

**CITY OF GIG HARBOR
RESOLUTION NO. 445**

WHEREAS, Lita Dawn Stanton has requested site plan approval for a coffee shop and office located at 3615 Harborview Drive; and,

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of site plans; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated April 16, 1995; and

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on April 16, 1995 to accept public comment on; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended conditional approval of said site plan in his report dated May 2, 1995; and,

WHEREAS, the City Council, during its regular meeting of June 12, 1995 reviewed the proposed site plan and the findings and recommendation of the Hearing Examiner; and,

WHEREAS, the City Council has determined that the site plan and the recommendation of the Hearing Examiner to be consistent with City codes and policies regulating site plan development;

**THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON HEREBY
RESOLVES AS FOLLOWS:**

That the findings, conclusions and recommendations of the hearing examiner in his report dated May 2, 1995, are hereby adopted and the site plan is approved subject to the following conditions:

1. The rear parking stalls shall be shifted to the east to provide an 8 foot landscaped setback along the western property line, and shall be shifted to the north to provide the required landing space at the bottom of the back door steps.
2. The parking agreement between the applicant and the off-site property owner shall be entered into and shall contain the following:
 - A. The address and Assessor's tax parcel of the property providing the off-site parking.
 - B. The duration of the parking agreement, as applicable.
 - C. A statement that the applicant or owner of the business at 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, shall bear the responsibility to notify the City within 30 days of the termination of the parking agreement.

- D. The parking agreement shall state that should the use approved subject to Conditional Use Permit 95-02 cease, the parking agreement between the parties shall terminate, and the applicant or its successor in interest, shall not have use of the off-site parking for any other, subsequent application, unless specifically approved by the City.
- E. The parking agreement shall state that should off-site parking cease to be made available to the owner or operator of the business located at 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, the use approved subject to Conditional Use Permit 95-02 shall cease.
- F. The parking agreement shall state that off-site parking spaces will be identified as exclusive to the coffee shop pursuant to Conditional Use Permit 95-02.

The parking agreement shall be filed as a covenant to the parcel's affected by the agreement and shall be recorded with the Pierce County Auditor and run with the land subject to the agreement. The document shall be recorded prior to issuance of an occupancy permit for the facility.

- 3. A final landscape plan which indicates plant species, size and spacing consistent with GHMC Section 17.78 shall be submitted to and approved by the Planning Staff prior to issuance of an occupancy permit.
- 4. The structure and site must conform to current fire, building code and handicap access requirements.
- 5. Either additional parking shall be provided for the existing office space on the subject Tarabochia property which meets the requirements of Chapter 17.72 of the Gig Harbor Zoning Code or the use of said office must be terminated prior to the opening of the proposed coffee shop.

RESOLVED by the City Council this 12th day of June, 1995.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 6/4/95
Passed by City Council: 6/12/95