

COMMENTS FOR THE VILLAGES PLAT 2C MDNS

CITY OF BLACK DIAMOND

SUBMITTED BY JUDITH CARRIER

JULY 1, 1014

MPD Conditions of Approval that are not properly applied to the Plat 2C:

1. Condition of approval number 9 is not noted on the Plat and should be in order to inform purchasers of lots.
2. Condition of approval number 21 requires the development of a street grid system, but the plat utilizes a single access system and other design approaches that are inconsistent with a grid system.
3. Condition of approval number 30 requires measures to reduce speeds on neighborhood streets. The measures employed are not adequate to achieve this result. There are long straight-aways and no mention of measures such as speed bumps or roundabouts that would slow traffic. Instead, the straight roads look like racetracks for people pulling out of small alleys late to work.
4. Condition of approval number 60 states that stormwater designs “shall include low impact development techniques wherever practical and feasible” but the plat conditions include no provisions to accomplish this. Techniques such as permeable pavement on road and walkways have not been considered even though these have been found to be both “practical and feasible”.
5. No consideration has been given to the reduction of runoff from individual lot landscaping.
6. Condition 64 requires native plantings and minimization of lawns, but is not noted or applied to the Plat. There is no mechanism to enforce this SEPA applied condition.
7. Plat condition number 13 specifically contradicts provisions of the MPD approval regarding the requirement to use Low Impact Development by stating that: “Areas outside of sensitive areas and their buffers are anticipated to be cleared...” Merely

applying the City's tree code to these areas does not comply with low impact development requirements.

8. Condition 71 requires a "proactive erosion and sediment plan" and a "response plan". The Plat has not been conditioned to meet this condition.
9. Condition 76 specifically requires updated phosphorus control methods "even if the Applicant's ponds and facilities would otherwise be vested to a lower standard". The Plat does not meet this requirement and there is no evidence in the record that the Applicant's or City's consultants were informed about this condition or were directed to identify and apply such additional methods.
10. Condition 85 requires the Water Quality Review Committee to "review and evaluate compliance with the stormwater conditions imposed upon the Villages MPD". There is no evidence in the record that the Committee reviewed the Plat for compliance. Only the annual report was reviewed, but not in the context of compliance with stormwater regulations and standards.
11. Condition 95 requires construction or bonding of on-site trails "prior to occupancy, final site plan, or final plat approval, whichever occurs first". There is no Plat condition to require this.
12. Condition 101 requires fire access roads to comply with the International Fire Code. The Plat configuration for road access does not comply with this requirement.
13. Condition 104 authorizes limiting earth moving and grading to the dry season. There is no evidence in the record that staff considered applying this condition.
14. Condition 118 is a SEPA applied condition to provide "on the ground" protection measures for wetland buffers and significant trees, but no requirement other than tagging has been required as a Plat condition.
15. Condition 122 requires native vegetation in street landscaping, but no Plat condition accomplishes this.

16. Condition 124 requires review of landscape plans by the City's Director of Natural Resources and Parks, but no Plat condition accomplishes this, and there is no evidence in the record that this review has been done.
17. Condition 125 requires a 300 foot wildlife corridor that has not been considered by the Plat review.
18. Conditions 126 and 143 authorize building design to include solar, wind, and other renewable sources, but this condition has not been listed on the Plat.
19. Condition 129 regarding a mix of housing types has not been applied to the Plat.
20. Condition 142 requires single family dwelling units to be alley loaded, but the Plat does not properly apply this condition.
21. Condition 164 requires submission and City approval of a "detailed implementation schedule of the regional projects supporting that phase". This approval is a legislative approval that is separate from the approval of the Plat and must be consistent with the City's capital plan. No such approval has been obtained.

Subdivision Code Requirements that are not properly applied:

1. The internal road circulation system is not well- documented and is not fully consistent with traffic design standards.
2. In an apparent attempt to comply with the 150 -unit limit for a single point of access, a substandard second access is proposed that does not meet traffic design standards.

3. Adequate provision for stormwater treatment has not been made because the receiving stormwater facility has not been designed and approved by the City.
4. Adequate provision for sewer has not been made because the required regional conveyance system has not been designed and constructed. Plat review requires a finding of adequate sewer capacity notwithstanding provisions in the Development Agreement that establish a threshold of 1150 ERUs before storage is required.
5. Adequate provision for school services has not been made because there is no information in the record that documents adequate school capacity. Reliance on the Tri-Party Agreement is not sufficient to verify available school capacity at the time of subdivision. Moreover, the Agreement's funding plan is based on incorrect assumptions and is not achievable.