

ORDINANCE NO. 1314

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 47.71 ACRES FROM PCD-RLD ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED SOUTH OF BORGEN BOULEVARD AND NORTH OF HARBOR HILL S8 DIVISION; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER 4003100800 AND 0222311000, AND CITY OF GIG HARBOR FILE NO. PL-FPRD-15-0002, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH

WHEREAS, Harbor Hill LLC requested Final PRD Approval for Division S7 of the Harbor Hill Plat located south of Borgen Blvd. and north of the plat of Harbor Hill Division S8; a portion of Pierce County Assessor-Treasurer Parcel Number 4003100800 and 0222311000; and

WHEREAS, the land use designation in the Comprehensive Plan for the subject site is PCD-Residential Low; and

WHEREAS, the existing zoning district on the Official Zoning Map of the City for the subject site is PCD-RLD (Planned Community District – Residential Low); and

WHEREAS, on December 2, 2008 Olympic Property Group LLC requested Preliminary Planned Residential Development (PRD) approval for of 200 acres, comprised of three parcels, into 554 single family lots and two multiple family lots that would be developed with a total of 270 units on the subject site; and

WHEREAS, a SEPA threshold determination of Mitigated Determination of Nonsignificance was issued on November 17, 2010; and

WHEREAS, the SEPA threshold decision was not appealed; and

WHEREAS, the preliminary PRD is a Type III-A action as defined in GHMC 19.01.003(B); and

WHEREAS, a final decision for a Type III-A application shall be rendered by the Hearing Examiner as per GHMC 19.01.003(A); and

WHEREAS, a public hearing on the preliminary PRD was held before the Hearing Examiner on December 16, 2010, at which time the Hearing Examiner heard public testimony on the preliminary PRD; and

WHEREAS, the Hearing Examiner approved the Preliminary PRD in her decision dated December 30, 2010; and

WHEREAS, the appeal period expired on January 23, 2011; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC requested a Revision to the Approved Preliminary Planned Residential Development (PRD) for all portions of the Harbor Hill Residential Plat/PRD except Division 1A on March 13, 2013; and

WHEREAS, a SEPA addendum was issued on July 31, 2013; and

WHEREAS, the preliminary PRD is a Type III-A action as defined in GHMC 19.01.003(B); and

WHEREAS, Amendment 1 to the Harbor Hill Development Agreement recorded on December 4, 2012 authorizes the Planning Director to approve modifications to the Approved Preliminary PRD as a Type 2 Decision; and

WHEREAS, the Planning Director approved the Revised Preliminary PRD in her decision dated August 2, 2013; and

WHEREAS, the appeal period expired on August 19, 2013; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC quitclaimed the subject property to Harbor Hill LLC on August 6, 2013, at Auditor Recording Number 201308130540; and

WHEREAS, on July 14, 2014 the Planning Director approved the North Revision modifications to the Harbor Hill Preliminary Plat and PRD to modify setbacks, impervious surface calculations and grading; and

WHEREAS, on July 29, 2014 the Planning Director approved the South Revision modifications to the Harbor Hill Preliminary Plat and PRD to increase the size of the M2

lot, remove excess lots and allow minor modifications to open space tracts, grading and phase lines in the S divisions; and

WHEREAS, an application for final PRD approval was submitted to the City and deemed complete on April 16, 2015 for Division S7, a portion of the approved preliminary PRD; and

WHEREAS, the Final PRD is a Type IV action as defined in GHMC 19.01.003(B); and

WHEREAS, a closed record decision for a Type IV application shall be rendered by the City Council as per GHMC 19.01.003(A); and

WHEREAS, the City Council approved the final PRD application under Resolution No. 993 on June 8, 2015; and

WHEREAS, GHMC 17.89.130 requires that the property subject to the final PRD be designated on the official zoning map as PRD; and

WHEREAS, the change to the official zoning map must be adopted by ordinance as per GHMC 17.89.130; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading on June 8, 2015;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The real property located south of Borgen Blvd. and north of Harbor Hill Division S8; a portion of Pierce County Assessor-Treasurer Parcel Number 4003100800 and legally described in Exhibit "A", is hereby rezoned from PCD-RLD (Planned Community District – Residential Low) to PRD (Planned Residential Development).


Section 2. The Planning Director is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the designation established by Section 1.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance is not subject to referendum, and shall take effect (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 8th day of June, 2015.

CITY OF GIG HARBOR



JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

By: 

MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 

ANGELA G. SUMMERFIELD

FILED WITH THE CITY CLERK: 06/03/15
PASSED BY THE CITY COUNCIL: 06/08/15
PUBLISHED: 06/10/15
EFFECTIVE DATE: 06/15/15
ORDINANCE NO: 1314

THE FOLLOWING DESCRIBED PORTIONS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER IN SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN AND THAT PORTION OF TRACT X, HARBOR HILL PHASE S-9, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 04, 2013 UNDER RECORDING NUMBER 201312045001, LYING TO THE NORTH OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31, ALL SITUATE IN THE CITY OF GIG HARBOR, COUNTY OF PIERCE, STATE OF WASHINGTON:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 31, THENCE S 88°22'25" E, 662.02 FEET ALONG THE NORTH LINE OF SAID SECTION 31 TO THE EAST LINE OF THE WEST 662.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE S 01°10'42" W ALONG SAID EAST LINE 65.59 FEET TO THE SOUTH MARGIN OF THE BORGEN AVENUE RIGHT OF WAY EASEMENT PER AGREEMENTS FOR DEDICATION OF RIGHT-OF-WAY OF BORGEN BOULEVARD RECORDED UNDER A.F.N. 200005080093 AND A.F.N. 200007130672; AND THE POINT OF BEGINNING AND TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S2°36'29"E 220.35 FEET

THENCE EASTERLY ALONG SAID MARGIN AND SAID CURVE 4.49 FEET THROUGH A CENTRAL ANGLE OF 1°10'07";

THENCE N88°33'37"E 116.67 FEET;

THENCE S85°13'58"E 540.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 7050.00 FEET;

THENCE ALONG SAID CURVE 714.49 FEET THROUGH A CENTRAL ANGLE OF 5°48'24";

THENCE DEPARTING SAID MARGIN S0°37'56"E 267.11 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 310.00 FEET;

THENCE ALONG SAID CURVE 152.75 FEET THROUGH A CENTRAL ANGLE OF 28°13'54";

THENCE S27°35'59"W 117.45 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 210.00 FEET;

THENCE ALONG SAID CURVE 247.45 FEET THROUGH A CENTRAL ANGLE OF 67°30'47" TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE CENTER BEARS N36°30'04"W 25.00 FEET;

THENCE ALONG SAID CURVE 2.11 FEET THROUGH A CENTRAL ANGLE OF 4°49'49";

THENCE S45°17'45"E 50.14 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE CENTER BEARS S40°44'56"E 25.00 FEET;

THENCE ALONG SAID CURVE 41.74 FEET THROUGH A CENTRAL ANGLE OF 95°39'26";

THENCE S45°21'25"W 50.02 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE CENTER BEARS S43°35'38"W 25.00 FEET;

THENCE ALONG SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00";

THENCE S43°35'38"W 199.58 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET;

THENCE ALONG SAID CURVE 41.43 FEET THROUGH A CENTRAL ANGLE OF 94°56'44";

THENCE S48°07'02"W 50.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S 39° 22'38" W 25.00 FEET;

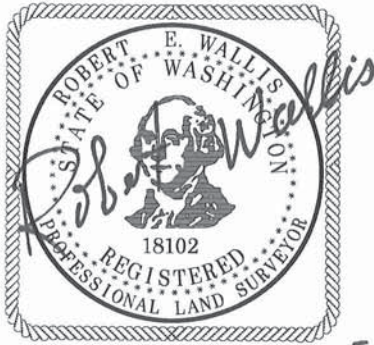
THENCE ALONG SAID CURVE 37.43 FEET THROUGH A CENTRAL ANGLE OF 76°44'12";

THENCE S43°35'38"W 98.59 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 825.00 FEET;

THENCE ALONG SAID CURVE 73.09 FEET THROUGH A CENTRAL ANGLE OF 5°04'33" TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET;

THENCE ALONG SAID CURVE 39.63 FEET THROUGH A CENTRAL ANGLE OF 90°49'52";

THENCE S55°37'41"W 50.39 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE CENTER BEARS N49°02'34"E 325.00 FEET;
THENCE ALONG SAID CURVE 38.64 FEET THROUGH A CENTRAL ANGLE OF 6°48'40" TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 825.00 FEET;
THENCE ALONG SAID CURVE 50.27 FEET THROUGH A CENTRAL ANGLE OF 3°29'28";
THENCE S37°03'00"W 139.60 FEET;
THENCE N52°57'00"W 117.63 FEET;
THENCE S37°03'00"W 161.28 FEET;
THENCE S29°57'51"W 102.05 FEET;
THENCE S26°32'49"W 50.46 FEET;
THENCE S22°22'40"W 46.74 FEET;
THENCE S17°48'29"W 46.60 FEET;
THENCE S15°16'03"W 56.34 FEET;
THENCE S0°34'01"W 100.02 FEET TO SAID SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID NORTHEAST QUARTER;
THENCE N88°17'14"W ALONG SAID SOUTH LINE 614.11 FEET TO THE WEST LINE OF SAID TRACT X AND SAID EAST LINE OF THE WEST 662.00 FEET OF SAID NORTHEAST QUARTER;
THENCE N1°10'32"E ALONG SAID WEST LINE 1912.57 FEET TO THE POINT OF BEGINNING.

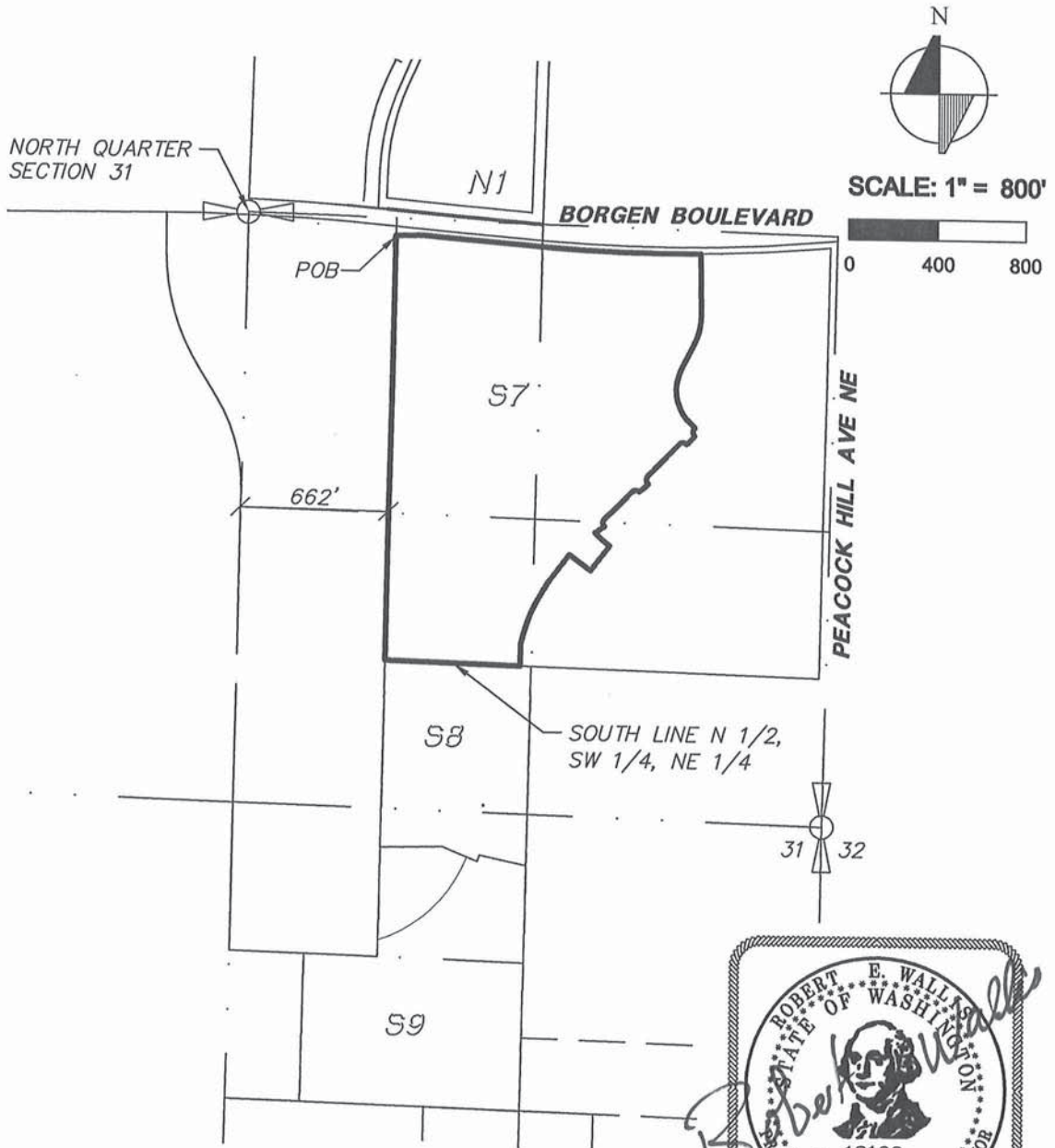


4-14-2015

WRITTEN: LMM
CHECKED: REW

HARBOR HILL
DIVISION S7

TRIAD JOB # 08-058
APRIL 14, 2015



THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



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