

ORDINANCE NO. 2019-984

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND VIKING BUILDERS, LLC AND OO, LANDHOLDING, LLC CONCERNING THE DEVELOPMENT OF SPOKANE COUNTY ASSESSOR PARCEL NUMBERS 28013.0031, 28013.0032, 28013.0033, 28013.0034, 28013.0040, 28013.0041, 28013.0042, AND 28013.0043 KNOWN AS THE SHAMROCK GLEN DEVELOPMENT AND BORDERED BY CRAWFORD ROAD, WEBER ROAD, AND D STREET IN THE CITY; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, Viking Builders, LLC and OO, Landholding, LLC (collectively the “Developer”), own and have proposed to develop the Spokane County Assessors parcels identified in the title to this Ordinance (the “Property”) and the City has determined that entering into a Development Agreement for the development of the Property is in the best interest of both the Developer and the City; and

WHEREAS, pursuant to RCW 36.70B.200 the City caused notice of a public hearing to be published and held a public hearing on January 2, 2019, at an Open Public Meeting of the City Council of the City of Deer Park for the purpose of providing interested individuals an opportunity to attend and provide comment; and

WHEREAS, after conducting the public hearing the City Council has determined that entry into the Development Agreement is a reasonable use of the City’s police powers and the terms and conditions of the Development Agreement are in the best interest of the public health, safety, and welfare of the citizens of the City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON DO ORDAIN AS FOLLOWS:

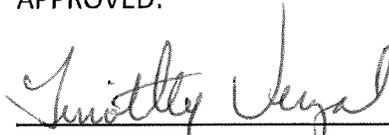
Section 1. The Development Agreement between the City of Deer Park and Viking Builders, LLC and OO, Landholding, LLC pertaining to the development of the Property in the form attached hereto and marked as Exhibit “1” to this Ordinance, including Exhibits A, B, C, and D to the Development Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.

Section 2. In the event of any conflict between the Development Agreement and other code provisions, ordinances, resolutions or design/construction standards of the City, the terms of the Development Agreement shall apply.

Section 3. If any section, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 4. This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

APPROVED:


MAYOR TIMOTHY VERZAL

ATTEST/AUTHENTICATED:


DEBY CRAGUN CITY CLERK-TREASURER

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

BY: 
CHARLES D. ZIMMERMAN

FILED WITH THE CITY CLERK	:	<u>12/27/18</u>
PASSED BY THE CITY COUNCIL	:	<u>01-02-2019</u>
PUBLISHED	:	<u>01-04-2019</u>
EFFECTIVE DATE	:	<u>01-11-2019</u>
ORDINANCE NO.	:	<u>2019-984</u>