

RESOLUTION NO. 1174

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING THE FINAL PLAT FOR THE SUBDIVISION KNOWN AS "NORTH CREEK", LOCATED ADJACENT TO HIGHWAY 16 ON THE WEST AND CUSHMAN TRAIL ON THE EAST, APPROXIMATELY 600 FEET WEST OF THE INTERSECTION AT BURNHAM DRIVE AND 96TH STREET, CITY OF GIG HARBOR FILE NO. PL-FPLAT-16-0001.

WHEREAS, on December 26, 2006, the applicant filed a complete application for preliminary plat approval with the City of Gig Harbor to subdivide approximately 31.80 acres of land into 100 single-family residential lots within the R-2 Zoning District – Medium-density Residential; and

WHEREAS, on December 7, 2007, the application was revised reducing the number of lots to 81 resulting in a density of 3.5 dwelling units per acre; and

WHEREAS, on November 5, 2008, the city's SEPA Responsible Official issued a Mitigated Determination of Non-significance pursuant to the State Environmental Policy Act; and

WHEREAS, the determination was not appealed; and

WHEREAS, on January 8, 2009, an open record public hearing was held before the city's hearing examiner; and

WHEREAS, the hearing record remained open until January 13, 2009; and

WHEREAS, on January 21, 2009, the City of Gig Harbor Hearing Examiner granted conditional preliminary plat approval; and

WHEREAS, on September 11, 2015, the City of Gig Harbor administratively approved a minor preliminary plat revision (PL-PPLATR-15-0001); and

WHEREAS, on December 17, 2015, the City of Gig Harbor administratively approved a minor preliminary plat revision (PL-PPLATR-15-0003); and

WHEREAS, on January 20, 2016, the applicant posted a performance bond for all civil site improvements; and

WHEREAS, on January 20, 2016, the applicant submitted a complete application for final plat approval; and

WHEREAS, the applicant requested that the final plat application review remain on hold until the substantial completion of all civil site improvements; and

WHEREAS, the street names within the plat was approved by the City Council at a regularly scheduled meeting on November 13, 2017; and

WHEREAS, on May 8, 2018, the City of Gig Harbor administratively approved a minor preliminary plat revision (PL-PPLATR-18-0001); and

WHEREAS, on June 29, 2018, the City of Gig Harbor issued the civil site development permit (EN-14-0040); and

WHEREAS, on October 9, 2018, the City of Gig Harbor issued an emergency exemption from the development standards of Title 18 GHMC - Environment; and

WHEREAS, on August 28, 2019, the City of Gig Harbor administratively approved a minor preliminary plat revision (PL-PPLATR-19-0001); and

WHEREAS, City staff were made aware of on-site slope instability resulting in slides on February 1, 2020 rendering a portion of the site potentially unsafe for further construction and critical area complications; and

WHEREAS, the applicant provided additional reports and plans for mitigation to the City for review; and

WHEREAS, the City determined that the reports and plans represented a feasible solution, but would require additional bonding and conditions placed upon the final plat; and

WHEREAS, the applicant has posted bonds for all approved civil improvements to the satisfaction of the City Engineer; and

WHEREAS, the applicant has posted bonds for approved landscape improvements, wetland buffer enhancement and mitigation, and stream restoration; and

WHEREAS, the final drawings of the proposed final plat and requested documents were circulated to the appropriate departments of the City of Gig Harbor and recommendations for approval were obtained; and

WHEREAS, the proposed plat certificate had 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 approved the application for the final plat at a special meeting held on March 30, 2020; 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, North Creek Final Plat, subject to the conditions imposed in Section 2:

1. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval; and
2. Conforms to all terms of the preliminary plat approval; 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.

Section 2. Approval; Conditions

The City Council hereby approves North Creek Final Plat, File No. PL-FPLAT-16-0001, subject to the following conditions:

1. The Declaration of Protective Covenants, Conditions, Easements and Restrictions for North Creek shall be reviewed by the City of Gig Harbor and recorded with the County Auditor prior to the recording of the final plat.
2. All slide repair improvements included on Civil Plan sheet C1, dated 3/17/2020, conditioned and issued for construction 3/20/20; and all slide repair requirements included in Geo-Resources Revised Slope Repair Letter, dated 3/17/20, have been bonded for must be completed to the satisfaction of the City Engineer or his or her designee prior to issuance of building permits including any proposed construction on the south side of the plat defined as: Lots 47-81; that portion of Tract "D" south of S88 16'14"E; Tracts B, E, F and G; and all streets adjacent to those lots and tracts.
3. Prior to issuance of temporary certificates of occupancy or certificates of occupancy, whichever comes first, acceptance and approval by the City, and compliance with all terms of approval, of: revised critical area analyses, new or revised wetland buffer mitigation and wetland mitigation plans, revised landscape plans, including plans and reports necessary to

describe mitigation related to the slides associated with Stardust Court and Lots 63-67.

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. Following applicant's satisfaction of condition set forth in Section 2 above, 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 30th day of March 2020.

APPROVED:



KIT KUHN, MAYOR

ATTEST/AUTHENTICATED:



MOLLY TOWNSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 03/25/2020
PASSED BY THE CITY COUNCIL: 03/30/2020
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