



## **AGENDA**

**MEETING:** Regular Meeting  
**TIME:** Wednesday, June 1, 2016, 4:00 p.m.  
**LOCATION:** Room 16, Tacoma Municipal Building North  
733 Market Street, Tacoma, WA 98402

### **A. Call to Order and Quorum Call**

### **B. Approval of Agenda and Minutes of May 18, 2016**

**C. Public Comments** (up to three minutes per speaker; must be pertaining to items on the agenda)

### **D. Discussion Items**

#### **1. 2016 Annual Amendment**

Review public comments received through the public hearing process and consider potential modifications to the proposed amendment package.

(See "Agenda Item D-1"; Stephen Atkinson, 591-5531, [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org))

#### **2. Planning Commission Rules and Regulations**

Consider amending the By-laws concerning the timing for the nomination and election of officers and amending other provisions as deemed necessary.

(See "Agenda Item D-2"; Lihuang Wung, 591-5682, [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org))

### **E. Communication Items & Other Business**

- (1) Infrastructure, Planning and Sustainability Committee meeting, June 8, 2016, 4:30 p.m., Room 16; agenda includes: Planning Commission Candidates Interviews; and Mobility or Transportation Updates.
- (2) Planning Commission meeting, June 15, 2016, 4:00 p.m., Council Chambers; agenda includes: Public Hearing on Capital Facilities Program; and 2016 Annual Amendment.

### **F. Adjournment**







## **MINUTES** (Draft)

**TIME:** Wednesday, May 18, 2016, 4:00 p.m.  
**PLACE:** Council Chambers, Tacoma Municipal Building, 1<sup>st</sup> Floor  
747 Market Street, Tacoma, WA 98402  
**PRESENT:** Chris Beale (Chair), Stephen Wamback (Vice-Chair), Jeff McInnis, Meredith Neal,  
Brett Santhuff  
**ABSENT:** Donald Erickson, Anna Petersen, Dorian Waller, Scott Winship

### **A. CALL TO ORDER AND QUORUM CALL**

Chair Beale called the meeting to order at 4:03 p.m. A quorum was declared.

### **B. APPROVAL OF AGENDA AND MINUTES OF MAY 4, 2016**

The agenda was approved.

The minutes of the regular meeting and public hearing on May 4, 2016 were reviewed and approved as submitted.

### **C. PUBLIC COMMENTS**

No members of the public came forward to provide comments.

### **D. DISCUSSION ITEMS**

#### **1. Capital Facilities Program 2017-2022**

Christina Watts, Office of Management and Budget, provided a review of the draft program and the list of proposed projects for inclusion in the 2017-2022 Capital Facilities Program (CFP). Ms. Watts reviewed that staff had been working since early 2015 to make improvements to the CFP development process. Several major changes had already been instituted including a revised calendar with the process beginning earlier; a new database with a new set of data; revisions to the CFP document to make it more public friendly; and new prioritization criteria for projects based on the 2015 Comprehensive Plan update.

Ms. Watts reported that after the presentation they would incorporate Commission feedback and ask the Planning Commission to seek public comment. In July, a recommendation would go to the City Manager, who would then work to develop funding for the projects. The City Manager would present the proposed CFP to the City Council and the book would ultimately be adopted in November.

Ms. Watts reviewed the roles in the CFP process. Staff would develop project proposals, identify and request sources of funding, and answer project prioritization questions. The Planning Commission would review the list of projects, help assure alignment with the Comprehensive Plan, and guide project prioritization. The City Manager would allocate the available funding, balancing the recommendations of the Planning Commission, input from the City Council, Community desires, and any other identified needs. The City Council would approve the CFP document and the funding.

Ms. Watts discussed project prioritization for the complete list of 161 projects and how the information had been organized in the packet. She reviewed that the initial scoring was based on ten prioritization questions. Projects that satisfied 7 or more of the prioritization questions were sorted to Tier 1; Tier 2 included projects with 5-6 answered questions; and Tier 3 included projects with less than 5. She added

that Tier 1 included Utility projects and LID projects which were fully funded through property owner contributions.

Project Information Sheets provided additional information about each project. Ms. Watts reviewed that the information sheets included the initial prioritization tier, CFP section, project title, request type, location, initial estimated project cost, description, rationale for the project, and the explanation for answered project prioritization questions.

Ms. Watts discussed the projects included on the CFP list. She noted that the list included 68 new projects, the majority of which did not have secured funding. The total cost to complete all of the new projects was \$136 million. Of the 161 proposed projects, 35 were ranked Tier 1 and 39 were ranked Tier 2. Ms. Watts noted that the difference between Tier 1 and 2 could be as little as the answer to one question and that project managers had varied in how broadly questions had been interpreted. Chair Beale asked what the Commission's role would be in reviewing the prioritization questions, noting a question that could have been interpreted differently, potentially moving a project into the first tier. Ms. Watts suggested that the Commission could recommend projects for higher priority and provide general guidance on the questions for the next cycle. Ms. Watts reviewed that 63 projects were ranked Tier 3, many of which were facility projects such as city buildings, libraries, and parking garages. She commented that it was difficult for some facility projects to score highly on the prioritization criteria used. Chair Beale asked if staff was preparing a summary to consider adjustments to refine the prioritization criteria. Ms. Watts responded that they had identified it as an area for future improvement and would welcome guidance from the Commission. Chair Beale suggested that instead of leaving explanations blank for prioritization questions that were not answered affirmatively they provide some analysis as to why the project did not meet the criteria.

The CFP document was discussed. Ms. Watts commented that because of the revised calendar they were not yet ready to present the proposed draft document. She commented that they had provided examples in the packet of what the structure of the document would look like. One of the biggest changes in the CFP project information was the reduction of the complexity in the CFP project sections. A reader's guide would provide detailed descriptions of each of the sections. The completed project section would be a new section highlighting some of their accomplishments including several projects of significance, a list of all completed projects, and projects anticipated to be completed by the end of 2016. The future CFP projects section would identify projects that could not be prioritized in the next six years, but should not be forgotten. The project section introductions would include clarification on funding, the operating impacts of projects, and level of service standards.

Commissioners provided the following comments and questions:

- Vice-Chair Wamback suggested that in the introduction they might want to consider including a description of what level of service and concurrency are.
- Commissioner Santhuff suggested that for completed projects they include the timeline to complete each project to help the public understand the effort involved.
- Commissioner McInnis asked if there had been a prioritization process before. Ms. Watts responded that there had been 14 tie in questions based on the Comprehensive Plan, but it did not include an explanation of scoring.
- Commissioner McInnis asked if projects ranked Tier 3 could expect any funding at all. Ms. Watts responded that the tier was only one piece of input considered by the City Manager.
- Commissioner Neal commented that she would like to see the amount of grant funding that they have for projects. Ms. Watts responded that she could follow up with a list of projects that had secured non city funding.
- Chair Beale asked why street trees and green infrastructure were not included in the CFP. Ms. Watts responded that it depended on how they had chosen to define Capital Projects and Capital Facilities Programs in compliance with the Growth Management Act.
- Commissioner Santhuff commented that many projects were related to other projects on the list and that noting related or codependent projects would be useful.

Commissioner McInnis motioned to set a public hearing date for June 15, 2016. Commissioner Neal seconded. The motion was approved unanimously.

Chair Beale recessed the meeting at 4:49 p.m. for the 2016 Annual Amendment Public Hearing.

## 2. Urban Forestry Program Update

Mike Carey, Environmental Services, provided an overview of the Urban Forestry Program and the Urban Forest Management Plan.

The history of the Urban Forestry Program was reviewed. Mr. Carey highlighted the following notable events: the first tree ordinance was adopted in 1927; they hired their first Urban Forester in 1990; the original Urban Forest Management Plan was adopted in 1992; the Urban Forest Policy Element was adopted into the Comprehensive Plan in 2010; in 2014 landscaping and buffering standards were adopted and the Urban Forest Manual was published; in 2015 the first landscaping development standards were adopted; and in 2016 the Environmental Action Plan was adopted.

The Urban Forest Management Plan (UFMP) was discussed. Mr. Carey reviewed that the UFMP defined the intent and philosophy on how they manage urban forests in Tacoma; examined existing conditions; and looked at an implementation framework which was used to define the new urban forestry program. Mr. Carey reviewed that the urban forest management plan had six goals: to provide staff support for urban forest management; provide legal basis for the urban forestry program; establish a formal tree care program; provide adequate record keeping tools for urban forest management; transform the major urban forestry participation of Tacoma Public Utility from line clearance to energy conservation and community support; and providing the socio-political climate so an urban forest synergy can flourish. Mr. Carey reviewed that the UFMP had seven basic program functions: policy making, organizational structure, tree care, financial, tree conservation, record keeping, and stewardship.

Mr. Carey discussed how the Urban Forestry program had moved between different departments, each of which had a component of the program that they managed or integrated with. He noted that the mission of the Office of Environment Policy and Sustainability provided an umbrella organization to make sure the departments have the resources needed to make appropriate decisions. He reviewed that major participating internal organizations included Environmental Services, Public Works, Community and Economic Development, Neighborhood and Community Services, and Planning and Development Services. External organizations that they coordinated with included Metropolitan Parks District, Tacoma Public Utilities, Port of Tacoma, local organizations including other government agencies, and the public.

The new Urban Forest Management Plan was discussed. Mr. Carey commented that for the next phase they wanted to examine what worked and what improvements needed to be made. They would first conduct an existing conditions audit which would determine a baseline for short and long term adjustments. Inventory and data management would utilize tools to inventory urban forest assets and strategize improvements for maintenance operations. A tree risk management plan would consider an emergency response plan and how to deal with street trees conflicting with sidewalks or power lines. A cost/benefit analysis would look at the ecosystem services that the trees in the City provide and the maintenance cost versus benefit to retain those trees. Public relations and education would research incentive programs and effective communications for stewardship. Mr. Carey reviewed the next steps with the implementation process anticipated to start in 2017.

Commissioners provided the following questions and comments:

- Commissioner Neal asked if they had discussed having a tree committee. Mr. Carey responded that it was something that they would consider in the future.
- Vice-Chair Wamback suggested that they should consider creating code that would prevent homeowner's associations from prohibiting trees on private property. Mr. Carey responded that he couldn't speak to their ability to regulate HOAs, but previously there had been talks about the use of property and whether it would be considered a taking. He commented that the zoning code for single family areas does not currently require onsite trees which could be a possible strategy.
- Vice-Chair Wamback recommended a focus on preservation of existing trees and holding adjacent property owners accountable for damage done to trees. Mr. Carey responded that the staff analysis would look at whether the enforceable provisions in the code were adequate.
- Commissioner McInnis asked for more information on the criteria that had gone into 30 by 30 and how achievable it was. Mr. Carey responded that there had been a regional analysis that looked

at canopy coverage as an indicator of environmental health. The analysis had proposed a 40% canopy coverage goal for similar municipalities.

- Commissioner Santhuff asked what kind of strategy they had for acquisition of properties to protect open space areas. Mr. Carey responded that the open space program was not currently set up for property acquisition and they were focusing on utilizing the properties they currently have. It was anticipated that the next step could look at property acquisition and land swaps.
- Commissioner Santhuff commented that he would like to see them develop policies to protect heritage trees. Mr. Carey responded that he was hoping that they could look at incremental programs like a heritage tree program on a voluntary basis and after building support over the years considering stronger regulations.
- Chair Beale commented that the bar for significant tree retention should be set higher for commercial, industrial, and multifamily. Mr. Carey responded that in a previous conversation on tree retention they had concluded that they should incentivize retention rather than requiring it. He noted that through the code they provided tree credits for retained trees and that regulating tree retention was definitely a conversation that they would be having.
- Chair Beale asked where they were with proactive planting and if they would see larger street tree projects that would be funded through the Capital Facilities Program. Mr. Carey responded that through the zoning code updates they now trigger street redevelopment projects and they were taking a look at certain triggers that would trigger street trees. Through their operations budget, they were budgeting for a street tree program as well.

### 3. Public Hearing – 2016 Annual Amendment

At 5:00 p.m., Chair Beale called the public hearing (which was the second hearing on the subject) to order and reviewed the procedures, noting that written comments would be accepted through May 25<sup>th</sup>.

Stephen Atkinson, Planning Services Division, noted that the purpose of the public hearing was to receive input on the proposed 2016 Annual Amendment package. He reviewed that the amendments were proposed in compliance with the Growth Management Act and TMC 13.02. Public outreach had included the Planning Manager's letter, notice regarding study areas, and two notices regarding public hearings.

Mr. Atkinson reviewed the items included in the Annual Amendment package. Future Land Use implementation included proposed area wide rezones and designation amendments for the following study areas: Nob Hill, McKinley Police substation, Franke Tobey Jones, N 33<sup>rd</sup> and Pearl, N of TCC to 6<sup>th</sup> Ave, S Alaska and 72<sup>nd</sup>, South Tacoma Industrial Zones, and the Cheney Stadium and Foss High School area. Multi-family Design Standards would implement design and development policies of the One Tacoma Plan. Wireless Communication Facilities amendments would incorporate new FCC rules and provide additional measures to address visual impacts. Short Term Rental amendments would clarify the definition in the code, determine zoning allowances, require a conditional use permit for accessory activities, require registration and inspections, and address nonconformities. Code Cleanup amendments would improve the consistency and clarity of the code, create a new CUP for non-conforming uses, and update the Shoreline Master Program.

Chair Beale called for testimony. The following citizens testified:

(1) **Russell Rodger:**

Mr. Rodger reported that he had owned a house on Alaska Street since 2005 and had had a series of renters in the house. He commented that he was in favor of the rezone and that he wanted it to be a C2 rezone instead of C1. He commented that he knew the value of businesses with drive-throughs and that the nearby Starbucks provides a sense of community. He commented that he had a hard time getting renters to stay at the house because of repeated break-ins and car thefts. He commented that forcing it to stay a residential use was not a good use of that property. He commented that there are a variety of different transitional uses that could go in to the north of his property like hotels or multifamily, which would add to the neighborhood and make more use of the park than the existing homes on the street. He commented on the amount of traffic on 72<sup>nd</sup> Street making it not a good place to live as a single family unit. He commented that it would be a beneficial use for the properties to the north as well.

(2) **Bruce Arneklev:**

Mr. Arneklev commented that he was the only person in study area 4 that paid any property tax. He reviewed that he started paying property tax in 1975 and that he had been assigned an additional drainage tax this year. He commented on how his civil rights had been violated by the City not taking action on noise. He commented that the proposed zoning change would significantly increase his property tax. He commented on how other agencies had collocated on the Bates site, 20 feet from his property, and how he did not know if they were paying property tax. He reviewed that AT&T had gone in during 2001 and that he hadn't found if they had paid any property tax. He requested a reexamination of the decision from 20 years earlier to allow telephone booth sized installations in the area. He commented that he appreciated the need for apartments, but wanted justification and to reexamine the decision from 20 years ago.

(3) **Gail Goodman:**

Ms. Goodman reported that she lived on 35<sup>th</sup> Street near Bates Technical College. She commented that the existing greenbelt was a significant factor of why they moved there and that the rezoning proposal would eliminate that desirable neighborhood characteristic. She commented that there would be increased noise pollution and traffic congestion, adding that the road was presently in a state of disrepair. She commented that the egress from North 33<sup>rd</sup> to Pearl is already congested during the summer from people going to Point Defiance. She commented that they would like to see the environmental impact study and the traffic impact study as North 33<sup>rd</sup> was the only direct egress to North Pearl Street. She commented that Truman Middle School was already at maximum capacity and the action would result in rezoning of the school boundaries in the area. She asked that they clarify where the bicycle circulation area would be. She asked that they reconsider the harmony, scale, and character of their neighborhood and the impact of the proposal to the surrounding area.

(4) **Joyce Carle:**

Ms. Carle reported that she lived on North 35<sup>th</sup> Street in study area number 4. She commented that the area is already full of apartments and that there are also over 400 apartment units to the North. She commented that Pearl was a busy four lane highway and there was no safe place to merge onto southbound traffic from 33<sup>rd</sup> Street. She commented that there was a big expanse with no pedestrian crosswalks or merging lanes and that it was an unsafe location for multifamily. She commented that they were surrounded by apartments and that they were the only wetland oasis in the area and that she would not like to see that go away. She encouraged the Commission to reevaluate the situation and visit the area.

(5) **Roger Carle:**

Mr. Carle reported that he lived in study area number 4 on North 35<sup>th</sup> Street. He commented that if they were looking at Vision 2040, then they also had a goal of developing a comprehensive bike and pedestrian network citywide with specific strategies for high traffic areas. He noted that bicycle boulevards were typically slower residential streets and emphasized safety concerns. He asked where the high density area of apartments would fall within the guidelines of a slow paced, tree lined, residential street which has an emphasis on safety concerns. He discussed the 30 by 30 tree canopy goal and noted the nearby greenspace and the presence of wildlife in study area number 4. He noted that many people were relocating to Tacoma from Seattle and asked why they would be locating apartments to the South which would cause them to drive even further. He commented that he had read the 205 page report and felt that not enough planning had gone into the area, expressing concern that not enough organizations had been notified. He read a letter from a 7 year old girl expressing concerns about the proposals impact on local wildlife.

(6) **Harold Nance:**

Mr. Nance reported that he had lived on South Alaska Street for the past 53 years. He commented that he had provided them with a letter. He suggested that they should clarify the difference between a C1 and C2 rezone when they send out a notification. He commented that he was in favor of the plan and provided detail as to the reasons in his letter.

(7) **Lori Kalac:**

Ms. Kalac commented that she was a homeowner on South Alaska Street. She reviewed that she had provided testimony at the May 4<sup>th</sup> public hearing, where she had asked for studies to be done to help determine the right zoning. She commented that it was evident that the City would be moving forward with rezoning the area and the planning office had communicated the need to have diverse urban housing options to accommodate future growth. She commented that the proposed C1 zoning was putting the City in a restrictive position in seeing it's visions come to life, offering only what was already behind Alaska Street. She asked if any other zoning designation had been considered and suggested that NCX would be a more appropriate zoning for the vision. She commented that she would agree that a rezoning would be in the best benefit, but that the new proposal has them being the buffered residential property, which they did not want.

(8) **Charles Mann, Tacoma Central Neighborhood Council:**

Mr. Mann reported that he was the Chair of the Central Neighborhood Council and they had concerns about the Cheney Stadium and Foss High School rezone from R-1 to C-2. He noted that presently under the R-2 zoning a conditional use permit is required for any kind of development, which provides visibility to the community. He commented that a C-2 zoning also enables billboards which would be inappropriate for the area. He commented that they were opposed to the rezone.

(9) **Melvin Nobles:**

Mr. Nobles reported that he was there to represent the True Vine Community Church on North 33<sup>rd</sup> Street. He commented that they had owned 1.25 acres for 41 years and had only had minor problems with thefts. He commented that to change it to low density multifamily would be nice in a way, but there was already significant traffic congestion on Sundays. He expressed concern that putting apartments close by would impact the available parking space. He noted that they have a number of people who are disabled who have to walk up a hill and that it might be a disservice to them to increase traffic. He commented that it would be best for them to leave the current zoning.

Seeing no one else coming forward, Chair Beale closed the public hearing at 5:53 p.m. and recessed the meeting. The meeting resumed at 6:02 p.m. with the Urban Forestry Program Update.

## **E. COMMUNICATION ITEMS & OTHER BUSINESS**

Mr. Atkinson reported that they had provided a presentation on the 2016 Annual Amendment package to the Infrastructure, Planning, and Sustainability Committee. Feedback had included questions on the Short Term Rental amendments and concerns about the proposed rezone at 72<sup>nd</sup> and Alaska.

Brian Boudet, Planning Services Division Manager, reported that the Infrastructure, Planning, and Sustainability Committee had discussed the shift to a 2 year Comprehensive Plan amendment cycle.

Mr. Boudet reviewed that the City Council was continuing through its process for marijuana regulations. He reported that the ordinance from the first reading reflected the Planning Commission recommendations for retail store location standards.

## **F. ADJOURNMENT**

At 6:57 p.m., the meeting of the Planning Commission was concluded.



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-1**

**To:** Planning Commission  
**From:** Stephen Atkinson, Planning Services Division  
**Subject:** **2016 Annual Amendments**  
**Date of Meeting:** June 1, 2016  
**Date of Memo:** May 26, 2016

At the next meeting on June 1, 2016, the Planning Commission will review the public testimony pertaining to the 2016 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code (Attachment 1) and initial staff responses and recommendations.

The Commission held public hearings on May 4 and May 18 to gather public comments on the proposed amendments. Public comments were accepted through May 25. The following amendments were proposed for public comment and Planning Commission consideration:

1. Future Land Use Implementation and Area-Wide Rezone Proposals
2. Multi-family Design Standards
3. Wireless Communication Facilities
4. Short Term Rentals
5. Code Cleanups

The majority of comments received were directed to the area-wide rezone proposals, specifically the proposals for Cheney and Foss High School, 72<sup>nd</sup> and Alaska, and N 33<sup>rd</sup> and Pearl, with a few comments provided on the other topics.

Attached is a compilation of the comments received at this time, as well as a general summary of comments, staff responses, and preliminary recommendations pertaining to the proposed area-wide rezones.

If you have any questions, please contact me at 591-5531 or [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org).

Attachment

c: Peter Huffman, Director



# Comprehensive Plan And Land Use Regulatory Code

## Proposed Amendments for 2016



## Compilation of Public Comments

May 26, 2016

City of Tacoma  
Planning & Development Services Department  
Planning Services Division  
747 Market Street, Room 345  
Tacoma, WA 98402-3793  
(253) 591-5030

[www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning)



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## Lists of Commenters and Tables of Contents

### Oral Testimony (received on 5-4-16 and 5-18-16)

| No. | Name               | Affiliation                         | Issues                     | Date of Public Hearing | Page No. |
|-----|--------------------|-------------------------------------|----------------------------|------------------------|----------|
| 1   | Lori Kalac         |                                     | Rezone - Alaska            | 5/3/2016               | 1        |
| 2   | Troy Christensen   |                                     | Rezone - Alaska            | 5/3/2016               | 1        |
| 3   | John Landy         |                                     | Rezone - N 33rd            | 5/3/2016               | 1        |
| 4   | Dr. Bruce Arneklev |                                     | Rezone - N 33rd            | 5/3/2016               | 1        |
| 5   | John Kloster       |                                     | Rezone - N 33rd            | 5/3/2016               | 1, 2     |
| 6   | Susan Ryan         |                                     | Rezone - Alaska            | 5/3/2016               | 2        |
| 7   | Rodger Carle       |                                     | Rezone - N 33rd            | 5/3/2016               | 2        |
| 8   | Judith Hinderer    |                                     | Rezone – Frank Tobey Jones | 5/3/2016               | 2        |
| 9   | Russell Rodger     |                                     | Rezone - Alaska            | 5/18/2016              | 3        |
| 10  | Dr. Bruce Arneklev |                                     | Rezone - N 33rd            | 5/18/2016              | 3        |
| 11  | Gail Goodman       |                                     | Rezone - N 33rd            | 5/18/2016              | 3        |
| 12  | Joyce Carle        |                                     | Rezone - N 33rd            | 5/18/2016              | 3        |
| 13  | Rodger Carle       |                                     | Rezone - N 33rd            | 5/18/2016              | 3        |
| 14  | Harold Nance       |                                     | Rezone - Alaska            | 5/18/2016              | 4        |
| 15  | Lori Kalac         |                                     | Rezone - Alaska            | 5/18/2016              | 4        |
| 16  | Charles Mann       | Tacoma Central Neighborhood Council | Rezone - Cheney            | 5/18/2016              | 4        |
| 17  | Melvin Nobles      | True Vine Community Church          | Rezone - N 33rd            | 5/18/2016              | 4        |

### Written Comments (received through 5-25-16)

| No. | Name             | Affiliation                                      | Issues                      | E-mail or Letter (and Date) | Page No. |
|-----|------------------|--|-----------------------------|-----------------------------|----------|
| 1   | Bill Adamson     | South Sound Military and Communities Partnership | McChord Airfield Clear Zone | E (4-15-16)                 | 5        |
| 2   | Marly Amsbary    |  | Rezone - N 33rd             | E (5-18-16)                 | 12       |
| 3   | Bruce Arneklev   |  | Rezone - N 33rd             | L (5-24-16)                 | 13       |
| 4   | Karol Barkley    |  | ADU                         | E (4-15-16)                 | 34       |
| 5   | Bill Barry       |  | Rezone - N 33rd             | E (5-18-16)                 | 38       |
| 6   | Katy Bloom - 1   |  | Rezone - N 33rd             | E (5-18-16)                 | 40       |
| 7   | Katy Bloom - 2   |  | Rezone - N 33rd             | E (5-24-16)                 | 41       |
| 8   | Todd Bloom       |  | Rezone - N 33rd             | E (5-23-16)                 | 43       |
| 9   | Nicholas Bratton | Forterra   | Design Standards            | L (5-11-16)                 | 45       |
| 10  | Joyce Carle      |  | Rezone - N 33rd             | E (5-23-16)                 | 46       |

|    |                            |                                     |                           |             |           |
|----|----------------------------|-------------------------------------|---------------------------|-------------|-----------|
| 11 | Roger Carle                |                                     | Rezone - N 33rd           | E (5-25-16) | <b>48</b> |
| 12 | Christine Cooley           | Sustainable Tacoma Commission       | Environmental Action Plan | L (5-25-16) | <b>50</b> |
| 13 | Department of Ecology      | Southwest Regional Office           | DNS                       | L (5-13-16) | <b>51</b> |
| 14 | Mike Elliott               |                                     | Rezone - N 33rd           | E (5-18-16) | <b>54</b> |
| 15 | Vanessa Gallagher          | 62d Airlift Wing, JBLM              | Rezone - N 33rd           | E (5-19-16) | <b>55</b> |
| 16 | Michael Gardner            |                                     | Rezone - N 33rd           | E (5-3-16)  | <b>57</b> |
| 17 | Linda Garton - 1           |                                     | Rezone - N 33rd           | E (5-18-16) | <b>58</b> |
| 18 | Linda Garton - 2           |                                     | Rezone - N 33rd           | E (5-24-16) | <b>60</b> |
| 19 | Doug and Gail Goodman      |                                     | Rezone - N 33rd           | L (5-23-16) | <b>61</b> |
| 20 | Andrew Harris              |                                     | Rezone - N 33rd           | E (5-18-16) | <b>63</b> |
| 21 | Laura Himes                |                                     | Rezone - Cheney           | E (2-25-16) | <b>65</b> |
| 22 | Lori Kalac                 |                                     | Rezone - Alaska           | E (5-23-16) | <b>67</b> |
| 23 | Sun Kim                    |                                     | Rezone - N 33rd           | E (5-25-16) | <b>71</b> |
| 24 | Annalise Landy             |                                     | Rezone - N 33rd           | L (5-18-16) | <b>72</b> |
| 25 | John Landy - 1             |                                     | Rezone - N 33rd           | E (5-17-16) | <b>73</b> |
| 26 | John Landy - 2             |                                     | Rezone - N 33rd           | E (5-23-16) | <b>75</b> |
| 27 | Garrett Leque              |                                     | Rezone - Cheney           | E (5-9-16)  | <b>77</b> |
| 28 | Mark and Nalani Linder     |                                     | Rezone - N 33rd           | E (5-25-16) | <b>78</b> |
| 29 | Charles Mann               | Tacoma Central Neighborhood Council | Rezone - Cheney           | L (4-26-16) | <b>79</b> |
| 30 | Harold Nance               |                                     | Rezone - Alaska           | L (5-13-16) | <b>81</b> |
| 31 | Ken and Vicki Shaffer      |                                     | Rezone - N 33rd           | L (5-16-16) | <b>83</b> |
| 32 | Kerry Taylor               |                                     | Rezone - N 33rd           | E (5-18-16) | <b>84</b> |
| 33 | Sandra Turner              |                                     | Rezone - N 33rd           | E (5-6-16)  | <b>86</b> |
| 34 | Kathryn White              |                                     | Rezone - N 33rd           | E (5-17-16) | <b>87</b> |
| 35 | Deborah Young              |                                     | Rezone - N 33rd           | E (5-24-16) | <b>88</b> |
| 36 | Esther Zhang & Zaixin Hong |                                     | Rezone - N 33rd           | E (5-23-16) | <b>89</b> |
| 37 | Joe Zinski - 1             |                                     | Rezone - Alaska           | E (5-3-16)  | <b>91</b> |
| 38 | Joe Zinski - 2             |                                     | Rezone - Alaska           | E (5-5-16)  | <b>93</b> |



## 2016 ANNUAL AMENDMENT TO THE COMPREHENSIVE PLAN AND LAND USE REGULATORY CODE

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### SUMMARY OF ORAL TESTIMONY

Planning Commission Public Hearings  
May 4 and 18, 2016

#### Oral Testimony Received at the May 4, 2016 Public Hearing:

(1) **Lori Kalac:**

Ms. Kalac reported that she was a resident of Study Area Number 6, South 72<sup>nd</sup> and Alaska. She asked that before a rezone is considered the City ensure that critical studies have been performed, results have been analyzed, and all aspects had been considered so the decision could be made. She commented that it was an already congested intersection and encouraged an extensive traffic study before any decision was made. She commented that the additional traffic from shoppers and new multifamily would also increase the already polluted air quality. She commented that added congestion would delay rescue vehicles. She commented that they also needed a study on light pollution and noise pollution. She also requested a study on the pollution from garbage created. She commented that the rezone would also risk continued damage to Wapato and its abundant wildlife and plant life. She noted that there was already ample available commercial space in the neighboring commercial zones.

(2) **Troy Christensen:**

Mr. Christensen commented on the Alaska Street area between 72<sup>nd</sup> and 56<sup>th</sup> Street. He commented that the air quality at the intersection is the worst in Pierce County and increasing the number of cars by adding additional units would make it worse. He commented that the city should have a goal to decrease the air pollution in the neighborhood, not increase it. He commented that the homeowners on the street are a very diverse group and that it was a very affordable water view property. He added that if they rezoned it to commercial or multifamily, they would be removing the ability for people to afford water view property. He commented that removing the opportunity for future home owners to afford a view was a social justice issue.

(3) **John Landy:**

Mr. Landy reported that he currently lives on North 35<sup>th</sup> Street and that his neighborhood is tranquil and they often see wildlife in the greenery in front of their house. He commented on traffic congestion, reporting that there were a large number of apartment buildings to the north and south providing high density. He expressed concern that they might reach a tipping point with so many apartments that it will put an undue burden on congestion. He asked them to study it and also expressed concern about the air quality and lack of trees. He commented that they should notify more than residents within 400 feet.

(4) **Bruce Arneklev:**

Mr. Arneklev reported that he had purchased 3 acres behind his home 40 years ago and had enjoyed the ambience of it. He noted that the land was now part of study area 4. Mr. Arneklev commented that though he is one person, he should have equal standing with Bates Technical College, the City of Tacoma, and the US Supreme Court. He commented on having accommodated Bates for 20 years and a proposal to collocate on a tower which he had opposed. He commented that Bates was violating health standards and creating noise. He expressed concern that he had not seen anything in the 2016 Annual Amendment on whether people were being treated according to their civil rights.

(5) **John Kloster:**

Mr. Kloster reported he owned a home on North 35 Street, to the north of one of the proposed zoning changes. He commented that it was disturbing that a person can spend money on a home in a stable, tranquil area and then the zoning changes allow apartments to be built close by. He commented that it did not seem right that they could not count on some stability in housing.

(6) **Susan Ryan:**

Ms. Ryan commented that for the area near South Alaska, it seemed like a developer wanted to build in the area but couldn't get approval. She commented that it seemed too easy for someone to request a zoning change and too hard for the change to be denied by the residents impacted.

(7) **Rodger Carle:**

Mr. Carle reported that he lived on North 35<sup>th</sup> Street near 33<sup>rd</sup> and Pearl. He noted concerns on the environment, traffic density, and that there weren't enough trees in Tacoma. He commented that he was in favor of a green belt or a park and that there was a lot of wildlife in the area. He commented that children walk up and down that street to Truman Middle School. He stated that he wanted to know the crime rates and vacancy rates were for high density vs single family. He expressed concern about children's safety. He commented that they would have to provide additional traffic measures that would add to congestion. He reiterated that he wanted to know the crime rate, vacancy rates, and whether there has been a traffic study.

(8) **Judith Hinderer:**

Ms. Hinderer commented on Franke Tobey Jones, asking that they not be granted an upzone until their entire vision had been reviewed. She noted that on their website they provided an ambitious plan that would increase their number of residents significantly, including a new building that she felt was out of scale with the neighborhood. She expressed concern about traffic impacts and increased presence of emergency vehicles. She commented that new signage posted on the property that was not clear. She commented that if the upzone was allowed they would return to ask for an additional 300 units.

(9) **John Kloster:**

Mr. Kloster commented regarding the proposed rezone at North 35<sup>th</sup> Street. He reported that the previous year he had applied for a permit to build a garage and had been told that there was a possible wetland on the base property. He felt that the possible presence of a wetland should be taken into consideration before the zoning was changed to a higher use.

Oral Testimony Received at the May 18, 2016 Public Hearing:

(1) **Russell Rodger:**

Mr. Rodger reported that he had owned a house on Alaska Street since 2005 and had had a series of renters in the house. He commented that he was in favor of the rezone and that he wanted it to be a C2 rezone instead of C1. He commented that he knew the value of businesses with drive-throughs and that the nearby Starbucks provides a sense of community. He commented that he had a hard time getting renters to stay at the house because of repeated break-ins and car thefts. He commented that forcing it to stay a residential use was not a good use of that property. He commented that there are a variety of different transitional uses that could go in to the north of his property like hotels or multifamily, which would add to the neighborhood and make more use of the park than the existing homes on the street. He commented on the amount of traffic on 72<sup>nd</sup> Street making it not a good place to live as a single family unit. He commented that it would be a beneficial use for the properties to the north as well.

(2) **Bruce Arneklev:**

Mr. Arneklev commented that he was the only person in study area 4 that paid any property tax. He reviewed that he started paying property tax in 1975 and that he had been assigned an additional drainage tax this year. He commented on how his civil rights had been violated by the City not taking action on noise. He commented that the proposed zoning change would significantly increase his property tax. He commented on how other agencies had collocated on the Bates site, 20 feet from his property, and how he did not know if they were paying property tax. He reviewed that AT&T had gone in during 2001 and that he hadn't found if they had paid any property tax. He requested a reexamination of the decision from 20 years earlier to allow telephone booth sized installations in the area. He commented that he appreciated the need for apartments, but wanted justification and to reexamine the decision from 20 years ago.

(3) **Gail Goodman:**

Ms. Goodman reported that she lived on 35<sup>th</sup> Street near Bates Technical College. She commented that the existing greenbelt was a significant factor of why they moved there and that the rezoning proposal would eliminate that desirable neighborhood characteristic. She commented that there would be increased noise pollution and traffic congestion, adding that the road was presently in a state of disrepair. She commented that the egress from North 33<sup>rd</sup> to Pearl is already congested during the summer from people going to Point Defiance. She commented that they would like to see the environmental impact study and the traffic impact study as North 33<sup>rd</sup> was the only direct egress to North Pearl Street. She commented that Truman Middle School was already at maximum capacity and the action would result in rezoning of the school boundaries in the area. She asked that they clarify where the bicycle circulation area would be. She asked that they reconsider the harmony, scale, and character of their neighborhood and the impact of the proposal to the surrounding area.

(4) **Joyce Carle:**

Ms. Carle reported that she lived on North 35<sup>th</sup> Street in study area number 4. She commented that the area is already full of apartments and that there are also over 400 apartment units to the North. She commented that Pearl was a busy four lane highway and there was no safe place to merge onto southbound traffic from 33<sup>rd</sup> Street. She commented that there was a big expanse with no pedestrian crosswalks or merging lanes and that it was an unsafe location for multifamily. She commented that they were surrounded by apartments and that they were the only wetland oasis in the area and that she would not like to see that go away. She encouraged the Commission to reevaluate the situation and visit the area.

(5) **Roger Carle:**

Mr. Carle reported that he lived in study area number 4 on North 35<sup>th</sup> Street. He commented that if they were looking at Vision 2040, then they also had a goal of developing a comprehensive bike and pedestrian network citywide with specific strategies for high traffic areas. He noted that bicycle boulevards were typically slower residential streets and emphasized safety concerns. He asked where the high density area of apartments would fall within the guidelines of a slow paced, tree lined, residential street which has an emphasis on safety concerns. He discussed the 30 by 30 tree canopy goal and noted the nearby greenspace and the presence of wildlife in study area number 4. He noted that many people were relocating to Tacoma from Seattle and asked why they would be locating apartments to the South which would cause them to drive even further. He commented that he had

read the 205 page report and felt that not enough planning had gone into the area, expressing concern that not enough organizations had been notified. He read a letter from a 7 year old girl expressing concerns about the proposals impact on local wildlife.

(6) **Harold Nance:**

Mr. Nance reported that he had lived on South Alaska Street for the past 53 years. He commented that he had provided them with a letter. He suggested that they should clarify the difference between a C1 and C2 rezone when they send out a notification. He commented that he was in favor of the plan and provided detail as to the reasons in his letter.

(7) **Lori Kalac:**

Ms. Kalac commented that she was a homeowner on South Alaska Street. She reviewed that she had provided testimony at the May 4<sup>th</sup> public hearing, where she had asked for studies to be done to help determine the right zoning. She commented that it was evident that the City would be moving forward with rezoning the area and the planning office had communicated the need to have diverse urban housing options to accommodate future growth. She commented that the proposed C1 zoning was putting the City in a restrictive position in seeing it's visions come to life, offering only what was already behind Alaska Street. She asked if any other zoning designation had been considered and suggested that NCX would be a more appropriate zoning for the vision. She commented that she would agree that a rezoning would be in the best benefit, but that the new proposal has them being the buffered residential property, which they did not want.

(8) **Charles Mann, Tacoma Central Neighborhood Council:**

Mr. Mann reported that he was the Chair of the Central Neighborhood Council and they had concerns about the Cheney Stadium and Foss High School rezone from R-1 to C-2. He noted that presently under the R-2 zoning a conditional use permit is required for any kind of development, which provides visibility to the community. He commented that a C-2 zoning also enables billboards which would be inappropriate for the area. He commented that they were opposed to the rezone.

(9) **Melvin Nobles:**

Mr. Nobles reported that he was there to represent the True Vine Community Church on North 33<sup>rd</sup> Street. He commented that they had owned 1.25 acres for 41 years and had only had minor problems with thefts. He commented that to change it to low density multifamily would be nice in a way, but there was already significant traffic congestion on Sundays. He expressed concern that putting apartments close by would impact the available parking space. He noted that they have a number of people who are disabled who have to walk up a hill and that it might be a disservice to them to increase traffic. He commented that it would be best for them to leave the current zoning.

**From:** Bill Adamson [mailto:badamson@cityoflakewood.us]  
**Sent:** Friday, April 15, 2016 10:17 AM  
**To:** Wung, Lihuang; 'Davids@tacomachamber.org'  
**Cc:** Atkinson, Stephen  
**Subject:** RE: Tacoma 2016 Amendment Notice to JBLM

Lihuang,

From a quick review of the documents you sent, it is not clear to me if this might become an issue but any encroachment into the McChord airfield Clear Zone (CZ) or Accident Potential Zones (APZ) I and II could be a land use incompatibility. I have attached a graphic from our 2015 JBLM Joint Land Use Study indicating where the CZ and APZs are located.

I'm sure JBLM will catch this as part of their review.

Best,  
Bill

# Land Use Incompatibility Case Study:

## *The McChord Clear Zone*

The Clear Zone is a  
3,000 feet square  
adjacent to the end  
of the runway.

**Why is a CZ important?**  
*The USAF found 28% of  
all AF accidents occur in  
CZs.*



**Legend**

-  JLUS Study Area
-  Joint Base Lewis-McChord
-  Military Airfield
-  Urban Growth Areas
-  Cities
-  Counties
- Air Accident Zones**
-  APZ I
-  APZ II
-  CZ
- Land Use Compatibility**
-  Compatible
-  Conditionally Compatible
-  Incompatible



1 inch = 1,963 feet  
0 500 1,000 1,500 2,000 Feet

**AECOM**

JBLM JLUS

**Figure 3**  
Land Use Compatibility in  
McChord Field North Clear Zone  
and Accident Potential Zones

Ver. 01

October 2015

Of greatest concern is the presence of incompatible land uses in the CZ. There are existing uses on the western and eastern edges of the CZ that are incompatible, including industrial uses and storage condominium units (individual, privately owned storage units). Any land uses other than airfield infrastructure is incompatible in the CZ.

The presence of incompatible land uses within the CZ is the most critical encroachment issue facing JBLM.

In APZ 1, between 108th Street and 92nd Street, four mobile home parks and 260 units.

In APZ 2, from 92nd Street to the city limits, six mobile home parks and 449 units.

Total number of parks, 10.

Total number of mobile home units, 709.

In APZ II, medium and high density residential uses in Tacoma and recreational uses in Lakewood are incompatible.

Arlington Elementary School, located within a single-family residential zone, is an incompatible use in APZ II. Tacoma encourages the use of noise reduction techniques to mitigate impacts of aircraft noise and encourages lower density development in APZs. While existing residential development can be expected to continue, "upzoning" that would increase residential densities should be avoided in both APZs.

All incompatible land uses should be removed from the CZ through zoning and property acquisition from willing sellers.

# Options for Resolving CZ Encroachment

1. Acquire land & relocate businesses (>\$50M)
2. Land swap w/JBLM
3. Runway restrictions
4. Runway extension

- JBLM is currently analyzing these four options
- SSMCP leads issue resolution



| Land Use                 | Clear Zone (CZ) | Accident Potential Zone I (APZ I) | Accident Potential Zone II (APZ II) |
|--------------------------|-----------------|-----------------------------------|-------------------------------------|
| Single-family Detached   | Incompatible    | Incompatible                      | Conditionally Compatible            |
| All Other Residential    | Incompatible    | Incompatible                      | Incompatible                        |
| Mixed-Use Center         | Incompatible    | Incompatible                      | Conditionally Compatible            |
| Light Commercial         | Incompatible    | Conditionally Compatible          | Compatible                          |
| Heavy Commercial         | Incompatible    | Incompatible                      | Compatible                          |
| Light Industrial         | Incompatible    | Compatible                        | Compatible                          |
| Heavy Industrial         | Incompatible 8  | Incompatible                      | Compatible                          |
| Institutional/Public Use | Incompatible    | Incompatible                      | Incompatible                        |

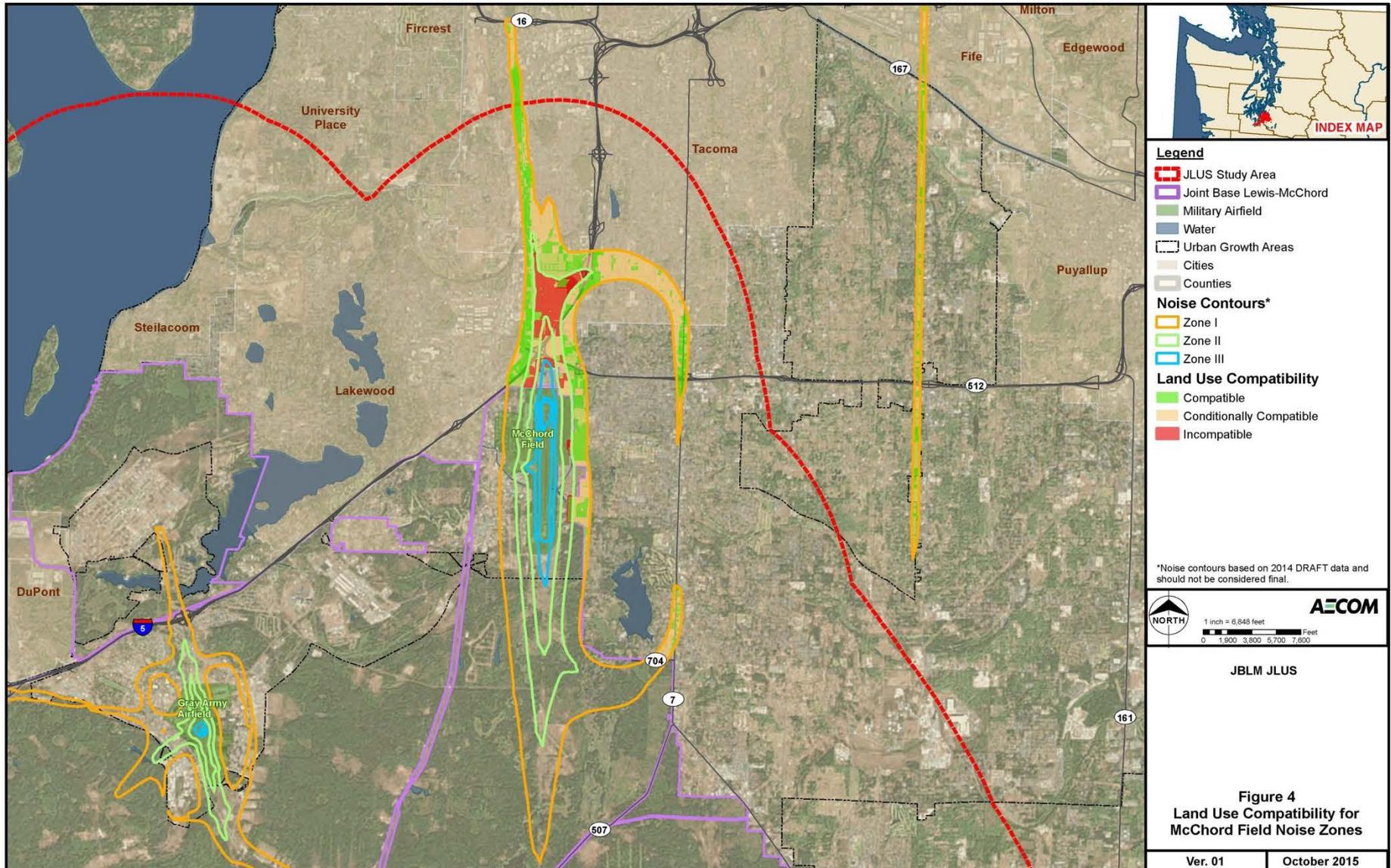
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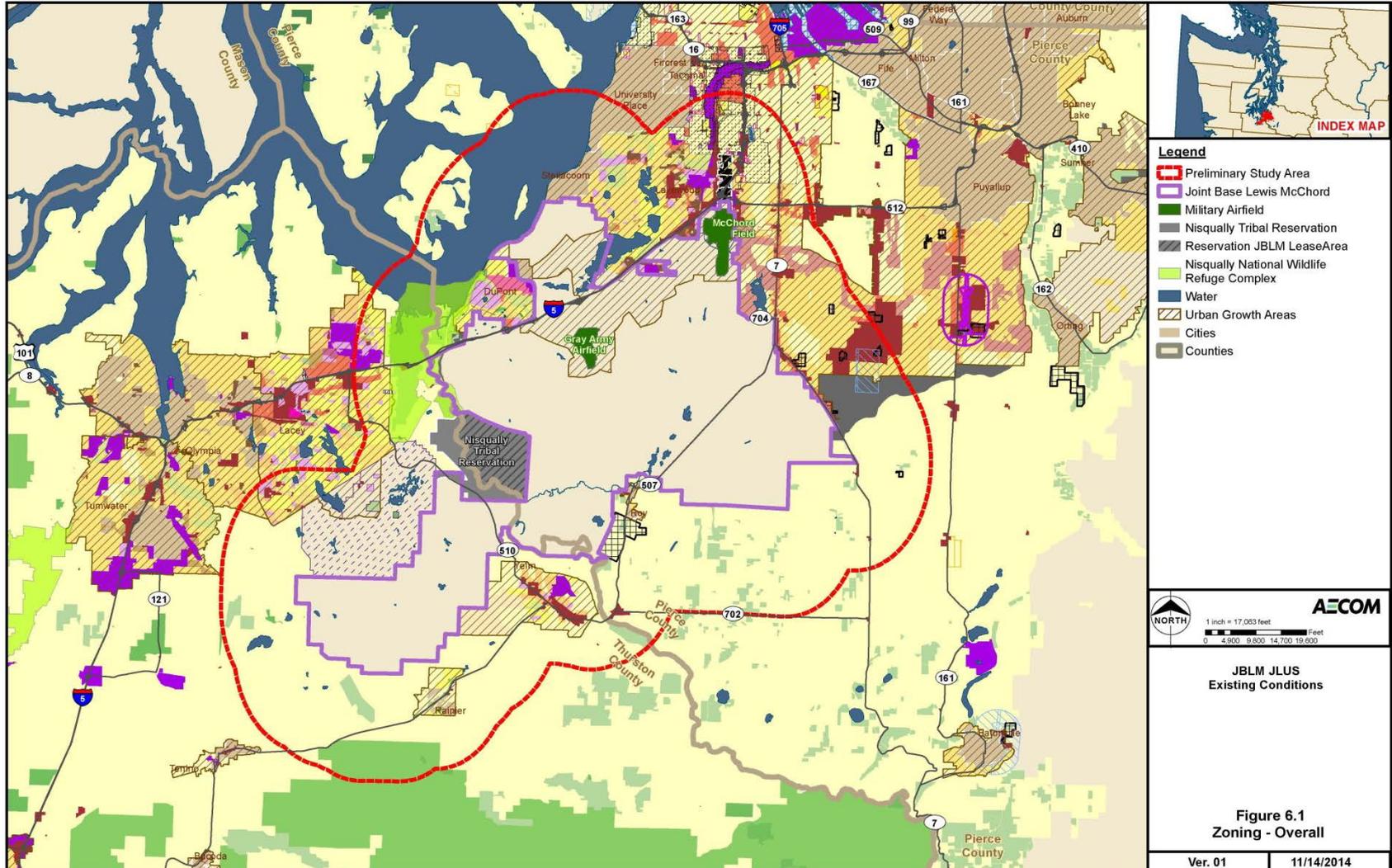
Total number of mobile home units, 709.

# Compatibility Issues



# 7. Community Plans and Policies

## Zoning



**From:** Marly Fawcett [mailto:marlyfawcett@gmail.com]  
**Sent:** Wednesday, May 18, 2016 11:02 AM  
**To:** PDS Land Use and Zoning; Planning  
**Subject:** Proposed Rezone & Re-Designation North 33rd Street Tacoma

Planning and Development Services Department,

I am a home owner on North 35th Street, and as resident of this neighborhood, my family will be negatively affected by the proposed rezoning of North 33rd and Pearl.

Currently, North 35th is the only through road from Pearl to Orchard for a few blocks, therefore we get traffic from both North 33rd and from North 37th. There are no speedbumps to slow anyone down, and unfortunately people use this to their advantage by speeding through the neighborhood at dangerous speeds.

In addition to the speeding, the uncontrolled intersection on 35th and Shirley is incredibly dangerous, I have seen not only car accidents, but also people's pets being hit by cars speeding through the intersection without slowing down.

If you look at the actual street on North 35th, you will see numerous tire marks from people literally racing up and down the street. I have spoken to people who speed and asked them to slow down, the typical answer involves swearing and being called awful names.

As a family, we take walks and are not safe to walk on our own street because of the unsafe conditions. I understand that building will happen and things will change, but in addition to those changes I ask that the city take into consideration the people who love this neighborhood and just want to feel safe.

I suggest that North 33rd be opened up to alleviate traffic on 35th, I ask that the intersection on 35th and Shirley be controlled with stop signs and that speed bumps be placed on 35th.

Marly Amsbary  
5407 N. 35th St.  
Tacoma, WA 98407

--  
Marly

Stephen Atkinson  
 Planning Commission  
 747 Market Street, Room 345  
 Tacoma, WA 98402

May 24<sup>th</sup> 2016

05-25-16 A09:20 RCVD

This letter and attachments are provided (1) to document selected events during the forty years during which my wife and I have paid property taxes on three acres included in "Study Area 4" and (2) to back up my comments during hearings on April 20<sup>th</sup> and May 4<sup>th</sup> 2016. An index and 19 pages of pictures and historical documents follow this cover letter.

My comments here and documentation which follow in this letter are most closely associated with "Wireless Communication Facilities", but are also related to the frustrations and legality of actions taken (or not taken) by the City of Tacoma in relation to my civil rights under Amendment XIV, Section 1 to the U.S. Constitution regarding "...equal protection of the laws."

During the April 20<sup>th</sup> hearing I quoted John Robert's testimony from September 13, 2005 before becoming Chief Justice of the U. S. Supreme Court, when he said, "Here was the U.S., the most powerful country in the world, aligned against my client. And, yet all I had to do was convince the Court that I was right on the law and the government was wrong and all the power and might recede in defense of the rule of law." Then I outlined how the City had **failed to provide equal protection of State Law** by failure to curtail excessive sound emissions from Bates property for over sixteen years in spite of documentation of on-going violations by (1) an independent study which I paid for, (2) the City's three studies and (3) a study by Bates Technical College.

During the May 4<sup>th</sup> hearing, I pointed out how it appears that my wife and I are the only taxable entity included in Study Area 4 paying property taxes or storm drainage taxes ("Surface Water Environmental Services") on the ten acres included therein. In spite of contacting a half dozen State and local agents, I have been unable to get creditable information about tax payment history by about a dozen wireless agents that have been co-located on the Bates TV tower / grounds. Anyone can look at the County web site and see the date and amount I have paid in property taxes for each of the last twelve years. **Why are \$200,000,000,000 entities that (according to the News Tribune) are paying hundreds of thousands of dollars to Bates apparently exempt from paying or disclosing property taxes and drainage fees, while they use our taxable property as a buffer to the surrounding residential area?**

After paying property taxes on our three acres of open space for over forty years, my wife and I would appreciate the increased value attributable to rezoning and increased allowable building density. It would seem that with a light rail line (or other reliable public transportation) extending from "down town" to Pearl on North 21<sup>st</sup> Street and from Tacoma Community College to the Ruston ferry terminal and Point Defiance, increased density in the North and West End would make a very attractive habitat. However, we would also appreciate a moratorium on further increases in property taxes on our ground until someone else takes on that burden when the Arneklev family disposes of their interest in their ground.

  
 Bruce L. Arneklev, EdD

3306 North Shirley

Tacoma, Washington 98407

**INDEX TO ATTACHMENTS TO THE MAY 24<sup>TH</sup> LETTER TO STEPHEN ATKINSON**

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| Attachment B to "Request of Reconsideration" by the Arneklev's for SUP96-00010.....                | 3           |
| "Request for reconsideration of: Special Use Permit Sprint Spectrum File # Sup96000010" ..         | 4, 5 & 6    |
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SOUTH SIDE OF CHANNEL 13 TV TOWER/BUILDING  
IN 1978 WHEN ARNEKLEV NOBLE FIR WERE  
PLANTED. NOTE NEED FOR PAINT FOR 18 YEARS

ARNEKLEV TREES 1978

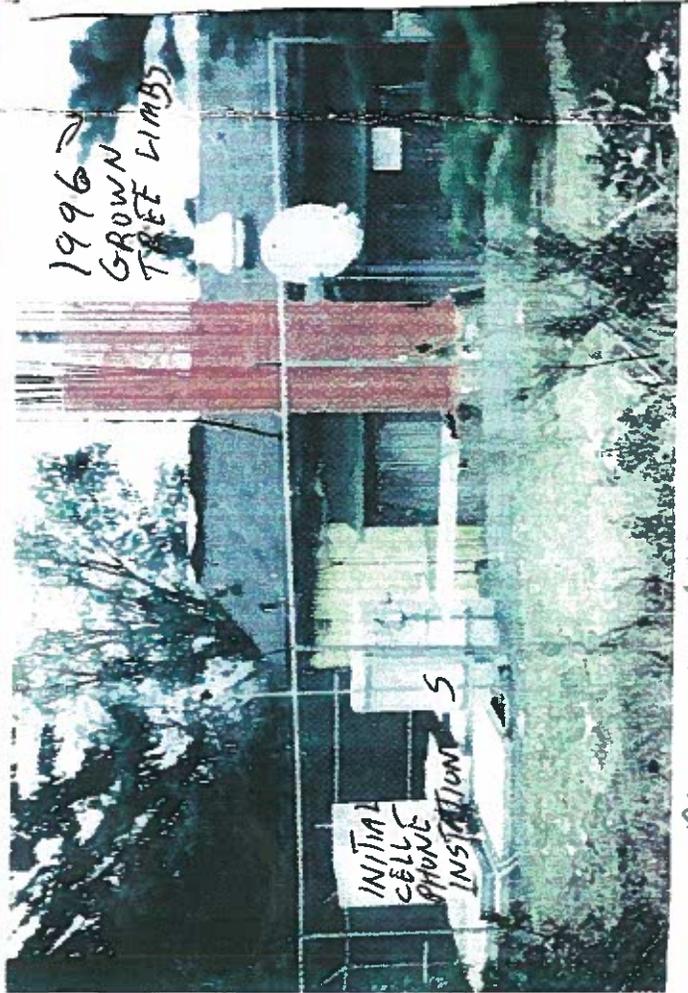


15

1996

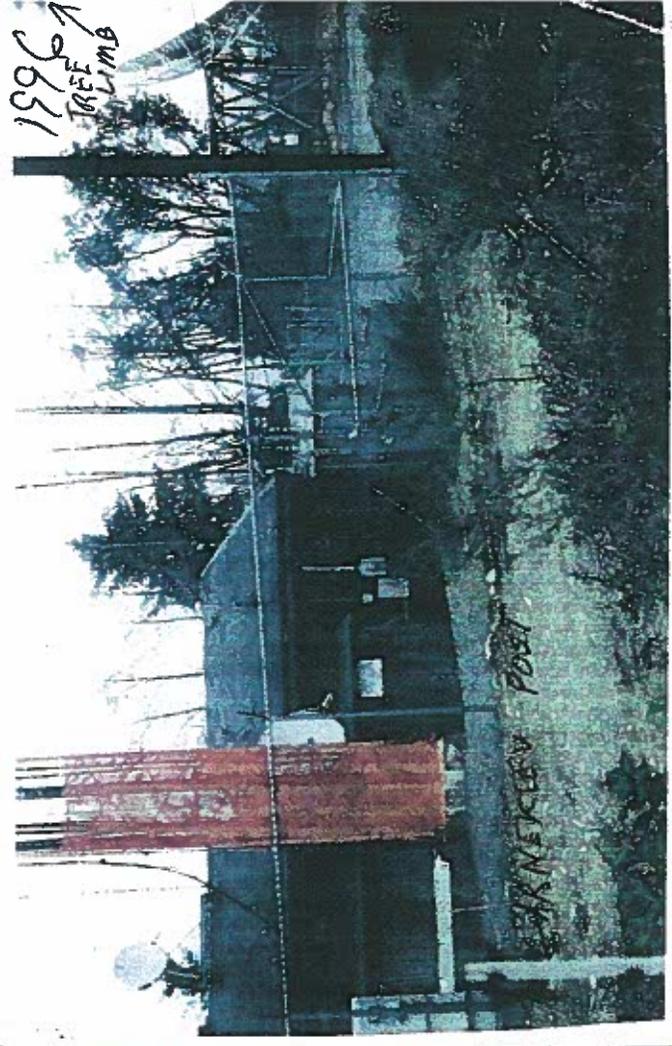


ARNEKLEV  
STEELS  
POST



1996  
GROWN  
TREE LIMBS

ARNEKLEV POST



1996  
TREE  
LIMBS

04 - 1 - 10

June 23, 1989

Ronald Lively, Manager  
KTPS-Channel 28  
Tacoma Public Schools  
P.O. Box 1357  
Tacoma, WA 98401

This letter is written to document that we have had several conversations regarding the excessive noise generated by equipment at the TV tower site adjacent to my property near North 33rd and Shirley. Most of those discussions occurred over lunch at the Bates Dining Room during the spring of 1987. I also discussed the matter with Don Buck, Director of ~~School Facilities at Delong School on June 18, 1987.~~ You have acknowledged that the noise level was a concern, yet no corrective action has been taken.

Although my property has only trees on it, I have been negotiating to sell it for development. My letters to you dated October 23, 1986 and November 20, 1986 serve to document the seriousness of my intent to sell. Similar letters were sent to Bruce Steel, representing Cleworth Equities Group, Inc. You may recall that Cleworth Equities purchased approximately ten acres adjacent to my property from the Tacoma School District at about that time. The intrusive nature of the T.V. station was one of their reasons for not accepting my offer to sell at a rate similar to what the District received.

I might add that noise from the station is excessive at my home (450 feet from the station), especially when I have my windows open on warm summer evenings. As I have stated several times that a few thousand dollars of acoustical insulation should reduce the noise level and alleviate the noise pollution at my home and the neighborhood.

~~I have enjoyed "good neighbor" relationship with the T.V. personnel and you for several years.~~ However, the imminent departure of Don Buck and prudent management procedures dictate that I document my on-going attempts to resolve the adverse impact of T.V. Station.

Bruce L. Arneklev



3306 N. Shirley  
Tacoma WA 98407

cc: Don Buck, Director of Facilities

PAGE 2 of 19

Attachment B TO 7/26/96 LETTER TO  
from Bruce and Dixie Arneklev LAND USE ADMINISTRATOR  
7/26/96 FOR RECONSIDERATION OF SUP 96-00010

On the picture below, the base of the KTPS tower is apparent on the left and the KCPQ micro-wave dish can be seen in the background on the right from the northwest corner of our property. In the foreground, well within the northwest corner of our parcel 02-21-26-4-041, on our steel post, our grandson/son's safety helmet may be seen for reference. It may be seen that only a narrow footpath and a few weeds are between our property and the tower.

Where's the buffer? In fact there are only weeds and low brush for over ninety feet up the hill to the right of this picture. As illustrated by Attachment C, even where there are some trees on the east side of their site, sound emission are in excess of legal standards at points one and two on our property.

It is of note that the special use permit application proposes to place the modules for the installation in the space between the chain link fence and our property. Sound from these modules will only add to the current excess sound emissions from the site to our property.



PAGE 3 of 19

RECEIVED

JUL 26 1996

7/26/96

Land Use Administrator  
Building and Land Use Services Div.  
Room 345 Third Floor, Municipal Bldg  
747 Market Street,  
Tacoma WA 98402

Ans'd

Page 1 of 3 pages and  
three attachments and *BM*  
~~a check for \$200.00~~ from  
Bruce & Dixie Arneklev

REF: Request for reconsideration of:  
Special Use Permit Sprint Spectrum  
File Number SUP96-00010

(A commercial installation on property zoned R-2)

This letter follows our 6/28/96 letter, which specified our reasons for objecting to the granting of the permit noted above. Herein we will critique portions of the report "FINDINGS MADE BY ADMINISTRATOR" as outlined on page 4 of the 7/12/96 report. We specifically respond to the first four of the "Findings..." for being incomplete and / or incorrect in relation to the facts as we know them as neighbors of the site for over twenty years. We then note and provide attachments to document how criteria specified in the 7/12 report are violated.

1. Project Description: The report fails to note that the installation is to be made for the primary benefit of a fully commercial (for profit) agency on property that is zoned R-2. The host (A not-for profit agency, KTPS) continues to enjoy tax advantages and apparently will get paid by Sprint. KTPS has previously contributed to the operation of other commercial agencies, such as Kelly Broadcasting (KCPQ Channel 13) by affording them the opportunity to make commercial installations including a large micro-wave dish. The dish was installed without neighborhood notification, as were at least eight other pieces of hardware currently hanging on the tower. We have not established the total scope of the(se) tax "shell(s)" that commercial agencies are enjoying, but we do know that each installation serves on an incremental basis to reduce the value (See attachment A) of the property on which we have been paying property and other taxes for over twenty years. It's more than ironic that about half of our taxes go to support KTPS staff and other educational agencies (while KTPS doesn't pay any property taxes) and they in turn can gain benefit while lowering the value of our property and apparently providing (tax and other) advantages to commercial enterprises. Thus, we are forced to subsidize commercial enterprises. This violates condition 4B (page 7) of the 7/12 report.

2. Location: The report states that "(T)he site is located on the south side of North 35th Street...", when in fact the tower on which the antennas are to be attached is actually closer to North 33rd street than it is to North 35th. The tower on which the antennas are to be mounted is actually forty (40) feet from our property line on the extreme south side of the KTPS property, over 300 feet from North 35th Street. Our property line is approximately 238 feet from North 33rd street. This places the installation on the border of the southwest corner of the property on which the special use permit is requested. The report goes on to specify that "The Generalized Land Use Plan designates the northwest portion of the site 'medium intensity' and the rest is designated 'low intensity.'" In fact, the installation is proposed for a corner of the property which is at the extreme opposite end of the KTPS property than what is described in the report as the "Location." (Why is the location of the tower never plotted on any of the charts sent to the public?)

PAGE 4 of 19

3. Site and Existing Conditions: The report states that: "(T)he site is buffered from the surrounding neighborhood by dense trees and other natural vegetation." When in fact (as can be seen in picture in Attachment B) there is absolutely no buffer between the tower and our residential property, which is forty feet south of the tower. The Land Use Administrator, who reportedly visited the site, must have assumed that our land with trees (which is residential property) was part of KTPS property. In fact it appears that we are paying taxes on our land to provide a buffer between the tower, its noise (which exceeds "Maximum Environmental Noise Levels" specified in Chapter 173-60 of WAC-See Attachment C) and associated commercial ventures. One of the reasons we have been reluctant to develop our adjacent residential property is because we would have to take out some of the trees on our property that now provide us some buffer to the noise currently emitted. Our contribution to the neighborhood by leaving our property undeveloped appears to be working to our disadvantage. The absence of a buffer violates criterion 3c (page 3) specified in the 7/12 report.

4. Surrounding Area, Uses and Zoning: The last sentence states that "...vacant property abuts to the east and to the south..." (which is our residential property) giving the impression that it's okay to do anything, because it won't currently bother anyone. This ignores our vested right to develop this "vacant" property. The Administrator's "Finding(s)..." appear to make legitimate the practice that KTPS, Sprint, and Kelly broadcasting have exercised toward our residential property. This is a "taking" of our vested right to develop our property and ignores the nuisance and trespass that they have perpetrated. They should not be allowed to perpetuate these unlawful practices. This paragraph specifies violations of the basic paragraph for criterion 3 (page 3) and condition 4B (page 7) of the 7/12 report, i.e., that the request is "inconsistent with health safety, convenience or general welfare of persons who (may) reside in the area (in the future)."

We would like to show the Land Use Administrator and other interested parties property lines and help them to visualize and hear the impact of the proposed development from our property. We would also like to show them orange paint, which fell from the tower when it was painted last year. As we noted in our 6/28/96 letter, icefall and other shadow effects continue to be a concern. (If paint has fallen thirty-five feet on our side of the property line during weather when it is fit to paint on a tower, there will certainly be much greater danger to those residing below during ice and snow storms.)

In this "Request of reconsideration...", we have documented through attachments that granting the proposed special use permit would:

- (A) reduce the value of our property,
- (B) violate requirements for buffers between commercial installations and residential properties and
- (C) increase nuisance and trespass from the site by adding to noise which is already in excess of health standards for sound emissions.

PAGE 5 of 19

Page 3 of 3 from Bruce & Dixie Arneklev 7/26/96

We have shown that there is incompleteness and errors of fact in the Land Use administrator's 7/12/96 report. Therefore, we request that the Special Use Permit be denied until those requesting this permit remedy the shortcomings specified.

Please be advised that we have tickets to be out of state with our family from 8/13/96 through 8/27/96. Please arrange for subsequent meetings or hearings before or after that time period.

Sincerely,



Bruce L. & Dixie M. Arneklev  
3306 N. Shirley  
Tacoma, WA 98407

Phone: (206) 752-2795

PAGE 6 OF 19

RECEIVED  
FEB 24 1998  
Ans'd 3:43

Theresa Turpin  
Building and Land Use Services Division  
Public Works Department  
747 Market Street, Room 345  
Tacoma, WA 98402

2/24/98  
Page 1 of 2

Reference File Number SUP97-00040

Your "Meeting Notes, Public Meeting for SUP97-00040, February 12, 1998" summarize a portion of my remarks regarding my request for 1) **"enforcement of the law"** in relation to current violations to the Tort Laws of "Trespass" and "Nuisance", but do not mention my greatest concern regarding **"Conversion."**

You also accurately mention my request for 2) **"equal treatment under the law"**, but do not mention the specifics which I used to clarify what I meant by equal treatment under the law or more technically my estoppel rights.

I will use this letter to elaborate on what I apparently did not emphasize or clarify sufficiently at the 2/12/98 meeting.

1) That multi-million dollar entities (KBTC, KCPQ, Sprint, et. al. and now Western) have or are proposing to implement plans that have and will further destroy or alter (reduce) the value of my personal property while accruing benefit to them. This is a form of Taking and Denies me the Pleasure of property. The guidelines distributed prior to approval of the Sprint proposal clearly stated that compliance with the law was a condition of approval. Now the Western application, like the Sprint application, is clearly violating the Tort Law of Conversion and the laws regarding Taking and Denying a neighbor the Pleasure of personal property without compensation. (The City and Sprint ignored my arguments on this issue in File NO. SUP 96-00010 and chose to respond to a tangential issue.)

Enforcement of these laws are especially important to me, because the last line of your 12/15/97 Public Notice justifies further installations with the statement that "other companies have attached PCS antennas to the structure (SUP96-00010)."

Each installation is on an incremental basis making my property less valuable, as every potential buyer has told me and which is specifically documented on page one of Attachment A to my 7/26/96 objection in File No. SUP96-00010. What really irritates me is that the City did not require Sprint to prove that they were not engaging in a process which in the aggregate would devalue my property and it now appears that the City is about to rubber stamp the Western application, because of the Cities failure to enforce the law in past instances.

PAGE 7 of 19

2) Now that the City has allowed several multi-million dollar entities to engage in practices such as those that follow, and are now soliciting input for continuation of those practices, I wish to inform all entities of estoppel rights granted to me as a tax paying entity on adjoining residential property.

A. On line 18 of page 2 of the 8/22/96 "Order Denying Motion for Reconsideration and Affirming Decision" the City has acknowledged that "The Arneklev's correctly state that there is no buffer between the tower and their residential property." Given that ruling, I hereby claim the right to develop without a buffer or setbacks on any part of the 1700 foot perimeter of the following adjacent parcels:\*

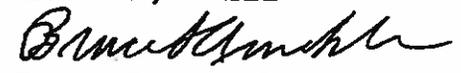
02-21-26-4-036 @ 5517 N. 33rd  
02-21-26-4-017 @ 5519 N. 33rd  
02-21-26-4-041 @ 5529 N. 33rd  
02-21-26-4-060 @ 5539 N. 33rd

B. That the City consistently claims that the Sprint installation and proposed Western installation are on North 35th Street (when they are obviously closer to North 33rd Street). I hereby claim the right to make installations on any part of the parcels listed above as though the installations were physically on North 33rd Street, because all addresses are on North 33rd Street.\*

C. That the City has not required commercial entities such as Kelly and Sprint (and is considering allowing an installation by Western) to pay any property, sales or drainage tax on the residential land which they (will) occupy. Therefore, as an adjacent property owner, those taxes will be waived on the parcels described above.\*

D. That the City has permitted (and is considering an additional permit for) commercial entities to initiate construction on land which is almost certainly contaminated with arsenic and lead above levels specified for cleanup by the Environmental Protection Agency. (Ten years ago the City required Cleworth Inc. to scrape off the top four inches of ten acres 240 feet to the south.) Documents given to KBTC clearly indicate that contamination is on property juxtaposed to the south and the east boundaries of KBTC property and will be within 20 feet of the proposed installation. (The contamination is therefore known to extend continuously over 800 feet to the south.) Thus, the requirement for cleaning up arsenic and lead on the parcels noted under 2)A will henceforth also be waived.

\*If not granted, each of these will confirm that **Conversion Tort Law** has been violated.

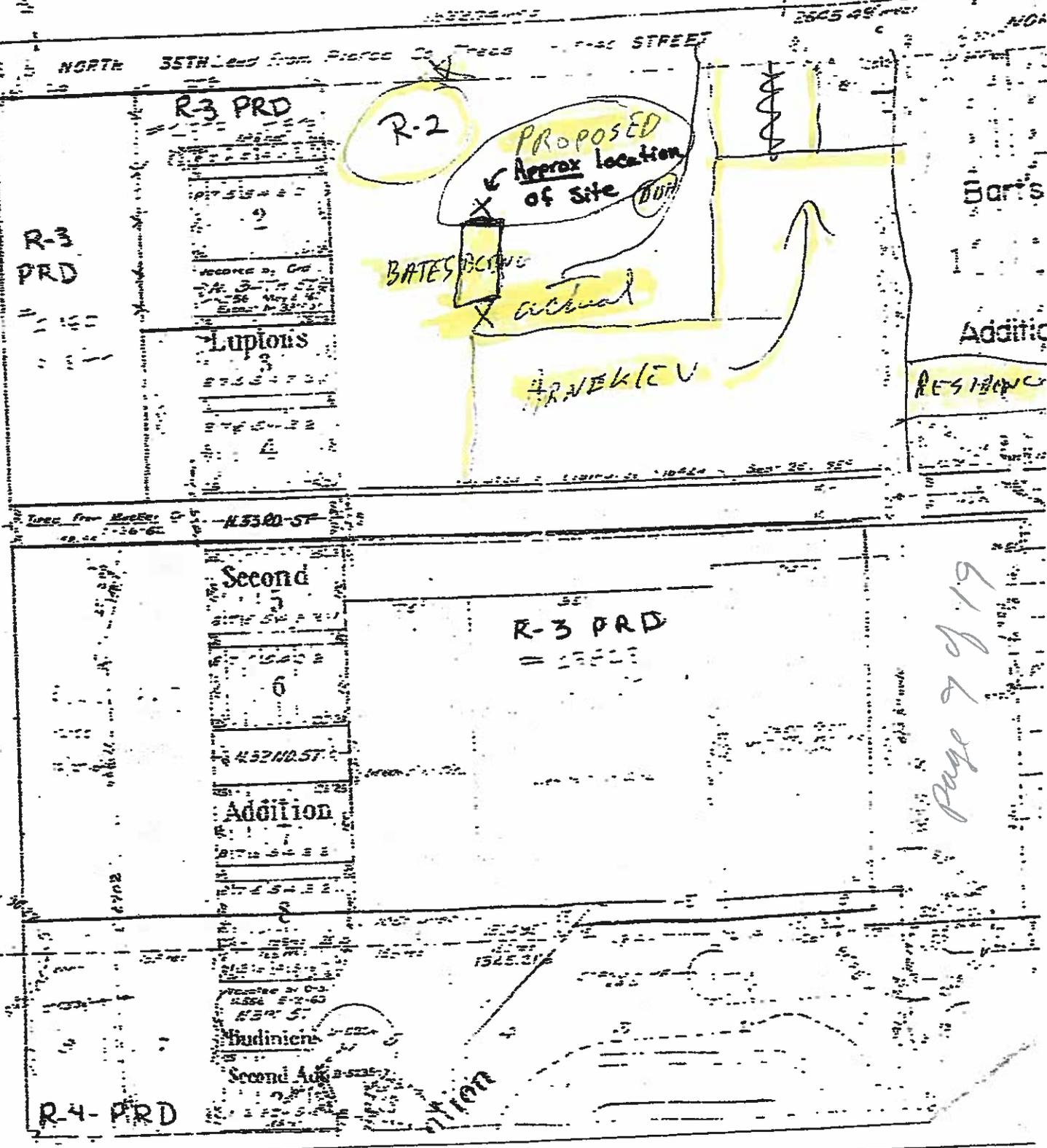
  
Bruce L. Arneklev  
3306 N. Shirley  
Tacoma, WA 98407

7968 of 19

2/28/98 materials hearing

CITY BY M... + MIS PLOTTING

ADDED BY BLA

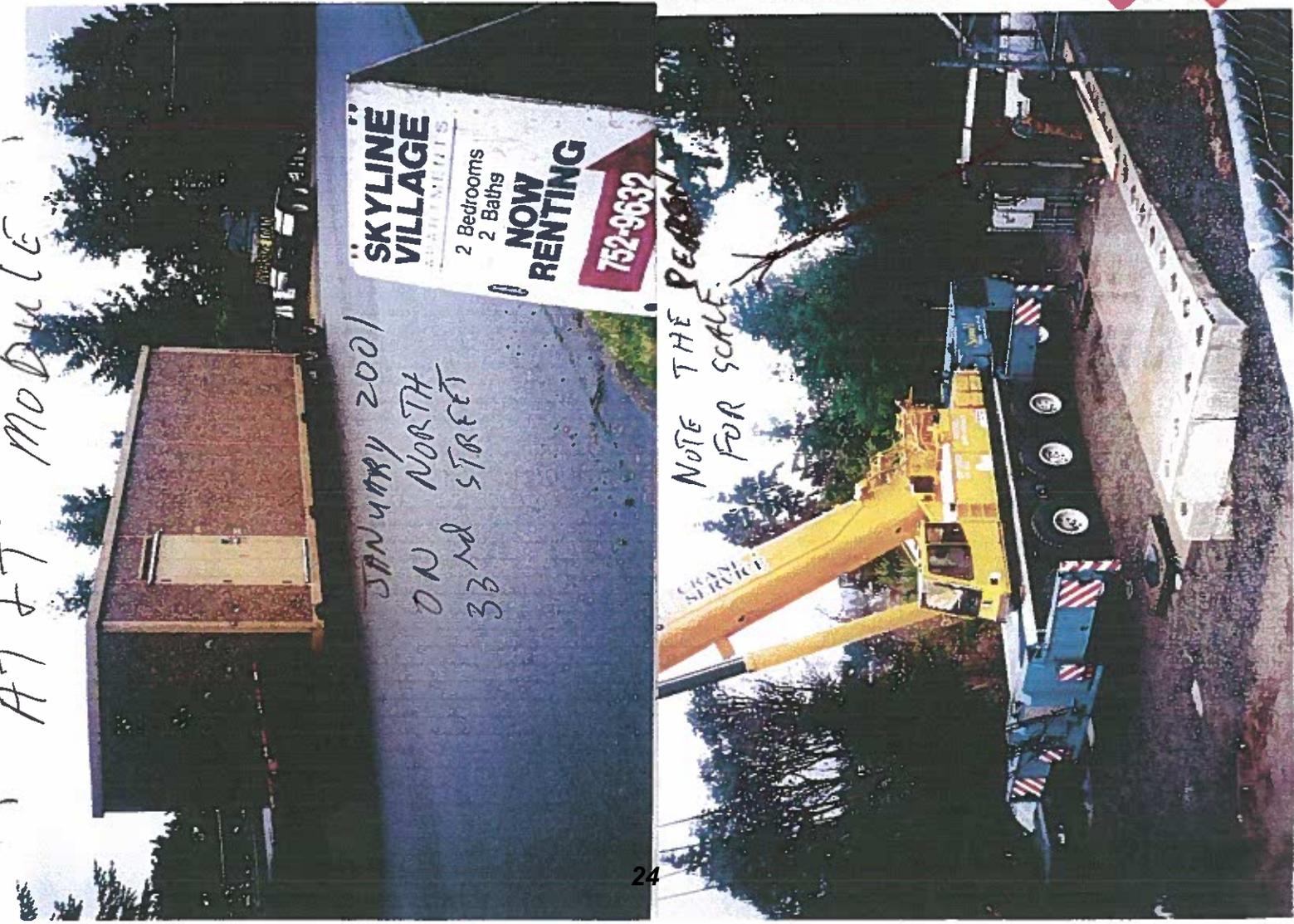


AT&T MODULE

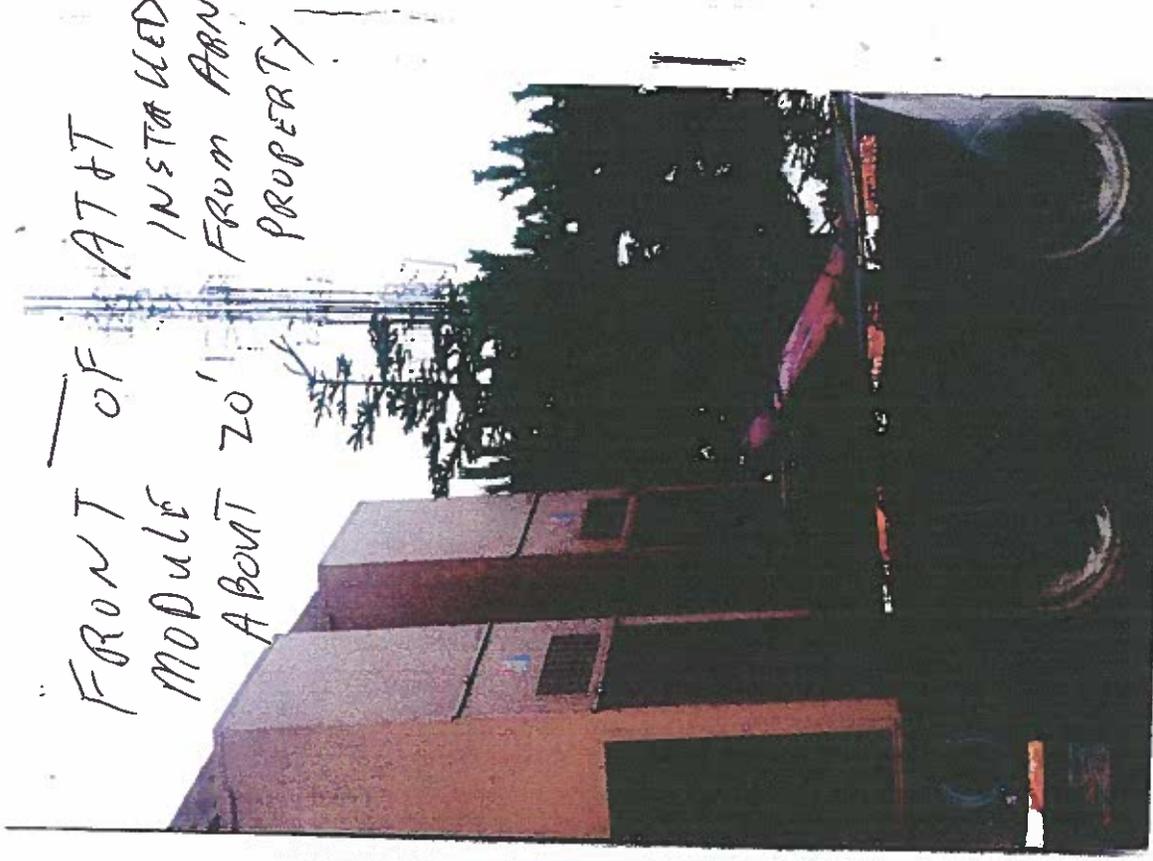
JANUARY 2001  
ON NORTH  
33rd STREET

SKYLINE VILLAGE  
2 Bedrooms  
2 Baths  
NOW RENTING  
752-9632

NOTE THE PERMIT  
FOR SCALE



FRONT OF AT&T  
MODULE  
ABOUT 20'  
INSTALLED  
FROM ARNEKIA  
PROPERTY



↑ AT&T HEAT EXCHANGERS PLACED  
ON SOUTH END CONCRETE BLOCKS LEFT  
← SITE AT PITS WHERE MODULES  
ABOVE WERE PLACED PERMIT  
← FENCE SEPARATING ARNEKIA PLOTS

PAGE 10 of 19

Theresa Turpin  
Building and Land Use Services Division  
Tacoma Municipal Building, Suite 345  
747 Market Street Tacoma, WA 98402

3/16/01

Reference: 1) Commercial installations by AT&T / KBTC / Bates  
@ 5544 North 35th Street / Tacoma  
In spite of my objections as recorded in Files:  
SUP96-00010 and SUP97-00040

You may recall my phone call in late January, when I expressed my concern about an additional AT&T "PCS?" installation at the above site. I stated that the AT&T modular unit was 10' X 12' X 28' & that two (22" X 42" X 8") extended fans were directed down my property line from the modular unit. Although the installation itself is placed in a relatively unobtrusive position, I questioned (1) sound levels that would be generated and added to the levels that are already documented (by an independent agent at my expense-see attachment A) as being above health standard limitations and (2) that I didn't think that a 330 sq. ft. footprint plus extensions and antennae were in keeping with approved permit(s).

The city's representative, Andy Smith, has subsequently taken additional readings of sound levels during the afternoon of February 27th. At his request, I provided him a copy of attachment A, which was completed by Stan Champ. He stated that he had done some work with Mr. Champ and expressed surprize that the city hadn't shown more respect for Mr. Champ's work, which the city had since July 26, 1996 as part of file SUP96-00010. He also questioned whether his equipment was as good as the equipment that Mr. Champ had used and said the criteria used by Mr. Champ were more generous (to KBTC) than current limits.

The readings Mr. Smith made were similar to those that Mr. Champ had recorded almost five years ago, in spite of attempted mitigation by KBTC in the form of a masonry deflecting wall and plastic strips through an eight foot chain link fence. (The fence appeared to reduce noise by two DBA when readings above the fence level were compared to those directly behind the fence.) This was without the AT&T fans being in operation.

Please send a directive to KBTC to cease and desist from violating health standards. Also, make additional measurements when AT&T fans are in operation, if the AT&T installation is allowed to remain in place.

Thank you,  
*Bruce L. Arneklev*  
Bruce L. Arneklev  
3306 N. Shirley  
Tacoma, WA 98407

(253) 752-2795

page 11 of 19  
FOOTNOTE BY  
STEVE DAVIE  
ATTORNEY FOR  
ARNEKLEV'S.

PLEASE NOTE  
OF THE ONGOING ISSUE  
AND MY PROPERTY  
RIGHTS CONTINUES  
TO CHANGE ME  
DAMAGE. *DAVIE*

Brian Ebersole, President  
Bates Technical College

5/25/01

Congratulations on your new position.

You may remember me from the sixteen years I spent as a Coordinator in Tacoma Schools' Office of Research and Evaluation, when I used to send you literature on school drop outs, while you were in the State Legislature.

I retired last February, after over forty years of public service. Now I'm trying to look out for my own interests.

I've enclosed copies of material that your staff has chosen to ignore or to take positions that may be politically expedient, but questionable from a legal standpoint.

I hope we can arrive at an equitable resolution to the noise that emanates from the Kelly, KTBC, AT & T, US West, Western, Sprint, etc. broadcasting site on North 35th street in Tacoma, which borders my three (plus) acre parcel that I hope to sell in the next several months.

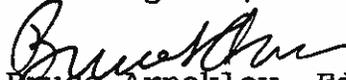
The News Tribune has indicated that KBTC receives over \$100,000 of revenue annually from these multi-million dollar commercial entities.

Having devoted my life to educational ventures and many years of contributions to public television as well a picking up garbage next to KBTC tower a daily basis for over 20 years, I hope I don't have to take legal recourse to collect damages.

As an old counselor, I'm sure you will appreciate a few of the thoughts I have been entertaining after prolonged abuse by bureaucracies that I devoted my life's work to. It would be interesting to see what damages a jury might find for an individual when so many large entities are taking advantage of that individual. Public nuisance, malfeasance, collusion, punitive damages and of course the press would have a field day.

You might want to run this by your risk management office. Our good friend and public servant, Willie Stewart, may also fill you in on my state of mind.

Best Regards,

  
Bruce Arneklev, Ed.D.  
3306 N. Shirley  
Tacoma, WA 98407

752-2795

Page 12 of 19

This attachment is a summary of selected WRITTEN efforts by Bruce L. Arneklev to communicate with Bates Technical College (KBTC) leadership staff and / or City of Tacoma employees in attempts to get relief from daily (365 days a year for 20 years) health standard violations (WAC 173-60-040). [The noise emissions are from their tower SITE (not the tower), which has an address of 4544 North 35<sup>th</sup>, Tacoma, WA.]

8/24/1989 letter to Ronald Lively, Manager of the TV station with copies to Ben Soria, Business Manager and John Helmlinger, Director of Facilities for Tacoma Public Schools, which were then administratively responsible for the TV station, then called KTPS. This letter was a summary of conversations I had in the spring of 1987 and before with Ronald Lively regarding our mutually agreed upon concerns about "...excessive noise generated by equipment at the TV tower site adjacent to my property near North 33<sup>rd</sup> and Shirley." This letter also documented a similar conversation with Don Buck, Director of School Facilities, which occurred on June 18, 1987.

6/28/1996 letter to Yvonne R. Barker, Building and Land Use Services, Public Works Department "REF: Special Use Permit Sprint Spectrum File Number SUP96-00010 (A commercial installation on property zoned R-2)" In my letter I state "... We have endured excessive noise generated by their cooling equipment and numerous installations of hardware..." A July 12, 1996 Public Works response included the statement: "The Land Use Administrator concludes from the information provided that the (proposed use) is not inconsistent with the health, safety, convenience or general welfare of persons residing or working in the community." ... "Vacant property (WHICH IS THE ARNEKLEV PROPERTY) abuts the site to the east, south...of the site. The site is buffered from the surrounding neighborhood by trees (ARNEKLEV'S CHRISTMASS TREES) and natural vegetation (small shrubs and some larger trees mostly on Arneklev's land which was zoned R-2)."

7/26/1996 letter to "Land Use Administrator" "REF: Request for reconsideration of : Special Use Permit Sprint Spectrum File Number SUP96-00010 (Commercial installation on Property zoned R-2)" This letter includes documentation contesting four positions supported by the Land Use Administrator. One part of the documentation is a report from an independent study of noise emissions from the TV tower area by a retired Boeing acoustical engineer, Stan Champ. Mr. Champ was recommended by a City of Tacoma employee responsible for health standards compliance, because Mr. Champ had frequently been used by the Tacoma Schools and the City to resolve issues of sound emissions. The attached independent study documented that emissions from KBTC were in excess of health standards on the adjacent Arneklev property. Advocates for the applicant (Sprint) stated: "...Without getting into the merits of the sound study (NOT SPECIFYING ANY SHORTCOMINGS OR SHOWING ANY DATA TO REFUTE) ...The environmental Checklist ... indicates there will be no significant noise emitted by the project." MY DATA REPRESENTED ACTUAL CONDITIONS while his checklist represented intent. How could the Land Use Administrator rule in favor of intent?

Page 13 of 19

3/14/1997 Tacoma Police Department "INCIDENT NOTIFICATION REPORT" for "Criminal Trespass" in case 970730551 by Reporting Officer Dan Fozzard. The citation was issued for taking down my gate in front of "KEEP OUT" signs, making truck ruts in my garden and grass play field AND placing several survey stakes ten to twenty feet on my side of my fence and property line by subcontractors of KBTC and their tenants.

1/8/1997 letter to Debbie Emond, Station Manager with copies to Bill Mohler, Bates President and Rolin Dewhurst, Chairman to the Bates Board of Trustees outlining my concern about the excess noise with an attached copy of the independent study. Debbie responded 1/21/1998 indicated that: "...we will pursue discussions with the architects to identify ways to implement some type of noise abatement on a temporary basis (until a tentative construction project could be completed by January 1999)."

2/24/1998 letter to Teresa Turpin in Public Works "Reference File Number SUP97000040" This letter outlines what I had said at the 2/12/1998 public meeting in order to emphasize what had been omitted from the official minutes of that public meeting. I outlined the shortcomings in File NO. SUP 96-00010 and how those shortcomings violated the Tort Laws of "Conversion", "Taking" and "Denying (a neighbor) the Pleasure" of personal property, as Western Wireless applied to make additional installations on or near the offending KBTC tower site.

12/6/1998 letter to Yvonne R. Barker in Public Works Department with copies to Debbie Emond, Bill Mohler and Rolan Dewhurst with a copy of the independent sound emission study attached and expressing my distress, which was resulting from an industrial power unit running 24 hours a day for over a week within ten feet of my property line IN ADDITION to ongoing violations, while I was trying to sell U-cut Christmas trees from my property. I also tried to emphasize that applicant depictions of installations omitted my property from illustrations as well as erroneously plotting the location of the offending installations by KBTC and its multi-million dollar tenants.

3/16/2001 letter to Theresa Turpin outlined how City representative, Andy Smith, had replicated the Stan Champ findings, which had demonstrated ongoing emissions from the KBTC site in excess of health standards. The letter specified that the violations were occurring BEFORE the new AT&T installation came on line and requested that another assessment be made AFTER the AT&T installation was functioning. My attorney also added a footnote which stated: "Please note the ongoing abuse of my property and individual rights continues to cause me damage. (Which I ratified with my initials.)"

5/25/2001 letter to William B. Bailey Jr., AICP for the City (with a copy going to Brian Ebersole, President of BVTI) reminding him that I had gone over my 3/16/2001 letter with him and asking him to: "Please send a directive to KBTC to cease and desist from violating health standards. Also, make additional measurements when AT&T fans are in operation, if the AT&T installation is allowed to remain in place."

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Gary L. Pedersen, CBO, Manager of Building and Land Use Services Division, responded with a letter to Debby Emond on 6/15/2001, stating that: ... "These readings (by Andy Smith) exceed the night time noise limits and, therefore, would constitute a violation of maximum permissible noise levels set forth in WAC 173.60." And: "Please advise this office by June 25, 2001 of your assessment of the noise complaint violation as well as that of your tenants and the measures that will remove the violation."

Debbie Emond wrote a letter to the KBTC tenants requesting that they comply with sound emission standards. AT& T did build a small wooden fence around their trailer house size cell phone installation. BUT, nothing was done to reduce the ongoing emissions from the KBTC, and, to my knowledge, nothing has been done to meet Gary L. Petersen's request of follow-up assessment.

Now, in November and December of 2006, several men have been working for several weeks making substantial remodeling and additions: installing power poles and transformers, excavating for connections of additional electrical power and installing two large engine-like (approximately 6' high by 3' wide and over 6' long) units.

Notice that the original TV tower is NOT the issue. Advocates for tenants have apparently tried to obscure the issue by representing all installations as things to be grand-fathered in with the construction of the tower before I purchased my property, when in fact, the source of the noise emission was installed after the Tacoma Public Schools first least the property on 10/14/1982.

THE NOISE IS THE ISSUE. The tower used to be esthetically pleasing, before all the new hardware was installed. The issue is the equipment installed since October 14, 1982 when the Tacoma School District first acquired lease to the property from Kelly Broadcasting Co. I have photos and official records to legally establish these facts.

I have NOT received notification of any change in zoning from R-2 for the KBTC five acre parcel, which has been zoned R-2 since I purchased my property in 1975. KBTC has been violating health standards for 20 years and the City of Tacoma has not followed through on my several requests for law enforcement regarding new installations.

This constitutes unwillingness or inability to comply with Tort Law and in turn violates my Civil Rights for "...equal protection of the laws" as specified in the 14<sup>th</sup> amendment to the U.S. Constitution. Prompt remediation of these issues would be to the best interest of all parties. (Copies of all documents cited are available on request.)



Bruce L. Arneklev, EdD  
3306 N Shirley  
Tacoma, WA 98407

61 pgs 151 hand

RECEIVED  
CITY MANAGER'S OFFICE

JUL 14 2008

Eric Anderson  
City Manager  
City of Tacoma, WA

July 14, 2008

Amendment XIV, Section 1 (to the U.S. Constitution) indicates: "No state (or governmental entity) shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or PROPERTY, without due process of law, nor deny to any person within its jurisdiction the EQUAL PROTECTION OF THE LAWS."

Since July 26, 1996 the City of Tacoma has had documentation in their possession establishing that the TV station affiliated with Bates Technical College has been violating health standards as outlined in WAC 173-60-040. A letter (see attachment I) from the office of the Attorney General of Washington specifies that: "That law governs throughout the State of Washington (since 1975), except where local authorities have enacted ordinances imposing tougher standards."

On June 15, 2001, Gary L. Pedersen, CBO, Manager, Building and Land Use Services for the City wrote a letter (see attachment II) to Debby Emond, General Manager, KBTC-TV. The last two sentences of the first paragraph in that letter state: "On February 27, 2001 Andy Smith, of our staff, took noise readings at the Bates / Arneklev property line. These readings exceed the night time noise limits and, therefore, would constitute a violation of maximum permissible noise levels set forth in WAC 173.60."

The last full paragraph of Gary L. Pedersen's letter specifies: "Please advise this office by June 25, 2001 of your assessment of the noise compliant/violation as well as that of your tenants and the measures that will remove the violation." This letter documents that the city has confirmed that they agree that there is an ongoing violation. Yet, they have been UNWILLING or UNABLE to follow up and enforce that law.

The TV station did commission a study by The Greenbusch Group, Inc. A June 13, 2007 report from that study again documented excess noise emissions. In spite of documentation from three impartial studies, to date, no material relief has been provided to me. In fact, the TV station has subsequently installed two diesel generators that emit substantially more noise than has been violating the WAC on a daily basis for over twelve years.

I can only conclude that KBTC and the City find it politically expedient to NOT comply with or enforce the law. Chronic lack of compliance and enforcement of the law constitutes an egregious violation of my Property and Civil Rights.

  
Bruce L. Arneklev, EdD  
3306 North Shirley  
Tacoma, WA 98407

cc John Briel, City of Tacoma  
Human Rights Division

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PAGE 10 AT&T 10' X 12' X 28' MODULE 20' ON LEFT SIDE OF THIS VIEW.



5/19/16 BATES & WIRELESS ON OTHER SIDE OF FENCE FROM SOUTH SIDE OF ARNEKLEU PROPERTY

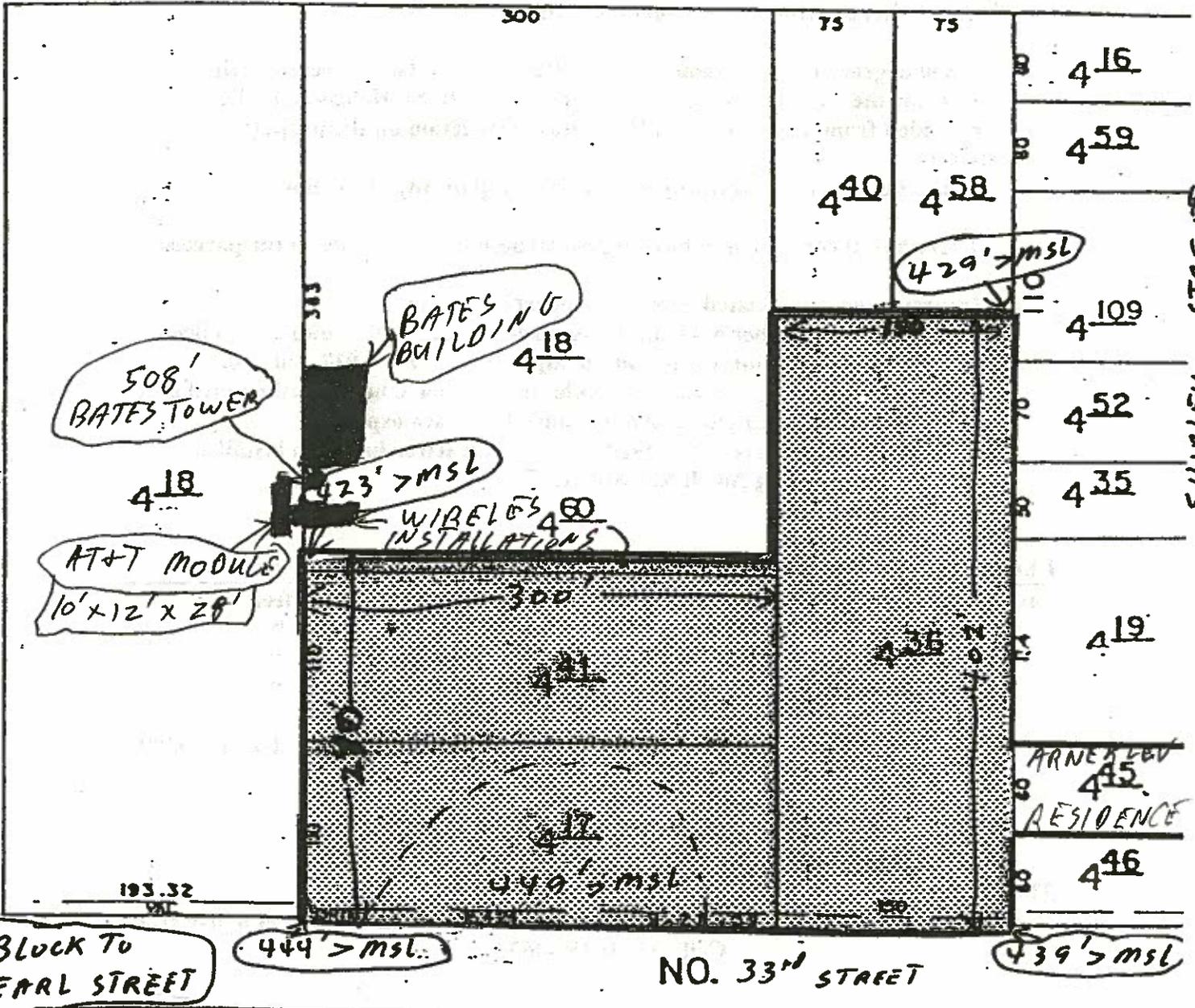
Page 17 of 19

# 3+ ACRE FORMER TREE FARM

2645 4

S. 1-18-1941

NO. 35<sup>th</sup> STREET



page 18 of 19

**THREE ACRE PARCEL  
Highest Ground in Tacoma's  
North & West End**

**Special features of the 3.03 acre former tree farm (plus half the square footage in the 450 linear feet abutting paved North 33<sup>rd</sup> Street):**

- 1. A 360 degree view of Commencement Bay, Vashon Island, Seattle, Gig Harbor, the Narrows Bridge, Mt. Rainier and Mt. St. Helens could be provided from upper floors of high rise construction on the property.**
- 2. Construction on the property would NOT impair anyone's view.**
- 3. There has never been any building construction or wetlands on the parcels.**
- 4. Improvements associated with the property include:**
  - a. L.I.D. number 5248 under assessment numbers 24 and 25 has been paid in full for a water main adjacent to parcels 017 and 036.**
  - b. Large evergreen (mostly noble fir) trees have been basal pruned and turf has been established for a park like atmosphere.**
  - c. 450 linear feet of frontage is paved and sewer has been installed in the abutting North 33<sup>rd</sup> Street.**

**LEGAL DESCRIPTION @ UTILITY ADDRESS & (APPROXIMATE SIZE):**

**Parcel # 02-21-26-4-036 @ 5517 N. 33<sup>rd</sup> (150' X 402') = 60,000 square feet**

**" 02-21-26-4-017 @ 5519 N. 33<sup>rd</sup> (120' X 300') = 36,000 " "**

**" 02-21-26-4-041 @ 5529 N. 33<sup>rd</sup> (110' X 300') = 33,000 " "**

**" 02-21-26-4-060 @ 5539 N. 33<sup>rd</sup> ( 10' X 300') = 3,000 " "**

**-----  
132,000 sq.ft. (+1/2 of N.33<sup>rd</sup>)**



**Bruce L. Arneklev, EdD  
3306 N. Shirley  
Tacoma, WA 98407**

**Phone (253) 752-2795 / e-mail = [arnekleb@msn.com](mailto:arnekleb@msn.com)  
Cell (253) 355-4633**

*SCHEDULE AN APPOINTMENT AND SEE TACOMA + SEATTLE FROM THE HIGHEST ELEVATION IN THE EAST, NORTH AND WEST SIDE OF TACOMA.*

*Page 19 of 1*

**From:** Karol Barkley [mailto:toyresq21@gmail.com]  
**Sent:** Friday, April 15, 2016 1:26 PM  
**To:** Wung, Lihuang  
**Subject:** Re: 2016 Annual Amendment Public Hearing on May 4, 2016

Dear Mr. Wung,

I received the enclosed email from you because of my interest in the COT Planning Commission's intent to develop a Pilot Program for Detached ADU's. I have been placed on the email list as a recipient of the on-going meetings, agendas, and discussions surrounding this and related subjects. I have been in fairly regular phone contact with Elliott Barnett and he has encouraged me to become involved in the land-use and rezoning meetings, as well as the ones specifically addressing Detached ADU's.

Unfortunately, I will be unable to attend the next meeting scheduled for April 27th, but sincerely hope to attend the May 4th meeting. In reading over your email, and having attended a meeting last month, I am hoping you will consider reading my attached comments at this meeting if you feel my interest would be in line with Topics #1, Future Land Use Implementation and #4, Short Term Rentals. If you feel these comments would be better addressed at the May 4th meeting, please let me know. I will be glad to personally share them at that time.

Thank you,

**Karol Barkley**  
**253-565-6201/ cell: 253-226-8359**

*When there is nothing left but God, that is when you find out that God is all you need!*

On Fri, Apr 15, 2016 at 9:57 AM, Wung, Lihuang <[LWUNG@ci.tacoma.wa.us](mailto:LWUNG@ci.tacoma.wa.us)> wrote:

The Tacoma Planning Commission will conduct a public hearing on Wednesday, May 4, 2016, at 5:00 p.m. in the Council Chambers, Tacoma Municipal Building, 747 market Street, concerning the Proposed Amendments to the Comprehensive Plan and Land Use Regulatory Code for 2016 ("2016 Annual Amendment").

Planning Staff will conduct an Information Session on Wednesday, April 27, 2016, at 5:00-7:00 p.m., also in the Council Chambers, for interested citizens to learn more about the subjects of the hearing and be prepared for the hearing.

The 2016 Annual Amendment package includes the following five subjects:

1. Future Land Use Implementation - Phase 1
2. Multifamily Design Standards
3. Wireless Communication Facilities

4. Short Term Rentals
5. Plan and Code Cleanup

Comments are welcome on any or all of the five subjects, as well as on the preliminary Determination of Environmental Nonsignificance (DNS) for 2016 Annual Amendment. You are welcome to provide oral testimony at the hearing. If you wish to provide written comments, please do so by May 13, 2016, via:

- Email to: [planning@cityoftacoma.org](mailto:planning@cityoftacoma.org);
- Fax to: [\(253\) 591-5433](tel:(253)591-5433); or
- Letter to: Planning Commission, 747 Market Street, Room 345, Tacoma, WA 98402

For more information, please visit [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning), and click on “2015 Annual Amendment”.

Regards,

***Lihuang Wung***

City of Tacoma  
Planning and Development Services Department  
747 Market Street, Room 345  
Tacoma, WA 98402  
[\(253\) 591-5682](tel:(253)591-5682)

**CITY OF TACOMA DETACHED DWELLING UNIT  
PILOT PROGRAM  
STATEMENT OF INTEREST  
For Property @ 1116 S. Woodlawn St.  
Wesley T. and Karol A. Barkley residence**

My husband and I purchased our home in an R-2 zoning district at 1116 S. Woodlawn St. in December, 2000. The existing structures included a single-family dwelling of 2,108 sq. ft. and a lot size of 14,024 sq. ft. (also containing a detached garage, carport and shop (all one structure)). Our long-range plans have been to be able to convert the garage into a Detached ADU in order to provide needed temporary (for as long as is required) housing for those experiencing financial setbacks who are unable to provide for their own housing. Since we occupied our home in 2000, we have not been able to afford to pursue this plan and dream because we have been providing for those needs through the sharing of our primary residence at no cost to the “guest(s)”.

Our desire is to continue to provide these accommodations and help those having temporary housing needs as long as we are able. These aspirations are due primarily because of our personal faith and the conviction that those who have “much” should share with those who have less. We feel (as part of our convictions) that we have been given the gift of hospitality, and enjoy sharing our home with others as they, in turn, share their gifts and talents with us. We have adapted (with no additional construction) our home to accommodate up to three other guests at any given time. We purchased the home with this intention in mind. It is a three-bedroom, two-bath home with an additional large room that was, when we purchased it, being used for an exercise room. We saw the potential of making that room our Master bedroom, leaving the other three bedrooms available for guests. This plan has worked out effectively over the past sixteen years. Our lot size is 0.32 acre and about 1/3 of that is available for additional parking (accommodating up to four vehicles), along with on-street parking in front of the house.

There are only three other single-family dwellings in our adjacent neighborhood, with our home being the only residence on a quiet cul-de-sac. Thus, we live in what was termed a “pocket area”. The remaining structures up and down 12<sup>th</sup> Street between So. Orchard and So. Mildred are all multiple-family dwellings. Additionally, there are also multiple-family dwellings lining So. Pearl St. between S. 12<sup>th</sup> and 6<sup>th</sup> Avenue. Over the past sixteen years, we have maintained friendly and cohesive relationships with our three single-family neighbors and have received no complaints from any of them about the additional guests residing in our home. We foresee there being little-to-no impact to any of the apartment residents living adjacent to our home.

In several conversations I have had with Elliott Barnett about the anticipated Pilot Program, I feel that the provision of a Detached ADU on our property would be consistent and compliant with the City's intent to "promote innovative residential infill while ensuring that such infill demonstrates high quality building and site design that is responsive to and harmonious with neighborhood patterns and character" (COT Residential Infill Pilot Program Update and Overview).

It is our hope that our plans would be considered for this Detached Accessory Dwelling Unit Pilot Program. If we are so granted, we would then, submit the details of the advantages of this proposal, both to us, to our neighborhood, and to the City of Tacoma.

Thank you,

Karol A. Barkley, City of Tacoma homeowner

**From:** William Barry [<mailto:willbarry5@msn.com>]

**Sent:** Wednesday, May 18, 2016 8:42 PM

**To:** Planning

**Cc:** William Barry

**Subject:** Rezoning for multifamily/low density apartment building between N. 33rd and N. 35th and Pearl and Shirley

May 18, 2016

Planning and Development Services Department

Planning and Services Division

747 Market Street-Room 345

Tacoma, WA 98402

[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

To Whom It May Concern,

My name is Bill Barry. I am a Classics and History professor at the University of Puget Sound. I have lived and worked in Tacoma for nearly thirty years. (I began teaching at UPS in 1987.)

I deeply regret that I was unable to attend the public hearing tonight on the proposed rezoning for multifamily/low density apartment buildings between N. 33rd and N. 35th and between Pearl and Shirley. Family commitments prevented me from doing so. Please consider my comments to follow as you move through the decision-process for the rezoning.

I'm strongly opposed to the rezoning proposal. My partner and I along with our three kids have recently moved into a house at N. 33rd and Shirley. We were drawn to this neighborhood because of its friendliness and openness. While considering the house, we met our future neighbors, both across the street and next door. We were impressed by their commitment to maintaining their own property and by the other well-kept yards on our street. We were also impressed that our street was conducive to an easy socializing--though cars occasionally take the corner at 33rd and Shirley too fast, they do so infrequently. Our street is pretty safe, thus allowing for easy interaction with neighbors and also for safe walking of our dogs on a street that has few sidewalks. We felt it a good sign also that just two houses down from us, two new single family homes were being built, and that many houses displayed signs of a neighborhood watch group. There was also an abundance of evidence throughout the neighborhood that this area has been a well-established neighborhood for decades. Finally, we also loved the green space to the north of us that gave the neighborhood a natural aesthetic and whose trees and wildlife stand as a evidence of our Northwest values. In short, we felt this to be a strong and beautiful residential area, safe for kids to grow up in, and one committed to community.

I am very concerned about the proposed rezoning. (1) I lament the loss of greenspace should the area be rezoned and apartments built. (2) I fear that renters will be less committed to their

neighborhood than homeowners. (3) I fear that Truman Middle School, currently one of the largest schools in the district and where my step-son will be attending in the fall, will not be able to accommodate the number of new students. And (4) I fear most of all the traffic that will now increase down Shirley Street, thus threatening the neighborhood feel and making it far more dangerous to walk, especially since there are currently not adequate sidewalks on our street. The effect will be to drive neighbors off the street and thus limit opportunities for what we have most sought in our neighborhood--that friendliness and openness described above.

I urge you to reject the proposed rezoning.

Respectfully,

Bill Barry  
3311 N. Shirley St.  
Tacoma, WA 98407  
(253) 370-1765  
[willbarry5@msn.com](mailto:willbarry5@msn.com)

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [KatyBloom@gmail.com](mailto:KatyBloom@gmail.com)  
**Cc:** [Atkinson, Stephen](#)  
**Subject:** RE: Proposed Rezone and Re-designation for Study Area 4 (North 33rd and Pearl Street)  
**Date:** Wednesday, May 18, 2016 12:43:50 PM

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Dear Ms. Bloom,

Thank you for your comments. I am forwarding them to Steve Atkinson, the Planner who is coordinating the analysis on the proposed zoning changes.

Regards,  
Elliott Barnett

Elliott Barnett, Planner  
City of Tacoma PDS  
(253) 591-5389

-----Original Message-----

From: KatyBloom@gmail.com [<mailto:katybloom@gmail.com>]  
Sent: Wednesday, May 18, 2016 6:42 AM  
To: Planning  
Subject: RE: Proposed Rezone and Re-designation for Study Area 4 (North 33rd and Pearl Street)

RE: Proposed Rezone and Re-designation for Study Area 4 (North 33rd and North Pearl Street)

To Whom It May Concern:

I am a homeowner in the affected neighborhood referenced above and I would like to share my concerns regarding the proposed rezoning for the area between North 33rd and North Pearl Street.

I oppose this rezoning project. There are already numerous apartment complexes in the adjacent areas, so I fail to see the need for additional housing of this type. I am concerned that additional high density housing would lead to negative consequences not only for public safety but for the quality of life in this neighborhood. In addition, I have concerns about how this will impact our neighborhood school, Truman Middle School.

Rezoning to higher density would lead to increased traffic and congestion. Our surrounding square mile neighborhood currently has a high ratio of apartment buildings to single-family homes. This population density combined with Truman Middle School, a 7-11 and a Walgreen's on the corners of N. 37th and N. Pearl have contributed to excessive traffic on N. Shirley Street.

The current zoning and land use affords our neighborhood with a church and significant undeveloped land. The trees and fields are home to deer, eagles, owls and other wildlife. The current zoning and land use provides Tacoma's wildlife with a protected ecosystem of undeveloped land amidst the majesty of Tacoma's highest elevation.

Not to generalize about apartment living, but it seems that in our area we have a larger population of sex offenders. Would adding more apartment living increase the percentage of sex offenders? With a middle school close by, is this a good idea? What about the impact on the school enrollment here? My son attends Truman Middle School and they are 'bursting at the seams' with students. How would this impact our school budgets?

As a resident of this neighborhood, I ask that the Planning and Services Division respect our established community which favors pedestrian traffic, values children's safety and cohabitation with wildlife.

Please reconsider and disapprove this land use proposal.

Respectfully yours,  
Katy Bloom

From: [President Truman Heights HOA](#)  
To: [Planning](#)  
Date: Tuesday, May 24, 2016 12:21:46 PM

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Dear Sir/Madam:

I am the President of the Truman Heights HOA.

Our small community of 18 homes has seen an uptake in crime in the past year or so. In fact, in January, at the corner of N 37th and Hwy 163 (Walgreen's,) I was seriously injured when I was walking into a Walgreen's. Several young women were shoplifting hard alcohol and were on their way out and battered and assaulted me since I was in their path. I am still recovering and in PT and seriously injured. This happens "all of the time" according to more than one employee at Walgreen's. I am praying I don't have a permanent disability.

There also was a shooting in the same area but across the street at 7-11 in January. We have had several burglaries (one while the homeowner slept), many car break ins and theft. There are too many people already in this one area. Tons of apartments. My son's school is so full (Truman)! I wonder how this will impact the school and the school traffic.

Our HOA owns a multi-million dollar retaining wall and drainage system and we want to make sure that this new construction would not impact our drainage system or retaining wall.

I live on North Shirley St. and We have frequent drag racers coming down N. Shirley St and around to North 37th Streets at high speeds. There are no cross walks nor speed bumps nor traffic lights.

We have tons of Kids on bikes and skateboards that frequent our street /Hill as well.

On behalf of the members of the Truman Heights HOA, we ask that you please say NO to this rezoning.

My signed petition is below for our home address.

Thank you for your consideration.

Katy Bloom 253-219-6428

PETITION ;  
May 23, 2016

Planning and Development Services Department  
Planning and Services Division  
[747 Market Street-Room 345](#)  
[Tacoma, WA 98402](#)  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

PETITION RE: [North 33rd Street](#) and Highway 163 (North Pearl Street) Rezoning

To Whom It May Concern:

We, the undersigned community and friends of Truman Heights Homeowners Association, oppose the rezoning of North 33rd and Hwy. 163 (N. Pearl Street). We oppose the rezoning because adding multifamily housing would increase vehicle traffic and adversely affect our neighborhood environment. Our neighborhood now consists of more than 800+ rentable units. This density currently presents a strain on existing road capacity which impacts vehicle and

pedestrian safety. Highway 163 (N. Pearl Street) has inadequate turning lanes with no bike lanes and no pedestrian crossings between North 30th and North 37th Streets. Neighborhood and Point Defiance Zoo traffic creates congestion on Highway 163 (N. Pearl St.) which leads to excessive speeding on neighboring residential streets resulting in unsafe conditions.

In addition to pedestrian safety risks, the proposed zoning changes would adversely affect our environment. The existing acreage under consideration currently provides habitat to deer, owls, eagles and other wild life. Building high density units on this area would destroy this habitat and increase neighborhood noise, light and air pollution.

The Truman Heights Homeowners Association consists of 18 families who are invested in promoting safe streets for our community. We strongly oppose the rezoning of [North 33rd Street](#) and Highway 163 (N. Pearl Street) to higher density housing.

Signed:

Homeowner name: Todd & Katherine Bloom

Address: 3526 N. Shirley St Tacoma WA 98407

Date: May 24, 2016

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [Todd Bloom](#); [Atkinson, Stephen](#)  
**Cc:** [presidenttrumanheightshoa@gmail.com](mailto:presidenttrumanheightshoa@gmail.com)  
**Subject:** RE: Public Input to Planning Committee on Proposed Rezoning  
**Date:** Tuesday, May 24, 2016 8:34:51 AM

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Dear Mr Bloom,

Thank you for submitting these comments. I am forwarding them to Stephen Atkinson, the Planner reviewing this proposed zoning change.

All the best,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

**From:** Todd Bloom [mailto:bloomta@uw.edu]  
**Sent:** Monday, May 23, 2016 8:33 PM  
**To:** Planning  
**Cc:** [presidenttrumanheightshoa@gmail.com](mailto:presidenttrumanheightshoa@gmail.com)  
**Subject:** Public Input to Planning Committee on Proposed Rezoning

Sirs and mes Dames:

I am writing to oppose the rezoning of North 33rd and Pearl Street. Some of our fellow Truman Heights Home Owners Association homeowners attended the meeting on May 18,2016 and expressed some commonly-held thoughts there.

Since that time the surrounding neighborhood was canvassed and our fellow homeowners discovered some startling facts. Between North 37th Street and North 30th Street on State Highway 163, (a.k.a. North Pearl Street,) there are approximately 800+ apartment dwellings. Here is only a partial list of the complexes with the numbers representing rentable units:

Aspen Heights 40, Lanes Landing 18, Tacoma Gardens 45, Olympic View 33, Redwood Park 155, Village at the Point 109 and North Pointe 400+.

We feel this is a more-than-adequate quantity of apartments in our community. It has saturated and over populated this area and we see no benefit in allowing more multi-family dwellings to be constructed in our community. If it is the city's intention to emulate Proctor Station and its community; 33rd and Highway 163 is not suitable.

The nearest arterial to 33rd is a busy 4-lane State Highway with no pedestrian crossings from North 30th to 37th. There are no bike lanes and no turning lanes for safe merging onto Highway 163 from any of the side streets from North 30 to North 37th Street. This is a hilly area and there is a risk to pedestrians trying to cross Highway 163 from the middle or the bottom of the hills, due to poor visibility. Highway 163 is the main thoroughfare to Point Defiance Park and is extremely congested during the late spring through early fall months when the weather is sunny. Has a traffic study been done along this route during peak summer hours?

Another point I would like to address is how this might impact the surrounding school enrollment. Has a study been done addressing Truman Middle School and the elementary schools that send students to Truman? I understand Truman is at or near full capacity now.

Directly across from the Truman Heights HOA houses on North 35th Street is an undeveloped acreage owned by Bates College. We have watched the wildlife inhabiting this area, ranging from deer, raccoons, possums, owls, eagles and rabbits. In this area there are a lot of natural landscaping that include Madrona trees, Fir trees, Birch trees and many other species. This forms a marvelous tree canopy and safe habitat for the above mentioned animals. It is an enjoyable wildlife haven in the city. It would truly be a shame to see this area gone.

We are neighbors vested in making our homes in a calm natural environment without being overrun by more apartments. This is why we chose to purchase our home in a single family development 14 years ago. I sincerely hope the Planning Committee will address my concerns and re-evaluate rezoning of this area.

The substance of this letter has been circulated among the eighteen families that comprise the Truman Height Home Owners Association.

Thank you for your attention to our concerns.

Respectfully,

Todd A. Bloom, homeowner  
3526 North Shirley Street Tacoma, WA 98407

May 11, 2016

Dear Chairman Mello and members of the IPS Committee,

Thank you for the opportunity to comment on the proposed code amendments relating to multifamily district design standards (TMC 13.06). Forterra has long been invested in the economic prosperity, growth, and sustainability of Tacoma and Pierce County. From our work protecting farmland to helping cities become attractive and healthy places to live, we support a range of efforts across the county to improve the quality of life in communities.

The development code revisions drafted as part of the 2016 Annual Amendment to the city's comprehensive plan represent an opportunity for Tacoma to create a more attractive community. The city's growth targets call for an additional 79,000 residents moving to the city by 2030. We must consider how we want to shape the city as new development emerges to meet the growing need for housing and commerce.

Design standards are an important tool by which cities articulate a vision for how the built environment should look, feel, and function. Tacoma is characterized by distinctive neighborhoods, historical buildings, and welcoming public spaces. Its vibrant downtown showcases a range of architectural styles. The design of future buildings can enhance the city's sense of place and identity, helping Tacoma to grow with grace as more people move to this region.

Forterra encourages this committee to approach the Annual Amendment in general - and the proposed code amendments to TMC 13.06 in particular - as an opportunity to create more certainty around the future of Tacoma as an attractive, livable city whose buildings and public spaces add texture to the fabric of the community. We support the inclusion of multifamily district design standards in the development code as a step to improve walkability, public space, landscaping, and tree cover across the city.

Sincerely,



Nicholas Bratton

Policy Director

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [Joyce Carle](#); [Atkinson, Stephen](#)  
**Subject:** RE: Rezone Study Area 4  
**Date:** Tuesday, May 24, 2016 8:31:09 AM

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Dear Ms. Carle,

Thank you for submitting these comments. I am forwarding them to Stephen Atkinson, the Planner reviewing this proposed zoning change.

All the best,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

**From:** Joyce Carle [mailto:[lpnjam@aol.com](mailto:lpnjam@aol.com)]  
**Sent:** Monday, May 23, 2016 4:03 PM  
**To:** Planning  
**Subject:** Rezone Study Area 4

May 23, 2016

I am writing to oppose the rezoning of North 33<sup>rd</sup> and Pearl Street. I attended the meeting on May 18, 2016 and expressed some of my thoughts there. Since that time I have canvassed my surrounding neighborhood and have found some startling facts. Between North 37<sup>th</sup> Street and North 30<sup>th</sup> Street on State Highway 163, (AKA Pearl Street,) there are approximately 800+ apartment dwellings. Here is only a partial list of the complexes with the numbers representing rentable units:

Aspen Heights 40, Lanes Landing 18, Tacoma Gardens 45, Olympic View 33, Redwood Park 155, Village at the Point 109 and North Pointe 400+.

I feel this is an enormous amount of apartments in our little community. It has saturated and over populated this area and I see no benefit in allowing more multi-family dwellings to be put in our community. If it is the city's intention to emulate Proctor Station and its community; 33<sup>rd</sup> and Highway 163 is not suitable. The nearest arterial to 33<sup>rd</sup> is a busy 4 lane State Highway with no pedestrian crossings from North 30<sup>th</sup> to 37<sup>th</sup>. There are no bike lanes and no turning lanes for safe merging onto Highway 163 from any of the side streets from North 30 to North 37<sup>th</sup> Street. This is a hilly area and there is a risk of poor visibility if people try to cross Highway 163 from the middle or the bottom of the hills. I feel this is very hazardous area for foot traffic. Highway 163 is the main thoroughfare to Point Defiance Park and is extremely congested during the summer months and any other time

the weather is sunny. Has a traffic study been done along this route during peak summer hours?

Another point I would like to address is how this might impact the surrounding school enrollment. Has a study been done addressing Truman Middle School and the elementary schools that send students to Truman? I understand Truman is at its fullest capacity now.

Directly across from my house on this dead end street (5525 North 35<sup>th</sup> Street) is an area I refer to as a wetland area which is actually owned by Bates. We have watched the area wild life that resides there ranging from deer families, raccoons, possums, owls, eagles and, bunnies. In this area there are a lot of established landscaping that include Madrona trees, Fir trees, Birch trees and many other species. This forms a marvelous tree canopy and safe habitat for the above mentioned animals. It is our own little paradise and haven in the city. It would truly be a shame to see this area gone.

We are neighbors vested in making our homes in a calm natural environment without being overrun by more apartments. This is why we chose to purchase our home in a single family development 14 years ago. I sincerely hope the Planning Committee will address my concerns and re-evaluate rezoning of this area.

I am forwarding this letter to the entire Truman Height Homeowners Association. We are 18 families strong.

Thank you for your time listening to me.

Respectfully submitted,

Joyce Carle, homeowner

5525 North 35<sup>th</sup> Street Tacoma, WA 98407

**From:** roger carle [<mailto:rdcarle@msn.com>]  
**Sent:** Wednesday, May 25, 2016 4:03 PM  
**To:** Planning  
**Subject:** Rezone at north 33rd and Pearl

May 25, 2016

Planning and Development Services Department  
Planning and Services Division  
747 Market Street-Room 345  
Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

PETITION RE: North 33rd Street and Highway 163 (North Pearl Street) Rezoning

To Whom It May Concern:

We, the undersigned community and friends of Truman Heights Homeowners Association, oppose the rezoning of North 33rd and Hwy. 163 (N. Pearl Street). We oppose the rezoning because adding multifamily housing would increase vehicle traffic and adversely affect our neighborhood environment. Our neighborhood now consists of more than 800+ rentable units. This density currently presents a strain on existing road capacity which impacts vehicle and pedestrian safety. Highway 163 (N. Pearl Street) has inadequate turning lanes with no bike lanes and no pedestrian crossings between North 30th and North 37th Streets. Neighborhood and Point Defiance Zoo traffic creates congestion on Highway 163 (N. Pearl St.) which leads to excessive speeding on neighboring residential streets resulting in unsafe conditions. In addition to pedestrian safety risks, the proposed zoning changes would adversely affect our environment. The existing acreage under consideration currently provides habitat to deer, owls, eagles and other wild life. Building high density units on this area would destroy this habitat and increase neighborhood noise, light and air pollution.

I also feel that not everybody has been involved with the planning of the rezone such as the following!

Tacoma Schools have not been notified or asked about the rezoning affect it may have in the area.

Police or Fire departments been not been notified regarding the rezoning affect.

The Park department been not been notified regarding the rezoning and what effect will it have on them.

The public utilities been not been notified regarding the rezoning and what will the effect of public utilities.

The Green Tacoma Partnership has not been notified regarding the rezoning.

The transportation commission has not been notified regarding the rezoning.

The Community Councils have not been notified.

The Bicycle a Pedestrian Action Committee has not been notified.

The people in the neighborhood have not all been notified. As I stated in my presentation on 18 May 2016 a lot of homeowners in the area had no idea what was happening.

The Truman Heights Homeowners Association consists of 18 families who are invested in promoting safe streets for our community. We strongly oppose the rezoning of North 33rd Street and Highway 163 (N. Pearl Street) to higher density housing.

Signed:

Roger Carle  
5525 North 35th St. Tacoma WA 98407  
25 May 2016



City of Tacoma  
Sustainable Tacoma Commission

May 25, 2016

Planning Commission  
747 Market Street, Room 345, Tacoma, WA 98402

Re: 2016 Comprehensive Plan Amendments

Planning Commissioners,

Last month, the City Council adopted a new Environmental Action Plan (EAP). The EAP includes specific, prioritized actions needed to implement the City of Tacoma's existing environmental policies and goals as well as five year measurable targets to track progress. These goals center around environmental quality, including reducing greenhouse gas emissions, while also benefiting public health and the local economy.

On behalf of the Sustainable Tacoma Commission, I am writing to ask that the Planning Commission consider adding the newly adopted Environmental Action Plan as an official implementation document of the Comprehensive Plan. The actions in the EAP were prioritized based on existing City policies and goals contained in a variety of locations such as Tacoma 2025: Shared Vision, Shared Future, Comprehensive Plan, Transportation Master Plan, Climate Action Plan, and a number of resolutions.

Additionally, we request the Planning Commission consider adding performance standards and targets, such as those in the EAP, to the Comprehensive Plan. Establishing SMART (Specific, Measurable, Attainable, Relevant and Timely) targets is crucial for public accountability and transparency and can help ensure that strategies, policies and actions are more than just words on paper. Performance indicators can create a framework for tracking progress and clarifies our City's vision and goals and policies.

Thank you for your service and commitment to a more sustainable, healthy, and equitable Tacoma.

Sincerely,

Christine Cooley  
Chair, Sustainable Tacoma Commission

Cc: Kristin Lynett  
Jim Parvey,  
Michael P. Slevin III, Environmental Services Director  
Brian Boudet, Planning Division Manager  
Infrastructure, Planning, and Sustainability Committee



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

May 13, 2016

Mr. Lihuang Wung  
City of Tacoma  
Planning and Development Services  
747 Market Street, Room 345  
Tacoma, WA 98402-3701

Dear Mr. Wung:

Thank you for the opportunity to comment on the determination of nonsignificance for the Comprehensive Plan and Land Use Regulatory Code Amendments for 2016 proposal (SEPA File No. LU16-0076). The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**TOXICS CLEANUP/TACOMA SMELTER PLUME: Eva Barber (360) 407-7094**

Ecology recognizes this is a non-project action.

The City of Tacoma is located in an area that may have been contaminated with heavy metals due to the air emissions originating from the old Asarco smelter in north Tacoma (visit Ecology's Tacoma Smelter Plume map search tool: <https://fortress.wa.gov/ecy/smeltersearch/>).

Soil contamination from the former Asarco smelter poses a risk to human health and the environment. Children are at especially high risk from direct exposure to contaminated soil. Construction workers, landscapers, gardeners, and others who work in the soils are also at risk.

The link below provides a fact sheet that explains more how the arsenic and lead clean-up levels were set and why Ecology sees that they are protective for human health: [http://www.ecy.wa.gov/programs/tcp/sites\\_brochure/tacoma\\_smelter/2011/ts-hp.htm](http://www.ecy.wa.gov/programs/tcp/sites_brochure/tacoma_smelter/2011/ts-hp.htm).

Ecology recommends that the City of Tacoma consider adopting future policies related the Tacoma Smelter Plume.

Ecology also recommends that the City of Tacoma include the following as conditions of approval for future soil disturbance projects located in Tacoma. Sample the soil and analyze

for arsenic and lead. The applicant shall contact Eva Barber with the Southwest Regional Office (SWRO), Toxics Cleanup Program at the phone number given above or via email at [eva.barber@ecy.wa.gov](mailto:eva.barber@ecy.wa.gov) for guidance about soil sampling within Tacoma Smelter Plume. The soil sampling results shall be sent to the local land use permitting agency and Ecology for review.

- If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels (Chapter 173-340 WAC); the owners, potential buyers, construction workers, and others shall be notified of their occurrence. The applicant shall also contact the Environmental Report Tracking System Coordinator at Ecology SWRO at (360) 407-6300. The MTCA cleanup level for arsenic is 20 parts per million (ppm) and lead is 250 ppm.
- If lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, the applicant shall:
  - 1) Enter into the Voluntary Cleanup Program with - Ecology prior to issuance of any site development permits for this proposal and/or the initiation of any grading, filling, or clearing activities. For more information on the Voluntary Cleanup Program, visit Ecology's website at: <http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm>.
  - 2) Obtain an opinion letter from Ecology stating that the proposed soil remediation will likely result in no further action under - MTCA prior to the issuance of any site development permit and/or the initiation of any grading, filling, or clearing activities. The applicant shall provide to the local land use permitting agency the opinion letter from Ecology.
  - 3) Prior to finalizing site development permits, provide to the local land use permitting agency "No Further Action" determination from Ecology indicating that the remediation plans were successfully implemented under MTCA.

If Ecology determines this project should not be part of the Voluntary Cleanup Program, Ecology will contact the lead agency and discuss possible options.

- If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions shall be taken to avoid escaping dust, soil erosion, and water pollution during grading and site construction. Site design shall include protective measures to isolate or remove contaminated soils from public spaces, yards, and children's play areas. Contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC). For information about soil disposal contact the local health department in the jurisdiction where soils will be placed.

For assistance and information about Tacoma Smelter Plume and soils contamination, contact Eva Barber at the phone number given above or via email at [eva.barber@ecy.wa.gov](mailto:eva.barber@ecy.wa.gov).

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology  
Southwest Regional Office

(SM:16-1935)

cc: Eva Barber, TCP

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [mike elliot](#)  
**Cc:** [Atkinson, Stephen](#)  
**Subject:** RE: Study Area 4: Proposed Rezone & Re-Designation  
**Date:** Thursday, May 19, 2016 8:58:33 AM

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Thank you for your comments. We will include them in the Planning Commission packet and analysis of the proposals.

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

**From:** mike elliot [mailto:mike.elliott.wslb@gmail.com]  
**Sent:** Wednesday, May 18, 2016 2:29 PM  
**To:** Planning  
**Cc:** mike elliot  
**Subject:** Study Area 4: Proposed Rezone & Re-Designation

Dear Planning Commission - I would like my property at 3302 N Shirley included in the proposed Study Area 4 Rezone/Re-Designation from R2 to R3. Thank you. Mike Elliott, property owner.

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [GALLAGHER, VANESSA L GS-12 USAF AMC 62 AW/FSP](#)  
**Cc:** [Vanessa \(vanessabalint@hotmail.com\)](#); [Atkinson, Stephen](#)  
**Subject:** RE: Proposed Zone Change (Tacoma West End/N Shirley St)  
**Date:** Thursday, May 19, 2016 4:37:54 PM

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Thank you for these comments, I'm sharing them with the Planner managing this project - Steve Atkinson.

Elliott Barnett, Planner  
City of Tacoma PDS  
(253) 591-5389

-----Original Message-----

From: GALLAGHER, VANESSA L GS-12 USAF AMC 62 AW/FSP [<mailto:vanessa.gallagher.2@us.af.mil>]  
Sent: Thursday, May 19, 2016 11:07 AM  
To: Planning  
Cc: Vanessa (vanessabalint@hotmail.com); GALLAGHER, VANESSA L GS-12 USAF AMC 62 AW/FSP  
Subject: Proposed Zone Change (Tacoma West End/N Shirley St)

Greetings, Planning and Services Division,

I am a proud Tacoma resident and have called the city home for the past ten years. We recently moved from the downtown area to the West End, and currently reside on N Shirley Street. We came to this area because it offered an oasis of sorts within the city limits, fit with quiet streets and easy access to parks and the waterfront. A fine place to raise our young son!

I was recently made aware of the city's proposal for a zone change in a neighboring property to N Shirley Street (vacant field near Bates Technical College radio tower and True Vine Church property). The proposal would change the existing zone from its current R2 rating to R3 and R4 (multiple family/apartment buildings). As a new homeowner in this area, I have significant concerns regarding this proposal.

My first concern is that there already is a disproportionate number of apartment buildings as compared to single family homes in the area between 30th and Pearl and 38th and Pearl. This area of Pearl St. and the adjacent side streets cannot properly manage the increase in traffic that additional apartment complexes would yield. N Shirley Street is already plagued by drivers operating at excessive speeds in an area without stop signs and/or speed bumps. As a mother of a seven year old, I am particularly disturbed by these instances of unsafe driving.

My second concern is the safety of the neighborhood. Creating another apartment complex would increase both car and foot traffic on N Shirley St, and detract from its current, quiet neighborhood setting. The neighborhood residents already deal with stolen mail and packages, and a significant increase to the population in this area would only increase negative actions such as these. I realize that the need for affordable and multifamily homes in Tacoma is of primary importance, and I offer a few alternate courses of actions as a remedy.

One course of action that would still allow the city to develop the land would be to convert it to a Single Family Home zone. This would create a more proportionate balance of single family and multifamily homes in that area, while still adding to the land utilization. Considering that I believe the optimal choice is to leave the area undeveloped and for the continued use of the True Vine Church and Bates Technical College, I propose that other areas of Tacoma be developed for multifamily use. Specifically, there is an open lot in the downtown Tacoma area on 19th Ave, north of Yakima Ave, that is unused and often becomes a camp for homeless individuals. As a rental property owner in that location, I fully support developing urban areas such as that in an effort to improve the city of Tacoma and the living environment for its inhabitants. The current proposal to develop an area already utilized by a church, technical school, and inhabited by wildlife, severely detracts from the living environment of Tacoma residents.

I take great pride in seeing Tacoma develop as a unique and beautiful city. I fully support the development of available space, but ask that it be done with consideration of current neighborhoods and residents, and with an evident desire to uphold the safety and integrity of its communities. I believe there are more sound alternatives to this current proposal and sincerely hope that the concerns of the residents on and around N Shirley Street are considered.

Thank you for your time. Feel free to contact me if you need anything else to support this case.

Respectfully,  
Vanessa Gallagher

//Signed//

Vanessa L. Gallagher, Civ, DAF

Human Resources Officer

62d Airlift Wing, Joint Base Lewis-McChord WA DSN 382-2340/Comm: (253)982-2340

**From:** Michael Gardner [<mailto:rmichaelgardner@hotmail.com>]  
**Sent:** Tuesday, May 03, 2016 3:18 PM  
**To:** Planning  
**Subject:** Plan & Code Amendment 33rd and N Pearl

Michael Gardner, home owner at 3310 N Bennett, just over the hill from the old TV transmitter. A couple of concerns  
Increased Traffic due to the density of development. A few years ago a traffic circle was installed on N 35th and Baltimore in an attempt to slow down traffic that comes over the hill from the apartments on N 35th across from the Junior High School. Since that time cars, AND EMPTY SCHOOL BUSES, use N. Bennett to avoid the traffic circle. More density, lack of a signal at N 33rd and Pearl, will further increase the traffic on my residential street.  
SO I AM VERY CONCERNED THAT N.33RD NOT BE COMPLETED BETWEEN N. BENNETT AND N. SHIRLEY. AND FURTHER WOULD LIKE TO PROPOSE MAKING N. BENNETT DEAD END AT N 35TH TO FORCE DRIVERS FROM OUTSIDE THE NEIGHBORHOOD TO SLOW DOWN OR TAKE N. PEARL STREET as was intended by the traffic circle. Problem not solved, just moved. This really isn't a zoning issue, but city traffic. But zoning effects traffic. So please pass it on the appropriate department for revue.

Development of higher density housing on the vacant green area at the top of the hill will have adverse effect on the neighborhood wild life, particularly the deer (two 4 point bucks) and coyote, and opossums, and racoons that frequent my yard and those in the area, It is one of the unique charms of living in North Tacoma. The deer crossing sign by the McDonalds at 21st and N Pearl is not a joke!

Another concern is for property values in the area. The home on N Shirley directly behind mine recently sold for \$503K. These are some of the better views in Tacoma, and certainly the crest of the hill has unequalled views in both directions. The city tax base might be better served by high end single residences and their impact on neighboring properties than the 4 plex (R4)zoning which is proposed.

R. Michael Gardner  
3310 N. Bennett St.  
Tacoma, 98407  
253-759-2156

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [Linda Garton](#)  
**Cc:** [Atkinson, Stephen](#)  
**Subject:** RE: Proposed Rezoning of Study Area 4 (N 33rd St. and N. Pearl St.)  
**Date:** Wednesday, May 18, 2016 12:40:46 PM

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Dear Ms. Garton,

Thank you for your comments. I am forwarding them to Steve Atkinson, the Planner who is coordinating the analysis on the proposed zoning changes.

Regards,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

**From:** Linda Garton [mailto:linda.m.garton@gmail.com]  
**Sent:** Wednesday, May 18, 2016 8:59 AM  
**To:** Planning  
**Subject:** Proposed Rezoning of Study Area 4 (N 33rd St. and N. Pearl St.)

To Whom It May Concern:

My husband and I reside at 5529 N 35<sup>th</sup> Street and moved here just over five years ago. We've also had the pleasure of raising our two daughters (a 3 year old and a 9 month old) in this neighborhood. The reason for my email is a recent rezoning proposal effort to change the N 33<sup>rd</sup> and Pearl area from an R 2 Single-Dwelling district to a C-1, R-3 and R-4 district. Before this proposal is considered, I ask that the planning commission ensure that adequate studies be performed, results communicated and shared so that the right decision can be made regarding the concerns outlined below.

**Traffic**

You may or may not have had the pleasure of visiting this neighborhood but we are already experiencing traffic congestion due to the following:

- N. 33<sup>rd</sup> St. is not a through street so that forces traffic to drive on Shirley St.
- Shirley is not a through street and I've heard residents deal with frequent U-turns by hurried drivers.
- N. 35<sup>th</sup> St is not a through street. Living at the end of the cul-de-sac I can personally attest to the frequent U-turns by rushed drivers trying to get to Pearl St. As a resident and parent, having cars rush down a cul-de-sac street is a concern for safety as many children play in front of their yards and sometimes in the street. One of my concerns is that adding to the already dense population will increase traffic therefore increase the danger to pedestrian traffic.
- Intersection of N 35th and Shirley is busy with residential and school traffic. I've witnessed many near misses. Again, worsening the congestion will the danger potential for drivers, pedestrians, bikers, students and small children.

The condition of roads due to increased traffic. Maintenance costs will also increase to upkeep the condition of the roads.

**Environment**

Another concern I have is regarding the environmental impact to the specified area. There is an abundant array of wildlife that includes deer, owls, birds, raccoons and eagles (probably more that I have not seen). The impact to the tree canopy should be considered as well. Is there an idea of what the ecological footprint will be with approving a higher density population?

**Pollution**

Increased air and noise pollution are other concerns that do not appear to be considered. A decrease in pollution quality will lead to a negative impact on health.

For the aforementioned concerns (traffic, environmental and pollution concerns), I ask that the commission have adequate studies conducted where the right data is collected and shared with the commission and impacted residents so that a more informed decision can be made.

I request that you please consider my concerns by ensuring that expert studies be conducted to fully understand the impact to traffic, the environment and air/noise pollution. I also ask that these results be shared before making a decision on this rezoning proposal. I am available for further questions.

Thank you for your time,  
Linda Garton

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [Linda Garton](#); [Atkinson, Stephen](#)  
**Cc:** [President Truman Heights HOA](#)  
**Subject:** RE: North 33rd Street and Highway 163 (North Pearl Street) Rezoning  
**Date:** Tuesday, May 24, 2016 8:38:09 AM

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Dear, Ms. Garton,

Thank you for submitting these comments. I am forwarding them to Stephen Atkinson, the Planner reviewing this proposed zoning change.

All the best,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

**From:** Linda Garton [mailto:linda.m.garton@gmail.com]  
**Sent:** Tuesday, May 24, 2016 6:49 AM  
**To:** Planning  
**Cc:** President Truman Heights HOA  
**Subject:** North 33rd Street and Highway 163 (North Pearl Street) Rezoning

Planning and Development Services Department  
Planning and Services Division

747 Market Street-Room 345

Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

To Whom It May Concern:

We, the undersigned community and friends of Truman Heights Homeowners Association, oppose the rezoning of North 33rd and Hwy. 163 (N. Pearl Street). We oppose the rezoning because adding multifamily housing would increase vehicle traffic and adversely affect our neighborhood environment. Our neighborhood now consists of more than 800+ rentable units. This density currently presents a strain on existing road capacity which impacts vehicle and pedestrian safety. Highway 163 (N. Pearl Street) has inadequate turning lanes with no bike lanes and no pedestrian crossings between North 30th and North 37th Streets. Neighborhood and Point Defiance Zoo traffic creates congestion on Highway 163 (N. Pearl St.) which leads to excessive speeding on neighboring residential streets resulting in unsafe conditions. In addition to pedestrian safety risks, the proposed zoning changes would adversely affect our environment. The existing acreage under consideration currently provides habitat to deer, owls, eagles and other wild life. Building high density units on this area would destroy this habitat and increase neighborhood noise, light and air pollution.

The Truman Heights Homeowners Association consists of 18 families who are invested in promoting safe streets for our community. We strongly oppose the rezoning of North 33rd Street and Highway 163 (N. Pearl Street) to higher density housing.

Signed: Linda Garton  
Address: 5529 N 35th St.Tacoma, WA 98407  
Date: 5/24/16

Regarding Proposed Re-zone and Re-designation for Study Area 4  
(N 33 and N Pearl Street)

May 23, 2016

To Whom It May Concern:

My husband and I live at 5521 N 35<sup>th</sup> Street. We moved here almost fourteen years ago. The existing undeveloped green belt between 33<sup>rd</sup> and 35<sup>th</sup> Street was a significant factor in our decision to move here, as was the quiet dead end street. We are concerned about the proposed zoning change from our present R2 Single Family designation to a R4L and R3 re-designation. Children currently play on this dead end street, students walk to school, and residents in the area enjoy walking their pets on the street.

**Environment**

The impact of this proposal will adversely affect our quality of living in this section of the city. The tree canopy provided by this area is home to many types of wildlife. We have seen deer, raccoon, eagles, birds and owls. This is a rare gem to have in a city.

- The planners environmental review statement mailed to us stated that this proposal does not have a probable significant adverse impact on the environment. We disagree with this statement .

If many of you have not been to this area we invite you to see the scale and character of this neighborhood. This would give you a chance to see the current traffic congestion.

**Traffic**

- N 33<sup>th</sup> Street is not a through street. N Shirley is not a through street. N 35<sup>th</sup> is not a through street. We have witnessed the confusion this poses for drivers as they navigate the corner of N 35 and Shirley, cutting corners and narrowly missing cars advancing toward them. Without sidewalks this corner is not safe for the current pedestrian traffic and there should be concern for the safety of the many students and walkers already in this area.
- Due to the many dead ends and cul-de-sacs the limited egress from N 33 St. to Pearl St. will have to support this additional traffic. N 33 and Pearl opens to a four lane road which is not designated for bicycles and there is not a stop light or designated crosswalks. In the proposal a designated bicycle circulation area is to be established and is there a definitive placement of this route/circulation area proposed?
- With an increased population there will also be increased congestion, added noise pollution and added vehicle emissions.

- The condition of the roadway on N 33 is already questionable as large potholes appear seasonally and must be navigated for quite a while until these are temporarily repaired. If more traffic is anticipated the road maintenance costs will also be increased. This is a concern to us.

### **School**

The closest school, Truman Middle school, is already at maximum enrollment and would be greatly impacted by this proposal. New school boundaries would likely have to be established. (per our conversation with a school board member).

This proposal is not in harmony with the present neighborhood. We ask that you reconsider the proposed plan and its impact on this neighborhood. We are not in favor of this rezoning, yet would be open to further discussion on the impact of traffic, environment, schools, and pollution. We also request that more communication, timely notices and a broader neighborhood outreach be done.

Thank you,  
Doug and Gail Goodman

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [Andrew Harris](#); [Atkinson, Stephen](#)  
**Subject:** RE: N 33rd and Pearl Study Area  
**Date:** Wednesday, May 18, 2016 12:45:36 PM

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Dear Mr. Harris,

Thank you for your comments. I am forwarding them to Steve Atkinson, the Planner who is coordinating the analysis on the proposed zoning changes.

Regards,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

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**From:** Andrew Harris [mailto:AHarris@deainc.com]  
**Sent:** Wednesday, May 18, 2016 12:28 PM  
**To:** Planning; Atkinson, Stephen  
**Subject:** FW: N 33rd and Pearl Study Area

Please include my letter below in the public record for the hearing taking place this evening:

May 18, 2016

Planning and Development Services Department  
Planning and Services Division  
747 Market Street – Room 345  
Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

RE: Proposed Rezone and Re-designation for Study Area (North 33<sup>rd</sup> and Pearl Street)

To Whom it May Concern:

My residence is at 3127 N Shirley Street, within one block from this study area. My home is currently on a dead-end street in a low-traffic area. My family moved to this address because of the quiet streets, low traffic, and views of Mount Rainier. I am concerned about the nature of the zoning changes proposed at N 33<sup>rd</sup> and Pearl:

1. **Home Values:** North Shirley is currently lined with single family homes with values from \$300-\$550,000. I believe that increasing the number of apartments and multi-family dwellings in this area will negatively influence my home value. When we purchased our

home, we understood that the undeveloped property may be developed at some time, but knew that the zoning was R-2, so it would likely become high-end single family homes with views of Puget Sound. The proposed change in zoning allows for light commercial or multi-family. If this change is approved we could end up with a Convenience Store, Liquor Store, Drug store, or other late-night service. This would greatly decrease the value of our home, which is currently on a quiet dead-end surrounded by other quiet streets.

- 2. Traffic:** The road network around this area includes two dead-end roads—both N 33<sup>rd</sup> and North Shirley do not allow for thru traffic to discourage cut-through traffic between Pearl Street and Orchard Street in this residential neighborhood. I am concerned that the changes being proposed—especially the allowance for commercial uses will increase traffic to our area. North 33<sup>rd</sup> and North Shirley currently have blind corners going south and north from 33<sup>rd</sup> street on Shirley—the sight distances do not comply with AASHTO regulations. The proposed zoning will lead to higher traffic at an intersection that does not meet current codes. A higher traffic count on 33<sup>rd</sup> Street will increase the likelihood of accidents at this intersection.

It is my family's preference that the current zoning in this study area remain in force. I appreciate your consideration of this position.

Sincerely,

Andrew Harris

**From:** [Laura Himes](#)  
**To:** [Atkinson, Stephen](#)  
**Subject:** One Tacoma Public Notice Questions  
**Date:** Thursday, February 25, 2016 11:36:14 AM

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Hi Stephen,

On Saturday, I received the One Tacoma Public Notice pamphlet regarding the "2016 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code".

I live in Delong Park across the street from Study Area 8: Cheney Stadium and Foss High School. From discussions with my neighbors, it appears a limited handful of us received the public notice (due to being within 400 feet) although the entire neighborhood would be affected. We have monthly neighborhood meetings and it was requested I discuss this at our March meeting.

I would like to be informed on what the City is desiring and also the process.

As instructed on the pamphlet, I went to the City of Tacoma site and I have not been able to find any meaningful additional information. I scanned the 733 page One Tacoma Comprehensive plan to see if I could find mention of "Study Area", "Cheney", and "Foss High School" related to this proposed amendment. This search was unsuccessful. I am contacting you to ask the following questions:

1) Based on the pamphlet, the City wants to rezone this as C-2 General Commercial District and/or R-2 Single Family Dwelling district. What does the planning commission envision?

2) I assume Metro Parks Tacoma HQs, Cheney Stadium, Foss High School and Heidelberg Park are all staying put. There is roughly 13 acres of undeveloped forested land for development. Does the City plan on developing this land? Based on the proposed zoning, is the City planning on selling this land to private developers?

3) If the City allowed development of this forested land, would it be handled the same as the development of the 4 acres of forested land that recently occurred at Orchard and the HWY 16 West on-ramp (clear cut)?

4) If this 13 acres is developed, how does this impact the City's own EverGreen Tacoma to manage, protect and expand Tacoma's tree canopy cover?

5) If this amendment does pass, what would be the process for developing the site? What input would residents have before, for example, a Safeway Grocer was put in there? Once this amendment is passed, is there any legal way to stop development?

6) If the land is developed, what would the City do regarding traffic control? South 19th Street is very busy during peak times between Stevens/Tyler and HWY 16. Traffic accidents are frequently a concern between people exiting the Metro Parks driveway heading west and people heading east from Mullen St. Additionally what would be done for traffic control during baseball games? Would proactive traffic control measures be taken prior to development?

7) Regarding the economic factors, what economic benefit is the City foreseeing from this development (broken down into broad categories please)? What is the environmental cost in terms of canopy loss and the impact to replace that canopy? Please explain how you factor that as I am assuming that a 60+ year old tree does not equal a two inch trunk 6 foot tree. What is the estimated cost to the City to study, engineer, and construct new traffic control?

8) The Public Notice indicates that 2016 Annual Amendment is expected to be completed in July 2016 with a public hearing intended for May 4, 2016. Is there formal public comment at this time? Is this the only public hearing?

I am sure there will be additional questions from myself and neighbors based on your responses. Please feel free to send responses over multiple emails/days if that helps.

Thank you for your time,

Laura Himes

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [Lori Kalac](#); [Atkinson, Stephen](#)  
**Subject:** RE: Study Area 6 72nd and Alaska Wapato Lake  
**Date:** Tuesday, May 24, 2016 8:36:23 AM

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Dear Ms. Kalac,

Thank you for submitting these comments. I am forwarding them to Stephen Atkinson, the Planner reviewing this proposed zoning change.

All the best,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

**From:** Lori Kalac [mailto:[lbkalac@gmail.com](mailto:lbkalac@gmail.com)]  
**Sent:** Monday, May 23, 2016 10:22 PM  
**To:** Planning; Atkinson, Stephen  
**Subject:** Study Area 6 72nd and Alaska Wapato Lake

I am Lori Kalac homeowner and resident of 7010 South Alaska. I have provided testimony at each of the offered public comment sessions, providing a glimpse of feedback and suggestions that I hope can be considered in the proposal to the City Counsel in reference to Study Area 6, 72nd and Alaska Wapato Lake.

The 3 minute time limit provided me a chance to plant a seed in the Staff and Commissions head. This unrestricted method will offer me the chance to provide details to that seed and hope that they can grow into ideas that will put my neighborhood in a good position to be awarded the best possible solution to this zoning proposal.

Our family is celebrating over 3 decades and 4 generations as homeowners and residents of this unique South Tacoma residential neighborhood. We remember what it was like prior to the invasion of, 24 hour businesses, 8 lanes of heavy traffic, increased pollution and the promised greenbelt from this invasion slowly disintegrating around us. All of this is the result of commercial zoning and the destruction that occurs from it.

Our preference is to leave the entire original proposed area, and the revised proposed area as R2, a single family residency. Because we've been victim to how the city is able to rezone and allow commercial invasion we realize either of the proposals, the one provided in February and the most current one provided in May puts our home at risk. Should the city decide to re-zone this study area we want our property to be part of the re-zoning, we

do not want to be the buffer property as the current proposal states.

### **Environmental Studies**

As Troy Christensen stated, the intersection at 72nd and Hosmer including the major on and off ramps of I-5 produces the most pollution than any other intersection in Tacoma. Increasing the volume of traffic that will be produced by adding further commercial space will make it even harder to breath.

The current commercial complex produces 24 hour activity which results in noise, light, air and garbage pollution. Offering more space for this kind of business will increase the health issues to the lake and the wild life that make it their home. It will also impair the quality of life the R2 families will have on the other side of the proposed area, along with the R2 residents that live south on Alaska and surrounding areas. And anyone that comes to enjoy the park.

The volume of traffic that is already occurring on Alaska will increase. Currently Alaska is used as a thoroughfare that parallels I-5 and offers a smooth pavement to carry vehicles clear through to 38th Street. The 2 lane road between 72nd and 56th is already carrying more traffic than constructed for; increasing this will result in a potholed surface and putting the shoreline at risk of deterioration.

The existing complex already creates polluted storm water runoff that undoubtedly finds its way to Wapato Lake. Creating more commercial complexes closer to the lake will increase that pollution potentially damaging the natural wildlife and habitat the lake and park offer.

A current traffic study, light and noise pollution study, air quality study and a study with the State Department of Ecology should be performed to help support this proposals decision. The study should run an adequate amount of time to gain an efficient amount of evidence.

This area is in between 2 firehouses, in today's commercial environment the rescue vehicles have difficulty maneuvering through traffic. The increased traffic is putting these vehicles in a more congested environment which can result in life or death to the citizen awaiting their arrival.

### **R2 to C1, R3 and R4 to the current proposal C1 only**

The current proposal is putting the city into a 1 option solution, one that does not support what Staff has been communicating the vision that the city has for future growth. The complex located behind this proposed section has empty commercial space, the complex south of this proposed location has empty space as does the complexes on the opposite side of I-5, why would additional commercial space be needed if existing space cannot be filled?

I have reached out to Steve Atkinson for an explanation to the modified proposal but have not received a response. The modification that is the current proposal removes the possibility of the multi-family housing options and locks the city into a single zone and reduced scope how does that support the vision for our cities future growth, and the goal to offer diverse housing options? This C1 zoning would enable a strip mall, including a gas station to occupy an already congested intersection. How could this type of business enhance one of our cities most unique parks?

If rezoning is necessary for this proposed area I'd like to introduce an alternative solution that would better support the cities vision, along with preserving this residential neighborhood. I'd like the Staff and the Planning Commission to realize the benefit to the city, neighborhood and future generations should the zoning NCX be considered for this study area rather than the current proposal of C1.

I have listed out the many benefits that this type of zoning offers.

- Ideal area to generate the purpose of a mixed use center, live, play, work, shop, and eat
- Promotes a feeling of a neighborhood and attracts a diverse population
- Enhances the unique features that Wapato Lake offers to city living
- Preserves the only unique waterfront residential opportunity within the City of Tacoma
- Offers local small business opportunities
- Business and housing options are accessible by public transportation
- Business and housing options promote a walking neighborhood which extends the activity already generated from the park
- Bicycle lanes are already available for safe biking transportation options
- Offers home ownership when a C1 zoned areas offers no home ownership options
- Maintained landscaping would enhance the neighborhood where C1 zoning would rely on various property management companies to maintain, the current commercial zoned properties do not provide regular maintenance
- Tenants that would occupy NCX properties would have more investment and care into the property than a C1 tenant, which results in a safer, cleaner and better cared for neighborhood
- Promotes positive growth to the South End of Tacoma

This is just to name a few. City planning is your teams expertise, I'm confident you're able to identify even more reasons this zoning makes far more sense than the current proposal of C1.

Should the city decide re-zoning is necessary to this area please be sure to include our property at 7010 South Alaska. The current proposal ends the re-zoning at our property, we do **not** want to be the buffering property that separates a C1 to an R2 zoning.

Thank you for taking our comments and suggestions into consideration, we hope you find them to be as valuable as we do. We look forward to receiving your final proposal to the Counsel and addressing them during the public comment section of their meeting.

Please feel free to reach out to me should you have any questions or need clarity on any of these comments.

Sincerely,

Lori Kalac

**From:** Tara Shepson [mailto:tarasbfs@gmail.com]  
**Sent:** Wednesday, May 25, 2016 9:13 AM  
**To:** Planning; President Truman Heights HOA  
**Subject:** PETITION RE: North 33rd Street and Highway 163 (North Pearl Street) Rezoning

May 25, 2016

Planning and Development Services Department  
Planning and Services Division  
747 Market Street-Room 345  
Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

PETITION RE: North 33rd Street and Highway 163 (North Pearl Street) Rezoning

To Whom It May Concern:

We, the undersigned community and friends of Truman Heights Homeowners Association, oppose the rezoning of North 33rd and Hwy. 163 (N. Pearl Street). We oppose the rezoning because adding multifamily housing would increase vehicle traffic and adversely affect our neighborhood environment. Our neighborhood now consists of more than 800+ rentable units. This density currently presents a strain on existing road capacity which impacts vehicle and pedestrian safety. Highway 163 (N. Pearl Street) has inadequate turning lanes with no bike lanes and no pedestrian crossings between North 30th and North 37th Streets. Neighborhood and Point Defiance Zoo traffic creates congestion on Highway 163 (N. Pearl St.) which leads to excessive speeding on neighboring residential streets resulting in unsafe conditions.

In addition to pedestrian safety risks, the proposed zoning changes would adversely affect our environment. The existing acreage under consideration currently provides habitat to deer, owls, eagles and other wild life. Building high density units on this area would destroy this habitat and increase neighborhood noise, light and air pollution.

The Truman Heights Homeowners Association consists of 18 families who are invested in promoting safe streets for our community. We strongly oppose the rezoning of North 33rd Street and Highway 163 (N. Pearl Street) to higher density housing.

Signed:

Sun Kim

Homeowner 3518 North Shirley Street, Tacoma 98407

May 25, 2016

by: Annalise Landy

In our opinion you

should not build apartment  
buildings because it might

damage the radio tower  
and no one knows what's going  
to happen if you do that.

2.) The animals will have to  
find another home and they don't  
know any better than running out  
into the street and getting  
swept by cars and knowing

no one wants that to happen.

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [John Landy](#)  
**Cc:** [Atkinson, Stephen](#)  
**Subject:** RE: Proposed Rezone and Re-designation for Study area (North 33rd and Pearl Street)  
**Date:** Wednesday, May 18, 2016 12:44:29 PM

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Dear Mr. Landy,

Thank you for your comments. I am forwarding them to Steve Atkinson, the Planner who is coordinating the analysis on the proposed zoning changes.

Regards,  
Elliott Barnett

P.S. It was nice to see you the other day!

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

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**From:** John Landy [mailto:[jlandy@harbornet.com](mailto:jlandy@harbornet.com)]  
**Sent:** Wednesday, May 18, 2016 10:38 AM  
**To:** Planning  
**Subject:** Proposed Rezone and Re-designation for Study area (North 33rd and Pearl Street)

May 17, 2016

Planning and Development Services Department  
Planning and Services Division  
747 Market Street-Room 345  
Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

RE: Proposed Rezone and Re-designation for Study Area (North 33rd and Pearl Street)

To Whom It May Concern:

As a resident of the affected neighborhood I wish to share my concerns with the proposed rezoning for the area between North 33rd and Pearl Street. Rezoning to increased density would lead to negative consequences for safety and quality of life.

Rezoning to higher density would lead to increased traffic and congestion. Our surrounding square mile neighborhood currently has a high ratio of apartment buildings to single-family homes. This population density combined with a large middle school and corner convenience stores contribute to excessive traffic on N. Shirley Street. The unregulated (without signs) intersection between N. Shirley and N. 35th Street on a hilltop with poor visibility frequently presents a safety hazard for pedestrians due to drivers not exercising caution at the intersection. School drop off and pick-up on N. 35th Street leads to excessive traffic on this dead-end street.

The current zoning and land use affords the neighborhood with a church and significant undeveloped land. The trees and fields are home to deer, eagles, owls and other wildlife. The current zoning and land use provides Tacoma's wildlife with a protected ecosystem of undeveloped land amidst the majesty of Tacoma's highest elevation.

As a resident of this neighborhood, I ask that the Planning and Services Division respect our established community which values pedestrian traffic, children's safety and cohabitation with wildlife. As the proposed zoning changes would result in significant change in our neighborhood's character, environmental ecosystem and safety, please conduct adequate research studies to assess the environmental and safety impact of any rezoning change. Please notify the affected neighborhood residents of any study results prior to submitting further rezoning recommendations.

Thank you.

John Landy  
5517 N. 35th St  
Tacoma

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [John Landy](#); [Atkinson, Stephen](#)  
**Cc:** [President Truman Heights HOA](#)  
**Subject:** RE: North 33rd and Pearl Street Rezoning Proposal  
**Date:** Tuesday, May 24, 2016 8:36:48 AM

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Dear Mr. Landy,

Thank you for submitting these comments. I am forwarding them to Stephen Atkinson, the Planner reviewing this proposed zoning change.

All the best,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

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**From:** John Landy [mailto:[landy@harbornet.com](mailto:landy@harbornet.com)]  
**Sent:** Tuesday, May 24, 2016 6:05 AM  
**To:** Planning  
**Cc:** President Truman Heights HOA  
**Subject:** North 33rd and Pearl Street Rezoning Proposal

May 23, 2016

Planning and Development Services Department  
Planning and Services Division  
747 Market Street-Room 345  
Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

PETITION RE: North 33rd Street and Highway 163 (North Pearl Street)  
Rezoning

To Whom It May Concern:

We, the undersigned community and friends of Truman Heights Homeowners Association, oppose the rezoning of North 33rd and Hwy. 163 (N. Pearl Street). We oppose the rezoning because adding multifamily housing would increase vehicle traffic and adversely affect our neighborhood environment. Our neighborhood now consists of more than 800+ rentable units. This density currently presents a strain on existing road capacity which impacts vehicle and pedestrian safety. Highway 163 (N. Pearl Street) has inadequate turning lanes with no bike lanes and no pedestrian crossings between North 30th and North 37th Streets. Neighborhood and Point Defiance Zoo traffic creates congestion on Highway 163 (N. Pearl St.) which leads to excessive speeding on neighboring residential streets resulting in unsafe conditions.

In addition to pedestrian safety risks, the proposed zoning changes would adversely affect our environment. The existing acreage under consideration currently provides habitat to deer, owls, eagles and other wild life. Building high density units on this area would destroy this habitat and increase neighborhood noise, light and air pollution.

The Truman Heights Homeowners Association consists of 18 families who are invested in promoting safe streets for our community. We strongly oppose the rezoning of North 33rd Street and Highway 163 (N. Pearl Street) to higher density housing.

John Landy  
5517 N. 35th Street  
Tacoma, 98407

**From:** Garrett R. Leque [mailto:gleque@geoengineers.com]  
**Sent:** Monday, May 09, 2016 2:55 PM  
**To:** Planning  
**Subject:** Comp Plan Study Area 8 Proposed Rezone

Hi,

I have read and understand the reasons for the proposed Study Area 8 rezone (Cheney and environs R2 to C2). While I understand it must be frustrating to have to apply for variances for projects, I would prefer the City continue to do so rather than rezone to C2. Rezoning to C2 seems a slippery slope that opens the door to replacing parks with big box stores. While I understand that seems far fetched now, please consider future leaders of Tacoma and economic uncertainty. Our precious parks and Cheney Stadium are NW landmarks; I fear in the future the lure of Walmart or other big box stores will be too hard for those in charge to resist. Once paved, the big box store will never go away. (It may go bankrupt and move out, but the pavement and abandoned infrastructure will remain.)

Thank you,  
Garrett Leque  
Central Neighborhood

Confidentiality: This message is confidential and intended solely for use of the individual or entity to whom it is addressed. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else.

**From:** nalani@nplinder.com [mailto:nalani@nplinder.com]

**Sent:** Wednesday, May 25, 2016 8:54 PM

**To:** Planning

**Cc:** tacomalinder@aol.com

**Subject:** proposed rezone and re-designation for study area (North 33rd and Pearl Street)

To Whom it May Concern:

As residents of the affected neighborhood we wish to share our concerns with the proposed rezoning for the area between North 33rd and Pearl Street. Rezoning to increased density would lead to negative consequences for safety and quality of life.

Rezoning to higher density would lead to increased traffic and congestion. Our surrounding square mile neighborhood currently has a high ration of apartment buildings to sing-family homes. This population density combined with a large middle school and corner convenience stores contribute to excessive traffic on N. Shirley Street. The unregulated (without signs) intersection between N Shirley and N 35th street on a hilltop with poor visibility frequently presents a safety hazard for pedestrians due to drivers not exercising caution at the intersection. School drop-off and pick-up on N 35th Street leads to excessive traffic on this dead-end street.

The current zoning and land use affords the neighborhood with a church and significant undeveloped land. The trees and fields are home to deer, owls and other wildlife. The current zoning and land use provides Tacoma's wildlife with a protected ecosystem of undeveloped land amidst the majesty of Tacoma's highest elevation.

As residents of this neighborhood, we ask that the Planning and Services Division respect our established community which values pedestrian traffic, children's safety and cohabitation with wildlife.

Sincerely,

Mark & Nalani Linder  
3215 N Shirley Street



# Tacoma Central Neighborhood Council

PO Box 5201  
TACOMA, WASHINGTON 98415-0201

chair@cnc-tacoma.com

*The Heart of Tacoma!*

April 26, 2016

Mr. Peter Huffman, Director  
Planning and Development Services  
City of Tacoma  
747 Market Street  
Tacoma, Washington 98402

Reference: 2016 Annual Amendment Rezoning Proposal;  
Cheney Stadium & Foss High School Area

Dear Mr. Huffman:

At March 2, 2016 and April 6, 2016 meetings, the Planning Commission reviewed area-wide rezoning supporting the 2016 Annual Amendment, Future Land Use Implementation, recommendations from Planning and Development Services staff. Of the eight proposed rezone areas, the Tacoma Central Neighborhood Council is concerned about the Cheney Stadium and Foss High School area rezoning.

Changing the area from R-2 (residential) to C-2 (commercial) changes the way future development planning is shared with the community. The suggested C-2 designation would diminish the visibility and transparency of planned development, eliminating conditional use permitting.

Further, C-2 zoning permits commercial uses including billboards, which this group finds inappropriate on that site.

At our April 7, 2016 forum, at which Planning and Development Services staffer Stephen Atkinson presented the rezoning proposal, a substantial number of attendees expressed reservations for both future land development visibility and potential billboard installations.

Thus, on behalf of the Tacoma Central Neighborhood Council and its constituents, we respectfully oppose the 2016 Annual Amendment proposal to rezone the Cheney Stadium and Foss High School area.

Sincerely yours,



Charles Mann, Chair

cc:

Deborah Sims, Vice-Chair

Claudia Riedener, Secretary

Valentine Smith, Treasurer

Dawn Rodin, Member

Roxie Nichols, Member

Robert Osborn, Member

Tony Powell, Member

Doug Schafer, Member

Lois Stark, Member

Keith Blocker, Tacoma City Council

Stephen Atkinson, Planning and Development Services

Chris Beale, Planning Commission

HAROLD C. NANCE  
7028 SOUTH ALASKA STREET  
TACOMA, WASHINGTON 98408

*Received*  
*5/17/16*

MAY 13, 2016

To; Planning Commission  
747 Market Street, Room 345  
Tacoma, WA. 98402

SubJ: Rezoning

Dear Sir;

I am Harold Nance, home owner of the above property and have lived here since June 1963; the specific location is the second home North of 72<sup>nd</sup> Street directly across the Street from Wapato Park.

I am in receipt of your proposed rezone plan, and in favor of your plan due to the increase of noise levels, traffic and congestion, since the renovation of Alaska Street and the City's approval of traffic egress into the Tacoma Place Shopping Center and exit out onto Alaska which exacerbated an existing traffic problem.

Most of the time, I cannot get in or out of my driveway due to traffic backup from 72<sup>nd</sup> Street. Drivers in backup traffic are not courteous enough in allowing me to drive into or out of my driveway.

**On my return home one day I made a left turn to the north of 72<sup>nd</sup>, and discovered a vehicle mishap in front of my driveway, neither of the drivers would move their still mobile vehicles forward so that I could access my driveway, I parked across the street at the park and return to direct traffic for 30 minutes until the police arrival. It gets more frustrating as each day passes.**

**In addition to shoppers vehicles, there is a steady flow of large Vans, trucks and tractor trailers traffic traversing to and from the Tacoma Shopping Center's egress into and onto Alaska Street, therein by causing vibrations to the residents home alone this corridor**

In addition to the above mention problems, we have shoppers leaving their shopping carts/baskets in front of my home and all the way to the corner bus stop, therein by leaving me or others to return the same to the store.

Yours Truly,

*Harold Nance*  
Harold Nance

**CONDO**

pg. 312

5-16-16

Planning Commission  
747 Market Street, Rm 345  
Tacoma, WA 98402  
Fax (253) 591-5433

Planning Commission;

We are greatly concerned about the new zoning proposal in our neighborhood 33rd & pearl. Please do not consider any more "density" when it comes to housing, than single family dwellings.

We already are deluged with traffic coming off of Pearl, wait far too long to drive or walk across Pearl with the traffic from current apts., our 109 units of Condos @ Village @ The Pointe, Vashon ferry traffic, Truman Middle School - children walking, parents driving in & out on to Pearl St.as it is!

It would not be safe for all that would be impacted by more concentrated zoning!

Thank You,



Ken & Vicki Shaffer  
5720 N 33rd St. 10-C  
Tacoma, WA 98407

Phone: 253-752-7842

**From:** [Magoon, Jana](#)  
**To:** [Wung, Lihuang](#); [Atkinson, Stephen](#)  
**Cc:** [PDS Land Use and Zoning](#)  
**Subject:** FW: Proposed rezone  
**Date:** Wednesday, May 18, 2016 9:54:49 AM

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Public Comment related to Comprehensive Rezone

**From:** Kerry Taylor [mailto:kerrydtaylor@gmail.com]  
**Sent:** Wednesday, May 18, 2016 8:50 AM  
**To:** PDS Land Use and Zoning  
**Subject:** Proposed rezone

To Whom It May Concern;

As a resident of the effected neighborhood, I wish to share concerns with the proposed rezoning for the area between N 33rd and N Pearl St. My home is on N 35th, just E of N Shirley at N Bennett St. I am highly concerned with this rezoning proposal and it's impact.

When I first moved to N 35th St in early 2012, traffic was slow to limited as the road had yet to be resurfaced - crows bathed in rain-stormed potholes. Fast forward to present and resurfaced N 35th St. It has now become a major thoroughfare, connecting apartments, schools and convenience stores from N Pearl to N Orchard or N 30th; and vice-versa. Cars fly past, without restriction of stop signs, round-about or speed bumps. the speeding and traffic has become a common occurrence at all hours, given the newly resurfaced N 35th.

Concern deepens with the advent of the new road project which will extend N Bennett at N 35th through to N 37th St neighborhoods, to be completed by Nov 2016. At present N Bennett St appears to be a gravel and dirt dead end alley with no thru access. This "improvement" alone is going to increase traffic significantly, and at significant cost may I add, to homeowners on N Bennett St.

When I purchased my home, this area was a quiet, family-friendly neighborhood. There are families of all ages bicycling, skate-boarding, walking with pets and young children. We have already seen pets hit by speeding vehicles since the resurface of N 35th. How long before a child (or anyone) is hit, God forbid?

Before you rezone and make any determinations for this area, please do a traffic study. I understand that growth and change is continual but this proposal comes at significant loss to residents of this beautiful area.

Thank you;  
Kerry Taylor  
5401 N 35th St  
(253) 448-2925

**From:** Sandra Turner [mailto:wolfgohome@gmail.com]

**Sent:** Friday, May 06, 2016 2:52 PM

**To:** Planning

**Subject:** 2016 annual amendments to the comprehensive plan and land use regulatory code

This is in response to Study Area 4: Proposed Rezone & Re-Designation.

Comments on rezones for N 33rd and Pearl St. The rezoning of this area would cause severe traffic problems. The area is now congested. Traffic from Vashon, Pt. Defiance, Ruston and surrounding area all trying to get to the freeway. The already over building of apartments. Jr. High School traffic and children all congested in this area. No side streets on N. 35th and 33rd. This area is now congested and high intensity area. Sandra Turner 253-7790100

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [Kaycee White](#)  
**Cc:** [Atkinson, Stephen](#)  
**Subject:** RE: Proposed Rezone and Re-designation for Study Area (North 33rd and Pearl Street)  
**Date:** Wednesday, May 18, 2016 12:43:25 PM

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Dear Ms. White,

Thank you for your comments. I am forwarding them to Steve Atkinson, the Planner who is coordinating the analysis on the proposed zoning changes.

Regards,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

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**From:** Kaycee White [mailto:kayceewhite38@yahoo.com]  
**Sent:** Tuesday, May 17, 2016 9:57 PM  
**To:** Planning  
**Subject:** Proposed Rezone and Re-designation for Study Area (North 33rd and Pearl Street)

To Whom it my concern:

I live with my elderly mother on North 33rd Street. My mom moved here from Fircrest about 35 years ago, We have seen so many changes here!  
Crime,traffic,concerned about the children in the neighborhood also my mom!!!!

Please reconcider this rezoning project!!! It would have a very negitive impact on our neighborhood. We have been so lucky to have the wildlife around us! It is going away please help what is left !!!! :)

Sincerly  
Kathryn White

**From:** [debbieyoung76@yahoo.com](mailto:debbieyoung76@yahoo.com) [<mailto:debbieyoung76@yahoo.com>]

**Sent:** Tuesday, May 24, 2016 8:20 PM

**To:** Planning

**Cc:** [PresidentTrumanHeightsHOA@gmail.com](mailto:PresidentTrumanHeightsHOA@gmail.com)

**Subject:** Proposed Rezoning of North 33rd Between Pearl St and Shirley St

To City of Tacoma Planning Commission:

I am writing to oppose the rezoning proposed for the area of North 33<sup>rd</sup> between Pearl Street and Shirley Street. I hope you will seriously consider this input along with that which has been submitted by many others who live in this neighborhood.

This is primarily a residential area of some single family homes and already too many apartment complexes. While Pearl Street may be a large arterial, North 33<sup>rd</sup>, North Shirley and surrounding streets are not. They were not built or designed to handle the excessive traffic that already exists due to the large number of apartment complexes and Truman Middle School. These side streets existed long before Truman was built in its existing location. Prior to the construction of Truman, North 37<sup>th</sup> did not allow access to travel South on Shirley Street. As a result, there simply was not the amount of traffic winding through this area of Shirley, North 35<sup>th</sup>, North 33<sup>rd</sup> and surrounding streets all the way to Orchard Street. Since Truman opened,, the traffic has significantly increased on these side streets. The intersections are all unmarked and unfortunately, many drivers don't even pause to look for traffic or pedestrians when driving through the area. The proposed rezoning would only increase traffic where streets are not designed even to handle the current level of traffic.

There are a significant number of pedestrians in this area due to Truman Middle School—not only at the beginning and ending of the school day, but also most evenings and weekends due to the heavy field use at Truman. I am already concerned about the safety of pedestrians and increasing traffic would cause more safety concerns. I would also note that with the growth in Ruston, particularly the new Town Center, Pearl Street traffic is often backed up on weekends especially during special events in the area. When Pearl traffic is heavy, I notice significantly more vehicles driving through the neighborhood to avoid Pearl Street. Adding more high-density housing to this area will only add to this problem.

I am also concerned about the impact to Truman Middle School, which is already over capacity.

I would encourage the Planning Commission to focus high density housing in areas where individuals can walk to many services—such as the Proctor District, Stadium District, Downtown Tacoma, etc., rather than encourage this type of housing where it will increase vehicle traffic without the proper infrastructure to handle it.

I sincerely hope you will re-evaluate the proposed rezoning of this area. Thank you for your time and consideration.

Deborah Young  
3542 N Shirley St  
Tacoma, WA 98407

Sent from [Mail](#) for Windows 10

**From:** [Barnett, Elliott](#) on behalf of [Planning](#)  
**To:** [You Ren](#); [Atkinson, Stephen](#)  
**Cc:** [PresidentTrumanHeightsHOA@gmail.com](mailto:PresidentTrumanHeightsHOA@gmail.com)  
**Subject:** RE: Petition Re: North 33rd Street and Highway 163 (North Pearl Street)  
**Date:** Tuesday, May 24, 2016 8:35:19 AM

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Thank you for submitting these comments. I am forwarding them to Stephen Atkinson, the Planner reviewing this proposed zoning change.

All the best,  
Elliott Barnett

**Elliott Barnett, Planner**

City of Tacoma PDS  
(253) 591-5389

**From:** You Ren [<mailto:xw2000@gmail.com>]  
**Sent:** Monday, May 23, 2016 9:18 PM  
**To:** Planning  
**Cc:** [PresidentTrumanHeightsHOA@gmail.com](mailto:PresidentTrumanHeightsHOA@gmail.com)  
**Subject:** Petition Re: North 33rd Street and Highway 163 (North Pearl Street)

Planning and Development Services Department  
Planning and Services Division  
747 Market Street-Room 345 Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

PETITION RE: North 33rd Street and Highway 163 (North Pearl Street) Rezoning

To Whom It May Concern:

We, the undersigned community and friends of Truman Heights Homeowners Association, oppose the rezoning of North 33rd and Hwy. 163 (N. Pearl Street). We oppose the rezoning because adding multifamily housing would increase vehicle traffic and adversely affect our neighborhood environment. Our neighborhood now consists of more than 800+ rentable units. This density currently presents a strain on existing road capacity which impacts vehicle and pedestrian safety. Highway 163 (N. Pearl Street) has inadequate turning lanes with no bike lanes and no pedestrian crossings between North 30th and North 37th Streets. Neighborhood and Point Defiance Zoo traffic creates congestion on Highway 163 (N. Pearl St.) which leads to excessive speeding on neighboring residential streets resulting in unsafe conditions.

In addition to pedestrian safety risks, the proposed zoning changes would adversely affect our environment. The existing acreage under consideration currently provides habitat to deer, owls, eagles and other wild life. Building high density units on this area would destroy this habitat and increase neighborhood noise, light and air pollution.

The Truman Heights Homeowners Association consists of 18 families who are invested in promoting safe streets for our community. We strongly oppose the rezoning of North 33rd Street and Highway 163 (N. Pearl Street) to higher density housing.

Signed:

Homeowner name: Esther Zhang and Zaixin Hong

Address: 3538 North Shirley Street, Tacoma, WA 98407

Date: May 23, 2016

**From:** Joe Zinski [mailto:jzinski@wamail.net]  
**Sent:** Tuesday, May 03, 2016 3:59 PM  
**To:** Planning  
**Cc:** Lonergan, Joe; Atkinson, Stephen; Lori  
**Subject:** One Tacoma Wapato Lake

Attached is suggested changes to the Wapato Lake & Alaska Street land use & shoreline zoning planning changes.

Several of us who have grown up in the area have thought about the changes to the lake & always come back to these concerns as to the root of the lakes issues.

We all believe the fishing and swimming needs to be provided for the kids.

Joe Zinski  
6846 South Alaska Street  
253-475-2951

## One Tacoma Code changes

Tuesday, May 03, 2016

If we want a change we have to ask.

Wapato Lake needs help -- children should be swimming and kids should be fishing.

The City of Tacoma and its Parks Department have invested huge amounts of time and money, yet the lake is still considered too polluted for the fish and the plants. Swimming is an impossibility.

The shoreline boundaries of Wapato Lake need to be modified to encompass the drainage basin of natural water supply into the lake. The I-5 interstate, Tacoma Mall, and the Tacoma Place Shopping Center, including WinCo, all need to provide clean filtered water to the lake. This filtering should occur on the property of the source of the unfiltered water. NOT AT THE NORTH END OF WAPATO LAKE.

The wetland boundary would include the Tacoma Place shopping center and WinCo to the I-5 boundary on the west, then out to Alaska Street, to perhaps Yakima Ave on the east, north to 56<sup>th</sup> street, and south possibly to 80<sup>th</sup> Street.

Since the clearing of the properties for the shopping center changed all the natural drainage, both above and below ground, it should be required to place the vacant land, bordering the shopping center's property and Alaska Street into Trust to the city to replace natural water that was supplied to the lake. The Green Belt should be increased by 25 to 30% by constructing Rain Gardens in the asphalt parking to allow for more water to be provided to the lake.

The commercial driveway known as WinCo driveway should be gated & locked. That driveway should be used only for emergency vehicles. The unregulated commercial truck traffic on Alaska Street, Sheridan Street and 72th Street at the north end of the lake must be regulated through the wetland of the lake to protect the shoreline and the natural water supply to the lake.

It should be pointed out that Builders Square store, the original occupant of the now WinCo store, had no problem with the unregulated commercial trucks. Using the drive behind the center and along the green belt provides ample clearance, and keeps any risk of unregulated or hazardous products from leaving the property, endangering the lake's shore line and water.

Density in the wet land boundary should be kept sparse and maintained at single family residence only. No new commercial development creating increased density should be allowed. It is suggested that the Alaska Street arterial updates be continued to 84<sup>th</sup> street to relieve traffic on Hosmer and 72nd Street.

With this help, surface and underground water should replenish the lakes clean water and improve the number and size of underground springs in the lake.

If we all do our part while working together as partners, Wapato Lake will once again be a unique, beautiful and safe asset to the City of Tacoma, the Parks, and most of all, to the children.

*Joseph C Zinske*  
6846 S ALASKA

**From:** Joe Zinski [<mailto:jzinski@wamail.net>]  
**Sent:** Thursday, May 05, 2016 8:21 AM  
**To:** [planing@cityoftacoma.org](mailto:planing@cityoftacoma.org); Stephen Atkinson senior planner  
**Cc:** Joe Lonergan councilman; Lori; Mayor tacoma  
**Subject:** FW: WDFW Fishing Rule Change: Northern State Hospital Pond to close for Kids Fishing Derby

Hi Mister & Misses Planner,

See the attached message below.

The kids can fish in Wapato Lake too if you help - while you are doing One Tacoma Public Hearings at your 2016 Annual Amendment of Comprehensive Plan and Land Use Regulatory Code, Keep and even increase the vacant open land, stop addition commercial zoning, keep a low density & safe traffic by increasing the Wapato Lake Shoreline Boundary. The City and Parks have spent time & money working on cleaning the lake, help by allowing Mother Nature to go to work.

Wapato Lake has been encroached on since I-5 was put in and Wapato became a retention pond for freeway water. Looking back that is also when the problems started and have only gotten worse by additional polluted unfiltered water. Then the natural water that did fill the lake has been redirected to everywhere but the lake.

Why can't Wapato lake get some help from you guys and we could have these again "KIDS FISHING DERDIES" again. Help us change Wapato Lake, change the zoning & planning to put the natural waters back into the lake as clean already filtered water, more underground water to help the springs, and low density to allow open space land to help the lake get natural rainwater filtered by the landscaping, Keep the unregulated commercial trucks off surrounds streets to avoid pollution. Have seen the truck driving down the road with liquid running out the trailer, stop them.

Give the lake & kids some help  
They need your help

Joe from Tacoma

(I won 2 of those derbies with my father, today none of the fathers or their children have the opportunity to spend quality time on the lake in the park – help the kids & our families, it is one of your duty as a community servant.)

**From:** WDFW Public Affairs [<mailto:do.not.reply@dfw.wa.gov>]  
**Sent:** Wednesday, May 04, 2016 1:12 PM  
**To:** Joe  
**Subject:** WDFW Fishing Rule Change: Northern State Hospital Pond to close for Kids Fishing Derby

## **WDFW FISHING RULE CHANGE**

Washington Department of Fish and Wildlife  
600 Capitol Way North, Olympia, WA 98501-1091  
<http://wdfw.wa.gov>

May 4, 2016

## Northern State Hospital Pond to close for Kids Fishing Derby

**Action:** Closes Northern State Hospital Pond to fishing. The Pond will open May 7 from 8 a.m. to 4 p.m. for the Kids Fishing Derby.

**Effective dates:** May 5 through May 6, 2016.

**Species affected:** All gamefish.

**Location:** Northern State Hospital Pond, located outside Sedro-Woolley in Skagit County.

**Reasons for action:** This rule change is necessary to ensure a successful derby. The fish will be planted in the pond two days prior to the event to better acclimate them.

**Other information:** The kids fishing derby is sponsored by the Wildcat Steelhead. For information on how you can participate, please contact Mike Rathvon Wildcat Steelhead Club at (360) 708-9284

**Information contact:** Brett Barkdull, 360-466-4345 ext. 270 [barkdbcb@dfw.wa.gov](mailto:barkdbcb@dfw.wa.gov)

Fishers must have a current Washington fishing license, appropriate to the fishery. Check the [WDFW "Fishing in Washington" rules pamphlet](#) for details on fishing seasons and regulations. Fishing rules are subject to change. Check the WDFW Fishing hotline for the latest rule information at (360) 902-2500, press 2 for recreational rules. For the Shellfish Rule Change hotline call (360)796-3215 or toll free 1-866-880-5431.

*Persons with disabilities who need to receive this information in an alternative format or who need reasonable accommodations to participate in WDFW-sponsored public meetings or other activities may contact Dolores Noyes by phone (360-902-2349), TTY (360-902-2207), or email ([dolores.noyes@dfw.wa.gov](mailto:dolores.noyes@dfw.wa.gov)). For more information, see [http://wdfw.wa.gov/accessibility/reasonable\\_request.html](http://wdfw.wa.gov/accessibility/reasonable_request.html).*

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This message has been sent to the WDFW Regulatory Information mailing list.  
Visit the Emergency Fishing Rule Website at: <https://fortress.wa.gov/dfw/erules/efishrules/>  
To **UNSUBSCRIBE** from this mailing list: <http://wdfw.wa.gov/lists/unsubscribe.html>



Virus-free. [www.avast.com](http://www.avast.com)



Virus-free. [www.avast.com](http://www.avast.com)

## General Themes and Responses

### 1. How do we evaluate impacts as part of the area-wide rezone (i.e. impacts to traffic, school enrollment, parks, air quality, et al)?

The State Environmental Policy Act (SEPA) and Tacoma Municipal Code distinguish between project and non-project actions for review. Typically long-range planning actions, such as area-wide rezones, fall under the non-project action category. At this stage, there is as yet no specific development proposal to review for potential environmental impacts and mitigation actions. For example, under the City's R-4L zoning, a property owner could propose to subdivide their property for single family residential development on standard 5,000 sq. ft. lots (or larger or smaller lots) or to develop townhouses, or multifamily residential development. The specific development type as well as site context can result in large variations in potential impacts (such as the presence or absence of critical areas). These project level environmental impacts are evaluated and mitigated along with the building permit application for the project. It is at that stage that the City may require mitigation measures and off-site improvements.

However, this does not mean that environmental impacts and impacts to services and service providers are not considered, though they are more likely to be considered on a city-wide basis. For example, the Public Facilities and Services element of the Comprehensive Plan includes level of service standards for public facilities and services within the city, such as power, water, sanitary sewer, parks, and open space. The City is currently considering amendments to the Capital Facilities Program project list. This capital facilities review, which occurs every two years with the development of the biennial budget, serves as a funding plan to ensure that the services and facilities are provided to serve both the existing population and planned population growth.

Through the Comprehensive Plan update, the City Council adopted a Future Land Use map that identifies where the City plans to accommodate new residential and commercial growth throughout the City, at different scales of intensity. As a companion to the growth plan, the City worked with Pierce County to assess, citywide, the developable land capacity within the City of Tacoma. This data informed the transportation modeling conducted as part of the Plan update and has since been used by the Tacoma School District for projecting enrollment, by Pierce Transit for long term service planning and route design, and by Environmental Services for modeling waste water service. These long-range efforts provide the basis for assessing the long term impacts of growth and development and the capital facilities necessary to accommodate that growth.

Specific to the proposed rezone at N 33<sup>rd</sup> and Pearl, the area currently has not been identified by Traffic and Engineering as a failing or problematic intersection. There have been approximately 7 auto collision (1 injury) and 1 bike/pedestrian collision over the 2011-2015 timeframe. There are currently 3 streets that dead end to the east of the subject property and the current traffic flow is designed to direct residents to the intersections at 33<sup>rd</sup> and Pearl and 37<sup>th</sup> and Pearl. However,

future projects in this area may be required to look at potential intersection improvements or other traffic flow improvements in this area at the time of development.

The following map depicts multi-family developments and their general driveway access points as well as dead ends in red X.



In addition staff reviews known critical area data as well as historic/landmark data that is available on the City webpage at <http://wspdsmap.ci.tacoma.wa.us/website/DART/staff/TacomaPermitsMap.htm>.

This information is considered where applicable in assessing the consistency of proposed rezones with the policies of the Comprehensive Plan.

## 2. How does the City notify affected parties, public agencies and service providers?

Our proposed area wide rezones and land use code amendments are distributed broadly. We typically publish a News Tribune ad, a legal notice in the Daily Index, 60-day notice goes to Joint Base Lewis McChord and Department of Commerce, our media and communications office issues a news release, TV Tacoma provides an ad broadcasting the public hearing, and email and postcard

notifications go to the contacts at each Neighborhood Council and the Cross District Association among other interested parties. For area-wide rezones we also issue notice to all taxpayers within 400' of the subject properties. In this case we sent notice to taxpayers within a minimum of 800'.

SEPA Notice is provided to the Tacoma School District, Metro Parks Tacoma, the Puyallup Tribe of Indians, Tacoma Pierce County Health Department, Port of Tacoma, Puget Sound Clean Air Agency, Department of Ecology, Department of Natural Resources, and Department of Transportation.

Other agencies, departments and interested parties that receive notification include:

|  |  |
|--|--|
| Dept of Corrections                                  | City Club of Tacoma                            |
| Recreation and Conservation Office                   | Economic Development Board                     |
| Dept of Social and Health Services                   | Foss Waterway Development Authority            |
| Dept of Transportation                               | Futurewise                                     |
| Dept of Health - Env. Health                         | Hilltop Action Coalition                       |
| Dept of Commerce - Growth Mgmt.                      | Landmarks Commission Staff                     |
| State Dept of Fish and Wildlife                      | Local Development Council of Tacoma            |
| Puget Sound Partnership                              | Master Builders Assn. of Pierce County         |
| Dept of Archaeology & Hist Presv                     | Metropolitan Development Council               |
| Business Examiner                                    | Municipal Research & Services Center           |
| State Dept of Natural Resources                      | Pierce Conservation District                   |
| Dept of Ecology                                      | Puget Creek Restoration Society                |
| Dept of Transportation                               | Puget Sound Clean Air Agency                   |
| Dept of Agriculture                                  | Puget Sound Energy                             |
| Dept of Health                                       | Tacoma Rescue Mission                          |
| State Parks Commission                               | Sierra Club                                    |
| WA State Conservation Commission                     | TACID  |
| American Institute of Architects                     | Tacoma Community College                       |
| Arts Administrator                                   | Tacoma Historical Society                      |
| Association of General Contractors                   | Tacoma Housing Authority                       |
| Association of Washington Cities                     | Tacoma Library Special Collections             |
| Bates Technical College                              | Tacoma Pierce County Association of Realtors   |
| Forterra   | Tacoma Pierce County Health Dept.              |
| Center for Independence                              | Tacoma School District                         |
| Chamber of Commerce                                  | Tacoma Urban League                            |
| Citizens for a Healthy Bay                           | Tacoma Wheelmen's Bicycle Club                 |
| University of Puget Sound                            | Tacoma/Pierce County Small Business Incubator  |
| University of Washington Tacoma                      | Tahoma Audubon Society                         |
| Univ. of Wash. Tacoma - Urban Studies                | Task Force on Disabilities                     |
| World Trade Center Tacoma                            | United Way of Pierce County                    |
| WSDOT Office of Urban Mobility                       | Transportation Choices Coalition               |
| YMCA   | West Slope Neighborhood Coalition              |
| Washington Coalition for Promoting Physical Activity | South Sound Military & Communities Partnership |

Affordable Housing Consortium  
Commission on Disabilities Staff  
Tacoma Daily Index  
Tacoma Weekly

North Slope Historic District  
BNSF  
Click! Network  
The News Tribune

**3. We are concerned over how the proposed rezone will impact our property values and tax burden.**

There are two common concerns regarding property values and taxes: 1. Concern that proposed rezones will increase property values, and therefore impact property owners' tax burden, or vice versa, that the proposal will result in a decrease in assessed values and a reduced return on investment. With regard to the first concern, it is highly unlikely that the proposed area-wide rezones would result in increases in property values in and of themselves. Currently, the tax assessor's data is typically based on the existing use, not on the zoning or "highest and best use." It is quite common to find single family residences in areas zoned for much higher density (such as Nob Hill) where the current tax assessor data is based on the existing residence and not the development potential. However, while assessed values may not change, in these circumstances there may be a demonstrable increase in market value associated with the rezone and the ability to develop higher density housing with more rentable or saleable units.

As for the second concern, that the proposed rezones would diminish property values, this is also hard to substantiate without looking at individual circumstances. In the circumstance of N 33<sup>rd</sup> and Pearl, residents are citing the value of their homes (300,000 – 500,000) and concerns over seeing these values diminish. However, these houses are already in close proximity to multi-family units (both apartments and condominiums) and still retain robust sales values. There appear to be very few houses on the market, suggesting a high demand to live and remain in the neighborhood alongside apartment and condominium units along Pearl.

**4. We bought our house expecting our neighborhood to remain single family and we are concerned over our neighborhood changing.**

One of the frequent concerns that staff has heard is that residents bought their homes with the understanding that their neighborhoods would, for the most part, remain as they were. Approximately 65% of the City's housing stock is single family residential. The City's overall growth strategy is to focus more intensive development within centers and along transit corridors. This overall strategy is designed in part to focus redevelopment away from single family residential areas, with the most intensive development occurring in the Downtown and Tacoma Mall Regional Growth Centers, then the Mixed-use Centers and lastly along the transit corridors. However, one of the initial premises of the One Tacoma Plan, is that all neighborhoods will experience some degree of change, whether that is as the result of intensive infill within the mixed-use centers or as a result of small scale residential infill, such as detached accessory dwelling units or small lot single family dwellings.

Staff recognizes that in the past, the land use intensities in the Comprehensive Plan were not very descriptive about the land use intent. The fact that many areas planned for more intensive development remain zoned for single family further creates a false impression that the areas are intended to remain single family. The Comprehensive Plan update and now the proposed area-wide rezones are intended in part to rectify the lack of transparency over what areas of the City are intended to grow and at what scale and type.

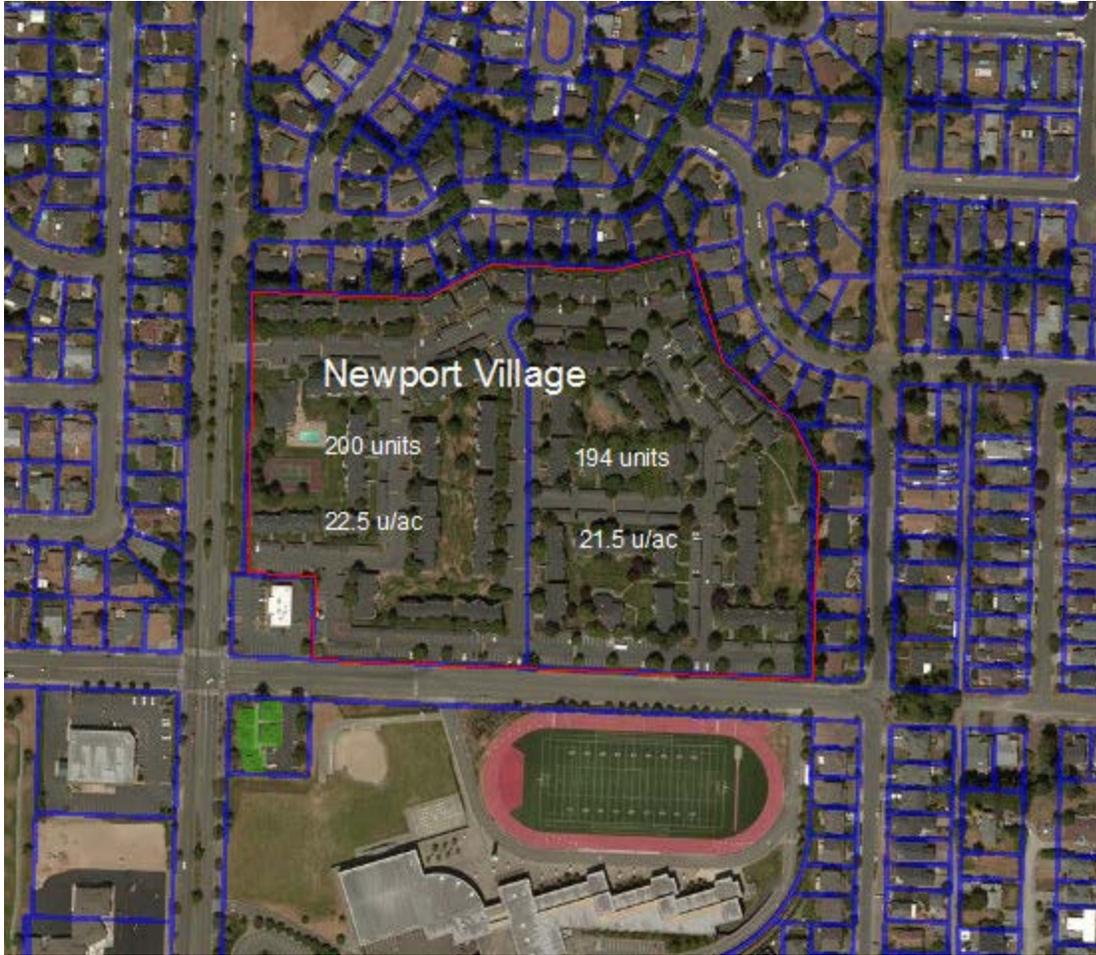
**5. We are concerned about the over-concentration of multi-family development.**

In the context of N 33<sup>rd</sup> and Pearl and the area between TCC and 6<sup>th</sup> Ave, staff has proposed these specific areas for rezone because it would help the City to achieve its overall housing goals in locations that rank well within the Puget Sound Regional Council's opportunity factor index for neighborhood quality, transportation, and health and environment, while also minimizing impacts to established neighborhoods. Both of these areas are also identified as being located within a 20-minute walkshed of the nearby mixed-use centers (TMP pg. 104). There are very few areas in the north and west ends of Tacoma where there is a land supply available to develop new multifamily housing without resulting in the tear down and displacement of existing units. Allowing vacant land to accommodate higher density development in an area that already exhibits a similar development intensity and pattern should be less of an overall impact than a development that converts existing single family residential units to multi-family. In each proposal, staff is proposing a transitional zone to step down the potential development intensity where it abuts single family residential neighborhoods.

The housing supply around N 33<sup>rd</sup> and Pearl is highly constrained, and the cost of redevelopment in the Westgate Crossroads Center still inhibits the dense urban infill that is planned for that location. However, building a strong housing market around the center can help to improve the market and overall feasibility for development within the center itself. A brief survey of some of the available apartments for rent in the area suggest that new multi-family housing in this area could provide options for income levels ranging from 80% AMI to 100% AMI. These price ranges would not address the deep poverty issues we have in our community but could provide new "workforce" level housing options for households not otherwise able to afford a single family residence in this area. Recent home sales in this area have ranged from the \$200,000s to over \$500,000.

The same could be said of the area north of TCC between 12<sup>th</sup> and 6<sup>th</sup>, which is an area that tends to support multifamily units in the range of \$800-1200 a month. This is also a location that is within the trade area of two mixed-use centers and would potentially support a growing market within the commercial core of the centers.

The following pictures show the existing number of multi-family units and densities in the area around N 33<sup>rd</sup> and Pearl. .





Densities tend to range from 9 units per acre to 29 units per acre on the upper end. As a point of comparison, the recent Proctor Station project in the Proctor Neighborhood Center accommodates approximately 150 units on 1 acre. The existing multi-family units in this area occupy a lower range density that limits overall impacts to the neighborhoods while still achieving transit-supportive densities at a workforce affordable price range.

6. We are concerned over the loss of trees in our neighborhood as a result of new development.

The City has a goal of attaining a 30% tree canopy citywide by 2030. There are multiple ways the City is working towards achieving this goal through proactive approaches, but it is important to recognize that tree retention is a critical component as well. While the City's regulations may not be satisfactory at this time to preserve existing tree canopy to the extent that the community in this

area desires, there are mechanisms to ensure that there is a level of protection in place. For example: the County offers a tax incentive, the Open Space Current Use Assessment, for properties that possess valuable open space and critical areas and are retained in an undeveloped state, and the City's critical areas regulations, TMC 13.11 and 13.10, ensure protection of priority habitats, species, wetlands and streams, as well as their related buffer areas. In addition, staff is proposing, as part of the multi-family design standards, to require a 30% tree canopy for new R-3 and R-4L developments, which would apply in the context of the N 33<sup>rd</sup> and Pearl proposed rezone. While this would likely result in a loss of overall tree canopy on the site, it would minimize that loss. This tree canopy requirement currently does not apply and is not proposed to apply within single family zoning districts, such as the existing R-2 zone. The landscaping code provides tree retention credits to incentive the preservation of mature trees on site. Lastly, it is important to consider that tree canopy and habitat loss is not simply the product of the zoning district and the potential multi-family development. Single family developments are just as likely to clear the site of existing vegetation, even at much lower densities and larger lot sizes.

Recommendation: Staff recommends adopting the proposed tree canopy requirements as proposed in the multi-family design standards. Furthermore, staff would propose evaluating potential open space corridor site development standards as part of the next round of code amendments.

## Area-wide Rezone General Comments and Recommendations

### 1. Nob Hill

Comments: One property owner has expressed concern over the DR zoning and would prefer a WR zone along Pacific Avenue. Concerns are centered around the feasibility of a hotel project that would potentially require design review or TDR bonuses to achieve the necessary FAR for the project. For the purposes of the FAR calculation, hotels are considered a residential use. The WR allows an FAR of 4 by right, whereas the DR only allows an FAR of 2 by right. In the DR, a hotel can achieve an FAR of 4 with design standards and 6 with TDR. Hotels are allowed under both the DR and WR districts. However, the WR allows industrial uses, whereas industrial uses are prohibited in the DR.

Staff Recommendation: Staff recommends forwarding the proposal to the City Council as-is.

### 2. McKinley Police Station

Comments: No comments at this time.

Staff Recommendation: Staff recommends forwarding the proposal to the City Council as-is.

### 3. Franke Tobey Jones

Comments: Concerns have been expressed over the existing zoning and the expansion plans proposed under that zoning. Franke Tobey Jones recently submitted an application for a site specific rezone and a site plan modification. A public hearing will be scheduled and notice will be provided to neighbors regarding the specific plans and environmental review.

Staff Recommendation: Staff recommends forwarding the proposed land use designation amendment to the City Council as-is.

#### 4. N 33<sup>rd</sup> and Pearl

Comments: Comments are largely focused on concerns over the impact of the area-wide rezone on the environment, tree canopy and habitat loss, traffic, housing values, the concentration of multi-family in the area, and the City's notification procedures.

Staff Recommendation: Amend the proposal to remove approximately 3 acres of the Bates property along N 35<sup>th</sup> from the proposed rezone. This would provide a consistent housing pattern for the portion of the site across the street from Truman Middle School and the single family residences on N 35<sup>th</sup>, as well as provide less development potential for the portion of the site with potential critical areas. The portion of the Bates property fronting on N 33<sup>rd</sup>, approximately 200' of frontage and a depth of 250' from the street, is recommended to remain as a proposed R-4L zoning district.



This modification would retain potential multi-family zoning where it would not be directly abutting or across the street from existing single-family residences, and where the potential multi-family units would have direct access to Pearl St. This would also retain the R-2 zoning on the portion of the Bates property where critical areas and steep slopes are likely.

**5. TCC to 6<sup>th</sup> Ave**

Comments: No comments at this time.

Recommendation: Staff recommends forwarding the proposal to the City Council as-is.

**6. S Alaska and 72<sup>nd</sup>**

Comments: Comments have been mixed. Some residents are concerned about past land use actions and current nuisances related to the commercial activity to the west of the single family residences, as well as existing difficulties with the traffic volumes and delay on 72<sup>nd</sup>. Some residents would prefer to keep the zoning as is, as an R-2 Single Family Dwelling District. Other property owners within the proposed area support the C-1 proposal, or would prefer an even more intensive C-2 General Commercial Zone. Residents are concerned over the additional impacts that would result from potential multi-family in the area. Though staff has not recommended multi-family zoning in the area at this time, the area to the north of the proposed rezone will likely be considered for multi-family zoning as part of a subsequent amendment. Some support has been expressed for mixed-use zoning that would encourage a complete neighborhood. Overall, staff shares this desire and has considered that in the current proposal. One of the expressed concerns is distrust over getting the “right kind” of commercial use that can be a neighborhood amenity and add to the attractiveness of the area. The C-1 zone would support eating and drinking establishments, townhouse and multifamily residential development, and retail, as well as prohibit drive-throughs, but would also allow some less desirable uses for this location, like fueling stations, and potentially prohibit uses that could be desirable, like a hotel.

Recommendation: Staff recommends denying the proposed rezone, as currently constituted, and to develop a full proposal with community input for the entire area from 72<sup>nd</sup> to the WINCO driveway on Alaska St., concurrently with the updates to the commercial zoning districts, and to bring a new proposal back to the Planning Commission upon development of proposed Commercial District zoning updates.

**7. South Tacoma Industrial Zones**

Comments: No comments at this time.

Recommendation: Staff recommends forwarding the proposal to the City Council as-is.

## **8. Cheney Stadium and Foss High School**

Comments: Concerns have been expressed to staff over the unintended consequences of rezoning to a commercial zoning district (i.e. uses that may be permitted under that zoning that are not desirable at this location) and the community interest in public properties and how they are managed and used for public and private purposes.

Recommendation: In considering the community comments staff recommends denying the proposed area wide rezone and for staff to develop a proposal, for Planning Commission consideration, as part of the subsequent work program for a public facility/institutional zoning district or overlay that would provide the use flexibility for areas like Cheney, where some uses currently prohibited may be appropriate or desirable, while retaining the public notice requirements currently required for the existing uses in the R-2 District.





City of Tacoma  
Planning and Development Services

**Agenda Item  
D-2**

**To:** Planning Commission  
**From:** Lihuang Wung, Planning Services Division  
**Subject:** **Proposed Amendments to the Commission's Rules and Regulations**  
**Date of Meeting:** June 1, 2016  
**Date of Memo:** May 26, 2016

At the next meeting on June 1, 2016, the Planning Commission will consider amending the Commission's Rules and Regulations (i.e., Bylaws), specifically concerning the timing for the nomination and election of officers.

Attached are the current Rules and Regulations, as amended in August 2015. The provision that is subject to amendment is in Section I.B. The Commission may also consider amendments to any other section as deemed necessary.

If you have any questions, please contact me at 591-5682 or [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org).

Attachment

c: Peter Huffman, Director





## **TACOMA PLANNING COMMISSION**

### **RULES AND REGULATIONS (“BY-LAWS”)**

The following Rules and Regulations of the Tacoma Planning Commission were originally adopted by the Commission on April 20, 1970, and subsequently amended on July 21, 1980; August 21, 1995; May 21, 1997; June 7, 2000; October 20, 2004; November 18, 2009; December 1, 2010; and August 5, 2015. These Rules and Regulations conform to the statutory authority of the City Charter (Article III, Section 3.8 – City Planning Commission) and the Tacoma Municipal Code (TMC) (Title 13, Chapter 13.02 – Planning Commission).

The Rules and Regulations contain the following sections:

- I. Officers
- II. Advisory Committees and Task Forces
- III. Staffing
- IV. Meetings
- V. Records
- VI. Annual Report
- VII. Miscellaneous
- VIII. Rules and Regulations Amendments

#### **I. Officers**

- A. The Commission shall elect its own Chair, Vice-Chair, and such other officers as from time to time it may determine it requires, all of whom shall be members of the Commission.
- B. Nominations and elections of officers shall be conducted at the last meeting in June of each year. New officers will assume duties after the meeting following their election.
- C. Officer Qualification Considerations – The Officers should be interested in holding the position(s); be able to devote sufficient time to Commission business and attend as many Commission meetings as possible; be prepared to make presentations to the City Council, citizens, committees, neighborhood groups, and service clubs regarding Commission responsibilities, projects, plans and policies; and have sufficient experience on the Commission to understand its role and functions and to have a basic understanding of the City's Comprehensive Plan policies and development regulations.
- D. The term of office shall be for one (1) year or until the next scheduled election. In case of any vacancy in office, the vacancy shall be filled by an election at the first regular meeting after the occurrence of such vacancy.
- E. Duties of Officers – The Chair shall preside over all meetings of the Commission. All resolutions adopted by the Commission and Commission correspondence shall be signed in his/her name as Chair of the Commission. In the event of the absence of the

Chair or his/her inability to act, the Vice-Chair shall take his/her place and perform his/her duties. In the event of the absences or inability to act of both the Chair and the Vice-Chair, the remaining members of the Commission shall appoint one of their members to temporarily act as Chair.

## II. Advisory Committees and Task Forces

- A. Advisory Committees – The Commission may establish advisory committees as it deems appropriate, following the procedures set forth in TMC 13.02.015.
- B. Task Forces – The Commission may also establish task forces as it deems appropriate to conduct extended and supplemental analyses of issues identified and defined by the Commission. Task forces are ad-hoc and issue-oriented in nature and shall not be construed to have the same organization and operation as those of “advisory committees.” A task force shall be comprised of up to four (4) members of the Commission designated by the Commission by a majority vote. Chairpersons of task forces may be designated by the Chair of the Commission. There shall not be more than two task forces operating at any given time. Task forces shall serve at the discretion of the Commission and their duties and responsibilities shall be established by the Commission. All task force meetings shall be open to the public and conducted in accordance with these rules. Task forces may not conduct public hearings.

## III. Staffing

The Long-Range Planning Division Manager and/or his/her designee (hereinafter referred to as Staff) shall organize and supervise clerical details of the Commission's business and shall be responsible to the Commission for the proper preparation and maintenance of records of meetings, hearings, official actions and all public records. Staff shall be responsible for providing such other services as may be required by the Commission within the limits of the budget for the Planning and Development Services Department as approved by the City Council.

## IV. Meetings

- A. Regular Meetings – Regular public meetings of the Commission shall be held on the first and third Wednesday of each month at 4:00 p.m. in Room 16 of the Tacoma Municipal Building North, or in another location designated by the Commission. If the regular meeting day falls on a legal holiday, the Chair of the Commission shall fix another day therefore and give notice of said meeting as hereinafter providing for “special meetings.” The notice for any regular public meeting shall indicate the date, time, place and business to be transacted, and be distributed prior to the meeting to those individuals and organizations listed on the mailing list that shall be maintained by Staff and may be subject to the Commission’s approval.
- B. Public Hearings – Public hearings conducted by the Commission shall be held in the Council Chambers of the Tacoma Municipal Building or another location designated by the Commission and indicated in the notice of hearing. The date and time of the hearing shall be determined by the Commission and indicated on the notice of hearing. Notices for public hearings shall be distributed in accordance with TMC 13.02.057. Notices shall also be mailed, prior to the hearing, to those on the mailing list as hereinabove provided, to those individuals or organizations which have indicated in

writing to the Planning and Development Services Department an interest in the subject(s) of the hearing, and to other interested parties as deemed appropriate by the Commission. An additional notice shall be required for matters continued for further hearing and continued to a time, date, and place certain.

- C. Special Meetings – Special meetings of the Commission set for a time different than regularly scheduled as hereinabove provided shall be held at such times as the Commission may determine, or may be called by the Chair for any time upon the written request of three members of the Commission. Special meetings shall be open to the public. Per RCW 42.30.080, special meetings require at least 24 hours' written notice. Such notice shall indicate the date, time, place and business to be transacted. Notices of special meetings shall be distributed to the same recipients of notices for regular public meetings, to the recipients on the special press mailing list on file with the City Clerk's Office, and to other interested parties as deemed appropriate by the Commission.
- D. Quorum – A quorum for the transaction of official business shall consist of a simple majority of filled positions of the Commission, per TMC 13.02.041.
- E. Absences – Requests by members to be excused shall be stated by the member at a Commission meeting or be submitted to the Commission or be directed through Staff who shall then present the request to the Commission. The Commission shall then approve or deny the request. Upon a member's missing three (3) unexcused consecutive regular meetings, the Commission shall afford such member a hearing to determine whether the absences are to be excused. If the Commission determines not to excuse such absences, then the Commission shall determine the question of whether the Commission shall recommend to the City Council that such member should be deemed to have forfeited his/her office and a new member be appointed to fill the unexpired term.
- F. Every official act taken by the Commission shall be by resolution or by motion by an affirmative vote of a majority of the quorum. In the event that a member disqualifies themselves or passes, this is to be registered as "not voting". Notwithstanding Robert's Rules of Order, the Chair shall vote on all resolutions or motions.
- G. Conduct of Meetings
  - 1. Order of Business – The following order of business may be modified for any meeting by a suspension of the rules, concurred in by a majority of the voting members present, except that consideration of matters set for public hearing must occur at or following the time indicated on the hearing notice:
    - a) Call to Order and Quorum Call
    - b) Approval of Agenda
    - c) Approval of Minutes
    - d) Public Comment – The Chair shall decide whether this item will be included in the agenda, and if so, how much time will be allowed for each speaker. Public comments, if included in the agenda, must be limited to items on the agenda that are not the topic of a recent public hearing.

- e) Discussion Items – Matters set for public hearing shall be considered at such time as determined by the Commission and set forth in the hearing notice.
  - f) Communication – This may include other business brought forward by Commissioners, comments by Commissioners, and comments and additional information provided by Staff.
  - g) Adjournment
2. Conduct of Regular and Special Meetings:
- a) The Chair shall preside over all regular and special meetings of the Commission.
  - b) The Chair introduces the agenda items.
  - c) Staff and/or presenters invited by staff summarize the information prepared or received by the staff responsible for the agenda item.
  - d) The Commission considers requests and may ask questions of the staff and/or other presenters. Comments by the public on the agenda item under consideration may be permitted, but only at the discretion of the Chair.
  - e) The Chair asks for reports from advisory committees or task forces, if appropriate.
  - f) The Commission takes appropriate action, if an action is required.
3. Conduct of Public Hearings:
- a) The Chair shall preside over all public hearings conducted by the Commission.
  - b) The Chair calls the public hearing to order and announces the procedure for the public hearing as established by the Commission.
  - c) Staff summarizes the staff report or other information prepared or received by the staff responsible for the hearing item.
  - d) The Chair asks for reports from advisory committees or task forces, if appropriate.
  - e) The Commission receives oral testimony.
  - f) The Chair either closes the hearing and announces the date upon which the record of the hearing will remain open to receive additional written comments, or continues the hearing to a later date if there is a finding by the Chair that all interested parties have not been afforded an adequate opportunity to testify before the Commission or if new information is to be considered on which the Commission feels additional public testimony to be appropriate.
  - g) At a meeting(s) subsequent to the public hearing, the Commission considers all oral and written testimony concerning the hearing item and acts to approve, disapprove, modify, or defer the decision-making until the completion of additional analyses.

#### H. Open Public Meetings Act and E-mail Exchanges

E-mail exchanges between members of the Commission can constitute a violation of the Washington State Open Public Meetings Act (OPMA), Chapter 42.30 RCW.

Generally, if a majority of the members participate in an e-mail discussion of Commission business, the members are conducting a meeting in violation of the OPMA requirement that meetings must be “open to the public with prior notice.” It is suggested that Commission members observe the following guidelines to avoid OPMA problems with e-mail exchanges:

1. When possible, limit e-mail exchanges on issues related to Commission business to less than a majority of Commission members. Sending copies of an e-mail to less than a majority may not suffice if subsequent exchanges relay the content of the original exchange to a majority of members.
2. Never decide at an open meeting that a majority of the Commission will continue or complete discussion of an agenda item by e-mail.
3. One-sided (no response anticipated) informational e-mails to a majority or more of Commission members are probably consistent with the OPMA. In open meetings, the Commission members should verbally announce that they have sent this type of e-mail if it relates to the discussion at hand. Commission members are free to engage in e-mail exchanges with staff on one-sided e-mails, but not with each other.
4. E-mail exchanges on issues that the Commission will not address are consistent with the OPMA. However, if any reasonable chance exists that an issue relates to a vote that may or will come before the Commission, a majority of the Commission should not subject the issue to e-mail discussion.

#### V. Records

- A. The Commission's adopted summary minutes of the public meetings shall be the official records. The actual recording of each hearing item shall be the official record for such item.
- B. Supplemental records pertaining to matters of public meetings and public hearings shall be kept on file in the Planning and Development Services Department as required by law. These supplemental records may include but not be limited to the following:
  1. Description of agenda items, including all submitted information therewith.
  2. Report of the Planning and Development Services Department, Commission Advisory Committees and Task Forces on the matter as presented to the Commission at a meeting thereof, including such material submitted in writing and in map form.
  3. Written communications concerning the matter.
  4. Facts concerning the matter.
  5. Records of all actions taken by the Commission in the matter (resolutions, motions, setting of dates for hearings, etc.).
  6. Record of actions taken by the City Council in the matter (ordinances, resolutions, results of hearings, etc.).
- C. Recorded transcripts or summary minutes of all official Commission proceedings shall be filed with the City Clerk and shall be opened to public inspection.

## VI. Annual Report

Pursuant to TMC 13.02.040, the Commission shall annually report to the City Council regarding accomplishments and the status of planning efforts undertaken in the previous year, and if applicable, the outlook of planning issues for the coming year. Said report is typically prepared in July of each year and should, at the discretion of the Chair, take the form of a letter, a memorandum, a summary report or a copy of relevant minutes of the Commission's meetings, and may be posted on the City's website.

## VII. Miscellaneous

- A. Code of Ethics – Members of the Commission shall comply with the City of Tacoma's Code of Ethics pursuant to TMC 1.46 while conducting Commission business.
- B. Disclosure of Contacts – Individual members of the Commission may, but are not required to, participate in or initiate discussions with interested parties affected by issues under consideration by the Commission. Such meetings or contacts with citizens should be disclosed at the next scheduled meeting of the Commission. The intent of such disclosures in a public setting is to preserve the integrity of the Commission's process and provide a record and notice to other individuals who may also be affected or interested. If a Commissioner receives a request to meet/discuss but prefers not to do so, he/she may suggest the requesting parties to express their comments and concerns through the normal procedures, i.e., providing testimony at public hearings and/or providing comments to staff.
- C. Contact Information – The contact information of members of the Commission should be considered public information and made available for public access upon request.
- D. Conferences – Members of the Commission may attend, at their own expense, conferences, meetings and training courses closely related to Commission business.

## VIII. Rules and Regulations Amendments

The Rules and Regulations may be amended by the Commission by a majority of vote at any meeting.