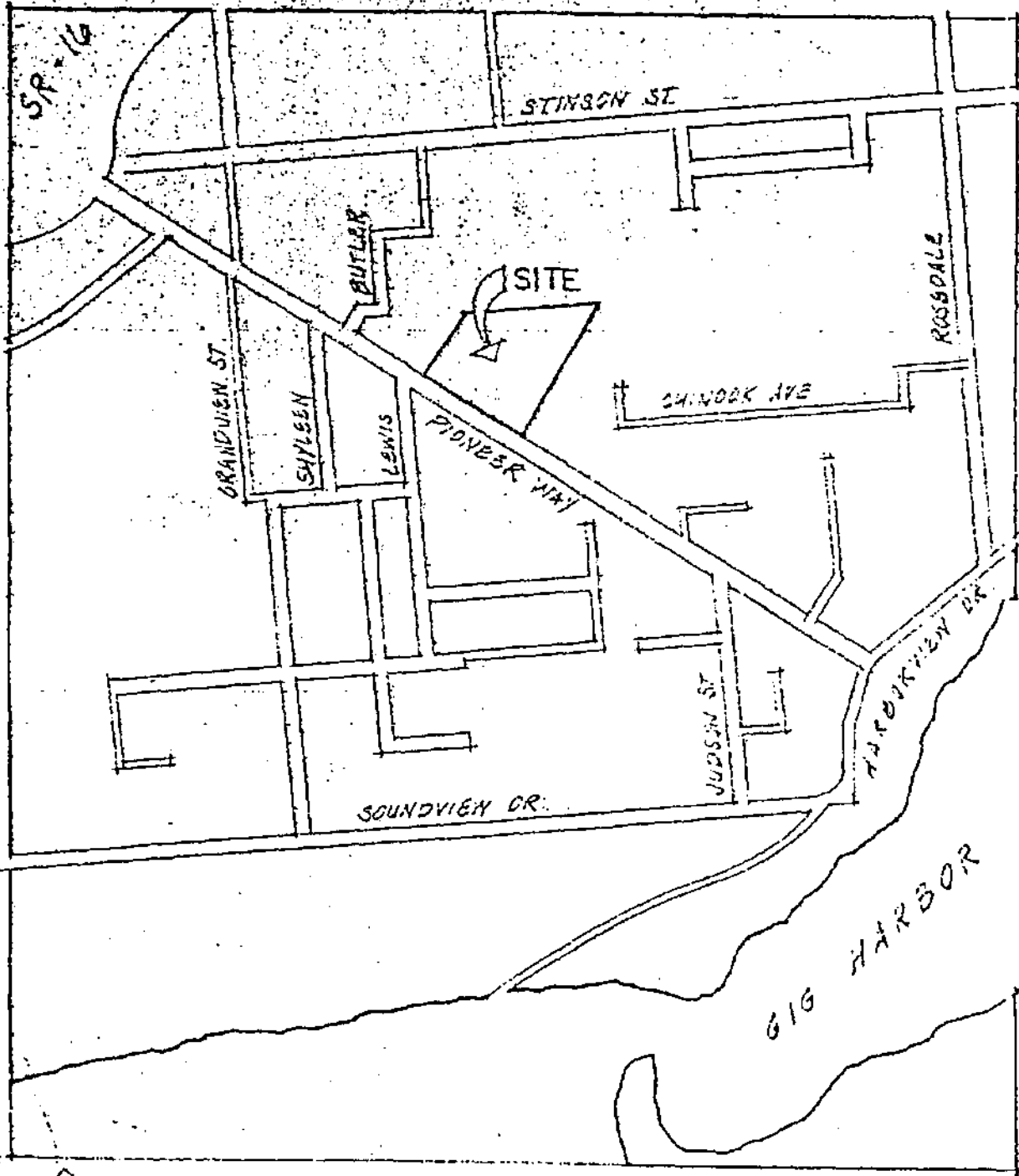
UNITED METHODIST CHURCH
EXPANSION


EDUCATION WING
ADDITION



SITE PLAN

1-1960



 vicinity map
scale: 1" = 600'

May 20, 1992

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

APPLICANT: United Methodist Church of Gig Harbor

CASE NO.: CUP 92-02, SPR 92-02

APPLICATION: Request for conditional use and site plan approval to allow a 5,776 square foot expansion to the existing church structure.

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 United Methodist Church of Gig Harbor application was opened at 5:17 p.m., May 20, 1992, in City Hall Gig Harbor, Washington, and closed at 5:30 pm. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. 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 on pages 1 through 4 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 a part of the Hearing Examiner's findings of fact. A copy of said report is available in the Planning Department.
- B. John Rockie, Chairman of the Building Committee for the church said the proposed education building was approved in concept in 1985 when the church was approved. Since then the plans have changed somewhat in that this proposal is smaller than the original proposal and it will be attached to the existing building rather than detached and connected with a breezeway as originally proposed. He said the addition will be primarily used to accommodate existing classes and meetings although it will allow for some additional meetings. He didn't envision any appreciable increase in use of the site and didn't feel

there would be any additional impact on traffic. He said the addition would be constructed in the same architectural style as the existing church. Finally, he said he had no problems with the conditions of approval recommended by staff.

- C. Wes Ulsh, who lives across the street from the existing church, said that everything the church has ever done there has been good for the community. He was very supportive of the proposal, but expressed concern about speeding traffic on Pioneer. He said he would like to see more police patrols on Pioneer.

II. CONCLUSIONS:

- A. If approved subject to the conditions listed below, the application will meet the criteria specified in Section 17.64 and 17.96 of the Zoning Code regarding Conditional Uses and Site Plans.

III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, it is recommended that the requested Conditional Use permit and Site Plan be approved, subject to the following conditions:

1. Prior to permit issuance, a fire protection plan shall be submitted to and approved by the Gig Harbor Public Works and Fire Marshal. In addition to standard building code requirements, said plan shall include the following:
 - a. Access must be provided around the building to within 150 feet of all portions of the building. This shall include the improvement of an existing access road on the west side of the parcel to a minimum 24 foot width with paving or compacted gravel. As an alternative, the new wing must be fire sprinkled.
 - b. Standard fire flow measures shall be incorporated as approved by the Public Works Department and Fire Marshal and which shall include an 8 inch water main within 150 feet of all portions of the building.
 - c. Prior to permit issuance, the Building Official/Fire Marshal shall determine that the structure conforms to all fire code and occupancy requirements.
 - d. A level II site analysis by a licensed engineer shall be prepared and submitted to the Planning Department prior to grading and excavation.
2. Prior to permit issuance, a temporary and permanent erosion control plan shall be submitted to and approved by the Public Works Department.
3. Prior to permit issuance, the Public Works Department shall determine the adequacy of the existing road network to accommodate potential traffic increases. Such determination shall be based upon a traffic study (to be provided by the applicant) by a licensed professional engineer.

4. Prior to permit issuance, the applicant shall submit a Level II site analysis prepared by a licensed Civil Engineer describing site conditions and methods of site stabilization before, during and after construction, consistent with Section 18.12.050.2 of the City's Critical Areas ordinance.

Dated this 26th day of May, 1992.



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.

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 this action. The City Council may adopt all or portions of the Examiner's Findings and Conclusions.

In the Case of an ordinance for 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 rejecting a decision of the Examiner, shall be final and conclusive, unless within twenty (20) days from the date of the Council action an aggrieved party or person applies for a writ of certiorari to the Superior Court of Washington for Pierce County, for the purpose of review of the action.

**MINUTES OF THE MAY 20, 1992
HEARING ON THE UNITED METHODIST CHURCH OF GIG HARBOR
APPLICATION**

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing was: Steve Osguthorpe, representing the City of Gig Harbor; John Rockie representing the Methodist Church and Wes Ulsh, a neighbor.

The following exhibits were offered and entered into the record:

A. Planning Staff's Advisory Report.

PARTIES OF RECORD:

John Rockie
United Methodist Church
P.O. Box 575
Gig Harbor, WA 98335

Wes Ulsh
7401 Pioneer Way
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: May 20, 1992

RE: CUP 92-02, SPR 92-02 : United Methodist Church of Gig Harbor -- request for conditional use and site plan review allowing 5776 square foot expansion of existing structure.

=====

I. GENERAL INFORMATION

APPLICANT: John D. Rockie, Chair, Building Committee
United Methodist Church of Gig Harbor
P.O. Box 575
Gig Harbor, Washington 98335

OWNER: United Methodist Church of Gig Harbor
P.O. Box 575
Gig Harbor, Washington 98335

AGENT: John D. Rockie

II. PROPERTY DESCRIPTION

1. Location: 7400 Pioneer Way
2. Site Area/Acreage: 200,354 sq. ft.
3. Natural Site Characteristics:
 - i. **Soil Type:** Harstine gravelly sandy loam
 - ii. **Slope:** 36% (steepest portion of site)
 - iii. **Drainage:** Existing curtain drain at bottom of hillside drains to the east into storm drains.

- iv. **Vegetation:** Area of construction is currently covered with grass.
- 4. **Zoning:**
 - i. **Subject parcel:** R-1, Single Family
 - ii. **Adjacent zoning and land use:**
 - North: R-1, Single Family
 - South: R-2, Medium Density Residential
 - East: R-1, Single Family
 - West: R-1, Single Family
- 5. **Utilities/Road Access:** Access off of Pioneer Way. Utilities include Peninsula Light Company, Telephone Utilities of Washington, City of Gig Harbor, water, sewer.

III. APPLICABLE LAND-USE POLICIES/CODES

- 1. **Comprehensive Plan:**
- 2. **Zoning Ordinance:** Section 17.16.030 of the Zoning Ordinance of Gig Harbor allows houses of religious worship as a conditional use in the R-1 zone. Section 17.72.030 F, states that one parking space is required for every four possible seats in the auditoriums or assembly rooms. The maximum seating capacity shall be determined under the provisions of the Uniform Building Code.

IV. BACKGROUND INFORMATION:

Site plan approval was granted for the United Methodist Church of Gig Harbor in 1985. The approved plans included the main structure of 10,420 square feet and identified proposed footprints for structures to be built in future phases. It appears that the original structure was approved with a total of 80 finished parking spaces and 88 unfinished spaces to be completed at a later date. However, it is not clear when these spaces were to be completed or which building they were to apply to - i.e, the approved building or some future expansion. Nonetheless, the expanded parking area has been improved with paving and striping. The site currently has 150 spaces with an additional 29 spaces proposed.

V. REQUEST/PROJECT DESCRIPTION:

The current application is for site plan and conditional use approval for an 5776 square foot expansion of the existing 10420 square foot building. This will bring the impervious coverage of the site up to 39 percent. Maximum impervious coverage in the R-1 zone is 40 percent.

The proposed expansion will be placed on the west side of the existing structure and will require a partial cut of the hillside. The hillside has a slope of approximately 36% where the extreme corner of the building will lie. The cut will exceed 36 feet in length which triggers the need for a Level II site analysis report by a registered civil engineer as per Section 18.12.050.2 of the City's Critical Area Ordinance. A soils report was submitted with the original application and indicates that the site is generally well suited for this use provided that proper precautions are exercised by the contractor during the construction phase. The engineer's report should identify what specific precautions are necessary.

The addition reflects the same design elements as the existing structure and will be as high as the lowest ridge on the existing building. The addition will be within the 16 foot height envelope due to a significant rise in grade at the westerly edge of the new building's footprint

VI. APPLICANT'S COMMENTS:

The applicant states the proposed addition will serve primarily as an education facility which provides adequate space for Sunday School classes and nurseries. The expected use of the facility is almost entirely Sunday oriented and other off-peak hours. The applicant expects little if any additional traffic generation from the expansion.

VII. PUBLIC NOTICE:

Public notice was provided as follows:

Published in Peninsula Gateway: May 4, 1992
Mailed to property owners of record within 300 feet of the site: May 6, 1992
Posted in three conspicuous locations in the vicinity of the site: May 13, 1992

As of May 13, 1992 the Staff has received no public comments on this proposal:

VIII. STAFF REVIEW:

The following comments have been submitted to the Planning Department:

1. Building Official: In addition to standard building code requirements, the Building Official/Fire Marshall has indicated that the following fire protection will be required:
 - a) Access must be proved which allows access around the building within 150 feet of all portions of the building. This shall include the improvement of an existing access road on the west side of the parcel to a minimum 24 foot width with paving or compacted gravel. As an alternative, the new wing must be fire sprinkled.
 - b) Standard fire flow measures shall be incorporated as approved by the Public Works Department and Fire Marshal and which shall include an 8 inch water main within 150 feet of all portions of the building.
 - c) The Building Official shall review a building area/occupancy analysis to determine if separation walls will be required.
2. Public Works Director: The Public Works Director has indicated that a temporary and permanent erosion control plan is needed prior to permit issuance. In addition, due to potential increased traffic generation, a traffic study by a licensed professional engineer shall be required.
3. SEPA Responsible Official: The SEPA responsible official for the City has determined that this proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is therefore not required.

IX. FINDINGS AND RECOMMENDATION

The Planning Staff has determined that the proposed expansion is consistent with the original approval which anticipated an expanded facility and that it complies with all zoning code requirements. The Planning Staff therefore recommends conditional use and site plan approval subject to the following conditions:

Conditions of Approval:

1. Prior to permit issuance, a fire protection plan shall be submitted to and approved by the Gig Harbor Public Works and Fire Marshall. In addition to standard building code requirements, said plan shall include the following:
 - a) Access must be proved around the building to within 150 feet of all portions of the building. This shall include the improvement of an existing access road on the west side of the parcel to a minimum 24 foot width with paving or compacted gravel. As an alternative, the new wing must be fire sprinkled.
 - b) Standard fire flow measures shall be incorporated as approved by the Public Works Department and Fire Marshal and which shall include an 8 inch water main within 150 feet of all portions of the building.
 - c) Prior to permit issuance, the Building Official/Fire Marshal shall determine that the structure conforms to all fire code and occupancy requirements.
 - d) A level II site analysis by a licensed engineer shall be prepared and submitted to the Planning Department prior to grading and excavation.

2. Prior to permit issuance, a temporary and permanent erosion control plan shall be submitted to and approved by the Public Works Department.

3. Prior to permit issuance, the Public Works Department shall determine the adequacy of the existing road network to accommodate potential traffic increases. Such determination shall be based upon a traffic study (to be provided by the applicant) by a licensed professional engineer.
4. Prior to permit issuance, the applicant shall submit a Level II site analysis prepared by a licensed Civil Engineer describing site conditions and methods of site stabilization before, during and after construction, consistent with Section 18.12.050.2 of the City's Critical Areas ordinance.

Project Planner: Steve Osguthorpe, Associate Planner

Date: May 13, 1992

CITY OF GIG HARBOR

RESOLUTION NO. _____

WHEREAS, John D. Rockie, Building Committee Chairman for the Gig Harbor United Methodist Church, has requested site plan approval for the expansion of the Gig Harbor United Methodist Church located at 7400 Pioneer Way; and,

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

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated May 20, 1992; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on May 20, 1992 to accept public comment on the application; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended conditional approval of said site plan in his report dated May 26, 1992;

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 May 26, 1992 are hereby adopted and the site plan is approved subject to the following conditions:

1. Prior to permit issuance, a fire protection plan shall be submitted to and approved by the Gig Harbor Public Works and Fire Marshall. In addition to standard building code requirements, said plan shall include the following:
 - a. Access must be provided around the building to within 150 feet of all portions of the building. This shall include the improvement of an existing access road on the west side of the parcel to a minimum 24 foot width with paving or compacted gravel. As an alternative, the new wing must be fire sprinkled.

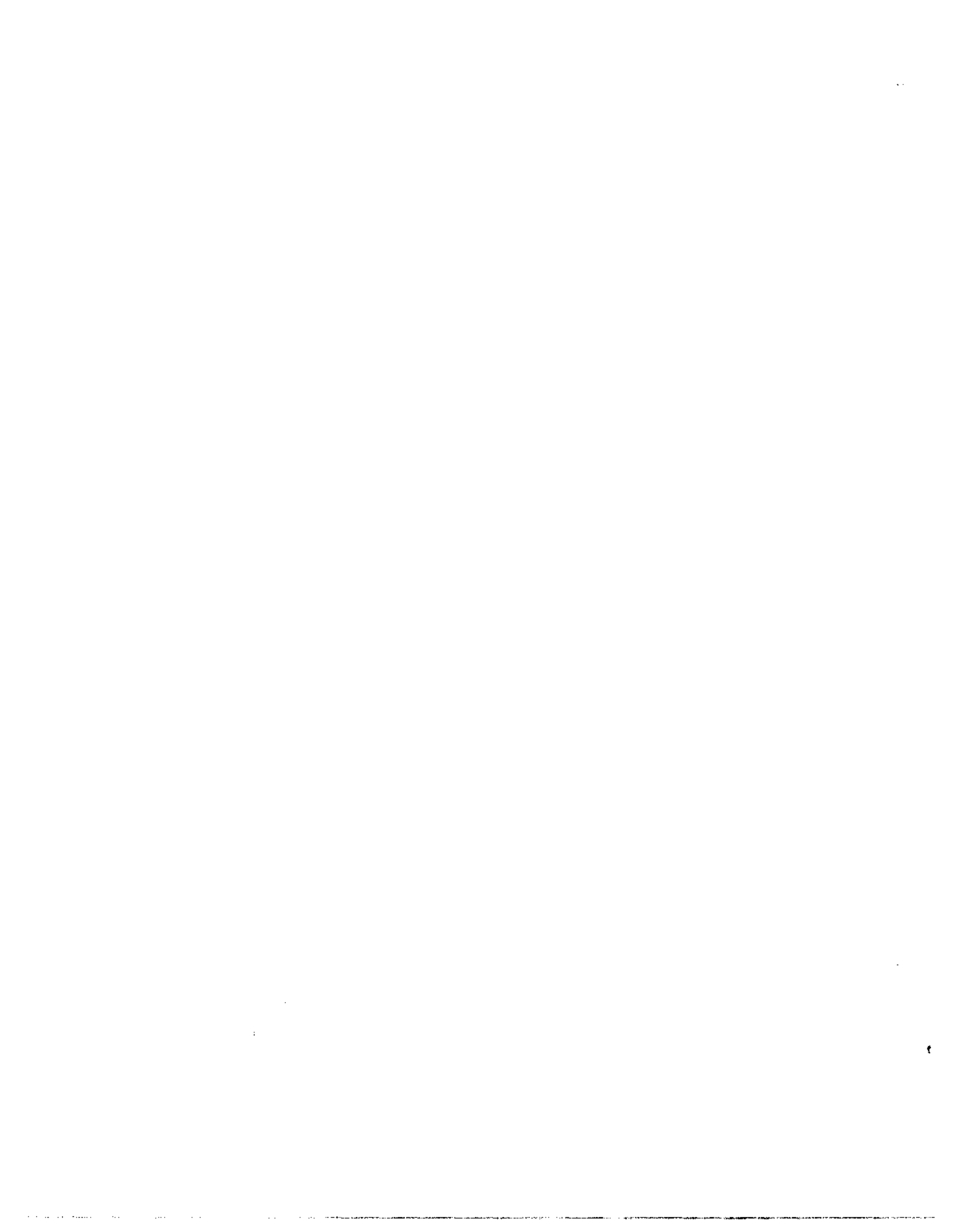
- b. Standard fire flow measures shall be incorporated as approved by the Public Works Department and Fire Marshal and which shall include an 8 inch water main within 150 feet of all portions of the building.
 - c. Prior to permit issuance, the Building Official/Fire Marshal shall determine that the structure conforms to all fire code ;and occupancy requirements.
 - d. A level II site analysis by a licensed engineer shall be prepared and submitted to the Planning Department prior to grading and excavation.
2. Prior to permit issuance, a temporary and permanent erosion control plan shall be submitted to and approved by the Public Works Department.
 3. Prior to permit issuance, the Public Works Department shall determine the adequacy of the existing road network to accommodate potential traffic increases. Such determination shall be based upon a traffic study (to be provided by the applicant) by a licensed professional engineer.
 4. Prior to permit issuance, the applicant shall submit a Level II site analysis prepared by a licensed Civil Engineer describing site conditions and methods of site stabilization before, during and after construction, consistent with Section 18.12.050.2 of the City's Critical Areas ordinance.

Gretchen A. Wilbert, Mayor

Attest:

Mark E. Hoppen
City Administrator/Clerk

Filed with the City Clerk: 6/3/92
Passed by City Council: 6/22/92





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: *RG* Ray Gilmore
DATE: June 17, 1992
SUBJ.: Request to Revise Plan -- Texaco, Inc.

Texaco, Inc., through its agent Robert H Lee and Associates, has requested Council's favorable consideration of a revised architectural plan from that approved in October, 1990. Council review is required due to condition number 3 of resolution 296. The changes consist of:

1. Installation of a new fascia on the existing building to match the fascia previously approved by the Council for the canopy.
2. Installation of a light grey fluted metal siding to replace the brick veneer.

The proposed alteration remains consistent with the zoning code respective to height and signage. Revised plans are submitted for your approval.



ROBERT H. LEE & ASSOCIATES, INC.

ARCHITECTURE

PLANNING

ENGINEERING

1820 140th AVENUE, N.E.

SUITE 200

BELLEVUE, WASHINGTON 98005

(206) 748-4877

FAX (206) 748-8838

STEVEN J. KATTNER
Architect

May 28, 1992

Mr. Ray Gilmore
City of Gig Harbor
3105 Judson St.
Gig Harbor, WA 98335

JUN 0 2 92

RE: Proposed Improvements, Texaco Service Station
7101 Pioneer Way, Gig Harbor, Washington

Dear Mr. Gilmore:

As you know, City of Gig Harbor Resolution No. 296, dated 10/8/90, approved Texaco's request to improve existing facilities at the above site subject to certain conditions. Condition number three to that Resolution states that the architectural rendition as depicted on the site plan is adopted as the approved design.

Texaco now wishes to make a few minor modifications to that design which they feel will enhance the appearance of the completed project. These improvements include: (a) installation of a new fascia on the existing building to match the fascia already approved for the new canopy, and (b) installation of a light grey fluted metal siding to replace the brick veneer on the building. These revisions are depicted on the revised plans submitted to your office on May 27, 1992.

It is requested that you now schedule a hearing as soon as possible before the City Council to consider this amended design. In the meantime, please give me a call if you have any questions or need any additional information.

Very Truly Yours,

ROBERT H. LEE & ASSOCIATES, INC.

H. E. SCHMIDT
Professional Engineer

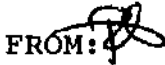
cc: John Ramsey, Texaco
\\2506\Texaco.ltr



Recycled Paper



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

TO: Mayor Wilbert and City Council
FROM:  Ray Gilmore
DATE: June 16, 1992
SUBJ.: Request to Consider Shoreline Permit (SDP 91-02)--
Gig Harbor Marina Office Building

In December of 1991, Council tabled action on the above referenced shoreline permit to permit Mr. Williamson the opportunity to apply for a variance from the parking requirements of the zoning code for the entire development, and to provide a parking plan agreement with Mr. Gilich (owner of the leased property to the east). Council also requested Mr. Williamson to provide a water access\facility plan meeting the requirements of Section 17.50.040 (excess impervious coverage) and submit a landscaping plan.

Mr. Williamson's response is attached (letter of May 29, 1992). A request for legal opinion was submitted to our legal counsel in January. Wayne Tanaka responded that the storage shed's reconstruction to an office building would necessitate conformance to the code, respective to impervious coverage. Consequently, a variance from this standard would be required.

In respect to parking, it appears, based upon documents on file and what is currently provided on the property, that Mr. Williamson meets the minimum parking requirements for the entire facility. However, his lease with Mr. Gilich, which accounts for 40 spaces adjacent to the facility, expires in four years. The zoning code does not prohibit parking on adjacent property provided that it is within 100 feet of the site and is specially reserved for the use (17.72.020).

The zoning code is silent on the mechanism to assure parking on adjacent property and does not specify the use of agreements to accomplish this requirement. As pointed out by Mr. Williamson, his overall parking shortfall (minus the Gilich parking area) would be 9 parking spaces. This shortfall, should it occur if a parking agreement is not renewed in June of 1996, can be remedied by requiring the removal of the appropriate number of either moorage spaces or the discontinuance of office use. Effectively, this could result in the removal of 5-45 foot or less moorage

spaces or 2700 square feet of office space. Mr. Williamson could also apply for a variance from the minimum parking standards, but this would not be a pressing issue until 1996. If Mr. Williamson feels confident that the current parking situation will continue beyond 1996, staff feels that he should be allowed to proceed, at risk.

It appears that the foremost issue confronting Mr. Williamson at this time is the impervious coverage issue. Mr. Williamson raises an interesting point that a City requirement now is cause for his non-conformity. Nonetheless, based upon legal advice, Mr. Williamson should seek a variance from the maximum impervious coverage requirements of the code. Because this variance would be a local permit (not subject to review by D.O.E.), staff does not feel it necessary to withhold action on the shoreline permit.

Staff, therefore, recommends approval of the shoreline permit and resolution subject to the following additional conditions:

8. The applicant shall apply for a zoning variance from the maximum impervious coverage requirements of Section 17.50.040 prior to applying for a building permit for the office building. Should the variance be denied, the shoreline permit for the office building shall be rescinded by the city, in accordance with RCW 90.58.150 (8).
9. The applicant shall provide prior to May 4, 1996, documentation on a lease renewal for the use of adjacent property as additional parking for the marina and related facilities. If a lease renewal is not in effect after June 4, 1996, the applicant shall bring the marina and associated facilities into compliance with the zoning code within thirty days of the lease expiration date.

Documents pertinent to your review are attached.

CITY OF GIG HARBOR
RESOLUTION NO.

WHEREAS, Walter Williamson, has requested a Shoreline Management Substantial Development permit and variance approval for the demolition and reconstruction of 12,672 square feet of boat storage and office space located at 3117 Harborview Drive; and,

WHEREAS, the Gig Harbor city Council has adopted Ordinance #489 which establishes guidelines for the reviewing of Shoreline Management Substantial Development permits and variances and other land use issues; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated May 28, 1991; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on June 19, 1991 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 in his reports dated July 5 and August 29, 1991; and,

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 reports dated July 5 and August 29, 1991 are hereby adopted and the application for shoreline Management Substantial Development permit and variance is granted subject to the following findings and conclusions:

- 1) A storm water drainage plan shall be submitted to the Public Works Department for review and approval. The storm drainage plan shall also include details providing for temporary erosion control during site preparation and construction. Storm drainage improvements, as required by the Public Works Department, shall be installed prior to occupancy of the building.
- 2) The proposal shall conform to the Gig Harbor Fire Code as recommended in the City Fire Marshal's report in Exhibit 'A'.
- 3) The designated off-street parking spaces shall be striped and clearly visible.
- 4) The proposed structure shall not exceed the sixteen foot height limit as established under the district standards.
- 5) Construction on the project shall begin within twenty-four (24) months from the date of the final council action in compliance with Section 17.96.070. Failure to start construction within the allotted time period shall render approvals null and void.
- 6) The applicant shall be prepared to furnish a bond or an assignment of funds to assure completion of improvements that are required by the City but remain incomplete after occupancy of the expanded facility is allowed. The amount of the bond or assigned funds is to equal 110% of a reputable contractor's bid for completion of the requirements. The bond or assignment of funds shall be valid for a period of two years from the date of construction. This requirement does not supercede the requirements for the posting of a construction and maintenance bond to comply with the Gig Harbor Municipal Code.
- 7) A side yard variance of five feet is granted and the shoreline substantial development permit is approved subject to the conditions cited in my July 5, 1991 decision.

Resolution No.
Page 3

PASSED this 22nd day of June, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator

Filed with City Clerk: 10/10/91
Passed by City Council: 06/22/92

CITY OF GIG HARBOR
SHORELINE MANAGEMENT ACT OF 1971
PERMIT FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT,
CONDITIONAL USE, OR VARIANCE

- Substantial Development Permit
 Conditional Use
 Variance

Application No. SDP 91-02

Administering Agency City of Gig Harbor

Date Received April 9, 1991

Approved _____ Denied _____

Date of Issuance _____

Date of Expiration _____

Pursuant to RCW 90.58, a permit is hereby granted/denied to
Walter Williamson (Gig Harbor Marina)
(name of applicant)
P.O. Box 387, Gig Harbor, WA 98335
(address)

to undertake the following development Construct 12,672 foot
structure for office space and upland boat storage in same location
as existing storage shed. Existing shed to be demolished.

upon the following property NW 1/4 of Section 8, Township 21N
(Section, Township, Range)
Range 2, E

Within Gig Harbor Bay and/or its associated
wetlands. The project will not be within shorelines
(be/not be)

of statewide significance (RCW 90.58.030). The project will
be located within an Urban designation.
(environment)

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

This permit is granted pursuant to the Shoreline Management Act of 1971 and 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 (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.68.140(7) in the event the permittee fails to comply with the terms or conditions hereof.

CONSTRUCTION PURSUANT TO THIS PERMIT WILL NOT BEGIN OR OS NOT AUTHORIZED UNTIL THIRTY DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-14-090, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN THIRTY DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCS 90.58.140(5)(a)(b)(c).

(Date) Mayor, City of Gig Harbor

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

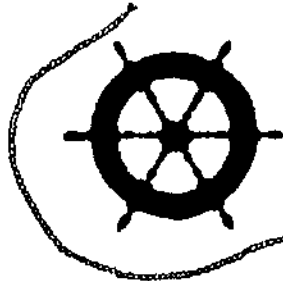
Date received by the department _____

Approved _____ Denied _____

This conditional use/variance permit is approved/denied by the department pursuant to chapter 90.58 RCW.

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

(Date) (Signature of Authorized Department Official)



GIG HARBOR MARINA

Gig Harbor Boat Yard, Inc.

Phone — 858-3535

P.O. Box 387 Gig Harbor, Washington 98335

May 29, 1992

Honorable Mayor Gretchen Wilbert

City Council Members

Dear Council:

Please accept this letter as my response to the Council request for additional information regarding the Marina's position on these three items:

1. Available parking
2. Impervious cover
3. Landscaping

I have held this letter in abeyance pending an interpretation from City Attorney, Wayne Tanaka, which I received on May 21, 1992.

1. Our parking requirements are Fox Trap--2, Yacht Sales--2, proposed building--21, and the Marina--61, for a total of 86 (please see drawing). We have 77 parking spaces on Marina property and 40 spaces on adjoining leased property for a total of 117 parking spaces. The lease on the adjoining property will continue until June 4, 1996 and we are presently negotiating with the owner for extensions in three year increments. (Please see copy of attached lease). With 117 available spaces and only 86 required I believe we have sufficient parking.

2. Although the Marina exceeds 90% impervious cover I wish to point out that it was a requirement by the City that "all gravelled parking areas shall be paved and striped". Please see condition #8 of City of Gig Harbor letter to Gig Harbor Marina dated October 15, 1985. (Copy attached). It is hoped that the Council will not force water view/access onto us when it was a City condition that caused the over-coverage.

3. Our landscaping as shown on the landscape drawing meets the area requirements of the City. We show landscaping at the

May 29, 1992

street level which I believe will be more attractive to the viewers and will save valuable parking in the parking area. We may place eight to ten foot long flower/shrub boxes spaced along the protective guard rail of the upper structure.

I would appreciate the cooperation of the Council on this venture. I'm sure the planned building will be an asset to the City.

Sincerely yours,

A handwritten signature in cursive script that reads "Walter W. Williamson".

Walter W. Williamson
President

WWW:klm

Enclosures

CITY OF GIG HARBOR

October 15, 1985

Walt Williamson
Gig Harbor Marina
P.O. Box 387
Gig Harbor, WA 98335

RE: SDP-84-01, SP-84-06

Dear Mr. Williamson:

At their regularly scheduled meeting of October 14, 1985, the Gig Harbor City Council recommended approval of your substantial development permit and conditional approval of your site plan subject to the following conditions:

1. A bulkhead constructed within the northwest marine ways shall not be located waterward of the MHHW line (11.8-foot elevation). This would eliminate the previously proposed fill.
2. Two new oil/grease/sediment traps shall be installed within the stormwater drainage system to intercept all stormwater flowing from the applicant's property to Gig Harbor. (One trap exists now.)
3. A mixture of cobble/sand/silt shall be placed at the toe of all vertical bulkheads adjacent to the applicant's property. That fill material shall be placed with a 1.5 horizontal to 1.0 vertical-foot slope beginning at the 6.0-foot elevation line on the bulkheads. (This action would eliminate deep water against the bulkhead during higher tidal stages, a condition that often contributes to high juvenile salmon predation mortalities.)
4. The existing city stormwater outfall shall be extended to the MLLW line.
5. All rails, cross-ties and large debris shall be removed from the northwest marine ways.
6. Dredging shall not exceed minus 8 feet MLLW.
7. Curbing structures shall be installed along the water-front perimeter of the applicant's property to prevent contaminating substances from entering the water.
8. All gravelled parking areas shall be paved and striped.

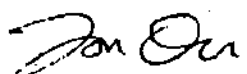
COBBLE

Walt Williamson
Page Two
October 15, 1985

9. Fire protection improvements shall conform to the specifications of the Uniform Fire Code and all applicable local codes.
10. Signs shall be posted indicating public access.
11. Boaters should not use their marine toilets while moored unless these toilets are self-contained or have an approved treatment device. Signs stating this should be posted where they are readily visible to all boaters.
12. Curb, gutters, and sidewalks including landscaping shall be provided along the Harborview frontage. Exact location subject to staff review and approval.

If you should have any questions concerning the Council's recommendation or the further processing of your application, please do not hesitate to call.

Sincerely,

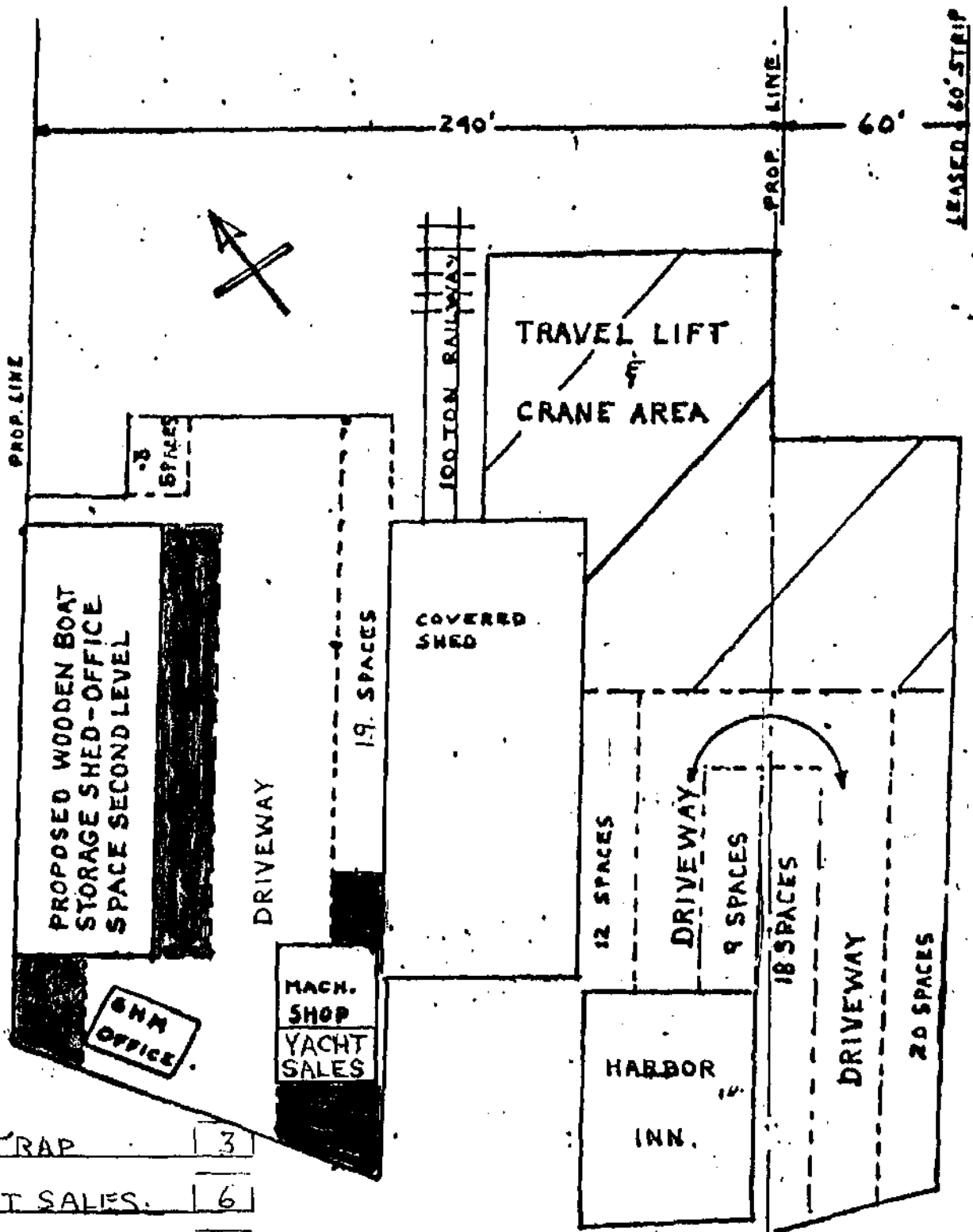


Don Orr
Planning Director
City of Gig Harbor

DO/kla

GIG HARBOR MARINA
 P. O. BOX 387
 GIG HARBOR, WA 98335-0387
 (206) 858-3535

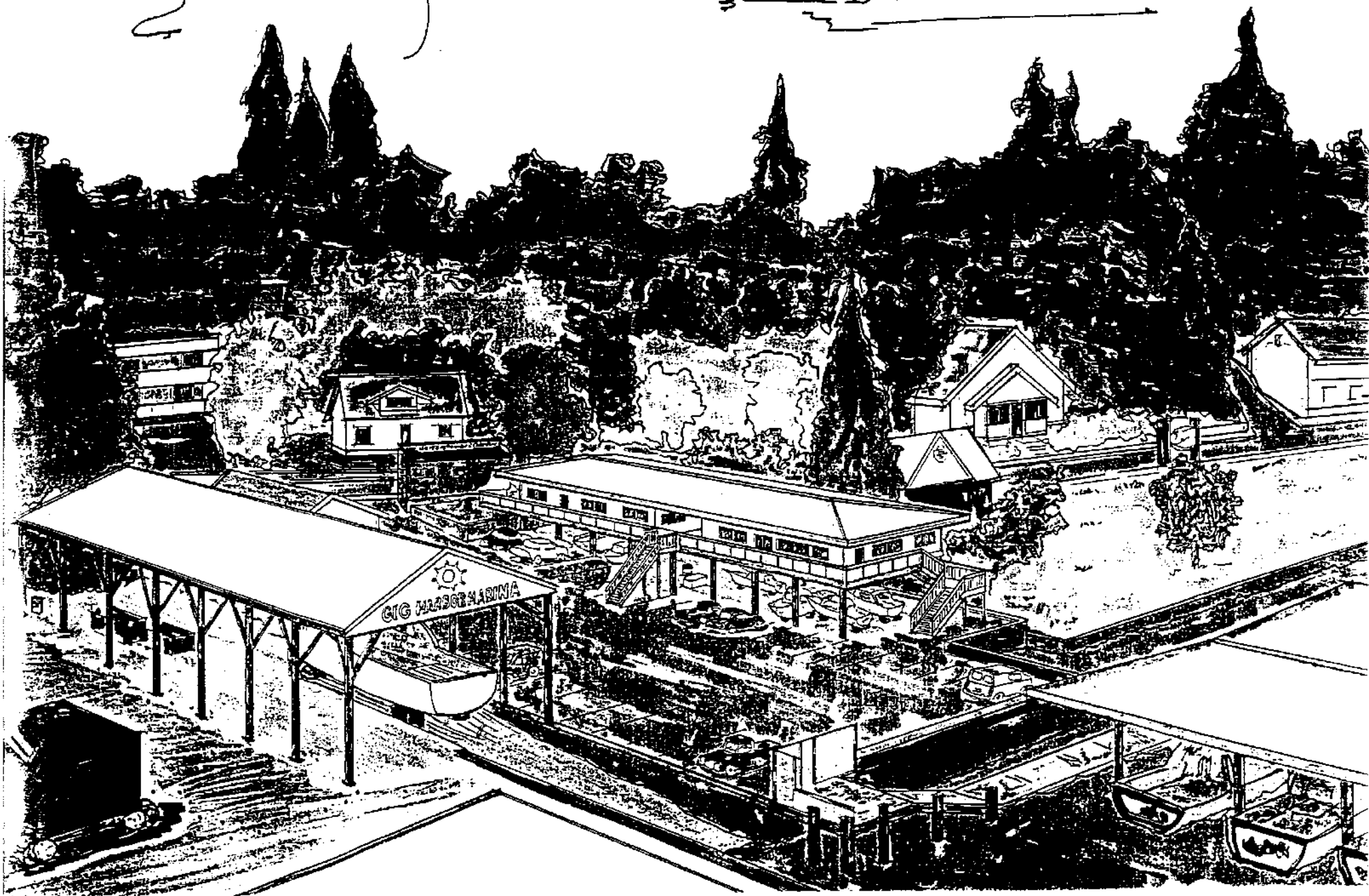
GIG HARBOR MARINA
 VEHICLE PARKING
 106 STANDARD UNITS



■	FOXTRAP	3
■	YACHT SALES	6
■	PROPOSED BLDG	17
□	MARINA	80
TOTAL		106

SCALE 1"=50'

GIG HARBOR MARINA OFFICE BUILDING



ASSIGNMENT OF LEASE

KNOW ALL MEN BY THESE PRESENTS, that PAUL D. WONDERLY and JANE WONDERLY, Assignors, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by GLENN M. DANIELSON and LOIS A. DANIELSON, his wife, and WALTER W. WILLIAMSON and LUCILLE M. WILLIAMSON, his wife, Assignees, hereby assign and transfer unto the Assignees that certain lease made by VIVKA GILICH as widow and JOHN S. GILICH, a single man, to MARJORIE McCULLOCH, dated the 14th day of May, 1966 and recorded in the office of the Auditor of Biggs County under Auditor's No. 2221521, covering the premises described as follows:

Commencing at the meander corner between Sections 5 and 8, Township 21 North, Range 2 East of the Willamette Meridian, on the West side of Big Harbor; thence South 71° East along the Government Meander line 149.27 feet; thence South 15° East 240 feet to the true point of beginning; thence South 58° East 60 feet; thence South 32° West 322.35 feet; thence North 76° 10' West 63.02 feet; thence North 32° East 342.35 feet to the true point of beginning. TOGETHER with second class tidelands adjoining as conveyed by the State of Washington.

TO HAVE AND TO HOLD the same for the remainder of the term of said lease, subject to rents, covenants, conditions and provisions therein contained; they Assignors covenant that their interest in said leased premises has not been encumbered during the time that they held the same as lessors.

IN WITNESS WHEREOF, the Assignors have hereunto set their hands and seals this 14th day of September, 1966.

Paul D. Wonderly
Paul D. Wonderly
Jane Wonderly
Jane Wonderly

Margaret Hunter
Margaret Hunter
Auditor
Biggs County, Oregon

ENCLOSURE TAX PAID *Notar*
REC. NO. 235739 DATE 1-14-66
MAURIE RAY, CLERK Pierce Co. Treas.
BY *Alan D. ...* DEPUTY

LEASE

THIS INDENTURE, Made this 10 day of May, 1966,

WITNESSETH:

That VINKA GILICH, a widow, and JOHN S. GILICH, a single man, hereinafter sometimes called LESSORS, hereby lease and demise unto MARJORIE McCULLOCH, a single woman, hereinafter sometimes called LESSEE, the following described real property situate in Pierce County, State of Washington, to-wit:

Commencing at the meander corner between Sections 5 and 8, Township 21 North, Range 2 East of the W. M. on the West side of Gig Harbor; thence South 71° East along the Government meander line 149.27 feet; thence South 58° East 240 feet to the true point of beginning; thence South 58° East 60 feet; thence South 32° West 322.12 feet; thence North 76° 10' West 63.02 feet; thence North 32° East 342.35 feet to the true point of beginning. TOGETHER with second class tidelands adjoining.

TO HAVE AND TO HOLD THE SAME, together with the rights, easements, privileges and appurtenances thereunto belonging or appertaining, unto Lessee for a term of thirty years commencing on JUNE 1, 1966

Lessee yielding and paying therefor unto Lessors in advance for each and every year during said term commencing with the date hereof, rent as follows:

(a) \$825.00 per annum for each of the first five years of the term hereof.

(b) The annual rent for each successive five-year period of the remainder of the term hereof, including any renewal or extension thereof shall be the amount set forth in the preceding paragraph, increased or decreased in direct proportion to the increase or decrease in the Consumer Price Index - United States City Average for Urban Wage Earners

and Clerical Workers, issued by the United States Department of Labor, Bureau of Labor Statistics. The Index on the date hereof and upon which the initial rent is based is agreed to be: 111 (1957-1959 = 100). The index used for the purpose of redetermination of rent shall be the most recent available at the time each such determination is made. If the identical index is no longer issued, the most nearly comparable index shall be used. The amount of rent shall be calculated at such times by the following formula: $\frac{\text{New Index}}{111} \times \$825.00 = \text{New Rent.}$

LESSORS hereby covenant with Lessee that upon payment of the rent as aforesaid and upon observance and performance of the covenants by Lessee herein contained, Lessee shall peaceably hold and enjoy said premises for the term hereby demised without hindrance or interruption by Lessors or any other person or persons lawfully claiming by, through or under them except as herein expressly provided.

Lessee hereby covenants with Lessors as follows:

1. PAYMENT OF RENT. Lessee will pay or cause to be paid said rent in lawful money of the United States of America at the times and in the manner aforesaid, without any deduction and without any notice or demand, at Gil Harbor, Washington, or at such other place or places as may be designated in writing by Lessors.

2. PAYMENT OF TAXES AND ASSESSMENTS. As additional rent, Lessee will pay at least ten (10) days before the same becomes delinquent, all real estate taxes to which said premises or any part thereof or any improvements thereon, or Lessors or Lessee in respect thereof, are now or may during said term be assessed or become liable, whether assessed to or payable by Lessors or Lessee, and deliver

receipts therefor to Lessors upon request, except that real property taxes shall be prorated between Lessors and Lessee as of the dates of commencement and expiration respectively of said term; and Lessee will pay or cause to be paid at least 10 days before the same become delinquent all local improvement assessments assessed to said premises or any part thereof during the term hereof whether payable by Lessors or Lessee, provided, however, that with respect to any assessment which may be payable in installments, Lessee shall be required to pay only such installments together with interest as shall become due and payable during said term.

3. PAYMENT OF UTILITY RATES AND OTHER CHARGES.

Lessee will pay directly before the same becomes delinquent all charges, duties, rates and other outgoings of every description to which said premises or any part thereof or any improvement thereon, or Lessors or Lessee in respect thereof, may during said term be assessed or become liable for electricity, gas, refuse collection, telephone, sewage disposal, water or any other utilities or services, whether made by governmental authority or public or community service company and whether assessed to or payable by Lessors or Lessee.

4. OBSERVANCE OF LAWS. Lessee will at all times during said term observe and perform all laws, ordinances, rules and regulations now or hereafter made by any governmental authority for the time being applicable to said premises or any improvement thereon or use thereof, and will indemnify Lessors against all actions, suits, damages and claims by whomsoever brought or made by reason of the nonobservance or nonperformance of said laws, ordinances, rules and regulations or of this covenant.

5. USE. Lessee shall not erect or permit to be erected any building or buildings upon the demised premises except the same be entirely within the boundaries of said premises and comply with minimum set-back requirements, if any; subject to this limitation and to the requirements set forth in paragraph 4, Lessee shall not be limited or restricted in Lessee's manner of improvements and use of the demised premises.

6. INDEMNITY. Lessee will indemnify and hold Lessors harmless against all claims and demands for loss or damages, including property damage, personal injury and wrongful death, arising out of or in connection with the use or occupancy of said premises by Lessee or any other person claiming by, through or under Lessee, or any accident or fire on said premises, or any nuisance made or suffered thereon, or any failure by Lessee to keep said premises in a safe condition, and will reimburse Lessors for all their costs and expenses including reasonable attorney's fees incurred in connection with the defense of any such claims, and will hold all goods, materials, furniture, fixtures, equipment, machinery and other property whatsoever on said premises at the sole risk of Lessee and hold Lessors harmless for any loss or damage thereto by any cause whatsoever.

7. SURRENDER. At the end of said term or other sooner determination of this lease Lessee will peaceably deliver up to Lessors possession of the demised land, together with all permanent improvements upon or belonging to the same, by whomsoever made, in good repair, order and condition, reasonable wear and tear, damage by Act of God or by the public enemy or as a result of riot or civil commotion or by government action, excepted. At such time, Lessee shall have the right within a

reasonable time to remove any and all improvements placed upon the premises by Lessee but not permanently attached thereto and which can be removed without material injury to the land, including but not limited to floats and boathouses and pipe and utility lines appurtenant thereto.

8. CONDEMNATION. If at any time during said term the demised premises shall be taken or condemned by any authority having the power of eminent domain, this lease shall terminate and Lessee shall thereupon be relieved of further performance hereunder; if a material part but not all of said premises shall be so taken or condemned, Lessee shall have the option to surrender this lease and be relieved of further performance hereunder. In any such case of partial or total taking or condemnation under eminent domain, whether this lease be terminated or not, the net proceeds of the award upon condemnation, after payment of all costs including attorney's fees, shall be equitably divided between and paid to Lessor and Lessee according to their respective interests, and the loss or damage thereto occasioned by the taking or condemnation, and if they do not agree as to such division, they shall submit the matter for arbitration to a disinterested Certified Public Accountant who shall consider all evidence and arguments presented and available, and his decision as to allocation shall be final.

9. MORTGAGE OF LEASEHOLD. Any mortgagee (which term includes assignees) of Lessee's interest under this lease, or the Federal Housing Administration or other government agency, if it shall become the assignee, may enforce such mortgage and acquire title to the leasehold and any removable improvements in any lawful way, and rent the property pending foreclosure and acquisition and disposal of title. Any party acquiring the leasehold estate in consideration of the extinguishment of the debt or through foreclosure sale, or any party claiming by,

through or under any such party, shall be liable to perform the obligations imposed upon Lessee by this lease only during the period such party has possession or ownership of the leasehold estate.

10. PROTECTION OF MORTGAGE. During the existence of any mortgage of this lease Lessors will not terminate this lease because of any default by Lessee hereunder if the mortgagee, within one hundred and twenty (120) days after Lessors have mailed to the mortgagee at its last known address a written notice of intention to terminate this lease for such cause, shall either cure such default, if the same can be cured by the payment of money, or, if such is not the case, shall undertake in writing to perform all the covenants of this lease capable of performance by the mortgagee until such time as this lease shall be sold upon foreclosure pursuant to such mortgage, or if assigned to the Federal Housing Administration or other government agency, until this lease shall have been sold by said Administration or agency. Anything elsewhere herein contained to the contrary notwithstanding, so long as there is upon Lessee's leasehold estate a mortgage insured by the Federal Housing Administration or other government agency or owned by it, Lessors shall not without written permission from said Administration or agency and the mortgagee, its successors or assigns, exercise Lessors' right to terminate this lease for any cause whatsoever within a period of four (4) months from the giving to said Administration or agency and the mortgagee, its successors or assigns, of written notice of the existence of any default by Lessee under this lease, and within such period of four (4) months the Federal Housing Administration or agency or the mortgagee, its successors or assigns, may reinstate this lease by causing all existing default to be cured.

Lessors shall not exercise their right to terminate this lease for any reason whatsoever during the time required by the owner and holder of any mortgage of Lessee's leasehold estate to complete its remedies under such mortgage, provided (1) That such owner and holder proceeds promptly with its remedies under such mortgage and thereafter prosecutes and completes the same with due diligence and (11) that payment is made to Lessors of all rent and other charges and items of payment required to be paid by Lessee hereunder which have accrued and which shall become due and payable during said period of time.

11. INSPECTION. Lessors shall have the right to enter upon and inspect the premises in person or by agent at reasonable times for the purpose of determining compliance with the terms of this lease.

PROVIDED, HOWEVER, and this demise is upon this condition, that if Lessee shall fail to pay said rent or any part thereof within thirty (30) days after the same becomes due, whether the same shall or shall not have been legally demanded, or shall fail faithfully to observe or perform any of the other covenants herein contained and on the part of Lessee to be observed and performed and such default shall continue for thirty (30) days after written notice thereof given to Lessee at her last known address, or shall abandon said premises, Lessors may at once re-enter said premises or any part thereof in the name of the whole and, upon or without such entry, at their option terminate this lease, without service of notice or legal process and without prejudice to any other remedy or right of action for arrears of rent or for any preceding or other breach of contract, and in case of such termination all buildings and improvements on the demised land shall become and remain the property of Lessors, subject and subordinate

always to the rights of the Federal Housing Administration or other government agency and mortgagees as herein provided.

AND IT IS HEREBY EXPRESSLY AGREED and declared that

(a) Lessors will, at Lessee's expense, join with and assist Lessee, and execute such applications or other documents as may be necessary or expeditious, in procuring any and all permits, licenses or franchises for the use of the demised premises and/or the waters in front of or adjoining the same, which may be necessary or convenient, from any governmental agency, including without limitations all necessary permission to erect and maintain wharves, docks, piers, floats and pertinent facilities for the operation of a marina or other mooring facilities upon, in front of or adjoining the demised premises.

(b) Lessee shall have during the term of this lease and any extensions or renewals thereof a first right of refusal to purchase the demised premises, and if Lessors shall receive any bona fide offer to purchase said premises, Lessors shall, before accepting any such offer, notify Lessee thereof, disclosing all its terms and conditions, and offer to sell said premises to Lessee at the same price, terms and conditions or price, terms and conditions not less favorable to Lessors and allow Lessee a reasonable time to accept such offer. (c) The term "premises" herein shall mean and include (except where such meaning would be clearly repugnant to the context) all buildings and improvements now or at any time hereafter built on the land hereby demised; that the term "Lessors" herein shall mean and include Lessors, their heirs, successors, executors, administrators and assigns; and that the term "Lessee" herein, or any pronoun used in place thereof, shall mean and include the

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Vol 10 PAGE 201

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ASSIGNMENT OF LEASE

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KNOW THAT MARJORIE McCULLOCH, a single woman, Assignor, residing at 10214 Lexington St, Tacoma, Washington, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, paid by PAUL WONDERLY, Assignee, residing at 2717 Infield Rd., Tacoma, Washington, hereby assigns unto the Assignee, that certain Lease made by Vinka Gilich, a widow, and John S. Gilich, a single man, to Marjorie McCulloch, dated the 14th day of May, 1966, and recorded in the records of the Pierce County Auditor under Auditor's Fee No. 2221521, covering the premises described as follows:

Commencing at the meander corner between Sections 5 and 8, Township 21 North, Range 2 East of the W.M. on the West side of Gig Harbor; thence South 71° East along the Government meander line 149.27 feet; thence South 58° East 240 feet to the true point of beginning; thence South 58° East 60 feet; thence South 32° West 322.12 feet; thence North 76° 10' West 63.00 feet; thence North 32° East 342.35 feet to the true point of beginning.

43
232

TOGETHER with second class tidelands adjoining. Situate in the County of Pierce and State of Washington.

TO HAVE AND TO HOLD the same unto the Assignee, Paul Wonderly, and his assigns, from the 5th day of January, 1968, for all the rest of the term of the Lease, subject to rents, covenants, conditions and provisos therein also mentioned.

And the Assignor hereby covenants that the said assigned premises have not been encumbered during the term of the lease.

IN WITNESS WHEREOF, the Assignor has hereunto set her hand and seal in the County of Pierce, State of Washington, this 5th day of January, 1968.

Marjorie McCulloch
Marjorie McCulloch

STATE OF WASHINGTON)
County of Pierce) ss
I, _____, Deputy

TACOMA TAX EXEMPT DATE _____
BRUCE WATSON, Pierce Co. Treasurer

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this 5th day of January, 1968, personally appeared before me Marjorie McCulloch, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she signed and sealed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned. GIVEN under my hand and official seal the day and year last above written.



Bruce Watson
Notary Public in and for the State of Washington, residing at Tacoma, Washington.

CONSENT TO ASSIGNMENT

We hereby consent to the within assignment of the attached lease and acknowledge that there are no delinquencies in the payment of rentals. The next rental payment is due June-1, 1968.

Dated this 9th day of January, 1968.

Vinka Gilich
Vinka Gilich

John S. Gilich
John S. Gilich

RECEIVED
JAN 11 1968
11 30

W
1

RETURN TO:

Harold A. Allen Company
P. O. Box 3390
Tacoma, Washington 98499

PLEASE

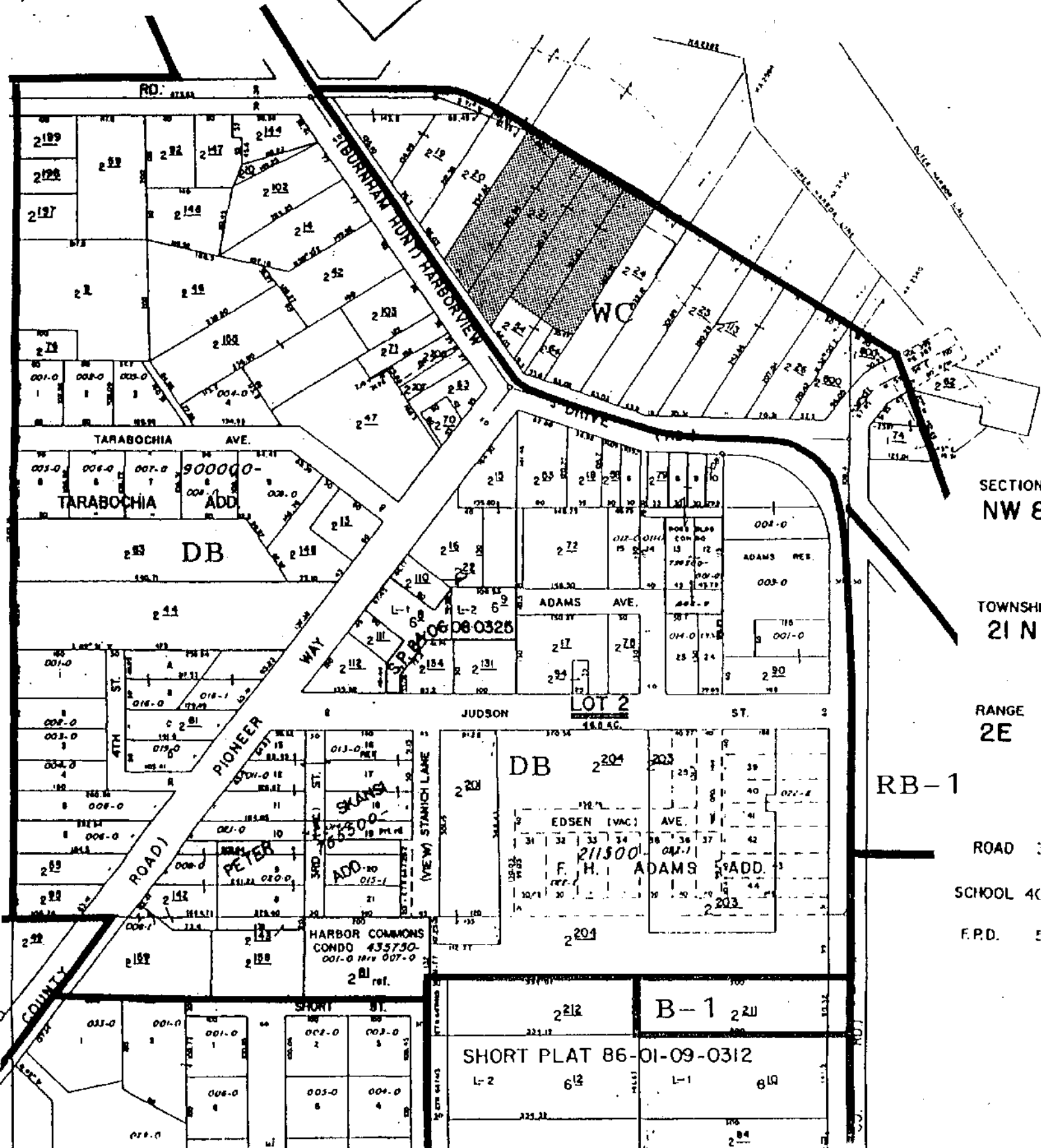
2222225
1
Carroll J. [unclear]
Shaw



■ -- WILLIAMSON OWNERSHIP

□ -- GILICH OWNERSHIP

19



SECTION NW 8

TOWNSHIP 21 N

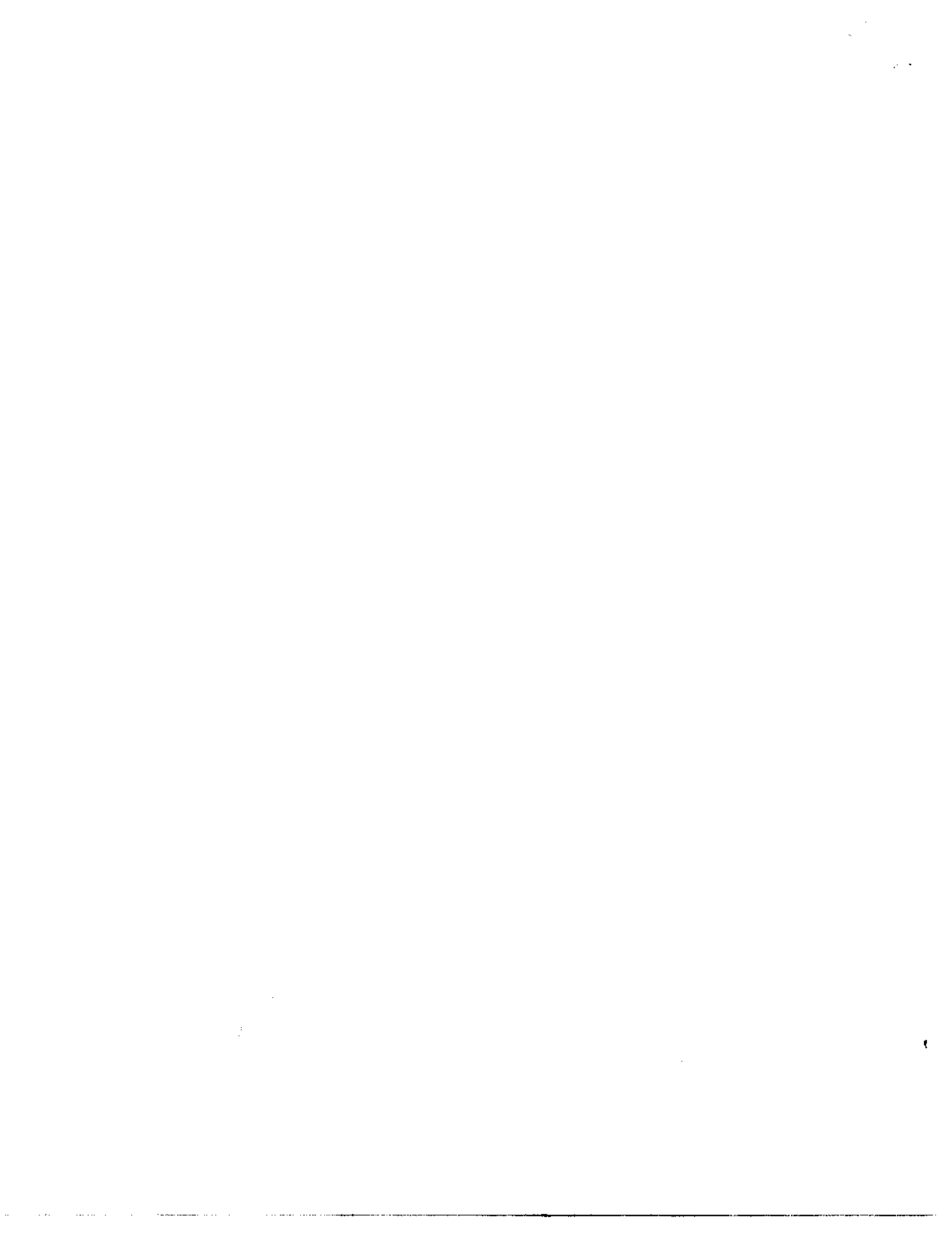
RANGE 2E

RB-1

ROAD

SCHOOL 40

F.P.D.





City of Gig Harbor. The "Maritime City."

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

TO: Mayor Gretchen Wilbert and City Council
FROM: *SB* Steve Bowman, Building Official/Fire Marshal
RE: STREET NAME FOR KNOX SHORT PLAT
DATE: June 17, 1992

The city has received a request for the naming of a private lane within the Knox Short Plat. Notification of the proposed street name has been circulated among city, county and public agencies for comments. Please find attached: proposed street name and letter of request, location maps.

COMMENTS:

The Addressing Ordinance recognizes the use of Peninsula Historical Society names or others as allowed by the Gig Harbor City Council. Historical names have been submitted to the applicant and have not been accepted. The Gig Harbor Postmaster has reviewed the proposed street names and has not found conflict with other street names in the Gig Harbor post office district.

Kelsey Lane: Fire District No. 5 has recommended each street which aligns with another street to have a common name. The proposed lanes are not through streets from Soundview Drive to 28th Ave. but they are aligned. I have recommended the applicant propose a separate name for each lane but an additional name has not been submitted for review.

RECOMMENDATION:

The Mayor and City Council approve the street name (Kelsey Lane) as proposed by the property owner of the Knox Short Plat for the lane gaining access from Soundview Drive.

MEMORANDUM FROM:
CITY OF GIG HARBOR
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 145
GIG HARBOR, WASHINGTON 98335

REQUEST COMMENTS FOR:

New/Change of address _____ New/Change of street name XX

Owner/Project Name DEBORA A. COLMAN

Present Address/Name NONE

New Address/Name KELSEY LANE

Owner's Office Phone No. 265-8889

Owner's Home Phone No. 265-6049

Copy of memo sent to: _____ Date: 6/4/92

- Planning/Building City Hall
- Gig Harbor Police City Hall
- Public Works City Hall
- Water & Sewer City Hall
- Fire Prevention 6711 Kimball Drive, Gig Harbor
- Post Office Gig Harbor
- Peninsula Light P.O. Box 78
- 9-1-1 Emergency Staff . 8102 Skansie Attn:Janie Carpenter
- Cable TV Puget Sound . 2316 S. State St., Tacoma 98405
- 9-1-1 Tacoma Office. . .Rm B-33, 930 Tacoma Ave. S, 98402

COMMENTS:

If comments are not received by June 17, 1992, the Address/Name change will be finalized.

You will receive an official notice stating the approved Address/Name change. This is not a notice of approval.

If you have any questions or if we may be of any assistance, please call Steve Bowman, Building Official at 851-8136.

Encl: Grid map x; A.P. map x; Information letter x

June 3, 1992

Mr. Steve Bowman
Gig Harbor City Hall
3105 Judson St.
Gig Harbor, WA 98335

Dear Mr. Bowman:

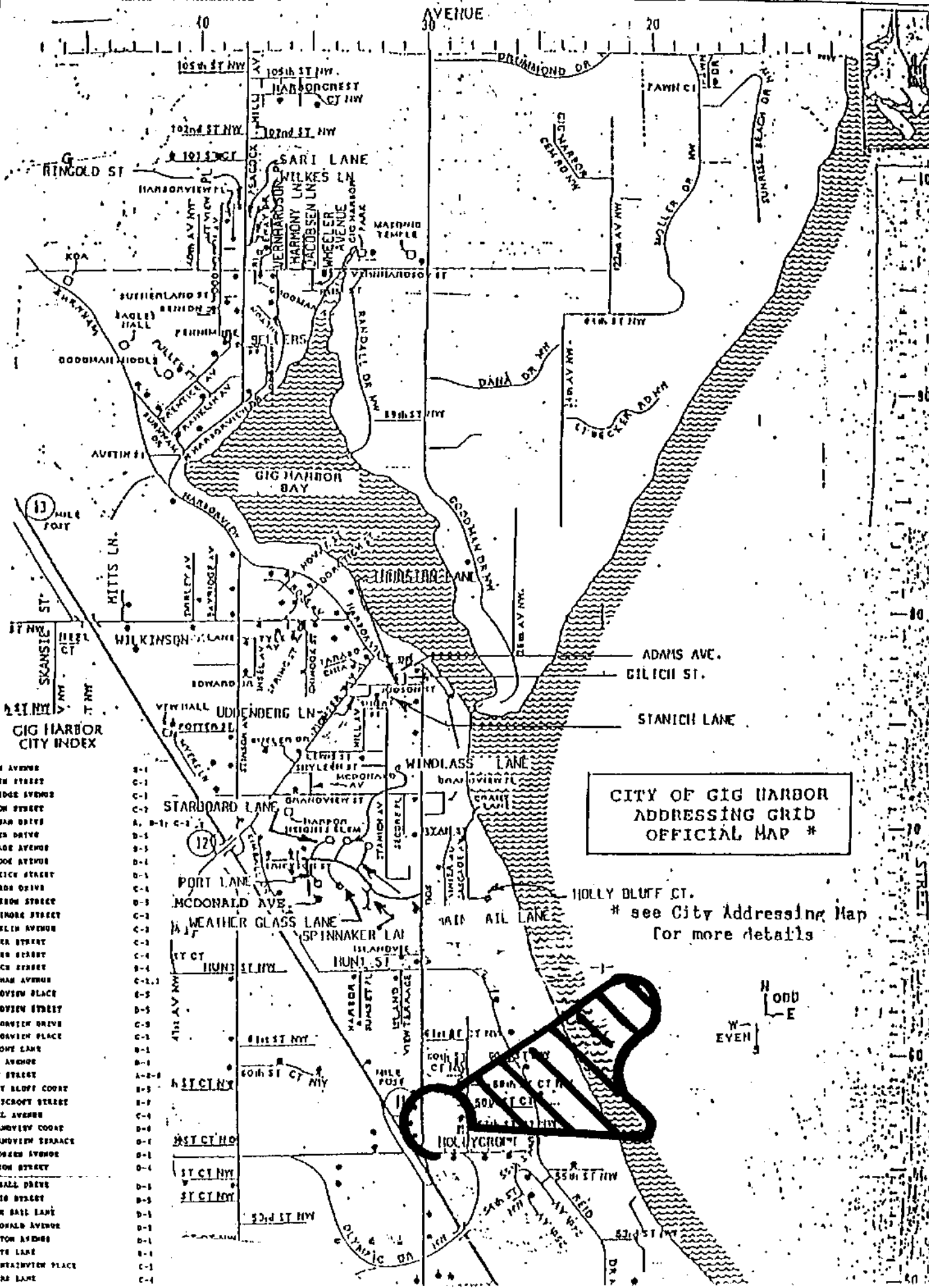
We would like to submit the name "Kelsey Lane" for the private driveway that serves lots 2 and 3 of S.P. #92-01-14-0374, located off Soundview Dr. in Gig Harbor.

Would you please present this proposal to the City Council for their approval. Thank you very much. Please disregard our previous suggestion of "Magoon Lane". Thank you.

Sincerely,



Debra D. Colman
4916 101st Ave. Ct. N.W.
Gig Harbor, WA 98335

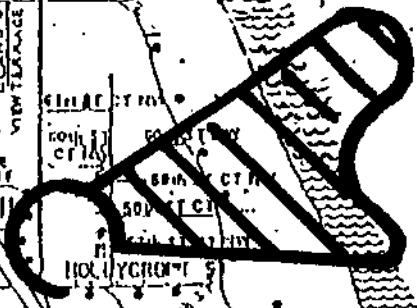
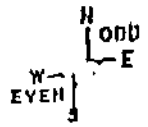


GIG HARBOR CITY INDEX

- ADAMS AVENUE C-1
- ROSEY STREET C-1
- BATEIDGE AVENUE C-1
- BENSON STREET C-2
- BOMBAY DRIVE B-1
- BUTLER DRIVE B-1
- CASCADE AVENUE B-1
- CHINOOK AVENUE B-1
- DOADICE STREET B-1
- HOWARD DRIVE C-1
- ERICSON STREET C-1
- TEMINORE STREET C-1
- FAMMEL AVENUE C-1
- FOLLER STREET C-1
- FOSTER STREET C-1
- GILICH STREET C-1
- GOODMAN AVENUE C-1
- GRANDVIEW PLACE C-1
- GRANDVIEW STREET C-1
- HARBORVIEW DRIVE C-1
- HARBORVIEW PLACE C-1
- HARBOUR LANE B-1
- BELL AVENUE B-1
- PORT STREET A-2-3
- HOLLY BLUFF COVE B-1
- HOLLICROFT STREET B-1
- EWEL AVENUE C-1
- ISLANDVIEW COOKE D-1
- ISLANDVIEW TERRACE D-1
- JACOBSEN AVENUE D-1
- JUDSON STREET D-1
- RENBALL DRIVE D-1
- LEWIS STREET D-1
- WATH BAIL LANE D-1
- ACDONALD AVENUE D-1
- KILTON AVENUE D-1
- HITTS LANE D-1
- HOUBRAVIEW PLACE C-1
- MYERS LANE C-1

**CITY OF GIG HARBOR
ADDRESSING GRID
OFFICIAL MAP ***

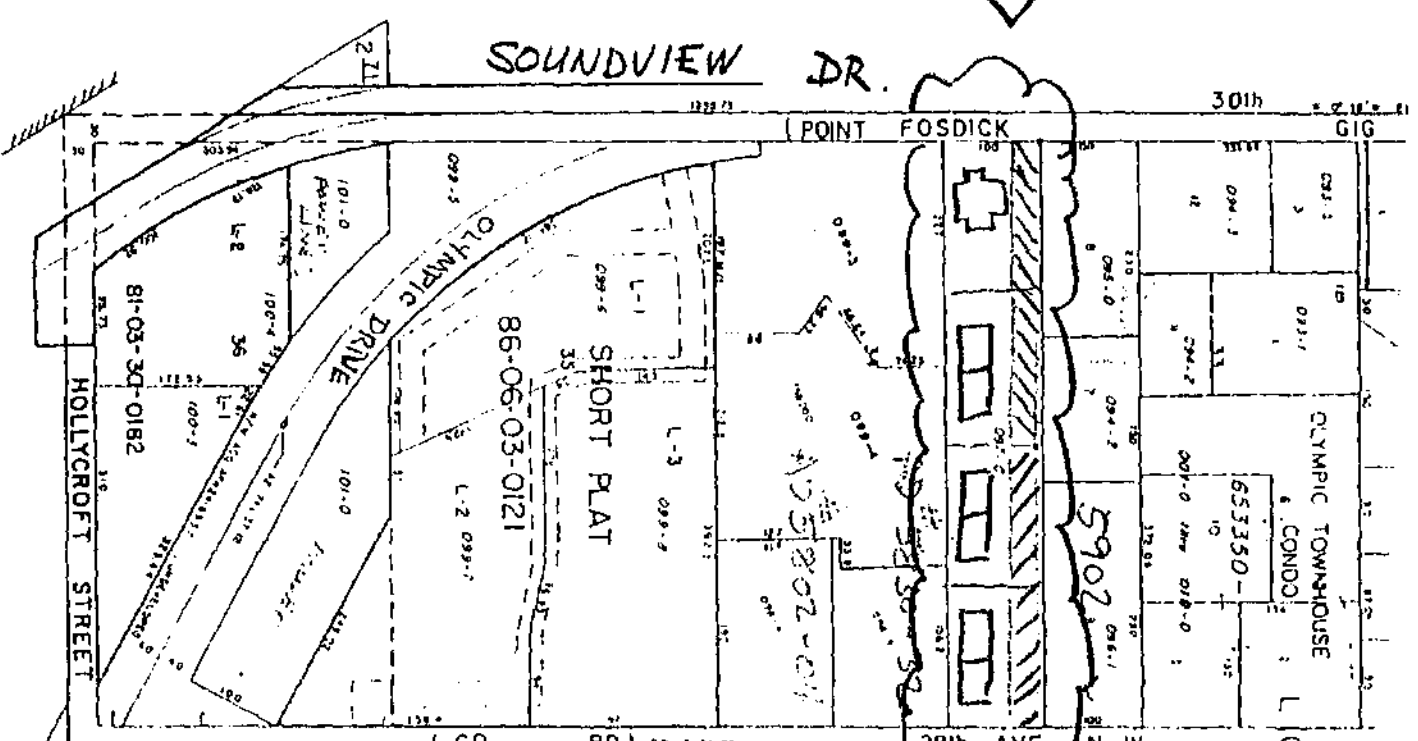
HOLLY BLUFF ST.
* see City Addressing Map
for more details





SOUNDVIEW DR.

(POINT FOSDICK) 30th GIG



HOLLYCROFT STREET

28th AVE

2 SHORE ACRES ADD.

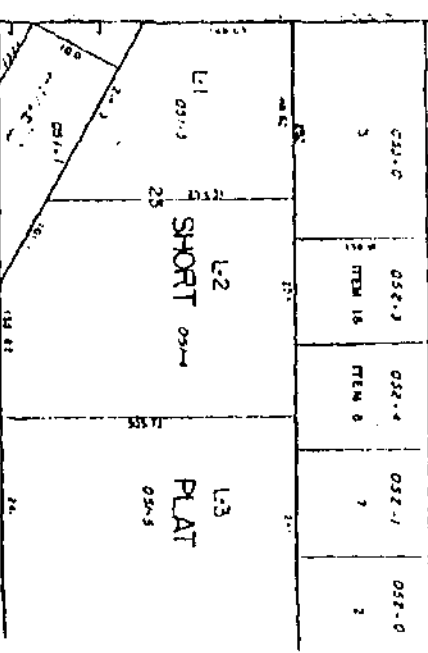
758000-

5825

5902

24 57th ST. CT. N.W.

SHORT PLAT

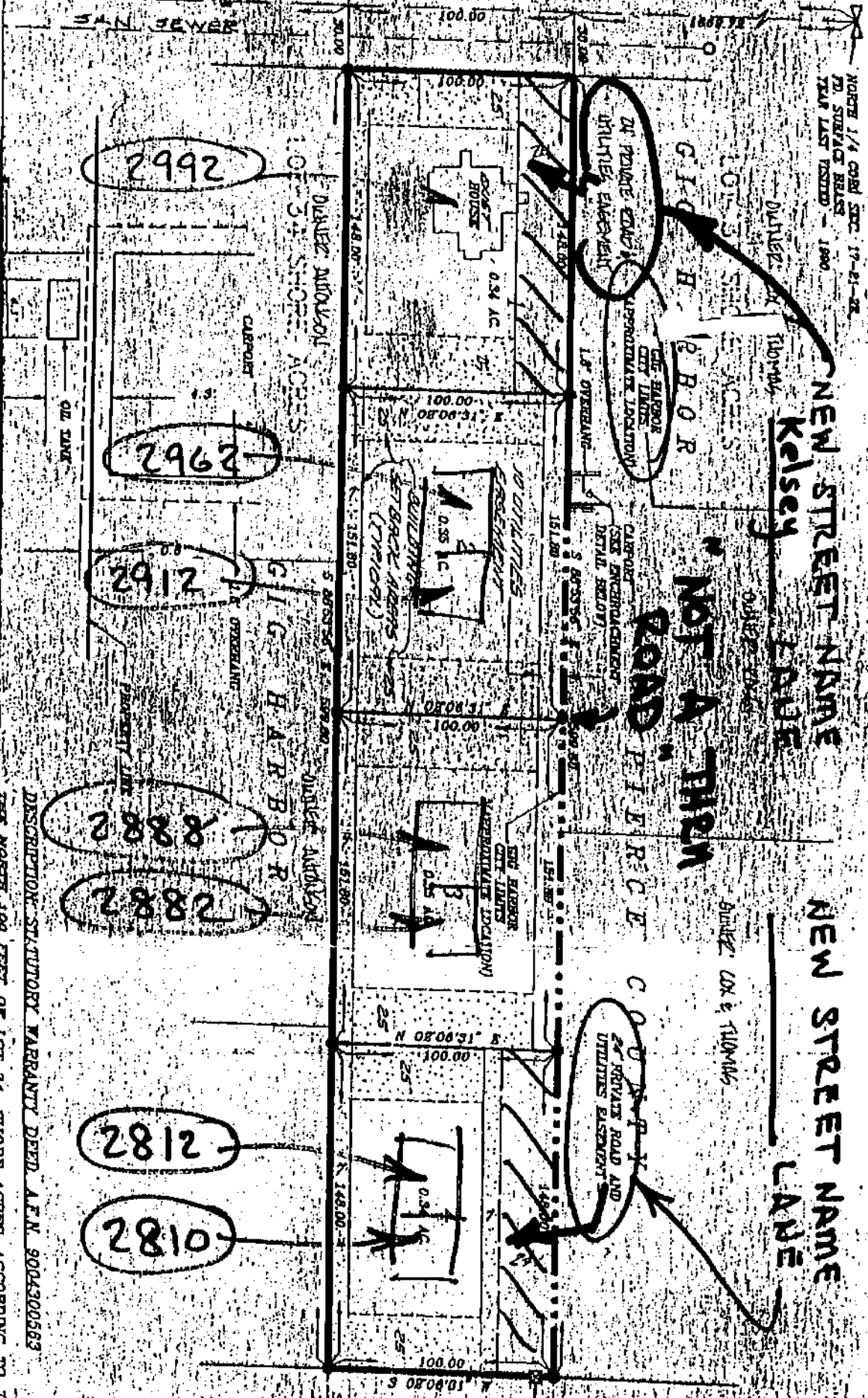


NE 17 T 21 R 2 E

THIS IS NOT DO NOT USE DATA. WE ASSUME NO LIABILITY FOR ASSESSOR.

102210048 FOR ADDITIONAL
VISION & PROXIMITY INFORMATION

SOUNDVIEW DRIVE



NOTE 1/4 CORN SEC 17-21-22
TO SURFACE BLAST
TAX LAST TESTED - 1980

NEW STREET NAME
Kelsey Lane

NOT A TRIM
ROAD

NEW STREET NAME
Lane

DESCRIPTION STATUTORY WARRANTY DEED A.F.N. 9004300563
SEE NOTE 100 FEET OF LOT 34, SHARE ACRES ACCORDING TO THE
PAGE AS PROVIDED BY DRAWING



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 Council members
From: Mark Hoppen, City Administrator *MH*
Subject: Ratification of County-wide Planning Policies
and Interlocal Agreement
Date: 6/19/92

You have already received a copy of the County-wide Planning Policy for your review. Attached to this memo is the Interlocal Agreement which authorizes our approval of the document.

Cities and the Governor may appeal adopted County-wide Planning Policies to the appropriate Growth Planning Hearing Board within 60 days of the adoption of the policy. After the 60 day period, County-Wide Planning Policies cannot be challenged.

At the workshop no particular reservations about the policy were evident. Mr. Ray Gilmore, Planning Director, believes that this document provides a useful policy framework, one that will logically lend itself to the development of local regulation.

Pierce County has issued a Determination of Significance on this policy proposal. Among others things this report explains that while Pierce County generally can expect a 58% increase in population by the year 2020, the greater Gig Harbor area can expect a 90% increase within the same time frame. This translates to an even greater percentage increase for the Gig Harbor urban area.

Pierce County will experience an 78% increase in the number of households during this time period, while the greater Gig Harbor area will experience a 127% increase. These numbers definitively underscore the need for county-wide growth policies which facilitate the orderly growth of the Gig Harbor Peninsula.

The Council must decide whether or not to give the City of Gig Harbor's consent to this agreement.

INTERLOCAL AGREEMENT

RATIFICATION OF COUNTY-WIDE PLANNING POLICY

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to provisions of the Interlocal Cooperation Act of 1967, Chapter 39.34 RCW and the "Interlocal Agreement - Framework Agreement for the Adoption of the County-wide Planning Policy". This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

1. BACKGROUND:

A. GROWTH MANAGEMENT ACT: Continued growth and development in Pierce County necessitate coordination and cooperation among the cities, towns and the county to achieve better management of this development. In the Washington State Growth Management Act, the state legislature found that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and to the health, safety and high quality of life enjoyed by residents of this state.

In 1991, the state legislature amended the Growth Management Act to require the legislative authority of the County to adopt a county-wide planning policy, in cooperation with the cities and towns within the County. This policy is intended to provide a county-wide framework from which the comprehensive plans of the county, city and towns are developed and adopted.

Pierce County and the cities and towns within Pierce County believe the coordinated development of a county-wide planning policy is necessary for consistency among the comprehensive plans and regulations and is in the best interest of the citizens.

B. FRAMEWORK AGREEMENT: The "Interlocal Agreement - Framework Agreement for the Adoption of the County-wide Planning Policy" created the County-wide Planning Policy Steering Committee to develop and recommend a county-wide planning policy to the cities, towns and county. This framework agreement and the Steering Committee created by that agreement, remain in force and effect until the completion of the designated duties by the Steering Committee or July 1, 1992, whichever comes first, unless extended by vote of 60 % of representative units of government representing 75 % of the Pierce County Population.

C. COUNTY ADOPTION: The Growth Management Act dictates that the County shall adopt a county-wide planning policy after holding a public hearing on the Steering Committee's proposed county-wide planning policy. RCW 36.70A.210 (2) (e).

D. STEERING COMMITTEE: The Steering Committee has recommended a county-wide planning policy to the County Council attached hereto as Attachment "1". This county-wide planning policy addresses the following policy areas: agricultural lands; historic, archaeological and cultural preservation; affordable housing; natural resources, open space and protection of environmentally sensitive lands; education; fiscal impact; economic development and employment; siting of public capital facilities; transportation; urban growth areas and amendments and transitions.

2. PURPOSE: This agreement is entered into by the cities and towns of Pierce County and Pierce County pursuant to the "Interlocal Agreement - Framework Agreement for the Adoption of the County-wide Planning Policy" in order to ratify and approve the proposed policy of the Steering Committee as shown in Attachment "1". Further, by this agreement, the Steering Committee is hereby extended to October 1, 1992 to ensure continuity during the transition between the expiration of the framework agreement and creation of the Steering Committee's successor organization.

3. **DURATION:** This agreement shall become effective upon execution by 60 % of all units of government in Pierce County, including Pierce County, representing 75 % of the total Pierce County population. This agreement shall remain in effect until terminated by 60 % of governmental units which represent 75 % of the Pierce County population.

4. **AMENDMENTS:** Amendments to this agreement may be proposed by any city or town or Pierce County, and shall be adopted by affirmative resolution of 60 % of all units of government in Pierce County, including the County, representing at least 75 % of the population.

5. **SEVERABILITY:** If any of the provisions of this agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

6. **FILING:** A copy of this agreement shall be filed with the Secretary of State, Department of Community Development, County Auditor and each City/Town Clerk.

IN WITNESS WHEREOF, this agreement has been executed by each member jurisdiction as evidenced by signature pages affixed to this agreement

INTERLOCAL AGREEMENT

RATIFICATION OF
COUNTY-WIDE PLANNING POLICY

SIGNATURE PAGE

The legislative body of the undersigned jurisdiction has authorized execution of the "Interlocal Agreement - Ratification of County-wide Planning Policy".

I N W I T N E S S W H E R E O F

This agreement has been executed by _____
(Name of City/Town/County)

BY: _____
(Mayor/Executive)

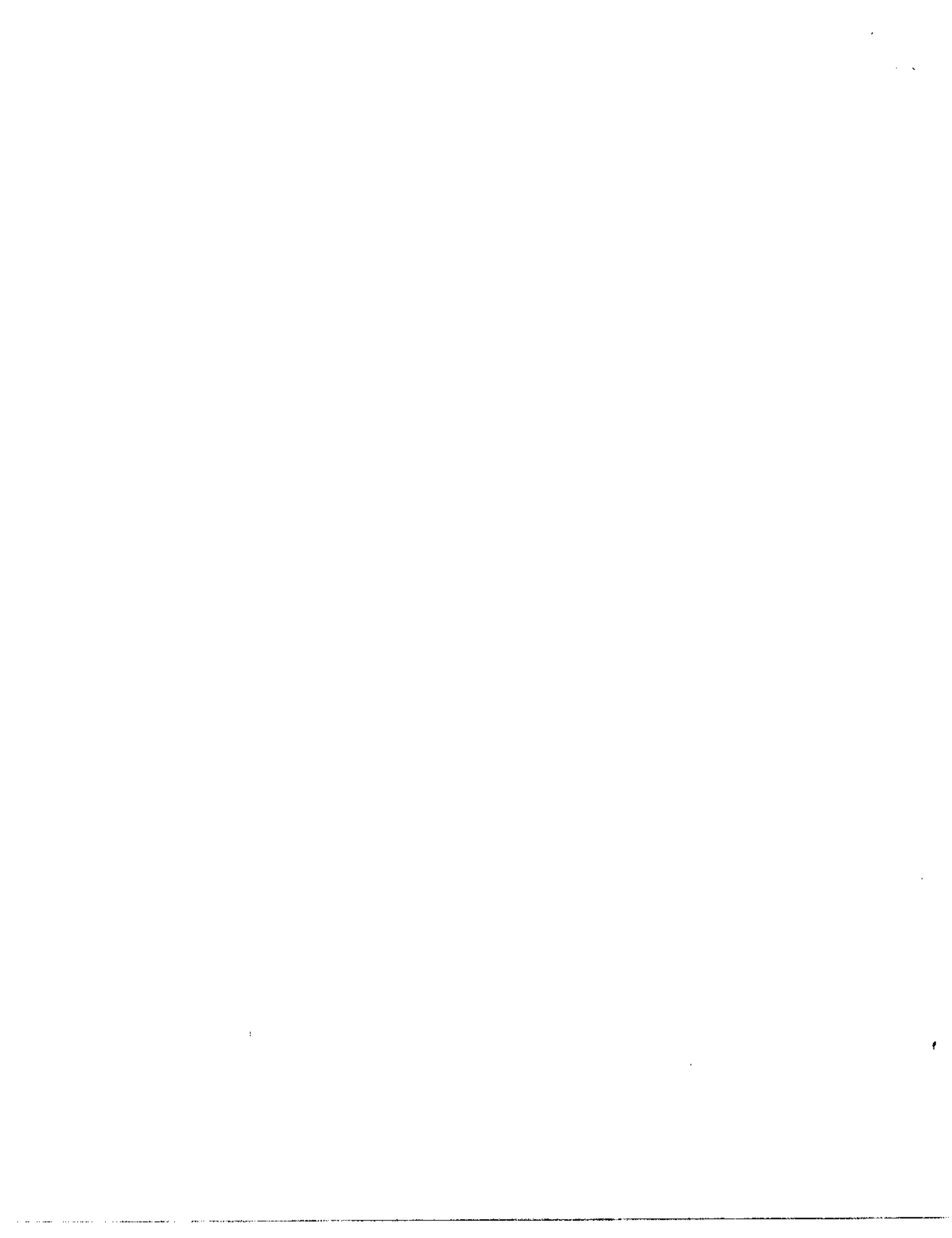
Date: _____

Approved:

BY: _____
(Director/Manager/Chair
of the County Council)

BY: _____
Assistant City Attorney /
Deputy Prosecuting Attorney
(Approved as to form only)

INTERLOCAL
SIGNATURE PAGE
JUNE 4, 1992





Return Original to: WASHINGTON STATE LIQUOR CONTROL BOARD
License Division - MS ES -31, Olympia, WA 98504-2531

RECEIVED

JUN 8 1992

CITY OF GIG HARBOR
DATE: June 1, 1992

TO: Mayor of Gig Harbor

RE: CHANGE IN CORPORATE OFFICERS:
RECEPTION NO. 362719 2H
Keith Uddenberg, Inc.
Keith Uddenberg Thriftway
3110 Judson Ave
Gig Harbor, Wa 98335

(See Attached)

Contact: 206-851-6688

27-08 EF

RETAIL LICENSES

- A - Restaurant or dining place - Beer on premises.
- B - Tavern - Beer on premises.
- C - Wine on premises.
- D - Beer by open bottle only - on premises.
- E - Beer by bottle or package - off premises.
- F - Wine by bottle or package - off premises.
- H - Spirituous liquor by individual glass and/or beer and wine on premises
- L - Spirituous liquor by individual glass and/or beer and wine on premises for non profit arts organization during performances.
- P - Gift delivery service or florist with wine.

SPECIAL OCCASION LICENSES

- G - License to sell beer on a specified date for consumption at specific place.
- I - Annual added locations for special events (Class H only).
- J License to sell wine on a specific date for consumption at a specific place.
- Wine in unopened bottle or package in limited quantity for off premises consumption.
- K - Spirituous liquor by the individual glass for consumption at a specific place.

NON-RETAIL LICENSES

- N1-Manufacturers, except Distiller, Breweries and Wineries
- N2-Distillers License
- N3-Distiller's License (Commercial Chemist)
- N4-Distiller's License (Fruit and/or Wine).
- N5-Liquor Importer
- NS-Ship Chandler - Duty Free Exporter
- B1-Domestic Brewers
- B2-Bear Wholesaler
- B3-Bear Certificate of Approval in state.
- B4-Bear Importer
- W1-Domestic Winery.
- W2-Wine Wholesaler
- W3-Wine Importer
- W4-Wine certificate of approval in state
- W5-Bonded Wine Warehouse
- W6-Growers License - to sell wine in bulk.

PERMITS

- Class 4 - Annual Permit
- Class 11 - Bed & Breakfast.

CCI

- CCI 1 - Interstate Common Carrier

Notice is given that application has been made to the Washington State Liquor Control Board for a license to conduct business. If return of this notice is not received in this office within 20 DAYS (10 days notice given for Class I) from the date listed above, it will be assumed that you have no objection to the issuance of the license. If additional time is required please advise.

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Do you approve of applicant ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken ? | <input type="checkbox"/> | <input type="checkbox"/> |

OPTIONAL CHECK LIST:	EXPLANATION	YES	NO
LAW ENFORCEMENT		<input type="checkbox"/>	<input type="checkbox"/>
HEALTH & SANITATION		<input type="checkbox"/>	<input type="checkbox"/>
FIRE, BUILDING, ZONING		<input type="checkbox"/>	<input type="checkbox"/>
OTHER		<input type="checkbox"/>	<input type="checkbox"/>

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based. See RCW 66.24.010(8)

DATE

SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

