

# WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

## NOTICE OF INTENTION

for office use only:

BRB FILE # BRB 2017-00002

1. Name of City, Town or special purpose district: **City of Selah**
2. Action Sought:  Annexation  
 Formation of a Special Purpose District  
 Incorporation  
 Other Boundary Change  
 Merger/Consolidation of Special Purpose District  
 Dissolution of Special Purpose District  
 Water or Sewer Extension \_\_\_\_\_ Size of Water Line \_\_\_\_\_ Sewer Line
3. This proposal shall be known as: **M.K.K.I. Annexation**
4. Driving directions to location of proposed action: *Continue north through Selah on First St. to Fremont Ave.; thence left on Fremont Ave. to the intersection of Fremont Ave. and Speyers Rd.; then veer right onto Speyers Rd.; continue on Speyers Rd. for approximately .76 miles. The annexation area is located just past Fourteenth St. south of Lynwood Ln. on the west side of Speyers Rd.*
5. Briefly describe proposal: *Annexation of approximately 6.65 acres of property to the City of Selah requested by M.K.K.I. LLC/Jim Kassner located south of Speyers Rd., north of Cherry Ave., and east of Hovde Ln. Tax Parcel Numbers: 181435-23512 & 181435-23511.*
6. Method used to initiate the proposed action:  Petition       Election       Resolution
7. State statute under which action is sought: **RCW 35A.14.300**

## FACTORS THE BOARD MUST CONSIDER

### POPULATION AND LAND USE:

1. Provide the following information:

POPULATION OF PROPOSED AREA			POPULATION OF EXISTING ENTITY	
	EXISTING	10-YEAR PROJECTION	EXISTING	10-YEAR PROJECTION
People	0	0	7,630	8,637
Residences	1	20	2,965	366
Businesses	0	0	Unknown	Unknown

2. What source is the basis for this projection information? *Combination of Office of Financial Management (OFM) population/housing projections and the City of Selah's 2017 Comprehensive Plan.*
3. Acres within the proposed area: **6.65**      Acres within existing entity: **2,644.2**
4. Assessed valuation of proposed area **\$240,200** of existing entity: **\$598,310,55**
5. Existing land use of the proposed area: *Predominantly vacant on Tax Parcel Number 181435-23512 with several accessory buildings, and one Single-Family Home on Tax Parcel Number 181435-23511.*

6. Existing land use of the area surrounding the proposal: **Single-Family Residential homes.**
7. Are all surrounding & interior roads included in the annexation?  Yes  No  
If no, why not? *Lynwood Ln. is a private road, which is not dedicated to the City of Selah at this time. The property for Lynwood Ln. belongs to the property owners of Tax Parcel Number: 18143522007 to the north of the subject annexation.*
8. Is there new residential, commercial, or industrial development that is associated with this proposal? *The petitioners have not submitted any applications for development at this time.*

If yes, describe any projects being considered or proposed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. If the proposal is approved, will there be land use changes within the next 18 months?
  - o Land Use: *There could be land use changes within the next 18 months dependent upon submittal of petitioner development applications.*
  - o Zoning: *There should not be any zoning changes within the next 18 months, as the annexation will provide zoning of Single-Family Residential as required by the City of Selah and Yakima County Interlocal Agreement.*
  - o Comprehensive Plan: *Following annexation and rezoning of the subject property, the City of Selah will amend the subject properties Comprehensive Plan Future Land Use designation during the 2018 Comprehensive Plan Amendment cycle to a supporting designation of Low Density Residential.*
10. Has the proposed area been the subject of land use action by Yakima County? **No**  
If so, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11.
  - a. Yakima County Comprehensive Plan designation for the proposed area: **Urban Residential**
  - b. For surrounding areas: **N: County/Urban Residential; E: Selah/Low Density Residential; S: Selah/Low Density Residential; W: County/Urban Residential.**
  - c. Yakima County Zoning for the proposed area: **Single-Family Residential, R-1.**
  - d. For surrounding areas: **Residential Single-Family, R-1.**
12. Is this proposal consistent with the coordinated water system plan, if any?  Yes  No
13. Does your jurisdiction have an adopted comprehensive plan? **Yes** Date Adopted: **June 27, 2017**
14. Describe how this proposal is consistent with the adopted comprehensive plan: *This proposal is consistent with the City of Selah's 2017 Comprehensive Plan for the following reasons: 1) The annexation provides for incorporation of 6.65 acres of property into the City of Selah which is presently served by both public sewer and water; and 2) the annexation has a proposed zoning designation of Residential, Single-Family which is supported by the Yakima County and City of Selah Future Land Use designations of Urban Residential and Low Density Residential.*
  - a. Proposed city zoning upon annexation: **Single-Family Residential, R-1**
15. Has any portion of this area been previously reviewed by the Boundary Review Board? **Not to my knowledge.**  
Explain \_\_\_\_\_

16. Describe the following as required by RCW 36.93.170 and the effects on land use, accessibility and potential development:
  - a. Topography: *The topography of the subject property slants east to dropping in elevation from 1270 to 1240, thirty feet.*
  - b. Natural Boundaries: *Natural Boundaries have not been used with this annexation.*
  - c. Drainage Basins: *This annexation is not located in a known drainage basin, but is located within the Selah watershed.*

17. Is the proposed area within the Urban Growth Area for your municipality? **Yes**

## MUNICIPAL SERVICES

1. What services will be provided in the proposed area?

	EXISTING PROVIDER	PROPOSED PROVIDER	TIME FRAME for SERVICES	HOW FINANCED
Water	City of Selah	City of Selah	Unknown	Developer
Sewer	City of Selah	City of Selah	Unknown	Developer
Fire	Yakima County Fire District #2	City of Selah	Upon Annexation	City/County Taxes
Stormwater	Yakima County	City of Selah	Unknown	Developer
Roads	City of Selah	City of Selah	No Change	Existing budget
Parks	City of Selah	City of Selah	No Change	City Taxes
Police	Yakima County Sheriff	City of Selah	Upon Annexation	Existing budget
School	Selah School District	Selah School District	No Change	City/County Taxes
Library	Yak. Regional Lib.	City of Selah	Upon Annexation	Existing budget

2. Does your jurisdiction have a current Capital Facilities Plan? **Yes**

Does it consider the proposed area? **Yes**

3. Describe the effect your jurisdiction's ordinances, governmental codes, regulations and resolutions will have on existing uses in the proposed area: **Current City codes will be applicable.**

4. Describe the probable future needs for services and additional regulatory controls in the area? **This area is already served with public sewer and water and there is no need for additional regulatory controls at this time.**

5. Describe the probable effects of the proposal on the cost and adequacy of services and regulatory controls:

a. In the proposed area? **None**

b. In the adjacent area? **None**

6. Estimate the following to be incurred under the proposal:

- a. Proponent Expenditures to be incurred: **\$ Unknown**
- b. Proponent Revenues to be gained: **\$ 628.74**
- c. County Revenue Lost: **\$ 440.49**
- d. County Expenditure Reduction: **\$ Unknown**
- e. Fire District Revenue Lost: **\$ 202.03**
- f. Fire District Expenditure Reduction: **\$ Unknown**
- g. Financial Impact to Special Districts (library, parks, hospital): **\$ No Effect**

7. What is the future impact of your proposal on the school district? **Annexation does not affect the future taxation or funding of special districts such as library, parks, or hospitals.**

## ENVIRONMENTAL INFORMATION

1. Is there an existing environmental review pertinent or related to this proposal?  Yes  No

- If No, answer questions 2 through 5.
- 2. Expected impact of any proposed development to adjacent roads and highways: *This annexation includes a small portion of Speyers Rd. to control access from the private drive Lynwood Ln.*
- 3. Expected impact of any proposed development on air quality: *None*
- 4. Does the area under consideration contain “critical areas”? (floodplain, wetland, steep slope wildlife habitat area, etc.): *This annexation does not contain any “critical areas”.*
- 5. Please describe any potential adverse impacts that could occur upon development: *None known.*

## OBJECTIVES OF THE BOUNDARY REVIEW BOARD

Describe fully which objectives of RCW 36.93.180 this proposal meets and which objectives this proposal does not meet. Please give your reasons for each of the objectives chosen:

- 1. Preservation of natural neighborhoods and communities: *The area is contiguous with the City of Selah's boundaries and is located within the Selah Urban Growth Area Boundary.*
- 2. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours: *Physical boundaries were not utilized for this annexation.*
- 3. Creation and preservation of logical service areas: *The city of Selah did not utilize service area in the creation of this annexation's boundaries. However, both City of Selah public sewer and water in Speyers Rd. serve the land within the annexation.*
- 4. Prevention of abnormally irregular boundaries: *The annexation of this properties does not create any abnormally irregular boundaries.*
- 5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand (10,000) population in heavily populated urban areas: *Not applicable.*
- 6. Dissolution of inactive special purpose districts: *Not applicable.*
- 7. Adjustment of impractical boundaries: *Not applicable.*
- 8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character: *Not applicable.*
- 9. Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority: *The subject properties are not designated for long term productive agricultural and resource use by the City's or County's Comprehensive Plans and is designated as Urban Residential.*

## EXHIBITS

See attached **Notice of Intention Filing Instrucitons** for explanation of Exhibits A, B, C, D, E, and F. Applicable Exhibits must accompany the Notice of Intention document.

**I certify that the above is true and accurate, and that I am an official or employee of the governmental jurisdiction seeking boundary change action or the proponent for the incorporation or formation.**

Dated this 29<sup>th</sup> day of August 2017.

  
Signature

Jeff Peters  
Name of person completing this form

Community Development Supervisor  
Title

(509) 698-7365  
Phone Number

(509) 698-7372  
Fax Number

222 S. Rushmore Rd., Selah, WA 98942  
Mailing Address

Names and Addresses of other persons who should receive correspondence from the BRB in regard to this Notice:

Jim Kassner, M.K.K.I. Incorporated: P.O. Box 695, Selah, WA 98942

Frank P. Sinek, MMDREAM, LLC: 9105 72<sup>nd</sup> Ave. East, Puyallup, WA 98371

**Exhibit "A"**

**Legal Descriptions**



# Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901  
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

VERN M. REDIFER, P.E. - Director

July 31, 2017

Jeff Peters  
Community Development Supervisor  
City of Selah  
222 S. Rushmore Road  
Selah, Washington 98942

**RE: M.K.K.I Annexation**

Dear Mr. Peters:

We have reviewed the proposed M.K.K.I annexation. This legal has been prepared by a Professional Land Surveyor and is approved for annexation.

If you have any questions or require any additional information, please give me a call

Sincerely,

Kent L. McHenry, P.E.  
Transportation Engineering Manager

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.*

*If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*

**City of Selah**  
**M.K.K.I. Annexation**  
**HLA Project# 17006**  
**July 17, 2017**

**Annexation Area**

That portion of the Northwest quarter of Section 35, Township 14 North, Range 18 East, W.M., described as follows:

Beginning at the Southeast corner of Lot 2 of that Short Plat recorded under Auditor's File Number 7699523, records of Yakima County, Washington;  
Thence North along the East line of said Lot 2 to the Southerly right of way line of Speyers Road;  
Thence Northwesterly along said right of way line to the Southerly extension of the West line of the East half of the Northwest quarter of the Northwest quarter of said Section 35;  
Thence North along said West line to the Northerly right of way line of Speyers Road;  
Thence Northwesterly along said right of way line 50.00 feet;  
Thence Southwesterly at a right angle to the Southerly right of way line of Speyers Road;  
Thence Southeasterly along said right of way line to the North line of said Lot 2;  
Thence West along said North line to the Northwest corner of said Lot 2;  
Thence South along the West line of said Lot 2 to the Southwest corner thereof;  
Thence East along said South line to the Point of Beginning;

Situate in Yakima County, State of Washington.



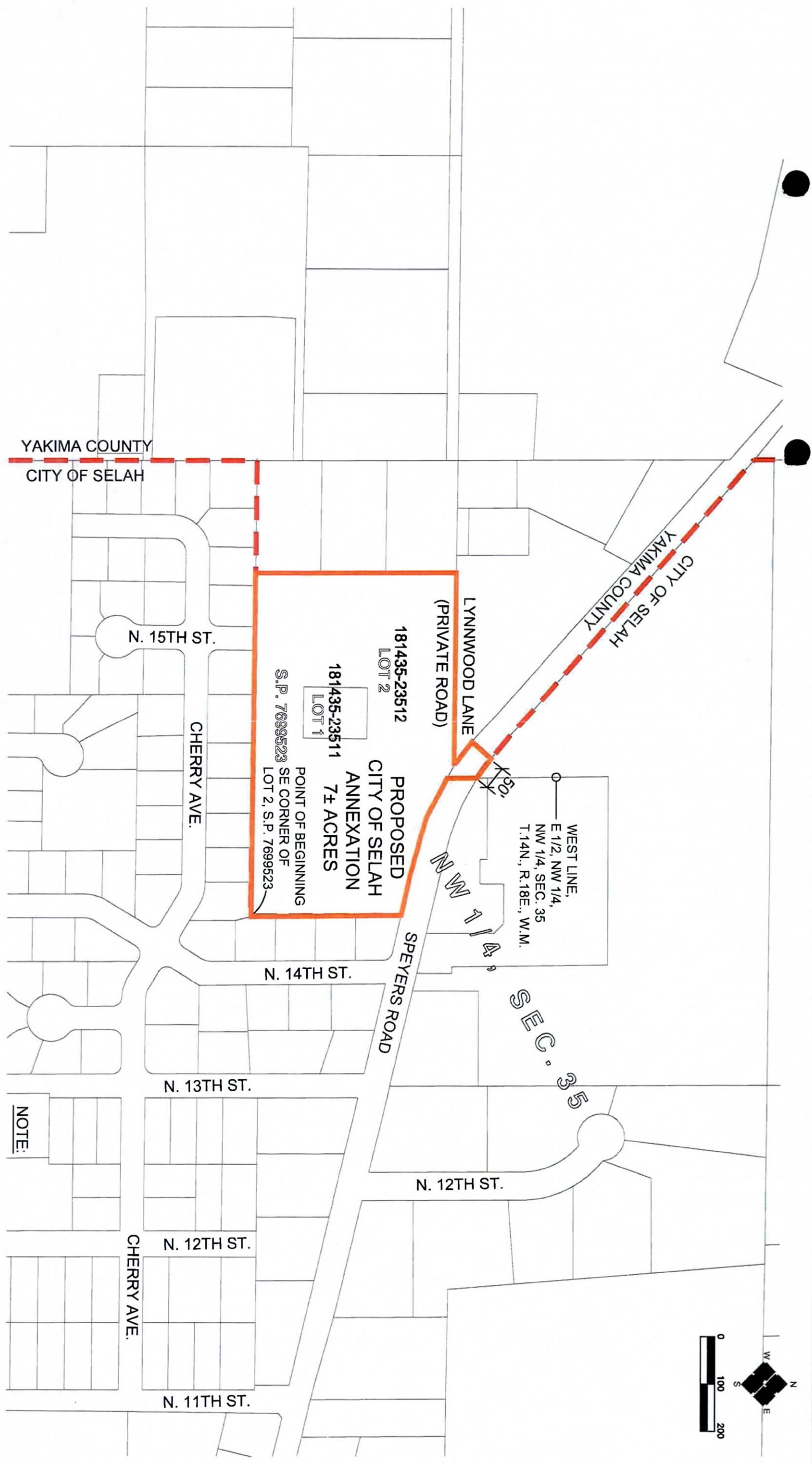


**HLLA**  
Engineering and Land Surveying, Inc.  
2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hllacivil.com

## EXHIBIT B

### YAKIMA COUNTY TAX PARCELS INCLUDED

PROPERTIES SHOWN HEREON DO NOT FALL  
WITHIN ANY SPECIAL FLOOD HAZARD AREAS.

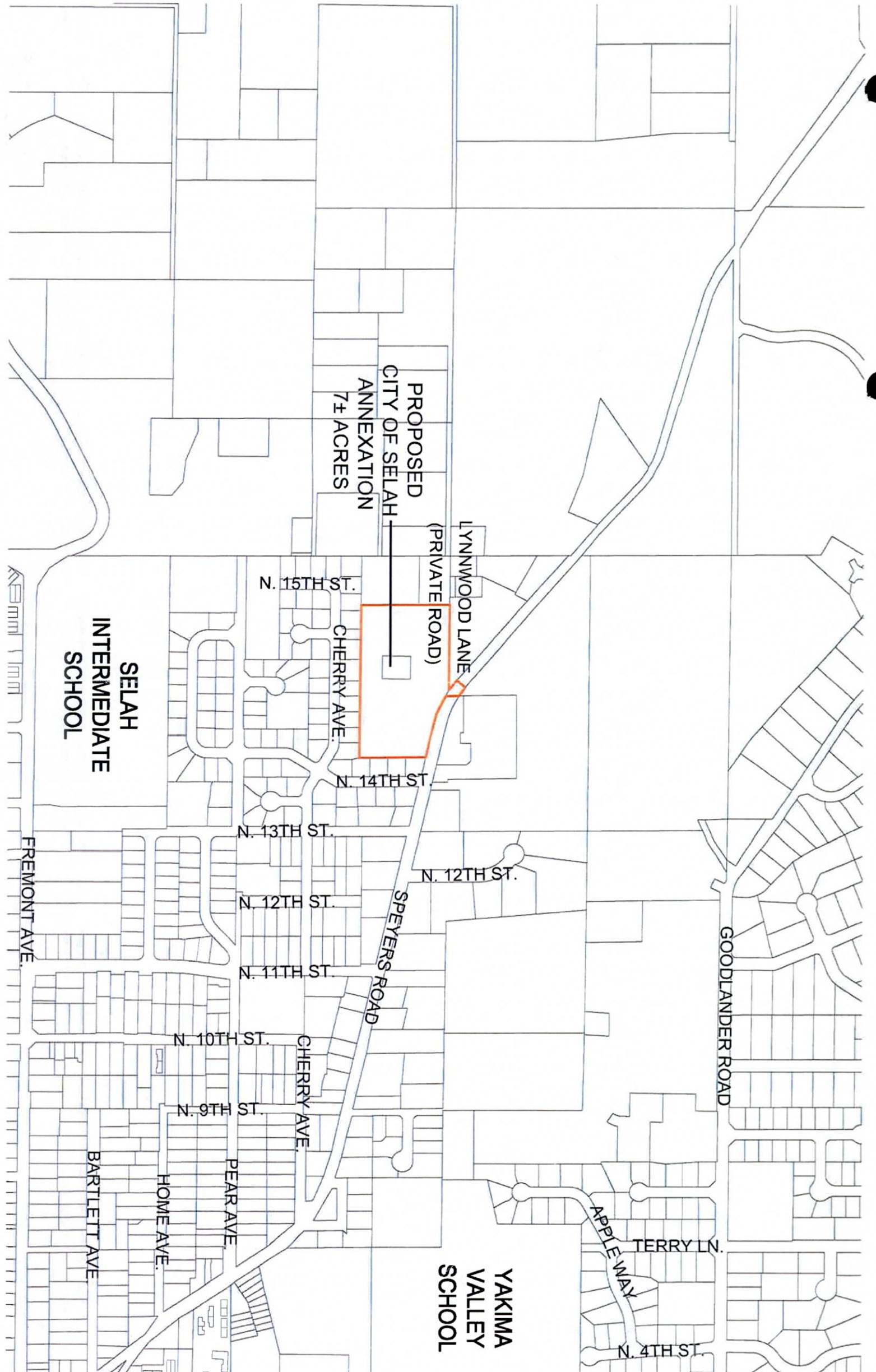


JOB NUMBER:	DATE:
17008	8-2-2017
FILE NAMES:	
DRAWINGS:	17008ANNEXATION
DRAWN BY:	TDF
1	
or	
1	

# EXHIBIT C

JOB NUMBER: 17006	DATE: 8-2-2017
FILE NAMES: 17006ANNEX.dwg	
DRAWN BY: TDF	

**CITY OF SELAH**  
 M.K.K.I. ANNEXATION  
 ANNEXATION EXHIBIT





**HLA**  
Engineering and Land Surveying, Inc.

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# EXHIBIT C(1)

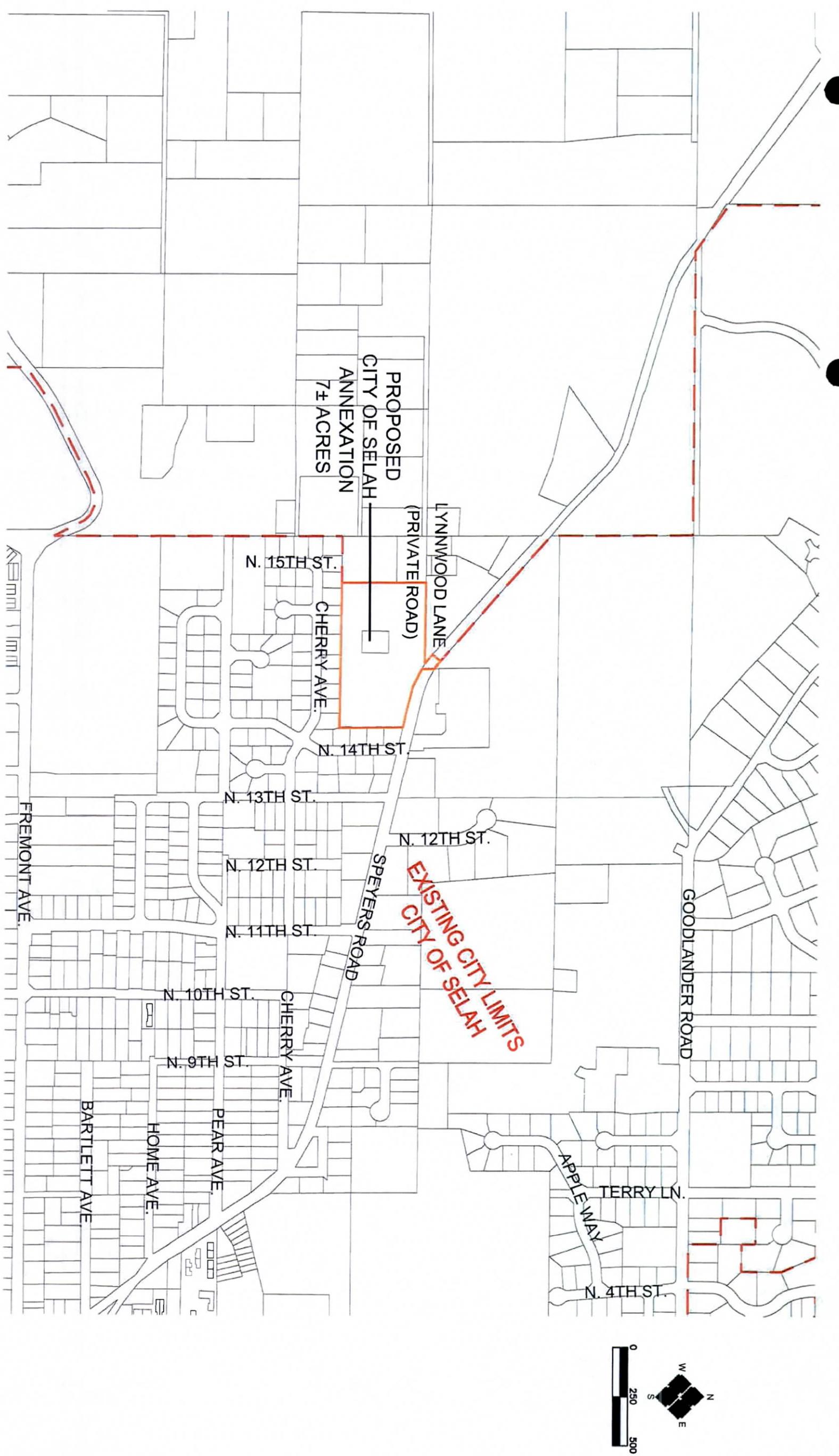
CITY OF SELAH	
M.K.K.I. ANNEXATION	
ANNEXATION EXHIBIT	
SHEET 1 of 1	



# EXHIBIT C(2)

JOB NUMBER: 17006 DATE: 8-2-2017  
FILE NAMES: 17006ANNEX.dwg  
DRAWN BY: TDF  
SHEET 1  
or 1

CITY OF SELAH  
M.K.I. ANNEXATION  
ANNEXATION EXHIBIT



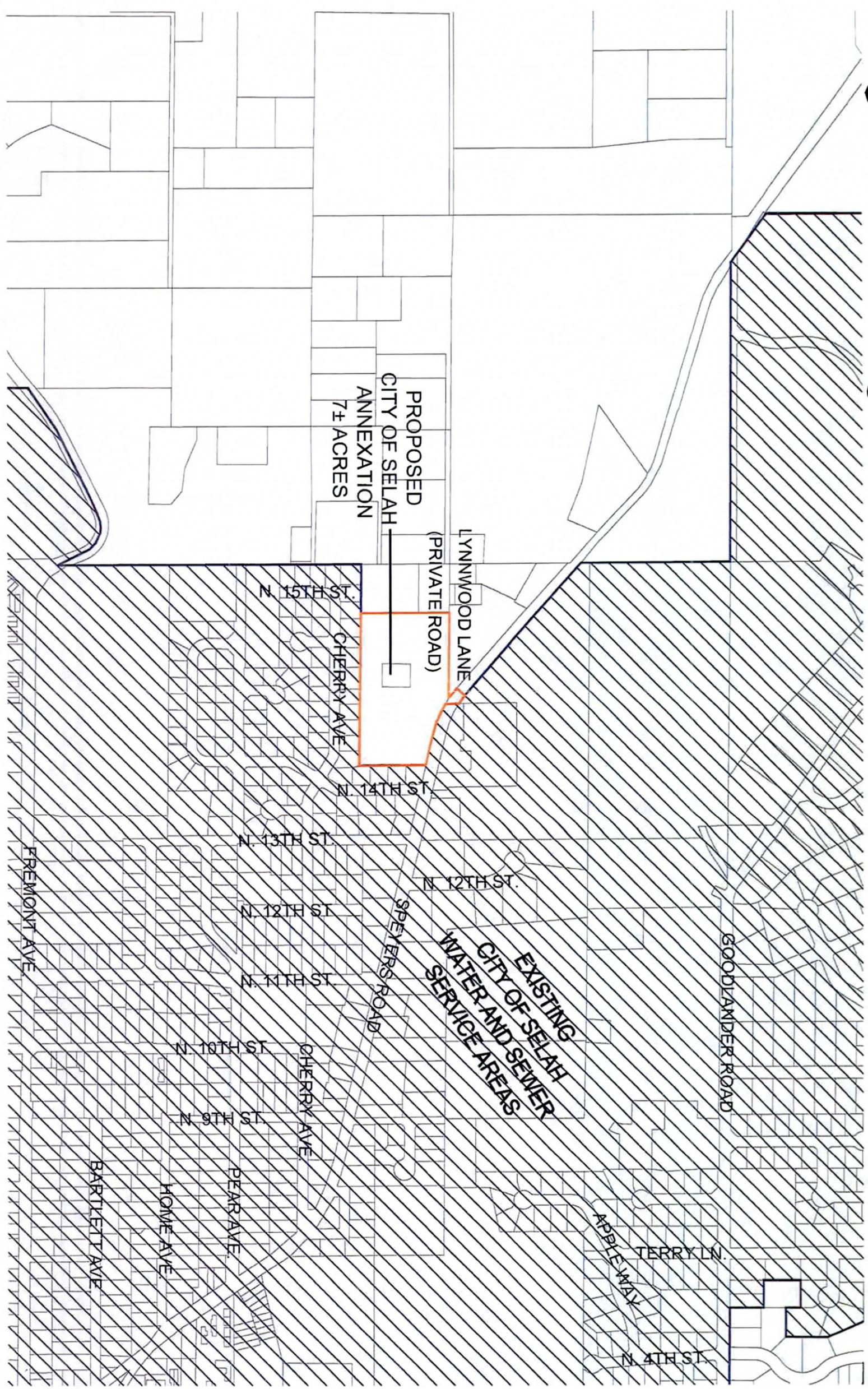
## EXHIBIT C(3)

JOB NUMBER: 17006 DATE: 8-2-2017

FILE NAMES: 17006ANNEX.dwg

DRAWN BY: TDF

**CITY OF SELAH**  
M.K.I. ANNEXATION  
ANNEXATION EXHIBIT

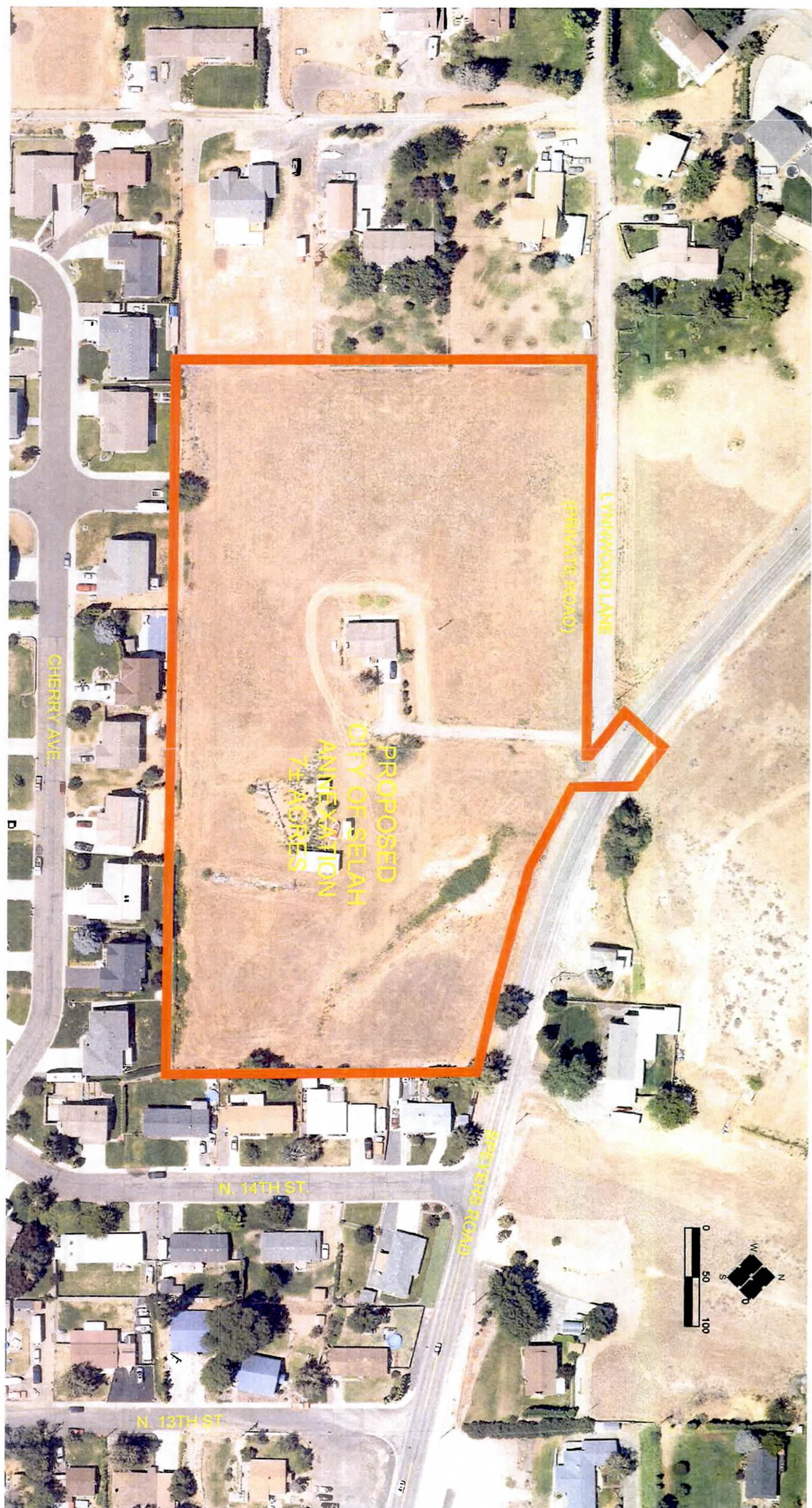


# EXHIBIT C(4)

JOB NUMBER: 17006	DATE: 8-2-2017
FILE NAMES: 17006ANNEXING	
DRAWN BY: TDF	

**CITY OF SELAH**  
M.K.K.I. ANNEXATION  
ANNEXATION EXHIBIT

SHEET  
1  
or  
1





**HLA**  
Engineering and Land Surveying, Inc.

2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hlcivil.com

# EXHIBIT C(5)

JOB NUMBER:	DATE:
17006	8-2-2017
FILE NAMES:	
DRAWING:	17006ANNEXDwg
DRAWN BY:	TDf

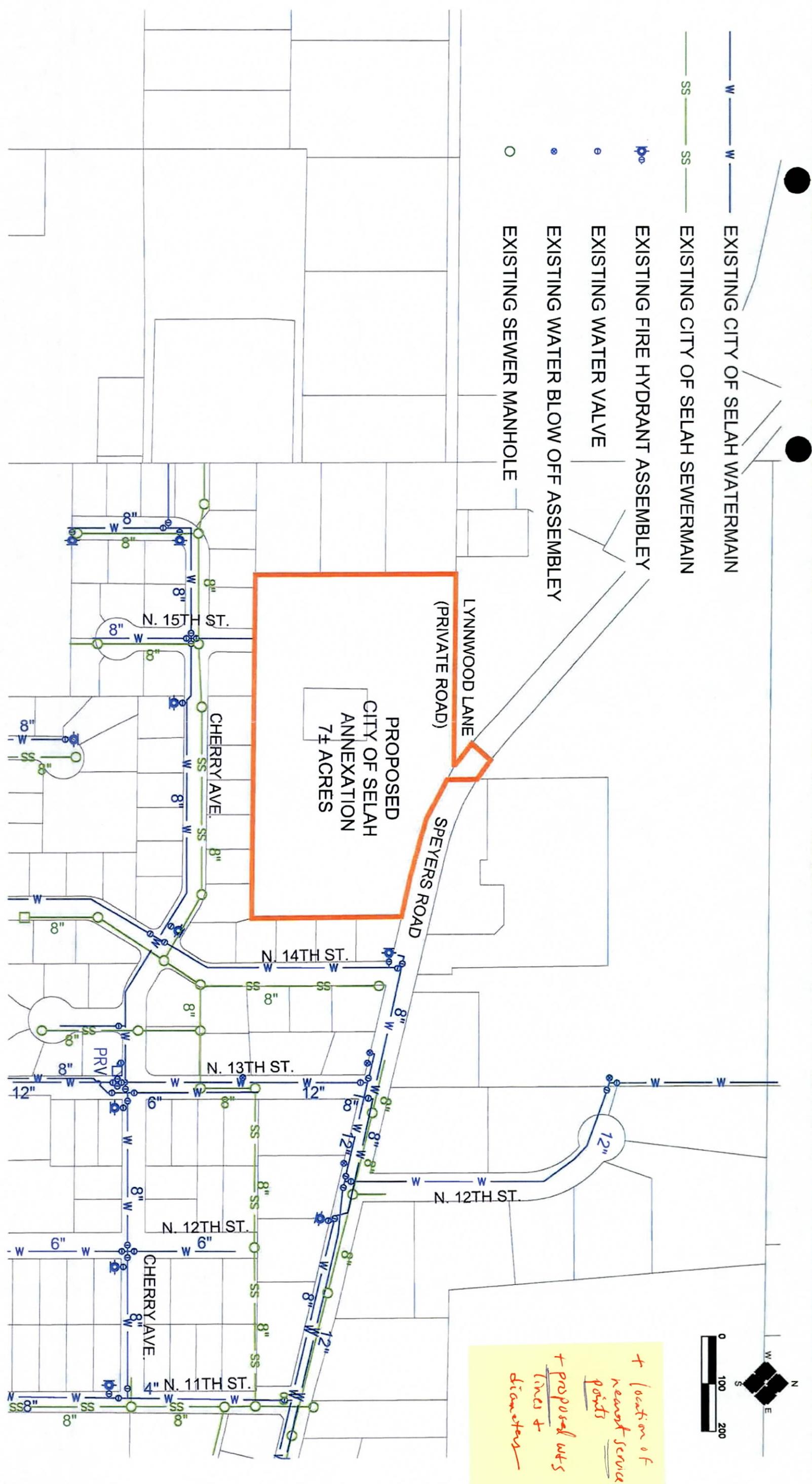
**CITY OF SELAH**  
M.K.K.I. ANNEXATION  
ANNEXATION EXHIBIT



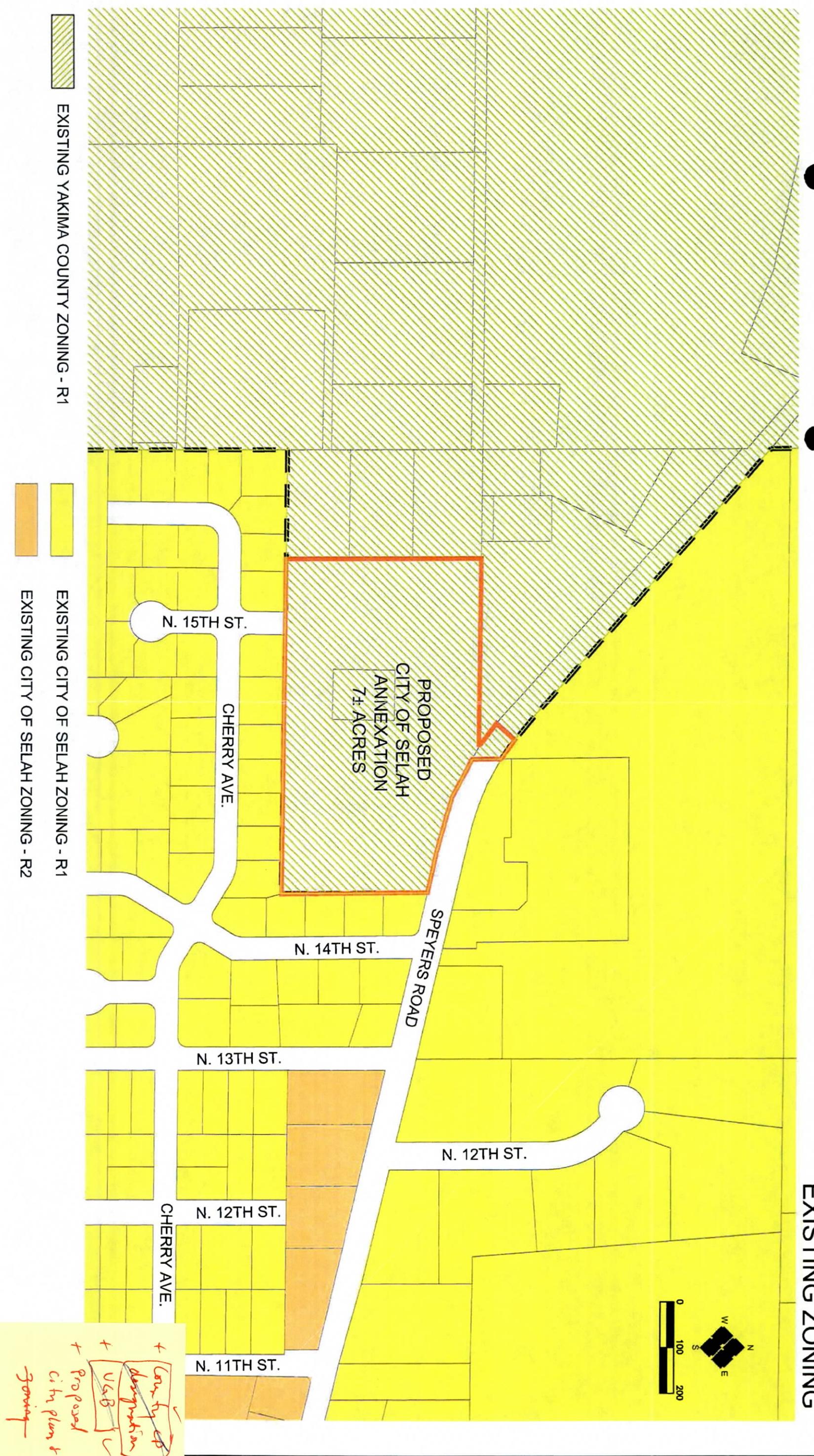
# EXHIBIT C(6)

JOB NUMBER: 17006	DATE: 8-2-2017
FILE NAMES: 17006ANNEX.dwg	
DRAWN BY: TDF	

**CITY OF SELAH**  
 M.K.K.I. ANNEXATION  
 ANNEXATION EXHIBIT



# EXHIBIT C(7) EXISTING

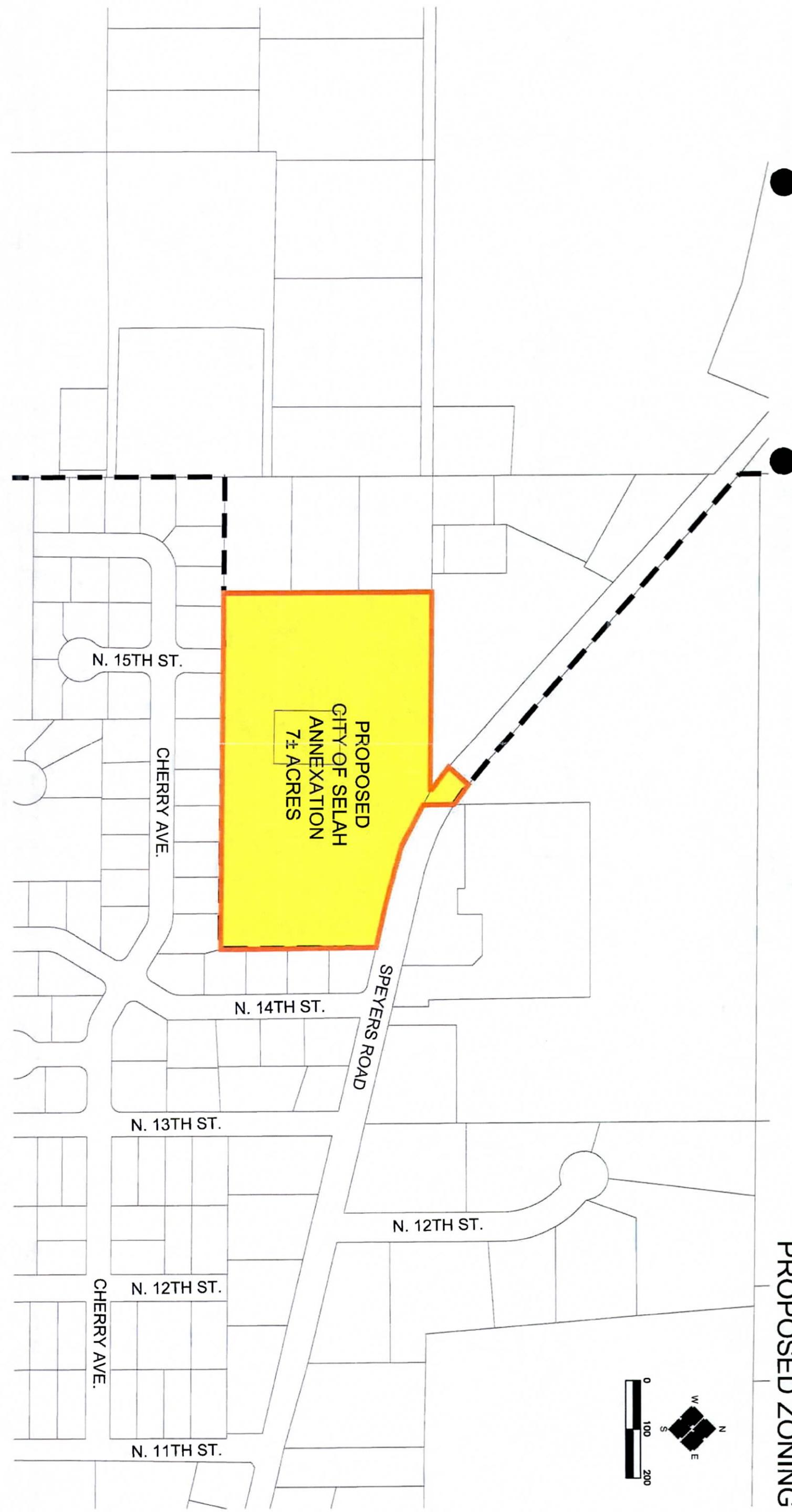




HLA  
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www.hlacivil.com

## EXHIBIT C(7) PROPOSED

PROPOSED CITY OF SELAH GAP ZONING - R1



CITY OF SELAH  
M.K.I. ANNEXATION  
ANNEXATION EXHIBIT

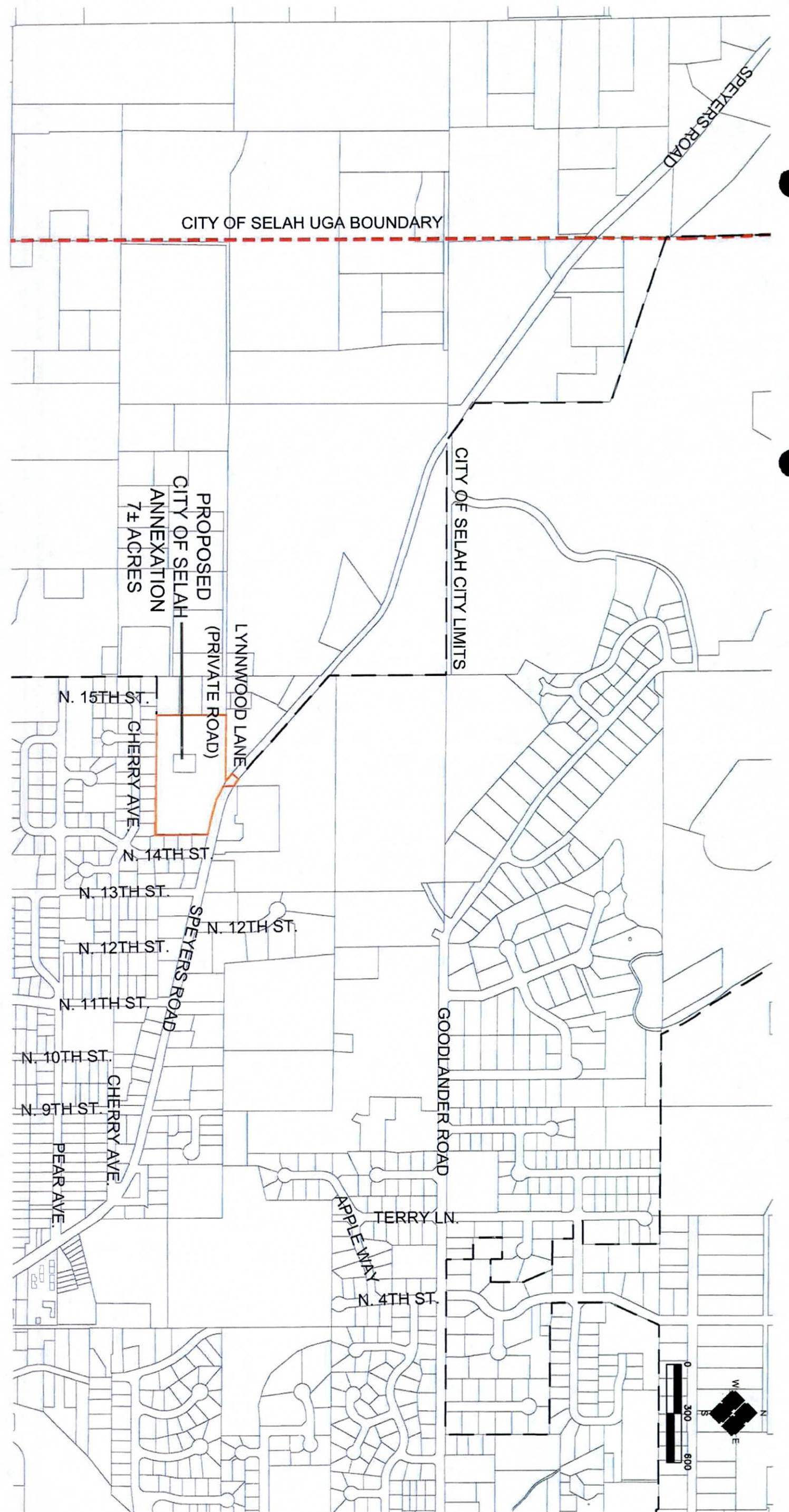
SHEET 1 OF 1



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Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hla-civil.com

# EXHIBIT C(7)

YAKIMA COUNTY COMPREHENSIVE PLAN DESIGNATION - URBAN RESIDENTIAL.



**CITY OF SELAH**  
M.K.I. ANNEXATION  
ANNEXATION EXHIBIT

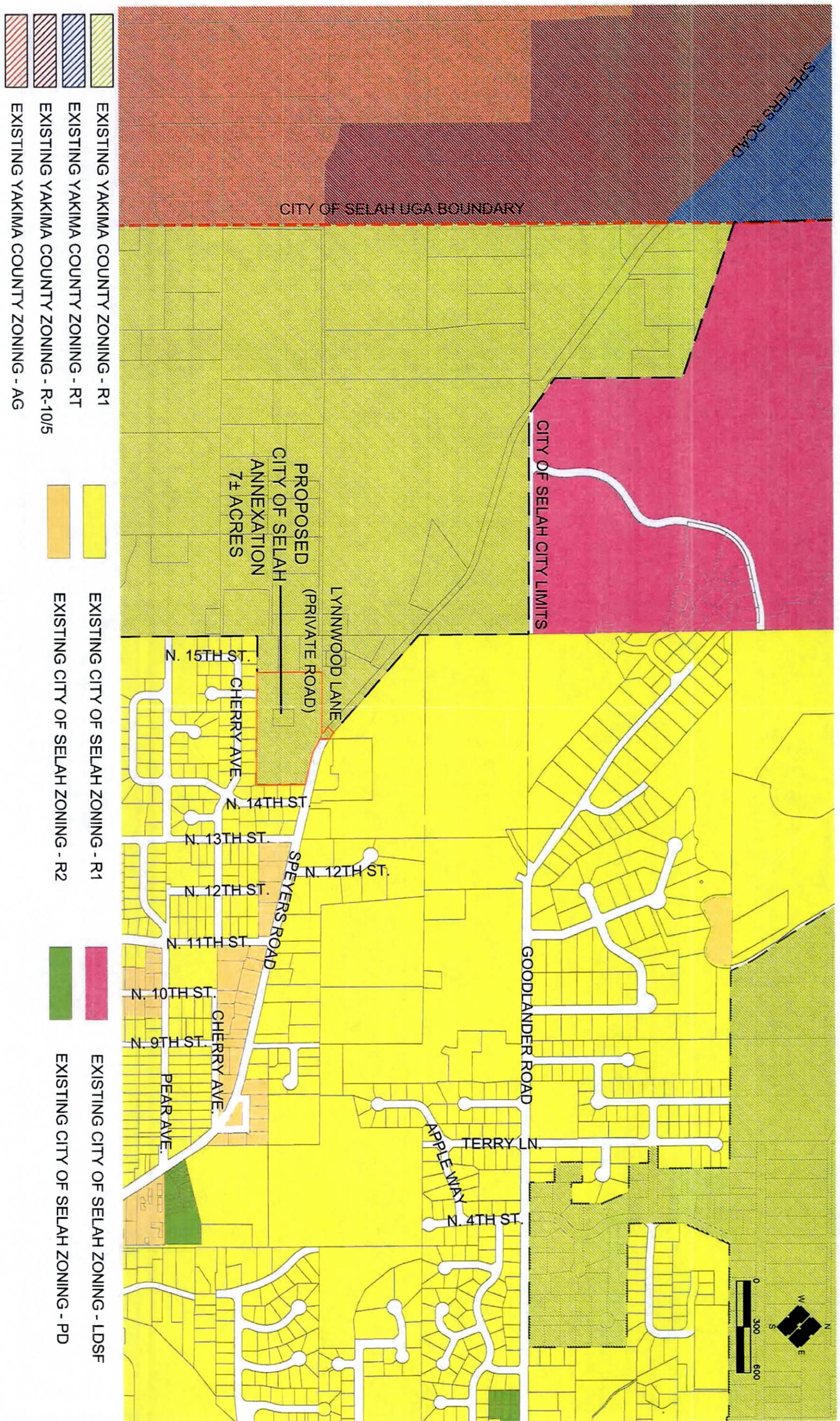
SHEET  
1  
OR  
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Engineering and Land Surveying, Inc.

2803 River Road  
Yakima, WA 98902  
509.966.7000  
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[www.hlacivil.com](http://www.hlacivil.com)

## EXHIBIT C(7) EXISTING



**CITY OF SELAH**  
M.K.I. ANNEXATION  
ANNEXATION EXHIBIT

SHEET  
1  
or  
1

## **Exhibit “C8”**

- 1. No Floodways or Floodplains are present within the annexation area.**

## **Exhibit "D"**

1. Certified Copy of the Petition
2. Proof of Assessed Valuation
3. Affidavit of Publication of Public Hearing Notice
4. Copy of the Minutes of Public Hearing
5. Certified Copy of the Resolution Setting the Date of the Public Hearing

**PETITION FOR ANNEXATION  
OF  
UNINCORPORATED PROPERTY**

**IN THE MATTER OF THE PETITION )  
FOR THE ANNEXATION OF THE )  
BELOW DESCRIBED PROPERTY ) **PETITION FOR ANNEXATION****

COMES NOW, the following named persons:

M.K.K.I Incorporated & MMDREAM LLC  
Jim Kassner Frank P. Sinek  
Lynwood Ln. Lynwood Ln.  
Selah, WA 98942 Selah, WA 98942

and petitions the City Council of the City of Selah that the following described property situated in Yakima County, WA., to wit:

Lot #1: Legal----- Section 35 Township 14 Range 18 Quarter NW: SP 7699523 Lot 2, records of Yakima County, Washington. (Tax Parcel: 18143523512)

Lot #2: Legal---- Section 35 Township 14 Range 18 Quarter NW: SP 7699523 Lot 1, records of Yakima County, Washington. (Tax Parcel: 18143523511)

be annexed to the City of Selah, and in support of said Petition, the undersigned person representing the owner of 100 percent (100%) in value according to the assessed valuation of said property for which annexation is petitioned; that said property is not now within the limits of any incorporated city; that said property is contiguous to the City of Selah; that a drawing of the boundaries of said property which is sought to be annexed is attached hereto as Exhibit A, "M.K.K.I. Annexation Boundary"; that the City Council of the City of Selah has determined that it will accept the proposed annexation and that it will require the pro rata assumption of existing City indebtedness by the area proposed by this petition to be annexed, as referenced by the following recital from the minutes of the July 11, 2017, meeting of the Selah City Council.

I move we accept the M.K.K.I. "Notice of Intent to Annex" petition; and

(1) Establish as the proposed annexation boundary the staff's recommended Exhibit "A";

(2) If ultimately annexed the property would be zoned Residential, Single Family (R-1) on the date of annexation.

**“M.K.K.I. ANNEXATION”  
PETITION FOR ANNEXATION**

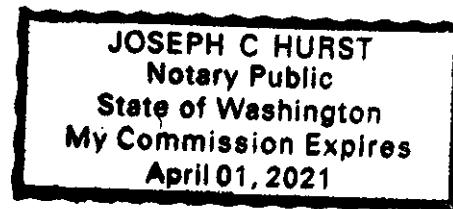
WHEREFORE, petitioner prays that the City Council make and enter this petition for annexation, fixing a time and place for a public hearing on this petition pursuant to RCW 35A.14.130; adopt a zoning classification for the property sought to be annexed as provided for in RCW 35A.14.120; and, that due notice be given of such public hearing and that at the conclusion of said public hearing that said property be annexed to the City of Selah.

The petitioner subscribing hereto agrees that all property within the territory sought to be annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Selah, including assessments or taxes for payment of any bonds issued or debts contracted prior to or existing at the date of annexation; and further that this petition constitutes a covenant granting the City of Selah a "right of first refusal" to secure ownership of any irrigation and/or domestic water rights appurtenant to the land.

Jim Kassner Pres.  
Jim Kassner, M.K.K.I. Incorporated

Frank P. Sinek  
Frank P. Sinek, MMDREAM, LLC

STATE OF WASHINGTON )  
 ) ss.  
County of Yakima )



On this day personally appeared before me Jim Kassner, of M.K.K.I. Incorporated to me known to be the individual described in and who executed the foregoing instrument and acknowledges that he signed the same on behalf of the City of Selah as his free and voluntary act and deed

GIVEN under my hand and official seal this 11 day of July, 2017.

  
Signature

Notary Public in and for the State of Washington  
Residing at: Seabrook, WA 98942  
My Commission expires: Apr. 01, 2021

STATE OF WASHINGTON )

**“M.K.K.I. ANNEXATION”  
PETITION FOR ANNEXATION**

County of

) ss.  
)

On this day personally appeared before me Frank P. Sinek, of MMDREAM, LLC to me known to be the individual described in and who executed the foregoing instrument and acknowledges that he signed the same on behalf of the City of Selah as his free and voluntary act and deed.

GIVEN under my hand and official seal this 11 day of July, 2017.

Joseph C. Hurst  
Signature

Notary Public in and for the State of Washington  
Residing at: Selah Wa.  
My Commission expires: April 01, 2021

JOSEPH C HURST  
Notary Public  
State of Washington  
My Commission Expires  
April 01, 2021



"M.K.K.I. ANNEXATION"  
PETITION FOR ANNEXATION

# PETITIONED PROPERTY VALUE

"M.K.K.I." ANNEXATION

## ASSESSED VALUATION:

<u>Parcel Number</u>	<u>Acreage</u>	<u>Land Val</u>	<u>Impvt's</u>	<u>Total Value</u>	<u>Petitioner</u>
18143523512	6.31 ac	\$ 61,500	\$ 0	\$ 61,500	YES
18143523511	.34 ac	\$ 53,600	\$ 125,100	\$178,100	YES

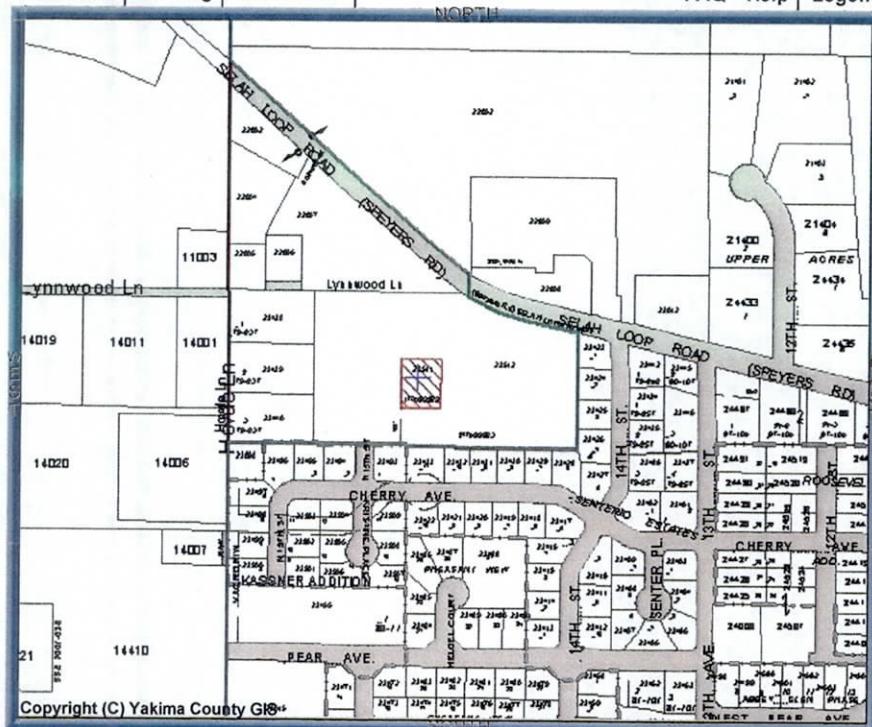
OWNER: M.K.K.I Incorporated

Lynwood Ln.

Selah, WA. 98942

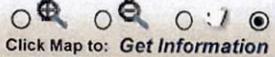
TOTAL ACREAGE      PETITIONED ACREAGE  
6.65 acres      6.65 acres

PETITIONED PARCEL REPRESENT 100.00 % OF TOTAL ACREAGE



Easting(ft) | Northing(ft)

卷之三



**Click Map to: *Get Information***

One Inch = 400 Feet

Feet 200 400 600

PROPERTY PHOTOS: 1			PROPERTY INFORMATION AS OF 8/9/2017 11:01:51 PM								PRINTING						
			Parcel Address: 10 LYNNWOOD LN, SELAH, WA 98942 Parcel Owner(s): MKKI INC Parcel Number: 18143523511      Parcel Size: 14838 Square Feet Property Use: 11 Single Unit								Printer-Friendly Page						
TAX AND ASSESSMENT INFORMATION																	
Tax Code Area (TCA): 403			Tax Year: 2017			Improvement Value: \$125100		Land Value: \$53600		Current Use Value: \$0		Current Use Improvement: \$0		New Construction: \$0		Total Assessed Value: \$178700	
RESIDENTIAL INFORMATION											SECTION MAPS						
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4,1/2)	(bsmt/att/bltin)	Garage	Carport	Section Map 1in=400ft						
AVERAGE	1971	1.00	1337		876/1049	3	1/0/1		0/0/288								
SALE INFORMATION											Qtr SECTION MAPS						
Excise	Sale Date		Sale Price		Grantor				Portion		NW-Qtr 1"=200ft						
431503	6/19/2013		\$229900		M K K I INCORPORATED				N								
DISCLAIMER											NE-Qtr 1"=200ft						
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:	R-1	Jurisdiction:	County
Urban Growth Area:	Selah	Future Landuse Designation:	Urban Residential (Yakima County Plan 2015)
FEMA 100 Year:	Not in floodplain (X) 	FIRM Panel Number:	53077C0716D <a href="#">Download Map</a>
LOCATION INFORMATION			
+ Latitude:46° 39' 39.312"	+ Longitude:-120° 32' 58.207"	Range:18 Township:14 Section:35	
Narrative Description: Section 35 Township 14 Range 18 Quarter NW: SP 7699523 Lot 1			
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			

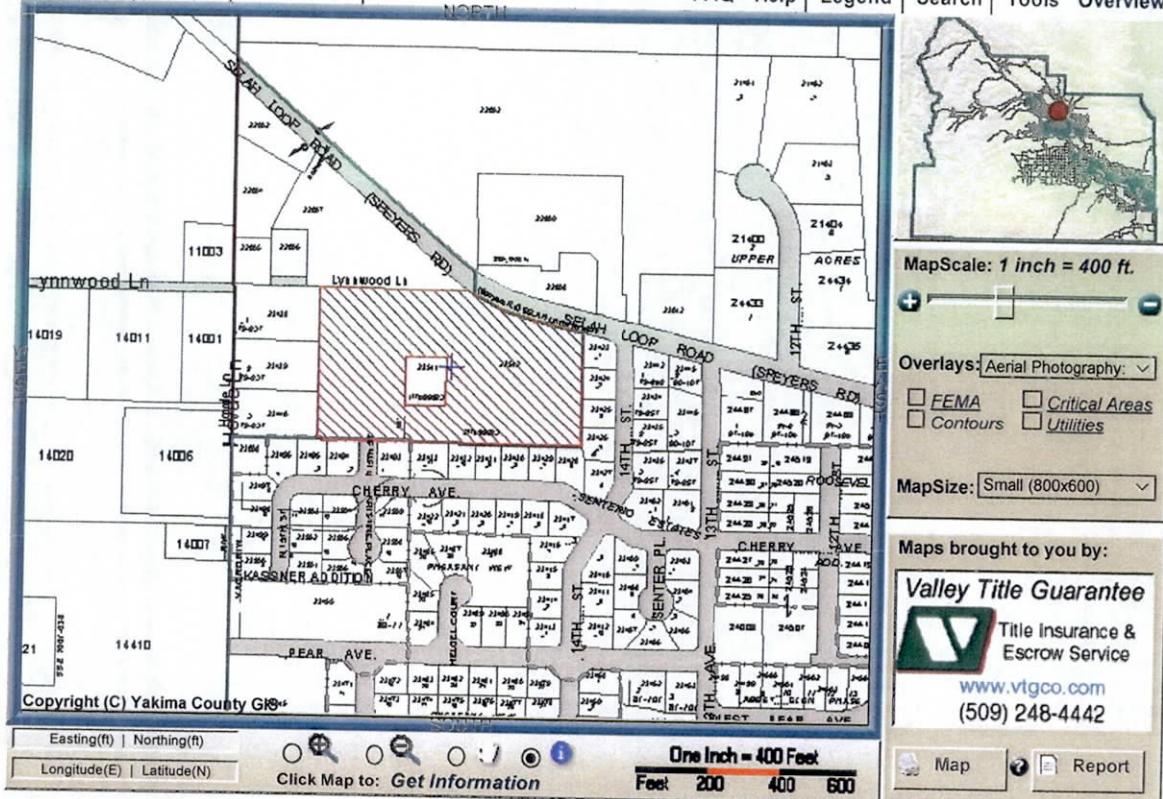
Yakima County GIS - Washington  
Land Information Portal

Yakima County Assessor  
Yakima County GIS  
Yakima County

**VALLEY TITLE GUARANTEE**  
www.vtgco.com  
(509) 248-4442

Assessor | Planning | Real Estate |

FAQ | Help | Legend | Search | Tools | Overview



PROPERTY PHOTOS: 1		PROPERTY INFORMATION AS OF 8/9/2017 11:01:51 PM						PRINTING	
		Parcel Address: LYNNWOOD LN, SELAH, WA 98942 Parcel Owner(s): M K K I INCORPORATED Parcel Number: 18143523512   Parcel Size: 6.31 Acre(s) Property Use: 91 Undeveloped Land						<a href="#">Printer-Friendly Page</a>	
		TAX AND ASSESSMENT INFORMATION Tax Code Area (TCA): 403   Tax Year: 2017 Improvement Value: \$0   Land Value: \$61500 CurrentUse Value: \$0   CurrentUse Improvement: \$0 New Construction: \$0   Total Assessed Value: \$61500						<a href="#">Detailed Report</a>	
		RESIDENTIAL INFORMATION No Residence Information Found.						<a href="#">Print Detailed MAP</a>	
		SALE INFORMATION No Sales Information Found.						<a href="#">Section Map 1in=400ft</a>	
								Qtr SECTION MAPS NW-Qtr 1"=200ft   NE-Qtr 1"=200ft SW-Qtr 1"=200ft   SE-Qtr 1"=200ft	
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 <a href="#">email us</a> .									

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Zoning:	R-1	Jurisdiction:	County							
Urban Growth Area:	Selah	Future Landuse Designation:	Urban Residential (Yakima County Plan 2015)							
FEMA 100 Year:	Not in floodplain (X)	FIRM Panel Number:	53077C0716D	Download Map						
LOCATION INFORMATION										
+ Latitude: 46° 39' 39.560"		+ Longitude: 120° 32' 57.071"		Range: 18 Township: 14 Section: 35						
Narrative Description: Section 35 Township 14 Range 18 Quarter NW: SP 7699523 Lot 2										
DISCLAIMER										
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## TRANSMITTAL MEMORANDUM

**DATE:** July 13, 2017  
**TO:** Dave Cook, Yakima County Assessor  
**FROM:** Jeff Peters, Community Development Supervisor City of Selah  
**SUBJ:** Certification of Petitions for "M.K.K.I." Annexation  
**FILE:** Selah City File: 920.17.002

Enclosed is a photocopy of a signed petition for the "M.K.K.I." annexation. As required by RCW 35A.14.420-450 the signed petition must be certified as valid and as representing the owner of a majority of the territory for which annexation is petitioned.

Please review the attached petition and if you concur that the signed petitions represents the owners of a majority of the territory for which annexation is petitioned, identified in Exhibit "A", then please sign this certification and email me a copy.

Signed petitions represent NOT LESS THAN a majority of the owners of the property petitioned for annexation.

Signed petitions represent LESS THAN a majority of the owners of the property petitioned for annexation.



Dave Cook, Yakima County Assessor

# YAKIMA HERALD-REPUBLIC

## Affidavit of Publication

STATE OF WASHINGTON, )

)

COUNTY OF YAKIMA )

Danielle Rogers, being first duly sworn on oath deposes and says that she/he is the Accounting clerk of Yakima Herald-Republic, Inc., a daily newspaper. Said newspaper is a legal newspaper approved by the Superior Court of the State of Washington for Yakima County under an order made and entered on the 13th day of February, 1968, and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continually as a daily newspaper in Yakima, Yakima County, Washington. Said newspaper is now and has been during all of said time printed in an office maintained at the aforesaid place of publication of said newspaper.

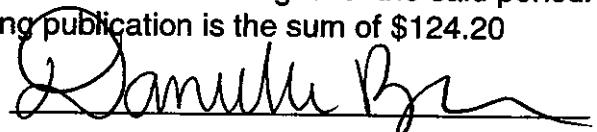
That the annexed is a true copy of a:

CITY OF SELAH NOTICE OF PUBLIC HEARI

it was published in regular issues (and not in supplement form) of said newspaper once each day and for a period of 1 times, the first insertion being on 07/19/2017 and the last insertion being on 07/19/2017

Yakima Herald-Republic 07/19/17  
YakimaHerald.com 07/19/17

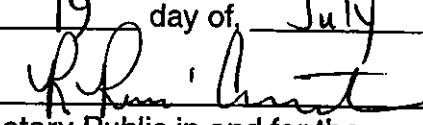
and the such newspaper was regularly distributed to its subscribers during all of the said period. That the full amount of the fee charged for the foregoing publication is the sum of \$124.20



Accounting Clerk



Sworn to before me this 19 day of July 2017

  
Notary Public in and for the  
State of Washington,  
residing at Yakima

**CITY OF SELAH NOTICE OF  
PUBLIC HEARING**

**PROPOSED M.K.K.I.  
ANNEXATION**

NOTICE IS HEREBY GIVEN BY THE CITY OF SELAH, WASHINGTON, THAT THE SELAH CITY COUNCIL WILL CONDUCT A PUBLIC HEARING ON TUESDAY, AUGUST 8TH, 2017, COMMENCING AT 4:00 P.M., OR AS SOON THEREAFTER AS PRACTICAL, IN THE COUNCIL CHAMBERS, SELAH CITY HALL, 115 W. NACHES, SELAH, WA., ON THE PROPOSED "M.K.K.I." ANNEXATION.

THE PROPOSED ANNEXATION IS 6.65 ACRES IN AREA AND IS GENERALLY LOCATED SOUTHWEST OF SPEYERS ROAD AND EAST OF NORTH 15TH STREET.

ADDITIONAL INFORMATION AND ANNEXATION MAPS ARE AVAILABLE FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS AT THE CITY OF SELAH PLANNING DEPARTMENT, 222 SOUTH RUSHMORE ROAD, SELAH, WA.

ALL PERSONS WISHING TO OFFER COMMENTS FOR OR AGAINST THE PROPOSED ANNEXATION ARE ENCOURAGED TO ATTEND. ALL WRITTEN COMMENTS RECEIVED PRIOR TO THE DAY OF THE PUBLIC HEARING WILL BE CONSIDERED IN THE CITY COUNCIL DELIBERATIONS.

IF YOU HAVE ANNEXATION OR PROCEDURAL QUESTIONS PLEASE FEEL FREE TO CONTACT JEFF PETERS, COMMUNITY DEVELOPMENT SUPERVISOR IN PERSON AT 222 SOUTH RUSHMORE ROAD, SELAH, WA OR BY PHONE AT (509) 698-7365, BY FAX AT (509) 698-7372 OR BY E-MAIL AT [jeff.peters@selahwa.gov](mailto:jeff.peters@selahwa.gov).

DATED THIS 18TH DAY OF July 2017.

JEFF PETERS, COMMUNITY DEVELOPMENT SUPERVISOR

(747915) July 19, 2017

**CITY OF SELAH**  
**AFFIDAVIT OF POSTING**

STATE OF WASHINGTON ) M.K.K.I. ANNEXATION  
COUNTY OF YAKIMA )

I, Jeff Peters, being first duly sworn on oath disposes and says:

I am an employee of the City of Selah, 113 West Naches Avenue, Selah, Washington; that on the 18<sup>th</sup> day of July, 2017, I caused to be posted on, or adjacent to, the property proposed for annexation a minimum of three notices at three separate locations clearly visible to the general public, a true and correct copy of **NOTICE OF PUBLIC HEARING** (attachment A).

Said locations of posting being:

1. City of Selah Public Works, 222 S. Rushmore Road, Selah WA 98942.
2. City of Selah City Hall 115 W. Naches Avenue, Selah, WA 98942.
3. Approximate center of the subject annexation property.
4. City of Selah Civic Center 216 S 1st St, Selah, WA 98942.

Jeff Peters, Community Development Supervisor

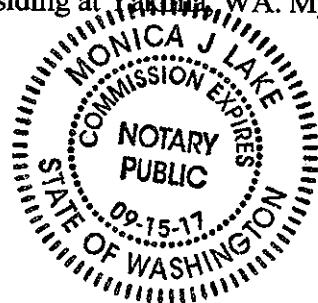
STATE OF WASHINGTON )  
 ) ss.  
County of Yakima )

On this day personally appeared before me Jeff Peters to me known to be the individual referenced herein and who caused to be posted the notices of annexation.

GIVEN under my hand and official seal this 10th day of August, 2017.

Monica Lake

Notary Public in and for the State of Washington, residing at Yakima, WA. My term expires the 15<sup>th</sup> day of Sept, 2017.



## CITY OF SELAH AFFIDAVIT OF MAILING

STATE OF WASHINGTON )  
COUNTY OF YAKIMA )

I, Jeff Peters, being first duly sworn on oath disposes and says:

I am an employee of the City of Selah, 113 South 2<sup>nd</sup> Street, Selah, Washington; that I did on the 18<sup>th</sup> day of July 2017, caused to be mailed, one envelopes, containing a true and correct copy of the public hearing notice for the proposal previously referenced. Said envelopes mailed from Selah, WA. with correct first class postage and addressed to the owners of property listed by the Yakima County Treasurer as being the legal owners of real property located within the proposed annexation boundary.

Jeff Peters

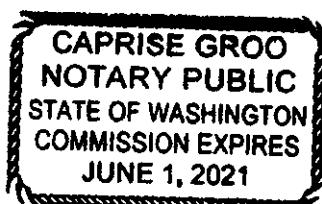
STATE OF WASHINGTON )  
                          ) ss.  
County of Yakima      )

On this day personally appeared before me Jeff Peters to me known to be the individual referenced herein and who caused to be mailed the notices of public hearing.

Given under my hand and official seal this 18<sup>th</sup> day of July, 2017.

Caprise Groo  
Caprise Groo

Notary Public in and for the State of Washington, residing at Yakima, WA.  
My term expires the 1st day of June, 2021.





## **CITY OF SELAH**

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 • [www.selahwa.gov](http://www.selahwa.gov)  
*All final Certificates of Occupancy are subject to final building inspection. Please call to schedule inspections.*

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### **CITY OF SELAH NOTICE OF PUBLIC HEARING**

#### **PROPOSED M.K.K.I. ANNEXATION**

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DATED THIS 18TH DAY OF July 2017.

JEFF PETERS, COMMUNITY DEVELOPMENT SUPERVISOR

City of Selah  
Council Minutes  
August 8, 2017

Regular Meeting  
Selah Council Chambers  
115 West Naches Avenue  
Selah, WA 98942

A. Call to Order      Mayor Raymond called the meeting to order at 4:00pm.

B. Roll Call

Members Present:      Paul Overby; John Tierney; Roy Sample; Laura Ritchie; Roger Bell; Diane Underwood; Russell Carlson

Members Absent:

Staff Present:      Donald Wayman, City Administrator; Robert Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Gary Hanna, Fire Chief; Jim Lange, Deputy Fire Chief; Eric Steen, Deputy Police Chief; Ty Jones, Public Works Utility Supervisor; Jeff Peters, Community Development Supervisor; Dave Mullen, Recreation Manager; Treesa Morales, Recreation Coordinator; Andrew Potter, Human Resources Manager; Monica Lake, Executive Assistant

C. Councilmember Absence – Motion to Excuse

D. Pledge of Allegiance

Council Member Bell led the Pledge of Allegiance.

E. Invocation

Pastor Mark Griesse gave the prayer.

F. Agenda Changes

Add:

1. Resolution N – 4: Resolution Authorizing the Mayor to Purchase Playground Surfacing and Installation from Allplay Systems for Volunteer Park

G. Public Appearances/Introductions/ Presentations      **None**

H. Getting To Know Our Businesses      **None**

I. Communications

1. Oral

Mayor Raymond opened the meeting.

Monica Testerman approached the podium and addressed the Council. She expressed concern about illegal left hand turns down the alley behind R&Q, saying that she almost hit a woman making an illegal left hand turn two weeks ago while traveling on Valleyview and crossing First Street to Jim Clements Way. She suggested a curb in the median to prevent illegal left hand turns down the alley.

Council Member Tierney wondered if it was legal to make a turn there.

Deputy Police Chief Steen responded that he couldn't tell him the width of the yellow line there.

Council Member Carlson thought it sounded like a technicality.

Ms. Testerman remarked that she has a newly licensed drive on the road and this is a hazard.

City Administrator Wayman stated that he would staff take a look and get back to the Mayor.

Seeing no one rise to speak, Mayor Raymond closed the meeting.

2. Written

a. July Monthly Report for Building Permits/Inspections and Code Enforcement

J. Proclamations/Announcements **None**

K. Consent Agenda

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (\*) were considered as part of the Consent Agenda.

\* 1. Approval of Minutes: July 25, 2017 Council Meeting

\* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 80944 – 80993 for a total of \$294,040.94

Claim Checks Nos. 69951 – 69925 for a total of \$285,677.16

**Council Member Tierney moved, and Council Member Carlson seconded, approval of the Consent Agenda as read. By voice vote, approval was unanimous.**

L. Public Hearings

1. Public Hearing on the Non-Exclusive Franchise Agreement to Falcon Video Communications, L.P., locally known as Charter Communications to Erect, Construct, Extend, Operate and Maintain In, Upon, Along, Across, Above, Over and Under the Street Rights-of-Way a Cable System

City Attorney Noe addressed L – 1. He said that this is a franchise agreement for Falcon Video Communications dba Charter Communications, to replace the one that is expiring, noting that it carries forth the same provisions as the previous one aside from the franchise fee, which has not been charged in the past but by Federal law they can charge up to five percent. He noted that Council would need to determine whether to charge the fee.

City Administrator Wayman gave a comparison of various cities around the valley and surrounding area, noting that roughly eighty to eighty-five percent of municipalities in Washington State charge a fee, and that Council can go anywhere from zero to five percent with the franchise fee.

Council Member Carlson wondered if there is a current franchise fee imposed, and what the utility tax is.

City Administrator Wayman replied that the franchise fee is zero and the utility tax fee six percent.

City Attorney Noe informed Council that per a Federal mandate they would need to offer the same franchise agreement terms to another company that comes in.

Council Member Tierney asked if the franchise fee is passed on to the customer.

City Administrator Wayman responded in the affirmative.

Council Member Tierney felt that the problem he sees with the fee is a vast number of people have satellite broadcast reception with no broadcast fee or utility tax.

City Administrator Wayman stated that staff is not presenting an opinion or recommendation, just presenting options.

Council Member Tierney wondered if they could change it during the term of the contract.

City Attorney Noe replied in the negative.

City Administrator Wayman remarked that the money collected could be split between Parks and the Civic Center, noting that they have no dedicated revenue stream for the Civic Center, and that would be the recommendation he made.

Council Member Carlson felt it made sense to bring in a revenue stream without taxing citizens.

Council Member Tierney wondered if they had anyone in attendance with an opinion.

Mayor Raymond opened the Public Hearing.

Council Member Carlson commented that if they impose the fee then it would be less to impose on the community.

Mayor Raymond opined that it would be a great revenue for the Civic Center.

Rachel Glaspie approached the podium and addressed the Council. She said that she has both business and personal accounts through Charter, and doesn't feel it is a significant bill in the first place.

Council Member Ritchie felt it would alter for those within the area, not just those inside Selah.

City Administrator Wayman observed that the reason for the fee is for right of way access, and this is a payback to the residents if they impose a fee.

Council Member Tierney asked if the franchise fee and utility fee would appear on a cable user's bill.

City Administrator Wayman responded that he was assured by his contact that this would be passed onto their customers if Council opts to go with five percent.

Barb Petrea approached the podium and addressed the Council. She felt this was an opportunity to bring in funds for both Parks & Recreation and the Civic Center.

Dick Graf approached the podium and addressed the Council. He asked for clarification that by parks they mean City parks.

City Administrator Wayman replied that it would be City parks.

Mr. Graf requested more input on the design of cell towers when that contract is renegotiated.

City Attorney Noe answered that each cell tower application goes through a permitting process and the City can put in appropriate conditions.

Mayor Raymond closed the Public Hearing.

## 2. Public Hearing to consider the proposed "M.K.K.I" Annexation (920.17.002)

Community Development Supervisor Peters addressed L – 2. He stated that this hearing is for the MKKI annexation, from petitioners Jim Kassner and Frank Busick. He gave the details of location, noting that the petitioners represent one hundred percent of the annexation area requested, and that staff recommends that Council hold a hearing and then approve the annexation and authorize staff to submit it to the Boundary Review Board of Yakima County.

Mayor Raymond opened the Public Hearing.

Council Member Carlson asked if there was any testimony against it at the Planning Commission meeting.

Community Development Supervisor Peters responded that it doesn't go to them for initiation, which is why Council had the ability to ask questions of the applicants when initiated at a prior meeting.

Mayor Raymond closed the Public Hearing.

3. Closed Record Public Hearing to Consider the Hearing Examiner's Recommendation Regarding a Rezone (914A.17.001) of the subject property to Planned Development and approval of the Preliminary Plat of "Selah Vista" (912.17.001) and Adopting Findings and Conditions of Preliminary Plat Approval

Community Development Supervisor Peters addressed L – 3. He provided background on the application, saying that the Hearing Examiner conducted a public hearing on July 6, 2017, with no members of the public opposed the application at that time, and on July 21 he issued his findings and conclusions subject to the conditions of the Planned Development Ordinance. He noted that two errors were discovered that need to be addressed, the first under C-4 where the plat condition should read 'all public streets improvements within the City limits shall be constructed to City standards as approved by the Public Works Director including 50-foot wide right-of-way dedicated to the City on all streets (except the street designated as Sunlight Lane in the preliminary plat, for which 39 feet of right-of-way has been approved), concrete rolled (or better) curb and gutter, five (5) foot wide sidewalk on one street side and frontage improvements as required by this decision on West Goodlander Road', and that the second error would be to C-30, where it should read 'a temporary cul-de-sac turnaround shall be required at the end of any street that terminates more than 600 feet from the nearest improved intersection'. He recommended that Council adopt the Hearing Examiner's recommendation and findings with the two modifications mentioned and approve the accompanying Resolution and Ordinance to follow.

Mayor Raymond opened the Public Hearing.

Steve Weise approached the podium and addressed the Council. He asked that they approve the recommendation for Selah Vista.

Council Member Carlson requested that he tell them what he has planned.

Mr. Weise said that it is a five phase development, the first like it in the area, with different housing plans for single family residences. He went on to say that the community will have housing that people can age in, that supports accessibility, and they are requiring net zero energy with utility bills met by solar power, solar fields and panels on roofs, water usage set at one hundred fifty-six gallons per person per day, and xeriscaping landscaping, which is all being constructed to a 2030 energy code.

City Administrator Wayman asked that he talk about the materials he would be using.

Mr. Weise stated that they are doing a slab on grade due to the ability to store energy, with double wall construction, using natural hydraulic lime that was a predecessor to cement.

Council Member Tierney commented that he heard they would be using Selah's sewer system.

Mr. Weise replied in the affirmative, saying that they chose not to pursue onsite because they didn't want to slow down the process, although in a future phase they may elect to do so again.

Council Member Tierney asked about onsite water retention.

Mr. Weise responded that they would have onsite stormwater retention.

Council Member Carlson wondered about a timeline for the phases.

Mr. Weise replied that he is hoping have sold at least ten units for next year and be done in a couple years with Phase 1, at which time he would go into Phase two with larger custom homes.

Council Member Overby asked about maintenance fees going towards maintenance and replacement of solar arrays.

Mr. Weise answered that each homeowner has to be on their own system; there would be panels that the association owns, but home owners maintain their own houses. He noted that they have a contract in place with Ellensburg Solar, and that the covenants state the homeowners have to maintain their solar arrays.

Council Member Sample opined that the thirty-nine foot right of way is much better than private roads.

Mr. Weise commented that his idea was to make this a walking community, to provide people with the opportunity for safer walking, and that the City Administrator was persuasive about having the roads set to City standards.

Council Member Sample wondered why he had thirty-nine feet for Sunlight Lane and fifty for the rest.

Mr. Weise responded that it's a pass through lane.

Council Member Sample expressed concern about the setbacks and right of way putting it nineteen feet from the property line.

City Administrator Wayman remarked that they wanted to go with the philosophy of maximizing development on the lots.

Council Member Sample wondered about putting a house sixteen feet from the property line, asking if fences are controlled to not encroach in the rights of way. He also expressed concern about utilities being close to the buildings.

A representative from PLSA Engineering approached the podium and addressed the Council. He stated that those utilities would be underground power, with water and sewer out in street, and that the setback requirements were met.

Council Member Sample commented that natural gas would be close to the lot.

Mr. Weise said that they are prohibiting natural gas.

Council Member Tierney asked about cookie cutter designs like they have had in prior Planned Developments.

Mr. Weise replied that he has five different designs, using materials no one in the area has used before, and that they will be extremely attractive homes.

Council Member Tierney remarked that the conceptual designs in the application look the same.

Mr. Weise agreed that they look similar but felt that they are very unique, with custom homes around the perimeter of the common area.

City Administrator Wayman observed that this will be unique, and is very exciting.

Mr. Weise added that there is nothing like it in the state.

Council Member Sample felt it was an excellent project and that Mr. Weise has a tremendous reputation.

Mr. Weise stated that his goal is to make Selah better.

Council Member Carlson wondered what was driving him to go this route.

Mr. Weise responded that he was asked to build a filtering five star home for a family here in Selah, built for children with extreme health issues, and it spiraled into people contacting him about the project, leading to him becoming the Build Green president.

Council Member Underwood asked if they would be recycling rainwater from roofs.

Mr. Weise answered that they are required to keep all water from roofs off anywhere on site, and would be managing all stormwater as well as encouraging homeowners to do rainwater retention.

Mayor Raymond closed the Public Hearing.

#### M. General Business

##### 1. New Business

###### a. Notice of Intent to Annex – Graf Annexation (File 920.17.001)

Community Development Supervisor Peters addressed M – 1a. He said that this is an opportunity to establish boundaries for the new annexation requested by Mr. Graf, Mr. Van Alstine, and Mr. Zier, and

that as of yesterday they have the sixty percent of assessed value needed to move this onto a public hearing. He recommended opening the floor for discussion. .

Dick Graf approached the podium and addressed the Council. He gave a brief rundown of the history of his property, saying that they applied for annexation a year prior and were placed on hold by the former City Planner, and have come back again with a request to annex.

Council Member Carlson expressed his reluctance to start annexing too much too quickly, as he is concerned about being too aggressive with annexations.

Council Member Ritchie remarked that there is great demand right now for new properties.

Council Member Overby observed that they would be seeing the impact of new development in the future. He noted that, unlike other communities, Selah has always let owners drive the annexation process, not the city itself.

Council Member Sample felt it was better to have the land in the City to develop with City water and sewer rather than outside utility agreements. He added that it means they have more control when the property does get developed in the future.

Council Member Tierney noted that it also meant more property taxes.

Council Member Sample remarked that no one is anxious to go willy nilly on growth.

Council Member Carlson asked if the plan is for development.

Community Development Supervisor Peters echoed others in that areas within the urban growth area are expected to be annexed as services are extended out to serve those areas, as the City is the logical service provider for the property. He noted that annexation doesn't affect the amount of money the school district receives because they are their own separate taxing district, and that the school district should be coordinating with the City and planning department regarding projections, the Comprehensive Plan, and what they need for growth.

Council Member Carlson wondered if they currently do that with the school district.

Community Development Supervisor Peters responded that he doesn't know, although they are aware of subdivisions coming in.

City Administrator Wayman remarked that, when they go through SEPA, they send them to schools for review and comment.

Council Member Bell felt their obligation is to accommodate but manage what they do, as that's why they have a process after annexation to approve the different plans that go through. He added that he discussed this type of issue with the school district over a year ago and their answer was that it doesn't affect their ability to grow. He remarked that they have an obligation through the Growth Management Act (GMA) to accommodate and allow growth to continue at the minimum projected level.

Council Member Carlson responded that his concern is not that he would build and develop but what happens to the rest of the community as a result of annexing too quickly, on market and property values in the City limits.

Council Member Overby stated that it is inappropriate to predicate annexation on what property owners do or don't do.

Council Member Carlson said he would prefer to annex at a scheduled pace.

Council Member Tierney said that the downside of not allowing this would be another outside utility agreement that charged more for the same services. He felt it made good sense to have the ability in the future to expand the City with more R-1 residences.

Council Member Bell opined that annexation lessened the impact of water and sewer expansion on the citizens of Selah.

Council Member Underwood asked what kind of housing he wanted to put in.

Mr. Graf responded that it is hard to say, but he does have a plan that was prepared by the City with twenty to twenty-four lots in it.

Council Member Underwood wondered if they would be single family.

Mr. Graf replied that they would be single family and one floor units, based on what the consumer wants.

Council Member Underwood commented that she would like to see more ADA homes and more affordable homes for people.

Mr. Graf thanked Council for their support. He asked Council Member Carlson why he would agree to the Selah Vista and Valhalla developments and not this one, encouraging him to read over the GMA.

Council Member Carlson responded that he is not opposed to this, but wants properly managed growth. His goal is to make sure they do this properly.

Council Member Overby felt the area lends itself in ways to manage growth well.

**Council Member Bell moved, and Council Member Underwood seconded, to accept the "Notice of Intent to Annex" petitions, establish the proposed annexation boundary as identified in Exhibit "A", require the annexation area to provide for simultaneous zoning of Residential, Single-Family, require the annexation territory to assume the city's municipal indebtedness, and require a "right-of-first refusal" for acquisition of irrigation and/or water rights as part of the Graf annexation.**  
**Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member**

**Underwood – yes; Council Member Carlson – no. Motion passed with six yes votes and one no vote.**

## 2. Old Business

## N. Resolutions

1. Resolution Approving the Final Plat of “The Draw on Speyers” (912.65.15.01) and Authorizing the Mayor to sign the Final Plat

Community Development Supervisor Peters addressed N – 1. He said that this is the Resolution to approve the final plat of The Draw on Speyers, speaking briefly about the background of the project, and finishing by saying that the Public Works Director has signed off and staff recommends approving the Mayor to do the same.

Council Member Sample stated that he was opposed back when the preliminary plan was developed, and that since that time he believes they have prepared and approved a preliminary planned development without what he would call a preliminary presented to them. He questioned the lack of dimensions on several parcels on the map and the boundaries of the site.

Community Development Supervisor Peters responded that a survey requires dimensions and directions and bearings on the face of the plat, but they aren't required to put on all lot dimensions for every lot and lot line as they can be scaled.

Council Member Sample commented that they could scale the outside boundaries and it would be acceptable.

Community Development Supervisor Peters replied that it meets the intent of the Ordinance.

Council Member Sample remarked that he was making the point that they should have a preliminary plat prior to the final plat, as there is no verification that the surveyed areas are accurate.

Community Development Supervisor Peters responded that it was prepared by PLSA Surveying.

Council Member Sample stated that he was talking about the map presented when the PD was approved. He commented that he thought the Hearing Examiner noted there was no topo information presented.

Community Development Supervisor Peters answered that he would have to look at the previously adopted Ordinance, noting that oftentimes Ordinances don't require that it be an actual survey map for a prelim. He added that the original map showed topo lines but they were so light that they washed out when copied, saying that his position as planner is that Council voted in favor to approve the preliminary plat, including all conditions of approval, and his job is to review the plat against the conditions and report to Council at a public meeting that they met their plat conditions.

Council Member Sample asked if he was saying that the preliminary plat was done, the conditions approved, and there is nothing more to say.

Community Development Supervisor Peters responded in the affirmative.

Council Member Sample asked if the plat and conditions of approval required any no parking areas.

Community Development Supervisor Peters replied that he believes there was no parking required at the end of the hammerhead.

Council Member Sample wondered about the road from Speyers.

Community Development Supervisor Peters said that he did not recall.

City Administrator Wayman remarked that they have a no parking restriction on twenty foot roads within the City.

Fire Chief Hanna agreed with him.

Council Member Sample inquired about a prohibition against future subdivisions on Lot 13.

Community Development Supervisor Peters replied that there was not one.

Council Member Sample wondered if the design of the private road had any requirements that it be up to City standards as approved by Public Works.

Community Development Supervisor Peters answered that the requirement was that it be built to private road standard approved by the Public Works Director, and that he reviewed the load spec and had the developer correct an issue with the drainage swale.

Council Member Sample asked if drainage would be on the property.

Community Development Supervisor Peters responded in the affirmative.

Council Member Sample asked whether the overflow parking at the far north end was for properties more than two hundred feet away.

Community Development Supervisor Peters stated that he didn't know, as he wasn't here during that.

Council Member Sample said that he couldn't imagine people going three hundred feet away to park due to no parking on the streets, noting that the letter prepared by HLA made several recommendations that he didn't feel were taken into account.

Community Development Supervisor Peters remarked that all recommendations at that time were ended when the Council took action on the preliminary plat, and that the only obligation of staff was to review the decision against what the developer put in place.

Council Member Tierney expressed concern about fire service and turning fire equipment around with no hammerheads at the end of either Verlona Drive or Shawnee Court.

Fire Chief Hanna responded that the side streets don't extend past one hundred fifty feet and that the road fronting lot 7 has a secondary road that acts as a hammerhead.

City Attorney Noe addressed the scope of the review, which was an approval of the final plat, saying that they can't revisit the conditions of approval on the preliminary plat.

**Council Member Tierney moved, and Council Member Overby seconded, to approve the Resolution Approving the Final Plat of "The Draw on Speyers" (912.65.15.01) and Authorizing the Mayor to sign the Final Plat. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

2. **Resolution Approving the Preliminary Plat of "Selah Vista" (912.17.001) and Adopting Findings and Conditions of Preliminary Plat Approval**

Community Development Supervisor Peters addressed N – 2. He said that this is the Resolution for Selah Vista, adopting the conditions for preliminary plat approval, and requested that Council make an amendment to the motion to approve subject to the modifications identified by staff.

Council Member Carlson asked if it was just the two.

Community Development Supervisor Peters responded in the affirmative.

**Council Member Tierney moved, and Council Member Sample seconded, to approve the Resolution Approving the Preliminary Plat of "Selah Vista" (912.17.001) and Adopting Findings and Conditions of Preliminary Plat Approval, subject to the modifications to C-4 and C-30 identified by staff. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

3. **Resolution Authorizing the Mayor to Sign Change Order No. 1 between the City of Selah and Reclaim Company for the Electrical Service Requirements of the Selah Volunteer Park Project**

Public Works Utility Supervisor Jones addressed N – 3. He said that change in contract is to have them put the power in, which wasn't part of the original contract.

Council Member Carlson asked if it would save money.

Public Works Utility Supervisor Jones responded in the affirmative.

**Council Member Carlson moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to Sign Change Order No. 1 between the City of Selah and Reclaim Company for the Electrical Service Requirements of the Selah Volunteer Park Project. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

3. Resolution Authorizing the Mayor to Purchase Playground Surfacing and Installation from Allplay Systems for Volunteer Park

Recreation Manager Mullen addressed N – 4. H said that he was asked to do research on playground surfacing and found this was the best surfacing they could use for Volunteer Park, adding that the quote presented was the lowest from those he requested from ten to twelve companies. He added that this surface works better with ADA compliance than wood chips, and that the quote includes installation.

Council Member Tierney wondered if the surface was porous to allow rain to soak through, and what this brought the total cost of the park to.

Recreation Manager Mullen responded in the affirmative regarding the porous surface.

City Administrator Wayman stated that it puts them just over eight hundred thousand, with an original budget of four hundred fifty thousand before the mitigation requirements.

Recreation Manager Mullen commented that the City would be reimbursed fifty percent.

Council Member Underwood asked about weight bearing capacity and pushing a wheelchair across the surface.

Recreation Manager Mullen responded that he looked at critical fall height, not weight bearing, adding that it is a much better surface for wheelchairs, used in other parks around the country for that purpose.

Council Member Overby wondered if they missed this step when the plan was originally done.

Recreation Manager Mullen replied in the negative but added that the homework wasn't done by the people who initially did the work, and was one of the deficiencies found when they looked it over.

**Council Member Tierney moved, and Council Member Bell seconded, to approve the Resolution Authorizing the Mayor to Purchase Playground Surfacing and Installation from Allplay Systems for Volunteer Park.**

Council Member Ritchie asked when it would be done.

Recreation Manager Mullen responded that he needs to discuss that with the company.

Public Works Utility Supervisor Jones noted that hydro-seeding would be done September 1.

City Administrator Wayman remarked that surface prep was already underway, and that this particular item is going to require subsurface work from City staff.

**Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

O. Ordinances

1. Ordinance of the City of Selah, Washington Granting a Non-Exclusive Franchise to Falcon Video Communications, L.P., locally known as Charter Communications to Erect, Construct, Extend, Operate and Maintain In, Upon, Along, Across, Above, Over and Under the Street Rights-of-Way a Cable System

City Attorney Noe addressed O – 1. He stated that they held a public hearing on the matter and are required to adopt the agreement through an Ordinance. He noted that the section regarding franchise fees is section 10.1, which can change to what council directs, and requested approval of the Ordinance.

Council Member Ritchie commented that she is in favor of adding a franchise fee.

Council Member Underwood asked for an average of percentages.

City Administrator Wayman responded that the vast majority is five percent.

Council Member Underwood said that she would be in favor of five percent.

Council Member Tierney wondered where he would find the utility tax listed.

City Attorney Noe responded that the utility tax is by separate Ordinance.

City Administrator Wayman noted that the current utility tax is six percent.

Council Member Tierney asked for confirmation that they are already charging a utility tax.

City Attorney Noe responded in the affirmative, adding that the City would continue to do so.

Council Member Carlson asked for a recommendation to determine what's appropriate.

City Administrator Wayman replied that it is Council's pleasure to choose, reviewing the list he presented during the public hearing. He remarked that the number for a five percent fee come out to an estimate sixty-seven thousand dollars per year.

Council Member Tierney inquired if the fee monies would be distributed between the Civic Center and the Parks department.

City Administrator Wayman recommended that the finance committee come up with a strategy to distribute funds in future years, and staff recommends making the Civic Center and Parks a priority.

**Council Member Tierney moved, and Council Member Ritchie seconded, to approve the Ordinance of the City of Selah, Washington Granting a Non-Exclusive Franchise to Falcon Video Communications, L.P., locally known as Charter Communications to Erect, Construct, Extend, Operate and Maintain In, Upon, Along, Across, Above, Over and Under the Street Rights-of-Way a Cable System, with a franchise fee of five percent annually.**

**Council Member Carlson moved to amend the motion to specify that the franchise fee would be directed towards the Civic Center and Parks funds only.**

Council Member Tierney felt they should leave that to the finance committee to bring back.

Council Member Overby expressed his desire to see a separate motion on that, as he would like to see the funds go to debt reduction, or at least a separate motion.

Council Member Ritchie opined that they should look at and do a more solid plan later.

City Administrator Wayman remarked that the finance committee would be able to pull apart and study it in a more deliberate manner, and work with staff regarding where to apply the monies effectively.

**Council Member Carlson recalled his motion.**

**Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

2.     Ordinance Amending Ordinance No. 1634 § 15 Zoning Map Amendment (914A.17.001)  
Selah Vista Planned Development Rezone

Community Development Supervisor Peters addressed O – 2. He said that this is to change the zoning to PD R-1 and recommended approval.

**Council Member Overby moved, and Council Member Ritchie seconded, to approve the Ordinance Amending Ordinance No. 1634 § 15 Zoning Map Amendment (914A.17.001) Selah Vista Planned Development Rezone.**

Council Member Tierney asked him to clarify the difference between PD and PD R-1.

Community Development Supervisor Peters responded that the Hearing Examiner stated that the property retains its R-1 character.

**Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

P. Public Appearances **None**

Q. Reports/Announcements

1. Departments

Deputy Police Chief Steen said that they had a great turnout for National Night Out.

Public Works Utility Supervisor Jones said that the TIB emergency repair work was completed, as well as repaving east First Avenue by the bank, and they are busy with Volunteer Park, spraying the rights of way, and general maintenance.

City Administrator Wayman requested that he comment on water usage.

Public Works Utility Supervisor Jones replied that they sold one hundred fifteen million gallons last month and the water system is running full throttle right now.

Council Member Carlson asked about the plan for the trees on south First Street, and the leveling of the other sod.

Public Works Utility Supervisor Jones responded that the trees would be put in mid-September and the leveling would be discussed during the 2018 budget process.

Fire Chief Hanna had no report.

Clerk/Treasurer Novobielski had no revenue updates but stated he has uploaded the July financials to the website, and will be distributing 2018 preliminary budget worksheets on Friday.

Community Development Supervisor Peters said that the subarea plan will be coming for approval at the next meeting, to allow HLA to act as contractor on the plan, and that they will attend to talk about it. He went on to say that they would also set a date for the Graf annexation public hearing, and hold a closed record hearing on the Class 3 recommendation for the proposed aquatic center.

City Administrator Wayman noted that the development agreement with Matson Fruit will also be on the agenda for the next meeting.

Community Development Supervisor Peters stated that, while the pool funding did not pass, because they entered into the public process to get approval for the new aquatic center, Council has an obligation to hear the Planning Commission's recommendation and approve the Class 3 conditional use permit.

City Administrator Wayman noted that this is separate from discussion regarding a lease agreement, and the permit can be approved without permission to break ground. He praised Community Development Planner Peters and his team for their work on making the new Planned Development overlay work.

Human Resources Manager Potter said that the gift bricks have been ordered and will be incorporated into an area in front of the park, along with signs for minor and major donors. He remarked that he has

no estimates on insurance at this point but doesn't anticipate benefits changing their nature as they are part of the union agreements, adding that the union agreements are up for negotiation next year, and he has started discussions with brokers to change the plan and come up with a creative solution to save the City money and also be better for the employees.

Recreation Manager Mullen gave a brief update on his meeting with the Play Creations representative regarding the discoloration of the Volunteer Park toys, adding that he and Council Member Ritchie met with him at Carlon Park to discuss options for that space as well, and they will be holding a public forum September 6 from 9am to 10am for citizens to discuss options and decide on which one to bring to Council on September 12. He spoke briefly about the Base Race, saying that they have been getting registrations coming in and will have more information out in the next week or so.

City Attorney Noe had no report.

## 2. Council Members

Council Member Ritchie had no report.

Council Member Overby had no report.

Council Member Sample remarked that he has found a large difference between his opinion on development and that of his fellow Council Members, which he felt was a shame regarding the proliferation of private roads over the last four to five years with differing requirements.

Council Member Ritchie observed that they had a discussion regarding private road with his development last year, adding that they can still revisit the matter.

Council Member Sample said that last year was the first time that he has asked for a private road. He opined that developers will get away with going the route of private roads due to very little control and less expense than a public one, adding that it is a shame that there aren't standards in place for them.

Council Member Overby commented that he sees a difference between an actual subdivision and a Planned Development overlay, noting that while they have seen more private roads in recent years, almost all have been in planned developments.

Council Member Sample remarked that two recent hearings noted that private roads began to be excessive in the City of Selah in 2004.

Community Development Supervisor Peters observed that he has seen different ways of approaching this, listing out a few examples. He added that, in his experience, most communities he has visited and planners he has talked to have a stricter standard for private streets and planned developments.

Mayor Raymond remarked that it sounds like something to look at and discuss.

Council Member Underwood agreed.

Council Member Tierney had no report.

Council Member Bell commend the Police and Parks departments for National Night out, adding that he thinks it is the best they have had so far.

Council Member Underwood said that there would be a blood drive this week or next and urged people to donate blood.

Human Resources Manager Potter state that it would be Thursday August 17.

Council Member Carlson asked that discussion of funds from the franchise agreement be on the agenda for the retreat, and that the finance committee have a chance to discuss the matter, adding that he thinks they focus too much on financial and not betterment of community. He stated that he would also like to have discussion on the rest of the grass strip for the retreat, as well as a naming of pathways and signs at Volunteer Park to honor those who have contributed and the children who have helped inspire Volunteer Park.

3. City Administrator

City Administrator Wayman reminded Council that there would be a study session regarding traffic control on north First Street after the next Council Meeting.

4. Boards **None**

5. Mayor

Mayor Raymond remarked that the franchise fees should be put towards the Civic Center and Parks department.

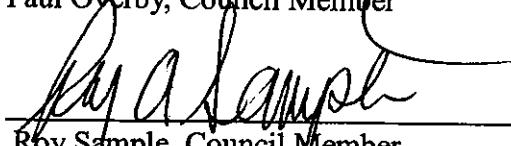
P. Executive Session **None**

Q. Adjournment

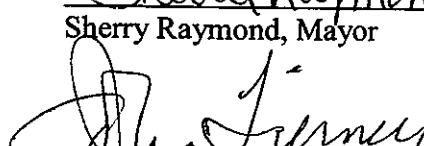
**Council Member Bell moved, and Council Member Underwood seconded, that the meeting be adjourned. By voice vote, approval was unanimous.**

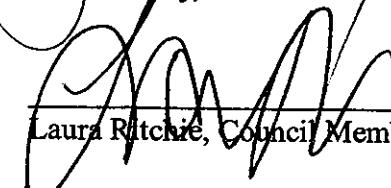
The meeting adjourned at 6:20 pm.

  
Paul Overby, Council Member

  
Roy Sample, Council Member

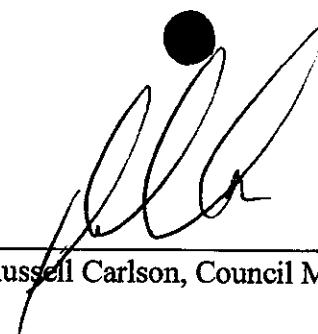
  
Sherry Raymond, Mayor

  
John Tierney, Council Member

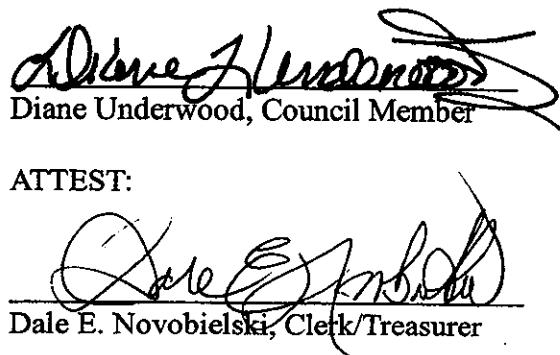
  
Laura Ritchie, Council Member



Roger Belf, Council Member



Russell Carlson, Council Member



Diane Underwood, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

## RESOLUTION NO. 2617

### A RESOLUTION ESTABLISHING August 8, 2017, AS THE PUBLIC HEARING DATE TO CONSIDER THE "M.K.K.I." ANNEXATION

WHEREAS, the City of Selah received from M.K.K.I., LLC/Jim Kassner. and MMDREAM, LLC/Frank P. Sinek the owners of approximately 6.65 acres of property a "Notice of Intent to Annexation Petition" requesting annexation; and,

WHEREAS, the City Council of the City of Selah did not expand the proposed annexation area beyond the original two (2) parcel owned by the petitioners representing 6.65 acres of property; and,

WHEREAS, the Yakima County Treasurer has certified that signed and returned "M.K.K.I Petitions for Annexation" represents not less than 60% of the total assessed value of the area petitioned for annexation; and,

WHEREAS, R.C.W. 35A.14.130 requires the City by resolution fix a time, place and date of a public hearing when the annexation will be heard and determined by the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, as follows:

That August 8, 2017, at 4:00 p.m., or as soon thereafter as practical, in the Council Chambers, City Hall Bldg., 115 W. Naches Avenue, Selah, WA. is established as the date, time and place of a public hearing to hear and decide said "M.K.K.I. Annexation" and that notice of said public hearing shall be provided as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, THIS 25<sup>th</sup> DAY OF JULY 2017.

Sherry Raymond  
Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski  
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Robert Noe  
Robert Noe, City Attorney



## **Exhibit "E"**

- 1. No Documentation Supplied SEPA Not Required.**

## **Exhibit "F"**

- 1. No Documentation Supplied. No Additional Interlocal Agreements.**