

Council Chambers, 4:00 P. M.
Monday, April 27, 1959

Council met in regular session. Present on roll call 7; Bratrud, Easterday Goering, Humiston, Perdue, Price and Mayor Hanson. Absent on roll call 2; Anderson and Porter.

It was moved by Dr. Humiston that the minutes of the meeting of April 20th, 1959 be approved as submitted. Seconded by Mr. Easterday. Roll call: Ayes 7; Nays 0; Absent 2, Anderson, Porter.

HEARINGS AND APPEALS:

Report of the Planning Commission's review of the Petition of Charles G. Hoffman for the reclassification of property located at So. 74th and Pacific and South 71st and "C" Streets extended, from an R-4-L to a C-2 District, which was referred to them by Council's action on April 6th, 1959.

Mayor Hanson explained that this hearing was related to Ordinance No. 16323 which is for rezoning the area at 71st and C Streets, and thought it would be best to discuss both items at the same time.

It was moved by Mrs. Price, seconded by Mr. Perdue to suspend the Rules of the Council pertaining to the Order of Business, in order to consider Ordinance No. 16323 at this time. Motion carried. Ayes 7; Nays 0; Absent 2, Anderson and Porter.

FINAL READING OF ORDINANCES:

Ordinance No. 16323:

Amending Chapter 13.06 of the Official Code of the City relating to zoning by deleting certain described property from Section 13.06.065 and by adding a new section to be known as Section 13.06.130 (b) - property located at the northwest corner of South D and South 71st Street extended. Read by title.

Mayor Hanson advised that the recommendation received from the Planning Commission sets for the reasons for the denial of the site at South 74th and Pacific, and the reasons for recommending the approval of the site at So. 71st and C Streets. He then called upon Mr. Alskog, Chairman of the Board to explain the reasons for the recommendation.

Mr. Alskog explained that the Commission held additional hearings on the rezoning at So. 74th and Pacific and at 71st and C Streets, and reaffirmed their previous recommendations. He stated that if the property at 74th and Pacific were rezoned, it would involve strip zoning along a major arterial street which would not be advisable. Rezoning of the 71st and C Street property would not entail strip zoning along a major arterial, but would encourage a well-knit commercial district instead.

In reference to the traffic, the 74th Street site would require channelization for left turn traffic and the possible installation of a left-turn signal light. The Traffic Division has already planned channelization for traffic at 72nd and Pacific which would handle the traffic to the 71st Street area. He pointed out that improve-

ments were in process for 72nd Street inasmuch as traffic on this thru-street is increasing rapidly and will continue to increase over the next eight to ten years. He said that Mr. Hoffman, the petitioner, advised that he has a letter from the proprietor of Albertsons Store stating that they could have access across their parking lots to the Bowling Alley, but that no easement has been obtained. He said they have been endeavoring to obtain an easement to cross property where "C" Street would have been. This property is owned by a Church who is not desirous of discussing an easement at this time as they do not know how they will use their property. In this event the users of the Bowling Alley will have to cross Albertsons lot or come in through "D" Street. There can be no access by "D" Street until the street is brought up to Public Works Department Specifications, and, if the property owners do not approve an L I D for D Street, then it will have to be up to the Bowling Alley to bring the street up to specifications so they will have proper access to their building. Mr. Alskog explained that they intend to have the opening to the Parking lot on the south end of their property, but even so, they would still have to screen this side of their parking lot and plant shrubs to protect the neighboring homes from the glare of the automobile headlights.

Dr. Humiston said in the six years that he has been on the City Council there has been a definite change in the philosophy of the Planning Staff and Commission. Taking emphasis on zoning in depth or commercial zoning which is located in a residential part of the City, as opposed to strip zoning up and down the arterials, has been something of a distinct change as far as the Planning group is concerned. As part of the mechanics of making the zoning in depth reasonable, the Council has been asked by the Planning Commission to furnish Transition zones of one kind or another. He said he did not believe there was anything like an "R-4-L" District until about one and one-half or two years ago.

For the sake of getting rid of strip zoning and going into zoning by depth, he wondered if they are not violating the principal of an appropriate buffer zone between the commercial and existing residential areas.

Mr. Paul Perdue asked how long the Planning Commission has opposed to strip zoning.

He was advised that it has been at least five or six years.

Mr. Buehler explained that even before that time the Planning Commission tried to keep the strip zoning down on Pacific Avenue at various places and that the depth had not entered into it as much.

Mr. Alfred G. Paulson told Council that Mr. Hoffman had agreed to purchase a strip of land between Pacific Avenue and D Street for the construction of a Bowling Alley, but was not permitted to build in this location because of building over the sewer lines. He said by building in the area of 74th and Pacific, the public would be able to use 74th Street and South D Street as an access to the parking and then over to 72nd and Pacific where they could make a left or right turn with the traffic signal.

Dr. Humiston asked Mr. Buehler how far South C Street was dedicated beyond 72nd Street. Mr. Buehler advised that it was opened to approximately South 73rd Street and then approximately from South 75th Street south for a distance.

Mr. John Beimborn of 7008 South D Street objected to the proposed location of the bowling alley at 71st and C Streets and asked why they did not move the location to 72nd and McKinley. He was informed that the only location at 72nd and McKinley would be outside the City limits.

Mrs. Arthur Chandler residing at 7441 South C Street advised she was in

the pathway of the proposed zoning. She said when they purchased the property she asked if there would ever be any commercial zoning adjacent to their home. She said they were advised that there would not be. She pointed out that there are commercial zones at 72nd and 80th on Pacific and on Park Avenues, and believed that the only businesses on Pacific Avenue were Firth Nursery and The Inferno. She then asked why are they going right in the heart of a residential section to rezone to a commercial district.

Mrs. Firth of Firth's Nursery spoke in favor of the rezoning. She stated that the property in question is 8 to 10 feet below the level of Pacific Avenue and she said people would not want to fill in that much property just to build a home. She said that the property had no residential value and would be an asset to the area if it were used for the Bowling Alley site.

Mrs. Stephen R. Michael of 7249 Pacific Avenue, residing across from the proposed site of the Bowling Alley said she objected to the area being rezoned to a C-2 District as, she said, there were over 40 uses for C-2 property in Residential areas. She added that it would be detrimental and undesirable for their property if the area in question were allowed to be rezoned.

Mr. Russell Buehler advised a petition with approximately 21 property owners in the area of 74th and Pacific was filed objecting to the proposed Bowling Alley.

Mr. Chester F. Royce of 7020 South D Street spoke, objecting to the proposed Bowling Alley at 71st and C Streets.

Mrs. Goering asked, in recommending the site at 71st and C Streets as an alternate if the reason was, that the C-2 in this location was preferable to an R-4-L.

Mr. Buehler explained that the Planning Commission recommended that the rezoning be approved on the basis that commercial zoning in depth is better than strip zoning on a major arterial street. He said this was proposed as a control measure to bring the area to a planned type of center, where no actual shopping center has been planned.

After some further discussion by residents in the area, it was moved by Mr. Bratrud to concur in the recommendation of the Planning Commission to deny the rezoning of South 74th and Pacific Avenue area. Motion seconded by Mr. Easterday.

Mr. Rowlands said, before voting on Mr. Bratrud's motion, he believed the City Attorney might wish to comment as far as action is concerned, as they had discussed the possibility of a hearing if someone would petition the Council for another hearing.

Mr. McCormick, City Attorney, advised that there were two matters before the Council, 1, the informal discussion and hearing on the denial by the Planning Commission of the rezoning of South 74th Street area, and also the Ordinance for final reading which would rezone South 71st and C Street area. He said there is a motion before Council now to concur in the recommendation of the Planning Commission to deny the rezoning of the area at 74th and Pacific, and, if this passes, then the only alternative is to either pass or kill the Ordinance for the rezoning of So. 71st and C Streets. Mr. McCormick stated, for the benefit of the property owners involved, that a proper hearing be held on the rezoning of the 74th Street site. He said there is no way of knowing whether all of the property owners involved were notified of this meeting, therefore, he said Council should request the Planning Commission to review this, the same as an individual could.

Mayor Hanson said that if the Council affirms the recommendation of the Planning Commission to deny the rezoning of the 74th Street site, then the only question is to approve or deny the 71st and C Street area, but he said, if Council does not concur in the Planning Commissions recommendation to deny the 74th Street site, then a formal hearing should be held by the Planning Commission.

Mr. McCormick advised this was true.

Vote was then taken on Mr. Bratrud's motion to concur in the recommendation of the Planning Commission to deny the rezoning of the property in the area of South 74th and Pacific Avenue. Motion carried on Roll call: Ayes 5; Bratrud, Easterday, Humiston, Perdue and Mayor Hanson. Nays 2; Goering and Price. Absent 2. Anderson and Porter.

More discussion was held on Ordinance No. 16323 for rezoning the property at South D and South 71st Street extended.

Mr. John Beimborn of 7008 South D Street spoke before Council stating he was not in favor of the Bowling Alley being located in the area. He said when he built his home there he understood that there would be no commercial zoning in the area, and also believed that the zoning laws were to protect the majority of people rather than to benefit just a few. He was concerned for the safety of his four small daughters if the Bowling Alley were built, due to the increase in traffic on D Street making it more hazardous for the children and pedestrians in the area.

Mrs. Goering said there should be some way to have proper zoning without penalizing residential districts and she believed that the prime responsibility of the Council was to protect the homes of the people and their investments. Also whatever the proposed commercial expansions are, that they can be so planned that the established homes are not penalized. She said the Council should stand on this premise when rezoning an area. It may be hard to find the proper areas, but it could be done with proper planning. She thought it was not right to rezone an area where people have been assured that there would be no change.

Roll was then taken on Ordinance No. 16323 for rezoning property at the northwest corner of South D and South 71st Streets extended, resulting as follows:

Roll call: Ayes 3; Bratrud, Easterday and Perdue; Nays 4; Goering, Humiston, Price and Mayor Hanson. Absent 2, Anderson and Porter. The Ordinance was declared lost.

Council then resumed the regular order of business.

RESOLUTIONS:

Resolution No. 15728:

By PORTER:

Awarding contract to Waterhouse and Steele for L I D 1987 in the amount of \$21,943.75 on the basic proposal and \$1,168.25 on the supplemental proposal, plus sales tax.

It was moved by Mr. Easterday to adopt the Resolution, seconded by Mr. Bratrud.

Adopted on roll call April 27, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Porter.

Resolution No. 15729:

By Humiston:

Awarding contract to Concrete Construction Company on their bid of \$26,794.35 for Improvement No. 2286-B.

It was moved by Mr. Bratrud to adopt the Resolution. Seconded by Mr. Easterday.

Adopted on roll call April 27, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Porter.

Resolution No. 15730:

By Perdue:

Awarding contract to J. D. Shotwell Company in the amount of \$38,935.70 for L I D No. 4654.

It was moved by Mr. Bratrud, to adopt the Resolution. Seconded by Mr. Easterday.

Adopted on roll call April 27, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Porter.

Resolution No. 15731:

By Easterday:

Authorizing the proper officers of the City to sell approximately 1800 pounds of junk brass at 21.39 cents per pound, 3000 pounds of bare junk copper at 26.37 cents per pound and 6000 pounds of lead covered junk copper cable at 10.352 cents per pound to the Pacific Iron and Metal Company on their total bid of \$1,797.24.

It was moved by Mr. Perdue to adopt the Resolution. Seconded by Mr. Bratrud.

Adopted on roll call April 27, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Porter.

Resolution No. 15732:

By Bratrud:

Authorizing the proper officers of the City to execute a lease of City

property to Alder Lake Mill, Inc. (property abutting Alder Lake near Elbe.)

It was moved by Mr. Bratrud to adopt the Resolution. Motion seconded by Dr. Humiston.
Adopted on roll call April 27, 1959; Ayes 7; Nays 0; Absent 2, Anderson and Porter.
Resolution No. 15733:

By Goering:

Authorizing the proper officers of the City to enter into a 5 year lease with Foster & Kleiser for property abutting on South Tacoma Way in the vicinity of the intersections of South Tacoma Way and South 45th and South 47th.

It was moved by Mr. Perdue to adopt the Resolution. Seconded by Mr. Bratrud.

Adopted on roll call April 27, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Porter.

Resolution No. 15734:

By Price:

Approving the proposed grade elevations on a portion of the route of Primary State Highway No. 1, in the area of South 40th to South M Street.

It was moved by Mr. Easterday to adopt the Resolution. Seconded by Mr. Bratrud.

Mr. Rowlands advised that this involves the interchange for 38th Street and Bantz Boulevard, and frontage roads. This has been cleared with the Public Works Department.

Adopted on roll call April 27, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Porter.

FIRST READING OF ORDINANCES:

Ordinance No. 16331:

Vacating the streets and alleys within the area bounded generally by the Freeway, the bluff along South Tacoma Way, South Fife Street and Lincoln Heights Addition, except South 35th Street and the portions of streets and alleys vacated under Ordinance No. 16291. Read by title.

Mr. Rowlands explained that this was discussed about a year ago and the deeds were held in escrow until such time as the State Highway Department and Lincoln Land Company had their differences resolved by Court Action. This was done about 2 weeks ago and are ready to proceed as a result of that action. The Ordinance was then placed in order of final reading.

UNFINISHED BUSINESS:

290 UNFINISHED BUSINESS:

43 The Director of Public Works presents the Assessment Roll for the cost of the improvement in L I D No. 4637 for cement concrete pavement and storm drainage on Cushman Avenue from South 19th to South 23rd Streets and on Cedar Street from North 25th to North 26th Streets.

It was moved by Dr. Humiston that May 26, 1959 be set as the date for hearing on the Assessment Roll for L I D No. 4637. Seconded by Mr. Bratrud and carried on roll call: Ayes 7; Nays 0; Absent 2, Anderson and Porter.

NEW BUSINESS:

4 Communication, signed by Riviera, Cameo and Shell Theatre owners, requesting that the present 3 1/3% admission tax be eliminated from their business, and also that all admissions of 50¢ and under be exempt from any admission tax.

Mr. Rowlands stated that a copy of this letter had been distributed to the Council Members. The City Finance Department has been gathering information as to the impact of this proposal, of not only these theatres but any other business that might be affected. He asked that to expedite this information he asked that the Theatre owners submit information as to how many theatres in the outlying areas charge 50¢ or less and roughly how much they have been paying on this admission price.

Mr. Donald Barovic of the Riviera Theatre advised that all of the theatres in Tacoma have admission charges of less than 50¢, as all childrens tickets are under that amount and some theatres have student tickets that are less than 50¢. He added that the only theatres in Tacoma that have top prices of 50¢ are the 3 theatres on Pacific Avenue, namely the Riviera, Cameo and Shell. He said that this change would affect all the theatres in Tacoma.

Mr. Rowlands asked Mr. Barovic if he would obtain from the Theatre owners organization information as to what percentage of the revenue of the various theatres in Tacoma is obtained from tickets of 50¢ and under. He asked if it would be possible to obtain this information this week as Council can take no action on their letter until this information is received.

Mr. Darrell Sanders of the Cameo Theatre spoke and stated that many the theatres are operating at a loss at the present time. He said if relief could be given on the city tax they would be able to continue in business.

Dr. Humiston asked that when this information is submitted, it should also outline what taxes are imposed on the various amusements and theatres, etc., so that a comparison could be obtained as to how other enterprises are taxed.

ITEMS RECEIVED FOR FILING IN THE OFFICE OF THE CITY CLERK:

Personnel Report for the month of March, 1959.

Annual Report of the Finance Department for the year ending Dec. 31, 1958.

Belt Line Division report for March, 1959.

Light Division Report for March, 1959

Water Division Report for March, 1959.

Mr. Easterday brought to Council's attention that a woman had received a ticket on her car after she had placed a note on her windshield explaining that the parking meter was out of order. He said she tried to contact Mr. Lemley in the Treasurers office to explain what had happened and was unable to contact him. Mr. Easterday said he thought those employees who are collecting the fines should be given some notice of the meters that are not working so that a person will not have to pay the fine because of the meter being out of order.

Mr. Gaisford, Director of Finance, explained if this party had written to the Department and explained the circumstances, the ticket would not have been honored, as the Department receives a daily list of meters that are out of order, and when a meter is out of order, the Police Court Judge is requested to cancel any ticket for that particular parking meter.

Mrs. Goering explained that she had received complaints regarding tickets. She asked what the philosophy was in regard to chain parking. She said that a person had parked her car and was gone 2 hours and 10 minutes and had received 2 overtime parking tickets, one for the 1st overtime hour and one for the 10 minutes of the second overtime hour. Mrs. Goering asked if the purpose was to discourage a person taking advantage of one ticket to park a whole day, and if Council approved of this policy.

Mr. Rowlands advised that this matter was discussed about 2 or 3 months ago by the Council and at that time Council was amazed that chain parking was not being enforced more stringently.

Mr. Rowlands requested authorization from the City Council for the demolition of the Old City Hall. He said they would like this accomplished this summer. There are sufficient funds in this year's budget as a result of the adjustment in the sewer rate which is tied in with the gross earnings of the Sewer Utility. The cost will be approximately \$35,000 or \$40,000 which will include the demolition of the old City Hall and the Annex. He said the property could be leveled off and used as a parking area until Council decides what should be done with the property. 57
160

Mayor Hanson advised that if there was no objections on the part of the Council, Mr. Rowlands could proceed on this matter.

Mr. Rowlands asked Council if they wished to hold another hearing on the matter of leasing the old Fire Station property at North 13th and J Streets to the Tacoma Youth Center Organization. 75
97

Mr. Bratrud stated that last week there were quite a number of people at the Council meeting who were quite upset in regards to this organization going in at this location and asked Mrs. Price, who is a member of the Board of Advisors for the T. Y. C. O., how many came to their meeting that was held last week.

Mrs. Price said that only one person appeared, and she was in favor of the organization being located in this area.

Mr. Rowlands advised, they are submitting material for Council's information prepared by the Fire Chief as to the distances traveled from the new station, as compared to that of the old #13 station.

Mayor Hanson said that at last week's meeting, the residents in the area were advised that a public hearing would be held on this matter, and this should be done before any action is taken.

Mr. Rowlands explained that the information to be submitted by the Tacoma Youth Center Organization Advisory Board would be available by next week's Council meeting.

Mrs. Goering asked if it would be feasible to send a copy of Chief Fisk's

report to the people who petitioned for the return of the Fire Station.

Mr. Rowlands said this could be done.

14
Mr. Rowlands said that they are endeavoring to enforce the Ordinance on people who are dumping rubbish promiscuously throughout the City. It is very unsightly and also unsanitary, as rodents are bound to collect in such an area. He said that there is a fine of \$100.00 and 30 days imprisonment. They are working with the Beautification Committee and are endeavoring to improve the beautification of the City.

Mayor Hanson announced that Tacoma is allowed two votes at the Association of Washington Cities Convention and that everyone is entitled to participate in the discussions. He said that John Anderson was designated as Tacoma's representative and he would be allowed one vote, and Tacoma should have one more delegate to send.

Mr. Easterday moved that Mayor Hanson be designated as the second delegate. Seconded by Mrs. Price. Motion carried. Ayes 5; Nays 0; Absent 2, Anderson and Porter.

Dr. Humiston suggested that two alternates be designated in case one delegate is unable to attend at the last minute.

Mr. Easterday moved that Mrs. Goering be designated as the first alternate. Motion seconded by Mrs. Price. Motion carried. Ayes 5; Nays 0; Absent 2, Anderson and Porter.

Mr. Bratrud then moved that Mrs. Price be designated as the second alternate. Motion seconded by Mr. Easterday. Motion carried. Ayes 5; Nays 0; Absent 2, Anderson and Porter.

Mayor Hanson advised that all members of Council received a copy of the letter from Gerald G. Dixon, Senator from the 28th District, regarding an article in the Tacoma News Tribune by Denny Macgougan and the questions asked by Mrs. Goering regarding vouchers of City Officials while attending the State Legislature.

Mr. Dixon praised the City Officials for the good job of lobbying at the session. He said they deserved praise for their efforts which were done at a minimum of expense.

Mayor Hanson explained that in lobbying, certain bills were rather easy and yet others took a lot of "pushing" to get them through. He said that on certain bills one must sit down with their Senators and Representatives and sell and re-sell the bills, and must have for their ready reference the need for such legislation.

Mrs. Goering explained that Mr. Dixon referred, in his letter, to her question concerning vouchers. She said at the time that remark was made, she did not question the vouchers that were submitted for the attendance at the Legislature.

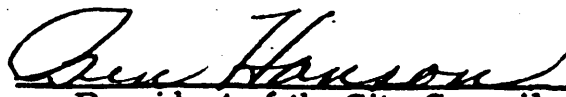
Dr. Humiston asked if HB-68, which authorizes off-street parking will have any effect on the planning of the 10th street and 12th street downtown parking.

APR 27 1959

95

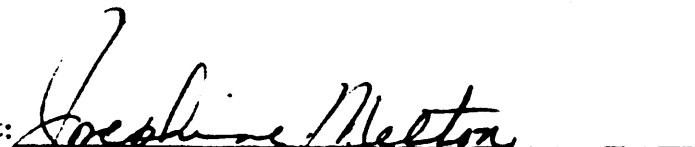
Mayor Hanson advised that it will have no direct bearing on it and said he hoped it would go through as planned. He said that those with whom they are negotiating know that the City could ultimately resort to the power of eminent domain in order to get the property, however the City does not plan to use this legislation on that particular property.

There being no further business to come before the meeting, upon motion duly made and seconded, the meeting was adjourned at 6:30 P. M.



President of the City Council

Attest:



City Clerk