

RESOLUTION NO. R-2020-

A RESOLUTION authorizing and directing the City Manager to execute a Development Agreement with Apple Tree Construction, LLC., (here after "Developer") for the Plat of Apple Tree Phase 4

WHEREAS, the City of Yakima (here after "City") is a first class charter city incorporated under the laws of the State of Washington and has the authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and thereby to control the use and development of property within its corporate limits; and

WHEREAS, the City has the authority to enter into development agreements with those who own or control property within its jurisdiction pursuant to RCW 36.70B.170-36.70B.170 and YMC 14.10.010; and

WHEREAS, on June 6, 2017, after notice duly given according to the requirements of the City of Yakima Municipal Code, the City Council held a closed record public hearing and adopted the recommendation of the Planning Commission for files PLP#002-13 and SEPA#024-13 (see Resolution R-2017-070); and

WHEREAS, this Agreement is intended to satisfy the obligations as set forth in the Final Decision for the execution of a development agreement between the Developer and the City to implement the conditions set forth in the Final Decision; and

WHEREAS, the City has determined that the Project is a development for which this Agreement is appropriate, and desires to enter into this Agreement. This Agreement will, amongst other things, implement the conditions in the Final Decision, eliminate uncertainty over development of the Project, provide for the orderly development of the Project consistent with the City's current Comprehensive Plan and zoning for this Property, mitigate environmental impacts, and otherwise achieve the goals and purposes for which the Development Agreement Statute was enacted; Now, Therefore,

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

The City Manager of the City of Yakima is hereby authorized and directed to execute the attached and incorporated Development Agreement. The Yakima City Council, after a duly noticed public hearing, has determined that execution of this Agreement furthers the public health, safety and general welfare, and that the provisions of this Agreement are consistent with the Comprehensive Plan and applicable development regulations.

ADOPTED BY THE CITY COUNCIL this 4th day of February, 2020.

ATTEST:

Patricia Byers, Mayor

City Clerk