

# RESOLUTION 1959

## A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, GRANTING FINAL PLAT APPROVAL FOR THE CASCADE CANYON PHASE 2 SUBDIVISION

**WHEREAS**, in December 2015, the City of North Bend’s Hearing Examiner granted applicant Mark Segale Preliminary Plat Approval for the proposed Segale 152-lot development project; and

**WHEREAS**, in the Hearing Examiner’s Preliminary Plat Approval and consistent with City regulations, the Council has authorized the development of the plat; and

**WHEREAS**, in 2017 Mark Segale sold the subject property to Toll Brothers, Inc.; and

**WHEREAS**, in 2018 Toll Brothers, Inc., entered into private agreement with Riverside at Tannerwood, LLC to allow Riverside at Tannerwood, LLC to develop a 21-lot phased portion (Phase 3) of the subject property in which the final plat was subsequently recorded in September 2018; and

**WHEREAS**, in 2019 Toll Brothers, Inc., received final plat approval for Phase 1 of the Cascade Canyon development in which 68 of the remaining 131 lots were subsequently recorded in August 2018; and

**WHEREAS**, Toll Brothers, Inc. has requested final plat approval for the Cascade Canyon Phase 2 63-lot development project for the remaining lots within the development project; and

**WHEREAS**, City staff has reviewed the proposed final plat for compliance with North Bend Municipal Code Section 20.01.004 and Chapter 17.16, finds that there is still additional work that must be completed within a designated time frame, but recommends approval subject to adequate securities in place to ensure the completion of the remaining work in the event the developer should fail to comply with the terms of the preliminary plat approval; and

**WHEREAS**, the City Council finds that the final plat conforms to all the terms and conditions of the Preliminary Plat Approval, as approved by the Hearing Examiner, and approved engineering plans, and that the final plat meets the requirements of applicable laws; and

**WHEREAS**, the applicant has secured bonds guaranteeing completion of the infrastructure, offsite improvements along SE Tanner Road, and landscaping improvements required by the Preliminary Plat Approval, the approved engineering plans,

and shall further complete Bills of Sale and other necessary administrative tasks including providing full as-built plans and GIS requirements, as set forth in the Developer Extension Agreement and the Plat Condition #25 Agreement (Intersection Agreement);

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Authorization.** The City Council finds that adequate security has been or will be posted to ensure the full and prompt completion of the improvements set forth in the Hearing Examiner’s decision approving the Preliminary Plat for the Segale Subdivision. Accordingly, the final plat of the Cascade Canyon Phase 2 Subdivision is hereby approved on condition that the developer Toll Brothers, Inc. first secures a bond in a form acceptable to the City guaranteeing completion of the infrastructure improvements required by the Preliminary Plat. The owner and/or developer Toll Brothers, Inc. shall further complete Bills of Sale and other necessary administrative tasks as set forth in and required by the Developer Extension Agreement and the Plat Condition #25 Agreement (Intersection Agreement).

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 3<sup>RD</sup> DAY OF NOVEMBER, 2020.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Rob McFarland, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: November 3, 2020  
Posted: November 4, 2020

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**Susie Oppedal, City Clerk**