

**GRANDVIEW CITY COUNCIL
REGULAR MEETING AGENDA
TUESDAY, SEPTEMBER 10, 2024**



PLEASE NOTE: The maximum occupancy of the Council Chambers is 49 individuals at one time. Access to exits must be kept clear to ensure everyone in the Chambers can safely exit in the event of an emergency.

This meeting will be held in person and will also be available via teleconference.

REGULAR MEETING – 7:00 PM

PAGE

- 1. CALL TO ORDER & ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVE AGENDA**
- 4. PRESENTATIONS**
 - A. Employee Recognition – Grandview Library 1
- 5. PUBLIC COMMENT** – *At this time, the public may address the Council on any topic whether on the agenda or not, except those scheduled for public hearing. The public comment period is not an opportunity for dialogue with the Mayor and Councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public comment. If you would like to address the Council, please step up to the microphone and give your name and address for the record. Your comments will be limited to three minutes.*
- 6. CONSENT AGENDA** – *Items on the Consent Agenda will be voted on together by the Council, unless a Councilmember requests that items be removed from the Consent Agenda and discussed and voted upon separately. An item removed from the Consent Agenda will be placed under Unfinished and New Business.*
 - A. Minutes of the August 27, 2024 Committee-of-the-Whole meeting 2-8
 - B. Minutes of the August 27, 2024 Council meeting 9-12
 - C. Payroll Check Nos. 14053-14079 in the amount of \$23,803.16
 - D. Payroll Electronic Fund Transfers (EFT) Nos. 61409-61415 in the amount of \$113,768.07
 - E. Payroll Direct Deposit 08/16/24-08/31/24 in the amount \$164,850.85
 - F. Claim Check Nos. 129635-129715 in the amount of \$670,413.99
- 7. ACTIVE AGENDA** – *Items discussed at the 6:00 pm Committee-of-the-Whole meeting of an urgent or time sensitive nature may be added to the active agenda pursuant to City Council Procedures Manual Section 3.18(c).*
 - A. Closed Record Public Hearing – Kang 32-Lot Residential Subdivision Preliminary Plat 13-54
 - Grandview Hearing Examiner's Public Hearing Packet dated July 18, 2024 is included as part of the agenda packet per reference in the Hearing Examiner's Recommendation and Decision
 - B. Resolution No. 2024-50 approving the Kang 32-Lot Residential Subdivision Preliminary Plat 55-93

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C. Resolution No. 2024-51 accepting the Wine Country Road Roundabout and Utility Improvements as complete	94
D. Resolution No. 2024-52 accepting the bid for the Lower Yakima Valley Pathway Improvements and authorizing the Mayor to sign all contract documents with American Rock Products	95
E. Ordinance No. 2024-13 regarding a Supporting Investments in Economic Diversification (SIED) Contract with Yakima County and the City of Grandview for the Northwest Grandview Utility and Roadway Improvements; authorizing the Mayor to execute all documents necessary to implement the contract and receive and expend all monies received under the contract for the project; and creating project Fund 350 – Northwest Grandview Utility and Roadway Improvements and authorizing the City Treasurer to make interfund loans to support cash flow to Fund 350	96-107
8. UNFINISHED AND NEW BUSINESS	
9. CITY ADMINISTRATOR AND/OR STAFF REPORTS	
10. MAYOR & COUNCILMEMBER REPORTS	
11. ADJOURNMENT	

The City of Grandview Committee-of-the-Whole and Regular Council Meetings scheduled for Tuesday, September 10, 2024 at 6:00 pm and 7:00 pm will be held in person and will also be available via teleconference.

Please join the meeting from your computer, tablet or smartphone.

Join Zoom Meeting

<https://us06web.zoom.us/j/84746505467?pwd=52xNbykKi0YR2Y7obUicyiQbN7bKLq.1>

To join via phone: +1 253 215 8782

Meeting ID: 847 4650 5467

Passcode: 675130

Anita Palacios

From: Wendy Poteet <wpoteet@yvcc.edu>
Sent: Wednesday, August 14, 2024 11:32 AM
To: Anita Palacios
Subject: Employee Recognition

CAUTION: External Email

Could we please get on the COW agenda for 9/10 to do an employee recognition?

Wendy Poteet (she/her)
The Libraries of Yakima Valley College
Library Director
Grandview Library
500 W. Main Street
Grandview, WA 98930

Office Phone 509-882-7036
Main Line 509-882-7034
Cell 509-778-2323
wpoteet@yvcc.edu

GRANDVIEW LIBRARY



Visit our website: <http://www.grandview.wa.us/departments/library>

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

**GRANDVIEW CITY COUNCIL
COMMITTEE-OF-THE-WHOLE MEETING MINUTES
AUGUST 27, 2024**

1. CALL TO ORDER

Mayor Ashley Lara called the Committee-of-the-Whole (C.O.W.) meeting to order at 6:00 p.m., in the Council Chambers at City Hall.

The meeting was held in person and was also available via teleconference.

2. ROLL CALL

Present in person: Mayor Lara and Councilmembers David Diaz, Laura Flores, Bill Moore (Mayor Pro Tem), Robert Ozuna and Joan Souders

Present via teleconference: Councilmember Steve Barrientes

Absent: Councilmember Javier Rodriguez

Staff present: City Administrator Shane Fisher, City Attorney Quinn Plant, Fire Chief Pat Mason, Public Works Director Hector Mejia and City Clerk Anita Palacios (via teleconference)

3. PUBLIC COMMENT

Jessica and Rogelio Prieto, 10014 North Hicks Road, Grandview, WA, expressed concern for the unauthorized use of a City park for the dancing horses following the parade.

Alicia Fajardo, MainStreet Grandview, provided an update on the Summer Heat 3on3 Basketball Tournament which was held on August 17 and 18, 2024 in downtown Grandview. A copy of the Tournament Highlights are attached hereto and incorporated herein as part of these minutes. The following expressed appreciation to Grandview Mainstreet for organizing the basketball tournament:

- Molcajetes Mexican Restaurant
- Anthony's Decals
- GHS Girls and Boys Soccer Booster Club
- Mia Sanchez, owner of Playbook Productions
- Christian and Natalee Trevino

4. NEW BUSINESS

A. Ordinance amending the 2024 Annual Budget

City Treasurer Cordray explained that staff monitoring and review of fund and department budgets identified numerous budget accounts to be amended. An ordinance was prepared to provide for the amending of the 2024 Annual Budget to accommodate the changes in sources and uses. By Fund the highlights of the budget changes were:

- Current Expense Fund: Increased revenues for Contributions to Library and Judgments and Settlements. Increase appropriations for Supplies to Fight Opioid Epidemic, Library Books, Parks Maintenance Regular Salaries & Wages and Professional Services. Net

effect was a decrease in estimated ending fund balance.

- **ARPA Fund:** Decreased appropriations for Senior/Museum Programs, Senior Citizen's Recognition Event, Travel – RECON and Downtown/Entrance Beautification. Increase appropriations for Amphitheater Events, Downtown Sound System and Fairground Amphitheater Sound System. Net effect was no change in estimated ending fund balance.
- **Street Fund:** Increased appropriations for Transfer out to SIED Loan – WCR/McCreadie. Net effect was a decrease in estimated ending fund balance.
- **SIED Loan – WCR/McCreadie Fund:** Increased revenues for Transfer In from Street Fund. Increased appropriations for SIED Loan Principal and Interest. Net effect was no change in estimated ending fund balance.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Diaz, the C.O.W. moved an Ordinance amending the 2024 Annual Budget to the August 27, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

B. Resolution approving the final plat of Grapevine Estates Phase 2 located on North Euclid Road

Public Works Director Mejia explained that at the April 26, 2022 City Council meeting, Council adopted Resolution No. 2022-17 approving the Grapevine Estates Preliminary Plat Residential Subdivision – 97 Lots. Following approval of the preliminary plat, the developer proceeded with the public infrastructure improvements for Grapevine Estates subject to the conditions as outlined in the Hearing Examiner's recommendation and per Grandview Municipal Code Section 16.24 Design Standards and Section 16.28 Improvements. The public infrastructure improvements for Grapevine Estates – Phase 2 consisting of 31 lots were completed to the City's standards. The final plat map for Grapevine Estates – Phase 2 was presented for review and approval.

Discussion took place.

On motion by Councilmember Diaz, second by Councilmember Ozuna, the C.O.W. moved a resolution approving the final plat of Grapevine Estates Phase 2 located on North Euclid Road to the August 27, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes

- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

C. Resolution approving the final plat of Grandridge Estates – Phase 11 located on Grandridge Road

Public Works Director Mejia explained that at the March 24, 2020 City Council meeting, Council adopted Resolution No. 2020-13 approving the Grandridge Estates Subdivision 227-lot preliminary plat. Following approval of the preliminary plat, the developer proceeded with the public infrastructure improvements for Grandridge Estates subject to the conditions as outlined in the Hearing Examiner's recommendation and per Grandview Municipal Code Section 16.24 Design Standards and Section 16.28 Improvements. The public infrastructure improvements for Grandridge Estates – Phase 11 consisting of 26 lots were completed to the City's standards. The final plat map for Grandridge Estates – Phase 11 was presented for review and approval.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved a Resolution approving the final plat of Grandridge Estates – Phase 11 located on Grandridge Road to the August 27, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

D. Resolution declaring an emergency and authorizing the immediate repairs of the South Division Street Sewer Main

City Administrator Fisher explained that on August 21, 2024, the City was notified of a sinkhole on South Division Street in the 600 block. City staff responded and discovered that the sewer main had collapsed and created a large void under the roadway. Public Works immediately closed off that section of the road and secured the area. Once the sinkhole was opened up, it was determined that the sewer main and (2) manholes would need to be replaced. This would need to be done while industries were processing and operating, without interruption to their business. The sewer main in South Division Street was in need of emergency replacement and staff was recommending Council consider this situation as an emergency repair as there was insufficient time to follow the normal bid procedures. C&E Trenching was available to complete the emergency repairs using a Time & Material + 20%. These repairs would need to be completed immediately.

Discussion took place.

On motion by Councilmember Diaz, second by Councilmember Moore, the C.O.W. moved a resolution declaring an emergency and authorizing the immediate repairs of the South Division Street Sewer Main to the August 27, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

5. CITY ADMINISTRATOR AND/OR STAFF REPORTS

Community/Destination Assessment – City Administrator Fisher reported that Roger Brooks with Destination Development would be making a presentation at the September 10, 2024 C.O.W. meeting regarding a community/destination assessment for the City of Grandview.

Summer Heat 3on3 Basketball Tournament – Councilmember Flores commended Mainstreet Grandview regarding the Summer Heat 3on3 Basketball Tournament. She also suggested Council form committees to begin working on retreat goals.

GHS Class of 1955 Reunion – Councilmember Diaz reported that the GHS Class of 1955 reunion was held this past weekend and they visited the new Grandview High School and Museum.

6. MAYOR & COUNCILMEMBER REPORTS – None

7. ADJOURNMENT

On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. meeting adjourned at 6:55 p.m.

Mayor Ashley Lara

Anita Palacios, City Clerk

Summer Heat 3on3 Basketball Tournament



August 17th and 18th 2024 | Downtown Grandview WA 98930

TOURNAMENT HIGHLIGHTS

Teams Registered	127 (4 in each team)
Estimated Spectators	3,186
Media	<ul style="list-style-type: none"> ● The Grandview Herald ● Playbook Productions https://playbookproductions.shootproof.com ● Diamond Stuidos https://www.diamondsstudio.net/about/ ● 9eight Sports Media 📷 Instagram (@the_9eight)
Paid Staff	<ul style="list-style-type: none"> ● 1 Bracket Coordinator ● Executive Director ● 3 Court Marshals ● 12 Refs ● City Employees (for set up and take down of hoops) ● 2 photographers
Volunteers	<ul style="list-style-type: none"> ● Mainstreet Grandview Board Members ● Promotion Committee members Laura Flores and Executive Director. ● Main street Grandview Treasure Jeannie Garza, Garza Accounting ● 20 Volunteers Grandview High School Boys and Girls Soccer Teams as scorekeepers (Received a monetary donation) ● 30 General Volunteers supported with prepping, during and take down. ● 3 community members with court layout
Small Businesses	<ol style="list-style-type: none"> 1. Carniceria y Taqueria Coalcoman 2. Mariscos Master 3. Herbs Bar & Grill 4. Casa Tequila Mexican Restaurant 5. Mocajetes Mexican Restaurant 6. Happy Watermelon 7. Beauty on the Block 8. Jennifer's Gift Shop 9. Gtown Motors 10. Ziggy's 11. Eli's & Kathys Restaurant <p>*Our goal is to encourage more businesses to promote their businesses by offering a special during the event.</p>
Vendors	<ol style="list-style-type: none"> 1. Cafe Grande Vue 2. Sweet Snack Attack 3. Heavenly Smoked BBQ 4. Lemon Drop 5. TJ's Lemonade 6. Donebetter 7. Mama's Corie's Kitchen 8. Refreshed IV Solution 9. La Super Fresh Churros

<p>Donations</p>	<ol style="list-style-type: none"> 1. RainWater GRANDVIEW 2. Herbs Bar and Grill 3. Javis Chicken and Churros Restaurant 4. Marlscos Master 5. Life Options 6. Topsy Jen Bartending LLC
<p>Sponsors</p>	<ol style="list-style-type: none"> 1. RainWater GRANDVIEW 2. SERVPRO of Yakima 3. Fruit Smart 4. Gtown Fitness 5. Ron Dion Farms & Sons LLC 6. Garza Accounting 7. Done Right Heating & Air PASCO 8. Horace Mann Insurance 9. Finishing Touch Barber 10. Anthony's Decal 11. Big Wheezy BBQ 12. Grandview Les Schwab Tire Center 13. Brewed Awakening Deli and Treats



**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
AUGUST 27, 2024**

1. CALL TO ORDER

Mayor Ashley Lara called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall.

The meeting was held in person and was also available via teleconference.

Present in person: Mayor Lara and Councilmembers David Diaz, Laura Flores, Bill Moore (Mayor Pro Tem), Robert Ozuna and Joan Souders

Present via teleconference: Councilmember Steve Barrientes

Absent: Councilmember Javier Rodriguez

On motion by Councilmember Souders, second by Councilmember Moore, Council excused Councilmember Rodriguez from the meeting.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

Staff present: City Administrator Shane Fisher, City Attorney Quinn Plant, City Treasurer Matt Cordray, Public Works Director Hector Mejia, Fire Chief Pat Mason and City Clerk Anita Palacios (via teleconference)

2. PLEDGE OF ALLEGIANCE

Mayor Lara led the pledge of allegiance.

3. APPROVE AGENDA

On motion by Councilmember Moore, second by Councilmember Souders, Council approved the August 27, 2024 regular meeting agenda as presented.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

4. **PRESENTATIONS** – None
5. **PUBLIC COMMENT** – None
6. **CONSENT AGENDA**

On motion by Councilmember Diaz, second by Councilmember Flores, Council approved the Consent Agenda consisting of the following:

- A. **Minutes of the August 13, 2024 Committee-of-the-Whole meeting**
- B. **Minutes of the August 13, 2024 Council meeting**
- C. **Payroll Check Nos. 14032-14052 in the amount of \$108,954.51**
- D. **Payroll Electronic Fund Transfers (EFT) Nos. 61396-61400 in the amount of \$104,101.41**
- E. **Payroll Direct Deposit 08/01/24-08/15/24 in the amount \$150,281.86**
- F. **Claim Check Nos. 129541-129634 in the amount of \$1,226,274.93**

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

7. **ACTIVE AGENDA**

- A. **Resolution No. 2024-46 establishing a job description for the Deputy Fire Chief and setting forth procedures to establish the Deputy Fire Chief's salary**

This item was previously discussed at the August 13, 2024 C.O.W. meeting.

On motion by Councilmember Moore, second by Councilmember Diaz, Council approved Resolution No. 2024-46 establishing a job description for the Deputy Fire Chief and setting forth procedures to establish the Deputy Fire Chief's salary.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

B. Ordinance No. 2024-12 amending the 2024 Annual Budget

This item was previously discussed at the August 27, 2024 C.O.W. meeting.

On motion by Councilmember Ozuna, second by Councilmember Moore, Council approved Ordinance No. 2024-12 amending the 2024 Annual Budget.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

C. Resolution No. 2024-47 approving the final plat of Grapevine Estates Phase 2 located on North Euclid Road

This item was previously discussed at the August 27, 2024 C.O.W. meeting.

On motion by Councilmember Diaz, second by Councilmember Ozuna, Council approved Resolution No. 2024-47 approving the final plat of Grapevine Estates Phase 2 located on North Euclid Road.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

D. Resolution No. 2024-48 approving the final plat of Grandridge Estates – Phase 11 located on Grandridge Road

This item was previously discussed at the August 27, 2024 C.O.W. meeting.

On motion by Councilmember Souders, second by Councilmember Flores, Council approved Resolution No. 2024-48 approving the final plat of Grandridge Estates – Phase 11 located on Grandridge Road.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

E. **Resolution No. 2024-49 declaring an emergency and authorizing the immediate repairs of the South Division Street Sewer Main**

This item was previously discussed at the August 27, 2024 C.O.W. meeting.

On motion by Councilmember Moore, second by Councilmember Diaz, Council approved Resolution No. 2024-49 declaring an emergency and authorizing the immediate repairs of the South Division Street Sewer Main.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Diaz – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

8. **UNFINISHED AND NEW BUSINESS** – None

9. **CITY ADMINISTRATOR AND/OR STAFF REPORTS** – None

10. **MAYOR & COUNCILMEMBER REPORTS** – None

11. **ADJOURNMENT**

On motion by Councilmember Moore, second by Councilmember Souders, the Council meeting adjourned at 7:10 p.m.

Mayor Ashley Lara

Anita Palacios, City Clerk



**CITY OF GRANDVIEW
NOTICE OF CLOSED RECORD PUBLIC HEARING
KANG 32-LOT PRELIMINARY PLAT SUBDIVISION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, September 10, 2024 at 7:00 p.m.**, to consider the Hearing Examiner's recommendation that the City Council approve the following:

Applicant(s): PLSA Engineering & Surveying

Property Owner(s): Moo Kang

Proposed Projects: 32-lot Preliminary Plat Subdivision,

Current Zoning: R-2 Medium Density Residential District

Current Use: Vacant

Location of Project: Northwest corner of E. Bonnieview Road and N. Elm Street.

Parcel Nos.: 230914-44404

The closed record public hearing will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, Washington and will also be available via teleconference as follows:

Please join the meeting from your computer, tablet or smartphone.

Join Zoom Meeting

<https://us06web.zoom.us/j/84746505467?pwd=52xNbykKi0YR2Y7obUicyiQbN7bKLq.1>

To join via phone: +1 253 215 8782

Meeting ID: 847 4650 5467

Passcode: 675130

A copy of the Hearing Examiner's recommendation may be viewed at the City of Grandview, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200, anitap@grandview.wa.us, or on the City's website at www.grandview.wa.us.

CITY OF GRANDVIEW

Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – August 14, 2024

**CITY OF GRANDVIEW
CITY COUNCIL**

CLOSED RECORD PUBLIC HEARING PROCEDURE

THE FOLLOWING PROCEDURE IS USED BY THE GRANDVIEW CITY COUNCIL TO MEET APPEARANCE OF FAIRNESS REQUIREMENTS AND TO CREATE OR SUPPLEMENT THE HEARING RECORD:

MAYOR

Tonight's closed record public hearing will include the following land use proposal:

Applicant(s): PLSA Engineering & Surveying

Property Owner(s): Moo Kang

Proposed Projects: 32-lot Preliminary Plat Subdivision,

Current Zoning: R-2 Medium Density Residential District

Current Use: Vacant

Location of Project: Northwest corner of E. Bonnieview Road and N. Elm Street.

Parcel Nos.: 230914-44404

The closed record public hearing will now begin:

1. This hearing must be fair in form and substance as well as appearance, therefore:
 - a. Is there anyone in the audience who objects to my participation as Mayor or any Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)
 - b. Do any of the Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?
 - c. Has any member of the Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.
 - d. Thank you, the hearing will continue.
(or)
At this point, Councilmember ***** will be excusing him/herself from the meeting. [Ask Councilmember to state his/her reasons for being excused.]

2. The purpose of this hearing is for the Council to review the record and consider the pertinent facts relating to this issue.
3. No new testimony will be allowed. Any clarification of the record being requested by the Councilmembers will first be authorized by the Mayor after consulting with the City Attorney.
4. The record generated will be provided by staff. Staff will now provide a review of the record.
5. Councilmembers will now consider the record and discuss among themselves the facts and testimony from the open record hearing. (Discussion and any requests for clarification of the record are made).

(Requests for clarification are directed to the Mayor and must be specific to the record. The Mayor after consulting with the City Attorney will authorize the clarification or deny it based on the opinion of the City Attorney.

6. If clarification of the record is authorized:
 - a. When you address the Council, begin by stating your name and address for the record.
 - b. Speak slowly and clearly.
 - c. You will be allowed to only provide the clarification of the record as authorized. No new testimony will be allowed.
7. Now that we have reviewed the record concerning this issue, this subject is open for decision. Council may:
 - a. Approve as recommended.
 - b. Approve with conditions.
 - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
 - i. Enlarge the area or scope of the project.
 - ii. Increase the density or proposed building size.
 - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
 - iv. Deny (re-application or re-submittal is permitted).
 - v. Deny with prejudice (re-application or re-submittal is not allowed for one year).
 - vi. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

CITY OF GRANDVIEW
AGENDA ITEM HISTORY/COMMENTARY
CITY COUNCIL MEETING

ITEM TITLE:

Closed Record Public Hearing – Kang 32-Lot Residential Subdivision Preliminary Plat

Resolution No. 2024-50 approving the Kang 32-Lot Residential Subdivision Preliminary Plat

AGENDA NO. Active 7 (A) & (B)

AGENDA DATE: September 10, 2024

DEPARTMENT

Planning/Hearing Examiner

FUNDING CERTIFICATION (City Treasurer)
(If applicable)

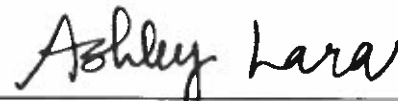
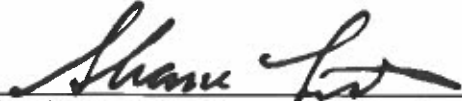
DEPARTMENT DIRECTOR REVIEW

Anita Palacios, City Clerk (Planning)



CITY ADMINISTRATOR

MAYOR



ITEM HISTORY (Previous council reviews, action related to this item, and other pertinent history)

The City received a subdivision application submitted by Moo Kang for preliminary plat approval of a 32-lot residential subdivision to be known as SPD Properties. The proposed preliminary plat is located northwest of North Elm Street and East Bonnieview Road.

ITEM COMMENTARY (Background, discussion, key points, recommendations, etc.) Please identify any or all impacts this proposed action would have on the City budget, personnel resources, and/or residents.

On July 18, 2024, a public hearing was held before the Hearing Examiner to receive comments on the proposed preliminary plat. A copy of the Hearing Examiner's Recommendation SUB#2024-01 dated August 2, 2024 is attached.

ACTION PROPOSED

Recommend Council accept the Hearing Examiner's recommendation that the 32-lot Residential Subdivision Preliminary Plat of SPD Properties be approved, subject to compliance with the conditions outlined in the Hearing Examiner's Recommendation SUB#2024-01.

Further recommend that Council approve Resolution No. 2024-50 approving the Kang 32-Lot Residential Subdivision Preliminary Plat.

**CITY OF GRANDVIEW
HEARING EXAMINER’S RECOMMENDATION**

August 2, 2024

In the Matter of Application for)
Preliminary Plat Approval)
Submitted for:)
)
Moo Sung Kang and Ran Young)
Kang, the Owners of the Property)
)
For the Approval of the 32-Lot)
Preliminary Plat of SPD Properties)
Northwest of North Elm Street)
And East Bonnieview Road)

SUB#2024-01

A. Introduction. The findings relative to the hearing process conducted for this proposed preliminary plat are as follows:

(1) The open record public hearing for this proposed Preliminary Plat of SPD Properties was held on July 18, 2024.

(2) Byron Gumz, YVCOG Regional Land Use Manager serving as Planner for the City of Grandview, presented his staff report which recommended approval of the proposed preliminary plat subject to conditions.

(3) The property owners’ representative for this application, Noe Gonzalez of G Squared Enterprise LLC, testified in favor of the preliminary plat application. The Church of the Nazarene Maintenance Chairperson Don Gill read from a letter

Moo Sung Kang & Ran Young Kang
Preliminary Plat of SPD Properties
NW of N. Elm St./E. Bonnieview Rd.
32 Residential Lots; SUB#2024-01

in the record which requested some conditions of approval that could not be imposed on this proposal due to a current lack of a requisite nexus and proportionality between the impact and requested improvements and some other conditions that might be applicable to additional future subdivisions north of the proposed preliminary plat. Resident Gene Lange testified that his grandfather's hope was to see the property farmed rather than developed in the future, but no evidence of an enforceable right to control the future use of the property in that way was submitted.

(4) Written comments were submitted by HLA Engineering and Surveying, Inc., the Yakima Health District, the Sunnyside Valley Irrigation District, the Washington State Department of Ecology and the Church of the Nazarene which are set forth in full at pages 90, 91, 92-93, 94-95 and 119 respectively of the public hearing record.

(5) At the conclusion of the testimony, the record was kept open for receipt of the final SEPA threshold determination. The final SEPA Determination of Non-Significance (DNS) was issued by the SEPA Responsible Official Hector Mejia and received by the Hearing Examiner on July 19, 2024. This recommendation has been issued within 14 days of that date when the record was closed pursuant to Subsection 14.09.030(A)(4) of the Grandview Municipal Code.

B. Summary of Recommendation. The Hearing Examiner recommends that the Grandview City Council approve this proposed Preliminary Plat of SPD Properties subject to same conditions and for the same reasons set forth in the staff report prepared and presented by the City's Planner Byron Gumz set forth at pages 96-113 of the public hearing record.

C. Basis for Recommendation. Based upon a view of the site and the surrounding area with no one else present on July 18, 2024; consideration of the staff report, exhibits, written comments, testimony and other evidence presented at

the open record public hearing on July 18, 2024, relative to the proposed preliminary plat shown on pages 9-10, 29-30 and 63-64 of the hearing record; and based upon a consideration of the Grandview Subdivision Ordinance and the Grandview Zoning Ordinance which are set forth in the Grandview Municipal Code (GMC); the Hearing Examiner makes and issues the following:

FINDINGS

I. Applicants, Property Owners and Representatives. The applicants/property owners are Moo Sung Kang and Ran Young Kang, 335 Wine Country Road, Prosser, WA 99350. Their agent who prepared application materials is Wade Kabrich of PLSA Engineering & Surveying, Inc., 520 North 20th Avenue, Suite 3, Yakima, WA 98902. Their representative who testified in favor of the proposal at the hearing is Noe Gonzalez of G Squared Enterprise LLC, 1908 Apricot Road, Grandview, WA 98930.

II. Location. The proposed preliminary plat is located northwest of the intersection of North Elm Street and East Bonnieview Road. It is located on Assessor's Parcel No. 230914-44404.

III. Application. The main aspects of this application for preliminary plat approval may be described as follows:

(1) The proposed Preliminary Plat of SPD Properties would subdivide 7.34 acres into 32 lots in 3 phases to be developed over a maximum of 5-6 years. It is

located in an R-2 Medium Density Residential zoning district northwest of the intersection of North Elm Street with East Bonnieview Road. The Comprehensive Plan future land use designation of the property within the proposed preliminary plat is Residential and the zoning classification of the parcel is R-2 Medium Density Residential.

(2) Four of the lots which are Lots 17, 18, 19 and 20 that range in size from 7,810 square feet to less than 8,000 square feet would be developed with single-family residences. The remaining 28 lots that range in size from 8,000 square feet to 9,830 square feet would be developed with duplexes.

(3) The proposed internal street, "Sonny Road," would be a straight street running westerly from North Elm Street that would be built to City standards and would end in a temporary turnaround on the adjacent Parcel No. 230914-44403 to the west. Sonny Road would eventually be developed into a permanent street when development occurs on the adjacent parcel to the west. Sewer, domestic water and irrigation water would be provided by the City of Grandview. A sidewalk would be installed on the west side of North Elm Street along the frontage of the parcel.

IV. Environmental Review. The City issued a preliminary Determination of Non-Significance on June 12, 2024. Written comments submitted by four public agencies were taken into consideration before the City's SEPA Responsible Official Hector Mejia issued a final Determination of Non-Significance on July 19, 2024.

V. Critical Areas/Floodways/Floodplains/Wetlands/Shorelines. There is no floodway, floodplain, wetland, shoreline or other critical area identified per GMC Chapter 18.06 within or near the proposed Preliminary Plat of SPD Properties.

VI. Comprehensive Plan, Zoning and Land Uses. The parcel that is to be developed as the Preliminary Plat of SPD Properties is within the Comprehensive Plan Future Land Use Map designation of Residential and is within the R-2 Medium Density Residential District zoning classification. The property is currently vacant with North Elm Street to the east, Bonnieview Road to the south, corn growing to the west and north, and church property to the north.

VII. Concurrency. The preliminary plat shows that North Elm Street would provide access to some of the lots from the east by way of Sonny Road and the remainder of the lots along East Bonnieview Road would have access from that street. Sonny Road would connect to a future street to be developed west of the site. A Transportation Checklist for concurrency review was completed as part of the application. A recommended condition of approval is that a sidewalk be constructed along the west side of North Elm Street that fronts upon the parcel.

VIII. Notice of the Application, SEPA Review and the Public Hearing.

Notices regarding this matter have been provided in the following ways:

(1) After the application was submitted, a combined Notice of Application, Environmental Review, and Public Hearing was mailed to property owners within 300 feet of the property and to agencies having jurisdiction or interest in the proposal on June 10, 2024. The comment period ended on June 26, 2024. A summary of the four agency comments followed by Planning Staff and Hearing Examiner findings in italics are as follows:

(a) HLA Engineering and Land Surveying, Inc. provided a statement on the capacity of Grandview's Water and Sewer Systems

to provide service to the proposed subdivision. The statement notes that there is sufficient capacity in both water and sewer systems with the understanding that improvements that have been identified in the Grandview Capital Facilities Plan be developed. *The letter also contains details on the location and depth of the water and/or sewer lines that the development will need to connect to. As part of the design process for the plat, if approved, the applicants will be responsible for connecting to and extending these utilities.*

(b) The Yakima Health District (YHD) submitted a comment that YHD does not have a review associated with the proposal, since the proposed plat is served by municipal water and sewer. *The applicants should contact YHD with any questions they may have.*

(c) The Sunnyside Valley Irrigation District (SVID) provided comments relating to their facilities located within the area of the proposed subdivision. Their facilities require a minimum of a 30-foot easement, depending on the depth of the facility. Crossing or encroachment of the facilities will require a SVID permit. *Based on the map included in the SVID comment letter, it appears as though SVID facilities are located within the area of the adjacent rezone, and are not located within the boundaries of this proposed preliminary plat. A recommended condition is that the applicants confirm the location of the SVID facilities prior to the start of any grading or earthwork associated with the proposed development.*

(d) The Washington State Department of Ecology (DOE) submitted comments from their Water Quality Program. Those comments state that if there is potential for stormwater to discharge off site, an NPDES Construction Stormwater General Permit is recommended. The permit requires a Stormwater Pollution Prevention Plan be prepared and implemented prior to any construction activities taking place. They note that if ground disturbance is between one and five acres, the development may qualify for an Erosivity Waiver. *A recommended condition is that the applicants shall obtain an NPDES*

Construction Stormwater General Permit, unless it is determined that it is not necessary.

(2) Notice of the July 18, 2024, open record public hearing was provided by posting the notice at the City Hall, Library, Police Department and on the City's website at www.grandview.wa.us and by mailing the notice to property owners within 300 feet of the subject parcels on June 10, 2024; by posting the notice at three places on the property on June 12, 2024; and by publishing the notice in the City's official newspaper, the Grandview Herald, on June 19, 2024.

IX. Hearing Examiner Jurisdiction. The City ordinance provisions relative to the Hearing Examiner's jurisdiction or authority to issue this recommendation for the City Council's consideration may be summarized as follows:

(1) GMC §2.50.080(C)(3) provides that the Grandview Hearing Examiner shall receive and examine available information, conduct public hearings, prepare a record thereof and enter findings of fact and conclusions based upon those facts, together with a recommendation to the Grandview City Council, for enumerated types of land use applications which specifically include preliminary plats.

(2) The purpose of the public hearing is to determine conformance of the proposal with:

- (a) The provisions of the zoning ordinance for the city;
- (b) The general purposes of the comprehensive plan;
- (c) The provisions of this title;
- (d) The comprehensive water and sewer plans;
- (e) The ordinances governing streets, rights-of-way and curbs and gutters; and
- (f) Any other standards necessary to serve the public good.

(3) GMC §16.12.100 requires that the Grandview City Council review the Hearings Examiner's recommendations and may adopt those recommendations for the proposed preliminary plat if they find that adequate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways (storm water retention and detention),

streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school, and the public use and interest will be served by the platting of such subdivision and dedication.

X. Development Standards. The proposed preliminary plat is required to conform to all of the City development standards including, but not limited to, the development standards which are prescribed by GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions) and GMC Title 17 (Zoning). For the developer's benefit, some of the development standards for the R-2 zoning district in GMC §17.34.050 and some of the residential design standards that will be required by the City's zoning ordinance for future residential development of the final plat are summarized in this recommendation. Unless otherwise provided by Planning Staff and Hearing Examiner findings in italics, these standards will all be reviewed at the construction stage of each of the lots:

- (1) Maximum number of dwelling units permitted per lot: two.
- (2) Minimum area of lot: 7,500 square feet for single-family structures; 8,000 square feet for two-family structures.
- (3) Maximum lot coverage: 40 percent.
- (4) Minimum yard setbacks: (i) front, 20 feet; (ii) side, 5 feet; (iii) side along flanking street of corner lot, 20 feet; (iv) rear, principal building, 10 feet; (v) accessory structures, 5 feet; and (vi) garages with vehicle doors parallel to an alley, 20 feet from the alley. *The proposed lot sizes allow for these standards to be met.*

(5) Maximum building height: (i) principal building, 30 feet and (ii) accessory buildings, 15 feet.

(6) Fences and hedges: see GMC Chapter 17.75.

(7) Parking: see GMC Chapter 17.78.

(8) Landscaping addressed below: see GMC Chapter 17.75.

(9) Residential design standards including the following: see GMC §17.70.100.

(10) The main entry doors of all dwellings must face the street on which the dwelling is addressed.

(11) A minimum of 30 square feet of window surface must be on the portion of the dwelling facing the street. Dwellings with less than 32 square feet of window surface must contain covered porches with a minimum of a four-foot overhang.

(12) All entry porches/landing areas must be constructed as an integral part of the dwelling architecture.

(13) The main roof of all dwellings shall have a minimum 5:12 pitch; except dwellings with less than a 5:12 pitch legally established as of the effective date of the ordinance codified in this title shall be permitted to be rebuilt, altered, enlarged or remodeled without the roof being changed to a 5:12 pitch.

(14) All eave overhangs shall be a minimum of 12 inches.

(15) Dwellings with 4:12 pitch roofs may be permitted provided the main roof includes one or more secondary roofs intersecting the main roof at right angles. The secondary roof must have a pitch of 5:12 or greater.

(16) No false or artificial dormers are permitted.

(17) All foundation walls must be poured concrete or masonry block.

(18) All dwellings must be permanently connected to foundations, and must meet seismic and wind loading standards for Yakima County, Washington.

(19) No more than 12 inches of foundation wall can be exposed on the walls facing a street.

(20) All siding must be durable materials, such as brick, masonry, stucco, vinyl, exterior-grade wood, or exterior-grade composites, each with a lifespan of at least 20 years under normal conditions.

(21) All siding must extend below the top of the foundation one and one-half to two inches. A bottom trim board does not qualify as siding and cannot be used to cover the top of the foundation.

(22) All trim materials around windows, doors, corners, and other areas of the dwelling must be cedar or other city-approved materials that are not subject to deterioration.

(23) All electric meters must be securely attached to an exterior side wall of the dwelling. Meters are not permitted to face the street upon which the dwelling is addressed.

(24) All additions and/or other architectural features must be designed and permanently connected to the dwelling so as to be an integral part of the dwelling.

(25) Primary driveways shall terminate into an architecturally integrated garage or carport. No parking pad is permitted in front of a dwelling unless such pad leads to a garage or carport.

(26) Fences, walls, and hedges shall not exceed four feet in height in the front yard area and six feet in the side or rear yard area. (GMC §17.75.050(C)(1)).

(27) Fire hydrants within a landscape area shall have a clearance of three feet.

(28) No tree, as measured from its center, shall be located within 10 feet of a street light standard, or within five feet of a driveway or a fire hydrant.

(29) Front Yard Landscaping. At least 50 percent of the front yard area for residential one-family and two-family dwellings, including right-of-way but excluding driveways, shall be treated with live vegetation and/or decorative rock. *This standard is an ongoing requirement that applies to subsequent residential development on the lots.*

(30) All areas of a lot or parcel not landscaped or covered with improvements shall be maintained in such a manner as to control erosion and dust. Gardens within established landscapes are excluded from this provision in residential districts. *This standard is also an ongoing requirement that applies to subsequent residential development on the lots.*

XI. Subdivision Design Standards. The proposed preliminary plat is required to comply with the following subdivision design standards set forth in GMC Chapter 16.24, and findings of the Planning Staff and Hearing Examiner in that regard are set forth in italics:

(1) As to Lots (GMC §16.24.020): Each lot shall have direct access to and frontage upon a dedicated public street. Minimum frontage shall be 50 feet except for lots located within the arc of a curve or where unusual topography exists, a minimum frontage of 35 feet is allowed. *The proposed lots have street frontage exceeding 50 feet along dedicated public streets.*

(2) Also as to Lots (GMC §16.24.020): Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. Side and rear lot lines shall be straight or composed of straight lines. *The proposed development does not show any proposed curves in the roadway.*

(3) Further as to Lots (GMC §16.24.020): Lots having frontage on two streets shall be avoided whenever possible. However, double frontage lots are permitted only where determined by the city to be essential to provide separation of residential lots from principal and minor arterial streets, high-intensity land uses, or to overcome specific disadvantages of topography or parcel configuration. *None of the lots are designed to have double frontage on two streets, with the exception of corner lots. Those lots, shown as Lot 20 and Lot 32, will be required to be accessed from the interior roadway and not from North Elm Street.*

(4) As to Blocks (GMC §16.24.030): The lengths, widths, and shapes of blocks shall be determined with due consideration of: (i) the provisions of adequate building sites suitable to the special needs of the proposed subdivision; (ii) the need for convenient and safe access, circulation and control of street traffic; and (iii) the limitations and opportunities of the topography. The maximum length of a block shall be 1,000 feet. *The proposed subdivision is not creating any blocks, per se. Future development will likely result in blocks, which will be reviewed to ensure these concerns are addressed.*

(5) As to Street Widths (GMC §16.24.040 for all of the following street standards): Right-of-way shall be dedicated for new or existing streets to or within a subdivision to accommodate the following minimum right-of-way widths: (i) arterial streets, 70 feet; (ii) collector streets, 60 feet; and (iii) local streets: 50 feet. *The interior street has a dedicated right-of-way for Sonny Road of 50 feet, meeting the standard for local streets. No additional right-of-way dedication is required.*

(6) As to Street Construction Guidelines: (i) Arterial streets: 44-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required; (ii) Collector streets: 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required; and (iii) Local Access streets: 40-foot-wide roadway surface face of curb to face of

curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk one side, illumination, and storm drainage required. *A recommended condition for this proposed preliminary plat is that the developer shall construct all roads to meet City standards. The City encourages construction of sidewalks on both sides of the street to facilitate pedestrian safety and mobility along City streets. Design of the roadway shall be coordinated with the Public Works Director.*

(7) As to Street Curbs and Gutters: Cement concrete barrier curb and gutter shall be installed along all new streets. Curb and gutter shall be poured as a single unit in accordance with the city's design and construction standards and specifications for public works improvements. *A recommended condition is that the applicants shall meet this standard.*

(8) As to Street Surfacing Between Curbs. The street area between the curbs shall be constructed with the following minimum compacted depth of surfacing materials: (i) three-inch hot mix asphalt class one-half inch PG 64-28; (ii) three-inch crushed surfacing – top course (five-eighths-inch to zero); and (iii) six-inch crushed surfacing – base course (one and one-quarter inch to zero). All materials installed and work performed pursuant to the requirements of the above paragraph shall be done in accordance with the city's design and construction standards and specifications for public works improvements. *A recommended condition is that the applicants shall meet this standard.*

(9) As to Street Grades: All grades of streets and curbs shall be approved by the city engineer or other licensed engineer acting on behalf of the city before any improvement is commenced. *Design plans for all proposed streets are required to be submitted for review and approval by the City Engineer or other licensed engineer acting on behalf of the City.*

(10) As to Street Cul-de-Sacs: Maximum length shall be 600 feet and right-of-way radius shall be 60 feet. *No permanent cul-de-sacs are proposed. The proposed interior roadway is intended to be extended and connect to a future public roadway. Until the time the roadway is extended, a temporary "hammerhead" turnaround is proposed.*

(11) As to Street Offset Intersections: Offset intersections shall have a minimum of 100 feet between street centerlines. *No offset intersections are proposed.*

(12) As to Street Curves. The minimum centerline radii for horizontal curves shall be 100 feet and the minimum length for vertical curves shall be 50 feet. *There are no curves along the proposed street.*

(13) As to Alleys: Alleys are not required but may be included in the subdivision at the developer's option. Alleys shall have a minimum right-of-way width of 20 feet. Utility easements may be provided in lieu of alleys. *No alleys are proposed. This standard does not apply.*

(14) Dead-End Streets. All dead-end roadways shall include cul-de-sacs. The City may allow use of an "L" or "hammerhead" turnaround upon approval by the Public Works Director. *There is a temporary dead-end proposed at the west end of "Sonny Road" that would connect to a future subdivision west of this subdivision. A recommended condition is that signage indicating a dead end shall be installed which meets the requirements of the Public Works Director and that the hammerhead turnaround be built to standards identified by the Public Works Director.*

(15) As to Street Trees (GMC §16.24.045): Regulations for street trees are outlined in GMC Chapter 12.14. *It is not recommended that street trees be required to be planted within this proposed preliminary plat.*

(16) As to Continuity of Utility Easements (GMC §16.24.050 for this and the following utility provisions): Utility easements shall be continuous and aligned from block to block within a subdivision and with adjoining subdivisions. *The preliminary plat provides for continuous utility easements, meeting this standard.*

(17) As to Lot Frontage Easements: A 10-foot utility easement for underground power, telephone, irrigation water and cable television shall be provided across the front of each lot within a subdivision and short subdivision. Side lot line easements shall be required where deemed

necessary to adequately provide lots with utility services or to provide for continuous easements. *The applicants propose a 10-foot-wide utility easement across the front of the newly created lots so as to meet this standard.*

(18) As to New Public Utility Pipelines: Easements for new and/or future public utility pipelines shall be a minimum of 16 feet wide, provided the width of the easements for buried utilities will be at least twice the depth of the planned excavation. *There are no easements proposed for future public utility pipelines.*

(19) As to Drainage Easements: Drainage easements shall be provided where a subdivision is traversed by a watercourse, drainageway, or stream channel. *There is no watercourse, drainageway, or stream channel located within the proposed preliminary plat.*

(20) As to Easements for Unusual Facilities: Easements for unusual facilities such as high voltage electric lines, irrigation canals, and high-capacity gas transmission lines shall be approved by the Public Works Director. *There are no unusual facilities that have been identified within the proposed subdivision.*

(21) As to Submission of Required Design and Engineering Plans (GMC §16.24.060): The developer shall submit to the Public Works Director plan and profile drawings of the proposed streets, grading and water, sewer, storm drainage, planting in public rights-of-way, and irrigation water systems for construction purposes prepared in accordance with the city's design and construction standards and specifications for public works improvements. Following initial review by the city and any required corrections by the developer for compliance with the city's design and construction standards and specifications for public works improvements, the developer shall submit to the city the original plan tracings and specifications for final approval. The city's responsible officials shall approve such drawings and specifications before any groundwork is done. Construction shall be in accordance with drawings and specifications approved by the city. *A recommended condition requires the applicants to provide plan and profile drawings of the proposed streets, grading and*

water, sewer, storm drainage, plantings in public rights-of-way, and irrigation water systems for construction purposes prepared in accordance with the City's design and construction standards and specifications for public works improvements.

(22) As to As-Built Drawings (GMC §16.24.070): The developer's consulting engineer shall prepare and maintain a neatly marked, full-sized print set of record drawings showing the final location and layout of all new construction of the public facilities. Prior to final acceptance by the city of Grandview, one set of reproducible record drawings and two sets of prints prepared by the developer's engineer and clearly marked "Record Drawings" shall be delivered to the Public Works Director for review and acceptance. *A recommended condition requires the applicants to provide a set of as-built drawings to the Public Works Director upon completion of any required improvements.*

XII. General Review Criteria of GMC Chapter 14.09 for Enumerated Development Applications that Include Subdivisions. GMC §14.03.035

provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days prior notice of public hearings by specific methods of mailing, posting and publication. GMC §14.03.040(A)(6) and GMC §14.09.030(A)(4) provide that a recommendation is to be made to the Grandview City Council regarding applications for preliminary plats that must comply with all of the provisions set forth in GMC §14.09.030(A)(3) and GMC §14.09.030(A)(4). GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions and other types of land use permits. GMC §14.09.030(A)(3)(c)

provides that the Hearing Examiner is not to recommend approval of a proposed development without first making the following findings and conclusions:

(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code. The proposed preliminary plat will satisfy this requirement because the City's Comprehensive Plan Future Land Use Map designates the property under consideration as Residential, and the preliminary plat is intended to create 4 lots for new middle income single-family residences and 28 lots for new middle income duplexes. In addition, the proposed preliminary plat would be consistent with Housing Element Goal 1 which is to provide safe and sanitary housing for all persons within the community; Housing Element Goal 1, Policy 1.1 which is to support the development of a housing stock that meets the varied needs of the present community while attracting higher income residents; Policy 1.1, Objective 1 which is to encourage the construction of new units to increase the local housing supply; Objective 5 which is to encourage infilling in residential areas; Objective 6 which is to encourage more medium and high-value residential construction; Policy 1.3 which is to support housing availability to meet the needs of all income groups; Objective 3 which is to ensure that all new housing developments pay for the cost of providing utilities, streets, parks and public safety requirements; Housing Element Goal 2 to the effect that residential areas that are safe, sanitary and attractive places to live will be established and maintained in Grandview; and Policy 2.2 to the effect that the initial cost of providing municipal services to serve new residential developments will be borne by the developer. The proposed preliminary plat will also meet the intent of the Grandview Municipal Code by providing lots for residences which will be developed in compliance with the Grandview Municipal Code requirements within the R-2 Medium Density Residential District where single-family residences and duplexes on lots meeting the respective lot size requirements are permitted uses per GMC §17.30.020.

(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes. Since the proposed uses on the property will comply with all applicable City development standards and regulations, they will make adequate provisions for these features. The Environmental Checklist states relative to drainage that stormwater will be collected in infiltration swales. The design will have to be in

accordance with City of Grandview standards and the Department of Ecology's Stormwater Management Manual for Eastern Washington, and a fully engineered stormwater plan will be prepared by the applicants' design team and approved by the City prior to the issuance of construction permits for the project site. The preliminary plat shows relative to streets and other public ways that the access to 24 of the lots will be off of North Elm Street on the east by way of a new street improved to City standards named Sonny Road, and that the access to the other 8 lots will be directly off of Bonnieview Road on the south. As to irrigation water, the plat will comply with the irrigation water requirements of the City and of the Sunnyside Valley Irrigation District (SVID). The domestic water and sanitary waste services will be provided by the City of Grandview by means of water and sewer infrastructure that is required to be constructed to City standards. Therefore, the proposed development will in fact make adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes and will do so in a manner that will comply with the City of Grandview development standards and requirements.

(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18. This criterion is satisfied because the City's SEPA Responsible Official determined that the proposed preliminary plat would not result in any likely significant adverse environmental impacts under GMC Title 18. After comments were received following the issuance of a preliminary SEPA Determination of Non-Significance on June 12, 2024, a final SEPA Determination of Non-Significance was subsequently issued on July 19, 2024.

(4) The development is beneficial to the public health, safety and welfare and is in the public interest. A residential development on this property in accordance with the Comprehensive Plan Residential designation and the R-2 Medium Density Residential District zoning classification would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed additional single-family and two-family residential housing within the City of Grandview that would comply with all of the City's development standards.

(5) The development does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive

Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development. Here the applicants’ representative completed the City’s Development Traffic Impact Data Checklist. As a result of the additional pedestrian use of North Elm Street due to the proposed preliminary plat, it was determined that a sidewalk would be required to be constructed on the west side of North Elm Street along the frontage of the plat. The 32-lot development will not lower the level of service of transportation below the Comprehensive Plan level of service standards.

(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development. Aside from the requirement to dedicate right-of-way for the internal street, the existing right-of-way widths and the relatively small amount of additional traffic that will be added to either North Elm Street or Bonnieview Road does not warrant a requirement to dedicate additional right-of-way for those streets.

XIII. Specific Review Criteria of GMC Chapter 16.12 for Subdivisions.

GMC §16.12.090 requires the Hearing Examiner to review a proposed subdivision during a public hearing to determine conformance with six enumerated standards applicable specifically to preliminary plats. The requisite determinations relative to conformance with those standards are as follows:

(1) Conformance with the provisions of the zoning ordinance for the City. All of the lots in the plat will be developed with permitted single-family and two-family residences in conformance with the provisions of the City’s zoning ordinance.

(2) Conformance with the general purposes of the Comprehensive Plan. As previously noted, the proposed preliminary plat for residential development would result in the construction of new residences that would increase the City's single-family and two-family housing supply in conformance with the Comprehensive Plan Future Land Use Map designation of Residential for the property. As is noted above in Subsection XII(1) of this recommendation which pertains to a similar GMC §14.09.030(A)(3)(c)(i) general preliminary plat criterion, this preliminary plat is in conformance with the Comprehensive Plan Housing Element Goal 1 which is to provide safe and sanitary housing for all persons within the community; Housing Element Goal 1, Policy 1.1 which is to support the development of a housing stock that meets the varied needs of the present community while attracting higher income residents; Policy 1.1, Objective 1 which is to encourage the construction of new units to increase the local housing supply; Objective 5 which is to encourage infilling in residential areas; Objective 6 which is to encourage more medium and high-value residential construction; Policy 1.3 which is to support housing availability to meet the needs of all income groups; Objective 3 which is to ensure that all new housing developments pay for the cost of providing utilities, streets, parks and public safety requirements; Housing Element Goal 2 to the effect that residential areas that are safe, sanitary and attractive places to live will be established and maintained in Grandview; and Policy 2.2 to the effect that the initial cost of providing municipal services to serve new residential developments will be borne by the developer.

(3) Conformance with the provisions of this title. The preliminary plat and development of the lots in the proposed preliminary plat will be required to be in conformance with all applicable provisions of Title 16 (Subdivisions), as well as all applicable provisions of the Grandview Municipal Code, including without limitation Title 12 (Streets, Sidewalks and Public Places), Title 15 (Buildings and Construction) and Title 17 (Zoning).

(4) Conformance with the comprehensive water and sewer plans. Evidence presented at the hearing confirmed that the proposed preliminary plat would utilize City water and sewer services and would otherwise be in conformance with the comprehensive water and sewer plans.

(5) Conformance with the ordinances governing streets, rights-of-way, and curbs and gutters. The streets, rights-of-way, and curbs and gutters within

the proposed preliminary plat will be in conformance with all of the City ordinance provisions governing streets, rights-of-way, and curbs and gutters.

(6) Conformance with other standards necessary to serve the public good. GMC §16.12.110 states that the City Council shall approve a proposed preliminary plat if it makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and if the public use and interest will be served by the platting of such subdivision and dedication. Each of these requirements for the City Council's approval will be addressed separately in the following section.

XIV. Criteria Required for City Council Approval of Preliminary Plats.

GMC §16.12.110 requires that the City Council must find that the proposed preliminary plat makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school, and if the public use and interest will be served by the platting of such subdivision and dedication in accordance with the requirements of RCW 58.17.110 before it may approve a preliminary plat. The findings relative to those criteria as they are applied to the proposed Preliminary Plat of SPD Properties are as follows:

(1) The Subdivision Will Make Appropriate Provisions for the Public Health, Safety and General Welfare and Will Serve the Public Interest (RCW

58.17.110(2)(a) and (2)(b)). The proposed preliminary plat will make appropriate provisions for the public health, safety and general welfare by the very fact that it will comply with the subdivision and zoning development standards and land use requirements which have been adopted by the Grandview City Council specifically for the purpose of promoting the public health, safety and general welfare. The proposed preliminary plat will serve the public interest because it will create 32 new residential lots in a good location for middle income single-family and two-family residences that will help satisfy the City's need for additional housing.

(2) Appropriate Provisions for Streets or Roads or Other Public Ways (RCW 58.17.110(2)(a)). The proposed preliminary plat will make appropriate provisions for streets and roads in the following ways:

(a) In accordance with GMC §16.28.010, the proposed streets within the proposed subdivision shall be improved at the expense of the developer by the construction of curbs, gutters, sidewalks, illumination, storm drainage and pavement surface in conformance with the city's design and construction standards and specifications for public works improvements.

(b) The applicants are proposing to improve North Elm Street by constructing a sidewalk along the western side for the length of street frontage along the proposed plat and to improve all interior roadways to meet city standards. A recommended condition is that the developer construct all infrastructure, including roads, streetlights, sidewalks and stormwater facilities to meet or exceed City standards.

(c) In accordance with GMC §16.24.030, there are no blocks within the proposed subdivision.

(d) In accordance with GMC §16.24.040, the interior street will have dedicated right-of-way with hot mix asphalt (HMA) surfacing, curb and gutter, illumination and storm drainage. The design of the new streets will be in accordance with all of the other requirements of GMC §16.24.040.

(e) In accordance with GMC §16.24.050, a 10-foot-wide utility easement is provided along the front of each lot.

(f) Even though sidewalks are only required on one side of the interior street of this plat, developers are encouraged to construct them on both sides. GMC §16.28.060 requires that cement concrete sidewalks shall be constructed at the developer's expense along all new streets. They shall be located in the right-of-way and shall be 4 inches thick in walk areas (behind barrier curb) and six inches thick in drivable areas (behind depressed and rolled curb). They shall have a minimum width of five feet. Curb ramps for physically handicapped persons shall be constructed pursuant to RCW 35.68.075 and RCW 35.68.076 at all intersections and other appropriate locations. Design and installation of sidewalks shall be coordinated with the Public Works Director.

(g) In accordance with GMC §16.24.060, the applicants will submit to the Public Works Director requisite plan and profile drawings of the proposed street, grading, water, sewer, storm drainage, planting (in the public rights-of-way), and irrigation water improvements for construction purposes prepared in compliance with City standards and requirements.

(h) In accordance with GMC §16.28.070, the subdivider shall install, at the subdivider's expense, street signs and traffic control devices in a manner that is acceptable to the Public Works Director. A recommended condition is that all street signs and traffic control devices shall be installed as directed by the Public Works Director.

(i) In accordance with GMC §16.24.070, the developer's consulting engineer will submit to the City's Public Works Director for review and acceptance as-built drawings of the final location and layout of all newly constructed street improvements and other public facilities.

(j) In accordance with GMC §16.28.080, streetlights shall be installed with the initial capital cost at the city's expense in conformance with the following standards: (i) one streetlight at each intersection; (ii) one streetlight at midblock if the block is longer than 450 feet; and (iii) placement of streetlights along arterial and collector streets shall conform to the city's design and construction standards and specifications for public works improvements. A recommended

condition is that the applicants shall install street lighting that meets the requirements of GMC §16.28.080.

(k) In summary, in accordance with the subdivision design standards of GMC Chapter 16.24 and the subdivision improvement requirements of GMC §16.28.010, the proposed preliminary plat will make appropriate provisions for streets and other public ways by means of the proposed construction and installation of an interior street, sidewalk, streetlights, stormwater improvements and other infrastructure in a manner that meets or exceeds City standards.

(3) Appropriate Provisions for Open Spaces, Parks, Playgrounds and Recreation Areas (RCW 58.17.110(2)(a)). The SEPA Checklist correctly indicates that there are parks and school playgrounds in the general vicinity. Due to this fact and the limited number of lots, the size of the lots and the 40% lot coverage limitation in the R-2 zoning district, appropriate provisions for open spaces, parks, playgrounds and recreation areas are provided by the additional open areas on the lots that comprise at least 60% of the area of each lot.

(4) Appropriate Provisions for Drainageways (RCW 58.17.110(2)(a)). In accordance with the stormwater drainage requirements of GMC §16.28.050, drainage improvements are required to be planned, designed, permitted, constructed and maintained in accordance with the City standards and the latest edition of the Washington State Department of Ecology Stormwater Manual for Eastern Washington. A drainage plan meeting the detailed design and construction requirements of GMC §16.28.050 must be submitted to and approved by the City's Engineer prior to finalization of the plat. The requirements of said drainage plan and drainage requirements for this preliminary plat include the following:

(a) It is the intent of this section to adequately provide for suitable drainage in all short or long subdivisions. All subdivisions shall provide for drainage such that their development does not conflict with present drainage patterns or create a drainage problem within itself or for its neighbors.

(b) A drainage plan, where required, shall be designed by a professional engineer licensed in the state of Washington and submitted to the city for review and approval for any proposed land

development that will increase the quantity of or in any way alter the drainage runoff occurring prior to development.

(c) Design calculations for peak flow and peak volume storage requirements shall be based on a design storm frequency of 25 years. At the city's discretion, if the facilities are critical to public health and safety, or significant property damage could occur, or the development is located in a drainage problem area, they shall be designed to successfully pass the 50-year or 100-year storm.

(d) The plan shall provide for the on-site detention and/or retention, and disposal, of the total water intercepted and collected by the development and the areas (improved or unimproved) lying and draining presently to and through the proposed development for the design storm, unless other natural or manmade systems are available for use.

(e) There exist several areas of subsurface drainage systems, known as drainage improvement districts or DIDs. These systems were designed and constructed specifically for the purpose of lowering the ground water tables sufficiently to promote agricultural development. It was never the intent of these systems to convey surface drainage. Over the years, the drainage demand on these systems has steadily increased to the point where almost all of the DIDs are experiencing overloaded conditions. Engineers shall not consider the use of any of these DIDs in their drainage plans.

(f) Detention and/or retention of storm water runoff from any proposed land development shall be accomplished by storm water holding facilities, either open or closed. Storm water shall be introduced into permeable soils via an infiltration system in accordance with the SWMMEW, all remaining on site.

(g) The drainage plan shall incorporate all calculations for the determination of the required size of the system. Said calculations shall be based on required criteria hereinafter stated and upon an

analysis of estimated runoff from areas contributing runoff to those facilities. Peak flow analyses and storage volume quantities shall be done using methods presented in the SWMMEW. The assumption for the infiltration rate used will need to be verified by the developer by actual field testing in the case of infiltration systems. Collection systems shall be either gravity pipe systems, open channels, or a combination of the two.

(h) The submitted drainage plan shall incorporate, among other data, a topographical map to clearly define: (i) the proposed development; (ii) all areas, improved or unimproved, lying upstream and draining to and across the proposed development; and (iii) the drainage course, natural or otherwise, to which the proposed development shall drain.

(i) Said plans shall include a plan-profile of the systems, including cross-sections of all open ditches and channels. Hydraulic and physical data such as grades, bottom elevations of ditches and channels, inverts of pipes at all structures, such as manholes and catch basins, sizes and lengths of all pipes, length of ditches and channels, and top elevations of all catch basin covers shall be called out. This includes the invert elevations of the existing or other proposed storm drainage systems that the subject drainage plan proposes to tie into.

(j) A drainage plan which meets the design and construction requirements of GMC §16.28.050 is required to be submitted and approved by the City Engineer prior to finalization of the plat.

(5) Appropriate Provisions for Transit Stops (RCW 58.17.110(2)(a)). Since the City of Grandview does not currently have a public transportation system, the preliminary plat is not required to make provisions for transit stops.

(6) Appropriate Provisions for Potable Water Supplies (RCW 58.17.110 (2)(a)). Appropriate provisions will be made for potable water because it will be supplied by the City of Grandview public water system and extended by the developer to serve the new homes and to provide fire flow in accordance with

the requirements of GMC §16.28.030 and other applicable City standards. Specific requirements in this regard include the following:

(a) The water distribution system shall be designed and constructed in accordance with State Department of Health regulations, with the City's design and construction standards and specifications for public works improvements, and with the standard practices of the City. Fire hydrants shall be installed at the expense of the developer at locations determined necessary by the fire chief. Water mains shall be extended to the far edge of subdivisions for future extension by others.

(b) The City, at its discretion, may direct that water main diameters in excess of that needed for service and fire protection for the subdivision be installed. If the city directs such oversizing, the city will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.

(c) Water lines throughout the remainder of the development are required to be 8-inch lines. Fire hydrants are required to be installed in accordance with City standards. The water line in North Elm Street is planned to be improved to a 12-inch line in the future. A recommended condition is that the applicants shall agree to contribute a proportional share of the improvement costs at the time of engineering and construction of that water line project.

(7) Appropriate Provisions for Sanitary Wastes (RCW 58.17.110(2)(a)). Appropriate provisions will be made for sanitary wastes because sewer services will be provided by the City of Grandview public sewer system in accordance with GMC §16.28.040. The written comments from HLA Engineering and Surveying, Inc. acting as the City's Engineer confirmed that there is sufficient sewer capacity to accommodate the proposed development. Specific requirements in this regard include the following:

(a) A sanitary sewer system shall be installed at the expense of the developer with a separate connection to the City sewer system for

each lot and shall be constructed in conformance with the Comprehensive Sewer Plan.

(b) Sewer lines should be located within the paved portion of the street right-of-way and must be a minimum of eight inches in diameter.

(c) The sanitary sewer system shall be designed and constructed in accordance with the State Department of Ecology regulations, the city's design and construction standards and specifications for public works improvements, and with the standard practices of the City. Sewer mains shall be extended to the far edge of subdivisions for future extensions by others.

(d) The City, at its discretion, may direct that sewer main diameters in excess of that needed for service for the subdivision be installed. If the City directs such oversizing, the City will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.

(e) Each lot is required to have a separate connection. A City-approved backflow prevention device shall be installed at the expense of the developer on the side sewer extension for each lot.

(8) Appropriate Provisions for Schools and Schoolgrounds (RCW 58.17.110(2)(a)). The residents of the proposed subdivision will have access to public schools and schoolgrounds within the City. Due to the number of lots and the size of the subdivision, it would not be reasonable to suggest that provisions should be made to provide additional schools or schoolgrounds within the preliminary plat, and there is no evidence in the record to suggest that such provisions should be made.

(9) Appropriate Provisions for Sidewalks and other Planning Features that Assure Safe Walking Conditions for Students Who Only Walk to and from School (RCW 58.17.110(2)(a)). The proposed preliminary plat will make appropriate provisions for sidewalks for students and others by including sidewalks constructed in accordance with the GMC §16.28.060 and City of Grandview standards along the west side of the North Elm Street frontage and

along the interior street. Even though sidewalks are only required on one side of interior streets, developers are encouraged to construct them on both sides. GMC §16.28.060 requires that cement concrete sidewalks shall be constructed at the developer's expense along all new streets. They shall be located in the right-of-way and shall be 4 inches thick in walk areas (behind barrier curb) and 6 inches thick in drivable areas (behind depressed and rolled curb). They shall have a minimum width of five feet. Curb ramps for physically handicapped shall be constructed in accordance with RCW 35.68.075 and 35.68.076 at all intersections and at all other appropriate locations. Design and installation of sidewalks shall be coordinated with the Public Works Director.

(10) Appropriate Provisions for Utilities (GMC 16.28.020). The proposed preliminary plat will make appropriate provisions for utilities by means of compliance with the following requirements:

(a) All underground utilities (non-city-owned) in all new residential areas shall be installed and maintained at a depth of not less than 3 feet below the graded surface of said way or street, provided existing installations may be maintained at the present level until replaced.

(b) All new or existing utilities within or adjacent to a proposed subdivision shall be installed underground, except for the following: (i) electric, pad-mounted transformers; (ii) electric transmission systems of a voltage of 15 KV or more; (iii) service meters at structures; (iv) TV cable amplifiers, distribution taps; (v) telephone pedestals and cross-connection terminals; and (vi) temporary services necessary for construction.

(c) No buildings or structures, except fences, shall be permitted to be constructed on any utility easements, or over any utility facilities. Masonry fences will be considered as structures, rather than fences.

(d) A recommended condition is that all utilities serving the subdivision be installed underground, with the exception of items listed in GMC §16.28.020(B).

(11) Adequate Facilities for Irrigation Water (RCW 58.17.310). Irrigation water is obtained from the City of Grandview which acquires the irrigation water from the Sunnyside Valley Irrigation District (SVID). There will be adequate facilities for irrigation water as set forth in GMC §16.28.090 which specifies the following requirements:

(a) A pressurized irrigation piping system shall be installed at the expense of the developer within the subdivision boundaries with a separate three-fourths-inch minimum pipe diameter service lateral to each lot. The irrigation system shall be designed and constructed with the standard practices of the City.

(b) Irrigation mains shall be four-inch diameter, pressure class 160 psi or greater, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the graded surface of streets or utility easements.

(c) Individual irrigation service laterals shall be three-fourths-inch diameter, Schedule 40, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the graded surface of streets or utility easements.

(d) Irrigation mains shall be extended to the far edge of subdivisions for future extension by others.

(e) A recommended condition is that the applicants shall design, construct and install the irrigation facilities that are required by GMC §16.28.090.

(12) Requirement of a Development Contract (GMC §16.12.030). GMC §16.12.030 requires that an applicant shall enter into a development contract with the City prior to the approval of any preliminary plat by the City Council. A recommended condition is therefore that a development contract shall be signed and recorded prior to approval of this preliminary plat, and further that the

development contract require the applicants to complete all required improvements prior to final approval of the plat. The development contract may allow for phasing of the subdivision so long as each of the phases is self-sufficient without needing any improvements that are to be constructed in a future phase. The contract may also provide for the bonding of improvements for short periods of time not to exceed 3 months with the labor costs to be calculated at prevailing wage rates.

CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches the following Conclusions which are consistent with the City's Planning Staff Findings and Analysis:

(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve the 32-lot Preliminary Plat of SPD Properties for the development of single-family residences and duplexes in the Residential Comprehensive Plan designation and the R-2 Medium Density Residential District zoning classification because it satisfies all of the subdivision ordinance, zoning ordinance and other applicable requirements and criteria for approval so long as the recommended conditions are satisfied.

(2) The Grandview Municipal Code public notice requirements for the July 18, 2024, open record public hearing relative to this proposed preliminary plat have been satisfied.

(3) SEPA environmental review for the proposed preliminary plat was conducted pursuant to RCW 43.21C and GMC Title 18 and resulted in the issuance of a final Determination of Non-Significance on July 19, 2024.

(4) The proposed preliminary plat, with the addition of improvements required to be constructed to City of Grandview standards and the other conditions to be imposed, would be consistent and compliant with the Comprehensive Plan, the subdivision ordinance, the zoning ordinance, the applicable development standards and the requisite criteria for approval.

(5) No testimony was submitted at the open record public hearing that would support a denial of the proposed preliminary plat.

(6) The public use and interest will be served by the proposed preliminary plat because it will provide additional single-family and two-family residential housing within the City of Grandview.

(7) The Hearing Examiner's recommendation regarding this proposed Preliminary Plat of SPD Properties will be considered and decided by the Grandview City Council at a closed record public hearing with the result that it can either be approved, denied or conditioned by the City Council.

(8) In accordance with GMC §14.11.030, any person who satisfies the applicable criteria may appeal the final Decision that will be made by the Grandview City Council to Yakima County Superior Court in accordance with provisions of the Land Use Petition Act (LUPA), Chapter 36.70C of the Revised Code of Washington. A notice of such judicial appeal shall be filed in writing and delivered to the City Clerk or Mayor within 21 days of the City Council's Decision.

RECOMMENDATION

The Hearing Examiner recommends to the Grandview City Council that the 32-lot Preliminary Plat of SPD Properties to be located on Assessor's Parcel Number 230914-44404 which would provide access to 24 lots from North Elm Street by way of an internal street named Sonny Road and would provide direct access to 8 lots from East Bonnieview Road and which is described in the application, the staff report, this recommendation and the other documents in the record of this matter be **APPROVED**, subject to compliance with the following conditions which are similar to the conditions recommended by the City's Planning Staff:

CONDITIONS (NEXT STEPS):

Prior to the finalization of the subject subdivision, the conditions imposed by the City Council must be completed within five (5) years of the date of the City Council's decision. The City Council's decision authorizing the subdivision, including its findings, conditions and time limit, pertains to the conditional land use action only, and does not include timelines associated with other permits (for example, building permits). Failure to timely comply with all conditions of the City Council's Decision will result in the expiration of the Decision.

(1) A development contract shall be signed and recorded prior to approval of the preliminary plat.

(2) Construction within the proposed subdivision shall conform to all of the requirements of the Grandview Municipal Code, including, but not limited to, Title 12 (Streets, Sidewalks, and Public Places), Title 15 (Buildings and Construction), Title 16 (Subdivisions), and Title 17 (Zoning).

(3) Driveway access to North Elm Street is not allowed, and all driveways are required to have access off of East Bonnieview Road or Sonny Road.

(4) Sidewalks shall be built along the western side of North Elm Street to the northern and southern terminuses of the plat.

(5) All internal roadways shall be built to meet city standards.

(6) The temporary turnaround shown at the western end of Sonny Road shall be built to standards identified by the Public Works Director.

(7) Signage indicating a dead end, meeting the standards of the Public Works Director, shall be installed at the western terminus of Sonny Road.

(8) The location of any nearby Sunnyside Valley Irrigation District (SVID) facilities shall be identified prior to the start of any grading or earthwork, with any necessary SVID permits being obtained.

(9) All utilities serving the subdivision shall be installed underground, with the exception of items listed in GMC §16.28.020(B).

(10) The applicants shall execute an agreement to participate in sharing the cost of a future improvement project to replace the water line in North Elm Street with a 12-inch line.

(11) Water lines within the development shall be eight (8) inches in size.

(12) All lots must be served with public water. All applicable fees must be paid, easements provided, and lines installed to each of the lots prior to final plat approval.

(13) All lots must be served with public sewer. All applicable fees must be paid, easements provided, and lines installed to each of the lots according to the requirements of the sewer service provided prior to final plat approval.

(14) Fire hydrants shall be installed in accordance with City of Grandview standards.

(15) Irrigation facilities shall be installed as required under GMC §16.28.090.

(16) Utility easements shall have a width of ten (10) feet.

(17) All easements for sewer, water, electric, gas, telecommunications, irrigation and similar utilities shall be shown on the final plat. Easements shall be reserved for and granted to all utilities and to their respective successors and assigns for serving all lots within a subdivision and other property with utility services and granting the right to enter upon the lots at all times to install, lay, construct, renew, operate, and maintain underground conduit, cables, pipe, and wires with necessary facilities and other equipment.

(18) A drainage plan, meeting the design and construction requirements of GMC §16.28.050 is required to be submitted and approved by the City Engineer prior to finalization of the plat.

(19) Plan and profile drawings of the proposed streets, grading and water, sewer, storm drainage, planting in public rights-of-way, and irrigation

water systems for construction purposes shall be prepared and submitted to the City for approval in accordance with the City's design and construction standards and specifications for public works improvements.

(20) A set of as-built drawings shall be provided to the Public Works Director upon completion of any required improvements.

(21) All street signs and traffic control devices shall be installed as required by the Public Works Director.

(22) All street lighting shall be installed to meet the standards outlined in GMC §16.28.080.

(23) All exterior lighting shall be designed and installed to prevent glare onto surrounding properties.

(24) At the time the final plat is to be recorded all property taxes and special assessments shall be paid for the full year (RCW 84.56.345).

(25) The Final Plat shall include:

(a) Boundaries for each lot and dedicated easement and right-of-way;

(b) Construction of protective improvements such as buffer zones, fences, dikes and levees shall be noted;

(c) A complete and accurate legal description shall be shown on the face of the plat;

(d) Certificate or a separate written instrument containing the dedication of all lands to be conveyed to the public, and shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and shall be recorded as part of the final plat;

(e) Certification that the applicants are the landowners;

(f) The signature and a statement of approval of the Public Works Director;

(g) The signature of the Mayor, witnessed by the City Clerk, which shall evidence approval of the final plat by the City Council;

(h) Certification by a land surveyor certifying the accuracy of the survey and plat;

(i) Signature of the City Treasurer indicating payment of all taxes and assessments;

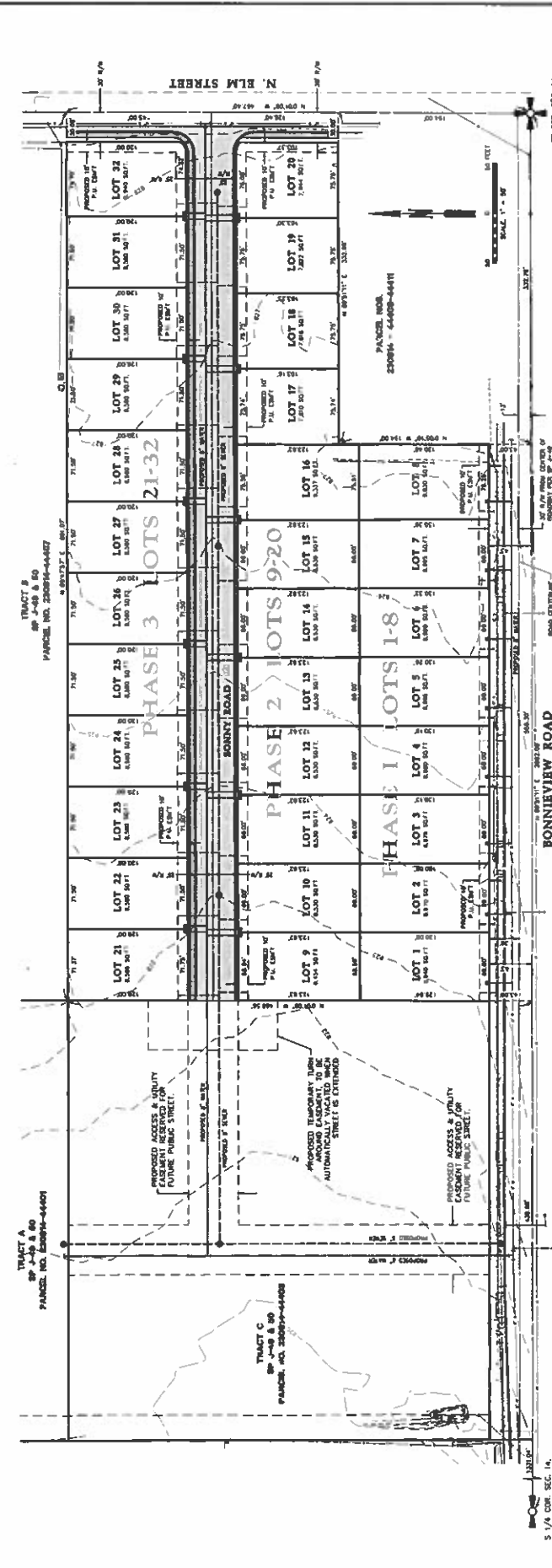
(j) Surveyor's certificate and location and description of monuments.

DATED this 2nd day of August, 2024.

A handwritten signature in blue ink that reads "Gary M. Cuiller". The signature is written in a cursive style and is positioned above a horizontal line.

Gary M. Cuiller, Hearing Examiner

PRELIMINARY PLAT OF
SPD PROPERTIES
 PORTION OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 23 EAST, W.M.
 PARCEL NO. 230914 - 44404



LEGAL DESCRIPTION

TRACT D OF THAT CERTAIN SHORT PLAT FILED IN BOOK "7" OF
 COUNTY AND PLAT RECORDS OF WYOMING, FILE NO. 245294,
 245294 RECORDS OF WYOMING, WASHINGTON.

OWNER/DEVELOPER
 MOO KANG
 315 WINE COUNTRY ROAD
 PROSSER, WASHINGTON 99350

ENGINEER/SURVEYOR
 PLSA ENGINEERING AND SURVEYING
 521 NORTH 20TH AVENUE, SUITE 3
 PROSSER, WASHINGTON 99350
 PH: (509) 751-9900

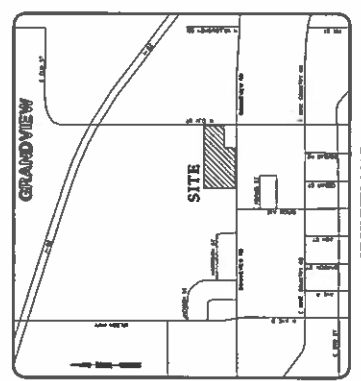
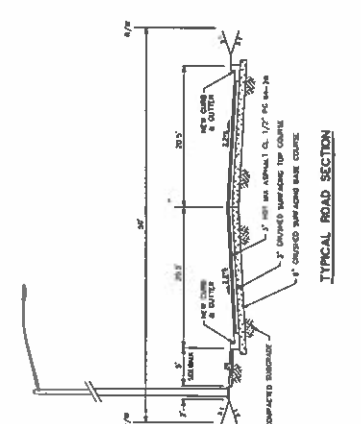
PLSA
 ENGINEERING-SURVEYING-PLANNING
 501 N. 20TH AVE., SUITE 3
 YAKIMA, WASHINGTON 99402
 1508 975-6990

PRELIMINARY PLAT
 OF PARCEL NO. 230914 - 44404
 PREPARED FOR
 MOO KANG

BY: TSK
 DATE: 4/17/21
 SHEET NO. 2352
 TOTAL SHEETS 1

SE 1/4, SE 1/4, SEC. 14, T-9 N., R-23 E.,
 SEE LOC. 284-1100

- NOTES**
- SUBJECT PROPERTY IS ZONED R-2 RESIDENTIAL DISTRICT.
 - ADJACENT TO ALL PROPERTY LOTS THERE WILL BE A 50 FOOT WIDE TRAILWAY.
 - THE TOTAL AREA OF THE PROPOSED PLAT 7.3 ACRES.
 - POWER, TV, CABLES, TELEPHONE CABLES AND GAS MAINS ARE TO BE LAYED OUT AND LOCATED BY THE APPLICANT WITH THE PUBLIC SERVICE AGENCY. THE INDIVIDUAL UTILITY COMPANIES TO DETERMINE THE EXACT LOCATION.
 - ALL STORM WATER GENERATED BY NEW IMPROVED SURFACES WILL BE RETAINED ON SITE.
 - DOMESTIC WATER IS PROPOSED TO BE SUPPLIED BY CITY OF GRANDVIEW.
 - SEWERAGE SYSTEM IS PROPOSED TO BE PROVIDED BY THE CITY OF GRANDVIEW.
 - THERE ARE NO EXISTING BALUNES ON-SITE THAT WILL NEED TO BE REMOVED.
 - TYPICAL SETBACKS = 20' FRONT SETBACK FROM THE PROPERTY LINE, 9' SIDE SETBACK FROM INTERIOR PROPERTY LINES & 10' REAR SETBACK FROM PROPERTY LINE.
 - STREET IMPROVEMENTS SHALL CONFORM TO CITY OF GRANDVIEW STREET STANDARDS.



RESOLUTION NO. 2024-50

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,
APPROVING THE KANG 32-LOT RESIDENTIAL SUBDIVISION
PRELIMINARY PLAT**

WHEREAS, the applicants and property owners, Moo Sung Kang and Ran Young Kang, applied for preliminary plat approval for a 32-lot residential subdivision designated as SPD Properties; and

WHEREAS, the Hearing Examiner held an open record public hearing on July 18, 2024 on the proposed preliminary plat and provided a recommendation for approval to the City Council subject to compliance with conditions; and

WHEREAS, the City Council held a closed record public hearing on September 10, 2024 on the proposed preliminary plat and approved the preliminary plat subject to the conditions outlined in the Hearing Examiner's Recommendation SUB#2024-01 dated August 2, 2024;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:

The City Council hereby adopts the Hearing Examiner's Recommendation in SUB#2024-01 and approves the 32-lot preliminary plat known as "SPD Properties" subject to conditions as outlined in the Hearing Examiner's Recommendation, a copy of which is attached hereto and incorporated herein by reference.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on September 10, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

**CITY OF GRANDVIEW
HEARING EXAMINER’S RECOMMENDATION**

August 2, 2024

**In the Matter of Application for)
Preliminary Plat Approval)
Submitted for:)
)
Moo Sung Kang and Ran Young)
Kang, the Owners of the Property)
)
For the Approval of the 32-Lot)
Preliminary Plat of SPD Properties)
Northwest of North Elm Street)
And East Bonnieview Road)**

SUB#2024-01

A. Introduction. The findings relative to the hearing process conducted for this proposed preliminary plat are as follows:

(1) The open record public hearing for this proposed Preliminary Plat of SPD Properties was held on July 18, 2024.

(2) Byron Gumz, YVCOG Regional Land Use Manager serving as Planner for the City of Grandview, presented his staff report which recommended approval of the proposed preliminary plat subject to conditions.

(3) The property owners’ representative for this application, Noe Gonzalez of G Squared Enterprise LLC, testified in favor of the preliminary plat application. The Church of the Nazarene Maintenance Chairperson Don Gill read from a letter

Moo Sung Kang & Ran Young Kang
Preliminary Plat of SPD Properties
NW of N. Elm St./E. Bonnieview Rd.
32 Residential Lots; SUB#2024-01

in the record which requested some conditions of approval that could not be imposed on this proposal due to a current lack of a requisite nexus and proportionality between the impact and requested improvements and some other conditions that might be applicable to additional future subdivisions north of the proposed preliminary plat. Resident Gene Lange testified that his grandfather's hope was to see the property farmed rather than developed in the future, but no evidence of an enforceable right to control the future use of the property in that way was submitted.

(4) Written comments were submitted by HLA Engineering and Surveying, Inc., the Yakima Health District, the Sunnyside Valley Irrigation District, the Washington State Department of Ecology and the Church of the Nazarene which are set forth in full at pages 90, 91, 92-93, 94-95 and 119 respectively of the public hearing record.

(5) At the conclusion of the testimony, the record was kept open for receipt of the final SEPA threshold determination. The final SEPA Determination of Non-Significance (DNS) was issued by the SEPA Responsible Official Hector Mejia and received by the Hearing Examiner on July 19, 2024. This recommendation has been issued within 14 days of that date when the record was closed pursuant to Subsection 14.09.030(A)(4) of the Grandview Municipal Code.

B. Summary of Recommendation. The Hearing Examiner recommends that the Grandview City Council approve this proposed Preliminary Plat of SPD Properties subject to same conditions and for the same reasons set forth in the staff report prepared and presented by the City's Planner Byron Gumz set forth at pages 96-113 of the public hearing record.

C. Basis for Recommendation. Based upon a view of the site and the surrounding area with no one else present on July 18, 2024; consideration of the staff report, exhibits, written comments, testimony and other evidence presented at

the open record public hearing on July 18, 2024, relative to the proposed preliminary plat shown on pages 9-10, 29-30 and 63-64 of the hearing record; and based upon a consideration of the Grandview Subdivision Ordinance and the Grandview Zoning Ordinance which are set forth in the Grandview Municipal Code (GMC); the Hearing Examiner makes and issues the following:

FINDINGS

I. Applicants, Property Owners and Representatives. The applicants/property owners are Moo Sung Kang and Ran Young Kang, 335 Wine Country Road, Prosser, WA 99350. Their agent who prepared application materials is Wade Kabrich of PLSA Engineering & Surveying, Inc., 520 North 20th Avenue, Suite 3, Yakima, WA 98902. Their representative who testified in favor of the proposal at the hearing is Noe Gonzalez of G Squared Enterprise LLC, 1908 Apricot Road, Grandview, WA 98930.

II. Location. The proposed preliminary plat is located northwest of the intersection of North Elm Street and East Bonnieview Road. It is located on Assessor's Parcel No. 230914-44404.

III. Application. The main aspects of this application for preliminary plat approval may be described as follows:

(1) The proposed Preliminary Plat of SPD Properties would subdivide 7.34 acres into 32 lots in 3 phases to be developed over a maximum of 5-6 years. It is

Moo Sung Kang & Ran Young Kang
Preliminary Plat of SPD Properties
NW of N. Elm St./E. Bonnieview Rd.
32 Residential Lots; SUB#2024-01

located in an R-2 Medium Density Residential zoning district northwest of the intersection of North Elm Street with East Bonnieview Road. The Comprehensive Plan future land use designation of the property within the proposed preliminary plat is Residential and the zoning classification of the parcel is R-2 Medium Density Residential.

(2) Four of the lots which are Lots 17, 18, 19 and 20 that range in size from 7,810 square feet to less than 8,000 square feet would be developed with single-family residences. The remaining 28 lots that range in size from 8,000 square feet to 9,830 square feet would be developed with duplexes.

(3) The proposed internal street, "Sonny Road," would be a straight street running westerly from North Elm Street that would be built to City standards and would end in a temporary turnaround on the adjacent Parcel No. 230914-44403 to the west. Sonny Road would eventually be developed into a permanent street when development occurs on the adjacent parcel to the west. Sewer, domestic water and irrigation water would be provided by the City of Grandview. A sidewalk would be installed on the west side of North Elm Street along the frontage of the parcel.

IV. Environmental Review. The City issued a preliminary Determination of Non-Significance on June 12, 2024. Written comments submitted by four public agencies were taken into consideration before the City's SEPA Responsible Official Hector Mejia issued a final Determination of Non-Significance on July 19, 2024.

V. Critical Areas/Floodways/Floodplains/Wetlands/Shorelines. There is no floodway, floodplain, wetland, shoreline or other critical area identified per GMC Chapter 18.06 within or near the proposed Preliminary Plat of SPD Properties.

VI. Comprehensive Plan, Zoning and Land Uses. The parcel that is to be developed as the Preliminary Plat of SPD Properties is within the Comprehensive Plan Future Land Use Map designation of Residential and is within the R-2 Medium Density Residential District zoning classification. The property is currently vacant with North Elm Street to the east, Bonnieview Road to the south, corn growing to the west and north, and church property to the north.

VII. Concurrency. The preliminary plat shows that North Elm Street would provide access to some of the lots from the east by way of Sonny Road and the remainder of the lots along East Bonnieview Road would have access from that street. Sonny Road would connect to a future street to be developed west of the site. A Transportation Checklist for concurrency review was completed as part of the application. A recommended condition of approval is that a sidewalk be constructed along the west side of North Elm Street that fronts upon the parcel.

VIII. Notice of the Application, SEPA Review and the Public Hearing.

Notices regarding this matter have been provided in the following ways:

(1) After the application was submitted, a combined Notice of Application, Environmental Review, and Public Hearing was mailed to property owners within 300 feet of the property and to agencies having jurisdiction or interest in the proposal on June 10, 2024. The comment period ended on June 26, 2024. A summary of the four agency comments followed by Planning Staff and Hearing Examiner findings in italics are as follows:

(a) HLA Engineering and Land Surveying, Inc. provided a statement on the capacity of Grandview's Water and Sewer Systems

to provide service to the proposed subdivision. The statement notes that there is sufficient capacity in both water and sewer systems with the understanding that improvements that have been identified in the Grandview Capital Facilities Plan be developed. *The letter also contains details on the location and depth of the water and/or sewer lines that the development will need to connect to. As part of the design process for the plat, if approved, the applicants will be responsible for connecting to and extending these utilities.*

(b) The Yakima Health District (YHD) submitted a comment that YHD does not have a review associated with the proposal, since the proposed plat is served by municipal water and sewer. *The applicants should contact YHD with any questions they may have.*

(c) The Sunnyside Valley Irrigation District (SVID) provided comments relating to their facilities located within the area of the proposed subdivision. Their facilities require a minimum of a 30-foot easement, depending on the depth of the facility. Crossing or encroachment of the facilities will require a SVID permit. *Based on the map included in the SVID comment letter, it appears as though SVID facilities are located within the area of the adjacent rezone, and are not located within the boundaries of this proposed preliminary plat. A recommended condition is that the applicants confirm the location of the SVID facilities prior to the start of any grading or earthwork associated with the proposed development.*

(d) The Washington State Department of Ecology (DOE) submitted comments from their Water Quality Program. Those comments state that if there is potential for stormwater to discharge off site, an NPDES Construction Stormwater General Permit is recommended. The permit requires a Stormwater Pollution Prevention Plan be prepared and implemented prior to any construction activities taking place. They note that if ground disturbance is between one and five acres, the development may qualify for an Erosivity Waiver. *A recommended condition is that the applicants shall obtain an NPDES*

Construction Stormwater General Permit, unless it is determined that it is not necessary.

(2) Notice of the July 18, 2024, open record public hearing was provided by posting the notice at the City Hall, Library, Police Department and on the City's website at www.grandview.wa.us and by mailing the notice to property owners within 300 feet of the subject parcels on June 10, 2024; by posting the notice at three places on the property on June 12, 2024; and by publishing the notice in the City's official newspaper, the Grandview Herald, on June 19, 2024.

IX. Hearing Examiner Jurisdiction. The City ordinance provisions relative to the Hearing Examiner's jurisdiction or authority to issue this recommendation for the City Council's consideration may be summarized as follows:

(1) GMC §2.50.080(C)(3) provides that the Grandview Hearing Examiner shall receive and examine available information, conduct public hearings, prepare a record thereof and enter findings of fact and conclusions based upon those facts, together with a recommendation to the Grandview City Council, for enumerated types of land use applications which specifically include preliminary plats.

(2) The purpose of the public hearing is to determine conformance of the proposal with:

- (a) The provisions of the zoning ordinance for the city;
- (b) The general purposes of the comprehensive plan;
- (c) The provisions of this title;
- (d) The comprehensive water and sewer plans;
- (e) The ordinances governing streets, rights-of-way and curbs and gutters; and
- (f) Any other standards necessary to serve the public good.

(3) GMC §16.12.100 requires that the Grandview City Council review the Hearings Examiner's recommendations and may adopt those recommendations for the proposed preliminary plat if they find that adequate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways (storm water retention and detention),

streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school, and the public use and interest will be served by the platting of such subdivision and dedication.

X. Development Standards. The proposed preliminary plat is required to conform to all of the City development standards including, but not limited to, the development standards which are prescribed by GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions) and GMC Title 17 (Zoning). For the developer's benefit, some of the development standards for the R-2 zoning district in GMC §17.34.050 and some of the residential design standards that will be required by the City's zoning ordinance for future residential development of the final plat are summarized in this recommendation. Unless otherwise provided by Planning Staff and Hearing Examiner findings in italics, these standards will all be reviewed at the construction stage of each of the lots:

- (1) Maximum number of dwelling units permitted per lot: two.
- (2) Minimum area of lot: 7,500 square feet for single-family structures; 8,000 square feet for two-family structures.
- (3) Maximum lot coverage: 40 percent.
- (4) Minimum yard setbacks: (i) front, 20 feet; (ii) side, 5 feet; (iii) side along flanking street of corner lot, 20 feet; (iv) rear, principal building, 10 feet; (v) accessory structures, 5 feet; and (vi) garages with vehicle doors parallel to an alley, 20 feet from the alley. *The proposed lot sizes allow for these standards to be met.*

(5) Maximum building height: (i) principal building, 30 feet and (ii) accessory buildings, 15 feet.

(6) Fences and hedges: see GMC Chapter 17.75.

(7) Parking: see GMC Chapter 17.78.

(8) Landscaping addressed below: see GMC Chapter 17.75.

(9) Residential design standards including the following: see GMC §17.70.100.

(10) The main entry doors of all dwellings must face the street on which the dwelling is addressed.

(11) A minimum of 30 square feet of window surface must be on the portion of the dwelling facing the street. Dwellings with less than 32 square feet of window surface must contain covered porches with a minimum of a four-foot overhang.

(12) All entry porches/landing areas must be constructed as an integral part of the dwelling architecture.

(13) The main roof of all dwellings shall have a minimum 5:12 pitch; except dwellings with less than a 5:12 pitch legally established as of the effective date of the ordinance codified in this title shall be permitted to be rebuilt, altered, enlarged or remodeled without the roof being changed to a 5:12 pitch.

(14) All eave overhangs shall be a minimum of 12 inches.

(15) Dwellings with 4:12 pitch roofs may be permitted provided the main roof includes one or more secondary roofs intersecting the main roof at right angles. The secondary roof must have a pitch of 5:12 or greater.

(16) No false or artificial dormers are permitted.

(17) All foundation walls must be poured concrete or masonry block.

(18) All dwellings must be permanently connected to foundations, and must meet seismic and wind loading standards for Yakima County, Washington.

(19) No more than 12 inches of foundation wall can be exposed on the walls facing a street.

(20) All siding must be durable materials, such as brick, masonry, stucco, vinyl, exterior-grade wood, or exterior-grade composites, each with a lifespan of at least 20 years under normal conditions.

(21) All siding must extend below the top of the foundation one and one-half to two inches. A bottom trim board does not qualify as siding and cannot be used to cover the top of the foundation.

(22) All trim materials around windows, doors, corners, and other areas of the dwelling must be cedar or other city-approved materials that are not subject to deterioration.

(23) All electric meters must be securely attached to an exterior side wall of the dwelling. Meters are not permitted to face the street upon which the dwelling is addressed.

(24) All additions and/or other architectural features must be designed and permanently connected to the dwelling so as to be an integral part of the dwelling.

(25) Primary driveways shall terminate into an architecturally integrated garage or carport. No parking pad is permitted in front of a dwelling unless such pad leads to a garage or carport.

(26) Fences, walls, and hedges shall not exceed four feet in height in the front yard area and six feet in the side or rear yard area. (GMC §17.75.050(C)(1)).

(27) Fire hydrants within a landscape area shall have a clearance of three feet.

(28) No tree, as measured from its center, shall be located within 10 feet of a street light standard, or within five feet of a driveway or a fire hydrant.

(29) Front Yard Landscaping. At least 50 percent of the front yard area for residential one-family and two-family dwellings, including right-of-way but excluding driveways, shall be treated with live vegetation and/or decorative rock. *This standard is an ongoing requirement that applies to subsequent residential development on the lots.*

(30) All areas of a lot or parcel not landscaped or covered with improvements shall be maintained in such a manner as to control erosion and dust. Gardens within established landscapes are excluded from this provision in residential districts. *This standard is also an ongoing requirement that applies to subsequent residential development on the lots.*

XI. Subdivision Design Standards. The proposed preliminary plat is required to comply with the following subdivision design standards set forth in GMC Chapter 16.24, and findings of the Planning Staff and Hearing Examiner in that regard are set forth in italics:

(1) As to Lots (GMC §16.24.020): Each lot shall have direct access to and frontage upon a dedicated public street. Minimum frontage shall be 50 feet except for lots located within the arc of a curve or where unusual topography exists, a minimum frontage of 35 feet is allowed. *The proposed lots have street frontage exceeding 50 feet along dedicated public streets.*

(2) Also as to Lots (GMC §16.24.020): Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. Side and rear lot lines shall be straight or composed of straight lines. *The proposed development does not show any proposed curves in the roadway.*

(3) Further as to Lots (GMC §16.24.020): Lots having frontage on two streets shall be avoided whenever possible. However, double frontage lots are permitted only where determined by the city to be essential to provide separation of residential lots from principal and minor arterial streets, high-intensity land uses, or to overcome specific disadvantages of topography or parcel configuration. *None of the lots are designed to have double frontage on two streets, with the exception of corner lots. Those lots, shown as Lot 20 and Lot 32, will be required to be accessed from the interior roadway and not from North Elm Street.*

(4) As to Blocks (GMC §16.24.030): The lengths, widths, and shapes of blocks shall be determined with due consideration of: (i) the provisions of adequate building sites suitable to the special needs of the proposed subdivision; (ii) the need for convenient and safe access, circulation and control of street traffic; and (iii) the limitations and opportunities of the topography. The maximum length of a block shall be 1,000 feet. *The proposed subdivision is not creating any blocks, per se. Future development will likely result in blocks, which will be reviewed to ensure these concerns are addressed.*

(5) As to Street Widths (GMC §16.24.040 for all of the following street standards): Right-of-way shall be dedicated for new or existing streets to or within a subdivision to accommodate the following minimum right-of-way widths: (i) arterial streets, 70 feet; (ii) collector streets, 60 feet; and (iii) local streets: 50 feet. *The interior street has a dedicated right-of-way for Sonny Road of 50 feet, meeting the standard for local streets. No additional right-of-way dedication is required.*

(6) As to Street Construction Guidelines: (i) Arterial streets: 44-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required; (ii) Collector streets: 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required; and (iii) Local Access streets: 40-foot-wide roadway surface face of curb to face of

curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk one side, illumination, and storm drainage required. *A recommended condition for this proposed preliminary plat is that the developer shall construct all roads to meet City standards. The City encourages construction of sidewalks on both sides of the street to facilitate pedestrian safety and mobility along City streets. Design of the roadway shall be coordinated with the Public Works Director.*

(7) As to Street Curbs and Gutters: Cement concrete barrier curb and gutter shall be installed along all new streets. Curb and gutter shall be poured as a single unit in accordance with the city's design and construction standards and specifications for public works improvements. *A recommended condition is that the applicants shall meet this standard.*

(8) As to Street Surfacing Between Curbs. The street area between the curbs shall be constructed with the following minimum compacted depth of surfacing materials: (i) three-inch hot mix asphalt class one-half inch PG 64-28; (ii) three-inch crushed surfacing – top course (five-eighths-inch to zero); and (iii) six-inch crushed surfacing – base course (one and one-quarter inch to zero). All materials installed and work performed pursuant to the requirements of the above paragraph shall be done in accordance with the city's design and construction standards and specifications for public works improvements. *A recommended condition is that the applicants shall meet this standard.*

(9) As to Street Grades: All grades of streets and curbs shall be approved by the city engineer or other licensed engineer acting on behalf of the city before any improvement is commenced. *Design plans for all proposed streets are required to be submitted for review and approval by the City Engineer or other licensed engineer acting on behalf of the City.*

(10) As to Street Cul-de-Sacs: Maximum length shall be 600 feet and right-of-way radius shall be 60 feet. *No permanent cul-de-sacs are proposed. The proposed interior roadway is intended to be extended and connect to a future public roadway. Until the time the roadway is extended, a temporary "hammerhead" turnaround is proposed.*

(11) As to Street Offset Intersections: Offset intersections shall have a minimum of 100 feet between street centerlines. *No offset intersections are proposed.*

(12) As to Street Curves. The minimum centerline radii for horizontal curves shall be 100 feet and the minimum length for vertical curves shall be 50 feet. *There are no curves along the proposed street.*

(13) As to Alleys: Alleys are not required but may be included in the subdivision at the developer's option. Alleys shall have a minimum right-of-way width of 20 feet. Utility easements may be provided in lieu of alleys. *No alleys are proposed. This standard does not apply.*

(14) Dead-End Streets. All dead-end roadways shall include cul-de-sacs. The City may allow use of an "L" or "hammerhead" turnaround upon approval by the Public Works Director. *There is a temporary dead-end proposed at the west end of "Sonny Road" that would connect to a future subdivision west of this subdivision. A recommended condition is that signage indicating a dead end shall be installed which meets the requirements of the Public Works Director and that the hammerhead turnaround be built to standards identified by the Public Works Director.*

(15) As to Street Trees (GMC §16.24.045): Regulations for street trees are outlined in GMC Chapter 12.14. *It is not recommended that street trees be required to be planted within this proposed preliminary plat.*

(16) As to Continuity of Utility Easements (GMC §16.24.050 for this and the following utility provisions): Utility easements shall be continuous and aligned from block to block within a subdivision and with adjoining subdivisions. *The preliminary plat provides for continuous utility easements, meeting this standard.*

(17) As to Lot Frontage Easements: A 10-foot utility easement for underground power, telephone, irrigation water and cable television shall be provided across the front of each lot within a subdivision and short subdivision. Side lot line easements shall be required where deemed

necessary to adequately provide lots with utility services or to provide for continuous easements. *The applicants propose a 10-foot-wide utility easement across the front of the newly created lots so as to meet this standard.*

(18) As to New Public Utility Pipelines: Easements for new and/or future public utility pipelines shall be a minimum of 16 feet wide, provided the width of the easements for buried utilities will be at least twice the depth of the planned excavation. *There are no easements proposed for future public utility pipelines.*

(19) As to Drainage Easements: Drainage easements shall be provided where a subdivision is traversed by a watercourse, drainageway, or stream channel. *There is no watercourse, drainageway, or stream channel located within the proposed preliminary plat.*

(20) As to Easements for Unusual Facilities: Easements for unusual facilities such as high voltage electric lines, irrigation canals, and high-capacity gas transmission lines shall be approved by the Public Works Director. *There are no unusual facilities that have been identified within the proposed subdivision.*

(21) As to Submission of Required Design and Engineering Plans (GMC §16.24.060): The developer shall submit to the Public Works Director plan and profile drawings of the proposed streets, grading and water, sewer, storm drainage, planting in public rights-of-way, and irrigation water systems for construction purposes prepared in accordance with the city's design and construction standards and specifications for public works improvements. Following initial review by the city and any required corrections by the developer for compliance with the city's design and construction standards and specifications for public works improvements, the developer shall submit to the city the original plan tracings and specifications for final approval. The city's responsible officials shall approve such drawings and specifications before any groundwork is done. Construction shall be in accordance with drawings and specifications approved by the city. *A recommended condition requires the applicants to provide plan and profile drawings of the proposed streets, grading and*

water, sewer, storm drainage, plantings in public rights-of-way, and irrigation water systems for construction purposes prepared in accordance with the City's design and construction standards and specifications for public works improvements.

(22) As to As-Built Drawings (GMC §16.24.070): The developer's consulting engineer shall prepare and maintain a neatly marked, full-sized print set of record drawings showing the final location and layout of all new construction of the public facilities. Prior to final acceptance by the city of Grandview, one set of reproducible record drawings and two sets of prints prepared by the developer's engineer and clearly marked "Record Drawings" shall be delivered to the Public Works Director for review and acceptance. *A recommended condition requires the applicants to provide a set of as-built drawings to the Public Works Director upon completion of any required improvements.*

XII. General Review Criteria of GMC Chapter 14.09 for Enumerated Development Applications that Include Subdivisions. GMC §14.03.035

provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days prior notice of public hearings by specific methods of mailing, posting and publication. GMC §14.03.040(A)(6) and GMC §14.09.030(A)(4) provide that a recommendation is to be made to the Grandview City Council regarding applications for preliminary plats that must comply with all of the provisions set forth in GMC §14.09.030(A)(3) and GMC §14.09.030(A)(4). GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions and other types of land use permits. GMC §14.09.030(A)(3)(c)

provides that the Hearing Examiner is not to recommend approval of a proposed development without first making the following findings and conclusions:

(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code. The proposed preliminary plat will satisfy this requirement because the City's Comprehensive Plan Future Land Use Map designates the property under consideration as Residential, and the preliminary plat is intended to create 4 lots for new middle income single-family residences and 28 lots for new middle income duplexes. In addition, the proposed preliminary plat would be consistent with Housing Element Goal 1 which is to provide safe and sanitary housing for all persons within the community; Housing Element Goal 1, Policy 1.1 which is to support the development of a housing stock that meets the varied needs of the present community while attracting higher income residents; Policy 1.1, Objective 1 which is to encourage the construction of new units to increase the local housing supply; Objective 5 which is to encourage infilling in residential areas; Objective 6 which is to encourage more medium and high-value residential construction; Policy 1.3 which is to support housing availability to meet the needs of all income groups; Objective 3 which is to ensure that all new housing developments pay for the cost of providing utilities, streets, parks and public safety requirements; Housing Element Goal 2 to the effect that residential areas that are safe, sanitary and attractive places to live will be established and maintained in Grandview; and Policy 2.2 to the effect that the initial cost of providing municipal services to serve new residential developments will be borne by the developer. The proposed preliminary plat will also meet the intent of the Grandview Municipal Code by providing lots for residences which will be developed in compliance with the Grandview Municipal Code requirements within the R-2 Medium Density Residential District where single-family residences and duplexes on lots meeting the respective lot size requirements are permitted uses per GMC §17.30.020.

(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes. Since the proposed uses on the property will comply with all applicable City development standards and regulations, they will make adequate provisions for these features. The Environmental Checklist states relative to drainage that stormwater will be collected in infiltration swales. The design will have to be in

accordance with City of Grandview standards and the Department of Ecology's Stormwater Management Manual for Eastern Washington, and a fully engineered stormwater plan will be prepared by the applicants' design team and approved by the City prior to the issuance of construction permits for the project site. The preliminary plat shows relative to streets and other public ways that the access to 24 of the lots will be off of North Elm Street on the east by way of a new street improved to City standards named Sonny Road, and that the access to the other 8 lots will be directly off of Bonnieview Road on the south. As to irrigation water, the plat will comply with the irrigation water requirements of the City and of the Sunnyside Valley Irrigation District (SVID). The domestic water and sanitary waste services will be provided by the City of Grandview by means of water and sewer infrastructure that is required to be constructed to City standards. Therefore, the proposed development will in fact make adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes and will do so in a manner that will comply with the City of Grandview development standards and requirements.

(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18. This criterion is satisfied because the City's SEPA Responsible Official determined that the proposed preliminary plat would not result in any likely significant adverse environmental impacts under GMC Title 18. After comments were received following the issuance of a preliminary SEPA Determination of Non-Significance on June 12, 2024, a final SEPA Determination of Non-Significance was subsequently issued on July 19, 2024.

(4) The development is beneficial to the public health, safety and welfare and is in the public interest. A residential development on this property in accordance with the Comprehensive Plan Residential designation and the R-2 Medium Density Residential District zoning classification would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed additional single-family and two-family residential housing within the City of Grandview that would comply with all of the City's development standards.

(5) The development does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive

Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development. Here the applicants’ representative completed the City’s Development Traffic Impact Data Checklist. As a result of the additional pedestrian use of North Elm Street due to the proposed preliminary plat, it was determined that a sidewalk would be required to be constructed on the west side of North Elm Street along the frontage of the plat. The 32-lot development will not lower the level of service of transportation below the Comprehensive Plan level of service standards.

(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development. Aside from the requirement to dedicate right-of-way for the internal street, the existing right-of-way widths and the relatively small amount of additional traffic that will be added to either North Elm Street or Bonnieview Road does not warrant a requirement to dedicate additional right-of-way for those streets.

XIII. Specific Review Criteria of GMC Chapter 16.12 for Subdivisions.

GMC §16.12.090 requires the Hearing Examiner to review a proposed subdivision during a public hearing to determine conformance with six enumerated standards applicable specifically to preliminary plats. The requisite determinations relative to conformance with those standards are as follows:

(1) Conformance with the provisions of the zoning ordinance for the City. All of the lots in the plat will be developed with permitted single-family and two-family residences in conformance with the provisions of the City’s zoning ordinance.

(2) Conformance with the general purposes of the Comprehensive Plan. As previously noted, the proposed preliminary plat for residential development would result in the construction of new residences that would increase the City's single-family and two-family housing supply in conformance with the Comprehensive Plan Future Land Use Map designation of Residential for the property. As is noted above in Subsection XII(1) of this recommendation which pertains to a similar GMC §14.09.030(A)(3)(c)(i) general preliminary plat criterion, this preliminary plat is in conformance with the Comprehensive Plan Housing Element Goal 1 which is to provide safe and sanitary housing for all persons within the community; Housing Element Goal 1, Policy 1.1 which is to support the development of a housing stock that meets the varied needs of the present community while attracting higher income residents; Policy 1.1, Objective 1 which is to encourage the construction of new units to increase the local housing supply; Objective 5 which is to encourage infilling in residential areas; Objective 6 which is to encourage more medium and high-value residential construction; Policy 1.3 which is to support housing availability to meet the needs of all income groups; Objective 3 which is to ensure that all new housing developments pay for the cost of providing utilities, streets, parks and public safety requirements; Housing Element Goal 2 to the effect that residential areas that are safe, sanitary and attractive places to live will be established and maintained in Grandview; and Policy 2.2 to the effect that the initial cost of providing municipal services to serve new residential developments will be borne by the developer.

(3) Conformance with the provisions of this title. The preliminary plat and development of the lots in the proposed preliminary plat will be required to be in conformance with all applicable provisions of Title 16 (Subdivisions), as well as all applicable provisions of the Grandview Municipal Code, including without limitation Title 12 (Streets, Sidewalks and Public Places), Title 15 (Buildings and Construction) and Title 17 (Zoning).

(4) Conformance with the comprehensive water and sewer plans. Evidence presented at the hearing confirmed that the proposed preliminary plat would utilize City water and sewer services and would otherwise be in conformance with the comprehensive water and sewer plans.

(5) Conformance with the ordinances governing streets, rights-of-way, and curbs and gutters. The streets, rights-of-way, and curbs and gutters within

the proposed preliminary plat will be in conformance with all of the City ordinance provisions governing streets, rights-of-way, and curbs and gutters.

(6) Conformance with other standards necessary to serve the public good. GMC §16.12.110 states that the City Council shall approve a proposed preliminary plat if it makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and if the public use and interest will be served by the platting of such subdivision and dedication. Each of these requirements for the City Council's approval will be addressed separately in the following section.

XIV. Criteria Required for City Council Approval of Preliminary Plats.

GMC §16.12.110 requires that the City Council must find that the proposed preliminary plat makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school, and if the public use and interest will be served by the platting of such subdivision and dedication in accordance with the requirements of RCW 58.17.110 before it may approve a preliminary plat. The findings relative to those criteria as they are applied to the proposed Preliminary Plat of SPD Properties are as follows:

(1) The Subdivision Will Make Appropriate Provisions for the Public Health, Safety and General Welfare and Will Serve the Public Interest (RCW

58.17.110(2)(a) and (2)(b)). The proposed preliminary plat will make appropriate provisions for the public health, safety and general welfare by the very fact that it will comply with the subdivision and zoning development standards and land use requirements which have been adopted by the Grandview City Council specifically for the purpose of promoting the public health, safety and general welfare. The proposed preliminary plat will serve the public interest because it will create 32 new residential lots in a good location for middle income single-family and two-family residences that will help satisfy the City's need for additional housing.

(2) Appropriate Provisions for Streets or Roads or Other Public Ways (RCW 58.17.110(2)(a)). The proposed preliminary plat will make appropriate provisions for streets and roads in the following ways:

(a) In accordance with GMC §16.28.010, the proposed streets within the proposed subdivision shall be improved at the expense of the developer by the construction of curbs, gutters, sidewalks, illumination, storm drainage and pavement surface in conformance with the city's design and construction standards and specifications for public works improvements.

(b) The applicants are proposing to improve North Elm Street by constructing a sidewalk along the western side for the length of street frontage along the proposed plat and to improve all interior roadways to meet city standards. A recommended condition is that the developer construct all infrastructure, including roads, streetlights, sidewalks and stormwater facilities to meet or exceed City standards.

(c) In accordance with GMC §16.24.030, there are no blocks within the proposed subdivision.

(d) In accordance with GMC §16.24.040, the interior street will have dedicated right-of-way with hot mix asphalt (HMA) surfacing, curb and gutter, illumination and storm drainage. The design of the new streets will be in accordance with all of the other requirements of GMC §16.24.040.

(e) In accordance with GMC §16.24.050, a 10-foot-wide utility easement is provided along the front of each lot.

(f) Even though sidewalks are only required on one side of the interior street of this plat, developers are encouraged to construct them on both sides. GMC §16.28.060 requires that cement concrete sidewalks shall be constructed at the developer's expense along all new streets. They shall be located in the right-of-way and shall be 4 inches thick in walk areas (behind barrier curb) and six inches thick in drivable areas (behind depressed and rolled curb). They shall have a minimum width of five feet. Curb ramps for physically handicapped persons shall be constructed pursuant to RCW 35.68.075 and RCW 35.68.076 at all intersections and other appropriate locations. Design and installation of sidewalks shall be coordinated with the Public Works Director.

(g) In accordance with GMC §16.24.060, the applicants will submit to the Public Works Director requisite plan and profile drawings of the proposed street, grading, water, sewer, storm drainage, planting (in the public rights-of-way), and irrigation water improvements for construction purposes prepared in compliance with City standards and requirements.

(h) In accordance with GMC §16.28.070, the subdivider shall install, at the subdivider's expense, street signs and traffic control devices in a manner that is acceptable to the Public Works Director. A recommended condition is that all street signs and traffic control devices shall be installed as directed by the Public Works Director.

(i) In accordance with GMC §16.24.070, the developer's consulting engineer will submit to the City's Public Works Director for review and acceptance as-built drawings of the final location and layout of all newly constructed street improvements and other public facilities.

(j) In accordance with GMC §16.28.080, streetlights shall be installed with the initial capital cost at the city's expense in conformance with the following standards: (i) one streetlight at each intersection; (ii) one streetlight at midblock if the block is longer than 450 feet; and (iii) placement of streetlights along arterial and collector streets shall conform to the city's design and construction standards and specifications for public works improvements. A recommended

condition is that the applicants shall install street lighting that meets the requirements of GMC §16.28.080.

(k) In summary, in accordance with the subdivision design standards of GMC Chapter 16.24 and the subdivision improvement requirements of GMC §16.28.010, the proposed preliminary plat will make appropriate provisions for streets and other public ways by means of the proposed construction and installation of an interior street, sidewalk, streetlights, stormwater improvements and other infrastructure in a manner that meets or exceeds City standards.

(3) Appropriate Provisions for Open Spaces, Parks, Playgrounds and Recreation Areas (RCW 58.17.110(2)(a)). The SEPA Checklist correctly indicates that there are parks and school playgrounds in the general vicinity. Due to this fact and the limited number of lots, the size of the lots and the 40% lot coverage limitation in the R-2 zoning district, appropriate provisions for open spaces, parks, playgrounds and recreation areas are provided by the additional open areas on the lots that comprise at least 60% of the area of each lot.

(4) Appropriate Provisions for Drainageways (RCW 58.17.110(2)(a)). In accordance with the stormwater drainage requirements of GMC §16.28.050, drainage improvements are required to be planned, designed, permitted, constructed and maintained in accordance with the City standards and the latest edition of the Washington State Department of Ecology Stormwater Manual for Eastern Washington. A drainage plan meeting the detailed design and construction requirements of GMC §16.28.050 must be submitted to and approved by the City's Engineer prior to finalization of the plat. The requirements of said drainage plan and drainage requirements for this preliminary plat include the following:

(a) It is the intent of this section to adequately provide for suitable drainage in all short or long subdivisions. All subdivisions shall provide for drainage such that their development does not conflict with present drainage patterns or create a drainage problem within itself or for its neighbors.

(b) A drainage plan, where required, shall be designed by a professional engineer licensed in the state of Washington and submitted to the city for review and approval for any proposed land

development that will increase the quantity of or in any way alter the drainage runoff occurring prior to development.

(c) Design calculations for peak flow and peak volume storage requirements shall be based on a design storm frequency of 25 years. At the city's discretion, if the facilities are critical to public health and safety, or significant property damage could occur, or the development is located in a drainage problem area, they shall be designed to successfully pass the 50-year or 100-year storm.

(d) The plan shall provide for the on-site detention and/or retention, and disposal, of the total water intercepted and collected by the development and the areas (improved or unimproved) lying and draining presently to and through the proposed development for the design storm, unless other natural or manmade systems are available for use.

(e) There exist several areas of subsurface drainage systems, known as drainage improvement districts or DIDs. These systems were designed and constructed specifically for the purpose of lowering the ground water tables sufficiently to promote agricultural development. It was never the intent of these systems to convey surface drainage. Over the years, the drainage demand on these systems has steadily increased to the point where almost all of the DIDs are experiencing overloaded conditions. Engineers shall not consider the use of any of these DIDs in their drainage plans.

(f) Detention and/or retention of storm water runoff from any proposed land development shall be accomplished by storm water holding facilities, either open or closed. Storm water shall be introduced into permeable soils via an infiltration system in accordance with the SWMMEW, all remaining on site.

(g) The drainage plan shall incorporate all calculations for the determination of the required size of the system. Said calculations shall be based on required criteria hereinafter stated and upon an

analysis of estimated runoff from areas contributing runoff to those facilities. Peak flow analyses and storage volume quantities shall be done using methods presented in the SWMMEW. The assumption for the infiltration rate used will need to be verified by the developer by actual field testing in the case of infiltration systems. Collection systems shall be either gravity pipe systems, open channels, or a combination of the two.

(h) The submitted drainage plan shall incorporate, among other data, a topographical map to clearly define: (i) the proposed development; (ii) all areas, improved or unimproved, lying upstream and draining to and across the proposed development; and (iii) the drainage course, natural or otherwise, to which the proposed development shall drain.

(i) Said plans shall include a plan-profile of the systems, including cross-sections of all open ditches and channels. Hydraulic and physical data such as grades, bottom elevations of ditches and channels, inverts of pipes at all structures, such as manholes and catch basins, sizes and lengths of all pipes, length of ditches and channels, and top elevations of all catch basin covers shall be called out. This includes the invert elevations of the existing or other proposed storm drainage systems that the subject drainage plan proposes to tie into.

(j) A drainage plan which meets the design and construction requirements of GMC §16.28.050 is required to be submitted and approved by the City Engineer prior to finalization of the plat.

(5) Appropriate Provisions for Transit Stops (RCW 58.17.110(2)(a)). Since the City of Grandview does not currently have a public transportation system, the preliminary plat is not required to make provisions for transit stops.

(6) Appropriate Provisions for Potable Water Supplies (RCW 58.17.110 (2)(a)). Appropriate provisions will be made for potable water because it will be supplied by the City of Grandview public water system and extended by the developer to serve the new homes and to provide fire flow in accordance with

the requirements of GMC §16.28.030 and other applicable City standards. Specific requirements in this regard include the following:

(a) The water distribution system shall be designed and constructed in accordance with State Department of Health regulations, with the City's design and construction standards and specifications for public works improvements, and with the standard practices of the City. Fire hydrants shall be installed at the expense of the developer at locations determined necessary by the fire chief. Water mains shall be extended to the far edge of subdivisions for future extension by others.

(b) The City, at its discretion, may direct that water main diameters in excess of that needed for service and fire protection for the subdivision be installed. If the city directs such oversizing, the city will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.

(c) Water lines throughout the remainder of the development are required to be 8-inch lines. Fire hydrants are required to be installed in accordance with City standards. The water line in North Elm Street is planned to be improved to a 12-inch line in the future. A recommended condition is that the applicants shall agree to contribute a proportional share of the improvement costs at the time of engineering and construction of that water line project.

(7) Appropriate Provisions for Sanitary Wastes (RCW 58.17.110(2)(a)). Appropriate provisions will be made for sanitary wastes because sewer services will be provided by the City of Grandview public sewer system in accordance with GMC §16.28.040. The written comments from HLA Engineering and Surveying, Inc. acting as the City's Engineer confirmed that there is sufficient sewer capacity to accommodate the proposed development. Specific requirements in this regard include the following:

(a) A sanitary sewer system shall be installed at the expense of the developer with a separate connection to the City sewer system for

each lot and shall be constructed in conformance with the Comprehensive Sewer Plan.

(b) Sewer lines should be located within the paved portion of the street right-of-way and must be a minimum of eight inches in diameter.

(c) The sanitary sewer system shall be designed and constructed in accordance with the State Department of Ecology regulations, the city's design and construction standards and specifications for public works improvements, and with the standard practices of the City. Sewer mains shall be extended to the far edge of subdivisions for future extensions by others.

(d) The City, at its discretion, may direct that sewer main diameters in excess of that needed for service for the subdivision be installed. If the City directs such oversizing, the City will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.

(e) Each lot is required to have a separate connection. A City-approved backflow prevention device shall be installed at the expense of the developer on the side sewer extension for each lot.

(8) Appropriate Provisions for Schools and Schoolgrounds (RCW 58.17.110(2)(a)). The residents of the proposed subdivision will have access to public schools and schoolgrounds within the City. Due to the number of lots and the size of the subdivision, it would not be reasonable to suggest that provisions should be made to provide additional schools or schoolgrounds within the preliminary plat, and there is no evidence in the record to suggest that such provisions should be made.

(9) Appropriate Provisions for Sidewalks and other Planning Features that Assure Safe Walking Conditions for Students Who Only Walk to and from School (RCW 58.17.110(2)(a)). The proposed preliminary plat will make appropriate provisions for sidewalks for students and others by including sidewalks constructed in accordance with the GMC §16.28.060 and City of Grandview standards along the west side of the North Elm Street frontage and

along the interior street. Even though sidewalks are only required on one side of interior streets, developers are encouraged to construct them on both sides. GMC §16.28.060 requires that cement concrete sidewalks shall be constructed at the developer's expense along all new streets. They shall be located in the right-of-way and shall be 4 inches thick in walk areas (behind barrier curb) and 6 inches thick in drivable areas (behind depressed and rolled curb). They shall have a minimum width of five feet. Curb ramps for physically handicapped shall be constructed in accordance with RCW 35.68.075 and 35.68.076 at all intersections and at all other appropriate locations. Design and installation of sidewalks shall be coordinated with the Public Works Director.

(10) Appropriate Provisions for Utilities (GMC 16.28.020). The proposed preliminary plat will make appropriate provisions for utilities by means of compliance with the following requirements:

(a) All underground utilities (non-city-owned) in all new residential areas shall be installed and maintained at a depth of not less than 3 feet below the graded surface of said way or street, provided existing installations may be maintained at the present level until replaced.

(b) All new or existing utilities within or adjacent to a proposed subdivision shall be installed underground, except for the following: (i) electric, pad-mounted transformers; (ii) electric transmission systems of a voltage of 15 KV or more; (iii) service meters at structures; (iv) TV cable amplifiers, distribution taps; (v) telephone pedestals and cross-connection terminals; and (vi) temporary services necessary for construction.

(c) No buildings or structures, except fences, shall be permitted to be constructed on any utility easements, or over any utility facilities. Masonry fences will be considered as structures, rather than fences.

(d) A recommended condition is that all utilities serving the subdivision be installed underground, with the exception of items listed in GMC §16.28.020(B).

(11) Adequate Facilities for Irrigation Water (RCW 58.17.310). Irrigation water is obtained from the City of Grandview which acquires the irrigation water from the Sunnyside Valley Irrigation District (SVID). There will be adequate facilities for irrigation water as set forth in GMC §16.28.090 which specifies the following requirements:

(a) A pressurized irrigation piping system shall be installed at the expense of the developer within the subdivision boundaries with a separate three-fourths-inch minimum pipe diameter service lateral to each lot. The irrigation system shall be designed and constructed with the standard practices of the City.

(b) Irrigation mains shall be four-inch diameter, pressure class 160 psi or greater, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the graded surface of streets or utility easements.

(c) Individual irrigation service laterals shall be three-fourths-inch diameter, Schedule 40, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the graded surface of streets or utility easements.

(d) Irrigation mains shall be extended to the far edge of subdivisions for future extension by others.

(e) A recommended condition is that the applicants shall design, construct and install the irrigation facilities that are required by GMC §16.28.090.

(12) Requirement of a Development Contract (GMC §16.12.030). GMC §16.12.030 requires that an applicant shall enter into a development contract with the City prior to the approval of any preliminary plat by the City Council. A recommended condition is therefore that a development contract shall be signed and recorded prior to approval of this preliminary plat, and further that the

development contract require the applicants to complete all required improvements prior to final approval of the plat. The development contract may allow for phasing of the subdivision so long as each of the phases is self-sufficient without needing any improvements that are to be constructed in a future phase. The contract may also provide for the bonding of improvements for short periods of time not to exceed 3 months with the labor costs to be calculated at prevailing wage rates.

CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches the following Conclusions which are consistent with the City's Planning Staff Findings and Analysis:

(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve the 32-lot Preliminary Plat of SPD Properties for the development of single-family residences and duplexes in the Residential Comprehensive Plan designation and the R-2 Medium Density Residential District zoning classification because it satisfies all of the subdivision ordinance, zoning ordinance and other applicable requirements and criteria for approval so long as the recommended conditions are satisfied.

(2) The Grandview Municipal Code public notice requirements for the July 18, 2024, open record public hearing relative to this proposed preliminary plat have been satisfied.

(3) SEPA environmental review for the proposed preliminary plat was conducted pursuant to RCW 43.21C and GMC Title 18 and resulted in the issuance of a final Determination of Non-Significance on July 19, 2024.

(4) The proposed preliminary plat, with the addition of improvements required to be constructed to City of Grandview standards and the other conditions to be imposed, would be consistent and compliant with the Comprehensive Plan, the subdivision ordinance, the zoning ordinance, the applicable development standards and the requisite criteria for approval.

(5) No testimony was submitted at the open record public hearing that would support a denial of the proposed preliminary plat.

(6) The public use and interest will be served by the proposed preliminary plat because it will provide additional single-family and two-family residential housing within the City of Grandview.

(7) The Hearing Examiner's recommendation regarding this proposed Preliminary Plat of SPD Properties will be considered and decided by the Grandview City Council at a closed record public hearing with the result that it can either be approved, denied or conditioned by the City Council.

(8) In accordance with GMC §14.11.030, any person who satisfies the applicable criteria may appeal the final Decision that will be made by the Grandview City Council to Yakima County Superior Court in accordance with provisions of the Land Use Petition Act (LUPA), Chapter 36.70C of the Revised Code of Washington. A notice of such judicial appeal shall be filed in writing and delivered to the City Clerk or Mayor within 21 days of the City Council's Decision.

RECOMMENDATION

The Hearing Examiner recommends to the Grandview City Council that the 32-lot Preliminary Plat of SPD Properties to be located on Assessor's Parcel Number 230914-44404 which would provide access to 24 lots from North Elm Street by way of an internal street named Sonny Road and would provide direct access to 8 lots from East Bonnieview Road and which is described in the application, the staff report, this recommendation and the other documents in the record of this matter be **APPROVED**, subject to compliance with the following conditions which are similar to the conditions recommended by the City's Planning Staff:

CONDITIONS (NEXT STEPS):

Prior to the finalization of the subject subdivision, the conditions imposed by the City Council must be completed within five (5) years of the date of the City Council's decision. The City Council's decision authorizing the subdivision, including its findings, conditions and time limit, pertains to the conditional land use action only, and does not include timelines associated with other permits (for example, building permits). Failure to timely comply with all conditions of the City Council's Decision will result in the expiration of the Decision.

(1) A development contract shall be signed and recorded prior to approval of the preliminary plat.

(2) Construction within the proposed subdivision shall conform to all of the requirements of the Grandview Municipal Code, including, but not limited to, Title 12 (Streets, Sidewalks, and Public Places), Title 15 (Buildings and Construction), Title 16 (Subdivisions), and Title 17 (Zoning).

(3) Driveway access to North Elm Street is not allowed, and all driveways are required to have access off of East Bonnieview Road or Sonny Road.

(4) Sidewalks shall be built along the western side of North Elm Street to the northern and southern terminuses of the plat.

(5) All internal roadways shall be built to meet city standards.

(6) The temporary turnaround shown at the western end of Sonny Road shall be built to standards identified by the Public Works Director.

(7) Signage indicating a dead end, meeting the standards of the Public Works Director, shall be installed at the western terminus of Sonny Road.

(8) The location of any nearby Sunnyside Valley Irrigation District (SVID) facilities shall be identified prior to the start of any grading or earthwork, with any necessary SVID permits being obtained.

(9) All utilities serving the subdivision shall be installed underground, with the exception of items listed in GMC §16.28.020(B).

(10) The applicants shall execute an agreement to participate in sharing the cost of a future improvement project to replace the water line in North Elm Street with a 12-inch line.

(11) Water lines within the development shall be eight (8) inches in size.

(12) All lots must be served with public water. All applicable fees must be paid, easements provided, and lines installed to each of the lots prior to final plat approval.

(13) All lots must be served with public sewer. All applicable fees must be paid, easements provided, and lines installed to each of the lots according to the requirements of the sewer service provided prior to final plat approval.

(14) Fire hydrants shall be installed in accordance with City of Grandview standards.

(15) Irrigation facilities shall be installed as required under GMC §16.28.090.

(16) Utility easements shall have a width of ten (10) feet.

(17) All easements for sewer, water, electric, gas, telecommunications, irrigation and similar utilities shall be shown on the final plat. Easements shall be reserved for and granted to all utilities and to their respective successors and assigns for serving all lots within a subdivision and other property with utility services and granting the right to enter upon the lots at all times to install, lay, construct, renew, operate, and maintain underground conduit, cables, pipe, and wires with necessary facilities and other equipment.

(18) A drainage plan, meeting the design and construction requirements of GMC §16.28.050 is required to be submitted and approved by the City Engineer prior to finalization of the plat.

(19) Plan and profile drawings of the proposed streets, grading and water, sewer, storm drainage, planting in public rights-of-way, and irrigation

water systems for construction purposes shall be prepared and submitted to the City for approval in accordance with the City's design and construction standards and specifications for public works improvements.

(20) A set of as-built drawings shall be provided to the Public Works Director upon completion of any required improvements.

(21) All street signs and traffic control devices shall be installed as required by the Public Works Director.

(22) All street lighting shall be installed to meet the standards outlined in GMC §16.28.080.

(23) All exterior lighting shall be designed and installed to prevent glare onto surrounding properties.

(24) At the time the final plat is to be recorded all property taxes and special assessments shall be paid for the full year (RCW 84.56.345).

(25) The Final Plat shall include:

(a) Boundaries for each lot and dedicated easement and right-of-way;

(b) Construction of protective improvements such as buffer zones, fences, dikes and levees shall be noted;

(c) A complete and accurate legal description shall be shown on the face of the plat;

(d) Certificate or a separate written instrument containing the dedication of all lands to be conveyed to the public, and shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and shall be recorded as part of the final plat;

(e) Certification that the applicants are the landowners;

(f) The signature and a statement of approval of the Public Works Director;

(g) The signature of the Mayor, witnessed by the City Clerk, which shall evidence approval of the final plat by the City Council;

(h) Certification by a land surveyor certifying the accuracy of the survey and plat;

(i) Signature of the City Treasurer indicating payment of all taxes and assessments;

(j) Surveyor's certificate and location and description of monuments.

DATED this 2nd day of August, 2024.



Gary M. Cuiller, Hearing Examiner



Assessor Planning | Real Estate | **FAQ** | Help | Legend | Search | Tools | Overview

Map showing parcel 44404 with various overlays and street names like E Bonnieview Rd and North Elm Road. The map includes a scale bar (One Inch = 200 Feet) and navigation tools.

Search By: Parcel Number Parcel #:

Enter a complete or partial PARCEL NUMBER. Parcel Numbers must be at least 8 characters. Click the Search button to continue.

Search

MapScale: 1 Inch = 200 ft.

Overlays: Aerial Photography: FEMA Critical Areas Contours Utilities

MapSize: Small (800x600)

Maps brought to you by:

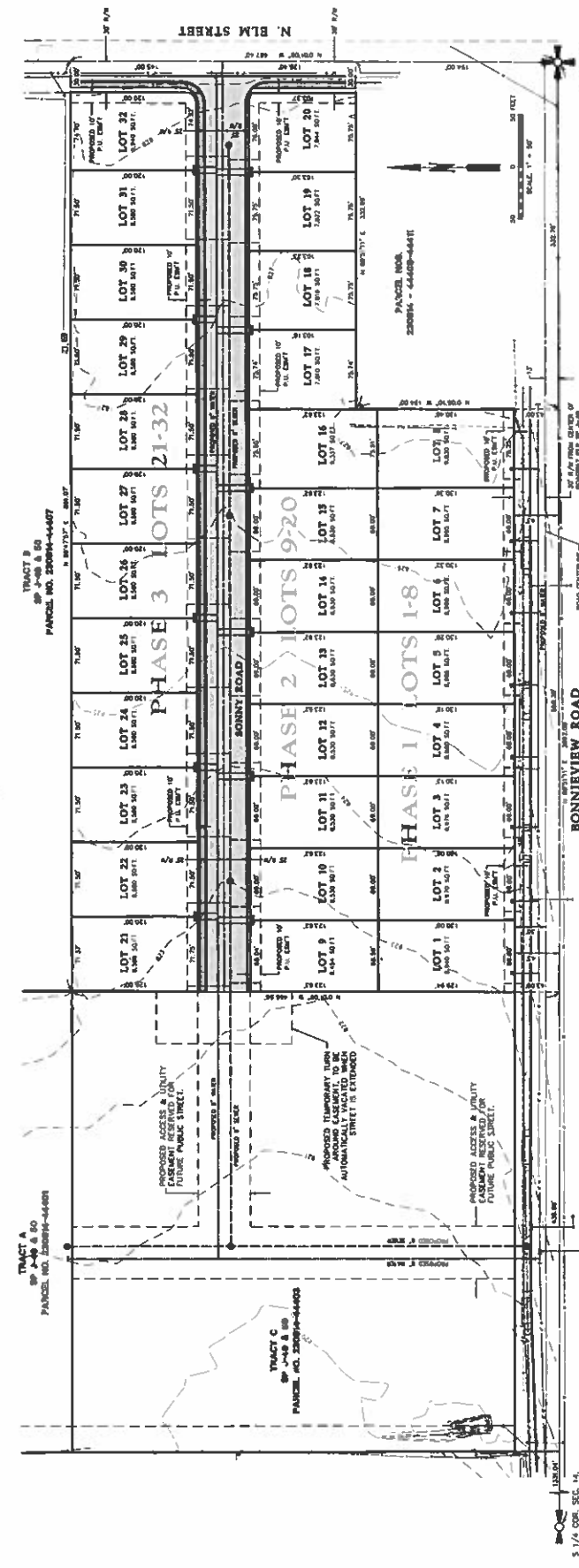
Valley Title Guarantee
Title Insurance & Escrow Service
www.vtgc.com
(509) 248-4442

Map Report

PROPERTY PHOTOS: 1		PROPERTY INFORMATION AS OF 8/28/2024 11:08:21 PM				PRINTING							
	Parcel Address:	BONNEVILLE RD & CEM, WA				Printer-Friendly Page							
	Parcel Owner(s):	MOO SUNG & RAN YOUNG KANG											
	Parcel Number:	23091444404	Parcel Size:	7.33 Acre(s)		Detailed Report							
	Property Use:	99 Other Undeveloped Land											
TAX AND ASSESSMENT INFORMATION													
Tax Code Area (TCA):		440	Tax Year:		2024		Print Detailed MAP						
Improvement Value:		\$0		Land Value:		\$31900							
Current Use Value:		\$0		Current Use Improvement:		\$0							
New Construction:		\$0		Total Assessed Value:		\$31900							
RESIDENTIAL INFORMATION													
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4, 1/2)	Garage (bsmt/att/bltn)	Carport	SECTION MAPS			
No Residence Information Found.										Section Map 1in=400ft			
SALE INFORMATION								Qtr SECTION MAPS					
Excise	Sale Date	Sale Price	Grantor		Portion			NW-Qtr 1"=200ft		NE-Qtr 1"=200ft			
No Sales Information Found.										SW-Qtr 1"=200ft		SE-Qtr 1"=200ft	
DISCLAIMER													
While the information is intended to be accurate, any manifest errors are unintentional and subject to correction. Please let us know about any errors you discover and we will correct them. To contact us call either (509) 574-1100 or (800) 572-7354, or email us .													

OVERLAY INFORMATION			
Zoning:		Jurisdiction: Grandview	
Urban Growth Area:	Grandview	Future Landuse Designation: (Yakima County Plan 2015)	
FEMA 100 Year:	FEMA Map	FIRM Panel Number:	53077C1925D Download Map
LOCATION INFORMATION			
+ Latitude: 46° 15' 33.405"		+ Longitude: -119° 53' 46.925"	
Range: 23		Township: 09 Section: 14	
Narrative Description: PARCEL D BOOK J-0049 & J 50			
DISCLAIMER			
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION			

PRELIMINARY PLAT OF
SPD PROPERTIES
 PORTION OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 23 EAST, W.M.
 PARCEL NO. 230914 - 44404



SE COR. SEC. 14,
 T-9 N. R-23 E. W.M.
 SEE LOT 14-1211

OWNER/DEVELOPER
 MOO KANG
 315 WAC COUNTRY ROAD
 PROSESS, WASHINGTON 98350

ENGINEER/SURVEYOR
 PLSA ENGINEERING AND SURVEYING
 521 NORTH 20TH AVENUE, SUITE 3
 PROSESS, WASHINGTON 98350
 PH: (206) 374-8990

PLSA
 ENGINEERING-SURVEYING-PLANNING
 521 N. 20TH AVE., SUITE 3
 WACOMA, WASHINGTON 98002
 1808 575-4990

Drawn by: DSK
 Date: 03/27/24
 Prep No: 23352
 Sheet No: 1

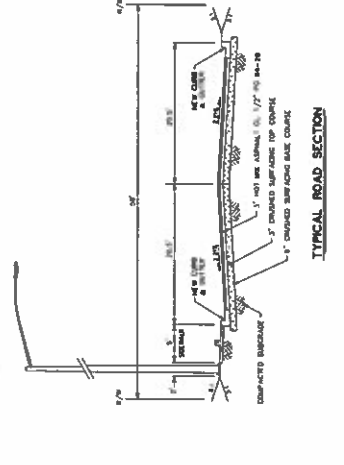
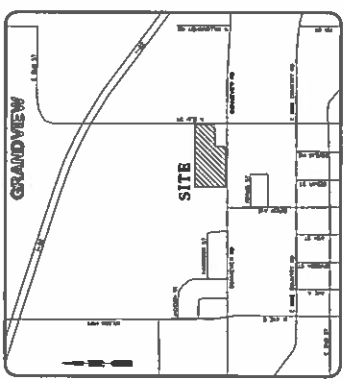
PRELIMINARY PLAT
 OF PARCEL NO. 230914 - 44404
 PREPARED FOR
 MOO KANG
 SE 1/4, SE 1/4, NE 1/4, T-9 N. R-23 E. W.M.

LEGAL DESCRIPTION

TRACT D OF THAT CERTAIN SHORT PLAT TIED IN BOOK "J" OF
 SOUTHWESTERN RECORDS OF WACOMA COUNTY, WASHINGTON.

NOTES

1. SUBJECT PROPERTY IS ZONED R-2 RESIDENTIAL DISTRICT.
2. ADJACENT TO ALL STREET FRONT OF LOTS THERE WILL BE A 10-FOOT WIDE PUBLIC UTILITY EASEMENT.
3. THE TOTAL AREA OF THE PROPOSED PLAT 7.13 ACRES.
4. POWER, TV CABLES, TELEPHONE CABLES AND GAS MAINS ARE TO BE LAYED OUT BY THE CITY ENGINEER AND THE INDIVIDUAL UTILITY COMPANIES TO DETERMINE THE EXACT LOCATION.
5. ALL STORM WATER GENERATED BY NEW IMPROVEMENTS SURFACES WILL BE RETAINED ON SITE.
6. DOMESTIC WATER IS PROPOSED TO BE SUPPLIED BY CITY.
7. SEWERAGE TREATMENT IS PROPOSED TO BE PROVIDED BY THE CITY OF GRANDVIEW.
8. THERE ARE NO EXISTING BUILDINGS ON-SITE THAT WILL NEED TO BE REMOVED.
9. TYPICAL SETBACKS - 20' FRONT SETBACK FROM THE PROPERTY LINE, 9' SIDE SETBACK FROM INTERIOR PROPERTY LINES & 10' REAR SETBACK FROM PROPERTY LINE.
10. STREET IMPROVEMENTS SHALL CONFORM TO CITY OF GRANDVIEW STREET STANDARDS.



RESOLUTION NO. 2024-51

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,
ACCEPTING THE WINE COUNTRY ROAD ROUNDABOUT AND UTILITY
IMPROVEMENTS AS COMPLETE**

WHEREAS, the City contracted with Culbert Construction, Inc., to perform work for the Wine Country Road Roundabout and Utility Improvements; and,

WHEREAS, the City's Public Works Director has determined that the work performed by Culbert Construction, Inc., American Rock Products on this project is complete and ready for final acceptance by the City Council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:

The City of Grandview accepts the Wine Country Road Roundabout and Utility Improvements as complete and authorizes staff to release the retainage to Culbert Construction, Inc., once the conditions in the August 23, 2024 letter from HLA Engineering and Land Surveying, Inc., have been satisfied.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on September 10, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

RESOLUTION NO. 2024-52

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,
ACCEPTING THE BID FOR THE LOWER YAKIMA VALLEY PATHWAY
IMPROVEMENTS AND AUTHORIZING THE MAYOR TO SIGN ALL CONTRACT
DOCUMENTS WITH AMERICAN ROCK PRODUCTS**

WHEREAS, the City of Grandview has advertised for bids for the Lower Yakima Valley Pathway Improvements; and,

WHEREAS, American Rock Products of Yakima, Washington, has submitted the lowest responsible bid, which bid has been accepted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:

The Mayor is hereby authorized to sign all contract documents with American Rock Products for the Lower Yakima Valley Pathway Improvements in the amount of \$569,000.00.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on September 10, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

ORDINANCE NO. 2024-13

AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON, REGARDING A SUPPORTING INVESTMENTS IN ECONOMIC DIVERSIFICATION CONTRACT WITH YAKIMA COUNTY AND THE CITY OF GRANDVIEW FOR THE NORTHWEST GRANDVIEW UTILITY AND ROADWAY IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT THE AGREEMENT AND RECEIVE AND EXPEND ALL MONIES RECEIVED UNDER THE AGREEMENT FOR THE PROJECT; AND CREATING PROJECT FUND 350 – NORTHWEST GRANDVIEW UTILITY AND ROADWAY IMPROVEMENTS AUTHORIZING THE CITY TREASURER TO MAKE INTERFUND LOANS TO SUPPORT CASH FLOW TO FUND 350

WHEREAS, sales and use taxes are collected in and for the County under authority of RCW 82.14.370 and Yakima County Code 3.10.010 for the purpose of financing public facilities in the County, and the proceeds are deposited in the Yakima County Infrastructure Fund (also referred to as SIED Fund), according to YCC 3.10.040; and

WHEREAS, the City proposes to construct a project with a combination of City, private, and County funds, including \$2,000,000.00 from the SIED Fund, \$1,000,000.00 to be in the form of a loan, and \$1,000,000.00 to be in the form of a grant, and thereafter to own and operate the Project for the benefit of the City and the County; and

WHEREAS, RCW 82.14.370 was adopted to serve the goals of promoting business in rural distressed areas, providing family wage jobs and the development of communities of excellence in such areas, and the parties expect the Project to further these goals; and

WHEREAS, RCW 43.160.020 was adopted and amended for related purposes with those of RCW 82.14.370, to define public facilities to include various buildings, structures and works, such as the City's project; and

WHEREAS, the County, under authority of RCW 36.01.085, and by agreement of February 19, 1999, has engaged the Yakima County Development Association, also known as New Vision, to provide administrative and technical assistance in furtherance of the County's economic development; and

WHEREAS, the County has also created the SIED Board to review applications for grants from the SIED Fund and make recommendations for SIED Fund investments based on commitment of other funds, potential for resulting job creation, and other factors; and

WHEREAS, New Vision has investigated the Project and assisted in preparing the pending application for SIED funds, and the SIED Board has reviewed the application for SIED funds and has recommended approval; and

WHEREAS, the SIED Fund balance is sufficient to make the requested contribution to the Project; and

WHEREAS, RCW 39.34 authorizes interlocal agreements whereby municipal governments may jointly exercise the powers granted to each; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1: The recitals set forth above are hereby incorporated herein.

SECTION 2: The Mayor or the appropriate City official are authorized to execute all documents necessary to execute and implement the Supporting Investments in Economic Diversification, SIED, Contract with Yakima County (Agreement) and are further authorized to receive and expend all monies received under the Agreement for the Project.

SECTION 3: Fund 350 – Northwest Grandview Utility and Roadway Improvements is hereby established to track revenue and expenditures for the Project and that fund shall be budgeted in the City's 2025 Budget.

SECTION 4: The City Treasurer, or designee, is authorized to make interfund loans from an appropriate City Fund to Fund 350 – Northwest Grandview Utility and Roadway Improvements, in the minimum amount necessary to cover any cash flow shortage in Fund 350, caused by the Agreement. These loans shall be repaid as soon as funding is available to cover the cash flow shortage. All terms required by the State BARS manual shall be incorporated into the loan document, including interest, if applicable.

SECTION 5: The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

SECTION 6: This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on September 10, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLICATION: 9/11/2024

EFFECTIVE: 9/16/2024

**YAKIMA COUNTY
and
CITY OF GRANDVIEW
(Northwest Grandview Utility and Roadway Improvements)**

1. PARTIES

This Supporting Investments in Economic Diversification (hereinafter referred to as SIED) Contract is made by and between Yakima County (hereinafter referred to as **the County**) whose address is 128 North Second Street, County Courthouse, Room 102, Yakima, Washington 98901, and **the City of Grandview** (hereinafter referred to as **the City**) whose address is 207 West Second Street, Grandview, Washington 98930. Notices between the parties shall be made where and as provided for on Page 7, Section 22, NOTICES.

2. TERM

This Contract takes effect upon execution hereof by the authorized representatives of both parties and continues in effect until all payments required under Section 5, MUTUAL CONSIDERATION, Subsection B. REPAYMENT OF COUNTY LOAN, have been made or until terminated as provided for in Section 8, SUSPENSION, TERMINATION, AND CLOSEOUT, provided, the County’s right under Section 5, MUTUAL CONSIDERATION, Subsection D. OWNERSHIP AND USE, to use the Project shall continue so long as the Project remains in use.

3. PURPOSE

The purpose of this Contract is to provide for the construction of certain infrastructure improvements (hereinafter referred to as **the Project**) using certain County funds designated for such infrastructure. The Project will construct and extend domestic water, sanitary sewer, and public roadway improvements to approximately 44 acres of land zoned as general commercial and industrial, along Wine Country Road, Higgins Way, and Bethany Road. The improvements will support a Ready to Move manufactured home production plan and sales office, along with future development of the area served by these improvements.

4. RECITALS

- A. The Parties make this Contract based on and in recognition of certain relevant facts and circumstances including:
- B. Sales and use taxes are collected in and for the County under authority of RCW 82.14.370 and Yakima County Code 3.10.010 for the purpose of financing public facilities in the County, and the proceeds are deposited in the Yakima County Infrastructure Fund (also referred to as SIED Fund), according to YCC 3.10.040.
- C. The City proposes to construct the Project with a combination of City, private, and County funds, including **\$2,000,000.00 from the SIED Fund, \$1,000,000.00 to be in the form of a loan, and \$1,000,000.00 to be in the form of a grant**, and thereafter to

own and operate the Project for the benefit of the City and the County.

- D. RCW 82.14.370 was adopted to serve the goals of promoting business in rural distressed areas, providing family wage jobs and the development of communities of excellence in such areas, and the parties expect the Project to further these goals.
- E. RCW 43.160 and 43.160.020 adopted and amended for related purposes with those of RCW 82.14.370, define public facilities to include various buildings, structures and works, such as the Project.
- F. The County, under authority of RCW 36.01.085, and by agreement of February 19, 1999, has engaged the Yakima County Development Association, also known as New Vision, to provide administrative and technical assistance in furtherance of the County's economic development.
- G. The County has also created the SIED Board to review applications for grants from the SIED Fund and make recommendations for SIED Fund investments based on commitment of other funds, potential for resulting job creation, and other factors.
- H. New Vision has investigated the Project and assisted in preparing the pending application for SIED funds, and the SIED Board has reviewed the application for SIED funds and has recommended approval.
- I. The SIED Fund balance is sufficient to make the requested contribution to the Project.
- J. RCW 39.34 authorizes interlocal agreements whereby municipal governments may jointly exercise the powers granted to each.

5. MUTUAL CONSIDERATION

- A. **COUNTY LOAN**—The County shall *loan One Million Dollars and Zero Cents (\$1,000,000.00)* for the Project described herein. **This loan amount shall be drawn on the SIED Fund by County warrant, payable to the City, upon the next Yakima County Auditor's warrant issue.**
- B. **REPAYMENT OF COUNTY LOAN**—The City shall *repay* the County's loan of **One Million Dollars and Zero Cents (\$1,000,000.00) with interest on unpaid principal, at an annual per annum rate of 6.37%**, which is the Yakima County Interfund Loan Rate. Interest shall accrue from the date this contract is approved by the County.

Repayment of principal and interest shall be made in ten annual installments. The first payment shall be due on June 1, 2027, and annual payments thereafter shall be due on June 1 of each year with the final payment nevertheless due on June 1, 2036; Provided however, that the final installment may be in such greater or lesser amount as shall be required for full amortization of the repayment amount.

Payment shall be by check payable to Yakima County Infrastructure Fund and delivered to Yakima County Treasurer, Yakima County Courthouse, Room 115, 128 North 2nd Street, Yakima, WA 98901. The City obligation hereunder shall be a limited general obligation of the City, payable from any legally available source of funds.

Exhibit A attached hereto and incorporated herein reflects the Debt Service Schedule as noted.

In the event of payment by the City of any one or more installments, or of the entire loan balance, before the date prescribed in Exhibit A, interest shall accrue on such installment(s) or balance until, but not beyond, the June 1 next succeeding the date of such payment(s). If more than one installment is paid during any repayment year, then the repayment period recited above shall be correspondingly shortened and the scheduled of payments reflected in Exhibit A shall be correspondingly advanced.

- C. **COUNTY GRANT**—The County shall *grant* One Million Dollars and Zero Cents (\$1,000,000.00) to the City for the Project described herein. This grant shall be by County warrant drawn on the SIED Fund and payable to the City within 30 days of the County's receipt of a signed copy of the Project engineer's certificate that 50 percent of the work on the Project has been completed and the City's invoice for said grant.

The Project must be at least 50 percent completed three years from the date this contract is approved by the County. If the project is not at least 50 percent complete by this date, the grant portion of this agreement will be terminated and the City will not receive the grant in the amount of One Million Dollars and Zero Cents (\$1,000,000.00).

The above contract provision is specifically bargained for by the County and the City agrees to it. The County shall have the unilateral power to determine if the project is fifty (50) percent complete by the three (3) year period from execution. The parties agree that in the event that this contract term is invoked by the County that it will hold the County harmless and release the County from any and all claimed actual and/or consequential damages that may result from the County's decision to withhold the Grant funds if the City does not meet the fifty percent building requirement.

- D. **OWNERSHIP AND USE**—The City shall construct, own, maintain, and operate the Project as a part of its public infrastructure for economic development, available for use by manufacturing and industrial concerns proximate to the Project. The City shall also permit the use of the Project by the County and its departments on like terms with other users, at such time as the Board of Yakima County Commissioners may deem expedient. For purposes of this paragraph, ownership, maintenance, and operation of the Project or any portion thereof by another municipality, under any conveyance or dedication, which is subject to and preserves the County's right of use, shall be deemed ownership, maintenance, and operation by the City.

6. RECORDS, REPORTS AND AUDITS

The City agrees to maintain such records, make such reports, and follow such procedures as may be required by the County, pertaining to this Contract. All records pertaining to this

Contract and work undertaken hereunder shall be retained by the City for a period of seven years after final audit unless a longer period is required to resolve audit findings or litigation. The County and other authorized representatives of the State and Federal government shall have access to any books, documents, papers, and records of the City, which pertain to this Contract or work undertaken hereunder for the purpose of making audit, examination, excerpts, and transcriptions.

7. RELATIONSHIP OF PARTIES AND AGENTS

- A. The relationship of the City to the County, with regard to construction of the Project, shall be that of an independent contractor rendering professional services. The City shall have no authority to execute contracts or to make commitments on behalf of the County and nothing contained herein shall be deemed to create the relationship of employer and employee or principal and agent between the County and the City.
- B. The City represents that it has or will secure at its own expense all personnel, contractors, and/or subcontractors required in order to perform work under this Contract. Such personnel shall not be employees of the County. All such personnel, contractors, and/or subcontractors shall be fully qualified and authorized/permitted under State and/or local law to perform such services.
- C. All services required hereunder will be performed by the City or under its supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State or local law to perform such services.

8. SUSPENSION, TERMINATION, AND CLOSEOUT

- A. If the City fails to comply with the terms and conditions of this Contract, the County may pursue such remedies as are legally available, including, but not limited to, the suspension or termination of this Contract in the manner specified herein:
- B. **SUSPENSION**—If the City fails to comply with terms and conditions of this Contract, or whenever the City is unable to substantiate full compliance with provisions of this Contract, the County may suspend this Contract pending corrective action or investigation, effective not less than seven days following written notification to the City or its authorized representative. The suspension will remain in full force and effect until the City has taken corrective action to the satisfaction of the County and is able to substantiate its full compliance with the terms and conditions of this Contract. No obligations incurred by the City or its authorized representative during the period of suspension will be allowable under this Contract, except:
 - I. Reasonable, proper, and otherwise allowable costs which the City could not avoid during the period of suspension;
 - II. Otherwise, allowable costs incurred during the period of suspension, if upon investigation, the County is satisfied of the City's compliance with the terms and conditions of this Contract to the extent of the compensation claimed by the City.

- C. **TERMINATION FOR CAUSE**—If the City fails to comply with the terms and conditions of this Contract and any of the following conditions exist:
- I. The lack of compliance with the provisions of this Contract were of such scope and nature that the County deems continuation of this Contract to be substantially detrimental to the interests of the County;
 - II. The City has failed to take satisfactory action as directed by the County or its authorized representative within the time period specified by same;
 - III. The City has failed within the time specified by the County or its authorized representative to satisfactorily substantiate its compliance with the terms and conditions of this Contract; then,
 - IV. The County may terminate this Contract in whole or in part, and thereupon shall notify the City of termination, the reasons therefore, and the effective date, provided such effective date shall not be prior to notification of the City. After this effective date, no charges incurred under any terminated portions outlined in the application for funding are allowable.
- D. **TERMINATION FOR OTHER GROUNDS**—This Contract may also be terminated in whole or in part by mutual consent and written agreement setting forth the conditions of termination, including effective date and, in case of termination in part, that portion to be terminated.

9. COPYRIGHT RESTRICTION

No report, maps, or other documents produced in whole or in part under this Contract shall be the subject of an application for copyright by or on behalf of the City.

10. COMPLIANCE WITH LAWS

The County and the City shall comply with all applicable laws, ordinances, and codes of the Federal, State, and local governments with regard to the performance of this Contract.

11. TITLE VI OF THE CIVIL RIGHT ACT OF 1964

Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, creed, religion, sex, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

12. SECTION 109—HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974

No person in the United States shall on the grounds of race, color, creed, religion, sex, or national origin be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

13. AGE DISCRIMINATION ACT OF 1975 (As Amended)

No person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of age under any program or activity receiving Federal funding assistance (42 U.S.C. 610 et. seq.)

14. SECTION 504 OF THE REHABILITATION ACT OF 1973 (As Amended)

No otherwise qualified individual shall, solely by reason of his or her handicap, be excluded from participation (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving Federal funds (29 U.S.C. 794).

15. INTEREST OF AGENTS AND OFFICERS OF THE COUNTY AND THE CITY

No member of the governing body of either party and no other officer, employee, or agent of either party who exercises any functions or responsibilities in connection with the planning or carrying out of the Project shall have any personal financial interest, direct or indirect, in this Contract.

16. HOLD HARMLESS AND INDEMNITY

The City shall indemnify and hold harmless the County, its officers, agents, and employees, from all liability, loss or damage, including costs of defense they may suffer as a result of claims, demands, actions costs, or judgments which result from the activities to be performed by the City, its agents, employees, or subcontractors pursuant to this Contract.

17. PUBLIC LIABILITY

The City or its contractor(s) shall maintain for the duration of work under this Contract, issued on an occurrence basis, comprehensive liability insurance with a combined single limit of not less than five million dollars (\$5,000,000.00) from a company authorized to provide insurance in the State of Washington. Said policies shall provide that the policy shall not be canceled or altered by any party without written notice to Yakima County, delivered not less than 30 days prior to such cancellation or alteration. Applicant certifies that comprehensive liability insurance with a combined single limit of not less than \$5,000,000.00 is in effect.

18. ASSIGNABILITY

The City shall not assign any interest in this Contract and shall not transfer any interest in this Contract (whether by assignment or novation) without prior written consent of the County thereto, provided, however, that claims for money by the City from the County under this Contract may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished promptly to the County by the City.

19. NON-WAIVER

The failure of either party to insist upon strict performance of any provision of this Contract or to exercise any right based upon a breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right under this Contract.

20. CONTRACT MODIFICATIONS

It is mutually agreed and understood that no modification or waiver of any clause or condition of this Contract is binding upon either party unless such modification or waiver is in writing and executed by the County and the City.

21. SEVERABILITY

If any portion of this Contract is changed per mutual contract or any portion is held invalid, the remainder of this Contract shall remain in full force and effect.

22. NOTICES

A. Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand-delivered to the parties to their addresses as follows:

TO CITY: Shane Fisher
City Administrator
207 West Second Street
Grandview, WA 98930

TO COUNTY: Craig Warner, Financial Services Director
128 North Second Street, Room 232
Yakima, WA 98901

or to such other addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand-delivered. Such notices shall be deemed effective when mailed or hand-delivered at the addresses specified above.

23. INTEGRATION

This Contract contains all terms and conditions agreed to by the County and the City. There are no other oral or written agreements between the City and County as to the subjects contained herein. No changes or additions to this Contract shall be valid or binding upon either party unless such change or addition be in writing and executed by both parties.

24. GOVERNING LAW AND VENUE

All questions of the validity, construction, and application of this Contract shall be governed by the laws of the State of Washington. Venue for any suit between the parties arising out of this Contract shall be the Superior Court of Yakima County, Washington.

25. FILING

Upon execution by the authorized representatives of the parties, a copy of this Contract shall be promptly filed with the Yakima County Auditor pursuant to RCW 39.34.040.

IN WITNESS WHEREOF, the County and the City have executed this Contract as of the date and year last written below.

CITY OF GRANDVIEW

BOARD OF COUNTY COMMISSIONERS

Ashley Lara, Mayor

Amanda McKinney, Chair

Approved as to Form:

Kyle Curtis, Commissioner

Quinn Plant, City Attorney

LaDon Linde, Commissioner

Approved as to Form:

Attest:

Dan Clark, Deputy Prosecuting Attorney

Anita Palacios, City Clerk

CONTRACT AUTHORIZATION

Attest:

Date

Julie Lawrence, Clerk of the Board

Date