

RESOLUTION 1225

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING THE FINAL PLAT AND FINAL PLANNED RESIDENTIAL DEVELOPMENT FOR MCCORMICK CREEK PHASE III, LOCATED ADJACENT TO AND SOUTH OF THE PENINSULA LIGHT FIELDS RECREATION PARK, TAKING ACCESS OFF OF MCCORMICK CREEK DRIVE DUE NORTH OF BURNHAM DRIVE; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER(S) 0222313076, 4003250960, 4003250980, AND 4003251000, AND CITY OF GIG HARBOR FILE NOS. PL-FPLAT-19-0003 AND PL-FPRD-19-0003.

WHEREAS, on December 18, 2008, the City of Gig Harbor Hearing Examiner conditionally granted preliminary plat and preliminary planned residential development ("PRD," PL-PPLAT-07-0002) approval to the McCormick Creek phased plat project, located north of Burnham Drive off of 50th Avenue NW into 182 residential lots, three non-residential lots, and 18 wetland, stormwater, and open space tracts; and

WHEREAS, on March 29, 2011, the City Council approved a Development Agreement for McCormick Creek providing for phased development and allowing certain deviations from the code; and

WHEREAS, on July 29, 2014, the City Council approved Amendments to the Development Agreement reducing the total number of lots associated with the plat and further allowing for modifications to the phasing schedule and general terms of the Agreement; and

WHEREAS, on December 8, 2017, the City Council approved Amendments to the Development Agreement approving a change in the number of lots in the plat, incorporating a parking lot for public use, and allowing additional revisions in order to reflect new tracts and lot designations; and

WHEREAS, on April 25, 2018, the City of Gig Harbor Hearing Examiner conditionally granted preliminary plat and preliminary planned residential development (PRD) approval to McCormick Creek Phase III containing 54 single family residential lots, adjacent to and south of the Peninsula Light Fields Recreation Park, taking access off of McCormick Creek Drive due north of Burnham Drive; Pierce County Assessor-Treasurer Parcel Number(s) 0222313076, 4003250960, 4003250980, and 4003251000; and

WHEREAS, on January 30, 2019, the applicant received Civil Plan approval to begin work on constructing the roads and the public and private infrastructure required in the preliminary plat/PRD approval; and

WHEREAS, the City Council approved the names Memories Street, Empress Street, Veteran Avenue, and Oceania Street for the public streets within the plat on October 14, 2019; and

WHEREAS, an application for final plat and final PRD approval was submitted to the City on September 24, 2019 and deemed complete on September 27, 2019; and

WHEREAS, the proposed final plat/PRD was circulated to the appropriate departments of the City for review; and

WHEREAS, the City conducted an iterative and complete review of the final drawings of the proposed final plat/PRD and of additional requested documents, thereafter circulating the final drawings and requested documents to the appropriate departments of the City and obtaining recommendations for approval; and

WHEREAS, the proposed plat certificate has been reviewed by the City Attorney and all certificates of completion as required by GHMC Section 16.06.001 have been received; and

WHEREAS, the City Council reviewed the application for the final plat/PRD at its regular meeting of December 13, 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor:

Section 1. Findings

- A. The City Council hereby finds that, pursuant to Gig Harbor Municipal Code 16.06.005, the McCormick Creek Phase III Plat, subject to the conditions imposed in Section 2:
1. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval;
 2. Conforms to all terms of the preliminary plat and preliminary PRD approvals; and
 3. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, Title 16 GHMC, and all applicable ordinances which were in effect at the time of preliminary plat approval.
- B. The City Council hereby finds that, pursuant to Gig Harbor Municipal Code 17.89.080, the McCormick Creek Phase III Final PRD, subject to the conditions imposed in Section 2:
1. Provides all features and amenities identified in the preliminary PRD;
 2. Complies with the conditions of approval required by the City Engineer;
 3. Complies with all conditions of approval required by the Fire Marshal;

4. Complies with all conditions of approval required by the Community Development Director;
5. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, Title 17 GHMC, and all applicable ordinances which were in effect at the time of preliminary plat approval.

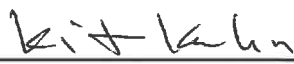
Section 2. Approval; Conditions. The City Council hereby approves McCormick Creek Phase III Final Plat and Final PRD, File Nos. PL-FPLAT-19-0003 and PL-FPRD-19-0003, subject to the following conditions:

1. The Declaration of Covenants, Conditions and Restrictions for McCormick Creek Phase III shall be recorded with the County Auditor prior to recording of the final plat/PRD.
2. The Storm Water Facilities Maintenance Agreement and Restrictive Covenant shall be recorded with the County Auditor prior to recording of the final plat/PRD.
3. The Declaration of Use Restriction and Maintenance Obligations shall be recorded with the County Auditor within 30 days after the recording of the final plat/PRD.

Section 3. The City Council directs the Mayor and all other appropriate City officials to inscribe and execute the City's written approval on the face of the plat.


Section 4. The City shall record the final plat with the County Auditor, at the expense of the applicant, after all inspections and approvals, and after all fees, charges and assessments due the City resulting from the subdivision development have been paid in full.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 13th day of December, 2021.



Kit Kuhn
Mayor

Attest:



Joshua Stecker
Interim City Clerk