

**CITY OF GIG HARBOR
RESOLUTION NO. 440**

WHEREAS, David Fisher, Representing Rush Construction, has requested approval for a planned unit development (PUD) for the construction of 29 residential units at approximately 4410 Alastra Lane; and,

WHEREAS, the Gig Harbor City Council has adopted guidelines for the reviewing of planned unit developments as outlined in GHMC section 17.90; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the PUD, in a staff report dated November 16, 1994; and

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on December 21, 1994 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 PUD in his report dated January 5, 1995; and,

WHEREAS, the City Council, during its regular meeting of January 23, 1995 reviewed the proposed PUD and the findings and recommendation of the Hearing Examiner; and,

WHEREAS, the City Council remanded the proposal back to the Hearing Examiner to consider parking and density related issues; and

WHEREAS, the proposal was revised by increasing the parcel size and reducing the density which provided a more traditional parking arrangement for single family houses; and

WHEREAS, the City of Gig Harbor Hearing Examiner conducted another public hearing on the revised site plan on February 15, 1995 to accept public comment on; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions on the revised PUD site plan in his report dated March 2, 1995; and

WHEREAS, the City Council has determined that the PUD and the recommendation of the Hearing Examiner are consistent with City codes and policies regulating Planned Unit Developments; and

WHEREAS, the City Council has determined that the development would provide significant public benefits including an affordable housing alternative within City limits consistent with the Housing Element of the City's Comprehensive Plan, retention of 50 percent open space, and a design which promotes pride of ownership in higher density housing, in exchange for the increased density and other code exceptions as defined on the site plan and elevation drawings;

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

That the findings, conclusions and recommendations of the Hearing Examiner in his report dated January 5, 1995 and the Hearing Examiner's report of March 2, 1995, are hereby adopted and the Planned Unit Development is approved subject to the following conditions:

1. Fire flow must be provided to within 300 FT of each entrance to each parcel in accordance with the Section 10.401, 1991 Uniform Fire Code
2. Required fire hydrants and access must be provided as per the Uniform Fire Code and as approved by the Fire Marshall.
3. The hammer head turn-a-rounds which are at the ends of roadways over 150 FT from public roadways must remain accessible. The roadways and turn-a-rounds must be identified as fire lanes.
4. The project shall conform to section 2B.070 of the Public Works Standards referring to private streets, including the provision of a 24 foot roadway and curbs gutters and sidewalks on one side of the street as approved by the Public Works Department.
5. Water and sewer must come from Skansie. Minimum grade from 76th Street must be maintained for the sewer line. No inside or outside drops will be allowed. Water might be looped with the PTI Waterline, depending upon the fire flow requirements. The adjacent duplexes may hook into the proposed sewer line subject to approval by the Director of Public Works and subject to a connection fee in an amount to be approved by the Director of Public Works.
6. The entire roadway must be overlaid along Skansie and 76th Street wherever the sewer line is installed.
7. Maintenance of all privately owned PUD common areas and the landscaping and/or plantings contained therein, shall be permanently maintained by a home owners association. The association shall be established and incorporated prior to final plat approval. A copy of the association's bylaws shall be submitted with the final plat and shall include, at a minimum, the following authorities and responsibilities:
 - A. The enforcement of covenants imposed by the landowner or developer.
 - B. The levying and collection of assessments against all lots to accomplish the association's responsibilities.
 - C. The collection of delinquent assessments through the courts.
 - D. The letting of contracts to build, maintain and manage common facilities.
8. A final landscaping plan for the common areas within the plat shall be submitted to

and approved by the Planning Department prior to permit issuance. The plan shall include, (a) provisions for a mechanical irrigation system in the central common green area, and (b) the plant size and species used to re-vegetate the disturbed portion of the perimeter buffer. Landscaping shall be consistent with all zoning code requirements and shall be installed prior to occupancy of the last 6 units.

9. (c) All trees within 10 feet of the rear property lines and which have a trunk diameter of 6 inches or more shall be surveyed, flagged, and recorded with the Planning Department prior to commencement of major excavation. Each tree lost due to disturbance or root damage during construction shall be replaced with two fir trees, minimum 6 foot tall.. Existing trees will be considered lost or damaged if excavation occurs within the drip line of the tree's canopy. This will result in significant root damage, thereby threatening the health of the tree over the long term.
10. Strict limits of disturbance shall be complied with on this project, This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade before major excavation begins. The barricade should be visually and functionally significant (e.g. a fence made of plywood or construction safety fencing attached to steel T-posts or heavy lumber).
11. In lieu of construction of required improvements prior to final plat approval, a bond equal to an amount of 120% of the contractors bid for all improvements required under the preliminary plat and PUD approval shall be posted with the City. If accepted by the City, the bond shall have a term not to exceed eighteen (18) months from the filing of the plat with the Pierce County auditor. Required improvements shall be installed within twelve months of the date of the filing of the plat. Failure to construct or install the required improvements to City standards within the time specified shall result in the City's foreclosure of the bond. Upon foreclosure, the City shall construct, or may contract to construct and complete, the installation of the required improvements.
12. Prior to building permit issuance a grading and drainage plan, including provisions for storm water collection and retention, shall be submitted to the Public Works Department for review and approval.
13. Construction on the project must commence within 12 months from the date of Council Action on the PUD; otherwise, the approval of the application becomes null and void (GHMC Section 17.90.080). Prior to the 12 month construction commencement deadline, and prior to permit issuance, the applicant shall apply for preliminary plat approval. The preliminary plat shall conform to the design and layout of the approved PUD and shall be consistent with GHMC Section 16.16.
14. The design of structures and landscaping on the property shall be consistent with the approved PUD and architectural designs. These shall be recorded with the Pierce County Auditor's office either as an attachment to the plat or as a separate recording. If recorded separately, the plat shall reference the recording number. Minor design and dimension alterations which do not alter the general scale,

character, or intensity of development as shown on the recorded documents may be approved jointly by the Planning Director and owner or homeowner's association. Major amendments shall be approved only through City-adopted amendment processes for PUD's and the joint approval of all owners of the property.

15. In conjunction with preliminary plat approval by the City Council, drawings of utilities and roadway details shall be submitted to and approved by the Public Works Department.
16. Prior to or in conjunction with the preliminary plat approval, the PUD portion of the site (as illustrated) and the single family residence portion of the site shall be formally platted as separate parcels.
17. The PUD shall include a 30-foot fire access easement across the parcel proposed for the existing house and which is to be platted as a separate parcel from the PUD. The easement shall be improved with a minimum 24-foot traversable surface wherever two-way traffic is involved, and a minimum 15-foot wide traversable surface for one-way traffic. One-way traffic shall be established beyond the point of driveway access to the existing residence, i.e., if the easement is used for normal residential purposes, it shall be considered two-way. Any portion of the fire access which is 15% or greater slope shall be paved with asphalt.
18. Prior to final plat approval, a six foot high solid wood fence shall be constructed along the west property line and along the westernmost 280 feet of the south property line.
19. Pursuant to GHMC section 17.90.060.C, within three (3) years of PUD approval, the applicant shall file with the City Council a final subdivision plat for the PUD.
20. The landscaping plan submitted as required in Condition 8 of the January 5, 1995 Hearing Examiner's decision shall also maximize the amount of landscaping placed adjacent to the water line located in the buffer area.
21. Sidewalks shall be located on the east (uphill) side of the roadway only.
22. Units 22 and 23 shall be located far enough back from the sidewalk to accommodate a 20-foot distance between the garage and the street pavement.
23. Units 8 - 10 and 19 - 20 shall be located far enough back from the sidewalk to accommodate a 20 foot distance between the garage and the inside edge of the sidewalk.
24. To avoid a decrease in the minimum of 50% open space, the number of parking spaces in the community parking lots shall be reduced an equivalent amount.

RESOLVED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the Council held on this 13th day of March, 1995.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 1/17/95
Passed by City Council: 3/14/95