

0008.15003
LCI/naa
07/08/87
R: 07/28/87

ORDINANCE NO. 512

AN ORDINANCE OF THE CITY OF GIG HARBOR,
WASHINGTON, AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF GIG HARBOR TO CHANGE THE ZONING
DESIGNATION ON CERTAIN REAL PROPERTY COMMONLY
KNOWN AS THE WOLF REZONE, FROM R-1 (SINGLE
FAMILY RESIDENTIAL) TO B-2 (GENERAL RETAIL);
AUTHORIZING EXECUTION OF A CONCOMITANT ZONING
AGREEMENT AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Hearing Examiner at a public hearing held
May 20, 1987, and continued on June 3, 1987, considered the
following amendment to the Official Zoning Map of the City and a
concomitant zoning agreement and made his findings and
recommendations which were forwarded to the City Council, and

WHEREAS, the City Council at public meetings on July 13
and 27, 1986, reviewed the recommendations of the Hearing
Examiner and at the conclusion of said public meeting determined
that the proposed rezone should be approved, and

WHEREAS, the City Council has reviewed the findings of
fact and conclusions of the Hearing Examiner, together with the
recommended conditions for approval of the proposed rezone and
adopts said findings, conclusions and conditions, and

WHEREAS, the City Council specifically finds that a
concomitant zoning agreement is necessary in connection with the
rezone of the property described in this ordinance to protect the
public health, safety and general community welfare, now,
therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,

DO ORDAIN AS FOLLOWS:

Section 1. The Official Zoning Map of the City of Gig Harbor, as adopted by Section 17.12.020 of the Gig Harbor Municipal Code, is hereby amended by changing the zoning classification of certain property located at 7506 Soundview Drive, Gig Harbor, from R-1 (Single Family Residential) to B-2 (General Retail) subject to a concomitant zoning agreement with the following conditions:

A. The use of the property shall be limited to permitted uses in an R-1 zone, a bed and breakfast facility not to exceed five guest rooms, an art gallery and retail sales related thereto, a seminar facility, occasional catered events and the owner's residence.

B. The seminar facility shall be limited to a maximum of twenty persons at any one time.

C. If after monitoring the impacts of the seminar facility and catered events for one year, City staff determine these uses have created possible adverse impacts on surrounding properties, a public hearing may be held by the Hearing Examiner to review the impacts and make a recommendation to the City Council. After considering the recommendation of the Hearing Examiner, the City Council shall have the right to continue the catered events and/or seminar facility as a permanent use, discontinue the catered events and/or seminar facility, or set additional conditions for their continued uses.

The legal description of the property rezoned is as follows:

PARCEL A: Lot 1, as shown on Short Plat No. 8601090312, filed with the Pierce County Auditor, in Pierce County, Washington.

PARCEL B: Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 8, Township 21 North, Range 2 East of the W.M., in Pierce County, Washington; thence South 02°32'42" West, along the West line of said subdivision, 99.00 feet; thence South 88°26'24" East, parallel to the North line of said subdivision 334.07 feet to the true point of beginning; thence South 02°28'12" West, parallel to the East line of said

subdivision, 90.40 feet; thence South 88°27'22" East 300.00 feet to the West right of way line of Soundview Drive; thence North 02°28'12" East, along said West line, 90.32 feet to a point that bears South 88°26'24" East from the true point of beginning; thence North 88°26'24" West 300.00 feet to the true point of beginning.

Section 2. The written findings of the Hearing Examiner on this subject dated June 24, 1987, with attachments, are hereby adopted by the City Council as the basis for the zoning map change effectuated by this ordinance.

Section 3. The Planning Director is hereby instructed to effectuate the necessary amendments to the Official Zoning Map of the City of Gig Harbor pursuant to this ordinance.

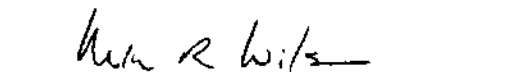
Section 4. The Mayor is hereby authorized to execute and the City Clerk to attest to that certain document entitled "Concomitant Zoning Agreement for Wolf Rezone." The City Clerk is further directed to record said concomitant zoning agreement with the Pierce County Auditor as a covenant running with the land. The cost of said recordation shall be paid by the Owner in accord with the terms of the Concomitant Zoning Agreement.

Section 5. This ordinance shall be in full force and effect five (5) days after passage and publication by posting as provided by law.

APPROVED:


MAYOR, DON McCARTY

ATTEST/AUTHENTICATED:


CITY CLERK, MICHAEL WILSON

FILED WITH THE CITY CLERK: July 10, 1987
PASSED BY THE CITY COUNCIL: July 27, 1987
PUBLISHED: August 12, 1987
EFFECTIVE DATE: August 17, 1987
ORDINANCE NO. 512