

**CITY OF MONROE
RESOLUTION NO. 020/2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, ADOPTING THE HEARING EXAMINER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATIONS, AND CONDITIONS OF APPROVAL FOR PRELIMINARY PLAT/PRELIMINARY PLANNED RESIDENTIAL DEVELOPMENT (PRD) (16-PLPR-0001) KLIER-PARMENTER

WHEREAS, Mr. Robert Ford of Tersa Tellus Inc., applicant, submitted an application for an 88 single-family lot Preliminary Plat/Planned Residential Development (PRD) commonly known as Klier-Parmenter, involving approximately 26.88 acres (approximately 170,822 square feet) located in the vicinity of 13207 and 13221 191st Avenue SE in Monroe; and

WHEREAS, the Hearing Examiner for the City of Monroe, upon due consideration and through the development of Findings of Fact, Conclusions of Law, and Conditions of Approval, and following a request for reconsideration, recommended to the City Council on November 18, 2016, that said Preliminary Plat/PRD (16-PLPR-0001) be approved with conditions; and

WHEREAS, the City Council has considered the recommendations of the Hearing Examiner and has determined to approve said Findings of Fact, Conclusions of Law, and Conditions of Approval for said Preliminary Plat/PRD (16-PLPR-0001).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE DOES RESOLVE AS FOLLOWS:

Section 1. The Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation of Approval for the Preliminary Plat/PRD (16-PLPR-0001) of Klier-Parmenter attached hereto as Exhibit A are hereby adopted. The City Council further adopts as findings the above recitals, and hereby enters the following additional findings and conclusions:

- A. The Preliminary Plat/PRD has been processed in material compliance with all applicable state and local procedures.
- B. As conditioned, the Preliminary Plat/PRD satisfies all applicable state and local criteria for approval, including without limitation: (i) RCW 58.17.110 and all other relevant provisions of Chapter 58.17 RCW; (ii) Chapter 21.50 MMC; Chapter 18.84 MMC; and Title 17 MMC.
- C. As conditioned, the Preliminary Plat/PRD is in conformity with all applicable zoning ordinances and other land use controls.

- D. As conditioned, the Preliminary Plat/PRD will adequately mitigate the impacts of the project as required and allowed by applicable state and local regulations.
- E. The area, location and features property interests dedicated under the Preliminary Plat/PRD are a direct result of the development proposal, are reasonably necessary to mitigate the effects of development, and are proportional to the impacts created by the development.
- F. The public interest will be served by approval of the Preliminary Plat/PRD.

Section 2. The Preliminary Plat/PRD of Klier-Parmenter as set forth in Exhibit B is hereby approved subject to the following conditions:

1. The applicant shall apply for all necessary permits, and submit construction plans prior to constructing plat improvements which include, but are not limited to, water, sewer, streets, and storm systems.
2. The project shall implement all of the applicable recommendations contained in the drainage report dated May 5, 2016, and traffic report dated April 2016 as approved by the City, or a modified and approved by the City.
3. The applicant shall submit housing elevation drawings (similar to those provided at the preliminary stage) concurrent with building permit submittal demonstrating compliance with the housing standards per MMC section 18.84.080(G). Building permit applications shall also be in conformance with the requirements of MMC section 18.84.080(H) and (J) to the extent that structural/construction details are required to be identified in building permit application materials.
4. The proponent shall dedicate right-of-way for streets as shown on the approved preliminary plat map. Frontage improvements, including curb, gutter, sidewalk, street trees and traffic control devices shall be provided for all streets within the subdivision and shall be constructed in accordance with the City's Public Works Design and Construction Standards and installed by the developer to the satisfaction of the City prior to final plat application.
5. If the applicant wishes to bond/financially guarantee for some of the plat improvements, the applicant shall submit a request to the City; but only after the design of plat improvements have been approved by the City Engineer. All financial securities shall be in place prior to final plat application.
6. Traffic impact fees assessed in accordance with MMC Chapter 20.12 shall be required and paid at the rate in effect at the time of building permit issuance.
7. Park and School impact fees in accordance with MMC chapters 20.10 and 20.07 shall be required and paid at the rate in effect at the time of building permit issuance.

8. The wastewater system capital improvement charge in accordance with MMC Section 13.08.270 shall be required and paid prior to building permit issuance.
9. The applicant shall provide a copy of the Covenants, Conditions, and Restrictions (CC&R's) to the City for review at the time of submittal of final PRD per MMC section 18.84.080(E).
10. All street frontage landscaping/irrigation improvements shall be bonded or financially guaranteed in a form acceptable to the City until such time that housing construction is completed.
11. Mail routes shall be approved by the United States Postmaster, including mailbox types and locations.
12. Irrigation is required for all street trees and newly planted vegetation within the right-of-way and within Tracts (where applicable and required by the City). The applicant shall submit an irrigation plan prior to construction for review and approval by the City.
13. Per MMC 20.05.070(D), NGPE split-rail fencing shall be identified on the landscape and civil plans consistent with the Critical Area Study.
14. A note shall be added to the face of the plat that states:

"This dedication includes conveyance of roads, tracts, utility and storm drainage infrastructure, and other areas of right-of-way intended for public use and/or any ownership as shown on or otherwise referenced by the plat. The (INSERT NAME HERE) hereby waives all claims against the City of Monroe and/or any other governmental authority for damages which may occur to the adjacent land as a result of the construction, drainage, and maintenance of such facilities and improvements."
15. The applicant shall post a performance/maintenance bond, or other financial guarantee acceptable to the City, prior to issuance of a clearing and/or grading permit for the work outlined in the Wetlands Buffer Mitigation Plan per MMC 20.05.130.
16. The applicant shall obtain a General Construction Stormwater NPDES Permit from the Washington State Department of Ecology (DOE) prior to beginning construction per MMC section 15.01.045.
17. The project shall implement all mitigation measures included in the environmental checklist based on the latest versions of any referenced reports, plans, or supporting documents made record as exhibits accompanying this Staff Report and Recommendation for the project or subsequent versions approved by the City.

18. The applicant shall obtain all the necessary permits associated with the project from the City.
19. The applicant shall submit a revised landscape plan prior to final plat approval that provides the details required at page 9 of the staff report. In addition, the revised landscaping plan shall include sight-obscuring perimeter landscaping along lots 16-21, 22-42 and 52-64. The perimeter landscaping shall be in lieu of the perimeter fencing proposed by the applicant for the same areas and shall be ten feet wide as required by MMC 18.10.140, Table A.
20. The applicant shall obtain all the necessary permits associated with the project from the City of Monroe and all other applicable regional, state and federal agencies.

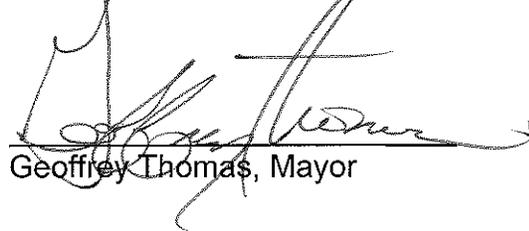
Section 3. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this 6th day of December, 2016.

Approved: December 6, 2016
 Effective: December 6, 2016

CITY OF MONROE, WASHINGTON

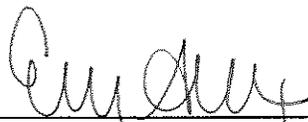
(SEAL)



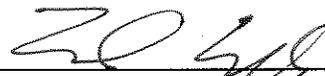
Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:



Elizabeth M. Smoot, MMC, City Clerk



J. Zachary Lell, City Attorney