

RESOLUTION NO. 2498

**RESOLUTION APPROVING THE PRELIMINARY PLAT OF "SPEYERS COURT"
(912.61.14-03) AND ADOPTING FINDINGS AND CONDITIONS OF PRELIMINARY PLAT
APPROVAL**

WHEREAS, on November 24, 2015 the City of Selah City Council considered Preliminary Plat No. 912.61.14-03 known as "SPEYERS COURT" located at 600 Speyers Road. Yakima County Taxation Parcel Numbers: 181435-13493; and,

WHEREAS, The Hearing Examiner previously conducted an open record hearing on the application and at that time recommended denial of the preliminary plat because the Comprehensive Land Use Plan designated the subject property as low density residential and the property was zoned R-1; and,

WHEREAS, the Comprehensive Plan designation was subsequently amended to medium density residential and the subject property was re-zoned to R-2 to correct a prior mapping error affecting the property;

WHEREAS, the City of Selah Council has considered the Hearing Examiner's findings of fact and conclusions and the City staff report dated July 24, 2014 in light of the corrected Comprehensive Plan density and zoning for the subject property and is persuaded that the Planned Development meets the requirements of Chapter 10.24 SMC and, as a result, has adopted findings of fact and conclusions that the Preliminary Plat be conditioned as recommended by City Staff; and,

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;

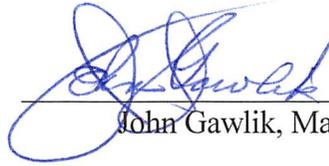
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON that Preliminary Plat No. 912.61.14-03 designated as "Speyers Court" be approved and that the Findings and Conclusions set forth in the staff report be adopted with the four (4) specific conditions recommended by the July 24, 2014 staff report and four (4) additional specific conditions, a copy of which is subjoined hereto, and by this reference incorporated herein as if fully set forth.

CONDITIONS OF PRELIMINARY PLAT APPROVAL

1. All design and/or improvement notations indicated on the preliminary plat are included herein as conditions of preliminary plat approval (i.e., private easement width and locations, lot sizes and lot configuration, etc.).
2. Final lot dimensions and lot area must substantially conform to the preliminary plat unless otherwise amended during the public hearing process.
3. The following note must be placed on the final plat map:

“The Speyers Court Homeowners Association, any grantees and assignees in interest, hereby covenant and agree to retain all surface water generated within the plat on-site.”
4. The ‘Speyers Court Declaration of Covenants, Conditions and Restrictions’ shall be recorded simultaneously with the final plat map.
5. Planned development shall be in substantial conformance to the project design as described in the project narrative, application materials and on the face of the preliminary plat entered into the record at the time of the hearing. 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-2 district by the zoning ordinance.
6. An easement for the Open Space Park Area as depicted on the Preliminary Plat and clearly showing its appurtenance to all of the lots in the Planned Development shall be dedicated on the final plat.
7. To avoid confusion, the Plat shall be recorded with a name, approved by City staff that is different from that of other recorded plats or condominiums in Yakima County.
8. 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 initial time period ends.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 24th day of November, 2015.



John Gawlik, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Robert Noe, City Attorney