

City Council Meeting

**September 26, 2016
5:30 p.m.**



**AGENDA FOR
GIG HARBOR CITY COUNCIL MEETING
Monday, September 26, 2016 – 5:30 p.m.**

CALL TO ORDER / ROLL CALL:

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of City Council Minutes Sept. 12, 2016
2. Liquor License Action: a) Application – Ocean 05 Restaurant; b) Renewals: Harvester Restaurant, The Harbor General Store, and Fred Meyer #601; c) Special Occasion – Gig Harbor Film Festival
3. Receive and File: a) Service Project at KLM Park – Agnus Dei Lutheran Church; b) Council Worksession Minutes – Sep. 19, 2016; c) Finance / Safety Committee Minutes Sept. 19, 2016
4. Resolution No. 1044 McCormick Creek Phase II Final Plat and PRD
5. Resolution No. 1045 - Ancich Court Final Plat and PRD
6. Tarabochia Water Main Materials – Purchase Agreement.
7. Kimball Drive and Hunt Street Overlay Project – Materials Testing Professional Services Contract
8. Partial Release and Termination of Utility Easement – Goodman Avenue
9. Approval of Payment of Bills Sept. 26, 2016: Checks #82249 through #82368 in the amount of \$159,079.42.

PRESENTATIONS:

1. Legislative Agenda Update, Briahna Murray – Gordon Thomas Honeywell

ADJOURN TO WORKSTUDY SESSION: Impacts of Growth II – Court, Information Technology, Tourism and Communications, and Finance

OLD BUSINESS:

1. Country Squire Condos Annexation – Set Date of Public Hearing

NEW BUSINESS:

1. Parks Commission 2017-18 Work Plan
2. Resolution No.1046 - Proposed Revisions to the Water Service Area with Washington Water Service Co.
3. Public Hearing, First Reading and Adoption of Ordinance No. 1341 – McCormick Creek Planned Residential Development
4. Public Hearing, First Reading and Adoption of Ordinance No. 1342 – Donkey Creek Holdings Height Restriction Area Map Amendment
5. Public Hearing, First Reading and Adoption of Ordinance No. 1343 – Ancich Court Rezone to Planned Residential Development

PUBLIC COMMENT:

STAFF REPORT:

1. Ancich Waterfront Park Update
2. Hospital Benefit Zone Update

COUNCIL REPORTS / COMMENTS:

1. Finance / Safety Committee: Mon. Sep 19th – Councilmember Ekberg

CITY ADMINISTRATOR REPORT:

MAYOR'S COMMENTS:

ANNOUNCEMENT OF OTHER MEETINGS:

1. Joint Council / Planning Commission Workstudy Session: Mon. Oct 3rd at 5:30 p.m.
2. Lodging Tax Advisory Committee: Tue. Oct 4th at 7:30 a.m.
3. Public Works Committee: Mon. Oct. 10th CANCELLED
4. Open House: Mon. Oct. 10th: 4:30 p.m. – 5:30 p.m. Low Impact Development, Public Works Standards and Related Code updates

ADJOURN:

Americans with Disabilities (ADA) accommodations provided upon request. Those requiring special accommodations please contact the City Clerk at (253) 853-7613 at least 24 hours prior to the meeting.

















**MINUTES FOR
GIG HARBOR CITY COUNCIL MEETING
Monday, September 12, 2016 – 5:30 p.m.**

CALL TO ORDER / ROLL CALL:

Mayor Guernsey and Councilmembers Malich, Arbenz, Ekberg, Perrow, Payne, and Kadzik. Councilmember Lovrovich was absent.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of City Council Minutes Aug. 8, 2016  and Special City Council Meeting Aug. 18, 2016 
2. Correspondence / Proclamations: a) Constitution Week Proclamation;  b) Diaper Need Awareness Week Proclamation. 
3. Receive and File: a) Parks Commission Minutes July 6, 2016;  b) Planning Commission Minutes May through July, 2016;  c) Public Works Committee Minutes August 8, 2016. 

4. Resolution 1043 - Public Works Surplus Equipment. 
5. Wastewater Treatment Plant Module – Cartegraph Contract Amendment. 
6. Street Names at Harbor Hill. 
7. Dedication of Right-of-Way – The Estates at Gig Harbor Homeowner’s Association. 
8. 2016 ADA Improvements Project – Construction Contract Award and Materials Testing Professional Services Contract. 
9. Liquor License Action: a) Special Occasion Liquor License – Harbor Wildwatch. 
10. Kimball Drive and Hunt Street Overlay Project – Construction Contract Award. 
11. Partial Release and Termination of Stormwater Easements – Olympic Drive Properties LLC. 
12. Approval of Payroll for the month of August: Checks #7713 through #7726 and direct deposits in the amount of \$401,735.28.
13. Approval of Payment of Bills Aug. 22, 2016: Checks #81973 through #82106 in the amount of \$159,306.26.
14. Approval of Payment of Bills Sept. 12, 2016: Checks #82107 through #82248 in the amount of \$1,054,107.04.

MOTION: Move to adopt the Consent Agenda as presented.
Ekberg / Arbenz - unanimously approved.

PRESENTATIONS:

Chief Kelly Busey began by sharing the story of several employees of the department who participated in the 9/11 Remembrance Ceremony at the beginning of the Seahawks Football game. Lt. Fred Douglas, Sgt. Darius Aldridge, Officers Carson Abel and Jarab Daniel, and CSO Adam Blodgett. Today, he and several officers were invited to judge the chili cook-off at Sound Vista Village Retirement Center.

He then asked the city’s newest police officer, Tray Federici to come forward. Chief presented a brief background for Officer Federici, and the Mayor performed the Swearing In Ceremony.

ADJOURN TO WORKSTUDY SESSION:

Mayor Guernsey announced that at 5:35 p.m. Council would adjourn to a workstudy session on the impacts of growth.

Planning Director Jennifer Kester began with the first presentation on the impacts of growth city-wide over the past five years.

1. [How are we growing – One Year Later.](#)



Ms. Kester answered questions, then moved into a presentation on the effects of growth on her department.

2. [Impacts of Growth II – Planning.](#)



There were no further comments or questions, and Council and staff returned to regular session at 6:18

OLD BUSINESS: [None scheduled.](#)



NEW BUSINESS:

1. [Guardian Security Contract](#)   City Administrator Ron Williams presented this agreement to provide fire alarm monitoring and fire extinguisher inspection services and answered questions.

MOTION: Move to approve and authorize the Mayor to execute a contract with Guardian Security Fire and Property Protection Company to perform certain inspection and monitoring services.
Malich / Perrow - unanimously approved.

2. [Interagency Agreement for Engineering and Architectural Services](#) – Department of Enterprise Services   Public Works Director Jeff Langhelm presented this agreement that is an alternative to contracting services by utilizing state contracting.

MOTION: Authorize the Mayor to sign an Interagency Agreement with the Department of Enterprise Services for engineering and architectural services.
Payne / Perrow - unanimously approved.

3. [Chamber of Commerce Tenant Improvement Agreement](#)   City Administrator Ron Williams presented this amendment to the Chamber of Commerce Lease agreement for tenant improvements. He answered Council's questions.

[Councilmember Ekberg had](#) questions on 9.2 of the general lease and will contact the city attorney to discuss at a later time.

MOTION: Move to approve the First Addendum to Lease and Agreement for services between the City and the Chamber of Commerce.
Perrow / Arbenz – five in favor. Councilmember Malich voted no.

PUBLIC COMMENT:

[Diana Dahl – 2918 65th St. Court NW.](#) Ms. Dahl presented a history of her efforts over the past 3-1/2 years to find out about her high water bills. She asked for help with this problem. Mayor Guernsey said she will ask the City Administrator to come out and observe the meters.

City Administrator Williams said the crew has been out several times, and the meters have been replaced and looked under the structure. It's a mystery to why this continues to be an issue. He has visited with Ms. Dahl in his office as well. He will go out and visit the site to try and determine what is happening.

STAFF REPORT:

[Public Works Director Jeff Langhelm explained](#) that the upcoming workstudy session on the Harborview Drive Master Plan to is to obtain Council input in the Plan drafted back in 2010.

COUNCIL REPORTS / COMMENTS:

1. [Planning / Building Committee: Aug. 29th](#). Councilmember Kadzik reported that misinformation from a citizen led to spiked attendance. There was a report on the work the Planning Commission has been doing and laying the groundwork for what people want and don't want to see in the Harbor. It's available online for anyone who wants to view the report: "Harbor Element Zones and Uses." The recommendation was to update the information as new data is obtained. There was also an update on three comprehensive plan amendments and the sprinkler ordinance.

2. [Public Works Committee: Mon. Sep 12th](#). Councilmember Ekberg explained that three topics were discussed: Rotary proposal for an entrance sign on Wollochet, Public Works Standards updates and stormwater manual, and the Parks Commission recommended Work Plan.

[Councilmember Ekberg mentioned](#) the recent article in the City Vision Magazine featuring the previous City Administrator, Rob Karlinsey. He then mentioned the extensive article in Westsound Home and Garden on Eddon Boat / Gig Harbor Boatshop. The article spoke highly of the organization.

[Councilmember Payne noted](#) the passing of Fred Oldenburg. Mr. Oldenburg was very active in Rotary, Chapel Hill, PenMet Parks, Farmers' Market, and many other activities. He dedicated his life to this community and was known by many.

[Councilmember Malich talked](#) about the item added late to the agenda today, and said that Council should set policy when an item can be added to the agenda. He then asked if there would be a way to add items to the retreat agenda. Mayor Guernsey explained this was a worksession on the Harborview Drive Master Plan. Councilmember Malich then suggested that the city add an internet utility to serve the citizens.

[Planning Director Jennifer Kester](#) responded to the late addition of the consent agenda item. She explained that this was an effort to provide assistance to an applicant by preventing a delay in issuance of a building permit. Councilmember Malich suggested this information be shared in the agenda bill.

[Councilmember Perrow said](#) they installed cameras at their place of business and were able to extract photos of a vehicle break-in in their parking lot that they shared with Officer Hoey. The images were put on Facebook, and tips led to apprehension of the thief. He said it was a great teamwork effort by our officers.

CITY ADMINISTRATOR REPORT:

[REET Update](#). City Administrator Ron Williams presented updated information on the Real Estate Excise Tax fund and projects.

MAYOR'S COMMENTS:

[Sprinkler Ordinance Update](#). Mayor Guernsey announced that on August 29th the three various stakeholders with a facilitator for several hours, and progress was made. The parties will meet again on Wednesday to come to a solution.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Finance / Safety Committee: Mon. Sep 19th at 4:00 p.m.
2. Council Workstudy Session: Mon. Sep 19th at 5:30 p.m.

EXECUTIVE SESSION: For the purpose of discussing property acquisition per RCW 42.10.110(1) (c).

Mayor Guernsey announced that Council would adjourn to executive session at 7:03 p.m. for approximately fifteen minutes. No action is anticipated.

Council returned to regular session and the meeting adjourned at 7:15 p.m.

Jill Guernsey, Mayor

Molly Towslee, City Clerk

NOTICE OF LIQUOR LICENSE APPLICATION

WASHINGTON STATE LIQUOR AND CANNABIS BOARD

License Division - 3000 Pacific, P.O. Box 43075
Olympia, WA 98504-3075
Customer Service: (360) 664-1600
Fax: (360) 753-2710
Website: http://lcb.wa.gov

TO: MOLLY TOWSLEE, CITY CLERK
RE: NEW APPLICATION

RETURN TO: localauthority@sp.lcb.wa.gov
DATE: 9/14/16

UBI: 603-011-717-001-0001

License: 423540 - 1U County: 27
Tradename: OCEAN 5

APPLICANTS:

HARBOR O5 LLC

Loc Addr: 5502 POINT FOSDICK DR NW
GIG HARBOR WA 98335-1725

ALSTEAD, TROY
1963-03-21

Mail Addr: 5028 105TH AVENUE CT NW
GIG HARBOR WA 98335-5949

ALSTEAD, CONNIE
(Spouse) 1964-05-07

Phone No.: 206-353-8769 TROY ALSTEAD

Privileges Applied For:
SPIRITS/BR/WN REST LOUNGE +

As required by RCW 66.24.010(8), the Liquor and Cannabis Board is notifying you that the above has applied for a liquor license. You have 20 days from the date of this notice to give your input on this application. If we do not receive this notice back within 20 days, we will assume you have no objection to the issuance of the license. If you need additional time to respond, you must submit a written request for an extension of up to 20 days, with the reason(s) you need more time. If you need information on SSN, contact our CHRI desk at (360) 664-1724.

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Do you approve of applicant? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you wish to request an adjudicative hearing before final action is taken? | <input type="checkbox"/> | <input type="checkbox"/> |
| (See WAC 314-09-010 for information about this process) | | |
| 4. If you disapprove, per RCW 66.24.010(8) you MUST attach a letter to the Board detailing the reason(s) for the objection and a statement of all facts on which your objection(s) are based. | | |

DATE

SIGNATURE OF MAYOR,CITY MANAGER,COUNTY COMMISSIONERS OR DESIGNEE

C091080-2 WASHINGTON STATE LIQUOR AND CANNABIS BOARD DATE: 09/06/2016
 LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
 (BY ZIP CODE) FOR EXPIRATION DATE OF 20161231

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1. HARVESTER GIG HARBOR, INC.	HARVESTER RESTAURANT 5601 SOUNDVIEW DR GIG HARBOR WA 98335 0000	366707	SPIRITS/BR/WW REST LOUNGE + KEGS TO GO
2. SAGLE & SONS LLC	THE HARBOR GENERAL STORE 7804 PIONEER WAY GIG HARBOR WA 98335 1133	418342	BEER/WINE REST - BEER/WINE OFF PREMISES
3. FRED MEYER STORES, INC.	FRED MEYER #601 5500 OLYMPIC DR STE B GIG HARBOR WA 98335 1489	076448	GROCERY STORE - BEER/WINE

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - LICENSE SERVICES
3000 Pacific Ave SE - P O Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

September 14, 2016

SPECIAL OCCASION #: 094682

GIG HARBOR FILM FESTIVAL
4641 POINT FOSDICK DR STE 500
GIG HARBOR WA 98335

DATE: OCTOBER 20, 2016

TIME: 8 PM TO 10 PM

PLACE: HARBOR HISTORY MUSEUM - 4121 HARBORVIEW DR - GIG HARBOR

CONTACT: JENNY WELLMAN (DOB 11.12.57) 253-514-9887

SPECIAL OCCASION LICENSES

- * Licenses to sell beer on a specified date for consumption at a specific place.
- * License to sell wine on a specific date for consumption at a specific place.
- * Beer/Wine/Spirits in unopened bottle or package in limited quantity for **off** premise consumption.
- * Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objections to the issuance of the license. If additional time is required please advise.

- | | | |
|--|------------------------------|-----------------------------|
| 1. Do you approve of applicant? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Do you approve of location? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

<u>OPTIONAL CHECK LIST</u>	<u>EXPLANATION</u>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
LAW ENFORCEMENT	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HEALTH & SANITATION	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
FIRE, BUILDING, ZONING	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
OTHER:	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

DATE SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

*****LESS THAN 20 DAYS*****



September 13, 2016

Agnus Dei Lutheran Church
Attn: Veronica Kulman
10511 Peacock Hill Avenue
Gig Harbor, WA 98332

Re: Service Project at KLM Veterans Memorial Park

Dear Church Members:

The City of Gig Harbor would like to thank the members of Agnus Dei Lutheran Church for providing volunteer community service work at the KLM Veterans Memorial Park on September 11, 2016. Your group did an excellent job shaping the ornamentals and weeding from the park entrance up to the basketball court.

Volunteers are the backbone of our community. They help maintain the quality of life in Gig Harbor and promote civic responsibility. Thank you for your continued commitment to encouraging our citizens to join together to provide service in the Gig Harbor community.

Sincerely,

Jill Guernsey
Mayor

c: City Council Members
Greg Foote, Public Works Superintendent
Dan Lilley, Public Works Field Supervisor



MINUTES
GIG HARBOR CITY COUNCIL WORKSTUDY SESSION
Community Rooms A/B
September 19, 2016 5:30 p.m.

CALL TO ORDER:

Mayor Pro Tem Payne, Councilmembers Malich, Arbenz, Ekberg, Perrow, and Kadzik. City staff: Ron Williams, Jeff Langhelm, Emily Appleton, Shawna Wise, Jennifer Kester, and Lindsey Sehmel. Mayor Guernsey was absent.

PLEDGE OF ALLEGIANCE



PRESENTATION



[Harborview Drive Master Plan](#)   – Senior Engineer, Emily Appleton, shared background information on the 2009 Harborview Drive & Judson Street Improvement Master Plan. She explained how the plan has been used as a general guide for projects and since it has never been officially adopted, it has been used only as a guide along with public input. She also shared the history behind the plan and what the goals were.

Ms. Appleton reviewed a Traffic Volume Trends graph showing increase in traffic volumes nationwide and stated that Gig Harbor is not alone with the increase in traffic.



[2017-18 Budget](#) - Public Works Director, Jeff Langhelm, reminded Council that 2017 is the year of transportation and he has included a series of items in the proposed budget. He stated that Public Works will spend this next year, if the budget is approved as requested, doing a significant amount of planning for transportation. Mr. Langhelm explained that he would like to continue to solicit community input as part of the planning effort. He said he wants to hear from council what their interest is and how to take what has been started and move forward with a master plan update.

[Proposed Limits](#) – Mr. Langhelm shared a map of proposed limits for the study. Council discussed expanding the limits to include Finholm for aesthetics, Peacock Hill, Vernhardson, and North Harborview for traffic.  

[Policies](#) – Mr. Langhelm explained that the 2009 plan showed what the roadside features would and asked the Council if there were priorities for walkability, level of service for motorized vs non-motorized, and one way streets. He showed a map of the Judson Street Couplet Proposal and opened the discussion.  

Council discussed priorities and some of the recommendations mentioned were:

- Emphasis on walkability
- Improving Parking
- Short-term test of Judson Street Couplet
- Landscaping

Process – Mr. Langhelm explained that he will come back to Council in October with a draft resolution and establish a final resolution for adoption in November. If approved, staff can move forward with consultants for assistance with Harborview Drive Master Plan and transportation package.

ADJOURN: Meeting adjourned at 7:p.m.



City of Gig Harbor

Finance & Safety Committee Minutes

Council Committee Arbenz, Ekberg, and Perrow

September 19, 2016 – 4:00 p.m.
Executive Conference Room

Call to Order: 4:00 p.m.

Roll Call:

Present: Council Members Arbenz, Ekberg, and Perrow, City Administrator Ron Williams, Chief of Police Kelly Busey, Mary Ann McCool Human Resource Director, and Michael Williams Finance Technician.

Reading and Approval of Minutes from June 20, 2016 meeting.

New Business:

1. City Safety and Accident Prevention Plan. Mary Ann McCool presented changes and additions to the City of Gig Harbor Safety and Accident Prevention Plan including Aerial Lift Truck Policy, and Confined Spaces and Associated Hazards in the Wastewater Treatment Sites. Also, where the recommendations were presented from such as the Department of L & I, or our safety program managers. Discussion and questions followed about details, wording, and possible clarification of the additions followed. Suggestions were made for changes. After the suggested changes are made the plan will be emailed to committee members for review before presenting the final changed plan to the City Council.

2. Building Security. Ron Williams presented a discussion on security for the Civic Center. The concern arises about random acts of violence. The discussion with an employee committee in regards to the safety and security. Items were discussed with trying to find a balance of security and yet keep the small town inviting look of the building. The Financial Director informed Ron that there was still money in the current budget that some of the recommendation could be done during the current budget period.

Items discussed included fire doors with auto closure feature, the front area offices with change of counters and possible glass, rear door and rear stairs locking systems, financial cashier location and changes, and a P.A. system for the entire building. Bids for some of the items are being pursued. Concern again was raised about a balance of small town welcoming and making the building look like a fortress.

3. Pawn Shop Reporting Requirements. Kelly Busey presented information about pawn shop reporting requirements set in the RCWs. The main point was the fact that a log must be kept by the business that purchases used items for resale. An addition to the City of Gig Harbor ordinances was presented to require these businesses to use the software Leads Online. This is a free software data base for the business to log property and information that will meet the state requirements and be used by law enforcement departments to look for stolen property.

Suggestion to talk to the businesses that are covered under these RCWs to at least get some input and to see what kind of cooperation that would be given by the businesses. Also, the number of jurisdictions that currently use this service and that are joining this service. Having this information when the final ordinance is presented to the City Council.

4. Feedback on the Moorage Fees. Kelly Busey presented feedback received on the moorage hours. This feedback was mostly about the 7pm-7am hours that moorage must be paid. Most was during the longer summer hours the 7pm requirement was too early. If someone came down for just dinner they were rushed to get out in time before fees were required. A suggestion to change the hours from 8pm – 8am for moorage fees, leaving more time for the boaters coming in just for dinner to get in and out before having to pay fees. Recommendation to change the times to 8pm-8am, but a discussion should be given to the entire City Council to keep them informed of the changes.

Adjourn: 4:40 p.m.

Next Meeting Date: December 19, 2016



**Business of the City Council
City of Gig Harbor, WA**

Subject: Resolution No. 1044 – Closed Record Decision – McCormick Creek Final Plat & PRD, Phase 2 (PL-FPLAT-16-0002, PL-PRD-16-0001)

Proposed Council Action: Move to adopt resolution No. XXXX approving the final plat and final PRD for McCormick Creek Phase 2.

Dept. Origin: Planning Department

Prepared by: Kenneth George, Associate Planner KHG

For Agenda of: September 26, 2016

Exhibits: Resolution
Planning Director's Recommendation
Final Plat Map

	Initial & Date
Concurred by Mayor:	JG 9-16-16
Approved by City Administrator:	Ron W 9/16/16
Approved as to form by City Atty:	via email
Approved by Finance Director:	DR 9/16
Approved by Department Head:	JK 9/7/16

Expenditure		Amount		Appropriation	
Required	0	Budgeted	0	Required	0

INFORMATION / BACKGROUND

Attached for your consideration is a resolution approving the final plat and final planned residential development (PRD) for McCormick Creek Phase 2, located off Burnham Drive at McCormick Creek Drive (formerly 50th Avenue Northwest), and within the Single-Family Residential (R-1) zoning district. The applicant, McCormick Creek LLC, received preliminary plat approval from the City Hearing Examiner on April 7, 2010 and approval from the Planning Director for one major revision on August 14, 2014. Additionally, the applicant entered into a Development Agreement, dated April 26, 2010, as amended on June 23, 2010 and later terminated and replaced with a Development Agreement dated March 29, 2011, as amended on July 29, 2014. McCormick Creek Plat and PRD Phase 1 was recorded on March 22, 2016.

This final plat/PRD is for the second phase of three phases identified on the preliminary plat map and Development Agreement. The Phase 2 final plat/PRD addresses the segregation of the site into 64 single family residential lots, 1 nonresidential lot, as well as the associated infrastructure and amenities required to serve the residents of the plat/PRD. Amenities include: native vegetated and landscaped buffer, and the preservation of wetlands with associated buffers and internal walking paths that connect to existing public trails.

POLICY CONSIDERATIONS

Staff has reviewed the criteria for approval of the final plat and final PRD, as specified in GHMC Chapter 16.06 and has determined that the applicant has met the criteria for the approval of the final plat/PRD. Please refer to the attached Planning Director's Recommendation for staff's review of the proposal.

ENVIRONMENTAL ANALYSIS

The City issued a Mitigated Determination of Non-Significance (MDNS) for the preliminary plat and planned residential development on September 10, 2008, and a Revised MDNS on February 24, 2010. Documentation relative to the required mitigation is attached to the Planning Director's Recommendation.

FISCAL CONSIDERATION

The proposal does not include any significant fiscal impacts.

PLANNING DIRECTOR RECOMMENDATION

Move to adopt resolution No. 1044 approving the final plat and final PRD for McCormick Creek Phase 2.

RESOLUTION NO. 1044

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 2, LOCATED OFF BURNHAM DRIVE AT MCCORMICK CREEK DRIVE, AND CITY OF GIG HARBOR FILE NO. PL-FPLAT-16-0002 AND PL-PRD-16-0001.

WHEREAS, on April 7, 2010, the City of Gig Harbor Hearing Examiner conditionally granted preliminary plat and preliminary planned residential development (PRD) to McCormick Creek, located on the east side of Burnham Drive at McCormick Creek Drive (formerly 50th Avenue Northwest); Pierce County Assessor-Treasurer Parcel Number 4003250990 and 4003250970; and

WHEREAS, on April 26, 2010, the City Council approved a Development Agreement for McCormick Creek Plat and PRD, and later amended by the First Amendment to Development Agreement on June 23, 2010; and

WHEREAS, on March 29, 2011, the City Council and the developer terminated the first development agreement and entered into a new development agreement to allow a different phasing schedule and to incorporate additional changes; and

WHEREAS, on July 29, 2014, the City Council approved Amendment No. 1 to the second Development Agreement, allowing the Planning Director to approve modification to the Preliminary Plat and PRD Approvals to reduce the number of lots in the project and undertake a different phasing schedule, which revision was administratively approved on August 14, 2014; and

WHEREAS, on June 10, 2015, 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 for Phase 2; and

WHEREAS, the City has accepted the final record and survey drawings submitted by the applicant for the public and private infrastructures required in the civil construction of the plat; and

WHEREAS, the street names within the plat were approved by the City on July 13, 2015; and

WHEREAS, an application for final plat and PRD approval was submitted to the City on June 7, 2016 and deemed complete on that same day; and

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

WHEREAS, the City requested revisions on July 7, 2016 to the final plat drawing; and

WHEREAS, the applicant submitted the requested revisions on August 3, 2016; and

WHEREAS, the City requested revisions to the final plat drawing on August 30, 2016; and

WHEREAS, the applicant submitted the requested revisions on August 31, 2016; and

WHEREAS, the final drawings of the proposed final plat 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 September 26, 2016; 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, McCormick Creek Plat and PRD Phase 2, 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; and
2. Conforms to all terms of the preliminary plat and preliminary PRD approvals with cash set aside agreements accepted in lieu of installation of the required and uncompleted landscaping; 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 and PRD approval.

B. The City Council hereby finds that, pursuant to Gig Harbor Municipal Code 17.89.080, the McCormick Creek Plat and PRD Phase 2, 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 cash set aside agreement has been accepted in lieu of construction for all uncompleted required landscaping contained within Phase 2;
5. Meets the requirements of Chapter 58.17 RCW, other acceptable 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 Plat and PRD Phase 2, File No. PL-FPLAT-16-0002 and PL-PRD-16-0001, subject to the following conditions:

1. First Amendment to Declaration of Covenants, Conditions and Restrictions for McCormick Creek shall be recorded with the County Auditor prior to the recording of the final plat; and
2. The remaining landscape improvements contained in Phase 2 was secured for with a Cash Set Aside Performance Agreement and shall be completed by the applicant and accepted by the City within the timelines established with the agreement, unless an extension is granted by the Planning Director.

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 26th day of September, 2016.

APPROVED:

JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

MOLLY TOWSLEE, CITY CLERK

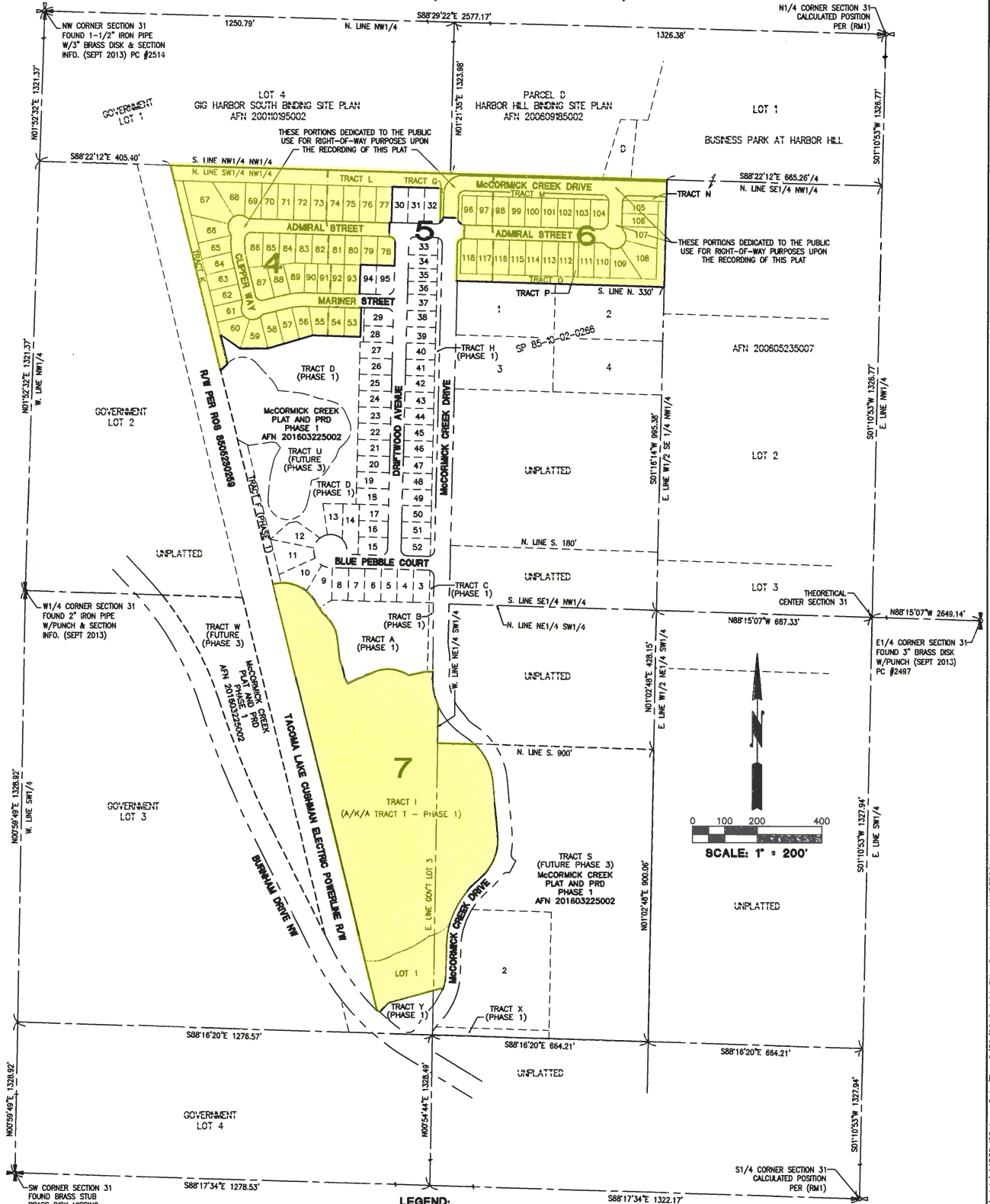
APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY

BY: _____
Angela G. Summerfield

FILED WITH THE CITY CLERK: 09/15/16
PASSED BY THE CITY COUNCIL: 09/26/16
RESOLUTION NO. 1044

McCORMICK CREEK PLAT AND PRD PHASE 2

SW1/4 & SE1/4 OF THE NW1/4 AND THE NW1/4 & NE1/4 OF THE SW1/4 SECTION 31,
TOWNSHIP 22 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN
CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON



NW CORNER SECTION 31
FOUND 1-1/2" IRON PIPE
W/3" BRASS DISK & SECTION
INFO. (SEPT 2013) PC #2514

N1/4 CORNER SECTION 31
FOUND 2" IRON PIPE
W/PUNCH & SECTION
INFO. (SEPT 2013)

N1/4 CORNER SECTION 31
FOUND 3" BRASS DISK
W/PUNCH (SEPT 2013)
PC #2497

SW CORNER SECTION 31
FOUND BRASS STUB
HELD IN NAIL STRADDLES
FOR POSITION
(SEPT. 2013) PC #2588

- LEGEND:**
- ⊕ FOUND SECTION CORNER AS NOTED
 - ⊕ FOUND QUARTER CORNER AS NOTED
 - ⊕ CALCULATED SECTION CORNER AS NOTED
 - ⊕ CALCULATED QUARTER CORNER
 - (RM1)
 - ⊕ ROS PER AFN 9502280163
 - SHEET NUMBER FOR DETAIL OF THIS AREA
 - MATCH LINE FOR AREAS OF DETAIL
 - EXISTING RIGHT-OF-WAY LINE




Barghausen Consulting Engineers, Inc.
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782
8W1/4 & SE1/4 OF NW1/4 AND NW1/4 & NE1/4 OF SW1/4,
SEC. 31, T22N-R2E, W.M., GIG HARBOR, PIERCE COUNTY, WA

SHEET 3 OF 10

File: P:\4000s\14830\Survey\Plats\14830P02.dwg Date: 11/20/16 4:14 PM Scale: 1:1 KANDERSON Xref: ---

Exhibit A



TO: Mayor Guernsey and City Council
FROM: Jennifer Kester, Planning Director 
SUBJECT: Closed Record Decision
Final Plat/Final PRD Approval – McCormick Creek Phase 2
DATE: September 26, 2016

INFORMATION/BACKGROUND:

The applicant, McCormick Creek LLC, has requested final plat approval for Phase 2 of the McCormick Creek Plat and Planned Residential Development (PRD) to allow the subdivision of 64 single family residential lots, 1 nonresidential lot, and the development of associated infrastructure and amenities required to serve the residents of the plat and PRD. The subject site is located off Burnham Drive at McCormick Creek Drive (50th Avenue Northwest). Phase 2 is at the end of McCormick Creek Drive, just passed Phase 1 of the subdivision. The City has a Development Agreement with this developer that provides for phasing, vesting and amends development regulations.

The preliminary plat/PRD was approved by the City on April 7, 2010 to allow the subdivision of 8 parcels (approximately 52.16 acres) into 182 single family lots and 3 nonresidential lots; subject to 24 conditions of approval. The Planning Director has approved one major revision to the preliminary plat and PRD on August 14, 2014, with one Amendment to the Development Agreement recorded on August 7, 2014. This revision reduced the total number of lots from 185 to 160 (157 residential and 3 nonresidential) and made minor alterations to the lot widths, park and open space tracts to accommodate the lot revisions. McCormick Creek Plat/PRD Phase 1 was approved by City Council on March 14, 2016 and recorded with the Pierce County Auditor's Office on March 22, 2016, under Auditor's File No. 201603225002.

The following is an analysis of the request for consistency with the city's requirements for final plat and final PRD approval and with the conditions of approval imposed upon the project.

POLICY CONSIDERATIONS: Final PRD

Staff has reviewed the request for consistency with the criteria for approval of the final planned residential development as specified in Gig Harbor Municipal Code (GHMC) Chapter 17.89.080, and has determined that the applicant has met the criteria for approval of the final PRD as follows:

GHMC 17.89.080 Criteria for approval of final PRD application.

A. Applicants for a final PRD application shall demonstrate that all of the following criteria have been satisfied:

1. All features and amenities identified in the preliminary PRD have been constructed and/or are retained or improved;

The preliminary PRD approval was based upon the design features included in the proposed development, including (but not limited to) the preservation of critical areas, interconnected open spaces, along with park amenities that include both public and private trail connections.

Phase 1 of the development included a park with amenities and trails on Tract D that will be maintained by a Home Owner’s Association (HOA). The park and trails are linked to the existing Cushman Trail west of the development by a public use trail that will run through the existing wetland identified on Tract I.

PRD improvements required for Phase 2 include the wetland mitigation and public trail in Tract I (recorded as Tract T of Phase 1), and perimeter buffer landscaping in Tracts G, K, L, M, N and O. All features proposed in the preliminary PRD have been maintained in the approved civil plans and the construction of the required improvements have been completed or bonded for in accordance with the Development Agreement.

2. The city public works director has documented that all conditions imposed on the preliminary PRD requiring public works department approval have been constructed or improved to the satisfaction of the director;

The Civil as-built drawings have been submitted and accepted by the City, documenting that all conditions required to serve Phase 2 of the PRD have been constructed or improved. A detailed analysis of how the conditions of approval have been met for this division starts on page 4 of this document.

3. The city fire marshal has documented that all conditions imposed on the preliminary PRD requiring fire code approval have been constructed (or per the fire marshal’s

discretion will be constructed pursuant to a subsequent permit) to the satisfaction of the fire marshal;

The Fire Marshall has approved Phase 2 of the PRD. A detailed analysis of how the conditions of approval have been met for this division starts on page 4 of this document.

4. The city planning director has documented that all conditions imposed on the preliminary PRD requiring planning department approval have been constructed to the satisfaction of the director;

The Planning Director has reviewed Phase 2 for compliance with the conditions of approval. A detailed analysis of how the conditions of approval have been met for this division starts on page 4 of this document.

5. Findings must be made that the preliminary PRD (and/or preliminary plat) conforms to all terms of preliminary PRD approval, and that the PRD meets the requirements of this chapter and all other applicable codes and state laws.

Findings have been developed in the attached resolution and ordinance provided for your consideration. The findings support the approval of the Final PRD as well as the Final Plat.

POLICY CONSIDERATIONS: Final Plat

Staff has reviewed the request for consistency with the criteria for approval of the final plat as specified in Gig Harbor Municipal Code (GHMC) Chapter 16.06, and has determined that the applicant has met the criteria for approval of the final plat as follows:

GHMC 16.06.004-Recommendation as prerequisites for final plat approval:

Each preliminary plat submitted for final approval shall be accompanied by the following recommendations:

- A. Local health department or other agency furnishing sewage disposal and supplying water as to the adequacy of the proposed means of sewage disposal and water supply;

The City of Gig Harbor is furnishing sewage disposal and water to the site.

- B. Planning director's recommendation as to compliance with all of the terms of preliminary plat approval of the proposed plat or subdivision;

The applicant has complied with all terms of the preliminary plat approval, as discussed below.

C. Approval of the city engineer.

The City Engineer recommends approval of the final plat as all conditions imposed on the preliminary plat requiring engineering department approval have been constructed or improved to the satisfaction of the City Engineer.

GHMC 16.06.005-Criteria for approval of subdivisions:

A final plat application shall be approved if the subdivision proposed for approval:

- A. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval;

Phase 2 of the McCormick Creek Plat/PRD has met the requirements of the municipal code. The proposed subdivision conforms to all applicable zoning ordinances and the comprehensive plan. The applicant has complied with the requirements to dedicate streets, open space and utility and access easements. The approved civil plans document that the construction of required improvements will comply with the City's adopted public works construction standards. In addition, the final plat contains the required certificates from the owner, surveyor, and city and county officials.

- B. Conforms to all terms of the preliminary plat approval;

The proposed final plat of McCormick Creek Phase 2 conforms to the conditions of the preliminary plat/PRD and the preliminary plat revision as follows:

HEX Condition 1: *All perimeter landscaping buffers shall be vegetated to meet GHMC 17.78.060 standards, as amended through the alternative landscape plan approved by the Hearing Examiner. In addition to any trees necessary to create a dense vegetative screen, a total of 12 evergreen trees with a height of 12 feet shall be planted in the perimeter area behind lots 31 [129], 124 [71] and 130 [77] (four trees behind each lot, for a total of 12). All evergreen and deciduous trees proposed to be planted within Tract L, Tract O and Tract N shall be a minimum of 6 feet in height. This requirement shall be met prior to approval of the final plat.*

The proposed buffers comply with this condition. Staff has reviewed the screening within the perimeter buffers, reviewed the landscape plans approved on September 21, 2015, and determined that the landscaping, with the approved cash set aside agreement, includes the necessary plantings needed to achieve the required screening. The Development Agreement allows for such bonding.

HEX Condition 2: *Development shall comply with all mitigation measures found in the MDNS (SEPA-09-0022), as amended by the Revised MDNS (SEPA-09-0037)*

issued for the project (or as further amended through any subsequent environmental review process).

The Revised MDNS issued for the proposal included three mitigation requirements:

1. Prior to the City's final approval of the engineering plans for the construction of any public roads the applicant shall provide to the City evidence of his ownership of the necessary property and property interests which will afford him the ability to dedicate to the public all portions of proposed public roadways.

The applicant recorded Release and Termination of Easement documents on March 3, 2016, under Auditor's file number 201603030026. The associated areas were included on face of the final plat/PRD of Phase 1 and are included on the face of the Phase 2 plat where appropriate.

2. Prior to final plat approval, the applicant shall perform the following at the applicant's cost:
 - A. Design, construct and, upon acceptance by the City, dedicate as public right-of-way, a new public collector road between Burnham Drive northerly and easterly through the proposed development to the eastern boundary of the plat (road ABC).
 - B. Design and construct a left turn pocket on Burnham Drive (a public roadway) at 50th Avenue.
 - C. Provide underground signal appurtenances for a future signal at the intersection of 50th Avenue/Burnham Drive.

Pursuant to the City Engineer, these items have been completed by the applicant under the development of Phase 1.

3. The applicant shall install a permanent buffer fence with signage every 100 feet along the edge of all wetland buffers adjacent to the proposed park and trail areas, and along the edge of created wetland areas proposed adjacent to the proposed internal trails. The final location of the fencing shall be determined by the Planning Division, and may require fencing to be installed within buffers to accommodate previously approved trail locations. Any fencing installed within buffers shall be subject to the requirements of Title 18 of the GHMC. Fence design shall be of a split rail design with two rails, or an equivalent design. Signage shall be approved by the Planning Department prior to installation.

The applicant has installed the split rail fence with signage along the wetland buffers adjacent to the park and trail areas.

HEX Condition 3: *The applicant shall submit a detailed wetland mitigation plan, as described in GHMC 18.08.150(A)(2) to the City of Gig Harbor and receive approval*

prior to the issuance of building permits or other development permits. No development of the site shall occur prior to the approval of the mitigation plan.

A detailed wetland mitigation plan was prepared by Sewall Wetland Consulting, Inc., date stamped July 17, 2012. A notice of wetland mitigation, wetland, and wetland buffers along with the approved mitigation plan was recorded with the Pierce County Auditor's office on October 13, 2013, under interment no. 201310180625. An as-built mitigation installation sign-off letter from Sewall Wetland Consulting, Inc. was received on October 16, 2015, stating that the McCormick Creek mitigation plan has been installed per the plan.

HEX Condition 4: *Prior to the City's final approval of the engineering plans for the construction of any portion of the public roads within the project the applicant shall provide to the City evidence of the applicant's ownership of the necessary property and property interests which will afford the applicant the ability to dedicate to the public such portions of proposed public roadways.*

The applicant recorded Release and Termination of Easement documents on March 3, 2016, under Auditor's file number 201603030026. The associated areas were included on face of the final plat/PRD of Phase 1 and are included on the face of the Phase 2 plat.

HEX Condition 5: *The applicant has requested in writing on September 23, 2008 a transportation impact fee credit in accordance with GHMC 19.12.083(B). If the applicant pursues this request, the credit will be determined in accordance with GHMC 19.12.083.*

This condition is informational in nature; the applicant has included this requirement in the list of conditions contained on sheet 9 of the final plat.

HEX Condition 6: *The applicant has proposed to meet the Public Works Standards requirement for the sidewalk portion of the frontage improvements by facilitating pedestrian amenities in a similar, more cooperative manner with the incorporation of a portion of the Cushman Trail in the proposed development. The City has agreed to this proposal with the following condition: Developer acknowledges and agrees that it shall grant a public trail easement adequate for the City's construction of the Cushman Trail. If the timing of the granting of the easement is not addressed in a development agreement, the easement shall be granted to the City of Gig Harbor and recorded with Pierce County at the time of final plat recording. Developer shall pay a pro-rata share of the costs of public improvements in the amount of \$37,665.00 (Thirty-Seven Thousand Six Hundred Sixty Five Dollars). If the time of the payment of the pro-rated share is not addressed in a development agreement, said funds shall be paid prior to final plat approval. The pro-rata share was calculated based on Developers credit for relieving the requirement for a 5 foot wide concrete*

sidewalk along the west side of Road 1 from Burnham Drive to Tract F, and the removal of trail requirements from Tract C and Tract E. The funds are based on a value of \$20 per lineal foot of sidewalk (1,325 LF) and \$5 per lineal foot of trail (2,233 LF).

The applicant has included the trail easement on the face of the plat; which was dedicated to the City at the time of final plat/PRD recording of Phase 1. Pursuant to the City Engineer, the developer has paid the pro-rata share of the cost of public improvements.

HEX Condition 7: *The applicant shall pay a pro-rata share of the City's Interim Improvements project at the Borgen-SR 16 Interchange. The pro-rata share shall be calculated based on the best information available when the pro-rata share is paid. The pro-rata share shall be paid prior to final plat approval. If the applicant provides other transportation improvements that make available additional capacity through the Interim Improvements project, the applicant may request a refund of the pro-rata share payment. The City of Gig Harbor's transportation improvements concurrency model shall be utilized at the applicant's cost to document the additional capacity (number of trips) and the applicant may request a refund for the additional capacity provided up to the number of trips that was used to calculate the pro-rata share.*

The Borgen-SR 16 Interchange project has been completed. Pursuant to the City Engineer, this condition is no longer applicable.

HEX Condition 8: *The applicant shall provide to the city both a final recorded drawing and a final record survey of the proposed development, each in both Mylar format and digital format. These drawings shall be provided after the City accepts the construction improvements shown on the civil plans but prior to any certificate of occupancy for any buildings or structures located on the site plan. The digital format of the drawings shall be in AutoCAD version 2008 or older and include all improvements in the right of way and stormwater, water, and sewer utilities. The horizontal datum shall be NAD 1983 HARN State Plane South FIPS 4602 feet, or as otherwise approved by the City. The vertical datum shall be NGVD 29, or as otherwise approved by the City.*

The Civil as-built drawings have been submitted and accepted by the City. A copy of the as-built drawings were provided by the applicant for the final plat file.

HEX Condition 9: *Proposed water and sewer utility designs, stormwater facility designs, and roadway designs shall conform to the City's Public Works Standards and Stormwater Design Manual. These Standards also address specific City design requirements such as restoration of the City right of way and traffic control.*

HEX Condition 10: *Erosion shall be controlled throughout the construction of the project per the City's Public Works Standards and Stormwater Design Manual.*

HEX Condition 11: *City forces may remove any traffic control device constructed within the City right of way not approved by this division. Any liability incurred by the City due to non-conformance by the applicant shall be transferred to the applicant.*

HEX Condition 12: *A road encroachment permit shall be acquired from the City prior to any construction within City right of way, including utility work, improvements to the curb, gutter, and sidewalk, roadway shoulders and ditches, and installation of culverts. All work within the City right of way shall conform to the City's Public Works Standards and Stormwater Design Manual.*

Conditions 9 through 12 are informational in nature; the applicant has included this requirement in the list of conditions contained on sheet 8 of the final plat.

HEX Condition 13: *Permanent survey control monuments shall be placed to establish public street centerlines, intersections, angle points, curves, subdivisions boundaries and other points of control. A minimum of two permanent survey control monuments shall be installed at locations determined by the City in accordance with the City's Public Works Standards and recorded with the Pierce County Auditor prior to final engineering approval of civil improvements.*

Permanent survey control monument have been installed in accordance with City Public Works standards.

HEX Condition 14: *Sight distance at all access points shall meet the minimum requirements of the AASHTO "Geometric Design of Highways and Streets", most current version. The property owner is responsible to maintain the minimum sight distance.*

Pursuant to Public Works, sight distance at all access points meets the minimum requirements of the AASHTO.

HEX Condition 15: *Irrigation, and maintenance of landscaping within the public right of way shall be the responsibility of the property owner(s) or its heirs or assigns.*

A Homeowners Association is required for McCormick Creek. In association with the approval of McCormick Creek Final Plat/PRD Phase 1, Declaration of Covenants, Conditions and Restrictions were recorded on March 21, 2016, under Auditor's file number 201603210909. The declaration states that the irrigation and maintenance of landscaping within the public right of way will be the responsibility of the Association. The applicant has included this requirement in the list of conditions contained on sheet 8 of the final plat. A first amendment to the Declarations of Covenants, Conditions,

and Restrictions for McCormick Creek will be recorded prior to recording of the final plat/PRD of Phase 2 and include amendments related to incorporating Phase 2 into the declaration.

HEX Condition 16: *The owner is required to sign the City's stormwater maintenance agreement, which shall be recorded prior to final civil plans approval by the City. Stormwater and/or drainage easements also shall be granted to the City for the inspection of utilities and drainage facilities. No encroachment will be placed within the easements that may damage or interfere with the installation, inspection, and maintenance of utilities. Maintenance and expense thereof of the utilities and drainage facilities shall be the responsibility of the property owner(s) or its heirs or assigns, as noted under the recorded stormwater maintenance agreement.*

Storm Water Facilities Maintenance Agreements and Restrictive Covenants were recorded with the Pierce County Auditor's Office on December 13, 2010, under instrument no. 201012130162 and on July 25, 2014, under instrument no. 201407250009.

HEX Condition 17: *The site plan [final plat mylar] shall note (where quoted) or delineate the following:*

- a. *"WARNING: City of Gig Harbor has no responsibility to build, improve, maintain or otherwise service private roadways or driveways within, or providing access to, property described in this plat."*
- b. *"Increase stormwater runoff from the road(s), building, driveway and parking areas shall not be directed to City infrastructure. Increased stormwater runoff shall be retained/detained on site."*
- c. *"Where seasonal drainage crosses subject property, no filling or disruption of the natural flow shall be permitted."*
- d. *Stormwater for runoff from buildings and parking surfaces shall be shown on individual building lots, including drywell sizing or storm drain connections points.*
- e. *If private roadways are proposed then provisions shall be made for the roads and easements to be open at all times for emergency and public service vehicle use.*
- f. *"This plat is subject to stormwater maintenance agreement recorded under Auditor's file number (201012130162 and 201407250009)"*
- g. *"Stormwater Drainage easements are hereby granted for the installation, inspection, and maintenance of utilities and drainage facilities as delineated on*

this plat map. No encroachment will be placed within the easements shown on the plat that may damage or interfere with the installation, inspection, and maintenance of utilities. Maintenance and expense thereof of the utilities and drainage facilities shall be the responsibility of the property owner(s) or its heirs or assigns, as noted under the stormwater maintenance agreement for the plat.”

The required notes have been included on the final plat map.

HEX Condition 18: *This approval does not relieve the Permittee from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Permittee.*

This condition is informational in nature; the applicant has included this requirement in the list of conditions contained on sheet 8 of the final plat.

HEX Condition 19: *An association of owners shall be formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws, and adopt and improve a declaration of covenants and restriction on the common open space that are acceptable to the City in providing for the continuing care of the space. No common open space may be put into use not specified in the final development plan unless the final development plan is first amended to permit the use. No change of use may be considered as a waiver of any of the covenants limiting the use of common open space area, and all rights to enforce these covenants against any use permitted are expressly reserved to the city as well as the owners. Alternatively, the applicant may convey the common open space to a public agency that agrees to maintain the common open space.*

An association of owners along with a Declaration of Covenants, Conditions, and Restrictions for McCormick Creek was formed with the recording of Phase 1, under Auditor’s File Number 201603210909. First Amendment to Declaration of Covenants, Conditions, and Restrictions for McCormick Creek will be recorded with Phase 2 and recording information will be shown on sheet 2 of the final plat map.

HEX Condition 20: *School impact fees as required by GHMC 19.12.050(B)(11) shall be paid for all residential development prior to the issuance of a building permit.*

This condition is informational in nature; the applicant has included this requirement in the list of conditions contained on sheet 8 of the final plat. Payment of school impact fees will be required at the issuance of each building permit.

HEX Condition 21: *Location and details of markings of fire lanes must be provided at the time of civil plan review.*

Fire lane details and markings were provided at the time of civil plan review and have been approved and installed.

HEX Condition 22: *If ownership of the properties necessary for construction of proposed road 1 is not obtained within the time frames specified by GHMC Section 16.06.003, this preliminary plat approval shall expire.*

The City has a Development Agreement with this developer that provides for phasing, vesting and amends development regulations imposed by this condition. The applicant recorded Release and Termination of Easement documents and Rights-of-Way dedications for the construction of Road 1, now McCormick Creek Drive, with the recorded of Phase 1.

HEX Condition 23: *Since the plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.*

This dedication language and required notary block are included on sheet 1 of the final plat map.

HEX Condition 24: *Any dedication filed for record shall be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.*

A title report, dated May 25, 2016 and updated July 11, 2016 has been submitted that documents that the property is owned by McCormick Creek LLC, with Lennar Northwest, Inc. as a Beneficiary of the Deed of Trust.

PD Condition 25: *The approval of this revision is limited to the revised layout requested as a part of this application. The omission of details within the revised layout plan, does not remove or substantially modify the required features of the preliminary plat.*

This condition is informational in nature; the applicant has included this requirement in the list of conditions contained on sheet 8 of the final plat.

PD Condition 26: *A revised landscape plan reflecting the new plat layout and phasing plan shall be submitted to the City and approved prior to installation of landscape and PRD features at the site. Said landscape plan shall be consistent with the existing preliminary plat and PRD approval relative to the approved alternative landscape plan and PRD approval.*

A revised landscape plan was approved on September 21, 2015 and a performance agreement was posted on January 11, 2016.

- C. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, this title and any other applicable city ordinances which were in effect at the time of preliminary plat approval.

The proposed final plat meets the requirements of Chapter 58.17 RCW, the requirements of Title 16 and those of other applicable city ordinances.

- D. **Director's Decision:** Jennifer Kester, Planning Director, recommends that the City Council move to adopt the resolution approving the final plat/PRD for McCormick Creek Phase 2.



Subject: Resolution No. 1045 - Closed Record Decision – Ancich Court Final Plat and Final PRD Approval (PL-FPLAT-15-0009 & PL-FPRD-15-0006)

Proposed Council Action: Adopt resolution No. 1045 approving the final plat and final PRD of Ancich Court

Dept. Origin: Planning Department

Prepared by: Kenneth George, Associate Planner *KS*

For Agenda of: September 26, 2016

Exhibits: Resolution
Planning Director's Recommendation
Final Plat Map

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

Initial & Date

JG 9-21-16
RonW 9/21/16
via email
DR 9/21/16
JK 9/21/16

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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INFORMATION / BACKGROUND

Attached for your consideration is a resolution approving the final plat and final planned residential development (PRD) for Ancich Court, located west of Woodworth Avenue and south of Sutherland Court, and within the Single-Family Residential (R-1) zoning district. The applicant is Apogee Capital LLC. The preliminary plat and PRD were conditionally approved by the City Hearing Examiner on December 29, 2005. One major preliminary plat revision was conditionally approved by the Hearing Examiner on October 31, 2006.

This final plat/PRD includes 12 single family residential lots with associated infrastructure, 1 park/open space tract, perimeter buffer tracks and 1 sensitive area tract relative to a steep ravine sidewall.

POLICY CONSIDERATIONS

Staff has reviewed the criteria for approval of the final plat and final PRD, as specified in GHMC Chapters 16.06 and 17.89 and has determined that the applicant has met the criteria for the approval of the final plat/PRD. Please refer to the attached Planning Director's Recommendation for staff's review of the proposal.

ENVIRONMENTAL ANALYSIS

The City issued a Determination of Non-Significance (DNS) for the preliminary plat, planned residential development on September 9, 2005.

FISCAL CONSIDERATION

The proposal does not include any significant fiscal impacts.

PLANNING DIRECTOR RECOMMENDATION

Move to adopt resolution No. 1045 approving the final plat and final PRD of Ancich Court.

RESOLUTION NO. 1045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING THE FINAL PLAT AND FINAL PLANNED RESIDENTIAL DEVELOPMENT FOR ANCICH COURT, LOCATED WEST OF WOODWORTH AVENUE AND SOUTH OF SUTHERLAND COURT, AND CITY OF GIG HARBOR FILE NO. PL-FPLAT-15-0009 AND PL-FPRD-15-0006.

WHEREAS, on December 29, 2005, the City of Gig Harbor Hearing Examiner conditionally granted preliminary plat and preliminary planned residential development (PRD) approval to Ancich Court, located west of Woodworth Avenue and south of Sutherland Court; Pierce County Assessor-Treasurer Parcel Number 0221061089; and

WHEREAS, on October 31, 2006, the City of Gig Harbor Hearing Examiner conditionally approved one major preliminary plat revision, amending condition No. 10 of the original Decision and added one additional condition; and

WHEREAS, on September 18, 2013, 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, on September 24, 2014 the City Hearing Examiner conditionally granted a request to exclude the 4.01 acre subject parcel from the City's height restriction area; and

WHEREAS, on October 27, 2014, the City Council passed Ordinance No. 1303 authorizing the Planning Director to effectuate the necessary changes to the Official Height Restriction Area Map of the City; and

WHEREAS, the City Council added "Ancich" to the list of approved street names within the City's "historical name area" on June 13, 2005, under Resolution No 651; and

WHEREAS, the City Council approved the name Ancich Court for the private street within the plat on March 24, 2008; and

WHEREAS, an application for final plat and final PRD approval was submitted to the City on December 8, 2015 and deemed complete on that same day; 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 February 11, 2016 to the final plat/PRD drawing; and

WHEREAS, the applicant submitted the requested revisions on March 3, 2016; and

WHEREAS, the City requested revisions to the final plat/PRD drawing on May 5, 2016; and

WHEREAS, the applicant submitted the requested revisions on July 12, 2016; and

WHEREAS, the final 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/PRD at its regular meeting of September 26, 2016; 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 Ancich Court 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
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 Ancich Court 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;
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 Ancich Court Final Plat and Final PRD, File Nos. PL-FPLAT-15-0009 and PL-FPRD-15-0006, subject to the following conditions:

1. The Declaration of Covenants, Conditions and Restrictions for Ancich Court shall be recorded with the County Auditor prior to recording of the final plat/PRD; and
2. The private street maintenance agreement for Ancich Court shall be recorded with the County Auditor prior to recording of the final plat/PRD; and

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 26 day of September, 2016.

APPROVED:

JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

SHAWNA WISE, ASSISTANT CITY CLERK

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY

BY: 
Angela G. Summerfield

FILED WITH THE CITY CLERK: 09/21/16
PASSED BY THE CITY COUNCIL: 09/26/16
RESOLUTION NO. 1045



TO: Mayor Guernsey and City Council
FROM: Jennifer Kester, Planning Director *JK*
SUBJECT: Closed Record Decision-Final Plat/Final PRD Approval-Ancich Court
DATE: September 26, 2016

INFORMATION/BACKGROUND:

The applicant, Apogee Capital LLC, has requested final plat approval for Ancich Court Plat and Planned Residential Development (PRD) to allow the segregation of 12 single family residential lots and the development of associated infrastructure, perimeter buffers, a park/open space tract, and sensitive area tract required to serve the residents of the plat and PRD. The site is located west of Woodworth Avenue and south of Sutherland Court.

The preliminary plat and PRD was approved by the City on December 29, 2005 to allow the segregation of a 4.01 acre site into 12 single family lots, a sensitive area tract, and a park/open space tract, subject to 23 conditions of approval. The Hearing Examiner has approved one major revision to the preliminary plat and PRD on October 31, 2006. This revision was to amend Condition No. 10 imposed by the Examiner in preliminarily approving the plat and PRD, relating to building footprints and certain related setbacks.

A request to exclude the preliminary plat and PRD parcel from the City's Height Restriction Area was conditionally granted on September 24, 2014. This exclusion allows development to be regulated under height limitations of the zoning district the subject property is located in, and not the City's Height Restriction Area chapter.

The following is an analysis of the request for consistency with the city's requirements for final plat and final PRD approval and with the conditions of approval imposed upon the project.

POLICY CONSIDERATIONS: Final PRD

Staff has reviewed the request for consistency with the criteria for approval of the final planned residential development as specified in Gig Harbor Municipal Code (GHMC) Chapter 17.89.080, and has determined that the applicant has met the criteria for approval of the final PRD as follows:

GHMC 17.89.080 Criteria for approval of final PRD application.

A. Applicants for a final PRD application shall demonstrate that all of the following criteria have been satisfied:

1. All features and amenities identified in the preliminary PRD have been constructed and/or are retained or improved;

The preliminary PRD approval was based upon the design features included in the proposed development including (but not limited to) the preservation of critical areas, shared park/open space, and enhanced building design.

The PRD improvements include perimeter buffers (Tract B, D & E), a park (Tract C) to be improved with lawn area, play toys and tables with benches, along with an associated ravine sidewall buffer and sensitive area tract (Tract A). All tracts will be maintained by a Homeowner's Association (HOA). All features proposed in the preliminary PRD have been maintained in the approved civil plans and the construction of the required improvements have been completed.

2. The city public works director has documented that all conditions imposed on the preliminary PRD requiring public works department approval have been constructed or improved to the satisfaction of the director;

The Civil as-built drawings have been submitted and accepted by the City, documenting that all conditions required to serve the PRD have been constructed or improved to the satisfaction of the director. A detailed analysis of how the conditions of approval have been met starts on page 4 of this document.

3. The City Fire Marshal has documented that all conditions imposed on the preliminary PRD requiring fire code approval have been constructed (or per the Fire Marshal's discretion will be constructed pursuant to a subsequent permit) to the satisfaction of the Fire Marshal;

The Fire Marshall has approved the PRD. A detailed analysis of how the conditions of approval have been met for this division starts on page 4 of this document.

4. The City Planning Director has documented that all conditions imposed on the preliminary PRD requiring planning department approval have been constructed to the satisfaction of the Director;

The Planning Director has reviewed the plat for compliance with the conditions of approval. A detailed analysis of how the conditions of approval have been met for this division starts on page 4 of this document.

5. Findings must be made that the preliminary PRD (and/or preliminary plat) conforms to all terms of preliminary PRD approval, and that the PRD meets the requirements of this chapter and all other applicable codes and state laws.

Findings have been developed in the attached resolution provided for your consideration. The findings support the approval of the Final PRD as well as the Final Plat.

POLICY CONSIDERATIONS: Final Plat

Staff has reviewed the request for consistency with the criteria for approval of the final plat as specified in Gig Harbor Municipal Code (GHMC) Chapter 16.06, and has determined that the applicant has met the criteria for approval of the final plat as follows:

GHMC 16.06.004-Recommendation as prerequisites for final plat approval:

Each preliminary plat submitted for final approval shall be accompanied by the following recommendations:

- A. Local health department or other agency furnishing sewage disposal and supplying water as to the adequacy of the proposed means of sewage disposal and water supply;

The City of Gig Harbor is furnishing sewage disposal and water to the site.

- B. Planning director's recommendation as to compliance with all of the terms of preliminary plat approval of the proposed plat or subdivision;

The applicant has complied with all terms of the preliminary plat approval, as discussed below.

- C. Approval of the city engineer.

The City Engineer recommends approval of the final plat as all conditions imposed on the preliminary plat requiring engineering department approval have been constructed or improved to the satisfaction of the City Engineer.

GHMC 16.06.005-Criteria for approval of subdivisions:

A final plat application shall be approved if the subdivision proposed for approval:

- A. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval;

Ancich Court Plat and PRD has met the requirements of the municipal code. The proposed subdivision conforms to all applicable zoning ordinances and the comprehensive plan. The applicant has complied with the requirements to dedicate open space, utilities and access easements. The approved record drawings document that the construction of required improvements comply with the City's adopted public works construction standards. In addition the final plat contains the required certificates from the owner, surveyor, and city and county officials.

- B. Conforms to all terms of the preliminary plat approval;

The proposed final plat of Ancich Court conforms to the conditions of the preliminary plat/PRD as follows:

HEX Condition 1: *The applicant shall request a historic street name for the proposed private street from the City Council prior to final plat approval.*

Ancich Court was approved as a historic street name by the City Council under Resolution No. 651 on March 24, 2008. This condition has been met.

HEX Condition 2: *The perimeter buffer screening shall be sufficient to meet the definition of a dense vegetative screen as required in GHMC 17.78.060(B). The final location and number of trees needed to supplement existing trees located in the perimeter buffer area shall be determined with staff in the field prior to installation of landscaping on site.*

The proposed buffers comply with this condition. Staff has reviewed the screening within the perimeter buffers, reviewed the landscape plans approved on December 29, 2005 and October 31, 2006, and determined that the landscaping includes the necessary plantings needed to achieve the required screening.

HEX Condition 3: *All land shown in the final DEVELOPMENT plan as common open space, and landscaping and/or planting contained therein, shall be permanently maintained by and CONVEYED to one of the following:*

- a. *An association of owners shall be formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws, and adopt and improve a declaration of covenants and restrictions on the common open space that are acceptable to the City in providing for the continuing care of the space. No common open space may be put to a use not specified in the final development*

plan unless the final development plan is first amended to permit the use. No change of use may be considered as a waiver of any of the covenants limiting the use of common open space area, and all rights to enforce the covenants against any use permitted are expressly reserved to the City as well as the owners; or

- b. A public agency which agrees to maintain the common open space, and any buildings, structures, or other improvements which have been placed upon it.*

An association of owners, along with a Declaration of Covenants, Conditions, and Restrictions for Ancich Court will be formed with the recording of this plat and the recording information will be shown on page 1 of the final plat map.

HEX Condition 4: *Any dedication, donation, or grant as shown on the face of the plat shall be considered to all intents and purposes as a quitclaim deed to the said done(s) grantee(s) for his/her/their use for the purpose intended by the donor(s) or grantor(s).*

This condition is informational in nature; the final plat complies with this condition.

HEX Condition 5: *If the plat or short plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual(s), religious society(ies) or to any corporation, public or private, as shown on the plat or short plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.*

This dedication language and required notary block are included on the face of the plat.

HEX Condition 6: *If the plat filed for record contains a dedication, it must be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.*

A title report, dated October 26, 2015 and updated June 21, 2016 has been submitted that documents that the property is owned by Apogee Capital LLC, with Homestreet Bank as a Beneficiary of the Deed of Trust.

HEX Condition 7: *Design regulations proposed by the applicant shall be implemented in the final design of each unit. Specific requirements include:*
a. Units shall be designed with gabled roof structures with a minimum roof pitch of

- 4:12, with 6:12 and 8:12 pitches preferred for the main structural elements (e.g. dormer shed roofs at 4:12 tying into the main roof gable of 6:12 or 8:12).
- b. All units shall incorporate a front porch facing the main access street. These porches will either be shed or gables depending on the unit overall design.
 - c. Garages shall be recessed from the front facade to diminish the presence towards the street. The garage doors shall give the appearance of divided doors with windows (no solid doors).
 - d. Rear elevations shall incorporate a patio with a covered porch or trellis.
 - e. Building trim shall incorporate a minimum three-inch flat trim for all window and door surrounds and building corners.
 - f. Building siding shall be primarily horizontal siding comprised of a variety of siding exposures - narrow exposure on upper gable area and dormers with wider exposure at the base around the building (wainscot three-foot high nominal dimension).
 - g. Craftsman accents shall be incorporated into the front facades - such as tapered columns, eave brackets, barge board bands separating siding types, brick or stone column bases, gable vents, and vertical style porch railings.
 - h. Color Palette: The neighborhood shall have a consistent color scheme utilizing an earth tone palette.

These conditions are informational in nature; the applicant has included these requirements under the notes on sheet 1 of the final plat.

HEX Condition 8: *A tree shall be planted in a minimum 6' x 6' bed on the property line between each pair of garages (six trees total) just forward of the garage doors to further reduce the visual impacts of the garages. These trees shall be provided adequate irrigation and shall be included in the plans prior to building permit issuance.*

This condition is informational in nature; the applicant has included this requirement under the notes on sheet 1 of the final plat.

HEX Condition 9: *The design of the residence on Lot 12 shall additionally require the side elevation to incorporate building elements consistent with the front façade in order to avoid a blank wall surface plane facing the entrance access street to the development. This elevation design shall incorporate a minimum of 10% of the main wall plane in window fenestration as well as incorporate architectural details, material treatments, and overall design composition consistent with the structure's front façade.*

This condition is informational in nature; the applicant has included this requirement under the notes on sheet 1 of the final plat.

HEX Condition 10: *Future development of the proposed homes shall be limited to the footprints shown, the only exception being front porches may extend closer to the street provided that minimum porch setbacks are met (12 feet) and provided that total impervious cover for the plat does not exceed 40%.*

This condition has been modified by the major preliminary plat revision, file number SUP 06-1364. An analysis of how the modified condition of approval has been met starts on page 11 of this document.

HEX Condition 11: *School impact fees shall be paid for each single family dwelling, detached or attached, located in the proposed plat prior to building permit issuance.*

This condition is informational in nature; the applicant has included this requirement under the notes on sheet 1 of the final plat. Payment of school impact fees will be required at the issuance of each building permit.

In 2015, the state legislature enacted Engrossed Senate Bill (ESB) 5923, which requires counties, cities, and towns to adopt and maintain a deferral program for the collection of impact fees for new single-family residential construction by September 1, 2016. The City Council adopted Ordinance No. 1340 on July 11, 2016, which amends the municipal code to allow applicants for a single-family detached or attached residence to request a deferral of the full impact fee payment until final inspection or 18 months from the date of original building permit issuance, whichever occurs first.

HEX Condition 12: *Prior to the issuance of clearing and grading permits the geotechnical engineer shall review the proposed clearing, grading and proposed temporary erosion control in conformance with GHMC 18.12.050(2).*

The approval of the clearing and grading permit and civil plans, issued on September 18, 2013, complies with this requirement.

HEX Condition 13: *A complete buffer reduction report as required by GHMC 18.12.050(1)(c) shall be submitted and approved prior to clearing within 50 feet of the top of the slope.*

The applicant submitted the required report, prepared by GeoEngineers, Inc, date stamped September 12, 2007. The clearing and grading permit and civil plans were issued on September 18, 2013, and comply with this requirement.

HEX Condition 14: *All conditions required by the geotechnical engineer to assure the stability of the slope shall be included as conditions on the final plat.*

The applicant has included all conditions required by the geotechnical engineer under the notes on sheet 1 of the final plat.

HEX Condition 15: *The street shall be clearly marked as private on the final plat drawings.*

This condition has been met; the applicant has clearly marked the street as private under the dedication and notes on sheet 1 and delineated the street as private on sheet 2 of the final plat.

HEX Condition 16: *The applicant shall provide to the City Harbor detailed civil drawings regarding the construction of the plat. These drawings shall meet all the requirements of the City of Gig Harbor and shall be signed by the Community Development Director and the City Engineer prior to final plat approval. All civil drawings submitted to the City shall be prepared under the supervision of and stamped by a Civil Engineer licensed in the state of Washington. Prior to the release of approved civil drawings for the project, the applicant shall be required to pay engineering plan review and inspection fees to the City.*

The civil drawings for construction of the plat were submitted, approved, and released to the applicant on September 13, 2007. All engineering plat review and inspection fees have been paid.

HEX Condition 17: *The construction of all street and transportation features located within the public right of way shall be in accordance with the standards and requirements defined in the City of Gig Harbor Public Works Standards.*

- a. *Street frontage improvements in accordance with the Public Works Standards shall be constructed along the entire portion of the property along Sutherland Court. These improvements shall be constructed in accordance with the roadway cross section(s) shown in the Public Works Standards. This shall include but not be limited to the following: curb; gutter; planter strip including street trees, irrigation system and illumination system; drainage system; streetlights; and sidewalk.*
- b. *The interior roadways may be constructed as private roadways provided they meet the following requirements described in detail in Gig Harbor Ordinance No. 999, including but not limited to the following:*
 1. *Structural sections shall consist of 4-inch crushed surfacing base course followed with 4-inch crushed surfacing top course followed by minimum 4-inches of asphalt concrete pavement all placed over "suitable" sub-grade compacted to 95%;*
 2. *Internal traffic calming measures or devices such as speed humps or traffic circles may be required;*
 3. *Parking shall be prohibited on both sides of the street;*
 4. *The sidewalk and curb design must prevent parking upon the sidewalk;*

5. *Private roadways shall be no longer than 400 feet in length and shall be constructed in accordance with Figure 2-07A in the Public Works Standards. The proposed street cross section shown on sheet I of the Preliminary Grading, Storm, Drainage and Utility Plan dated November 17, 2005 that was submitted to the City adequately meets the cross section requirements shown in Figure 2-07 A.*
 6. *The applicant shall clearly label the private and public roadways on the plat drawings. Sole responsibility for maintenance and ownership shall be with the property owners for all roads labeled "Private." The following language shall be included on the plat or short plat: "The City of Gig Harbor has no responsibility to build, improve, maintain or otherwise serve any private streets providing access to the property described in this plat. Any private access street shall remain a private street unless it is upgraded to public standards at the expense of the developer or adjoining lot owners to public street standards, and the City chooses to accept such private street for public ownership and maintenance.";*
 7. *As a condition of constructing a private street, the owners of the private street shall enter into a private maintenance agreement between themselves describing their responsibilities and providing notice to subsequent purchasers that the City does not own or maintain the private street. The agreement must be on a form approved by the City Attorney and recorded with the Pierce County Auditor; and*
 8. *When three or more lots or dwelling units are served on a dead-end greater than one hundred and fifty feet (150) feet in length, a turnaround having an improved radius of forty-five (45) feet, or an equivalent, workable maneuvering area approved by the City Engineer, shall be provided at the end of the private street.*
- c. *Traffic impact fees shall be paid for each single family dwelling located in the proposed plat as set forth in GHMC Section 19.12.110(A), or as that section is amended in the future.*

These conditions are informational in nature; where applicable, requirements have been included in the notes on sheet 1 of the final plat. Pursuant to Public Works, requirements under this condition have been met.

HEX Condition 18: *All private streets shall be constructed prior to the time that the developer makes application for final plat approval. Bonds or other methods of assuring construction of improvements shall not be allowed for the future construction of private streets after final plat approval.*

This condition was met; the developer completed construction of the private street prior to making application for final plat approval.

HEX Condition 19: *Upon completion of the required improvements, the developer shall be required to submit a statement to the City warranting that the improvements have been completed in accordance with the adopted standards (2-year Maintenance Bond).*

The developer has provided a statement that the improvements have been completed and inspected. Civil as-built drawings have been submitted and accepted by the City, documenting that all improvements have been completed in accordance with the adopted standards. The 2-year Maintenance Bond has been released.

HEX Condition 20: *The construction and installation of all utilities within the right of way and on the site shall be in accordance with the standards and requirements defined in the Public Works Standards and the Storm Water Design Manual ("SWDM"). In addition, the applicant shall comply with the following:*

- a. *All applicable storm water management code requirements in GHMC Chapter 14.20 shall apply. A Storm Drainage Report and a Drainage Permit shall be required. All onsite erosion control and conveyance facilities shall be in accordance with the requirements set forth in the City Storm Water Design Manual and the Public Works Standards. The applicant shall submit a Drainage Design Report for the proposed storm water quantity/quality control and conveyance facilities for review and approval by the City.*
 1. *The applicant shall provide to the City of Gig Harbor proof of the issuance of a Department of Ecology Construction Storm Water Permit prior to approval of the applicant's Land Clearing and Grading Permit with the City.*
 2. *The applicant shall provide to the City of Gig Harbor a Final Storm Drainage Report detailing the design parameters of the proposed storm water quantity/quality control and conveyance facilities and downstream analysis.*
 3. *Prior to final plat approval, Storm Water Maintenance Agreements shall be recorded against the property on City of Gig Harbor forms. These agreements shall be for all storm water facilities not located within a public right of way or dedicated City utility easement.*
- b. *The applicant shall apply for an additional 1,848 gpd of water capacity reservation to bring the total to 3,768 gpd for the development if the application is approved.*
- c. *The applicant shall be required to provide a utility easement to the City of Gig Harbor for the water line located in the private roadway.*
- d. *The design and construction of all water lines for domestic, irrigation and fire service shall be the sole responsibility of the applicant and shall be in accordance with the Public Works Standards and City of Gig Harbor Ordinance No. 712.*
- e. *The onsite water system shall have the ability to deliver the minimum required fire flow of 1500 gpm with 20 psi residual pressure in accordance with the City of Gig Harbor Water System Comprehensive Plan.*
- f. *The location of all fire hydrants shall be at the sole discretion of the City Fire Marshal.*

- g. Connection fees for domestic water shall be paid for each individual sfr within the preliminary plat prior to building permit issuance. Water connection fees vary depending on the meter size and shall be calculated upon receipt of a utility application form in accordance with GHMC 13.04.*

Pursuant to Public Works, all requirements under this condition have been met in accordance with the Public Works Standards and the Storm Water Design Manual.

HEX Condition 21: *Design and installation of all sewer system improvements and onsite sewer facilities shall be in accordance with City of Gig Harbor Public Works Standards and conform to the latest version of the City's Wastewater Comprehensive Plan.*

- a. The applicant shall be required to demonstrate that adequate capacity exists within the 2" force main shown as "existing" on Sutherland Court to allow the connection of the 12 sfr's proposed for this development and that the system will function as planned. This requirement may be met by submitting the sewer system engineering design report for review and approval by the City.*
- b. The operation and maintenance of all sewer facilities proposed to be constructed within the development shall be the sole responsibility of the property owners.*
- c. The payment of applicable sewer connection fees shall be made for each sfr within the preliminary plat prior to building permit issuance.*
- d. The installation of individual grinder pumps for each single family residence shall conform to appendix F of the Public Works Standards.*

Pursuant to Public Works, all requirements under this condition have been met in accordance with the Public Works standards and the City's Wastewater Comprehensive Plan.

HEX Condition 22: *The applicant shall provide a water availability certificate attesting to the systems compliance with IFC Appendix Chapter B requirements for fire flow. If an exception for the sprinkler system is proposed to be used to mitigate inadequate water, this shall first be approved by the Fire Marshal and the Fire District #5 Chief. If approved, the fire sprinkler requirement shall appear as a recorded note on the plat.*

Fire flow requirements have been met pursuant to this condition. The Fire Marshal provided a final approval and inspection of the final plan on December 21, 2015.

HEX Condition 23: *Any construction related to the plat shall comply with all building and fire code requirements as determined by the Building Official/Fire Marshal.*

This condition is informational in nature; the final plat complies with this condition.

C. Conforms to all terms of the major preliminary plat revision for SUB 06-1364.

HEX Condition 1: *All conditions of approval set forth in the Hearing Examiner's Decision dated December 29, 2005 for SUB and PRD 04-08 shall remain in full force and effect, except that condition No. 10 from that Decision (Ex, 2, p. 19) is hereby amended to read as follows:*

Future development of the proposed homes shall be limited to the ~~footprints shown~~ building setback lines shown on the site plan, the only exception being front porches may extend closer to the street provided that minimum porch setbacks are met (12 feet); and provided that total impervious cover for the plat does not exceed 40%.

This condition is informational in nature; the applicant has included this requirement under the notes on sheet 1 of the final plat.

HEX Condition 2: *A fence shall be placed around any rear-yards abutting the natural buffer. The fencing will prevent residential uses such as play toys and rear-yard amenities from encroaching into the natural buffer area. The fencing materials shall meet the design review standards set forth in GHMC 17.99.340.*

This condition is informational in nature; the applicant has included this requirement under the notes on sheet 1 of the final plat.

D. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, this title and any other applicable city ordinances which were in effect at the time of preliminary plat approval.

The proposed final plat meets the requirements of Chapter 58.17 RCW, the requirements of Title 16 and those of other applicable city ordinances.

E. **Director's Decision:** Jennifer Kester, Planning Director, recommends that the City Council move to adopt this resolution approving the final plat/PRD for Ancich Plat and Planned Residential Development.

JUL 12 2016

CITY OF GIG HARBOR

Sheet 1 of 2

ANGICH COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT

IN THE NE 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 21 N., RANGE 2 E., W.M., CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON

PARCEL #: 0221061089

DEDICATION:

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED PROPERTY, DEDICATE THESE LOTS TO THE PURCHASERS THEREOF. ALL ROADS ARE PRIVATE AND ARE NOT DEDICATED TO THE PUBLIC...

(SIGNATURE) (PRINTED)
OF APODSE CAPITAL, L.L.C. A WASHINGTON LIMITED LIABILITY COMPANY
(SIGNATURE) (PRINTED)
OF HOME STREET BANK, A WASHINGTON STATE CHARTERED SAVINGS BANK

ACKNOWLEDGEMENTS:

STATE OF WASHINGTON COUNTY OF ... s.s.
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT (S/ARE) THE PERSON(S) WHO APPEARED BEFORE ME, AND SAID PERSON(S) ACKNOWLEDGED THAT HE/SHE/THEY SIGNED THIS INSTRUMENT, ON DATE STATED THAT HE/SHE/THEY (WAS/WERE) AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATE:
SIGNATURE:
PRINT NAME:
TITLE: NOTARY PUBLIC
MY APPOINTMENT EXPIRES:
STATE OF WASHINGTON COUNTY OF ... s.s.
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT (S/ARE) THE PERSON(S) WHO APPEARED BEFORE ME, AND SAID PERSON(S) ACKNOWLEDGED THAT HE/SHE/THEY SIGNED THIS INSTRUMENT, ON DATE STATED THAT HE/SHE/THEY (WAS/WERE) AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

NOTES:

- 1. ALL ROADS ARE PRIVATE WITHIN THIS PLAT. THE PROPERTY OWNERS SHALL HAVE THE RESPONSIBILITY OF OWNERSHIP AND MAINTENANCE OF THE PRIVATE ROAD. THE CITY OF GIG HARBOR HAS NO RESPONSIBILITY TO BUILD, IMPROVE, MAINTAIN OR OTHERWISE SERVE ANY PRIVATE STREETS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THE PLAT. ANY PRIVATE STREET SHALL REMAIN A PRIVATE STREET UNLESS IT IS INCORPORATED TO PUBLIC STANDARDS AT THE EXPENSE OF THE DEVELOPER OR ADJOINING LOT OWNERS TO THE PUBLIC STREET STANDARDS, AND THE CITY CHOOSES TO ACCEPT SUCH PRIVATE STREET FOR PUBLIC OWNERSHIP AND MAINTENANCE.
2. ALL LOTS MUST ACCESS OFF INTERNAL PLAT ROAD.
3. TRACT "A" IS A SENSITIVE AREA TRACT AND IS HEREBY DEDICATED TO ALL LOTS IN THIS SUBDIVISION AS AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST. MAINTENANCE OF TRACT "A" SHALL BE THE RESPONSIBILITY OF THE ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT HOMEOWNERS' ASSOCIATION. THE USE OF ANY SENSITIVE AREA OR NATURAL BUFFER TRACTS ARE SUBJECT TO SUCH RULES AND REGULATIONS AS SHALL BE ADOPTED BY THE CITY OF GIG HARBOR.
4. TRACTS "B", "D" AND "E" ARE RESERVED AS NATURAL BUFFER TRACTS. OWNERSHIP OF ALL LOTS IN THIS SUBDIVISION INCLUDES AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACTS "B", "D" AND "E". MAINTENANCE OF TRACTS "B", "D" AND "E" SHALL BE THE RESPONSIBILITY OF THE ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT HOMEOWNERS' ASSOCIATION. THE USE OF ANY SENSITIVE AREA OR NATURAL BUFFER TRACTS ARE SUBJECT TO SUCH RULES AND REGULATIONS AS SHALL BE ADOPTED BY THE CITY OF GIG HARBOR.
5. TRACT "C" IS A PARK/PORCH SPACE TRACT AND IS HEREBY DEDICATED TO ALL LOTS IN THIS SUBDIVISION AS AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST. MAINTENANCE OF TRACT "C" SHALL BE THE RESPONSIBILITY OF THE ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT HOMEOWNERS' ASSOCIATION.
6. TRACT "F" IS A PRIVATE STREET ACCESS AND UTILITY TRACT AND IS HEREBY DEDICATED TO ALL LOTS IN THIS SUBDIVISION AS AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST. MAINTENANCE OF TRACT "F" SHALL BE THE RESPONSIBILITY OF THE ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT HOMEOWNERS' ASSOCIATION.
7. THE PERMETER BUFFER SCREENING SHALL BE SUFFICIENT TO MEET THE DEFINITION OF A DENSE VEGETATIVE SCREEN AS REQUIRED IN GMAC (17.70.060) THE FINAL LOCATION AND NUMBER OF TREES NEEDED TO SUPPLEMENT EXISTING TREES LOCATED IN THE PERMETER BUFFER AREA SHALL BE DETERMINED WITH STAFF IN THE FIELD PRIOR TO INSTALLATION OF LANDSCAPING ON SITE.
8. CONDITIONS, COVENANTS AND RESTRICTIONS RECORDED UNDER RECORDING NO. ...
9. SCHOOL IMPACT FEES SHALL BE PAID FOR EACH SINGLE FAMILY DWELLING, DETACHED OR ATTACHED, LOCATED IN THE PROPOSED PLAT PRIOR TO BUILDING PERMIT ISSUANCE.
10. TRAFFIC IMPACT FEES SHALL BE PAID FOR EACH SINGLE FAMILY DWELLING LOCATED IN THE PROPOSED PLAT AS SET FORTH IN GMAC SECTION 18.12.010(A), OR AS THAT SECTION IS AMENDED IN THE FUTURE.
11. PRIVATE STREET MAINTENANCE AGREEMENT RECORDED UNDER RECORDING NO. ...
12. DESIGN REGULATIONS PROPOSED BY THE APPLICANT SHALL BE IMPLEMENTED ON THE FINAL DESIGN OF EACH UNIT. SPECIFIC REQUIREMENTS INCLUDE:
A. UNITS SHALL BE DESIGNED WITH GABLED ROOF STRUCTURES WITH A MINIMUM ROOF PITCH OF 4:12 WITH 12 INCH MINIMUM OVERHANGS PREFABRICATED FOR THE MAIN STRUCTURAL ELEMENTS (E.G. DORMER SIDED ROOFS AT 4:12 TYPING INTO THE MAIN ROOF GABLE OF 6:12 OR 8:12)
B. ALL UNITS SHALL INCORPORATE A FRONT PORCH FACING THE MAIN ACCESS STREET. THESE PORCHES WILL EITHER BE SPED OR CABLES DEPENDENT ON THE UNIT OVERALL DESIGN.
C. GARAGES SHALL BE RECESSED FROM THE FRONT FACADE TO MAINTAIN THE PROPORTIONS TOWARDS THE STREET. GARAGE DOORS SHALL GIVE THE APPEARANCE OF DIVIDED DOORS WITH WINDOWS (NO SOLID DOORS).
D. REAR ELEVATIONS SHALL INCORPORATE A PATIO WITH A COVERED PORCH OR TRELLIS.
E. BUILDING TOWER SHALL INCORPORATE A MINIMUM THREE-FOOT PLAT TOWER FOR ALL WINDOW AND DOOR SURROUNDINGS AND BUILDING CORNERS.
F. BUILDING SIDING SHALL BE PRIMARILY HORIZONTAL SIDING COMPOSED OF A VARIETY OF SIDING EXPOSURES - WOODROOF EXPOSURE ON UPPER GABLE AREA AND DOWNERS WITH WOOD EXPOSURE AT THE BASE AROUND THE BUILDING (WANSICOT THREE-FOOT HIGH NOMINAL DIMENSIONS).
G. CRAFTSMAN ACCENTS SHALL BE INCORPORATED INTO THE FRONT FACADES - SUCH AS TAPERED COLLARS, GAVE BRACKETS, SHIRT-NECK HIGH NOMINAL DIMENSIONS), STONE, BRICK OR STONE COLUMN BASES, GABLE VENTS, AND VERTICAL STYLE PORCH RAILINGS.
H. A CONSISTENT COLOR SCHEME UTILIZING AN EARTH TONE PALETTE.
I. A TREE SHALL BE PLANTED IN A MINIMUM OF 6" BED ON THE PROPERTY BETWEEN EACH GARAGE (SEE TREES TOTAL) JUST FORWARD OF THE GARAGE DOORS TO FURTHER REDUCE THE VISUAL IMPACTS OF THE GARAGES. THESE TREES SHALL BE PROVIDED ADEQUATE IRRIGATION AND SHALL BE INCLUDED IN THE PLANS PRIOR TO BUILDING PERMIT ISSUANCE.
J. THE SECTION OF THE RESIDENCE ON LOT 12 SHALL ADDITIONALLY REQUIRE THE SIDE ELEVATION TO INCORPORATE BUILDING ELEMENTS CONSISTENT WITH THE FRONT FACADE IN ORDER TO AVOID A BLANK WALL SURFACE PLANE FACING THE ENTRANCE ACCESS STREET TO THE DEVELOPMENT. THIS ELEVATION DESIGN SHALL INCORPORATE A MINIMUM OF ONE OF THE MAIN WALL PLANE IN WINDOW REGISTRATION AS WELL AS INCORPORATE ARCHITECTURAL DETAILS, MATERIAL TREATMENTS, AND OVERALL DESIGN COMPOSITION CONSISTENT WITH THE STRUCTURE'S FRONT FACADE.
K. FUTURE DEVELOPMENT OF THE PROPOSED HOMES SHALL BE LIMITED TO THE BUILDING SETBACK LINES SHOWN ON THE SITE PLAN. THE ONLY EXCEPTION BEING FRONT PORCHES MAY EXTEND CLOSER TO THE STREET PROVIDED THAT MINIMUM PORCH SETBACKS ARE MET (12 FEET), AND PROVIDED THAT TOTAL IMPERVIOUS COVER FOR THE PLAT DOES NOT EXCEED 40%.
L. A FENCE SHALL BE PLACED AROUND ANY REAR-YARDS ADJUTING THE NATURAL BUFFER. THE FENCING WILL PREVENT RESIDENTIAL USES SUCH AS PLAY TOYS AND REAR-YARD AMENITIES FROM ENDOUGHING INTO THE NATURAL BUFFER AREA. THE FENCING MATERIAL SHALL MEET THE DESIGN REVIEW STANDARDS SET FORTH IN GMAC 17.09.040.
M. AN ASSOCIATION OF OWNERS SHALL BE FORMED AND CONTINUED FOR THE PURPOSE OF MAINTAINING THE COMMON OPEN SPACE. THE ASSOCIATION SHALL BE CREATED AS AN ASSOCIATION OF OWNERS UNDER THE LAWS OF THE STATE AND SHALL ADOPT AND PROPOSE ARTICLES OF INCORPORATION OR ASSOCIATION BYLAWS, AND ADOPT AND IMPROVE A DECLARATION OF COVENANTS AND RESTRICTIONS ON THE COMMON OPEN SPACE THAT ARE ACCEPTABLE TO THE CITY IN PROVISIONS FOR THE CONTINUING CARE OF THE SPACE. NO COMMON OPEN SPACE MAY BE PUT TO A USE NOT SPECIFIED IN THE FINAL DEVELOPMENT PLAN UNLESS THE FINAL DEVELOPMENT PLAN IS FIRST AMENDED TO PERMIT THE USE. NO CHANGE OF USE MAY BE CONSIDERED AS A WAIVER OF ANY OF THE COVENANTS LIMITING THE USE OF COMMON OPEN SPACE, AND ALL RIGHTS TO ENFORCE THE COVENANTS AGAINST ANY USE PROMOTED ARE EXPRESSLY RESERVED TO THE CITY AS WELL AS THE OWNERS.
N. ANY DEDICATION, DONATION, OR GRANT AS SHOWN ON THE FACE OF THE PLAT SHALL BE CONSIDERED TO ALL INTERESTS AND PURPOSES AS A QUILTMAN DEED TO THE SAID DONOR(S) GRANTEE(S) FOR HIS/HER/THEIR USE FOR THE PURPOSE INTENDED BY THE DONOR(S) OR GRANTEE(S).
O. PARKING SHALL BE PROHIBITED ON BOTH SIDES OF THE STREET.
P. CONNECTION FEES FOR DORMER ROOF SHALL VARY FROM EACH INDIVIDUAL SFR WITHIN THE PRELIMINARY PLAT PRIOR TO BUILDING PERMIT ISSUANCE. WATER CONNECTION FEES VARY BY BUILDING FOOTPRINT SIZE AND SHALL BE CALCULATED UPON RECEIPT OF A UTILITY APPLICATION FORM IN ACCORDANCE WITH GMAC 17.04.
Q. THE PAYMENT OF APPLICABLE SEWER CONNECTION FEES SHALL BE MADE FOR EACH SFR WITHIN THE PRELIMINARY PLAT PRIOR TO BUILDING PERMIT ISSUANCE.
R. THE INSTALLATION OF INDIVIDUAL DORMER PUMPS FOR EACH SINGLE FAMILY RESIDENCE SHALL CONFORM TO APPROXIF D OF THE PUBLIC WORKS STANDARDS.
S. A 25 FOOT BUFFER FROM THE TOP OF SLOPE SHALL BE MAINTAINED IN RESPECT TO ANY TOWER AND SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

APPROVALS:

CITY MAYOR
I HEREBY CERTIFY THAT THIS PLAT OF ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT IS DULY APPROVED BY THE CITY OF GIG HARBOR CITY COUNCIL.
THIS _____ DAY OF _____, 20__ BY RESOLUTION NO. _____
CITY CLERK, CITY OF GIG HARBOR
CITY PLANNING
I HEREBY CERTIFY THAT THIS PLAT OF ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT IS IN CONFORMANCE WITH THE CITY OF GIG HARBOR COMPREHENSIVE PLAN AND ZONING CODE.
PLANNING DIRECTOR, CITY OF GIG HARBOR
CITY ENGINEER
I HEREBY CERTIFY THAT THIS PLAT OF ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT COMPLES WITH THE APPLICABLE PROVISIONS OF THE CITY OF GIG HARBOR PUBLIC WORKS CONSTRUCTION STANDARDS.
ENGINEER, CITY OF GIG HARBOR
CITY CLERK
I HEREBY CERTIFY THAT THESE ARE NO DEBARMENT SPECIAL ASSESSMENTS AND ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED ARE DEDICATED TO THE CITY OF GIG HARBOR FOR THE CITY OF GIG HARBOR PUBLIC USE AND PAID IN FULL.

ASSESSOR-TREASURER
I HEREBY CERTIFY THAT THESE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED.
ASSESSOR-TREASURER, PIERCE COUNTY, WASHINGTON

AUDITOR
FILED FOR RECORD THIS _____ DAY OF _____, 20__ AT _____ MINUTES PAST _____ O'CLOCK, _____ A.M. RECORDS OF THE PIERCE COUNTY AUDITOR, TACOMA, WASHINGTON.
PIERCE COUNTY AUDITOR DEPUTY FEE \$
LEGAL DESCRIPTION
THE SOUTH HALF OF THE NORTH 10 ACRES OF THAT PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE W.M., NOT INCLUDED IN WOODWORTH'S ADDITION TO GIG HARBOR CITY, AS PER PLAT RECORDED IN VOLUME 3 OF PLATS, AT PAGE 86, RECORDS OF PIERCE COUNTY, IN GIG HARBOR, PIERCE COUNTY, WASHINGTON, EXCEPT THE EAST 123 FEET THEREOF;
ALSO EXCEPT ANY PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED PARCELS:
A) BEGINNING AT A POINT 712 FEET WEST AND 712 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 6; RUNNING THENCE NEST 304 FEET; THENCE SOUTH 286 FEET; THENCE EAST 304 FEET; THENCE NORTH 286 FEET TO THE PLACE OF BEGINNING.
B) BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE WEST 608 FEET; THENCE NORTH 429.2 FEET; THENCE EAST 304 FEET; THENCE SOUTH 145 FEET TO THE POINT OF BEGINNING.

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING TITLE:
ATTORNEY'S TITLE OF WASHINGTON ORDER 101-30728-06, JUNE 21, 2016
1. REAL ESTATE EXCISE TAX PENDING TO THE AUTHORITY OF RCW CHAPTER 83.40 AND SUCCEEDING COURT ORDERS: RECORDING: MARCH 14, 2008
2. TAX ACCOUNT NO.: 027081089 YEAR RATED PAID SALARIES: 2016 \$1,403,348 \$1,403,348 THE CURRENT LEVY CODE IS 075
3. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF: GRANITOR - J. SCOTT CONSTRUCTION, INC. A WASHINGTON CORPORATION TRUSTEE: FREELY NATIONAL TITLE INSURANCE COMPANY BENEFCIARY: HOME STREET BANK ORIGINAL AMOUNT: \$2,450,000.00 DATED: DECEMBER 26, 2006 RECORDED: DECEMBER 26, 2006 RECORDING NO.: 20062310901 SUCCESSIVE ASSIGNMENTS OF SUCCESSOR TRUSTEE: APPOINTED: CHICAGO TITLE TITLE INSURANCE COMPANY BY: BENEFCIARY RECORDED: DECEMBER 30, 2008 RECORDING NO.: 20082310909 ASSIGNMENT OF THE DEED OF TRUST: ASSORER: ANCHOR CAPITAL, LLC RECORDED: DECEMBER 31, 2006 RECORDING NO.: 20062310919
4. STORMWATER FACILITIES MAINTENANCE AGREEMENT AND RESTRICTIVE COVENANT AND THE TERMS AND CONDITIONS THEREOF: RECORDING: MARCH 14, 2008
5. SANITARY SEWER FACILITIES EXISTENCE AND MAINTENANCE AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF: RECORDING NO.: 20062310948
6. EASEMENT AND THE TERMS AND CONDITIONS THEREOF: REMAKE, UPGRADE AND CREATE ONE OR MORE UTILITY SYSTEMS FOR PURPOSES OF TRANSMISSION, DISTRIBUTION AND SALE OF GAS UTILITIES: AN EASEMENT AREA THAT IS TEN FEET IN WIDTH HAVING THE FEET OF SUCH WIDTH ON EACH SIDE OF THE CENTERLINE OF GRANTEE'S FACILITIES LOCATED AS DESCRIBED ON THE TO BE CONSTRUCTED, EXTENDED OR RELOCATED, LYING WITHIN THE ANCHOR DESCRIBED PROPERTY. RECORDING: MARCH 14, 2014 RECORDING NO.: 20142310816

EASEMENT RESERVATIONS:
1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF GIG HARBOR, PUELT SOUND ENERGY, CENTURY TEL, COMCAST, DOMS BY BE OR UNDER MY DIRECT SUPERVISION THAT THE DEAMONS AND DISTANCES ARE SHOWN CORRECTLY; THAT THE PERMETER MONUMENTS HAVE BEEN SET AND THAT ALL OTHER MONUMENTS AND LOT CORNERS HAVE BEEN SET OR MARKED WITH THE COUNTY AND WILL BE SET PRIOR TO THE RELEASE OF THE BOND; THAT I HAVE COMPLIED WITH ALL STATE AND COUNTY REGULATIONS GOVERNING PLANNING AND THAT I COOPERATE WITH THE CITY OF GIG HARBOR IN THE APPROVED PRELIMINARY PLAT AND THE CONDITIONS OF APPROVAL THEREOF.
2. THE WATERLINE EASEMENT WITHIN THE PRIVATE ROADWAY IS HEREBY GRANTED TO THE CITY OF GIG HARBOR FOR ACCESS, INSPECTION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE WATER FACILITIES LOCATED THEREIN.
3. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF GIG HARBOR AGAINST THE PRIVATE ROAD FOR ACCESS, INSPECTION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE STORM DRAINAGE FACILITY LOCATED THEREIN.

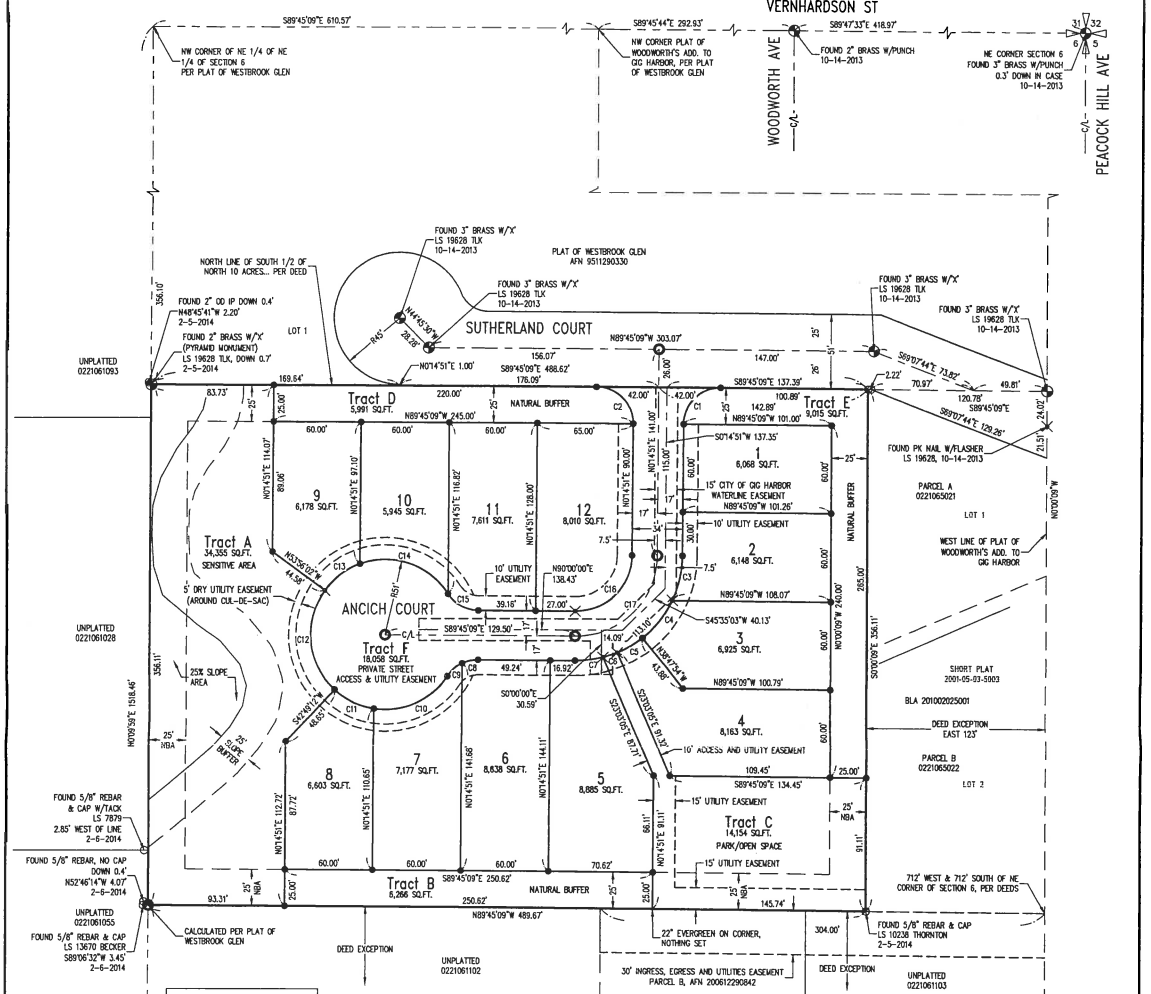
SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT OF ANCHOR COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT IS BASED ON AN ACTUAL SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION THAT THE BEARINGS AND DISTANCES ARE SHOWN CORRECTLY; THAT THE PERMETER MONUMENTS HAVE BEEN SET AND THAT ALL OTHER MONUMENTS AND LOT CORNERS HAVE BEEN SET OR MARKED WITH THE COUNTY AND WILL BE SET PRIOR TO THE RELEASE OF THE BOND; THAT I HAVE COMPLIED WITH ALL STATE AND COUNTY REGULATIONS GOVERNING PLANNING AND THAT I COOPERATE WITH THE CITY OF GIG HARBOR IN THE APPROVED PRELIMINARY PLAT AND THE CONDITIONS OF APPROVAL THEREOF.
JAMES HAWK CRABTREE, PLS CERTIFICATE #64311
7-11-2016



CRABTREE SURVEYING, INC.
7328 104TH ST E
PUYALLUP, WA 98373
253-845-0048
crabtreesurveying.com
Job #: 157
Scale: N/A
Date: 6-28-2016
Drawn by: JHC
Checked by: JHC
Drawing name: 157PLAT-C
Field Book: LL
Sheet 1 of 2

ANGICH COURT PLAT AND PLANNED RESIDENTIAL DEVELOPMENT

IN THE NE 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 21 N., RANGE 2 E., W.M., CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON
PARCEL #: 0221061089



CURVE #	LENGTH	RADIUS	DELTA
C1	39.27	25.00'	90°00'00"
C2	39.27	25.00'	90°00'00"
C3	30.94	72.00'	243°37'28"
C4	33.09	72.00'	261°47'47"
C5	18.79	72.00'	154°44'48"
C7	19.25	72.00'	157°45'55"
C8	11.12	25.00'	252°59'17"
C9	13.51	25.00'	305°57'51"
C10	57.89	51.00'	64°48'55"
C11	30.45	51.00'	341°32'33"
C12	74.10	51.00'	83°14'46"
C13	30.37	51.00'	343°06'55"
C14	68.11	51.00'	75°31'06"
C15	24.85	25.00'	56°27'06"
C16	59.89	38.00'	90°00'00"
C17	86.39	55.00'	90°00'00"

SETBACKS:
FRONT: HOUSE = 30 FEET
PORCH = 12 FEET
GARAGE: 26 FEET
SIDE: (SEE SIDE YARD SETBACK TABLE)
REAR: 15 FEET

LOT	LEFT SIDE	RIGHT SIDE
1	5	3
2	3	5
3	5	3
4	3	5
5	5	3
6	3	5
7	5	3
8	3	5
9	5	3
10	3	5
11	5	3
12	3	11 (PLANNING)

- ADDRESSES:**
- LOT 1: 9431 ANCICH COURT
 - LOT 2: 9428 ANCICH COURT
 - LOT 3: 9427 ANCICH COURT
 - LOT 4: 9425 ANCICH COURT
 - LOT 5: 9421 ANCICH COURT
 - LOT 6: 9418 ANCICH COURT
 - LOT 7: 9417 ANCICH COURT
 - LOT 8: 9415 ANCICH COURT
 - LOT 9: 9415 ANCICH COURT
 - LOT 10: 9418 ANCICH COURT
 - LOT 11: 9428 ANCICH COURT
 - LOT 12: 9422 ANCICH COURT
- THE TOTAL IMPERVIOUS SURFACE ALLOWANCE FOR THIS PLAT IS EQUAL TO 400K

1" = 50'

BASIS OF BEARINGS:
PLAT OF WESTBROOK GLEN

EQUIPMENT/PROCEDURES:
FIELD TRAVERSE: TOPCON 8205, TOPCON 6303
RTK/STATIC GPS, TOPCON HIPER CA
THIS SURVEY COMPLIES WITH MINIMUM STANDARDS ESTABLISHED BY WAC 332-130.

SYMBOL LEGEND:

- FOUND MONUMENT AS NOTED
- SET BRASS MONUMENT IN CONCRETE
- FOUND AS NOTED
- SET 1/2" REBAR W/ PLASTIC CAP, PLS 46311
- ✕ SET MAC NAIL W/ FLASHER, PLS 46311, UNLESS OTHERWISE NOTED

REFERENCES/NOTES:

BOUNDARY LINE ADJUSTMENT: APN 929030068
BOUNDARY LINE ADJUSTMENT: APN 20100202501
DEED: STATUTORY MORTGAGY DEED, APN 20061229042
PLAT: WOODWORTH'S ADDITION TO GIG HARBOR CITY PIERCE COUNTY, WASH., VOL 5, PG 66
PLAT: WESTBROOK GLEN, APN 951129030
SHORT PLAT: APN 77-22
SHORT PLAT: APN 630322026
SHORT PLAT: APN 550601051
SHORT PLAT: APN 200165035003
SUBMISSION GUARANTEE: ATTORNEYS TITLE OF WASHINGTON ORDER NO. 101-38378-OR
SURVEY: APN 510705028

1. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS THAT MAY BENEFIT OR BURDEN THE SUBJECT PROPERTY.
2. ONLY IMPROVEMENTS/FEATURES PERTINENT TO THIS SURVEY HAVE BEEN SHOWN.
3. THIS DRAWING IS NOT TO BE USED FOR DETERMINING THE EXACT LOCATION OF ANY UTILITY LINES. BEFORE STARTING ANY CONSTRUCTION, EACH INDIVIDUAL UTILITY COMPANY MUST BE CONTACTED FOR MOST CURRENT LOCATIONS OF LINES AND/OR CALL 811 FOR UTILITY LOCATE.



CRABTREE SURVEYING, LLC

7328 104TH ST E
PUYALLUP, WA 98373
253-845-0048
crabtreesurveying.com

Job #: 157
Scale: 1" = 50'
Date: 6-28-2016
Drawn by: JHC
Checked by: JHC
Drawing name: 157PLAT-C
Plot Book: 11



**Business of the City Council
City of Gig Harbor, WA**

Subject: Tarabochia Water Main Materials – Purchase Agreement

Dept. Origin: Public Works/Operations

Proposed Council Action:

Approve and authorize the Mayor to execute a purchase agreement for materials associated with the Tarabochia Water Main Replacement in the amount of \$37,458.72, including tax and authorize the Public Works Director to approve additional expenditures up to \$5,000 to cover any cost increases that may result from field changes.

Prepared by: Greg Foote *GF*
Public Works Superintendent

For Agenda of: September 26, 2016

Exhibits: Contract & Exhibit

	Initial & Date
Concurred by Mayor:	<i>Jb 9-21-16</i>
Approved by City Administrator:	<i>KonW 9/21/16</i>
Approved as to form by City Atty:	<i>PER EMAIL APPROVAL 9-21-16</i>
Approved by Finance Director:	<i>CF 9/21/16</i>
Approved by Department Head:	<i>ADA 9/21/16</i>

Expenditure Required	\$42,458.72	Amount Budgeted	\$1,200,000	Appropriation Required	\$0
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INFORMATION/BACKGROUND

An identified objective in the 2015/2016 budget is for the replacement of 3,800 LF of asbestos cement water mains that currently exist in the City. The Tarabochia Street asbestos cement water main (800 LF) will be replaced by the City's Public Works Operations crew. Price quotations for the associated water main materials (delivered) were obtained following the process outlined in RCW 35.23.352 for the purchase of materials, supplies and equipment. The following bids were received:

Ferguson Waterworks	\$37,458.72
HD Fowler	\$40,419.28

FISCAL CONSIDERATION

The cost for the Tarabochia water main replacement is within the \$1,200,000 that was anticipated in the adopted 2015/2016 budget and identified under Water Capital, Objective No. 4.

A budget summary is shown in the table below:

2015/16 Budget for Water Capital, Objective No. 4:	\$1,200,000.00
Asbestos Cement Water Main Expenses (to date):	
2015 Professional Design Services – Stinson Water Main Replacement	(\$37,388.22)
2016 Professional Design Services – Stinson Water Main Replacement	(\$33,762.71)
Estimated Remaining Budget:	\$1,128,849.07
Tarabochia Water Main Materials Purchase from Ferguson Waterworks:	(\$37,458.72)
Authorized Amount for field changes:	(\$5,000.00)

Total Remaining Budget:	(\$1,086,390.35)
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BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION/MOTION

Move to: Approve and authorize the Mayor to execute a purchase agreement for materials associated with the Tarabochia Water Main Replacement in the amount of \$37,458.72, including tax and authorize the Public Works Director to approve additional expenditures up to \$5,000 to cover any cost increases that may result from field changes.

**AGREEMENT FOR PURCHASING MATERIALS
BETWEEN CITY OF GIG HARBOR
AND FERGUSON WATERWORKS**

THIS AGREEMENT is made this _____ day of _____, 20__, by and between the City of Gig Harbor, a Washington municipal corporation (the "City"), and Ferguson Enterprises, Inc., a Virginia corporation ("Vendor") d/b/a Ferguson Waterworks.

WHEREAS, the City desires to purchase Tarabochia Water Main Materials from the Vendor, as described in Exhibit A and Exhibit B and the Vendor agrees to sell and/or deliver such items under the terms set forth in this Agreement; and

WHEREAS, in the process of selection of the Vendor and award of this contract, the City has utilized the procedures in RCW 39.04.190, 35A.40.210(2) and 35.23.352 and Resolution No. 593;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed as follows:

I. Description of Products, Materials, Supplies, Tools or other items.

The Vendor shall sell and provide for purchase of Tarabochia Water Main Materials and/or deliver all products, materials, supplies, tools or other items to the City, as described in Exhibit A, which is attached hereto and incorporated herein by this reference (the "Products and Materials").

II. Payment.

A. The City shall pay the Vendor the total sum of Thirty-Seven Thousand Four Hundred Fifty-Eight dollars and Seventy-Two Cents (\$37,458.72), including sales tax, for the Products and Materials. This is the maximum amount to be paid under this Agreement, and shall not be exceeded without prior written authorization from the City in the form of a negotiated and executed contract amendment.

B. After delivery of the Products and Materials, the City shall inspect the same, and if acceptable, shall pay the Vendor the full amount of the invoice corresponding to this Agreement. If the Products and Materials are not acceptable to the City for any reason or are delivered in a damaged or unusable condition, the City shall not be obligated to accept delivery or to make any payment.

III. Deadline for Delivery.

The City and the Vendor agree that the items described in Exhibit A will be delivered to the City at 5118 89th St. NW, Gig Harbor, WA, Gig Harbor, WA 98332 by the Vendor on or before October 7, 2016.

IV. Termination.

Either party shall have the ability to terminate this Agreement no later than 30 days prior to the delivery date, as long as written notice of termination is faxed, e-mailed or hand delivered to the other party at the addresses set forth in this Agreement.

V. Indemnification.

The Vendor shall indemnify, defend and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or lawsuits, including costs and attorney's fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

VI. Insurance.

The Vendor shall procure and maintain for the duration of this Agreement commercial general liability insurance to cover claims for product liability and injuries to persons or damage to property which may arise from or in connection with the Products and Materials supplied to the City. The Vendor shall assume all liability relating to damage or loss of the products and materials until acceptance by the City.

VII. Warranty.

WARRANTY: THE BUYER'S SOLE AND EXCLUSIVE WARRANTY, IF ANY, IS THAT PROVIDED BY THE PRODUCT'S MANUFACTURER. THE SOLE AND EXCLUSIVE REMEDY FOR PRODUCTS ALLEGED TO BE DEFECTIVE IN WORKMANSHIP OR MATERIAL WILL BE THE REPLACEMENT OF THE PRODUCT SUBJECT TO THE MANUFACTURER'S INSPECTION AND WARRANTY. SELLER HEREBY DISCLAIMS ALL EXPRESSED OR IMPLIED WARRANTIES, WHETHER IMPLIED BY OPERATION OF LAW OR OTHERWISE, INCLUDING, WITHOUT LIMITATION, ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS OR FITNESS FOR A PARTICULAR PURPOSE. UNDER NO CIRCUMSTANCES, AND IN NO EVENT, WILL SELLER BE LIABLE FOR PERSONAL INJURY OR PROPERTY DAMAGE OR ANY OTHER LOSS, DAMAGE, COST OF REPAIRS OR INCIDENTAL, PUNITIVE, SPECIAL, CONSEQUENTIAL, OR LIQUIDATED DAMAGES OF ANY KIND, WHETHER BASED UPON WARRANTY, CONTRACT, STRICT LIABILITY, NEGLIGENCE OR ANY OTHER CAUSE OF ACTION ARISING IN CONNECTION WITH THE DESIGN, MANUFACTURE, SALE, TRANSPORTATION, INSTALLATION, USE OR REPAIR OF THE PRODUCTS SOLD BY SELLER. BUYER HEREBY ACKNOWLEDGES AND AGREES THAT UNDER NO CIRCUMSTANCES, AND IN NO EVENT, SHALL SELLER'S LIABILITY, IF ANY, EXCEED THE NET SALES PRICE OF THE DEFECTIVE PRODUCT(S); NO ADDITIONAL ALLOWANCE SHALL BE MADE FOR THE LABOR OR EXPENSE OF REPAIRING OR REPLACING DEFECTIVE PRODUCTS OR WORKMANSHIP OR DAMAGE RESULTING FROM THE SAME. EXCEPT AS EXPRESSLY SET FORTH IN THIS PARAGRAPH, ALL PRODUCTS AND/OR SERVICES PROVIDED BY SELLER AND ITS EMPLOYEES AND AGENTS ARE PROVIDED "AS IS," "WHERE IS," AND "WITH ALL FAULTS."

VIII. Written Notice

All communications regarding this Agreement shall be sent to the parties at the addresses listed below, unless notified to the contrary. Any written notice hereunder shall become effective as of the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing.

To the Vendor:
Ferguson Waterworks
Attn: Edward Grimes
24205 Woodinville-Snohomish Road
Woodinville, WA 98072
Phone: 425-486-9600
Facsimile: 425-806-8510

To the City:
City of Gig Harbor
Attn: Greg Foote
3510 Grandview Street
Gig Harbor, WA 98335
Phone: 253-851-6170
Facsimile: 253-858-6408

IX. Modification

No waiver, alteration or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the Vendor.

X. Assignment

Any assignment of this Agreement by the Vendor without the written consent of the City shall be void.

XI. Non-Waiver of Breach

The failure of the City to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances shall not be construed to be a waiver or relinquishment of said covenants, agreements or options, and the same shall be and remain in full force and effect.

XII. Resolution of Disputes

Should any dispute, misunderstanding or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the City Administrator, and the City Administrator shall determine the term or provisions' true intent or meaning.

If any dispute arises between the City and the Vendor under any of the provisions of this Agreement which cannot be resolved by the City's determination in a reasonable time, or if the Vendor does not agree with the City's decision on the disputed matter, jurisdiction of any resulting litigation shall be with the Pierce County Superior Court, Pierce County, Washington. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The prevailing party shall be reimbursed by the other party for its costs, expenses, and reasonable attorney's fees incurred in any litigation arising out of the enforcement of this Agreement.

XIII. Entire Agreement

The written provisions and terms of this Agreement, together with all exhibits attached hereto, all bids specifications and bid documents shall supersede all prior verbal statements of any officer or other representative of the City, and such statements shall not be effective or be construed as entering into or forming a part of, or altering in any manner whatsoever, this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year above written.

VENDOR

THE CITY OF GIG HARBOR

By: _____

By: _____

Its: _____

Mayor Jill Guernsey

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



Business of the City Council
City of Gig Harbor, WA

Subject: Kimball Drive and Hunt Street Overlay Project – Professional Services Contract

Dept. Origin: Public Works/Engineering

Proposed Council Action: Approve and authorize the Mayor to:

Prepared by: Emily Appleton, P.E. *EJA 9/19/16*

Execute a Professional Services Contract with Intertek PSI, Inc., in an amount not to exceed \$4,784.00 for materials testing and inspection required as part of the Kimball Drive and Hunt Street Overly Project and authorize the City Engineer to execute a contract amendment if needed for unforeseen additional testing in an amount not to exceed \$516.00.

For Agenda of: September 26, 2016

Exhibits: Public Works Contract

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Public Works Director:

Approved by City Engineer:

Initial &
Date

JG 9-21-16
Ron W 9/21/16
by email 9/16/16
CR 9/20/16
APD 9/20/16
Jan 9-20-16

Expenditure Required	\$5,300	Amount Budgeted	\$ 390,000	Appropriation Required
-----------------------------	---------	------------------------	------------	-------------------------------

INFORMATION/BACKGROUND

Award of the construction contract for the Kimball Drive / Hunt Street Overlay project (Project) to Granite Construction Company was authorized at the September 12, 2016 council meeting. The Project is scheduled to start construction in early October 2016.

The City's developed a list of qualified firms to perform materials testing and special inspection services in June 2016. To do this, staff selected qualified firms from the appropriate MRSC roster and invited five firms to prepare responses to specified criteria and interview with staff. The five firms were then ranked based on their responses, interviews and the specified criteria and put on the City's list. The City rotates through the firms on the list to obtain materials testing and special inspection services when they are required for City capital projects.

Intertek PSI Inc., is on the City's list of qualified firms to perform materials testing and special inspection. PSI prepared a typical scope and estimated fee to perform materials testing and special inspection services for the Project which has been incorporated into the City's contract form included as an exhibit to this council bill. Intertek PSI Inc. will provide the services on a unit price basis in accordance with the contract and exhibits and only for tests and inspections actually completed. The not-to-exceed contract amount is based on the estimated scope and associated fee plus an additional ~10% to ensure there are sufficient funds to perform all necessary materials testing and special inspections for this federally funded project. During construction, time is of the essence and any delay or inadequacies in materials testing and inspection could cause the City to incur significant additional costs due to delay and/or risk losing grant funding due to not meeting

federal construction requirements.

FISCAL CONSIDERATION

The project is included in the 2015/16 Budget, under the Street Capital Fund and funded primarily with a Federal Surface Transportation Program (STP) grant in the amount of \$331,000. A budget summary is shown in the table below:

2015/16 Budget for Street Capital Fund, Objective No. 7:	\$390,000
Project Expenses:	
Construction Contract – Granite Construction Company:	(\$464,500)
Change Order Authority Amount:	(\$ 15,000)
Estimated amounts reimbursable to WSDOT for special inspections:	(\$ 1,500)
Estimated amounts for Public Outreach:	(\$ 1,500)
Authorize Materials Testing and Inspection Contract with PSI, Inc.:	(\$ 5,300)
Estimated Total Project Expenses:	(\$487,800)
Estimated Remaining Budget:	(\$ 97,800)

Despite the budget shortage shown above, sufficient funds exist in Street Capital Fund to cover all project expenses noted.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION/MOTION

Authorize the Mayor to execute a Professional Services Contract with Intertek PSI, Inc., in an amount not to exceed \$4,784.00 for materials testing and inspection required as part of the Kimball Drive and Hunt Street Overly Project and authorize the City Engineer to execute a contract amendment if needed for unforeseen additional testing in an amount not to exceed \$516.00.

**PROFESSIONAL SERVICES CONTRACT
BETWEEN THE CITY OF GIG HARBOR AND
INTERTEK PSI, INC.**

THIS AGREEMENT is made by and between the City of Gig Harbor, a Washington municipal corporation (the "City"), and Intertek PSI, Inc., a corporation organized under the laws of the State of Delaware (the "Consultant").

RECITALS

WHEREAS, the City is presently engaged in the Kimball Drive and Hunt Street Overlay Project and desires that the Consultant perform services necessary to provide the following consultation services; and

WHEREAS, the Consultant agrees to perform the services more specifically described in the Scope of Work including any addenda thereto as of the effective date of this Agreement, all of which are attached hereto as **Exhibit A – Scope of Work**, and are incorporated by this reference as if fully set forth herein;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the parties as follows:

TERMS

1. **Retention of Consultant - Scope of Work.** The City hereby retains the Consultant to provide professional services as defined in this Agreement and as necessary to accomplish the scope of work attached hereto as **Exhibit A** and incorporated herein by this reference as if set forth in full. The Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work, except as specifically noted otherwise in this Agreement.

2. **Payment.**

A. The City shall pay the Consultant an amount based on time and materials, not to exceed Four Thousand Seven Hundred Eighty-four Dollars (4,784.00) for the services described in Section 1 herein. This is the maximum amount to be paid under this Agreement for the work described in **Exhibit A**, and shall not be exceeded without the prior written authorization of the City in the form of a negotiated and executed supplemental agreement. The Consultant's staff and billing rates shall be as described in **Exhibit B – Schedule of Rates and Estimated Hours**. The Consultant shall not bill for Consultant's staff not identified or listed in **Exhibit B** or bill at rates in excess of the hourly rates shown in **Exhibit B**, unless the parties agree to a modification of this Contract, pursuant to Section 17 herein.

B. The Consultant shall submit monthly invoices to the City after such services have been performed, and a final bill upon completion of all the services described in this Agreement. The City shall pay the full amount of an invoice within forty-five (45) days of receipt. If the City objects to all or any portion of any invoice, it shall so notify the Consultant of the same within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion.

3. **Duration of Work.** The City and the Consultant agree that work will begin on the tasks described in **Exhibit A** immediately upon execution of this Agreement. The parties agree that the work described in **Exhibit A** shall be completed by March 1, 2017; provided however, that additional time shall be granted by the City for excusable days or extra work.

4. **Termination.** The City reserves the right to terminate this Agreement at any time upon ten (10) days written notice to the Consultant. Any such notice shall be given to the address specified above. In the event that this Agreement is terminated by the City other than for fault on the part of the Consultant, a final payment shall be made to the Consultant for all services performed. No payment shall be made for any work completed after ten (10) days following receipt by the Consultant of the notice to terminate. In the event that services of the Consultant are terminated by the City for fault on part of the Consultant, the amount to be paid shall be determined by the City with consideration given to the actual cost incurred by the Consultant in performing the work to the date of termination, the amount of work originally required which would satisfactorily complete it to date of termination, whether that work is in a form or type which is usable to the City at the time of termination, the cost of the City of employing another firm to complete the work required, and the time which may be required to do so.

5. **Non-Discrimination.** The Consultant agrees not to discriminate against any customer, employee or applicant for employment, subcontractor, supplier or materialman, because of race, color, creed, religion, national origin, marital status, sex, sexual orientation, age or handicap, except for a bona fide occupational qualification. The Consultant understands that if it violates this provision, this Agreement may be terminated by the City and that the Consultant may be barred from performing any services for the City now or in the future.

6. **Independent Status of Consultant.** The parties to this Agreement, in the performance of it, will be acting in their individual capacities and not as agents, employees, partners, joint ventures, or associates of one another. The employees or agents of one party shall not be considered or construed to be the employees or agents of the other party for any purpose whatsoever.

7. **Indemnification.**

A. The Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers, harmless from any and all claims, injuries, damages, losses or suits including attorneys fees, arising out of or resulting from the acts, errors or omissions

v.2014{AXS1249315.DOC;1/00008.900000/ }

of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

B. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees or volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. Insurance.

A. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Consultant's own work including the work of the Consultant's agents, representatives, employees, subconsultants or subcontractors.

B. Before beginning work on the project described in this Agreement, the Consultant shall provide evidence, in the form of a Certificate of Insurance, of the following insurance coverage and limits (at a minimum):

1. Business auto coverage for any auto no less than a \$1,000,000 each accident limit, and
2. Commercial General Liability insurance no less than \$1,000,000 per occurrence with a \$2,000,000 aggregate. Coverage shall include, but is not limited to, contractual liability, products and completed operations, property damage, and employers liability, and
3. Professional Liability insurance with no less than \$1,000,000 per occurrence. All policies and coverages shall be on an occurrence basis by an 'A' rated company licensed to conduct business in the State of Washington.

C. The Consultant is responsible for the payment of any deductible or self-insured retention that is required by any of the Consultant's insurance. If the City is required to contribute to the deductible under any of the Consultant's insurance policies, the Contractor shall reimburse the City the full amount of the deductible within 10 working days of the City's deductible payment.

D. The City of Gig Harbor shall be named as an additional insured on the Consultant's commercial general liability policy. This additional insured endorsement shall be included with evidence of insurance in the form of a Certificate of Insurance for coverage necessary in Section B. The City reserves the right to receive a certified and complete copy of all of the Consultant's insurance policies upon request.

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E. Under this Agreement, the Consultant's insurance shall be considered primary in the event of a loss, damage or suit. The City's own comprehensive general liability policy will be considered excess coverage with respect to defense and indemnity of the City only and no other party. Additionally, the Consultant's commercial general liability policy must provide cross-liability coverage as could be achieved under a standard ISO separation of insured's clause.

F. The Consultant shall request from his insurer a modification of the ACORD certificate to include language that prior written notification will be given to the City of Gig Harbor at least 30 days in advance of any cancellation, suspension or material change in the Consultant's coverage.

9. Ownership and Use of Work Product. Any and all documents, drawings, reports, and other work product produced by the Consultant under this Agreement shall become the property of the City upon payment of the Consultant's fees and charges therefore. The City shall have the complete right to use and re-use such work product in any manner deemed appropriate by the City, provided, that use on any project other than that for which the work product is prepared shall be at the City's risk unless such use is agreed to by the Consultant.

10. City's Right of Inspection. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

11. Records. The Consultant shall keep all records related to this Agreement for a period of three years following completion of the work for which the Consultant is retained. The Consultant shall permit any authorized representative of the City, and any person authorized by the City for audit purposes, to inspect such records at all reasonable times during regular business hours of the Consultant. Upon request, the Consultant will provide the City with reproducible copies of any such records. The copies will be provided without cost if required to substantiate any billing of the Consultant, but the Consultant may charge the City for copies requested for any other purpose.

12. Work Performed at the Consultant's Risk. The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and subconsultants in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

13. Non-Waiver of Breach. The failure of the City to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options, and the same shall be and remain in full force and effect.

14. Resolution of Disputes and Governing Law.

A. Should any dispute, misunderstanding, or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the City Engineer or Director of Operations and the City shall determine the term or provision's true intent or meaning. The City Engineer or Director of Operations shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Consultant under any of the provisions of this Agreement which cannot be resolved by the City Engineer or Director of Operations determination in a reasonable time, or if the Consultant does not agree with the City's decision on the disputed matter, jurisdiction of any resulting litigation shall be filed in Pierce County Superior Court, Pierce County, Washington. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The prevailing party in any such litigation shall be entitled to recover its costs, including reasonable attorney's fees, in addition to any other award.

15. Written Notice. All notices required to be given by either party to the other under this Agreement shall be in writing and shall be given in person or by mail to the addresses set forth below. Notice by mail shall be deemed given as of the date the same is deposited in the United States mail, postage prepaid, addressed as provided in this paragraph.

CONSULTANT:
Intertek PSI, Inc.
ATTN: Mike Kath, Branch Mgr.
3011 South Huson Street, Ste. A
Tacoma, WA 98409
(253) 589-1804

City of Gig Harbor
ATTN: Stephen Misiurak, P.E.
City Engineer
3510 Grandview Street
Gig Harbor, WA 98335
(253) 851-6170

16. Subcontracting or Assignment. The Consultant may not assign or subcontract any portion of the services to be provided under this Agreement without the express written consent of the City. If applicable, any subconsultants approved by the City at the outset of this Agreement are named on **Exhibit C** attached hereto and incorporated herein by this reference as if set forth in full.

17. Entire Agreement. This Agreement represents the entire integrated agreement between the City and the Consultant, superseding all prior negotiations, representations or agreements, written or oral. This Agreement may be modified, amended, or added to, only by written instrument properly signed by both parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement this _____ day of _____, 2016.

CONSULTANT

CITY OF GIG HARBOR

By: Mike Kerr
Its: Branch Manager

By: _____
Mayor Jill Guernsey

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

ESTIMATED SCOPE OF WORK:

I. Civil Site Work: Soils, Exterior Concrete, and Pavement

PSI based estimate to perform compaction testing for asphalt pavement and sample and test exterior concrete as required in project specifications.

A. Senior Engineering Technician to perform in-place density tests for soils and asphalt. Estimated 40 hours @ \$52 per hour	\$2,080.00
B. Concrete Field Technician to sample and test exterior concrete and pervious pavement during placement. Estimated 12 hours @ \$52 per hour	\$624.00
C. Vehicle Trip Estimated 8 trips @ \$20.00 per trip.....	\$160.00
D. Concrete cylinders tested in compression Estimated 15 tests @ \$20 per test.....	\$300.00
E. Moisture Density Relationship Estimated 2 tests @ \$200 per test.....	\$400.00
F. Sieve Analysis Estimated 2 tests @ \$100 per test.....	\$200.00
G. Asphalt Rice Density Estimated 2 tests @ \$105 per test.....	\$210.00
H. Asphalt Extraction/ Gradation Estimated 2 tests @ \$235 per test.....	\$470.00
I. Project Engineer to observe and supervise field personnel and review reports Estimated 4 hours @ \$85 per hour	\$340.00
ESTIMATED TOTAL FOR CIVIL SITE WORK.....	\$4,784.00



SCHEDULE OF SERVICES AND FEES
Effective: January 1, 2016

A. PROFESSIONAL SERVICES

Special Inspection ¹	52.00/hr
Compaction Testing, Densometer/Sand Cone (ASTM D 2922, D 1556 D-2950)	52.00/hr
Project Management, Report Review & Evaluation	85.00/hr
Staff Geotechnical Engineer/Geologist	125.00/hr
Project Geotechnical Engineer/Geologist	155.00/hr
Principal Consultant	175.00/hr
Administrative Staff/Report Preprocessing	No Charge

B. STRUCTURAL STEEL

Special Inspection, Structural Steel ²	65.00/hr
Non-Destructive Examination (UT, MT, PT) ³	80.00/hr
Tension Calibrator	80.00/day

C. CONCRETE LABORATORY TESTING

Compression Strength Test, Each, (ASTM C 39)	20.00/ea
Compression Strength Test, Cast/Delivered by Others, Each, (ASTM C 39)	55.00/ea
Compression Strength Test for Core Specimen, Each, (ASTM C 42, C 513)	50.00/ea
Flexural Strength Test, Each, (ASTM C 78, C 293)	80.00/ea
Density Test, Normal & Light Weight Concrete, Each Specimen (ASTM C 642)	40.00/ea
Splitting Tensile Test, Each, (ASTM C 496)	75.00/ea
Concrete Cylinder Molds, Each	5.00/ea
Concrete Coring	90.00/hr
Penetration Resistance of Hardened Concrete (ASTM C 803)	90.00/hr
Penetration Resistance of Hardened Concrete charges per set of three	35.00/set
Concrete Mix design Quoted Per Project	Quoted Per Project
Concrete Batchplant Certification	Quoted Per Project

D. SHOTCRETE LABORATORY TEST

Compression Test, Three Cores Per Panel (ASTM C 1140)	145.00/ea
Additional Cores, Each	50.00/ea

¹ Reinforced Concrete, Reinforced Masonry, Pre-Stressed and Post-Tensioned Concrete

² Roofing, Nailing, Wood Structures, Piling, Sprayed-on Fireproofing, Shotcrete, and Concrete Batchplant

³ Ultrasonic, Magnetic Particle and Dye Penetrant



SCHEDULE OF SERVICES AND FEES
Effective: January 1, 2016

E. MASONRY LABORATORY TESTING

Mortar Compressive Strength Test, Each, (ASTM C 780)	22.00/ea
Grout Compression Strength Test, Each, (ASTM C 1019)	22.00/ea
Prisms, Grouted/Ungouted, 8"x8"x16", Each, (UBC 21-17)	118.00/ea
Masonry Units, Each, (ASTM C 140)	95.00/ea
Youngs Modulus of Elasticity (ASTM E 111)	220.00/ea
Efflorescence Test (ASTM C 67 Article 10)	330.00/ea
Freezing and Thawing (ASTM C 67, Article 8, Maximum Cycle)	2200.00/ea
Brick Compressive Strength Test (ASTM C 67, Article 6)	120.00/ea

F. SOILS LABORATORY TESTING

Sieve Analysis (ASTM C 136, C 117, D 1140)	100.00/ea
Hydrometer Analysis (ASTM D 422)	235.00/ea
Moisture/Density Relationship (ASTM D 698, D 1557)	200.00/ea
Sand Cone Density Test, Each, (ASTM D 1556)	40.00/ea
Natural Moisture Content (ASTM D 2216).	40.00/ea
Organic Content Test (ASTM D 2974)	160.00/ea
Permeability (ASTM D 5084)	500.00/ea
Permeability Test, Constant Head (ASTM D 2434)	290.00/ea
Specific Gravity (ASTM D 854)	105.00/ea
Atterberg Limits (ASTM D 4318)	220.00/ea
Visual Soil Classification (ASTM C 2488)	40.00/ea
California Bearing Ratio (ASTM D 1883)	550.00/ea

G. AGGREGATE LABORATORY TESTING

Clay Lumps and Friable Particles (ASTM C 142)	125.00/ea
Organic Impurities (ASTM C 40)	145.00/ea
Fracture Face Count (WSDOT 103, ASTM D 5821)	158.00/ea
Sand Equivalent (ASTM D 2419)	100.00/ea
Soundness-Sodium Sulfate (ATSM C 88)	500.00/ea
Soundness-Magnesium Sulfate	600.00/ea
Abrasion (ASTM C 131, C 535)	185.00/ea
Unconfined Compressive Test, Intact Rock Cores, Each, (ASTM D 2938)	130.00/ea
Coarse Aggregate Specific Gravity (ASTM C 127)	85.00/ea
Fine Aggregate Specific Gravity (ASTM C 128)	85.00/ea
Aggregate Unit Weight (ASTM C 29)	100.00/ea
Resistivity (ASTM D 2844)	230.00/ea
Ethylene Glycol Expansive Breakdown CRD (C-145)	550.00/ea
Degradation (WSDOT T-113)	245.00/ea

EXHIBIT B



SCHEDULE OF SERVICES AND FEES
Effective: January 1, 2016

H. ASPHALTIC CONCRETE

Marshal Stability and Flow, 3 Specimens (ASTM D 1559, AASHTO T 245)	260.00/ea
Rice Density (ASTM D 2041, AASHTO T 245)	105.00/ea
Bulk Specific Gravity, Cores, (ASTM D 2726, AASHTO T 166)	70.00/ea
Extraction/Gradation (ASTM D6307) (AASHTO T308)	235.00/ea
Mix Design, Marshal Method, 3 Trials and Specimens (ASPHALT INST. MS 2)	Quoted Per Project
Mix Design, Marshal Method, 6 Trials and Specimens (ASPHALT INST. MS 2)	Quoted Per Project

I. OTHER MATERIALS

Sprayed-on Fireproofing Dry Unit Weight (ASTM E 602)	58.00/ea
Adhesion/Cohesion Test (ASTM E 726)	50.00/ea
Anchor Bolt Pull Test, One Man Crew	90.00/hr
Anchor Bolt Pull Test, Two Man Crew	135.00/hr
Concrete Floor Moisture Test, Each	54.00/ea
Pachometer Inspection	90.00/hr
Ground Penetrating Radar (3 hour minimum)	250.00/hr

J. MISCELLANEOUS

All Outside Expenses (i.e., Subsistence, Equipment Rental, Materials, Sub contract, Airfare, etc.)	Cost Plus 30%
Vehicle Trip	20.00/ea
Sample Pick-up / Delivery	Quoted Per Project



**Business of the City Council
City of Gig Harbor, WA**

Subject: Partial Release and Termination of Utility Easement - Goodman Avenue

Proposed Council Action:

Authorize the Mayor to execute the Partial Release and Termination of Utility Easement - Goodman Avenue.

Dept. Origin: Engineering Department

Prepared by: Willy Hendrickson
Engineering Technician

For Agenda of September 26, 2016

Exhibits: Partial Release and Termination of Easement; 7/1/16 letter requesting release

	Initial & Date
Concurred by Mayor:	JL 9-27-16
Approved by City Administrator:	RW 9/22/16
Approved as to form by City Atty:	Via email
Approved by Finance Director:	N/A
Approved by Department Head:	JL 9-22-16

Expenditure Required	\$0	Amount Budgeted	\$0	Appropriation Required	\$0
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INFORMATION/BACKGROUND

On July 1, 2016, the owners of property located at 3669 Artena Lane requested the City to vacate or relocate a storm sewer utility easement that bisects their adjacent vacant lot. The easement was reserved when the City vacated a portion of Goodman Avenue in 1990. City staff has reviewed this request in depth and has determined that there is not any current or future interest in keeping this portion of the easement. This proposed Partial Release and Termination of a City utility easement will upon Council approval and County recordation relinquish the subject storm sewer utility easement that was recorded in 1990 (AFN200006300661). The property owner proposes to build a single family home over this utility easement.

BOARD OR COMMITTEE RECOMMENDATION

None

FISCAL CONSIDERATION

None

RECOMMENDATION/MOTION

Authorize the Mayor to execute the Partial Release and Termination of Easement - Goodman Avenue.

AFTER RECORDING RETURN TO:

The City of Gig Harbor
Attn: City Clerk
3510 Grandview Street
Gig Harbor, WA 98335

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S INDEXING FORM

Document Title(s) (or transactions contained therein):

Partial Release and Termination of Utility Easement

Grantor(s) (Last name first, then first name and initials)

City of Gig Harbor

Grantee(s) (Last name first, then first name and initials)

Legal Description (abbreviated: i.e., lot, block, plat or section, township, range)

Section 05, Township 21, Range 02, Quarter 22

Assessor's Property Tax Parcel or Account Number(s): 2260000373

Reference Number(s) of Documents assigned or released: AFN 20006300661

PARTIAL RELEASE AND TERMINATION OF UTILITY EASEMENT

WHEREAS, the Janell Adrienne Israel Living Trust and Colin Kelly Harris Living Trust are the owners of certain property commonly known as 36XX Artena Lane, Gig Harbor, Washington, Assessor's Tax Parcel No. 2260000373, legally described on Exhibit A, attached hereto and incorporated herein (the "Property"); and

WHEREAS, on September 10, 1990, the City of Gig Harbor adopted Ordinance No. 589, recorded at Pierce County Auditor's File No. 200006300661, vacating the portion of Goodman Avenue lying south of Hall Street and north of Sellers Street and reserving a utility easement of 15 feet centered on the center line of the portion vacated (the "Utility Easement"); and

WHEREAS, a portion of the Utility Easement lies on the Property, as shown on Exhibit B, attached hereto and incorporated herein; and

WHEREAS, the City of Gig Harbor has determined it has no need presently or in the future for the portion of the Utility Easement on the Property; now, therefore,

THE GRANTOR, CITY OF GIG HARBOR, hereby releases and relinquishes all rights and interest to and declares the portion of the Utility Easement on the Property terminated.

DATED this _____ day of _____, 2016.

CITY OF GIG HARBOR

By: _____
Mayor Jill Guernsey

APPROVED AS TO FORM:

City Attorney

[Notary on following page.]

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

I certify that I know or have satisfactory evidence that JILL GUERNSEY is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Mayor of THE CITY OF GIG HARBOR, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
Notary Public in and for Washington,
Residing at _____
My appointment expires: _____

EXHIBIT A

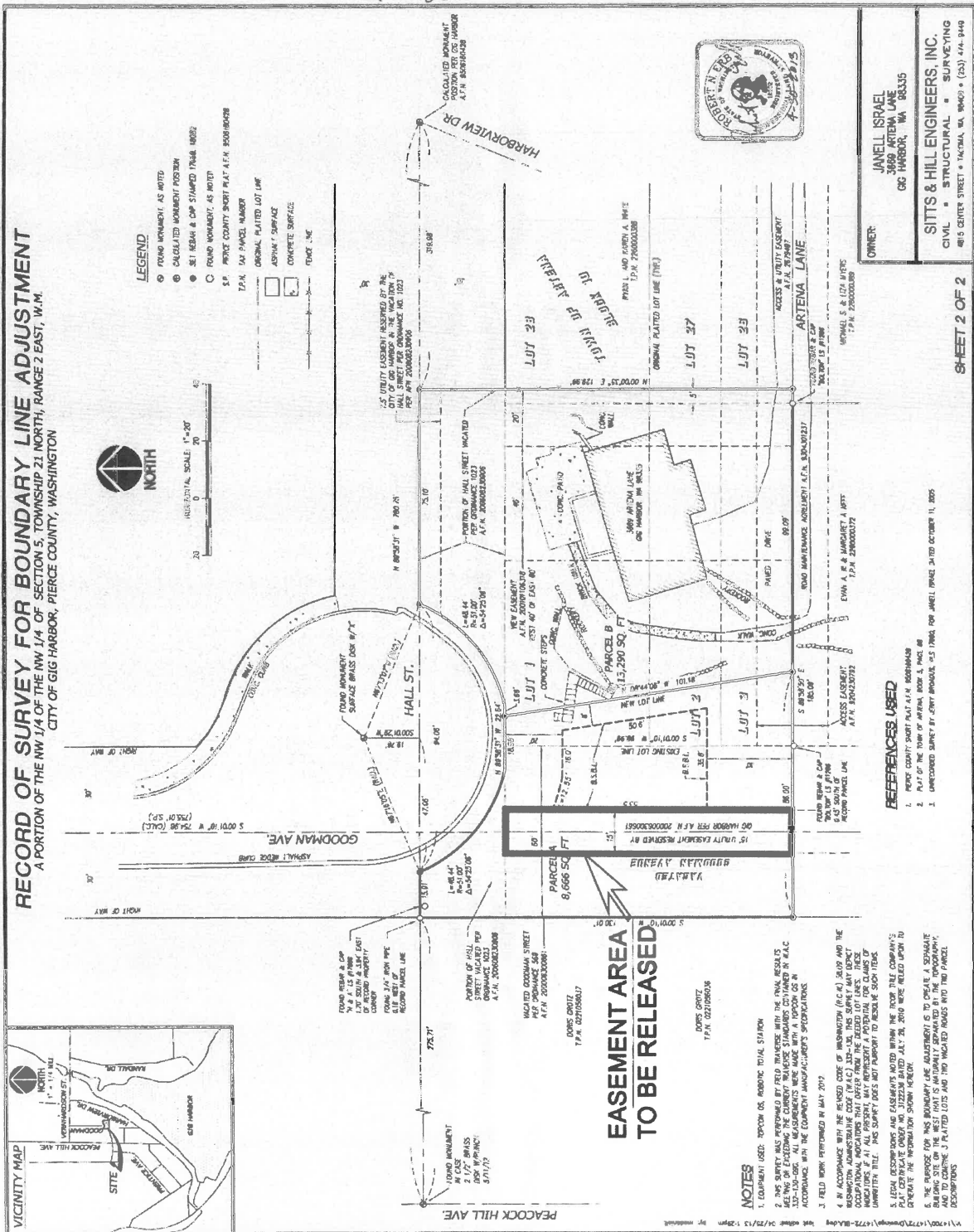
**LEGAL DESCRIPTION
(Burdened Parcel)**

Source: Pierce County Auditor's Office

Parcel Number 2260000373

Section 05 Township 21 Range 02 Quarter 22 ARTENA ADD PARCEL A OF ROS FOR BLA 2013-05-03-5002 DESC AS L 1 THRU 3 & W 5 FT OF L 26 THRU 28 B 10 TOG/W POR OF GOODMAN AV (CHEHALIS ST) ABUTT PER VAC ORD 589 TOG/W POR OF HALL ST ABUTT PER VAC ORD 1023 TOG/W EASE OF REC EXC THAT POR LY E OF FOLL DESC LI COM AT INTER OF WLY PROJ OF S LI OF L 3 B 10 & W R/W OF VAC GOODMAN AV (CHEHALIS ST) PER ORD 589 TH E 86 FT TO POB OF SD LI DESC TH N 08 DEG 44 MIN 06 SEC W 101.18 FT & TERMINUS OF SD LI DESC OUT OF 037-1 SEG 2014-0045 JP 7/16/13 JP

EXHIBIT B
UTILITY EASEMENT RELEASE LOCATION MAP



LAND USE &
PROPERTY LAW

6659 Kimball Drive, Suite B-201
Gig Harbor, WA 98335
Tel. (253) 853-1806
Jane Koler - Mark Adams of Counsel
jane@jkolerlaw.com - mark@landuselawwa.com

A Professional Limited Liability Company

zoning

land use

real property

environmental

July 1, 2016

Steve Misiurak, P.E., City Engineer
William Hendrickson, Engineering Technician
CITY OF GIG HARBOR
3510 Grandview Street
Gig Harbor, WA 98335

Re: Parcel No. 2260000371 - Located at 3669 Artena Lane

Dear Mr. Misiurak and Mr. Hendrickson:

As you requested, I am following-up on our telephone conference with this description of my client, Janell Israel's request. Ms. Israel owns a home at 3669 Artena Lane, Gig Harbor, Washington. She also owns a vacant lot next to her Artena Lane home. In 2000, the City of Gig Harbor vacated the segment of Goodman Avenue that crossed the Israel property. That segment of Goodman Avenue had been vacated by operation of law under the non-user statute. Goodman Avenue had been shown on the old Artena plat and had not been developed and opened within five years of recording the plat. When the Gig Harbor City Council vacated Goodman Avenue on August 10, 1990, it retained the City utility easement in the former Goodman Avenue location.

In past conversations with Mr. Hendrickson about the City utility easement, he has recognized that (1) no City utilities have ever been placed within this Goodman Avenue easement; (2) all utilities have already been installed; and (3) there is no future need to place utilities in that easement.

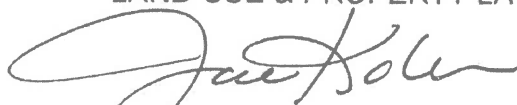
Because the City will never utilize the utility easement for utility purposes, my client requests that the City agree to either vacate it or relocate it. Presently, the utility easement bisects my client's vacant lot, making it impossible for her to make reasonable use of the lot.

Please let me know whether the City would be amenable to vacate that easement or relocate it. The preferable course of action would be to vacate the utility easement that will never be used for a utility purpose.

I have enclosed a survey that depicts the location of the utility easement. Please call me with any questions about this matter.

Very truly yours,

LAND USE & PROPERTY LAW, PLLC

A handwritten signature in black ink, appearing to read "Jane Koler". The signature is fluid and cursive, with a large initial "J" and "K".

Jane Koler

JRK/jl

Copy: Client

Enclosure



Business of the City Council City of Gig Harbor, WA

Subject: Country Squire Annexation

Proposed Council Action: Fix date for Public Hearing on 60% Petition for Annexation.

Motion: Move to hold a Public Hearing on the 60% Petition and first reading of Ordinance on October 24, 2016 relating to the annexation of the Country Squire Condominiums as shown in Exhibit A.

Dept. Origin: Planning

Prepared by: Lindsey Sehmel, AICP LNS

For Agenda of: September 26, 2016

Exhibit:
A. 60% Petition for Annexation
B. Declaration of Sufficiency from Pierce County.

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

Initial &
Date

JG 9-19-16

Ronw 9/19/16

Via email 9/14/16 LNS

N/A

JK 9/19/16

Expenditure Required	Amount Budgeted	Appropriation Required	\$ 0
-----------------------------	------------------------	-------------------------------	------

INFORMATION/BACKGROUND

City Council considered the 10% petition for annexation and approved the processing to move forward under on June 13, 2016. Washington State RCW 35A.14.130 requires a meeting with the Council to set a public hearing date on the final 60% petition, and is being completed here today.

BOARD OR COMMITTEE RECOMMENDATION

None. Prior consideration was done with the full City Council during the regularly scheduled June 13, 2016 meeting.

RECOMMENDATION/MOTION

Motion: Move to hold a Public Hearing on the 60% Petition and first reading of Ordinance on October 24, 2016 relating to the annexation of the Country Squire Condominiums as documented in Exhibit A.



Pierce County

Boundary Review Board

2401 South 35th Street
Tacoma, Washington 98409-7460
(253) 798-7156 • FAX (253) 798-3680

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CITY OF GIG HARBOR

CITY OF GIG HARBOR

July 6, 2016

Ms. Lindsey Sehmel
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

RE: City of Gig Harbor – Proposed Country Squire Condominium Annexation

Dear Ms. Sehmel:

Enclosed please find the Declaration of Sufficiency of the petition related to the proposed Country Squire Condominium Annexation.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Toni Fairbanks".

Toni Fairbanks
Chief Clerk





Pierce County

Office of the Assessor-Treasurer

2401 South 35th Street, Room 142
Tacoma, Washington 98409-7498
(253) 798-6111 • (800) 992-2456
FAX (253) 798-3142
www.piercecountywa.org/atr

Mike Lonergan
Assessor-Treasurer

State of Washington)
County of Pierce)ss.

DECLARATION

I, Mike Lonergan, Assessor-Treasurer of Pierce County, do hereby certify that the Petition entitled: **Country Squire Condominiums Annexation**, submitted to me by the **City of Gig Harbor**, bears the names and purported signatures of persons who are owners or part owners of parcels lying within the proposed annexation and are owners of more than 60% of the assessed value of the area proposed for annexation. The undersigned cannot certify the authenticity of the signatures of such named owners, because authenticated signatures of all such owners are not required to be kept in the records of Pierce County for such real property.

I declare under penalty of perjury under the laws of the State of Washington that I have read the foregoing declaration, and believe the contents thereof to be true.

Dated this 29th day of June 2016, in Tacoma, Washington.

A handwritten signature in blue ink that reads "Mike Lonergan".

Mike Lonergan, Assessor-Treasurer

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CITY OF GIG HARBOR

**PETITION FOR ANNEXATION TO THE
CITY OF GIG HARBOR, WASHINGTON**

The Honorable Mayor and City Council
City of Gig Harbor
3510 Grandview Street
Gig Harbor WA, 98335

Dear Mayor and City Council:

WE, the undersigned, who are the owners of a majority of the acreage and a majority of the registered voters residing in the area legally described on Exhibit "A" attached hereto and is geographically depicted on a Pierce County Assessor's parcel map on Exhibit "B" further attached hereto, lying contiguous to the City of Gig Harbor, Washington (an optional municipal code city), do hereby petition that such territory be annexed to and made a part of the City of Gig Harbor under the provisions of RCW 35A.14.420-450., and any amendments thereto, of the State of Washington.

The territory proposed to be annexed is within Pierce County, Washington, and is legally described on Exhibit "A", attached hereto.

WHEREFORE, the undersigned respectively petition the City Council of the City of Gig Harbor and ask:

- (a) That appropriate action be taken to entertain this petition, fixing a date for a public hearing thereon and causing notice of the hearing to be published in one or more issues of a newspaper of general circulation in the City and posted in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation; and
- (b) That following such hearing, if the City Council determines to effect the annexation, it shall do so by ordinance, and that property so annexed shall become a part of the City of Gig Harbor, Washington, subject to its laws and ordinance then and thereafter in force.

The City of Gig Harbor Council meet with the initiators of the proposed annexation on 6/13/16. It was moved by Councilmember Kalzik and seconded by Councilmember Parvov that the City of Gig Harbor accept the notice of intention to commence annexation proceedings and further authorize the circulation of an annexation petition subject to the following conditions:

1. All property within the territory hereby sought to be annexed shall be assessed and taxed on the same basis as property within the City of Gig Harbor is assessed and taxed to pay for the portion of any then-outstanding indebtedness of the City of Gig Harbor, which indebtedness has been approved by the voters,

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CITY OF GIG HARBOR


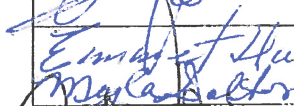
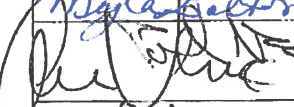
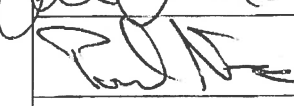
- contracted for, or incurred before, or existing at, the date of annexation and that the City of Gig Harbor has required to be assumed; and
2. Simultaneous adoption of proposed zoning regulations be required of the said area proposed for annexation as described in the City of Gig Harbor Comprehensive Plan adopted pursuant to Ordinance No. 686 of the City of Gig Harbor, and as implemented through the City Zoning Code, Title 17 of the Gig Harbor Municipal Code. Zoning is hereby established as **LOW DENSITY RESIDENTIAL (SINGLE FAMILY)**

This petition is accompanied by and has attached hereto as Exhibit "B", a diagram that outlines the geographic boundaries of the property sought to be annexed as depicted on a Pierce County Assessor's parcel map.

These pages are a group of pages containing identical text and prayer intended by the signers of this petition to be presented and considered as one petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single petition.

WARNING: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

PRAYER OF PETITION: (1) Annexation of the area described in Exhibits "A" and "B", and (2) assumption of indebtedness of the City of Gig Harbor, and (3) adoption of the City of Gig Harbor Zoning Designation of **LOW DENSITY RESIDENTIAL (SINGLE FAMILY)**

Resident/Owner Signature	Printed Name	Address & Tax Parcel Number	Date Signed
	LEYLA COBAN	6203 SOUNDVIEW DR. GIG HARBOR, WA 98335 Parcel # 900 464 0020	3/14/16
	Emmet E. Dalton	6201 Soundview Drive Gig Harbor, WA 98335 # 900 464 0010	5/1/16
	Andreea Venc PAVEL VENC	6205 SOUNDVIEW DR. GIG HARBOR WA 98335 Parcel # 900 464 0020	5/8/16
	Pavel Venc President, Country Square Condominium Association	Reference # 75800793 (6201, 6203, 6205, 6207 Soundview Dr. Gig Harbor WA 98335)	5/8/16

JUN 20 2016

CITY OF GIG HARBOR

- contracted for, or incurred before, or existing at, the date of annexation and that the City of Gig Harbor has required to be assumed; and
2. Simultaneous adoption of proposed zoning regulations be required of the said area proposed for annexation as described in the City of Gig Harbor Comprehensive Plan adopted pursuant to Ordinance No. 686 of the City of Gig Harbor, and as implemented through the City Zoning Code, Title 17 of the Gig Harbor Municipal Code. Zoning is hereby established as SINGLE FAMILY RESID.

This petition is accompanied by and has attached hereto as Exhibit "B", a diagram that outlines the geographic boundaries of the property sought to be annexed as depicted on a Pierce County Assessor's parcel map.

These pages are a group of pages containing identical text and prayer intended by the signers of this petition to be presented and considered as one petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single petition.

WARNING: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

PRAYER OF PETITION: (1) Annexation of the area described in Exhibits "A" and "B", and (2) assumption of indebtedness of the City of Gig Harbor, and (3) adoption of the City of Gig Harbor Zoning Designation of SINGLE FAMILY RESIDENTIAL

Resident/Owner Signature	Printed Name	Address & Tax Parcel Number	Date Signed
<i>Katharine L. Easton</i> TTEE	KATHARINE L. EASTON TTEE	6207 SOUNDVIEW DR Gig Harbor, WA 98335 9004640040	3.22.2016

COUNTRY SQUIRE CONDOMINIUMS

A PORTION OF THE NW 1/4 OF THE NE 1/4, SECTION 17, TOWNSHIP 21 N, RANGE 2 E, W.M.
PIERCE COUNTY, WASHINGTON

A

DECLARATION

THE UNDERSIGNED DECLARANT, AS OWNER OF THE REAL PROPERTY DESCRIBED HEREIN, DECLARES THIS SURVEY MAP AND PLANS AND DEDICATES THE SAME FOR A CONDOMINIUM SOLELY TO MEET THE REQUIREMENTS OF THE WASHINGTON CONDOMINIUM ACT, RCW 64.34 ET. SEQ., AND NOT FOR ANY PUBLIC PURPOSE. DECLARANT CERTIFIES THAT ALL STRUCTURAL COMPONENTS AND MECHANICAL SYSTEMS OF ALL BUILDINGS CONTAINING OR COMPRISING ANY UNITS HEREBY CREATED ARE SUBSTANTIALLY COMPLETED.

THIS SURVEY MAP AND PLANS AND ANY PORTION THEREOF ARE RESTRICTED BY LAW AND BY THE DECLARATION FOR COUNTRY SQUIRE CONDOMINIUMS, RECORDED UNDER PIERCE COUNTY RECORDING NO. 200402190532

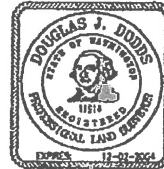
DECLARANTS:

WILLIAM AND BETTY HANSON TWO, LLC d
Washington limited liability company

By: Michael W. Hanson
Michael W. Hanson, Managing Member

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY MAP AND THE PLANS FOR COUNTRY SQUIRE CONDOMINIUMS ARE BASED UPON AN ACTUAL SURVEY OF THE PROPERTY DESCRIBED HEREIN; THAT THE BEARINGS AND DISTANCES ARE CORRECTLY SHOWN; THAT ALL INFORMATION REQUIRED BY RCW 64.34.232 IS SUPPLIED HEREIN; AND, THAT ALL HORIZONTAL AND VERTICAL BOUNDARIES OF THE UNITS ARE SUBSTANTIALLY COMPLETED IN ACCORDANCE WITH SAID PLANS.



Douglas J. Doores
DOUGLAS J. DOORES LS #11914

ACKNOWLEDGMENTS

STATE OF WASHINGTON }
COUNTY OF PIERCE } SS

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DO HEREBY CERTIFY THAT ON THIS 27 DAY OF JANUARY, 2004, PERSONALLY APPEARED MICHAEL W. HANSON, TO ME KNOWN TO BE THE MANAGING MEMBER OF WILLIAM AND BETTY HANSON TWO, A WASHINGTON LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THE WITHIN AND FORGOING DECLARATION TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN CONTAINED, AND SAID STATES THAT HE IS AUTHORIZED TO EXECUTE SAID INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Sarah M. Bolesh
NOTARY PUBLIC FOR THE STATE OF WASHINGTON
SARAH M. BOLESH
PRINTED NAME
RESIDING AT Tacoma, WA
MY COMMISSION EXPIRES 8/27/2005

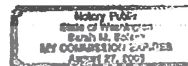
LAND SURVEYOR'S VERIFICATION

STATE OF WASHINGTON }
COUNTY OF PIERCE } SS

DOUGLAS J. DOORES BEING FIRST ON OATH DULY SWORN STATES THAT HE IS THE REGISTERED PROFESSIONAL LAND SURVEYOR SIGNING THE ABOVE CERTIFICATE AND THAT HE HAS EXAMINED THESE PLANS AND SURVEY MAP AND BELIEVES THE CERTIFICATE TO BE A TRUE STATEMENT.

Douglas J. Doores
DOUGLAS J. DOORES LS #11914

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 27 DAY OF JANUARY, 2004



Sarah M. Bolesh
NOTARY PUBLIC FOR THE STATE OF WASHINGTON
SARAH M. BOLESH
PRINTED NAME
RESIDING AT Tacoma, WA
MY COMMISSION EXPIRES 8/27/2005

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF MICHAEL W. HANSON
ON THE 19 DAY OF February, 2004, AT 57 MINUTES PAST 2 O'CLOCK, P.M.
AND RECORDED IN VOLUME _____ OF CONDOMINIUMS, PAGES _____ TO _____,
RECORDS OF PIERCE COUNTY, WASHINGTON. \$ 85.00

Pat McCarthy by Jan Keume
DEPUTY PIERCE COUNTY AUDITOR



ASSESSOR/TREASURER

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED.

Tran Madison 1-29-04
ASSESSOR/TREASURER - FN DATE
PIERCE COUNTY, WASHINGTON

INDEX OF SHEETS

- SHEET 1 - THIS SHEET
- SHEET 2 - BOUNDARY CONTROL SCHEDULE, LEGAL DESCRIPTION, EASEMENTS
- SHEET 3 - FIRST FLOOR & SECOND FLOOR UNIT DIMENSIONS & AREAS

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CITY OF GIG HARBOR

BASELINE ENGINEERING, INC.

1010-84th Avenue West • Tacoma, WA 98498
(253)563-4491 • Seattle (206)224-1205 FAX (253)563-8563
400 NO. 02121

PIERCE COUNTY RECORDING NO. 200402195004

200402195004

PREPARED

COUNTRY SQUIRE CONDOMINIUMS

A PORTION OF THE NW 1/4 OF THE NE 1/4, SECTION 17, TOWNSHIP 21 N, RANGE 2 E, W.M.
PIERCE COUNTY, WASHINGTON

64TH ST. N.W.

FOUND SURFACE MONUMENT
1-1/2" BRASS DISK WITH "X" IN
CONC. VISITED 10-25-02

LEGAL DESCRIPTION

(FROM COMMONWEALTH TITLE COMPANY SUBDIVISION GUARANTEE NO. 3029832)

THE WEST 205 FEET OF THE SOUTH 150 FEET OF TRACT 29, SHORE ACRES, PIERCE COUNTY,
WASHINGTON, ACCORDING TO THE PLAT RECORDED IN BOOK 10 OF PLATS AT PAGE 82, IN PIERCE
COUNTY, WASHINGTON

EXCEPT THE SOUTH 10 FEET THEREOF

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS OVER AND ACROSS THE NORTH 30 FEET OF THE
SOUTH 180 FEET OF THE WEST 205 FEET OF SAID TRACT 29.

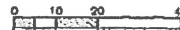
TOGETHER WITH AND SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BASIS OF BEARINGS

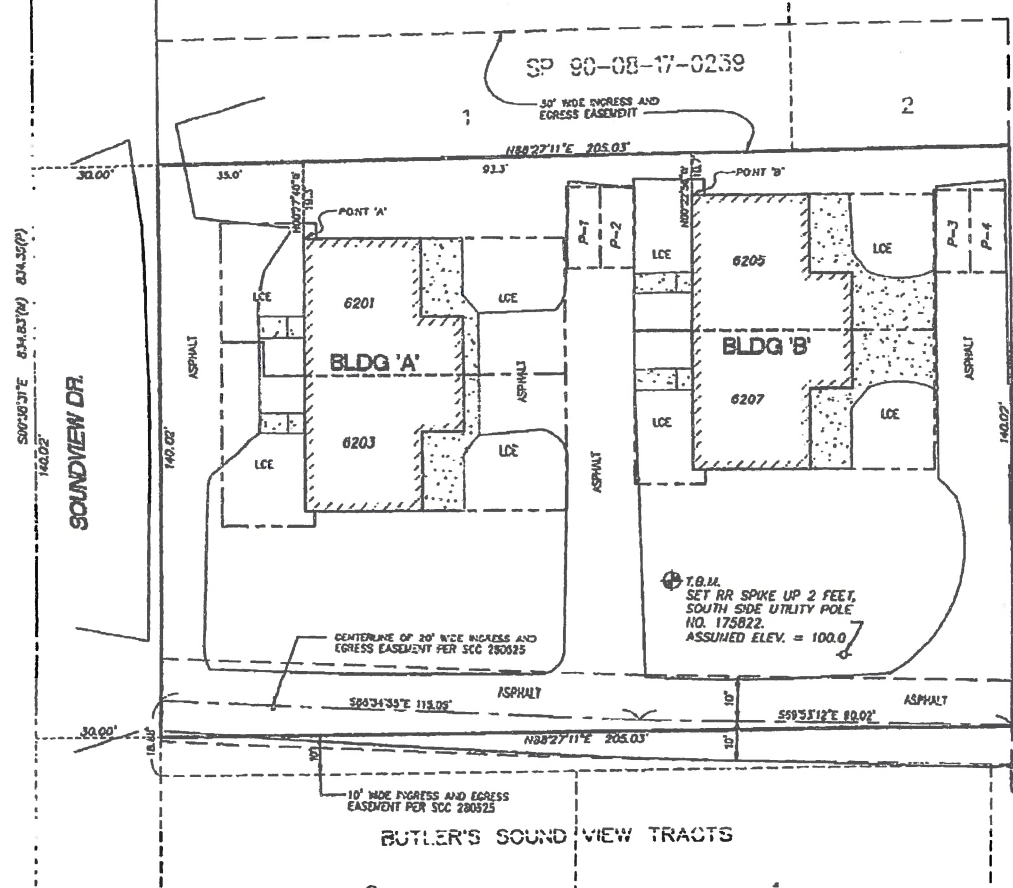
THE PLAT OF BUTLER'S SOUND VIEW
TRACTS BETWEEN THE MONUMENTS IN
SOUNDVIEW DRIVE AT 61ST ST. CT.
N.W. AND 64TH ST. N.W. AS SHOWN
BEARING = N00°30'31"W

VERTICAL DATUM

ASSUMED



SCALE 1"=20'



SOUNDVIEW DR.
S00°15'17"E 634.83'(M) 634.30'(P)
140.02'

N00°36'31"W
170.90'

LEGEND

- P-1 PARKING STALL DESIGNATION (LCE)
- LCE LIMITED COMMON ELEMENT
- 6201, 6203 UNIT DESIGNATION
- [Symbol] CONCRETE

SURVEYOR'S NOTES

- BUILDING TIES ARE ALONG EXTENSIONS OF THE BUILDING WALLS INDICATED TO INTERSECT THE NORTH DEED LINE AT THE DISTANCES SHOWN.
- NO DEED CORNERS WERE SET IN CONNECTION WITH PREPARING THIS CONDOMINIUM MAP.

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JUN 20 2016

CITY OF BIG HARBOR



BASELINE ENGINEERING, INC.

1910-8th Avenue West • Tacoma, WA 98403
(253)565-4488 • Seattle (206)421-1253 FAX (253)513-2503
JOB NO. 02121

61ST ST. CT. N.W.
N89°27'11"E(P)
660.93'(M) 660.90'(P)

FOUND SURFACE MONUMENT
1-1/2" BRASS DISK WITH "X" IN CONC.
VISITED 10-25-02

FOUND STONE MONUMENT WITH
CHIPPED HOLE 1.3" DOWN @
INTERSECTION WITH 28TH AVE.
N.W. VISITED 10-25-02

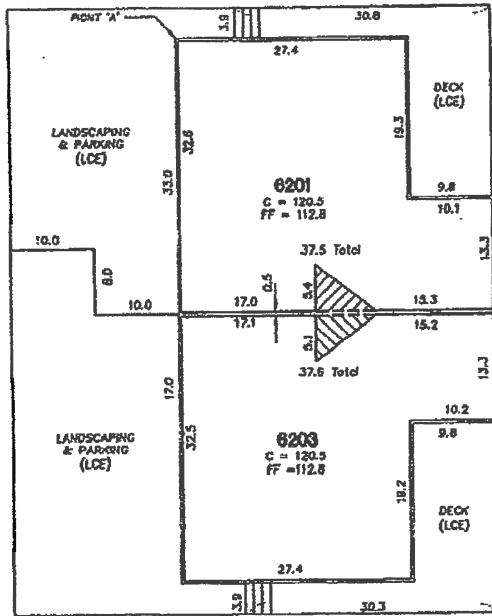
2040219504

2040219504

File 2212-C0206-16.dwg Plotted by: ding on January 20, 2016 at 10:00 a.m. Printer: 1/20 Attached Zacks

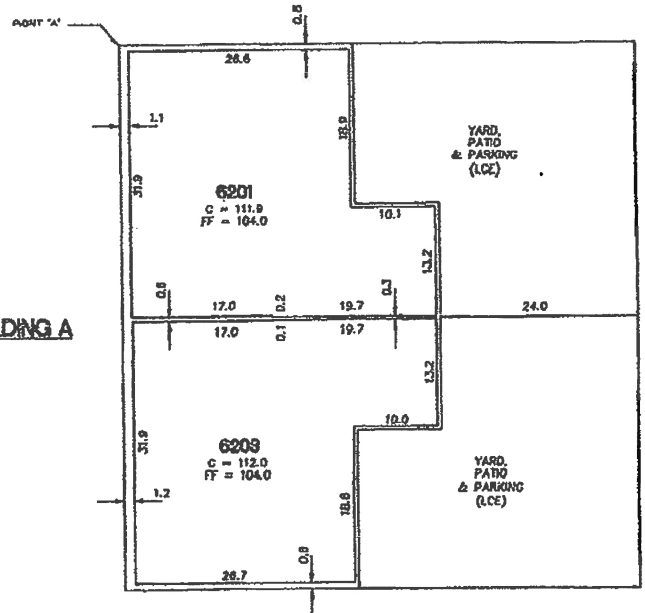
COUNTRY SQUIRE CONDOMINIUMS

A PORTION OF THE NW 1/4 OF THE NE 1/4, SECTION 17, TOWNSHIP 21 N, RANGE 2 E, W.M.
PIERCE COUNTY, WASHINGTON

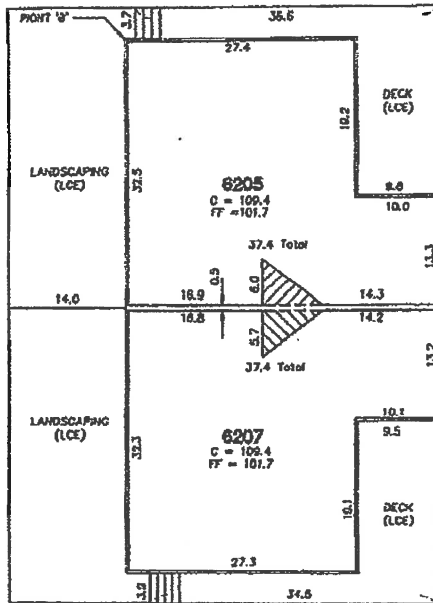


UPPER LEVEL

BUILDING A

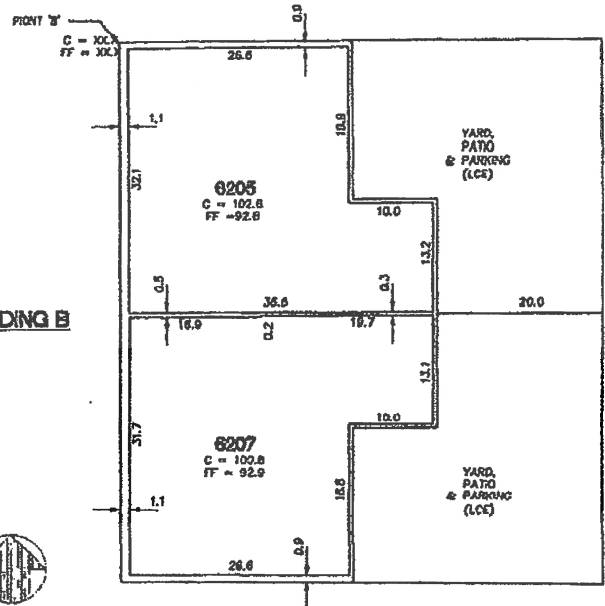


LOWER LEVEL



UPPER LEVEL

BUILDING B



LOWER LEVEL



SCALE 1"=10'

GENERAL NOTES

1. UNIT DIMENSIONS ARE TO THE INTERIOR SURFACE OF THE FINISH WALL (EXCLUSIVE OF SHEET ROCK, ETC.) AND ARE SHOWN WITHIN ± 0.1 FEET.
2. CEILING ELEVATIONS ARE TO THE LOWER SURFACE OF THE CEILING SHEET ROCK OR OTHER FINISHED SURFACE AND ARE SHOWN WITHIN ± 0.1 FEET.
3. FLOOR ELEVATIONS ARE TO THE UPPER SURFACE OF THE FLOOR (EXCLUSIVE OF CARPETING) AND ARE SHOWN WITHIN ± 0.1 FEET.
4. PERIMETER WALLS ON THE UPPER LEVEL ARE 3-1/2" THICK AND ON THE LOWER LEVEL, 6-1/2" THICK UNLESS OTHERWISE SHOWN.

UNIT AREAS

UNIT AREAS IN SQUARE FEET BASED ON "AS-BUILT" UNIT DIMENSIONS AS MEASURED TO THE INTERIOR SURFACE OF THE PERIMETER FINISH WALLS AND ARE NOT NECESSARILY THE SAME AS WHAT WOULD NORMALLY BE REFERRED TO AS "FLOOR AREA" ON ARCHITECTURAL PLANS.

UNIT	LOWER LEVEL	UPPER LEVEL	TOTAL
6201	± 1028 S.F.	± 984 S.F.	± 2012 S.F.
6203	± 1026 S.F.	± 965 S.F.	± 2011 S.F.
6205	± 1024 S.F.	± 968 S.F.	± 2010 S.F.
6207	± 1015 S.F.	± 979 S.F.	± 1997 S.F.

LEGEND

- LCE LIMITED COMMON ELEMENT
- C CEILING ELEVATION
- FF FLOOR ELEVATION
- FIREPLACE

P:\2012\BLOGGING\Printed by: Aug on January 20, 2004 at 10:10 am Scale: 1"=10' All dimensions in feet.

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JUN 20 2016

CITY OF GIG HARBOR



2040219504
BASELINE ENGINEERING, INC.
1010-845 Avenue West • Tacoma, WA 98456
(253)565-4481 • Seattle (206)224-1206 FAX (253)565-8583
438 N.E. 61124

2040219504

Assessor-Treasurer Interactive Property Information Portal

Parcel Summary for 7580000793

03/09/2016 03:13 PM



Property Details

Parcel Number: 7580000793
Site Address: REFERENCE
Account Type: Real Property
Category: Land and Improvements
Use Code: 0000-UNKNOWN

Taxpayer Details

Taxpayer Name: REFERENCE
Mailing Address: REFERENCE
TACOMA WA

Appraisal Details

Value Area: PI1
Appr Acct Type: Reference
Business Name:
Last Inspection: 02/13/2014 - Physical Inspection

Assessment Details

2015 Values for 2016 Tax
Taxable Value: 0
Assessed Value: 0
Exemptions: Reference Parcels

Related Parcels

Group Account Number: [73402](#)
Mobile/MFG Home and Personal Property parcel(s) located on this parcel: n/a
Real parcel on which this parcel is located: n/a

Tax Description

Section 17 Township 21 Range 02 Quarter 12 Plat SHORE ACRES LAND ASSESSED WITH UNITS OF COUNTRY SQUIRE CONDO 900464- DESC AS W 205 FT OF S 150 FT TR 29 EXC S 10 FT TOG/W & SUBJ TO EASE, RESTRICTIONS & RESERVATIONS OF REC OUT OF 758000-082-1 & 079-1 SEG 2004-0972 4/12/04MD

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. All critical information should be independently verified.

Pierce County Assessor-Treasurer
Miko Lonergan
2401 South 35th St Room 142
Tacoma, Washington 98409
(253)798-6111 or Fax (253)798-3142
www.piercencountywa.org/atr

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WEBSITE INFORMATION

City of Gig Harbor
www.gigharborwa.gov

RECEIVED BY
JUN 20 2016
CITY OF GIG HARBOR

Group Account 73402

Parcels in Group

Parcel	Address
7580000793	REFERENCE
9004640010	6201 SOUNDVIEW DR
9004640020	6203 SOUNDVIEW DR NW
9004640030	6205 SOUNDVIEW DR NW
9004640040	6207 SOUNDVIEW DR

} .69 acres

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. **All critical information should be independently verified.**

Pierce County Assessor-Treasurer
Mike Lonergan
2401 South 35th St Room 142
Tacoma, Washington 98409
(253)798-6111 or Fax (253)798-3142
www.piercecountywa.org/atr

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JUN 20 2016

CITY OF GIG HARBOR

Assessor-Treasurer [Assessor-Treasurer Property Information Profile](#)

Parcel Summary for 9004640010

03/09/2016 03:11 PM



Property Details

Parcel Number: 9004640010
Site Address: 6201 SOUNDVIEW DR
Account Type: Real Property
Category: Land and Improvements
Use Code: 1402-DUPLEX CONDO

Taxpayer Details

Taxpayer Name: DALTON EMMET E & MYLA C
Mailing Address: 6201 SOUNDVIEW DR
GIG HARBOR WA 98335-2051

Appraisal Details

Value Area: PI1
Appr Acct Type: Residential
Business Name:
Last Inspection: 02/13/2014 - Physical Inspection

Assessment Details

2015 Values for 2016 Tax
Taxable Value: 251,400
Assessed Value: 251,400

Related Parcels

Group Account Number: [73402](#)
Mobile/MFG Home and Personal Property n/a
parcel(s) located on this parcel:
Real parcel on which this parcel is located: n/a

Tax Description

Section 17 Township 21 Range 02 Quarter 12 Condominium COUNTRY SQUIRE CONDO UNIT 6201 TOG/W 25% INT IN COMMON AREAS & LIMITED COMMON AREAS EASE OF REC REF: 758000-079-3 OUT OF 079-1 & 082-1 SEG 2004-0972 4/12/04MD

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. All critical information should be independently verified.

Pierce County Assessor-Treasurer
Mike Lonsrgan
2401 South 35th St Room 142
Tacoma, Washington 98409
(253)798-6111 or Fax (253)798-3142
www.piercecountywa.org/atr

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CITY OF GIG HARBOR

Assessor-Treasurer

Parcel Summary for 9004640020

03/09/2016 03:12 PM



Property Details

Parcel Number: 9004640020
Site Address: 6203 SOUNDVIEW DR NW
Account Type: Real Property
Category: Land and Improvements
Use Code: 1402-DUPLEX CONDO

Taxpayer Details

Taxpayer Name: COBAN LEYLA
Mailing Address: 2800 PELHAM PL
LOS ANGELES CA 90068-2329

Appraisal Details

Value Area: PI1
Appr Acct Type: Residential
Business Name:
Last Inspection: 02/13/2014 - Physical Inspection

Assessment Details

2015 Values for 2016 Tax
Taxable Value: 251,400
Assessed Value: 251,400

Related Parcels

Group Account Number: [73402](#)
Mobile/MFG Home and Personal Property n/a
parcel(s) located on this parcel:
Real parcel on which this parcel is located: n/a

Tax Description

Section 17 Township 21 Range 02 Quarter 12 Condominium COUNTRY SQUIRE CONDO UNIT 6203 TOG/W 25% INT IN COMMON AREAS & LIMITED COMMON AREAS EASE OF REC REF: 758000-079-3 OUT OF 079-1 & 082-1 SEG 2004-0972 4/12/04MD

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. All critical information should be independently verified.

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2401 South 35th St Room 142
Tacoma, Washington 98409
(253)798-6111 or Fax (253)798-3142
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CITY OF GIG HARBOR

Assessor-Treasurer Assessor-Treasurer Information Portal

Parcel Summary for 9004640030

03/09/2016 03:12 PM



Property Details

Parcel Number: 9004640030
Site Address: 6205 SOUNDVIEW DR NW
Account Type: Real Property
Category: Land and Improvements
Use Code: 1402-DUPLEX CONDO

Taxpayer Details

Taxpayer Name: VENC PAVEL & PERKUNIC ANDREA
Mailing Address: 6205 SOUNDVIEW DR
GIG HARBOR WA 98335-2051

Appraisal Details

Value Area: PI1
Appr Acct Type: Residential
Business Name:
Last Inspection: 02/13/2014 - Physical Inspection

Assessment Details

2015 Values for 2016 Tax
Taxable Value: 247,300
Assessed Value: 247,300

Related Parcels

Group Account Number: [73402](#)
Mobile/MFG Home and Personal Property n/a
parcel(s) located on this parcel:
Real parcel on which this parcel is located: n/a

Tax Description

Section 17 Township 21 Range 02 Quarter 12 Condominium COUNTRY SQUIRE CONDO UNIT 6205 TOG/W 25% INT IN COMMON AREAS & LIMITED COMMON AREAS EASE OF REC REF: 758000-079-3 OUT OF 079-1 & 082-1 SEG 2004-0972 4/12/04MD

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. All critical information should be independently verified.

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Mike Lonergan
2401 South 35th St Room 142
Tacoma, Washington 98409
(253)798-6111 or Fax (253)798-3142
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Parcel Summary for 9004640040

03/09/2016 03:12 PM



Property Details

Parcel Number: 9004640040
Site Address: 6207 SOUNDVIEW DR
Account Type: Real Property
Category: Land and Improvements
Use Code: 1402-DUPLEX CONDO

Taxpayer Details

Taxpayer Name: EASTON KATHARINE L TTEE
Mailing Address: PO BOX 533
GIG HARBOR WA 98335

Appraisal Details

Value Area: P11
Appr Acct Type: Residential
Business Name:
Last Inspection: 02/13/2014 - Physical Inspection

Assessment Details

2015 Values for 2016 Tax
Taxable Value: 250,700
Assessed Value: 250,700

Related Parcels

Group Account Number: [73402](#)
Mobile/MFG Home and Personal Property n/a
parcel(s) located on this parcel:
Real parcel on which this parcel is located: n/a

Tax Description

Section 17 Township 21 Range 02 Quarter 12 Condominium COUNTRY SQUIRE CONDO UNIT 6207 TOG/W 25% INT IN COMMON AREAS & LIMITED COMMON AREAS EASE OF REC REF: 758000-079-3 OUT OF 079-1 & 082-1 SEG 2004-0972 4/12/04MD

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CITY OF GIG HARBOR

Assessor-Treasurer Electronic Property Information Profile

Parcel Map for 7580000793

03/09/2016 02:59 PM



Property Details Parcel Number: 7580000793 Site Address: REFERENCE Account Type: Real Property Category: Land and Improvements Use Code: 0000-UNKNOWN		Taxpayer Details Taxpayer Name: REFERENCE Mailing Address: REFERENCE TACOMA WA	
--	--	---	--

For additional mapping options, visit [Public GIS](#)

RTSQ Maps: [Normal \(200 Scale\)](#) | [Detailed \(100 Scale\)](#)

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 2401 South 35th St Room 142
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CITY OF GIG HARBOR

Assessor-Treasurer

Parcel Map for 7580000793

03/09/2016 02:58 PM



Property Details	Taxpayer Details
Parcel Number: 7580000793	Taxpayer Name: REFERENCE
Site Address: REFERENCE	Mailing Address: REFERENCE TACOMA WA
Account Type: Real Property	
Category: Land and Improvements	
Use Code: 0000-UNKNOWN	

For additional mapping options, visit [Public GIS](#)

RTSQ Maps: Normal (250 Scale) | Detailed (180 Scale)

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. All critical information should be independently verified.

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CITY OF GIG HARBOR



**Business of the City Council
City of Gig Harbor, WA**

Subject: Parks Commission 2017-2018 Work Plan

Proposed Council Action: Adopt the 2017-2018 Parks Commission Work Plan as recommended by the Public Works Committee.

Dept. Origin: Public Works

Prepared by: Katrina Knutson, AICP
Parks Project Administrator

For Agenda of: September 26, 2016

Exhibits: Proposed Work Plan

Initial & Date

Concurred by Mayor:

JG 9-21-16

Approved by City Administrator:

KKW 9/21/16

Approved as to form by City Atty:

Via email 9/20

Approved by Finance Director:

DF 9/20/16

Approved by Department Head:

AK 9/20

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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INFORMATION / BACKGROUND

A two-year work plan for the Parks Commission is proposed and includes both capital and policy items. The Parks Commission recommended a prioritized work plan to the Public Works Committee on June 1, 2016. On September 12, 2016, the Public Works Committee discussed the Parks Commission Recommended Work Plan and made a recommendation to move to the full Council, with modifications (as shown on the attached work plan).

FISCAL CONSIDERATION

None for this action. However, the 2017-2018 Public Works Parks Capital Budget request includes funding requests to accommodate Parks Commission Work Plan items.

BOARD OR COMMISSION RECOMMENDATION

Public Works Committee: Approval

RECOMMENDATION / MOTION

Adopt the 2017-2018 Parks Commission Work Plan as recommended by the Public Works Committee.

2016-2018 PARKS COMMISSION RECOMMENDED WORK PROGRAM

WORK PLAN ITEM	ITEM DESCRIPTION	PUBLIC WORKS COMMITTEE PRIORITY	PARKS COMMISSION PRIORITY
CAPITAL PROJECTS AND PLANNING WORK PLAN ITEMS			
Harbor Hill Park Master Plan	Based on previous visioning exercises, complete a Master Plan for the Harbor Hill Park, consistent with prior visioning.	1	3
Crescent Creek Park: Visioning and Master Plan	Complete a visioning process that includes public input to develop a Master Plan for the park properties encompassing Crescent Creek Park.	2	1
City Play Structure Master Plan	Review all public play structures within the City to determine underserved areas and areas of opportunity. Identify proposed future play structure locations and opportunities to improve existing structures.	3	2
Wilkinson Farm Visioning	Complete a visioning process that includes public input to develop a master plan for the park properties encompassing Wilkinson Farm Park.	4	NA
Ferry Landing Park: Trail Feasibility Study	Conduct a feasibility study for public access trail to shoreline from Ferry Landing Park. Solicit public comment.	5	4
Old Burnham Properties: Visioning	Prepare and complete a visioning process that includes public input to develop a Master Plan for the park properties encompassing the Old Burnham Drive area.	6	5
POLICY WORK PLAN ITEMS			
Field Reservations Policy	Consider implementing reservation system for the sports fields at KLM Memorial Park. Consider creation of a field reservation policy.	1	3
Private Use and Structures in Parks Policy	Develop and propose a policy on private use of public parks and recommend the policy to the Council.	2	1
Cushman Safety/Markings	Together with local Fire, Police and Medics, create policy for Cushman Trail Safety, including trail markings.	3	NA
Park Rules Ordinance	Assist in creation of a Park Rules Ordinance.	4	2





Business of the City Council City of Gig Harbor, WA

Subject: Resolution No. 1046 – Proposed Revisions to the Water Service Area with Washington Water Service Co.

Proposed Council Action: Move to approve Resolution 1046 to amend the City’s retail water service area.

Dept. Origin: Public Works

Prepared by: Jeff Langhelm, PE
Public Works Director

For Agenda of: September 26, 2016

Exhibits: Resolution

	Initial & Date
Concurred by Mayor:	JLG 9-20-16
Approved by City Administrator:	Ron W. 9/20/16
Approved as to form by City Atty:	VIA EMAIL 9/19/16
Approved by Finance Director:	DR 9/20/16
Approved by Department Head:	JLG 9/19/16

Expenditure Required	\$ 0	Amount Budgeted	\$ 0	Appropriation Required	\$ 0
-----------------------------	------	------------------------	------	-------------------------------	------

INFORMATION/BACKGROUND

Washington Water Service Company (WWSC) was requested by the property owner of two parcels located along Crescent Valley Drive (APN 0222324039 and 0222324040) to provide water service to the two parcels. However, the two parcels are located in the City’s Retail Water Service Area (RWSA) along the northern boundary with WWSC. WWSC provides water service immediately north of these two parcels and currently has the ability to serve these two parcels. The closest City water main to these two parcels is approximately 400 ft. away.

Additionally, the City owns a parcel (APN 0222323031) in the same vicinity that is located in WWSC’s RWSA. Since the City’s parcel abuts the City’s Crescent Creek Park, which is located in the City’s RWSA, the City has requested WWSC release the City’s parcel from WWSC’s RWSA so the City’s parcel can be incorporated into the City’s RWSA.

Neither WWSC nor the City are requesting to transfer any water rights associated with the proposed transfer of RWSA. The proposed retail water service area amendment will reduce the City’s RWSA by an estimated 3 ERUs and increase the City’s RWSA by 1 ERU. The City’s Public Works Department finds the proposed transfer to have minimal impact to the City’s water system.

Chapter 2 of the City of Gig Harbor Water System Plan allows minor changes to the City’s RWSA to be considered as technical amendments to the Plan and requires technical amendments to be adopted through resolution by the City Council. Therefore these proposed amendments in retail water service areas are identified in the attached resolution.

FISCAL CONSIDERATION

By releasing service to these two parcels the City will eliminate the cost of maintaining this dead-end water main and the cost of servicing the meters off set from the rest of the City's water infrastructure.

BOARD OR COMMITTEE RECOMMENDATION

The proposed resolution was presented to the Public Works Committee at their August 8 meeting with no opposition to the recommended amendments to the City's retail water service area.

RECOMMENDATION/MOTION

Move to approve Resolution 1046 to amend the City's retail water service area.

RESOLUTION NO. 1046

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING THE WATER SYSTEM PLAN BY REVISING THE BOUNDARY BETWEEN THE CITY'S RETAIL WATER SERVICE AREA AND THE WASHINGTON WATER SERVICE COMPANY'S RETAIL WATER SERVICE AREA.

WHEREAS, Washington Water Service Company (WWSC) was requested by the property owner of two parcels located along Crescent Valley Drive (APN 0222324039 and 0222324040) to provide water service to the two parcels, however, the two parcels are located in the City's Retail Water Service Area (RWSA) along the northern boundary; and

WHEREAS, WWSC provides water service immediately north of these two parcels and currently has the ability to serve these two parcels while the closest City water main to these two parcels is approximately 400 ft. to the south; and

WHEREAS, the City owns a parcel (APN 0222323031) in the same vicinity that is located in WWSC's RWSA, which abuts the City's Crescent Creek Park and is located in the City's RWSA; and

WHEREAS, the City has requested WWSC release the City's parcel from WWSC's RWSA so the City's parcel can be incorporated into the City's RWSA; and

WHEREAS, neither WWSC nor the City are requesting to transfer any water rights associated with the proposed transfer of RWSA; and

WHEREAS, The City's Public Works Department finds the proposed transfer to have minimal impact to the City's water system; and

WHEREAS, Chapter 2 of the City of Gig Harbor Water System Plan allows minor changes to the RWSA to be considered as technical amendments to the Plan and requires technical amendments to be adopted through resolution by the City Council; and

WHEREAS, on August 8, 2016, the Public Works Committee heard this request by WWSC and the City for a technical amendment to the City's Water System Plan and recommended the request move forward to the City Council; and

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

Section 1. Figure 1.2 in the City's Water System Plan shall be amended to remove APN 0222324039 and 0222324040 from the Gig Harbor Retail Water Service Area and add APN 0222323031 to the Gig Harbor Retail Water Service Area as provided in the attached Exhibit "A".

PASSED this 26th day of September, 2016.

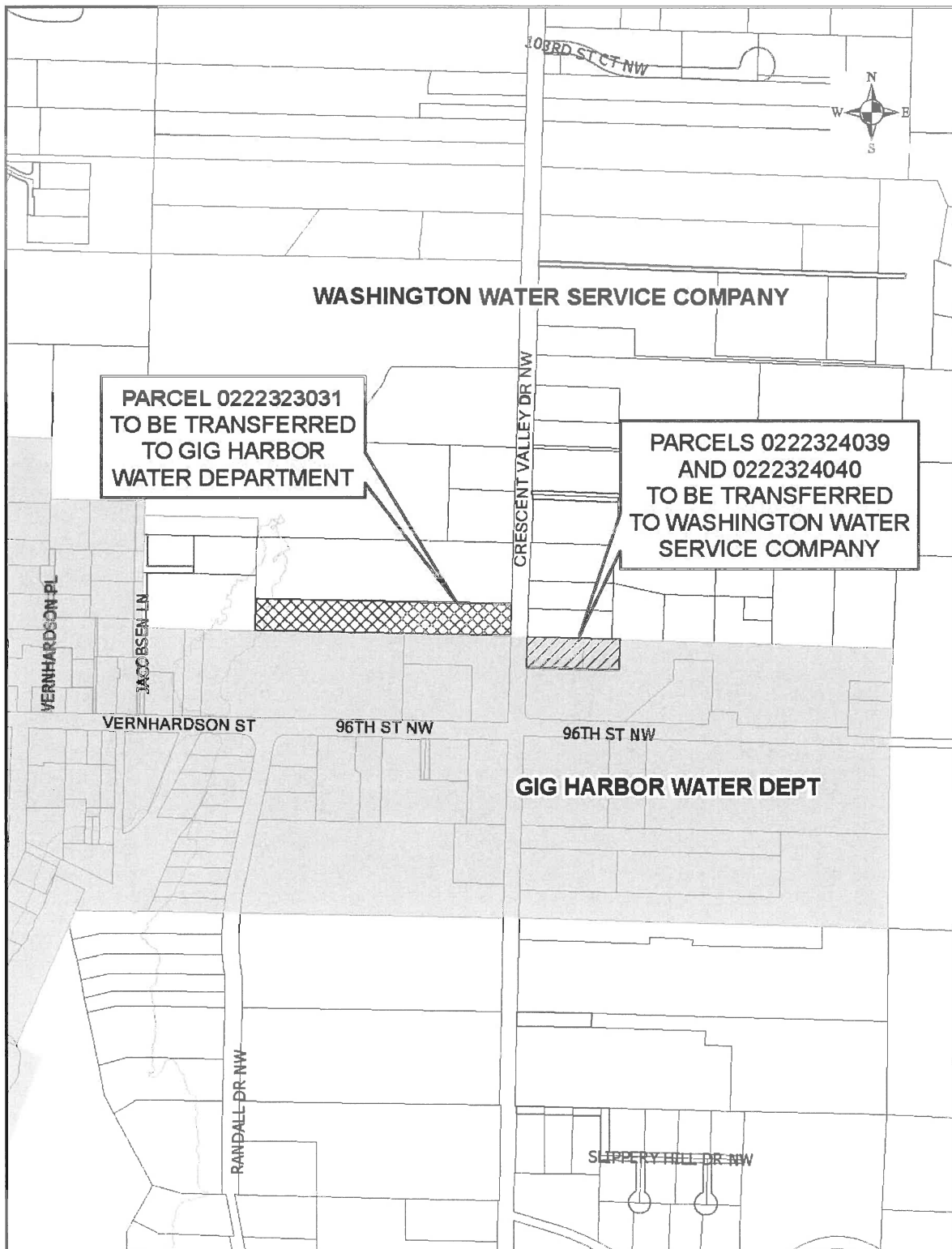
Jill Guernsey, Mayor

ATTEST:

Molly M. Towslee, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO. 1046

EXHIBIT A LOCATION MAP





Subject: First Reading of Ordinance
McCormick Creek Phase 2 Rezone to PRD
Zone (PL-FPRD-16-0001)

Proposed Council Action: Adopt ordinance
No. 1341 at first reading, as allowed by GHMC
1.08.020.C.

Dept. Origin: Planning Department

Prepared by: Kenneth George, Associate Planner *KMG*

For Agenda of: September 26, 2016

Exhibits: Ordinance
Final Plat Map

Initial & Date

Concurred by Mayor: *JG 9-16-16*
Approved by City Administrator: *Ron W 9/16/16*
Approved as to form by City Atty: *via email*
Approved by Finance Director: *A 9/16*
Approved by Department Head: *JK 9/7/16*

Expenditure		Amount		Appropriation	
Required	0	Budgeted	0	Required	0

INFORMATION/BACKGROUND

Attached for your consideration is an ordinance directing the Planning Director to amend the official City Zoning Map to reflect the approval of the Final Planned Residential Development for McCormick Creek Plat Phase 2, as required by GHMC 17.89.130.

The approval of the McCormick Creek Phase 2 Final Plat and Final PRD is a closed record decision and a separate agenda item has been placed on the consent agenda for September 26, 2016 to approve the Final PRD. However an ordinance is required for the related zoning map amendment. This map amendment will document that the future development of this site will be governed by the provisions of the Final PRD and not the provisions of the underlying zoning code.

POLICY CONSIDERATIONS

The ordinance is needed to officially amend the City's Zoning Map to reflect the Final PRD as required by GHMC 17.89.130. Ordinances for site specific rezones, such as this one, may be adopted at first reading as allowed by GHMC 1.08.020.C.

FISCAL CONSIDERATION

There are no adverse fiscal impacts associated with this map amendment.

BOARD OR COMMITTEE RECOMMENDATION

No board or committee was required to review this application.

RECOMMENDATION / MOTION

Move to: Adopt Ordinance No. 1341 at first reading, as allowed by GHMC 1.08.020.C.

ORDINANCE NO. 1341

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 22.21 ACRES FROM R-1 ZONING DISTRICT AND MUD OVERLAY DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED OFF BURNHAM DRIVE AT MCCORMICK CREEK DRIVE, AND CITY OF GIG HARBOR FILE NO. PL-FPRD-16-0002, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH.

WHEREAS, McCormick Creek, LLC requested Final PRD Approval for Phase 2 of the McCormick Creek Plat located on the east side of Burnham Drive at McCormick Creek Drive (formerly 50th Avenue Northwest); Pierce County Assessor-Treasurer Parcel Number 4003250990 and 4003250970; and

WHEREAS, the land use designation in the Comprehensive Plan for the subject site is Mixed Use; and

WHEREAS, the existing zoning district on the Official Zoning Map of the City for the subject site is Single-Family Residential (R-1) with a Mixed Use District Overlay (MUD); and

WHEREAS, on December 17, 2009, McCormick Creek LLC requested Preliminary Planned Residential Development (PRD) approval for 52.16 acres, comprised of 9 parcels, into 182 single family residential lots and 3 nonresidential lots that would be developed with a total of 185 units on the subject site; and

WHEREAS, a Revised SEPA threshold determination of Mitigated Determination of Nonsignificance was issued on February 4, 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 April 1, 2010, at which time the Hearing Examiner heard public testimony on the preliminary PRD; and

WHEREAS, the Hearing Examiner approved the Preliminary PRD in a decision dated April 7, 2010; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, McCormick Creek LLC requested a Revision to the Approved Preliminary Planned Residential Development (PRD) for the park and open space tracts to accommodate reducing the total number of lots from 185 to 160 (comprising of 157 residential lots and 3 nonresidential lots) on February 18, 2014; and

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

WHEREAS, Amendment No. 1 to the McCormick Creek Development Agreement recorded on August 7, 2014 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 the decision dated August 14, 2014; and

WHEREAS, the appeal period expired on September 4, 2014; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, an application for final PRD approval was submitted to the City and deemed complete on June 7, 2016 for Phase 2, 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. 1044 on September 26, 2016; 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 September 26, 2016;

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

Section 1. The real property located east of Burnham Drive at the end of McCormick Creek Drive, a portion of Pierce County Assessor-Treasurer Parcel Number 4003250990 and 4003250970, and legally described in Exhibit "A", is hereby rezoned from Single-Family Residential (R-1) and Mixed Use Overlay (MUD) to Planned Residential Development (PRD).

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 26th day of September, 2016.

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: 09/15/16
PASSED BY THE CITY COUNCIL: 09/26/16
PUBLISHED: 09/29/16
EFFECTIVE DATE: 10/05/16
ORDINANCE NO: 1341

LEGAL DESCRIPTION

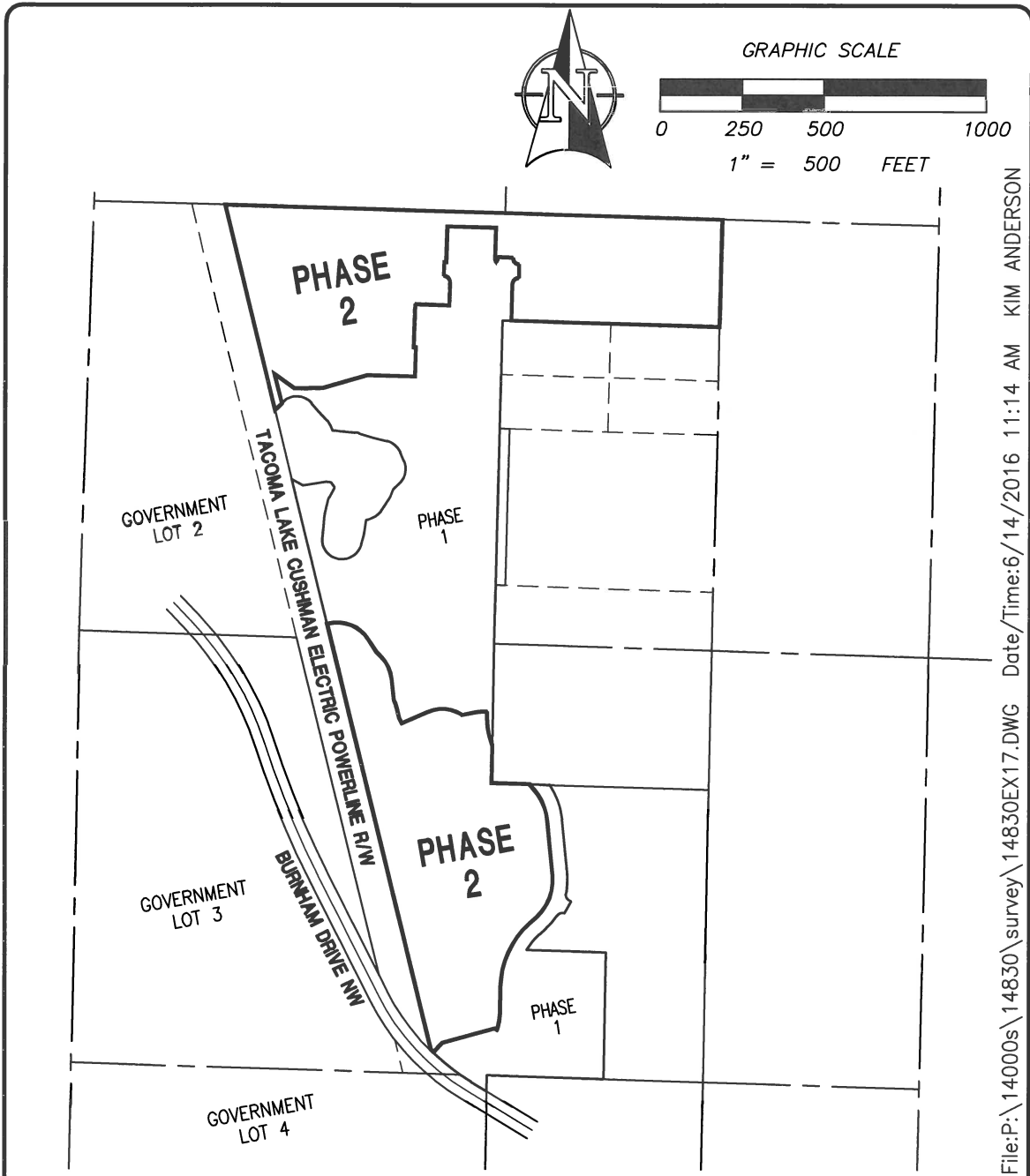
McCormick Creek Phase 2 property

Tract T and V, McCormick Creek Plat and PRD Phase 1, recorded under Auditor's File No. 201603225002, records of Pierce County, Washington.

Project: McCormick Creek
Job No. 14830
June 14, 2016

KMA
14830L.015

Exhibit A



File:P:\14000s\14830\survey\14830EX17.DWG Date/Time:6/14/2016 11:14 AM KIM ANDERSON

<p>SCALE: HORIZONTAL 1"=500' VERTICAL N/A</p>	<p>MCCORMICK CREEK PHASE 2 REZONE EXHIBIT R-1 TO PRD</p>	<p>JOB NUMBER 14830</p> <p>14830L.015.DOC</p> <p>SHEET 1 of 1</p>
<p>BARGHAUSEN CONSULTING ENGINEERS, Inc.</p> <p>18215 72ND AVENUE SOUTH KENT, WA 98032 (425)251-6222 (425)251-8782 FAX</p> <p>CIVIL ENGINEERING, LAND PLANNING, SURVEYING, ENVIRONMENTAL SERVICES</p>	<p>DESIGNED <u>XXX</u> DRAWN <u>KMA</u> CHECKED _____ APPROVED _____ DATE <u>6/14/16</u></p>	



Business of the City Council
City of Gig Harbor, WA

Subject: First Reading and Adoption of Ordinance No. 1342 – Authorizing Map Amendment to Height Restriction Area - Donkey Creek Holdings (PL-REZ-16-0002)

Proposed Council Action: Adopt ordinance at first reading as allowed by GHMC 1.08.020.

Dept. Origin: Planning Department

Prepared by: Peter Katich, Senior Planner

For Agenda of: September 26, 2016

Exhibits: Ordinance
Hearing Examiner's Decision

Initial & Date

Concurred by Mayor:

JB 9-16-16

Approved by City Administrator:

Ken W 9/16/16

Approved as to form by City Atty:

via email

Approved by Finance Director:

N/A

Approved by Department Head:

Mr. Tom [Signature]

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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INFORMATION/BACKGROUND

Donkey Creek Holdings has requested a Height Restriction Area (HRA) Map Amendment to exclude a 5-acre parcel of land located approximately 270-feet west of the Woodworth Avenue right-of-way at Fennimore Street extended (Assessor's parcel number 0221061102) from the city's height restriction area. The subject parcel is located at the edge of the HRA, south of the Sutherland Court/Ancich Plat. That property was removed from the height restriction area in 2014 pursuant to Height Restriction Area Map Amendment File # PL-REZ-14-0001-J.Scott Construction. The subject property is currently undeveloped.

A SEPA threshold Determination of Nonsignificance was issued on May 26, 2016 for the proposal and was not appealed.

The Hearing Examiner (HE) held a public hearing on the site-specific HRA map amendment application on August 4, 2016. The HE approved the site-specific amendment with conditions by decision dated August 29, 2016. The appeal period for this amendment expired on September 19, 2016. As there were no appeals filed, the decision is final. An ordinance is required to change the official height restriction area map to reflect the approved site-specific amendment.

POLICY CONSIDERATIONS

The ordinance is needed to officially amend the City's Height Restriction Area Map consistent with the HE decision on the site specific amendment. As HRA Map amendments are required

to be processed in the same manner as rezone applications (GHMC 17.62.040), the ordinance may be adopted at first reading as allowed by GHMC 1.08.020.

FISCAL CONSIDERATION

There are no adverse fiscal impacts associated with this map amendment.

BOARD OR COMMITTEE RECOMMENDATION

No board or committee was required to review this application.

RECOMMENDATION / MOTION

Move to: Adopt ordinance 1342 at first reading.

ORDINANCE NO. 1342

**AN ORDINANCE OF THE CITY OF GIG HARBOR,
WASHINGTON, REMOVING A 5-ACRE PARCEL OF LAND
(ASSESSOR'S PARCEL NUMBER 0221061102) FROM THE
CITY'S HEIGHT RESTRICTION AREA AND AMENDING THE
OFFICIAL HEIGHT RESTRICTION AREA MAP TO BE
CONSISTENT THEREWITH**

WHEREAS, Donkey Creek Holdings requested a Height Restriction Area Map Amendment to exclude the parcel located approximately 270 feet west of the Woodworth Avenue right-of-way at Fennimore Street in Gig Harbor, Washington, Assessor's parcel number 0221061102, from the Height Restriction Area; and

WHEREAS, the subject site is presently included in the City's Height Restriction Area as shown on attached Exhibit "A", the City's Official Height Restriction Area Map; and

WHEREAS, a SEPA threshold Determination of Non-significance was issued on May 26, 2016; and

WHEREAS, the SEPA threshold decision was not appealed; and

WHEREAS, the proposed amendment is a Type III action as defined in GHMC 19.01.003(B) for amendments to the height restriction area map; and

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

WHEREAS, a public hearing on the proposed rezone was held before the Hearing Examiner on August 4, 2016, at which time the Hearing Examiner heard public testimony on the proposed amendment; and

WHEREAS, the Hearing Examiner approved the proposed amendment in his decision dated August 29, 2016; and

WHEREAS, the appeal period expired on September 19, 2016; and

WHEREAS, amendments to the height restriction area map are required to be processed in the same manner as amendments to the zoning district map as per GHMC 17.62.040; and

WHEREAS, amendments to the zoning district map must be adopted by ordinance as per GHMC 17.100.070 under the provisions of Chapter 1.08 GHMC; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading on September 26, 2016;

WHEREAS, the Gig Harbor City Council voted to adopt this Ordinance during the first reading on September 26, 2016; and

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

Section 1. The real property located approximately 270-feet west of the Woodworth Avenue right-of-way at Fennimore Street in Gig Harbor, Washington, Assessor's parcel number 0221061102 and legally described in Exhibit "B", is hereby removed from the Height Restriction Area Map.

Section 2. The Planning Director is hereby instructed to effectuate the necessary changes to the Official Height Restriction Area 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 shall take effect five (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 26th day of September, 2016.

CITY OF GIG HARBOR

Mayor Jill Guernsey

ATTEST/AUTHENTICATED:

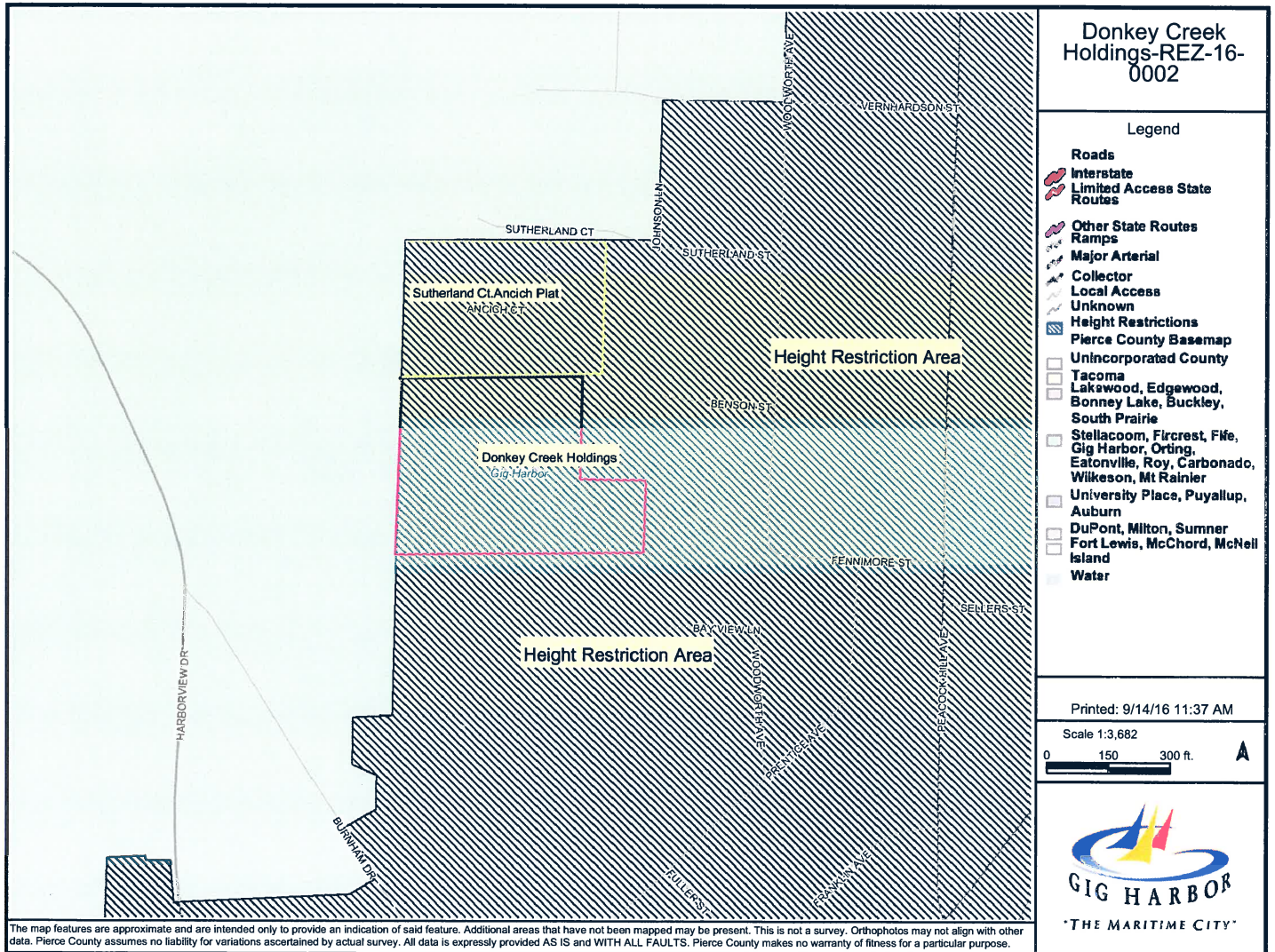
By: _____
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Angela G. Summerfield

FILED WITH THE CITY CLERK: 9/21/16
PASSED BY THE CITY COUNCIL: 9/26/16
PUBLISHED: 9.29.16
EFFECTIVE DATE: 10.4.16
ORDINANCE NO: 1342

Exhibit "A"



Donkey Creek Holdings-REZ-16-0002

Legend

Roads

- Interstate
- Limited Access State Routes
- Other State Routes
- Ramps
- Major Arterial
- Collector
- Local Access
- Unknown
- Height Restrictions

Pierce County Basemap

- Unincorporated County
- Tacoma
- Lakewood, Edgewood, Bonney Lake, Buckley, South Prairie
- Stellacoom, Fircrest, Fife, Gig Harbor, Orting, Eatonville, Roy, Carbonado, Wilkeson, Mt Rainier
- University Place, Puyallup, Auburn
- DuPont, Milton, Sumner
- Fort Lewis, McChord, McNeil Island
- Water

Printed: 9/14/16 11:37 AM

Scale 1:3,682

0 150 300 ft.

GIG HARBOR
"THE MARITIME CITY"

The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos may not align with other data. Pierce County assumes no liability for variations ascertained by actual survey. All data is expressly provided AS IS and WITH ALL FAULTS. Pierce County makes no warranty of fitness for a particular purpose.

EXHIBIT "B" RUSTIC HEIGHTS PROPERTY



1"=300'

JOB NO. 2140442.30
9/02/16
Rustic Heights Property

q:\2014\2140442\30_pln\cad\parcel depiction_cp.dwg



2215 N 30th St,
Tacoma, WA 98403
253.383.2422 TEL

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.

Exhibit "B"
RUSTIC HEIGHTS PROPERTY
LEGAL DESCRIPTION

The land in the County of Pierce, State of Washington, described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE W.M.; THENCE NORTH 143 FEET TO THE SOUTH LINE OF THE PROPERTY CONVEYED TO LILLIAN J. GOODMAN, A SINGLE WOMAN, BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 512692; THENCE WEST ALONG SAID SOUTH LINE AND SAID SOUTH LINE EXTENDED WEST 608 FEET; THENCE SOUTH 143 FEET TO A POINT WHICH IS WEST OF THE POINT OF BEGINNING; THENCE EAST 608 FEET TO POINT OF

BEGINNING. TOGETHER WITH THE

FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE W.M.; THENCE WEST 608 FEET; THENCE NORTH 429.2 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 286.2 FEET TO INTERSECT THE SOUTH LINE EXTENDED WEST OF THAT PROPERTY CONVEYED TO LILLIAN J. GOODMAN, BY DEED RECORDED UNDER AUDITOR'S FILE NO. 512692; THENCE EAST ALONG SAID LINE EXTENDED WEST 304 FEET TO THE WEST LINE OF SAID LILLIAN J. GOODMAN'S PROPERTY; THENCE NORTH ALONG SAID WEST LINE, 286.2 FEET TO A POINT EAST OF THE POINT OF BEGINNING; THENCE WEST 304 FEET TO POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT 712 FEET WEST AND 712 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE W.M.; RUN THENCE WEST 304 FEET; THENCE SOUTH 286 FEET; THENCE EAST 304 FEET; THENCE NORTH 286 FEET TO THE POINT OF BEGINNING.

EXCEPT THE NORTH 250.00 FEET OF THE EAST 164.35 FEET THEREOF.

(ALSO KNOWN AS REVISED PARCEL A OF DECLARATION OF BOUNDARY LINE REVISION RECORDED UNDER RECORDING NO. 9209030068)

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.



Subject: First Reading of Ordinance;
Ancich Court Rezone from R-1 to PRD
(PL-FPRD-15-0006)

Proposed Council Action: Adopt ordinance
No. 1343 at first reading, as allowed by GHMC
1.08.020.C

Dept. Origin: Planning Department

Prepared by: Kenneth George, Associate Planner

For Agenda of: September 26, 2016

Exhibits: Ordinance
Final Plat Map

Initial & Date

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

Handwritten initials and dates: JG 9-21-16, Ron W 9/21/16, wa email, DR 9/21, JK 9/21/16

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required. Values are 0, 0, 0.

INFORMATION/BACKGROUND

Attached for your consideration is an ordinance directing the Planning Director to amend the official City Zoning Map to reflect the approval of the Final Planned Residential Development for Ancich Court as required by GHMC 17.89.130.

The approval of the Ancich Court Final Plat and Final PRD is a closed record decision and a separate agenda item has been placed on the consent agenda for September 26, 2016 to approve the Final PRD. However an ordinance is required for the related zoning map amendment. This map amendment will document that the future development of this site will be governed by the provisions of the Final PRD and not the provisions of the underlying zoning code.

POLICY CONSIDERATIONS

The ordinance is needed to officially amend the City's Zoning Map to reflect the Final PRD as required by GHMC 17.89.130. Ordinances for site specific rezones, such as this one, may be adopted at first reading as allowed by GHMC 1.08.020.C.

FISCAL CONSIDERATION

There are no adverse fiscal impacts associated with this map amendment.

BOARD OR COMMITTEE RECOMMENDATION

No board or committee was required to review this application.

RECOMMENDATION / MOTION

Move to: Adopt ordinance No. 1343 at first reading, as allowed by GHMC 1.08.020.C.

ORDINANCE NO. 1343

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 4.01 ACRES FROM R-1 ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED WEST OF WOODWORTH AVENUE AND SOUTH OF SUTHERLAND COURT; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER(S) 0221061089, AND CITY OF GIG HARBOR FILE NO. PL-FPRD-15-0006, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH

WHEREAS, Apogee Capital LLC requested Final PRD Approval for Ancich Court located west of Woodworth Avenue and south of Sutherland Court; Pierce County Assessor-Treasurer Parcel Number 0221061089; and

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

WHEREAS, the existing zoning district on the Official Zoning Map of the City for the subject site is R-1 (Single-Family Residential); and

WHEREAS, on December 29, 2005 Georg R. O. Haub, Trustee requested Preliminary Planned Residential Development (PRD) approval of 4.01 acres, into 12 single family lots on the subject site; and

WHEREAS, a SEPA threshold determination of Determination of Nonsignificance was issued on September 9, 2005; 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 14, 2005, at which time the Hearing Examiner heard public testimony on the preliminary PRD; and

WHEREAS, the Hearing Examiner approved the Preliminary PRD in his decision dated December 29, 2005; and

WHEREAS, the appeal period expired on January 19, 2006; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Georg R. O. Haub, Trustee quitclaimed the subject property to J. Scott Construction Inc. on December 29, 2006, at Auditor Recording Number 200612290842; and

WHEREAS, J. Scott Construction, Inc. quitclaimed the subject property to Apogee Capital LLC on December 18, 2014, at Auditor Recording Number 201412181165; and

WHEREAS, an application for final PRD approval was submitted to the City and deemed complete on December 8, 2015; 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 plat application under Resolution No. 1045 on September 26, 2016; 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 September 26, 2016;

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

Section 1. The real property located west of Woodworth Avenue and south of Sutherland Court, Pierce County Assessor-Treasurer Parcel Number 0221061089 and

legally described in Exhibit "A", is hereby rezoned from R-1 (Single-Family Residential) 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 26rd day of September, 2016.


CITY OF GIG HARBOR

JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

By: _____
SHAWNA WISE, ASST. CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 

ANGELA G. SUMMERFIELD

FILED WITH THE CITY CLERK: 09/21/16
PASSED BY THE CITY COUNCIL: 09/26/16
PUBLISHED: 09/29/16
EFFECTIVE DATE: 10/04/16
ORDINANCE NO: 1343

**SUMMARY OF ORDINANCE NO. 1343
of the City of Gig Harbor, Washington**

On September 26, 2016, City Council of the City of Gig Harbor, Washington, approved Ordinance No. 1343, the summary of text of which is as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 4.01 ACRES FROM R-1 ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED WEST OF WOODWORTH AVENUE AND SOUTH OF SUTHERLAND COURT; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER(S) 0221061089 , AND CITY OF GIG HARBOR FILE NO. PL-FPRD-15-0006, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:

The full text of this ordinance will be mailed upon request.

APPROVED by the City Council at their regular meeting of September 26, 2016.

BY: *MOLLY M. TOWSLEE, CITY CLERK*