

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, March 26, 1963

Council met in regular session. Present on roll call 7: Bott, Cvitanich, Finnigan, Haley, Herrmann, Murtland and Mayor Tollefson. Absent 2: Price and Steele. Mr. Steele arriving at 4:25 P. M.

Mr. Murtland moved to excuse Mrs. Price due to illness. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Dr. Herrmann moved that the minutes of March 13, 1963 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

This is the date set for hearing on the appeal filed by P. E. Camerer et al ⁴² on the denial of his request for the rezoning of property located at No. 5th and D ¹²⁶ Streets from an "R-2", "R-4" and "R-5" District to an "R-3" District.

George Marsico, Attorney, spoke in behalf of his client, P. E. Camerer. He pointed out on the map the various zoning classifications in the proposed rezoning area of No. 5th and D, consisting of "R-2", "R-4" and "R-5" zones. The petition submitted by his client is for an "R-3" zone which would permit a 2 1/2 story building. This area has been one of the choice residential areas in Tacoma, and it is their expressed desire for the area to be rezoned to residential to maintain the historical value of some of the oldest partial homes of the City which are located there, he added.

Mr. Marsico, further stated, that they petitioned for an "R-3" zone which will permit a duplex, however, if the City Council feels, after hearing the arguments, that this should be an "R-2" rather than an "R-3" zone, the petitioners would very heartily go along with the City Council. The petitioners object to an "R-4" zoning for the reason this would allow apartments to be built in and among these fine residential homes.

At the time the master plan was adopted in 1953, considerable studies were made and public hearings were also held, however, ten years have elapsed since that plan was enacted. Many residents in the area now probably were not home owners at that time, as in 1953 there wasn't the splurge of a partment building as there has been in the last two or three years.

He added, it stated in the Planning Commissions' report that the existing "R-4" district serves as a transitional district between the "R-5" and "R-2" district. He could not see that an "R-4" was a logical buffer zone between an

"R-5" and "R-2". In his estimation the proper buffer zone should be an "R-3". There are 37 dwelling structures presently within the area they desire to have reclassified. If the petition were allowed, 10 of these structures would be of non-conforming use which is not unfamiliar in a zone.

S. A. Gagliardi, Attorney representing some school teachers who wish to build a cooperative apartment on the corner of North 4th and D Streets, protested the inclusion of their property in the petitioned area. He said his clients expect to build as soon as it can be financed, a structure of 32 units with levels for parking. This structure will cost in the neighborhood of one half a million dollars.

Ron Thompson, Attorney representing Lee Raymond the owner of the property at No. 5th & D Sts., stated he intends to construct an apartment at this location. Mr. Raymond has already applied for a permit for a two-story, 16 unit apartment with 18 parking stalls. He said this apartment will be constructed regardless of any change of zoning.

Jack Powell residing at 301 No. 6th said the neighborhood has formed a Renewal Association and the organization is hopeful they can interest enough residents in paying dues to build a fund for the purchase and clearance of old, sub-standard structures in the area. The Association would take a loss on this type of a project, but unless it is accomplished, values in the entire neighborhood will take a loss. He said he would like to have this matter referred back to the Planning Commission so the Association can work with them and come up with some plan so that the neighborhood rezoning will not be further downgraded.

Mr. Bott asked Mr. Powell how long would it take for the organization to make commitments for the purchase of property.

Mr. Powell stated, the organization intends to call a meeting within the next 10 days.

Others who spoke in favor of the reclassification were: Mrs. Ted Haley, Mr. Ben Emerson, Mrs. Shelton, Dick Taylor, Ed Baptiste, Dr. Murray Johnson and Al Vandivert.

Mr. Hugh Hartnack, residing at 324 No. 4th, objected to the parking difficulties presently encountered, and also to the rezoning, citing plans for eventual use of his home as multiple housing.

Mr. Bott remarked, in view of what has been pointed out, he wondered if it would be proper to refer this back to the Planning Commission to allow the Renewal Association, referred to by Mr. Powell, an opportunity to present any plans that they may have for the solution of the problem.

Mr. Roger Crusan, Chairman of the Planning Commission, stated the Planning Commission has had two hearings and has spent considerable time on this matter. The Planning Commission recommended in their letter of February 13, 1963 that the situation as it exists is not satisfactory. In their opinion the proposal submitted by the applicants would be less desirable than that which exists. A solution acceptable to everyone is not evident at this time, he added. Until such time as this area is analyzed by a neighborhood study, an adjustment in zoning standards may prove necessary. He said the Planning Commission would be willing to sit down with the residents and discuss the situation during the coming month.

Dr. Herrmann thought this could be settled amicably by eliminating Mr. Hartnack's property and the apartment sites from the rezoning, and that the neighborhood organization meet with the Planning Commission to find a reasonable solution.

Dr. Herrmann then moved to delay consideration on the matter for one month until April 23, 1963, to arrive at a decision that would be acceptable to both parties. Seconded by Mr. Finnigan.

Mayor Tollefson said, it is the Council's duty to study this after the Planning Commission has made their recommendations. Then if the Council cannot submit a recommendation within a period of time, it can be continued. He thought this should not be continued for further hearings however, but for further study only by the City Council.

Voice vote was taken on the motion to postpone action on the appeal for one month. Motion carried.

PETITIONS:

a. Petition submitted by C. G. Francis, requesting the rezoning of property located at So. 6th to So. 8th St. from Pearl to Bantz Blvd. from an "R-2" to a "C-1" District. ²²⁰

b. Petition submitted by Healy Bros. requesting the rezoning of property at the S. W. corner of No. 26th and Stevens from an "R-2" to a "C-1" District. ¹³⁷

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 17398:

Authorizing the proper officers of the City to enter into written contracts with the firm of Mid-America Appraisal Corp., Pacific Division, San Francisco, California to make final acquisition appraisals of real estate within the New Urban Renewal Project area Wash. R-14.

Mr. Haley moved that the Resolution be adopted. Seconded by Mr. Steele.

Mr. Murtland asked if the City had received a better offer from any local

firm.

Mr. Maffin, Director of Urban Renewal, stated they had not.

Dr. Herrmann asked if any Tacoma appraisers would be used on this project.

Mr. Maffin explained they would not be using Tacoma appraisers for this contract; however, our Legal and Real Estate staff feel it is important to have local appraisers for at least one appraisal.

Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17399:

Authorizing the execution of a contract with the Tacoma Housing Authority for relocation, planning services for New Tacoma Urban Renewal Project-Wash. R-14.

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Haley. Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17400:

Awarding contract to E. J. Rody & Sons for L I D 2340 on their bid of \$8,203.30 which was determined to be the lowest and best bid.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Cvitanich. Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17401:

Awarding contract to Williamson & Beeson for L I D 3547 on their bid of \$4,411.55 which was determined to be the lowest and best bid.

Mr. Haley moved that the Resolution be adopted. Seconded by Dr. Herrmann. Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17402:

Fixing Monday April 22, 1963 at 4:00 P. M. as the date for hearing on L I D 6826 for street lighting in the vicinity of So. 12th & Aurora St.

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Haley. Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17403:

Fixing Monday April 22, 1963 at 4:00 P. M. as the date for hearing on L I D 4720 for paving on Union Ave. from No. 9th St. to No. 18th Street.

Mr. Haley moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17404:

Fixing Monday May 13, 1963 at 4:00 P. M. as the date for hearing on L I D 6822 for street lighting on Shorecliff Drive near 33rd Street. N E.

Mr. Haley moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17405:

Authorizing the proper officers of the City to enter into a joint agreement with King, Kitsap, Pierce and Snohomish Counties in preparing a Regional Comprehensive Plan with Open-Space, Transportation and Land Use Elements.

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mr. Rowlands stated, this Resolution will enable the City of Tacoma, working through the Puget Sound Governmental Conference, to secure Federal financial aid to the extent of 30% of the cost. This open space land encompasses quite a variety of facilities, such as parks, conservation areas, parkways, water sheds, historical sites, etc. The staff has been giving this some thought and a report should be forthcoming to the Council shortly. There are possibilities of utilizing part of this grant in connection with the sanitary land fill acquisition as this could eventually be considered as an open space area.

Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

Resolution No. 17406:

Retaining the firm of MacLean & Company, Inc. as Financial Consultants for the marketing of the \$4, 780, 000 issue of General Obligation Bonds.

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mr. Rowlands stated McLean & Company will handle this at a rate of 50 per \$1, 000. 00 per par value of the bonds issued. With the proper financial consulting service the City could save approximately from \$20, 000 to \$100, 000 in interest.

Voice vote was taken on the Resolution.

The Resolution was declared adopted by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 17297:

Amending Chapter 2. 02 of the Official Code of the City to add a penalty provision to the Building Code.

Mr. Rowlands remarked that the Legal Dept. thought the penalty provision should apply to the entire code not only to the reference of the Uniform Bldg Code. This is simply a housekeeping measure, he added.

The Ordinance was placed in order of final reading.

Ordinance No. 17298:

Amending Section 14. 04. 040 of the Official Code of the City relating to the starting date of rent in the Urban Renewal area.

The Ordinance was placed in order of final reading.

Ordinance No. 17299:

Providing for the issuance and sale of General Obligation bonds of the City in the total sum of \$4, 780, 000 for certain capital improvements provided in Ordinances Nos. 17244-45-46-48 & 49, passed January 22, 1963.

Mr. Rowlands explained that he would submit a Resolution next week setting up a temporary fund to borrow from in the interim period as funds will not be available until June.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17295:

Approving and confirming the assessment roll for SCF #62 for construction, reconstruction and repair of sidewalks in various sections of the City.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Price.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17296:

Amending Chapter 13. 06 of the Official Code of the City by adding a new section 13. 06. 120-32 to include property located at the northeast corner of So 27th and Yakima in a "C-1" Commercial District. (Petition of George W. Kupa)

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Mr. Murtland moved to postpone action on the Ordinance for two weeks, until April 9, 1963. Seconded by Mr. Bott.

Mayor Tollefson said this Ordinance is being postponed to enable the Urban Renewal Dept. to submit a study on the re-use of the adjacent property.

Voice vote was taken on the motion to postpone. Motion carried.

REPORTS:

MC-411 Construction Standardization Summary APWA, Washington State Chapter.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. State Auditors report for the garbage & refuse division for 1961 & 1962.
- b. Employees Retirement System Report for the month of February 1963.
- c. City Planning Dept. report for the months of January & February 1963.
- d. Personnel report for the month of February 1963.
- e. Tacoma Police Dept. report for the month of February 1963.
- f. Tacoma Fire Dept. report for the month of February 1963.

COMMENTS:

Mr. Rowlands stated the American Society for Planning will be having its annual conference in Seattle in May. He thought if any Council member would like to attend, he would like for them to notify the Manager's office by next week so the reservations can be made.

Mr. Rowlands stated that two attorneys are leaving the City service and it is necessary to get replacements. Mr. Majares, an attorney living in Olympia has been employed. He asked if the City Council would waive residence requirements for Mr. Majares, as he is in the process of selling his home and expects to move to Tacoma in the near future.

Mr. Steele moved to waive the residence requirements for Mr. Majares. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:40 P. M.

AAA Tollefson
Mayor of the City Council

Attest: *Josephine Nelson*
City Clerk