

**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.**

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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 50<sup>th</sup> 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 26<sup>th</sup> day of September, 2016.

APPROVED:

  
JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

  
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SHAWNA WISE, ASSISTANT CITY CLERK

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY

BY:   
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Angela G. Summerfield

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

SHEET 3 OF 10

# 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

