

ORDINANCE NO. 933

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO GROWTH MANAGEMENT AND PLANNING, MAKING THE FOLLOWING AMENDMENTS TO THE CITY'S COMPREHENSIVE LAND USE PLAN: (1) AMENDING THE COMPREHENSIVE PLAN USE PLAN MAP AND TEXTUAL DESCRIPTION OF THE PLANNED COMMUNITY DEVELOPMENT (PCD) LAND USE DESIGNATION OF THE AREA GENERALLY BOUNDED BY THE CANTERWOOD DEVELOPMENT TO THE NORTH; HIGHWAY 16 TO THE WEST; PEACOCK HILL AVENUE NW TO THE EAST; AND THE GIG HARBOR SPORTSMAN'S CLUB TO THE SOUTH; TO MOST CLOSELY CONFORM TO THE UNDERLYING ZONING CLASSIFICATION FOR THE PROPERTY IN THE PLANNED COMMUNITY DEVELOPMENT DISTRICT; (2) DENYING THE OLYMPIC PROPERTY GROUP APPLICATION #02-01; (3) DENYING THE SHDP ASSOCIATES, LLC APPLICATION #02-02; (4) APPROVING THE MODIFIED CITY OF GIG HARBOR APPLICATION #03-01; (5) DENYING THE SHDP ASSOCIATES, LLC APPLICATION #02-02R; (6) APPROVING THE OLYMPIC PROPERTY GROUP APPLICATION #02-01R FOR A LAND USE DESIGNATION OF PLANNED COMMUNITY DEVELOPMENT COMMERCIAL FOR APPROXIMATELY THIRTY-FIVE (35) ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF BORGEN BOULEVARD AND EAST OF THE EXISTING HOME DEPOT SITE (5120 BORGEN BOULEVARD) WITH A DEVELOPMENT AGREEMENT (RESOLUTION NO. 613) FOR APPROXIMATELY TEN (10) OF THE THIRTY-FIVE (35) ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF BORGEN BOULEVARD AND EAST OF THE EXISTING HOME DEPOT SITE (5120 BORGEN BOULEVARD); (7) INCORPORATING THE ADOPTED MARCH 2001 PARK, RECREATION, & OPEN SPACE PLAN AS THE PARK AND RECREATION ELEMENT; AND (8) ADOPTING CERTAIN AMENDMENTS TO THE ADOPTED FEBRUARY 2002 WASTEWATER COMPREHENSIVE PLAN.

WHEREAS, the City of Gig Harbor plans under the Growth Management Act (chapter 36.70A RCW); and

WHEREAS, the Act requires the City to adopt a Comprehensive Plan; and

WHEREAS, the City adopted its GMA Comprehensive Plan in 1986, later updated in 1994; and

WHEREAS, the City is required to consider suggested changes to the Comprehensive Plan (RCW 36.70A.470); and

WHEREAS, the City may not amend the Comprehensive Plan more than once a year (RCW 36.70A.130); and

WHEREAS, the City is required to provide public notice and public hearing for any amendments to the Comprehensive Plan and the adoption of any elements thereto (RCW 36.70A.035, RCW 36.70A.130); and

WHEREAS, the City Community Development Director notified the Washington State Office of Community Development of the City's intent to amend the Comprehensive Plan on April 16, 2003 pursuant to RCW 36.70A.106; and

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Office of Community Development on June 25, 2003 pursuant to RCW 36.70A.106; and

Park and Recreation Element

WHEREAS, the Act requires that the Comprehensive Plan include a park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities (RCW 36.70A.070); and

WHEREAS, on May 27, 2003, after public hearings, the City Council adopted Ordinance No. 930, which adopted the March 2001 Park, Recreation & Open Space Plan by reference; and

WHEREAS, on July 14, 2003, the City Council held a public hearing on the incorporation of the March 2001 Park, Recreation, & Open Space Plan into the Comprehensive Plan as the required park and recreation element; and

Wastewater Comprehensive Plan

WHEREAS, the Act requires that the Comprehensive Plan include a utilities element that consists of the general location, proposed location and capacity of all existing and proposed utilities, such as the City's wastewater treatment plant; and

WHEREAS, on December 9, 2002, after public hearings, the City Council adopted Ordinance No. 921, which adopted the February 2002 Wastewater Comprehensive Plan by reference and incorporated it into the Comprehensive Plan as a portion of the required utilities element; and

WHEREAS, on July 14, 2003, the City Council held a public hearing on amendments to the February 2002 Wastewater Comprehensive Plan and Comprehensive Plan utilities element; and

Land Use Element

WHEREAS, the Act requires that the Comprehensive Plan include a land use element designating the proposed general distribution and general location and uses of land, where appropriate, for the different types of allowed uses in the City, as well as other information (RCW 36.70A.070(1)); and

WHEREAS, on October 16, 2002, the City SEPA Responsible Official issued a SEPA threshold decision of a Mitigated Determination of Non-Significance with regards

to the proposed comprehensive plan amendments submitted by the property owners (#02-01 Olympic Property Group (OPG) and #02-02 SHDP Associates, LLC); and

WHEREAS, on January 24, 2003, the City SEPA Responsible Official issued a SEPA threshold decision of a Revised Mitigated Determination of Non-Significance with regards to the proposed comprehensive plan amendments submitted by the property owners (#02-01 Olympic Property Group (OPG) and #02-02 SHDP Associates, LLC); and

WHEREAS, on February 6, 2003, the Planning Commission held hearings on two comprehensive plan amendments submitted by the property owners (#02-01 Olympic Property Group (OPG) and #02-02 SHDP Associates, LLC); and

WHEREAS, on February 20, 2002, March 6, 2003 and March 20, 2003, the Planning Commission held work study sessions on comprehensive plan amendments (#02-01 Olympic Property Group (OPG) and #02-02 SHDP Associates, LLC) to deliberate and formulate a recommendation to the City Council; and

WHEREAS, on March 20, 2003, the Planning Commission recommended denial of comprehensive plan amendments #02-01 Olympic Property Group (OPG) and #02-02 SHDP Associates, LLC; and

WHEREAS, on April 14, 2003, the Gig Harbor City Council considered the Planning Commission's recommendation of denial of comprehensive plan amendments #02-01 Olympic Property Group (OPG) and #02-02 SHDP Associates, LLC, during a public meeting; and

WHEREAS, on April 14, 2003, the Gig Harbor City Council proposed a new comprehensive plan amendment to be considered by the Planning Commission at their

next meeting, which amendment would copy the zoning designations of individual properties located in the Planned Community Development Designation to the corresponding parcels in the Comprehensive Plan Map as land use designations, and in addition, to copy the portions of the Zoning Map relating to these zoning designations (City of Gig Harbor #03-01); and

WHEREAS, on April 17, 2003, the City SEPA Responsible Official issued a SEPA threshold decision of a Determination of Non-Significance with regards to the proposed (City of Gig Harbor #03-01) comprehensive plan land use map for the Planned Community Development (PCD) designation based on the existing zoning of the area pursuant to WAC 197-11-340(2); and

WHEREAS, on May 7, 2003, the Planning Commission held a public hearing on comprehensive plan amendment #03-01, which proposed changing the land use designations of all property in the Planned Community Development (PCD) designation in the Comprehensive Plan to correspond with the Zoning Map designation; and

WHEREAS, at the May 7, 2003 Planning Commission public hearing on comprehensive plan amendment #03-01, the two applicants for Comprehensive Plan amendments (Olympic Property Group (OPG) and SHDP Associates, LLC) submitted requests that the Comprehensive Plan land use designation for the properties that they owned be changed to commercial, not the zoning designation from the City's Zoning Map (#02-02R - SHDP Associates, LLC and #02-01R - Olympic Property Group (OPG)); and

WHEREAS, the Planning Commission recommended that the City Council adopt the comprehensive plan amendment #03-01 together with textual amendments to the Planned Community Development (PCD) designation; and

All Comprehensive Plan Amendments

WHEREAS, on June 23, 2003, the City SEPA Responsible Official issued a SEPA threshold decision of a Mitigated Determination of Non-Significance on comprehensive plan amendment applications #02-01, #02-02, #03-01, #02-01R, #02-02R, and the proposed amendments to the February 2002 City of Gig Harbor Wastewater Comprehensive Plan (Exhibit A), and the incorporation of the adopted March 2001 Park, Recreation, & Open Space Plan by reference as the park and recreation element of the City's Comprehensive Plan; and

WHEREAS, on May 27, 2003 and July 14, 2003, the Gig Harbor City Council held public hearings to consider the comprehensive plan amendments; and

WHEREAS, on July 28, 2003 and August 11, 2003, during regular City Council meetings, the Gig Harbor City Council deliberated and voted on the comprehensive plan amendments; Now, Therefore:

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

Section 1. Park, Recreation, & Open Space Plan. The City Council hereby incorporates the adopted March 2001 Park, Recreation, & Open Space Plan (Ordinance No. 930) by reference as the park and recreation element of the City's Comprehensive Plan.

Section 2. Wastewater Plan. The City Council hereby adopts amendments to the February 2002 City of Gig Harbor Wastewater Comprehensive Plan (Ordinance No. 921), as outlined in Exhibit A, by reference.

Section 3. Comprehensive Land Use Map and Plan Text Amendments.

A. **Notice.** The City Clerk confirmed that public notice of the public hearings held by the City Council on the following applications was provided.

B. **Hearing Procedure.** The City Council's consideration of the comprehensive land use map and plan text amendments is a legislative act. The Appearance of Fairness doctrine does not apply.

C. **Testimony.** The following persons testified on the applications at the July 14, 2003 public hearing:

1. Bob Thorpe – 8020 Goodman Dr. NW. Opposed a commercial center.
2. Linda Gair - 3306 North Harborview Dr. Asked Council not to rush to judgment by granting the comp plan amendments, and not to “sell us out.”
3. Lauren Bingham Miller – Bellevue. Spoke in favor of the comp plan amendment proposed by SHDP.
4. Craig Shurick – 5616 Old Stump Drive. Doesn't know whether or not the increase in commercial area should occur, but that he trusts the Council's judgment
5. Dave Seiwerath – 6919 Cascade Ave. Spoke in favor of the plan to increase the commercial area, stressing that the city needs to look to the future needs.

6. Jack Bujacich – 3607 Ross Avenue. Spoke in support of the upgraded Comprehensive Plan.
7. Dave Folsom – 3160 Ann Marie Court. Voiced his concerns over water limitations; he was not opposed to a Costco, but not necessarily at this site.
8. Dale Pinney – First Western Development / SHDP – 1359 205th St. NW. Discussed the step-down zoning and the 55+ community and how this concept utilizes a consistent zoning pattern rather than placing commercial next to low-density, concluded that this proposal retains the original Planned Community Development concept. He introduced Terry Gibson to address traffic concerns.
9. Terry Gibson – 4610 131st St Ct NW. Explained that he had conducted extensive traffic studies on this area, he concluded that with improvements, Borgen Boulevard would have sufficient capacity to accommodate both the predicted growth to the year 2022 with the existing zoning and also accommodate the Costco North proposal before Council now.
10. Jon Rose – Olympic Property Group. Explained that a traffic study had been done by and OPG engineer and reviewed by the city. The study indicated that there were no un-resolvable level of service issues and said that everyone seemed to agree that Borgen Boulevard was able to handle the increased traffic flow. He requested modifications to this report, adding that it did not matter if this occurred in the OPG application or the city's application.

The first modification is to increase the 20 acres to 25 acres of commercial and second modification is to approve the Village designation at this time.

11. Scott Schenks – SHDP – 1359 51st Street - Shoreline. Explained that his company has gathered a great deal of information in order to assist Council to make an informed decision.

There were no more comments and the Mayor closed the Public Hearing at 8:33 p.m. and announced a short recess.

D. Applications.

1. **#02-01, Olympic Property Group (OPG) Application.** The applicant, Olympic Property Group (OPG) proposed an increase to the allowable commercial area and a reduction in the allowable employment area in the PCD land use category in the Gig Harbor North area. The applicant proposes to increase the commercial land use allocation in the PCD from a 10% maximum to an 18% maximum and a reduction in the employment land use allocation in the PCD from a 25% minimum to a 20% minimum. After consideration of the materials in the file, staff presentation, the City's comprehensive plan, applicable law, and the public testimony, the City Council adopted the staff recommendation and voted to **deny** this application.

2. **#02-02, SHDP Associates, LLC Application.** The applicant, SHDP Associates, LLC proposed an increase to the allowable commercial area in the PCD land use category in the Gig Harbor North area. The applicant proposes to increase the commercial land use allocation in the PCD from a 10% maximum to a 14%

maximum. After consideration of the materials in the file, staff presentation, the City's comprehensive plan, applicable law, and the public testimony, the City Council adopted the staff recommendation and voted to **deny** this application.

3. **#03-01, City of Gig Harbor, Application.** The applicant, the City of Gig Harbor proposed a comprehensive land use plan map for the Planned Community Development (PCD) designation reflective of the existing zoning and the Planning Commission recommended textual amendments (Exhibit B). After consideration of the materials in the file, staff presentation, the City's comprehensive plan, applicable law, and the public testimony, the City Council adopted the staff recommendation and voted to **approve** this application with the following modifications:

- **Increase** the textual commercial land use allocation from 11% to 18%;
- **Decrease** the textual employment land use allocation from 29% to 22%;
- **Delete** the Planned Community Development Neighborhood Business (PCD-NB) land use category from the text; and
- **Modify** the recommended land use map by **re-designating** approximately two and one-half (2 ½) acres of land designated as Planned Community Development Neighborhood Business (PCD-NB) located south of Borgen Boulevard as Planned Community Development Business Park (PCD-BP).

4. **#02-02R, SHDP Associates, LLC Application.** The applicant, SHDP Associates, LLC proposed Comprehensive Plan land use designation for the properties that they owned be changed to commercial, not the zoning designation

from the City's Zoning Map. After consideration of the materials in the file, staff presentation, the City's comprehensive plan, applicable law, and the public testimony, the City Council adopted the staff recommendation for the reasons articulated by Council Member Young and voted to **deny** this application.

5. **#02-01R, Olympic Property Group (OPG) Application.** The applicant, Olympic Property Group (OPG) proposed Comprehensive Plan land use designation for the properties that they owned be changed to commercial, not the zoning designation from the City's Zoning Map. After consideration of the materials in the file, staff presentation, the City's comprehensive plan, applicable law, and the public testimony, the City Council adopted the staff recommendation for the reasons articulated by the Council and voted to **approve** this application for a land use designation of Planned Community Development Commercial (PCD-C) for approximately thirty-five (35) acres of property, as depicted in Exhibit C and generally located south of Borgen Boulevard and east of the existing Home Depot site (5120 Borgen Boulevard) with a Development Agreement (Resolution No. 613) for approximately ten (10) of the thirty-five (35) acres.

Section 4. Transmittal to State. The City Community Development Director is directed to forward a copy of this Ordinance, together with all of the exhibits, to the Washington State Office of Community Development within ten days of adoption, pursuant to RCW 36.70A.106.

Section 5. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or

unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

Section 6. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 11th day of August 2003.

CITY OF GIG HARBOR

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

By:

MOLLY TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 7/9/03
PASSED BY THE CITY COUNCIL: 8/11/03
PUBLISHED: 8/20/03
EFFECTIVE DATE: 8/25/03
ORDINANCE NO. 933

SUMMARY OF ORDINANCE NO. 933
of the City of Gig Harbor, Washington

On August 11, 2003, the City Council of the City of Gig Harbor, Washington, approved Ordinance No. 933, the main points of which are summarized by its title as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO GROWTH MANAGEMENT AND PLANNING, MAKING THE FOLLOWING AMENDMENTS TO THE CITY'S COMPREHENSIVE LAND USE PLAN: (1) AMENDING THE COMPREHENSIVE PLAN USE PLAN MAP AND TEXTUAL DESCRIPTION OF THE PLANNED COMMUNITY DEVELOPMENT (PCD) LAND USE DESIGNATION OF THE AREA GENERALLY BOUNDED BY THE CANTERWOOD DEVELOPMENT TO THE NORTH; HIGHWAY 16 TO THE WEST; PEACOCK HILL AVENUE NW TO THE EAST; AND THE GIG HARBOR SPORTSMAN'S CLUB TO THE SOUTH; TO MOST CLOSELY CONFORM TO THE UNDERLYING ZONING CLASSIFICATION FOR THE PROPERTY IN THE PLANNED COMMUNITY DEVELOPMENT DISTRICT; (2) DENYING THE OLYMPIC PROPERTY GROUP APPLICATION #02-01; (3) DENYING THE SHDP ASSOCIATES, LLC APPLICATION #02-02; (4) APPROVING THE MODIFIED CITY OF GIG HARBOR APPLICATION #03-01; (5) DENYING THE SHDP ASSOCIATES, LLC APPLICATION #02-02R; (6) APPROVING THE OLYMPIC PROPERTY GROUP APPLICATION #02-01R FOR A LAND USE DESIGNATION OF PLANNED COMMUNITY DEVELOPMENT COMMERCIAL FOR APPROXIMATELY THIRTY-FIVE (35) ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF BORGEN BOULEVARD AND EAST OF THE EXISTING HOME DEPOT SITE (5120 BORGEN BOULEVARD) WITH A DEVELOPMENT AGREEMENT (RESOLUTION NO. 613) FOR APPROXIMATELY TEN (10) OF THE THIRTY-FIVE (35) ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF BORGEN BOULEVARD AND EAST OF THE EXISTING HOME DEPOT SITE (5120 BORGEN BOULEVARD); (7) INCORPORATING THE ADOPTED MARCH 2001 PARK, RECREATION, & OPEN SPACE PLAN AS THE PARK AND RECREATION ELEMENT; AND (8) ADOPTING CERTAIN AMENDMENTS TO THE ADOPTED FEBRUARY 2002 WASTEWATER COMPREHENSIVE PLAN.

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

APPROVED by the City Council at their meeting of August 11, 2003.

MOLLY TOWSLEE, CITY CLERK

Exhibit A
February 2002 Wastewater Comprehensive Plan
2003 Annual Amendments

COLLECTION SYSTEM EXPANSIONS AMENDMENT

SYSTEM EXPANSION C-7 (Olympic Drive)

SUMMARY

The proposed capital improvements to be completed within the 20-year planning period drainage basin C-7 are summarized in Figure 1. The basin will be served by an 8" trunk line on 38th Avenue, with 8" lateral lines on 60th Street, Olympic Drive, Norwood Estates, and Briarwood Lane.

This plan change is shown in Figure 2. Recent field topographic work conducted as part of the Olympic Drive/56th Street Improvement Design Project indicates the finished grade along 56th St. decreases as one travels easterly away from 38th Ave. The roadway sag is located at the most eastern terminus manhole on the proposed 8-inch gravity sewer line as shown in Figure 1. The Adopted Comprehensive Plan reflects an 8-inch gravity trunk line flowing towards 38th Ave. The Comp Plan designer incorrectly assumed the road grade along Olympic was flowing in this direction. This plan amendment corrects this oversight and provides for the following features:

- 384 feet of 8-inch gravity sewer along Olympic Drive serving a total of 6 lots.
- A new pump station would be installed at the low point on Olympic. The lift station will be sized for 120 gpm in order to maintain the minimum scouring velocity in the force main.
- 779 feet of 4-inch force main flowing to an existing gravity trunk line located on Olympic.

It is anticipated that this plan amendment would be constructed within the next six (6) years. Construction of the gravity and force main is anticipated to be constructed as part of the Olympic/56th Street Improvement Project. The lift station will be constructed as part of private development. Should private development preclude the roadway project, then the entire project will be funded and constructed by private development.

IMPACTS

FISCAL

The City estimated construction costs are:

- | | |
|--|---------------------|
| • Gravity sewer line and side sewer lateral: | \$ 40,000 |
| • Force Main: | <u>\$ 25,000</u> |
| • Lift Station: | (Developer Funded)* |

• Subtotal:	\$ 65,000
• Sales Tax (8.4%):	<u>\$ 5,500</u>
• Subtotal:	\$ 70,500
• Contingency (10%):	<u>\$ 7,500</u>
• Subtotal:	\$ 78,000
• Engineering, Overhaul and Administration (10%):	<u>\$ 7,800</u>
• Total Cost:	\$ 85,800

* Estimated Construction Cost By Developer \$177,000

Sufficient Funds exist within the City's Sanitary Sewer Operating Fund to fund this improvement, if it were to be constructed as part of the City's roadway improvement project.

EXISTING CITY FACILITIES

The proposed improvements will generate approximately 1,800 gallons of sewage flow per day (6 ERUs). There will not be any consequential impacts to the City's existing downstream conveyance system.

ENVIRONMENTAL

The proposed improvements will not have any environmental impacts. A SEPA checklist is being prepared for the Street Improvement Project. A component of the checklist will address the sanitary sewer improvement portion of the project.

COLLECTION SYSTEM EXPANSIONS AMENDMENT

SYSTEM EXPANSION C-8 (Hazen Short Plat)

SUMMARY

The proposed capital improvements to be completed within the 20-year planning period for drainage basin C-8 are summarized in Figure 1. The basin will be served by an 8" trunk line on Hunt St. and Reid Dr. (AKA 64th Street Northwest), 2 new force mains, and 2 new lift stations. Reports of failing septic tanks make this basin a relatively high priority for sewer service.

The applicant, Linda Hazen, is proposing to subdivide her property into a four (4) lot short plat. Her property fronts the 2nd proposed manhole on 64th Street Northwest. In order for short plat approval, Ms. Hazen would be required to construct all the sanitary improvements shown in Figure 1. The estimated costs for the improvements would amount to \$3M dollars.

The applicant is proposing to construct a portion of the gravity sewer along 64th Street Northwest, and then proceed northerly across her and the adjacent property to the north through a 20 ft. wide City-access utility easement and connect to the City's sewer system on Cascade St.

The plan change is shown in Figure 2. This plan amendment provides the following features:

- Approximately 205 feet of 8-inch gravity sewer on 64th Street Northwest, extending across the entire frontage of the applicant's property.
- Approximately 750 feet of 8-inch gravity sewer along a 20 ft. wide utility easement connecting into the existing City sewer system on Cascade St.

It is anticipated that this plan amendment would be constructed within the next six (6) years.

IMPACTS

FISCAL

Construction funding for this project will be provided entirely by the developer. City funds will not be expensed as part of the construction project.

EXISTING CITY FACILITIES

The proposed improvements will generate approximately an additional 8,400 gallons of average sewage flow per day (28 ERUs). Engineering calculations provided by the applicant's engineer were confirmed through an independent review by a City

engineering consultant. The results concluded there would not be any adverse impacts to the City's downstream sewage lift station and conveyance system.

ENVIRONMENTAL

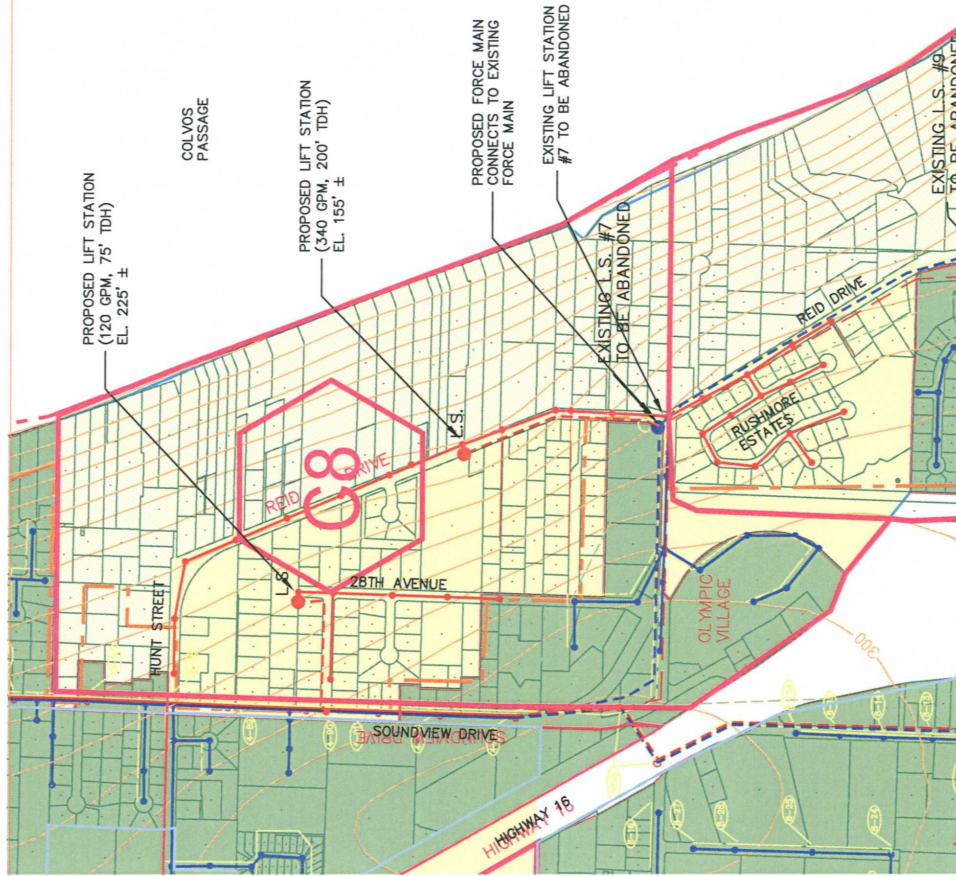
It is not anticipated the proposed improvements will have any environmental impacts. A SEPA checklist will be required to be prepared by the Developer during the plan review process.

LEGEND

	PROPOSED 8" GRAVITY SEWER
	EXISTING GRAVITY SEWER
	PROPOSED FORCE MAIN
	EXISTING FORCE MAIN



CITY OF GIG HARBOR
COMPREHENSIVE PLAN
CURRENTLY ADOPTED
FIGURE 1
COLLECTION SYSTEM EXPANSION C-8



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LEGEND	
	PROPOSED 8" GRAVITY SEWER
	EXISTING GRAVITY SEWER
	PROPOSED FORCE MAIN
	EXISTING FORCE MAIN



CITY OF GIG HARBOR
COMPREHENSIVE PLAN
PROPOSED AMENDMENT
FIGURE 2
COLLECTION SYSTEM EXPANSION C-8

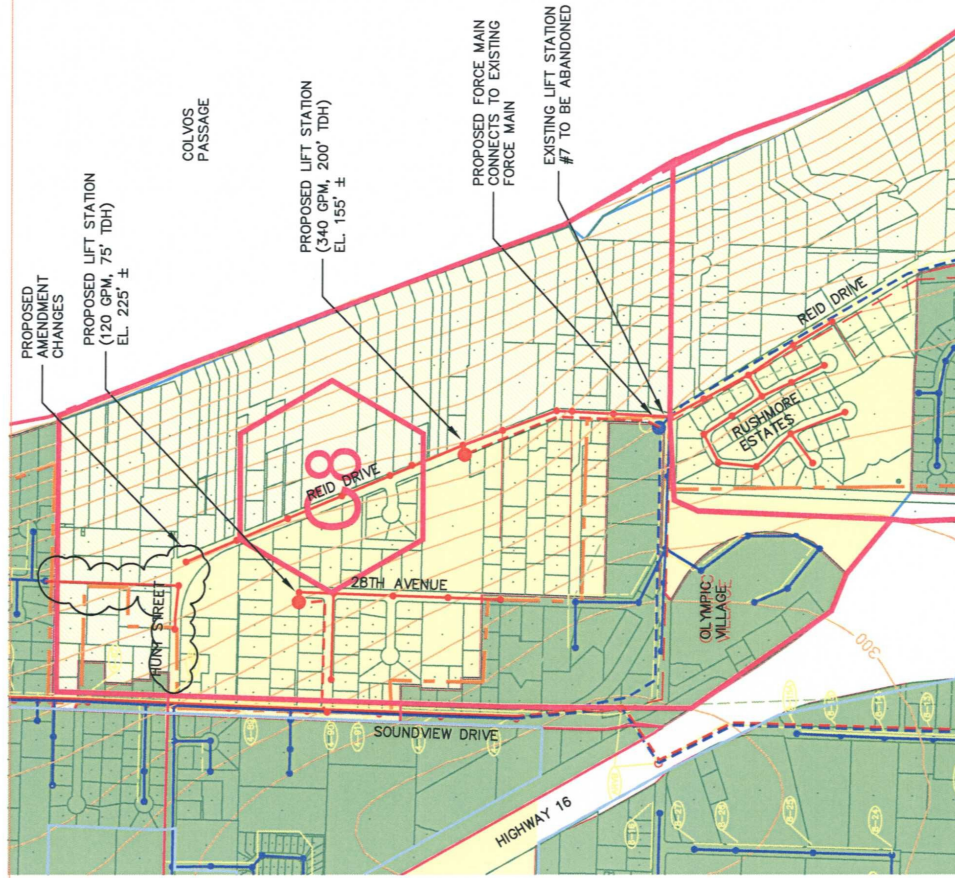


Exhibit B

Planning Commission Recommendation Planned Community Development (PCD) Land Use Designation Map and Textual Amendments

Background

The following is a chronology of events related to the comprehensive plan amendments:

January 23, 2002

First Western Development Services submission of a site-specific rezone application (REZ 01-02) for property located at the end of 51st Street (north of Target/Albertson's) from a PCD-RMD zone to a PCD-C zone.

July 11, 2002

Comprehensive plan amendment applications submitted by Olympic Property Group (#02-01) and by SHDP Associates, LLC (#02-02).

September 2002

Pierce County Buildable Lands Report issued.

October 16, 2002

Mitigated Determination of Nonsignificance SEPA decision on the comprehensive plan amendments issued.

October 31, 2002

Staff issues a memorandum noting errors in the Pierce County Buildable Lands Report with regards to assumptions and inventories pertaining to the City.

November 5, 2002

Staff report and recommendation on the comprehensive plan amendments issued.

November 6, 2002

SHDP Associates, LLC files a timely appeal of the Mitigated Determination of Nonsignificance SEPA decision on the comprehensive plan amendments.

November 7, 2002

Scheduled Planning Commission Public Hearing on the comprehensive plan amendments cancelled in light of the appeal of the SEPA determination.

Staff outlines a revised process for the consideration of the comprehensive plan amendments, which includes an opportunity for the applicants to submit revised applications by December 6, 2002.

November 14, 2002

SHDP Associates, LLC withdraws their November 6, 2002 appeal of the SEPA determination on the comprehensive plan amendments.

December 6, 2002

Comprehensive plan amendment applicants submit revised applications

December 10, 2002

Hearing Examiners decision denying site-specific rezone (REZ 01-02) from a PCD-RMD zone to a PCD-C zone for property located at the end of 51st Street (north of Target/Albertson's) issued.

December 24, 2002

Expiration of the appeal period for the Hearing Examiners decision on site-specific rezone (REZ 01-02), no appeals filed.

January 16, 2003

Planning Commission holds a work-study session during which the proponents of the comprehensive plan amendments present their applications.

January 24, 2003

Revised Mitigated Determination of Nonsignificance SEPA decision on the comprehensive plan amendments issued.

January 30, 2003

Revised staff report and recommendation on the comprehensive plan amendments issued (#02-01 - Olympic Property Group & #02-02 – SHDP Associates, LLC).

February 6, 2003

Planning Commission holds a public hearing on the comprehensive plan amendments (#02-01 - Olympic Property Group & #02-02 – SHDP Associates, LLC).

February 7, 2003

Expiration of the appeal period on the January 24, 2003 SEPA determination, no appeals filed.

February 20, 2003

Planning Commission holds a work-study session to deliberate comprehensive plan amendments.

February 28, 2003

Sub-Committee of the Planning Commission (Kadzik, Gair, & Franklin) meet with staff to discuss potential transportation related impacts associated with the comprehensive plan amendments.

March 6, 2003

Planning Commission holds a work-study session to deliberate comprehensive plan amendments.

March 20, 2003

Planning Commission holds a work-study session to deliberate comprehensive plan amendments, recommends denial of applications ((#02-01 - Olympic Property Group & #02-02 – SHDP Associates, LLC).

April 14, 2003

The City Council considers the March 20, 2003 Planning Commission recommendations and directs the Planning Commission to hold one public hearing on a proposed comprehensive plan land use map for the Planned Community Development (PCD) designation based on the existing zoning of the area and present a recommendation back to the City Council for public hearing at the May 27, 2003 meeting.

April 17, 2003

A Determination of Non-Significance was issued with regards to the proposed comprehensive plan land use map for the Planned Community Development (PCD) designation based on the existing zoning of the area is issued pursuant to WAC 197-11-340(2).

May 7, 2003

Planning Commission holds a public hearing on a proposed comprehensive plan land use map for the Planned Community Development (PCD) designation based on the existing zoning of the area and recommends a proposed comprehensive plan land use map for the Planned Community Development (PCD) designation based on the existing zoning of the area together with textual amendments (#03-01, City of Gig Harbor).

At the Planning Commission public hearing on comprehensive plan amendment #03-01, the two applicants for Comprehensive Plan amendments (Olympic Property Group (OPG) and SHDP Associates, LLC) submitted requests that the Comprehensive Plan land use designation for the properties that they owned be changed to commercial, not the zoning designation from the City's Zoning Map (#02-02R - SHDP Associates, LLC and #02-01R – Olympic Property Group (OPG)).

May 27, 2003

City Council holds a public hearing to consider the May 7, 2003 Planning Commission recommendation on comprehensive plan amendment application #03-01 and directs staff to perform SEPA and traffic analysis on applicants proposals (#02-02R - SHDP Associates, LLC and #02-01R – Olympic Property Group (OPG)) and bring the matter back for public hearing and first reading of an ordinance on July 14, 2003.

June 23, 2003

The City SEPA Responsible Official issued a SEPA threshold decision of a Mitigated Determination of Non-Significance on comprehensive plan amendment applications #02-01, #02-02, #03-01, #02-01R, #02-02R, and the proposed amendments to the February 2002 City of Gig Harbor Wastewater Comprehensive Plan (Exhibit A), and the incorporation of the adopted March 2001 Park, Recreation, & Open Space Plan by reference as the park and recreation element of the City's Comprehensive Plan. Written appeals of this determination must be filed by July 9, 2003, no appeals had been filed as of July 3, 2003.

July 14, 2003

The City Council holds a public hearing and first reading of an ordinance to consider the annual amendments to the Comprehensive Plan. The Council directed staff to negotiate a development agreement with the Olympic Property Group for the ten (10) acre 'village center' and scheduled a public hearing for July 28, 2003.

July 23, 2003

The City's responsible SEPA official issued a MDNS and an adoption of an existing environmental document on July 23, 2003 with regards to the draft Development Agreement with a comment/appeal period through August 11, 2003.

July 28, 2003

The City Council holds a public hearing on the development agreement and a second reading of an ordinance to consider the annual amendments to the Comprehensive Plan. The Council directs staff to bring back a resolution for the adoption of the development agreement on August 11, 2003. The Council also deliberates the merits and takes votes on several of the individual comprehensive plan amendment applications. The second reading of the ordinance is continued to August 11, 2003.

August 11, 2003

The City Council holds another public hearing on the development agreement and continues the second reading of an ordinance to consider the annual amendments to the Comprehensive Plan. Deliberations are continued and final action is taken.

**May 7, 2003 Planning Commission Recommendation on
comprehensive plan amendment application
#03-01, City of Gig Harbor**

Proposed textual amendment (additions underlined, deletions ~~struck~~):

Gig Harbor Comprehensive Plan, November 1994 – Pages 9 & 10

**9. Generalized Land Use Categories
Planned Community Development**

~~A Planned Community Development (PCD) incorporates all of the other land use designations into a site development without prescribing a specific land use or zoning designation on a parcel(s) or site(s).~~ The purpose of a Planned Community Development (PCD) is to promote optimum site development options which are compatible with the communities' planning goals and interests. A PCD should meet the following minimum general guidelines:

- Minimum area allocated must be 100 acres.
- Land Use allocation should be approximately as follows:

Residential	45 <u>60</u> % maximum
Commercial	40 <u>11</u> % maximum
Employment	25 <u>29</u> % minimum
Parks/Open Space	10 % minimum
Schools	10 % minimum
- Residential may consist of:
 - Housing units above or connected to commercial shops;
 - Allowances for Single Room Occupancy (SRO) housing;
 - Studio apartments;
 - Parks for full size and efficiency sized manufactured housing units.
- ~~The allocations~~ Adequate provisions for Parks/Open Space and Schools ~~should be provided for in the PCD may be combined.~~
- Site development design must be consistent with Community Design standards of the Comprehensive Plan and adopted design guidelines.

A Planned Community Development (PCD) incorporates the following generalized land use categories:

- Planned Community Development Residential Low (PCD-RLD, 4.0 - 7.0 dwelling units per acre) - Provides for well designed residential developments which are located to minimize adverse effects on the environment or sensitive natural areas; provides for clustering of dwelling units to protect important natural features and amenities, limit the costs of development and public service costs and to maintain, enhance and

complement the natural beauty of the Gig Harbor community; and allows unique and innovative residential development concepts that will provide for unconventional neighborhoods, provide affordable housing for a wide range of income levels, maintain or enhance community linkages and associations with other neighborhoods, and to allow village and traditional neighborhood forms.

- Planned Community Development Residential Medium (PCD-RMD, 8.0 - 16.0 dwelling units per acre) - Provides for greater population densities to facilitate high quality affordable housing, a greater range of lifestyles and income levels; provides for the efficient delivery of public services and to increase residents' accessibility to employment, transportation and shopping; and serves as a buffer and transition area between more intensively developed areas and lower density residential areas.
- Planned Community Development Commercial (PCD-C) - Provides for the location of businesses serving shoppers and patrons on a wider basis as distinguished from a neighborhood area; encourages urban development; encourages attractive natural appearing development and landscaping; promotes a quality visual environment by establishing standards for design, size and shape of buildings that create an attractive business climate; and where appropriate, residential uses should be located above commercial uses.
- Planned Community Development Business Park (PCD-BP) - Provides for the location of high quality design development and operational standards for technology research and development facilities, light assembly, and warehousing, associated support service and retail uses, business and professional office uses, corporate headquarters and other supporting enterprises; is intended to be devoid of nuisance factors, hazards and potentially high public facility demands; and retail uses are not encouraged in order to preserve these districts for major employment opportunities and to reduce the demand for vehicular access.
- Planned Community Development Neighborhood Business (PCD-NB) - Provides for businesses serving the everyday needs of neighboring residents; is limited in overall site area and availability of uses and is not intended to provide regional retail facilities; and provides retail and service uses that are easily accessible to local residents.

Planning Commission recommended Planned Community Development (PCD) Comprehensive Plan Land Use Map [This proposed map is based upon the existing zoning currently in place and represents no proposed increase in the amount commercially designated land]:

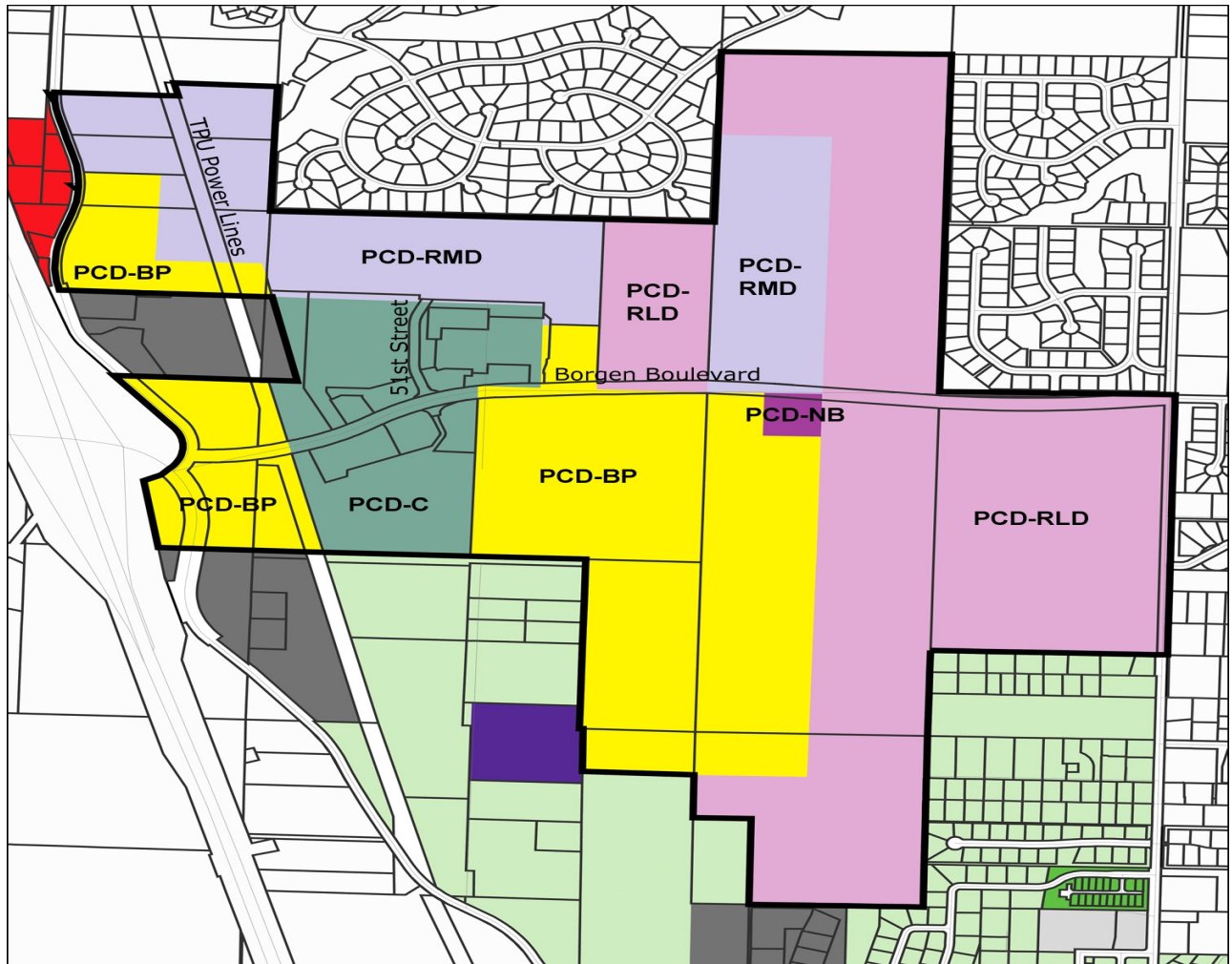


Exhibit B
#02-01R, OLYMPIC PROPERTY GROUP (OPG) APPLICATION
LEGAL DESCRIPTIONS

Olympic Property Group
ESM Job No. 528-019-001-0002
August 11, 2003

LEGAL DESCRIPTION
FOR TWENTY-FIVE (25) ACRE COMMERCIAL AREA

THAT portion of the northeast quarter of the northwest quarter of Section 31, Township 22 North, Range 2 East, W.M., City of Gig Harbor, Pierce County, Washington, more particularly described as follows:

COMMENCING at the northwest corner of said Section 31, as shown on that Record of Survey by ESM Consulting Engineers, L.L.C., recorded under Pierce County Recording No. 200104115003;

THENCE along the north line of the northwest quarter of said Section 31, S 88°30'59" E, 1,250.71 feet to the west line of said northeast quarter of the northwest quarter of Section 31;

THENCE along said west line, S 01°20'46" W, 98.55 feet to the southerly margin of Borgen Boulevard AND the TRUE POINT OF BEGINNING;

THENCE along said southerly margin, easterly 248.57 feet along the arc of a non-tangent curve to the right, having a radius of 1,550.00 feet, the radius point of which bears
S 09°45'59" E, through a central angle of 09°11'18" to a point of tangency;

THENCE continuing along said southerly margin, N 89°25'19" E, 625.03 feet to a point of curvature;

THENCE leaving said southerly margin southeasterly 78.92 feet along the arc of a tangent curve to the right, having a radius of 50.00 feet, through a central angle of 90° 26'23" to a point of tangency;

THENCE S 00°08'18" E, 100.93 feet to a point of curvature;

THENCE southeasterly 564.50 feet along the arc of a tangent curve to the left, having a radius of 1040.00 feet, through a central angle of 31°05'59" to a point of tangency;

THENCE S 31°14'17" E, 151.95 feet to a point of curvature;

THENCE southeasterly 38.39 feet along the arc of a tangent curve to the right, having a radius of 760.00 feet, through a central angle of $02^{\circ}55'55''$

THENCE $S 89^{\circ}58'56'' W$, 504.81 feet;

THENCE $S 25^{\circ}50'48'' W$, 462.34 feet to the south line of said northeast quarter of the northwest quarter of Section 31;

THENCE along said south line $N 88^{\circ}23'41'' W$, 494.54 feet to said west line of the northeast quarter of the northwest quarter of Section 31;

THENCE along said west line, $N 01^{\circ}20'46'' E$, 1,225.35 feet to the TRUE POINT OF BEGINNING.

Containing 25.0 acres, more or less.

See Exhibit "B" attached.

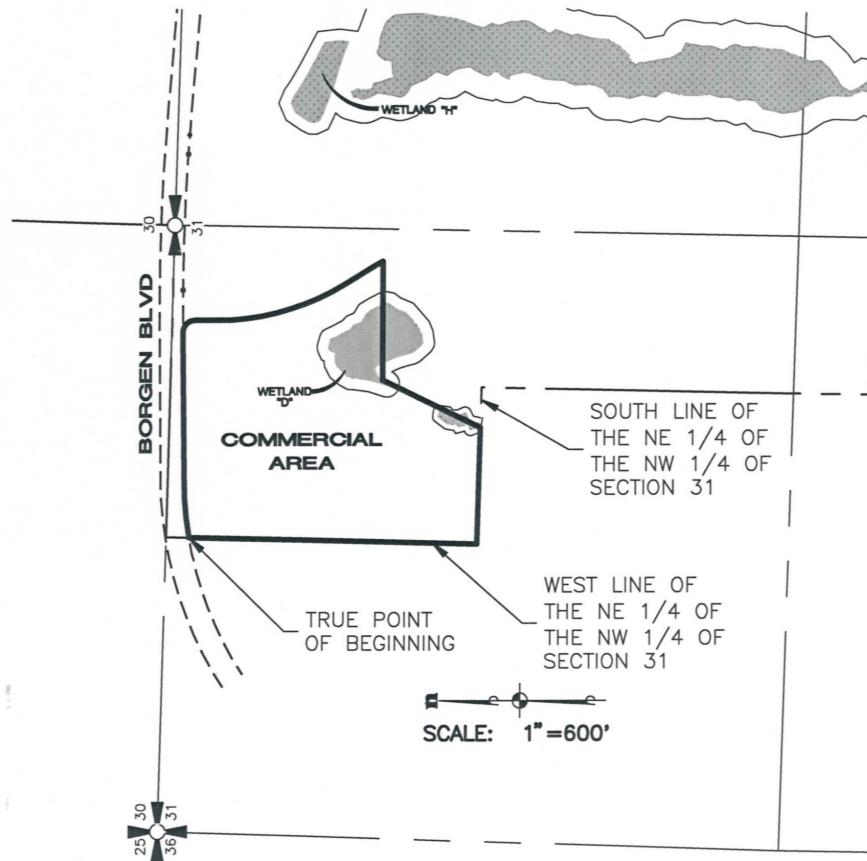
Written by: M.R.B.

Checked by: M.R.B.

EXHIBIT B

TO ACCOMPANY LEGAL DESCRIPTION FOR PROPOSED COMMERCIAL AREA

A PORTION OF THE NE 1/4 OF THE NW 1/4
OF SECTION 31, TWP. 22 N., RGE. 2 E., W.M.,
CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON



ESM

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Land Surveying
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BOTHELL (425) 415-6144
BREMERTON (360) 792-3375

Land Planning
Landscape Architecture

JOB NO. 528-019-001-0002
DRAWING NAME : \\EXHIBITS\SR-03.DWG
DATE : 08-11-03
DRAWN : MRB
SHEET 1 OF 1

LEGAL DESCRIPTION FOR
VILLAGE CENTER

THAT portion of the northeast quarter of the northwest quarter AND of the northwest quarter of the northeast quarter of Section 31, Township 22 North, Range 2 East, W.M., City of Gig Harbor, Pierce County, Washington, more particularly described as follows:

COMMENCING at the northwest corner of said Section 31, as shown on that Record of Survey by ESM Consulting Engineers, L.L.C., recorded under Pierce County Recording No. 200104115003;

THENCE along the north line of the northwest quarter of said Section 31, S 88°30'59" E, 2,302.97 feet;

THENCE S 01°29'01" W, 42.18 feet to the southerly margin of Borgen Boulevard AND the TRUE POINT OF BEGINNING;

THENCE along said southerly margin, easterly 659.67 feet along the arc of a non-tangent curve to the right, having a radius of 9,950.00 feet, the radius point of which bears

S 00°22'57" W, through a central angle of 03°47'55";

THENCE leaving said southerly margin, S 00°01'04" E, 640.08;

THENCE S 89°58'56" W, 558.05 feet;

THENCE N 31°14'17" W, 23.33 feet to a point of curvature;

THENCE northerly 521.08 feet along the arc of a tangent curve to the right, having a radius of 960.00 feet, through a central angle of 31°05'59" to a point of tangency;

THENCE N 00°08'18" W, 100.91 feet to a point of curvature;

THENCE northeasterly 78.99 feet along the arc of a tangent curve to the right, having a radius of 50.00 feet, through a central angle of 90°31'15" to the TRUE POINT OF BEGINNING.

Containing 10 acres, more or less.

See Exhibit "B" attached.

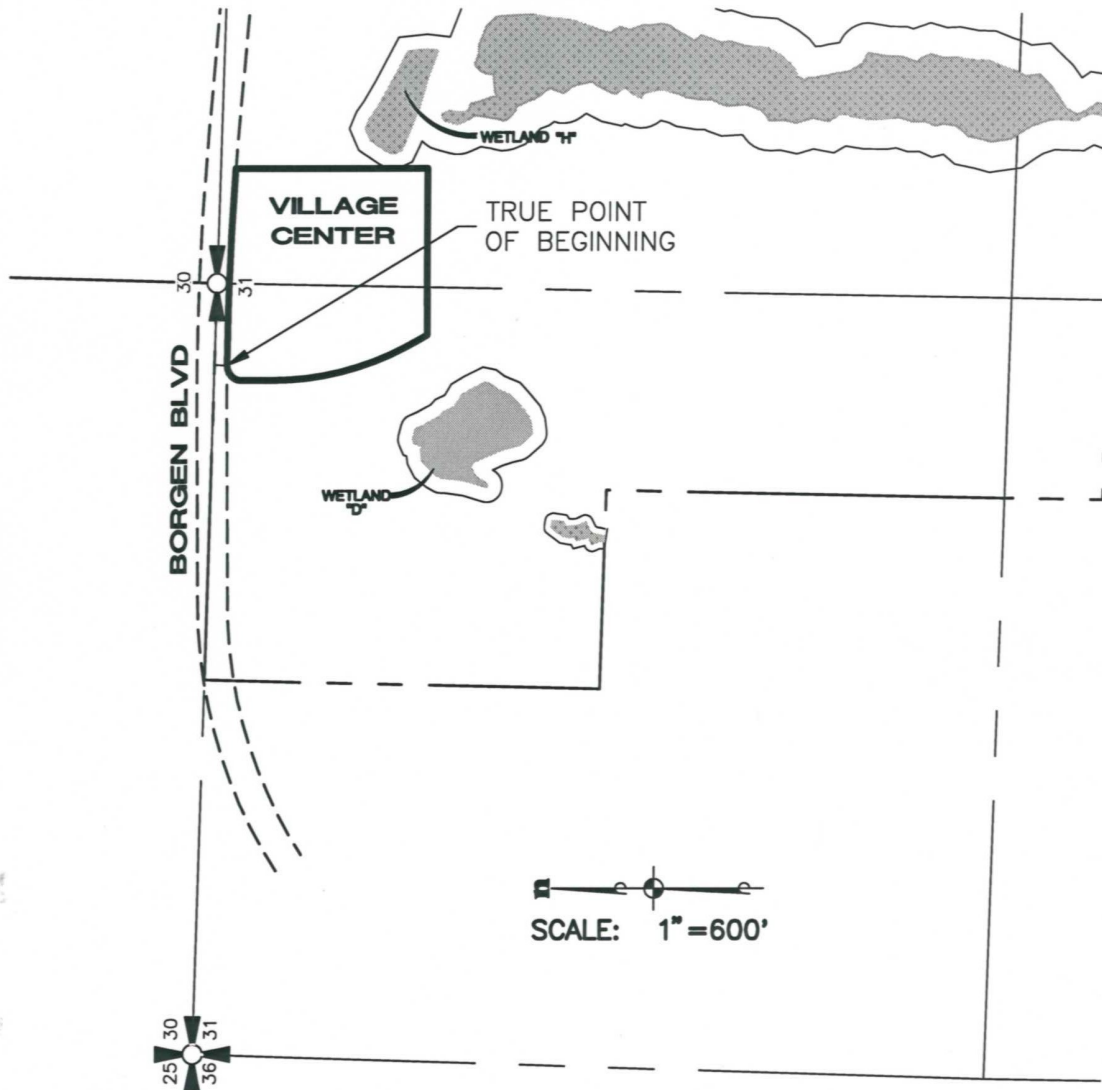
Written by: M.R.B.

Checked by:

EXHIBIT B

TO ACCOMPANY LEGAL DESCRIPTION FOR PROPOSED VILLAGE CENTER

A PORTION OF THE NW 1/4 OF THE NE 1/4 AND
OF THE NE 1/4 OF THE NW 1/4 OF SECTION 31, TWP. 22 N., RGE. 2 E., W.M.,
CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON



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JOB NO. 528-019-001-0002
DRAWING NAME : \\EXHIBITS\SR-02.DWG
DATE : 07-21-03
DRAWN : MRB
SHEET 1 OF 1