

RESOLUTION NO. 2485

**RESOLUTION APPROVING THE PRELIMINARY PLAT OF "SOMERSET II"
(912.42.15-02) AND ADOPTING FINDINGS AND CONDITIONS OF PRELIMINARY PLAT
APPROVAL**

WHEREAS, on July 14, 2015, August 11, 2015 and September 8, 2015 the City of Selah City Council considered Preliminary Plat No. 912.42.15-02 known as "SOMERSET II" located on Herlou Drive and Lyle Loop Road. Yakima County Taxation Parcel Numbers: (181426-44005 & 44021); and,

WHEREAS, the Preliminary Plat application included the request to designate two of the proposed lots as two family residential lots in accordance with SMC 10.12.040; and,

WHEREAS, the Preliminary Plat application included an application for variance (Exception under SMC 10.50.070) to allow access to four lots (six dwelling units) by private road; and,

WHEREAS, The Hearing Examiner recommended approval of the application for Preliminary Plat and two two-family lots, consisting of two separate recommendations: The first recommendation to approve the preliminary plat subject to 25 conditions and the second recommendation being that the private access street comply with roadway section design standards as determined by the Public Works Director in accordance with the City of Selah Design and Construction Standards dated March 2012. The second recommendation would supplement Conditions 10 and 11 of the first recommendation; and,

WHEREAS, the proponent requested that the Council reconsider the decision it made on August 11, 2015 with regard to the requirement for improvement of the entire length of the private road to 22 foot pavement width with curb, gutter and sidewalk on one side; and,

WHEREAS, the City of Selah Council has considered the Hearing Examiner's findings of fact and conclusions and the City staff report dated June 3, 2015 and the Council is satisfied that the matter has been sufficiently considered; has considered the proponent's request for reconsideration, and the staff's recommendation concerning that request; and,

WHEREAS, the City Council adopts the Findings and Conclusions of the Hearing Examiner's Recommendation dated June 26, 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,
912.42.15-02 PLAT OF "SOMERSET II"
RESOLUTION OF PRELIMINARY PLAT APPROVAL**

CONDITIONS OF PRELIMINARY PLAT APPROVAL

1. All design and/or improvement notations indicated on the preliminary plat are included as conditions of preliminary plat approval. This condition is not intended to limit the Public Works Department in the exercise of its authorities under other provisions of the Selah Municipal Code.
2. All the design and improvement notations indicated on Exhibit 7 in the record ("Variance Proposal, Somerset II, March 17, 2015), except as modified by the other conditions imposed by the City Council in this preliminary plat review proceeding, are included as conditions of preliminary plat approval.
3. Lots 19 and 20 are authorized to be designated as two-family residential lots on the final plat and may be developed into two-family residential structures up to 28 feet in height following final plat approval, subject to the following additional special requirements:
 - a. The two-family residential designation of these lots applies only to these lots and may not be transferred to other lots in the subdivision.
 - b. Off-street parking shall be provided on the lots to provide 4 spaces per each duplex. No credit against this requirement shall be allowed for garages and tandem parking.
 - c. Building materials shall be consistent in appearance with that of surrounding single-family homes. To further ensure harmonious development of the designated lots with the development of single family lots in the subdivision, restrictive covenants that describe the required building specifications for the two-family dwellings shall be recorded prior to recording the final plat for the phase in which they are in.
 - d. Building specifications from the restrictive covenants for the proposed two-family dwellings shall be submitted to the Planning Department to review for consistency with these conditions prior to recording the final plat for the phase in which they are in.
 - e. This decision does not preclude the development of detached single-family residences on any of these lots.
4. Final lot dimensions and lot area must substantially conform to the preliminary plat.
5. A preliminary engineering report and/or plan, prepared by a Licensed Professional Engineer, demonstrating the feasibility of constructing all public improvements required by Selah Municipal Code, Chapter 10.50, must be submitted to and approved by the Public Works Department for each separately designated phase of development prior to commencement of construction.
6. Construction plans and specifications must be reviewed and approved by the Public Works Department prior to commencement of construction of each separately designated phase of development. Specifications for improvements shown on the preliminary plat are minimum specifications which may be superseded by the conditions contained herein or by specific conditions as approved by the Public Works Department. Upon completion of construction and prior to final plat approval (of each development phase for which final plat approval is sought), reproducible final 'as-built' construction plans and a written certification by a Licensed Professional Engineer that said improvements were completed in accordance with the City of Selah Design and Construction

Standards dated March, 2012, must be submitted to the Public Works Department for approval. All required compaction and inspection reports shall also be submitted to the Public Works Department.

7. Reports, plans and specifications previously submitted shall count toward meeting the requirements of Conditions #5 and #6 if accepted by the Public Works Director to the extent of the improvements for which they are determined to be sufficient.
8. All lots must be served with a full range of public services/private utilities. All public services/private utilities must be underground and installed prior to the surfacing of streets. Lots 17 through 20 shall be served by an 8 inch sewer line extended in a utility easement across Lots 11 and 12 and then continued to the other lots in the access and utility easement as shown on the Preliminary Plat. There shall be a moratorium on street cuts for a period of five (5) years from the date of each phase recording.
9. Lyle Loop Road: Street improvements must be constructed to City standards as approved by the Public Works Director including 50 foot wide right-of-way, 32 foot wide asphalt pavement, concrete rolled (or better) curb and gutter, five (5) foot wide sidewalk on one street side and street illumination. The sidewalk shall be installed on the same side of the street as it is on the existing completed portion of Lyle Loop Road. Utility improvements shall be extended beyond street pavement edge to facilitate future extension where appropriate. Street grade shall not exceed 10%.
10. The private street roadway shall be constructed as a hard-surfaced street to specifications approved by the Public Works Director prior to recording the final plat. The part of the private street extending from Lyle Loop Road up to and including the T-turnaround shall have a minimum surface of 20 feet, a minimum easement width of 26 feet and shall be made in conformance to design and strength standards required of the City of Selah's residential streets, and shall also include, in addition to the 20 feet of roadway surface, a 4-foot sidewalk on at least one side and a standard curb connecting the sidewalk.
11. The private street shall be designated "no-parking" as shown by the site plan submitted with the preliminary plat application and shall be posted with signs prior to final plat approval.
12. Covenants or a road maintenance agreement among the owners of Lots 17, 18, 19 and 20, providing for the perpetual maintenance of the private roadway and that establish a road maintenance fund shall be recorded with the Yakima County Auditor and a recorded copy submitted to the Selah Planning Department prior to recording the final plat. If driveway access to Lots 13 and 14 is made available from the private street, such covenants or agreement shall include owners of Lots 13 and 14.
13. Driveway access to Lots 13 and 14 shall be limited to Lyle Loop Road.
14. Street illumination shall be installed by the developer at locations and to the specifications of the Public Works Director (typically at 300 foot intervals or as otherwise determined by the Director of Public Works in order to maximize illumination). Street lights shall be installed on metal poles.

15. 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.
16. 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.
17. Areas reserved for sight distance vision triangles shall be shown and noted on the final plat. (Selah Code, Chapter 10.50).
18. Dust control measures shall be implemented as required by the Yakima Regional Clean Air Authority rules and regulations. The Developer shall advise the Public Works Department of the name and phone number of the contact person to report alleged dust control violations.
19. All required street signs, posts and appurtenances must be supplied by the developer and will be installed by the City.
20. An NPDES Construction Stormwater General Permit shall be obtained unless determined by the Department of Ecology that it is not required.
21. The following notes shall be placed on the final plat map(s):

"The owner(s) shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site."
22. The applicant shall recommend a street name to assign to the private access street and shall submit the name to the Planning Department for approval prior to recording the final plat. The approved street name shall be shown on the face of the final plat.
23. A surety bond, or such other secure financial method, in the amount of 15% of the cost of the public improvements (as each final phase is submitted) (i.e., roads, sidewalks, street lights, drainage facilities, sewage collection and water distribution facilities, etc.) shall be remitted to the City and held for a period of two years to guarantee against defects of workmanship and materials.
24. 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.
25. Improvements required for the subdivision must be completed and the final plat must be submitted within the maximum 5-year 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.

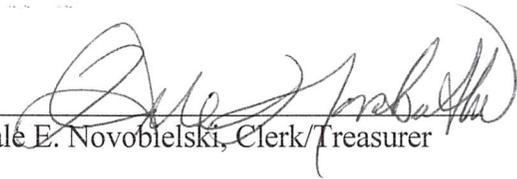
WASHINGTON that Preliminary Plat No. 912.42.15-021 designated as "Somerset II" be approved, that the Hearing Examiner's Findings and Conclusions and the Hearing Examiner's Recommendation be adopted with the twenty five (25) specific conditions contained in said Findings and Conclusions and a copy of which is attached hereto, that the Hearing Examiner's Second Recommendation not be adopted, and that Condition #10 as adopted by the Council at its August 11, 2015 closed record hearing be revised as requested by the proponent and recommended by City Staff as set forth below.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON
this 8th day of September 2015.



John Gawlik, Mayor

ATTEST:



Dale E. Novoblelski, Clerk/Treasurer

APPROVED AS TO FORM:



Robert Noe, City Attorney