

RESOLUTION NO. 2018-10

**A RESOLUTION OF THE CITY COUNCIL OF ELLensburg, WASHINGTON
RELATING TO THE APPROVAL OF THE M.W.M. - PHASE I PLAT ALTERATION
NO. P18-006 OF PROPERTY LOCATED IN ELLensburg, WASHINGTON.**

WHEREAS, on January 18, 2018 property owner Whiskey Creek, LLC filed a plat alteration application in order to combine their 4 lots into 2 lots and correct an original plat note for allowance of an additional shared driveway access for property located along west University Way, commonly referred to as “lots 2A, 2B, 2C, and 2D of the MWM subdivision plat”; and

WHEREAS, following an open record public hearing held before the City Council on April 2, 2018, where evidence and testimony was considered for the MWM plat alteration application, as provided by Chapter 15.260 ECC, the City Council approved the plat alteration based upon the Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as set forth herein;

NOW, THEREFORE, the Ellensburg City Council hereby resolves as follows:

Section 1. The Ellensburg City Council makes the following findings of fact:

A. The proposed plat alteration is in conformance with the goals and policies of the City of Ellensburg Comprehensive Plan (“Comprehensive Plan”), as amended, if developed in conformance with applicable sections of the Ellensburg City Code, and in accordance with the conditions stated herein;

B. The proposed use and corresponding plat alteration has been determined to be in compliance with the permitted uses and future land use designations within the Comprehensive Plan classification and standards for development set forth in the City’s Land Development Code if developed in accordance with the conditions stated herein;

C. Appropriate provisions have been made for public health, safety, and general welfare and for such other factors enumerated in RCW 58.17.215 if the plat alteration is developed subject to the conditions stated herein. Public facilities, such as roads, sewer and water and other public facilities are adequate to support the use and layout of the proposed plat alteration if developed in accordance with the conditions stated herein;

D. The public use and interest will be served if the plat alteration is developed in accordance with the conditions stated herein;

E. The proposal for the plat alteration conforms to the policies, standards and design principles specified in Chapter 15.260 of the Ellensburg City Code if developed in accordance with the conditions stated herein; and

F. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

Section 2. The plat alteration is specific to property located along West University Way, commonly referred to as lots 2A, 2B, 2C and 2D of the MWM plat – Phase I, and legally described as follows:

LOTS 2A, 2B, 2C, AND 2D OF M.W.M. PLAT – PHASE I, ACCORDING TO THE PLAT RECORDED IN VOLUME 9 OF PLATS AT PAGES 235 THROUGH 237, RECORDS OF KITTITAS COUNTY, WASHINGTON.

Section 3. The MWM plat alteration (P18-006) shall be developed in accordance with the following conditions of approval, which shall apply to the applicant, and the applicant's heirs, successors in interest and assigns:

1. Fulfillment of all City code required final plat design and construction requirements for on-site and off-site improvements prior to final plat alteration approval.
2. Per the Energy Services - Light Department 3/9/18 Memo, the proposed third driveway is acceptable to the Electric Utility, keeping in mind that protected locations are required for electric facilities that are outside of drivable surfaces, but accessible by drivable surfaces for maintenance. The applicant will be required to provide utility easements for their high voltage facilities on private property.
3. Per the Energy Services – Gas Department 3/16/18 Memo, there are four existing 1" PE Gas service stubs coming from University Way to serve these existing lots. One of them can be used for each proposed office and will be adequate for what is being proposed at this time. All Unused 1" PE service stubs need to be abandoned at the main. The applicant shall provide the excavation, smooth sand bedding, backfill, and restoration. City crews will perform the necessary work on the gas lines. A completed Natural Gas Service Application will need to be submitted to Energy Services providing the total BTU load information and any special delivery pressure requirements for each meter that is requested. The proposed service meter location should be shown on the site plan when the building plans are submitted.
4. Per the Public Works 3/26/18 Memo, the original four lots of the MWM plat have existing water and sewer stubs for future use. This plat alteration will combine the four lots into two larger lots. Any unused utility stubs may need to be abandoned at the mains. Lots A and B will each be permitted one driveway. An additional shared driveway up to 35' in width would also be allowed, with the shared driveway split equally between lots A and B. Public Works will comment on any future development of these lots.
5. The applicant is required to obtain an NPDES Construction Storm Water General Permit from the Washington State Department of Ecology, as well as all other permits (site grading permit, SWPPP, etc.) that may be required as a result of plat development. Subdivision and land development activities shall follow the requirements of the Ellensburg City Code, including the Design Standards.

Section 4. The Ellensburg City Council makes the following conclusions of law:

- A. As conditioned, the proposed plat alteration is consistent with the intent, purposes and regulations of the Ellensburg City Code and Comprehensive Plan.
- B. As conditioned, the proposed plat alteration conforms to the standards specified in Ellensburg City Code.
- C. As conditioned, the proposed plat alteration will comply with all required performance standards as specified in the Ellensburg City Code.
- D. As conditioned, the proposed plat alteration will not be contrary to the intent or purposes and regulations of the Ellensburg City Code or the Comprehensive Plan.
- E. As conditioned, this proposal does comply with Comprehensive Plan, the zoning code and other land use regulations, and SEPA.
- F. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

Section 5. The Ellensburg City Council makes the following decision:

- A. The Application for Plat Alteration (P18-006) – MWM Plat Subdivision is approved subject to the conditions set forth in Section 3 herein.
- B. The Mayor, City Engineer and/or Community Development Director are authorized to sign the Mylar to enable the Applicant to record the Plat Alteration.

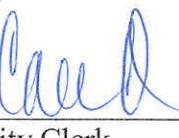
Section 6. This resolution is the final decision of the City of Ellensburg upon this matter.

Section 7. Notice is hereby given that appeal of the land use decision shall be barred unless a petition requesting review is filed in the Superior Court of the State of Washington and properly served within twenty-one (21) days after passage of this resolution in accordance with Chapter 36.70C of the Revised Code of Washington.

Passed this 2nd day of April, 2018.



MAYOR

Attest: 

City Clerk