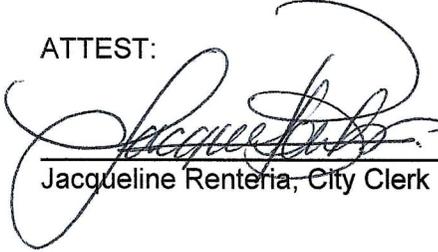


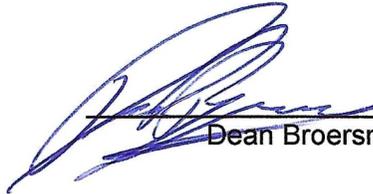
Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

PASSED this 26th day of September, 2022.

ATTEST:



Jacqueline Renteria, City Clerk



Dean Broersma, Mayor

RESOLUTION 2022 - 14

A RESOLUTION approving the Preliminary Long Plat of Harvest Valley Estates, a 105-lot subdivision over approximately 21 acres, located in the vicinity North of West Edison Ave., South of Burlington Northern Railroad, and West of and adjacent to Villa Real Subdivision.

WHEREAS, on August 16, 2022, the City of Sunnyside Planning Commission held an open-record public hearing to consider the application for a Preliminary Long Plat known as Harvest Valley Estates, consisting of 105 single-family lots, submitted by Martin Velazquez (LP-210220283); and

WHEREAS, on September 22, 2022, the Planning Commission Chair issued signed the Recommendation for approval of the proposed plat, subject to conditions; and

WHEREAS, the proposed application conforms to the City of Sunnyside Zoning Ordinance, Subdivision Ordinance, Development Standards Ordinance, and other applicable land use regulations; and

WHEREAS, at a Closed Record Public Hearing on December 7, 2021, after notice duly given according to the requirements of the Sunnyside Municipal Code, the Sunnyside City Council adopted the Planning Commission's Recommendation; and

WHEREAS, the City of Sunnyside has complied with the substantive, procedural, and notice requirements associated with SEPA, the Growth Management Act, and the Sunnyside Municipal Code for the purpose of reviewing the application; and

WHEREAS, the Sunnyside City Council finds that it is in the best interest of the City of Sunnyside to pass the following; now, therefore,

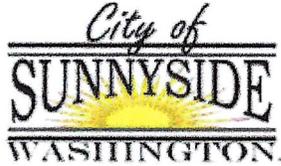
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE:

Section 1. Incorporation of Recitals. The above recitals are hereby incorporated into this resolution.

Section 2. Incorporation of the Planning Commission's Recommendation and Conditions of Approval. The Planning Commission's Recommendation is hereby adopted and ratified by the Sunnyside City Council as its conditional decision and approval of the Application herein. A copy of the Recommendation is attached hereto as Exhibit "A" and fully incorporated herein by this reference.

Section 3. Findings. The Sunnyside City Council adopts the findings of the Planning Commission as its own findings herein, and further finds that the requirements of RCW § 58.17.110 have been met.

Exhibit "A"
Planning Commission's Recommendation



Planning & Community Development
818 East Edison Avenue
Sunnyside, Washington 98944
(509) 837-7999 Office, (509) 836-6383 Fax

SUNNYSIDESUNNYSIDE PLANNING COMMISSION
RECOMMENDATION TO THE SUNNYSIDE CITY COUNCIL
FOR
PRELIMINARY LONG PLAT
LP-20222083

September 12, 2022

WHEREAS, on May 25, 2022, an application for a Preliminary Long Plat was submitted by Martin Velazquez for the subdivision of two parcels, totaling approximately 21 acres into 105 single-family residential lots, in the Medium Residential Zone (R-2), parcel number 221026-13016 & -24005; and

WHEREAS, the application was considered complete for processing on July 6, 2022, and public notice was provided in accordance with the provisions of SMC Ch. 19.03 on July 18, 2022; and

WHEREAS, SEPA Environmental Review was completed with a Determination of Nonsignificance issued on August 8, 2022, which was not appealed; and

WHEREAS, the proposed Application conforms with the City of Sunnyside Zoning Ordinance, Subdivision Ordinance, and other applicable land use regulations; and

WHEREAS, under the provisions of SMC Ch. 19.01 the Sunnyside Planning Commission (SPC) is responsible for the review of a preliminary long plat application and for recommending the approval, modification or denial of each request; and

WHEREAS, on August 16, 2022, the Sunnyside Planning Commission held an open record public hearing, to consider the application for a 105 lot single-family subdivision known as Harvest Valley Estates, submitted by Martin Velazquez. (LP-20222083), to hear testimony from the public and provide a recommendation to the Sunnyside City Council; and

WHEREAS, the staff report presented by Community and Economic Development Director, Trevor Martin, recommended approval of the proposed 105-lot preliminary plat, subject to conditions; and

WHEREAS, based on testimony received at the August 16, 2022 public hearing, the Sunnyside Planning Commission has recommended approval of the plat, subject to conditions.

Now therefore, the Sunnyside City Planning Commission presents the following findings of fact, conclusions, and recommendation to the Sunnyside City Council:

APPLICATION # LP-20222083
APPLICANT: Martin Velazquez
APPLICANT ADDRESS: PO Box 635, Outlook, WA 98938
PROJECT LOCATION: North of West Edison Ave., South of Burlington
Northern Railroad, and West of and adjacent to Villa Real Subdivision
PARCEL(S): 221026-13016 & -24005

I. FINDINGS OF FACT

1. **Chapter 19.04 and 16.3214.20.100(1) – Consistency with the provisions of the City's Zoning Ordinance:**

- a. The proposed subdivision must be consistent with the provisions of the urban area zoning ordinance;
- b. The proposed subdivision must be consistent with the city of Sunnyside's comprehensive plan;
- c. The proposed subdivision must be consistent with the provisions of this title; and
- d. As required by RCW Chapter 58.17, the proposed subdivision must make appropriate provisions for:
 - i. **Public health, safety, welfare:** The construction of new single-family dwellings will complement adjacent uses will promote the public health, safety and general welfare insofar as there is a need in this community for additional housing and insofar as this proposed preliminary plat would be required to comply with all applicable City development standards, and all conditions of approval specified by the City of Sunnyside Planning Commission.
 - ii. **Open spaces:** The proposed lots are larger than minimum sizes required in the R-2 zoning district. Lot coverage of 35% or less in the R-2 zoning district will provide adequate light and air for future residents in accordance with the standards in the zoning ordinance without additional open spaces.
 - iii. **Drainage systems:** Drainage system facilities will be provided in accordance with state and local regulations including the City of Sunnyside Municipal Code and the eastern Washington Storm Water Manual.
 - iv. **Streets, alleys, and other public ways:** The subject property will have on new internal Local Residential Streets, which require 50 feet of right-of-way (including 10 foot easements). Additionally, there is frontage on W. Edison Ave., designated as a Collector Arterial street which requires 60-feet of right-of-way.
 - v. **Transit Stops:** There are no transit stops along directly adjacent the proposed plat.
 - vi. **Water supplies:** Public water is required to be used for domestic and fire flow purposes. An adequate water supply for this development is available.
 - vii. **Sanitary waste disposal:** Public sewer is available to this site. The applicant shall extends sewer services to the proposed subdivision.

- viii. **Parks and playgrounds:** Open space, parks, recreation, and playgrounds are located approximately within .8 miles of this subdivision due to the proximity of Central Park.
- ix. **Sites for schools:** Washington Elementary School is located approximately within 1.16 miles of this subdivision.
- x. **Sidewalks:** Sidewalks are required and will be provided along this developments frontage. Based upon standards above, a finding that the public use and interest will be served by the approval of this subdivision: This proposed 105-lot residential subdivision is consistent with neighboring land uses and better serves the needs of the City of Sunnyside than the undeveloped status of the property.

2. Subsection 16.32.020 -- Consistency with the provisions of the Comprehensive Plan:

The Goals and Policies that apply to this designation and proposed land use are as follows:

Land Use Policy 4.2 - Provide residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet future demand.

Housing Goal 1 - Provide safe and sanitary housing for all persons within the community.

Housing Policy 1.1 - Support the development of a housing stock that meets the varied needs of the present community while attracting higher income residents.
Housing Policy Objective 1 - Encourage the construction of new units to increase the local housing supply. New construction should provide for a moderate, to very low income and elderly market demand as well as upscale residences. It should also provide for an appropriate mix of housing types and intensities (single-family, multifamily).

Housing Goal 3 - Encourage a mixture of housing types and densities throughout the sub- area that are compatible with public service availability.

II. Consistency Analysis SMC Ch. 19.04.

The following analysis involves the consistency of the preliminary plat with applicable development regulations, or in the absence of applicable regulations, the adopted Comprehensive Plan as mandated by the State Growth Management Act and the Sunnyside Municipal Code. During project review, neither the City nor any subsequent reviewing body may re-examine alternatives to, or hear appeals on, the following items identified in these conclusions except for issues of code interpretation:

(1) The type of land use contemplated by the proposal (a residential development in an R-2 zoning district) is permitted on this site so long as it complies with the conditions imposed by the Sunnyside City Council, as well as the regulations of the zoning ordinance, subdivision ordinance, building codes and other applicable regulations

(2) The level of development (lot size, contemplated density) would not exceed the allowable level of development in the Medium Residential (R-2) zone since the proposed lot sizes satisfy the zoning ordinance requirements.

(3) The availability and adequacy of infrastructure and public facilities is not an issue because the additional infrastructure that would be provided at the applicant's expense would ensure that adequate infrastructure and public facilities are available for the proposed preliminary plat.

(4) The character of the proposal, such as the proposal's consistency with applicable development standards of the City's Zoning Ordinance, primarily involves consideration of specific development standards relating to lot size, access, potable water, sewage disposal and other features of the proposed preliminary plat which have been discussed in detail above. With the recommended conditions, the proposed preliminary plat would be consistent with the development standards of applicable City ordinances.

III. CONCLUSIONS

Based on the foregoing Findings, the SPC reaches the following Conclusions:

1. The SPC has jurisdiction to recommend to the Sunnyside City Council the approval of a proposed preliminary plat pursuant to Section 16.28.100 of the subdivision ordinance.
2. Notice of the public hearing sent on July 18, 2022, was given in accordance with applicable requirements.
3. The SEPA Determination of Nonsignificance (DNS) for this proposed preliminary plat was issued on August 8, 2022, and became final without any appeal.
4. A traffic impact analysis is required as part of the approval conditions of this plat, and has been submitted to the City of Sunnyside.
5. This preliminary subdivision complies with the goals and objectives of the Comprehensive Plan, the intent and purpose of the R-2 zone, the provisions of the Sunnyside Zoning Ordinance, Subdivision Ordinance, and Title 12's Development Standards.
6. This preliminary plat is in compliance with the consistency requirements of Subsection 19.04.010 of the Sunnyside Municipal Code.
7. With the recommended conditions found in the staff report, which are found to be appropriate, the proposed preliminary plat as described in the application narrative and preliminary plat received May 25, 2022, is in compliance with the City's Comprehensive Plan, subdivision ordinance and zoning ordinance; makes appropriate and adequate provisions for the public health, safety and general welfare and for open spaces, drainage ways, streets, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds and sidewalks; and, according to the weight of the evidence presented at the hearing, does not require that specific provisions be made for the other requisite plat considerations such as additional schools, additional school grounds or additional planning features that assure safe walking conditions for students who walk to

and from school; and serves the public use and interest.

IV. PUBLIC HEARING TESTIMONY

The applicant's representative testified in favor of the proposal. There were no other comments from the public during the hearing.

V. PLANNING COMMISSION ACTION

Commissioner Rogers moved, Commissioner Aguirre seconded to direct staff to draft findings of fact and forward a recommendation of approval to the Sunnyside City Council. The motion carried 4-0.

VI. RECOMMENDATION TO CITY COUNCIL

Based upon the findings outlined above, the City of Sunnyside Planning Commission recommends **APPROVAL** of the proposed 105-lot preliminary plat of Harvest Valley Estates in accordance with the application and related documents submitted for file numbers LP-20220283, and subject to the following conditions:

1. The applicant shall submit and gain approval of civil engineered plans which provide for design of all Title 12 and 16 development standards, including but not limited to curb, gutter, sidewalk, street lighting, stormwater, and street design.
2. Prior to approval of the final plat, all approved improvements shall be constructed or financially secured according to the standards and requirements of the City SMC Title 16.
3. New internal street shall be constructed in accordance with the ST-3 Standard Detail Roadway Section.
4. Adequate right-of-way shall be dedicated along W. Edison Ave.
5. Frontage improvements, including curb, gutter, and sidewalk, shall be installed along the W. Edison Ave. frontage.
6. All lots shall be served with public water. No individual domestic or irrigation wells shall be permitted for any of the lots. Prior to final plat approval, written verification shall be submitted to the Planning Division indicating that all construction required to provide each lot with domestic water has been completed and the fees paid.
7. A sanitary sewer system shall be installed with a separate connection to the City sewer system for each lot and shall be constructed and installed in conformance with the City standards and specifications, and the City comprehensive water and sewer plans.
8. A 10-foot wide utility easement for underground power, telephone and cable television shall be provided across the front and/or rear of each lot within a subdivision. Side lot line easements shall be required where deemed necessary by the administrator to adequately provide lots with utility services or to provide for continuous easements.
9. All new utilities shall be installed underground, except for the following:

- 11) Electric, pad-mounted transformers;
- 12) Electric transmission systems of a voltage of 15 KV or more;
- 13) Service meters at structures;
- 14) TV cable amplifiers, distribution taps;
- 15) Telephone pedestals and cross-connection terminals;
- 16) Temporary services necessary for construction.

10. All public and private utilities to be located within public road rights-of-way must be constructed prior to the start of road construction.

11. Fire hydrants shall be placed at the locations specified by the Building Codes and Planning Division and the Sunnyside Fire Department. All lots must be provided with adequate fire flow.

12. Large Project Stormwater Permit shall be required.

~~13. All addresses must be clearly shown on the face of the final plat as required by RCW 58.17.280.~~

14. This plat shall be subject to the following notes, which must be placed on the face of the plat:

- a. The addresses shown on this plat are accurate as of the date of recording, but may be subject to change. The City of Sunnyside Building Codes Division is responsible for the confirmation or reassignment of addresses at the time of building permit issuance.
- b. The owners shown hereon, their grantees and assignees in interest hereby covenant and agree to retain all surface water generated within the plat on-site.

15. A traffic impact analysis shall be submitted;

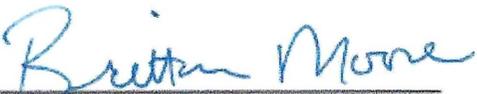
16. Irrigation approval shall be shown on the face of the final plat.

17. The subdivider shall submit to the City reproducible "as-built" drawings detailing actual construction of alleys, streets, and underground utilities which are being dedicated to the City prior to final acceptance of the improvements and release of construction bond. "As-built" drawings shall conform with the Sunnyside standards and specifications requirements.

18. All other requirements of the zoning and subdivision ordinance, although not specifically set forth herein, shall be complied with in their entirety.

19. Upon preliminary plat approval, the applicant has five years to submit the final plat. Thereafter, 30 days prior to the expiration of said approval the applicant must submit to the City Council a written request asking to extend the approval period for a maximum period of one year.

SIGNED this 22nd day of September, 2022.

By: 

Brittan Moore, Chair
Sunnyside Planning Commission