

ORDINANCE NO. 895

**AN ORDINANCE OF THE CITY OF GIG HARBOR,
WASHINGTON, REZONING CERTAIN REAL PROPERTY
LOCATED AT 5101 ROSEDALE STREET (GIG HARBOR
HIGH SCHOOL) FROM THE PRESENT SINGLE-FAMILY
RESIDENTIAL (R-1) ZONING DESIGNATION TO A PUBLIC-
INSTITUTIONAL (PI) ZONING DESIGNATION.**

WHEREAS, the Peninsula School District #401 submitted a site specific rezone request for approximately forty (40) acres located at 5101 Rosedale Street (Gig Harbor High School) from Single-Family Residential (R-1) to Public Institutional (PI) (REZ 01-02); and

WHEREAS; Title 19 of the Gig Harbor Municipal Code indicates that site specific rezones requests are to be processed as Type III permit applications; and

WHEREAS, the City Hearing Examiner held a public hearing on this site specific rezone request on October 17, 2001; and

WHEREAS, the City Hearing Examiner issued a written decision approving the requested site specific rezone of this property from Single-Family Residential (R-1) to Public Institutional (PI) on October 30, 2001; and

WHEREAS, The October 30, 2001 Hearing Examiner decision was not appealed to the City Council and is therefore considered to be final pursuant to Title 19 of the Gig Harbor Municipal Code; and

WHEREAS, The City of Gig Harbor responsible SEPA Official has reviewed the rezone request and issued a determination of non-significance (DNS) on September 14, 2001. The issuance of a DNS for this project was not appealed; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of November 26, 2001;

WHEREAS, the City Council held a public hearing on this Ordinance during its regular City Council meeting of December 10, 2001; Now, Therefore,

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

Section 1. The real property located at 5101 Rosedale Street (Gig Harbor High School), consisting of one (1) tax parcel zoned Single Family Residential (R1) (Tax Parcel ID number 0221063043) owned by the Peninsula School District #410, and legally described in Exhibit A, attached hereto and fully incorporated herein by this reference, shall be rezoned to the zoning classification of Public Institutional (PI). The Director of Planning and Building Services is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the zoning established by this section.

Section 2. 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 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, 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 Council and approved by the Mayor of the City of Gig Harbor
this 10th day of December, 2001.

CITY OF GIG HARBOR


GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: 
MOLLY TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 11/21/01
PASSED BY THE CITY COUNCIL: 12/10/01
PUBLISHED: 12/26/01
EFFECTIVE DATE: 12/31/01
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EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY REFERENCED IN SECTION 1 CONSISTING
OF ONE (1) PARCEL OWNED BY THE PENINSULA SCHOOL DISTRICT #401.

1. Tax Parcel ID number 0221063043

Commencing at the Southwest corner of the Southwest quarter of Section 6, Township 21 North, Range 2 East of the Willamette Meridian; thence North 85 degrees 36' 40" East, along the South line of said subdivision, 670.00 feet to the point of beginning; thence North 02 degrees 34' 33" West 1530.77 feet to intersect the North line of the South 1530 feet of the Southwest quarter of said Section 6, at a point 605 feet East of the West line of said subdivision; thence North 85 degrees 36' 40" East parallel with the South line of said subdivision, 1092.01 feet to the Southwesterly line of Property conveyed to the State of Washington by Deed recorded May 4, 1972 under Pierce County Auditor's File No. 2443865; thence Southeasterly along said Southwesterly line 366.14 feet, thence continuing along said line South 31 degrees 39' 28" East 609.31 feet to intersect a line parallel with and 660 feet North of the South line of said subdivision; thence South 85 degrees 36' 40" West along said parallel line 240.00 feet; thence South 07 degrees 42' 34" West 674.99 feet to intersect the South line of said subdivision; thence South 85 degrees 36' 40" West along said South line 1200 feet to the point of beginning.

EXCEPT the South 30 feet for Rosedale Street (Carr's Inlet-Gig Harbor County Road).

Situate in the City of Gig Harbor, County of Pierce and State of Washington.