

## ORDINANCE NO. 1304

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REZONING 11.35 ACRES FROM PCD-RLD ZONING DISTRICT TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), LOCATED NORTH OF BORGEN BOULEVARD AND EAST OF THE HARBOR HILL DIVISION 1A SUBDIVISION AND PRD; PIERCE COUNTY ASSESSOR-TREASURER PARCEL NUMBER 4003110640, AND CITY OF GIG HARBOR FILE NO. PL-FPRD-14-0001, AND AMENDING THE OFFICIAL ZONING MAP TO BE CONSISTENT THEREWITH**

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WHEREAS, Harbor Hill LLC requested Final PRD Approval for Division N2 of the Harbor Hill Plat located north of the intersection of Borgen Blvd. and Olympus Way and due north of the Harbor Hill Division N1 Subdivision/PRD; a portion of Pierce County Assessor-Treasurer Parcel Number 4003110640; and

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

WHEREAS, the existing zoning district on the Official Zoning Map of the City for the subject site is PCD-RLD (Planned Community District – Residential Low); and

WHEREAS, Olympic Property Group LLC requested Preliminary Planned Residential Development (PRD) approval for of 200 acres, comprised of three parcels, into 554 single family lots and two multiple family lots that would be developed with a total of 270 units on the subject site on December 2, 2008; and

WHEREAS, a SEPA threshold determination of Mitigated Determination of Nonsignificance was issued on November 17, 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 December 16, 2010, at which time the Hearing Examiner heard public testimony on the preliminary PRD; and

WHEREAS, the Hearing Examiner approved the Preliminary PRD in her decision dated December 30, 2010; and

WHEREAS, the appeal period expired on January 23, 2011; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC requested a Revision to the Approved Preliminary Planned Residential Development (PRD) for all portions of the Harbor Hill Residential Plat/PRD except Division 1A on March 13, 2013; and

WHEREAS, a SEPA addendum was issued on July 31, 2013; and

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

WHEREAS, Amendment 1 to the Harbor Hill Development Agreement recorded on December 4, 2012 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 her decision dated August 2, 2013; and

WHEREAS, the appeal period expired on August 19, 2013; and

WHEREAS, no appeals of the decision were filed; and

WHEREAS, Olympic Property Group LLC Quit Claimed the subject property to Harbor Hill LLC on August 6, 2013 Auditor Recording Number 201308130540; and

WHEREAS, on July 14, 2014 the Planning Director approved modifications to the Harbor Hill Preliminary Plat and PRD to modify setbacks, impervious surface calculations and grading; and

WHEREAS, an application for final PRD approval was submitted to the City on September 16, 2014 and deemed complete on September 17, 2014 for Division N2, 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. 1304 on October 27, 2014; 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 October 27, 2014;

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

Section 1. The real property located north of the intersection of Borgen Blvd. and Olympus Way and due north of the Harbor Hill Division N1 Subdivision/PRD; a portion of Pierce County Assessor-Treasurer Parcel Number 4003110640; and legally described in Exhibit "A", is hereby rezoned from PCD-RLD (Planned Community District – Residential Low) to PRD (Planned Residential Development).

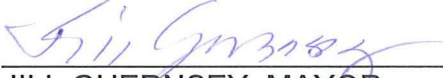
Section 2. The Planning Director is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the designation established by Section 1.

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, being an exercise of a power specifically delegated to the City legislative body, 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 27th day of October, 2014.


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 S. SUMMERFIELD

FILED WITH THE CITY CLERK: 10/21/14  
PASSED BY THE CITY COUNCIL: 10/27/14  
PUBLISHED: 11/05/14  
EFFECTIVE DATE: 11/10/14  
ORDINANCE NO: 1304

**EXHIBIT A**

**HARBOR HILL  
DIVISION N2 AND TRACT 912 LEGAL DESCRIPTION**

RECEIVED BY  
SEP 16 2014  
CITY OF GIG HARBOR

SEPTEMBER 15, 2014  
JOB NO. 08-058

THAT PORTION OF TRACT 100, HARBOR HILL DIVISION N1 FINAL PLAT AND PLANNED RESIDENTIAL DEVELOPMENT, AS RECORDED DECEMBER 4, 2013 UNDER PIERCE COUNTY AUDITOR'S FEE NUMBER 201312045002, BEING A PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 2 EAST, W.M., PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 100;  
THENCE ALONG THE FOLLOWING COURSES ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 100;

NORTH 88°22'57" WEST, 298.07 FEET;  
SOUTH 86°51'54" WEST, 60.21 FEET;  
NORTH 79°04'18" WEST, 88.54 FEET;  
NORTH 68°12'56" WEST, 60.08 FEET;  
NORTH 20°22'29" EAST, 95.07 FEET;  
SOUTH 71°49'27" EAST, 8.72 FEET;  
NORTH 18°10'33" EAST, 50.00 FEET;  
NORTH 71°49'27" WEST, 8.00 FEET TO A POINT OF CURVE;  
THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 87°02'14", AN ARC DISTANCE OF 60.76 FEET TO A POINT OF COMPOUND CURVE;  
THENCE NORTHERLY ON SAID CURVE TO THE LEFT HAVING A RADIUS OF 1012.00 FEET, THROUGH A CENTRAL ANGLE OF 00°23'59", AN ARC DISTANCE OF 7.06 FEET;  
THENCE NORTH 74°49'54" WEST, 50.00 FEET TO A POINT OF CURVE, THE CENTER OF WHICH BEARS NORTH 75°12'19" WEST, 40.00 FEET;  
THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 59°24'39", AN ARC DISTANCE OF 41.48 FEET TO A POINT OF COMPOUND CURVE;



U:\14-0915 08-058 Division N2 and Tract 912 Legal Description.docx  
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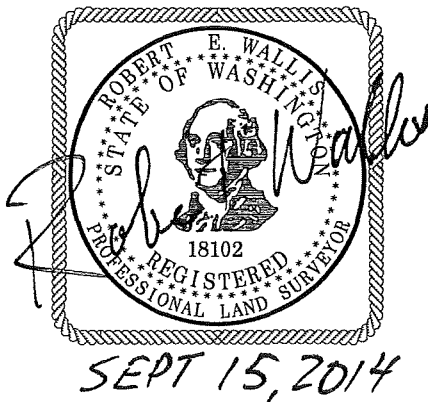
THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET,  
THROUGH A CENTRAL ANGLE OF 33°58'13", AN ARC DISTANCE OF 23.72 FEET;  
THENCE NORTH 71°49'27" WEST, 23.00 FEET;  
THENCE SOUTH 18°53'09" WEST, 50.00 FEET;  
THENCE NORTH 71°49'27" WEST, 138.34 FEET;  
THENCE LEAVING SAID SOUTHERLY BOUNDARY OF TRACT 100, NORTH 18°10'33" EAST,  
50.00 FEET;  
THENCE SOUTH 71°49'27" EAST, 32.08 FEET TO A POINT OF CURVE;  
THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET,  
THROUGH A CENTRAL ANGLE OF 92°51'06", AN ARC DISTANCE OF 40.51 FEET TO A POINT  
OF COMPOUND CURVE;  
THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 816.50 FEET,  
THROUGH A CENTRAL ANGLE OF 15°17'31", AN ARC DISTANCE OF 217.92 FEET;  
THENCE NORTH 00°01'56" EAST, 5.33 FEET TO A POINT OF CURVE;  
THENCE WESTERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET,  
THROUGH A CENTRAL ANGLE OF 89°52'29", AN ARC DISTANCE OF 39.22 FEET;  
THENCE NORTH 0°09'27" EAST, 50.00 FEET TO A POINT OF CURVE, THE CENTER OF WHICH  
BEARS NORTH 00°09'27" EAST, 475.00 FEET;  
THENCE EASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF  
15°21'55", AN ARC DISTANCE OF 127.38 FEET;  
THENCE NORTH 74°47'32" EAST, 7.49 FEET TO A POINT OF CURVE;  
THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET,  
THROUGH A CENTRAL ANGLE OF 74°14'06", AN ARC DISTANCE OF 32.39 FEET;  
THENCE NORTH 69°43'04" EAST, 51.79 FEET TO A POINT OF CURVE, THE CENTER OF WHICH  
BEARS SOUTH 69°43'04" WEST, 325.00 FEET;  
THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL  
ANGLE OF 19°05'34", AN ARC DISTANCE OF 108.30 FEET;  
THENCE NORTH 39°22'30" WEST, 141.70 FEET;  
THENCE NORTH 50°37'30" EAST, 118.44 FEET;  
THENCE NORTH 72°12'50" EAST, 75.61 FEET;



S:\PROJECTS\08058\CORRESPNC\Final Plat, Division N2\14-0915 08-058 Division N2  
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THENCE SOUTH 08°24'11" EAST, 97.71 FEET;  
THENCE SOUTH 75°32'59" EAST, 76.15 FEET;  
THENCE SOUTH 85°56'26" EAST, 52.13 FEET;  
THENCE NORTH 34°18'08" EAST, 54.75 FEET;  
THENCE SOUTH 77°36'17" EAST, 95.67 FEET TO A POINT OF CURVE, THE CENTER OF WHICH  
BEARS NORTH 77°36'16" WEST, 275.00 FEET;  
THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF  
00°59'35", AN ARC DISTANCE OF 4.77 FEET;  
THENCE SOUTH 78°35'51" EAST, 50.00 FEET;  
THENCE SOUTH 88°22'57" EAST, 151.41 FEET TO THE EAST BOUNDARY OF SAID TRACT 100;  
THENCE SOUTH 01°37'03" WEST ALONG SAID EAST BOUNDARY, 832.43 FEET TO THE POINT  
OF BEGINNING.

WRITTEN BY: MSH  
CHECKED BY: REW



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