

RESOLUTION NO. 1396

A RESOLUTION OF THE CITY OF DES MOINES, WASHINGTON approving the Final Plat entitled "Havenwood Park" as shown and described in City Administration file number LUA2017-0044.

WHEREAS, the City has received an application for the Final Plat for the modified subdivision entitled "Havenwood Park," (formerly Crestwood Park) from Polygon WLH, LLC, the owner of the real property described in said application, and

WHEREAS, pursuant to the State Environmental Policy Act, chapter 43.21C RCW, the Administrative Rules and local ordinance adopted to implement it, the SEPA Official reviewed all relevant environmental documents and determined that the proposed subdivision would not result in probable significant adverse environmental impacts, and based on information within those environmental documents, a Determination of Non-significance was issued, and

WHEREAS, the environmental documents have been available for review with the subdivision application during the review process, and

WHEREAS, the City Council passed Resolution Number 1060 at its regular meeting on December 6, 2007 approving the preliminary modified subdivision entitled "Crestwood Park", and

WHEREAS, the City Council at a regular meeting on November 30, 2017 passed Resolution No. 1374, thereby approving a one year extension to the preliminary modified subdivision entitled "Crestwood Park" to December 6, 2018, and

WHEREAS, the Community Development Director and Public Works Director approved minor deviations to the preliminary plat entitled "Crestwood Park" on December 13, 2017 and October 2, 2018, and

WHEREAS, Polygon WLH, LLC submitted an application for the Final Plat for the modified subdivision entitled "Havenwood Park" (formerly Crestwood Park) on November 2, 2018, and

WHEREAS, the applicant has complied with or posted securities to ensure compliance with all conditions established by Resolution 1060 and the approved minor deviations, and

WHEREAS, the City Council, in regular meeting on March 28, 2019, reviewed the proposed Final Plat entitled "Havenwood Park"; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. The following findings of fact are adopted by the Des Moines City Council:

(1) The Final Plat is consistent with the preliminary subdivision approved by the City Council on December 6, 2007, under Resolution No. 1060, except for minor deviations approved by the Community Development Director and Public Works Director on December 13, 2017 and October 2, 2018, and

(2) The minor deviations approved by the Community Development Director and Public Works Director:

(a) Are necessary because information provided in the survey for final plat was not available and reasonably could not have been provided during consideration of the preliminary subdivision; and

(b) Do not increase the number of lots; and

(c) Comply with the provisions of chapter 17.35 DMMC; and

(d) Do not substantially change the location or nature of any improvements or any other element of the subdivision; and

(e) In no way significantly alters the subdivision.

(3) All required improvements are installed or securities to cover the cost of installation are submitted in accordance with DMMC 17.40.090, and

(4) The Final Plat is consistent with the provisions of Title 17 DMMC, and chapter 58.17 RCW.

Sec. 2. Decision criteria. The criteria used in making the decision are those required by chapter 17.10 DMMC and chapter 17.15 DMMC.

Sec. 3. Approval subject to conditions. The modified subdivision and the Final Plat entitled "Havenwood Park" is hereby approved by the Des Moines City Council subject to the following conditions:

(1) The applicant has submitted a Declaration of Covenants, Conditions and Restrictions. The document will be recorded concurrently with the final plat, and

(2) The park in lieu fee shall be paid prior to the recording of the final plat pursuant DMMC 17.35.180, and

(3) The 16th Avenue South frontage improvements shall be provided pursuant to the "16th Avenue South Improvements and Transportation Impact Fee Credit Agreement", and

(4) Ownership of the surface water detention/park tracts and environmentally sensitive area tract shall be deeded to the city after recording of the final plat.

Sec. 4. Compliance with other law. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state, or local statutes, ordinances, or regulations applicable to this subdivision other than as expressly set forth herein.

Sec. 5. Resolution attached to approval documents. A certified copy of this Resolution, along with the findings of fact herein adopted, shall be attached to and become a part of the evidence of said subdivision and Final Plat and shall be delivered to the applicant.

Sec. 6. Distribution of resolution following City Council action. Certified or conformed copies of this Resolution shall be delivered to the following:

- (1) City of Des Moines Community Development Department;
- (2) South King Fire and Rescue; and
- (3) City Clerk of the City of Des Moines.

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ADOPTED BY the City Council of the City of Des Moines, Washington this 28th day of March, 2019 and signed in authentication thereof this 28th day of March, 2019.



M A Y O R

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Clerk