

**SULTAN CITY COUNCIL  
AGENDA ITEM COVER SHEET**

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**ITEM NO:** A-3

**DATE:** May 27, 2010

**SUBJECT:** Resolution 10-06, adopting Developer Agreement with Grandview Inc. for construction of a single-family residence at 13630 Sultan Basin Road, Sultan, WA

**CONTACT PERSON:** Robert Martin, Community Development Director



**ISSUE:**

Adopt Development Agreement with Grandview Inc. to accept three-feet of property for future widening of Sultan Basin Road and delaying payment of Impact Fees for construction of a single-family residence from the time of issuance of the Building Permit to the time of issuance of the Certificate of Occupancy.

**STAFF RECOMMENDATION:**

Staff recommends that Council move to authorize the Mayor to sign Resolution 10-06, Adopting a Developer Agreement with Grandview Inc. establishing mutually beneficial development conditions for construction of a single-family residence at 13630 Sultan Basin Road.

**SUMMARY:**

A Public Hearing was held in the Hearing section of this meeting. Council is directed to Agenda Item H-1 for all background and the Developer Agreement.

**ALTERNATIVES:**

Council may choose from the following alternatives:

1. Continue action to a future date;
2. Do not adopt the Resolution, thereby indicating that the proposal to receive a three-foot strip of land for future improvement of Sultan Basin Road is not to be completed; or
3. Direct Staff to continue work on the Developer Agreement and give direction as to what additional issues need to be addressed.

**ATTACHMENTS:**

Attachment A: Resolution 10-06

# CITY OF SULTAN

## WASHINGTON

### RESOLUTION NO. 10-06

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**A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT WITH GRANDVIEW INC. PROVIDING FOR DEDICATION OF PRIVATE PROPERTY FOR WIDENING OF SULTAN BASIN ROAD AND PROVIDING FOR DELAY OF IMPACT FEE PAYMENTS FOR A SINGLE-FAMILY RESIDENCE AT 13630 SULTAN BASIN ROAD UNTIL ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.**

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WHEREAS, RCW 36.70B.170 provides for Development Agreements between local governments and property developers as a means to specify provisions and conditions of "The amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications"; and

WHEREAS, 36.70B.200 provides that "A county or city shall only approve a development agreement by ordinance or resolution after a public hearing"; and

WHEREAS, Grandview Inc. has applied for construction of a single-family residence on 13630 Sultan Basin Road, a parcel of land containing 382.65 feet of frontage on Sultan Basin Road; and

WHEREAS, the Transportation Element of the City's Comprehensive Plan lists widening of this portion of Sultan Basin Road to a three-lane Minor Arterial as Transportation Project # T-42A; and

WHEREAS, Grandview Inc. has proposed to dedicate a strip of land three-feet wide along the entirety of its frontage adjacent to the westerly right-of-way line of Sultan Basin Road for future development of the road as called for in the Sultan Comprehensive Plan; and

WHEREAS, Grandview Inc. has proposed that the City of Sultan agree to delay payment of impact fees required for construction of a single-family residence to the time of issuance of the Certificate of Occupancy as a benefit in compensation for its dedication of private land for road purposes; and

WHEREAS, the City Council, upon advice of staff, and after a public hearing on this matter as required by RCW 36.70B.200, and upon due consideration of all public testimony offered at said public hearing, has determined the proposed property dedication and the proposed deferral of impact fee payments to be in the best interest and benefit of the City,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON,  
DO RESOLVE AS FOLLOWS:

Section 1. The Mayor is authorized to sign the proposed Development Agreement with Grandview Inc, accepting a proposal for dedication of a three-foot strip of land across the entire easterly 382.65 feet of frontage of the property at 13630 Sultan Basin Road, and proposing delay of impact fees for construction of a single-family residence on said property until completion of said residence and issuance of a certificate of occupancy.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

CITY OF SULTAN

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Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Laura Koenig, City Clerk

Approved as to form:

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Margaret J. King, City Attorney

Passed by the City Council:  
Resolution No.:  
Date Posted: