

RESOLUTION NO. 2009-2

A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON, APPROVING THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF STANWOOD AND WEATHERBY I, LLC

WHEREAS, the City of Stanwood received a petition to annex a tract of land, known as "Manning/Dickinson" and later changed to "Weatherby I, LLC/ Leavitt" on August 20, 2007; and

WHEREAS, Weatherby I, LLC owns 19.92 acres of certain real property located in unincorporated Snohomish County, at 27619 and 27717 68th Avenue NW, Stanwood, Washington, within the annexation area; and

WHEREAS, Stanwood Municipal Code Section 17.80.150, and RCW 36.70B.170, authorize the City to process a development agreement for a property outside the city limits when part of an annexation or service agreement; and

WHEREAS, a development agreement is a Type IV land use process in SMC 17.80.160, requiring a public hearing before the Hearing Examiner and recommendation to the City Council; and

WHEREAS, the City has provided advance notice of opportunity for participation in the public hearing by the public and adjacent land owners; and

WHEREAS, the Hearing Examiner held a public hearing on a proposed Development Agreement between the City of Stanwood and Weatherby I, LLC on October 21st 2008 and continued the hearing to November 20th, December 5th, December 12th 2008, and January 23rd 2009; and

WHEREAS, the Hearing Examiner issued a Recommendation on January 27, 2009, making findings of fact and conclusions of law relative to the proposed Development Agreement; and

WHEREAS, the Hearing Examiner recommends that the City Council APPROVE the proposed Development Agreement;

NOW, therefore, be it resolved by the City Council of Stanwood as follows:

Section 1. The City Council of Stanwood, Washington, does hereby adopt the Recommendation of the Hearing Examiner of the City of Stanwood issued, January 27, 2009 to APPROVE the DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF STANWOOD AND WEATHERBY I, LLC.

Section 2. The Mayor is hereby instructed to execute the DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF STANWOOD AND WEATHERBY I, LLC.

Passed and approved this 26th day of February 2009.

CITY OF STANWOOD:



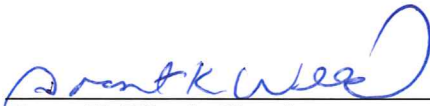
Dianne W. White, Mayor

ATTEST:



Melissa Collins, City Clerk

APPROVED AS TO FORM:



Grant K. Weed, City Attorney