



LAKEWOOD CITY COUNCIL AGENDA

Monday, August 16, 2021

7:00 P.M.

City of Lakewood

6000 Main Street SW

Lakewood, WA 98499

Residents can virtually attend City Council meetings by watching them live on the city's YouTube channel: <https://www.youtube.com/user/cityoflakewoodwa>

Those who do not have access to YouTube can participate via Zoom by either visiting <https://us02web.zoom.us/j/86872632373> or calling by telephone: Dial +1(253) 215- 8782 and enter participant ID: 868 7263 2373.

Virtual Comments: If you would like to provide virtual Public Comments or Testimony on Public Hearings during the meeting, you will need to join the Zoom meeting as an attendee by calling by telephone Dial +1(253) 215- 8782 and enter participant ID: 868 7263 2373 or visiting <https://us02web.zoom.us/j/86872632373>.

By Phone: For those participating by calling in by telephone (+1(253) 215- 8782 and enter participant ID: 868 7263 2373), the Mayor will call on you during the Public Comment or Public Hearings portion of the agenda. When you are unmuted please provide your name and city of residence. Each speaker will be allowed (3) three minutes to speak during the Public Comment and at each Public Hearing.

By ZOOM: For those using the ZOOM link (<https://us02web.zoom.us/j/86872632373>), upon entering the meeting, please enter your name or other chosen identifier. Use the "Raise Hand" feature to be called upon by the Mayor during the Public Comments or Public Hearings portion of the agenda. When you are unmuted please provide your name and city of residence. Each speaker will be allowed (3) three minutes to speak.

Outside of Public Comments and Public Hearings, all attendees on ZOOM will continue to have the ability to virtually raise your hand for the duration of the meeting. You will not be acknowledged and your microphone will remain muted except for when you are called upon.

Page No.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

1. Business Showcase. - *Manic Meatballs and Olympic Moving and Storage*

PUBLIC COMMENTS

Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.

<http://www.cityoflakewood.us>

C O N S E N T A G E N D A

- (3) A. Approval of the minutes of the City Council meeting of July 19, 2021.
- (9) B. Approval of the minutes of the City Council study session of July 26, 2021.
- (14) C. Motion No. 2021-58

Authorizing the execution of an interlocal agreement with the Clover Park School District for the purchase of fuel.

R E G U L A R A G E N D A**ORDINANCE**

- (18) Ordinance No. 758

Adopting amendments to Titles 5, 14, 15 and 18A of the Lakewood Municipal Code.

RESOLUTION

- (32) Resolution No. 2021-11

Authorizing the issuance of a Conditional Certificate of Acceptance of Tax Exemption within a Residential Target Area to Lakeview Chapel, LLC.

UNFINISHED BUSINESS**NEW BUSINESS****REPORTS BY THE CITY MANAGER**

- (50) Abatement Program Update.

CITY COUNCIL COMMENTS**ADJOURNMENT**

Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.



LAKEWOOD CITY COUNCIL MINUTES

Monday, July 19, 2021

City of Lakewood

6000 Main Street SW

Lakewood, WA 98499

<https://www.youtube.com/user/cityoflakewoodwa>

Telephone via Zoom: +1(253) 215-8782

Participant ID: 868 7263 2373

CALL TO ORDER

Deputy Mayor Whalen called the meeting to order at 7:10 p.m.

ROLL CALL

Councilmembers Present: 6 – Deputy Mayor Jason Whalen; Councilmembers Mary Moss, Mike Brandstetter, Patti Belle, Linda Farmer and Paul Bocchi.

Councilmembers Excused: 1 – Mayor Don Anderson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deputy Mayor Whalen.

PROCLAMATIONS AND PRESENTATIONS

Proclamation recognizing July as the anniversary month of the Americans with Disabilities Act.

DEPUTY MAYOR WHALEN PRESENTED A PROCLAMATION TO MR. JULIAN WHEELER, CHAIR, PIERCE COUNTY ACCESSIBLE COMMUNITIES ADVISORY COMMITTEE, RECOGNIZING JULY AS THE ANNIVERSARY MONTH OF THE AMERICANS WITH DISABILITIES ACT.

PUBLIC COMMENTS

Glen Spieth, Lakewood Historical Society, spoke about the historical designation of Fort Steilacoom, historical displays in Lakewood and access to artifacts that were submitted to the Burke Museum.

Helen Wagner, Lakewood resident, spoke in support of tree preservation and in opposition of issuing permits for the cutting of trees.

Christina Manetti, Lakewood resident, spoke in support of tree preservation policies, and the status of Garry Oak trees in various locations throughout the city and the rule for retroactively issuing permits.

Ameila Escobedo, Lakewood resident, spoke in support of tree preservation and in favor of body worn cameras for the Lakewood Police Department.

Jenna Lee, Seattle resident, spoke in support of tree preservation and protection of Garry Oak trees to prevent future heat related deaths.

James Dunlop, Lakewood resident, spoke about words used within the Build Your Better Here statement, its definition and impression.

Tricia Parsons, spoke in support of tree preservation policies.

Kyle Jolibois, spoke in support of tree preservation and cannabis shops within the city.

Eric Seibel, spoke in support of tree preservation policies and the protection of Garry Oak trees.

Siabhon Ayuso, Lakewood resident, spoke about City Council goals in the area of public safety, transparency, police accountability and justice.

Harriet Triquart, Lakewood resident, spoke about the Western State Hospital impacts to the community and options for alternate locations for a new facility.

Teresa King, Lakewood resident, spoke in support of tree preservation policies and the protection of Garry Oak trees.

Dennis Haugen, Sioux Falls South Dakota, spoke about immigration, drug trades, homelessness and in support of police.

General Ovinaha X, Lakewood resident, spoke in support of tree preservation, body worn cameras and defunding the police.

Christopher Escobedo, Rise Against Racism, spoke in support of tree preservation, impacts of Western State Hospital and community involvement.

Margo Salazar, Lakewood resident, spoke about impacts of Western State Hospital, in support of body worn cameras and tree preservation.

Stephanie Salazar, Lakewood resident, spoke about addressing homelessness and support for the community.

C O N S E N T A G E N D A

A. Approval of the minutes of the City Council meeting of June 21, 2021.

B. Motion No. 2021-42

Authorizing the execution of an agreement with the Washington State Department of Ecology to accept a grant, in the amount of \$188,440, for the Pollution Prevention Assistance program.

C. Motion No. 2021-43

Authorizing the execution of an agreement with Parametrix, Inc., in an amount of \$130,975, for the JBLM-North Access Improvement project.

D. Motion No. 2021-44

Authorizing the execution of an interlocal agreement with the State of Washington Department of Social and Health Services (DSHS), in the amount of \$90,000, for Western State Hospital Police Protection.

E. Motion No. 2021-45

Authorizing the execution of an interlocal agreement with the State of Washington Department of Social and Health Services (DSHS), in the amount of \$621,000, for Western State Hospital Community Partnerships.

F. Motion No. 2021-46

Authorizing the execution of an amendment to the agreement with Buell Recreation, LLC, in the amount of \$23,308, for the Fort Steilacoom Park All Abilities Playground project.

G. Motion No. 2021-47

Authorizing the purchase of Body Worn Cameras.

H. Motion No. 2021-48

Reappointing Peter Marsh to serve on the American Lake - Lake Management District No. 1 Advisory Committee through June 2, 2024.

I. Motion No. 2021-49

Appointing Kyle Manglona and Kerri Pedrick to serve on the Lakewood's Promise Advisory Board through May 21, 2024.

J. Motion No. 2021-50

Reappointing Alan Hart and Tod Wolf to serve on the Public Safety Advisory Committee through August 6, 2024.

K. Items filed in the Office of the City Clerk:

1. American Lake – Lake Management District No. 1 Advisory Committee meeting minutes of February 25, 2021.
2. Planning Commission meeting minutes of June 16, 2021.

Councilmember Farmer requested Item No. G, Motion No. 2021-47 be removed from the Consent Agenda.

COUNCILMEMBER MOSS MOVED TO ADOPT THE CONSENT AGENDA, MINUS ITEM NO. G, MOTION NO. 2021-47. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

COUNCILMEMBER FARMER MOVED TO ADOPT ITEM NO. G, MOTION NO. 2021-47. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

RESOLUTION

Resolution No. 2021-09 Authorizing the issuance of Conditional Certification of Acceptance of Tax Exemption within a Residential Target Area to One-12 Fund, LLC.

COUNCILMEMBER BRANDSTETTER MOVED TO ADOPT RESOLUTION NO. 2021-09. SECONDED BY COUNCILMEMBER BELLE. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Resolution No. 2021-10 Authorizing the execution of an intergovernmental agreement for the establishment of a regional coalition known as the South Sound Housing Affordability Partners (SSHA³P).

COUNCILMEMBER MOSS MOVED TO ADOPT RESOLUTION NO. 2021-10. SECONDED BY COUNCILMEMBER FARMER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

REPORTS BY THE CITY MANAGER

American Rescue Plan Act (ARPA) Program Status Update.

Planning Manager Speir highlighted the American Rescue Plan Act (ARPA) funding allocations, which totals \$14 Million, for the city and the areas where the dollars can be spent. She provided an overview of community engagement and outreach efforts where the city is seeking feedback related to use of the funds. She noted that there is a survey on the website and meetings have been scheduled with various stakeholder

groups. She shared that an ARPA Intern has began to work in support of community engagement efforts and funding has been allocated in support of the Clover Park High School Youth Warriors for Change Program. She shared that there have been discussions related to collaborating with Pierce County and Tacoma to use the funding to purchase a hotel to be used for emergency housing. She then shared that additional funding options include sewer and water infrastructure projects, small business assistance and economic development business community navigator programs.

She shared that next steps including bringing the results of the Community Engagement efforts to the City Council on August 23rd followed by a public hearing and approval of funding priorities tentatively scheduled for September 21st. Discussion ensued.

Western State Hospital Master Plan Update.

Planning Manager Brunell shared that in 2020 the City received the updated Western State Hospital Master Plan. The city went through a public comment period, issued a correction letter and received a resubmission in May, 2021. She shared that a second public comment period was opened from June 7-July 10th and 68 public comments were received.

She shared that three large items were identified in the Master Plan that potentially increase capacity of the facility, those items are a 350-bed Forensic Hospital, 18-bed Residential Cottage at the Child Study Treatment Center and a 48-bed Residential Treatment Facility. She shared that the state proposes to transition the facility to a forensics only patient population. BERK Consulting has been hired to assist in evaluation of the application materials and options for SEPA Threshold Determination. Discussion ensued.

CITY COUNCIL COMMENTS

Councilmember Moss spoke about increasing public engagement and she shared that she was involved in a photo shoot with Clover Park School District students at the American Lake Park mural.

Councilmember Bocchi shared that he attended the Concert in the Park. He spoke about Western State Hospital and the process for allocating American Rescue Plan Act (ARPA) funds.

Councilmember Farmer shared that last week she attended the Pierce County Regional Council meeting where there was a presentation on SSHA^{3P}. She shared that the Sex Offender Policy Board continues work related to the registration of juvenile sex offenders and she spoke about shaping our story surrounding Western State Hospital.

Councilmember Belle commented on transparency and options for additional engagement with residents. She shared that last week she attended the Concert in the Park and the Lakewood History Museum grand re-opening event.

Deputy Mayor Whalen spoke about the process for reviewing the Tree Preservation code. He shared that last week he conducted an interview for the Barn Feasibility Study, attended a meeting with Representatives specific to Western State Hospital, attended candidate forums, the Lakewood History Museum re-opening and the Lakewold Gardens Soiree which raised funds for Veterans programs.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:19 p.m.

JASON WHALEN, DEPUTY MAYOR

ATTEST:

BRIANA SCHUMACHER
CITY CLERK



LAKEWOOD CITY COUNCIL STUDY SESSION MINUTES

Monday, July 26, 2021

City of Lakewood

Council Chambers

6000 Main Street SW

Lakewood, WA 98499

<https://www.youtube.com/user/cityoflakewoodwa>

Telephone via Zoom: +1(253)215-8782

Participant ID: 868 7263 2373

CALL TO ORDER

Mayor Anderson called the meeting to order at 7:02 p.m.

ROLL CALL

Councilmembers Present: 7 – Mayor Don Anderson, Deputy Mayor Jason Whalen, Councilmembers Mary Moss, Mike Brandstetter, Patti Belle, Paul Bocchi and Linda Farmer.

ITEMS FOR DISCUSSION:

Review of 2nd Quarter (2021) Police Report.

Police Chief Zaro shared a comparison of crimes by each district noting that overall crime has decreased in 2nd Quarter 2021. He reviewed total crime by quarter which totaled 1376 and shared that there were 344 persons crimes, 993 property crimes, 39 society crimes and 272 accidents. He then highlighted Lakewood Police Districts and the most common criminal violation type occurring in each district. He reviewed calls for service related to fireworks from 2014-2021 which show a decline from last year. He shared that there were two homicides; two shootings and that Aggravated Assaults have increased 78% from 1st to 2nd quarter 2021. He also spoke about firearm mobility and ballistic comparisons from a single firearm that was linked to 9 different shootings along the I-5 Corridor.

He then provided an overview of 2021 legislative updates specific to policing. He reviewed HB 1267 Office of Independent Investigations, HB 1089 Audits of Investigations, HB 1088 Brady and Potential Impeachment Evidence, SB 5259 related to Data Collection specific to uses of force and SB 5266 DWLS license suspensions. He then reviewed SB 5476 Blake Decision which makes drug possession a misdemeanor, HB 1223 Recording of Interrogations for all juveniles and adult felony suspects and HB 1140 related to Juvenile Access to Attorneys.

He then reviewed SB5066 Duty to Intervene when witnessing excessive force and SB 5051 Decertification related to expansion of the Criminal Justice Training Commission's role in the decertification process.

He then highlighted key definitions related to reasonable suspicion and probable cause and HB 1054 Tactics, which prohibit the use of Vascular Neck Restraints, chokeholds and no-knock warrants.

He then reviewed HB 1310 Use of Force and spoke about how this legislation impacts community caretaking specifically juvenile runaways or involuntary commits. He then presented several case scenarios and examples used to train Lakewood Police Officers. Discussion ensued.

Review of HOME funding for Living Access Support Alliance (LASA) for the acquisition of property located at 8966 Gravelly Lake Drive SW.

Program Manager Jeff Gumm, who joined the meeting virtually, shared that the request is to support LASA by providing \$600,000 in HOME funding for the acquisition of the property to be used for affordable rental housing. He shared that funds will be moved from the affordable housing fund and that the request will come forward for approval at the City Council meeting of August 2nd. Discussion ensued.

Review of the 2021 Annual Development Regulations.

Planning Manager Speir shared that the City reviews the development code annually. She highlighted each of the amendments to Title 18 Land Use and Development Code. She shared that next steps are for the City Council to hold a Public Hearing on August 2nd followed by approval of the 2021 Development Regulations on August 16th.

ITEMS TENTATIVELY SCHEDULED FOR THE AUGUST 2, 2021 REGULAR CITY COUNCIL MEETING:

1. Proclamation declaring August 3, 2021 as National Night Out. – *Police Chief Mike Zaro*
2. Clover Park School District Report.
3. Authorizing the execution of an agreement for the Colonial Plaza public art project. – (Motion – Consent Agenda)
4. Authorizing the execution of a HOME agreement with Living Access Support Alliance (LASA) for the acquisition of 8966 Gravelly Lake Drive SW for affordable rental housing opportunities. – (Motion – Consent Agenda)
5. Authorizing the execution of an agreement with the Washington State Healthcare Authority for Lakewood's CHOICE. – (Motion – Consent Agenda)
6. Appointing the 2021-2022 Youth Councilmembers. – (Motion – Consent Agenda)

7. Appointing Karen Ferreira and Teresa King to the Public Safety Advisory Committee through August 2, 2024. – (Motion – Consent Agenda)
8. This is the date set for a public hearing on the 2021 Annual Development Regulations. – (Public Hearings and Appeals – Regular Agenda)
9. Lakewood Landing Tax Increment Financing (TIF) District Primer.
– (Reports by the City Manager)

REPORTS BY THE CITY MANAGER

Public Works Engineering Director Bucich, who was joined by Capital Projects Division Manager Hill shared that Pierce County experienced a break in the sewer line last week in the area of Steilacoom Boulevard and Lakewood Drive. Capital Projects Division Manager Hill shared images of the location of the sewer failure, response by the agency, process and timeline for restoring the line. Discussion ensued.

City Manager Caulfield reported that the City received the Government Finance Officers Association (GFOA) Distinguished Budget Award for the 2021-2022 biennial budget.

He shared that the Community and Economic Development Department continues to go through the SEPA Threshold Determination process specific to the Western State Hospital Master Plan. He shared that there are discussions with DSHS about hosting community meetings to allow for public input and in addition, they will be responding the public comment received to date.

He shared that last week the city initiated the 2022 Comprehensive Plan amendment cycle noting that the process allows interested parties to bring forward changes they would like to initiate; the process will close at 4 p.m. on August 30th and a review of the tree preservation code will be included in this process.

He spoke about economic development taking place noting that the city has seen \$88.9 Million in private investment in the 2nd Quarter 2021. He also shared that RPAI has been bought out by a Chicago based investor, more information will be provided once he receives further details.

He reported that Sound Transit system expansion committee continues to address revenue losses due to the pandemic, the Sound Transit 2 project may be delayed from 2030 to 2032 and the Sound Transit Board is expected to take action on August 5th.

He shared that Senator Murray released her transportation appropriations earmarks which includes the South Tacoma Way between 80th and 84th Street project. Congresswoman Strickland has also included the project in requests.

He then announced the following upcoming events and activities:

- July 29, 9:30 A.M., Emergency Food Network, North 40th Ribbon Cutting Ceremony
- July 29, 12:30 P.M., Warriors of Change Program Presentations, Clover Park High School
- August 3, 5:00 P.M.; Harry Todd Park Dedication Ceremony and National Night Out

CITY COUNCIL COMMENTS

Councilmember Moss shared that she attended the Celebration of Life for Ron Lucas and the Steilacoom Salmon Bake. She shared that there will be a Mass and Celebration of Life for General Brown on July 31st.

Councilmember Brandstetter shared that this week he will be attending the Emergency Food Network event, the South Sound 911 Board meeting and the Warriors of Change presentations.

Councilmember Belle shared that she will attend the Emergency Food Network Ribbon Cutting ceremony.

Councilmember Farmer shared that she attended the Celebration of Life for Ron Lucas and this week she will attend the Parks and Recreation Advisory Board meeting.

Deputy Mayor Whalen shared that this week he will attend the Emergency Food Network Ribbon Cutting ceremony and the Warriors of Change presentations. He asked about mask requirements for visitors at City Hall.

Mayor Anderson shared that last week he was in Washington D.C. for the Association of Defense Communities event and spoke about a series of meetings he attended.

Mayor Anderson announced that the City Council will recess into Executive Session for approximately 20 minutes pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel representing the agency litigation or potential litigation. The City Council is not expected to take action following the Executive Session.

The City Council recessed into Executive Session at 9:55 p.m. At 10:15 p.m., Mayor Anderson announced that the Executive Session will be extended for 5 minutes.

The City Council reconvened at 10:20 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:20 p.m.

DON ANDERSON, MAYOR

ATTEST:

BRIANA SCHUMACHER
CITY CLERK

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED:

August 16, 2021

TITLE: Authorizing the execution of an interlocal agreement with the Clover Park School District for purchase of fuel.

TYPE OF ACTION:

— ORDINANCE

— RESOLUTION

X MOTION NO. 2021-58

— OTHER

ATTACHMENTS:
Interlocal Agreement

SUBMITTED BY: Tho Kraus, Deputy City Manager

RECOMMENDATION: Authorize the execution of an interlocal agreement with Clover Park School District for the purchase of fuel for the period September 1, 2021 through August 31, 2024.

DISCUSSION: Since 2007, the City has had a long standing relationship with the Clover Park School District in terms of the School District allowing the City access into the fuel site facility located at 9219 Lakewood Dr. SW, on a 24/7 basis (exclusion of certain peak hours) for refueling. The City agrees to reimburse the school district for the state contract price of fuel plus 7% for administrative costs. Clover Park School District will invoice the department by the 15th of each month with payment due within 30 days from the date of invoice. The terms of the proposed Interlocal Agreement is identical to the current agreement which expires on August 31, 2021.

ALTERNATIVE(S): Purchase fuel from retail pumps and pay retail price.

FISCAL IMPACT: No change.

Tho Kraus

Prepared by

Department Director



City Manager Review

**INTERLOCAL AGREEMENT
BETWEEN CITY OF LAKEWOOD AND CLOVER PARK SCHOOL DISTRICT
PURCHASE OF FUEL**

This Interlocal Agreement made and entered into this 1st day of September, 2021 between the City of Lakewood, a Washington municipal corporation hereinafter referred to as "City," and the Clover Park School District, also a municipal corporation, hereinafter referred to as "District."

Whereas, the City wishes to establish an Interlocal agreement with the District for the purpose of fueling City vehicles at the District's Auxiliary Service Center fuel pumps located at 9219 Lakewood Drive SW, Lakewood, Washington 98499.

NOW THEREFORE, the parties agree as follows:

Scope of Service:

1. The district agrees to provide twenty-four (24) hour access to use and purchase fuel from the District's fuel stations to vehicles and employees assigned by the City.
2. The District will ensure each City vehicle and employee(s) will have an operating fuel and access card, hereinafter referred to as equipment, required to access said service.
3. The City agrees to reimburse the District for the cost of fuel used in addition to administrative costs of 7%.
4. The City agrees to notify the District a minimum of 5 days prior to an employee's or vehicle's separation from service with the City, when applicable. The equipment assigned to the employee will be obtained and returned via direct delivery or mail to the District at separation.

Billing and Payment:

1. The District will provide the City a monthly reconciliation report of fuel purchases per vehicle. The District shall invoice the City by the 15th of each month for fuel purchases.
2. The City shall remit payment to the District within thirty (30) days from the invoice date. Payment shall be mailed to Clover Park School District, Financial Service Department, 10903 Gravelly Lake Drive SW, Lakewood, WA 98499.

Indemnification/Hold Harmless:

The City shall indemnify, defend and hold harmless the District, its employees, officials and agents against any and all claims, injuries, damages, losses or suits including attorney fees, incurred in the defense thereof, for any injury to persons or property damage while performing the scope of service. The City shall procure and maintain for the duration of the agreement, insurance against claims for injuries to person or damage to property which may arise from or in connection with the performance of this agreement.

**INTERLOCAL AGREEMENT
BETWEEN CITY OF LAKEWOOD AND CLOVER PARK SCHOOL DISTRICT
PURCHASE OF FUEL**

Term:

These services will be provided to the City effective September 1, 2021 and shall remain in effect until August 31, 2024.

Termination:

This agreement is subject to termination upon thirty (30) days written notice by the City or the District. Termination of this agreement by the City or District at any time during the term, whether for default or convenience, shall not constitute a breach of the agreement by the City or District.

Modification:

Either party may submit written requests for changes to the agreement. Any and all agreed modifications shall be in writing, signed by each party, and affixed to this agreement as an addendum.

Disputes:

Differences between the City and the District arising out of this agreement shall be brought to the attention of the City and District at the earliest possible time so that such matters may be addressed or other appropriate action promptly taken.

Governing Law:

This agreement shall be made in and shall be governed by and interpreted in accordance with the laws of State of Washington.

Notice:

Except as set forth elsewhere in the agreement, and for all purposes under this agreement, except services of process, notice shall be given by the District to the City Manager, City of Lakewood, 6000 Main Street SW, Lakewood, Washington, 98499. Notice may be given by delivery or US Mail, first class, postage prepaid, or secured electronic mail. Except as set forth elsewhere in the agreement, and for all purposes under this agreement, except services of process, notice shall be given by the City to the District Superintendent of Schools, 10903 Gravelly Lake Drive SW, Lakewood, Washington, 98499. Notice may be given by delivery or US Mail, first class, postage prepaid, or secured electronic mail.

Non-waiver of Breach:

Failure or delay of the Parties to declare any breach or default immediately upon occurrence shall not waive such breach or default. Failure of the Parties to declare one breach or default does not act as a waiver of the Parties' right to declare another breach or default.

**INTERLOCAL AGREEMENT
BETWEEN CITY OF LAKEWOOD AND CLOVER PARK SCHOOL DISTRICT
PURCHASE OF FUEL**

No Agency/Joint Venture:

Nothing herein is intended to nor shall create an agency, partnership or joint venture agreement, arrangement or relationship between the District and the City.

Complete Agreement:

This agreement contains all the agreements between the parties and supersedes any prior oral statements, discussion or understanding between parties. No oral modification of or amendment to this agreement shall be effective; however, this agreement may be modified or amended by written agreement signed by all the parties to the agreement.

IN WITNESS WHEREOF, the following parties authorize this agreement based on the effective day of signature.

CLOVER PARK SCHOOL DISTRICT



Ron Banner, Superintendent

_____ Date

CITY OF LAKEWOOD

_____ John Caulfield, City Manager

_____ Date

Approved as to form:

Heidi Ann Watcher, City Attorney

Attest:

Briana Schumacher, City Clerk

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: August 16, 2021	TITLE: AN ORDINANCE of the City Council of the City of Lakewood, Washington adopting amendments to Titles 5, 14, 15, and 18A of the Lakewood Municipal Code (LMC.)	TYPE OF ACTION: <input checked="" type="checkbox"/> ORDINANCE NO. 758 <input type="checkbox"/> RESOLUTION NO. <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
REVIEW: July 26, 2021 Council Study Session August 2, 2021 Council Meeting	ATTACHMENTS: Draft Ordinance 758	

SUBMITTED BY: David Bugher, Community & Economic Development Director
Tiffany Speir, Long Range & Strategic Planning Manager

RECOMMENDATION: It is recommended that the City Council adopt the attached Ordinance 758.

DISCUSSION: On August 2, the City Council held a public hearing on the 2021 Annual Development Regulation (21ADR) amendment package. No public comment was received on either topic.

A draft Ordinance No. 758 is included in Attachment A. The 21ADR package is included in Exhibit A to the Ordinance.

ALTERNATIVE(S): The City Council could amend the proposed Ordinance; the City Council could also not adopt the Ordinance.

FISCAL IMPACT: The amendments in the 21ADR package have no direct fiscal impact. Fiscal impact will be related to the administrative implementation of these amendments.

Prepared by:
Tiffany Speir, Long Range &
Strategic Planning Manager

Department Director:
Dave Bugher, Assistant City Manager for
Development Services



City Manager Review

ATTACHMENT A

ORDINANCE 758

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON ADOPTING AMENDMENTS TO TITLES 5, 14, 15, AND 18A OF THE LAKEWOOD MUNICIPAL CODE (LMC).

FINDINGS

WHEREAS, the City of Lakewood is a code city planning under the Growth Management Act, codified in RCW 36.70A, and

WHEREAS, the City Council adopted its Comprehensive Plan via Ordinance No. 237 on July 10, 2000; and

WHEREAS, the Lakewood City Council adopted Title 18A, Land Use and Development Code, of the Lakewood Municipal Code (LMC) via Ordinance No. 264 on August 20, 2001; and

WHEREAS, the Growth Management Act (GMA) requires the City of Lakewood to adopt development regulations that are consistent with and implement the adopted Comprehensive Plan pursuant to Revised Code of Washington (RCW) 36.70A.040; and

WHEREAS, it is appropriate for a local government to adopt needed amendments to its development regulations to ensure that the Comprehensive Plan and implementing regulations provide appropriate policy and regulatory guidance for growth and development; and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of environmental non-significance that was published on June 23, 2021 under SEPA #202103356; and

WHEREAS, notice was provided to state agencies on June 23, 2021 per City of Lakewood--2021-S-2816--Request for Expedited Review / Notice of Intent to Adopt Amendment, prior to

the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

WHEREAS, on May 20, 2020, acting as the City's designated planning agency, the Lakewood Planning Commission held a duly noticed public hearing on the proposed 2020 Annual Development Regulation Amendments to Lakewood Municipal Code Titles 5, 14, 15, and 18A; and

WHEREAS, on July 7, 2021, the Lakewood Planning Commission adopted Resolution 2021-03 recommending approval of the 2021 Annual Development Regulation Amendments to Lakewood Municipal Code Titles 5, 14, 15, and 18A to provide needed revisions, clarifications and updates; and

WHEREAS, on August 2, 2021 the Lakewood City Council held a duly noticed public hearing on the proposed 2021 Annual Development Regulation amendments; and

WHEREAS, on August 16, 2021, the City Council completed review;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of City Council Findings.

The Findings of the City Council are adopted as part of this Ordinance.

Section 2. Adoption of Annual Development Regulation Amendments.

Amendments to the City's land use and development regulations are adopted as summarized below and included in full in Exhibit A, attached hereto:

Amendments to Title 5 (Business Licenses and Regulations), Amendments to Title 14 (Environmental Protection), Amendments to Title 15 (Buildings and Construction):

- Updating references to RCW and WAC sections

Amendments to Title 18A (Land use and Development Code):

- 18A.10.125 - Inserting map to show where JBLM flight patterns overlay Lakewood
- 18A.10.070 (C) and (N) - Updating text regarding Director's Interpretations
- 18A.10.180 – updating Definitions
- 18A.20.080 – updating Review Authorities for form-based codes
- 18A.40.020 – updating Director Determinations
- 18A.40.040 – allowing personal services as a permitted use in Commercial 1 zone
- 18A.40.110 – allowing 3-Family dwellings in the Multi-Family 1, Neighborhood Commercial 1, Neighborhood Commercial 2, and Arterial Residential/Commercial zones
- 18A.60.090(A)(4) – clarifying minimum lot width in MR2 zone
- 18A.60.100 – correcting rounding of fractions practices
- 18A.80 – updating Parking Regulations
- 18A.95 – updating Wireless Services Facilities regulations
- Various scrivener corrections to cross-references to RCW and WAC sections

Section 3. Remainder Unchanged. The rest and remainder of the Lakewood Comprehensive Plan, including the unaffected sections of the Future Land-Use Map and Zoning Map, and the unaffected sections of the Lakewood Municipal Code, shall be unchanged and shall remain in full force and effect.

Section 4. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 5. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after final passage.

ADOPTED by the City Council of the City of Lakewood this 16th day of August, 2021.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

EXHIBIT A

2021 ANNUAL DEVELOPMENT REGULATION AMENDMENTS

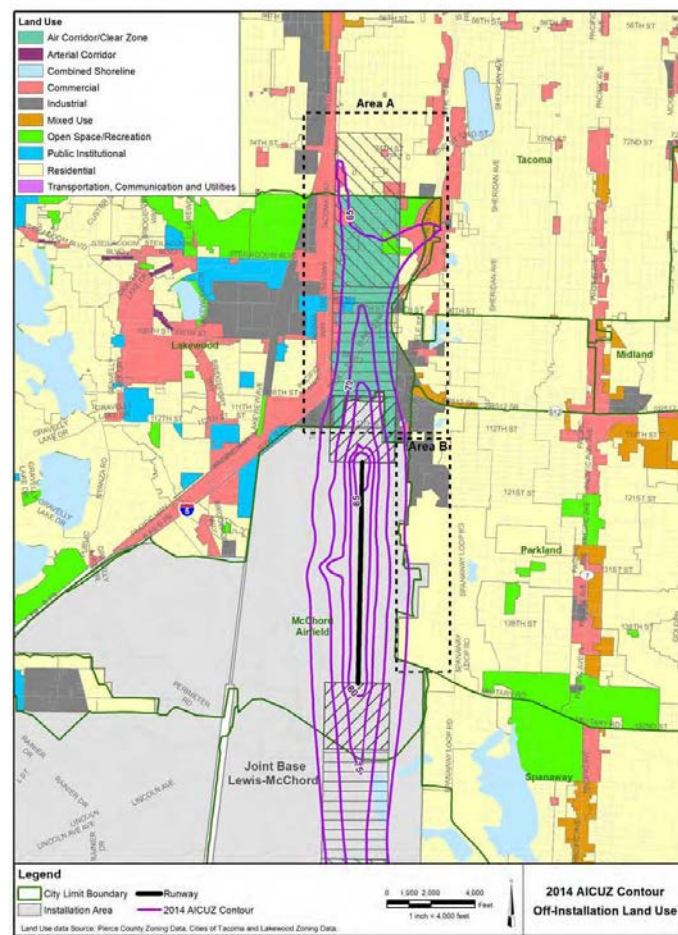
Where portions of Lakewood Municipal Code sections or chapters are included below, the remainder of those sections or chapters remain unchanged.

Title 18A

[Insert new Section 18A.10.125 and Figure 3]

18A.10.125 JBLM AICUZ in relation to Land Use Zones. The City of Lakewood is host City to Joint Base Lewis McChord, and portions of the JBLM flight patterns' Clear Zone (CZ) and Accident Potential Zones (APZs) are located within the City's boundaries. The City follows Department of Defense guidance and limits land use densities within the CZ and APZs. See Figure 3.

Figure 3. 2014 AICUZ Contour & Off-Installation Land Use



Source: 2015 JBLM Air Installation Compatible Use Zone (AICUZ) Study

18A.10.070 Interpretations

* * *

C. Interpretation of Land Use Tables. See 18A.40.020, interpretation of land use tables.

* * *

N. Interpretations of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV.

18A.10.180 Definitions

~~Affordable housing” and “affordable unit” mean a dwelling unit(s) reserved for occupancy by eligible households and having monthly housing expenses to the occupant no greater than thirty (30) percent of a given monthly household income, adjusted for household size, as follows:~~

- ~~1. Moderate Income. For owner-occupied housing, eighty (80) percent of the area median income, and for renter-occupied housing, sixty (60) percent of the area median income.~~
- ~~2. Pursuant to the authority of RCW 36.70A.540, the City finds that the higher income levels specified in the definition of affordable housing in this title, rather than those stated in the definition of “low-income households” in RCW 36.70A.540, are needed to address local housing market conditions in the City.~~
- ~~3. For Chapter 3.64 LMC, “affordable housing” means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household’s monthly income. For the purposes of housing intended for owner occupancy, “affordable housing” means residential housing that is within the means of low or moderate income households.~~

"Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.

“Antenna” means

- means any exterior apparatus designed for telephonic, radio, data, Internet, or television communications through the sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing telecommunications services ~~an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to FCC authorization, for the provision of personal wireless service and any commingled information services. For purposes of this definition, the term antenna does not include an unintentional radiator, mobile station, or device authorized under 47 CFR Part 15; and~~
- an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to FCC authorization, for the provision of personal wireless service and any commingled information services. For purposes of this definition, the term antenna does not include an unintentional radiator, mobile station, or device authorized under 47 CFR Part 15.

"Campus facilities master plan" means the area that is defined by the University of Washington as necessary for the future growth and development of its campus facilities for campuses authorized under RCW 28B.45.020.

“Low-income household” means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty (80) percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, ~~as determined by the United States Department of Housing and Urban Development for the Tacoma Primary Metropolitan Statistical Area. reported by the United States department of housing and urban development.~~

“Moderate-income household” means a single person, family, or unrelated persons living together whose adjusted income is more than eighty (80) percent but is at or below one hundred fifteen (115) percent of the median family income adjusted for family size, for the county, city, metropolitan statistical, where the project is located, as reported by the United States department of housing and urban development. ~~For cities located in high-cost areas, “moderate-income household” means a household that has an income that is more than one hundred (100) percent, but at or below one hundred fifty (150) percent, of the median family income adjusted for family size, for the county where the project is located.~~

~~Multifamily housing” or “multifamily” means building(s) having four (4) or more dwelling units designed for permanent residential occupancy resulting from new construction or rehabilitation or conversion of vacant, underutilized, or substandard buildings.~~

"Multiple-unit housing" means a building or a group of buildings having four (4) or more dwelling units for permanent residential occupancy, not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from

new construction or rehabilitated or conversion of vacant, underutilized, or substandard buildings to multifamily housing.

~~Permanent residential occupancy” means multifamily housing that provides either rental or owner occupancy for a period of at least one (1) month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.~~

~~"Permanent residential occupancy" means multiunit housing that provides either rental or owner occupancy on a nontransient basis. This includes owner occupied or rental accommodation that is leased for a period of at least one (1) month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.~~

“Residential target area” (“RTA”) means an area that has been designated by the City Council as lacking sufficient, available, desirable, and convenient residential housing to meet the needs of the public. With respect to designations after July 1, 2007, "residential targeted area" may not include a campus facilities master plan. See Chapter 3.64 LMC.

"Substantial compliance" means compliance with local building or housing code requirements that are typically required for rehabilitation as opposed to new construction.

"Urban center" means a compact identifiable district where urban residents may obtain a variety of products and services. An urban center must contain (a) Several existing or previous, or both, business establishments that may include but are not limited to shops, offices, banks, restaurants, governmental agencies; (b) Adequate public facilities including streets, sidewalks, lighting, transit, domestic water, and sanitary sewer systems; and (c) A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office, or both, use.

18A.20.080 Review Authorities

Applications	Public Notice of Application	Director	HE	PC	CC
TYPE I ADMINISTRATIVE					
<u>Form Based Code Review & Decision</u>	<u>N</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>

[NOTE: Proposed for clarification. Currently, the term zoning certification is used for form based code review; this would use the terminology found in LMC 18B.700.710 (F.)]

18A.40.020 Interpretation of land use tables.

* * *

G. Any proposed [use](#) not listed in the [land use table\(s\)](#) shall be classified by the [Director](#) as [permitted](#), conditional, or not [permitted](#), based on the listed [uses](#) to which the proposed [use](#) is most similar. ~~The [Director](#) shall make the determination according to the characteristics of the operation of the proposed [use](#) and based upon the [Director's](#) interpretation of the Land-Based Classification Standards (“LBCS”) of the American Planning Association. The [use](#) shall be considered materially similar if it falls within the same LBCS classification. Where there is a question regarding the inclusion or exclusion of a particular proposed use within a particular zoning district, use category, or use type, the Director shall have the authority to make the final determination. If the [Director](#) determines that the proposed [use](#) is not similar to any [use](#) in the land use table(s), the proposed [use](#) shall not be [permitted](#).~~

The determination of the [Director](#) shall be appealable to the [Hearing Examiner](#) as set forth in Chapter [18A.20 LMC](#), Part IV.

The Director shall report interpretation decisions to the Planning Commission when it appears desirable and necessary to amend this title.

18A.40.040 Commercial and industrial uses

A. *Commercial and Industrial Land Use Table.* See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

[Note: The remainder of the current table remains unchanged.]

	Zoning Classifications																					
Commercial and Industrial	R 1	R 2	R 3	R 4	M R 1	M R 2	M F 1	M F 2	M F 3	(B) (1)	A R C	N C 1	N C 2	T O C	C B D	C 1	C 2	C 3	I B P	I 1	I 2	P I
Personal services	–	–	–	–	–	–	–	–	–	P	P	P	P	P	P	P	P	–	–	–	–	–

Correct omission of permitting 3-Family dwelling units in the NC1, NC2, and ARC zones. Correct omission of permitting 3-Family dwelling units in the MF1 zone.

18A.40.110 Residential uses.

A. *Residential Land Use Table.* See LMC [18A.10.120\(D\)](#) for the purpose and applicability of zoning districts.

	Zoning Classifications
--	------------------------

Residential Land Uses	R 1	R 2	R 3	R 4	M R 1	M R 2	M F 1	M F 2	M F 3	A R C	N C 1	N C 2	T O C	C B D	C 1	C 2	C 3	I B P	I 1	I 2	P I
Accessory dwelling unit (ADU) (B)(1)*	P	P	P	P	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-
Detached single-family (B)(5)	P	P	P	P	P	P	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
Two-family residential, attached or detached dwelling units	-	-	-	C	P	P	P	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Three-family residential, attached or detached dwelling units	-	-	-	-	C	C	P	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Multifamily, four or more residential units	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-

P: Permitted Use C: Conditional Use “-”: Not allowed

* Numbers in parentheses reference use-specific development and operating conditions under subsection (B) of this section.

18A.60.090.A.4.

The minimum width for all lots shall be fifty (50) feet except for lots created within the MR2 zoning district, which are governed by LMC 18A.60.030 (A).

18A.60.100.

E. When calculations result in a fraction, the fraction shall be rounded down to the nearest whole number as follows:

1. Fractions of 0.50 or above shall be **rounded down**; and
2. Fractions below 0.50 shall be **rounded down**.

18A.80 Parking

18A.80.020 General requirements.

G. Location. Off-street parking facilities shall be located on the same property as the use they are required to serve ~~and within three hundred (300) feet of the use~~, except as provided below. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.

1. For a nursing home, assisted living facility, convalescent home, or group home, the parking facilities shall be located within one hundred (100) feet of the building they are required to serve.
2. For multifamily dwellings where the lot cannot accommodate all the required parking on site for its needs, up to forty (40) percent of the required parking may be located on a lot adjacent to the development, ~~provided, that the lot is legally encumbered pursuant to LMC 18A.80.060.~~
3. For all nonresidential uses where the lot cannot accommodate all the required parking on-site for its needs, parking facilities shall be located not farther than seven hundred fifty (750) feet from the facility. ~~provided, that the lot is legally encumbered pursuant to LMC 18A.80.060.~~ Parking shall not be permitted on properties zoned single-family residential (R1, R2, R3, R4) or open space (OSR1 and OSR2) unless the parking is being provided for a use that is permitted in said district.
4. For subsections G.1., G.2., and G. 3., off-site parking lots must be legally encumbered pursuant to LMC 18A.89.060.

I. Mechanical Parking Lifts. In commercial zones and multi-family developments, by approving a mechanical lift permit, mechanical parking lifts may be used to satisfy all or a portion of vehicle parking requirements. Additional surface parking up to twenty-five percent (25-percent) of the required minimum amount of spaces may be required for lift systems unable to accommodate a range of vehicles including trucks, vans, SUV's, or large sedans. Applications submittals shall include any information deemed necessary by the Director to determine parking can adequately and feasibly be provided and that the following performance standards can be met and the following findings for approval can be made:

1. The use of mechanical lift parking results in superior design and implementation of City goals and policies for infill development.
2. In existing developments and established neighborhoods, mechanical lift parking will be adequately screened and compatible with the character of surrounding development; and, in new developments, mechanical lift parking be compatible and appropriately considered with overall building and site design.

3. Mechanical lift parking systems shall comply with all development standards including but not limited to height and setback requirements, and parking and driveway standards with the exception of minimum parking stall sizes which are established by lift specifications.

4. There exists adequate agreement running with the land that mechanical parking systems will be safely operated and maintained in continual operation with the exception of limited periods of maintenance.

5. There are no circumstances of the site or development, or particular model or type of mechanical lift system which could result in significant impacts to those living or working on the site or in the vicinity.

18A.80.025 Maintenance

A. It shall be the responsibility of the property owner to ensure that all off-street parking spaces and areas required by this chapter are maintained for the duration of the improvement or use requiring the parking area.

B. All parking facilities, including curbs, directional markings, handicapped symbols, landscaping, pavement, signs, striping, and wheel stops, shall be permanently maintained by the property owner/tenant in good repair, free of litter and debris, potholes, obstructions, and stored material.

C. Drive aisles, approach lanes, and maneuvering areas shall be marked and maintained with directional arrows and striping to expedite traffic movement. Any area not intended for parking shall be signed as such, or, in areas where curb exists, the curb may be painted red in lieu of signs.

18A.95 Wireless Service Facilities

NOTE: Currently, LMC 18A.95.180 states that design standards are the equivalent of “concealment” features and that a small cell couldn’t be expanded beyond its definitional size by an EFR. In its order 20.75 at paragraphs 35 et seq., the FCC specifically referenced the position of local governments and rejected it.

18A.95.180 Review Criteria

* * *

C. *Eligible Facilities Requests.*

Small wireless facilities may be expanded pursuant to an eligible facilities request so long as the expansion (i) does not defeat design elements specifically designated as concealment

techniques and b) incorporates the aesthetic elements and design criteria set forth in this chapter in a manner consistent with the rights granted an eligible facility. ~~The design approved in a small wireless facility permit shall be considered concealment elements and such facilities may only be expanded upon submittal of an eligible facilities request described in LMC 18A.95.160, when the modification does not defeat the concealment elements of the small wireless facility~~

[Note: Various scrivener corrections to reflect recodified or broken/eliminated RCW and WAC section links, including but not limited to:]

State Citation	LMC Section	Status
<u>RCW 7.48A.010(iii)</u>	<u>18A.10.180</u>	Broken link
<u>RCW 36.70A.040(12)</u>	<u>18A.10.180</u>	Broken link
<u>RCW 36.70A.040(13)</u>	<u>18A.10.180</u>	Broken link
<u>Chapter 51-21 WAC</u>	<u>15.05.020</u>	Broken link
<u>WAC 197-11-315(a)</u>	<u>14.02.060</u>	Broken link
<u>RCW 70.94.524</u>	<u>18A.80.020</u> <u>18A.80.040</u>	Recodified to <u>70A.15.4010</u>
<u>Chapter 70.96A RCW</u>	<u>5.32.070</u>	Recodified to 71.24.510 et seq.
Chapter 70.105 RCW	<u>14.165.010</u> <u>18A.40.025</u>	Recodified to RCW 70.300

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: August 16, 2021	TITLE: Proposed Multi-Family Tax Exemption (MFTE) for TOTO Townhomes; LU-21-00037	TYPE OF ACTION: — ORDINANCE
REVIEW: August 9, 2021	ATTACHMENTS: 1.Draft Resolution 2.Draft Conditional Certificate for Tax Exemption 3.Draft Agreement for Development within a Residential Target Area 4.Option 3 site plan and design documents	<u>X</u> RESOLUTION NO. 2021-11 — MOTION NO. — OTHER

SUBMITTED BY: Courtney Brunell, Planning Manager


RECOMMENDATION: It is recommended that the City Council adopt an Resolution to authorize the City Manager to enter into a contract for the proposed housing tax exemption between Derek Edwards, Lakeview Chapel, LLC and the City of Lakewood.

DISCUSSION: The applicant is proposing to construct a 50 unit multi-family residential development on approximately 1.575 acres located at 4606 108th St SW in the City of Lakewood, Washington Pierce County Assessor's Parcel (APN) # 5080000751 and #5080000752. The properties are located on the south side of 108th St SW between Kendrick ST SW & 47th Ave SW. The proposed development use type, *Multi-Family, four or more residential units*, is a primary permitted use in the applicable Multi-Family 3 (MF3) zoning district. The property is located in the Lakewood Station overlay district.

On August 9, 2021 the City Council reviewed three alternative design options and discussed option three as being the best option for the City. Option 3 provides on-site parking spaces. In order to accommodate the spaces the applicant proposed decreasing the open space and setbacks along 47th Ave SW and Kendrick Ave SW, reducing the buffer from the standard 10' required under the subarea plan to 5'. This alternative maintains full compliance with 18C landscape style frontage. When the landscaping and setbacks are combined, the buildings remain 15' from the edge of the sidewalk and 27' from most traffic aisles. *(please see next page)*

ALTERNATIVE(S):

1. The City Council may request that the project proponent modify the proposed design.
2. The City Council may deny the request for the tax exemption.

Courtney Brunell Prepared by	 City Manager
Dave Bugher Department Director	

DISCUSSION CONTINUED:

The project site currently has one structure, the Lakeview Chapel. Prior to construction the existing structure located on the property will be removed. The new development will consist of 50, two-bedroom townhomes, in (2) 6-plexes, (2) 9-plexes, and (2) 10-plex structures. Each unit will be three stories tall with accessory decks and private yard space. Each unit will have a private one or two-car garage. The total building square footage is approximately 84,000 square feet. The project is proposing to fulfill affordable housing mandates as outlined in Chapter 3.64 of the Lakewood Municipal Code and set aside 20% of all units for affordable housing.

FISCAL IMPACT:

Table One- City of Lakewood Revenue Generated

City of Lakewood Revenue ~ Proposed TOTO Townhomes					
	Year	Existing Use	Completed Project *	Tax Exempted	Other revenue **
Application and Project Development	1	\$ 884.60	\$ 884.60	\$ -	
	2	\$ 928.83	\$ 174,692.52	\$ -	
	3	\$ 975.27	\$ 568.60	\$ -	
Tax Exemption duration (12 years)	4	\$ 1,024.03	\$ 8,182.68	\$ 7,585.65	\$ 211,604.40
	5	\$ 1,075.23	\$ 8,402.17	\$ 7,775.29	\$ 211,604.40
	6	\$ 1,128.99	\$ 8,627.90	\$ 7,969.68	\$ 211,604.40
	7	\$ 1,185.44	\$ 8,860.05	\$ 8,168.92	\$ 211,604.40
	8	\$ 1,244.72	\$ 9,098.83	\$ 8,373.14	\$ 211,604.40
	9	\$ 1,306.95	\$ 9,344.44	\$ 8,582.47	\$ 211,604.40
	10	\$ 1,372.30	\$ 9,597.10	\$ 8,797.03	\$ 211,604.40
	11	\$ 1,440.91	\$ 9,857.03	\$ 9,016.96	\$ 211,604.40
	12	\$ 1,512.96	\$ 10,124.46	\$ 9,242.38	\$ 211,604.40
	13	\$ 1,588.61	\$ 10,399.62	\$ 9,473.44	\$ 211,604.40
	14	\$ 1,668.04	\$ 10,682.77	\$ 9,710.28	\$ 211,604.40
	15	\$ 1,751.44	\$ 10,974.15	\$ 9,953.03	\$ 211,604.40
Post-Exemption	16	\$ 1,839.01	\$ 11,274.03	\$ -	\$ 211,604.40
*Based on combined permit fees and property values. Permit fees for each townhome is d at \$3,483 per unit.					
** Includes estimated value of local utility costs per household: gas & electricity, solid waste, internet, cellphone					

Table Two- Regional Revenue including: building, water, sewer and fire department permit fees, property taxes, surface water management fees, weed control fees, Pierce County conservation district fees, gas & electricity, solid waste, internet/landline costs, cell phone and individual sales tax. Beginning in 2024 fees are assumed to be based on full 50-unit occupancy.

Regional Revenue ~ Proposed TOTO Townhomes		
Year	Revenue w/Tax Exemption	Revenue w/o Tax Exemption
2021	\$ 12,253.90	\$ 12,253.90
2022	\$ 181,634.63	\$ 12,836.08
2023	\$ 7,857.81	\$ 13,477.89
2024	\$ 441,255.10	\$ 14,151.78
2025	\$ 441,667.63	\$ 14,859.37
2026	\$ 442,100.79	\$ 15,602.34
2027	\$ 442,555.61	\$ 16,382.46
2028	\$ 443,033.17	\$ 17,201.58
2029	\$ 443,534.61	\$ 18,061.66
2030	\$ 444,061.12	\$ 18,964.74
2031	\$ 444,613.96	\$ 19,912.98
2032	\$ 445,194.44	\$ 20,908.63
2033	\$ 445,803.94	\$ 21,954.06
2034	\$ 446,443.92	\$ 23,051.76
2035	\$ 447,115.89	\$ 24,204.35
2036	\$ 611,355.93	\$ 25,414.57

RESOLUTION NO. 2021-11

A RESOLUTION of the City Council of the City of Lakewood, Washington, authorizing the issuance of Conditional Certificate of Acceptance of Tax Exemption within a Residential Target Area to Lakeview Chapel, LLC.

WHEREAS, pursuant to chapter 84.14 RCW and chapter 3.64 of the Lakewood Municipal Code; municipalities may identify Residential Target Areas. Such areas are designed to spur economic development and developments within those areas may be allowed certain tax benefits; and;

WHEREAS, the City of Lakewood has received an application from Lakeview Chapel, LLC proposing a project within a Residential Target Area.

WHEREAS, the project meets the requirements, relative to location, size, housing and compliance with other guidelines meriting conditional approval for tax purposes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES, AS FOLLOWS:

Section 1: The City Council approves the application from Lakeview Chapel, LLC for a Conditional Certificate of Acceptance of Tax Exemption (“Conditional Certificate”).

Section 2. The City Manager or designee is authorized to issue a Conditional Certificate of Acceptance of Tax Exemption and to execute any appropriate documents relative to the issuance of the Conditional Certificate, including the agreement in the form attached hereto as Exhibit A to this Resolution and incorporated by reference. This Conditional Certificate shall expire three years from the effective date of this resolution. The City Manager or designee is authorized to extend or revoke the Conditional Certificate as permitted in chapter 3.64 of the Lakewood Municipal Code.

Section 3. Any actions taken by the City Manager or designees to-date in connection with the Conditional Certificate of Acceptance of Tax Exemption be and hereby are ratified.

Section 4. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 16th day of August 2021.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter City Attorney

CONDITIONAL CERTIFICATE OF TAX EXEMPTION

THIS CONTRACT is entered into on the date signed below between Lakeview Chapel, LLC, hereinafter referred to as “Applicant,” and the City of Lakewood, Washington, a municipal corporation, hereinafter referred to as “City”.

This Conditional Certificate of Acceptance of Tax Exemption is being issued pursuant to Chapter 84.14 RCW, and Chapter 3.64 of the Lakewood Municipal Code, and is based on information provided by the applicant. The Conditional Certificate will be effective for not more than three (3) years from the time of issuance, and may be extended for up to twenty-four (24) additional months pursuant to LMC 3.64.020 (I). The City will issue a Final Certificate of Tax Exemption upon completion of the project, satisfactory fulfillment of all contract terms, final building inspection approval and issuance of a Certificate of Occupancy.

The Lakewood City Council authorized this limited tax exemption through Resolution No. 2006-18, effective June 5, 2006. For the purposes of vesting of rights under the application, this Conditional Certificate of Tax Exemption shall be considered to have vested under the rules applicable on June 5, 2006. Pursuant to RCW 84.14.020, subject to all other applicable limitations and conditions, this tax exemption shall be of a twelve-year duration and is dependent on the inclusion of 20% percent of the multifamily housing units as affordable housing units to low- and moderate-income households.

PROJECT DESCRIPTION

The applicant is proposing to construct a 50 unit multi-family residential development on approximately 1.575 acres located at 4606 108th St SW in the City of Lakewood, Washington Pierce County Assessor’s Parcel (APN) # 5080000751 and #5080000752. The properties are located on the south side of 108th St SW between Kendrick ST SW & 47th Ave SW. The proposed development use type, *Multi-Family, four or more residential units*, is a primary permitted use in the applicable Multi-Family 3 (MF3) zoning district. The property is located in the Lakewood Station overlay district. The applicant has agreed to construct street frontages along Kendrick St SW, 47th St SW, and 109th St SW and landscaping along 108th St SW in compliance Chapter 18C of the Lakewood Municipal Code.

The proposed design includes on-site parking spaces. In order to accommodate the spaces the applicant proposes decreasing the open space and setbacks along 47th Ave SW and Kendrick Ave SW, reducing the buffer from the standard 10’ required under the subarea plan to 5’. This alternative maintains full compliance with 18C landscape style frontage. When the landscaping and setbacks are combined, the buildings will remain 15’ from the edge of the sidewalk and 27’ from most traffic aisles.

The project site currently has one structure, the Lakeview Chapel. Prior to construction the existing structure located on the property will be removed. The new development will consist of 50, two-bedroom townhomes, in (2) 6-plexes, (2) 9-plexes, and (2) 10-plex structures. Each unit will be three stories tall with accessory decks and private yard space. Each unit will have a

private one or two-car garage. The total building square footage is approximately 84,000 square feet. The project is proposing to fulfill affordable housing mandates as outlined in Chapter 3.64 of the Lakewood Municipal Code and set aside 10% of all units for affordable housing.

An application for tax exemption was filed with the City of Lakewood in February 23, 2021. On August 16, 2021, the Lakewood City Council adopted Resolution 2021-11 authorizing the City Manager to enter into an agreement with the applicant certifying a twelve-year property tax exemption pursuant to Chapter 84.14 RCW.

In adopting Resolution 2021-11, the Lakewood City Council determined that the project satisfied the requirements for the multi-family tax exemption including:

1. The proposed project is located within a designated Residential Target Area;
2. The proposed project meets the definition of multi-family housing pursuant to the Lakewood Municipal Code.
3. At least 50 percent of the space will be designated for multifamily housing offering permanent residential occupancy
4. The construction is proposed to be completed within 3 years of the date of approval of the application
5. The project complies with the City's comprehensive plan. Additional permits including: design review, SEPA, site development and building permits will be required. At the time of application the project must comply with all applicable regulations in effect. The project has currently vested under SEPA and design review.
6. There are no existing dwelling units on-site.
7. The applicant has committed to renting at least 20% of the multifamily housing units as affordable housing units to low-and moderate-income households.

CONDITIONS OF TAX EXEMPTION APPROVAL

The applicant may, upon completion of the multifamily housing and upon issuance by the City of a temporary or permanent certificate of occupancy, request a Final Certificate of Tax Exemption. The request shall be in writing directed to the City Manager and be accompanied by the following.

1. A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire property;
2. A description of completed work and a statement of qualification for the exemption; and
3. A statement that the work was completed within the required three-year period or any authorized extension.

In order to be issued building permits, the proposed development will require SEPA, design review and the buildings must comply with all local plans and regulations.

The City requires that building permits must be submitted for this project within 12 months of the date the conditional certificate is issued.

The parties to this agreement acknowledge and agree that at the time of completion of this project, the project shall be constructed in conformity with all local plans and regulations that applied to this project at the time the application was approved.

TAX EXEMPTION

Pursuant to RCW 84.14.020, the value of the new residential construction for the project described above shall be exempt from ad valorem property taxation for a period of twelve successive years beginning January 1 of the year immediately following the calendar year of issuance of the final certificate of tax exemption. The exemption does not include the value of land or non-housing-related improvements. This exemption does not apply to increases in assessed valuation made by the assessor on non-qualifying portions of building and value of land nor to increases made by lawful order of a county board of equalization, the department of revenue, or Pierce County to a class of property throughout the county or specific area of the county to achieve the uniformity of assessment or appraisal required by law. At the conclusion of the exemption period, the new or rehabilitated housing cost shall be considered as new construction for the purposes of chapter 84.55 RCW.

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON CANCELLATION OF MULTI-FAMILY HOUSING EXEMPTION

If the exemption is canceled for noncompliance, an additional tax shall be imposed as follows:

- a. The difference between the tax actually paid and the tax which would have been due for the pro rata portion of the tax year following cancellation, and for each tax year thereafter, if the improvements had been valued without exemption, (not to exceed 3 years before discovery of the noncompliance); plus
- b. A penalty of 20 percent of the difference, plus
- c. Interest at the statutory rate provided for delinquent property taxes is due within the times provided by RCW 84.40.350-84.40.390.

The additional tax, penalty and interest constitute a lien by the City of Lakewood upon the land which attaches at the time the property is no longer eligible for exemption, and has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable.

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the additional tax liability to which the property will be subject if the exemption authorized by Chapter 3.64 (LMC) is cancelled. I declare under penalty of perjury under the laws of the State of Washington that this application and any accompanying documents have been examined by me and that they are true, correct and complete to the best of my knowledge.

Signed at _____, Washington, this _____ day of _____, 20____

Signature(s) of all Owner(s) and Contract Purchaser(s)

Derek Edwards
Lakeview Chapel, LLC

This conditional certificate of tax exemption is hereby **approved**.

John Caulfield, City Manager
City of Lakewood, Washington

Approved as to form:

Heidi Ann Wachter, City Attorney

AGREEMENT REGARDING RESIDENTIAL TARGET AREA CENTER DEVELOPMENT

THIS STIPULATED AGREEMENT is entered into on the date signed below between Lakeview Chapel, LLC, hereinafter referred to as “Applicant,” and the City of Lakewood, Washington, a municipal corporation, hereinafter referred to as “City”.

PROJECT DESCRIPTION

The applicant is proposing to construct a 50 unit multi-family residential development on approximately 1.575 acres located at 4606 108th St SW in the City of Lakewood, Washington Pierce County Assessor’s Parcel (APN) # 5080000751 and #5080000752. The properties are located on the south side of 108th St SW between Kendrick ST SW & 47th Ave SW. The proposed development use type, *Multi-Family, four or more residential units*, is a primary permitted use in the applicable Multi-Family 3 (MF3) zoning district. The property is located in the Lakewood Station overlay district. The applicant has agreed to construct street frontages along Kendrick St SW, 47th St SW, and 109th St SW and landscaping along 108th St SW in compliance Chapter 18C of the Lakewood Municipal Code.

The proposed design provides on-site parking spaces. In order to accommodate the spaces the applicant proposes decreasing the open space and setbacks along 47th Ave SW and Kendrick Ave SW, reducing the buffer from the standard 10’ required under the subarea plan to 5’. This alternative maintains full compliance with 18C landscape style frontage. When the landscaping and setbacks are combined, the buildings will remain 15’ from the edge of the sidewalk and 27’ from most traffic aisles.

The project site currently has one structure, the Lakeview Chapel. Prior to construction the existing structure located on the property will be removed. The new development will consist of 50, two-bedroom townhomes, in (2) 6-plexes, (2) 9-plexes, and (2) 10-plex structures. Each unit will be three stories tall with accessory decks and private yard space. Each unit will have a private one or two-car garage. The total building square footage is approximately 84,000 square feet. The project is proposing to fulfill affordable housing mandates as outlined in Chapter 3.64 of the Lakewood Municipal Code and set aside 10% of all units for affordable housing.

An application for tax exemption was filed with the City of Lakewood in February, 2021. The application supports the following determinations:

1. The proposed project is located within a designated Residential Target Area;
2. The proposed project meets the definition of multi-family housing pursuant to the Lakewood Municipal Code.
3. At least 50 percent of the space will be designated for multifamily housing offering permanent residential occupancy
4. The construction is proposed to be completed within 3 years of the date of approval of the application
5. The project complies with the City’s comprehensive plan. Additional permits including: design review, SEPA, site development and building permits will be required. At the time

of application the project must comply with all applicable regulations in effect. The project has currently vested under SEPA and design review.

6. There are no existing dwelling units on-site.
7. The applicant has committed to renting at least 20% of the multifamily housing units as affordable housing units to low-and moderate-income households.

CONDITIONS OF TAX EXEMPTION APPROVAL

The applicant may, upon completion of the multifamily housing and upon issuance by the City of a temporary or permanent certificate of occupancy, request a Final Certificate of Tax Exemption. The request shall be in writing directed to the City Manager and be accompanied by the following:

1. A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire property;
2. A description of completed work and a statement of qualification for the exemption; and
3. A statement that the work was completed within the required three-year period or any authorized extension.
4. In order to be issued building permits, the proposed development will require SEPA, design review and the buildings must comply with all local plans and regulations.
5. The City requires that building permits must be submitted for this project within 12 months of the date the conditional certificate is issued.
6. The parties to this agreement acknowledge and agree that at the time of completion of this project, the project shall be constructed in conformity with all local plans and regulations that applied to this project at the time the application was approved.

TAX EXEMPTION

Pursuant to RCW 84.14.020, the value of the new residential construction for the project described above shall be exempt from ad valorem property taxation for a period of twelve successive years beginning January 1 of the year immediately following the calendar year of issuance of the final certificate of tax exemption. The exemption does not include the value of land or non-housing-related improvements. This exemption does not apply to increases in assessed valuation made by the assessor on non-qualifying portions of building and value of land nor to increases made by lawful order of a county board of equalization, the department of revenue, or Pierce County to a class of property throughout the county or specific area of the county to achieve the uniformity of assessment or appraisal required by law. At the conclusion of the exemption period, the new or rehabilitated housing cost shall be considered as new construction for the purposes of chapter 84.55 RCW.

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- c. Interest at the statutory rate provided for delinquent property taxes is due within the times provided by RCW 84.40.350-84.40.390.

The additional tax, penalty and interest constitute a lien by the City of Lakewood upon the land which attaches at the time the property is no longer eligible for exemption, and has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable.

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the additional tax liability to which the property will be subject if the exemption authorized by Chapter 3.64 (LMC) is cancelled. I declare under penalty of perjury under the laws of the State of Washington that this application and any accompanying documents have been examined by me and that they are true, correct and complete to the best of my knowledge.

AGREEMENT REQUIRES APPROVAL OF CITY COUNCIL

In accordance with Lakewood Muni. Code 3.64.020 (H), this agreement is subject to approval by the Lakewood City Council. If this agreement is approved, the City of Lakewood shall issue a Conditional Certificate of Acceptance of Tax Administration. If this agreement is rejected by the City Council, both parties shall be discharged of their obligations under this agreement.

Signed at _____, Washington, this _____ day of _____, 20____

Signature(s) of all Owner(s) and Contract Purchaser(s)

By: _____

Derek Edwards

Lakeview Chapel, LLC

This conditional certificate of tax exemption is hereby **approved**.

John Caulfield, City Manager
City of Lakewood, Washington

OPTION #3

LAND USE SUMMARY

P/N: NORTH LOT - 5080000751
SOUTH LOT - 5080000752

TAX DESCRIPTION: Section 01 Township 19 Range 02
Quarter 34 LAKE VIEW PIERCE CO PARCEL B OF LOT
COMB 2001-04-11-0218 DESC AS L 11 THRU 20 B 65 TOG/
W S 1/2 OF E-W ALLEY & ALL OF N-S ALLEY ABUTT AS
VAC BY RES 6233 OUT OF 075-0 SEG N-0637

JURISDICTION: CITY OF LAKEWOOD

ZONING DESIGNATION: MULTIFAMILY 3 (MF3);
RESIDENTIAL TARGET AREA

PARCEL AREA: NORTH LOT - 33,688 SF (0.773 acres)
SOUTH LOT - 34,925 SF (0.802
acres)

SURROUNDING PARCELS: MF3 ON ALL SIDES

USE: MULTIFAMILY - TOWNHOMES (PERMITTED)
MINIMUM LOT AREA: NONE
MINIMUM SETBACKS: 15 FT FRONT, 25 FT ARTERIAL, 15
FT REAR, 8 FT INTERIOR
MAXIMUM SETBACK: NONE
MAXIMUM HEIGHT: 80 FT
UPPER STORY SETBACK: N/A
MAXIMUM DENSITY: 54 DU / Ac 1.575/48

DESCRIPTION:

1. LOT COMBINATION
2. 3 STORY, TOWNHOMES WITH (2) CAR GARAGES
(TANDEM)

PHASE 1 = BUILDINGS 1-4
PHASE 2 = BUILDINGS 5-8

VEHICLE PARKING ANALYSIS

REQUIRED: 1.5 STALLS PER DWELLING UNIT
50 x 1.5 = 75
ON-SITE VEHICLE STALLS PROVIDED: 86

COMPACT MAX.: 30% MIN., 50% MAX
COMPACT STALLS PROVIDED: N/A

ACCESSIBLE STALLS REQ'D: N/A
ACCESSIBLE STALLS PROVIDED: N/A

OFF-STREET PARKING STALLS PROVIDED: 38

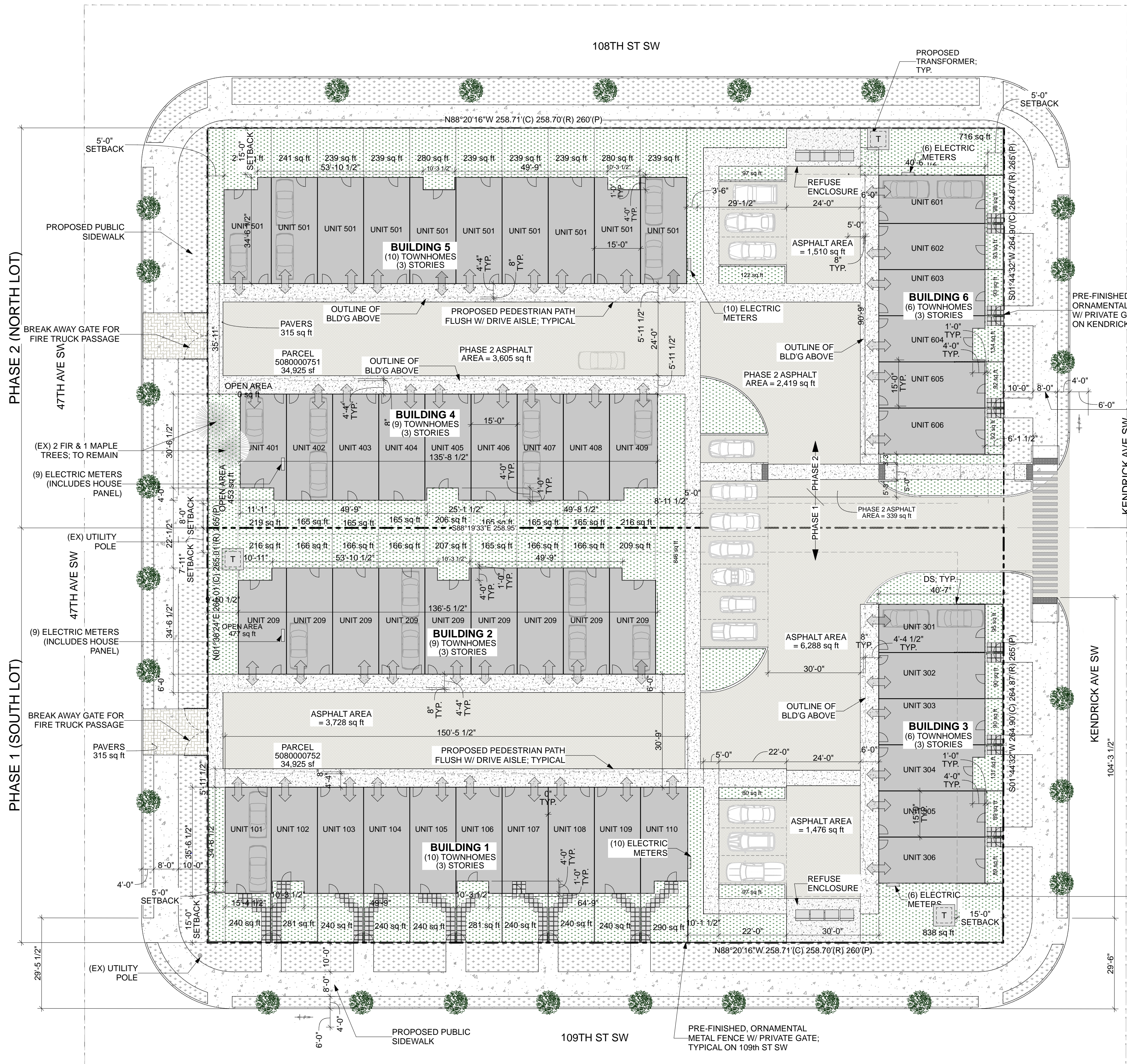
OPEN AREA REQUIREMENTS ANALYSIS:

COMMON OPEN AREA REQUIREMENT: 100-sf PER UNIT
(5,000-sf)
FURNISHED CHILDREN PLAY AREA: 50-sf PER UNIT
(2,500-sf)

PROVIDED: 7,547-sf

BUILDING SUMMARY

PER 2018 IRC



1 SITE PLAN
SCALE: 1" = 20'

Figure 18C.300-3. Residential Street Typology - 80-Foot Right-of-Way

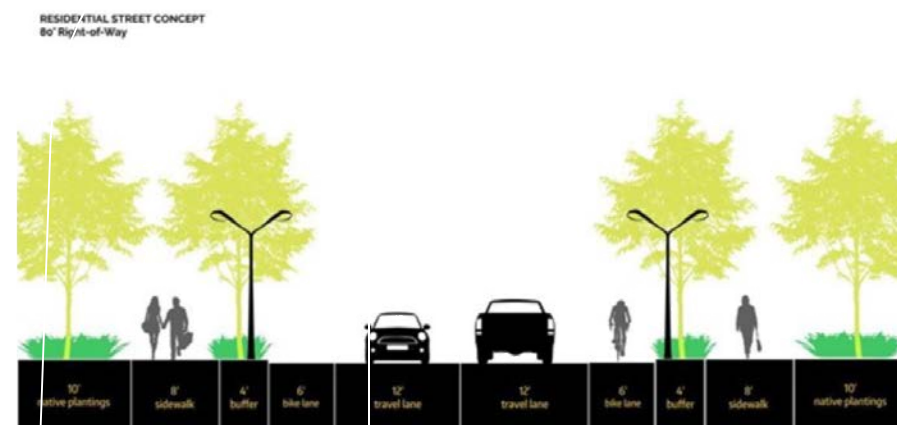


Figure 18C.400-7. Landscape Frontage Type

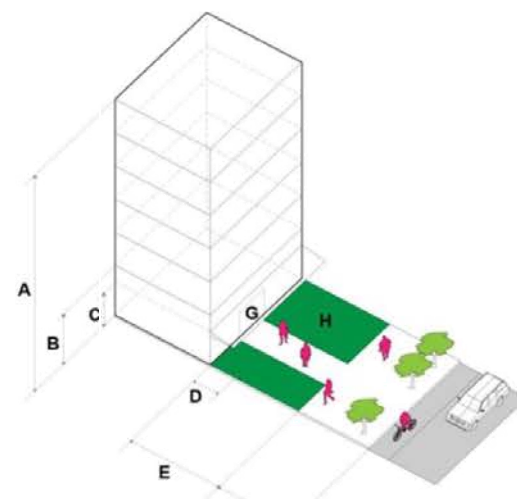
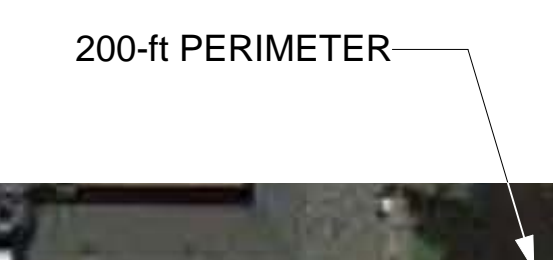


Table 18C.400-8. Landscape Frontage Standards

Standard	Mixed-Use Street/Plaza Street	Mixed-Use Arterial Street	Residential Street/Green Street
A. Building Height	Base Zone	Base Zone	Base Zone
B. First Floor Minimum Height for depth of 30 feet from street, Commercial Uses	16'	16'	n/a
C. Weather Protection Height	10'	10'	10'
D. Weather Protection Minimum Depth and Linear Frontage	5' minimum depth; required over primary entrance	5' minimum depth; required over primary entrance	5' minimum depth; required over primary entrance
E. Building Maximum Setback from Right-of-Way	20'	20'	20'
F. Building Setback Minimum	10'	10'	10'
G. Front Entrance	An entrance must be located along the primary street frontage	An entrance must be located along the primary street frontage	An entrance must be located along the primary street frontage
H. Landscape Requirements	The landscape area shall comply with the City's landscaping requirements.	The landscape area shall comply with the City's landscaping requirements.	The landscape area shall comply with the City's landscaping requirements.

5. *Porch/Stoop/Terrace*. This frontage type has the building set back from the street edge to accommodate a porch, stoop, or terrace to serve as the primary access to the building. This frontage type is applicable primarily to residential and nonretail commercial uses and is not permitted on retail streets.

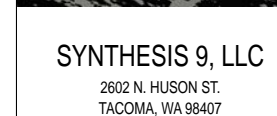


2 SITE PLAN with AERIAL

SCALE: 1" = 40'

REVISIONS	
REVISIONS	
DRAWN BY:	CM / B
CHECKED BY:	B
DATE:	2021.07.3
TITLE:	3D IMAGE
PROJECT #:	200
SHEET:	
AS1.2	

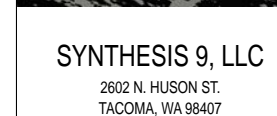




AS1.3

46





REVISIONS

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REUSE OF DOCUMENTS
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TOTO TOWNHOMES - OPTION No.3
MULTI-FAMILY DEVELOPMENT
4606 108TH ST SW LAKEWOOD WA

REVISIONS

	REVISIONS
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DRAWN BY: CM / B

CHECKED BY: B

DATE: 2021.07.3

PROJECT #: 200

SHEET:

AS1.5

MFTE COORDINATION | 2021.07.30



REVISIONS

REVISIONS

BY: CM / BL

ED BY: BL

2021.07.30

3D IMAGES


CT #: 2003

AS1.6



TO: Mayor and City Councilmembers

FROM: Jeff Gumm, Program Manager and Dave Bugher, Assistant City Manager, Community & Economic Development Director

THROUGH: Tho Kraus, Deputy City Manager 

DATE: August 16, 2021 (Council Study Session)

SUBJECT: Abatement Program Update

Background:

This memorandum will provide the City Council with an update of the status of the Dangerous & Nuisance Building Abatement Program. This memo is accompanied by a PowerPoint presentation that will cover the following elements:

- Projects completed in 2020;
- Projects completed 2021 to date;
- Status and location of current abatement projects; and
- Photographs of various completed and active abatement projects.

2020 Abatement Quick Facts:

- 16 abatements completed (12 dangerous building/ 2 nuisance/ 2 tenant relocation projects)
- 14 projects completed by owner; 2 completed by City (87.5% owner compliance rate)
- 8 properties associated with squatter/transient activity
- 7 properties associated with structure fires
- 3 properties associated with foreclosure
- \$93,756 – Total Expenses (\$92,934 fund 105/ \$822 fund 191)
- \$128,533 – Total Program Income (\$72,535 fund 105/ \$55,998 fund 191)
- Ending Fund Balance \$865,501 – December 31, 2020 (\$610,387 fund 105/ \$255,114 fund 191)

2021 Abatement Projects:

- 8 abatement projects completed to date in 2021 (5 dangerous buildings and 3 nuisance abatements)
- 7 projects completed by owner; 2 completed by City (87.5% owner compliance rate)

- 3 properties associated with squatter/transient activity
- No properties in foreclosure/bank owned or associated with structure fires

Ongoing Projects:

- 16 properties in the queue with filed and recorded abatement orders (15 dangerous building and 1 nuisance); and
- 5 properties in the complaint and notice process (4 dangerous building and 1 nuisance).

The program continues to experience some ongoing impacts from the coronavirus pandemic, including delays in court access and scheduling, as well as delays from property owners securing contractors to complete work assignments. Presently, the city is working 8 commercial properties, including large-scale abatement projects at 2621 84th St. S (Karwan Mobile Home Park) and 7127 150th St. SW (Village at Oak Meadows Apartments). These two project are taking a considerable amount of staff time at the expense of other projects waiting action.

Priority List Projects: The following is a list of “focused” priority projects identified by the housing programs manager, the building official, and the assistant city manager in consultation with CSRT:

Address/Location	Status
1. 7127 150th St. SW Roann Apartments	Contractor working with property owner and Benaroya (financing agent) to complete demo of all 26 apartment buildings. Contractor has demolished 9 buildings to-date.
2. 2621 84 th St. S – Karwan Village MHP	In process; City filed motion for Warrant and received approval. Working on obtaining bids to repair/demolish dangerous structures and repair septic system or install sewer. Repair costs likely in the \$100,000's.
3. 573 Lake Louise Drive SW	Owner has a relative working on making corrections. Awaiting permits. (Progress is slow.)
4. 5501 116 th Street SW	Owner has relative working on making corrections. Awaiting permits.
5. 7407-09 146th Street SW	Contractor has permits and is actively working on project. Site completely cleaned and fenced.
6. 12632 Lincoln Avenue SW (nuisance)	In process. Owner removed most vehicles.
7. 8113 Sherwood Forest Street SW	In process. Posted as noncompliant rental unit and relocated tenant. Property mgmt. company working on addressing unit/ possible sale. Working on obtaining Warrant.
8. 8410 South Tacoma Way	Property owner actively working on permits.
9. 8602 & 8604 Maple Street SW	Properties have joint garage structure which is dangerous. Working with owners to address properties.
10. 5408 Steilacoom Blvd. SW	In process.
11. 7301 150 th St. SW	In process.
12. 3407 86 th St. S	In process.
Next Up: 9616 Gravelly Lake Dr. SW	Nuisance property/graffiti/transients

Watch List Projects: Attached is a list of projects the City is presently monitoring for dangerous buildings. Watch list projects are anticipated to be initiated in 2021/22 and completed in 2022.

3851 Steilacoom Boulevard SW; abandoned commercial building.



9704 South Tacoma Way; public nuisance contractor's yard. City has taken action on this site previously.



14440 Union Avenue SW; abandoned commercial structure.



15225 Washington Avenue SW; manufactured house installed without permits. Owner to-date refuses to comply with building code regulations. City has had many interactions with the current property owner.



8808 Wildwood Ave. SW; tree fell through house; property abandoned.



Community Development staff will be present to answer questions regarding the abatement program or process.

City of Lakewood



Dangerous & Nuisance Building Abatement Program

Current Status

Projects Completed 2020: 16

(12 Dangerous Building/ 2 Nuisance/ 2 Tenant Relocation)

14 completed by owner/ 2 completed by city

Projects Completed YTD 2021: 8

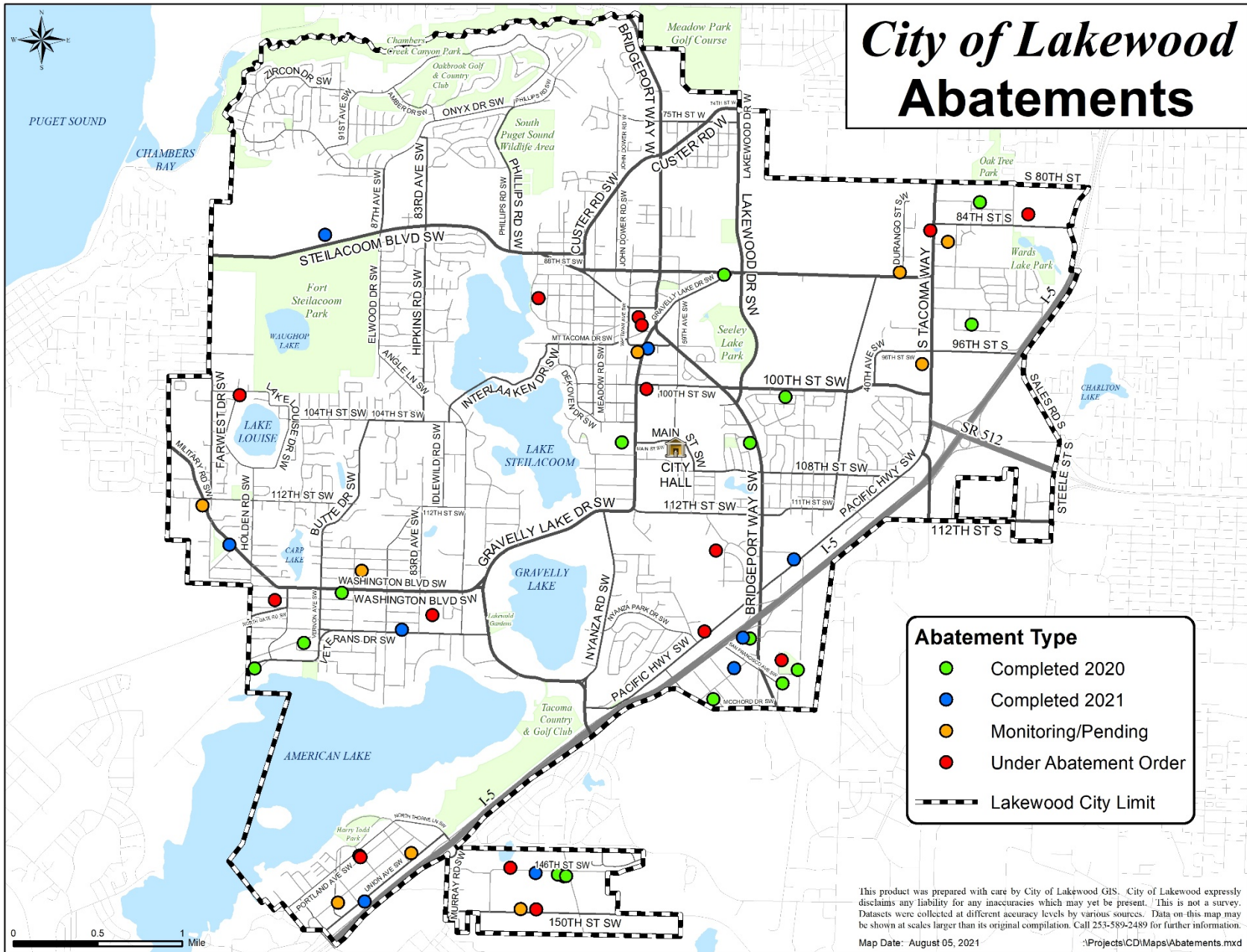
(5 Dangerous Building/ 3 Nuisance)

7 completed by owner/ 1 completed by city

Projects Pending: 21

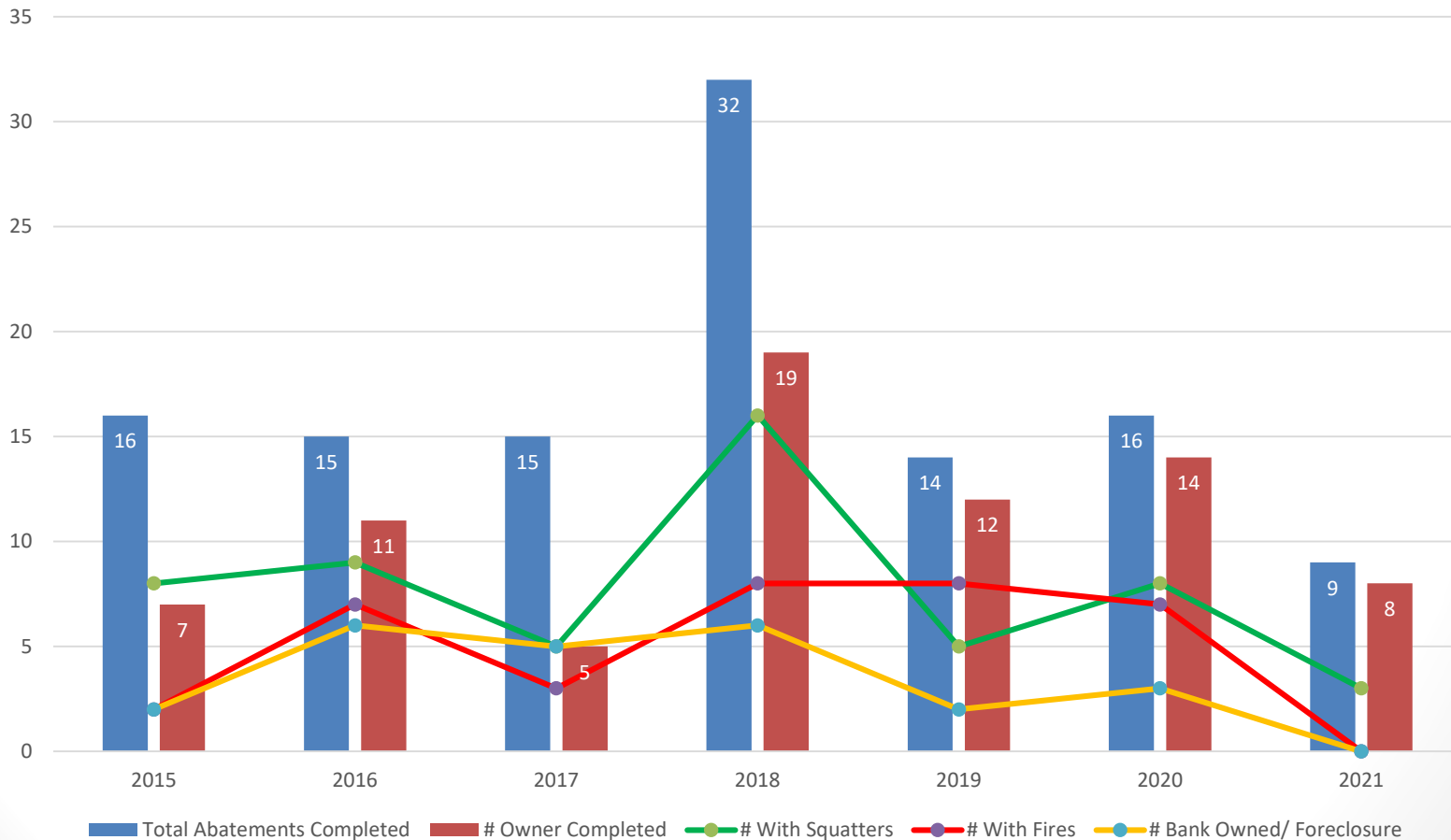
(20 Dangerous Building/ 1 Nuisance Abatement)

16 under Abatement Order/ 5 Abatement Complaint process



Trends of Note

Abatement Trends of Note



Abatement Highlights- 2020

10506 Bridgeport Way SW



10506 Bridgeport Way SW



10506 Bridgeport Way SW



12616 47th Ave. SW



12616 47th Ave. SW



5509 Boston Ave. SW



6419 & 6422 146th St. SW
14601 Woodbrook Dr. SW



6419 & 6422 146th St. SW

14601 Woodbrook Dr. SW



8203 32nd Ave. Ct. S., #46



Abatelements Completed - 2021

8320 Mt. Tacoma Dr. SW (Ken's Tires)



8413 Veterans Dr. SW



15015 Union Ave. SW



15015 Union Ave. SW



11618 Pacific Hwy SW - Nuisance



XXXX I-5 N (Seattle Ave SW) - Nuisance



12632 Lincoln Ave. SW - Nuisance



11614 Military Rd. SW



Active Abatements

314-9330 Bridgeport Way SW Old QFC & Strip Mall)



2621 84th St. S (Karwan MHP)



2621 84th St. S (Karwan MHP)



6112 100th St. SW (Old Denny's)



6112 100th St. SW (Old Denny's)



8410 S Tacoma Way



8602 & 8604 Maple St. SW



8113 Sherwood Forest St. SW



7119 Foster St. SW



12314 Pacific Hwy SW



7407-7409 146th St. SW



03.18.2021 11:33

573 Lake Louise Dr. SW



7127 150th St. SW



7127 150th St. SW



7127 150th St. SW



12521 Addison St. SW



9704 - 9706 121st St. SW - Nuisance



5501 116th St. SW



5501 116th St. SW



7301 150th St. SW



3407 86th St. S



5408 Steilacoom Blvd. SW



01.21.2021 12:42

City of Lakewood



Dangerous & Nuisance Building Abatement Program

Jeff Gumm, Program Manager