

**RESOLUTION NO. 989**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING THE FINAL PLAT AND FINAL PRD FOR DIVISION S8 OF HARBOR HILL, LOCATED SOUTH OF BORGEN BLVD. AND NORTH OF THE PLAT OF HARBOR HILL DIVISION S9; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER 4003100800, AND CITY OF GIG HARBOR FILE NO. PL-FPLAT-15-0001 AND PL-FPRD-15-0001**

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WHEREAS, on December 30, 2010, the City of Gig Harbor Hearing Examiner conditionally granted preliminary plat and preliminary planned residential development (PRD) approval to Harbor Hill, located north and south of Borgen Blvd. and east of the Harbor Hill Business Park and the Ridge at Gig Harbor Subdivision; and

WHEREAS, on October 8, 2010, the City Council approved a Development Agreement for Harbor Hill providing for 20 years of vesting, phased development and allowing certain deviations from the code; and

WHEREAS, Division S8 is an approved phase of the Harbor Hill Preliminary Plat and PRD located south of Borgen Blvd. and north of the plat of Harbor Hill Division S9, a portion of Pierce County Assessor-Treasurer Parcel Number 4003100800, containing 33 single family residential lots and associated infrastructure; and

WHEREAS, on November 26, 2012 the City Council approved Amendments to the Development Agreement allowing the Planning Director to approve modifications to the Preliminary Plat and PRD Approvals; and

WHEREAS, on April 28, 2014 the City Council approved Amendments to the Development Agreement expanding the area where independent and assisted living

facilities and skilled nursing facilities are allowed, modifying the provisions for model homes and updating the infrastructure phasing plan; and

WHEREAS, following the approval of the amended development agreement the owner applied for and received approval of three major preliminary plat and preliminary PRD revisions on August 2, 2013, July 14, 2014, and July 29, 2014; and

WHEREAS, the applicant submitted and received approval on September 12, 2014 for Civil Construction Plans for the S8 division of the plat/PRD (Case # EN-14-0021); and

WHEREAS, the applicant has posted performance bonds for the public and private infrastructure required in the preliminary plat/PRD approval for the S8 Division; and

WHEREAS, street names being utilized in Harbor Hill Division S8 was previously approved by the City on October 14, 2013; and

WHEREAS, an application for final plat and final PRD approval was submitted to the City on March 16, 2015; and

WHEREAS, the applications submitted for final plat and final PRD approval were deemed to be complete on March 16, 2015; and

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

WHEREAS, the City requested revisions on April 3, 2015 requesting clarifications and revisions to the final plat/PRD drawing; and

WHEREAS, the applicant submitted the requested documents and revisions on April 15, 2015; and

WHEREAS, the City requested revisions on April 27, 2015 requesting revisions to the final plat/PRD drawing; and

WHEREAS, the applicant submitted the requested documents and revisions on May 1, 2015; and

WHEREAS, the final corrected drawings of the proposed final plat/PRD and requested documents were circulated to the appropriate departments of the City and recommendations for approval were obtained; 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 at its regular meeting of May 11, 2015; Now, Therefore,

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

Section 1. Findings

A. The City Council hereby finds that, pursuant to Gig Harbor Municipal Code 16.06.005, the Harbor Hill Division S8 subdivision, 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 a performance bond has been accepted in lieu of construction of the required and uncompleted improvements and

3. Conforms to all terms of the Development Agreement approval; and
4. 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 Harbor Hill Division S8 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 Planning Director and a performance bond has been accepted in lieu of construction for required landscaping and amenities contained within Division S8;
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 Harbor Hill Division S9 Final Plat and Final PRD, File Nos. PL-FPLAT-15-0001 and PL-FPRD-15-0001, subject to the following conditions:

1. The landscape and PRD improvements contained in Division S8 (and bonded for under surety #756477S) shall be completed by the applicant

and accepted by the City within the timelines established within the bonds unless an extension is granted by the Planning Director; and

2. The infrastructure contained in Civil Permit EN-14-0016 (and bonded for under surety #756064S) shall be completed by the applicant and accepted by the City on or before March 31, 2015 unless an extension is granted at the sole discretion of the City Engineer related to wet weather delays or other unavoidable construction delays; and
3. The applicant shall maintain control of the on-site construction limits until such time as the infrastructure improvements are completed in its entirety and accepted by the City. "Control of the on-site construction limits" is understood to mean that use of the improvements and access to and from the limits of construction is restricted by the applicant at the applicant's sole discretion and liability for use of the construction site and improvements lies solely and completely with the applicant; and
4. No certificate of occupancy for any building permit within this Division will be issued unless the infrastructure improvements have been completed in its entirety and accepted by the City, notwithstanding possible future written agreements,


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.

RESOLVED this 11 day of May, 2015.

APPROVED:

  
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JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

  
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MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY

BY:   
\_\_\_\_\_  
Angela G. Summerfield

FILED WITH THE CITY CLERK: 05/06/15  
PASSED BY THE CITY COUNCIL: 05/11/15  
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