



# CITY OF BLACK DIAMOND

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## CITY OF BLACK DIAMOND STAFF REPORT THE VILLAGES MPD PARCEL V13 PRELIMINARY PLAT FILE NO.: PLN17-0015

### I. APPLICATION INFORMATION

**Applicant/Owner:** CCD Black Diamond Partners LLC (d/b/a Oakpointe)  
c/o: Colin Lund

**Project Name:** The Villages MPD Parcel V13 Preliminary Plat

**Project Description:** The Parcel V13 Preliminary Plat application is for a subdivision of 8.92 acres into 62 lots and 7 tracts, consistent with the approved Villages Master Planned Development (MPD) and the Villages MPD Development Agreement. The project will feature 62 single family residential lots. Approximately 1.10 acres of open space will be set aside in parks and landscape tracts. Tract uses include landscaping, natural landscape, parks, utilities, and access. The project includes utility improvements service the plat and associated site preparation and grading.

Development Parcel V13 was originally included in The Villages MPD Phase 1A Preliminary Plat application (City File Number PLN11-0001), which was approved by the Hearing Examiner on December 10, 2012; however it was removed from Phase 1A under a minor plat amendment (PLN16-0059). The purpose of the minor plat amendment was to reduce the residential density of Development Parcel V13 from MPD-H (high density residential) to MPD-M (medium density residential). The density reduction was approved under an MPD Site Plan Minor Amendment (PLN17-0046) and associated MPD Development Agreement Minor Amendment (PLN17-0056).

**Location:** The site is located on an unaddressed parcel to the southeast of the roundabout located at the intersection of Lake Sawyer Road and Roberts Drive, within the SW ¼ of Section 15, Township 21 North, Range 6 East, Willamette Meridian, King County, WA.

**Parcel Number:** 152106-9101

**MPD Development Parcel:** V13

**Zoning:** MPD (Master Planned Development)

**Comprehensive Plan:** Mixed Use with Master Planned Development Overlay

*Administrative Note: References to "Ten Trails" within this final plat application can be used interchangeably with "The Villages." The applicant has re-branded The Villages Master Planned Development as "Ten Trails," however the approved Master Planned Development Permit for The Villages (City File Number PLN09-0017) has not been amended to officially refer to the Master Planned Development as "Ten Trails."*

## **II. BACKGROUND INFORMATION**

"Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this chapter. The preliminary plat shall be the basis of the approval or disapproval of the general layout of the subdivision. (BDMC Section 17.08.010)

"Subdivision" means the division or re-division of land into seven or more lots, tracts, parcels, or sites for the purpose of sale, lease or transfer of ownership, except as provided in Section 17.04.030 of this title. The creation of tax parcels by the county shall not be deemed the division of land for purposes of creating a lot, tract, parcel or site that can be sold, leased or transferred. (BDMC Section 17.08.010)

### **Abbreviations/Definitions of Terms**

The following abbreviations and terms are used in this Staff Report.

BDEDCS: Black Diamond Engineering, Design and Construction Standards

BDCP: Black Diamond Comprehensive Plan

BDMC: Black Diamond Municipal Code

CSMA: The Comprehensive School Mitigation Agreement for The Villages and Lawson Hills Master Planned Developments

Designated Official: Per TV DA, the person appointed by the Mayor authorized to administer, interpret, process and approve plans as required. See TV DA 14.0 for full description.

DRC: Design Review Committee

FEIS: The Final Environmental Impact Statement for The Villages MPD Permit

Master Developer: project applicant; as defined in Ch. 14 TV DA

MDNS: Mitigated Determination of Non-Significance

MDRT: Major Development Review Team

MPD Permit: The Villages Master Planned Development Permit approved by the Black Diamond City Council in Ordinance No. 10-946

SEPA: State Environmental Policy Act

TDR: Transfer of Development Rights

TV DA: The Villages Development Agreement

Utility Permit: Civil construction permit; as defined in Ch. 14 TV DA

WSFFA: Water Supply & Facility Funding Agreement

### **III. FINDINGS**

1. A Preliminary Plat is a Type 3-Quasi-Judicial type decision per BDMC 18.08.030 and 18.08.060; these decisions are made by the Hearing Examiner.
2. On September 20, 2012, the City Council adopted Ordinance No. 12-979, which amended BDMC Title 17 to provide that appeals of Hearing Examiner decisions on preliminary plats shall be to Superior Court.
3. The zoning designation of the subject property is Master Planned Development (MPD).
4. The Comprehensive Plan designation of the subject property is Mixed Use with a Master Planned Development Overlay.
5. On September 20, 2010, the Black Diamond City Council approved the MPD Permit for "The Villages," a planned mixed-use development of 1,196 acres, featuring 4,800 residential units, 775,000 square feet of office, retail and light industrial uses, school sites and both passive and active open space (Ordinance No. 10-946).
6. On December 12, 2011 the Black Diamond City Council approved The Villages MPD Development Agreement (Ordinance No. 11-970).
7. All of the conditions of approval from the Master Planned Development Permit and the TV DA apply to this plat, whether listed or not herein.
8. Exhibit E of TV DA contains the BDMC through September 20, 2010; this is the version of City Code The Villages MPD is vested to. All references in this Staff Report to BDMC are to the version contained within Exhibit E of TV DA, unless otherwise stated.
9. This Development Parcel V13 was previously included in the Phase 1A Preliminary Plat, which was approved with conditions by the Hearing Examiner under City File Number PLN11-0001 on December 10, 2012.
10. Development Parcel V13 was removed from the Phase 1A Preliminary Plat under a minor plat amendment, approved by City File Number PLN16-0059.
11. The residential density of Development Parcel V13 was reduced from high density (MPD-H) to medium density (MPD-M) under an MPD Minor Site Plan Amendment (PLN17-0046) and associated MPD Development Agreement Amendment (PLN17-0056).
12. The applicant is pursuing a subdivision of 8.9 acres into 62 lots and 7 tracts. Approximately 1.10 acres of open space will be set aside in parks and landscape tracts. Tract uses include landscaping, natural landscape, park, utilities, and access. The project includes utility improvements in order to serve the plat and associated site preparation and grading.
13. The preliminary plat application was submitted on February 21, 2017 and determined to be complete for processing on March 21, 2017. MDRT review of the plat drawings resulted in two required resubmittals for review by staff in May and June 2017.
14. A Notice of Application was issued on April 11, 2017 and provided the required 14-day comment period. No comment letters were received during the comment period.
15. MDRT review of the application was halted at the request of the applicant to focus on other permit applications from July through October.
16. The final preliminary plat drawings, dated November 22, 2017, are provided as Exhibit 1 of this Staff Report.
17. A SEPA Addendum (Exhibit 2) was issued by the City for this proposal, since the environmental impacts related to this development parcel were originally addressed in the SEPA Environmental Review conducted in association with The Villages MPD Phase 1A Preliminary Plat under City File Number PLN11-0001. The original proposal for Parcel V13 was to develop 144 multi-family units within The Villages MPD Phase 1A Preliminary Plat.

18. The SEPA Addendum details the reduced environmental impacts that are anticipated for this proposal as a result of the reduction in density from multi-family residential to single family residential.
  - a. In regards to storm drainage, sanitary sewer, and water, a memo titled *Village Preliminary Plat Phase 1* prepared by Triad Associates (Exhibit 3) details that approximately 40,000 square feet of impervious surfaces will be eliminated from Preliminary Plat V13 in comparison to the original multi-family residential proposal within Preliminary Plat 1A. Additionally, water and sewer demand is decreased as a result of the reduced population within the plat.
  - b. In regards to wetlands, a memo titled *The Villages PP1A – Parcel V-13 – Plat Amendment* prepared by Wetland Resources, Inc. (Exhibit 4) details that there are no identified wetlands or associated buffers located within Parcel V13. Additionally, because the proposed development intensity of Parcel V13 is reduced, there is no alteration to the conclusions contained within the Sensitive Area Study for The Villages Phase 1A Preliminary Plat, as revised July 17, 2012. Additionally, A memo titled *Coal Mine Designation Villages Preliminary Plat V-13* prepared by Golder Associates Inc. (Exhibit 5) details that the entirety of Preliminary Plat V13 is not within a coal mine hazard zone.
  - c. In regards to traffic, a memo titled *The Villages MPD – Preliminary Plat V-13 Traffic Impact Study* prepared by TranspoGroup (Exhibit 6) details a net reduction in weekday PM peak hour trips for this proposal compared to the multi-family residential development that was originally proposed under Preliminary Plat 1A. The anticipated weekday PM peak hour trips for the multi-family proposal was determined to be 96, while the anticipated weekday PM peak hour trips for this single-family proposal is determined to be 68; resulting in a reduction of 28 weekday PM peak hour trips.
  - d. In regards to construction traffic, a memo titled *The Villages Parcel V13 Construction Trips* prepared by Triad Associates (Exhibit 7) details the amount of construction traffic anticipated for the development of Parcel V13. The amount of construction trips originally assessed in The Villages Preliminary Plat 1A Construction Trips memorandum prepared by Triad Associates, dated September 28, 2012, will reduce in overall number as a result of the reduction in density from multi-family residential to single-family residential. The number of construction trips needed for the earthwork and utility construction will remain the same, however the number of vertical construction crew trips will be reduced from 11,520 to 7,440 and the number of vertical construction delivery truck trips will be reduced from 720 to 496.
19. The SEPA Addendum adopts the existing environmental documents associated with The Villages Preliminary Plat 1A and the associated mitigation measures established by the Mitigated Determination of Non-Significance (MDNS). The 15 SEPA mitigation measures established by the environmental review associated with The Villages Preliminary Plat 1A (PLN11-0001) are as follows:
  - a. Pursuant to BDMC 19.10.220.D, wetland buffer boundaries adjacent to land within this plat shall be permanently delineated by split-rail fencing and identification signs, as approved by the City.

*Staff Comment: There are no sensitive areas or associated buffers present within, or adjacent to, the boundaries of the V13 preliminary plat.*
  - b. The proponent shall submit a wetland buffer vegetation management plan prepared in accordance with BDMC 19.10.230.F for review and approval prior to

the issuance of any site development permits for lands adjacent to wetland buffers.

Staff Comment: *There are no sensitive areas or associated buffers present within, or adjacent to, the boundaries of the V13 preliminary plat.*

- c. Prior to final plat approval of any division within the Phase 1A Preliminary Plat, the proponent shall re-channelize the south leg of the intersection of SE 288th St. and 216th Ave. SE to provide a refuge/merge area for westbound left-turning vehicles.

Staff Comment: *This has been completed and approved by the City.*

- d. Stationary construction equipment shall be located distant from sensitive receiving properties wherever possible. Where this is infeasible, or where noise impacts would still be likely to occur, portable noise barriers shall be placed around the equipment (pumps, compressors, welding machines, etc.), with the opening directed away from sensitive receiving properties.
- e. All equipment required to use backup alarms shall utilize ambient-sensing alarms that broadcast a warning sound loud enough to be heard over background noise, but without having to use a preset, maximum volume. Alternatively, use broadband backup alarms instead of typical pure tone alarms.
- f. Operators shall be required to lift, rather than drag materials wherever feasible.
- g. Electric pumps shall be used whenever pumps are required.
- h. The proponent shall establish a noise control "hotline" to allow neighbors affected by noise to contact both the City and the construction contractor to ask questions or to complain about violations of the noise reduction program per Condition of Approval No. 41 of The Villages MPD permit.

Staff Comment: *The hotline has been in operation since the commencement of site development work associated with Preliminary Plat 1A.*

- i. The proponent shall provide construction noise attenuation for existing residents adjoining development parcels Villages V10, V13 and V15 as set forth in Condition of Approval No. 44 of The Villages MPD permit.
- j. Work hours of operation shall be limited to 7:00 a.m. and 7:00 p.m. on weekdays, 9:00 a.m. and 5:00 p.m. on Saturday, and shall be prohibited on Sundays and City holidays, subject to emergency construction and repair needs as set forth in BDMC 8.12.040.C.
- k. Wetlands and all required wetland buffers shall be defined as separate tracts in the final plat (BDMC 19.10.150.B). These tracts shall be as shown on the proposed preliminary plat drawings, except as may be modified pursuant to BDMC 19.10.230 prior to final plat approval.

Staff Comment: *There are no sensitive areas present within the boundaries of the V13 preliminary plat.*

- l. Prior to issuance of certificates of occupancy for the 726 ERU (equivalent residential unit), the proponent shall construct a single-lane roundabout at the realigned intersection of Lake Sawyer Rd. SE and SE Auburn-Black Diamond Rd.

Staff Comment: *This has been completed and approved by the City.*

- m. Prior to issuance of certificates of occupancy for the 327 ERU (equivalent residential unit), the proponent shall install a traffic signal at the intersection of SE Auburn-Black Diamond Rd. and Village Pl. SE (aka Main St.).
- n. Prior to the issuance of certificates of occupancy for the 1,128 ERU (equivalent residential unit), the proponent shall construct a single-lane roundabout at the

intersection of SE Auburn-Black Diamond Rd. and Villages Parkway SE (aka Community Connector “A”).

- o. The proponent shall model and monitor traffic at the midpoint of occupancy of Phase 1A (596 equivalent residential units) and determine what additional requirements may be necessary to comply with the transportation concurrency requirements of the Comprehensive Plan.

*Staff Comment: Based on the reduction of density approved by City File Number PLN17-0059, the midpoint of occupancy for Phase 1A has been reduced to 514 equivalent residential units (ERUs).*

- 20. A significant tree report for the Phase 1A preliminary plat was prepared by International Forestry Consultants, Inc. on January 31, 2011 and was submitted with the initial Phase 1A preliminary plat application. The report addresses all areas of The Villages MPD proposed for disturbance as a result of the Phase 1A preliminary plat, including this Development Parcel V13. The significant tree clearing was approved by the City and completed prior to the removal of V13 from Phase 1A.
- 21. Section 4 of TV DA addresses uses within the MPD. Per Exhibits L and U of TV DA, The Villages Development Parcel V13 has the following land use, as amended by the reduction of density approved by an MPD Site Plan Amendment (PLN17-0046) and associated Development Agreement Amendment (PLN17-0056).

Parcel	Land Use	Description
V13	MPD-M	Medium Density Residential

- 22. Section 5 of TV DA states the minimum lot size for detached single family is 2,200 square feet. Lot sizes are dictated by product type, setbacks, and other specific lot standards described in Section 5 of TV DA. Plat sheets PP1 and PP2 (Exhibit 1) indicate that the minimum lot size for detached residential within V13 is 3,581 square feet and the maximum lot size for detached residential within V13 is 5,591 square feet. The average lot size for detached residential within V13 is 4,238 square feet. The minimum lot size for detached residential complies with the standards in TV DA.
- 23. Per MPD Permit Condition of Approval #131, a minimum density of 4 dwelling units/per net acre for residential development shall be required for implementing projects, and shall be calculated for each development parcel using the boundaries of that parcel (or the portion thereof to be developed) as shown on the Land Use Plan map (Figure 3-1, as updated July 8, 2010; Figure 3-1 is now part of Exhibit L of TV DA.) The Land Use Capacity Table on Sheet CV3 (Exhibit 1) shows this plat proposal includes 62 single family units on 8.92 acres of development parcel area (“V13” of Figure 3-1 of Exhibit L of TV DA). V13 consists of 8.92 gross acres of development parcel area and has a net development parcel area of 7.13 acres (net development parcel area is the gross parcel area minus the area of streets, roads, and alleys). The gross residential density of V13 is 6.95 units per acre (62 units divided by gross acres) and the net residential density of V13 is 8.70 units per acre (62 units divided by net acres). The net density complies with MPD Permit Condition of Approval No. 131 and TV DA Section 4.2.
- 24. The City issued two Notices of Public Hearing specific to this proposal. The original hearing date for this proposal was scheduled for November 21, 2017, but was postponed at the request of the applicant. The original Notice of Public Hearing was issued on November 7, 2017.
- 25. A final Notice of Public Hearing was issued in the following ways, pursuant to BDMC 18.08.180:
  - a. Mailed to all property owners within 500 feet of the perimeter of the affected parcels on November 20, 2017.

- b. Advertised in the City's official newspaper, The Voice of the Valley, on November 21, 2017.
  - c. Posted on the City's public notices webpage on November 21, 2017.
  - d. Posted on the project site on November 28, 2017.
26. One public comment letter was received by the City during the first 14-day Notice of Public Hearing period (Exhibit 8).
  27. BDMC Chapter 12.08 authorizes the Community Development Department to develop and administer a street naming and addressing policy guide. Accordingly, street names will be assigned prior to final plat approval and it is anticipated that Auburn-Black Diamond Road will be renamed as Roberts Drive as it passes the northern plat boundary.
  28. The applicant submitted a letter dated November 29, 2017 from the Design Review Committee (DRC) (Exhibit 9) stating that the DRC found that the V13 plat complies with DRC Design Guidelines as well as the MPD Project Specific Design Standards and Guidelines contained in The Villages MPD DA.
  29. There are no sensitive areas identified within the boundaries of the V13 preliminary plat application. See Finding #17.b above. As required by BDMC Section 17.16.030.C.2, the subject property is not within a flood control zone.
  30. Pursuant to Section 11.7 of TV DA, required infrastructure and amenities are scheduled to meet the demands of the future occupants of the V13 Preliminary Plat. Utilities and ways of travel will be constructed or bonded for prior to final plat approval. Section 9.2 of TV DA includes a provision to ensure that parks are provided in conjunction with development. Parks and landscape tracts are dispersed throughout the V13 plat and will be constructed or bonded for prior to final plat approval.

#### **IV. APPLICABLE PLANS, CODES AND STANDARDS**

1. City of Black Diamond Comprehensive Plan (June 2009)\*
2. Black Diamond Municipal Code (BDMC) Chapter 17.15, Preliminary Plat Approval Criteria\*
3. BDMC Chapter 18.98, Master Planned Development\*
4. City of Black Diamond Engineering Design and Construction Standards (June 2009)\*
5. Black Diamond Design Guidelines (June 2009)\*
6. The Villages MPD (Ordinance No. 10-946)
7. The Villages MPD Development Agreement (Ordinance No. 11-970)

*\*As contained within Exhibit E of TV DA.*

#### **V. ANALYSIS**

*This section of the report analyzes the proposal in light of the various standards contained in adopted plans, codes and regulations.*

*BDMC Chapter 17.15 provides review criteria for Preliminary Plats:*

##### **17.15.020 - Approval criteria.**

**A. The following criteria must be met to approve any subdivision. The criteria may be met by conditions imposed by the hearing examiner as conditions of approval:**

- 1. The proposed subdivision meets all city zoning regulations and is consistent with the city's comprehensive plan maps and policies, and with the Black Diamond design standards and guidelines where applicable;**

**a. The proposed subdivision meets all city zoning regulations.**

The zoning designation of the properties is Master Planned Development (MPD). BDMC Section 18.98.120 addresses permitted MPD uses and densities. Compliance with BDMC Chapter 18.98 is detailed later in this Report. Section 4 of TV DA addresses uses within the MPD. See also Findings of Fact #22 and #23 regarding minimum lot sizes and residential densities. The V13 Preliminary Plat is consistent with these requirements, and therefore meets all city zoning regulations.

**b. The proposed subdivision is consistent with the City's comprehensive plan maps and policies.**

The Comprehensive Plan map designation of the properties is Mixed Use with Master Planned Development Overlay.

Regarding the MPD Overlay, the BDCP states, "Areas with an MPD overlay designation are intended to develop only subsequent to approval of an MPD permit pursuant to Black Diamond Municipal Code." The V13 Preliminary Plat is an implementing project of the approved The Villages MPD (see Finding #5). It is therefore consistent with the "Master Planned Development Overlay" Comprehensive Plan map designation.

The V13 Preliminary Plat is also consistent with applicable Black Diamond Comprehensive Plan policies; those that are applicable are set forth below along with a brief explanation of how the V13 Preliminary Plat is consistent with them:

**Policy LU-16: Encourage a variety of housing types, providing housing for all income levels and all family sizes.**

The V13 Preliminary Plat contains a range of lot sizes (3,581 – 5,591 square feet) for single family lots. In addition, the V13 Preliminary Plat is part of The Villages MPD, which provides varied lot sizes for both single- and multi-family housing types.

**Policy LU-17: New housing should be compatible with the existing development pattern and the small-town atmosphere—a mix of small and large lots, size and scale.**

The V13 Plat is consistent with Policy LU-17, as the proposed lot sizes and new housing will be compatible with the existing development pattern in the immediate vicinity of the site - which includes the Black Diamond townsite and Morganville areas developed on a traditional grid pattern with a predominant average density of 6 units per acre. The V13 Plat proposes a gross residential density of 6.95 units per acre. The V13 Plat is also consistent with Black Diamond's small town atmosphere as the proposed plat has a mix of small and large lots, size and scale. The small town atmosphere for structures in the final plat will be met through the implementation of the residential design standards and guidelines (Exhibit H of TV DA), which establishes the design intent for housing to be "simple form-based historic mining architecture" with modern detailing and use of glass while minimizing extra ornamentation.

**Policy LU-18: Require residential development patterns to allow for efficient provision of public services and utilities.**

The V13 Preliminary Plat is consistent with Policy LU-18, as it utilizes a compact residential development pattern that will readily allow for efficient provision of public services and utilities.

**Policy LU-19: Encourage clustering within new developments to create compact new communities surrounded by open space.**



The V13 Plat organizes parcels to be surrounded by open space, as shown on Plat Sheet CV3. A pocket park breaks up block of residential development along the western portion of the plat and the north and eastern portions are adjacent to a future trail alignment. In addition, the V13 Preliminary Plat is part of The Villages MPD, which is a compact, clustered, master planned development community containing multiple open spaces of various scales.

**Policy LU-20: Allow multifamily residential in identified areas or when integrated as part of a planned development.**

The V13 preliminary plat consists exclusively of single family residential parcels, however it is adjacent to the Phase 1A Preliminary Plat, which provides multi-family development in identified areas (development parcels V10, V13, V14, V17 and V24).

**Policy LU-21: Require multifamily structures or multiple family complexes with more than 4 units to undergo design review for consistency with adopted Design Guidelines.**

Single family structures within the V13 Plat will be subject to the Residential Design Standards and Guidelines established in TV DA, Exhibit H – Chapter Four.

**Policy LU-22: Use the MPD process to review all proposals on sites larger than 80 acres.**

The V13 Preliminary Plat is an 8.92 acre site and is part of The Villages MPD Permit and TV DA approved by the Black Diamond City Council.

**Policy LU-23: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.**

The adjacent Phase 1A Plat provides sites (Parcels V11 and V12) that are large enough to accommodate significant commercial uses. The Phase 1A Plat proposes approximately 200,000 square feet of commercial space.

**Policy LU-24: Provide day-to-day retail goods and services within walking distance of most residential neighborhoods.**

See response to Policy LU-23 above. The adjacent Phase 1A Plat will allow for provision of retail goods and services within walking distance of the residential lots in the V13 Plat.

**Policy LU-26: Allow a comprehensively planned mixture of Residential, Commercial, Retail, Public and Open Space uses within MPDs and areas appropriate or designated for mixed-use development.**

See responses to Policies LU-23 and LU-24 above. As noted on the Comprehensive Plan's Future Land Use Map, the northern portion of the adjacent Phase 1A plat is designated as "Mixed Use," with a Master Planned Development Overlay. The Phase 1A Preliminary Plat is located within The Villages MPD and contains a comprehensively-planned mixture of residential, commercial, retail, public and open space uses.

**Policy LU-27: Prohibit heavy industrial, and limit light industrial uses within mixed-use areas.**

No heavy or light industrial use is proposed as part of the V13 Preliminary Plat.

**Policy LU-53: New developments should be designed to incorporate features to encourage alternative travel modes, such as biking, walking, and transit.**

Figure 6.3 of TV DA shows the Bike Route and Future Connection Plan. This figure shows a bike route along the "Community Connector" (Villages Parkway SE) and along the "Ring Road" (Willow Ave SE, SE Dogwood Street). Sidewalks are provided on all streets. The proposed

density will make transit viable. The V13 preliminary plat will provide sidewalks connecting to trails, bike lanes, and future transit opportunities.

*(See the BDCP in Exhibit E of TV DA for full text of the transportation policies noted below.)*

**Policy T-1 Roadway Design Policy:  
Ensure adequate and safe access to property via a system of primarily public and limited private roads.**

The V13 Preliminary Plat provides adequate and safe access to property via a primary public road (Road A). Proposed Road A will serve as a connecting road from Willow Ave SE to the future Plat 2C. Autocourts A and B are proposed to provide access to residential parcels in the northern portion of the Plat. Therefore, Policy T-1 is met.

**Policy T-2 Connectivity Policy:  
Provide an interconnected network of roads and trails for ease and variety of travel.**

The V13 Preliminary Plat utilizes an interconnected network of roads, sidewalks, and connections to future trail alignments as shown on Sheets PP1 and PP2. The V13 Plat does not utilize cul-de-sacs. One dead end alley (Tract 903) is proposed and serves to provide residential access to parcels 16 and 17 to avoid additional curb cuts along Willow Avenue SE, as shown on Sheet PP2. Policy T-2 is met.

**Policy T-5 Access Policy:  
Limit and provide access to the road network in a manner consistent with the function and purpose of each roadway.**

This policy applies generally only to the City, and not to a specific development application. To the extent that this policy applies to a specific development application, the V13 Preliminary Plat is consistent with this policy, because the Plat does not provide direct access to the Auburn - Black Diamond Road (Roberts Drive).

**Policy T-6 Local Access Policy:  
Establish a standard to limit the number of dwelling units that may be served before a second point of access is required. Limit the length of dead end streets by either distance or number of lots served.**

The Villages MPD Permit Condition #28 and Section 6.4.1 (On-Site Connections) of TV DA limits the areas of the MPD that may be developed (nothing east of parcel V48) prior to completion of a second major access point (the South Connector). The V13 Preliminary Plat is located north of parcel V48. This policy is met.

**Policy T-10 “Small Town” Character Policy:  
Enhance the “small town” character that the City currently possesses. This can be done by the following:**

- 7. Discourage widening of SR 169 to a four or five lane facility thus creating a “thoroughfare” that will tend to divide the City;**
- 8. Encourage landscaping, parkway trees, and compatible architecture in the design and construction of roadways, especially SR 169, and other facilities along selected corridors. Minimize obtrusive signs through provisions in the zoning code;**
- 9. Limit the number of traffic signals within the City of Black Diamond by considering the use of roundabouts as the first solution where appropriate; and**

**10. Adopt new road standards and development guidelines to minimize paving widths; preserve desirable trees and vegetation through minimized right-of-way clearing; and allow creative designs.**

**11. Adopt separate road standards for the older, historic portions of the City that are specific to individual street geometries, with the goal of not causing undue disruption to existing neighborhoods.**

This policy is met. The V13 Preliminary Plat internal roads include landscaping, and are governed by the road standards included in TV DA and the BDEDCS. Future transportation improvements to SR 169 propose the use of roundabouts during subsequent MPD phases, when warranted by additional traffic (as outlined in Section 11 – Project Phasing of TV DA), as opposed to widening the roadway.

**Policy T-13 Concurrency Policy:**

**Ensure that transportation improvements or strategies are constructed or financed concurrent with development. This also includes concurrency with plans of other transportation agencies. The City requires either a construction or financial commitment for necessary transportation improvements from the private or public sector within 6 years of development. To monitor these commitments, the City’s Concurrency Management System includes the following:**

- 21. Adopting a traffic impact fee program;**
- 22. Assessing level of service;**
- 23. Determining compliance with the adopted level of service standards;**
- 24. Identifying facility deficiencies; and,**
- 25. Making appropriate revisions to the Six-Year TIP.**

MPD Permit Condition #10 and the Traffic Monitoring Plan attached as Exhibit F to TV DA require the Applicant to construct certain roadway improvements set forth in the City’s Comprehensive Plan to the extent necessary to maintain the City’s then-applicable, adopted level of service standards, to provide transportation concurrency, and to obtain City approval of traffic monitoring reports required by Exhibit F to TV DA. The approved traffic monitoring report calls for construction of certain traffic improvements and, subject to the Applicant’s construction of those improvements, the V13 Preliminary Plat’s traffic will be consistent with adopted levels of service. Given this, Policy T-13 is met.

**Policy T-15 Financial Impact Mitigation Policy:**

**Require developers to contribute their fair share towards the transportation improvements required to meet the LOS standards. Impact mitigation efforts may include:**

- 32. Requiring developers to assist in providing additional transportation facilities and services in proportion to the impacts and needs generated by development; and,**
- 33. Encouraging developers to design projects that generate less vehicular traffic.**

MPD Permit Condition No. 10 and the Traffic Monitoring Plan attached as Exhibit F to the TV DA require the Applicant to construct certain roadway improvements set forth in the City’s Comprehensive Plan to the extent necessary to maintain the City’s then-applicable, adopted level of service standards, to provide transportation concurrency, and to obtain City approval of traffic monitoring reports required by Exhibit F to TV DA. The approved traffic monitoring report calls for construction of certain traffic improvements and, subject to the Applicant’s construction of those improvements, the V13 Preliminary Plat’s traffic will be consistent with adopted levels of service. In addition, the V13 Preliminary Plat is part of The Villages MPD, which includes office, commercial and mixed-use development that will reduce overall vehicle trip generation by creating opportunities for work, shopping and dining within The Villages MPD. The V13

Preliminary Plat is consistent with this approach; its proximity to the Phase 1A Preliminary Plat provides for mixed-use office and commercial development within close proximity to residences.

**Policy T-16 Traffic Impact Analysis Policy:**

**Require that a Traffic Impact Analysis (TIA) be prepared for new developments. The City will require a TIA for new developments that are proposed in the city limits of Black Diamond that generate ten (10) or more vehicle trips in the PM peak hour or are otherwise determined to have the potential for an adverse impact upon the City’s transportation system. The study should include site access points, arterial and collector roadways and intersections of arterials and collectors that are impacted by 10 or more PM peak hour trips, and may not be limited to intersections located within the City of Black Diamond. The TIA shall be prepared by a licensed traffic engineer and will be accepted after approval by the City.**

A Traffic Impact Study was prepared in association with the approval of the Phase 1A Preliminary Plat, however a revised Traffic Impact Study was conducted as a result of V13 being removed from Phase 1A and the reduction in residential density. A memo titled *The Villages MPD – Preliminary Plat V-13 Traffic Impact Study* prepared by TranspoGroup (Exhibit 6) details a net reduction in weekday PM peak hour trips for this proposal compared to the multi-family residential development that was originally proposed under Preliminary Plat 1A. The anticipated weekday PM peak hour trips for the multi-family proposal was determined to be 96, while the anticipated weekday PM peak hour trips for this single-family proposal is determined to be 68; resulting in a reduction of 28 weekday PM peak hour trips. Policy T-16 is met.

**Policy T-18 Multi-modal Coordination Policy:**

**Coordinate planning and operation of efficient and varied means of transportation for the City of Black Diamond’s transportation system. Comprehensive Plan Update. This will be accomplished by the following:**

**37. The City will provide for pedestrian and bicycle facilities in the City’s road system through provisions in the City’s design standards.**

By its terms, Policy T-18 applies to the entire city. In addition, pedestrian and bicycle facilities are provided for in the BDEDCS, and sidewalks are required by Section 6.3 and Figure 6.3 of TV DA on streets within the V13 Preliminary Plat. V13 does not have an identified bike route within its boundary, however bike lanes exist within the adjacent Phase 1A plat. Therefore, Policy T-18 is met.

**Policy CF-3: Require new development to finance the facilities and services needed to support the development wherever a direct connection of benefit or impact can be demonstrated.**

Sections 7 & 11 of TV DA require the Master Developer to construct a wide range of on- and off-site regional facilities. The Funding Agreement also requires payment of City staff costs for a list of specified staff positions necessary to process implementing project approvals such as the V13 Preliminary Plat. The Comprehensive School Mitigation Agreement requires dedication of identified school sites as well as the payment of a school mitigation fee at specified amounts. There are no additional facilities or services needed to support the proposed V13 Plat or adjacent Phase 1A development, for which a direct connection of benefit or impact has been demonstrated. Therefore, this policy is met.

**Policy CF-16: School district comments shall be solicited prior to approval of residential development projects.**

The Enumclaw School District has been notified of the V13 Preliminary Plat. As of the date of this report, no comments have been received. This policy is met.

**Policy CF-18: The City shall take reasonable action to ensure development is within 1.5 miles travel distance of a fire station upon built roads.**

The V13 Preliminary Plat is within 1.5 miles travel distance upon built roads of Station 99 located at 25313 Baker Street. In addition, Station 98 is located at 22015 SE 296<sup>th</sup> Street. This policy is therefore met.

**Policy CF-27: Prior to approving development, ensure that the sanitary sewer system necessary to support development meets City requirements and is adequate to serve the development at the time the development is available for occupancy and use.**

The sanitary sewer system necessary to support V13 meets City requirements and will be adequate to serve the Plat at the time it is available for occupancy and use. This application does not exceed the available capacity in the existing sewer system (638 ERU Phase 1A + 62 ERU this proposal = 700 ERU which is less than the allowable remaining capacity of 1,150 ERU). This policy is met.

**Policy CF-30: Design new sewer facilities to allow for efficient and economical provision of sanitary sewers and require new development to provide those new facilities following the general concepts in this chapter.**

The applicant is required and proposes to install sanitary sewer facilities to connections in the Phase 1A plat and within the V13 Preliminary Plat, in accordance with the City's adopted sanitary sewer requirements set forth in the BDEDCS and BDMC Section 13.20.150. Accordingly, this policy is met.

**Policy CF-37: New development will be required to pay its fair share of expansion of the sewer system through capital facility charges, built, and dedicated facilities.**

The applicant will build its fair share of expansion of the sewer system. Section 11 of TV DA lists the on-site and off-site regional sewer facilities that will be built by the Master Developer, including sewer pump stations and sewer lines. In association with the approval of the Phase 1A Final Plat, an off-site sewer main and sewer lift station have already been constructed and approved by the City. This policy is met.

**Policy CF-43: Ensure that the storm drainage facilities necessary to support construction activities and long-term development are adequate to serve the development at the time construction begins and when the development is available for occupancy and use.**

The applicant will build all of the facilities needed to connect to the Phase 1A stormwater facilities which have been accepted by the City and are in-service.

**Policy CF-44: Design new development to allow for efficient and economical provision of storm drainage facilities, and require new development to pay its fair share of providing service.**

The stormwater facilities shown in the application are consistent with the requirements of the 2009 SWMMWW. The application utilizes Low Impact Development (LID) techniques where feasible (e.g., pervious pavement and rain gardens), as depicted on Sheets RS1 and RS2. This policy is met.

**Policy CF-46: New development should minimize increases in total runoff quantity, should not increase peak stormwater runoff, and should prevent flooding and water quality degradation.**

All runoff from the proposal is either infiltrated on-site or is discharged to the Phase 1A regional infiltration facility which meets this requirement. This policy is met. Based on this, the proposed V13 Plat is consistent with the city's comprehensive plan maps and policies.

## **MPD Framework Design Standards & Guidelines**

### **GENERAL PRINCIPLES AND SITE PLANNING**

*(These standards and guidelines are primarily intended for application at the stage of overall MPD design, but maintain some applicability during review of implementing projects.)*

#### **A. Environmentally Sustainable Guidelines**

**1. Implement a construction waste management plan to reduce construction waste. Consider life-cycle environmental impacts of building materials.**

Exhibit J of TV DA contains the Construction Waste Management Plan. Section 13.1 of TV DA requires the Master Developer to comply with this plan.

**2. Incorporate energy saving techniques into all aspects of building's design and operation.**

This guideline is not applicable to the V13 Preliminary Plat. This guideline will be evaluated at the time of individual building permit applications.

**3. Maximize water conservation by maintaining or restoring pre-development hydrology with regard to temperature, rate, volume and duration of flow; use native species in landscaping; recycle water for on-site irrigation use.**

Section 7.2.5 of TV DA contains the Water Conservation and Monitoring Plan. Section 7.4 of TV DA contains Stormwater Management Standards and Section 5.5 contains Landscape Standards applicable to the plat.

**4. Use measures that can mitigate the effects of potential indoor air quality contaminants through controlling the source, diluting the source, and capturing the source through filtration.**

This guideline is not applicable to the V13 Preliminary Plat. This guideline will be addressed at the time of future building permit applications.

**5. Reduce overall community impacts by providing connectivity from the project to the community; by incorporating best management practices for stormwater management; by creating useable public spaces such as plazas and parks; and by protecting important community-identified viewsheds and scenic areas.**

Section 11.6 of TV DA addresses the connecting sidewalk and safe pedestrian connection along Roberts Drive. Section 7.4 of TV DA contains Stormwater Management Standards. As shown on Sheet CV3 of the preliminary plat (Exhibit 1) Tract 902 contains a Pocket Park that is aligned with SE Fir Street of the Phase 1A Plat, maximizing community access to the park. As a recommended condition of approval, pedestrian striping shall be provided across Willow Ave SE to connect the Pocket Park (Tract 902) to SE Fir Street and along Road A between Tract 902 and Tract 906, which provides access to the future trail alignment adjacent to the east of V13.

**6. Grading plans shall incorporate best management practices with phased grading to minimize surface disturbance and to maintain significant natural contours.**

Sections 12.8.1.C and 13.2 of TV DA address clearing, grading and forest practices. The site is flat and grading will be limited to that necessary to install utility services and construct building foundations. This guideline is met.

## **B. Using Open Space as an Organizing Element Guidelines**

**1. All master planned developments shall include a wide range of open spaces, including the following: a. Sensitive environmental features and their buffers, b. Greenbelts, c. Village greens, d. Parks and school playgrounds, e. Public squares, f. Multi-purpose trails. These features should be deliberately planned to organize the pattern of development and serve as center pieces to development cluster, not merely as “leftover” spaces.**

As shown on Sheet CV3 of the preliminary plat (Exhibit 1) open space tracts include landscaping, natural areas, sensitive areas and their buffers, parks and pedestrian access. Open space Tract 902 will provide a Pocket Park to serve the neighborhood.

(a) There are no identified wetlands within the V13 Preliminary Plat; (b) a 75-foot landscape tract is adjacent to the north of V13, between the plat and Roberts Drive, containing landscaping and pedestrian trails (c) There are no identified Village Greens provided in the V13 Preliminary Plat; (d) As noted above; Tract 902 is identified as a Pocket Park to serve the neighborhood (e) Tract 902 will be a public park serving the neighborhood and providing pedestrian connection to the adjacent Phase 1A Preliminary Plat (f) a future north-south trail alignment is located adjacent to the east of V13 that will connect to Plat 2C. Based on the preceding information, staff finds that the proposal meets these guidelines.

**2. Open spaces shall be linked into an overall non-motorized network through sidewalks, trails and parkways. The overall network shall be delineated at initial MPD approval and implanted through subsequent plats and permit approvals.**

As shown on Sheet CV3 of the preliminary plat (Exhibit 1) Tract 902 provides a Pocket Park that is aligned with SE Fir Street in the Phase 1A Preliminary Plat, which encourages the use of non-motorized transportation methods between plats. Staff finds that the proposal meets this guideline.

**3. Stands of trees as an element of open space. Due to the propensity of severe wind events in the Black Diamond area, an MPD should incorporate the preservation of larger rather than smaller stands of native trees.**

There are no significant trees within the V13 Preliminary Plat boundaries – they were previously cleared in association with the approval of the Phase 1A Preliminary Plat. The applicant is requesting a grading easement adjacent to the east of the V13 plat boundary to create finished contours for adjoining lots. There are significant trees within the proposed grading easement, so a Level II Tree Plan will be required for the removal of significant trees within this area.

## **C. Integrating Development with Open Spaces Guidelines**

**1. Use of conventional, suburban-style subdivision design that provides little common open space shall be avoided.**

The preliminary plat emphasizes small lots and common open space as opposed to larger lots with large, private yards. As shown on Sheet CV3 of the preliminary plat (Exhibit 1) open space tracts include landscaping, a pocket park, and pedestrian connections. Staff finds that the proposal meets this guideline.

**2. Groupings of primarily residential development of approximately 400-600 units should be contained generally within a quarter mile radius to support walking, bicycling and future transit service. Development clusters shall be surrounded by a network of open space with a variety of recreational uses (including trails) to provide connections between clusters.**

This this guideline is met. Residential lots are within a quarter mile of the pocket park within V13 and are connected via sidewalks to larger open spaces, bike routes, and future transit connections. Tract 906 provides pedestrian access to the future trail alignment adjacent to the east of V13.

- 3. Methodology for Planning Development in clusters.**
- a. environmentally sensitive areas to be protected (including streams, wetlands, steep slopes, wildlife corridors, and their buffers) shall be identified, mapped and used as an organizing element for design;**
  - b. areas for development of housing and commercial development shall be indicated;**
  - c. streets and public spaces (as well as sites for public facilities such as schools, fire stations and other civic structures) shall be identified;**
  - d. lots and groups of lots with various ownerships (i.e. fee simple by occupant, condominium, single ownership apartments, etc) shall be integrated with one another throughout all phases of a project;**
  - e. views of Mt. Rainier and other desirable territorial views shall be identified and integrated into site planning to maximize viewing from public spaces (streets, trails, parks, plazas, etc.).**

As shown on the plat sheets, this guideline is met, as follows: (a) there are no identified wetlands with the V13 Preliminary Plat; (b) the V13 Preliminary Plat consists exclusively of single family parcels and open space tracts; (c) streets and public spaces are identified on the plat, including open space tracts; (d) this plat is meant to serve exclusively single family development; and (e) views of Mt. Rainier will be available along Willow Ave SE and the Pocket Park (Tract 902).

**D. Ensuring Connectivity  
Guidelines**

- 1. Pedestrian Connectivity**
- a. Similar to a traditional small town, services and common spaces shall be easily accessible to residents on foot. Off-street pedestrian trails are to be provided as a network throughout the development. Pedestrian connections shall be provided where cul-de-sacs or other dead-end streets are used.**

As shown on the plat sheets and discussed above, staff finds that the proposal meets this guideline. Commercial and retail development will be available within walking distance of the Plat's residential units (in the adjacent Phase 1A Plat) and Tract 906 provides pedestrian connection to a future trail alignment.

- 2. Street Connectivity**
- a. The system of streets shall demonstrate a high degree of both vehicular and pedestrian connectivity, allowing residents and visitors multiple choices of movement. Isolated and dead-end pockets of development are not desired.**

As shown on the plat sheets, this guideline is met.

- b. Cul-de-sacs shall be avoided unless there are no other alternatives.**
- No cul-de-sacs are proposed to remain at full plat build-out.



**E. Mixing of Housing**

**Guidelines**

- 1. **MPD's shall include various types of housing, such as:**
  - a. **Single Family, detached, on various sized lots**
  - b. **Single Family, attached: duplexes, townhouses (semi-attached), row houses (attached, common walls), courtyard houses**
  - c. **Cottage housing**
  - d. **Apartments**
  - e. **Accessory Dwelling Units**

The plat includes a variety of lot sizes, which will allow for variation in single family dwelling unit sizes.

- 2. **Each cluster of development shall include a variety of unit types and densities.**  
As noted above, the plat is exclusively for detached single family development with varying lot sizes.

- 3. **For Single Family developments, alley access to garages is desired. Direct driveway access to streets should only occur if there are no other alternatives.**  
Access to garages will be provided primarily via front roadway access, based on the narrow width of Development Parcel V13 and the orientation of the lots. Lots 16 and 17 will be accessed via an alley (Tract 903). The orientation of the lots minimizes the required amount of pavement associated with roadways or alleys, and allows for one primary north-south road.

- 4. **Large apartment complexes and other repetitive housing types are discouraged. Apartments should replicate features found in Single Family Residential areas (i.e. garages associated with individual units, individual outdoor entries, internal driveway systems that resemble standard streets, etc.).**  
There are no apartment complex structures associated with this proposal.

**F. Creating Neighborhood Civic/Commercial Centers**

**Guidelines**

- 1. **Civic/Commercial Centers shall be located to serve groupings of clusters as well as pass-by traffic in order to support an array of shops and services.**
- 2. **Such centers shall be anchored by a public green space and, ideally, a public building such as a school or meeting hall.**
- 3. **Upper story housing above retail or commercial space is strongly encouraged within Civic/Commercial Centers.**

There are no Civic or Commercial Centers included in this proposal.

**G. Interface with Adjoining Development**

**Guidelines**

- 1. **Where individual lot residential development is located along the boundary of an MPD, lot sizes shall be no less than 75% the size of the abutting residential zone or 7200 sq. feet, whatever is less.**

This plat does not contain individual lot residential development along the boundary of The Villages MPD. Adjacent to the eastern boundary of V13 is a 50-foot wide future trail corridor and all other boundaries do not directly abut non-MPD lands.

- 2. **Multi-family and non-residential land uses should include a minimum 25 ft wide dense vegetative buffer when located along the boundary of an MPD.**

There are no multi-family or non-residential land uses proposed along the boundary of the MPD as a result of this proposal.

**3. When there is no intervening development proposed, a minimum 25 ft wide dense vegetative buffer should be provided between main entrance or access routes into an MPD and any adjoining residential development.**

There are no direct access routes into the MPD within the boundaries of the V13 plat. Access to V13 will be from internal road networks within the MPD, including Willow Avenue SE and Plat 2C.

**CIRCULATION**

**A. Streets  
Guidelines**

**1. Connectivity**

**a. The street layout shall create a network that promotes convenient and efficient traffic circulation and is well connected to other existing City streets.**

Access to garages will be provided primarily via front roadway access, based on the narrow width of Development Parcel V13 and the orientation of the lots. Lots 16 and 17 will be accessed via an alley (Tract 903). The orientation of the lots minimizes the required amount of pavement associated with roadways or alleys, and allows for one primary north-south road. Road A will connect to both Willow Avenue SE in the Phase 1A plat and to the Phase 2C plat located to the south of V13.

**2. Design**

**a. The layout of streets should relate to a community-wide focal point.**

This guideline is met. The street design provides for a direct connection to The Villages MPD Town Center (within Phase 1A) and adjoining plat to the south (2C).

**b. A consistent overall landscape theme should be utilized, with variations provided to indicate passage through areas of different use, densities, topography, etc.**

This guideline is not applicable to review of a preliminary plat. Landscaping details will be evaluated during Utility Permit review.

**c. Limit the use of backyard fences or solid walls along arterial streets.**

In the limited instances where rear lot lines do face a street (Willow Avenue SE), there is a wide intervening area that has been landscaped in association with Phase 1A and provides a buffer to any future rear yard fencing that may occur. This guideline is met.

**3. Reduced Pavement Widths**

**a. Pavement widths should be minimized to slow vehicular speeds and maintain an area friendly to pedestrians and non-motorized users.**

This guideline is met. Pavement widths have been reduced to the minimum allowed by International Fire Code. Section 6.3 of TV DA establishes the standard lane width as 10 feet. Road A within the plat generally provides for on-street parking on both sides, which acts both as a traffic calming measure and also provides a greater buffer between vehicular traffic and the sidewalk. Tract 903 (the alley accessing lots 16 and 17) and Autocourts A and B are proposed to be used for Fire Department access to several properties within the plat, and therefore need to be a minimum of 20 feet in width

**4. Low-Impact Design**  
**a. Stormwater runoff should be reduced through “natural” techniques: flush curbs, bio-filtration swales, use of drought-tolerant vegetation within medians and planting strips, etc.**

The V13 Preliminary Plat provides the space required for bio-filtration swales (“rain gardens”). Flush curbs, drought-tolerant vegetation and other low impact design elements will be required at the Utility Permit stage. This guideline is met.

**5. Traffic calming methods should include: Roundabouts, Traffic Circles, Chicanes, Corner bulbs.**

MPD Condition of Approval #24 addresses traffic calming methods. Road A within the plat utilizes narrow vehicle lanes, curbside parking, curb bulbs at the intersections, and creates an interconnected street grid with adjoining developments. These features provide additional traffic calming. Therefore, this guideline is met.

**6. Lanes and Alleys**  
**a. Access to rear residential garages and commercial loading and service areas shall be available through lanes and alleys.**

Access to garages will be provided primarily via front roadway access, based on the narrow width of Development Parcel V13 and the orientation of the lots. Lots 16 and 17 will be accessed via an alley (Tract 903). The orientation of the lots minimizes the required amount of pavement associated with roadways or alleys, and allows for one primary north-south road.

**7. Non-motorized Circulation**  
**a. All streets shall include either sidewalks or trails on at least one side of the street. Design streets to be “bicycle” friendly.**

Road A includes sidewalks both sides of the street. The presence of on-street parking and the use of corner bulbs will assist in reducing traffic speeds, resulting in a safer and more friendly pedestrian environment. Therefore, this guideline is met.

**8. Street Landscaping**  
**a. All streets shall include native and/or drought-tolerant vegetation (trees, shrubs and groundcover) planted within a strip abutting the curb or edge of pavement. Native and/or drought-tolerant vegetation shall also be used within all medians.**

The applicant has shown the space required for bio-filtration swales (“rain gardens”). Flush curbs, drought-tolerant vegetation and other low impact design elements will be required at the Utility Permit stage.

**9. On-Street Parking**  
**a. Curbside parallel parking shall be included along residential streets. Parallel or angle parking should be included within non-residential areas.**

Curbside parallel parking is included along Road A.

**B. Sidewalks**  
**Guidelines**

**1. Width**  
**a. The minimum clear pathway shall generally be between 5 ft and 8 ft, depending upon adjacent land uses and anticipated activity levels.**

Section 6.3 of TV DA establishes the standard street section that includes a 5 ft. sidewalk. Compliance with this standard will be required at the time of Utility Permit review for the final plat of V13.

- 2. **Lighting**
  - a. **All lighting shall be shielded from the sky and surrounding development and shall be of a consistent design throughout various clusters of the development.**

Compliance with this standard will be required at the time of Utility Permit and/or building permit review for development within V13.

- 3. **Furnishings**
  - a. **Street furnishings including seating, bike racks, and waste receptacles shall be located along main streets in Civic/Commercial areas.**
  - b. **Furnishings serving specific businesses (outdoor seating) will require a building setback and shall maintain a minimum passable width of the sidewalk.**

There are no commercial or office uses identified within the V13 plat. Street furnishings appropriate for residential development will be reviewed in association with Utility Permits ahead of final plat approval.

- c. **Mailbox stations shall be designed to be architecturally compatible with the development in which they are located.**

Compliance with this standard will be required during Utility Permit review for V13 prior to final plat approval.

**C. Walkways and Trails Guidelines**

- 1. **Location**
  - a. **Walkways and trails shall be integrated with the overall open space network as well as provide access from individual properties. Trail routes shall lead to major community activity centers such as schools, parks and shopping areas.**

Sidewalks connecting the residential uses to open spaces (including the pocket park within the plat) and future trail alignments are part of the overall open space network as shown on Sheet CV3 (Exhibit 1). This system allows for convenient walking throughout the project, providing connections to the features noted above.

- 2. **Width**
  - a. **Not less than 8 feet wide to allow for multiple modes of use.**

There are no identified trail alignments within the boundaries of V13.

- 3. **Materials**
  - a. **Walkways connecting buildings and hardscaped common spaces shall have a paved surface.**
  - b. **Trails throughout the development and connecting to larger landscaped common spaces shall be of at least a semi-permeable material.**

There are no identified trail alignments within the boundaries of V13. Sidewalks are provided connecting the residential uses to open spaces (including the pocket park within the plat) and future trail alignments.

**SITE DESIGN**

**A. Cluster Development Guidelines**

- 1. **Larger groupings of development should be divided into smaller neighborhood clusters of approximately 50 dwelling units that are defined by open space.**

Staff finds that the proposal meets this guideline as shown on Sheet CV3 (Exhibit 1). Rows of residential lots are broken up by landscape tracts, a pocket park, or a pedestrian access tract connecting to a future trail alignment (Tract 906).

**2. Clustering**

**Within projects, higher density residential development shall be designed to have a village-like configuration. This includes elements such as:**

- a. Houses of varying sizes, styles, and form;**
- b. The maximum number of attached units shall not be more than twelve within a single structure.**

Section 5 and Exhibits H and I of TV DA address design standards for development. Those requirements and guidelines, along with this criteria, will be applied at the building permit stage.

**B. Neighborhood Common Space Guidelines**

**1. Amount**

- a. In general, within higher density residential and commercial development, a minimum of 1% of the lot area plus 1% of the building area should be the amount of area set aside for common space, exclusive of other required landscaping.**

The V13 Preliminary Plat consists of exclusively single family parcels and open space tracts.

**2. Location**

- a. Common open space shall be accessible and visible to users, as well as integrated into the overall project through connections and trails.**

Sheet CV3 (Exhibit 1) demonstrates that open space is provided within the project in locations visible from the public street system, a connection to the future trail alignment is provided, and, as a condition of approval, a pedestrian crossing from the adjacent Phase 1A Plat is provided. Staff finds that the V13 Preliminary Plat meets this guideline.

**3. Landscaping/Hardscaping**

- a. Commercial areas shall provide common space in the form of plazas, courtyards, and/or seating areas including some of the additional features noted below.**

- b. Higher density residential areas shall have usable outdoor spaces that provide at least four of the following features to accommodate a variety of ages and activities:**

**Site furnishings (benches, tables), Picnic areas, Patios or courtyards, Gardens, Open lawn with trees, Playfields, Special interest landscape, Public art, Water features, Sports courts (tennis, basketball, volleyball)**

The V13 Preliminary Plat consists of single family residential lots and open space/landscape tracts.

**4. Lighting**

- a. Pedestrian scale, bollard, or other accent lighting may be incorporated into the design of open space.**

This guideline is optional, not mandatory. To the extent such lighting is proposed, it will be addressed during Utility Permit review.

**C. Landscaping & Planting Design Guidelines**

1. **Incorporate native, drought-tolerant vegetation, avoid extensive use of lawn and plantings that demand significant irrigation and fertilization.**
  2. **A minimum of 75% of the landscaped area (not including recreational areas) should be planted with other than turf or lawn. Perennials and annuals are encouraged to provide special interest and highlight pedestrian areas such as walkways and trails.**
  3. **Where landscape areas are located adjacent to a street right-of-way, the type of landscaping should provide a vertical buffer.**
  4. **Rocks, pebbles, sand, and similar non-living materials shall not be used as groundcover substitutes, but may be used as accent features provided such features do not exceed a maximum 5% of the total landscape area.**
- Conformance with this guideline will be required during Utility Permit review.

**D. Stormwater Detention/Retention Ponds  
Guidelines**

1. **Location**
  - a. **Use natural site topography plus low-impact development methods to determine appropriate locations, which is to be integrated into the overall project design.**
2. **Landscaping**
  - a. **Where possible, provide facilities that are site amenities, in order to reduce need for fencing. In general, public access to stormwater facilities should be included within design.**
3. **Fencing**
  - a. **Chain link fencing shall not be allowed. Other forms of non-obscuring fencing may be permitted when ponds exceed a safe slope. However, it is generally expected that ponds will be gently integrated into the design of the site with slopes that are safe to traverse on foot (less than 7% grade).**

The proposal proposes to use a single on-site rain garden and connections to the regional infiltration facility provided in Phase 1A. The rain garden is proposed to be landscaped to be a site amenity (details will be addressed during the Utility Permit review stage). Fencing, either along rain gardens or the water quality pond and infiltration facility, is not proposed. Given the above, this guideline is met.

**BUILDING DESIGN  
(A. 1-10. not listed here.)**

Section 5 and Exhibits H and I of TV DA address design standards for development. Those requirements and guidelines along with these criteria will be applied at the building permit stage. In light of the above analysis, the proposed preliminary plat is consistent with the Black Diamond design standards and guidelines, including the Master Planned Development Framework Design Guidelines, where applicable.

**2. The proposed subdivision results in a net density that is equal to or less than the allowable maximum density established by the zoning regulations, and is greater than or equal to any applicable minimum density requirement;**

The allowable maximum density for MPD properties is set forth in BDMC 18.98.120(F), which allows a density of 18 units per gross acres, with multi-family housing at up to 30 units per gross acre. Sheet CV3 of the preliminary plat (Exhibit 1) contains a section entitled "Density Calculation" which denotes an overall V13 gross residential parcel density of 6.95 units/acre. The V13 Plat is equal to or less than the allowable maximum density established by BDMC 18.98.120(F).

The applicable minimum density requirement is specified in BDMC Section 18.98.120(E), which is the base density designated in any applicable preannexation agreement or development agreement and in the absence of any such agreement, the minimum density designated in the comprehensive plan. The base density specified in the Black Diamond Comprehensive Plan for MPD properties is 4 units per gross acre; the density specified in the Black Diamond Urban Growth Area agreement is 4 units per acre. In addition, the Villages MPD Condition of Approval #131 (Exhibit C of TV DA) states that a minimum density of 4 du/per net acre for residential development shall be required for implementing projects, and shall be calculated for each development parcel using the boundaries of that parcel (or the portion thereof to be developed).

As shown on Sheet CV3, "Density Calculation," the V13 Plat proposes a gross residential density of 6.95 units per acre, and a net density of 8.70 units per acre, which is equal to or greater than the applicable minimum density requirements specified in the BDUGAA, the Comprehensive Plan, and MPD Permit Condition No. 131. Therefore, the plat density is consistent with the applicable minimum and maximum density requirements.

**3. The public use and interest is served by the establishment of the subdivision and dedication. In considering this criteria, it shall be determined if appropriate provisions are made for all relevant matters, including, but not limited to, the public health, safety and general welfare, open spaces, storm drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds;**

**WATER**

With the conditions noted below, the V13 Preliminary Plat makes appropriate provision for potable water supply to and within the Plat, and complies with the Development Agreement, applicable Codes and the MPD conditions of approval.

Water service is available via connections to the existing water mains in Willow Ave SE. A recommended condition of approval is for all existing water mains to remain in-service during construction (recommended condition of approval #28).

The existing water mains are supplied by the City's existing springs near the Green River. Equalizing, fire flow, and standby storage are provided by the 850-zone reservoir and delivered to the 750-zone through existing pressure reducing stations. There is sufficient capacity in the 850 reservoir and in the city-wide supply water distribution system to support the uses shown in this application; namely 62 ERU.

The preliminary plat application is located within the 750-pressure zone. Static pressures at the water meters will be approximately 82 psi.

The on-site water distribution system is generally composed of loops of 8-inch diameter pipe proposed to be located within the completed rights-of-way or utility easements. The water conveyance system as designed is consistent with City standards and requirements. All elevations within the project can be served, including the highest anticipated finished floor elevations within future structures, without booster pump stations. Water mains are sized to provide the required flow rates during maximum fire flow conditions, while meeting the minimum pressure criteria. A recommended condition of approval is for all water mains to be located in public rights of way or within utility easements that provide a minimum of 15' of unobstructed space for access and maintenance (recommended condition of approval #29).

Required fire flows are estimated to be 1,500 gpm. The Fire Marshall will establish actual requirements during building permit review. Fire hydrants will be provided in rights-of-way. The water main sizes shown, the looping configuration proposed and the fire hydrant locations shown meet the requirement to provide 1,500 gpm.

All water meters will be located within the rights-of-way or in public utility easements. The meter locations must be compatible with the design standards contained within Exhibit H of TV DA. All water meters must be located such that they can be accessed with the City's drive-by meter reading system.

The Villages MPD Permit Condition #58, and TV DA Section 7.2.5, set forth water conservation and monitoring requirements. The water conservation plan requirements applicable to water fixtures will be applied during future building permit review and approval; the monitoring requirements will be implemented by the Designated Official, per Section 7.2.5 of TV DA.

Water supply can be provided by the City's water utility, using existing water rights and future connections to the Tacoma supply pipeline.

Extensions to the water system, within the project, will be in accordance with the Development Agreement and adopted codes and standards. In general, the new water system will consist of looped water mains that are located in city-owned rights-of-way and easements and served from an extension of the City's existing 750 pressure zone. The pipes are looped for redundancy and reliability and are equipped with strategically located valves and interconnections so that short-term failures can be isolated and repaired with a minimum of service disruptions

The application shows a schematic of the pipelines and in some cases details about connections and pipe routing. These should be considered schematic and representative of the general location and configuration of potable water mains. The actual location, pipe sizes, interconnections, valves, meters and the details of construction will be identified in subsequent Utility Permits and will likely differ from the schematic configuration shown in this application.

Pursuant to the BDEDCS Section 5.1.02.1, which requires that adjacent properties can be provided utility service for the ultimate development of tributary areas, a 12" water line is proposed to be stubbed along the southeastern boundary of the V13 plat to provide a connection to undeveloped property located to the east of V13 (outside of the MPD boundary). An associated 25-foot public utility easement is also provided. The proposed line is shown on Sheet SSWA2 (Exhibit 1).

With the conditions noted above, the V13 Preliminary Plat makes appropriate provision for potable water supply to and within the Plat, and complies with The Villages MPD Permit conditions of approval, TV DA, and applicable codes.

**SEWER**

With the conditions noted below, the V13 Preliminary Plat also makes appropriate provision for sanitary sewer service and complies with TV DA, applicable Codes and The Villages MPD Permit conditions of approval.

Sewer service is available via connections to existing city-owned sewer mains in Willows Ave SE. A recommended condition of approval is for all existing sewer mains to remain in-service during construction (recommended condition of approval #30).



Extensions to the sewer system, within the project, will be in accordance with TV DA and adopted codes and standards. In general, the new sewer system will consist of gravity sewer pipes that are installed within public rights-of-way and easements.

The Phase 1A Preliminary Plat, Sheets SSWA 1 – 2, shows a schematic of the pipelines; these should be considered only representative of the general location and configuration of the sanitary sewer collection system. The actual location, pipe sizes and the details of construction will be specified in subsequent Utility Permits and may differ from the schematic configuration shown in this application.

The applicant must include details about the sewage system capacity impacts with each Building Permit and Utility Permit. On the face of each plan set, the DRC (in conjunction with their notification of approval to the City) must include the following as applicable; the total building square footage included in that application, the number of fixture units, the Average Dry Weather Flow (ADWF), and the Peak Wet Weather Flow (PWWF) associated with the improvements in that application. The information must be in tabular form. This will be a recommended condition of approval (recommended condition of approval #32).

Pursuant to the BDEDCS Section 5.1.02.1, which requires that adjacent properties can be provided utility service for the ultimate development of tributary areas, an 8" sewer line is proposed to be stubbed along the southeastern boundary of the V13 plat to provide a connection to undeveloped property located to the east of V13 (outside of the MPD boundary). An associated 25-foot public utility easement is also provided. The proposed line is shown on Sheet SSWA2 (Exhibit 1).

Therefore, with the conditions noted above, the V13 Preliminary Plat makes appropriate provision for sanitary sewer service and complies with TV DA, applicable Codes and The Villages MPD Permit conditions of approval.

### **STORMWATER**

The V13 Preliminary Plat makes appropriate provision for storm drainage, and complies with TV DA, applicable Codes and The Villages MPD Permit conditions of approval.

TV DA identifies several different stormwater management zones, and this application is within Zone 1C.

Stormwater within Zone 1C is used to recharge wetlands (if applicable) and all excess stormwater is discharged to the regional stormwater facility. No wetlands exist within the preliminary plat, therefore, no recharge is expected or possible from this application. In accordance with the sustainability goals in the DA, where possible, stormwater will be infiltrated on site. This includes a single bio-retention cell shown on sheet RS1. Overflow from the Bio-retention cell, and runoff from all other areas within the plat will discharge to the Regional Infiltration facility.

The regional stormwater facility is located to the south of the plat and is designed to detain, treat and infiltrate most of the stormwater from the plat in accordance with the Preliminary Plat Drainage Report dated January 26, 2011, with an update submitted on June 28, 2012.

No long-term monitoring is required for the stormwater facilities in this plat.

The applicant has previously obtained an NPDES permit for clearing on this site and all clearing has been completed and the site stabilized. Future clearing and grading to implement the improvements shown in the Preliminary Plat will be conducted under the existing NPDES permit.

Therefore, V13 Preliminary Plat makes appropriate provision for storm drainage, and complies with The Villages MPD Permit conditions of approval, TV DA, and applicable codes.

### **STREETS**

The Phase 1A Preliminary Plat makes adequate provisions for streets, and complies with TV DA, applicable Codes and The Villages MPD Permit conditions of approval.

TV DA provides the standards for roadways within the project. The standards apply equally to public and private streets and no distinction is made between their function or appearance, except that pervious roads may be used for stormwater control and if used, pervious roadways must remain privately owned and maintained.

Unless specifically noted otherwise, details of the street design comply with adopted City street standards.

The street network generally consists of a loop road that interconnects with Willow Ave SE. All properties are accessed from the loop road, either with direct driveway access or via shared drive access. Shared drives exist in two locations and are consistent with the DA for private shared drives.

No extensions from this roadway network are expected in the future.

On-street parking is provided on the loop road in accordance with the applicable street standard. Some parking is displaced by driveway cuts, however, driveways have been paired and arranged to maximize on-street parking.

Bike Lanes are not provided and are not required.

Street lighting is required on all streets. Although not shown on the application, street lights will be required to be provided consistent with City standards, including spacing, pole height, and fixture type, as part of future Utility Permit review.

Therefore, the V13 1A Preliminary Plat makes appropriate provision for streets, and complies with The Villages MPD Permit conditions of approval, TV DA, and applicable codes.

### **GRADING**

Grading within the V13 complies with TV DA and the MPD conditions of approval.

Mass grading within the Preliminary Plat is proposed to provide suitable development and building areas, and to meet City utility standards. MPD Approval Condition #110 requires that overall cut (material removed from the site) is within 20% of the overall fill (material imported to the site).

### **FIRE**

The Fire Department reviewed the proposed subdivision and reiterated their comments from the Phase 1A Preliminary Plat:

- 1) All road grades shall not exceed 15%.
- 2) At the time of building permit application, structures will be required to either have required fire flow available or to have a fire sprinkler system installed to allow for a reduction in required fire flow.
- 3) Alleys are 20 foot wide, which is the minimum width for code compliant Fire Department access. All alleys shall be posted "No-Parking" with signage according to the International Fire Code; provisions for enforcement of these no parking zones must be made.

- 4) The length from the intersection of Tract 902 may exceed 150 feet, if so it requires an approved Fire Department turnaround at its end per IFC.
- 5) Ways-of-travel including alleys may not have divided driving surfaces and still meet IFC requirements. The IFC can allow use of any all-weather driving surface that will support the weight of fire apparatus; this may include bike lanes, for example, to meet the required 20-foot width.
- 6) The fire hydrant and water supply system shall meet IFC Requirements, and shall be installed prior to the beginning of combustible construction materials being placed on site. Construction materials refers to the lumber (framing) packages and not to a job shack.

**PARKS/OPEN SPACE**

Sheet CV3 contains information on open space and landscape tracts and shows locations of the proposed pocket park. Approximately 1.10 acres of open space will be set aside in parks and landscape tracts. There is one pocket park, comprising 0.19 acres, proposed on Tract 902. The subdivision makes connections to future trails and parks within the Phase 1A plat.

**SCHOOLS**

Per Section 13.3 of TV DA, school mitigation is accomplished through the CSMA, which requires payment of a school mitigation fee. The mitigation fee is based on the Enumclaw School District’s calculations concerning the expected student generation rate of The Villages MPD and the anticipated cost of new school facilities. Section 3.1 of the CSMA provides that the Agreement “constitutes full, total, complete and sufficient mitigation of the impact of full build out of The Villages MPD on school facilities of the District.” Therefore, the V13 Preliminary Plat makes adequate provisions for sites for schools and school grounds.

**The public use and interest is served by the establishment of the subdivision and future dedications. Appropriate provisions are made for the public health, safety and general welfare, through appropriate requirements related to utilities, access, fire, parks and schools.**

**4. The physical characteristics of the proposed subdivision site, as conditioned, do not increase the risk of flood or inundation conditions on- or off-site;**

The physical characteristics of the V13 Preliminary Plat utilizes appropriate storm water facilities designed in accordance with the 2005 SWMMWW, and infiltrates stormwater via LID rain gardens. V13 will not increase the risk of flood or inundation, either on-site or off-site (except for storms larger than 100-year event, which are not required to be regulated).

**5. Applicable city development standards are met or exceeded;**

The V13 Preliminary Plat has been reviewed for consistency with applicable portions of Title 17 (Divisions of Land), Title 18 (Zoning), and Title 19 (Environment), plus TV DA and The Villages MPD Permit conditions of approval. All development standards or permit or TV DA conditions are met or exceeded.

**6. All environmental impacts have been addressed consistent with the public health, safety and welfare and city goals and policies;**

A SEPA Addendum (Exhibit 2) was issued by the City for this proposal, since the environmental impacts related to this development parcel were originally addressed in the SEPA Environmental Review conducted in association with The Villages MPD Phase 1A Preliminary Plat under City File Number PLN11-0001. The original proposal for Parcel V13 was to develop 144 multi-family units within The Villages MPD Phase 1A Preliminary Plat.

The SEPA Addendum details the reduced environmental impacts that are anticipated for this proposal as a result of the reduction in density from multi-family residential to single family residential:

- a. In regards to storm drainage, sanitary sewer, and water, a memo titled Village Preliminary Plat Phase 1 prepared by Triad (Exhibit 3) details that approximately 40,000 square feet of impervious surfaces will be eliminated from Preliminary Plat V13 in comparison to the original multi-family residential proposal within Preliminary Plat 1A. Additionally, water and sewer demand is decreased as a result of the reduced population within the plat.
- b. In regards to wetlands, a memo titled The Villages PP1A – Parcel V-13 – Plat Amendment prepared by Wetland Resources, Inc. (Exhibit 4) details that there are no identified wetlands or associated buffers located within Parcel V13. Additionally, because the proposed development intensity of Parcel V13 is reduced, there is no alteration to the conclusions contained within the Sensitive Area Study for The Villages Phase 1A Preliminary Plat, as revised July 17, 2012. Additionally, A memo titled Coal Mine Designation Villages Preliminary Plat V-13 prepared by Golder Associates Inc. (Exhibit 5) details that the entirety of Preliminary Plat V13 is not within a coal mine hazard zone.
- c. In regards to traffic, a memo titled The Villages MPD – Preliminary Plat V-13 Traffic Impact Study prepared by TranspoGroup (Exhibit 6) details a net reduction in weekday PM peak hour trips for this proposal compared to the multi-family residential development that was originally proposed under Preliminary Plat 1A. The anticipated weekday PM peak hour trips for the multi-family proposal was determined to be 96, while the anticipated weekday PM peak hour trips for this single-family proposal is determined to be 68; resulting in a reduction of 28 weekday PM peak hour trips.
- d. In regards to construction traffic, a memo titled The Villages Parcel V13 Construction Trips prepared by Triad Associates (Exhibit 7) details the amount of construction traffic anticipated for the development of Parcel V13. The amount of construction trips originally assessed in The Villages Preliminary Plat 1A Construction Trips memorandum prepared by Triad Associates, dated September 28, 2012, will reduce in overall number as a result of the reduction in density from multi-family residential to single-family residential. The number of construction trips needed for the earthwork and utility construction will remain the same, however the number of vertical construction crew trips will be reduced from 11,520 to 7,440 and the number of vertical construction delivery truck trips will be reduced from 720 to 496.

The SEPA Addendum adopts the existing environmental documents associated with The Villages Preliminary Plat 1A and the associated mitigation measures established by the Mitigated Determination of Non-Significance (MDNS).

**7. Concurrency exists for all utilities and transportation system improvements prior to occupancy of any structures;**

Following completion of the improvements listed in the V13 Preliminary Plat application and in accordance with the conditions of approval in the staff report, concurrency exists for the City's water, sewer and stormwater systems. In addition, the information provided is sufficient to demonstrate compliance with the City's transportation concurrency requirements, the Development Agreement, and conditions of approval for the project. See Section 4.10 (Developer Improvements) of TV DA. Based on this information, this requirement is met.

**8. If the proposal is in an approved MPD, the proposed subdivision shall be consistent with the approved MPD, the MPD conditions of approval, the MPD design standards, and the MPD development agreement;**

The proposal is within the approved The Villages Master Planned Development. Analysis of consistency with the MPD conditions and the MPD development agreement is contained within Section IV (Analysis) of this Staff Report (below). Analysis of consistency with the MPD design standards is contained above within Section IV of this Report under BDMC Section 17.15.020(A)1 (Approval criteria) and below under consistency with TV DA Exhibits H and I. This code requirement is met.

**9. There shall be connectivity of motorized and nonmotorized transportation routes, open spaces and wildlife corridors with existing or proposed routes or corridors on adjacent properties;**

Connectivity of transportation routes and wildlife corridors has already been addressed within the boundaries of The Villages MPD. There are no identified wildlife corridors within the Phase V13 Plat. Adjacent properties within the MPD are located to the west and south of the plat site. Adjacent properties outside the MPD to the east include single family residential development and vacant land. There are no plans to connect ways-of-travel within the plat to non-MPD properties adjacent to the east.

**10. The use of cul-de-sacs and other dead-end streets shall be minimized to the fullest extent possible;**

No cul-de-sacs are proposed at full build-out of the V13 Plat. A dead-end alley is proposed to provide residential access to lots 16-19. Road A will provide a looped connection between Willow Avenue SE and Plat 2C to the south. Autocourts A and B are designed to avoid additional curb cuts along Willow Avenue SE and observe intersection spacing requirements.

**11. Appropriate provision has been made for the dedication of land to any public body, and provision of public improvements has been made as necessary to serve the subdivision. This shall include appropriate provision for payment of any impact fees imposed in accordance with the provisions of RCW 82.02.050 through 82.02.090, and applicable city codes and regulations. Dedications shall clearly be shown on the final plat;**

Numerous tracts are proposed for access and utilities; see the Tract Table on Sheet CV3. Per Section 6.5 of TV DA, all street right-of-way will be dedicated to, owned and maintained by the City except for private streets which include alleys, autocourts serving less than 20 dwelling units. A recommended condition of approval will require all easements to be shown on the final plat.

With respect to other impact fees, Section 4.10 of TV DA provides:

“As designed and with full implementation of all the mitigation measures, The Villages MPD build-out will fully and adequately mitigate the probable significant adverse environmental impacts of The Villages MPD and, that through such mitigation measures, provisions will be made for: (i) the facilities needed to serve new growth as a result of The Villages MPD within the City and (ii) the Master Developer to construct or pay a proportionate share of the cost of completing certain system improvements. Unless otherwise provided elsewhere in this Agreement or in the MPD Permit Approval, the mitigation measures listed this Agreement and in Exhibit “C” are in lieu of the payment of any impact

fees that the City has the authority to impose pursuant to RCW 82.02.050 *et seq.*, including any amendments thereto, such that no impact fees shall be imposed on any Implementing Project during the term of this Agreement except for those impact fees explicitly allowed in this Agreement.”

Section 13.4 of TV DA addresses fire mitigation, which includes payment of a fire mitigation fee and construction of a satellite fire station. The dwelling unit triggers for items related to the satellite fire station will be reached either in this V13 plat or during the buildout of the Phase 1A or Phase 2C plats. A recommended condition of approval will require construction of the satellite fire station pursuant to Section 13.4 of TV DA.

Section 13.9 of TV DA addresses general government facilities mitigation, which includes payment of a general government facilities mitigation fee and/or dedication of land and/or construction of general government facilities. A recommended condition of approval will require payment of the general government facilities mitigation fee pursuant to Section 13.9 of TV DA.

Given the above, and subject to the recommended conditions of approval, this code requirement is met.

**12. The streetscape and public open space amenities shall be compatible with any adjacent project that has been developed or approved for development as an MPD;**

The V13 Preliminary Plat is compatible with the adjacent Phase 1A streetscape and open space plans, as characterized by the Pocket Park (Tract 902) location in line with SE Fir Street within the Phase 1A plat.

**13. The proposed subdivision provides safe walking conditions for students who walk to and from school; and**

The proposed subdivision will contain a street network with sidewalks and marked crosswalks, which will provide safe walking conditions for students who walk to and from the future elementary school site. This same sidewalk network can be used by students to safely walk to school bus stops, which will be needed to transport secondary school students and (until the elementary school is constructed) elementary school students.

**14. The proposed subdivision provides for tree preservation consistent with the provisions of chapter 19.30.**

A significant tree report for the Phase 1A preliminary plat was prepared by International Forestry Consultants, Inc. on January 31, 2011 and was submitted with the initial Phase 1A preliminary plat application. The report addresses all areas of The Villages MPD proposed for disturbance as a result of the Phase 1A preliminary plat, including this Development Parcel V13. The significant tree clearing was approved by the City and completed prior to the removal of V13 from Phase 1A. The V13 Preliminary Plat complies with the Approval Criteria set forth in BDMC Section 17.15.020(A). If future significant trees are to be removed within the proposed Grading Easement, a Level II Tree Plan will be required.

*BDMC Chapter 18.98 provides review criteria for Master Planned Developments:*

**18.98.005 - MPD zoning district created.**

**The master plan development (MPD) zoning district is created. No development activity may occur, or any application accepted for processing, on property subject to an MPD zoning designation, or for which the submittal of an MPD is required by a development**

**agreement, unless it is done in accordance with the terms and conditions of a valid MPD permit or consistent with this chapter. Development activity shall include, but not be limited to, grading, clearing, filling, tree harvesting, platting, short platting, building or any other activity for which a city permit or other approval is required.**

The plat properties are zoned MPD and are subject to The Villages MPD Permit. The V13 Preliminary Plat is in accordance with the terms and conditions of The Villages MPD Permit, as explained below.

**18.98.110 - MPD standards—Design review required.**

**B. Design review process.**

**2. Implementing permits or approvals—Residential subdivisions. Each residential subdivision that is part of an approved MPD shall be reviewed at the time of preliminary plat review for compliance with the city's MPD design standards. This review shall include typical elevations, and exterior material samples for the single-family residences and other structures to be built on the subdivided lots. This review shall be merged with the hearing examiner's review of the preliminary plat.**

The applicant has indicated they will be using the typical single family elevations and exterior material samples that were approved in association with the Phase 1A Preliminary Plat. Analysis of consistency with the MPD design standards is contained above within Section IV of this Report under BDMC Section 17.15.020.A.1 - Approval criteria and below under consistency with TV DA Exhibits H and I. The MPD design standards are primarily intended for application at the stage of overall MPD design, but maintain some applicability during review of implementing projects.

**The Villages MPD Conditions of Approval Consistency Analysis**

(The full text of the conditions of approval is contained within Exhibit C of TV DA.)

**GENERAL**

1. This condition relates to the MPD approval; no further action is required at this time.
2. On December 12, 2011 the Black Diamond City Council approved The Villages MPD Development Agreement. (Ordinance No. 11-970). TV DA has been recorded under King County recording no. 20120130000655. No further action is required pursuant to this preliminary plat.
3. This condition relates to the MPD approval; no further action is required at this time.
4. This condition is addressed in Section 11 (Project Phasing) of TV DA; no further action is required as part of this preliminary plat.
5. This condition is addressed in Sections 9 (Parks, Open Space and Trail Standards), 11 (Project Phasing) and 12 (Development Review Process) of TV DA; no further action is required as part of this preliminary plat.
6. This condition is addressed in Section 15.2 (Duties of Master Developer) of TV DA; no further action is required as part of this preliminary plat.
7. The situation described here did not occur before the approval and execution of TV DA; no further action is required as part of this preliminary plat.

**8.** This condition is addressed in Exhibit J (Construction Waste Management Plan) of TV DA; no further action is required as part of this preliminary plat.

**9.** Conditions, covenants and restrictions (CCRs) are prepared and submitted at the time of final plat. A recommended condition of approval is that prior to final plat approval, the applicant shall submit Covenants, Conditions and Restrictions (CCRs) for staff review and approval.

**TRANSPORTATION**

**10.** Transportation improvements required for Phase 1A meet the requirements of this condition to maintain the City’s adopted level of service standards and provide access and circulation within the project. No connection of MPD roads to Green Valley Road is proposed. This is also addressed in Section 11.5 (Transportation Regional Facilities) and Exhibit F (Traffic Monitoring Plan) of TV DA.

**11-14.** These conditions are not applicable since V13, including the build-out of the approved Phase 1A and Phase 2C, contains less than 850 dwelling units that would trigger the need for validating and calibrating a new travel demand model.

**15.** An agreement for off-site transportation mitigation has been reached with the City of Covington and City of Maple Valley (see Exhibits Q and R of TV DA). Improvements in the jurisdiction of WSDOT, King County and the City of Black Diamond have been evaluated and proposed to meet Condition #11 above.

**16.** A separate agreement for off-site transportation mitigation has been reached with the City of Maple Valley, which incorporates the mitigation requirements of this condition, which is therefore met (see Exhibit Q of TV DA).

**17.** This condition is not applicable since V13, including the build-out of the approved Phase 1A and Phase 2C, contains less than 850 dwelling units that would trigger this condition.

**18.** Development Agreements for The Villages and Lawson Hills have been approved, and the transportation improvements for The Villages Phase 1A are consistent with the Development Agreements. This is also addressed in Section 11.5 (Transportation Regional Facilities) and Exhibit F (Traffic Monitoring Plan) of TV DA.

**19.** There are no proposed signals associated with the V13 plat based on anticipated traffic volumes.

**20.** A Transportation Monitoring Plan was established in the Development Agreements and The Villages Phase 1A improvements are consistent with the transportation monitoring plan requirements. There is a requirement to model and monitor traffic at the midpoint of Phase 1A occupancy. This is also addressed Exhibit F (Traffic Monitoring Plan) of TV DA.

**21.** Internal roadway improvements establish a street grid for The Villages Phase 1A development. This is also addressed in Section 6.1 (Purpose) of TV DA.

**22.** All auto courts serving 20 units or less and all alleys shall be private and maintained by the applicant or future Homeowner’s Association. This is also addressed in Section 6.5 (Ownership and Maintenance) of TV DA.



**23.** The applicant or future Homeowners Association shall be required to maintain all street side landscaping. This is also addressed in Section 5.5.7 (Maintenance) of TV DA.

**24.** Several traffic calming measures are included in the V13 plat. Curb bulbs and on-street parking will be used to promote slower vehicle speeds and shorten pedestrian crossing distances.

**25.** This condition is not applicable since V13, including the build-out of the approved Phase 1A and Phase 2C, contains less than 850 dwelling units that would trigger this condition. This is also addressed Exhibit F (Traffic Monitoring Plan) of TV DA.

**26.** Because the new model described in Condition 14 is not required for Phase 1A (including Development Parcel V13), the mode split analysis to determine the number of park and ride spaces needed cannot be conducted. There are sites within the adjoining Phase 1A large enough to accommodate a future park and ride lot, or the lot could be provided in a future development phase north of Auburn-Black Diamond Road (Roberts Drive).

**27.** The number, location and construction timing of access roadways for V13 is consistent with this condition.

**28.** This condition is not applicable to V13. This is also addressed in Section 6.4.1 (On-Site Connections) of TV DA.

**29.** A detailed implementation schedule for improvement projects has been established for Phase 1A, including the dwelling units proposed in V13; this was approved by the Designated Official in August 2012.

**30.** Several traffic calming measures are included in V13. Curb bulbs and on-street parking will be used to promote slower vehicle speeds and shorten pedestrian crossing distances.

**31.** This condition is not applicable to V13. This is also addressed in Section 6.4.3 (Pipeline Road) of TV DA.

**32.** This is addressed in Section 11.6 (Off-Site Pedestrian Regional Facilities) of TV DA.

**33.** The Green Valley Road study was completed in November 2010. This is also addressed in Exhibit P (Green Valley Road Measures) of TV DA. An update on the progress of The Green Valley Road Review Committee was provided by the applicant in August 2012.

**34.** Item (a) is addressed by Section 11.5 (Transportation Regional Facilities) of TV DA. Item (b) is not applicable to V13.

**NOISE**

**35.** The applicant submitted a short term construction noise mitigation plan that contains the listed best management practices that was approved by the City in association with the Phase 1A. Since V13 was previously included in Phase 1A, the plan is being implemented for this proposal as well.

**36-44.** Many of these items were made SEPA mitigation measures, which in turn are recommended plat conditions of approval. All of these items are also included as part of the short term construction noise mitigation plan. Section 13.7 of TV DA also addresses condition #44. A recommended condition of approval is that the applicant should maintain the noise control hotline established in association with PP1A during all development activity on the V13 site.

**45.** The Noise Review Committee has been established in association with PP1A. Annual noise reports have been provided to the MDRT Department throughout development activities associated with PP1A and will continue through site development activities associated with V13.

#### **PUBLIC UTILITIES-WATER**

**46.** This condition is addressed in the Development Agreement. Section 7.2.1 grants water availability to the Project in accordance with the WSFFA and Section 7.2.2 requires that all water supply projects be built in accordance with the WSFFA (unless specifically exempted from compliance in that document).

**47.** This condition was addressed in the Phase 1A Preliminary Plat.

**48.** This condition was addressed in the Phase 1A Preliminary Plat.

**49.** This condition is completed.

**50.** This condition is completed.

**51.** This condition is addressed in the Development Agreement, Section 7.2.1. This section of the Development Agreement specifically references this MPD approval condition and cross references the Water Comprehensive Plan, the City's Design Standards and the WSFFA.

**52.** This condition is completed.

**53.** This condition is addressed in the Development Agreement, Section 7.2.5, which details the requirements of the Water Conservation Plan, the implementation and monitoring required and specific remediation if the planned target conservation levels are not achieved.

**54.** This Condition is addressed in the Development Agreement, Section 7.2.5, second paragraph.

#### **PUBLIC UTILITIES-SEWER**

**55.** This condition is not applicable to V13 because this phase is limited to 62 ERU. This condition will be enforced with future permit applications when the proposed development (cumulative) exceeds 1150 ERU (the off-site supply capacity in the existing King County Sewer System), and in accordance with the Development Agreement, Section 11.4.1.

**56.** This condition is not applicable to Phase 1A because this phase is limited to 921 ERU. This condition will be enforced with future permit applications when the proposed development (cumulative) exceeds 1150 ERU (the off-site supply capacity in the existing King County Sewer System), and in accordance with the Development Agreement, Section 11.3.2.

**57.** This condition is addressed in the Development Agreement, Section 11, Table 11-3-2. This Table identifies these projects as Phase 1B projects which are not triggered by the Phase 1A application because the allowable units in Phase 1A are limited to 921 ERU. This condition will apply when the allowable units exceeds 1150 ERU (the threshold for off-site sewer capacity in the King County sewer system).

**58.** This condition is completed.

**59.** This condition is completed.

#### **PUBLIC UTILITIES-STORMWATER AND WATER QUALITY**

**60.** This condition is addressed in the Development Agreement, Section 7.4.1. This section requires that the 2005 Stormwater Management Manual for Western Washington govern design and construction of the infrastructure and facilities constructed pursuant to the Development Agreement.

**61.** The stormwater from the V13 plat will be infiltrated in the Regional Pond.

**62.** This condition does not apply to the V13 preliminary plat.

**63.** This condition is met

**64.** This condition is addressed in Section 5.5.3. and 9.4 of TV DA. This condition will be enforced with future permit applications.

**65.** This condition is not applicable to V13, because there are no off-site or point stormwater discharges associated with development of the V13 plat. The requirements of MPD Permit Condition 65 will be evaluated and enforced with future permit applications for any facilities that discharge stormwater to streams.

**66.** This condition is addressed in the Development Agreement, Section 7.4.1. This section requires compliance with the Comprehensive Plan, City Design Standards and the applicable Ecology and King County standards.

**67.** This condition is addressed in the V13 Preliminary Plat Application and in the Development Agreement (Section 7.4.4.A.6). Rain gardens will be provided to the extent feasible based on the ability of the native soils to meet the required infiltration requirements.

**68.** This condition is addressed in the Development Agreement Section 7.4.4.A.3, which restricts roofing materials and roofing maintenance procedures. The Development Agreement includes a specific cross reference to MPD Permit approval condition #68.

**69.** This condition does not apply to the V13 preliminary plat.

**70.** This condition is addressed in the Development Agreement, Section 7.4.4.A.1 and Section 7.4.4.A.2. This section includes a specific cross-reference to the NPDES requirements and to the MPD approval condition. It also requires the Developer to fund reasonable costs for O&M training and inspection.

- 71.** This condition is addressed in the Development Agreement, Section 7.4.3.A.J. This section includes a specific cross-reference to the MPD approval condition and requires a proactive and responsive TESC plan and program.
- 72.** This condition is addressed in the Development Agreement Section 7.4.4.A.K. This section identifies the objective to design facilities that have reasonable O&M costs and expectations.
- 73.** This condition is met via capacity information in the application.
- 74.** This condition does not apply to the V13 preliminary plat.
- 75.** This condition is met.
- 76.** This condition does not apply to the V13 preliminary plat.
- 77.** This condition is addressed in the Development Agreement Section 7.4.4. This section allows deviations from the adopted standards in accordance with the Black Diamond Engineering Design and Construction Standards. These referenced standards include technical and risk assessments.
- 78.** This condition is not applicable to this application. This condition will be enforced with future permit applications that discharge stormwater off-site to the referenced regional facility or that require the construction of the off-site regional facility. The V13 plat does not discharge stormwater off-site.
- 79.** This condition is addressed in the Development Agreement Section 7.4.5. This section includes the requirements for no net increase in phosphorus to Lake Sawyer, describes the required monitoring for compliance with the no net increase objective and remediation measures if an increase is detected.
- 80.** This condition is not applicable to this application. This condition will be enforced with future permit applications that discharge stormwater off-site to the Lake Sawyer Basin. V13 does not discharge stormwater to Lake Sawyer. Future phases will be required to comply with Section 7.4.5 of TV DA.
- 81.** This condition is complete. The required monitoring has been completed and submitted by the Master Developer. In addition, the requirements for no net increase in phosphorus discharge are included in Section 7.4.5 of TV DA and will be enforced with future applications that discharge stormwater to the Lake Sawyer basin.
- 82.** This condition is addressed in Section 7.4.3.B of TV DA, which requires that the 2005 DOE Manual govern design and construction of stormwater facilities for the V13 plat. Utility Permits for stormwater facilities in the V13 plat will be reviewed (and approved if appropriate) in conformance with the 2005 DOE manual.
- 83.** This condition is addressed in Section 7.4.3.B of TV DA, (which requires compliance with the 2005 DOE Manual) and a recommended condition of approval. To the extent that the V13 plat requires construction of off-site improvements to roads that currently drain to Lake Sawyer, the Applicant will be required to treat the runoff from the improvements and the right-of-way in the immediate vicinity of the improvements to the then current, applicable phosphorus

treatment standard. This condition will be applied during the review and approval of any Utility Permits for design and/or construction of any such off-site road improvements.

**84.** This condition is not specific to implementing projects. No further action is required in association with this preliminary plat application.

**85.** An update on the progress of The Water Quality Review Committee was provided by the applicant in August 2012.

### **VISUAL AND AESTHETICS**

**86.** This condition is addressed in Section 8.4 (Hazardous Tree Removal) of TV DA; no further action is required pursuant to this preliminary plat.

**87.** This condition is addressed in Section 13.2 (Forest Practices) of TV DA; no further action is required pursuant to this preliminary plat.

### **PUBLIC SERVICES-PARKS AND RECREATION**

**88.** This condition is addressed in Section 9.5.2 (Recreation and Useable Open Space Standards) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

**89.** This condition is addressed in Section 9.5.5 (Recreation Facilities) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

**90.** This condition is addressed in Section 9.5.3 (Recreation and Useable Open Space Standards) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

**91.** This condition is addressed in Section 9.5.3 (Recreation and Useable Open Space Standards) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

**92.** This condition is addressed in Section 9.5.5 (Recreation Facilities) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

**93.** This condition is addressed in Section 9.5.3 (Recreation and Useable Open Space Standards) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

**94.** This condition is addressed in Section 9.9.3 (Public Access) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

**95.** This condition is addressed in Section 9.6 (Trail Plan) of TV DA; no further action is required at this time.

**96.** This condition is addressed in Section 9.2 (Park and Open Space Plan) of TV DA; no further action is required at this time.

**97.** This condition is addressed in Section 9.10 (Park Characteristics) of TV DA; no further action is required as part of the Phase 1A preliminary plat.

## **PUBLIC SERVICES-SCHOOLS**

**98.** This condition is addressed in Section 13.3 (Schools) of TV DA; no further action is required as part of the Phase 1A preliminary plat. The plat features a 12.5 acre elementary school site, within a half-mile walk of residential areas within the MPD. No further action is required as part of the Phase 1A preliminary plat.

**99.** This condition is addressed in Section 13.3 (Schools) of TV DA. A high school site is not proposed as part of this plat; no further action is required at this time.

## **PUBLIC SERVICES-PUBLIC SAFETY**

**100.** This condition is addressed in Section 13.4 (Fire Mitigation) of TV DA; no further action is required at this time. A recommended condition of approval requires design and construction of the satellite fire station pursuant to Section 13.4 of TV DA.

**101-102.** Conformance with these conditions will be enforced during Utility Permit review.

**103.** Land to the east of the project contains residential uses. Land to the south is part of the Villages MPD, and will develop in the future. The Fire Department did not make any V13 plat specific wildland fire comments.

## **EROSION HAZARDS**

**104-109.** Conformance with these conditions will be enforced during Utility Permit review.

**110.** This condition is met.

## **LANDSLIDE HAZARDS**

**111.** There are no landslide hazard areas shown within the V13, per Exhibit G (Constraint Maps) of TV DA. This is also addressed in Section 8.0 (Sensitive Area Standards) of TV DA.

**112.** Stormwater is proposed to be infiltrated to the south of the site in a low area.

**113.** This condition does not apply to the V13 preliminary plat.

## **MINE HAZARDS**

**114.** This condition does not apply to the V13 plat because there are no moderate mine hazard areas shown within the boundaries of the plat, per Exhibit G (Constraint Maps) of TV DA. This is also addressed in Section 8.0 (Sensitive Area Standards) of TV DA.

**115.** This condition does not apply to the V13 plat. This is also addressed in Section 8.0 (Sensitive Area Standards) of TV DA.

**116.** This condition is addressed in Section 13.5 (Mine Hazard Release) and the release form is included as Exhibit M (Mine Hazard Release Form) of TV DA.

## **VEGETATION AND WETLANDS**

**117-119.** Conformance with these guidelines will be enforced during Utility Permit review.

**120.** A tree inventory was submitted on February 2, 2011, which covers the Phase 1A plat area (including V13).

**121.** See response to condition of approval #87.

**122.** Conformance with this guideline will be enforced during Utility Permit review and landscaping plan review.

**FISH AND WILDLIFE**

**123.** Conformance with this guideline will be enforced during Utility Permit review and landscaping plan review.

**124.** This condition is addressed in Section 5.5.2 (Review Process) of TV DA Conformance with this guideline will be enforced during Utility Permit review and landscaping plan review.

**125.** This condition does not apply to the V13 plat, as the wildlife corridor is located further south in The Villages MPD. This area is shown in Exhibit G (Constraint Maps) of TV DA.

**CLIMATE CHANGE**

**126.** Exhibits H (MPD Project Specific Design Standards and Guidelines) and I (High Density Residential Supplemental Design Standards and Guidelines) of TV DA address design guidelines. The City of Black Diamond MPD Framework Design Standards & Guidelines also apply. None of these documents prohibit the use of solar, wind or other renewable sources.

**127.** This condition will be enforced during Site Plan Review for commercial projects. There are no commercial land uses identified within the V13 preliminary plat.

**LAND USE**

**128.** This condition is addressed in Section 4 (Land Use and Project Elements) and Exhibit L (Excerpts from Chapter 3 of MPD Permit Application) of TV DA. Corner store-style neighborhood commercial uses are addressed in Section 4.7.2 (Neighborhood Commercial Designed as Corner Stores) in TV DA. There are no commercial land uses identified within the V13 preliminary plat.

**129.** This condition is addressed in Section 4.8.4 (Process to Track Total Dwelling Units and Floor Area) of TV DA. Table 4-8-4 (Target Unit Count by Phase) of TV DA and the V13 plat proposal are compared below:

Phase	Target Single Family Dwelling Units	Target Multi-Family Dwelling Units	Target Commercial/Office/Retail (Square Feet)	Total (Units)
1A	436	334	200,000	770
V13 plat proposal	62	0	0	782

- 130.** This condition is addressed in Exhibits L (Excerpts from Chapter 3 of MPD Permit Application) and U (Updated MPD Site Plan) of TV DA.
- 131.** This condition is reviewed on an implementing project by implementing project basis; see Finding of Fact #23, above.
- 132.** This condition is addressed in Section 4.4.2 (MPD Site Plan Amendments) of TV DA. The applicant has not submitted a proposal to increase a residential category that abuts the perimeter of the MPD as part of the Phase 1A plat.
- 133.** This condition is addressed in Section 4.4 (MPD Site Plan Amendments) of TV DA.
- 134.** This condition is addressed in Sections 4.6 (Expansion Parcels) and 10.5 (Expansion Parcels) of TV DA. The inclusion of expansion parcels is not proposed as part of the V13 plat.
- 135.** This condition is addressed in Section 5 (Additional Bulk, Landscape and Sign Standards), Exhibit H (MPD Project Specific Design Standards and Guidelines) and Exhibit I (High Density Residential Supplemental Design Standards and Guidelines) of TV DA.
- 136.** This condition is addressed in Sections of 2.2 (Project Elements), 4.1 (MPD Site Plan) and 4.2 (Total Number of Dwelling Units) TV DA.
- 137.** This condition will be applied to specific proposed commercial/office development projects, on an implementing project by implementing project basis. There are no commercial or office uses proposed with the V13 plat. Therefore, this condition is met.
- 138-139.** These conditions are addressed in Section 11.8 (Housing Types) of TV DA. The City is responsible for preparing the affordable housing analysis after the completion of Phase 1A.
- 140.** This condition is addressed in Exhibits L (Excerpts from Chapter 3 of MPD Permit Application), U (Updated MPD Site Plan) and Section 4.3 (Total Amount of Non-Residential Development) of TV DA.
- 141.** This condition is addressed in Exhibit I (High Density Residential Supplemental Design Standards and Guidelines) of TV DA.
- 142.** This condition is met. Alley-loading is not feasible for this plat based on the restricting width of the plat boundaries. Additionally, alley-loaded access was not included in the original proposal of development parcel V13 as approved in association with Phase 1A.
- 143.** Conditions, covenants and restrictions (CCRs) are prepared and submitted at the time of final plat. A recommended condition of approval is that prior to final plat approval, the applicant shall submit Covenants, Conditions and Restrictions (CCRs) for staff review and approval. The contents of the CCRs will be reviewed to determine compliance with this condition at that time. For clarification, the Architectural Review Committee is the Design Review Committee per Section 12.3 (Design Review Committee) and Section 14 (Definitions) of TV DA.
- 144.** This condition is addressed in Section 5.2 (Dimensional Standards) of TV DA.
- 145.** This condition is addressed in Section 5.2.7 (Floor Area Ratio (FAR)) of TV DA.



**146-7.** These requirements will be applied at the site plan review and building permit level, once building and site plan details are known.

**148.** This condition is addressed in Sections 5.3.1.B (Mixed Use-Village Center) of TV DA.

#### **SENSITIVE AREAS/OPEN SPACE**

**149.** This condition is addressed in Section 8 (Sensitive Areas Standards) of TV DA.

**150.** There are no areas identified as natural open space within the boundaries of the V13 preliminary plat.

**151.** See response to condition of approval #97.

**152.** See response to condition of approval #5.

**153.** This condition is addressed in Section 9.9 (Ownership & Maintenance) and 11.7 (Phasing of Development) of TV DA.

**154.** This condition is addressed in Section 9 (Parks, Open Space and Trail Standards) of TV DA. Parks and other open space tracts will be dedicated as part of final plat approval and as required by conservation easements.

**155.** This condition is addressed in Section 8 (Sensitive Area Standards) of TV DA.

#### **ADMINISTRATION**

**156.** This condition is addressed in Section 13.6 (Fiscal Impacts Analysis) and Exhibit N (MPD Funding Agreement) of TV DA. Section 13.6 outlines the methodology for preparation of a fiscal impact analysis, and provides that if the results of the fiscal analysis show a revenue deficit after application of a credit equal to the Developer's total funding obligation under a separate Funding Agreement, then the Developer must prepare a supplemental analysis proposing how any project City fiscal shortfall should be addressed. A fiscal impact analysis has been prepared by the applicant in compliance with Section 13.6, and the analysis shows no revenue deficit after application of the required credit for the Developer's payment of its obligations under the Funding Agreement.

**157.** There was a petition for formation (Black Diamond Community Facilities District (CFD) No. 2011-1 Petition for Formation), which was approved in December 2011. This approval was later rescinded in 2012. Regarding the second paragraph of the condition, see response to condition of approval #5.

**158.** This condition is addressed in Section 12.1 (Purpose) of TV DA.

**159.** This condition is addressed in Section 15.1 (Binding Effect & Vesting) of TV DA.

**160.** See response to condition of approval #133.

**161.** See response to condition of approval #132.

**162.** See response to condition of approval #134.

**163.** This condition is addressed in Section 11 (Project Phasing) and Exhibit K (MPD Phasing Plan) of TV DA.

**164.** See response to condition of approval #29.

## **The Villages MPD Development Agreement Section & Exhibit Consistency Analysis**

### **1.0 Definitions and Consistency**

The V13 plat complies with Section 1.0 of TV DA.

### **2.0 Project Description**

Sheet CV1 shows the boundary of the plat compared to the areas shown in Exhibits B and U of TV DA (Section 2.1). The preliminary plat sheets were prepared by a licensed surveyor (Section 2.3.1). The V13 plat complies with Section 2.0 of TV DA.

### **3.0 Prior Agreements**

This plat does not include expansion parcels (Section 3.1). The V13 plat complies with Section 3.0 of TV DA.

### **4.0 Land Use and Project Elements**

The V13 Preliminary Plat is consistent with the provisions of Section 4 of TV DA, taking into account the minor amendments previously approved. Refer to the Findings of Fact Section regarding Minor Amendments to Table 4.1, the number of dwelling units, and required residential density. The V13 Plat provides for appropriate interface with adjoining development, as described above in the response under MPD Design Guidelines item G, and is therefore consistent with Section 4.5 of TV DA. This plat does not include expansion parcels, and so is consistent with Section 4.6 of TV DA. The number of ADUs is not determined at the time of preliminary or final plat, because ADUs require only a building permit; therefore, the V13 Plat is consistent with Section 4.7.3. Based on the proposed scope of development, there are no Transfer of Development Rights (TDRs) required for this V13 Plat. TDRs are still necessary to accommodate the full build-out of Phase 1A, as indicated in that preliminary plat approval.

Given the above, the V13 plat complies with Section 4.0 of TV DA.

### **5.0 Additional Bulk, Landscape and Sign Standards**

The V13 plat is consistent with the MPD Framework Design Standards & Guidelines, as explained above. Consistency with Exhibits H and I of TV DA will be addressed at the site plan review and building permit level, once building and site plan details are known (Section 5.0). See Finding of Fact #28 regarding the DRC (Section 5.1). See Finding of Fact #22 regarding lot size (Section 5.2.1). The majority of Section 5.0 of TV DA will be applied during building permit, Utility Permit, and/or site plan review. Pursuant to Section 5.5.10 of TV DA, a 50-foot wide vegetative buffer is shown adjacent to the east of development parcel V13. Based on the preceding details, the V13 plat complies with Section 5.0 of TV DA.

### **6.0 Internal Street Standards Within The Villages MPD**

The V13 Plat is consistent with Section 6.0 of TV DA. The street sections proposed as part of the V13 Plat comply with the requirements of Section 6.2 of TV DA. The street alignment in the plat is consistent with the street alignment shown in Figure 3.1 of TV DA, as required by Section 6.3. No connection to King County road stubs located to the west of the plat is proposed with

this project (Section 6.4). The dwelling unit triggers contained in Section 6.4.3 of TV DA, requiring construction of Pipeline Road, are not met by the V13 plat. The V13 plat proposes public ownership and maintenance of the streets within the V13 Plat, except for Drives, consistent with Section 6.5 of TV DA. Dedication of the streets to public ownership will be accomplished as part of final plat approvals of the divisions within the V13 Plat, and no additional related conditions of approval are necessary at this time. In light of the above, the Villages MPD V13 plat complies with Section 6.0 of TV DA.

### **7.0 Water, Sewer and Stormwater Utility Standards**

The majority of this section dictates provision of utilities. See previous discussion on utilities for required capacity and recommended conditions of approval. This plat may trigger the Water Monitoring Plan following occupancy of the 500<sup>th</sup> dwelling unit (which depends upon the timing of other previously approved plats), which the City will manage (Section 7.2.5 TV DA). For the duration of construction for V13 of The Villages MPD, the Master Developer is responsible for paying 60% of all costs from the King County Lake Stewardship Program, per Section 7.4.4.A.7. The Villages MPD V13 plat complies with Section 7.0 of TV DA.

### **8.0 Sensitive Area Standards**

There are no sensitive areas identified within the boundaries of the V13 plat. The V13 plat complies with Section 8.0 of TV DA.

### **9.0 Parks, Open Space and Trail Standards**

As shown on Sheet CV3 (Exhibit 1), the parks and trails are consistent with Figure 9.2 of TV DA (Section 9.2). Storm water facilities may be considered as open space if they are designed as an amenity. A pocket park is provided in Tract 902 and pedestrian connections to the adjoining development are provided via sidewalks and pedestrian crosswalks. Tract 906 provides pedestrian connection to the future trail alignment adjacent to the east of V13. The V13 plat complies with Section 9.0 of TV DA.

### **10.0 Determinations, Amendments & Expansion Parcel Review Process**

No Expansion Parcels are included as part of this plat (Section 10.5). The V13 plat complies with Section 10.0 of TV DA.

### **11.0 Project Phasing**

This preliminary plat includes Development Parcel V13. A detailed implementation schedule for the Phase 1A regional infrastructure improvements was approved by the Designated Official in August 2012 (Sections 11.2 & 11.4/Section 11 tables). The capacity of the existing transportation, water, sewer, stormwater and park systems was evaluated during the staff review of this plat. See the portion of this Report related to provision of utilities for further details. The V13 plat complies with Section 11.0 of TV DA.

### **12.0 Development Review Process**

The majority of this section describes application review procedures. Notice of Application was issued pursuant to Section 12.6.1. Work hours are stipulated in Section 12.8.13 and were made a SEPA mitigation measure. Recommended conditions of approval include a requirement that the applicant comply with Exhibits Q and R of TV DA (Sections 12.10 & 12.11). With those conditions, The V13 plat complies with Section 12.0 of TV DA.

### **13.0 Miscellaneous Additional Standards and Requirements**

See response to BDMC Section 17.15.020.A.11 regarding schools, fire mitigation and general government facilities (Sections 13.3, 13.4 & 13.9). There are no moderate mine hazard areas

within the V13 plat, per Exhibit G (Constraint Maps) of TV DA (Section 13.5). The fiscal analysis required by Section 13.6, showing no fiscal shortfall, has been submitted (see discussion of MPD Permit Condition #156 above). Noise attenuation is discussed in Section 12.8.13 and was made a SEPA mitigation measure. As conditioned, The V13 plat complies with Section 13.0 of TV DA.

#### **14.0 Definitions**

This section contains definitions of terms used in TV DA; also see Section 1.1 of TV DA. For clarification purposes, many of the terms defined in Section 14 of TV DA are used in this staff report, but may not necessarily be capitalized in the same manner as in Section 14 of TV DA. The V13 plat complies with Section 14.0 of TV DA.

#### **15.0 General Provisions**

Consistency with The MPD Conditions of Approval as set forth in Exhibit C of TV DA was done in a previous section of this staff report (Section 15.1). This section contains general provisions of TV DA, many of which do not need further discussion with regard to the V13 plat. The Villages V13 plat complies with Section 15.0 of TV DA.

#### **Exhibit “A” – Removed. Please see Exhibit “U”.**

This Exhibit was removed – refer to Exhibit U.

#### **Exhibit “B” – Legal Description and Parcel Map**

As shown on Sheet CV1 (Exhibit 1) in the Key Map – Villages MPD, the V13 plat is within Parcel D. The V13 plat complies with Exhibit B of TV DA.

#### **Exhibit “C” – MPD Permit Approval**

Exhibit C of TV DA pertains to Ordinance No. 10-946 contains The Villages MPD Conditions of Approval; a consistency analysis is contained in another section of this staff report. The V13 plat complies with Exhibit C of TV DA.

#### **Exhibit “D” – Summary of Prior Agreements**

This exhibit details the purpose, intent and status of prior agreements affecting The Villages MPD. The V13 plat complies with Exhibit D of TV DA.

#### **Exhibit “E” – City of Black Diamond Municipal Code & Other City Standards**

Exhibit E of TV DA contains a copy of the Black Diamond Municipal Code current through September 20, 2010 and other city documents, including the Black Diamond Design Guidelines for Master Planned Development Framework Design Standards and Guidelines. The V13 plat has been reviewed and found to be consistent with the applicable documents listed in Exhibit E of TV DA; the analysis for which is contained in various parts of this staff report. Consistency with the EDCS will be fully analyzed upon submittal of Utility Permits.

#### **Exhibit “F” – Traffic Monitoring Plan**

The traffic monitoring plan that was approved for the Phase 1A preliminary plat, and implemented throughout that development, included transportation impacts that were to be anticipated by the development of V13 prior to its removal from PP1A. As detailed in the SEPA Addendum associated with this proposal, a reduction of traffic impacts are anticipated compared to what was originally proposed for V13 in the PP1A analysis (Exhibit 2). The V13 plat complies with Exhibit F of TV DA.

**Exhibit “G” – Constraint Maps**

There are no identified sensitive areas with the boundary of the V13 plat. The V13 plat complies with Exhibit G of TV DA.

**Exhibit “H” – MPD Project Specific Design Standards and Guidelines**

See Finding of Fact #28 regarding the DRC. Chapter 4 of Exhibit H of TV DA details residential design standards and guidelines. The V13 plat design is consistent with the general guidelines of the Site Design section in Chapter 4. In order to meet the design requirement of varied front yard setbacks for 20% of homes on each side of the street within a block, a recommended condition of approval is that the applicant shall work with the City to identify at least 20% of lots where the varied setback will apply. The identified lots shall be noted on the final plat application with associated restricting language specific to those lots. (recommended condition of approval #39). The remainder of Chapter 4 is more appropriately applied at the building permit/site plan review level when these types of details are known.

Chapter 5 addresses parks, open space and trails. Sheet CV3 contains open space tract details. Tract 902 will serve as a pocket park with connecting pathways to adjacent sidewalks and nearby off-street parking. A future proposed trail is shown adjacent to the east of the V13 plat. Chapter 6 is dedicated to signage and wayfinding and is more appropriately applied at the building permit/site plan review level when these types of details are known. The V13 plat complies with Exhibit H of TV DA.

**Exhibit “I” – High Density Residential Supplemental Design Standards and Guidelines**

This exhibit contains additional design guidelines for high density residential development (18-30 du/ac). The contents of this exhibit are not applicable to the V13 plat.

**Exhibit “J” – Construction Waste Management Plan**

This project is required to comply with the Construction Waste Management Plan. The V13 plat complies with Exhibit J of TV DA.

**Exhibit “K” – MPD Phasing Plan**

This plat falls within what was originally labeled as Phase 1A, as shown on the MPD Phasing Plan (Figure 9-1). A detailed implementation schedule for the Phase 1A regional infrastructure improvements was approved by the Designated Official in August 2012. Section 11 of TV DA contains additional detail regarding phasing and the provision of on-site and off-site infrastructure improvements. Exhibit K of TV DA incorporates the Phasing Plan from the MPD Permit submittal. The applicant will be constructing all improvements depicted in the table, as applicable to the ERUs developed at time of issuance of building permits following the final platting of V13. The number of dwelling units per Exhibit K of TV DA anticipated to be built in Phase 1A is 638; this plat, which was originally included within Phase 1A, proposes 62 units. The V13 plat complies with Exhibit K of TV DA.

**Exhibit “L” – Excerpts from Chapter 3 of MPD Permit Application**

This exhibit contains portions of Chapter 3 of the MPD Permit Application included for reference. The V13 plat complies with Exhibit L of TV DA.

**Exhibit “M” – Mine Hazard Release Form**

There are no mine hazard areas within the V13 plat, per Exhibit G (Constraint Maps) of TV DA. The use of this form is not anticipated for lots within the original Phase 1A area. The V13 plat complies with Exhibit M of TV DA.

**Exhibit “N” – MPD Funding Agreement**

This exhibit contains the MPD Funding Agreement, which has no bearing on an individual plat application. The V13 plat complies with Exhibit N of TV DA.

**Exhibit “O” – Stormwater Monitoring**

This exhibit concerns water quality and Lake Sawyer. The V13 plat does not drain to Lake Sawyer. This exhibit has more applicability in future phases of the MPD.

**Exhibit “P” – Green Valley Road Measures**

Exhibit P of TV DA requires that, prior to the conclusion of construction in Phase 1A, the Master Developer shall submit to King County permit applications for any Traffic Calming Measures for Green Valley Road as chosen by the committee. Pursuant to the approval of the Phase 1A preliminary plat, the Master Developer must submit a status report to the Designated Official verifying compliance with Exhibit P of TV DA prior to final plat approval of each Division. Since this requirement has been imposed on the entire area of the original Phase 1A preliminary plat, the V13 preliminary plat complies with Exhibit P of TV DA.

**Exhibit “Q” – Maple Valley Transportation Mitigation Agreement**

Exhibit Q of TV DA is an agreement between the City of Maple Valley, BD Villages Partners, LP and BD Lawson Partners, LP. A recommended condition of approval is that the applicant complies with Exhibit Q of TV DA. With that condition, The V13 plat complies with Exhibit Q of TV DA.

**Exhibit “R” – Covington Transportation Mitigation Agreement**

Exhibit R of TV DA is an agreement between the City of Covington, BD Villages Partners, LP and BD Lawson Partners, LP. A recommended condition of approval is that the applicant complies with Exhibit R of TV DA. With that condition, The V13 plat complies with Exhibit R of TV DA.

**Exhibit “S” – Potential Expansion Areas**

The V13 plat does not contain any potential expansion areas shown in this exhibit. The V13 plat complies with Exhibit S of TV DA.

**Exhibit “T” – Impact Fees for Fire Protection Facilities dated 1-13-2011**

Exhibit T of is provided in TV DA for reference. Section 13.4 of TV DA addresses fire mitigation, which includes payment of a fire mitigation fee and a satellite fire station. On September 20, 2012, the City Council adopted a City-wide fire impact fee. The impact fee amount is the same as the mitigation fee contained within TV DA. The dwelling unit triggers for items related to the satellite fire station will be reached either in this V13 plat or during the buildout of the Phase 1A or Phase 2C plats. A recommended condition of approval will require construction of the satellite fire station pursuant to Section 13.4 of TV DA.

**Exhibit “U” – Updated MPD Site Plan**

Exhibit U of TV DA is addressed in Section 4.1 of TV DA; it is the updated MPD Site Plan. As noted above, the plat includes a variety of lot sizes, in conjunction with Exhibits L and U of TV DA. The V13 plat complies with Exhibit U of TV DA.

## **VI. CONCLUSIONS**

1. The proposed Preliminary Plat, as conditioned, satisfies the criteria of BDMC Sections 17.15.020 (Preliminary Plat Approval Criteria), the MPD Framework Design Standards & Guidelines, The Villages MPD Conditions of Approval and The Villages MPD Development Agreement.

## **VII. STAFF RECOMMENDATION**

Staff recommends this Preliminary Plat (PLN17-0015) be approved, subject to the following conditions. Many of these conditions are reflective of the conditions of approval from the Phase 1A Preliminary Plat approval (PLN11-0001), as applicable to this V13 preliminary plat application.

1. Stationary construction equipment shall be located distant from sensitive receiving properties wherever possible. Where this is infeasible, or where noise impacts would still be likely to occur, portable noise barriers shall be placed around the equipment (pumps, compressors, welding machines, etc.), with the opening directed away from sensitive receiving properties.
2. All equipment required to use backup alarms shall utilize ambient-sensing alarms that broadcast a warning sound loud enough to be heard over background noise, but without having to use a preset, maximum volume. Alternatively, use broadband backup alarms instead of typical pure tone alarms.
3. Operators shall be required to lift, rather than drag materials wherever feasible.
4. Electric pumps shall be used whenever pumps are required.
5. The proponent shall maintain operation of the noise control "hotline" to allow neighbors affected by noise to contact both the City and the construction contractor to ask questions or to complain about violations of the noise reduction program per Condition of Approval #41 of The Villages MPD permit.
6. The proponent shall provide construction noise attenuation for existing residents adjoining development parcels Villages V10, V13 and V15 as set forth in Condition of Approval #44 of The Villages MPD permit.
7. Work hours of operation shall be limited to 7:00 a.m. and 7:00 p.m. on weekdays, 9:00 a.m. and 5:00 p.m. on Saturday, and shall be prohibited on Sundays and City holidays, subject to emergency construction and repair needs as set forth in BDMC 8.12.040.C.
8. The Master Developer shall ensure that the short term construction noise mitigation plan for the Phase 1A plat is implemented during site development activities associated with V13.
9. The Master Developer shall notify the City in writing of the status of their compliance with Section 13.7 (Noise Attenuation) of TV DA at the time of submittal of Utility Permits for V13.
10. Prior to issuance of certificates of occupancy for the 327<sup>th</sup> ERU (equivalent residential unit) within The Villages MPD, the proponent shall install a traffic signal at the intersection of SE Auburn-Black Diamond Rd. (Roberts Dr.) and Village Pl. SE (aka Main St.).
11. Prior to the issuance of certificates of occupancy for the 1,128<sup>th</sup> ERU (equivalent residential unit) within The Villages MPD, the proponent shall construct a single-lane roundabout at the intersection of SE Auburn-Black Diamond Rd. (Roberts Dr.) and Villages Parkway SE (aka Community Connector "A").

12. The proponent shall model and monitor traffic at the midpoint of occupancy of Phase 1A (514<sup>th</sup> equivalent residential unit) and determine what additional requirements may be necessary to comply with the transportation concurrency requirements of the Comprehensive Plan.
13. All road grades shall not exceed 15%.
14. At the time of building permit application, structures will be required to either have required fire flow available or to have a fire sprinkler system installed to allow for a reduction in required fire flow.
15. A striped pedestrian crosswalk shall be provided across Willow Avenue SE connecting the sidewalk along SE Fir Street to the pocket park located within Tract 902.
16. A striped pedestrian crosswalk shall be provided across Road A connecting Tract 902 and Tract 906.
17. All alleys shall be posted "No-Parking" with signage according to the International Fire Code; provisions for enforcement of these no parking zones shall be defined and accepted by the Designated Official prior to final plat approval of any plat division in which alleys are provided.
18. If the final design length of Tract 903 from its intersection with Road A exceeds 150 feet, an approved Fire Department turnaround shall be provided at its end, per the IFC.
19. All ways-of-travel shall maintain a minimum 20 foot unobstructed driving surface per the IFC. Bike lanes may be a component of this 20 foot width. The fire hydrant and water supply system shall meet IFC Requirements, and shall be installed prior to the beginning of combustible construction materials being placed on site. Construction materials refers to the lumber (framing) packages and not to a job shack.
20. All easements shall be shown on the final plat.
21. Prior to final plat approval of any plat division, the applicant shall submit Covenants, Conditions and Restrictions (CCRs) for review and approval by the Designated Official.
22. The applicant shall comply with the Roberts Dr. sidewalk and pedestrian connection in accordance with the requirements of Section 11.6 of TV DA.
23. Any division of a final plat requiring TDRs will not be processed or approved until the Master Developer has acquired title to the needed TDRs and they have been assigned by the Master Developer to the applicable division of the final plat.
24. Prior to final plat approval, the Master Developer shall either comply with MPD Condition of Approval #69 and obtain the Directors' approval, or dedicate more open space as may be necessary to minimum standards.
25. The Master Developer shall comply with Exhibit Q of TV DA.
26. The Master Developer shall comply with Exhibit R of TV DA.
27. Tracts 900-906 shall be maintained by the Master Developer (M.D.)/Applicable Owners Association (A.O.A.).
28. All existing water mains within public rights of way shall remain in-service during construction. This condition will be enforced during Utility Permit review and approval.
29. All water mains shall be located in public rights of way or within utility easements that provide a minimum of 15' of unobstructed width for access and maintenance. This condition will be applied during Utility Permit review and approval.
30. All existing sewer mains shall remain in-service during construction of any new sanitary sewer facilities. This condition will be applied during Utility Permit review and approval.
31. Any sewage pipelines (either gravity or force-main) that are designed with excess capacity shall include provisions to minimize potential operational impacts due to the oversizing. This condition will be applied during Utility Permit review and approval.
32. On the face of each plan set for building and Utility permits in this Preliminary Plat, the DRC (in conjunction with their notification of approval to the City) shall include the following sewage flow information as applicable; the total building square footage



- included in that application, the number of fixture units, the Average Dry Weather Flow (ADWF), and the Peak Wet Weather Flow (PWWF) associated with the improvements in that application. The information shall be in tabular form.
33. Prior to permitting for any future Villages MPD phase that may discharge to the regional stormwater facility, the applicant shall demonstrate, through on-site real time monitoring, that the regional infiltration system located to the south of the Phase 1A Plat is operating as designed and has sufficient capacity for those future phases. This condition will be applied during preliminary plat, final plat, and/or Utility Permit review for Villages MPD phases subsequent to Phase 1A
  34. The on-street parking locations shown in the application shall be considered the minimum acceptable number of parking spaces. To the extent that additional stormwater facilities are required (namely rain gardens), these facilities shall be located outside the right-of-way and shall not displace or eliminate any on-street parking spaces. This condition will be applied during Utility Permit review and approval for rain garden and/or street construction.
  35. Street trees may be placed in groves, but shall be counted on a block-by-block basis. In other words, the number of trees required within a single block shall be placed within that same block, although they may be placed in groves instead of uniformly spaced along the roadway. This condition will be applied during Utility Permit review and approval for street construction.
  36. The general government facilities mitigation fee shall be paid at the time of each individual building permit issuance, pursuant to Section 13.9 of TV DA.
  37. Trees proposed for replanting shall be native trees per MPD Condition of Approval 122.
  38. The design and the satellite fire station, pursuant to Section 13.4 of TV DA, must be selected, completed, and mutually agreed to by the City and Master Developer no later than the issuance of a Certificate of Occupancy for the 250<sup>th</sup> Dwelling Unit.
  39. In order to comply with the requirements of Exhibit H of TV DA, the applicant shall work with the City to identify at least 20% of lots on each side of the street within individual lots where the varied setback (no less than 33% of the standard front yard setback) will apply. The identified lots shall be noted on the final plat application with associated restricting language specific to those lots.

**IX. EXHIBITS**

- Exhibit 1 - Preliminary Plat Sheets, prepared by Triad Associates on behalf of the Applicant – dated November 22, 2017
- Exhibit 2 - SEPA Addendum for The Villages MPD Parcel V13 Preliminary Plat, prepared by The City of Black Diamond – dated November 7, 2017
- Exhibit 3 - Memo titled *Village Preliminary Plat Phase 1*, prepared by Triad Associates – dated September 28, 2016
- Exhibit 4 - Memo titled *The Villages PP1A – Parcel V-13 – Plat Amendment*, prepared by Wetland Resources, Inc. – dated September 22, 2016
- Exhibit 5 - Memo titled *Coal Mine Hazard Designation, Villages Preliminary Plat V-13*, prepared by Golder Associates Inc. – dated February 3, 2017
- Exhibit 6 - Memo titled *The Villages MPD – Preliminary Plat V-13 Traffic Impact Study*, prepared by TranspoGroup – dated January 31, 2017
- Exhibit 7 - Memo titled *The Villages Parcel V13 Construction Trips*, prepared by Triad Associates – dated January 30, 2017
- Exhibit 8 - Public Comment Letter titled *The Villages MPD Parcel V13 Preliminary Plat – Utility Connections to Adjoining Parcels*, prepared by an adjacent land owner – dated November 17, 2017
- Exhibit 9 - DRC Letter of Approval of the V13 Preliminary Plat, prepared by Oakpointe – dated November 29, 2017

*Staff reserves the right to respond to matters raised subsequent to the writing of this report.*