

A RESOLUTION of the City Council of Ellensburg, Washington relating to the approval of the Landon Lane Preliminary Plat No. P18-064 of property located in Ellensburg, Washington.

WHEREAS, on May 2, 2018 property owner Landon Lane, LLC filed a preliminary plat application (P18-064) for sixteen (16) lots to be developed on approximately 2.58 acres of property located at 205 W Idaho Street, commonly referred to as the "Landon Lane preliminary subdivision plat"; and

WHEREAS, the applicant also submitted an associated Washington State Environmental Policy Act (SEPA) checklist as part of the application; and

WHEREAS, on June 14, 2018 the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) for the preliminary plat; and

WHEREAS, following a duly noticed open record public hearing held before the Hearing Examiner on June 21, 2017, to consider the Landon Lane preliminary subdivision plat application, as provided by Chapter 15.260 ECC, the Hearing Examiner issued his June 26, 2018 Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval; and

WHEREAS, following a duly noticed closed record public hearing held during a regularly scheduled Ellensburg City Council Meeting on July 16, 2018, regarding the Landon Lane preliminary subdivision plat application, the City Council approved the preliminary plat subject to certain conditions;

NOW, THEREFORE, the Ellensburg City Council do resolve as follows:

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

A. The proposed preliminary plat is in conformance with the goals and polices of the City of Ellensburg Comprehensive Plan ("Comprehensive Plan"), as amended, if developed in accordance with the conditions stated herein;

B. The proposed use and corresponding preliminary plat has been designated in accordance 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 58.17.110(2)(a) if the preliminary plat 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 preliminary plat if developed in accordance with the conditions stated herein;

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

E. The proposal for the preliminary plat development 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. The findings of fact and recommendations of the Hearing Examiner dated June 26, 2018 are hereby adopted and incorporated herein as the findings of the Ellensburg City Council with respect to the preliminary plat.

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

Section 2. The preliminary plat involving property located at 205 W Idaho Avenue, commonly referred to as the Landon Lane preliminary subdivision plat, and legally described as follows:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON WHICH IS DESCRIBED AS FOLLOWS:

A TRACT OF LAND BOUNDED BY A LINE BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE OF SAID QUARTER OF QUARTER SECTION, WHICH IS 165.55 FEET SOUTH 89°51' EAST OF THE NORTHWEST CORNER THEREOF AND RUNNING THENCE SOUTH 89°51' EAST, 165.55 FEET; THENCE SOUTH 0°07' WEST, 643.7 FEET; THENCE NORTH 89°56' WEST, 164.87 FEET AND THENCE NORTH 0°03'30" EAST, 644.1 FEET TO THE POINT OF BEGINNING.

Section 3. The Landon Lane preliminary subdivision plat development (P18-064) 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 approval.
2. Per the Energy Services – Gas Department 1/31/18 Memo, The proposed subdivision requires natural gas facilities to be installed per Ordinance No. 4644 and Ellensburg City Code 15.260. City has a main and service line credit of 150 feet per service that can be applied towards the installation cost.
3. Per the Energy Services – Light Department 6/1/2018 Memo, at the time of development, underground facilities on the north side of Idaho Ave that will need to be intercepted and extended in order to serve each of the resultant lots at applicant expense. Energy Services plans to tie in to our existing services on Greenfield for a loop feed, some of these costs will be split between the City and the Applicant. Additional easement will be required behind the sidewalk on both sides of the street for our electric facilities and other utilities that need to share this space. A typical 10-foot non-exclusive utility easement is typical. The design information shall be provided to the Light Department per this memo.

4. Per the Public Works 04/03/2018 Memo, the applicant will be required to extend an 8 "ductile iron main into the site. Fire hydrant placement shall be per Fire Department requirements. Sewer is available to serve this development and each recorded lot will need to have an individual sewer stub. The proposed project requires frontage improvements along the Idaho Avenue frontage. Previous development has built the frontage improvements along Greenfield Avenue; however, a single street light will need to be added here. In addition, storm water issues shall be addressed by the applicant and all permits must be obtained.
5. Per the Cascade Irrigation 5/24/18 Email, a \$50 per lot plat fee and an irrigation plan based on Cascade Irrigation specs. Cascade Irrigation District will need to inspect installation of the irrigation system prior to back fill and if the applicant utilizes a Limited Improvement District (LID) there will be a hookup fee.
6. 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.
7. All requirements of utility providers, City departments, and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
8. No certificates of occupancy shall be issued prior to completion of required public improvements in a manner acceptable to the City in its sole discretion. Issuance of any certificate of occupancy prior to full completion of any of the required improvements shall not be deemed to be a waiver of this section, and such issuance shall not stop the City or impair its ability to demand full completion of required improvements prior to issuance of any further certificates of occupancy.

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

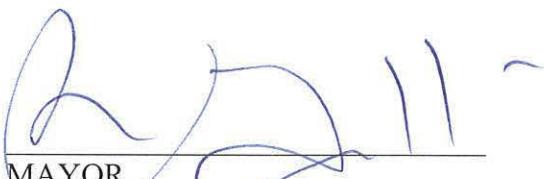
- A. As conditioned, the proposed use is consistent with the intent, purposes and regulations of the Ellensburg City Code and Comprehensive Plan.
- B. As conditioned, the proposal does conform to the standards specified in Ellensburg City Code.
- C. As conditioned, the use will comply with all required performance standards as specified in the Ellensburg City Code.
- D. As conditioned, the proposed use 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. This resolution is the final decision of the City of Ellensburg upon this matter.

Section 6. 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 16th day of July, 2018.


MAYOR
Attest: 
City Clerk