

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, June 16, 1970

In the absence of Mayor Johnston, Deputy Mayor Cvitanich presided.
The meeting was called to order by Deputy Mayor Cvitanich at 7:00 P.M.

Present on roll call 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich. Absent 2: Herrmann and Mayor Johnston.

The Flag Salute was led by Mr. Finnigan.

Certificate of Merit Awards were presented by Mr. Oles, City Manager, to City employees Florence V. Olson and Phil Sessions for cost-saving suggestions made to the City.

The recipients were congratulated by Deputy Mayor Cvitanich and Mr. Oles.

Deputy Mayor Cvitanich asked if there were any omissions or corrections to the minutes of June 2nd, 1970.

Mrs. Banfield moved that the minutes of the meeting of June 2nd be approved as submitted. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

HEARINGS & APPEALS:

This is the date set for hearing on the Fawcett Urban Renewal Plan Amendment.

Mr. Hogaboam, assistant City Attorney, explained that the Fawcett Urban Renewal Plan had been adopted by the City of Tacoma on October 31, 1961, and amended on December 13, 1966, to allow for construction of housing for the elderly, at which time the Council had adopted Resolutions 16751 and 18969. He noted there is no specific state, local or federal requirements requiring a public hearing for a plan amendment or modification, and the Revised Code of Washington deals only with original plan approvals, but in order to maintain a sound procedural and legal record, the proposed amendment should be subject to the scrutiny of a full public hearing.

The Planning Commission reviewed the proposed amendment and approved the same with certain recommendations and its resolution will be read into the record this evening. He added, public notice was given once each week in the Tacoma News Tribune and notice was given to owners within the project area. A resolution approving and adopting the proposed Urban Renewal Plan for the Fawcett Urban Renewal Plan Amendment, Project Wash. R-3, will be presented to the City Council after the public hearing, and at that time the Council determines approval of the following findings: (1) Whether or not the plan as amended conforms to the Comprehensive Plan for the City of Tacoma; (2) whether the amended plan will effect maximum opportunity consistent with sound needs of the City as a whole, with the redevelopment of the Tacoma Urban Renewal area by private enterprise; (3) whether any purchaser or lessee subsequent to the original plan amendment will be adversely affected by the amendment; and further (4) approval of the plan amendment which with Exhibits 1 through 16 were submitted to the City Clerk to be incorporated into the minutes.

Mr. Hogaboam added the proposed amendment provides for the additional use of residential apartments on a certain parcel in the urban renewal area and adds certain provisions pertaining to such use.

Gary Sullivan, Director of Urban Renewal, explained that this matter was referred

to the Dept. of Urban Renewal in March of 1970 in order to add the residential use to a core office which was already in existence and was referred to the Planning Commission.

Mr. Garlington, Chairman of the Planning Commission, reviewed the Planning Commission's recommendations. He explained the communication and resolution which is to be considered by the Council had been reviewed on May 4th and on May 18th by the Commission.

He further added it was found on a review of the plan with the residential use as proposed in the amendment, that it is consistent with the Comprehensive Plan and the existing zoning, and further that the parking requirements are also consistent with the zoning of that area.

Mr. Hogaboam submitted a substitute resolution which corrected the former resolution which included exhibits that were not included in the original resolution.

Mr. Hogaboam asked that specific documents which were read be incorporated into the minutes of this meeting.

Mr. Finnigan moved to concur in the recommendation of the Planning Commission and that Exhibits 1 through 16 be incorporated therein by reference into the minutes of this meeting. Seconded by Mr. Jarstad. Voice vote was taken, resulting as follows: Ayes 6: Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich. Nays 1: Banfield. Absent 2: Herrmann and Mayor Johnston. Motion carried.

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Mr. Zatkovich said he would like to make a comment on several editorials from the Tacoma News Tribune stating they were somewhat slanted. He remarked many people do not realize the power of the press especially when there is only one major newspaper whereby the public doesn't have a choice.

He added, newspapers are the tenth largest industry in the United States and 97% of the cities with newspapers enjoy a monopoly. Today there is only 3% competition in the nation's cities having daily newspapers; whereas 25 years ago, there was 10%. He felt readers need help especially if a city doesn't have a second newspaper.

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Mrs. Banfield asked that she be given an opportunity to ask a few questions. She asked that Mr. Oles, City Manager, provide a copy of the complete list of signatures that are on the recall petitions so he could see who the signers are that are against good honest representative government. She also asked if the taxpayers are paying for the extra help for counting the recall petitions.

Mr. Oles stated that he had no doubt the signatures would be made available and published. He added in reference to the City's paying for the checking of the names, a ruling from the Legal Department indicated it appears likely that there will be a need for additional personnel in the City Clerk's office, but that he has not yet had a satisfactory answer who will be paying for the checking.

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(b) This is the date set for hearing on the annexation of both sides of Crystal Springs Road between So. 19th St. and 22nd St. West extended. (petition of Henry O. Johnson, etal)

Mr. Buehler, Director of Planning, pointed out that this matter had been before the Council at various times and also before the Review Board, but the Board has not taken action on the area for annexation.

Mr. O'Leary made the motion and it was seconded by Mrs. Banfield that the Council concur in the recommendation of the Planning Commission to approve the annexation of both sides of Crystal Springs Road between South 19th St. and 22nd St. west extended. Voice vote was taken. Motion carried.

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COMMUNICATIONS:

Communication from Paul E. Meyers, Acting Chairman of the City Planning Commission, requesting a study session with the Council regarding automobile service station development standards pertaining to lubrication bay doors.

Deputy Mayor Cvitanich mentioned that a meeting be held as soon as possible on this matter.

Monday noon was set for the joint meeting.

Placed on file.

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RESOLUTIONS:

Resolution No. 20723

Authorizing the sale of salvage items to various bidders.

Mr. O'Leary moved that the resolution be adopted. Seconded by Mr. Dean.

Deputy Mayor Cvitanich asked for a motion to suspend the rules in order to consider this Resolution which had just been finalized this morning so as to dispose of all the utilities now instead of the end of the agenda.

The motion was made by Mr. O'Leary and seconded by Mr. Dean to suspend the rules to take up the Resolution at this time.

Mr. Benedetti, Assistant Director of Utilities, pointed out that this resolution has reference to the sale of scrap copper wire to miscellaneous bidders. Recommendation is to award to each individual who has the highest bid.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 0. Absent 2: Herrmann and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20724

Authorizing the execution of a release of an easement in the area of the Freeway and Sprague Ave.

Mr. O'Leary moved that the resolution be adopted. Seconded by Mrs. Banfield.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 0. Absent 2: Herrmann and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20725

Authorizing the transfer of (16) vehicles which are surplus to the Dept. of Public Utilities to the General Government, for the sum of \$7,600.00.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. O'Leary.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0: Absent 2: Herrmann and Mayor Johnston.
The Resolution was declared passed by the Chairman.

Resolution No. 20726

Authorizing the purchase of a tract of land located on Muck-Kapowsin Road from Arthur Crate for the sum of \$17,500.00, to locate a headquarters or center building and/or storage of materials to serve the recently acquired Loveland area.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Zatkovich.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0. Absent 2: Herrmann and Mayor Johnston.
The Resolution was declared passed by the Chairman.

Resolution No. 20727

Authorizing the exchange of property owned by the City for property owned by the Stellacoom School District No. 1 in the vicinity of West of Western State Hospital.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. O'Leary.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0. Absent 2: Herrmann and Mayor Johnston.
The Resolution was declared passed by the Chairman.

Resolution No. 20728

Fixing Tuesday, June 30th at 7 P.M. as the date for hearing on the Six-Year Comprehensive Street Program 1971 through 1976.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mrs. Banfield.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0. Absent: 2 Herrmann and Mayor Johnston.
The Resolution was declared passed by the Chairman.

Resolution No. 20729

Fixing Tuesday, June 30th at 7 P.M. as the date for hearing on Zoning Text Amendments.

Mr. Jarstad moved that the resolution be adopted. Seconded by Mrs. Banfield.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0. Absent 2: Herrmann and Mayor Johnston.
The Resolution was declared passed by the Chairman.

Resolution No. 20730

Awarding contract to Tucci & Sons on its bid of \$13,972.25 for Improvement No. 4843.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Jarstad.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 0. Absent 2: Herrmann and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20731

Authorizing the proper officers of the City to file an application with the Federal Government for an allocation of \$5,400.00 for a transportation project for summer employment.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mrs. Banfield.

Mr. O'Leary moved that this resolution be continued over one week since Dr. Herrmann is absent and is the sponsor of the resolution. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

The Resolution was postponed until June 23rd.

Resolution No. 20732

Approving the Access Report of State Route 16 from So. 23rd to Narrows Bridge.

Mr. Dean moved that the resolution be adopted. Seconded by Mr. Finnigan.

Mr. Bob Anderson, City Engineer, described the location of the road area involved and the advantages and disadvantages of the type of street engineering involved. He added six various designs have been considered and no disagreement was expressed except for one area. Four houses were to be removed in the revised plan. It had been suggested that curvatures be put into the alignment so that the highway would be further to the south which would take park property rather than homes. After the second meeting, the State prepared another plan but was not favorable to the City.

The Planning and Public Works Depts. have now recommended that subject to the one revision, this current plan be adopted. It was pointed out that the State Highway Dept. will be holding a hearing at which time further comments may be made by the public.

Mr. Kerslake, District Engineer for District No. 3 of the Highway Dept., announced a tentative date for the public hearing of July 24, 1970, on this last segment of the construction on SR 16 in this City, Tacoma being the junction of a number of very important state highways; viz., Interstate #5, SR #16, SR #509, SR #7 south of Tacoma and SR #410, serving the Puyallup Valley - all leading to the City of Tacoma. Mr. Kerslake further pointed out that all highway improvements have taken some houses, some industrial sites and some buildings. The Highway Dept. is progressing very well on purchasing right-of-way over to Bantz Blvd., and are trying its best to minimize the number of homes to be taken. While interchanges are so important, certain criteria must be met. At 19th Street the loop design has been reduced to a minimum. The most complex problem at 6th and Pearl where there are three extremely large arterials coming together, indicates a need for a ramp; however, this need not be included in the very first stage.

Mr. Jarstad asked that Mr. Kerslake describe what can be done at the hearing to be held July 24th and how it is conducted. Mr. Kerslake responded that each property owner is invited to attend and also the general public. The public may ask questions

and also present alternate plans if they wish and give ideas for the Highway Commission's review.

Mr. Dick Burkart, chairman of the Save Firmoor Committee, expressed the opinion that SR 16 will benefit Tacoma, but his community group is objecting to a planned access road at South 19th St. Pictures of the Firmoor area were displayed, showing the green belt area residential district. He asked that sufficient cause be shown for the need for the access road.

Six other citizens from the Firmoor district then presented arguments against the access road. These included Mr. Moss, Mrs. Sally Berilla, Mr. James Lunsman, Mr. Charles Henton, Mrs. Ardis Smith and Mr. Paul Herlinger.

Mr. Henry Haas, Tacoma attorney, spoke on behalf of a property owner, Mr. Gordon Orwig, who owns property on which a drive-in is located on the SW corner of 6th & Pearl St., asking the Council continue this matter for at least two weeks in order to enable him to obtain the necessary documentation. He stated, he questions whether there is not an alternative to the proposed access route.

Mr. Haas asked if there could not be an on-ramp from the southeast corner which would be adequate, following the same route and thus eliminating the larger ramp and overpass. He pointed out that condemnations would be very expensive and that the proposed plan would cut off the rear access in the Highland Hill business district. He raised the question if the highway department hearing brought about some changes would it then be brought back to the City Council for discussion. He raised the question as to whether a Review Board could then be appointed by the City to re-examine the decision. He felt now is the proper time for property owners to voice their opinions and to be considered as the present proposed plan would not be in the best interests of the merchants or the users of the streets. This is based on a projection that traffic will be much heavier on Pearl Street than on Sixth Avenue; whereas the opposite is probably true. He asked that he be given the opportunity to bring more documentation to the Council at a future date.

Mr. Finnigan commented that it would be well if Mr. Kerslake or his staff would outline the time table involved in the completion of the whole project.

Mr. Kerslake then illustrated on maps the Nalley Valley section of the project, the crossing over Interstate No. 5, stating that this part is to be completed by spring of 1971, and Sprague Avenue put into operation by then. He further described the interchange at Union Avenue, the reconstruction of Cedar Street, the Hannah Pierce Freeway planned interchange, and said that since this is a federal aid highway, funds have already been received for the work underway. He stated, the time for building this last part which will go through the Lakewood area and serve the southern part of the Tacoma urban area is not yet known, but thought it would be under contract by next spring and will take about two years to be complete. Comment was also made on the fact that 6th Avenue will be kept open during construction if at all possible.

Mr. Finnigan stated that he lived most of his life about a half mile from the Firmoor area and has seen that and other areas grow considerably; that the Highway Dept. has been considering developing highways in the Firmoor area for about ten years. He said he can appreciate the residents being upset about the changes. Further, that after the areas have been improved, there is always a compatible feeling between the people who improved it and the people who live there. The Sprague project is a good example. Other improvements are also necessary - especially in the industrial area of Tacoma. All the industry in the port area hopes to have improvements within 8 or 10 years, and are working on it now, but priorities do exist. Cities often grow faster than the highways can move. The completion time table for the Firmoor project is in six or seven years. This project is a necessity for Tacoma and is a result of the requests of the people, for a large part to the businessmen, etc. The Narrows Bridge and the Tacoma Mall are good examples of long-range planning, and will have better access with the addition of this project. These arterials are needed to build this type of installation. It is incumbent on each resident to recognize the needs for these arterials and plan ahead as well.

Mr. Jarstad said he has lived in that area approximately eleven years and there are people from all walks of life residing there. It is a great place for children with schools right in the district. There are many areas in the City that can be preserved in other ways, but he thinks this particular area is the best home and family area to his knowledge.

He added on behalf of his neighbors they have struggled with this problem and even though there is always a silent majority, they want to join together and try to solve the problem in cooperation with the City and the State. He further added his opinions are limited by the fact that he is involved as an owner at 6th & Pearl Street. He contended that the interchanges will hurt traffic access and felt a re-design would allow easier access to Highland Hill, which he feels is the second largest regional shopping center in Tacoma.

Mrs. Banfield asked if there were some way that the access road could come in along the side of 19th and go under the loop instead of into the Firmoor area.

Mr. Kerslake replied that a study had been made on that and Donald L. Barclay of the Highway Dept. Design Engineer, explained that it would be physically possible to even go under the loop twice, but operationally would be very inefficient at the City speed limits of 20 to 25 mph. Interchanges are designed for 30 to 35 mph., even for a small access road. Mr. Barclay said the grade would be approximately 12% which is quite steep and, therefore, not feasible.

Mr. O'Leary asked if there was any other location where the interchange could be placed, such as, at 12th Street.

Mr. Barclay replied if it were connected at 12th St., it would be the beginning of the ramp system on the 6th & Pearl interchange. It would also involve a residential district.

Mr. Cvitanich moved that the matter be continued for one week. Seconded by Mr. Zatkovich. Voice vote was as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0. Absent 2: Herrmann and Mayor Johnston.

The Resolution was postponed until June 23rd.

Resolution No. 20733

Authorizing the execution of a cooperation agreement between the City and the Tacoma Housing Authority to eliminate substandard and other inadequate housing and to prevent the spread of slums, and blight and to revitalize as soon as feasible the goal of a suitable living environment.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Jarstad.

Mrs. Banfield asked that this resolution be referred to the Investigating Committee. Mr. Finnigan explained that the synopsis of the resolution states that it is similar to what the procedure has been followed in the past. It refers to a cooperation agreement with the Tacoma Housing Authority which provides housing for the elderly in low-cost housing.

Mrs. Banfield brought up that the week before she had given each Council member a synopsis of a matter she had asked for, by the City Attorney, stating if HB 516 should ever go through the Legislature, the power that would be given to that group would be ridiculous. If one read the synopsis, they would agree that the resolution under consideration should go to the Investigating Committee.

Mr. Dean said there is a contract in existence at the present time.

Mr. Burgesen, Housing Authority Director, pointed out that there are several contracts in existence--the one to purchase the Salishan Project, one to build the six apartments that have been built and the seventh which they are presently building.

What is being asked now is the approval of a cooperation agreement which grants consent to go to the FHA to ask if 200 more units of housing can be built for the elderly in the City of Tacoma.

Mrs. Banfield asked what authority the City Council has over the Tacoma Housing Authority.

Mr. Hamilton, Assistant City Attorney, replied that the Council had absolutely no authority over them.

Mrs. Banfield then asked why should the Council be involved with Tacoma housing in that event. She thought the Council should take a better look before voting.

Mr. Harold Burgesen explained that the State law as well as the Federal law says that the City Council must consent to the authority making a request to FHA for the right to construct any buildings in the City of Tacoma. He added, the Council has formally on three or four occasions granted its consent. There are 685 elderly people now housed in these units, 750 are on the waiting list. 400 applications a year are being received, but can process only 70 of them. The Housing Authority is only waiting for consent to build 200 more units in Tacoma.

Mrs. Banfield moved that this resolution be referred to the Investigating Committee. Seconded by Mr. O'Leary.

Roll call was taken on the resolution, resulting as follows:

Ayes 6: Banfield, Cvitanich, Dean, Jarstad, O'Leary & Zatkovich.
Nays 1: Finnigan. Absent 2: Herrmann and Mayor Johnston.
The Resolution was referred to the Investigating Committee.

Resolution No. 20734

Stating the policy of the City Council that the Model Cities Program and the Director thereof shall be responsible to and under the control of the City Council.

Mr. O'Leary moved that the resolution be adopted. Seconded by Mr. Dean.

Mr. O'Leary explained after receiving requests from several citizens, he had asked for a legal opinion from the Attorney, which stated there was originally one office that had the authority over the Model Cities program. He added, in order to clear the air, the present resolution was necessary. It has been the intent of the present Council and previous Council to have Model Cities under jurisdiction of City Council.

Mrs. Banfield referred to the last sentence of the fourth paragraph of the resolution and moved that the words "and no jurisdiction over said project has ever been granted by the Council to the City Manager" should be deleted from the "BE IT RESOLVED" paragraph. Seconded by Mr. O'Leary.

Mr. O'Leary stated that he had seconded the motion because it is pertinent that there was some misinterpretation. The previous City Council did vote to send the application to the Federal Agency where certain pages had been inserted by the former City Manager. The Council then removed the jurisdiction from the City Manager. The previous City Manager had inserted it back into the program.

Voice vote was taken on the resolution, as amended, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0. Absent 2: Herrmann and Mayor Johnston.
The Resolution, as amended, was declared passed by the Chairman.

Resolution No. 20735

Authorizing that all rights the Pacific Cascade Properties, Inc. may have under the agreement of Sale on Parcel B-5-A in the Center St. Urban Renewal Project be declared terminated and forfeited.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Dean.

Mr. O'Leary asked if this was the property to which two extensions had already been given.

Gary Sullivan, Director of Urban Renewal, replied that this property was originally approved for sale on March 12, 1968. Subsequent to that in May of 1969 Pacific Cascade Properties was declared in forfeit and the contract rights forfeited by the Council. Since then two extensions of 90 days each were granted. The last 90-day period has now expired, and they are asking for a further extension of 90 days. Pacific Cascade Properties would be a desirable tenant for this Center Street project, however, the strike situation is affecting their business. Mr. Sullivan added that he had written two letters and had a telephone call from them explaining their predicament and requesting an extension of time.

Mr. Sullivan stated that their latest plan is to have the National Bank of Washington lease the space, but the bank is now in the process of merger and cannot execute the lease as a 90-day approval by the Comptroller of the Currency in Washington, D. C. has expired. He added Pacific Cascade would guarantee the money and allow the City to close out the project. Mr. Sullivan said he would not be in favor of recommending the extension, but that the matter should be settled as the City is paying interest on the property.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 0. Absent 2: Herrmann and Mayor Johnston.
The Resolution was declared passed by the Chairman.

Resolution No. 20736

Approving and providing for the execution of a third amendatory contract No. Wash. R-1 between the City of Tacoma and the U. S. A.

Mr. O'Leary moved that the resolution be adopted. Seconded by Mr. Jarstad.

Voice vote was taken on the resolution, resulting as follows:

Ayes 6: Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 1: Banfield, Absent 2: Herrmann and Mayor Johnston.
The Resolution was declared passed by the Chairman.

Resolution No. 20737

Approving and providing for the execution of a second amendatory contract No. Wash. R-3 between the City of Tacoma and the U. S. A.

Mr. Jarstad moved that the resolution be adopted. Seconded by Mr. Finnigan.

Voice vote was taken on the resolution, resulting as follows:

Ayes 6: Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.
Nays 1: Banfield. Absent 2: Herrmann and Mayor Johnston
The Resolution was declared passed by the Chairman.

Resolution No. 20738

Approving and providing for the execution of a second amendatory contract No. Wash. R-14 between the City of Tacoma and the U. S. A.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Zatkovich.

Voice vote was taken on the resolution, resulting as follows:

Ayes 6: Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 1: Banfield. Absent 2: Herrmann and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20739

Authorizing the filing of an amendatory application for Loan and Grant Contract for Center St. U. R. Project Wash. R-1.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Dean.

Mrs. Banfield referred to page two of the contract and asked what other local obligations exist. Under paragraph where it states other "local obligations".

Mr. Sullivan explained this is a standard resolution and that the obligations are to provide the City's share of the one-third either in cash or credit to relocate families, and to execute the urban renewal plan according to the provisions of the contract. He added, the provisions include maintaining accounting procedures, land sales bid accounts and insuring that developers comply with agreements.

Mr. O'Leary asked if it would complicate the matter if this resolution were put off for a week or two as there are people who would like to study the resolution. Mr. Sullivan replied that there would be no problem, and further in answer to the question about the budget, on page 13 of the contract, one method of financing urban renewal is by the sale of Project Notes on the open market and a one-year period at a definite interest rate.

Another method, he added, would be direct financing. If money is not available the Federal government will guarantee to finance temporary operations by granting temporary loans. As in this Center Street project, the City was paying the maximum rate of 6%. The 1969 Washington Legislature removed the 6% ceiling for urban renewal financing and the rate was increased to 8%. Later the 1970 special session removed that entirely and, as a result, the interest being charged now is 6-3/8%.

Mr. Sullivan added, the City has an outstanding loan in the Center Street project of about \$136,000 and as soon as the one remaining parcel is sold, the loan will be paid and no further interest charged. If the staff can move along in the Fawcett project within the coming year, it may be possible to go into direct financing, but as of now, there is only the Center Street project on direct financing.

Mr. O'Leary moved that the Resolution be postponed for two weeks. Seconded by Mr. Dean. Voice vote was taken. Motion carried.

The Resolution was postponed until June 30th.

Resolution No. 20740

Approving the U. R. Plan as amended for Project Wash. R-3.

Mr. O'Leary moved that the resolution be adopted. Seconded by Mr. Finnigan.

Mr. Cvitanich pointed out that the Council has received a substitute revised resolution.

Mr. O'Leary moved that the revised resolution be adopted. Seconded by Mr. Finnigan.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 0. Absent 2: Herrmann and Mayor Johnston.

The substitute Resolution was declared passed by the Chairman.

Resolution No. 20741

Authorizing the execution of an owner-participation agreement with participants located at 1125-1127½ Broadway and 1126 Commerce St. in the New Tacoma U. R. Project R-14.

Mr. Dean moved that the resolution be adopted. Seconded by Mr. O'Leary.

Mr. Sullivan asked that the agreement be amended to show that the completion date be changed from July 1975 to 1972.

Moved by Mr. Dean, seconded by Mr. O'Leary to amend the contract from 1975 to 1972.

Voice vote was taken on the amended resolution, resulting as follows:

Ayes 5: Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 2: Banfield and Cvitanich. Absent 2: Herrmann and Mayor Johnston.

The Resolution, as corrected, was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 19142

Appropriating the sum of \$22,840.00 or so much thereof as may be necessary from the General Fund to the Metropolitan Park District for the summer recreational program.

It was pointed out that the Ordinance was requested by Mr. Cvitanich, not the Council. Mr. O'Leary moved that Mr. Cvitanich's name be inserted in the place of the City Council. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

The Ordinance, as amended, was placed in order of final reading.

Ordinance No. 19143

Amending Section 2.07.020 of the Official Code and adding a new Section 2.07.025 relative to Permit Fees.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19122

Amending Section 12.12.010 of the Official Code to change the transit fares for school children within the City to twenty cents, effective as of July 1, 1970.

This ordinance was re-considered at the meeting of June 9, 1970, and brought on now for consideration.

Father Thomas J. Williams commented on the ordinance as related to the BASH program. He explained there are five participating schools in the program. Mr. Jarstad had expressed a desire that the private schools be given an opportunity to express their opinions on the proposed raise in bus fares. Father Williams explained that the BASH budget had been set up a year ago, but they are \$2,000 short in meeting its goal. Mr. Jarstad mentioned that there is a leeway of \$25,000 to \$40,000 in their budget, but inasmuch as the private schools do not feel that transportation problems are a part of their program and since grade schools are not part of the program and many of the students who ride buses are of the elementary schools, BASH would be altering their basic premise if they included transportation. This would alter the scope if it were included now, but this might be done in future years.

Mr. Dean asked exactly how much BASH did raise this year. Father Williams stated that it was approximately \$136,800. Mr. Dean commented that another \$3,000 would have been enough to include the fare raise.

Mr. O'Leary stated perhaps the student vandalism on the buses probably is the cause for raising the student fares. He wondered if the situation is improving.

Mr. Hendry stated that the vandalism has not changed a great deal. This happens on regular bus service as well as on school service.

Mrs. Banfield asked if the \$136,800 comes from the complete community. Father Williams answered that is true. Also, people without children have contributed to this fund. Roughly half of the money went to the Charles Wright Academy which is outside the City limits and the Annie Wright Seminary. Charles Wright operates private buses at approximately \$5,000 deficit, so the people who have contributed were aware that the money would have no strings attached, but hoped that it would go to improve the facilities and for teachers' increases.

Mr. Oles, City Manager, said there are 12,000 rides a day that are free by public school children because 90% is reimbursed by public funds. There are only 2,000 paid rides. It is anticipated that BASH could donate enough to pay for the extra 5¢ a ride.

The people who send their children to private schools have contributed to the BASH funds and they are also paying direct to the private schools for rides for their children and therefore do not feel that an increase is warranted.

Mr. Oles added that he thought there was confusion as to whom is being unfairly treated, and that it must be recognized there is a certain measure of discrimination. He thought it should be kept in mind that it is not only those who go to Catholic and other public schools who are discriminated against in the cost of transportation. By actual count the Transit Dept. has calculated that all Catholic and other private school students at the increase of 5¢, would contribute an additional \$8,268. But there are also those students who cannot take advantage of this because they live less than two miles from school and yet do take the bus. So the number of students who go to public school and still do not gain this advantage of the free transportation contribute a total of \$10,051. It seems that if we are seeking to eradicate a discrimination, we are only seeking to do it in one direction and failing to take account of other people who are not going to the private schools. So by trying to erase one discrimination, we would be simply creating another one, he added.

He further stated his responsibility is to find help for the Council in trying to balance the budget, and if any special consideration is to be given to the private school students, consideration should also be given to the public school students who are not getting the transportation, which is a much larger number.

Mr. Cvitanich reminded the Council that they had met with the school board at the Tacoma Vocational School, at which time a majority was present, and had said that when the contract came up for renegotiation this year, a raise in bus rates could be anticipated. Also that in the last several months, funds have been allocated on an emergency basis for various functions in the City and the anticipated revenue used to meet the demands and requests such as the allocation of \$139,000 to meet City employee requests and the allocation of funds for the handicapped and

disadvantaged youngsters in the Metropolitan Park program. Over a period of time, large funds have been allocated on emergency basis - \$500 for fireworks at the July 4th celebration, etc., which adds up quite rapidly. He said that from a political point of view, it would probably be a good idea to vote against the bus increase, but from a fiscal, realistic and responsible position, he didn't see how the members of the Council could vote against the raise in fares for students. He felt that the biggest responsibility is to the total community. It is a nation-wide problem and federal legislation will be passed where ultimately there will be no charge to ride the bus. This is the only salvation any city has--the solution is not an increase in the fare. The higher the fare, the more additional burden is placed on a smaller amount of the population. Eventually we will see the transit system in all communities as the police and fire departments where the total community will be paying for it. Legislation is now before the Congress of the United States.

Mr. Zatkovich pointed out, he thought it is morally wrong for a certain group to have to subsidize the situation. In his opinion, he did not see how this problem could be solved. He thinks it should be voted down as previously intended.

After some discussion, roll call was taken on the Ordinance, resulting as follows:

Ayes 6: Banfield, Cvitanich, Dean, Finnigan, Jarstad and O'Leary.

Nays 1: Zatkovich. Absent 2: Herrmann and Mayor Johnston.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19140

Approving and confirming the Assessment Roll for LID 5460 for water mains and fire hydrants in 126th Ave. East from Pipeline No. 2 Right-of-way to 144th St. Ea. and in 144th Ea. from 904 feet west of 126th Ave. Ea. to 134th Ave. Ea.

Roll call was taken on the ordinance, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 0. Absent 2: Herrmann and Mayor Johnston.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19141

Approving and confirming the Assessment Roll for LID 4839 for paving on So. Ferdinand from So. 56th to So. 66th St. and other nearby Streets.

Roll call was taken on the ordinance, resulting as follows:

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Zatkovich.

Nays 0. Absent 2: Herrmann and Mayor Johnston.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

Mr. Zatkovich moved that Ordinance No. 19136 be reconsidered which amends the Official Code regarding taxation of banks. Voice vote was taken. Motion carried.

Mr. Zatkovich stated that some of the Council members have been discussing the subject with other people involved and that they would like to have the Ordinance reconsidered.

Mrs. Banfield moved that the Ordinance be continued another week. Mr. Finnigan then moved that it be continued for two weeks. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

The reconsideration of this Ordinance was put off for two weeks, until June 30th.

Mr. O'Leary mentioned, the Council has gone in considerable depth on the Agency in Tacoma and that the newspaper had come out with one view he had apparently missed, which stated that the Council was in agreement with the outline that Mr. Oles brought up; viz., that the members of the Council would be members of the Board of Trustees on the CAP Agency. The original ordinance was brought in for the CAP Agency to be over the Board of Trustees, but the program is now arranged that no one is over the Board of Trustees. The Council should appoint a Board of Trustees to be over the Administration Board and on the other side, there should be an Evaluation Board. He added Article (1) did not provide for that. People have called the Manager's office and were told that he had been instructed not to send any more papers to Washington, D. C., but to continue with the CAP #70 group and get immediate provisional recognition.

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Mr. O'Leary further stated at the end of the meeting he had made a motion that if the Council were not recognized provisionally by July 1st, 1970, a delegation be sent to Washington, D. C. The facts are now that the City Manager had met with other people who are elected officials and Board Members of the Poverty Program and told them that that notion was silly and ridiculed the who thing. He added he has made tentative appointments in Washington, D. C., following the July 4th holiday, in the event the City does not have the provisional recognition. He said he wants to go on record saying that the Council may do a good many things in a light vein, but that he did not believe any motion made by the Council and voted on would be called "silly" or "ridiculous".

Mr. Oles said that he had been misquoted in the papers and other places before and what he has said and will say again, that the motion to in effect terminate the City's efforts to bring about a combined CAP Agency should be terminated as of July 1st, which was the effect of the proposal under discussion, and was not consistent with the previous action of the Council in removing it from the agenda some measures which would have committed the City more or less irrevocably to one course of action; namely, a separate agency directly under and limited to the City of Tacoma. He said that perhaps he had misconstrued the intent of the City Council in removing those items from the agenda.

On the other hand, if it was actually the intention of the City Council in removing those items from the agenda to grant an opportunity to work out a combined agency with the County, which obviously would be by far more expeditious, if it could be done, then the meeting which was held the other day with the O.E.O. representatives from the regional office was in keeping with the intent of the Council. That meeting has worked out at least the tentative form of a consolidated community action program for Tacoma and Pierce County. He said he believes this proposal is in the hands of the Council at this time. He recognizes very little time has been given for consideration of this matter, but that they had a meeting with the County Commissioners and two members of the Council and representatives from the State and the Region #10 O.E.O. office and further hoped that it is in keeping with the Council's intent, some serious consideration might be given to that proposal before the Council commits themselves irrevocably to any other course of action.

Mr. Cvitanich said at the first meeting with the Council members, there was a majority of the City Council along with the County Commissioners, and as a result, a letter did go out from Mr. Oles speaking in broad terms about the matters discussed and asking for the O.E.O. to come back with their recommendation and their particular position to support a rejection in the City's approaches. He said he had made it very clear at the meeting with County Commissioners that the City of Tacoma "did not agree to anything", and this was clearly understood by the O.E.O., Mr. Jarstad, Mr. Cross and Mr. Oles, who were present at the meeting the other day. He said he called the Commissioners' office and asked to attend the meeting. Nevertheless, in their discussions they tried to evolve something that would satisfy the Commissioners and also pointed out that neither he nor Mr. Jarstad could speak as individuals for the members of the City Council.

As the conversation progressed, some people got the impression that it seemed to be the County Commissioners who were the "fly in the ointment" and he pointed out if the matter could not be resolved in an agreeable fashion internally, the City would pursue its own designation at the CAP Agency and mentioned July 1st.

He added, so what is before the Council tonight is the acceptance or rejection. After comments by the Council, a meeting will be held with the County Commissioners and the City officials without any O.E. O. representatives, any County or City staff, to resolve this problem.

Mr. Cvitanich pointed out in the tentative proposal there would be three members of the Council and three members of the County Commissioners sitting as a Board, but before taking any action, a closer look should be taken so that it can ultimately be resolved when they meet with the County Commissioners. What the Council had in mind was the fact that the elected representatives were not sufficiently involved in the Board; this would be a step in the right direction.

Mr. Hamilton explained if the City Attorney's staff is to be charged with the responsibility of having the matter ready by July 1st, some quick decisions would be needed, as there are only two meetings between this meeting and July 1st.

Mr. Oles said if it is the ultimate desire, after the meeting next week to have separate CAP Agencies, they have filed CAP Form 70 and progressing with the matter.

Mr. Dean asked if the CAP forms had been filed with the Regional office.

Mr. Jeffrey Cross, Assistant City Attorney, replied that they had been filed, but as a very brief form which only gives the name of the City and the City Manager's signature. Form #75 which is to be prepared by the legal department cannot be made up at the present time as the ordinances from the Council are not prepared.

Mr. Cvitanich stated that he hopes all members of the Council will be present when the meeting is held with the County Commissioners so that all views can be heard.

Mr. Cvitanich brought up the subject of displaying the flag at half mast when a man has given his life in defense of our Country. He stated that there had been an amendment by President Nixon's proclamation according to the Federal Register of December 15, 1969. According to the Library of Congress reference service, President Eisenhower's proclamation states, "We know of no Federal restriction of the display of the flag at half mast by private individuals or organizations or by state public officials. He added in President Nixon's statement, the only change was in regard to the Associate Justice of the Supreme Court, cabinet members, etc. E. Jeremy Hutton, legislative attorney, American Law Division, Washington, D.C., states--"we know of no federal restriction on a display of the flag at half staff by private individuals or organizations, or by state public officials".

Mr. Cvitanich further commented they certainly spell out some of the reasons why the flag cannot be flown at half mast, but there is no prohibition against flying at half mast. He then turned the matter over to Mr. Oles for his perusal and commented that perhaps the City can start the lowering of the flag if it so desires.

Mr. Oles reported that he had already requested the legal department to provide a ruling.

COMMITTEE REPORTS:

Mr. Dean asked that the City Attorney furnish the Council members with a consolidated copy of the Council Rules.

Mr. Jarstad commented on the July 4th parade stating there was great enthusiasm by the public. He added, a parade takes a lot of work, especially in getting the military units lined up, but this was organized with the idea in mind of having an even bigger one next year.

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Mr. Cvitanich reported that the Audit & Investigating Committee had met and reviewed the proposed draft of the audit and the legal department's recommendations and had advised that they notified the auditing firm that the Council would like the firm's draft submitted to incorporate the recommendations of the legal department. This will probably be back to the Council on Tuesday, June 23rd. 264
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Mr. O'Leary said having been appointed by the previous mayor as a committee to investigate a letter concerning a former Councilman, that he had come across some Articles of Incorporation in Olympia, and some new information came to light indicating that the gentleman in question had denied knowing any of the people in the Development. As of the first of the year he has been the director of the corporation, and a lot more information has come to light. Mr. O'Leary asked if he was still the committee on this subject.

Mr. Cvitanich replied that according to the rules that no committee will have any further legal status once the matter is adopted by ordinance.

Mr. O'Leary further stated that part of the property in question was to be sold on the highway project and that the corporation had agreed to sell that portion for the amount that they had paid.

Mr. Cvitanich recommended that a committee be formally constituted by legislative action for the duration of this particular investigation and then it could be dissolved. It could be on the agenda for next week.

Mr. O'Leary agreed to obtain some more details and report to the Council further.

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Mr. Dean said there had been some question regarding the Insurance Committee which includes Mr. Zatkovich, Mr. O'Leary and himself. He asked that a Resolution be initiated to clarify the committee as he doubted if there had been a formal Resolution passed.

After a brief discussion, it was decided that a formal regular meeting of this committee was to be held on Tuesday morning, June 23rd, at 10:00 A.M. in Room 354.

Mr. Jarstad reported that there had been three members of the Utility Dept. on the Insurance Committee and they have been notified of each meeting, and suggested that committees be checked out with the legal department to make sure they are proper and serving a constructive purpose before the matter is brought up again.

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REPORTS BY CITY MANAGER:

Mr. Oles stated there has been or is at present an Insurance Committee, although he was not sure of the actual members, and suggested that the matter be checked and that perhaps a new Resolution should be adopted.

Mr. Hamilton reported that sometime ago a Resolution or motion was made whereby the Council constituted a joint legislative committee with three members of the Council and three from the Utility Board. He did not remember if it was formalized. In addition to that there has been the Insurance Advisory Committee meeting with Mr. Dean the last few times. He asked whether they wanted members from the Utility Board on the present committee.

Mr. Zatkovich commented that the intent was the same as with other committees, but that this committee should include only the Council

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Mr. Oles asked for a report on the status of the construction by the Tribune Publishing Company on a site at So. 19th & State Streets.

Mr. Zatkovich reported that according to the agreement for the construction, it 3/0 was to be completed by October 15, 1970, but that he didn't know how it was coming. He added, he would check with Mr. Buehler to get more information. He said he did not receive the papers and the agreement that were to be attached and Mr. Oles agreed to furnish them.

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Mr. Oles stated he submitted a memo to the Council relative to the purchase of a truck for the refuse section of the Utilities Dept. and asked if the Council desires to give it further study and advise his office as to their wishes and they will proceed from there.

Mr. Zatkovich thought that the matter should be referred to the Public Works Committee.

Mr. Schuster said he had received a phone call this evening and that piece of equipment had been sold and again another call saying that it hadn't been sold. He added he doesn't know what the decision is at this point but he would like to meet with the Public Works Committee the next day or so for a final decision.

Mr. O'Leary pointed out that this piece of equipment was very important to the City and as a member of the Public Works Committee, he thought the City should get more of these. He thought perhaps the City should have a fleet of these vehicles rather than just one. This piece of equipment had been budgeted and it would run approximately \$20,000. He added, speaking as chairman of the committee, he would favor purchasing it. He asked Mr. Hamilton what authority they would have to purchase this equipment. Mr. Hamilton explained in order to purchase this equipment where the price exceeds \$3,000, there has to be a resolution and the Council has to specifically waive the bidding requirements and set forth facts to support the waiver.

After some discussion, it was agreed that a resolution will be brought in for the next meeting relative to the matter.

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Mr. Oles informed the Council that after a layoff of 52 employees in the City, last week the layoffs were reduced to 33 and that this week it is down to 29.

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Mr. Oles informed the Council that in 1969 there had been a 3-1/4 mill levy appropriated for the purchase of fire equipment. Two of the eight pumpers are arriving this week and the radios are ready to install. There are still to come two 100-foot aerial ladders and two 80-foot elevated platforms as well as the other six pumpers. He further added, the use of a certain fire station will be discussed at a meeting on June 17th in the Manager's office.

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Mr. Oles remarked in regard to Mr. Dean's questions at the last Council meeting concerning revision of the Park regulations in order to give them certain authority that the proposal is now in the hands of the legal department.

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The matter of the Musician's Union building has been resolved and Mr. Dean has been so informed.

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Mr. Oles reported that he had been asked by members of the Council to try to secure some offers for possible private operation of the refuse utilities. The letter has been under much discussion and he believes that in a week or two he can submit a proposal for the Council's consideration.

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Mr. Oles reported that the Senior Citizens' identity cards, the previous high number of passes issued in any one month was 3,088, total as of June 16th, 6,100 which is almost double the number of citizens being served with that facility. He commented that the project had been excellently handled by Mr. Hendry and that credit should also be given to the Council on Aging and the Urban Renewal office.

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COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Cvitanich asked that all Council members who had read their Board of Adjustment Minutes note that page 3 refers to a gentleman who has invested quite a substantial amount of money at 1202 No. G Street remodeling his home. And to those who have been on the Council for a period of time member the controversy regarding the Highrise down in Old Town and the thousands of people who spoke in terms of "maintaining Old Town" and the integrity of the neighborhood, etc.

He added, we now have the Board of Adjustment granting a variance to a Mr. Dykeman, who lives at 1217 No. G Street. The Board granted a variance to allow him to go up with his garage, which will block the view of the people on the south side of the street. Now this is not too unique--by statute and by law the Board has the right to do as they see fit, but he wanted to point out that two of the people on the Board of Adjustment are close friends of the petitioner. Mr. Cvitanich asked Mr. Hamilton if the Council could get involved in this, or is it the only way for the people who oppose the variances, granted by the Board of Adjustment to go through the courts.

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Mr. Hamilton said that as he recalls, the Board of Adjustment has exclusive jurisdiction over the granting of variances, and he does not think they are subject to appeal by the Council. If they have been overly capricious, of course, they can take a writ against them.

Mr. Cvitanich asked if the Council has the right to request that an ordinance be brought to dissolve or reconstitute the present composition of the Board of Adjustment.

Mr. Hamilton replied the Council could and can change its procedure or abolish it entirely if they are so inclined.

Mr. Cvitanich requested that an ordinance be prepared and all contacted. He added it has gotten to the point where the integrity of the Board of Adjustment no longer holds true and, to protect the people of this community, he thinks it should be reconstituted. This is a classic illustration of why it should be reconstituted. Purely and simply it boils down to "friendship and buddies" regardless of the people who are involved and have their life's investment in the property, he added. He said he would ask for Council's support when the ordinance is before them.

Mrs. Banfield said she believes the people do have an appeal to the Council because she thinks she had a resolution relative to variances.

Mr. Cvitanich asked Mr. Hamilton to check this and he would be in touch with him later.

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Mr. Dean mentioned that Mrs. Banfield has spoken of her two past experiences on television, but neglected to mention that she is going to appear on a semi-local radio station and wondered if she could give some information on that.

Mrs. Banfield stated that she would be on KAYE on Friday on the subject, "What does the Model Cities Program have in store for us".

Speaking of radio commentaries, Mr. Cvitanich said that several members of the Council have approached him regarding KINT and they asked that the possibility be explored that some members of the Council appear; but in the past when the City Hall report emanated from the chief administrator's office, it became political "garbage".

He said they want to preclude any of this occurring. He added, it is his understanding

that the acting Chief of Police has been asked to talk tomorrow morning on the re-organization of the police department, which is a moot question. He said he thought it would be proper as Mr. Jarstad's appearance on KINT as time and again Mr. Bice has assured the Council that the facility is available for any member who so desires to appear and discuss things.

It was moved by Mr. O'Leary and seconded by Mr. Dean that Mr. Jarstad be the delegate to the KINT program "Your City Reports" tomorrow at 12:30 P.M. (June 17) and that will preclude any staff member from participating. Motion carried.

Mr. Oles stated that he has authorized the Chief of Police to appear on the radio or television regarding the general subject of support for that department and the matter of law enforcement in general.

Mr. Zatkovich said he had asked the Manager before the meeting tonight if he had given permission or had any knowledge of the Chief of Police speaking or going on KINT tomorrow and that he did not know.

Mr. Oles stated that was right. He had only given the Chief of Police general permission to appear when the subject is simply that of law enforcement.

Mr. Zatkovich said that he thought the Mayor was certainly going far beyond his scope in overriding, or not even going through the chain of command as far as his subordinates are concerned. He felt he hasn't in this case and further he is violating the City Charter. He felt if the Mayor wants anyone to appear on the radio or TV, he should go through the regular channels.

Mr. Finnigan said that the mayor had invited or requested the Chief of Police to appear on KINT tomorrow night, June 17th and Mr. Oles said that he did not have any knowledge of this. Mr. Finnigan agreed that the Council should get together and a policy should be established so all will be in agreement on having City department directors appear on radio or television in connection with what goes on in their various departments.

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Mr. O'Leary asked if the new piece of fire equipment could be put on display at the Tacoma Mall and said he thought it was a good suggestion.

Mr. Oles reported that the Fire Chief already has this in mind.

Mr. Jarstad said the Sixth Avenue merchants would also like to have the fire truck on display at the Highland Hill Mall.

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Mr. Jarstad mentioned that he intends to commend the press by initiating a Resolution for the talks that are being brought forth on television and radio. For the size of the City and having only one newspaper, he thinks a good job is being accomplished.

Mr. Zatkovich pointed out that articles are sometimes slanted because the writers have no jurisdiction over the editorials.

Mrs. Banfield mentioned that she had appeared on television regarding Model Cities and that twenty-four projects had already been assigned to the Council. She added before the Model Cities program comes up for a vote, she suggested that each member consider the importance of each subject very carefully.

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CITIZEN'S COMMENTS

Mr. George Goe, a Tacoma citizen, asserted that he would like to have the Council restore the seniority rights to bus drivers of the Transit System.

Mr. Hendry reported that four times a year all the runs of the entire system are posted and the number one man on the seniority system takes his selection, until all the regular 8 hour runs are completely taken, and then the rest of the men work the "extra" runs. Therefore, they do already have absolute seniority.

Mr. Cvitanich said if Mr. Goe would obtain more definite information on inequalities, the Council would take it up at a later date.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Board of Adjustment minutes for May 14th.
- b. City Planning Commission minutes of June 1st.
- c. Report from Model Cities Director - "Comprehensive Health Planning in Action" Workshop.
- d. Assistant Finance Director -Monthly Financial Statements and Funds Requisition-Model Cities Program.
- e. Civil Defense Director submitting Personnel and Administration Claim for May, 1970.
- f. Director of Finance submitting report-Attendance at Municipal Finance Officers Conference, Miami Beach, Florida, May 24th to 28th.
- g. Public Works Director submitting report - Route Location Study on Bayside Drive.

Placed on file.

The Council meeting was adjourned at 1:15 A.M., June 17, 1970.

George Cvitanich - Deputy Mayor

Attest: Josephine Melton
Josephine Melton - City Clerk

LIST OF EXHIBITS
INTRODUCED AT PUBLIC HEARING ON
PROPOSED AMENDMENT TO
FAWCETT URBAN RENEWAL PLAN
HELD ON JUNE 16, 1970

- EXHIBIT NO. 1 - Resolution No. 16751, adopted October 31, 1961, approving and adopting the Urban Renewal Plan for the Fawcett Urban Renewal Area, Project No. Wash. R-3, and Resolution No. 18969, adopted December 13, 1966, approving and adopting an amendment to the Urban Renewal Plan. The materials, reports and exhibits which were presented to the City Council prior to the passage of these resolutions, and which are referred to in these resolutions, and were filed with the City Clerk of the City of Tacoma, are available here this evening to the City Council, and are included and designated as a part of Exhibit 1.
- EXHIBIT NO. 2 - Tacoma City Council Resolution No. 20568, requesting the City Manager to prepare a modified Urban Renewal Plan for the Fawcett Urban Renewal Area, adopted February 10, 1970.
- EXHIBIT NO. 3 - Tacoma City Council Resolution No. 20636, referring proposed plan amendment to the Planning Commission of the City of Tacoma, adopted March 31, 1970.
- EXHIBIT NO. 4 - Tacoma City Council Resolution No. 20698, setting the date for public hearing, adopted May 19, 1970.
- EXHIBIT NO. 5 -- Communication from Tacoma City Planning Commission to Mayor, and Members of the City Council, Certified Copy of Planning Commission Resolution adopted May 4, 1970, approving the proposed amendment to the Fawcett Urban Renewal Plan with certain recommendations, and extract of the minutes of May 4, 1970, of the regular meeting of the Tacoma City Planning Commission, relative to amendment of the Urban Renewal Plan.

- EXHIBIT NO. 6** - Communication from Planning Commission to Mayor and Members of the City Council, certified copy of Planning Commission Resolution adopted May 18, 1970, approving the proposed amendment to the Fawcett Urban Renewal Plan with additional recommendations, and extract of the minutes of May 18, 1970, of the regular meeting of the Tacoma City Planning Commission relative to amendment of the Fawcett Urban Renewal Plan.
- EXHIBIT NO. 7** - Letter to Gary Sullivan from James D. Richardson dated April 6, 1970, and letter of May 18, 1970, to Gary Sullivan from James D. Richardson, approving the proposed amended Urban Renewal Plan.
- EXHIBIT NO. 8** - Notice of hearing for modification of Urban Renewal Plan in Project Fawcett Street, Wash. R-3.
- EXHIBIT NO. 9** - Affidavit of publication, Tacoma Daily Index.
- EXHIBIT NO. 10** - Affidavit of Publication, Tacoma News Tribune.
- EXHIBIT NO. 11** - Affidavit of Mailing and list of proper owners.
- EXHIBIT NO. 12** - Letter to Marshall McCormick, City Attorney, from Gary Sullivan verifying owners listed on tax rolls and notification to these owners of amendment to Fawcett Urban Renewal Plan, Wash. R-3, dated May 20, 1970.
- EXHIBIT NO. 13** - Agreement and Consent of all affected redevelopers within the Fawcett Urban Renewal Area to proposed amendment, and letter of transmittal.
- EXHIBIT NO. 14** - Synopsis of Proposed Changes to Fawcett Urban Renewal Plan, Wash. R-3.
- EXHIBIT NO. 15** - Proposed Amended Urban Renewal Plan for the Fawcett Urban Renewal Area, Project, Wash. R-3.
- EXHIBIT NO. 16** - Communication from Legal Department to Mayor and Council dated June 16, 1970, regarding legality and procedure of proposed plan change.

CITY OF TACOMA

Ex. 1

WASHINGTON

City Clerk's Office

CITY CLERK'S CERTIFICATE

I, JOSEPHINE MELTON, City Clerk of the City of Tacoma, Pierce County, Washington, do hereby certify that the attached is a full, true and correct copy of Resolution No. 16751 passed by the City Council on October 31, 1961 and is in full force and effect.

WITNESS MY HAND and the seal of said City this 9th day of June, 1970.

Josephine Melton
JOSEPHINE MELTON
City Clerk

RESOLUTION NO. 1 6 7 5 1

BY REQUEST OF CITIZENS

RESOLUTION OF THE COUNCIL OF THE CITY OF TACOMA
APPROVING THE URBAN RENEWAL PLAN AND THE FEASIBILITY
OF RELOCATION FOR PROJECT NO. WASH. D-3

WHEREAS, in connection with an application of the City of Tacoma (hereinafter called "Local Public Agency") for financial assistance under Title 1 of the Housing Act of 1949, as amended, the Local Public Agency's approval of an urban renewal plan for the project area involved in such application is required by the Federal Government before it will enter into a contract for a loan or grant with the Local Public Agency under Title 1, and

WHEREAS, it is provided in such Act, that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective project area be approved by the governing body of the locality in which the project is situated and that such approval include findings by the governing body that: (1) The financial aid to be provided in the contract is necessary to enable the project to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan, and

WHEREAS, the Local Public Agency's approval of an urban renewal plan for the project area involved is required pursuant to RCW 35.81.060, and

WHEREAS, there was presented at a meeting of the Council of the City of Tacoma on September 5, 1961, for its consideration and approval, a copy of an urban renewal plan for said project area, dated August 7, 1961, which plan is entitled "Urban Renewal Plan, Fawcett Urban Renewal Area, Project No. Wash. R-3," which consists of thirteen pages, together with a table of contents, an introduction, a definition of terms, and two map exhibits not on numbered pages, and

WHEREAS, after studying the evidence and material submitted at the hearing, and after due deliberation, the Council of the City of Tacoma determines and finds that it is in the best interest of the City of Tacoma to change the boundaries of the preliminary proposed project plans as submitted under date of August 7, 1961, to the boundaries as established in the revised maps and plans filed with the Clerk of the City of Tacoma under date of October 31, 1961, and to further amend such revised plans in the following manner, to wit:

"1. Revise and insert the following definitions:

Floor Area - the sum of the gross areas of the stories (floors) of a building measured from the exterior faces of exterior walls. Floor area shall not include:

- (1) Ground or basement floor area used for required off-street parking space;
- (2) Space used for arcades, breezeways, exterior balconies and open terraces;
- (3) Incidental space in conjunction with required parking areas which cannot be utilized for parking and is used for storage or utility service areas.

Local
Public
Agency

- The City of Tacoma, acting through the Council pursuant to Federal, State and Local Law and regulations.

Net Floor
Area

- 80% of the Floor Area

Parking
Area

- Two or more parking spaces together with vehicular access thereto. The area devoted to parking shall have at least 1 space for each 380 square feet. The required parking area shall have at least S number of spaces.

$$S = \frac{\text{Required Parking Area (s.f.)}}{380 \text{ s.f.}}$$

Landscaped portions of the parking area actually provided may be considered as open area. Further, unusable portions of enclosed parking may be used for storage and utility service areas without being considered as floor area.

Landscaped, storage and utility service areas shall not be included in the computation of Parking Area.

Parking Area Ratio - the ratio of Parking Area to the Net Floor Area, (Abbreviation - PAR)

$$\text{Parking Area Ratio} = \frac{\text{Total Parking Area}}{\text{Net Floor Area}}$$

The minimum amount of parking area required for any one parcel of land or lot is equal to the Net Floor Area of the building multiplied by the PAR.

- "2. Delete column entitled 'Setback E-W Sts. 9th and 11th' on page 6.

Delete setback line along South 11th from the Land Use Plan (Map 1) and renumber the reference to the chart."

and

WHEREAS, Dr. C. R. Fargher of the Health Department, Mr. Les Gillis of the Department of Public Works, Mr. Kenneth Haymsel of the Fire Department, Mr. Eert M. Hardy of the Electrical Division, Mr. Russell Buehler of the Planning Department, Mr. Lyle Swedberg of the Planning Commission, Mr. Harold Bergerson of the Tacoma Housing Authority, Mr. Robert Maffin of the Urban Renewal Department, and Mr. Ronald E. Thompson of the Legal Department appeared at the hearing on September 5, 1961, and gave factual information, together with their observations of the Fawcett Urban Renewal Area, and the following reports and publications in regard to the Fawcett Urban Renewal Area, among others, have been considered: FINANCIAL REPORT, CENTRAL CORE STUDY, RELOCATION PLAN, TACOMA FAWCETT URBAN RENEWAL INVESTIGATIONS REPORT, and the FAWCETT URBAN RENEWAL DEMAND ANALYSIS, all of which are filed with the Clerk of the City of Tacoma and incorporated herein by this reference as though fully set forth, and

WHEREAS, prior to the hearing on September 5, 1961, the members of the Council of the City of Tacoma have, from time to time, been furnished with information, explanations and reports of the Fawcett Urban Renewal Area, and

WHEREAS, notice was duly given and published according to law of the public hearing on the Urban Renewal Plan for September 5, 1961, and

WHEREAS, a Comprehensive Plan has been prepared and is recognized and used as a guide for the general development of the City of Tacoma as a whole, and

WHEREAS, the Planning Commission, which is the duly designated and acting official planning body for the City of Tacoma, has submitted to the Council its report and recommendations respecting said Urban Renewal Plan for the project area and has certified that said Urban Renewal Plan conforms to the said Comprehensive Plan for the municipality as a whole, and the Council has duly considered said report, recommendations and certification of the Planning Commission, and

WHEREAS, by Resolution No. 15234, one or more blighted areas was found to exist pursuant to the requirements of RCW 35.81.050, and

WHEREAS, heretofore from time to time a Workable Program for Community Improvement has been adopted by the Council of the City of Tacoma and approved by the Administrator of the Housing and Home Finance Agency and, pursuant to Resolution No. 16524, Tacoma's Workable Program for Community Improvement 1961 was adopted by said Council, and

WHEREAS, the Local Public Agency has made detailed studies of the location, physical condition of structures, land use, environmental influences, and the social, cultural and economic conditions of the project area and have determined that the area is a blighted area and that it is detrimental and a menace to the safety, health, morals and welfare of the inhabitants and users thereof and of the municipality at large, because of substantial physical dilapidation, deterioration, defective construction, material and arrangement, and age or obsolescence of buildings or improvements, whether residential or nonresidential; inadequate provision for ventilation, light, proper sanitary facilities or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality; insanitary or unsafe conditions within the area; deterioration of site; the existence of conditions which endanger lives or property by fire or other causes; a combination of these previous factors which is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; the existence of conditions which substantially impair or arrest the sound growth of the City or its environs, retard the provision of housing accommodations, or constitute an economic or social liability; and the members of the Council have been fully apprised and are aware of these facts and conditions, and

WHEREAS, said Urban Renewal Plan for the project area prescribes certain land uses for the project area and will require,

among other things, installation of underground light, power, and communication lines, reconstruction of streets and sidewalks, replacement and expansion of existing street lighting system in the project area, repair and extension of existing sewers and storm drains, repair and extension of water mains to serve new construction, regrading of property to facilitate private redevelopment, development of central pedestrian walks, provision of a public park area, and other public action, and

WHEREAS, the Local Public Agency has caused to be made a competent independent analysis of the local supply of hotel and other transient housing, and

WHEREAS, the Local Public Agency has prepared and submitted proposals for the relocation of families that may be displaced as a result of carrying out the project in accordance with said Urban Renewal Plan, and

WHEREAS, there have also been presented to the Council information and data respecting the proposals for relocation which have been prepared by the Local Public Agency as a result of studies, surveys and inspections in the project area and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections, and

WHEREAS, the members of the Council have general knowledge of the conditions prevailing in the project area and of the availability of proper housing in the locality for the relocation of families that may be displaced from the project area and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation, and

WHEREAS, it is necessary that the Council take appropriate action respecting the proposals for relocation and said Urban Renewal Plan for the project, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Housing and Home Finance Administrator, and

WHEREAS, the Housing and Home Finance Agency will offer a contract for the financial assistance necessary to execute the Fawcett Urban Renewal Project, providing that satisfactory documentation is submitted, as required by Part II of the Local Project Approval Data; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the following findings be and are hereby made:

1. A Workable Program and feasible plan exists for making available adequate housing for persons who may be displaced by the Fawcett Urban Renewal Project.

2. The Urban Renewal Plan conforms to the Comprehensive Plan and parts thereof for the municipality of the City of Tacoma as a whole.

3. The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation and re-development of the Fawcett Urban Renewal area by private enterprise.

4. That a sound and adequate financial program exists for financing the Fawcett Urban Renewal Project.

5. That the Fawcett Urban Renewal area is a blighted area, as defined in RCW 35.81.010(2) by reason of substantial physical dilapidation, deterioration, defective construction, and age or obsolescence of the buildings and improvements; inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality; insanitary or unsafe conditions within the area; deterioration of site; the existence of conditions which endanger lives or property by fire or other causes; a combination of the previous mentioned factors which is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; the existence of conditions which substantially impair or arrest the sound growth of the City or its environs, retard the provision of housing accommodations, or constitute an economic or social liability; and there exist conditions, in addition to those heretofore set forth, which constitute the Fawcett Urban Renewal area a menace to public safety, by reason of the extreme fire danger and structural defects, and to public health by the living conditions found therein, and the Fawcett Urban Renewal area constitutes a menace to the public health, safety, welfare and morals in its present condition and use.

6. That financial aid is necessary from the Housing and Home Finance Agency to enable the Local Public Agency to undertake the project in accordance with the Urban Renewal Plan.

7. That it is hereby found and determined, as a result of a competent, independent analysis of the local

supply of transient housing, that there exists in the area a need for additional units of such housing.

8. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.

9. That the proposals for the proper relocation of the families displaced in carrying out the project in decent, safe, and sanitary dwellings in conformity with acceptable standards are feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the project; and that such dwellings or dwelling units available or to be made available to such displaced families are at least equal in number to the number of displaced families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced families in the project area, are available at rents or prices within the financial means of the displaced families, and are reasonably accessible to their places of employment.

BE IT FURTHER RESOLVED that the Urban Renewal Plan as revised and amended is designated as the "Urban Renewal Plan" and by this reference incorporated herein as though fully set forth, and is in all respects approved.

BE IT FURTHER RESOLVED that the City Manager, in either his capacity as City Manager, or under the powers granted to him pursuant to Resolution No. 15235, be and is hereby authorized to do all acts or cause to be done all acts necessary or convenient to securing an offer of contract from the Housing and Home Finance Agency for execution of the Urban Renewal Plan, and the City Manager shall continue to exercise all powers heretofore given pursuant to Resolution No. 15235.

Adopted OCT 31 1961

BEN HANSON
Mayor

Attest JOSEPHINE MELTON
City Clerk

ab

CITY OF TACOMA

WASHINGTON

City Clerk's Office

CITY CLERK'S CERTIFICATE

I, JOSEPHINE MELTON, City Clerk of the City of Tacoma, Pierce County, Washington, do hereby certify that the attached is a full, true and correct copy of Resolution No. 18969 passed by the City Council on December 13, 1966 and is in full force and effect.

WITNESS MY HAND and the seal of said City this 9th day of June, 1970.

Josephine Melton
JOSEPHINE MELTON
City Clerk

COUNCIL-MANAGER GOVERNMENT

RECEIVED
DEC 15 1966

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF THE CITY OF YACOMA
APPROVING THE PROPOSED LEASE AND THE PERFORMANCE
OF RELOCATION, AS INCIDENT, OF R-3 TO WASH. R-3

WHEREAS, In connection with an application of the City of Yacoma (hereinafter called "Local Public Agency") for financial assistance under Title I of the Housing Act of 1949, as amended, the Local Public Agency approved the Tawcatt Street Urban Renewal Project by adopting Resolution No. 16752 on October 31, 1961, and thereafter on March 13, 1963 the Local Public Agency adopted Resolution No. 17377 approving and providing for the execution of the proposed Loan and Capital Grant Contract, numbered Contract No. Wash. R-3 (LG), between the City of Yacoma and the United States of America, pertaining to Project No. Wash. R-3, and thereafter pursuant to said resolution the proposed Loan and Capital Grant Contract was executed between the parties, and

WHEREAS, RCW 35.81.050(5) provides that an urban renewal plan may be modified at any time by the local governing body: Provided, that if modified after the lease or sale by the municipality of real property in the urban renewal project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest may be entitled to assert, and

WHEREAS, Section 10-3-3 of the Urban Renewal Manual provides that the Department of Housing and Urban Development's prior written consent is required for a change in any basic element of an approved urban renewal plan and said Department of Housing and Urban Development's approval is conditioned on the Local Public Agency securing an agreement to the change from all affected redevelopers, and

WHEREAS, Section 10-3-3 of the Urban Renewal Manual further provides that Plan changes must receive the same local approvals as original submissions and that, following Department of Housing and Urban Development approval of a Plan change, the Local Public Agency shall obtain the required local approvals and submit the same documentation as required for Part II of the Application for Loan and Grant, and

WHEREAS, Section 10-4-3 provides that the Application for Loan and Grant shall include a resolution of the governing body of the locality approving the Urban Renewal Plan and making the findings required by Section 105(a) of Title I, and

WHEREAS, it is provided in such Act, that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective project does be approved by the governing body of the locality in which the project is situated and that such approval include findings by the governing body that: (1) The financial aid to be provided in the contract is necessary to enable the project to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; (4) the Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan; (5) the redevelopment of the Urban Renewal Area for predominantly nonresidential uses is necessary for the proper development of the community; and (5) there exists in the Urban Renewal Area a need for additional units of transient housing, and

WHEREAS, RCW 35.81.060 requires that a public hearing be held by the local governing body, and that following such hearing, the local governing body may approve an urban renewal project if it finds that: (1) A workable and feasible plan exists for making available adequate housing for the persons who may be displaced by the project; (2) the Urban Renewal Plan conforms to the comprehensive plan or parts thereof for the municipality as a whole; (3) the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (4) a sound and adequate financial program exists for the financing of said project; and (5) the urban renewal project area is a blighted area as defined in RCW 35.81.010(2), and

WHEREAS, the Local Public Agency has filed an Amended Fawcett Street Urban Renewal Plan, marked Exhibit One, with the City Clerk of the City of Tacoma for the Fawcett Street Urban Renewal Project, revising the land use provisions to include residential (elderly family) land use, a decrease in the Project Temporary Loan and Capital Grant and increase of the Relocation Grant, and changing certain terms and provisions of the Plan to make it better conform with present needs and exigencies, and said Plan being composed of sixteen pages of text, together with a table of contents, an introduction, definition of terms and two map exhibits, and the same is hereby incorporated in this resolution by reference as though fully set forth (said Plan hereinafter called "Amended Urban Renewal Plan") and

WHEREAS, notice was duly given and published according to law of the public hearing on the Amended Urban Renewal Plan for December 13, 1966, and

WHEREAS, there was presented at the public hearing before the City Council on December 13, 1966 for its consideration and approval a copy of the Amended Urban Renewal Plan, and

WHEREAS, all necessary materials and exhibits were presented to the City Council as a basis for the findings made in Resolution No. 16751, which adopted the Fawcett Street Urban Renewal Plan, and

WHEREAS, the Planning Commission has submitted to the Council its report and recommendations respecting the Amended Urban Renewal Plan for the Project area and has certified that the Amended Urban Renewal Plan conforms to the Comprehensive Plan for the municipality as a whole, and that the Amended Urban Renewal Plan conforms to the Central Business District Comprehensive Land Use and Development Plan, and the Council has duly considered the report, recommendations, and certification of the Planning Commission; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the following findings be and are hereby made:

1. That the Department of Housing and Urban Development has submitted written consent to the proposed Amended Urban Renewal Plan.

2. That there are no affected redevelopers.

3. A workable and feasible plan exists for making available adequate housing for persons who may be displaced by the Fawcett Street Urban Renewal Project.

4. The Amended Urban Renewal Plan conforms to the Comprehensive Plan or parts thereof for the municipality of the City of Tacoma as a whole, and that, more particularly, the Amended Urban Renewal Plan conforms to the Central Business District Comprehensive Land Use and Development Plan.

5. The Amended Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation and redevelopment of the Fawcett Street Urban Renewal area by private enterprise.

6. That a sound and adequate financial program exists for financing the Fawcett Street Urban Renewal Project.

7. That the Fawcett Street Urban Renewal Project area is a blighted area, as defined in DWM 35.51.01C(2), by reason of substantial physical dilapidation, deterioration, defective construction, and age or obsolescence of the buildings and improvements; inadequate provision for ventilation, light, proper sanitary facilities, or open spaces, as determined by competent appraisers on the basis of an examination of the building standards of the municipality; insanitary or unsafe conditions within the area; deterioration of site; the existence of conditions which endanger lives or property by fire or other causes; a combination of the previously mentioned factors which is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; the existence of conditions which substantially impair or arrest the sound growth of the City or its environs, retard the provision of housing accommodations, or constitute an economic or social liability; and there further exist conditions, in addition to those heretofore set forth, which render the Fawcett Street Urban Renewal area a menace to public safety by reason of the fire danger and structural defects that present a serious and continuing threat to the health and safety of occupants and to the public, and to public health by the unhealthful living conditions found therein, and the Fawcett Street Urban Renewal area constitutes a menace to the public health, safety, welfare, and morals in its present condition and use.

8. That it is hereby found and determined that the financial aid provided and to be provided pursuant to said contract for Federal financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the Amended Urban Renewal Plan for the Project area.

9. That it is hereby found and determined that the Amended Urban Renewal Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

10. That the proposals for the proper relocation of the families displaced in carrying out the Project in decent, safe, and sanitary dwellings in conformity with acceptable standards are feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Project; and that such dwellings or dwelling units available or to be made available to such displaced families are at least equal in number to the number of displaced families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced families in the Project area, are available at rents or prices within the financial means of the displaced families, and are reasonably accessible to their places of employment.

11. That the redevelopment of the urban renewal area for predominantly non-residential uses is necessary for the proper development of the community.

12. That financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the Project area to be secured in accordance with the Amended Urban Renewal Plan for the Project area and, accordingly, the filing by the local Public Agency of an application or applications for such financial assistance under said Title I is hereby approved.

BE IT FURTHER RESOLVED that the Amended Urban Renewal Plan is designated as the "Amended Urban Renewal Plan" and by this reference incorporated herein as though fully set forth, and is in all respects approved.

BE IT FURTHER RESOLVED that the City Manager, in either his capacity as City Manager, or under the powers granted to him pursuant to Resolution No. 15235, he and is hereby authorized to do all acts or cause to be done all acts necessary or convenient to securing an offer of an amendatory contract from the Department of Housing and Urban Development for execution of the Amended Urban Renewal Plan, and the City Manager shall continue to exercise all powers heretofore given pursuant to Resolution No. 15235.

Adopted DEC 13 1955

H. H. TOLLEFSON
Mayor

Attest JOSEPHINE MELTON
City Clerk

cja/ab

CITY OF TACOMA

Ex. 2


WASHINGTON

City Clerk's Office

CITY CLERK'S CERTIFICATE

I, JOSEPHINE MELTON, City Clerk of the City of Tacoma, Pierce County, Washington, do hereby certify that the attached is a full, true and correct copy of Resolution No. 20568 passed by the City Council on February 10, 1970 and is in full force and effect.

WITNESS MY HAND and the seal of said City this 9th day of June, 1970.


JOSEPHINE MELTON
City Clerk

COUNCIL-MANAGER GOVERNMENT

20568

RESOLUTION NO. _____

BY REQUEST OF HERRMANN

WHEREAS, pursuant to the requirements of RCW 35.81, the City of Tacoma approved and adopted an Urban Renewal Plan for the Fawcett Urban Renewal Project No. Wash. P-3, and

WHEREAS, pursuant to RCW 35.81.060 the City Council may modify an Urban Renewal Plan after its approval, and

WHEREAS, it is proposed that the Urban Renewal Plan for the Fawcett Urban Renewal Area be modified by permitting the use of the south 140 feet of Parcel 13 for residential apartments and by appropriate modification of the floor area ratio, parking, and any other restrictions or requirements contained in the Plan so as to allow such use; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the City Manager of the City of Tacoma is hereby authorized and directed to prepare a modified Urban Renewal Plan for the Fawcett Urban Renewal Area containing the modifications hereinabove set forth.

BE IT FURTHER RESOLVED that the City Manager of the City of Tacoma, upon preparation of such proposed Amended Plan, is hereby authorized and directed to have such Plan placed on the Agenda of the Council of the City of Tacoma for appropriate resolution implementing and initiating the required approvals, hearings and other acts as required by law for modification of the Urban Renewal Plan.

Adopted FEB 10 1970

GORDON N. JOHNSTON
Mayor

Attest JOSEPHINE MELTON
City Clerk

DLH/ejd

129.60

CITY OF TACOMA

Ex. 3

WASHINGTON

City Clerk's Office

CITY CLERK'S CERTIFICATE

I, JOSEPHINE MELTON, City Clerk of the City of Tacoma, Pierce County, Washington, do hereby certify that the attached is a full, true and correct copy of Resolution No. 20636 passed by the City Council on March 31, 1970 and is in full force and effect.

WITNESS MY HAND and the seal of said City this 9th day of June, 1970.

Josephine Melton
JOSEPHINE MELTON
City Clerk

RESOLUTION NO. 20686

REQUESTED BY URBAN RENEWAL:

WHEREAS, pursuant to applicable laws the City of Tacoma approved and adopted an Urban Renewal Plan for the Fawcett Urban Renewal Project No. Wash. R-3 by Resolution No. 16751 on October 31, 1961, which Plan was recorded on June 18, 1965, under Pierce County Auditor's Fee No. 2105397, as amended by Resolution No. 18969 adopted December 13, 1966, and

WHEREAS, pursuant to RCW 35.81.060 the City Council may modify an Urban Renewal Plan after its approval, and

WHEREAS, pursuant to the requirements of RCW 35.81.060 the Council of the City of Tacoma is required to submit an Urban Renewal Plan to the Planning Commission of the City of Tacoma for review and recommendations as to its conformity with the Comprehensive Plan or parts thereof for the municipality as a whole, and

WHEREAS, pursuant to Resolution 20568 adopted by the Council on February 10, 1970, the Department of Urban Renewal has prepared a modified Urban Renewal Plan for the Fawcett Urban Renewal Area, a copy of which is on file with the Clerk of the City of Tacoma with this resolution and which is incorporated herein by this reference as though fully set forth herein, and

WHEREAS, it is required pursuant to RCW 35.81.060 for the Council of the City of Tacoma to hold a public hearing prior to the adoption of an Urban Renewal Plan after giving public notice of a public hearing once a week for two consecutive weeks not less than ten nor more than thirty days prior to the date of the hearing in a newspaper having general circulation in the Urban Renewal Area of the municipality, and

WHEREAS, it is required by RCW 35.81.060 for the Planning Commission to complete its review and make its recommendations in respect to the said Urban Renewal Plan within sixty days after receipt thereof; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proposed modified Fawcett Urban Renewal Plan for the Fawcett Urban Renewal Project be and is hereby referred to the Planning Commission of the City of Tacoma for its review and recommendations as to its conformity with the Comprehensive Plan or parts thereof for the development of the municipality of the City of Tacoma as a whole, and that the City Manager is hereby authorized and directed to have placed on the agenda of the Planning Commission the proposed amended Fawcett Urban Renewal Plan.

BE IT FURTHER RESOLVED that the City Manager, upon receiving notification from the Chairman of the Planning Commission of the City of Tacoma that the review of the Planning Commission has been completed and that its written recommendations have been made, it is hereby authorized and directed to cause a notice of public hearing to be published in the Tacoma News Tribune and shall set the hearing on the proposed modified Fawcett Urban Renewal Plan for the next regular meeting of the Council after compliance with the requirements of notice required by law.

BE IT FURTHER RESOLVED that the City Manager of the City of Tacoma be and he is hereby authorized to do all other acts as required by law to give sufficient notice of the public hearing on the proposed modified Fawcett Urban Renewal Plan.

BE IT FURTHER RESOLVED that the Clerk of the City of Tacoma shall place on the agenda of the Council of the City of Tacoma the proposed modified Fawcett Urban Renewal Plan at the next regular meeting of the Council of the City of Tacoma after expiration of sixty days from the date of receipt of said proposed modified Fawcett Urban Renewal Plan by the Planning Commission in the event that the written recommendations of the Planning Commission are not received by the City Manager at that time.

Adopted MAR 01 1970

GORDON N. JOHNSTON
Mayor

Attest JOSEPHINE MELTON
City Clerk

DLH:ce

CITY OF TACOMA

EX.4

WASHINGTON

City Clerk's Office

CITY CLERK'S CERTIFICATE

I, JOSEPHINE MELTON, City Clerk of the City of Tacoma, Pierce County, Washington, do hereby certify that the attached is a full, true and correct copy of Resolution No. 20698 passed by the City Council on May 19, 1970 and is in full force and effect.

WITNESS MY HAND and the seal of said City this 9th day of June, 1970.

Josephine Melton
JOSEPHINE MELTON
City Clerk

RESOLUTION NO.

20898

REQUESTED BY URBAN RENEWAL

WHEREAS, certain amendments have been proposed to the Fawcett Urban Renewal Plan for the Fawcett Urban Renewal Project, No. Wash. R-3, and

WHEREAS, the Washington Urban Renewal Law requires that a public hearing be held by the City Council on the amended Fawcett Urban Renewal Plan after public notice thereof, and

WHEREAS, the Director of Urban Renewal has requested that said public hearing be held on June 16, 1970; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That Tuesday, June 16, 1970, at 7:00 p.m. is hereby fixed as the time and the Council Chamber in the County-City Building in the City of Tacoma as the place when and where the public hearing for consideration of the Amended Urban Renewal Plan for the Fawcett Project, No. Wash. R-3, will be held, and that the proper officers of the City of Tacoma are hereby authorized and directed to publish the proper notice of said hearing.

Adopted

MAY 19 1970

GORDON N. JOHNSTON
Mayor

Attest JOSEPHINE MELTON
City Clerk

DLR:ab

Ex. 5

May 4, 1970

Honorable Mayor and
Members of the City Council
City of Tacoma, Washington

The Planning Commission has reviewed proposed revisions of the Fawcett Urban Renewal Plan, to allow residential use on Parcel 13b, in accordance with City Council Resolution No. 20636.

The Planning Commission has passed the attached resolution in favor of such changes, as submitted to both City Council and the Planning Commission, with the additional provision that no residential structure shall be less than six stories in height above Fawcett Street.

Very truly yours,

TACOMA CITY PLANNING COMMISSION



RUSSELL PETERS, Vice Chairman

RP:RN:m

Enc.

WHEREAS, the Council of the City of Tacoma, by Resolution No. 20636, has formally submitted to the Planning Commission proposed amendments to the Renewal Plan for the Fawcett Urban Renewal Plan, Project No. Wash R-3, for review and recommendations as required by law.

WHEREAS, such review of said plan has been accomplished, Now, Therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF TACOMA:

That the proposed amendments to the Urban Renewal Plan for the Fawcett Urban Renewal Area, Project No. Wash R-3, as submitted to the Planning Commission, with the additional provision that no residential structure shall be less than six (6) stories in height above Fawcett Street, be and are hereby approved and adopted as being in conformance with the Comprehensive Plan and the parts thereof for the development of the municipality of the City of Tacoma as a whole, and

BE IT FURTHER RESOLVED that the Planning Commission of the City of Tacoma recommend that the Council of the City of Tacoma approve and adopt said proposed amendments to the Fawcett Urban Renewal Plan, and

BE IT FURTHER RESOLVED that the Chairman of the Planning Commission do all acts necessary to properly communicate this resolution to the Council of the City of Tacoma and to the City Manager as required by Resolution No. 20636 of the Council of the City of Tacoma.

Adopted: May 4, 1970


Vice-Chairman, City Planning Commission

Attest:


Secretary, City Planning Commission

Extract of the Minutes of the May 4, 1970 Meeting of the Tacoma City Planning Commission

Agenda Item No. 1(a) under "General Business"

Subject: Review of proposed amendment to Fawcett Street Urban Renewal Plan.

Summary: There has been a request from the City Council to add residential use to Parcel 13-B of the Fawcett Urban Renewal Plan. A proposed amendment to that effect has been proposed jointly by the Urban Renewal and Planning Departments. A minimum height of 6 stories was suggested.

It was explained by Virgil Cipson, Assistant Urban Renewal Director, that one parcel remains in the project, and that the Urban Renewal Department is in complete agreement with the proposed amendment, and further explained that this is the addition of another use for the project. This does not necessarily mean that this will be the development - that depends on the lowest bidder for the parcel. Mr. Ron Nelson, Principal Planner for the Planning Department, explained that there are several other minor changes in the proposed amendment and explained them, one of which was the 6 story minimum height limitation on residential structures.

The Planning Commission reviewed the proposed revisions and passed a resolution in favor of such changes as submitted to both City Council and the Planning Commission, with the additional provision that the height of any residential structure shall be measured from Fawcett Street.

Action Taken: The vote on the resolution was 7 - 0.

CERTIFIED TO BE A TRUE AND CORRECT COPY.

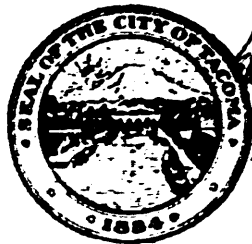

Vice-Chairman, City Planning Commission

Attest:

Secretary, City Planning Commission

EX. 6

CITY OF TACOMA



WASHINGTON

May 18, 1970

Honorable Mayor and
Members of the City Council
City of Tacoma, Washington

The Planning Commission has reviewed proposed revisions of the Fawcett Urban Renewal Plan, to allow residential use on Parcel 13b, in accordance with City Council Resolution No. 20636.

The Planning Commission has passed the attached resolution in favor of such changes, as submitted to the Planning Commission, with the additional provision that no residential structure shall be less than six stories in height above Fawcett Street, and no residential structure shall provide less than 0.75 parking spaces per dwelling unit.

Very truly yours,

TACOMA CITY PLANNING COMMISSION

Thomas R. Burlington
Chairman, City Planning Commission

RESOLUTION

WHEREAS, the Council of the City of Tacoma, by Resolution No. 20636, has formally submitted to the Planning Commission proposed amendments to the Renewal Plan for the Fawcett Urban Renewal Plan, Project No. Wash. R-3, for review and recommendations as required by law.

WHEREAS, such review of said plan has been accomplished. Now Therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF TACOMA:

That the proposed amendments to the Urban Renewal Plan for the Fawcett Urban Renewal Area, Project No. Wash. R-3, as submitted to the Planning Commission, with the additional provisions that no residential structure shall be less than six (6) stories in height above Fawcett Street and that no residential development shall provide less than 0.75 parking spaces per dwelling unit, be and are hereby approved and adopted as being in conformance with the Comprehensive Plan and the parts thereof for the development of the municipality of the City of Tacoma as a whole, and

BE IT FURTHER RESOLVED that the Planning Commission of the City of Tacoma recommend that the Council of the City of Tacoma approve and adopt said proposed amendments to the Fawcett Urban Renewal Plan, and

BE IT FURTHER RESOLVED that the Chairman of the Planning Commission do all acts necessary to properly communicate this resolution to the Council of the City of Tacoma and to the City Manager as required by Resolution No. 20636 of the Council of the City of Tacoma.

Adopted: May 18, 1970

Thomas R. Garlington

Chairman, City Planning Commission

Attest:

Frank Russell
Secretary, City Planning Commission / Acting

Extract of the Minutes of the May 18, 1970 Meeting of the Tacoma City Planning Commission

Agenda Item No. 1(a) under "General Business"

(a) Subject: Review of Proposed Amendment to Fawcett Street Urban Renewal Plan.

Summary: A motion was made to approve the proposed amendment to the Fawcett Street Urban Renewal Plan to add residential use to Parcel 13B, and that any residential structure shall have a minimum height of 6 stories and that the height shall be measured from Fawcett Street, and providing that no residential structure shall provide less than 0.75 stalls per dwelling unit.

Motion was approved by a vote of 7 - 0.

CERTIFIED TO BE A TRUE AND CORRECT COPY


Chairman, City Planning Commission

Attest:


Secretary, City Planning Commission/Acting



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
450 GOLDEN GATE AVE., P.O. BOX 35003, SAN FRANCISCO, CALIF. 94102

EX. 7

April 6, 1970

REGION VI

Renewal Assistance Office

IN REPLY REFER TO:
682

Mr. Gary Sullivan
Director, Urban Renewal
City of Tacoma
1133 County-City Building
Tacoma, Washington 98402

Dear Mr. Sullivan:

Subject: Project Wash. R-3 Fawcett Project
Proposed Plan Changes

The proposed changes submitted with your letter of March 31, 1970 are acceptable with one minor exception. The parking requirement for parcel 13B is expressed in spaces per employee and does not reflect potential residential use of the parcel for which parking requirements should be expressed in space(s) per dwelling unit.

In the next to last paragraph on Page 11, the word "ration" is assumed to be a typographical error for the word "Ratio".

If you have any questions please do not hesitate to contact me.

Sincerely yours,

James D. Richardson
Assistant Regional Administrator

Raymond J. Crisp
By: Raymond J. Crisp
Acting Chief, Project Planning
And Engineering Branch



114.8



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
450 GOLDEN GATE AVE., P.O. BOX 36003, SAN FRANCISCO, CALIF. 94102

May 18, 1970

REGION VI
Renewal Assistance Office

IN REPLY REFER TO:
62E

Mr. Gary Sullivan
Director, Urban Renewal
City of Tacoma
1133 County-City Building
Tacoma, Washington 98402

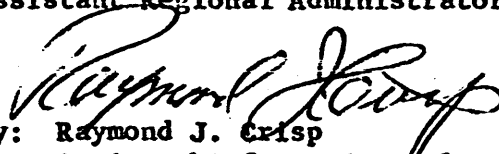
Dear Mr. Sullivan:

Subject: Project Wash. R-3 Fawcett
Proposed Plan Amendments

The material submitted with your letter of May 14, 1970 satisfactorily resolves the comments of my April 6, 1970 letter. Thank you for your cooperation in this matter.

Sincerely yours,

James D. Richardson
Assistant Regional Administrator


By: Raymond J. Crisp
Acting Chief, Project Planning
And Engineering Branch



EX. 8

**NOTICE OF HEARING AND MODIFICATION OF
URBAN RENEWAL PLAN AND PROJECT
FAWCETT STREET, WASH. R-3**

NOTICE IS HEREBY GIVEN that the Council of the City of Tacoma will hold a public hearing on Tuesday, June 16, 1970, at 7:00 p.m. in the Council Chamber in the County-City Building, Tacoma, Pierce County, Washington.

1. The purpose of the hearing is to consider amending the Fawcett Street Urban Renewal Plan (Wash R-3), which Plan was approved by the Council of the City of Tacoma by Resolution No. 16751 adopted on October 31, 1961, and amended by Resolution No. 18969 dated December 13, 1966 recorded December 29, 1966, under Fee No. 2173292. An amendatory plan is now proposed that will modify the above Plan in the following manner:

- (a) Revising the land use provisions to provide an additional use of Residential Apartments to the south 140 feet of Parcel No. 13 to be designated Parcel 13B and by appropriate modification of the floor area ratio, parking, and any other restrictions or requirements contained in said plan so as to allow such use, provided that in no case shall an apartment building be erected of less than six (6) stories as measured from Fawcett Street, legally described as follows:

Lots 22, 23, 24, 25 and 26, Block 909, MAP OF NEW TACOMA, WASHINGTON TERRITORY according to plat filed for record February 3, 1875, in the Office of the County Auditor

2. The Fawcett Street Urban Renewal Project is an undertaking by the City of Tacoma acting as the Local Public Agency under State and local law with Federal financial assistance under Title I of the Housing Act of 1949 (Public Law 171 - 81st Congress) as amended, to acquire the land or other property interests in the project area; to demolish or remove or rehabilitate buildings and improvements; to install, construct or reconstruct streets, utilities, development or redevelopment by private enterprise or public agencies as authorized by law

3. At the conclusion of the public hearing, the Tacoma City Council will pursuant to law make certain findings based upon the evidence and materials presented as follows:

- (a) Whether or not the Amendatory Urban Renewal Plan conforms to the Comprehensive Plan or parts thereof for the City of Tacoma as a whole;
- (b) Whether or not the modified Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City of Tacoma as a whole, for the rehabilitation or redevelopment of the New Tacoma Urban Renewal Area by private enterprise;
- (c) Whether or not on the evidence present the Plan should be amended.

4. Any person or organization desiring to be heard will be afforded an opportunity to be heard at this hearing concerning only the proposed amendment relating to addition of the residential use to the property in question; to wit, the south 140 feet of Parcel No. 13, to be designated Parcel No. 13B.

5. The Fawcett Street Urban Renewal Area is within the following streets and lines and is generally described as follows:

Beginning at the southwest corner of Block 708, MAP OF NEW TACOMA, WASHINGTON TERRITORY. as per map thereof filed for record February 3, 1875, in the office of the Pierce County Auditor, being the intersection of the north line of South 9th Street and the east line of Court "D"; thence westerly 240 feet along the northerly line of South 9th Street to the southeast corner of Block 710, in said MAP OF NEW TACOMA, thence southerly 195 feet along the westerly line of Fawcett Avenue to the southeast corner of Lot 4, Block 910, in said MAP OF NEW TACOMA, thence westerly 120 feet to the southwest corner of said Lot 4, thence northerly 195 feet along the easterly line of Court "E" to the southwest corner of Block 710 in said MAP OF NEW TACOMA. thence westerly 260 feet along the northerly line of South 9th Street to the southeast corner of Block 812 in said MAP OF NEW TACOMA. thence southerly 840 feet along the west line of Tacoma Avenue to the northeast corner of Block 1112, in said MAP OF NEW TACOMA, thence easterly 620 feet along the south line of South 11th Street to the northwest corner of Block 1108, in said MAP OF NEW TACOMA. thence northerly 80 feet to the southwest corner of Lot 26, Block 908, in said MAP OF NEW TACOMA thence easterly 120 feet to the northeast corner of said Lot 26, thence northerly 40 feet to the northeast corner of said Lot 26, thence westerly to the northwest corner of said Lot 26, thence northerly along the easterly line of Court "D" to the point of beginning, located in the City of Tacoma, County of Pierce, State of Washington.

FLOYD OLES
City Manager

EX. 9

AFFIDAVIT OF PUBLICATION

THE CITY OF TACOMA

TACOMA DAILY INDEX Dr.

STATE OF WASHINGTON, } ss.
County of Pierce

as per attached

_____ inches _____ times,

Amt. \$ 30.00

M. B. SKIDMORE, being first duly sworn on oath deposes and says: that he is the Business Manager and Publisher of the

"TACOMA DAILY INDEX"

a daily legal newspaper. That said newspaper is a legal newspaper, which, pursuant to the provisions of Chapter 213 of the 1941 Session Laws of the State of Washington, has been approved as a legal newspaper by order of the Superior Court of the State of Washington in and for Pierce County, entered on June 12, 1941, in Cause No. 84921, entitled "In the matter of the application and qualification of Tacoma Daily Index as a legal newspaper." That said newspaper has been published regularly and continually, at least once a week, in the English language, as a newspaper of general circulation in the city of Tacoma, Pierce County, Washington, the city where the same was published at the time of said application for approval, for at least six months prior to the date of such application and it is now and during all of said time was so printed, either in whole or in part, in an office maintained at the aforesaid place of publication, and the same is now and ever since said date has been so published. That the advertisement, of which the attached is a printed copy as published, was published in said newspaper once each

_____ day for _____ 2 weeks

May 21, 28

as follows:

That said newspaper was generally circulated all of said time, and that said advertisement was published in the newspaper proper and not in supplement form.

May 28, 1970

Subscribed and sworn to before me on

Notary Public in and for the State of Washington,
Residing at Tacoma, Pierce County, Washington.

FLOYD OLES,
City Manager

May 21, 28

Beginning at the southwest corner of Block 702, MAP OF NEW TACOMA, WASHINGTON TERRITORY, as per map thereof filed for record February 3, 1873, in the office of the Pierce County Auditor, being the intersection of the north line of Court "D", thence westerly 240 feet along the northerly line of South 9th Street to the southeast corner of Block 710, in said MAP OF NEW TACOMA, thence southerly 195 feet along the westerly line of Fawcett Avenue to the southeast corner of Lot 4, Block 910, in said MAP OF NEW TACOMA, thence westerly 120 feet to the southwest corner of said Lot 4, thence northerly 195 feet along the easterly line of Court "E" to the southwest corner of Block 716 in said MAP OF NEW TACOMA, thence westerly 260 feet along the northerly line of South 9th Street to the southeast corner of Block 812 in said MAP OF NEW TACOMA, thence southerly 840 feet along the west line of Tacoma Avenue to the northeast corner of Block 1112, in said MAP OF NEW TACOMA, thence easterly 630 feet along the south line of South 11th Street to the southeast corner of Block 1108, in said MAP OF NEW TACOMA, thence northerly 80 feet to the southwest corner of Lot 26, Block 908, in said MAP OF NEW TACOMA, thence easterly 180 feet to the northeast corner of said Lot 26, thence northerly 40 feet to the northeast corner of said Lot 26, thence westerly to the northwest corner of said Lot 26, thence northerly along the easterly line of Court "D" to the point of beginning, located in the City of Tacoma, County of Pierce, State of Washington.

OFFICE OF HEARING AND COMMISSION OF URBAN RENEWAL PLAN AND PROJECT FAWCETT STREET, WASH. R-3

AS HEREBY GIVEN that the City of Tacoma will hold a public hearing on Tuesday, June 16, 1970, at 10:00 a.m. in the Council Chamber, County-City Building, Tacoma, Pierce County, Washington.

The purpose of the hearing is to consider the Fawcett Street Urban Renewal Plan (Wash. R-3), which Plan was adopted by the Council of the City of Tacoma by Resolution No. 15751 adopted October 31, 1961, and amended by Resolution No. 18979 dated December 13, 1967, and Resolution No. 19729 dated December 29, 1968, under which an amendatory plan is proposed that will modify the above Plan in the following manner:

Amending the land use provisions to provide an additional use of Residential Apartments to the south 140 feet of Parcel No. 13 to be designated Parcel 13B and by appropriate modification of the floor area ratio parking and any other restrictions or requirements contained in said plan to allow such use, provided that in no case shall an apartment building erected of less than six (6) stories be measured from Fawcett Street, generally described as follows:

Lots 22, 23, 24, 25 and 26, Block 910, MAP OF NEW TACOMA, WASHINGTON TERRITORY, according to plat filed for record February 3, 1873, in the office of the County Auditor.

The Fawcett Street Urban Renewal Plan is an undertaking by the City of Tacoma acting as the Local Public Agency under State and local law with financial assistance under Title I of the Housing Act of 1949 (Public Law 81st Congress) as amended to acquire the land or other property interests in the project area; to demolish or remove or rehabilitate buildings and improvements; to install, construct or reconstruct streets and utilities development or redevelopment by private enterprise or public agencies as authorized by law.

At the conclusion of the public hearing, the Tacoma City Council will pursuant to law make certain findings based upon the evidence and materials presented as follows:

- Whether or not the Amendatory Urban Renewal Plan conforms to the Comprehensive Plan or parts thereof for the City of Tacoma as a whole;
- Whether or not the modified Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City of Tacoma as a whole, for the rehabilitation or redevelopment of the New Tacoma Urban Renewal Area by private enterprise;
- Whether or not on the evidence present the Plan should be amended.

Any person or organization desiring to be heard will be afforded an opportunity to be heard at this hearing concerning only the proposed amendment relating to addition of the residential use to the property in question; to wit, the south 140 feet of Parcel No. 13, to be designated Parcel No. 13B.

The Fawcett Street Urban Renewal Plan is within the following streets and areas and is generally described as follows:

EX 10

A. FIDAVIT OF PUBLICATION

STATE OF WASHINGTON } ss.
County of Pierce

..... Diane L. Creed....., being first duly sworn, on oath,

says: that he is the Chief Clerk of THE TACOMA NEWS TRIBUNE, a daily newspaper published in Tacoma, Pierce County, Washington, and of general circulation in said State, and having a daily circulation of over 103,000 copies. That said newspaper is now and at all of the times hereinafter mentioned was a legal newspaper as defined by the laws of this State, duly approved by the Superior Court of Pierce County, Washington.

That the advertisement, of which the attached is a printed copy as it was published in the regular issues (and not in supplement form) of said newspaper, was published once each week for two consecutive weeks commencing on the 21st day of May, 1970, and ending on the 28th day of May, 1970, both dates inclusive.

That the full amount of the fee charged for said publication was the sum of \$ 88.14.....

..... Diane L. Creed.....

Subscribed and sworn to before me on this second.....

day of June....., 1970.....

..... John W. Case.....
Notary Public in and for the State of Washington,
Residing at Tacoma, Pierce County, Washington.

ION OF URBAN
AN AND PROJECT
REY, WASH. R-3
ERY GIVEN that the
Tacoma will hold a
oday, June 16, 1970,
Council Chamber in
Tacoma Pierce
the hearing is to
the Fawcett Street
(Wash. R-3), which
by the Council of the
Evolution No. 1051
1961), and amended
dated December
December 29, 1966, un-
An amendatory plan
will modify the
ing manner.
use provisions to
se of Resi-
to the south 148
No. 13 to be desig-
13B and by approp-
of the floor area
any other restric-
ments contained in
to allow such use,
no case shall an-
g be erected or
6) stories as
Fawcett Street,
as follows:
25 and 26, Block 99,
NEW TACOMA,
TERRITORY accord-
for record February
Office of the County
Fawcett Street Urban Renewal
ndertaking by the City
as the Local Public
ate and local law with
assistance under Title
Act of 1949 (Public
Congress) as amended
ard or other property
ect area; to demolish
rehabilitate buildings and
to install, construct or
streets, utilities development
by private enterprise
as authorized by law.
onclusion of the public hear-
Tacoma City Council will pur-
e certain findings based
evidence and materials pre-
nted:
or not the Amendatory
Plan conforms to the
Plan or parts thereof
City of Tacoma as a whole;
or not the modified Urban
Plan will afford maximum
consistent with the sound
City of Tacoma as a
the rehabilitation or
of the New Tacoma
Area by private en-
terprise;
or not on the evidence
the Plan should be amended.
erson or organization desiring
will be afforded an oppor-
to be heard at this hearing
ONLY the proposed amend-
to addition of the resi-
to the property in question,
the south 140 feet of Parcel No.
designated Parcel No. 13B
Fawcett Street Urban Renewal
within the following streets and
s generally described as
at the southwest corner of
MAP OF NEW TACOMA,
INGTON TERRITORY, as per
ereof filed for record February
in the office of the Pierce
Auditor, being the intersection
north line of South 9th Street
the east line of Court "D";
westerly 200 feet along the
rly line of South 9th Street to
the east corner of Block 710, in
MAP OF NEW TACOMA, thence
195 feet along the westerly
of Fawcett Avenue to the
ast corner of Lot 4, Block 910,
MAP OF NEW TACOMA,
westerly 120 feet to the
ast corner of said Lot 4, thence
195 feet along the easterly
Court "E" to the southwest
of Block 710 in said MAP OF
TACOMA, thence westerly 260
to the northerly line of South
9th Street to the southeast corner of
Block 710 in said MAP OF NEW
TACOMA, thence southerly 80 feet
to the west line of Tacoma Avenue
the east corner of Block 1112,
MAP OF NEW TACOMA,
easterly 620 feet along the
line of South 11th Street to the
corner of Block 1108, in
MAP OF NEW TACOMA, thence
80 feet to the southwest
corner of Lot 24, Block 908, in said
MAP OF NEW TACOMA, thence
170 feet to the northeast
corner of said Lot 24, thence north-
west to the northeast corner
of Lot 24, thence westerly to the
corner of said Lot 24.

PROPERTY OWNERS

FAWCETT URBAN RENEWAL PROJECT WASH R-3

Leo R. Kawasaki
c/o Capital Cleaners
1124 Court "C"
Tacoma Washington

Chester C. Paulson, President
Chet Paulson, Inc.
935 South Fawcett
Tacoma, Washington

Poster Campbell and Wayne Johnson
1950 Pacific Avenue
Tacoma, Washington

Harold P. Morgan, President
Harborview Properties, Inc.
1107 Washington Bldg.
Tacoma, Washington

I. H. Pedersen, Secretary
Labor Temple Corporation
15th and Market Streets
Tacoma, Washington

H. L. Stephens, Vice Pres. &
Cashier
The Puget Sound National Bank
of Tacoma, a corporation
Puget Sound Bank Building
Tacoma, Washington

R. K. Danhauser, President
State Mutual Savings Bank
955 Tacoma Avenue
Tacoma, Washington

Richard H. Klein, Etal
c/o Tacoma Savings & Loan
9th and A Streets
Tacoma, Washington

Wm. R. Gregory, Secretary-Treasurer
Hesco, Inc.
6725 - N. 24th Street
Tacoma Washington

John P. Swanson, Business Manager
International Brotherhood of Boilermakers
Iron Ship Builders, Blacksmiths, Forgers
and Helpers, Mt. Thomas Lodge 568
944 Court "E"
Tacoma, Washington

Donald W. Seifert, Arthur G. Forbes, Harry W. Berry
d/h/a Seifert, Forbes & Berry, a partnership
925 Tacoma Avenue South
Tacoma, Washington

Ex. 12

May 20, 1970

Mr Marshall McCormick
City Attorney
City of Tacoma
Tacoma, Washington 98402

Attention: Don Hogaboam, Assistant City Attorney

Dear Mr. McCormick:

Re: Verification of Owners Listed on Tax Rolls and
Notification to these Owners of Amendment to
Fawcett Urban Renewal Plan, Wash. R-3.

Those names who were listed as having received notification of a proposed amendment to the Fawcett Urban Renewal Plan, Wash. R-3, are listed on the County Treasurer's Tax Roll as the owners or reputed owners of property within the Fawcett Urban Renewal Project Area.

Very truly yours,

B

Gary Sullivan
Director, Urban Renewal

GS:VDG:eh

CITY OF TACOMA
INTER-DEPARTMENTAL COMMUNICATION

Ex. 13

To Marshall McCormick
City Attorney

From Gary Sullivan
Director, Urban Renewal

Subject Proposed Amendment,
Wash. R-3, Fawcett

Date June 15, 1970

cc: Don Hogaboam
Assistant City Attorney

Attached please find Agreement and Consent to allow added use of residential to Parcel 13B by all affected redevelopers within the aforementioned project.



GARY SULLIVAN
Director, Urban Renewal

GS:VDG:eh
Encls.

May 14, 1970

PROPERTY OWNERS

TACOMA SOUND NATIONAL PROPERTY MAPS 2-1

Leo R. Kawasaki
c/o Capital Cleaners
1124 Court "C"
Tacoma Washington

Foster Campbell and Wayne Johnson
1950 Pacific Avenue
Tacoma, Washington

L. H. Pederson, Secretary
Labor Temple Corporation
15th and Market Streets
Tacoma, Washington

R. K. Danhauser, President
State Mutual Savings Bank
955 Tacoma Avenue
Tacoma, Washington

Wm. R. Gregory, Secretary-Treasurer
Hesco, Inc.
6725 - N. 24th Street
Tacoma Washington

John P. Swanson, Business Manager
International Brotherhood of Boilermakers
Iron Ship Builders, Blacksmiths, Forgers
and Helpers, Mt. Tahoma Lodge 568
944 Court "E"
Tacoma, Washington

Donald W. Seifert, Arthur G. Forbes, Harry W. Berry
d/b/a Seifert, Forbes & Berry, a partnership
925 Tacoma Avenue South
Tacoma, Washington

Chester C. Paulson, President
Chat Paulson, Inc.
935 South Tawcett
Tacoma, Washington

Harold P. Morgan, President
Harborview Properties, Inc.
1107 Washington Bldg.
Tacoma, Washington

H. L. Stephens, Vice Pres. &
Cashier
The Puget Sound National Bank
of Tacoma, a corporation
Puget Sound Bank Building
Tacoma, Washington

Richard H. Klein, Etal
c/o Tacoma Savings & Loan
9th and A Streets
Tacoma, Washington

PARCEL 13. LAWRETT URBAN RENEWAL PROJECT, WASH. 2-3

WE, the undersigned owners of real property within the Lawrett Urban Renewal Area, Wash. 2-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Lawrett Street level) to the Lawrett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 15751, August 31, 1961, and amended by Resolution 18969, December 13, 1966, said plan was recorded on December 29, 1966, under Fee No. 2173292, records of Pierce County Auditor.

We understand that, at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Lawrett Streets.

Leo R. Kawasaki

1710 So Lawrett, Tacoma

TO ALLOW AN ADDED USE TO
PARCEL 13, FAWCETT URBAN RENEWAL PROJECT, WASH. R-3

WE, the undersigned owners of real property within the Fawcett Urban Renewal Area, Wash. R-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Fawcett Street level) to the Fawcett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 16751, August 31, 1961, and amended by Resolution 19969, December 13, 1966, said plan was recorded on December 29, 1966, under Fee No. 2173292, records of Pierce County Auditor.

We understand that at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Fawcett Streets.

For:

Foster Campbell

FOSTER CAMPBELL AND WAYNE JOHNSON

TO ALLOW AN AMEND USE TO
PARCEL 13. FAWCETT URBAN RENEWAL PROSCT. WASH. R-3

WE, the undersigned owners of real property within the Fawcett Urban Renewal Area, Wash. R-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Fawcett Street level) to the Fawcett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 16751, August 31, 1961, and amended by Resolution 18939, December 13, 1966, said plan was recorded on December 29, 1966, under Fee No. 2173282, records of Pierce County Auditor.

We understand that at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Fawcett Streets.

Labor Temple Corp.

1353 Mt Street 98402

WE, the undersigned owners of real property within the Fawcett Urban Renewal Area, Wash. R-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Fawcett Street level) to the Fawcett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 16751, August 31, 1961, and amended by Resolution 18969, December 13, 1966, said plan was recorded on December 29, 1966, under Fee No. 2173292, records of Pierce County Auditor.

We understand that at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Fawcett Streets.

State Savings Bank
[Signature]

Multiple horizontal lines for signatures and text.

TO ADAPT AN AREA USE TO
PARCEL 13. FAWCETT URBAN RENEWAL PROJECT, WASH. R-3

WE, the undersigned owners of real property within the Fawcett Urban Renewal Area, Wash. R-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Fawcett Street level) to the Fawcett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 16751, August 31, 1961, and amended by Resolution 18869, December 13, 1966, said plan was recorded on December 29, 1966, under Fee No. 2173292, records of Pierce County Auditor.

We understand that at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Fawcett Streets.

HESCO, INC.

BY: 

TO ALLOW AN ADDED USE TO
PARCEL 13. FAWCETT URBAN RENEWAL PROJECT, WASH. R-3

WE, the undersigned owners of real property within the Fawcett Urban Renewal Area, Wash. R-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Fawcett Street level) to the Fawcett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 16751, August 31, 1961, and amended by Resolution 18969, December 13, 1965, said plan was recorded on December 29, 1965, under Fee No. 2175292, records of Pierce County Auditor.

We understand that at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Fawcett Streets.

SEIFERT, FORBES & BERRY

By: 

TO ALLOW AN AWARD USE TO
PARCEL 13, FAWCETT URBAN RENEWAL PROJECT, WASH. R-3

WE, the undersigned owners of real property within the Fawcett Urban Renewal Area, Wash. R-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Fawcett Street level) to the Fawcett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 16751, August 31, 1961, and amended by Resolution 18359, December 13, 1966, said plan was recorded on December 29, 1966, under Fee No. 2175292, records of Pierce County Auditor.

We understand that at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Fawcett Streets.

HARBORVIEW PROPERTIES, INC.

By: Harold M. Morgan

TO ALLOW AN ADDED USE TO
PARCEL 13, FAWCETT URBAN RENEWAL PROJECT, WASH. R-3

WE, the undersigned owners of said property within the Fawcett Urban Renewal Area, Wash. R-3, hereby agree and consent to adding the use of residential (apartment house of not less than six (6) stories in height as measured from the Fawcett Street level) to the Fawcett Urban Renewal Plan adopted by the City Council of the City of Tacoma by Resolution 15751, August 31, 1961, and amended by Resolution 18969, December 13, 1966, said plan was recorded on December 29, 1966, under Fee No. 2173292, records of Pierce County Auditor.

We understand that at present Parcel 13 is designated for office and commercial uses and that the property is located on the northeast corner of 11th and Fawcett Streets.

Richard N. Klein

911 Tacoma Ave.

(for owners)

(Klein, Gross, Colon, Johnson)

EX. 14

6-16-70

SYNOPSIS OF PROPOSED CHANGES

FAWCETT URBAN RENEWAL PLAN AMENDMENT
WASH. R-3

The proposed amendments consist of the following:

- (1) Under "INTRODUCTION" the last sentence has been deleted. The word "including" has been added to indicate inclusion of, but not limitation to, a specific type of residential use, as follows: (including elderly housing) in the last paragraph of the Introduction.
- (2) At page 6, paragraph 2, line 8, the word "residential" has been added.
- (3) At Page 8, bottom of the page, under "R. Group (Residential)" Item 2. "Residential Apartments" has been added.
- (4) At Page 11, under Chart I, Parcel 13 has been changed to Parcel 13A and 13B; Parcel 13B is the parcel under consideration in the proposed plan amendment.
- (5) At Page 11, under "Special Conditions" and designated by asterisks at the bottom of the page, the following language has been added: "For residential development the City may allow plan control variance with reference to density, bulk, height, parking, and similar provisions, provided specifically that no residential structure shall be less than six (6) stories in height as measured from Fawcett Street level, and not less than .75 parking spaces per dwelling unit shall be provided."
- (6) Map #1 contained in the Plan, and the ~~the~~ Dominated Land Use Plan show Parcel 13B, in addition to the existing uses, permitting a residential use.

INTRODUCTION

The Fawcett Urban Renewal Area is presently a transitional use area located between the Central Business District and the public buildings complex along Tacoma Avenue. It is comprised of a variety of conflicting buildings and structures of various types, old frame residential lots and business uses, some off-street parking and which are largely to general commercial and quasi-public uses. Many of the buildings are substandard due to their age and obsolescence and which are detrimental to the health, safety and welfare of its residents and exist in the area surrounding of this area. The urban renewal action proposed for this area is directed toward rectifying the existing conditions and developing an area that will augment the growth of the central area of the City.

The general objective in planning for the re-use of the Fawcett Urban Renewal Area is to enhance the Tacoma Avenue Public Buildings complex and the retail center of the Central Business District, as well as to provide an area for development of specialized types of land uses for general and personal location. Such uses would include professional services, specialized offices, special business services, restaurants, motor hotel, residential (including elderly housing) and specialized retail uses.

I N T R O D U C T I O N

The Fawcett Urban Renewal Area is presently a transitional use area located between the Central Business District and the public buildings complex along Tacoma Avenue. It is comprised of a variety of conflicting buildings and land uses including old frame residential structures of various types, general commercial and business uses, some off-street parking lots and quasi-public uses. Many of the buildings are substandard due largely to obsolescence and lack of maintenance. Conditions exist in the area which are detrimental to the health, safety and welfare of its residents and of those of the surrounding area. The urban renewal action proposed for this area is directed toward rectifying the existing conditions and developing an area that will augment the growth of the central area of the City.

The general objective in planning for the re-use of the Fawcett Urban Renewal Area is to enhance the Tacoma Avenue Public buildings complex and the retail center of the Central Business District, as well as to provide an area for development of specialized types of land uses desiring a centralized location. Such uses would include general and specialized offices, professional and personal services, special business services, restaurants, motor hotel, residential (including elderly housing) and specialized retail uses.

URBAN RENEWAL PLAN
FAWCETT URBAN RENEWAL AREA
PROJECT NO. WASH. - R-3

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EXHIBITS

Map 1 - Land Use Plan

Map 2 - Land Acquisition Plan

Adopted by Resolution No. 16751

~~October 31, 1961~~

Amended by Resolution No. 18969

December 13, 1966

DEFINITION OF TERMS

The terms listed below are defined as they are used in the text of the Urban Renewal Plan:

- Building - any enclosed structure which:
- (1) Is permanently affixed to the ground (or land) and,
 - (2) Has one or more stories (or floors), and
 - (3) Is bounded by the open space (or the lot lines) of a lot.
- City - City of Tacoma, County of Pierce, State of Washington.
- Codes - Legally adopted codes and regulations of the City of Tacoma as they now exist or may subsequently be amended or supplemented and incorporated into the charter and general ordinances of the City of Tacoma; including, but not restricted to the following:
- (1) Building Code: Includes all codes governing the construction, use, maintenance and occupancy of buildings and structures included within Titles 2, 3, and 5 of the Official Code of the City of Tacoma.
 - (2) Zoning Code or Zoning Ordinance: Includes all codes governing the use and occupancy of land or structures included within Title 13, Charter and General Ordinances, City of Tacoma.
- Council - the legislative authority of the City of Tacoma.
- Floor Area - the sum of the gross areas of the stories (floors) of a building measured from the exterior faces of exterior walls. Floor area shall not include:

- (1) Ground or basement floor area used for required off-street parking space, and
- (2) Space used for arcades, breezeways, exterior balconies and open terraces.
- (3) Incidental space in conjunction with required parking areas which cannot be utilized for parking and is used for storage or utility service areas.

Floor Area Ratio - the total floor area of a building (or buildings) on a lot divided by the area of the lot. (Abbreviated - FAR)

$$\text{Floor Area Ratio} = \frac{\text{Total Floor Area on Lot}}{\text{Area of Lot}}$$

Maximum building floor area permitted on a lot is equal to the area of the lot multiplied by the maximum permitted FAR.

Local Public Agency - The City of Tacoma, acting through the Council pursuant to Federal, State and Local Law and regulations.

Lot - a portion of land occupied or intended to be occupied by a building and its accessory uses together with required yards and open space and having its principal frontage on a street.

Lot Coverage - that portion of a lot which when viewed from above would be covered by a building or part of a building, excluding covered areas which otherwise qualify as an open area. (See Open Area below).

Lot Line - the boundary of a lot.

Loading Space - an off-street space within a building or on the same lot with a building, for the temporary parking of a commercial vehicle while loading or unloading.

Lot Width - the horizontal distance between the side lot lines of a lot.

Open Area - that part of a lot including private courts or yards which is open and unobstructed to the sky, except open areas may include covered areas on no more than three sides and on grade with a street. (See Parking Area for credit for open space).

Open Area Ratio - the number of square feet of open area on a lot divided by the floor area on the lot. (Abbreviation OAR)

$$\text{Open Area Ratio} = \frac{\text{Total Open Area}}{\text{Total Floor Area}}$$

The minimum amount of open area required for any one parcel of land or lot is equal to the floor area of the building multiplied by the OAR.

Parcel - any singly described tract of land designated by the Local Public Agency as such. A parcel may be composed of one or more lots.

Parking Area - two or more parking spaces together with vehicular access thereto. A parking space shall normally consist of 380 square feet. However, if a designed parking lot provides a required number of spaces, the LPA may approve a reduction in area.

Open space provided within required side and rear yard setbacks may receive full credit for open space in computing open space ratios although such space may be utilized for meeting off-street parking requirements. Parking will not be permitted within required front yard setbacks.

Unusable portions of enclosed parking may be used for enclosed storage and utility service areas without being considered as floor area.

Storage and utility service areas shall not be included in the computation of Parking Area.

Parking Requirements

Minimum parking spaces (M.P.S.): Parking shall be provided on-site based upon (.50) parking spaces per employee, or one car space for every two employees, except as noted elsewhere in the plan. The number of employees shall be computed by dividing the total square footage of the building by a factor of 200 square feet per employee.

Example: Building Area = 4,000

1. $4000 \div 200 = 20$ employees
2. $20 \times .50 = 10$ Required Parking Spaces
3. $10 \times 380 = 3,800$ sq.ft. Parking Area

(If required parking spaces can be provided in less area, the LPA may accept a reduced parking area).

Public Park

- Open area under public ownership maintained for the use of the general public.

Setback Line

- A line measured from the lot lines of a lot defining the limits in which a building may be constructed.

Street

- A thoroughfare which provides the principal means of access to abutting properties.

Urban Renewal Plan Controls

- The regulations, controls and restrictions hereinafter contained which shall control real property within the project area, including; the use of land, and the use and construction of buildings both existing and to be constructed.

DESCRIPTION OF PROJECT

Boundaries of Urban Renewal Area

The Fawcett Urban Renewal Area includes the property and the street right-of-way bounded by the west right-of-way line of Tacoma Avenue, the south right-of-way line of South 11th Street, the east right-of-way line of Court "D" and the north right-of-way line South 9th Street. The area excludes the parcel of land 115' by 120' at the north end of the block bounded by Fawcett Avenue, Court "E", South 9th Street and South 11th Street, and that portion of South 9th Street right-of-way north of said parcel of land. The area also includes an additional parcel of land 40' by 120' at the south end of the block bounded by Court "D", Market Street, South 9th Street and South 11th Street. The County-City Building is located on the boundary between the Fawcett Urban Renewal Area and the Tacoma, Washington Department of Public Works.

The Fawcett Urban Renewal Area is located in Tacoma, Washington and is described as follows:

Map of New Tacoma filed for County Assessor's Office, South 9th Street to westerly line of New Tacoma Block 910, 195 feet to west corner of westerly line of New Tacoma Block 910, said Map south line

Parking Requirements

Minimum parking spaces (M.P.S.): Parking shall be provided on-site based upon (.50) parking spaces per employee, or one car space for every two employees, except as noted elsewhere in the plan. The number of employees shall be computed by dividing the total square footage of the building by a factor of 200 square feet per employee.

Example: Building Area = 4,000

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Example: Building Area = 4,000

1. $4000 \div 200 = 20$ employees
2. $20 \times .50 = 10$ Required Parking Spaces
3. $10 \times 380 = 3,800$ sq.ft. Parking Area

(If required parking spaces can be provided in less area, the LPA may accept a reduced parking area).

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- The regulations, controls and restrictions hereinafter contained which shall control real property within the project area, including; the use of land, and the use and construction of buildings both existing and to be constructed.

DESCRIPTION OF PROJECT

Boundaries of Urban Renewal Area

The Fawcett Urban Renewal Area includes the property and the street right-of-way bounded by the west right-of-way line of Tacoma Avenue, the south right-of-way line of South 11th Street, the east right-of-way line of Court "D" and the north right-of-way line South 9th Street. The area excludes the parcel of land 115' by 120' at the north end of the block bounded by Fawcett Avenue, Court "E", South 9th Street and South 11th Street, and that portion of South 9th Street right-of-way north of said parcel of land. The area also includes an additional parcel of land 40' by 120' at the south end of the block bounded by Court "D", Market Street, South 9th Street and South 11th Street. The County-City Building is located on the westerly boundary of the area. On the easterly boundary a new parking garage was recently constructed between Court "D" and Market Street to provide additional parking for Rhodes Department Store.

The Fawcett Urban Renewal Area is situated in the City of Tacoma, County of Pierce, and State of Washington and described as follows:

Beginning at the southwest corner of Block 708 Map of New Tacoma, Washington Territory, as per map thereof filed for record February 3, 1875, in the office of the Pierce County Auditor, being the intersection of the north line of South 9th Street and the east line of Court "D"; thence westerly 240 feet along the northerly line of South 9th Street to the Southeast corner of Block 710, in said Map of New Tacoma, thence southerly 195 feet along the westerly line of Fawcett Avenue to the southeast corner of lot 4, Block 910, in said Map of New Tacoma, thence westerly 120 feet to the southwest corner of said lot 4, thence northerly 195 feet along the easterly line of Court "E" to the southwest corner of Block 710 in said Map of New Tacoma, thence westerly 260 feet along the northerly line of South 9th Street to the southeast corner of Block 812 in said Map of New Tacoma, thence southerly 840 feet along the west line of Tacoma Avenue to the northeast corner of Block 1112, in said Map of New Tacoma, thence easterly 620 feet along the south line of South 11th Street to the northwest corner of

Block 1108, in said Map of New Tacoma thence northerly 80 feet to the southwest corner of lot 26, Block 908, in said Map of New Tacoma, thence easterly 120 feet to the southeast corner of said lot 26, thence northerly 40 feet to the northeast corner of said lot 26, thence westerly to the northwest corner of said lot 26, thence northerly along the easterly line of Court "D" to the point of beginning, located in the City of Tacoma, County of Pierce, State of Washington.

Types of Proposed Renewal

The proposed renewal actions for the Fawcett Urban Renewal Area include the clearance and redevelopment of a major portion of the project area and incidental rehabilitation of commercial buildings that can be made to conform to the urban renewal plan controls. Specific actions required include the demolition or removal of residential, commercial and industrial structures and redevelopment for specialized office, commercial, residential and public uses. The proposed public improvements include the reconstruction of alleys, provision of new sidewalks, the placement of power and communication lines underground, extension of storm drains and water mains, the provision of adequate street lighting, and the development of public open areas and pedestrian walkways.

The establishment of land use and building standards will guarantee the quality of project redevelopment commensurate with the general objectives of the Land Use Plan and the long range development of the Tacoma Central Business District. Such standards are intended to assure the ultimate highest and best use of the land, and to protect the private, as well as the public, investment in the area by eliminating and preventing a recurrence of the blighting conditions that presently exist in the urban renewal area.

LAND USE PLAN

The Land Use Plan for the Fawcett Urban Renewal area is presented in Map 1, Land Use Plan, together with the accompanying text defining the planning proposals and the development controls to be established for the project area.

Land Use Provisions and Building Requirements

A. Permitted Uses

The Land Use Plan classifies the uses permitted in the Fawcett Urban Renewal Area into four Basic Land Use Groups: C Group (Commercial), O Group (Office), P Group (Public) and R Group (Residential). The uses permitted under each group are such as:

C. Group (Commercial)

1. Apparel Shop
2. Bank, savings and loan association, finance company (excluding pawn shop).
3. Barber shop or beauty shop.
4. Book or stationery store.
5. Confectionery or candy store.
6. Clothes cleaning agency or pressing shop, laundry agency, (excluding dyeing on the premises, laundry, and self-service laundry).
7. Drug Store.
8. Florist shop.
9. Gift shop.
10. Jewelry shop and repair.
11. Off-street parking as permitted by Land Use Plan.
12. Photography studio or shop, camera shop.
13. Reproduction services, blueprinting, photostating.

14. Eating and drinking establishments (excluding restaurant where food is served or consumed in automobile) Provide one Off-street parking space for every six seats. Other parking requirements are not applicable.
15. Shoe repair shop.
16. Motor Hotel (provide one off-street parking space for each guest unit) - other parking requirements are not applicable.
17. Accessory uses incident to the above-listed uses and other uses of the general nature of those listed above, as approved by the Local Public Agency.

O. Group (Office)

1. Single or multi-tenant private office buildings.
2. Medical-Dental office clinics (provide one parking space for each 300 square feet of floor area) - other parking requirements are not applicable.
3. Public and quasi-public offices.
4. Accessory uses customarily incident to the above-listed uses and other uses of the general nature of those listed above, as approved by the Local Public Agency.

P. Group (Public)

1. Public park.
2. Public pedestrian walks and plazas, including escalators, speed ramps enclosed within a structure.
3. Accessory uses customarily incident to the above-listed uses and other uses of the general nature of those listed above, as approved by the Local Public Agency.

R. Group (Residential)

1. Elderly Housing
2. Residential Apartments

3. Additional Regulations

The following additional regulations, controls and restrictions are imposed by the Fawcett Urban Renewal Plan on the sale, lease, or retention of all real property acquired. These Urban Renewal Plan Controls are presented in Chart 1 and illustrated by the Land Use Plan (Map 1). The Fawcett Urban Renewal Area is delineated in separate land use parcels, each of which has its own combination of controls.

The four basic groups of permitted land uses, C, O, P and R, are listed under "Permitted Uses" above. Land use parcels are given number designations on the Land Use Plan (Map 1), with permitted land uses delineated by letter or combination of letters. Where more than one group symbol is included for a parcel, priority may be given to uses within the group identified by the letter first listed.

The Plan Controls (Chart 1) lists the parcel number in Column 1. The minimum parking space per employee MPS requirements for each parcel are found in the Plan Controls (Chart 1) column 2. Special offstreet parking requirements are:

1. Parking spaces must not be located within required front yards.
2. Parking areas and offstreet loading areas shall have permanent surfacing to at least City Public Works Department minimum specifications for black top.
3. Mutually owned and/or operated parking areas may be permitted upon approval by the Local Public Agency.

Signs shall not protrude above the roof line. Signs at ground-floor level shall not protrude further than three feet into the public right-of-way. Signs above the first-floor level shall not protrude more than one foot over the public right-of-way and shall not cover more than 10% of the individual building face. Billboard type signs and those with flashing lights are not permitted.

PLAN CONTROLS

CHART I

Parcel No.	*Minimum Park. Spc. Per Empl: M.P.S.P.E.	Maximum FAR	Minimum OAR	Special Conditions
1	.5	3.00	.20	
2	.5	2.00	.10	**O.P. 5,700 s.f. parking shall be provided for present occupancy. If auditorium is added, M.P.S. shall be one space for each 6 seats @ 7 s.f. per seat.
3	.5	2.00	.10	
4	.5	2.00	.10	O.P. M.P.S. is adequate for present occupied space.
5	N.A.	N.A.	N.A.	
6	.5	2.00	.10	Provide for 6,000 s.f. parking on site for present occupied space.
7	.5	2.00	.10	O.P. Provide for 6,000 s.f. of parking on-site adequate only for present occupied space above Court "E" level.
8	.5	2.00	.10	
9	.5	2.00	.10	O.P. Present parking on Court "E" level approved for meeting parking need of 1st and 2nd floor only. Occupancy of 3rd floor must provide M.P.S. as set forth in Column 2.

N.A. - Not Applicable

O.P. - Owner Participant

* of employees is based upon 200 square feet of gross

PLAN CONTROLS

CHART I

Parcel No.	*Minimum Park. Spc. Per Empl. M.P.S.P.E.	Maximum FAR	Minimum OAR	Special Conditions
1	.5	3.00	.20	
2	.5	2.00	.10	**O.P. 5,700 s.f. parking shall be provided for present occupancy. If auditorium is added, M.P.S. shall be one space for each 6 seats @ 7 s.f. per seat.
3	.5	2.00	.10	
4	.5	2.00	.10	O.P. M,P.S. is adequate for present occupied space.
5	N.A.	N.A.	N.A.	
6	.5	2.00	.10	Provide for 6,000 s.f. parking on site for present occupied space.
7	.5	2.00	.10	O.P. Provide for 6,000 s.f. of parking on-site adequate only for present occupied space above Court "E" level.
8	.5	2.00	.10	
9	.5	2.00	.10	O.P. Present parking on Court "E" level approved for meeting parking need of 1st and 2nd floor only. Occupancy of 3rd floor must provide M.P.S. as set forth in Column 2.

N.A. - Not Applicable

O.P. - Owner Participant

* Number of employees is based upon 200 square feet of gross

Each area per employee. No structure shall provide less than one parking space for each 400 sq. ft. of floor area. These parking requirements may be waived for those uses listed in the Land Use Plan having special parking requirements.

** Parking spaces for owner participants shall be required to be provided on site.

CHART I (continued)

Parcel No.	*Minimum Park. Sp. Per Empl. M.P.S.P.E.	Maximum FAR	Minimum OAR	Special Conditions
10	.5	3.00	.20	
11	N.A.	N.A.	N.A.	
12	.5	2.00	.20	
13A	.5	2.00	.20	
13B	.5	2.00	.20	***
14	N.A.	N.A.	N.A.	
15A	.5	2.00	.20	FAR, Parking and Density variance may be allowed by the City for Residential (elderly housing) development.
15B	.5	2.00		
16	N.A.	3.00	N.A.	Provision for off-street parking subject to LPA approval.

Provisions for the controls of the bulk of buildings are expressed in terms of the Floor Area Ratio (FAR), the maximum permitted FAR for each parcel is found in the Plan Controls (Chart 1) column 3.

Provisions for the control of land coverage are expressed in terms of the Open Area ratio (OAR). The minimum OAR requirements for each parcel are found in the plan controls (Chart 1) column 4.

*** For residential development the City may allow plan control variance with reference to density, bulk, height, parking, and similar provisions, provided specifically that no residential structure shall be less than six (6) stories in height as measured from Fawcett Street level, and not less than .75 parking spaces per dwelling unit shall be provided.

Open areas meeting the OAR requirements specified by the plan shall be appropriately landscaped and maintained.

The FAR and OAR restrictions also control the maximum height of buildings.

Provisions for the control of the location of buildings on a lot are expressed in terms of building setback requirements. Setback lines for each parcel are delineated on the Land Use Plan (Map 1). Open areas meeting the setback requirements specified by the plan shall be appropriately landscaped and maintained.

Special requirements and conditions include:

1. Other special conditions and requirements are stated in the Plan Controls (Chart 1) Column 5.

C. Duration of Land Use Provisions and Building Requirements

The Land Use provisions and building requirements as established by the Land Use Plan for the Fawcett Urban Renewal Area shall be covenants running with the land and shall be binding on all parties holding under the plan for a period of twenty (20) years from the date of approval of this Plan by the City of Tacoma. After the expiration of said twenty (20) year period, said covenants shall be automatically extended for a period of ten (10) years, unless an instrument signed by the then majority of the owners of property within the project area has been recorded agreeing to change said covenants in whole or in part.

D. Applicability of Land Use Provisions, Regulations and Building Requirements to Real Property Not To Be Acquired

All land use provisions and building requirements contained in the Urban Renewal Plan will be applied to properties not to be acquired. These provisions and requirements will be applied through the terms and conditions of owner participation agreements.

E. Review of Re-Use Proposals and Development Plans

Review of re-use proposals and development plans for all property within the Fawcett Urban Renewal Project shall be made by the Local Public Agency. Such review shall be undertaken in order to determine if the re-use proposals and development plans are in accordance with the land use provisions and building requirements, as well as the overall objectives of the Urban Renewal Plan.

PROJECT PROPOSALS

The project proposals for the Fawcett Urban Renewal Area outline methods for the implementation of the Urban Renewal Plan.

Land Acquisition

The Land Acquisition Plan (Map 2) for the Fawcett Urban Renewal Area identifies the real property within the project area proposed for acquisition and the property which is proposed not to be acquired. The properties are to be acquired for the purpose of eliminating conditions of blight and to prevent their recurrence. The properties not to be acquired are proposed for conservation to meet project development standards.

The Land Acquisition Plan (Map 2) shall, however, be subject to the following conditions,

Properties not designated for acquisition may be acquired as provided by law, at the discretion of the LPA if the property owners do not agree to comply with the development standards of the project area. After land acquisition and relocation of the families, where necessary, the land will be offered for sale in a manner and at a time that will produce the highest practical return to the project consistent with law and with requirements of the Urban Renewal Plan.

Properties proposed for acquisition may be exempted from acquisition if the property owners agree to redevelop their properties in accordance with the controls, restrictions and standards established by this Urban Renewal Plan for the Project Area.

Conservation

Conservation of properties within the Fawcett Urban Renewal Area shall be subject to the general objectives of the Land Use Plan (Map 1) and must be capable of being integrated into the overall development of the Project Area. An owner participation agreement will be prepared for each of the properties not to be acquired. These agreements will specify the exact measures necessary in order to bring the specific property into conformance with the Land Use Provisions and Building Requirements of this Urban Renewal Plan. All structures, residential and non-residential, shall comply with the applicable minimum standards of all relevant City of Tacoma codes.

Redeveloper's Obligations

Each purchaser or lessee of real property from the Local Public Agency for the purposes of redevelopment or conservation and each owner of real property who retains title to such property for the purpose of redevelopment or conservation shall agree for itself, and its successors and assignees obligating the purchaser, lessee or owner, and such successors and assignees to:

1. Devote the real property to, and only to and in accordance with, the uses specified in this Plan, as hereafter amended and extended from time to time;
2. Promptly begin and diligently complete, within time limits specified by the Local Public Agency, the construction or reconstruction of buildings, structures or improvements all in accordance with plans and specifications first approved by the Agency;
3. Not effect or execute any agreement, lease, conveyance, or other instrument whereby the real property or part thereof is restricted upon the basis of race, religion, color, or national origin in the sale, lease, or occupancy thereof.

OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL
REQUIREMENTS

Public Improvements

The clearance and redevelopment of the Fawcett Urban Renewal Area will require various public improvements in addition to private developments to be undertaken. Specific public improvements needed to implement the Land Use Plan proposals include:

1. Installation of underground light, power and communication lines.
2. Reconstruction of streets and sidewalks.
3. Replacement and expansion of existing street lighting system in project area.
4. Repair and extension of water mains to serve new construction.
5. Repair and extension of existing sewers and storm drains.
6. Development of central pedestrian walks.
7. Provision of public park area.

All improvements are to be constructed on the basis of established City standards governing such improvements throughout the City of Tacoma. It is not proposed to include the cost of removal, relocation and installation of privately-owned utilities unless and until it has been affirmatively determined that the City of Tacoma is responsible for costs of removal, relocation or installation of privately-owned public utilities.




The Fawcett Urban Renewal Area is presently zoned C-3 and D, with the proposed redevelopment plan and the establishment of development standards; a change in the present zoning classification is not considered necessary within the Urban Renewal Area. The land use provisions and building requirements as set forth in this Plan shall have precedence over the City of Tacoma Zoning Code when such provisions and requirements are more restrictive.

PROCEDURE FOR CHANGES IN APPROVED PLAN

Changes in or amendments to the approved plan for the Fawcett Urban Renewal Area may be made at any time by the Council of the City of Tacoma; provided, that if changes or amendments are made after the sale or lease by the Local Public Agency of real property in the Urban Renewal Project Area, such changes or amendments shall be subject to such rights at law or in equity as a lessee or purchaser of his successor or successors in interest may be entitled to assert.

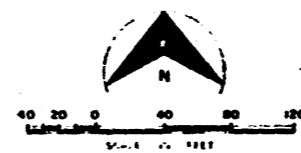
**FAWCETT
URBAN RENEWAL AREA
Project No. Wash. R-3**

LAND USE PLAN

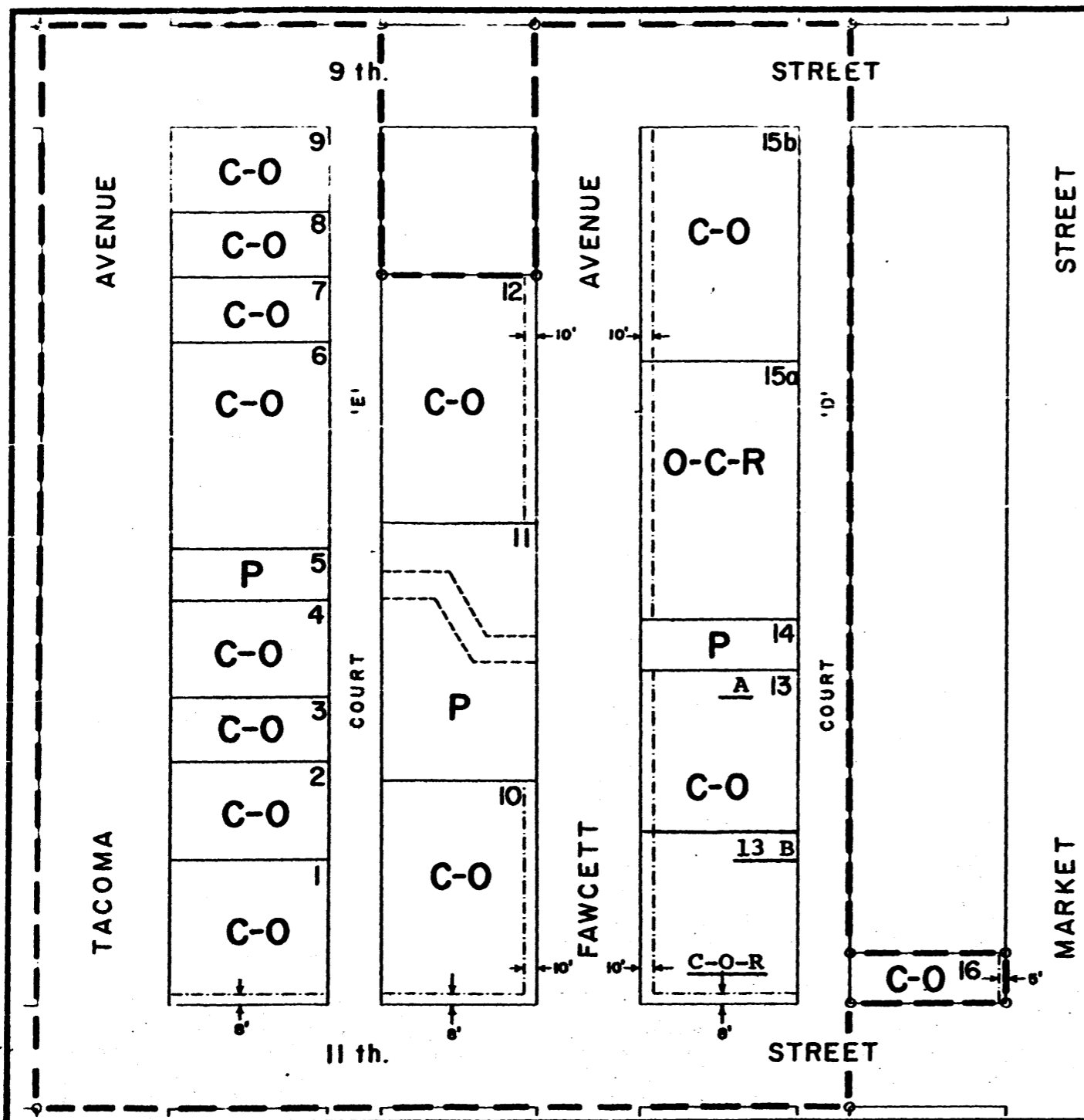
PROJECT BOUNDARY 
 SETBACK LINE 
 PEDESTRIAN WALK 

COMMERCIAL
 OFFICE
 PUBLIC
 RESIDENTIAL

**C
O
P
R**





OFFICE OF URBAN RENEWAL
 CITY OF TACOMA, WASHINGTON

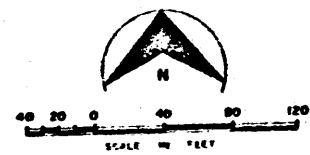


FAWCETT
URBAN RENEWAL AREA
Project No. Wash. R-3

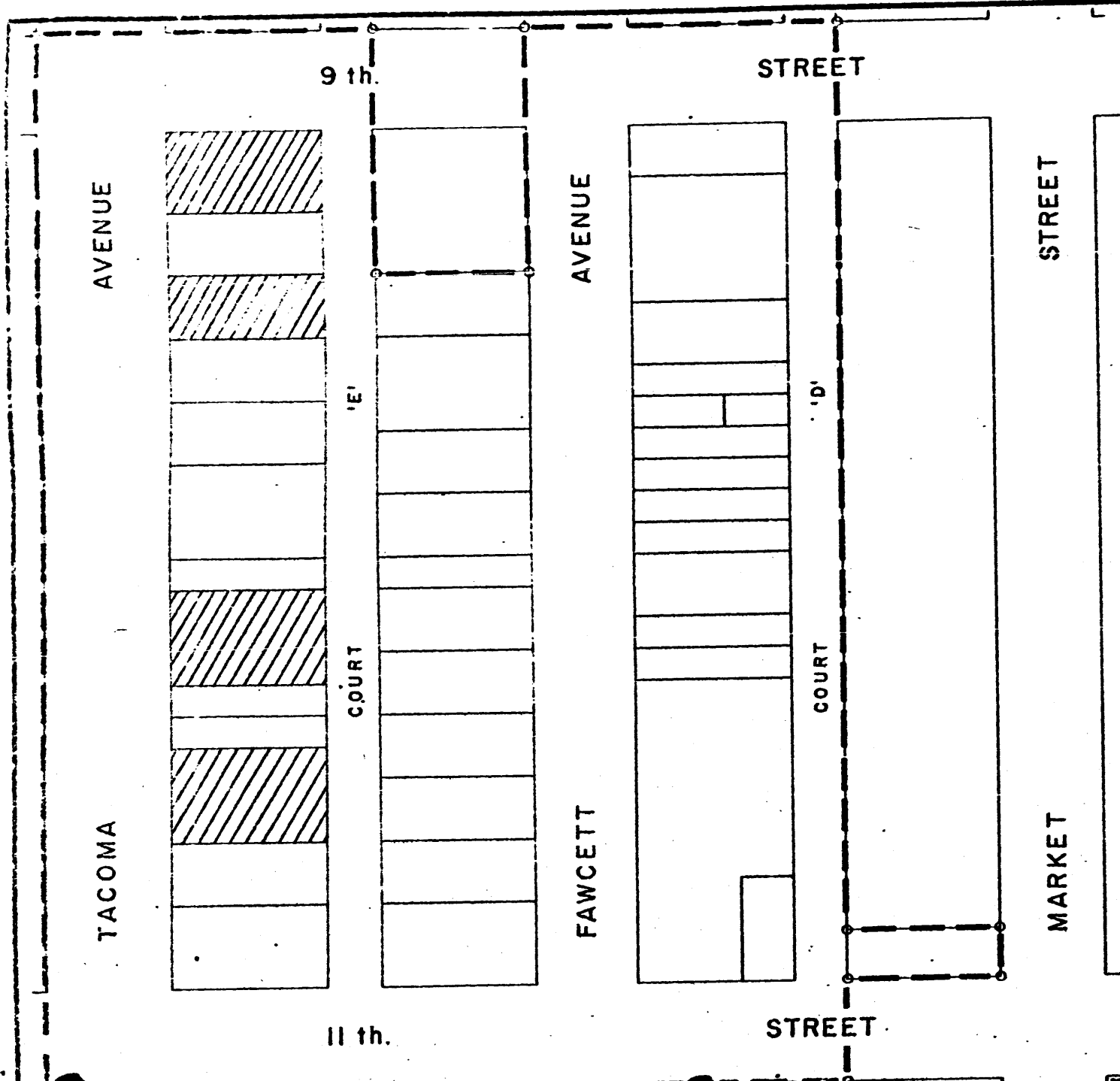
LAND ACQUISITION PLAN

PROPERTY TO BE ACQUIRED 
PROPERTY NOT TO BE ACQUIRED 

NOTE: SEE TEXT FOR EXCEPTIONS



OFFICE OF URBAN RENEWAL
CITY OF TACOMA, WASHINGTON



EX. 16

CITY OF TACOMA

INTERDEPARTMENTAL COMMUNICATION

To Honorable Mayor,
Members of the Council and
City Manager

From City Attorney

Re Public Hearing on Proposed
Amendment of Fawcett Urban
Renewal Plan No. Wash. R-3
June 16, 1970

Date June 16, 1970

I. INTRODUCTORY REMARKS

HONORABLE MAYOR, MEMBERS OF THE COUNCIL, MR. OLES, LADIES AND GENTLEMEN:

I am Don Hogoboom, Assistant City Attorney for the City of Tacoma. As you know, this is the time which the Council has fixed for the public hearing on the proposed amendment to the Fawcett Urban Renewal Plan.

You will note that some of the speakers before you tonight will be reading from printed speeches. This is done to save time in presentation, to effect more concise talks and so that these talks can be incorporated into the minutes of this hearing for a more precise record. I specifically ask that the various exhibits which will be introduced be incorporated by reference into the minutes of this proceeding by appropriate motion.

As you know, the Fawcett Urban Renewal Plan was adopted by the City Council on October 31, 1961, and was amended on December 13, 1966, by the City Council to allow elderly housing. At those times, following public hearings, the Council adopted Resolution No. 16751 and Resolution No. 18969, respectively.

II. LEGAL BASIS FOR HEARING
and
PROCEDURAL COMPLIANCE

This hearing is a result of the statutory requirements found in the Revised Code of Washington, 35.81.060, Paragraphs (3) and (5), and pertinent federal regulations.

It should be noted that there is no specific state, local or federal requirement requiring a public hearing for a plan amendment or modification.

Section 35.81.060 of the Revised Code of Washington in outlining hearing procedures deals only with original plan approval. Subsection (5) provides only:

"(5) An urban renewal project plan may be modified at any time by the local governing body: Provided, That if modified after the lease or sale by the municipality of real property in the urban renewal project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser, or his successors or successors in interest may be entitled to assert."

Our analysis of the pertinent state law leads us to the initial conclusion that the necessity for the public hearing in cases such as the one before the Council this evening is doubtful. However, it was our further opinion that in order to maintain a sound legal and procedural record, the proposed amendment should be subjected to the scrutiny of a full public hearing.

A. LOCAL REQUIREMENTS

Other than the Section in the Fawcett Urban Renewal Plan entitled Procedure for Changes in Approved Plan, which is substantially similar to RCW 35.81.060, paragraph (5), previously referred to, there are no local hearing requirements for a modification or amendment of an existing urban renewal plan.

B. STATE REQUIREMENTS

As previously stated, Chapter 35.81 of the Revised Code of Washington, which contains the Urban Renewal Law, does not specifically require a public hearing. Consequently, there is no procedure which deals with such a proceeding.

It was necessary, therefore, for us to accommodate the procedure for an original plan amendment to satisfy the requirements of proper notice and procedure for the present hearing.

On March 31, 1970, The Council adopted Resolution No. 20636, referring the proposed plan amendment to the Planning Commission, and by Resolution No. 20698, adopted May 19, 1970, established June 16, 1970, as the time for a public hearing before the Council on such amendments. (RCW 35.80.060, Paragraph (2).)

The Planning Commission reviewed the proposed amendment, approved same, with certain recommendations, and their resolution will be read into the record this evening.

Public notice of this hearing was given by publication once each week for two consecutive weeks in both the Tacoma News Tribune and the Tacoma Daily Index. Affidavits of publication verifying the foregoing are on file herein.

A notice was mailed by the Department of Urban Renewal to those persons whose names appear on the County Treasurer's tax roll as the owner or reputed owner of property within the Fawcett Urban Renewal Project at the address shown on the tax roll. An Affidavit of Mailing is on file herein and further verification that the proper persons were notified by mail has been submitted by the Director of Urban Renewal and is, likewise, on file herein. (RCW 35.81.060, Paragraph (3).)

A resolution approving and adopting the proposed amended Urban Renewal Plan for the Fawcett Urban Renewal Area, Project No. Wash. R-3, will be presented to the City Council after the public hearing, and if at that time, the Council determines to approve the proposed amendment, the following findings, which must find support in the record, should be made:

1. Whether or not the Urban Renewal Plan, as amended, conforms to the Comprehensive Plan, or parts thereof, for the City of Tacoma as a whole;
2. Whether or not the Urban Renewal Plan, as amended, will effect maximum opportunity consistent with the sound needs of the City of Tacoma as a whole for the rehabilitation or redevelopment of the New Tacoma Urban Renewal area by private enterprise;
3. Whether any purchaser or lessee, subsequent to the original plan approval, will be adversely affected by the amendment;
4. Approval of the proposed amendment.

C. FEDERAL REQUIREMENTS

As you know, the Fawcett Urban Renewal Project involves a Loan and Grant Contract between the City of Tacoma as the local public agency, and the United States of America.

Consequently, federal regulations must be observed in approving or modifying an urban renewal plan.

Chapter 4, Paragraph 3, RHA 7207.1, provides as follows:

"HUD prior written consent is required for a change in any basic element of an approved Urban Renewal Plan. A change in a basic element of the Plan will mean any material change in any of the Plan elements specified in 7207.1, Project Planning, Chapter 4, Section 2. The LPA shall submit all proposed changes in an approved Plan to the Regional Office for advice as to whether the proposal would constitute a material change.

"HUD approval will be conditioned on the LPA securing an agreement to the change from all affected redevelopers. The agreements must have HUD concurrence prior to approval of the change by the local governing body.

"Depending on the nature of the change, the LPA shall submit either a new Plan or a modification of the currently approved Plan. The basis for an purpose of the change shall be fully described. * * * "

III. EXHIBITS

In order to help you arrive at a proper determination in regard to the matter currently before you, the following materials, which are marked for identification and which I will ask you to incorporate into the minutes of this hearing by reference, are available:

Exhibit No. 1 - Resolution No. 16751, adopted October 31, 1961, approving and adopting the Urban Renewal Plan for the Fawcett Urban Renewal Area, Project No. Wash. R-3, and Resolution No. 18969, adopted December 13, 1966, approving and adopting an amendment to the Urban Renewal Plan. The materials, reports and exhibits which were presented to the City Council prior to the passage of these resolutions, and which are referred to in these resolutions, and were filed with the City Clerk of the City of Tacoma, are available here this evening to the City Council, and are included and designated as a part of Exhibit 1.

- Exhibit No. 2 - Tacoma City Council Resolution No. 20658, requesting the City Manager to prepare a modified Urban Renewal Plan for the Fawcett Urban Renewal Area, adopted February 10, 1970.
- Exhibit No. 3 - Tacoma City Council Resolution No. 20636, referring proposed plan amendment to the Planning Commission of the City of Tacoma, adopted March 31, 1970.
- Exhibit No. 4 - Tacoma City Council Resolution No. 20698, setting the date for public hearing, adopted May 19, 1970.
- Exhibit No. 5 - Communication from Tacoma City Planning Commission to Mayor, and Members of the City Council, Certified Copy of Planning Commission Resolution adopted May 4, 1970, approving the proposed amendment to the Fawcett Urban Renewal Plan with certain recommendations, and extract of the minutes of May 4, 1970, of the regular meeting of the Tacoma City Planning Commission, relative to amendment of the Urban Renewal Plan.
- Exhibit No. 6 - Communication from Planning Commission to Mayor and Members of the City Council, certified copy of Planning Commission Resolution adopted May 18, 1970, approving the proposed amendment to the Fawcett Urban Renewal Plan with additional recommendations, and extract of the minutes of May 18, 1970, of the regular meeting of the Tacoma City Planning Commission relative to amendment of the Fawcett Urban Renewal Plan.
- Exhibit No. 7 - Letter to Gary Sullivan from James D. Richardson dated April 6, 1970, and letter of May 18, 1970, to Gary Sullivan from James D. Richardson, approving the proposed amended Urban Renewal Plan.
- Exhibit No. 8 - Notice of hearing for modification of Urban Renewal Plan in Project Fawcett Street, Wash. R-3.
- Exhibit No. 9 - Affidavit of Publication, Tacoma Daily Index.
- Exhibit No. 10 - Affidavit of Publication, Tacoma News Tribune.
- Exhibit No. 11 - Affidavit of Mailing and list of proper owners.
- Exhibit No. 12 - Letter to Marshall McCormick, City Attorney, from Gary Sullivan verifying owners listed on tax rolls and notification to these owners of amendment to Fawcett Urban Renewal Plan, Wash. R-3, dated May 20, 1970.

- Exhibit No. 13 -Agreement and Consent of all affected redevelopers within the Fawcett Urban Renewal Area to proposed amendment, and letter of transmittal.
- Exhibit No. 14 -Synopsis of Proposed Changes to Fawcett Urban Renewal Plan, Wash. R-3.
- Exhibit No. 15 -Proposed Amended Urban Renewal Plan for the Fawcett Urban Renewal Area, Project, Wash. R-3.
- Exhibit No. 16 -Communication from Legal Department to Mayor and Council dated June 16, 1970, regarding legality and procedure of proposed plan change.

I now hand forward to you, Mr. Mayor, exhibits 1 through 16, the exhibits having previously been filed with the City Clerk of the City of Tacoma. I would request that at this time, a motion be made that these exhibits and all their included materials be incorporated by reference within the minutes of this hearing and meeting so that there will be a complete, concise record of the matters before the Council at this hearing.

Mr. Mayor and members of the Council, at this time I would like to advise you that, insofar as we can determine, all procedural prerequisites to this hearing have been met and the Council may hear testimony in respect to the proposed amendment.

We ask for the opportunity to complete the rest of the formal presentation prior to comments and questions by the Council and the audience, if the same is possible. Also, we request that each speaker from the audience use the microphone so that the City Clerk will have an accurate transcription of those who have spoken before the Council.

We would also remind the Council that the proposed amendment under consideration this evening provides for the additional use of residential apartments on a certain parcel within the Fawcett Urban Renewal Project, and adds certain provisions pertaining to such use. The testimony given should be relevant to those changes.

In conclusion, it is our hope that the material which will be presented to you today by the speakers who follow me, when taken together with the material submitted to the Council, will form

June 16, 1970

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Mayor, Council & Manager

on basis for evaluating the proposed amendment to the Fawcett Urban
Renewal Plan.

I now turn the City's presentation over to Gary Sullivan,
Director of Urban Renewal, who will begin the presentation for the
City of Tacoma.

Don Hogoboom
DON HOGOBOOM
Assistant City Attorney

DH:eh