

RESOLUTION NO. 2474

RESOLUTION APPROVING THE PRELIMINARY PLAT OF "THE DRAW AT SPEYERS" (912.62.15-01) AND ADOPTING FINDINGS AND CONDITIONS OF PRELIMINARY PLAT APPROVAL

WHEREAS, on June 9, 2015 the City of Selah City Council considered Preliminary Plat No. 912.62.15-01 known as "THE DRAW AT SPEYERS" located in the vicinity of Speyers Road and North 14th Street. Yakima County Taxation Parcel Number: (181435-22009); and,

WHEREAS, the Preliminary Plat was combined with an application for rezone of the subject property from One Family Residential (R-1) to Planned Development (PD) and is dependent on approval of that application; and,

WHEREAS, The Hearing Examiner recommended approval of the combined application for Preliminary Plat and rezone; and,

WHEREAS, the City of Selah Council has adopted the Hearing Examiner's recommendation for approval of the Planned Development rezone; and,

WHEREAS, the City of Selah Council has considered the Hearing Examiner's findings of fact and conclusions and the City staff report dated April 15, 2015 and the Council is satisfied that the matter has been sufficiently considered; and,

WHEREAS, the City Council adopts the Findings and Conclusions of the Hearing Examiner's Recommendation dated May 4, 2015.

WHEREAS, the City Council considered the elements of public use and interest to be served by such platting, and

WHEREAS, the City Council considered the elements of public health, safety, and general welfare pertaining to the preliminary plat;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON that Preliminary Plat No. 912.62.15-01 designated as "The Draw at Speyers" be approved, that the Hearing Examiner's Findings and Conclusions be adopted with the twenty eight (28) specific conditions contained in said Findings and Conclusions and a copy of which is attached hereto.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 15th day of June, 2015.



John Gawlik, Mayor

ATTEST:


Dale E. Novobiretski, Clerk/Treasurer

APPROVED AS TO FORM:


Robert Noe, City Attorney

CONDITIONS OF PRELIMINARY PLAT APPROVAL

1. A preliminary engineering report and/or plan, prepared by a Licensed Professional Engineer, demonstrating the feasibility of construction of all public improvements required by Selah Municipal Code, Chapter 10.50 must be submitted to the Public Works Director for approval.
2. The Planned Development shall substantially conform to the project design as described in the project narrative, in the application materials and on the face of the currently proposed preliminary plat, except as modified in these conditions. Setbacks, building height and lot coverage shall conform to the building configurations, plans and elevations included in the final plan and program and shown on the currently proposed preliminary plat. Standards not otherwise provided for in these documents shall be to the standards required in the R-1 district by the zoning ordinance.
3. The interior private street approach to the Draw on Speyers shall be as indicated on the preliminary plat except as follows: In the event that a complete application is received by the City of Selah for the development of the property immediately to the east of the subject parent parcel, and that application (1) provides for the development of an new access street that aligns with the centerline of North 14th Street and (2) may serve as a suitable access to the Draw on Speyers, then a modification of the preliminary plat of the Draw on Speyers to relocate access to allow interior access from the new access street shall constitute a Minor Modification for purposes of SMC 10.24.110.
4. A professionally-prepared geologic hazards assessment shall be submitted on behalf of the Applicant to the Planning Department for its review to determine if the site is in an erosion or landslide hazard area and to identify measures to mitigate the impacts from site and residential development in such geologic hazard areas and slopes that are greater than 15%. Implementation of identified mitigation measure are a condition of approval of the Planned Development.
5. Prior to any site disturbance, a grading plan or plans, prepared by a licensed professional engineer, shall be submitted to and approved by the Public Works Director. This requirement also applies to the development of individual lots of the subdivision, although homesite permitting or development is not a condition of recording the final plat. The City shall incorporate geologic hazards assessment recommendations/mitigation into the review of all grading permits required by this condition.

6. All final plans and specifications for public improvements must be prepared by a Licensed Professional Engineer and reviewed and approved by the Public Works Director prior to construction. Upon completion of construction and prior to final plan approval, final 'as-built' construction plans and a written certification by a Licensed Professional Engineer that said improvements were completed in accordance with the approved construction plans must be submitted to the Public Works Director for approval.
7. Storm water drainage facilities for the project site must comply with a drainage facilities plan prepared by a licensed professional engineer and approved by the Public Works Director. The plan must demonstrate that the project as proposed can provide for the retention of runoff from developed parts of the project on-site, and accommodate all pass-through drainage, including irrigation water released from the Naches-Selah Irrigation District system.
8. Either the covenants for road maintenance or other road maintenance agreement that provides for the perpetual maintenance of the private roadway and establishes a road maintenance fund shall be recorded with the Yakima County Auditor; a recorded copy shall be submitted to the Selah Community Planner prior to recording the final plat.
9. Documentation setting forth the ownership and perpetual maintenance of the common open space and providing for protection of the density limitations and other amenity values on Lot 13 shall be provided prior to recording the final plat. Documentation may include covenants supplementing the CCRs included with the final Development Plan and Program to address Lot 13, or deed restrictions, and they shall be recorded prior to recording the final plat.
10. The private interior street shall be constructed as a hard-surfaced street to the following specifications:
 - a. 20 foot wide (minimum) asphalt surfacing
 - b. Not to exceed 10 percent slope
 - c. Intersecting street segments as shown on the preliminary plat not to exceed 160 feet in length and no less than 60 feet in length as measured from the center point of the intersection.
11. The existing public sewer line shall be extended to the project site from where it currently ends on Speyers Road. Public sewer service shall be provided to all lots in the proposed interior access easement with either a public line or a private line maintained by the homeowners association connected at a manhole to the public sewer line at Speyers Road. Alternative layouts or designs may be considered and approved by the Public Works Director.
12. Subdivision design shall include the provision of public water lines at least as far as the fire hydrant required interior to the plat. Regardless of whether the public line is extended throughout the plat, individual water lines shall be limited to one line per dwelling unit. The water line or lines shall be installed in the access and utility easement with a minimum of 10 feet of separation from a sanitary sewer line, unless approved otherwise by the Public Works Director.

13. The recorded CCRs shall provide that the designated turnaround/parking area shown on the preliminary plat shall be used only for turnaround and additional off-street parking purposes or other consistent uses. The designated area shall be hard-surfaced, and the covenants shall provide a fund adequate for perpetual maintenance of the hard surface. Modifications to surfacing requirements for the turnaround/parking tract may be treated as a Minor Modification per SMC 10.24.110.
14. A NPDES construction stormwater general permit shall be obtained from the Washington State Department of Ecology unless it is determined by that agency that such permit coverage is not required.
15. A dust control plan shall be prepared and implemented during construction as required by the Yakima Regional Clean Air Agency.
16. Street illumination shall be installed by the developer at locations and to the specifications of the Public Works Director in order to maximize street illumination. Street lights shall be installed on metal poles unless otherwise approved by the Public Works Director.
17. All lots must be served with a full range of public and private services and utilities including public water and sewer, power, natural gas and telephone. All utilities except for the standard telephone box, transmission box and similar structures shall be underground and installed prior to the surfacing of streets. All utilities placed beneath streets, curbs or sidewalks shall be extended beyond these features to avoid them being disrupted by future extensions.
18. There shall be a moratorium on public street cuts for a period of five (5) years from the date of plat recording.
19. Fire hydrants shall be provided and installed by the developer at locations approved by the City of Selah Fire Chief and to the specifications of Selah Municipal Code, Chapter 11.30. A public water line shall be installed to serve the hydrant or hydrants and improved to the following standards:
 - a. Capable of providing a minimum of 1,000 gallons per minute of fire flow.
 - b. Four foot clearance in on either side of the installed line in which no other underground utilities may be located.
 - c. Must be constructed of ductile iron and designed by a licensed professional engineer as required elsewhere by the conditions of this recommendation.
20. Final lot dimensions and lot area must substantially conform to the preliminary plat.
21. Covenants or agreement providing for the perpetual maintenance of any private sewer line shall be recorded with the Yakima County Auditor and a recorded copy submitted to the Planning Department prior to recording the final plat. It may be combined with the required covenants or road maintenance agreement.

22. Storm Water drainage facilities to accommodate runoff generated in the plat must comply with a drainage facilities plan prepared by a Licensed Professional Engineer and approved by the Public Works Director. Plans submitted previously will count toward meeting this requirement if approved by the Public Works Director. Additional documentation may be required for portions of the site not covered by any such previously submitted plans.
23. *Prior to final plat recording, all required plat improvements (utilities, streets, drainage facilities, etc.) must be installed and accepted by the City or a surety bond pledged to the City to ensure installation of the plat improvements within two years of final plat recording.*
24. All required street signs, posts and appurtenances must be supplied by the developer and will be installed by the City.
25. The following note shall be placed on any final plat map:

“The owners shown hereon, their grantees and assignees in interest, hereby covenant and agree to retain all surface water generated within the plat on-site.”

26. Prior to final plat recording, a surety bond, or such other secure financial method acceptable to the City, in the amount of 15% of the cost of the public improvements as determined by the Public Works Director (streets, sidewalks, street lights, drainage facilities, sewage collection and water distribution facilities, etc.) must be remitted to the City and will be held for a period of two years from the date of final plat recording to guarantee against defects in materials and workmanship.
27. Improvements required for the subdivision must be completed and the final plat must be submitted within the maximum time period required by RCW 58.17.140. A one-time, one-year extension may be authorized in accordance with SMC 10.50.033(c) but the request must be made before the 5-year time period ends.
28. Any changes to the plan or program shall be subject to review in accordance with Chapter 10.24 SMC.