



CITY OF BLACK DIAMOND

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CITY OF BLACK DIAMOND STAFF REPORT TEN TRAILS PARCEL PHASE 2 PLAT A PRELIMINARY PLAT FILE NUMBER: PLN18-0008

I. APPLICATION INFORMATION

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

Project Name: Ten Trails Master Planned Development – Phase 2 Plat A Preliminary Plat

Project Description: The Ten Trails Phase 2 Plat A Preliminary Plat (referred to as the Phase 2A Plat) application is for a subdivision of 66.5 acres into 214 single-family residential lots and 39 tracts, consistent with the approved Villages Master Planned Development (MPD) and the Villages MPD Development Agreement (TV DA). Approximately 19.05 acres of open space will be set aside in park, landscape, and open space tracts. Tract uses include landscape, park, sensitive area / associated buffer, pedestrian access, utility, and access. Individual tracts may include multiple uses.

Location: The plat is located on unaddressed parcels approximately ½ mile south / southwest of the intersection of Lake Sawyer Road SE and Roberts Drive and adjacent to the south of the Phase 1A – Division 1 Final Plat. The site is located within the SW ¼ of Section 15, Township 21 North, Range 6 East, Willamette Meridian, King County, WA.

Parcel Numbers: 152106-9106, 152106-9109, 222106-9053

MPD Development Parcel: V20, V22, V23

Zoning: Master Planned Development (MPD)

Comprehensive Plan: Low Density Residential with MPD Overlay

Administrative Note: References to “Ten Trails” within this 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 (PLN09-0017) has not been amended to officially refer to the Master Planned Development as “Ten Trails.”

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II. BACKGROUND INFORMATION

"Preliminary plat," as defined in BDMC 17.08.010, 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.

"Subdivision," as defined in BDMC 17.08.010, 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

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

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. The zoning designation of the subject property is Master Planned Development (MPD).
3. The Comprehensive Plan land use designation of the subject property is Low Density Residential with a Master Planned Development Overlay.
4. 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). Since the approval of the MPD Permit, the applicant has rebranded "The Villages" as "Ten Trails" – these names may be used interchangeably, however the MPD Permit has not been formally amended to rename the MPD "Ten Trails."
5. On December 12, 2011 the Black Diamond City Council approved The Villages MPD Development Agreement (TV DA) (Ordinance No. 11-970).
6. 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.
7. Exhibit E of TV DA contains the Black Diamond Municipal Code (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.
8. The preliminary plat application was submitted on March 03, 2018 and determined to be complete for processing on April 03, 2018. MDRT review of the plat drawings resulted in resubmittals for review by staff in June 2018, January 2019, and February 2019.
9. The final preliminary plat drawings, dated February 5, 2019, are provided as Exhibit 1 of this Staff Report.
10. The applicant submitted a letter dated March 8, 2018 from the Design Review Committee (DRC) (Exhibit 2) stating that the DRC found that the Phase 2A Plat complies with DRC Design Guidelines as well as development standards contained in The Villages MPD Development Agreement.
11. A Notice of Application was issued on April 17, 2018 and provided the required 14-day comment period. The Notice of Application was issued pursuant to BDMC 18.08.120. Two comments were received electronically and are provided as Exhibit 3 to this Staff Report.
12. The City issued a consolidated Notice of Public Hearing and SEPA Determination specific to this proposal on January 29, 2019. The Notice of Public Hearing also included information regarding the SEPA Mitigated Determination of Non-Significance (MDNS) for this proposal. The SEPA MDNS is detailed further in Findings #13-14. The Notice of Public Hearing was issued pursuant to BDMC 18.08.180.
13. An Adoption of Environmental Document and SEPA Mitigated Determination of Non-Significance (MDNS) (Exhibit 4) were issued by the City for this proposal. The Adoption of Existing Environmental Document adopts The Villages Master Planned Development Final Environmental Impact Statement (FEIS), which identified the anticipated environmental impacts resulting from the overall development of the MPD. The SEPA

MDNS reviewed potential environmental impacts resulting from this Phase 2A Preliminary Plat proposal specifically. With the implementation of mitigation measures, as detailed in Finding #14, the City (as the lead agency) has determined this proposal will not have a probable significant adverse impact on the environment. The environmental review for this proposal was processed under City File Number PLN18-0013.

14. The SEPA Mitigated Determination of Non-Significance (MDNS), identifies that this proposal will not have a probable significant adverse impact on the environment with the implementation of fourteen (14) mitigation measures, as identified in the MDNS itself (Exhibit 4) and the Recommended Conditions of Approval for this proposal.
15. A majority of the significant trees on the Phase 2A Preliminary Plat site have already been cleared in association with the early clearing and grading conducted under PUB18-0079. The remainder of significant trees identified for removal will be cleared in association with the approved preliminary plat application. Significant trees were identified in a report titled *Significant Tree Count Report – Preliminary Plat 2a* prepared by American Forest Management on behalf of the applicant.
16. There are ten wetlands and associated buffers located within the Phase 2A Preliminary Plat Application. The following table summarizes wetland identification, wetland category, and buffer widths for wetlands within the plat boundary:

Wetland ID	Wetland Category	Wetland Buffer Width
Wetland 2017-B	Category II	110 feet
Wetland D1	Category III	60 feet
Wetland D2	Category II	110 feet
Wetland D4	Category III	60 feet
Wetland D9	Category III	110 feet
Wetland D10	Category III	110 feet
Wetland D11	Category III	110 feet
Wetland P/Q	Category III	60 feet
Wetland S	Category III	60 feet
Wetland T	Category III	60 feet

Potential impacts to wetlands and their associated buffers were assessed in association with the SEPA MDNS, as detailed in Findings #13 and #14 above.

17. The applicant has submitted a Wetland Buffer Averaging request, which was approved by the Mayor (Exhibit 6). The buffer averaging request meets the review requirements established by BDMC 18.10.230(H) for allowable buffer averaging. The buffer averaging request, as shown on Sheets WL1 and WL2, is limited to wetland buffers and would

have no direct impacts to wetlands. As conditioned (Recommended Conditions of Approval #14a-c), buffer impacts will be minimal and will result in a total buffer addition of 14,018 square feet.

18. Section 4 of TV DA addresses uses within the MPD. Per Table 4-1 of TV DA and Exhibits L and U of TV DA, The Phase 2A Preliminary Plat, which is comprised of Development Parcels V-20, V-22, and V-23, has the following land uses:

Parcel	Land Use	Description	DU Range*	Acreage
V-20	MPD-L	Low Density Residential (4-8 DU/AC)	108-217	27.08 (gross) 20.06 (net)
V-22	MPD-M	Medium Density Residential (7-12 DU/AC)	45-78	6.49 (gross) 5.62 (net)
V-23	MPD-L	Low Density Residential (4-8 DU/AC)	59-117	14.65 (gross) 13.12 (net)

** The Dwelling Unit (DU) Range listed here may vary from what is shown on Table 4-1 of TV DA. This is the result of Minor Amendments to the Development Agreement and/or a surveyed calculation of gross acreage of Development Parcels.*

19. 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 Sheet CV4 (Exhibit 1) indicates that the minimum lot size for detached residential within Phase 2A is 3,325 square feet and the maximum lot size for detached residential within Phase 2A is 11,829 square feet. The average lot size for detached residential within Phase 2A is 4,969 square feet. The minimum lot size for detached residential complies with Section 5 of TV DA.
20. 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 overall Phase 2A Preliminary Plat consists of 66.45 gross acres (including sensitive areas/associated buffers and regional stormwater pond). The gross residential development parcel area (as shown in Finding #18) is 48.22 acres. The net residential development parcel area is 38.80 acres (net development parcel area is the gross development parcel area minus the area of streets, roads, and alleys).

The gross residential density of the Phase 2A Preliminary Plat is 4.44 units per acre (214 units divided by 48.22 gross development acres) and the net residential density of the Phase 2A Preliminary Plat is 5.52 units per acre (214 units divided by 38.80 net development acres).

Both the gross and net residential densities comply with the minimum density requirement established by MPD Permit Condition of Approval No. 131 and the unit ranges for Development Parcels V20, V22, and V23 established in TV DA Table 4-1.

21. No Transfer of Development Rights will be required for the Phase 2A Preliminary Plat. Refer to the Transfer of Development Rights (TDR) Information table on Sheet CV4 (Exhibit 1) for more information regarding TDRs and Phase 2 entitlements.
22. Pursuant to Section 11.7 of TV DA, required infrastructure and amenities are scheduled to meet the demands of the future occupants of the Phase 2A 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 Phase 2A Plat and will be constructed or bonded for prior to final plat approval.
23. 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.

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 for compliance with design and development standards contained in adopted plans, codes and regulations.

BDMC Chapter 17.15 Consistency Analysis

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 #19 and #20 regarding minimum lot sizes and residential densities. The Phase 2A 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 Low Density Residential with a 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 Phase 2A Preliminary Plat is an implementing project of the approved The Villages MPD (see Finding #4). It is therefore consistent with the “Master Planned Development Overlay” Comprehensive Plan map designation.

The Phase 2A 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 Phase 2A Preliminary Plat is consistent with them:

<u>Comprehensive Plan Land Use Policies</u>
Policy LU-16: Encourage a variety of housing types, providing housing for all income levels and all family sizes.
The Phase 2A Preliminary Plat contains a range of lot sizes (3,325 – 11,829 square feet) for single-family residential lots. In addition, the Phase 2A 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 Phase 2A Preliminary 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 Phase 2A Plat proposes a gross residential density of 4.44 units per acre. The Phase 2A Plat is also consistent with Black Diamond’s small town atmosphere as the structures in the proposed plat will be required to implement 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 Phase 2A 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 Phase 2A Preliminary Plat organizes parcels to be surrounded by open space, as shown on Plat Sheet CV3. In addition to open space tracts to conserve sensitive areas

<p>and their associated buffers, there are two pocket parks (Tracts 932 and 935), two community trails (Tracts 905 and 908), a common green (Tract 915), and a neighborhood park (Tract 918) located within the plat boundary. These parks are dispersed throughout the plat to provide future residents close proximity to parks and open spaces. Access to the parks and open spaces is accommodated for all residents via sidewalks, community trails, and pedestrian access tracts.</p>
<p>Policy LU-20: Allow multifamily residential in identified areas or when integrated as part of a planned development.</p>
<p>The Phase 2A 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, V14, and V17).</p>
<p>Policy LU-22: Use the MPD process to review all proposals on sites larger than 80 acres.</p>
<p>The Phase 2A Preliminary Plat is a 66.45 acre site and is part of The Villages MPD Permit and TV DA approved by the Black Diamond City Council.</p>
<p>Policy LU-23: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.</p>
<p>The adjacent Phase 1A Plat provides sites (Development 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.</p>
<p>Policy LU-24: Provide day-to-day retail goods and services within walking distance of most residential neighborhoods.</p>
<p>See response to Policy LU-23 above. The adjacent Phase 1A Plat will allow for provision of retail goods and services within walking distance (approximately ½ mile) of the residential lots in the Phase 2A Plat.</p>
<p>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.</p>
<p>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 adjacent Phase 1A Plat within the Ten Trails MPD contains a comprehensively-planned mixture of residential, commercial, retail, public and open space uses.</p>
<p>Policy LU-27: Prohibit heavy industrial, and limit light industrial uses within mixed-use areas.</p>
<p>No heavy or light industrial use is proposed as part of the Phase 2A Preliminary Plat.</p>
<p>Policy LU-53: New developments should be designed to incorporate features to</p>

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 Ten Trails Parkway SE and Road F. Both of these roadways have provided the required bike lanes, as shown on Sheet RD1. Sidewalks are provided on all roads or in adjacent tracts. Additionally, the Phase 2A Preliminary Plat is adjacent to SE Dogwood Street, which provides sidewalks connecting to trails, bike lanes, and future transit opportunities in the Phase 1A Plat.

Comprehensive Plan Transportation Policies (summarized for brevity)

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

The Phase 2A Preliminary Plat provides a street network that generally consists of three southward extensions of the roadway network in Plat 1A. Road A and Road F generally create a looped network that serves lots on the western extreme of the project and provide for future extensions to the south. Road G provides isolated access to property that is bounded by critical areas (making a loop of this network infeasible). Ten Trails Parkway S.E. extends the arterial connector which originates in Plat 1A to future development areas to the south of this 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 Phase 2A Preliminary Plat utilizes an interconnected network of roads, sidewalks, and connections to future trail alignments as shown on Sheets RS1-5. The Phase 2A Plat includes one cul-de-sac (Road G). Road G and the intersecting Autocourt C are not proposed to connect to one another due to surrounding sensitive areas. Connecting the two road alignments would result in greater impacts to wetland buffers. 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 Phase 2A 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 Phase 2A 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 Phase 2A 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 Phase 2A 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 Phase 2A Plat's traffic will be consistent with adopted levels of service. In addition, the Phase 2A 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 Phase 2A 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.

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 proposed platting of Phase 2A. A memo titled *Ten Trails MPD – Phase 2 Plat A, Plat C (Div. 3) and Plat D Traffic Impact Study* prepared by TranspoGroup (Exhibit 5) details the Phase 2A Preliminary Plat anticipates 211 total weekday PM peak hour vehicle trips (133 trips in, 78 trips out). The trip rate for this plat is based on the number of dwelling units proposed, the ITE land use code of Single-Family Detached Housing, and trip regression equations from the ITE 10th Edition. This methodology is consistent with that used in The Villages Transportation Technical Report that was prepared in association with the overall MPD. 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 Phase 2A Preliminary Plat. Figure 6.3 of TV DA shows the Bike Route and Future Connection Plan. This figure shows a bike route along Ten Trails Parkway SE and Road F. Both of these roadways have provided the required bike lanes, as shown on Sheet RD1. Sidewalks are provided on all roads or in adjacent tracts. Therefore, Policy T-18 is met.

Comprehensive Plan Capital Facilities Policies

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 Phase 2A 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 Phase 2A 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 Phase 2A 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 Phase 2A Preliminary Plat is approximately 1.7 miles travel distance upon built roads of Station 99 located at 25313 Baker Street. In addition, Station 98 is located approximately 2.5 miles travel distance upon built roads at 22015 SE 296th Street. Based on the proximity of multiple stations, and the developer's requirement to determine the design and location of a satellite fire station by the 250th dwelling unit (see Recommended Condition of Approval #19.b) this policy is 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 the Phase 2A Plat 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. 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 Phase 2A Preliminary Plat, in accordance with the City's adopted sanitary sewer requirements set forth in the BDEDCS and BDMC Section 13.20.150. 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, and is therefore exempt from capital facility charges. Section 11 of TV DA lists the on-site and off-site

<p>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 – Division 1 Final Plat, an off-site sewer main and sewer lift station have already been constructed and approved by the City. This policy is met.</p>
<p>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.</p>
<p>The applicant will build all of the facilities needed to connect to the Phase 1A stormwater facilities, which have been accepted by the City, are currently in-service, and have sufficient capacity for this application.</p>
<p>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.</p>
<p>The stormwater facilities shown in the application are consistent with the requirements of the applicable 2005 Ecology Requirements. The application utilizes Low Impact Development (LID) techniques where feasible (e.g. minimizing impervious surfaces and mimicking pre-development hydrology). This policy is met.</p>
<p>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.</p>
<p>All runoff from the proposal is either utilized for wetland recharge or is discharged to the Phase 1A regional infiltration facility, which meets this policy.</p>

17.15.020(A)(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 CV4 of the preliminary plat (Exhibit 1) contains a “Land Use Capacity” table which denotes a gross residential parcel density of 4.44 units/acre. The Phase 2A Preliminary 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 the Sheet CV4 “Land Use Capacity” table, the Phase 2A Preliminary Plat proposes a gross residential density of 4.44 units per acre, and a net density of 5.52 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.

17.15.020(A)(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;

The following table describes how the Phase 2A Preliminary Plat, as designed, provides adequate water service, sewer service, stormwater management, street design, site grading, fire access, parks and open space, and school mitigation.

<u>Water</u>
<p>With the conditions noted below, the Phase 2A 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.</p> <p>Water service is available via connections to the existing city-owned water mains that are located adjacent to the Preliminary Plat in SW Dogwood Street. 750-zone connections are proposed at the intersection of Dogwood Street and Road A (Evergreen Ave) and Ten Trails Parkway and Road F. These connections (in conjunction with the network of pipes proposed in the application) meet the City’s requirements for reliability, redundancy, pressure, and flow (with one exception discussed below). In addition to the two 750-zone connections, two 850-zone connections are proposed that would ultimately be extended to the south of the Preliminary Plat to serve higher ground in future phases. The two 850-zone mains shown are both located in Ten Trails Parkway SE and the application includes a note that identifies an option to eliminate (relocate) one of the mains using an alternative alignment if possible (presumably through Plat 2D).</p> <p>All existing water mains must remain in-service during construction (Recommended Condition of Approval #31).</p> <p>The existing City water system is supplied by 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 214 ERU. No improvements are necessary outside of the Preliminary Plat application to provide the required water service.</p> <p>The preliminary plat application is located within the 750-pressure zone. Pressures at the water meters (for properties within the 750-pressure zone) will range from 75 to 90 psi.</p> <p>The on-site water distribution system is generally composed of loops of 12-inch and 8-inch diameter pipe proposed to be located within the completed rights-of-way and on public easements. The pipes are looped for redundancy and reliability and are equipped with strategically located valves and inter-connections so that short-term failures can be isolated and repaired with a minimum of service disruptions.</p> <p>The water conveyance system as designed is consistent with City standards and</p>

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. All water mains must 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 #30).

Required fire flows are estimated to be 1,500 gpm due to the residential nature of lots. The mains have been sized and configured, however, to allow 2,500 gpm fireflow rates in the Preliminary Plat. Fire hydrants will be provided in rights-of-way. In some locations the hydrants are shown in proximity to driveway cuts or driveway aprons and these should be located as far as possible from the potential turning arc of any vehicles entering the driveway. This will be administered during utility permit approval.

There are two locations where the arc of the watermains within the public road network may introduce thrust forces on other utilities in the right of way. These are located on Road G near Tract 937, and on Road D near Driveway B. In these locations the thrust forces shall be mitigated by either relocating the mains to the "outside" of the utility arcs or using deadman-type thrust anchors or restrained joint pipe. This will be administered during utility permit approval.

All water meters will be located within the rights-of-way or in public utility easements. All water meters must be located such that they can be accessed with the City's drive-by meter reading system.

The roadway turnaround on Autocourt C (around Tract 935) includes a section of looped watermain that does not provide redundant supply to lots 212, 213 and 214. The "looped" section that follows the roadway turnaround should be replaced with a section of pipe that parallels the single connection in front of lot 211 for true redundant supply. This will be administered during utility permit approval.

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.

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.

Sewer

With the conditions noted below, the Phase 2A Preliminary Plat 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 the proposed public sewer mains in Ten Trails Parkway S.E and S.E Dogwood Street. All existing off-site sewer mains must remain in-service during construction.

There is sufficient capacity in the local and regional sewer systems for sewage from this preliminary plat, namely 214 ERUs. In order to facilitate tracking of sewage capacity the applicant shall identify, on the face of each plan set, 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.

The Phase 2A Preliminary Plat, Sheets SW1 through SW5, shows a schematic of the proposed sewer 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 sewer collection system provides direct service to the lots in this application and additional future development to the south and east of this application. 150 ERU of capacity has been provided for areas from the east and 82 ERUs for areas to the south. The southern capacity calculation relies on a relocation of the sanitary sewer lift station provided in Phase 1A (there are more than 81 ERUs planned to the south of this application, however they are intended to flow toward new pumping facilities to the southwest of this plat).

The sewer collection pipe in Ten Trails Parkway S.E. has the potential to intercept groundwater interflow that is currently recharging wetland P/Q. During utility permitting this potential must be evaluated and remediated with the intent to maintain wetland hydrology in accordance with the DA (Recommended Condition of Approval #32).

Stormwater

With the condition noted below, the Phase 2A Preliminary Plat makes appropriate provision for storm drainage, and complies with TV DA, applicable Codes and The Villages MPD Permit conditions of approval.

Stormwater within the plat is used to recharge adjacent wetlands or discharged off-site to the regional stormwater facilities (which infiltrate). Stormwater facilities have been sized in accordance with City codes and standards and Ecology criteria. All on-site stormwater facilities are owned by the applicant and will remain privately owned and operated.

The applicant will be required to obtain an NPDES permit from the Department of Ecology prior to any grading or development on the site. This permit is enforced by Ecology and does not involve City staff or permitting.

The TV DA obligates the applicant to apply Low Impact Development techniques where feasible and this will be enforced with Utility Permits (Recommended Condition of Approval #33).

Streets

The Phase 2A Preliminary Plat makes adequate provisions for streets, and complies with TV DA, applicable Codes and The Villages MPD Permit conditions of approval.

The street network generally consists of three southward extensions of the roadway network in Plat 1A. Road A and Road F generally create a looped network that serves lots on the western extreme of the project and provide for future extensions to the south.

Road G provides isolated access to property that is bounded by critical areas (making a loop of this network infeasible). Ten Trails Parkway S.E. extends the arterial connector which originates in Plat 1A to future development areas to the south of this plat.

Although not specifically shown on the application, street lights will be required at intersections, pedestrian crossings and other prominent street features consistent with City standards, including spacing, pole height, and fixture type as part of future Utility Permit review.

In summary, the Phase 2A 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 Phase 2A Preliminary Plat, as conditioned, 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. A large portion of the initial grading within the plat boundary has already been completed under City File PUB18-0079. 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). The cut/fill balance proposed for this preliminary plat includes 270,650 cubic yards of cut and 287,242 cubic yards of fill and meets the overall cut/fill balance. It is usual and customary for these cut/fill ratios to change in conjunction with final design of the utility systems, however, the 20% cut/fill balance cannot be exceeded with final utility permit approval (Recommended Condition of Approval #34).

There are several areas on site where retaining walls are used to create level lots and retain slopes for utilities and roads. The largest of these is located in the southwest area of the application, adjacent to the City boundary (to the west) and a parcel owned by Palmer Coking Coal (to the south). It is unclear from the application how these walls would be maintained or replaced in the future since the ability to approach these walls from off-site areas cannot be assured. In addition, these walls will need to be designed by and stamped by a geo-technical engineer or structural engineer and the design will need to be coordinated with the adjacent home designs (for impacts on foundation bearing pressures and excavation limitations) and with the final design of the stormwater system (for impacts due to surface discharges and level spreaders). These interrelated design elements will be coordinated in conjunction with utility permits (Recommended Condition of Approval #35).

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. 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.
5. 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 and Open Space

Sheet CV3 contains information on open space and landscape tracts and shows the location of two pocket parks (Tracts 932 and 935), a community trail (Tracts 905 and 908), a common green (Tract 915), and a neighborhood park (Tract 918). Open space tracts, which include landscape, pedestrian access, park, and sensitive area / associated buffer uses comprise 21 Tracts within the plat, as shown on Sheet CV3. There are approximately 19.1 acres of open space, park, and landscape tracts within the plat. The subdivision makes connections to future trails and parks via sidewalks and trails for all residential parcels within the Phase 2A 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 Phase 2A Preliminary Plat makes adequate provisions for sites for schools and school grounds.

BDMC 17.15.020(A)(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 Phase 2A Preliminary Plat allows for the utilization of appropriate storm water facilities designed in accordance with the 2005 SWMMWW, and infiltrates stormwater via LID rain gardens. The Phase 2A Plat will not increase the risk of flood or inundation, either on-site or off-site (except for storms larger than a 100-year event, which are not required to be regulated).

BDMC 17.15.020(A)(5). Applicable city development standards are met or exceeded;

The Phase 2A 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 TV DA conditions are met or exceeded.

BDMC 17.15.020(A)(6). All environmental impacts have been addressed consistent with the public health, safety and welfare and city goals and policies;

An Adoption of Environmental Document and SEPA Mitigated Determination of Non-Significance (MDNS) (Exhibit 4) were issued by the City for this proposal. The Adoption of Existing Environmental Document adopts The Villages Master Planned Development Final Environmental Impact Statement (FEIS), which identified the anticipated environmental impacts resulting from the overall development of the MPD. The SEPA MDNS reviewed potential environmental impacts resulting from this Phase 2A Preliminary Plat proposal specifically. With the implementation of mitigation measures, as detailed in Findings #13 and #14, the City (as the lead agency) has determined this proposal will not have a probable significant adverse impact on the environment. The environmental review for this proposal was processed under City File Number PLN18-0013.

BDMC 17.15.020(A)(7). Concurrency exists for all utilities and transportation system improvements prior to occupancy of any structures;

Following completion of the improvements listed in the Phase 2A 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.

BDMC 17.15.020(A)(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. Analysis of consistency with the MPD design standards is contained within Section IV of this Report under BDMC Section 17.15.020(A)1 (Approval Criteria) and under consistency with TV DA Exhibits H and I. This code requirement is met.

BDMC 17.15.020(A)(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 2A Plat. As detailed in the Streets section above, the roadway network is generally looped and interconnected, creating multiple access routes and connectivity to adjacent current and future development sites. Each road provides sidewalks either in the ROW or adjacent tracts. Bike lanes are provided on Ten Trails Parkway SE and Road F. Sidewalks, pedestrian access tracts, and community trails within the plat provide accessibility and connectivity between open spaces.

BDMC 17.15.020(A)(10). The use of cul-de-sacs and other dead-end streets shall be minimized to the fullest extent possible;

The Phase 2A Plat includes one cul-de-sac (Road G). Road G and the intersecting Autocourt C are not proposed to connect to one another due to surrounding sensitive areas. Connecting the two road alignments would result in greater impacts to wetland buffers.

BDMC 17.15.020(A)(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 (Recommended Condition of Approval #24).

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 Phase 2A 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 (Recommended Condition of Approval #19.b).

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 general government facilities mitigation fee was never approved by the City Council, and therefore, has no impact on this plat application.

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

BDMC 17.15.020(A)(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 Phase 2A Preliminary Plat is compatible with the adjacent Plat 1A streetscape and open space plans, as characterized by the pocket parks (Tracts 932 and 935) and community trails (Tracts 905 and 908) that connect to the Phase 1A – Division 1 Plat and the overall community trail network within the MPD.

BDMC 17.15.020(A)(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.

BDMC 17.15.020(A)(14). The proposed subdivision provides for tree preservation consistent with the provisions of chapter 19.30.

A significant tree report for the Phase 2A Preliminary Plat was prepared by American Forest Management in December 2017 and was submitted with the Phase 2A Preliminary Plat application. The report addresses all areas of proposed for disturbance as a result of the Phase 2A Preliminary Plat, including the portion of the plat that was already cleared in association with the early clear and grade permit, issued under PUB18-0079. The applicant posted a bond that equated to fifty dollars (\$50) per significant tree to be removed, pursuant to BDMC 19.30.070(D). The Villages MPD is vested to the Tree Removal Ordinance 08-866, pursuant to TV DA. The Phase 2A Preliminary Plat complies with the Approval Criteria set forth in BDMC Section 17.15.020(A).

BDMC Chapter 18.98 Consistency Analysis

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 Phase 2A Preliminary Plat is in accordance with the terms and conditions of The Villages MPD Permit, as explained in this staff report.

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.

This review criteria is satisfied by the submittal of the Design Review Committee Letter (Exhibit 2). The review and approval of design standards for individual residential structures will occur at the building permit stage. Analysis of consistency with the MPD design standards is contained within Section IV of this Report (BDMC Section 17.15.020.A.1 - Approval Criteria) for 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.

MPD Framework Design Standards & Guidelines (MPD FDSG) Consistency Analysis

Note: 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.

<u>MPD FDSG: GENERAL PRINCIPLES AND SITE PLANNING</u>	
<u>MPD FDSG General Principles and Site Planning Section A: Environmentally Sustainable - Guidelines</u>	
MPD FDSG General Principles and Site Planning A(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.	
MPD FDSG General Principles and Site Planning A(2):	
Incorporate energy saving techniques into all aspects of building's design and operation.	
This guideline is not applicable to the Phase 2A Preliminary Plat. This guideline will be evaluated at the time of individual building permit applications.	
MPD FDSG General Principles and Site Planning A(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.	
MPD FDSG General Principles and Site Planning A(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 Phase 2A Preliminary Plat. This guideline will be addressed at the time of future building permit applications.	
MPD FDSG General Principles and Site Planning A(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.	

<p>Refer to the Open Space section above and Sheet CV3 for more information regarding parks, open spaces, and pedestrian connectivity throughout the plat.</p>
<p>MPD FDSG General Principles and Site Planning A(6):</p> <p>Grading plans shall incorporate best management practices with phased grading to minimize surface disturbance and to maintain significant natural contours.</p>
<p>Sections 12.8.1.C and 13.2 of TV DA address clearing, grading and forest practices. Site grading will be limited to that necessary to install utility services and construct building foundations. This guideline is met.</p>
<p><u>MPD FDSG General Principles and Site Planning Section B: Using Open Space as an Organizing Element - Guidelines</u></p>
<p>MPD FDSG General Principles and Site Planning B(1):</p> <p>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.</p> <p>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.</p>
<p>Sheet CV3 contains information on open space and landscape tracts and shows the location of two pocket parks (Tracts 932 and 935), a community trail (Tracts 905 and 908), a common green (Tract 915), and a neighborhood park (Tract 918). Open space tracts, which include landscape, pedestrian access, park, and sensitive area / associated buffer uses comprise 21 Tracts within the plat, as shown on Sheet CV3. There are approximately 19.1 acres of open space, park, and landscape tracts within the plat. The subdivision makes connections to future trails and parks via sidewalks and trails for all residential parcels within the Phase 2A Plat. Based on the preceding information, staff finds that the proposal meets these guidelines.</p>
<p>MPD FDSG General Principles and Site Planning B(2):</p> <p>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.</p>
<p>Each road provides sidewalks either in the ROW or adjacent tracts. Bike lanes are provided on Ten Trails Parkway SE and Road F. Sidewalks, pedestrian access tracts, and community trails within the plat provide accessibility and connectivity between open spaces and other phases of the MPD. Staff finds that the proposal meets this guideline.</p>
<p>MPD FDSG General Principles and Site Planning B(3):</p> <p>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.</p>
<p>A majority of the significant trees on the Phase 2A Preliminary Plat site have already been</p>

cleared in association with the early clearing and grading conducted under PUB18-0079. The remainder of significant trees identified for removal will be cleared in association with the approved preliminary plat application. Retention of significant trees within wetland buffers will ensure that larger stands of trees are preserved.

MPD FDSG General Principles and Site Planning Section C. Integrating Development with Open Spaces - Guidelines

MPD FDSG General Principles and Site Planning C(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 park, landscape, natural landscape, and pedestrian connection uses. Staff finds that the proposal meets this guideline.

MPD FDSG General Principles and Site Planning C(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 guideline is met. All residential lots are within a quarter mile of the parks or open spaces within the Phase 2A Plat and are connected via sidewalks to larger open spaces, bike routes, and future transit connections.

MPD FDSG General Principles and Site Planning C(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 ten wetlands and associated buffers within the boundary of the Phase 2A Preliminary Plat, as detailed in Finding #16 above. Based on the findings of the SEPA Mitigated Determination of Non-Significance (MDNS) (Exhibit 4) and approved Wetland Buffer Averaging Plan (Exhibit 6), the Phase 2A Preliminary Plat will not have an adverse impact on these wetland resources. The wetland and their associated buffers were used as organizing elements for the plat design; (b) the Phase 2A Preliminary Plat consists exclusively of single-family residential 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 likely not be visible based on site constraints such as topography.

MPD FDSG General Principles and Site Planning Section D: Ensuring Connectivity - Guidelines

MPD FDSG General Principles and Site Planning D(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. All roads provide sidewalks either in the ROW or adjacent tracts. The roadway network, including sidewalks, connects to the commercial and retail services located in the adjacent Phase 1A – Division 1 Plat. There are trails identified throughout the plat (located within Tracts 902, 905, 907, 918, 927, 929, 930, 932, and 937) that will provide additional pedestrian connectivity. Both dead-end roadways, Road G and Autocourt C, provide pedestrian connections to the rest of the plat via a 5-foot sidewalk on at least one side of the road alignment, as shown on Sheet RD1.

MPD FDSG General Principles and Site Planning D(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; (b). Cul-de-sacs shall be avoided unless there are no other alternatives.

As shown on the plat sheets, this guideline is met. The Phase 2A Plat includes one cul-de-sac (Road G). Road G and the intersecting Autocourt C are not proposed to connect to one another due to surrounding sensitive areas. Connecting the two road alignments would result in greater impacts to wetland buffers.

MPD FDSG General Principles and Site Planning Section E: Mixing of Housing - Guidelines

MPD FDSG General Principles and Site Planning E(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 Phase 2A Preliminary Plat provides fairly uniform lot sizes for single-family residential development throughout the proposed plat, however variation in types of housing is provided in the adjacent plats within the MPD – including larger single-family lots, duplexes, and multi-family structures. Since this guideline is meant to be assessed at the MPD Permit level, this plat proposal complies with this guideline.

MPD FDSG General Principles and Site Planning E(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. There are variations in residential density by Development Parcel, as noted on Sheet CV4. Since this guideline is meant to be assessed at the MPD Permit level, this plat proposal complies with this guideline.
MPD FDSG General Principles and Site Planning E(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.
Lots 113-146 and 154-181 will access rear residential garages from adjacent alleys. Alley C will service Lots 113-126, Alley B will service Lots 127-146, and Alley A will service Lots 154-181. All other residential lots will take access from adjacent roadways, autocourts, or shared driveways.
MPD FDSG General Principles and Site Planning E(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.
<u>MPD FDSG General Principles and Site Planning Section F: Creating Neighborhood Civic/Commercial Centers – Guidelines</u>
<ol style="list-style-type: none">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.
<u>MPD FDSG General Principles and Site Planning Section G: Interface with Adjoining Development - Guidelines</u>
MPD FDSG General Principles and Site Planning G(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.
Lots 27-40 are located adjacent to a southern boundary of the MPD and have been sized to meet the minimum size requirements established by this design guideline.
MPD FDSG General Principles and Site Planning G(2):

<p>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.</p>
<p>There are no multi-family or non-residential land uses proposed along the boundary of the MPD as a result of this proposal.</p>
<p>MPD FDSG General Principles and Site Planning G(3):</p> <p>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.</p>
<p>There are no direct access routes into the MPD within the boundaries of the Phase 2A Preliminary Plat. Access to the Phase 2A Plat will be from internal road networks within the MPD, including SE Dogwood Street which connects to proposed Road A and Ten Trails Parkway SE. There is no existing non-MPD residential development adjacent to the Phase 2A Preliminary Plat.</p>

<p><u>MPD FDSG: CIRCULATION</u></p>
<p><u>MPD FDSG Circulation Section A: Streets - Guidelines</u></p>
<p>MPD FDSG Circulation A(1): Connectivity</p> <p>a. The street layout shall create a network that promotes convenient and efficient traffic circulation and is well connected to other existing City streets.</p>
<p>The street network generally consists of three southward extensions of the roadway network in Plat 1A. Road A and Road F generally create a looped network that serves lots on the western extreme of the project and provide for future extensions to the south. Road G provides isolated access to property that is bounded by critical areas (making a loop of this network infeasible. Ten Trails Parkway S.E. extends the arterial connector which originates in Plat 1A to future development areas to the south of this plat.</p>
<p>MPD FDSG Circulation A(2): Design</p> <p>(a). The layout of streets should relate to a community-wide focal point; (b). A consistent overall landscape theme should be utilized, with variations provided to indicate passage through areas of different use, densities, topography, etc; (c). Limit the use of backyard fences or solid walls along arterial streets.</p>
<p>This guideline is met. (a) The street design provides for a direct connection to the Ring Road of the Phase 1A – Division 1 Plat (SE Dogwood) and the arterial Ten Trails Parkway SE, which will serve as the primary north/south traffic route for the MPD as development continues; (b) This guideline is not applicable to review of a preliminary plat. Landscaping details will be evaluated during Utility Permit review; (c) There are no proposed fences adjacent to the only arterial street within the Phase 2A Preliminary Plat, Ten Trails Parkway SE.</p>
<p>MPD FDSG Circulation A(3): Reduced Pavement Widths</p>

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.
MPD FDSG Circulation A(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 Phase 2A Preliminary Plat provides few opportunities for Low-Impact Design stormwater features. Much of the stormwater on-site is discharged to wetlands to maintain wetland hydrology to maintain pre-development hydrologic conditions, which is a primary principle of Low-Impact Design. The majority of the remaining stormwater is discharged to the regional stormwater facility due to unsuitable soil for Low-Impact facilities. Drought-tolerant vegetation, as required by TV DA, and other low impact design elements will be examined at the Utility Permit stage and provided where feasible. This guideline is met.
MPD FDSG Circulation A(5):
Traffic calming methods should include: Roundabouts, Traffic Circles, Chicanes, Corner bulbs.
MPD Condition of Approval #24 addresses traffic calming methods. Proposed roads within the plat utilize narrow vehicle lanes and create an interconnected street grid with adjoining developments. Additionally, proposed roads include marked pedestrian facilities with the intent to promote traffic calming. Therefore, this guideline is met.
MPD FDSG Circulation A(6): Lanes and Alleys
a. Access to rear residential garages and commercial loading and service areas shall be available through lanes and alleys.
Lots 113-146 and 154-181 will access rear residential garages from adjacent alleys. Alley C will service Lots 113-126, Alley B will service Lots 127-146, and Alley A will service Lots 154-181.
MPD FDSG Circulation A(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.
Each road provides sidewalks either in the ROW or adjacent tracts. Bike lanes are provided on Ten Trails Parkway SE and Road F. This guideline is met.
MPD FDSG Circulation A(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.

All roadways include an adjacent planting strip and will include drought-tolerant vegetation, as required by TV DA, and other Low-Impact Design elements as feasible. These items will be reviewed in conjunction with Utility Permits associated with this proposal.

MPD FDSG Circulation A(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.

On-street parking is proposed within the road sections of Roads A, B, C, D, E, F, G, and H, as shown on Sheet RD1. There are no non-residential areas proposed within the plat.

MPD FDSG Circulation Section B: Sidewalks - Guidelines

MPD FDSG Circulation B(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. All road sections including sidewalks, as shown on Sheet RD1, meet the minimum 5-foot width. Compliance with this standard will be required at the time of Utility Permit review of Phase 2A.

MPD FDSG Circulation B(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 Phase 2A.

MPD FDSG Circulation B(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; (c). Mailbox stations shall be designed to be architecturally compatible with the development in which they are located.

There are no commercial or office uses identified within the Phase 2A Preliminary Plat. Street furnishings appropriate for residential development will be reviewed in association with Utility Permits ahead of final plat approval.

MPD FDSG Circulation Section C: Walkways and Trails - Guidelines

MPD FDSG Circulation C(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.

<p>Sidewalks, pedestrian access tracts, and community trails within the plat provide accessibility and connectivity between open spaces. This system allows for convenient walking throughout the project, providing connections to the features noted above.</p>
<p>MPD FDSG Circulation C(2): Width</p> <p>a. Not less than 8 feet wide to allow for multiple modes of use.</p>
<p>The final alignment of all trails shown within the preliminary plat will be subject to MDRT approval. Proposed trail design will be reviewed in conjunction with TV DA 9.7.</p>
<p>MPD FDSG Circulation C(3): Materials</p> <p>(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.</p>
<p>The final trail alignment will be subject to MDRT approval. Sidewalks are provided connecting the residential uses to open spaces (including the parks within the plat) and future trail alignments.</p>
<p><u>MPD FDSG: SITE DESIGN</u></p>
<p><u>MPD FDSG Site Design Section A: Cluster Development - Guidelines</u></p>
<p>MPD FDSG Site Design A(1):</p> <p>Larger groupings of development should be divided into smaller neighborhood clusters of approximately 50 dwelling units that are defined by open space.</p>
<p>Staff finds that the proposal meets this guideline as shown on Sheet CV3. Rows of residential lots are broken up by landscape tracts, parks, trails, or pedestrian access tracts throughout the Phase 2A Preliminary Plat.</p>
<p>MPD FDSG Site Design A(2): Clustering</p> <p>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.</p>
<p>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.</p>
<p><u>MPD FDSG Site Design Section B: Neighborhood Common Space - Guidelines</u></p>
<p>MPD FDSG Site Design B(1): Amount</p> <p>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.</p>

<p>The Phase 2A Preliminary Plat consists of exclusively single-family residential lots and open space/landscape tracts.</p>
<p>MPD FDSG Site Design B(2): Location</p> <p>a. Common open space shall be accessible and visible to users, as well as integrated into the overall project through connections and trails.</p>
<p>Sheet CV3 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 pedestrian connections to the adjacent Phase 1A – Division 1 Plat is provided. Staff finds that the Phase 2A Preliminary Plat meets this guideline.</p>
<p>MPD FDSG Site Design B(3): Landscaping/Hardscaping</p> <p>(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)</p>
<p>The Phase 2A Preliminary Plat consists of single-family residential lots and open space/landscape tracts.</p>
<p>MPD FDSG Site Design B(4): Lighting</p> <p>a. Pedestrian scale, bollard, or other accent lighting may be incorporated into the design of open space.</p>
<p>This guideline is optional, not mandatory. To the extent such lighting is proposed, it will be addressed during Utility Permit review.</p>
<p><u>MPD FDSG Site Design Section C: Landscaping & Planting Design - Guidelines</u></p>
<p>MPD FDSG Site Design C(1):</p> <p>Incorporate native, drought-tolerant vegetation, avoid extensive use of lawn and plantings that demand significant irrigation and fertilization.</p>
<p>Compliance with this guideline will be required during Utility Permit review, which includes the review of landscape plans.</p>
<p>MPD FDSG Site Design C(2):</p> <p>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.</p>
<p>Compliance with this guideline will be required during Utility Permit review, which includes the review of landscape plans.</p>

MPD FDSG Site Design C(3):

Where landscape areas are located adjacent to a street right-of-way, the type of landscaping should provide a vertical buffer.

Compliance with this guideline will be required during Utility Permit review, which includes the review of landscape plans.

MPD FDSG Site Design C(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.

Compliance with this guideline will be required during Utility Permit review, which includes the review of landscape plans.

MPD FDSG Site Design Section D: Stormwater Detention/Retention Ponds - Guidelines

MPD FDSG Site Design D(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.

MPD FDSG Site Design D(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.

MPD FDSG Site Design D(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 Phase 2A Preliminary Plat will use wetland recharge systems and connections to the regional infiltration facility provided in Phase 1A. There are no stormwater ponds proposed in Phase 2A.

MPD FDSG: BUILDING DESIGN

MPD FDSG Building Design Section (A)(1-10) are not listed individually 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.

The Villages MPD Development Agreement Section & Exhibit Consistency Analysis

1.0 Definitions and Consistency

The Phase 2A Preliminary Plat complies with Section 1.0 of TV DA.

2.0 Project Description

Sheet CV4 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 Phase 2A Preliminary Plat complies with Section 2.0 of TV DA.

3.0 Prior Agreements

This plat does not include expansion parcels (Section 3.1). The Phase 2A Preliminary Plat complies with Section 3.0 of TV DA.

4.0 Land Use and Project Elements

The Phase 2A Preliminary Plat is consistent with the provisions of Section 4 of TV DA. The Phase 2A Preliminary Plat accommodates the interface with adjoining development design guidelines established by 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 Phase 2A Preliminary Plat is consistent with Section 4.7.3.

Based on the proposed scope of development and previous land use entitlements within the Ten Trails MPD, the Phase 2A Preliminary Plat will not require any Transfer of Development Rights in association with the proposed scope of development. Refer to the Transfer of Development Rights (TDR) Information table on Sheet CV4 (Exhibit 1) for more information regarding TDRs and Phase 12 entitlements. Given the above, the Phase 2A Preliminary Plat complies with Section 4.0 of TV DA.

5.0 Additional Bulk, Landscape and Sign Standards

The Phase 2A Preliminary 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 #10 regarding the DRC (Section 5.1). See Finding #19 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. Based on the preceding details, the Phase 2A Preliminary Plat complies with Section 5.0 of TV DA.

6.0 Internal Street Standards Within The Villages MPD

The Phase 2A Preliminary Plat is consistent with Section 6.0 of TV DA. The following road sections do not meet the road standards established by TV DA 6.3 and will require approved deviations prior to the approval of final engineering plans associated with the plat (Recommended Condition of Approval #37):

- Ten Trails Parkway SE – the required landscape strip and sidewalks are located in adjacent tracts (Tracts 922, 923, 924, 925, 927, 928, and 938). This approach was used for Ten Trails Parkway SE through the Phase 1A Plat also.
- Autocourt A/B – there is no standard for autocourts in TV DA, however they have been approved elsewhere in previous phases of the MPD.

- Autocourt C – there is no standard for autocourts in TV DA, however they have been approved elsewhere in previous phases of the MPD.

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 Phase 2A Plat. In light of the above, the Phase 2A Preliminary 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 500th dwelling unit (which depends upon the timing of other previously approved plats), which the City will manage (Section 7.2.5 TV DA) (Recommended Condition of Approval #19.d). For the duration of construction for the Phase 2A Plat, 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 Phase 2A Preliminary Plat complies with Section 7.0 of TV DA.

8.0 Sensitive Area Standards

There are ten wetlands and associated buffers located within the Phase 2A Preliminary Plat Application. The following table summarizes wetland identification, wetland category, and buffer widths for wetlands within the plat boundary:

Wetland ID	Wetland Category	Wetland Buffer Width
Wetland 2017-B	Category II	110 feet
Wetland D1	Category III	60 feet
Wetland D2	Category II	110 feet
Wetland D4	Category III	60 feet
Wetland D9	Category III	110 feet
Wetland D10	Category III	110 feet
Wetland D11	Category III	110 feet
Wetland P/Q	Category III	60 feet
Wetland S	Category III	60 feet
Wetland T	Category III	60 feet

Potential impacts to wetlands and their associated buffers were assessed in association with the SEPA MDNS, as detailed in Findings #13 and #14 above.

The applicant has submitted a Wetland Buffer Averaging request, which was approved by the Mayor (Exhibit 6). The buffer averaging request meets the review requirements established by

BDMC 18.10.230(H) for allowable buffer averaging. The buffer averaging request, as shown on Sheets WL1 and WL2, is limited to wetland buffers and would have no direct impacts to wetlands. As conditioned (Recommended Conditions of Approval #14a-c), buffer impacts will be minimal and will result in a total buffer addition of 14,018 square feet.

There are trails identified within wetland buffer areas (Tracts 902, 906, and 937), however the material and width of the proposed trail will be regulated in association with the standards established in Sections 8.0 and 9.0 of TV DA. Compliance with these sections will be reviewed during the utility permit stage.

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). Sheet CV3 contains information on open space and landscape tracts and shows the location of two pocket parks (Tracts 932 and 935), a community trail (Tracts 905 and 908), a common green (Tract 915), and a neighborhood park (Tract 918). Open space tracts, which include landscape, pedestrian access, park, and sensitive area / associated buffer uses comprise 21 Tracts within the plat, as shown on Sheet CV3. There are approximately 19.1 acres of open space, park, and landscape tracts within the plat. The subdivision makes connections to future trails and parks via sidewalks and trails for all residential parcels within the Phase 2A Plat.

10.0 Determinations, Amendments & Expansion Parcel Review Process

No Expansion Parcels are included as part of this plat (Section 10.5). The Phase 2A Preliminary Plat complies with Section 10.0 of TV DA.

11.0 Project Phasing

This preliminary plat includes Development Parcels V-20, V-22, and V-23. A detailed implementation schedule for the Phase 2 regional infrastructure improvements was approved by the Designated Official in June 2014 (Exhibit 7, Sections 11.2 & 11.4/Section 11 tables of TV DA). 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 Phase 2A Preliminary 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) (Recommended Conditions of Approval #26 and #27). With those conditions, The Phase 2A Preliminary 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 identified mine hazard areas within the Phase 2A 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). The Phase 2A Preliminary 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 Phase 2A Preliminary 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 Phase 2A Plat. The Phase 2A Preliminary 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

Sheets CV1 and CV2 of the Plat drawings (Exhibit 1) provides a legal description, existing parcel numbers, and a parcel map for the Phase 2A Preliminary Plat application. The Phase 2A Preliminary Plat complies with Exhibit B of TV DA.

Exhibit “C” – MPD Permit Approval

Exhibit C of TV DA pertains to Ordinance No. 10-946 and contains The Villages MPD Conditions of Approval; a consistency analysis is contained in another section of this staff report. The Phase 2A Preliminary 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 Phase 2A Preliminary 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 Phase 2A Preliminary 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 Phase 2 of the MPD included transportation impacts that were to be anticipated by the development of Phase 2A (Exhibit 8). The Phase 2A Preliminary Plat complies with Exhibit F of TV DA.

Exhibit “G” – Constraint Maps

There are ten wetlands and associated buffers within the boundary of the Phase 2A Preliminary Plat, as detailed in Finding #16 above. Based on the findings of the SEPA Mitigated Determination of Non-Significance (MDNS) (Exhibit 4) and approved Wetland Buffer Averaging Plan (Exhibit 6), the Phase 2A Preliminary Plat complies with Exhibit G of TV DA.

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

See Finding #10 regarding the DRC. Chapter 4 of Exhibit H of TV DA details residential design standards and guidelines. The Phase 2A Plat design is consistent with the general guidelines of

the Site Design section in Chapter 4. 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 information on open space and landscape tracts and shows the location of two pocket parks (Tracts 932 and 935), a community trail (Tracts 905 and 908), a common green (Tract 915), and a neighborhood park (Tract 918). Open space tracts, which include landscape, pedestrian access, park, and sensitive area / associated buffer uses comprise 21 Tracts within the plat, as shown on Sheet CV3. There are approximately 19.1 acres of open space, park, and landscape tracts within the plat. The subdivision makes connections to future trails and parks via sidewalks and trails for all residential parcels within the Phase 2A 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 Phase 2A Preliminary 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 Phase 2A Plat.

Exhibit “J” – Construction Waste Management Plan

This project is required to comply with the Construction Waste Management Plan. The Phase 2A Preliminary Plat complies with Exhibit J of TV DA.

Exhibit “K” – MPD Phasing Plan

This plat falls within what was originally labeled as Phase 2, as shown on the MPD Phasing Plan (Figure 9-1). A detailed implementation schedule for the Phase 2 regional infrastructure improvements was approved by the Designated Official in June 2014 (Exhibit 7). 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 Phase 2A. The Phase 2A Preliminary 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 Phase 2A Preliminary Plat complies with Exhibit L of TV DA.

Exhibit “M” – Mine Hazard Release Form

There are no mine hazard areas within the Phase 2A Preliminary Plat, per Exhibit G (Constraint Maps) of TV DA. The use of this form is not anticipated for lots within the Phase 2 area. The Phase 2A Preliminary 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 Phase 2A Preliminary Plat complies with Exhibit N of TV DA.

Exhibit “O” – Stormwater Monitoring

This exhibit concerns water quality and Lake Sawyer. The Phase 2A Preliminary 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 is specific to Phase 1A of the MPD and this proposal lies within Phase 2, the Phase 2A 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 (Recommended Condition of Approval #26). With that condition, the Phase 2A Preliminary 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 (Recommended Condition of Approval #27). With that condition, the Phase 2A Preliminary Plat complies with Exhibit R of TV DA.

Exhibit “S” – Potential Expansion Areas

The Phase 2A Preliminary Plat does not contain any potential expansion areas shown in this Exhibit. The Phase 2A Preliminary 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 Phase 2A 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 (Recommended Condition of Approval #19.b).

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 Phase 2A Preliminary Plat complies with Exhibit U of TV DA.

The Villages MPD Conditions of Approval Consistency Analysis

Note: 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 for 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 (Recommended Condition of Approval #15).

Transportation

10. Transportation improvements required for the overall Phase 2A Plat 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 the Phase 2A Preliminary Plat, 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 the Phase 2A Preliminary Plat, 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 Phase 2A Plat 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 Phase 2A Preliminary Plat based on anticipated traffic volumes.
20. A Transportation Monitoring Plan was established in the Development Agreements and The Villages Phase 2A 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 Phase 2A Preliminary Plat that connects into the street grid of Phase 1A – Division 1 Plat. 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.** Traffic calming measures are included in the Phase 2A Preliminary Plat. Reduced travel lane sections and pedestrian crossing signage/stripping will be used to promote slower vehicle speeds.
- 25.** This condition is not applicable since the Phase 2A Preliminary Plat, 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 2, 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 the Phase 2A Plat is consistent with this condition.
- 28.** This condition is not applicable to the Phase 2A Plat. 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 2 of The Villages/Ten Trails MPD, including the dwelling units proposed in the Phase 2A Plat; this was approved by the Designated Official in June 2014 (Exhibit 7).
- 30.** Several traffic calming measures are included in the Phase 2A Preliminary Plat. Reduced travel lane sections and pedestrian crossing signage/stripping will be used to promote slower vehicle speeds.
- 31.** This condition is not applicable to the Phase 2A Preliminary Plat. 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.
- 34.** Item (a) is addressed by Section 11.5 (Transportation Regional Facilities) of TV DA. Item (b) is not applicable to the Phase 2A Preliminary Plat.

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 both Phase 1A and Phase 2C. The same 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 Phase 2A site (Recommended Condition of Approval #17).

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 the Phase 2A Preliminary Plat.

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.

Public Utilities – Sewer

55. This condition is not applicable to the Phase 2A Preliminary Plat since the ERU threshold will not be met. 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 the Phase 2A Preliminary Plat since the ERU threshold will not be met. 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 this Phase 2A Plat application, since the ERU threshold will not be met. 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 Phase 2A Preliminary Plat will be infiltrated in the Regional Pond or on-site.
- 62.** This condition does not apply to the Phase 2A 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 the Phase 2A Preliminary Plat, because there are no off-site or point stormwater discharges associated with the proposal. 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 Phase 2A 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 and to the extent that “excess” stormwater is available and not needed to maintain wetland hydrology.
- 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 Phase 2A 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 Phase 2A Preliminary Plat.
- 75.** This condition is met.
- 76.** This condition does not apply to the Phase 2A 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 Phase 2A Preliminary Plat does not discharge stormwater off-site from MPD.

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. The Phase 2A Preliminary Plat 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 Phase 2A Preliminary Plat. Utility Permits for stormwater facilities in the Phase 2A Preliminary 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). To the extent that the Phase 2A Preliminary 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 as part of this preliminary plat application.

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 this preliminary plat application.

89. This condition is addressed in Section 9.5.5 (Recreation Facilities) of TV DA; no further action is required as part of this preliminary plat application.

- 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 this preliminary plat application.
- 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 this preliminary plat application.
- 92.** This condition is addressed in Section 9.5.5 (Recreation Facilities) of TV DA; no further action is required as part of this preliminary plat application.
- 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 this preliminary plat application.
- 94.** This condition is addressed in Section 9.9.3 (Public Access) of TV DA; no further action is required as part of this preliminary plat application.
- 95.** This condition is addressed in Section 9.6 (Trail Plan) of TV DA; no further action is required as part of this preliminary plat application.
- 96.** This condition is addressed in Section 9.2 (Park and Open Space Plan) of TV DA; no further action is required as part of this preliminary plat application.
- 97.** This condition is addressed in Section 9.10 (Park Characteristics) of TV DA; no further action is required as part of this preliminary plat application.

Public Services – Schools

- 98.** This condition is addressed in Section 13.3 (Schools) of TV DA; no further action is required as part of this preliminary plat application.
- 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 as part of this preliminary plat application.

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 (Recommended Condition of Approval #19.b).
- 101-102.** Conformance with these conditions will be enforced during Utility Permit review.
- 103.** Land surrounding the Phase 2A Preliminary Plat is part of the Villages MPD, and will develop in the future. The Fire Department did not make any Phase 2A 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 Phase 2A Plat, 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 adjacent to the Phase 2A site in the Phase 1A regional stormwater pond.
- 113.** This condition does not apply to the Phase 2A Preliminary Plat.

Mine Hazards

114. This condition does not apply to the Phase 2A Preliminary 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 Phase 2A Preliminary 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 in December of 2017, which covers the Phase 2A Preliminary Plat area.

121. This condition is addressed in Section 13.2 (Forest Practices) of TV DA; no further action is required as part of this preliminary plat application.

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 Phase 2A Preliminary Plat, as the wildlife corridor is located off-site further south in the 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 Phase 2A 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 Phase 2A 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 Phase 2A Preliminary Plat proposal are compared below:

Phase	Target Single Family Dwelling Units	Target Multi-Family Dwelling Units	Target Commercial/Office/Retail (Square Feet)	Total (Units)
2	1,155	165	0	1,320
Phase 2 Plat A proposal	214	0	0	214

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.

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 2A Preliminary 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 Phase 2A Preliminary 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 Phase 2A Preliminary Plat.

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-loaded garages are proposed for Lots 113-146 and Lots 154-181.

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 (Recommended Condition of Approval #15). 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 and Open Space

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

150. Tracts 909 and 915 will retain their designation as natural landscape.

151. This condition is addressed in Section 9.10 (Park Characteristics) of TV DA; no further action is required as part of this preliminary plat application.

152. 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.

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. The Fiscal Impact Analysis for Phase 2 was approved by the City in June 2014 (Exhibit 9).

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.

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. This condition is addressed in Section 4.4 (MPD Site Plan Amendments) of TV DA.

161. 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 2A Preliminary Plat.

162. 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 Phase 2A Preliminary Plat.

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

164. A detailed implementation schedule for improvement projects has been established for Phase 2 of The Villages/Ten Trails MPD, including the dwelling units proposed in the Phase 2A Plat; this was approved by the Designated Official in June 2014 (Exhibit 7).

VI. CONCLUSIONS

The proposed Phase 2A Preliminary Plat, as conditioned, satisfies the criteria of BDMC Section 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 the Phase 2A Preliminary Plat (PLN18-0008) be approved, subject to the following conditions. Applicable conditions of approval from the Phase 2C Preliminary Plat (PLN13-0027) have been incorporated into this Phase 2A Preliminary Plat recommendation, since it was the first preliminary plat approved in Phase 2 of the MPD.

SEPA Mitigated Determination of Non-Significance Mitigation Measures:

1. 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.
2. Wetlands and all required wetland buffers shall be defined as separate tracts in the final plat (BDMC 19.10.150.B).
3. Pursuant to the City of Black Diamond Engineering Design & Construction Standards, Section 1.17, a construction management plan shall be developed by the applicant for review and approval by the City.
4. Compliance with the Detailed Implementation Schedule Phase 2 Regional Infrastructure Improvements construction thresholds and improvement details, dated January 28, 2014 and approved on June 13, 2014, is required.
5. 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).
6. Reduce short term construction noise by employing best management practices such as minimizing construction noise with properly sized and maintained mufflers, engine intake silencers, engine enclosures and turning off equipment when not in use.
7. Locate stationary construction equipment away from sensitive receiving properties or use noise barriers to direct noise away from sensitive receiving properties.
8. Require operators to lift, rather than drag materials.
9. Wherever feasible, use electric models for impact tools such as jackhammers, rock drills and pavement breakers and specify electric pumps whenever pumps are required.
10. Any pile driving that is required shall be minimized in favor of less noisy pile installation methods.
11. Native plants shall be primarily used within the planting palette.
12. Major earth moving, grading and construction during "wet season" shall comply with the Engineering Design and Construction Standards.
13. Cumulative traffic impact analysis shall be conducted in accordance with the MPD permit and DA conditions to ensure construction of improvements commence before the impacted street or intersection falls below applicable level of service standards.

14. The Sensitive Areas Study, Buffer Averaging Plan and Wildlife Analysis and Wetland Buffer Vegetation Management Plan submitted for the Preliminary Plat 2A Wetland Buffer Averaging Request (application number PLN18-0015) is hereby incorporated into this MDNS and the proponent shall comply with the following conditions to minimize buffer impacts:
 - a. The numeric square footage of buffer reduction/addition areas and locations stated in the Sensitive Areas Report shall supersede areas indicated on civil engineering plans prepared in association with the preliminary plat (PLN18-0008). A reconciled/revised civil plan set shall be provided by the applicant prior to permit issuance.
 - b. Wetland hydrology monitoring means and methods shall be submitted for evaluation and approval prior to permit issuance. Wetland vegetation should be monitored with sample transects post-construction and adaptive management provisions included to ensure substantially similar hydrologic support to the existing site conditions.
 - c. Trails in buffers shall be flagged and demarcated by the applicant for City review prior to any trail section vegetation disturbance to verify the route of least disturbance to native vegetation. The applicant shall submit protocols for trail alignment demarcation, City verification, and construction to minimize vegetation disturbance that is consistent with the provisions of BDMC 19.10.220(B)(3).

Staff Recommended Conditions of Approval:

15. 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.
16. Electric pumps shall be used whenever pumps are required.
17. 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.
18. The Master Developer shall ensure that the short term construction noise mitigation plan for the Phase 2A Preliminary Plat is implemented during site development activities associated with this proposal.
19. Infrastructure improvements shall be constructed as required by The Villages Development Agreement Section 11: Project Phasing, implementing project conditions of approval, and SEPA Mitigation Measures, including – but not limited to – the following items:
 - a. The applicant shall comply with the Roberts Dr. sidewalk and pedestrian connection requirement established by TV DA 11.6 prior to issuance of the Certificate of Occupancy for The Villages MPD’s 200th Dwelling Unit.
 - b. 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 250th Dwelling Unit in The Villages MPD.

- c. Prior to issuance of certificates of occupancy for the 327th 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.).
 - d. Prior to approval of the 500th ERU, the applicant shall complete a Water Conservation Check-up to identify if the water conservation strategies are compliant with the Development Agreement. This condition will be enforced with building permits.
 - e. The proponent shall model and monitor traffic at the midpoint of occupancy of Phase 1A and determine what additional requirements may be necessary to comply with the transportation concurrency requirements of the Comprehensive Plan.
 - f. Prior to the issuance of certificates of occupancy for the 1,128th 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").
20. All road grades shall not exceed 15%.
21. 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.
22. 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.
23. All ways-of-travel shall maintain a minimum 20 foot unobstructed driving surface per the IFC. 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.
24. All easements shall be shown on the final plat.
25. Prior to final plat approval, the applicant shall submit Covenants, Conditions and Restrictions (CCRs) for review and approval by the Designated Official.
26. The Master Developer shall comply with Exhibit Q (Maple Valley Transportation Mitigation Agreement) of TV DA.
27. The Master Developer shall comply with Exhibit R (Covington Transportation Mitigation Agreement) of TV DA.
28. Tracts 901-939 shall be owned and maintained by the Master Developer (M.D.)/Applicable Owners Association (A.O.A.).
29. 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.
30. 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.
31. 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.

32. The sewer conveyance pipe in Ten Trails Parkway S.E. has the potential to intercept groundwater interflow that is currently recharging wetland P/Q. Prior to the approval of utility permits this potential must be evaluated and remediated with the intent to maintain wetland hydrology in accordance with the DA. This condition will be enforced during Utility Permitting.
33. The following mechanisms shall be utilized in the Phase 2A Preliminary Plat where feasible so as to integrate Low Impact Development techniques into The Villages MPD build-out: (1) reduced roadway widths, (2) infiltration wells, (3) rain gardens, (4) bioswales, (5) media filter strips, (6) reduced driveway lengths, (7) pervious asphalt and concrete in alleys, (8) pervious pavers, and (9) install pet waste stations in common areas.
34. Final cut/fill balance must not exceed 20%. This condition will be enforced during Utility Permitting.
35. All on-site retaining walls must be designed with the ability to be repaired or replaced without accessing off-site properties. In addition, these walls will need to be designed by and stamped by a geo-technical engineer or structural engineer and the design will need to be coordinated with the adjacent home designs (for impacts on foundation bearing pressures and excavation limitations) and with the final design of the stormwater system (for impacts due to surface discharges and level spreaders). These interrelated design elements must be identified in conjunction with utility permits including the following design and O&M information: 1) process and methods for repair or replacement, 2) relevant foundation design restrictions on adjacent structures, 3) excavation or sitework limitations to maintain wall integrity, 4) certification from a geo-technical engineer that the proposed stormwater design and discharge systems will not compromise wall or foundation design. These issues must be summarized and shown on the Utility plans. This condition will be enforced during utility permitting.
36. Areas requiring thick fill will be required to install and monitor survey points. The primary areas of concern for this comment are Lots 15-34, Lots 93-98, and Lots 138-143. Survey points should be installed at locations of proposed improvements that are to be founded on or within thick fills. The monitoring points should be installed at the ground surface upon completion of fill placement. Each survey point should be protected and monitored over the winter months to determine the magnitude and trend of the fill settlement. The monitoring frequency shall be monthly, at a minimum. In locations where fill settlement is observed, proposed improvements shall not be constructed until appropriate mitigation measures are submitted, approved, and implemented to MDRT's satisfaction. The proposed monitoring plat, including survey point locations and monitoring frequency, shall be submitted for MDRT review and approval prior to commencing clear and grade activities.
37. As proposed, the following road sections require approved deviations prior to the approval of final engineering plans associated with this plat:
 - a. Ten Trails Parkway SE
 - b. Autocourt A/B
 - c. Autocourt C

In the event that deviations for these road sections are not accepted, the final engineering plans must reflect standard ROW elements, as established by TV DA 6.3.

IX. EXHIBITS

- Exhibit 1 - Ten Trails Phase 2 Plat A Preliminary Plat Drawings – prepared by David Evans and Associates, Inc. on behalf of Oakpointe, dated February 5, 2019
- Exhibit 2 - Design Review Committee Approval Letter – prepared by Oakpointe LLC, dated March 08, 2018
- Exhibit 3 - Public Comments Received during Notice of Application 14-Day Comment Period – submitted by Gretchen Buet and Kristen Bryant (separate commenters), date varies
- Exhibit 4 - SEPA Mitigated Determination of Non-Significance (MDNS) for the Ten Trails MPD Phase 2 Plat A Preliminary Plat – prepared by the City of Black Diamond, dated January 29, 2019
- Exhibit 5 - Traffic Memo titled *Ten Trails MPD – Phase 2 Plat A, Plat C (Div. 3) and Plat D Traffic Impact Study* – prepared by Transpogroup, dated June 18, 2018
- Exhibit 6 - Preliminary Plat 2A Wetland Buffer Averaging Approval, PLN18-0015 – prepared by the City of Black Diamond, dated January 15, 2019
- Exhibit 7 - Approval of Regional Facilities Implementation Schedule for Phase 2, The Villages & Lawson Hills MPDs – prepared by the City of Black Diamond, dated June 13, 2014
- Exhibit 8 - Approval of Traffic Monitoring Plan for The Villages & Lawson Hills MPDs Phase 2 – prepared by the City of Black Diamond, dated June 9, 2014
- Exhibit 9 - Approval of Fiscal Impact Analysis for Phase 2 – prepared by the City of Black Diamond, dated June 16, 2014