

GIG HARBOR CITY COUNCIL MEETING

MAY 13, 1991

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING  
7:00 p.m., MAY 13, 1991

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

PUBLIC HEARINGS:

1. Ordinance regarding condemnation of Ancich property - 2nd reading.

APPROVAL OF MINUTES:

CORRESPONDENCE:

1. AWC annual business meeting - registration of delegates.
2. AWC request for recommendations regarding participation on Public Works Trust Fund Board.
3. Letter from state Department of Transportation regarding SR16 Capacity Study.
4. Recycling update: Brochures available.
5. City of Tacoma legal opinion on formation of Puget Sound Regional Council.

OLD BUSINESS:

1. Ordinance revising zoning code - 2nd reading.
2. Ordinance prohibiting use of compression brakes - 2nd reading.
3. SDP 90-02: Harbor Place Marina - moorage plan and parking configuration.

NEW BUSINESS:

1. POW-MIA flag.
2. Hearing Examiner's report and recommendation on SPR91-02/CUP 91-02: Chapel Hill Presbyterian Church - Resolution.
3. Request for consideration/Notice of Intent to Annex - Gig Harbor North.
4. Formation of Hunt/Kimball LID - Resolution.
5. Stroh Water Company request for water intertie.
6. Requests for extension of sewer utility service - Radcliffe, Turner, Smith.
7. Notification of intent to provide liquor import services.

*2. 2nd Reading - Public Works*

APPROVAL OF PAYROLL:

Warrants #5656 through #5765 in the amount of \$119,338.45.

APPROVAL OF BILLS:

Warrants #7175 through #7267 in the amount of \$52,714.76.

ADJOURN:

Client/Matter No.  
WDT/srh  
04/01/91

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

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY AND/OR CERTAIN EASEMENTS OVER, ALONG, UNDER AND ACROSS CERTAIN PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND INSTALLING A PUBLIC PARK, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED WORK NECESSARY TO MAKE A COMPLETE IMPROVEMENT IN ACCORDANCE WITH APPLICABLE CITY STANDARDS ALL WITHIN THE CITY OF GIG HARBOR, PROVIDING FOR THE CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND OR OTHER PROPERTY NECESSARY THEREFORE; DIRECTING THE ATTORNEY FOR THE CITY TO PROSECUTE THE APPROPRIATE ACTION AND PROCEEDINGS IN THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATIONS.

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THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,  
DO ORDAIN AS FOLLOWS:

Section 1. The public health, safety, and necessity and convenience demand that a public park be constructed and maintained within the City of Gig Harbor and that certain property and/or easements upon property be condemned, appropriated, taken and damaged for the construction of said improvements as provided by this ordinance.

Section 2. The City Council of the City of Gig Harbor hereby declares that the property and/or easements hereinafter set forth are necessary for public use.

Section 3. The property and/or easements within the City of Gig Harbor, Pierce County, Washington, which have been designated on Exhibit A attached hereto and incorporated herein

by this reference as if set forth in full, shall be, and the same are hereby condemned, appropriated, taken and damaged for the purposes of constructing a public park together with all necessary appurtenances and related work to make a complete improvement in accordance with the City standards all within the City limits, said land and easements being taken, damaged and appropriated subject to the marking or paying of just compensation to the owners thereof in the manner provided by law.

Section 4. The City Attorney is hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, take and appropriate the property rights necessary to carry out the provisions of this ordinance, and is further authorized in conducting said condemnation proceedings and for the purpose of minimizing damages, to stipulate as to the use of the property hereby authorized to be condemned and appropriated and as to the reservation of any right of use to the owner, provided that such reservation does not interfere with the use of said property by the City as provided in this ordinance. The Attorney for the City is further authorized to adjust the location and/or width of any of the property and/or easements herein described in order to minimize damages, provided that said adjustments do not interfere with the use of said property by the City as provided in this ordinance.

Section 5. This ordinance shall be effective five (5) days after passage and publication of an approved summary consisting of the title to this ordinance.

PASSED by the City Council of the City of Gig Harbor  
this \_\_\_\_ day of \_\_\_\_\_, 1991.

APPROVED:

\_\_\_\_\_  
MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK, MICHAEL WILSON

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Legal Description

Located in Pierce County, State of Washington, commonly known as Ancich Waterfront property on Harborview Drive, Gig Harbor, WA 98335, Parcel # 597000-025-0, and legally described as: lots six (6) and seven (7) in Block three (3) in Millville.

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 22, 1991

PRESENT: All present.

PUBLIC COMMENT/DISCUSSION:

1. Marion Ekberg, speaking on behalf of local teachers, invited the council to join the teachers in a walk through town and a picnic to thank the community for all the support the teachers have received.

CALL TO ORDER: 7:08 p.m.

APPOINTMENT OF PLANNING COMMISSION MEMBER:

The mayor presented the name of Theresa Malich-Mueller to fill out the term of commissioner Marion Stancic. Her term will expire in June, 1995.

PUBLIC HEARING:

1. Ordinance regarding zoning code revisions - 1st reading.

Planning Director Ray Gilmore explained the necessity for the changes recommended by the Planning Commission.

Jack Bujacich asked for clarification of the definition of a back yard and where setbacks would be required.

There was no other public input.

MINUTES:

**MOTION:** To approve the minutes of the meeting of April 8, 1991.  
English/Frisbie - approved by a vote of 3 - 0 with Davis and Perrow abstaining.

OLD BUSINESS:

1. Update on Puget Sound Regional Council.

Bill Mahan, representing the Puget Sound Regional Council, addressed the council and provided information regarding the formation of the PSRC.

**MOTION:** To allow council to reconsider the vote taken at the last meeting and instead approve the agreement creating the Puget Sound Regional Council sending a cover letter stating the



council's objections to the voting ratio.  
Davis/English - motion was withdrawn.

More discussion followed.

MOTION: To reconsider the motion of the last meeting.]  
English/Davis - approved by a vote of 3 - 2 with Frisbie and Perrow against.

MOTION: To approve the suggestion to join the regional planning council and agree to sign the interlocal agreement creating the Puget Sound Regional Council.  
English/Hoppen - approved by a vote of 3 - 2 with Frisbie and Perrow against.

MOTION TO AMEND ORIGINAL MOTION:  
To add a cover letter to the agreement outlining the concerns of the council.  
Davis/Hoppen - approved by a vote of 3 - 2 with Frisbie and Perrow against.

2. Soundview Drive road improvements.

City Administrator Mike Wilson explained the process the city has taken to talk with residents of Soundview regarding the design of the improvements to the road. He provided an overview of the financing options and discussed the various designs.

Public Works Director Ben Yazici discussed the siting of sidewalks, the storm drainage system, and the location of bike lanes.

Councilmember Frisbie indicated it was his desire to hear public comment on this issue.

Ron Mason agreed with the placement of the proposed sidewalks.

Jim Boge was in favor of placing sidewalks on both sides of the street.

Christopher Vaughn also had questions regarding the placement of the sidewalks.

Jack Bujacich, Alma Boge, and Ron Mason also spoke.

MOTION: To have staff proceed with the design of the improvements to Soundview Drive with sidewalks on both sides off the street. Included in this motion is the authority to go out to bid on the project.  
Davis/Perrow - unanimously approved.

MOTION: The Request for Proposals for this project will be approved by the Public Works Committee.  
Frisbie/ - motion died for lack of a second.

MOTION: To authorize the sale of bonds up to \$900,000 for funding of the Soundview Drive improvement project.  
English/Frisbie - unanimously approved.

MOTION: To direct staff to report on an equitable participation amount among the residents of Soundview in an LID, to include information from the Peninsula Light Company and Telephone Utilities of Washington relative to the cost of undergrounding power lines, telephone lines, and the overall benefit of the road.  
Perrow/English - unanimously approved.

NEW BUSINESS:

1. Ordinance regarding condemnation of Ancich property - 1st reading.

City Administrator Mike Wilson presented the ordinance to council for discussion.

Jack Bujacich questioned the need to condemn the property and the need for public access to the water at that location.

Councilmember Frisbie indicated he would prefer to have a public hearing on this issue. Public hearing set for May 13, 1991.

2. Truck traffic ordinance - 1st reading.

Mr. Wilson presented the ordinance which had been drafted at the mayor's request.

MOTION: To table this ordinance indefinitely.  
Frisbie/Perrow - approved by a vote of 4 - 1  
with English against.

3. Ordinance prohibiting the use of compression brakes -  
1st readings.

4. Hearing Examiner report and recommendation on SDP  
90-02: Harbor Place Marina - Resolution.

Planning Director Ray Gilmore provided council with the  
Hearing Examiner's report on the application.

David Bently, one of the applicant's was available to  
answer questions.

Tom West, attorney for Mr. and Mrs. Puratich  
(neighboring property owners), stated their objections  
to the proposed expansion.

MOTION: To table this issue until May 13, 1991 to  
allow the applicant to work with the  
neighboring property owners on settling their  
differences regarding parking and obtaining a  
hold harmless agreement.  
Davis/Perrow - approved by a vote of 4 - 1  
with Frisbie against.

5. Hearing Examiner report and recommendation on SPR  
91-01/CUP 91-01: Peninsula School District -  
Resolution.

Mr. Gilmore explained the application and presented the  
Hearing Examiner's findings.

MOTION: To add condition #8 to the Examiner's  
findings requiring curbs, gutters, and  
sidewalks consistent with council policy and  
approving Resolution #312 accepting the  
Examiner's report and recommendation.  
Perrow/Davis - unanimously approved.

6. Contract award - replace kitchen roof at City Park.

MOTION: To accept the bid from Rainmasters to replace  
the kitchen roof for \$6,850.02.  
Davis/English - unanimously approved.

APPROVAL OF BILLS:

MOTION: To approve warrants #7115 through #7174 in the amount of \$41,690.57.  
Davis/Perrow - unanimously approved.

ADJOURN:

MOTION: To adjourn at 10:45 p.m.  
Davis/Hoppen - unanimously approved.

Due to mechanical difficulties, the cassette recorder was not functioning properly.

---

Gretchen A. Wilbert, Mayor



April 11, 1991

RECEIVED

APR 17 1991

CITY OF GIG HARBOR

TO: Mayors

FROM: Stan Finkelstein, Executive Director

SUBJECT: **Registering Voting Delegates -- 1991 Annual Business Meeting**

Enclosed is a return post card for your use in advising the Association of Washington Cities (AWC) of the voting delegates selected to represent your city during AWC's 1991 annual business meeting. AWC's annual business meeting is tentatively scheduled to begin at 9:00 a.m. on Friday, June 21, at the Agricultural Trade Center in Spokane. For your information in appointing voting delegates, the constitution of the Association of Washington Cities provides:

"Each member city and town, prior to the annual meeting of the Association, shall designate three delegates who shall be duly elected or appointed officials or employees of such city or town to represent such city in the affairs of this Association, and shall file with the Executive Director certificates of such designation prior to the annual meeting; provided that the personnel of such delegates may be changed by such member city or town at any time that the Executive Director shall be notified of such change."

"Each delegate shall have one vote on any business to come before the annual meeting, which vote shall be cast in person by the delegate or the delegate's proxy in attendance at the annual meeting. In no event shall a delegate be entitled to have cumulative votes. Each delegate unable to attend the meeting may appoint and certify a proxy who also shall be an official or employee of the delegate's city or town, but who is not already a voting delegate from the delegate's city or town."

Please complete the enclosed card with the names of the three city officials or employees who shall serve as your city's voting delegates. **Please return the card to the Association's office by Friday, June 7.** This information will be used to prepare voting delegate badges and ribbons.

If you have any questions, please contact Curt Pavola of AWC at (206) 753-4137, SCAN 234-4137, or toll-free message line 1-800-562-8981.

SSF/CP:cjs

Enclosure: Voting Delegate Card

[C91#1:regvote]



ASSOCIATION OF WASHINGTON CITIES

RECEIVED

MAY 2 - 1991

1076 S. Franklin St.  
Olympia, WA 98501  
(206) 753-4137

CITY OF GIG HARBOR

April 22, 1991

**TO:** Mayors and Other Interested City Officials  
**FROM:** Mayor Al Ogdon, City of Cheney; AWC President  
**SUBJECT:** Vacancies on the Public Works Trust Fund Board

The Association of Washington Cities (AWC) has been asked to provide the governor with recommendations regarding participation on the Public Works Trust Fund Board by city officials. Mayors, councilmembers, and other city officials with an interest and background in the subject matter are encouraged to apply for the two vacancies. The AWC Board of Directors will select their recommendations during the AWC Board Meeting on Tuesday, June 18.

The primary purpose of the Public Works Trust Fund Board is to review projects and make recommendations to the legislature regarding annual allocations of public works trust fund monies. The board also establishes many of the criteria and the application process for trust fund monies. The board holds nine regular meetings each year with the possibility of three-four special meetings to consider emergency loan requests. Enclosed is a copy of the 1991 meeting schedule. Board members may not have their meeting attendance covered by a proxy. State rate per diem and transportation expenses are provided for board members.

These appointments will be effective July 1, 1991. Each appointment is for a four year term. One position is designated as an "elected official" and the other position as a "public works manager." There are no other statutory considerations for these positions. The governor has requested that AWC provide him with three recommendations for each position.

Interested city officials should send a letter to Jim Justin of the AWC staff by Friday, May 31. Please include in your letter any background information relevant to serving on this board, including service with your city or town.

Please contact Jim Justin at (206) 753-4137, SCAN 234-4137, or toll-free message line 1-800-562-8981, if you have any questions regarding the activities of this board.

AO/JJ:cjs

Enclosure



STATE OF WASHINGTON  
PUBLIC WORKS BOARD

*Ninth & Columbia Building, MS/GH-51 • Olympia, Washington 98504-4151 • (206) 586-0490 • SCAN 321-0490*

PUBLIC WORKS BOARD MEETING DATES FOR 1991

DATE/TIME	EVENT	LOCATION
January 8 8:30 a.m.	Regular meeting	Sea-Tac
February 5 8:30 a.m.	Regular meeting	Sea-Tac
March 5 8:30 a.m.	Regular meeting	Sea-Tac
April 2 9:30 a.m.	Regular meeting and tour	Seattle
August 6 9:30 a.m.	Regular meeting and tour	Klickitat/ Skamania Counties
September 3 8:30 a.m.	Regular meeting	Sea-Tac
September 17 8:30 a.m.	Regular meeting	Sea-Tac
December 3 8:30 a.m.	Regular meeting	Sea-Tac

The above dates were formally adopted by the Public Works Board at a special meeting on December 4, 1990.

Robert C. Anderson, Chair



**Washington State  
Department of Transportation**

District 3  
5720 Capitol Boulevard, Tumwater KT-11  
P.O. Box 9327  
Olympia, Washington 98507-9327  
(206) 753-7200

RECEIVED  
MAY 6 1991  
CITY OF GIG HARBOR

**Duane Berentson**  
Secretary of Transportation

April 30, 1991

Mayor Gretchen Wilbert  
City of Gig Harbor  
P.O. Box 145  
Gig Harbor, WA 98335

Dear Mayor Wilbert,

On behalf of the state Department of Transportation, I want to take this opportunity to thank you for your participation at our April 17 Community Leader Workshop on SR16. As we mentioned at the workshop, this is a very early phase of the SR16 Capacity Study. Now that we have gathered engineering data on the SR16 interchanges, we will be working hard to develop a number of potential solutions. We look forward to continued dialogue with you and others in the community as the study progresses.

We also mentioned at the workshop that we need your help in reaching out broadly to Peninsula residents to get their feedback on elements of the study. Please contact our SR16 Public Involvement Director, Rita Brogan, at 526-0559 if you have any suggestions about ways in which we can reach out to the community.

Thank you again for your interest and participation. We look forward to working with you on the SR16 Capacity Study.

Sincerely,

Art Smelser  
Administrator  
WSDOT District 3

cc: Harold Anderson, H. W. Lochner  
Rita Brogan, Pacific Rim Resources





Pierce County

Department of Utilities

9116 Gravelly Lake Drive S.W.  
Tacoma, Washington 98499-3190  
(206) 593-4050 • FAX (206) 582-9146

DONALD T. PERRY, P.E.  
Director

April 30, 1991

RECEIVED  
MAY 3 - 1991  
CITY OF GIG HARBOR

Mayor Gretchen Swayze Wilbert  
City of Gig Harbor  
P.O. Box 145  
Gig Harbor, WA 98335-0145

Dear Mayor Wilbert:

As you know, we have been working hard to solve our solid waste disposal challenges. Pierce County decided to begin the curbside recycling collection program with bins for paper, glass, aluminum and tin. The reason for this was two-fold: These materials make up a large percentage of the waste stream so we started collecting "the worst first." Secondly, the items are recyclable. Our curbside recycling program has been tremendously successful. But, we need to do more.

While recycling remains a key to reducing waste, we have to continue to look for other ways to help solve the problem.

Enclosed are our latest brochures which share two ways we can help reduce the amount of waste that is currently going to the landfill.

One brochure is about "Precycling." Precycling shows that by putting some thought into the types of products and packaging we buy, the waste stream can be reduced even before the product is purchased.

The other brochure discusses how to compost in your own backyard. Yard waste makes up at least 18% of household waste and by tossing it away, a valuable resource is lost. Using yard waste for compost, ensures a healthy garden and it helps to ease the load on our already crowded landfill.

Please read these brochures. If you feel they would be helpful to your residents, just call me at 593-4050 for extra copies. I look forward to hearing from you.

To further update you, enclosed is an article that was recently published in WASTE AGE. It discusses the plans for Washington's regional recycled paper procurement. We feel that this will be of benefit to you and your residents. It will serve to bring the cost

- over -

of paper procurement down while offering a means for each of us to support the recycling markets.

To help cities and towns, school districts, etc., the County's Solid Waste Division is planning a workshop series in the fall.

One entire segment will be dedicated to developing a procurement policy for your jurisdiction. It will be a "hands-on" workshop resulting in a policy resolution for you to use and fine tune as needed.

We will also discuss how to utilize the regional buying and effort to bring your paper purchasing costs down while also stimulating the recycling markets.

The first annual curbside report will be sent to you in the next couple of weeks. The results will be of special interest during this exciting time. Many changes are occurring in the world of solid waste and we want to keep you updated as much as we are able. Please call me (593-4050) if I can be of assistance in any way.

Sincerely,



SUSAN WEBSTAD  
Public Information

SGW:nlt S00429.SGW

Enclosures

## Washington State Leads Western Recycling Initiative

Spearheaded by Washington's office of state procurement, 14 western states are planning a combined buying effort to help stimulate demand for recycled paper products.

Washington received a \$30,000 grant from the U.S. EPA to lead the project. Tentative commitments to participate have been received from Alaska, Arizona, California, Colorado, Hawaii, Idaho, Minnesota, Montana, Nevada, New Mexico, Oregon, Utah, and Wyoming. Also joining in are American Samoa and Guam.

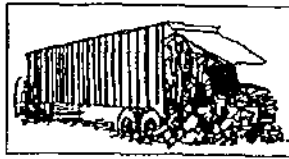
"We are targeting recy-

cles products to help create large-scale markets," said Meredith Jennings, assistant director for Washington's procurement office.

A schedule has been set to start the combined buying program later this year. By itself, Washington's procurement operation buys more than 10,000 tons of paper supplies annually, according to Jennings.

She added that the boost in demand for recycled paper will lead to a better product, reduced landfill waste, and increased savings for participating states.

Each state's purchasing power will be "optimized,"



Jennings said, with cities, counties, and other political subdivisions sharing in the combined buying power.

"Our message to the paper industry is that there is a big interest and commitment to buying recycled products," Jennings noted, and she expressed the hope that the program will encourage the industry to take steps to produce more recycled paper.

Acknowledging that there are some hurdles to overcome before the program can begin, she cited the need to answer questions concerning paper quality, to develop specifications to meet each state's requirements, and to address distribution and procurement issues.

Washington's procurement office buys about \$1 billion in goods and selected services each year. It also administers the state's successful recycling program, known as Government Options to Landfill Disposal, or GOLD.

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STATE

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PHONE

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## Clarion

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*Sketch -  
for your file*

RECEIVED  
MAY 7 1991  
CITY OF GIG HARBOR

# CITY OF TACOMA



WASHINGTON

City Manager

May 3, 1991

Mr. Michael R. Wilson  
City Administrator  
City of Gig Harbor  
Post Office Box 145  
Gig Harbor, Washington 98335

Dear Michael:

I thought you would be interested in the attached legal opinion prepared by Kyle Crews, Assistant City Attorney for the City of Tacoma, regarding the formation of a Puget Sound Regional Council.

We intend to perform a more in-depth analysis, but I think it safe to say that, if the proposed agreement governing a regional planning agency is not approved, the existing agreement will then terminate on June 30. In order to avoid complications with Federal funding, it appears that an Assembly of the members of the Council of Governments would need to take place, at which time an interim solution would be adopted.

I will continue to keep you apprised. Please call me if you have any questions or concerns regarding this matter.

Sincerely,

RAY E. CORPUZ, JR.  
City Manager

lmm

Attachment

CITY OF TACOMA

Inter-Departmental Communication

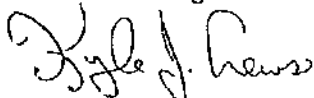
DATE: April 22, 1991  
TO: Juli Daniel, Assistant City Manager  
FROM: City Attorney  
SUBJECT: Necessary Participation in the Puget Sound Regional Council Agreement

Inquiry has been made as to the necessary participation to legally form, pursuant to the Interlocal Agreement, the Puget Sound Regional Council, hereafter called "Regional Planning Agency."

Paragraph III of the Agreement states that the Agreement shall become effective upon execution of 60% of all the units of general government in King, Kitsap, Pierce and Snohomish Counties, including the counties representing 75% of the population. To be considered as a Metropolitan Planning Organization ("MPO") under federal law for the purpose of receiving federal funding, such organization or agency must be a legal entity under its own rules and be approved by the governor of the state.

It is our understanding that there is speculation as to whether or not Pierce County will join in the Agreement. In addition, it has been acknowledged that King County may also not participate, as well as Snohomish County. There is no question that in order for the Agreement to survive, Pierce and Snohomish Counties must join in the ratification, based upon Paragraph III of the Agreement, to validate it.

I recently spoke to William Mahan of the Economic Development Board of Central Puget Sound, who is presently coordinating the organizing efforts of the Puget Sound Regional Council and who has substantial knowledge of the matter in question. He is of the opinion that Pierce and Snohomish Counties will eventually vote for participation in the Agency, and that enough small cities have already done so or are about to do so in order to meet the requirements of Paragraph III. As long as federal authorities recognize the agency as a Metropolitan Planning Organization, money that comes to the Agency may be spent according to its own rules. Presently, under the proposed Bylaws of the Agency, participants may vote to withhold money from non-participatory governmental agencies (see Article V, Section 4 and Article VII, Section 1). It is Mr. Mahan's opinion that it would be the rare circumstance, indeed, where the Agency would withhold federal monies from a small city that did not join the Regional Planning Agency. Nevertheless, that scenario is not impossible. Mr. Mahan told me that he should know by Wednesday afternoon whether sufficient governmental participation will be secured to make the Interlocal Agreement viable.



KYLE J. CREWS  
Assistant City Attorney

KJC/bn

97211


RECEIVED  
CITY MANAGER'S OFFICE

APR 22 1991

APR 22 1991 PM  
2, 8, 9, 10, 11, 12, 1, 2, 3, 4, 5, 6



*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:  Ray Gilmore  
DATE: May 9, 1991  
SUBJ.: Proposed Minor Amendments to Zoning Code -- Second Reading

Attached is the revised ordinance regarding proposed minor changes to the zoning code. Please note that in Section 17.28.050 (Minimum Development Standards, R-1 District), the Council's directive of April 22 regarding the requirement for a dense vegetative screen between rear yards and adjacent residences is included.

Council's favorable consideration is appreciated.

CITY OF GIG HARBOR

Ordinance No. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REVISING SECTION OF THE CITY OF GIG HARBOR ZONING CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gig Harbor Planning Commission has determined that certain sections of the zoning code should be refined, clarified and adjusted to more effectively implement the policies and goals of the City of Gig Harbor Comprehensive Plan; and,

WHEREAS, the Planning Commission conducted a public hearing on February 19, 1991, on the proposed house keeping changes; and,

WHEREAS, the Planning Commission finds that the proposed changes promote the public health, safety and general welfare of the community.

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

Section 1. Title 17 of the City of Gig Harbor Municipal Code is amended as follows:

...

17.04.080 Area, site. "Site area" means all the area within the boundaries of a lot, tract, parcel or site excluding public right-of-ways dedicated to the state, county or city for use as thoroughfares, ~~and private right-of-ways established for motor vehicular thoroughfares; also, excluding any area excluding easements granted for purposes other than public access or thoroughfares.~~

...

17.04.890 Yard, front. "Front yard" means a yard extending the full length of the front lot line and its depth is measured horizontally at right angles to the front lot line from midpoint of the front lot line to the midpoint of the

front building line, except roof eaves, bump-out windows and decks/balconies may encroach up to a maximum of eighteen inches into the yard.

...

17.04.900 Yard, rear. "Rear yard" means a yard extending the full length of the rear lot line and its depth is measured horizontally at right angles to the rear lot line from midpoint of the front lot line to the midpoint of the rear building line, except roof eaves, bump-out windows and decks/balconies may encroach up to a maximum of eighteen inches into the yard.

...

17.04.910 Yard, side. "Side yard" means a yard extending from the front yard to the rear yard and its depth is measured horizontally at right angles to the side lot line from midpoint of the side lot line to the midpoint of the side building line, except roof eaves, bump-out windows and decks/balconies may extend up to a maximum of eighteen inches into the yard.

...

17.96.020 Applicability.

...

B. Site plan review and approval shall be required for all new nonresidential uses and for the location of any building or multifamily development in which more than two dwelling units would be contained, and shall apply throughout the city...

...

17.28.050 Minimum Development Standards.

...

J. Parking is not permitted ~~in setback areas~~ in the side yards. Parking in front and rear yards is permitted, provided that a minimum landscape buffer of ten feet is provided. In rear yards, a dense vegetative screen shall be provided between the parking area and any adjacent



Ordinance No.  
Zoning Code Revisions  
Page 3

residence.

Section 2. This ordinance shall be in full force and effect five (5) days after passage and publication by posting as provided by law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the City Council held on this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

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

ATTEST:

\_\_\_\_\_  
Michael R. Wilson  
City Administrator/Clerk

Filed with City Clerk: 4/15/91  
Passed by City Council:  
Date published:  
Date effective:

CITY OF GIG HARBOR

ORDINANCE NO. 600

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, PROHIBITING THE USE OF COMPRESSION BRAKES IN THE CITY EXCEPT IN EMERGENCIES; PROVIDING PENALTIES THEREFOR; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO POST APPROPRIATE SIGNS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Gig Harbor finds that the use of motor vehicle brakes that are activated or operated by the compression of the engine of a motor vehicle disturbs and disrupts the public peace and quiet and, therefore, finds that it would be in the best interests of the public health, safety, and general welfare to prohibit the use of such brakes except in emergency situations,

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

Section 1. A new chapter 10.14 is hereby added to the Gig Harbor Municipal Code, to read as follows:

10.14 Miscellaneous Traffic Provisions

10.14.010 Compression Brakes Prohibited. No person shall use motor vehicle brakes which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof. It shall be an affirmative defense to prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

10.14.020 Penalty for violations. Any person violating any of the provisions of this chapter shall be civilly liable for an infraction and shall be assessed a monetary penalty not to exceed two hundred fifty dollars (\$250.00).

Section 2. The Director of Public Works is authorized and directed to post appropriate signs consistent with the provisions of this ordinance.

Ordinance No. \_\_\_\_\_  
Prohibiting Compression Brakes  
Page 2

Section 3. This ordinance shall take effect and be in full force five (5) days after publication.

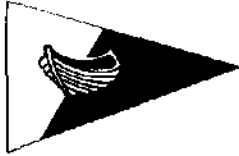
Passed by the City Council of the City of Gig Harbor, Washington, and approved by its mayor at a regular meeting of the council held on this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

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

ATTEST:

\_\_\_\_\_  
Michael R. Wilson  
City Administrator/Clerk

Filed with city clerk: 4/17/91  
Passed by city council:  
Date published:  
Date effective:



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

TO: Mayor Wilbert and City Council  
FROM: *RG* Ray Gilmore  
DATE: May 9, 1991  
SUBJ.: SDP 90-02 --Carlson/Bentley, Harborplace Marina  
Proposal for Additional Moorage Slips

At the previous Council meeting, action on the above item was tabled, pending submission of the following by the applicants:

1. Current and proposed moorage allocation, including vessel lengths.
2. Number of current and proposed parking.
3. Submission of a "hold-harmless" agreement between the applicants and the neighboring property owners.

The applicants' moorage plan and parking configuration is attached. It is noted that the applicants are providing moorage for 27 vessels, 8 of which are 45 feet in length or greater. The remaining 21 slips are for vessels less than 45 feet. The parking requirements, therefore, would be:

1. 11 spaces for vessels less than 45 feet in length (21 divided by 2, rounded to the next highest number).
2. 8 spaces for 8 vessels 45+ feet in length (8 divided by 1 [ 1:1 ratio]).

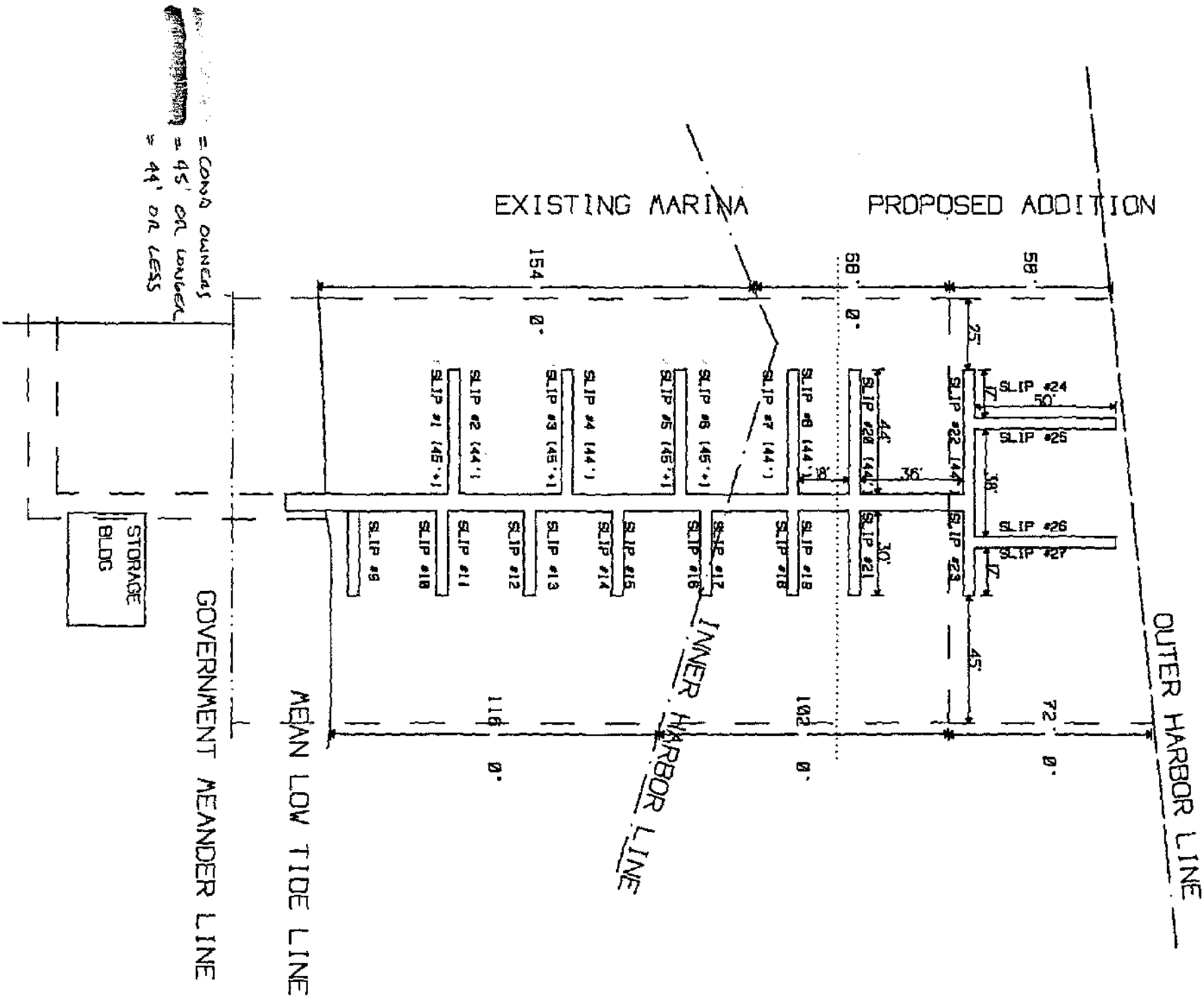
The applicant shows 18 parking spaces. This represents a shortfall of one parking space. It is noted that 5 of the parking spaces (numbers 10 through 14) are for "existing parking", which has not been "officially" designated as marina parking by the condominium association. If the applicants' plan to provide exclusive moorage to the condo association on the new outer slips is suscribed to, it is there opinion that additional parking is not needed as the parking is available for the condo association. This lowers

the parking requirement for marina users to 14. This would, therefore, leave a short fall of one parking space. This can be remedied by either deleting a slip or adding a parking space.

In respect to the outer slips being utilized by the condo association exclusively, and without the need for additional parking to be constructed, staff concurs with this arrangement, provided that there is a covenant filed with the Pierce County auditor by the condo association, and agreed to by the marina owners, that slips 24 through 27 as depicted on this plan, are for the exclusive use of the condo association. A copy of the covenant, with the auditor's file number affixed, must be presented to the City prior to issuance of the building permit for the additional moorage. This should also be established as an additional condition to the resolution.

In respect to the "hold harmless" agreement, staff can only consider this as volunteered by the applicants. Although it is commendable that the affected property owners work together to resolve any potential navigation problems, staff does not feel that the City has any authority, within the Shoreline Master Program or the zoning code, to require this level of interaction between two private property owners.

# HARBORPLACE MARINA



4 garages  
+  
then stalls  
for condo ↘

EXISTING PARKING

EXISTING  
MARINA  
PARKING

#9  
#8  
#7  
#6  
#5

10 11 12 13 14

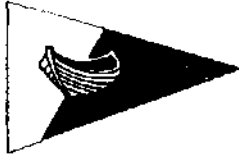
EXISTING  
MARINA  
PARKING

#4  
#3  
#2  
#1

PROPOSED  
MARINA  
PARKING

#15  
#16  
#17  
#18

HARBORVIEW DRIVE



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

TO: MAYOR WILBERT AND CITY COUNCIL  
FROM: GIL ALVARADO, PLANNING/BUILDING ASSISTANT *GA*  
RE: HEARING EXAMINER RECOMMENDATION -- SPR 91-02/CUP  
91-02 (Chapel Hill Presbyterian Church).  
DATE: APRIL 6, 1991

The Chapel Hill Presbyterian Church has requested site plan and conditional use approval for the construction of an additional 47,326 square feet of worship and educational facilities to the existing church complex.

The Hearing Examiner conducted a public hearing on this proposal April 17, 1991 and, in his report of May 1, 1991, has recommended approval of the application, subject to conditions. A copy of the Examiner's findings, conclusions and recommendations is attached. A Resolution adopting the Examiner's recommendation is also included.

Attachments



CITY OF GIG HARBOR  
RESOLUTION No. \_\_\_\_\_

WHEREAS, AustinCina Architects has requested site plan and conditional use approval for the development of an additional 47,326 square feet of worship and educational facilities to the existing Chapel Hill Presbyterian Church located at 4814 Rosedale Street; and,

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of site plans and conditional uses 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 April 1, 1991; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on April 17, 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 report dated May 1, 1991.

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 1, 1991 is adopted and the application for site plan and conditional use approval is granted subject to the following modified conditions:

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.

2. The proposal shall conform to the City of Gig Harbor Fire Code, as per the City Fire Marshal's recommendations within this report.
3. The project shall not exceed the thirty-five foot height limit as established under the height overlay district standards.
4. A lot line combination shall be submitted to the Gig Harbor Planning Department for review and approval prior to the issuing of any building permits. This will negate the requirement for a variance from the maximum impervious coverage standards.
5. A landscape plan consistent with Section 17.78 shall be submitted to the Gig Harbor Planning Department for review and approval prior to the issuing of any building permits. Landscaping shall be installed, as approved prior to occupancy of the new facilities.
6. In accordance with Section 17.96.070, construction on Phase I of the project must commence within twenty-four (24) months from the date of final council action. Construction of Phase II shall be commenced within thirty-six (36) months of final council action. Failure to commence construction within the allotted time period shall render approval null and void.
7. In lieu of any required construction improvements prior to occupancy of the expanded facilities, a bond or an assignment of funds equal in amount to 110% of a contractor's bid for the improvements may be considered by the City when the church occupies the space. The bond or assignment shall be void for a period of two years from the date on construction. This condition does not supercede the requirements for the posting of a construction and maintenance bond in accordance with the Gig Harbor Municipal Code.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

Resolution No.  
Chapel Hill Presbyterian Church  
Page 3

Gretchen A. Wilbert, Mayor

ATTEST:

Michael R. Wilson  
City Administrator/Clerk

Filed with City Clerk: 5/18/91  
Passed by City Council:

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

---

**APPLICANT:** Austin Cina Architects

**CASE NO.:** SPR 91-02/CUP 91-02/VAR 91-06

**APPLICATION:** Site plan and conditional use permit approval to construct an additional 47,326 square feet to the existing Chapel Hill Presbyterian Church.  
Variance to allow 80 percent impervious lot coverage, where the zoning code allows a maximum impervious lot coverage of 40 percent in an R-1 district.

**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 Austin Cina application was opened at 5:00 p.m., April 17, 1991, in City Hall Gig Harbor, Washington, and closed for oral testimony at 5:33 p.m. The hearing was continued administratively to allow staff time to review the revised site plan. 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 to 6 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. The applicant testified at the hearing that a lot line adjustment was in process so that a variance would not be necessary. He said they would like to have the project considered as a two phase project where 24 months would be allowed to commence phase I and an additional 12 months would be allowed to commence Phase II.

- C. A representative of adjacent property owners said there was drainage problem on the church before the church was built and they were concerned that this expansion could worsen their drainage problem.
- He said they didn't see how the proposed church expansion would benefit them - especially the impervious surface which would be used for parking. He said they would like a drainage easement across the church property and then they would have no objection to the expansion.
- D. Representatives of the applicant and of the church responded to concerns of the adjacent property owners. They said the topography is such that the adjacent property is higher than the church property and they submitted a topographic survey as verification (Exhibit C).
- They also said they had installed a retention pond to retain water coming off of the church property and said a civil engineer had been retained to design a new retention system to insure that there will be no more discharge after the project is completed than there is now.
- E. The pastor of the church said they want to be good neighbors and will make sure there will be no surface water runoff onto the adjacent property. He said the proposed facility will provide many services to the community beyond the needs of the Chapel Hill church family.
- F. Staff testified that there may be no parking problem, but indicated that staff would like to review a revised site plan to insure that. He also said that staff had verification that there was a wetland on the adjacent property and the recent logging on that property has increased the runoff on that site.
- G. During the hearing the issue of parking stalls for compact stalls was discussed as a way to reduce the amount of impervious surface which would be necessary to accommodate the required number of parking spaces. Exhibits E, F, and G addressed that issue also and Exhibit F pointed out that the impervious surface on the site could be reduced if compact stalls could be used. Staff noted in Exhibits E and G, however, that the Gig Harbor code makes no provision for compact stalls.
- H. One letter was submitted which provided recommendations to City staff regarding measures which could be taken to mitigate the impacts of construction activity (Exhibit H).

## II. CONCLUSIONS:

- A. The staff evaluation prepared by the Planning Staff and set forth on pages 6 to 8 of the Planning Staff's Advisory Report accurately sets forth a portion of the conclusions of the Hearing Examiner and by this reference is adopted as a portion of the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.

## **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.

- B. Given the nature of the funding for the proposed expansion, the applicant's request for an extension of time to commence construction is reasonable.
- C. If approved subject to the conditions listed below, the requested variance will no longer be needed.

III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, the requested variance (VAR 91-06) will no longer be required, and SPR 91-02 and CUP 91-02 should be approved subject to the following conditions:

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 City of Gig Harbor Fire Code, as per the City Fire Marshal's recommendations within this report.
3. The project shall not exceed the thirty-five foot height limit as established under the height overlay district standards.
4. A lot line combination shall be submitted to the Gig Harbor Planning Department for review and approval prior to the issuing of any building permits. This will negate the requirement for a variance from the maximum impervious coverage standards.
5. A landscape plan consistent with Section 17,78 shall be submitted to the Gig Harbor Planning Department for review and approval prior to the issuing of any building permits. Landscaping shall be installed, as approved prior to occupancy of the new facilities.
6. In accordance with Section 17.96.070, construction on Phase I of the project must commence within twenty-four (24) months from the date of final council action. Construction of Phase II shall be commenced within thirty-six (36) months of final council action. Failure to commence construction within the allotted time period shall render approval null and void.
7. In lieu of any required construction improvements prior to occupancy of the expanded facilities, a bond or an assignment of funds equal in amount to 110% of a contractor's bid for the improvements may be considered by the City when the church occupies the space. The bond or assignment shall be void for a period of two years from the date on construction. This conditions does not supersede the requirements for the posting of a construction and maintenance bond in accordance with the Gig Harbor Municipal Code.

Dated this 1st day of May, 1991.



Ron McConnell  
Hearing Examiner

**MINUTES OF THE APRIL 17, 1991  
HEARING ON THE AUSTIN CINA  
APPLICATION**

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing were Gil Alvarado, representing the City of Gig Harbor; Mike Cina, Carol Lodjic, Chuck Hunter and Mark Toone, representing the applicant and the property owner (Chapel Hill Presbyterian); and John Sirkovich, representing owners of adjacent property.

The following exhibits were offered and entered into the record:

- A. Planning Staff's Advisory Report.
- B. Letter from Dr. Mark Toone, dated April 11, 1991
- C. Topographic Survey
- D. Floor plan of proposal
- E. Letter from Gil Alvarado, dated April 24, 1991
- F. Letter from Frauke Donovan, dated April 25, 1991
- G. Memo from Gil Alvarado, dated April 30, 1991
- H. Letter from Brenden McFarland, dated April 25, 1991

**PARTIES OF RECORD:**

Mike Cina and Frauke Donovan  
Austin Cina  
12202 Pacific Avenue, Suite C  
Tacoma, WA 98444

John Sirkovich  
1854 North Hawthorne Drive  
Tacoma, WA 98406

Chuck Hunter  
P.O. Box 410  
Gig Harbor, WA 98335

Mark Toone  
4814 Rosedale Street  
Gig Harbor, WA 98335

Carl Lodjic  
4415 33rd Avenue, N.W.  
Gig Harbor, WA 98335

Brenden McFarland  
Environmental Review Section  
Department of Ecology, MS PV-11  
Olympia, WA 98504-8711







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GIG HARBOR, WASHINGTON 98335  
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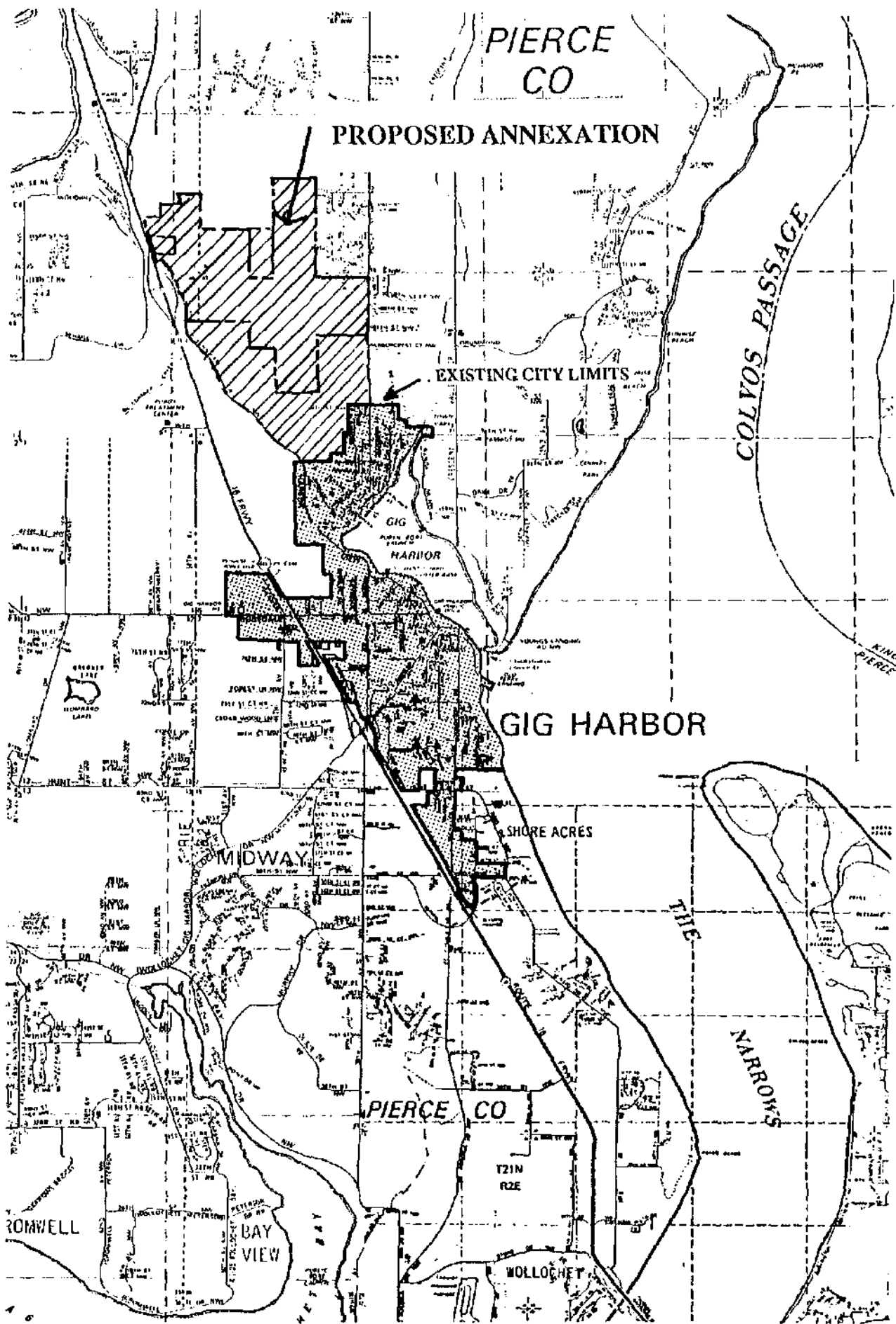
TO: MAYOR WILBERT AND CITY COUNCIL  
FROM: MICHAEL R. WILSON, CITY ADMINISTRATOR *Wilson*  
SUBJECT: GIG HARBOR NORTH REQUEST FOR ANNEXATION AND  
EXTENSION OF SEWER UTILITY SERVICE  
DATE: MAY 10, 1991

You will find attached the Notice of Interest to Commence Annexation proceedings from the Gig Harbor North area, together with a request to concurrently consider the execution of a sewer utility extension agreement.

As you are aware, we have been working with the primary property owners within the Gig Harbor North area for more than five years to discuss and work with them on a number of issues aside from annexation. Our working relationship with Pope Resources, Thompson Properties, and Tucci has focussed on the development of the east/west arterial, land-use planning, utilities coordination, and need of parks property in the area. We have worked extremely well together to tackle the problems of sensible growth planning/management, and they have done a tremendous job of including the community in their planning efforts and seeking guidance and assistance along the way. We are looking forward to working with the Gig Harbor North area in sound growth management, and development planning, in addition to conducting a financial impact analysis, as this annexation process moves forward.

Relative to the request for sewer utility extension be granted concurrently with the processing of the annexation, the request has merit since there is considerable need to coordinate the development of a unified sewer utility extension plan with this property and Canterwood, Peninsula School District, Perrow's property, and the Gig Harbor Christian Church (all have sewer service approval). If the city is serious about annexing the Gig Harbor North area, it is important that we work with them as soon as possible to develop the extension of the sewer system to the North (by proper sizing of the lines and pump stations) to meet the needs of the intervening properties (Gig Harbor North - between Peninsula School District/Canterwood and the city limits) in order to avoid having to do major reconstruction of the system later when the annexation is complete and sewer service guaranteed.

I would recommend, therefore, the city council approve the request to proceed with this annexation and the request to execute a utility extension agreement for 28,000 GPD capacity, with Pope Resources, Thompson Properties, and Tucci.



**VICINITY MAP**

Waddell Planning Services

RECEIVED

OCT 30 1990

CITY OF GIG HARBOR

October 29, 1990

Honorable Mayor  
Members of the City Council  
City of Gig Harbor  
P.O. Box 145  
Gig Harbor, Washington 98335

RE: Request for Utility Extension and Capacity Agreement

Dear Mayor Wilbert and Councilmembers:

As owners of 480 acres commonly known as "Gig Harbor North" we hereby request to enter into an agreement for utility extension and capacity with the City of Gig Harbor for the purpose of providing municipal sewer services to our properties. A map indicating the boundaries of our properties is enclosed. The following information outlines the specifics of our request:

Capacity Allocation:

Thompson Properties Four:	18,000	gallons	per	day
Thomas Tucci:	10,000	"	"	"
Pope Resources:	0	"	"	"
Total:	28,000	gallons	per	day

Commitment Period: Three years

Extension Location: Burnham Drive, north of the Gig Harbor City Limits.

Land Uses: Single Family Residential, Multiple Family Residential, Commercial, Business Park, Schools and other Public or Cultural Facilities.

We understand that various legal documents will be required prior to approval. We are currently drafting the Utility Extension and Capacity Agreement which will address specific conditions and circumstances which may be unique to our request.

We are also studying ownership data in the area and are preparing the preliminary 10% petition required to initiate annexation proceedings.

We look forward to discussing this matter with you and members of the city staff. If we may answer any questions or if you require further information, please do not hesitate to contact Greg Waddell of Waddell Planning Services at 441-3066 or Randy Blair of Wilsey & Ham Pacific at 454-3250.

Sincerely,

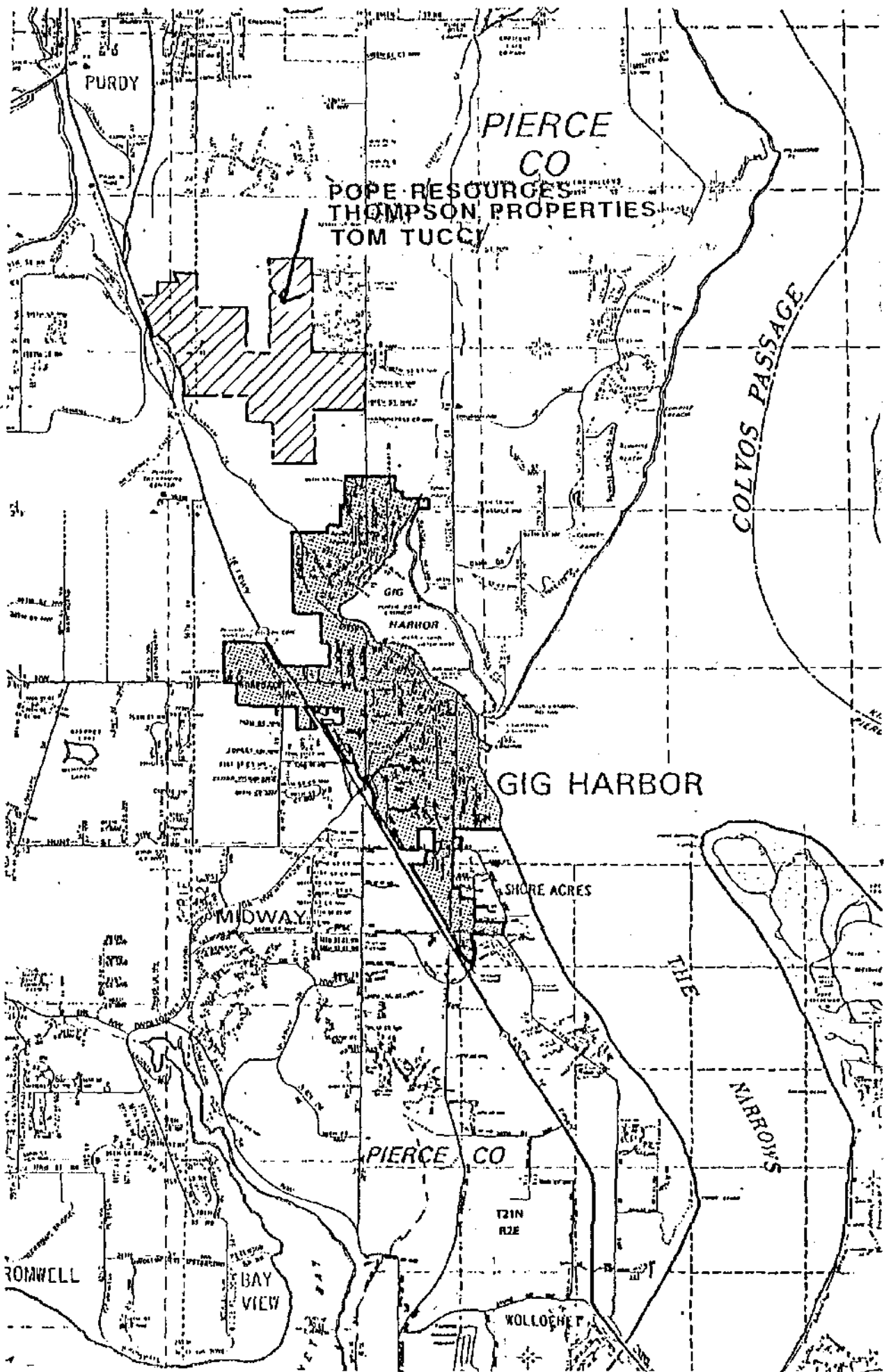
David Cunningham, Pope Resources  
Kathy Thompson & Steve Pulliam, Thompson Properties Four  
Tom Tucci

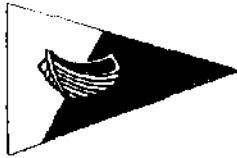
by:

A handwritten signature in black ink, appearing to read "Greg Waddell". The signature is written in a cursive style with a large initial "G".

Greg Waddell  
Waddell Planning Services

cc: Michael Wilson, City Administrator





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

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GIG HARBOR, WASHINGTON 98335  
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL  
FROM: MICHAEL R. WILSON, CITY ADMINISTRATOR *M.R.W.*  
SUBJECT: FORMATION OF THE HUNT-KIMBALL LID  
DATE: MAY 10, 1991

Presented to you is the draft resolution to form the Hunt-Kimball Local Improvement District (LID No. 4), together with the steps in creating a ULID (LID), the projected timeframe in pursuing this LID project and a preliminary budget cost estimate.

The resolution before you for adoption essentially initiates the LID formation process. You will note that the public hearings and meetings on the property assessment and LID formation ordinance are scheduled in June and August, with the final public hearing confirming the assessment roll anticipated to be conducted in November, 1992.

Your approval of this resolution is recommended.

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION of the City Council of the City of Gig Harbor, Washington, declaring the intention of the Council to order the formation of a local improvement district for the construction and installation of improvements within the boundaries of said proposed local improvement district; setting forth the nature and territorial extent of such proposed improvements; describing the boundaries thereof; and fixing a date, time and place for a public hearing on the formation of the proposed local district.

WHEREAS, the City Council of the City of Gig Harbor, Washington (the "City"), has determined that it is necessary to provide certain street improvements for the Kimball Drive/Hunt Street area of the City; and

WHEREAS, the City now desires to proceed with the carrying out of said improvements and to establish a local improvement district in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, as follows:

Section 1. It is the intention of the Council to order the improvement of the area shown on Exhibit A attached hereto and incorporated herein by this reference, by the design, construction and installation of the following improvements:

- A. Three 11' lanes and one 4' bicycle lane;
- B. Curbs, gutters and sidewalks on both sides of the street;
- C. An enclosed storm drainage system;



- D. Traffic signal at the Kimball and Pioneer intersection;
- E. Street lighting; and
- F. Traffic signal interconnect with Pioneer/SR 16 interchange.

Section 2. The City shall acquire by gift, purchase, franchise, lease or condemnation all property, both real and personal, or any interest therein and all rights-of-way, franchises, permits and easements which may be found necessary to acquire, construct, and install the above-described improvements.

Section 3. It is hereby further provided that the hereinbefore authorized plan of improvements shall be subject to such changes as to details of said plan, not affecting the service to be provided by the plan of improvements, as shall be authorized by the Council either prior to or during the actual course of construction.

Section 4. The cost of improvements described in Section 1 and costs of interim notes and bonds shall be assessed against the property specifically benefited by such improvements, on the basis of the amount of the special benefits to such property. The assessments shall be for the sole purpose of payment into such local improvement district bond fund as may be specified by the City Council for the payment of local improvement district bonds to be issued in part to defray the costs of such improvements.

Section 5. All persons who may desire to object to such improvements and the formation of a local improvement district

are hereby notified to appear and present such objections at the meeting of the City Council to be held in the Council Chambers of the City Hall at 3105 Judson Street, Gig Harbor, Washington, at 7:00 p.m. (local time) on June 10, 1991, which time and place are hereby fixed for hearing all matters relating to said proposed improvements and all objections thereto and for determining the method of payment of said improvements. The City Clerk is hereby directed to give notice of said hearing in the manner required by law, with the date of the first publication to be at least 15 days prior to the date of said hearing, and to mail a notice of such hearing (a form of which is attached hereto as Exhibit B) setting forth the nature of the proposed improvements, the total estimated cost, the estimated benefits of improvements to the particular lot, tract or parcel of land, the time and date of said hearing, at least 15 days before the date thereof, to each owner or reputed owner of any lot, tract, parcel of land specially benefitted by said improvements, at the address shown on the tax rolls of the Pierce County Assessor.

ADOPTED at a regular meeting of the City Council of Gig Harbor, Washington, held on the 13th day of May, 1991.

CITY OF GIG HARBOR, WASHINGTON

BY \_\_\_\_\_  
Gretchen Wilburt, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Wilson  
City Clerk



## EXHIBIT B

NOTICE OF ADOPTION OF RESOLUTION OF INTENTION  
TO CREATE AND NOTICE OF HEARING ON CREATION  
OF LOCAL IMPROVEMENT DISTRICT

YOU ARE NOTIFIED that on May 13, 1991, the City Council of Gig Harbor, Washington (the "City"), adopted Resolution No. \_\_\_\_\_ declaring its intention to create a local improvement district ("LID") on Kimball Drive/Hunt Street and to order the construction of certain street improvements within said LID. The boundaries of the proposed LID are as set forth in that resolution.

The proposed improvements consist of the following:

- A. Three 11' lanes and one 4' bicycle lane;
- B. Curbs, gutters and sidewalks on both sides of the street;
- C. An enclosed storm drainage system;
- D. Traffic signal at the Kimball and Pioneer intersection;
- E. Street lighting; and
- F. Traffic signal interconnect with Pioneer/SR 16 interchange.

The estimated cost of these improvements, and other expenses in connection with the improvements, is \$1,013,384, of which 95% shall be paid by special assessments levied against the property within the proposed LID specifically benefited by the proposed improvements. Actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

You are notified that a meeting of the City Council will be held at City Hall, City Council Chambers, 3105 Judson Street, Gig Harbor, Washington, at 7:00 p.m. (local time), on \_\_\_\_\_, 1991, which time and place are fixed for hearing all matters

relating to such formation and improvements and for determining the method of payment thereof. Persons desiring to object to the improvements and the formation of the proposed LID may appear at the hearing to state their views.

The estimated amount of the cost and expense of such improvements to be borne by and assessed against the described lot, tract or parcel of land located in Gig Harbor, Washington, of which you are the owner or reputed owner as shown on the tax rolls of the Pierce County Assessor, is as stated below.

Michael R. Wilson, City Clerk

Name of Owner:

Legal Description of Property:

Estimated Amount of Assessment  
Against the Foregoing Property:

CLERK'S CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Clerk of Gig Harbor, Washington (the "City"), and keeper of the records of the City Council (the "Council") DO HEREBY CERTIFY:

1. That the attached is a true and correct copy of Resolution No. \_\_\_\_ (herein called the "Resolution") of the Council as finally adopted at a meeting of the Council held on the 13th day of May, 1991, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of May, 1991.

Michael R. Wilson, City Clerk

[CITY SEAL]

HUNT-KIMBALL LID FORMATION TIMETABLE

May 10, 1991

- |     |  |            |
|-----|--|------------|
| 1)  | Resolution to form LID                             | May 13     |
| 2)  | Notice of hearing                                  | May 15, 22 |
| 3)  | Preliminary assessment hearing                     | June 10    |
| 4)  | Ordinance authorizing creation of LID              | June 24    |
| 5)  | 30 day protest period                              | July 24    |
| 6)  | LID created by Ordinance - 1st reading             | August 12  |
| 7)  | LID created by Ordinance - adopted                 | August 26  |
| 8)  | Interim financing - BANS or bond                   | Sept. 1    |
| 9)  | Selection of engineering firm                      | Sept. 15   |
| 10) | Design and contract document preparation completed | Feb. 1, 92 |
| 11) | Construction bids accepted                         | March 15   |
| 12) | Bid award  | March 26   |
| 13) | Construction begins                                | April 1    |
| 14) | Construction completed                             | October 1  |
| 15) | Final assessment determination                     | Nov. 1     |
| 16) | Public hearing confirming assessment roll          | Nov. 26    |
| 17) | Sell bonds   | Dec. 15    |

STEPS IN THE CREATION  
OF A U.L.I.D.

I. Petition – Include

1. Nature of Project
2. Extent of Improvements
3. Costs of Improvements
4. Method/Time of Payments
5. Signed by owners of property aggregating majority 1) of lineal footage upon the improvement and 2) area within proposed district.

\* Amount of assessment must be less than or equal to benefit (FMV) of improvement

II. Prepare Resolution for City's Adoption

1. Show Intent
2. Set Hearing Date

III. Publish Resolution (35.43.140)

IV. Notice to Property Owners

1. 15 Days Prior to Preliminary Assessment Hearing
2. Describe Project, Costs, Benefits (Assessments)



- V. Hearing Display Map Prepared
  - 1. Show Percentage For and Against
  
- VI. Preliminary Assessment Hearing
  - 1. To Decide Whether District Shall be Formed; Not to Question Validity of Assessment
  
- VII. Ordinance Authorizing Creation of ULID is Passed by City
  
- VIII. 30 Day Protest Period
  - 1. If Written Protests Equal or Exceed 60% of Dollar Value of Assessments City is Divested of Authority to Proceed.
  
- IX. ULID Created by Ordinance
  
- X. Construction Bids
  - 1. If Bids are greater than 10% of estimated Assessments, Property Owners should be asked if they wish to proceed
  
- XI. Financing
  - 1. BANs or Bonds
  
- XII. Close-Out
  - 1. Determine Final Costs

XIII. Final Assessment Determination

1. Complete Assessment Rolls, Maps
2. Resolution for Final Hearing
3. File Resolution and Roll with City Clerk
4. Set Hearing Date

XIV. Public Hearing for the Assessment Roll

1. Owners may question amount of benefit  
(City has presumption of benefit)

XV. 30 Day Prepayment Period

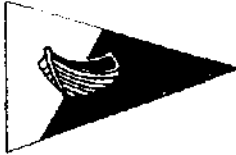
1. Prepay Assessments without Interest

XVI. Sell Bonds

1. If not done before (XI)
2. 20 Days until Dated Date

KIMBALL DRIVE/HUNT STREET L.I.D.  
PRELIMINARY COST ESTIMATE

<u>ITEM</u>	<u>QUANTITY/ UNIT</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
1. Demolition	L.S.	\$50,000.00	\$50,000
2. Excavation	5,000 C.Y.	8.00	40,000
3. Base Course	1,400 Tons	12.00	16,800
4. ACP Class B	4,600 Tons	38.00	174,800
5. Vertical Curb/Gutter	7,000 L.F.	7.00	49,000
6. Sidewalk	35,000 S.F.	1.50	52,500
7. Storm Drain	3,000 L.F.	22.00	66,000
8. Catch Basin	28 each	900.00	25,200
9. Utility Relocation	L.S.	25,000.00	25,000
10. Rock Wall	4,000 S.F.	7.00	28,000
11. Pavement Marking/Signing	L.S.	15,000.00	15,000
12. Landscaping	L.S.	20,000.00	20,000
13. Lighting	L.S.	100,000.00	100,000
14. Signal (Kimball/Hunt)	L.S.	L.S.	90,000
15. Signal Interconnect		L.S.	<u>20,000</u>
Construction Cost			\$772,300
Engineering			80,000
Administration			<u>6,500</u>
Subtotal			\$858,800
18% Construction Engineering & Contingencies			<u>154,584</u>
Grand Total			\$1,013,384
City Participation (5%)	Total	1990 Exp	
	50,669	11,400	<u>39,269</u>
SUBTOTAL			\$974,115
L.I.D. Financing			25,000
Administrative			6,500
Miscellaneous			<u>4,300</u>
L.I.D. FUNDS			\$1,010,000



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: BEN YAZICI, PUBLIC WORKS DIRECTOR *BY*  
RE: STROH WATER COMPANY WATER SYSTEM INTERTIE REQUEST  
DATE: MAY 13, 1991

Stroh Water Company is requesting our permission to install a connection for an intertie between Stroh Water System and the City of Gig Harbor water system. The intertie location will be on Hunt Street near Kimball Drive in the vicinity of the Western Clinic project.

The purpose of the intertie is to provide support to each water company in the event of failure of a major service of supply to either water system. Stroh Water Company had provided such support to the City in 1984 when we had a water emergency. This emergency had occurred as a result of a pump failure in our upper pressure zone. Since then, we have increased our supply capacity by drilling Well # 5. Chances of the same situation occurring again is very slim, especially when we are now in the process of drilling another well (Well # 6). However, the City can benefit from the intertie, as explained below:

Stroh Water Company is currently serving within the City's comprehensive planning area. If we take over this system in the future, there will be a need to intertie the two water systems. The logical location to intertie both systems appears to be the front of the Western Clinic site on Kimball Drive. Since we are now widening and overlaying the street at the subject location, it makes sense to perform any construction activity for the intertie before the street is improved. We prefer not to cut the brand new street for such purpose in the future.

#### RECOMMENDATION

Staff recommends a council motion to authorize the Public Works Director to install an intertie on Kimball Drive between the Stroh Water company and the City's water system. The intertie will be controlled by a closed water valve and the valve will be open only by the City, and only in the event of failure of a major source of supply to either water system.

STROH WATER COMPANY  
3408 Hunt Street  
Gig Harbor, WA. 98335

May 3, 1991

City of Gig Harbor  
3105 Judson Street  
Gig Harbor, WA. 98335

Stroh Water Company requests permission to install a connection for an intertie between Stroh Water System and the City of Gig Harbor Water System. This would be on the water main located on 64th Street (Hunt Street) near Kimball Drive.

This intertie would be for use by either party in the event of failure of a major source of supply to either water system or in the event of any emergency need where additional source is needed by either party.

Thank you for your action and response to this request.

Sincerely,



Frederick Stroh,  
Owner

# CITY OF GIG HARBOR

August 16, 1984

Fred Stroh  
Stroh's Water Co.  
3408 Hunt Rd.  
Gig Harbor, WA 98335

Dear Fred,

On behalf of the citizens of Gig Harbor, please accept our heartfelt thanks for your generous help during the recent water emergency in the City. We appreciate your cooperation without which we would have all had serious problems.

Sincerely yours,



Ruth M. Bogue  
Mayor  
City of Gig Harbor

RMB/kla



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: BEN YAZICI, PUBLIC WORKS DIRECTOR *BY*  
SUBJECT: SEWER REQUESTS  
DATE: MAY 13, 1991

We have received a letter signed by Mr. James L. Turner and Mr. Russ Smith, who own two duplexes in the Shore Acres area requesting sewer service to their property.

The subject property addresses are 6211 Reid Drive, Units A and B and 6222 Reid Drive, Units A and B. Currently the properties are experiencing surfacing sewage problems and there is no available area on-site in which to install a replacement drain field system that would meet the current Health Department codes. The problem is so severe that raw sewage is literally being dumped into a storm drain ditch.

Tacoma Pierce County Health Department has sent us a letter to confirm the septic failures which we have attached, for your information. In that letter, the Health Department mentions two other properties, 5727 and 5729 Reid Drive, that are experiencing similar problems.

We have inspected the sites and confirm that the problems exist and there are no "reserve" sites to install replacement drain fields. It appears to us that the only choice these property owners have is to connect to the city sewer.

#### RECOMMENDATION

The extension of sewer utility outside the city limits is a policy decision that the Council makes. However, because of the severity of the problem, we recommend that the Council approve this request.

Attachments

**Tacoma-Pierce County  
Health Department**



Alfred M. Allen, M.D., M.P.H.  
Director of Health

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- JOE STORTINI—Pierce County Executive
- KAREN VIALLE—Tacoma Mayor
- BARBARA SKINNER—Pierce County Councilmember
- PAUL MILLER—Tacoma Councilmember
- M. JAMES WICKS, M.D.—Member-at-Large
- ALAN NYGAARD—Ex-officio Member, Sumner City Administrator  
Representing Pierce County Cities & Towns Association

April 4, 1991

Ben Yazici  
Director of Public Works  
P. O. Box 145  
Gig Harbor, WA 98335

Dear Sir:

This letter is a follow-up to our conversation of last week regarding known septic system failures along Reid Dr. NW in the "Shore Acres" area just north of Hollycroft.

We are presently working with the property owners of:

6218 Reid Dr. - units A and B  
6222 Reid Dr. - units A and B  
5727 and 5729 Reid Dr.

These are all occupied duplexes with confirmed surfacing sewage problems and no available area on-site in which to install a replacement system that would meet current codes. (I understand you have also spoken to a Mr. Radcliffe in regards to the third referenced duplex above.) Hearsay information indicates there may be other failures in the vicinity which area residents have declined to identify in order to avoid incurring repair costs to friends and neighbors.

While it is understood sewer utilities will not be available in time to help the owners of the properties listed above, we feel the potential for future public health problems due to septic system failures in this area is apparent.

We hope these concerns will be taken into consideration in your planning for Gig Harbor sewer expansions.

Please contact me, with any questions or comments, at 596-2872.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Jorgenson". The signature is written in a cursive, somewhat stylized font.

Jeff Jorgenson  
Environmental Health Specialist I  
On-Site Sewage Section  
Environmental Health Division

JJ:ej  
YAZIC.JJ



8/3/91

Mr. Ben Yazici

RE: Sewer System Pick-up;

It has been our Misfortune & experience a brandied. Forgive to the point that raw-sewage is being dumped into a storm drain culvert along side our Eastment to ingress & ingress this property.

The Health Department has contacted us & make connections as soon as possible. We've been in touch with Engineers for re-design & relocation of Septic drain field and it seems there's no room for any alternate field.

It is our hope to be allowed access to the Sewer System if possible. If we are denied access to Sewer System I would request a letter from you stating that the "Sewer System" is not available to us and also that we are not required to look into the said System.

There are at least three sites, lots, etc. that are experiencing the same problem and this is something that must be acted upon with immediate urgency.

Your response A.S.A.P. would be appreciated.  
Please contact.

Mr. James L. Turner. 851-7086

Mr. Russ Smith - 858-3380

Site Location:

6228 Reid Dr. N.W.

Big Harbor, Wa. 98335

and.

6222 Reid Dr. N.W.

Big Harbor, Wa. 98335

Our Thanks -

James Turner

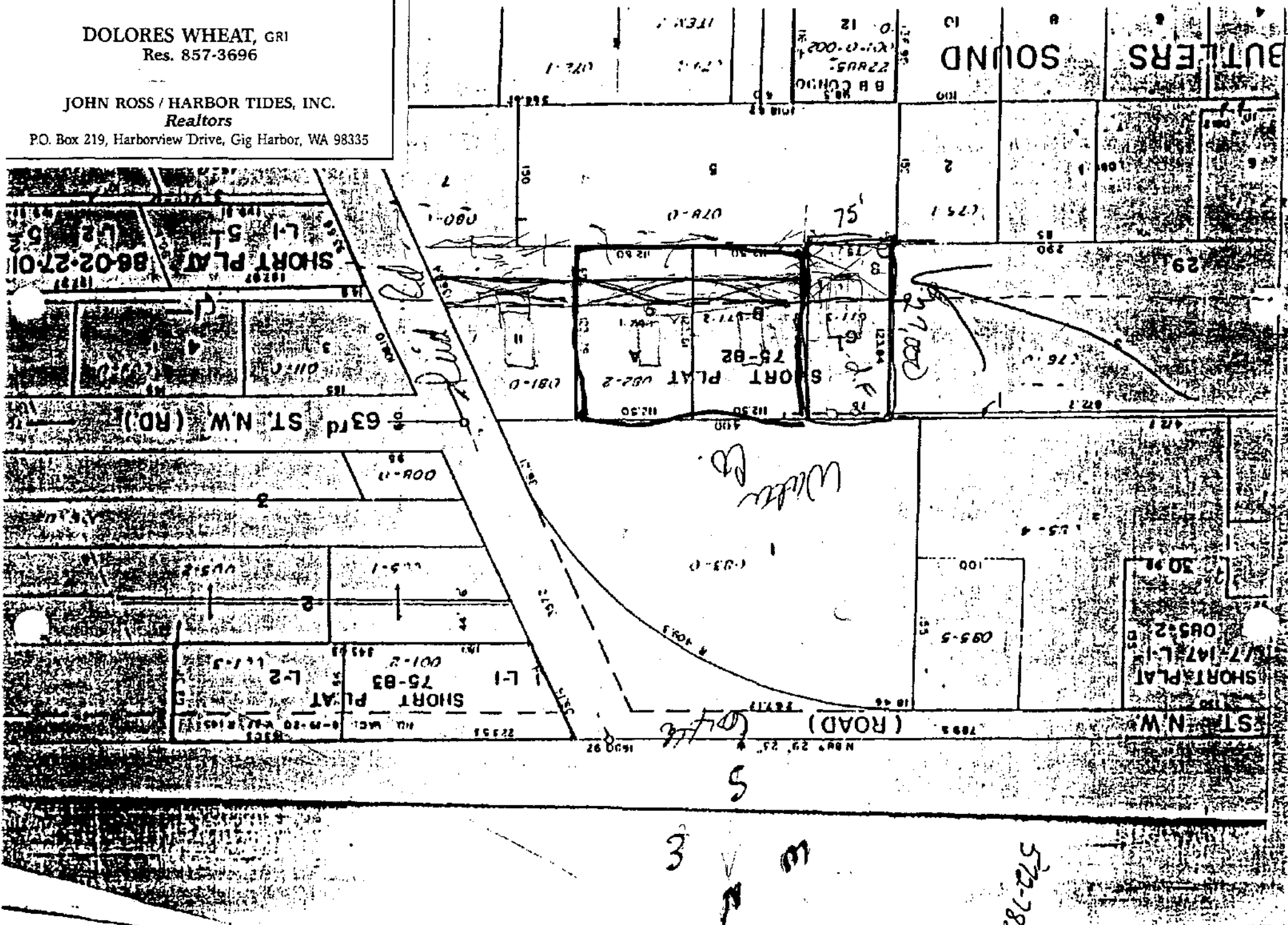
851-9134 Gig Harbor  
851-7196 - FAX

627-4516 - Tacoma  
572-3995 - Tacoma

**DOLORES WHEAT, GRI**  
Res. 857-3696

**JOHN ROSS / HARBOR TIDES, INC.**  
Realtors

P.O. Box 219, Harborview Drive, Gig Harbor, WA 98335



BUTLERS SOUND

SHORT PLAT 86-02-27-01

SHORT PLAT 75-82

SHORT PLAT 75-82

ST. N.W. (ROAD)

SHORT PLAT 75-83

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

RECEIVED  
MAY 3 - 1991  
CITY OF GIG HARBOR

TO: MAYOR OF GIG HARBOR

DATE: 5-1-91

RE: NEW APPLICATION

LICENSE NO. 076809-2A  
INTER-PACIFIC ENTERPRISES, INC.  
INTER-PACIFIC ENTERPRISES, INC.  
6653 KIMBALL DR STE 1  
GIG HARBOR, WA 98335-1208

CORPORATE OFFICERS:

ARTHUR MC GINNIS POLHAMUS 532-56-8432 11-1-54  
BEVERLY HUSON POLHAMUS 539-52-2267 7-13-52  
HANS GEORGE KOCH 533-19-7562 2-18-37

27  
N 5

CONTACT: (206) 851-6088

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-Beer Wholesaler
- B3-Beer Certificate of Approval in state.
- B4-Beer 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