

**CITY OF MONROE
RESOLUTION NO. 009/2014**

A RESOLUTION BY THE MONROE CITY COUNCIL ADOPTING
THE HEARING EXAMINER'S FINDINGS OF FACT,
CONCLUSIONS OF LAW, RECOMMENDATIONS, AND
CONDITIONS OF APPROVAL FOR PRELIMINARY
PLAT/PLANNED RESIDENTIAL DEVELOPMENT (PL2013-01) –
CHAIN LAKE ESTATES

WHEREAS, Chain Lake Estates, LLC submitted an application for a Preliminary Plat/Planned Residential Development (PL2013-01), commonly known as Chain Lake Estates, for the subdivision of approximately 6.3 acres located in the vicinity of 19593 Mountain Ridge Road SE into 26 single-family lots; and

WHEREAS, the Hearing Examiner for the City of Monroe did hold a public hearing on March 27, 2014, regarding said proposed Preliminary Plat/Planned Residential Development (PL2013-01); 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, recommended to the City Council on April 6, 2014 that said Preliminary Plat/Planned Residential Development (PL2013-01) 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/Planned Residential Development (PL2013-01).

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/Planned Residential Development (PRD) (PL2013-01) of Chain Lake Estates attached hereto as Exhibit 1 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; 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/Planned Residential Development of Chain Lakes Estates set forth in Exhibit 2 is hereby approved subject to the following conditions:

1. The project shall implement all of the mitigation measures that are included in the Mitigated Determination of Nonsignificance (MDNS 2013-06) and adhere to any of the applicable recommendations contained in the geotechnical, drainage, and traffic reports.

2. All remaining City Department comments shall be addressed in conjunction with civil plan review and prior to construction unless specifically stated otherwise.

3. Existing trees 4" caliper or greater within Tract 999 and Tract 998 removed during construction, accidentally or otherwise, shall be replaced with the tree type and sizing to be determined by the City at a 1:1 ratio during and after construction.

4. A qualified professional shall substantiate the geotechnical report, since it is over five years old, prior to final PRD plan submittal.

5. The proponent shall provide a copy of the CC&Rs to the City for review at the time of submittal of final PRD. This review is required prior to construction per MMC 18.84.070(B).

6. The proponent shall submit housing elevation drawings concurrent with building permit submittal demonstrating compliance with the Housing Standards per MMC 18.84.080(G).

7. The proponent shall dedicate right-of-way for streets as shown on the approved preliminary plat map. Frontage improvements, including curb, gutter, sidewalk and street trees shall be provided for all streets within the subdivision. Traffic control devices and street signs shall be installed prior to final plat approval, and all public roads within the subdivision 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 approval.

8. Traffic impact fees assessed in accordance with MMC 20.12 shall be required and paid prior to building permit issuance.

9. Park impact fees in accordance with MMC 20.10 shall be required and paid prior to final plat approval, or the applicant may defer payment to prior to building permit issuance.

10. School impact fees assessed in accordance with MMC 20.07 shall be required and paid prior to building permit issuance.

11. The water system capital improvement charge in accordance with MMC 13.04.025 shall be required and paid at the time of application therefor is made.

12. The wastewater system capital improvement charge in accordance with MMC 13.08.272 shall be required and paid at the time of application therefor is made.

13. Street trees shall be included in the street planter strips per the approved landscape plan. Tree type, spacing, quantity, and location shall be as determined by the City. Street trees shall be planted when a street frontage is fully owner occupied and as directed by the Parks Department. The City will coordinate tree plantings to the most favorable time of the year. All street frontage landscaping/irrigation improvements shall be bonded until such time that housing construction is completed and bonded work may be completed without risk of construction damage.

14. Mail routes shall be approved by the Postmaster, including mailbox types and locations.

15. If any wells are located on the site, they shall be abandoned prior to final plat approval in accordance the requirements and criteria set forth by the Washington State Department of Ecology.

16. The existing water line and PUD easements west of Tract 998 need to be released and any water or power lines relocated to the proposed right-of-way or the future 10-foot utility easement along the proposed lot frontages prior to final plat approval.

17. Irrigation is required for all street trees and newly planted vegetation within the right-of-way and within Tracts 997, 998, and 999 (where applicable and required by the City). The proponent shall submit an irrigation plan prior to construction for review and approval by the City.

18. An approved franchise permit from WSDOT or an alternative method of connection to the sanitary sewer system for installation of the 8-inch gravity sewer main within the WSDOT ROW is required.

19. The proponent shall submit an application and receive an NPDES permit from WA Department of Ecology (DOE) prior to beginning construction.

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 2nd day of April, 2014.

EFFECTIVE: 04/22/2014

(SEAL)

CITY OF MONROE, WASHINGTON:



Geoffrey Thomas, Mayor

ATTEST:



Elizabeth M. Smoot, CMC, City Clerk

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney