To: Planning Commission
From: Lihuang Wung, Planning Services Division
Subject: Manitou Potential Annexation – Public Comments and Staff Responses
Meeting Date: May 29, 2019
Memo Date: May 22, 2019

Action Requested:
Guidance.

Discussion:
At the meeting on May 29, 2019, the Planning Commission will review public comments on the subject of “Manitou Potential Annexation” that were received during the public hearing process in April-May for the 2019 Amendment. The subject of “Manitou Potential Annexation” primarily refers to the two options of the proposed zoning schemes for the Manitou Potential Annexation Area (PAA). Attached to facilitate the Commission’s review and providing feedback is a staff report that summarizes the public comments and staff’s response.

Project Summary:
Pierce County and the City of Tacoma are conducting a collaborative planning effort for the proposed annexation of the Manitou PAA, located at the southwest corner of the City near Lakewood Dr. W. and 66th St. W. Planning for the Manitou annexation is currently proceeding on two tracks: (1) Interlocal Agreement, and (2) Proposed Zoning.

About the first track, the City is getting ready to negotiate the interlocal annexation agreement with Pierce County. Upon completion of the negotiation and approval of the agreement by County and City councils, the City will consider an ordinance to set the effective date for the annexation, which is likely to be in late 2019 or early 2020.

The second track pertains to the proposed zoning to be applied to the Manitou area if and when the annexation becomes effective. There are two options of the proposed zoning schemes. There may be a third option for the Commission’s consideration, based on public comments received, as shown in the attached staff report.

For more information, please visit www.cityoftacoma.org/Manitou.

Prior Actions:
- July 18, 2018 – Reviewed scope of work
- November 7, 2018 – Reviewed Proposed Zoning Option 1
- February 6, 2019 – Reviewed Proposed Zoning Option 2, and released both options for public review
- May 15, 2019 – Conducted Public Hearing No. 2 for some applications of the 2019 Amendment, including the Application of “Manitou Potential Annexation”
Staff Contact:
- Lihuang Wung, Senior Planner, lwung@cityoftacoma.org, (253) 591-5682

Attachment:
- Manitou Potential Annexation – Public Comments and Staff Responses Report
  - Exhibit “A” to the Report – Oral testimony Received
  - Exhibit “B” to the Report – Written Comments Received

Peter Huffman, Director
### A. Subject: Manitou Potential Annexation

### B. Staff Note:
The Planning Commission released two options (Options 1 and 2) of the proposed zoning schemes for the Manitou Area for public review, in preparation for the public hearing on May 15, 2019. Public comments seem to prefer a third option (Option 3).

<table>
<thead>
<tr>
<th>Option 1</th>
<th>Option 2</th>
<th>Option 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>• R-2 for single-family residential areas</td>
<td>• R-3 for single-family residential areas</td>
<td>• R-2 for single-family residential areas</td>
</tr>
<tr>
<td>• R-4L for multi-family residential areas (including the mobile homes)</td>
<td>• R-4L for multi-family residential areas (including the mobile homes)</td>
<td>• R-4L for multi-family residential areas (including the mobile homes)</td>
</tr>
<tr>
<td>• C-1 for non-auto related commercials</td>
<td>• C-1 for commercial areas</td>
<td>• C-1 for commercial areas</td>
</tr>
<tr>
<td>• C-2 for auto-related commercials</td>
<td>• STGPD overlay</td>
<td>• STGPD overlay</td>
</tr>
<tr>
<td>• STGPD overlay</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
- Significant down zone from current Mixed-Use District (60-ft height allowed)
- Down zone from previous designations adopted in 2004, where there was no C-1
- R-2 consistent with surrounding neighborhood
- R-3 provides more opportunities for missing middle housing on large lots
- C-1 makes vehicle sales nonconforming to use and vehicle repairs nonconforming to some development standards

### Notes:
- Significant down zone from current Mixed-Use District (60-ft height allowed)
- Further down zone from previous designations adopted in 2004, where there was no C-1
- R-2 consistent with surrounding neighborhood
- C-1 makes vehicle sales nonconforming to use and vehicle repairs nonconforming to some development standards
C. Public Comments and Staff Responses:

<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Commenters</th>
<th>Staff Notes and Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Support annexation.</td>
<td>Nichols; Dergan; Freeman; Abbott</td>
<td>• Some of the reasons indicated by commenters included better City services and opportunity for sewer hook-up.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Joseph and John)</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Opposed to annexation.</td>
<td>Rangel</td>
<td>• Commenter indicated that a previous annexation attempt in late 1990s had already been turned down.</td>
</tr>
<tr>
<td>3.</td>
<td>Support Option 1.</td>
<td>McDonald</td>
<td>• Comment noted.</td>
</tr>
<tr>
<td>4.</td>
<td>Support Option 1, but suggest changing C-2 to C-1.</td>
<td>White; Dergan; Jones; Smith</td>
<td>• Commenters preferred C-1 in order to keep commercials at neighborhood level. Commenters also suggested the R-2 in Option 1 would help maintain the character of the single-family neighborhood.</td>
</tr>
</tbody>
</table>
| 5.  | Support Option 1, with C-2.                  | Medley                            | • Commenter suggested that C-2 would allow automobile related services to continue (otherwise non-compliant as with the C-1 in Option 2).  
• Staff notes that the use of “vehicle rental and sales” is prohibited in C-1 but permitted in C-2, while the use of “vehicle service and repair” is allowed in both C-1 and C-2, subject to development standards as set forth in TMC 13.06.510.E. |
<p>| 6.  | Support Option 2, with R-3.                  | Nichols                           | • Commenter indicated that the R-2 designation in Option 1 is a significant down zone from the current Mixed Use District designation which allows 60 foot residential buildings, while R-3 in Option 2 would not significantly impact the current residential area but would begin to meet the goal of creating more opportunities for missing middle housing. |
| 7.  | No C-2 in the area.                          | Freeman                           | • Commenter did not clearly indicate which option is preferred.                           |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Commenters</th>
<th>Staff Notes and Responses</th>
</tr>
</thead>
</table>
| 8.  | C-1 would be more compatible with the South Tacoma Groundwater Protection District (STGPD). | Dergan       | • Pursuant to TMC 13.09, the STGPD is an overlay zoning and land use control district specifically designed to prevent the degradation of groundwater in the South Tacoma aquifer system by controlling the handling, storage and disposal of hazardous substances by businesses.  
• The STGPD program is intended to help protect the City of Tacoma's drinking water. The STGPD area is located above the South Tacoma aquifer and can provide the City up to 40% of its drinking water, particularly in the summer.  
• Administered by the Tacoma-Pierce County Health Department, the STGPD program regulates businesses with aboveground or underground storage tanks and/or hazardous substances at regulated quantities, and/or stormwater infiltration units. Private homes are not regulated.  
• Commenter’s statement about C-1 being more compatible with the STGPD is arguably fair, because C-1 is intended to contain lower intensity land uses of smaller scale than C-2. However, the STGPD requirements apply to all businesses located within the district, regardless of the underlying zoning districts the businesses are subject to. The impacts of businesses to groundwater protection depend primarily on the type and operations of the business and need to be further analyzed, and properly mitigated, on a business-by-business basis. |
| 9.  | County’s current land use designation of Mixed-Use District is a big concern. | White; Dergan | • Pierce County currently regulates land and building in the Manitou Potential Annexation Area under the Mixed-Use District (MUD) designation.  
• MUD allows a broad variety of mid-density residential, commercial, and industrial land uses, including multi-family housing, nursing homes, mobile home parks, day-care centers, sewage collection facilities, offices, agricultural supply, malls, restaurants and bars, auto sales, and contractor yards.  
• Up to 60-foot-tall buildings could be permitted with the uses in MUD.  
• Either Option 1 or Option 2 of the proposed zoning scheme would be more reflective of the existing land use pattern in the area than MUD and more consistent with the City’s land use planning for similar neighborhoods.  
• Either Option 1 or Option 2 would be a relatively significant down zone from MUD, reducing opportunities for some potential development. |
<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Commenters</th>
<th>Staff Notes and Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.</td>
<td>Fire and police service must be maintained at the same level upon annexation.</td>
<td>White; Dergan; Smith; Rangel; Abbott (Joseph and John); Bushnell; Estes; Magliocca</td>
<td>• The Tacoma Fire and Police departments have indicated that public safety services will be maintained at the same level once the area is annexed to the City.</td>
</tr>
<tr>
<td>11.</td>
<td>The area needs sidewalks and safe routes/signage for school kids.</td>
<td>freeman</td>
<td>• The City’s Public Works Department is prepared to address the issues once the annexation becomes effective.</td>
</tr>
<tr>
<td>12.</td>
<td>There are too many apartments. There are more problems when people are living too close.</td>
<td>Husted</td>
<td>• Comments noted.</td>
</tr>
<tr>
<td>13.</td>
<td>Continue and enhance the outreach to the community for the proposed annexation.</td>
<td>Freeman; White; Dergan; Smith; Rangel; Abbott (Joseph and John); Bushnell; Estes; Magliocca</td>
<td>• Comments noted and appreciated.</td>
</tr>
</tbody>
</table>

D. Exhibits:

**Exhibit "A" - Oral Testimony Received on May 15, 2019**
- Two individuals testified

**Exhibit "B" - Written Comments Received through May 17, 2019**
- Comments from 5 individuals received at 2019 Amendment Open House on February 21, 2019
- Comments from one individual received at 2019 Amendment Open House on February 25, 2019
- Staff Notes on comments from 9 individuals received at the Manitou Annexation Area Walk-about on April 26, 2019
- E-mail and Letters from 3 individuals on May 5 and May 17, 2019
Oral Testimony Received

Event: Planning Commission Public Hearing No. 2
Subject: Manitou Potential Annexation
Date: May 15, 2019

1. Heidi White – Ms. White has lived in Manitou for 51 years. She noted that she doesn’t care if it is annexed, but she does care about the zoning changes. She stated that she supports option 1, as long as C2 is changed to C1, and the rest is kept R2, with everything else grandfathered in and left as it is now. She explained that it is a community that does not need any big business. They like it the way it is and would not like any more multi-family as it would affect the quality of life in the area. She urged the Commission to listen to the comments the neighborhood has provided.

2. Venus Dergan – Ms. Dergan has lived in Manitou for over 50 years, and has attended almost all the meetings relating to this. She stated that she considers all of the people living in the area her neighbors, and they do not pay attention to the county-city line. She noted that South Tacoma has one of the lowest incomes in the city, so there is low-income homeownership in Manitou currently. She stated that she also supports option 1, with the change from C2 to C1, as it will keep the character of the neighborhood and will be more compatible with the South Tacoma Groundwater Protection District that is proposed. She urged the commission to listen to the people who have spoken.
I like Option 1, because...

5. My Name: Geri Jones  E-mail: Geri Jones 43@yahoo.com
   My Reasons: I want Option 1. I don't want C2 in my neighborhood.

6. My Name: Ron Husted  E-mail: nikkenrules@comcast.net
   My Reasons: Too many apartments as there were problems when people were living too close. Just ask police. The neighborhood is fine as is, w/R-2 areas.

7. My Name: Venus Dergan  E-mail: Vedergan@yahoo.com
   My Reasons: Option 1 and eliminate C2 and change to C1. Wish to keep the character of the neighborhood. Neighbors want single family homes & neighborhood commercial district.

8. My Name: Dough W. McDonald  E-mail: Tmcdonald32po@yahoo.com
   My Reasons: I support Option 1. -Thanks
I like Option 1, because...

9. My Name: Heidi White  E-mail: Bathmaido3@AOL.com
   My Reasons: It's my area and I would like to have this option, but with C-1 instead of C-2. If this option changes then I would support anyone who would not want to have the annexation happen. Please keep the integrity of our neighborhood the way it is.

10. My Name:  E-mail: 
   My Reasons:

11. My Name:  E-mail: 
   My Reasons:

12. My Name:  E-mail: 
   My Reasons:
I like Option 2, because...

1. My Name: [Handwritten]
   E-mail: [Handwritten]

My Reasons: [Handwritten]

Staff Notes:
1. The last two lines are copied from the backside of the comment sheet.
2. The commenter had later clarified that she did not realize the comment card she had used was to indicate the preference for Option 2, which was not necessarily her suggestion. She supports the annexation; she does not suggest C-2; and she believes currently this neighborhood offers affordable housing which is a good thing.

3. My Name: [Handwritten]
   My Reasons: [Handwritten]

4. My Name: [Handwritten]
   E-mail: [Handwritten]
   My Reasons: [Handwritten]
Manitou Annexation Area Walk-about

Date/Time: Friday, April 26, 2019, 4:00 p.m.

Location: Meadow Park Office Condos’ Parking Lot (Lakewood Dr. W. and 70th St. W.)

Citizens Present: Heidi White, Venus Dergan, Pennie Smith, Adrian Rangel, Joseph Abbott, John Abbott, and Joe Bushnell

Staff Present: Allen Estes (TFD), Todd Magliocca (TFD), and Lihuang Wung (PDS)

Notes by Lihuang Wung:

1. Due to the low turn-out, attendees agreed to forgo the walk-about; instead, had a conversation at the parking lot.

2. Attendees were disappointed that Council Member Chris Beale was not able to attend due to a last minute conflict.

3. Attendees reviewed Options 1 and 2 of the Proposed Zoning Schemes that had been released by the Planning Commission for public review in preparation for the public hearing on May 15, 2019. Most were concerned about the C-2 designation in Option 1 and the R-3 in Option 2. They would support C-1 for commercial areas, R-2 for single-family areas, and R4-L for multi-family areas, to be compatible with the surrounding neighborhood.

4. Some were concerned about Council Member Beale’s proposal (i.e., Option 2) being placed on the Planning Commission’s agenda in February 2019, after the Commission had reviewed and released Option 1 in November 2018.

5. County’s current land use designation of Mixed-Use District is a big concern.

6. Developers (the Abbotts) having a property in Tacoma, 10 feet from the Manitou area, welcomed the annexation which would allow them to hook up to the City’s sewer.

7. Long-time resident (Rangel) opposed to the annexation, indicating a previous annexation attempt in late 1990s had already been turned down.

8. Residents are generally concerned about and interested in septic/sewer issues and wells/water hook-ups.

9. Fire and police services are of primary concern – the same level of service must be maintained upon annexation.

10. Staff needs to do more community outreach before taking the next steps (i.e., Interlocal Agreement and Annexation ordinance).

11. Need to knock on doors and inform single house owners and encourage them to get involved. Businesses (and perhaps renters) don’t care; many business owners don’t live in the area.
To whom it may concern:

I am writing in regards to the Potential Manitou Annexation. The only concern I have in regards to the annexation is the proposed zoning. I am not in support of either of the zoning options. What was discussed at the meetings that I have attended is to have option one with C-1 and R-2 with the rest being non-conforming (grandfathered in).

Thank you,

Heidi White, Manitou
May 17, 2019

Planning Department
747 Market Street Room 345
Tacoma WA 98402

To Planning Department/ Lihuang Wung,

I am writing this letter to comment on the Manitou Annexation. I fully understand the reason why Tacoma is annexing the area. My concern is the zoning of the area. The Planning Department sent out an informational letter with two options of the potential zoning. I am asking the city to consider option 1 as the best option for the area. Option 1 allows the area to continue with C2 zoning for automobile related services. I own a property that is and has been auto related for all the years we have owned it. I am concerned that if the zoning changes to C1 as option 2 shows; that I will be non compliant. This property does not really have any other potential uses as the property is now. To remodel, or redevelop this property would also not make sense as it would not be financially viable for cost versus income. This area simply will not produce the kind of rent that it would take to cover the cost.

I was not able to be at the meeting on May 15th for public comment. I am asking you to strongly consider the option that continues to allow the C2 zoning for the area. I will be following up on your decision as related to the zoning. Thank you for your time to read my comments.

Thank you,

Jason Medley
May 17, 2019

Planning Commission
747 Market St, Room 349
Tacoma, WA 98402

Re: Comments on Future Land Use Map; Comprehensive Plan; and Manitou Annexation

Dear City of Tacoma Planning Commissioners,

Thank you for the opportunity to comment on the 2019 Amendment to the Comprehensive Plan and Land Use Code. My name is Molly Nichols, and I am the Tacoma Program Manager with Futurewise, a statewide nonprofit that prevents urban sprawl and advocates for sustainable and equitable land use policies. Over the past year we have supported tenant organizing for tenant protections and affordable housing in Tacoma. This letter comments on the Future Land Use Map Implementation, the Affordable Housing Action Strategy Incorporation into Comprehensive Plan, and the Manitou Potential Annexation.

Future Land Use Map Implementation

We support the proposed rezones and amendments that make our zoning consistent with Tacoma’s comprehensive plan. As our region grows, we need policies in place for compact and connected neighborhoods to manage the growth and ensure equitable access. The proposed zoning changes create opportunities for more residents to live in transit friendly corridors with more amenities. They also help local commercial districts thrive by bringing more residents closer to small businesses, and they support our public transit systems by bringing more riders to the corridors.

These changes also create more diverse housing options. Most of Tacoma is zoned for single family housing, while the regional growth and mixed-use centers are zoned high density multi-family. These proposed rezones create more opportunities for duplexes, triplexes, townhomes, and small apartment buildings—options that will help to meet the diverse housing needs in our community.

Lastly, the proposed changes also begin to address the impacts of redlining and other historically exclusionary practices. Until 1968 when the Fair Housing Act was passed, people of color were legally excluded from buying homes in certain neighborhoods in Tacoma and across the country. Banks refused to lend money for families to purchase homes, and homeowner associations created restrictive covenants. People of color were cut off from neighborhoods like the North End, with amenities including parks, libraries, grocery stores, strong performing schools, adequate transportation infrastructure, and more. While redlining may no longer be legal, de facto versions of it still occur, and we still live with its legacy. We need changes in policies to begin to reverse past and present harm.

Affordable Housing Action Strategy Incorporation into Comprehensive Plan

We fully support the incorporation of the Affordable Housing Action Strategy into the Housing Element of the City’s Comprehensive Plan. Not only does this update the data in the plan and indicate more urgency and action around this issue, but it also begins to address the impacts of historically inequitable zoning decisions and housing policies.

I do want to highlight two omissions from the Affordable Housing Action Strategy that should be brought into the Comprehensive Plan. Futurewise shared these in September when the Affordable Housing Action Strategy was approved by council, and the items are now part of Resolution 40328 (sponsored by Councilmember Beale).
This resolution has not yet been voted on by City Council, but the contents are worth your consideration in this amendment process.

Resolution 40328 proposes the following: “the Planning Commission should develop a housing racial justice policy in the City’s One Tacoma Comprehensive Plan that establishes that the overarching housing and land use policy of the City is to redress institutionalized racism in past and present housing policies, and vigorously commence efforts toward socioeconomic and racial integration into the fabric of Tacoma’s neighborhoods through zoning, programs, funding and policy.” Our current housing system (including our segregated neighborhoods where people of color have less access to amenities and opportunities) is not an accident, but, as Richard Rothstein argues in *The Color of Law* a direct result of segregationist government policies. It is going to take bold government action to reverse this past and present harm, and this Planning Commission plays a vital role.

**Therefore, Tacoma’s comprehensive plan should more explicitly name the historical inequities of redlining, exclusionary zoning, and restrictive covenants to ensure that communities of color and other residents who have been excluded are directly benefiting from new housing policies.**

We understand there is a proposal to replace the PSRC equity maps currently in the Housing Element of the Comprehensive Plan with the City of Tacoma’s new equity maps. Including this more local and updated data is worthwhile. The plan should include access to the entire Equity Index to reveal the demographics of neighborhoods in relation to opportunity. You might also include historical maps to help track the policies and zoning that have determined our current segregated neighborhoods.

Another opportunity for the Planning Commission is to more explicitly lay out the relationship between affordable housing and transportation, especially public transit, in the Housing Element of the Comprehensive Plan. Transit service was a key factor for the area wide re-zones, and the Comprehensive Plan currently maps transit priority networks, which is excellent. With respect to our housing policy, we need to upzone and pass inclusionary housing polices in frequent transit corridors, for example places ¼ mile from buses that run every 15 minutes. This creates mixed income neighborhoods and ensures low income people can access transportation and other amenities.

We also support amending the Comprehensive Plan to include coordinating public investments with affordable housing, expanding tenant protections (especially Just Cause, which requires a legitimate business reason for a landlord to terminate a tenancy), and prioritizing households with the greatest need. The plan could also name the importance of providing incentives for affordable accessory dwelling units and the reduction or elimination of parking requirements. Unnecessary parking requirements direct investments toward housing cars instead of housing people.

**Manitou Potential Annexation:**

The Manitou unincorporated area of Pierce County should be annexed to the City of Tacoma, as provided for in the Growth Management Act. Cities have the authorities to provide good public facilities and services long-term to urban areas. The best option for rezoning is Option 2 which includes an R3 designation instead of the R2 designation in Option 1. The R2 designation is a significant down zone from the current Mixed Use District designation which allows 60 foot residential buildings. R3 would not significantly impact the current residential area, and it would begin to meet the goal of creating more opportunities for missing middle housing.

Thank you for considering these comments and for your service on this commission. If you require additional information, please contact me at 412-216-9659 or email molly@futurewise.org.

Sincerely,

Molly Nichols
Tacoma Program Manager, Futurewise