



CITY OF BLACK DIAMOND

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CITY OF BLACK DIAMOND STAFF REPORT TEN TRAILS MPD – PHASE 1B PLAT A – PRELIMINARY PLAT FILE NUMBER: PLN20-0107

I. APPLICATION INFORMATION

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

Project Name: Ten Trails Master Planned Development – Phase 1A Plat B Preliminary Plat

Project Description: The Ten Trails Phase 1A Plat B (referred to as Phase 1B) Preliminary Plat application is to subdivide two existing parcels into 261 lots, which would be comprised of 233 single-family lots, 25 multi-family lots, and 3 commercial lots in accordance with the approved Villages Master Planned Development (MPD) Permit and the Villages MPD Development Agreement. Approximately 3.76 acres of open space will be provided in tracts within the proposed plat and will consist of park, open space, trail, and landscape uses. There are no sensitive areas or associated buffers within the site.

Location: The proposed plat is located on unaddressed parcels adjacent to the west of Lake Sawyer Road and adjacent to the north of Roberts Drive along the western boundary of the City. It is located directly north of the Ten Trails MPD Phase 1A Plat. The site is located within a portion of the NW Quarter of Section 15, Township 21 North, Range 6 East, Willamette Meridian, King County, Washington.

Parcel Numbers: 152106-9005 and 152106-9097

MPD Development Parcels: V1, V2, V3, V4, V5, V6, V7, V8, and V9

Zoning Designation: Master Planned Development (MPD)

Comprehensive Plan Designation: Neighborhood Commercial 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 (see Finding #7 below)

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: Master Development Review Team

MPD: Master Planned Development

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's future land use designation of the subject property is Neighborhood Commercial 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 October 5, 2020 and determined to be complete for processing on November 3, 2020. MDRT review of the plat drawings resulted in resubmittals for review by staff in February 2021, March 2021, April 2021, May 2021, September 2021, July 2022, February 2023, March 2023, April 2023, and June 2023.
9. The final preliminary plat drawings, submitted to the City on June 20, 2023 (Revision #4 on title block dated 06/20/2022), are provided as Exhibit 1 of this Staff Report.
10. The applicant submitted a letter from the Design Review Committee (DRC) dated June 30, 2022 (Exhibit 2) in association with permit submittal stating that the DRC found that the Phase 1B Plat A Preliminary 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 December 16, 2020 and provided the required 14-day comment period. The Notice of Application was issued pursuant to BDMC 18.08.120. Eleven (11) comments were received electronically and are provided within Exhibit 3 to this Staff Report.
12. The City issued a Notice of Public Hearing specific to this proposal on June 7, 2023 and provided a 14-day comment period. The Notice of Public Hearing was issued pursuant to BDMC 18.08.180. Three (3) public comments were received electronically and are provided within Exhibit 3 to this Staff Report.
13. The City issued a SEPA Mitigated Determination of Non-Significance (MDNS) for this proposal on June 7, 2023. The SEPA MDNS reviewed potential environmental impacts resulting from this Phase 1B Plat A 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 PLN20-0108.

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 five (5) mitigation measures, as identified in the MDNS itself (Exhibit 4) and incorporated into the Recommended Conditions of Approval for this proposal.
15. Significant trees identified for removal within the preliminary plat boundary will be cleared in association with the approved preliminary plat application. Significant trees were identified in a report titled *Significant Tree Count Report – Ten Trails Parcel C* prepared by American Forest Management on behalf of the applicant. Significant tree removal activities will not be permitted until a Level II Tree Permit is issued.
16. There are no sensitive areas or sensitive area buffers located within the boundary of the Phase 1B Plat A Preliminary Plat.
17. Section 4 of TV DA addresses uses within the MPD. The Phase 1B Plat A Preliminary Plat is comprised of Development Parcels V1, V2, V3, V4, V5, V6, V7, V8, and V9 which, per Table 4-1 of TV DA and Exhibits L and U of TV DA, have the following land use descriptions and dwelling unit (DU) ranges:

Development Parcel	Land Use	Description	DU Range / Nonresidential Square Footage*	Acreage
V1	MPD-M	Medium Density Residential (7-12 DU/Acre)	51-87 units	7.72 (gross) 5.60 (net)
V2	MPD-M	Medium Density Residential (7-12 DU/Acre)	34-58 units	4.83 (gross) 3.59 (net)
V3	MPD-M	Medium Density Residential (7-12 DU/Acre)	30-51 units	4.24 (gross) 3.83 (net)
V4	MPD-H	High Density Residential (13-18 DU/Acre)	20-28 units	1.53 (gross) 1.01 (net)
V5	MPD-H	High Density Residential (identified location for 18+ DU/AC) (13-30 DU/Acre)	37-85 units	2.84 (gross) 2.43 (net)
V6	MPD-H	High Density Residential (identified location for 18+ DU/AC) (13-30 DU/Acre)	59-136 units	4.52 (gross) 3.48 (net)
V7	C/O/R	Commercial/Office/Retail	91,273 square feet	8.45 (gross/net)
V8	C/O/R	Commercial/Office/Retail	65,227 square feet	6.05 (gross/net)

V9	C/O/R	Commercial/Office/Retail	48,500 square feet	3.83 (gross/net)
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** The Dwelling Unit (DU) Range and Nonresidential (Commercial/Office/Retail) square footage 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 acreage of individual Development Parcel areas within the application boundary. Development Parcel V3 was amended from MPD-H (high density residential) to MPD-M (medium density residential) in association with a Minor Amendment to the Development Agreement (PLN20-0055).*

18. 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 residential uses within Phase 1B Plat A is 1,040 square feet and the maximum lot size for residential uses within Phase 1B Plat A is 6,591 square feet. The average lot size of residential uses within Phase 1B Plat A is 2,723 square feet. In order to comply with Section 5 of TV DA, Recommended Condition of Approval #30 states that residential lots with an area smaller than 2,200 square feet will be required to provide either attached single family dwelling units or multifamily dwelling units.

19. Pursuant to 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 1B Plat A Preliminary Plat consists of 54.65 gross acres. The gross residential Development Parcel area (as detailed about from MPD Permit Condition of Approval #131; consisting of residential Development Parcels V1, V2, V3, V4, V5, and V6) is 25.23 acres. The net residential Development Parcel area is 19.94 acres (net development parcel area is the gross residential Development Parcel area minus the area of streets, roads, and alleys).

The gross residential density of the Phase 1B Plat A Preliminary Plat is 10.23 units per acre (258 units divided by 25.23 gross residential Development Parcel acres) and the net residential density of the Phase 1B Plat A Preliminary Plat is 12.94 units per acre (258 units divided by 19.94 net residential Development Parcel acres).

Both the gross and net residential densities comply with the minimum density requirement established by MPD Permit Condition of Approval #131 and the unit ranges for Development Parcels V1, V2, V3, V4, V5, and V6 established in TV DA Table 4-1.

20. Based on the proposed scope of development within this preliminary plat application and the base density allocated to Phase 1B (as established in TV DA Table 4-9), this application will require 69 TDRs (Transfer of Development Rights). Table 4-9 of TV DA establishes that Phase 1B has a base density of 189 units, while this plat proposes 258 total residential units. Refer to the Transfer of Development Rights (TDR) Information table on Sheet CV4 of the preliminary plat drawings (Exhibit 1). The requirement to acquire the necessary TDRs are addressed in Recommended Conditions of Approval #32 and #33.

21. 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 1B Plat A Preliminary Plat. Utilities and ways of travel will be constructed or bonded for prior to final plat approval.

Section 9.2 of TV DA includes a provision to ensure that parks are provided in conjunction with development. Parks and landscape tracts are dispersed throughout the Phase 1B Plat A Preliminary Plat and will be constructed or bonded for prior to final plat approval.

22. 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 formally assigned prior to final plat approval (Recommended Condition of Approval #34).

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 #18 and #19 regarding minimum lot sizes and residential densities. The Phase 1B Plat A 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 Neighborhood Commercial 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 1B Plat A 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 1B Plat A 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 1B Plat A 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.
<p>The Phase 1B Plat A Preliminary Plat contains a range of residential lot sizes (1,040 – 6,591 square feet) for attached and detached single-family residential lots. In addition, the Phase 1B Plat A Preliminary Plat is part of The Villages MPD, which provides varied lot sizes for both single-family and multi-family housing types.</p>
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.
<p>The Phase 1B Plat A 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 1B Plat A Preliminary Plat proposes a gross residential density of 10.23 units per acre. The identified land uses within the preliminary plat are designated at a higher density than the surrounding non-MPD land uses. The Phase 1B Plat A Preliminary 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.</p>
Policy LU-18: Require residential development patterns to allow for efficient provision of public services and utilities.
<p>The Phase 1B Plat A 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.</p>
Policy LU-19: Encourage clustering within new developments to create compact new communities surrounded by open space.
<p>The Phase 1B Plat A Preliminary Plat organizes residential lots to be surrounded by open spaces, as shown on Plat Sheet CV3. There is a total of 3.76 acres of open space that will be set aside in parks, open space, and landscape tracts located throughout the plat boundary. These parks are dispersed throughout the plat to provide future residents</p>

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.
Policy LU-20: Allow multifamily residential in identified areas or when integrated as part of a planned development.
The Phase 1B Plat A Preliminary Plat consists of attached and detached single-family residential parcels, however it is adjacent to Phase 1A of the Ten Trails MPD, which provides multi-family development in identified areas (Development Parcels V10, V14, and V17).
Policy LU-22: Use the MPD process to review all proposals on sites larger than 80 acres.
The Phase 1B Plat A Preliminary Plat is part of The Villages Master Planned Development and is regulated by the associated MPD Permit and Development Agreement approved by the Black Diamond City Council.
Policy LU-23: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.
Development Parcels V7, V8, and V9 within this Phase 1B Plat A Preliminary Plat provide lots for commercial, office, and retail development. As proposed, this preliminary plat anticipates approximately 205,000 square feet of commercial development. Exact square footages will be established by subsequent building permitting. Additionally, the adjacent Phase 1A Plat of the Ten Trails MPD provides commercial sites (Development Parcels V11 and V12) that are large enough to accommodate significant commercial uses.
Policy LU-24: Provide day-to-day retail goods and services within walking distance of most residential neighborhoods.
See response to Policy LU-23 above. The commercial lots identified in this preliminary plat application (Lots 259, 260, and 261) are within approximately ¼ mile of all residential lots of Phase 1B Plat A. In addition to the commercial lots proposed within the boundary of this preliminary plat, the adjacent Phase 1A Plat allows for provision of retail goods and services within a close proximity (approximately ¼ - ½ mile) of the residential lots in the Phase 1B Plat A Preliminary Plat.
Policy LU-26: Allow a comprehensively planned mixture of Residential, Commercial, Retail, Public and Open Space uses within MPDs and areas appropriate or designated for mixed-use development.
See responses to Policies LU-23 and LU-24 above. This Phase 1B Plat A Preliminary Plat provides a mix of residential, commercial, retail, and open space uses throughout the plat. Additionally, this Phase 1B Plat A is a part of the larger Villages MPD, which has been comprehensively planned for a mix of uses throughout the MPD.

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

Figure 6.3 of TV DA shows the Bike Route and Future Connection Plan. This figure shows a bike route along Ten Trails Parkway SE. The proposed road section of Ten Trails Parkway SE through this application shows a bike path, per Sheet RD1. Sidewalks are provided on all roads or in adjacent tracts, and pedestrian access tracts (Tracts 905 and 910; connecting to the regional trail alignment adjacent to the west of the plat) are provided for internal plat access to the trail system.

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 1B Plat A Preliminary Plat generally consists of a street layout that provides a looped network for residential uses, connecting to Ten Trails Parkway SE. With the exception of alleyways, the roadways are identified as public roads. All private roadways are located within tracts (Tracts 906, 908, and 916) and will be owned and maintained by the applicable owners association. Internal road access for the commercial lots (Lots 259, 260, and 261) will be established and reviewed at the time of commercial site development.

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

The Phase 1B Plat A Preliminary Plat utilizes an interconnected network of roads, sidewalks, and connections to future trail alignments as shown on Sheets RS1-3. 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.

To the extent that this policy applies to a specific development application, the Phase 1B Plat A Preliminary Plat is consistent with this policy, because the plat limits access to Auburn - Black Diamond Road (Roberts Drive) to a single roadway (Ten Trails Parkway SE). All internal roadways have been reviewed to be consistent with the minimum separation distance requirements established by the BDEDCS 3.2.12 to minimize conflict points and maximize traffic efficiency.

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 1B Plat A 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 1B Plat A will take access from two existing roundabouts at the intersections of Roberts Drive/Ten Trails Parkway SE and Lake Sawyer Road SE/Ten Trails Parkway SE. Roadway standards specific to The Villages MPD were established in association with the Development Agreement, and are identified in TV DA Section 6.3.

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 1B Plat A Preliminary Plat’s traffic will be consistent with adopted levels of service and concurrency requirements. 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 1B Plat A Preliminary Plat's traffic will be consistent with adopted levels of service and concurrency requirements. In addition, the Phase 1B Plat A Preliminary Plat is part of the overall 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 MPD. The Phase 1B Plat A Preliminary Plat is consistent with this approach; its commercial/office/retail uses within the plat boundary and the proximity to the Phase 1A 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 report titled *Ten Trails MPD – Phase 1B Plat A Traffic Impact Study* prepared by TranspoGroup (Exhibit 5) details the Phase 1B Plat A Preliminary Plat anticipates 853 gross weekday PM peak hour vehicle trips (408 trips in, 445 trips out). The trip rate for this plat is based on the number of dwelling units proposed, the ITE land use codes of proposed development, and trip regression equations from the ITE 10th Edition. Taking Internal Trips and Pass-by Trips into account, the Net New Trip rate for this plat is calculated to be 571 weekday PM peak hour vehicle trips (267 trips in, 304 trips out) 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 1B Plat A 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. The Ten Trails Parkway SE road section, as shown on Sheet RD1, provides the required bike lane. Sidewalks are provided on all roads or in adjacent tracts. Therefore, Policy T-18 is met.

<u>Comprehensive Plan Capital Facilities Policies</u>
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 this Phase 1B Plat A 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 1B Plat A Preliminary Plat, 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 1B Plat A 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 1B Plat A Preliminary Plat is located approximately 1.8 miles travel distance upon built roads from Station 98, which is located at 22015 SE 296 th Street. Additionally, the City has issued Site Plan Review approval for the Lawson Hills Fire Station (City File Number PLN22-0018) to be located at 26051 Lawson Street, approximately 2.2 miles travel distance from the plat. Based on the proximity of the existing Station 98 and supplemented by the future new fire station, 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 1B Plat A Preliminary 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 new development connections within the Phase 1B Plat A 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 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, off-site sewer mains and a sewer lift station have already been constructed and approved by the City. This policy is met.

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

The proposed stormwater management/drainage facilities necessary to service the proposed plat development are identified in the application materials and are adequately sized to meet all City standards, both during construction and upon full buildout. Site-specific stormwater management review for the development of the commercial/office/retail sites will occur at the time of site development for those uses. For more detailed stormwater management analysis, please refer to the Stormwater section of the Staff Report below.

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

The stormwater facilities shown in the application are consistent with the requirements of applicable City standards. The application utilizes Low Impact Development (LID) techniques where feasible (e.g. minimizing impervious surfaces and mimicking pre-development hydrology). For more detailed stormwater management analysis, please refer to the Stormwater section of the Staff Report below. This policy is met.

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

Stormwater facilities within the plat have been designed and sized to manage both construction and build-out stormwater volumes. For more detailed stormwater management analysis, please refer to the Stormwater section of the Staff Report below.

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 10.23 units/acre. The Phase 1B Plat A 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 pre-annexation 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 1B Plat A Preliminary Plat proposes a gross residential density of 10.23 units per acre, and a net residential density of 12.94 units per acre; both of which are 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 1B Plat A 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>The Phase 1B, Plat A Preliminary Plat submittal has been reviewed in accordance with City Codes and standards and for compliance with all previously approved plats, and applicable land use applications (including conditions imposed through land use hearings and approvals). The Phase 1B, Plat A Preliminary Plat review was completed to ensure that there is sufficient capacity to meet the potable water system demands imposed on the City water system by this application in compliance with the applicable city, state, and federal standards. The preliminary plat drawings are not intended to be, or substitute for, engineering design plans which will be submitted and reviewed after preliminary plat approval. In this regard, there may be water service details that are not identified or resolved through this preliminary plat review process and which are left to identify and resolve during utility permit review (which is normal and appropriate). This review is limited to the work necessary to comply with City requirements for preliminary plat processing.</p> <p>With the conditions noted below, the Phase 1B Plat A Preliminary Plat makes adequate provision for potable water supply to and within the proposed plat, and complies with the Development Agreement, applicable City codes, and the MPD conditions of approval.</p> <p>Water service availability is checked using the following procedure:</p> <p>Equalizing storage is computed using the number of existing potable water connections (including in-process and vested connections) and the number of proposed connections in this application. The number of connections is converted to a total equalizing storage</p>

requirement (using the existing Comprehensive Water System Plan criteria) and then compared to the equalizing storage available in the City's existing reservoir.

Standby storage is computed using the number of existing potable water connections (including in-process and vested connections) and the number of proposed connections in this application. The number of connections is converted to a total standby storage requirement (using the existing Comprehensive Water System Plan criteria), deducting the applicable redundant supply source capacity, and then comparing the standby storage required to the storage available in the City's existing reservoir.

Fire flow is calculated by simulating the flows through the existing and proposed piping networks using computerized hydraulic analysis. Fire flow is sufficient when the required fire flow can be provided during maximum day demands without causing less than a 20-psi pressure residual at any point in the water system or velocities in excess of ten feet per second. Fire flow rates are based on information contained on Sheet UA1.

Potable water supply is calculated by simulating demands from existing and proposed customers (both peak day demands and peak hour demands) and comparing the required maximum flow rates to the supply flow rates from the supply sources (assuming the largest source of supply is out of service).

Using this procedure there is sufficient capacity for the existing customers, vested development, and the demand proposed in this application.

Water service is available via connections to the existing city-owned water mains that are located adjacent to the Preliminary Plat in Roberts Drive and Lake Sawyer Road. 750-zone connections are proposed at the intersection of Ten Trails Parkway SE and Roberts Drive and Ten Trails Parkway SE and Lake Sawyer Road. These connections (in conjunction with the network of pipes proposed in the application) meet the City's requirements for reliability, redundancy, pressure, and flow.

The preliminary plat application is located within the 750-pressure zone. Pressures at the water meters (for properties within the 750-pressure zone) will average 82 psi. All existing water mains must remain in-service during construction (Recommended Condition of Approval #22).

The existing City water system is supplied by springs near the Green River and by wholesale water supply connections to the City of Tacoma's regional water supply system. Equalizing, fire flow, and standby storage are provided by the existing city-owned 850-zone reservoir and delivered to the 750-zone through existing pipelines and pressure-reducing stations. There is sufficient capacity in the 850 reservoir and in the city-wide water distribution system to support the uses shown in this application: namely 253 ERU. Previous plat applications have referenced restrictions in the existing City-owned and operated spring source near the Green River and there have been references to several water system improvement projects needed to ensure continued supply from the Green River source. These previous references to source supply limitations are no longer applicable and this plat application is not dependent on supply from the existing Green River source nor on any planned improvements being pursued at the Green River source. The City has a contract with the City of Tacoma to use water from the regional Tacoma water supply system (which runs through the City) and there is sufficient capacity in the Tacoma supply system to meet the needs of this plat application (and the entire city). No improvements are necessary outside of the Preliminary Plat application to provide the required water service.

The on-site water distribution system is generally composed of loops of 12-inch and 8-inch diameter pipes 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 interconnections so that short-term failures can be isolated and repaired with a minimum of service disruptions.

The water conveyance system as shown in the submittal is consistent with City standards and requirements. All elevations within the project can be served, including the highest anticipated finished floor elevations within future structures, without booster pump stations. Water mains are sized to provide the required flow rates during maximum fire flow conditions while meeting the minimum pressure criteria. 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 #23).

Required fire flows are estimated to be 3,500 gpm in the commercial lots and 2,500 gpm in the residential lots (see Sheet UA1). The mains have been sized and configured to provide the fire flow listed on page UA1 of 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.

All water meters will be located within the right-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 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

The Phase 1B Plat A Preliminary Plat submittal has been reviewed in accordance with City Codes and standards and for compliance with all previously approved plats, and applicable land use applications (including conditions imposed through land use hearings and approvals). The Phase 1B Plat A Preliminary Plat review was completed to ensure that there is sufficient capacity to collect, convey and discharge the sanitary sewer generated by this application in compliance with the applicable city, state, and federal standards. The preliminary plat drawings are not intended to be, or substitute for, engineering design plans which will be submitted and reviewed after preliminary plat approval. In this regard, there may be sewer service details that are not identified or resolved through this preliminary plat review process and which are left to identify and resolve during utility permit review (which is normal and appropriate). This review is

limited to the work necessary to comply with City requirements for preliminary plat processing.

With the conditions noted below, the Phase 1B Plat A Preliminary Plat makes adequate provision for sanitary sewer service and complies with TV DA, applicable Codes, and The Villages MPD Permit conditions of approval.

Sewer service for this preliminary plat relies on both “local” and “regional” sewer facilities for service. “Local” facilities include parts of the existing and proposed sewer facilities that are owned by the city and are within the Ten Trails development and outside the Ten Trails development but within the existing city limits. “Regional” facilities include sewer pipelines and facilities which are outside the existing city limits and owned by other agencies (namely King County). Local facilities are owned and controlled by the city and access is enabled by city land use processes, specifically this preliminary plat application and approval. Regional facilities are owned by other agencies and access and use are enabled by existing interlocal agreements and contracts with those agencies for service.

Local and regional sewer service is available via connections to the proposed public sewer mains in Roberts Drive. All existing off-site sewer mains must remain in-service during construction (Recommended Condition of Approval #24).

There is sufficient capacity in the local and regional sewer systems for sewage from this preliminary plat, namely 253 ERUs. Local service is provided by some collection pipes that were installed during previous platting activities and that were sized to accommodate this plat. Local service is also provided by a city-owned sewage lift station and force main that was installed during previous platting activities and that were sized to accommodate flows from this plat. In combination with the collection pipelines shown in this preliminary plat application (which will be built in conjunction with plat development), there is sufficient capacity in the existing City sewage system for all previously approved plats and this preliminary plat.

The city-owned sanitary sewage collection system discharges to regional sewer facilities that are owned and operated by King County and King County conveys the city’s sewage through regional pipes and facilities to the Monster Road treatment plant in Renton. The City has an agreement with King County to accept, treat and process all the sewage generated by the City (both now and in the future). Previous platting activities have referenced correspondence from King County (namely a February 17, 2011, letter) that appeared to limit the amount of sewage that could be discharged to the regional King County system (1,100 ERUs) and a process wherein King County would need to build additional facilities to accommodate flows above the 1,100 ERU threshold. The February 17 letter does not, however, limit flows to the 1,100 ERU threshold but rather obligates the City to notify King County when that threshold has been reached so that the County can begin to plan for regional upgrades. There is currently no limit on the amount of sewage that can be discharged to the King County system, only a limit on when notification must occur so King County can plan for future growth. King County has been notified of the 1,100 ERU threshold and there is no limit or cap on sewage discharge from this Preliminary Plat (or other plats).

It should be noted that sewage from this preliminary plat does not flow through or use any of the City’s offsite sewage collection pipelines, even though there have been historical references to the use of piping that discharges to the Jones Lake Pump Station and a requirement to identify and ensure that those pipelines have sufficient capacity for the anticipated flows. That requirement, and the potential use of existing city pipelines near the Jones Lake Pump Station, have been superseded by the completion of the

regional pump station and force main in the Ten Trails development and all previous discussions and requirements regarding this condition are no longer applicable.

Phase 1B Plat A Preliminary Plat, Sheets SW1 through SW3, 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 details of construction will be specified in subsequent Utility Permits and may differ from the schematic configuration shown in this application.

As a part of its routine review and approval system, the City tracks the impacts of utilities on the local and regional utility systems. This tracking system allows the City MDRT to identify if and when utility capacity has been reached or exceeded and allows for the orderly and efficient provision of utility service in compliance with City codes and standards. In order to facilitate tracking of sewage capacity and assist the City in maintaining the tracking system 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 (Recommended Condition of Approval #25).

Stormwater

The Phase 1B Plat A Preliminary Plat submittal has been reviewed in accordance with City Codes and standards and for compliance with all previously approved plats, and applicable land use applications (including conditions imposed through land use hearings and approvals). The Phase 1B Plat A Preliminary Plat review was intended to ensure that there is sufficient capacity to collect, convey, treat, and discharge the stormwater generated by this application in compliance with the applicable city, state, and federal standards. The preliminary plat drawings are not intended to be, or substitute for, engineering design plans which will be submitted and reviewed after preliminary plat approval. In this regard, there may be stormwater collection, conveyance, and treatment details which are not identified or resolved through this preliminary plat review process and which are left to identify and resolve during utility permit review. This review is limited to the work necessary to comply with City requirements for preliminary plat processing.

With the conditions noted below, the Phase 1B Plat A Preliminary Plat makes appropriate provisions for stormwater drainage and complies with TV DA, applicable Codes, and The Villages MPD Permit conditions of approval.

Stormwater service for this preliminary plat relies on “local” stormwater facilities for service and no off-site discharges are anticipated or proposed. “Local” facilities include parts of the existing and proposed stormwater facilities that are owned by the city or the Ten Trails HOA and are within the Ten Trails development. Some stormwater facilities will be constructed in conjunction with the preliminary plat application and some stormwater facilities already exist and are outside of this preliminary plat application, but within the City’s stormwater service area and within the Ten Trails development.

All MPD regional-scale stormwater facilities have been sized and built to accommodate the impacts of this preliminary plat, including all previously approved plats and all proposed plats that will eventually use the facilities. In other words, there is capacity within the existing and proposed pipelines and treatment facilities to accommodate all of the stormwater from all currently approved MPD projects, not just the stormwater from

this preliminary plat application. In that regard, at any particular point in time, there may be excess and unused capacity in the completed infrastructure.

Stormwater within the plat is used to recharge the local aquifer or discharged off-site to the regional stormwater facilities (which infiltrate). In general, the stormwater design process is intended to ensure that aquifer recharge is the highest design priority, wherein, the recharge needs of Horseshoe Lake are calculated and the stormwater system needed to match predevelopment hydrology is provided. Any stormwater in excess of that needed to match predevelopment conditions is discharged to the Phase 1A Regional Stormwater Facilities.

The plat makes extensive use of small-scale local rain gardens and infiltration basins serving small (less than 5,000sf) impervious areas. This technique meets the Development Agreement objectives and matches predevelopment hydrology in Horseshoe Lake. There is reason to believe that some of the rain garden/infiltration facilities may be located in areas that will not ultimately meet the infiltration requirements or the groundwater recharge requirements in the Drainage Report. We believe it is prudent to provide flexibility in the ability to field-locate some facilities that might not provide adequate infiltration capability. As a condition of approval, any utility permits must show alternative locations for each infiltration facility so that field relocation during construction is practical and effective (Recommended Condition of Approval #26).

Previous challenges to preliminary plats in the Ten Trails development have suggested that preliminary plats should include design-level details about the stormwater system, however, that is neither required by code nor is it prudent land use processing. The preliminary plat process allows for some deviation in the constructed environment (building roof sizes for example) and the extent of these deviations and the attendant impact on the amount of stormwater generated from pollution-generating impervious surfaces is not known until after the utility permit phase or the building permit phase. It is, therefore, necessary to identify the maximum and minimum possible impacts from the completed stormwater system and to ensure that the proposed stormwater system in the preliminary plat has the capacity to mitigate the actual stormwater impacts and meet the required codes and standards. Some design-level details are appropriately left to the utility and building permit phase of the project to ensure proper compliance with applicable city, state, and federal requirements. This preliminary plat has been reviewed with the objective to ensure that both the maximum and minimum possible impacts can be accommodated and mitigated by the proposed collection, conveyance, detention, treatment, and discharge facilities.

Stormwater facilities have been sized in accordance with City codes and standards and applicable Ecology criteria (using the 2005 Ecology Manual as required by the Development Agreement and previous conditions of approval). All on-site stormwater facilities (except stormwater pipelines in the right of way) are owned by the applicant and will remain privately owned and operated. Stormwater pipelines within the roadway rights of way (including catch basins) are owned, operated, and maintained by the city. There may be instances where privately-owned stormwater facilities that discharge into the city-owned pipelines have operational or maintenance impacts on the city (for example the discharge of turbid stormwater) and the Development Agreement and HOA documents include the means and methods to manage and mitigate those impacts.

In accordance with state requirements, 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 #27).

Streets

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

The street layout generally consists of a looped road network with access from Ten Trails Parkway SE.

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

In summary, the Phase 1B Plat A Preliminary Plat makes appropriate provisions for streets and complies with The Villages MPD Permit conditions of approval, TV DA, and applicable codes.

Grading

Grading within Phase 1B Plat A 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.

MPD Approval Condition #110 requires that the 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 approximately 78,742 cubic yards of cut and 79,178 cubic yards of fill and meets the overall cut/fill balance required in the MPD approval. It is usual and customary for these cut/fill ratios to change in conjunction with the final design of the utility systems as grading details are approved, however, the 20% cut/fill balance cannot be exceeded with final utility permit approval (Recommended Condition of Approval #28). For enforcement purposes, the cut/fill ratio will be calculated using the entire Phase 1B Plat A Preliminary Plat area, even if Utility Permit submittals are for a smaller area or for a portion of the area shown in this preliminary plat application (Recommended Condition of Approval #29).

Fire

The Fire Department reviewed the proposed subdivision provided the following Recommended Conditions of Approval (#8-12):

- All roadway widths shall meet the minimum width requirements for fire access.
- All intersection turning radii shall meet the minimum radius requirements.
- All hydrant spacing meets the minimum City Code requirements, with minor location changes and additions.
- The backs of all structures can be reached with a 150-foot hose lay.
- All house addresses shall be viewable from a fire accessible and compliant roadway.

In addition to the Fire Department's Recommended Conditions of Approval identified above, City Staff also has the following Recommended Conditions of Approval (#13-16) that have been successfully implemented for other plats within the MPD to ensure site development occurs in a safe manner:

- All road grades shall not exceed 15%.
- 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.
- 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.
- 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 that there is a total of 3.76 acres of open space that will be set aside in parks, open space, pedestrian access, and landscape tracts located throughout the plat. This subdivision makes connections to future trail alignments and parks via sidewalks and trails for all residential parcels within the Phase 1B Plat A Preliminary Plat.

Schools

Per Section 13.3 of TV DA, school mitigation is accomplished through the CSMA, which requires payment of a school mitigation fee for single-family and multi-family dwelling units. 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 1B Plat A 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 site characteristics of the Phase 1B Plat A Preliminary Plat allows for the utilization of appropriate storm water facilities designed in accordance with the requirements established in the Development Agreement. Stormwater service for this preliminary plat relies on "local" stormwater facilities for service and no off-site discharges are anticipated or proposed. "Local" facilities include parts of the existing and proposed stormwater facilities that are owned by the city or the Ten Trails HOA and are within the Ten Trails development. All stormwater facilities have been sized and built to accommodate the impacts of this preliminary plat including all previously approved plats and all proposed plats that will eventually use the facilities. In other words, there is capacity within the existing and proposed pipelines and treatment facilities to accommodate all of the stormwater from the submittal. The Phase 1B Plat A Preliminary 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 1B Plat A 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;

A SEPA Mitigated Determination of Non-Significance (MDNS) (Exhibit 4) was issued by the City for this proposal. The SEPA MDNS reviewed potential environmental impacts resulting from this Phase 1B Plat A 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 PLN20-0108.

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 1B Plat A 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 1B Plat A Preliminary 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. 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 1B Plat A Preliminary Plat includes one cul-de-sac (Pacific Avenue SE). Pacific Avenue SE, as shown on Sheet RS3, is proposing a cul-de-sac at its terminus into future development tracts 934 and 935. The cul-de-sac also connects to SE Ferry Street, which is

proposed to be a woonerf alignment providing unique pedestrian scale and design. Based on the surrounding land uses and connectivity to an alternative road section, the City would approve a cul-de-sac in this location.

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 #17).

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 in addition to construction and equipping of a satellite fire station.

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 condition 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 1B Plat A Preliminary Plat is compatible with the adjacent Plat 1A streetscape and open space plans, as shown on Sheet CV3. There is a total of 3.76 acres of open space that will be set aside in parks, open space, trails, and landscape tracts located throughout the plat boundary.

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 future school sites. 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 has been prepared for the Phase 1B Plat A Preliminary Plat application; see Finding #15 above. The report addresses all areas proposed for disturbance as a result of the Phase 1B Plat A Preliminary Plat. The Villages MPD is vested to the Tree Removal Ordinance 08-866, pursuant to TV DA. Significant tree removal activities will not be permitted until a Level II Tree Permit is issued in accordance with BDMC 19.30. The Phase 1B Plat A 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 1B Plat A Preliminary Plat has been prepared 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.

MPD FDSG: GENERAL PRINCIPLES AND SITE PLANNING

MPD FDSG General Principles and Site Planning Section A: Environmentally Sustainable - Guidelines

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 1B Plat A 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 1B Plat A 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.

Refer to the Open Space section above and Sheet CV3 for more information regarding parks, open spaces, and pedestrian connectivity throughout the plat.
MPD FDSG General Principles and Site Planning A(6): Grading plans shall incorporate best management practices with phased grading to minimize surface disturbance and to maintain significant natural contours.
Sections 12.8.1.C and 13.2 of TV DA address clearing, grading and forest practices. Site grading will be limited to that necessary to install utility services and construct building foundations. This guideline is met.
<u>MPD FDSG General Principles and Site Planning Section B: Using Open Space as an Organizing Element - Guidelines</u>
MPD FDSG General Principles and Site Planning B(1): All master planned developments shall include a wide range of open spaces, including the following: (a). Sensitive environmental features and their buffers; (b). Greenbelts; (c). Village greens; (d). Parks and school playgrounds; (e). Public squares; (f). Multi-purpose trails. These features should be deliberately planned to organize the pattern of development and serve as center pieces to development cluster, not merely as “leftover” spaces.
Sheet CV3 contains information on open space and landscape tracts and shows that there are a total of 3.76 acres of open space that will be set aside in parks, open space, trails, pedestrian access, and landscape tracts located throughout the plat boundary. The subdivision makes connections to future trails and parks via sidewalks and trails for all residential parcels within the Phase 1B Plat A Preliminary Plat. Based on the preceding information, staff finds that the proposal meets these guidelines.
MPD FDSG General Principles and Site Planning B(2): Open spaces shall be linked into an overall non-motorized network through sidewalks, trails and parkways. The overall network shall be delineated at initial MPD approval and implanted through subsequent plats and permit approvals.
Each road provides sidewalks either in the ROW or adjacent tracts. Bike lanes are provided on Ten Trails Parkway SE. 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.
MPD FDSG General Principles and Site Planning B(3): Stands of trees as an element of open space. Due to the propensity of severe wind events in the Black Diamond area, an MPD should incorporate the preservation of larger rather than smaller stands of native trees.
Significant trees identified for removal will be cleared in association with the approved preliminary plat application. Many open spaces within the preliminary plat application are not adequately sized to accommodate large stands of trees while maintaining the approved residential densities identified for individual Development Parcels.

<u>MPD FDSG General Principles and Site Planning Section C. Integrating Development with Open Spaces - Guidelines</u>
<p>MPD FDSG General Principles and Site Planning C(1):</p> <p>Use of conventional, suburban-style subdivision design that provides little common open space shall be avoided.</p>
<p>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.</p>
<p>MPD FDSG General Principles and Site Planning C(2):</p> <p>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.</p>
<p>This guideline is met. All residential lots are within a quarter mile of the parks or open spaces within the Phase 1B Plat A Preliminary Plat and are connected via sidewalks to larger open spaces, bike routes, and future transit connections.</p>
<p>MPD FDSG General Principles and Site Planning C(3): Methodology for Planning Development in Clusters</p> <p>(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.).</p>
<p>As shown on the plat sheets, this guideline is met, as follows: (a) there are no sensitive areas or sensitive area buffers within the Phase 1B Plat A Preliminary Plat boundary; (b) areas of both residential and commercial development are identified within the plat boundary; (c) streets and public spaces are identified on the plat, including open space tracts; (d) this plat provides a range of lot sizes that can accommodate detached single-family development, attached single-family development, and multi-family development types; and (e) views of Mt. Rainier will may be visible along the Roberts Drive frontage, and residential units will be reviewed for design guidelines compliance at the time of building permit submittal. The alignment of Ten Trails Parkway SE will provide an excellent view of Mount Rainier at its intersection with Roberts Drive.</p>

<u>MPD FDSG General Principles and Site Planning Section D: Ensuring Connectivity - Guidelines</u>
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 on Lots 259-261. Additional pedestrian access into the commercial and retail services will be identified at the time of site development for those uses. Pedestrian connectivity is provided at the entire terminus of Pacific Avenue SE into connecting roadways and open spaces.
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 1B Plat A Preliminary Plat includes one cul-de-sac (Pacific Avenue SE). Pacific Avenue SE, as shown on Sheet RS3, is proposing a cul-de-sac at its terminus into future development tracts 934 and 935. The cul-de-sac also connects to SE Ferry Street, which is proposed to be a woonerf alignment providing unique pedestrian scale and design. Based on the surrounding land uses and connectivity to an alternative road section, the City would approve a cul-de-sac in this location.
<u>MPD FDSG General Principles and Site Planning Section E: Mixing of Housing - Guidelines</u>
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 1B Plat A Preliminary Plat provides a range of detached single-family residential lot sizes and provides lots that can accommodate attached single-family housing (up to 4 units) or multi-family housing (5+ units). Additionally, 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.

Residential densities within the Phase 1B Plat A Preliminary Plat vary by Development Parcel within the plat boundary. Gross residential densities range from 8.25 du/ac in Development Parcel V3 up to 15.69 du/ac in Development Parcel V4. 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.

Based on the lot layouts shown on the Sheets RS1 and RS2 (Exhibit 1), it is anticipated that Lots 1-32, 76-89, 108-115, 136-152, and 166-258 will be provided access via adjacent alleyways or autocourts. Many of the smaller lots, which are anticipated for attached single-family residential or multi-family development, are accessed from shared autocourts instead of the adjacent street.

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.).

All multi-family structures proposed subsequent to this preliminary plat application will be reviewed at the time of building permit submittal for compliance with applicable design standards and guidelines.

MPD FDSG General Principles and Site Planning Section F: Creating Neighborhood Civic/Commercial Centers – Guidelines

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

All commercial (and non-residential) uses proposed within the boundary of the plat will be required to undergo subsequent site plan review permit submittal. At the time of review of that application, applicable design standards and guidelines will be applied. Open space Tracts 915, 916, and 917 are meant to serve as a central public space and an organizing element for both residential and non-residential uses within the plat.

MPD FDSG General Principles and Site Planning Section G: Interface with Adjoining Development - Guidelines

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.

This application is not located along the boundary of the MPD, and therefore is not subject to this requirement. There is a 100-foot pedestrian, bicycle, and equestrian trail corridor easement located on unaddressed King County parcel number 152106-9122 that separates this Phase 1B Plat A Preliminary Plat from the boundary of the MPD. The parcel directly adjacent to the north of this plat application is located in unincorporated King County, is zoned RA-5 (Rural Area), and owned by King County Parks. The zoning classification of Rural Area, as described in Title 21A of the King County Code, is to provide area-wide long-term rural character and to minimize land use conflicts with nearby agricultural or forest production districts or mineral extraction sites. Based on the site's zoning classification and zoning description, the Phase 1B Plat A Preliminary Plat meets this guideline.

MPD FDSG General Principles and Site Planning G(2):

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

There is a 100-foot pedestrian, bicycle, and equestrian trail corridor easement located on unaddressed King County parcel number 152106-9122 that separates this Phase 1B Plat A Preliminary Plat from the boundary of the MPD.

MPD FDSG General Principles and Site Planning G(3):

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

There is no existing non-MPD residential development located along any proposed access routes into the Phase 1B Plat A Preliminary Plat.

MPD FDSG: CIRCULATION

MPD FDSG Circulation Section A: Streets - Guidelines

MPD FDSG Circulation A(1): Connectivity

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

The Phase 1B Plat A Preliminary Plat generally consists of a street layout that provides a looped network for residential uses, connecting to Ten Trails Parkway SE. With the exception of alleyways, the roadways are identified as public roads. All private roadways are located within tracts (Tracts 906, 908, and 916) and will be owned and maintained by the applicable owners association. Internal road access for the commercial lots (Lots 259, 260, and 261) will be established and reviewed at the time of commercial site development. Proposed access locations into the Phase 1B Plat A Preliminary Plat are located at existing roundabouts on Roberts Drive and Lake Sawyer Road SE.

MPD FDSG Circulation A(2): Design

(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.

This guideline is met. (a) The street design provides for direct connections to 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 1B Plat A Preliminary Plat: Ten Trails Parkway SE.

MPD FDSG Circulation A(3): Reduced Pavement Widths

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

This guideline is met. Pavement widths have been reduced to the minimum allowed by International Fire Code. Section 6.3 of TV DA establishes the standard lane width as 10 feet.

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.

Low impact design (LID) elements required by TV DA, such as drought-tolerant vegetation and bio-infiltration swales, have been incorporated into the stormwater management design and 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.

Based on the lot layouts shown on the Sheets RS1 and RS2 (Exhibit 1), it is anticipated that Lots 1-32, 76-89, 108-115, 136-152, and 166-258 will be provided access via adjacent alleyways or autocourts. Many of the smaller lots, which are anticipated for attached single-family residential or multi-family development, are accessed from shared autocourts instead

of the adjacent street. The commercial loading and service area locations will be reviewed in association with subsequent site plan review applications for development within commercial lots.
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. 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 such as bio-infiltration swales 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 public road sections identified in the Phase 1B Plat A Preliminary Plat, as shown on Sheet RD1 (Exhibit 1). Non-residential parking layout, including minimum requirements, will be reviewed at the time of site development permitting for those uses.
<u>MPD FDSG Circulation Section B: Sidewalks - Guidelines</u>
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 1B Plat A.
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 1B Plat A.

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.

Street furnishings appropriate for residential development will be reviewed in association with Utility Permits ahead of final plat approval. Street furnishings for commercial uses will be subsequently reviewed at the time of site development permit application for those uses.

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.

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.

MPD FDSG Circulation C(2): Width

a. Not less than 8 feet wide to allow for multiple modes of use.

There are no trail alignments proposed within the Phase 1B Plat A Preliminary Plat.

MPD FDSG Circulation C(3): Materials

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

Sidewalks are provided connecting the residential uses to open spaces (including the parks within the plat) and future trail alignments.

MPD FDSG: SITE DESIGN

MPD FDSG Site Design Section A: Cluster Development - Guidelines

MPD FDSG Site Design A(1):

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

Staff finds that the proposal meets this guideline as shown on Sheet CV3. Rows of residential lots are broken up by landscape tracts, parks, trails, or pedestrian access tracts throughout the Phase 1B Plat A Preliminary Plat.

<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>As detailed on Sheet CV3 (Exhibit 1), the Phase 1B Plat A Preliminary Plat provides a net residential development area of 19.94 acres and provides 3.76 acres of open space in a variety of park, landscape, and pedestrian access 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 of the MPD provided. Staff finds that the Phase 1B Plat A 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>All commercial and multi-family development that occurs subsequent to this preliminary plat application will be required to undergo the Site Plan Review process, in which compliance with design standards and guidelines will be applied.</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>

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

MPD FDSG Site Design Section C: Landscaping & Planting Design - Guidelines

MPD FDSG Site Design C(1):

Incorporate native, drought-tolerant vegetation, avoid extensive use of lawn and plantings that demand significant irrigation and fertilization.

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

MPD FDSG Site Design C(2):

A minimum of 75% of the landscaped area (not including recreational areas) should be planted with other than turf or lawn. Perennials and annuals are encouraged to provide special interest and highlight pedestrian areas such as walkways and trails.

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

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).

There are no stormwater detention/retention ponds proposed within the Phase 1B Plat A Preliminary Plat.

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 1B Plat A 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 1B Plat A 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 1B Plat A Preliminary Plat complies with Section 3.0 of TV DA.

4.0 Land Use and Project Elements

The Phase 1B Plat A Preliminary Plat is consistent with the provisions of Section 4 of TV DA. The Phase 1B Plat A Preliminary Plat is not subject to the interface with adjoining development design guidelines established by MPD Design Guidelines item G (as detailed above), 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 1B Plat A Preliminary Plat is consistent with Section 4.7.3.

Based on the proposed scope of development within this preliminary plat application and the base density allocated to Phase 1B (as established in TV DA Table 4-9), this application will require 69 TDRs (Transfer of Development Rights). Table 4-9 of TV DA establishes that Phase 1B has a base density of 189 units, while this plat proposes 258 total residential units. Refer to the Transfer of Development Rights (TDR) Information table on Sheet CV4 of the preliminary plat drawings (Exhibit 1). The requirement to acquire the necessary TDRs are addressed in Recommended Conditions of Approval #32 and #33.

5.0 Additional Bulk, Landscape and Sign Standards

The Phase 1B Plat A 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). 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 1B Plat A Preliminary Plat complies with Section 5.0 of TV DA.

6.0 Internal Street Standards Within The Villages MPD

The Phase 1B Plat A Preliminary Plat is consistent with Section 6.0 of TV DA. The following proposed 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 #35):

- Ten Trails Parkway SE – places required planter strip and sidewalks into a separate tract adjacent to the ROW. Requests wider walking path and to remove street parking from an arterial street. This is similar to the Ten Trails Parkway alignment that has been approved throughout the rest of the MPD.
- SE Oak Street – proposes to remove street parking, planter strip, and sidewalk from one side of the roadway alignment when adjacent to open space tracts, in accordance with TV DA 6.3
- SE Elm Street – proposes to remove street parking, planter strip, and sidewalk from one side of the roadway alignment when adjacent to open space tracts, in accordance with TV DA 6.3
- SE Ferry Street – proposes to establish a Woonerf, which is a unique roadway alignment to form an intimate and memorable space within that section of the community. A Woonerf alignment has been utilized in other areas of the MPD, namely Plat 2C
- Autocourts – requests to provide an alternate alignment that ensures emergency accessibility to residential lots taking access from autocourts

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). In light of the above, the Phase 1B Plat A 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. For the duration of construction for the Phase 1B Plat A 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 1B Plat A Preliminary Plat complies with Section 7.0 of TV DA.

8.0 Sensitive Area Standards

There are no sensitive areas or sensitive area buffers located within the boundary of the Phase 1B Plat A Preliminary Plat.

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 that there is a total of 3.76 acres of open space that will be set aside in parks, open space, trails, pedestrian access and landscape tracts located throughout the plat boundary. The

subdivision makes connections to future trails and parks via sidewalks and trails for all residential parcels within the Phase 1B Plat A Plat.

10.0 Determinations, Amendments & Expansion Parcel Review Process

No Expansion Parcels are included as part of this plat (Section 10.5). The Phase 1B Plat A Preliminary Plat complies with Section 10.0 of TV DA.

11.0 Project Phasing

This preliminary plat includes Development Parcels V1, V2, V3, V4, V5, V6, V7, V8, and V9. A detailed implementation schedule for the Phase 1B regional infrastructure improvements is provided in association with this application (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 1B Plat A 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. 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 #19 and #20). With those conditions, the Phase 1B Plat A 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 (TV DA Sections 13.3, 13.4 & 13.9). There are no identified mine hazard areas within the Phase 1B Plat A 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 approved by the City (Exhibit 8). The Phase 1B Plat A 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 1B Plat A Preliminary Plat complies with Section 14.0 of TV DA.

15.0 General Provisions

This section contains general provisions of TV DA, many of which do not need further discussion with regard to the Phase 1B Plat A Plat. The Phase 1B Plat A 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 1B Plat A Preliminary Plat application. The Phase 1B Plat A 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 1B Plat A 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 1B Plat A 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 1B Plat A 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 1B of the MPD included transportation impacts that were to be anticipated by the development of Phase 1B (Exhibit 6). The Phase 1B Plat A Preliminary Plat complies with Exhibit F of TV DA.

Exhibit “G” – Constraint Maps

There are no sensitive areas or sensitive area buffers within the plat boundary, as detailed in Finding #16 above. The Phase 1B Plat A 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 1B Plat A Preliminary 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 that there is a total of 3.76 acres of open space that will be set aside in parks, open space, trails, pedestrian access, and landscape tracts located throughout the plat boundary. The subdivision makes connections to future trails and parks via sidewalks and trails for all residential parcels within the Phase 1B Plat A Preliminary 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 1B Plat A 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). Development Parcels V5 and V6 are identified as potential locations for residential development in the 18-30 du/ac range, and subsequent implementing approvals (e.g. building permits and/or site plan review for residential structures at those densities) will be required to comply with these design standards and guidelines at the time of application.

Exhibit “J” – Construction Waste Management Plan

This project is required to comply with the Construction Waste Management Plan. The Phase 1B Plat A Preliminary Plat complies with Exhibit J of TV DA.

Exhibit “K” – MPD Phasing Plan

This plat falls within Phase 1B, as shown on the MPD Phasing Plan (Figure 9-1). A detailed implementation schedule for the Phase 1B regional infrastructure improvements was submitted in association with this application (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 1B. The Phase 1B Plat A 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 1B Plat A Preliminary Plat complies with Exhibit L of TV DA.

Exhibit “M” – Mine Hazard Release Form

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

Exhibit “O” – Stormwater Monitoring

This exhibit concerns water quality and Lake Sawyer. The Phase 1B Plat A 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 1B, the Phase 1B Plat A 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 #19). With that condition, the Phase 1B Plat A 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 #20). With that condition, the Phase 1B Plat A Preliminary Plat complies with Exhibit R of TV DA.

Exhibit “S” – Potential Expansion Areas

The Phase 1B Plat A Preliminary Plat does not contain any potential expansion areas shown in this Exhibit. The Phase 1B Plat A 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. The City Council has adopted a City-wide fire impact fee. The impact fee amount is consistent with the mitigation fee contained within TV DA, as modified by subsequent City Council adjustments to adopted impact fees. Fire Mitigation provisions are established in Section 13.4 of TV DA.

Exhibit “U” – Updated MPD Site Plan

Exhibit U of TV DA is addressed in Section 4.1 of TV DA; it is the updated MPD Site Plan. As noted above, the plat includes a variety of lot sizes, in conjunction with Exhibits L and U of TV DA. The Phase 1B Plat A Preliminary Plat complies with Exhibit U of TV DA.

The Villages MPD Permit Conditions of Approval Consistency Analysis

Note: The full text of the conditions of approval is contained within Exhibit C of TV DA.

The Villages MPD Permit was approved by the City Council in September 2010 (Ordinance No. 10-946) subject to 164 conditions of approval. A significant majority of the conditions on the MPD Permit were requirements to be incorporated into The Villages Development Agreement (TV DA). TV DA was approved by the City Council in December 2011 (Ordinance No. 11-970), addressing applicable MPD Permit Conditions. For the sake of brevity of this Staff Report, individual conditions of approval of the MPD Permit are not listed. All applicable requirements have been addressed above in the analysis of this preliminary plat application. Please refer to Findings #4 and #5 above regarding the MPD Permit and Development Agreement. A complete list of the MPD Permit conditions of approval is contained within Exhibit C of TV DA.

<Proceed to Next Page>

VI. CONCLUSION

The proposed Phase 1B Plat A 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 1B Plat A Preliminary Plat (PLN20-0107) be approved, subject to the following conditions:

SEPA Mitigated Determination of Non-Significance Mitigation Measures (PLN20-0108):

1. Prior to the commencement of any site disturbance activities, an approved National Pollutant Discharge Elimination System (NPDES) General Stormwater Construction Permit issued by the Washington State Department of Ecology covering the proposed scope of work shall be submitted to the City's Master Development Review Team (MDRT).
2. Prior to the commencement of any site disturbing activities, a Spill Prevention Control and Countermeasures Plan (SPCCP) shall be submitted to, and approved by, the City's MDRT.
3. If any site disturbance activities are planned during the City's Winter Work period (October 1 through March 31), a Winterization Plan pursuant to Black Diamond Engineering Design and Construction Standards Section 2.2.05 shall be submitted to, and approved by, the City's MDRT prior to commencing construction.
4. Prior to commencement of construction, the Noise Mitigation Plan dated July 6, 2020 shall be followed throughout the development of the project.
5. Follow/implement preliminary design recommendations regarding site preparation, site grading, structural fill, new foundation designs, retaining walls, construction, drainage, paving, and infiltration feasibility of the Geotechnical Engineering Report dated April 6, 2023, and prepared by Associated Earth Sciences, Inc.

Staff Recommended Conditions of Approval:

6. 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.
7. Infrastructure improvements shall be constructed as required by The Villages Development Agreement Section 11: Project Phasing, applicable implementing project conditions of approval, and applicable SEPA Mitigation Measures.
8. All roadway widths shall meet the minimum width requirements for fire access.
9. All intersection turning radii shall meet the minimum radius requirements.
10. All hydrant spacing meets the minimum City Code requirements, with minor location changes and additions.
11. The backs of all structures can be reached with a 150-foot hose lay.
12. All house addresses shall be viewable from a fire accessible and compliant roadway.

13. All road grades shall not exceed 15%.
14. At the time of building permit application, structures will be required to either have required fire flow available or to have a fire sprinkler system installed to allow for a reduction in required fire flow.
15. 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.
16. 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.
17. All easements shall be shown on the final plat.
18. Prior to final plat approval, the applicant shall submit Covenants, Conditions and Restrictions (CCRs) for review and approval by the Designated Official.
19. The Master Developer shall comply with Exhibit Q (Maple Valley Transportation Mitigation Agreement) of TV DA.
20. The Master Developer shall comply with Exhibit R (Covington Transportation Mitigation Agreement) of TV DA.
21. Tracts 901-936 shall be owned and maintained by the Master Developer (M.D.) or Applicable Owners Association (A.O.A.).
22. All existing in-service water mains must remain in service during construction. This condition will be enforced during Utility Permitting.
23. 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.
24. All existing in-service sewer mains must remain in service during construction. This condition will be enforced during Utility Permitting.
25. In order to facilitate tracking of sewage capacity and assist the City in maintaining the tracking system the applicant shall identify, on the face of each building 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.
26. All utility permits must show alternative locations for each rain garden/infiltration facility using unencumbered property within the same infiltration subbasin as the primary location. The alternative locations must not displace street trees, streetlights, or other public amenities. This condition will be enforced during Utility Permit review and approval.
27. The project must implement Low Impact Development techniques where feasible. This condition will be enforced during Utility Permitting.
28. Final cut/fill balance must not exceed 20%. This condition will be enforced during Utility Permitting.

29. The 20% cut/fill limit imposed by MPD Condition #110 shall be calculated using the entire Phase 1B Plat A Preliminary Plat area shown in this application. This will remain in effect even if Utility Permit submittals are for a smaller area or a portion of the platted area. All Utility Permits must include the cut/fill balance shown in that particular application and the overall cut/fill balance using the entire Phase 1B Plat A Preliminary Plat area (assuming they are different).
30. Pursuant to TV DA Section 5.2.1(A), the minimum lot size for Detached Single-Family residential development is 2,200 square feet. Residential lots with an area less than 2,200 square feet will be required to provide either attached single-family residential development or multi-family residential development.
31. Final plat applications for individual Divisions (as identified on Sheet CV4) may be requested, however individual Divisions must be able to demonstrate that they can meet all final plat requirements needed for that Division.
32. Pursuant to TV DA 4.9, the City will not issue utility permits for any road or stormwater improvements for any Division exceeding the Base Density of Phase 1B (established in TV DA Table 4-9) until the Master Developer has demonstrated ownership of TDRs needed for the requested density of that Division.
33. Pursuant to TV DA 4.9, no final plats exceeding the Base Density of Phase 1B (established in TV DA Table 4-9) will be processed or approved until the Master Developer has acquired title to the needed TDRs and they have been assigned by the Master Developer to applicable Divisions of the plat.
34. Street names shown on the Preliminary Plat are non-binding. Pursuant to BDMC Chapter 12.08, the authority to develop and administer a street naming and addressing policy guide rests with the Community Development Department. Accordingly, street names will be formally assigned in association with final plat submittal and review.
35. As proposed, the following road sections (as identified in Exhibit 1) require approved deviations prior to the approval of final engineering plans associated with this plat:
 - a. Ten Trails Parkway SE
 - b. SE Oak Street
 - c. SE Elm Street
 - d. SE Ferry Street
 - e. Autocourts

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 1B Plat A Preliminary Plat Planset – prepared by David Evans and Associates, Inc. on behalf of Oakpointe LLC, dated Submitted June 20, 2023; Revision Block: Revision #4 dated June 22, 2022
- Exhibit 2 - Design Review Committee Approval Letter – prepared by Oakpointe LLC, dated June 30, 2022
- Exhibit 3 - Public Comments Received during Notice of Application and Notice of Public Hearing – submitted by fourteen (14) public commenters on various dates
- Exhibit 4 - SEPA Mitigated Determination of Non-Significance (MDNS) for the Ten Trails MPD Phase 1B Plat A Preliminary Plat – prepared by the City of Black Diamond, dated June 7, 2023
- Exhibit 5 - Traffic Impact Study for Ten Trails MPD Phase 1B Plat A Preliminary Plat – prepared by TranspoGroup on behalf of Oakpointe LLC, dated July 1, 2022
- Exhibit 6 - Ten Trails MPD Phase 1B Traffic Monitoring Report – prepared by TranspoGroup on behalf of Oakpointe LLC, dated February 2021
- Exhibit 7 - Ten Trails MPD Phase 1B Detailed Implementation Schedule for Regional Infrastructure Improvements – prepared by Oakpointe LLC, dated June 30, 2022
- Exhibit 8 - Ten Trails MPD Phase 1B Fiscal Impact Analysis Approval – prepared by the City of Black Diamond, dated September 21, 2021

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