

CITY OF BLACK DIAMOND
November 30, 2017 Special Meeting Agenda
25510 Lawson Street, Black Diamond, Washington

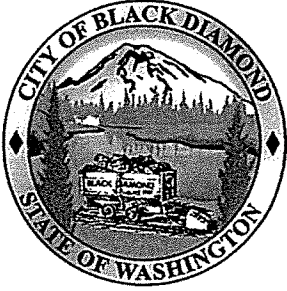
6:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

NEW BUSINESS:

- 1) **AB17-067** – Resolution regarding Ten Trails plat 2c division 1 Final Plat Mr. Williamson

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-5700. Thank you for attending.

ADJOURNMENT:



CITY OF BLACK DIAMOND

P.O. Box 599
24301 Roberts Drive
Black Diamond, WA 98010

Phone: (360) 886-5700
Fax: (360) 886-2592
www.ci.blackdiamond.wa.us

November 22, 2017

STAFF REPORT – PLN17-0076 Ten Trails Phase 2 Plat C – Division 1 Final Plat

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

Section I: Application Information

Staff Report Date: November 22, 2017

Name of Subdivision: Ten Trails Phase 2 Plat C – Division 1 (One)

Number of Lots: 111 lots for residential development

Location: Unaddressed King County Parcel Number 222106-9004

Zoning: Master Planned Development (MPD)

Comprehensive Plan Designation: Mixed-Use with Master Planned Development Overlay

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

Preliminary Plat Approval: The Villages Preliminary Plat Phase 2 Plat C was approved by the City's Hearing Examiner on 01/28/2015 under City File Number PLN13-0027, subject to ninety-three (93) conditions of approval. Compliance with the preliminary plat conditions of approval is detailed in Section IV – Project Analysis of this Staff Report.

Final Plat Application: The City initially received an application for final plat approval on October 10th, 2017. The City reviewed the initial submittal and issued a corrections letter on October 17th, 2017. The applicant submitted revised/corrected information at the request of the City on October 26th, 2017 with a second corrections letter issued by the City on October 31st, 2017. The third resubmittal was received by the City on November 3rd, 2017 with a third corrections letter issued by the City on November 7th, 2017. The fourth resubmittal was received by the City on November 8th, 2017 with a fourth corrections letter issued by the City on November 13th, 2017. The fifth resubmittal was received by the City on November 16th, 2017 with a fifth corrections letter issued by the City on the same day (November 16th, 2017). The applicant submitted a finalized final plat application on November 21st, 2017.

Section II: Summary of Request

This application is for the final platting of Division 1 of Preliminary Plat 2C, which was approved on January 28, 2015. Division 1 contains the following:

- A total of 111 lots and 20 tracts
 - Tract uses include landscape, utility, access, parks, future development, private road, future right-of-way dedication, and open space. For individual tract uses, refer to the Tract Areas table on Sheet 3 of the final plat.
 - Tract B is designed as future development and comprises the areas of Preliminary Plat 2C that are not included in this Division 1 final plat application. The total area of Tract B is 5,096,175 square feet (117 acres).
- All 111 lots are designated for single-family residential development

- Residential lot sizes range from 3,593 square feet (0.08 acres) to 7,885 square feet (0.18 acres). The average residential lot size is 4,659 square feet (0.11 acres).

Section III: Process

The applicant is required to receive preliminary plat approval prior to submittal and approval of a final plat. The Villages Phase 2C Preliminary Plat was approved by the City’s Hearing Examiner on January 28, 2015 subject to ninety-three (93) conditions. The applicant filed a complete final plat application on October 10, 2017 for review by the City. The applicant submitted revised/corrected information at the request of the City on October 26, 2017, November 3rd, 2017, November 8th, 2017, November 16th, 2017, and November 21st, 2017. The final plat was reviewed by City Staff and MDRT consultants for compliance with applicable preliminary plat approval conditions (see Section IV – Project Analysis below). This Staff Report provides written findings related to the Division 1 final plat application and a recommendation to the City Council for final plat approval.

It is the City Council’s responsibility to make a final determination on the final plat based on the conditions of preliminary plat approval and applicable laws and regulations. This Staff Report serves to provide Staff’s review of the final plat application and findings regarding compliance with applicable conditions of associated permits, including the preliminary plat approval. If the final plat application complies with all applicable conditions and regulations, the City Council is required to enter written findings to that effect and authorize the Mayor to execute the City’s written approval on the face of the plat (BDMC 17.20.060.B and RCW 58.17.170). Final Plat approval is a Type 6 – City Council Decision (Black Diamond Municipal Code 18.08.030). The Code defines Type 6 decisions as quasi-judicial or other decisions that are made by the City Council following a recommendation by staff (BDMC 18.08.090). Notably, in approving the final plat for Ten Trails Phase 1A – Division 1 (PLN17-0049/Resolution Number 17-1188), the City Council approved the plat pursuant to a ministerial Type 6 “other” decision process, following the recommendation by Staff.

Section IV: Project Analysis

- RCW 58.17.170(1), regarding written approval of Final Plat Applications:

“When the legislative body of the city, town, or county, or such other agency as authorized by RCW 58.17.100, finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and that said subdivision meets the requirements of this chapter, other applicable state laws, and any local ordinances adopted under this chapter which were in effect at the time of preliminary plat approval, it shall suitably inscribe and execute its written approval on the face of the plat. The original of said final plat shall be filed for record with the county auditor. One reproducible copy shall be furnished to the city, town, or county engineer. One paper copy shall be filed with the county assessor. Paper copies shall be provided to such other agencies as may be required by ordinance.”

- BDMC Chapter 17, regarding the City’s Subdivision Ordinance:

The applicant submitted a preliminary plat application in compliance with the provisions of Black Diamond Municipal Code Chapter 17.12 under City File Number PLN13-0027. The application was approved by the Hearing Examiner on January 28, 2015 with ninety-three (93) conditions of approval. This final plat application complies with the applicable conditions of approval established by the preliminary plat (refer to the Compliance with Associated Conditions

of Approval – The Villages Phase 2C Preliminary Plat Conditions of Approval (PLN13-0027) below).

The applicant has submitted final plat drawings in compliance with the provisions of Black Diamond Municipal Code Section 17.20 under this City File Number, PLN17-0076. The submitted final plat drawings include all required contents and standards (as established by BDMC 17.20.020), required surveys and monumentation (as established by BDMC 17.20.030), required certificates (as established by BDMC 17.20.040), and required improvements/bonds (as established by BDMC 17.20.050). Bonds are provided as Exhibit A of this Staff Report.

In summary, the final plat meets all standards established by the City’s Subdivision Ordinance. Written approval from the designated Public Works Director, Surveyor, and Fire Chief are provided as Exhibit B of this Staff Report.

- BDMC 17.20.060, regarding the City’s process for final plat review and decision:

“Final plats shall be approved, disapproved or returned to the applicant for modification or correction within sixty days from the date of filing thereof unless the applicant consents to and extension of such time period.”

This section of the vested Black Diamond Municipal Code further provides for Staff Review and findings (BDMC 17.20.060.A.), followed by a City Council decision on the final plat (BDMC 17.20.060.B). Specifically:

“The city council shall review the findings of the public works director or designee and review the proposed final plat to assure that there is conformance with all terms of the preliminary plat approval and, where applicable, MPD approval, the MPD development agreement, and MPD design standards. If the council determines that the final plat conforms with these requirements, and adequate bonds, if applicable, have been posted, then, by resolution, it shall enter written findings to that effect, and shall authorize the mayor to execute the city’s written approval on the face of the plat.”

Pursuant to BDMC 17.08.010, the public works director is defined as the “person, firm, or corporation appointed or authorized (including contractual authorization) by the mayor of the city to carry out the duties of the public works director as prescribed by the chapter.”

- Compliance with Associated Conditions of Approval

- SEPA Environmental Review Mitigation Measures (PLN13-0028)

The following SEPA Mitigation Measures, as implemented by Mitigated Determination of Non-Significance (MDNS) of the environmental review associated with the Phase 2C Preliminary Plat environmental review (completed under City File Number PLN13-0028), are not applicable to this final plat application:

SEPA Mitigation Measures #6, 8, and 9.

The following SEPA Mitigation Measures (written verbatim) have been completed or bonded for to the satisfaction of the City’s Master Development Review Team, Community Development Department, and Public Works Department:

SEPA Mitigation Measure #1: Prior to issuance of a clearing/ grading permit for any portion of the plat, the tree plan required by Chapter 19.30 BDMC shall delineate root protection zones for all significant trees retained, relocated, or planted for the division under the plan.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A Level II Tree Plan was approved for the Phase 2C Preliminary Plat under City File Number PLN15-0020.*

SEPA Mitigation Measure #2: Pursuant to BDMC 19.10.220.D, wetland buffer boundaries adjacent to land within this plat shall be permanently delineated by split-rail fencing and identification signs, as approved by the City.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Wetland buffer boundaries adjacent to the Phase 2C – Division 1 final plat have been delineated by split-rail fencing and identification signs (Exhibit C).*

SEPA Mitigation Measure #3: Wetlands and all required wetland buffers shall be defined as separate tracts in the final plat (BDMC 19.10.150.B).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There are no sensitive areas within Division 1 of Phase 2C to be delineated into separate tracts. This condition will be enforced upon development of Tract B, which is identified for future development, and contains sensitive areas.*

SEPA Mitigation Measure #4: To ensure compliance with BDMC Ch. 19.10, subsequent review of development activities in the future development tracts adjacent to wetlands E7, E8 and E10 is required.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Applications for development activities adjacent to sensitive areas, including Wetlands E7, E8, and E10, will be reviewed for compliance with BDMC 19.10 at the time of submittal to the City.*

SEPA Mitigation Measure #5: Pursuant to BDMC 19.10.220.B.3:

- A. Trail alignments within wetland buffers shall be field located by the applicant and observed by a representative of the City, to avoid clearing of significant trees. Downed woody debris that is removed for the trail must be placed in naturalistic locations, similar to what exists on the site for ground contact, instead of making slash piles, and culverts must be provided when the trail bisects surface or groundwater drainages.
- B. Trail alignments within wetland buffers shall be combined with the infiltration trenches, wherever feasible, subject to final design work to be reviewed by the City.
- C. The portion of the proposed soft surface trail shown on the plans bisecting Wetland E1 shall be eliminated.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval.*

- A. *Trail alignments proposed by the applicant within wetland buffers were walked with the MDRT Planner to ensure significant tree retention. Non-significant trees identified for removal in association with the trail alignment were placed in naturalistic locations within the buffer to retain ecological and habitat value.*
- B. *Infiltration trenches have been placed adjacent to trails within the trail alignment to the maximum feasible extent. This was reviewed in association with final engineering review under City File Number PUB16-0020 for the final plat.*
- C. *The trail alignment proposed in the preliminary plat bisecting Wetland E1 has been eliminated from the plans. The former trail alignment is not located within this final plat application.*

SEPA Mitigation Measure #7: Compliance with the Detailed Implementation Schedule Phase 2 Regional Infrastructure Improvements construction thresholds and improvements details, dated January 28, 2014 and approved on June 13, 2014, is required.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All required improvements listed in the Detailed Implementation Schedule for Phase 2 have been completed or bonded for in association with the development of Phase 2C – Division 1.*

SEPA Mitigation Measure #10: During final engineering review of the plat, an update to the preliminary draining analysis shall be conducted by the proponent and submitted to the City for review, to account for any subtle design changes from the preliminary plat design to the final engineering construction drawings.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The applicant submitted an updated version of the Phase 2 Plat C Drainage Report, dated April 4, 2016. The updated report was approved in association with the final engineering review and approval (City File Number PUB16-0020).*

o The Villages Phase 2C Preliminary Plat Conditions of Approval (PLN13-0027)

The following Phase 2C Preliminary Plat conditions of approval, as required by the Hearing Examiner's approval of the preliminary plat application, are not applicable to this final plat application:

Preliminary Plat conditions of approval #7, 13, 19, 20, 22, 23, 38, 48, 49, 60, 71, 72, 75, 81, 82, and 92

The following Phase 2C Preliminary Plat conditions of approval (written verbatim) have been completed or bonded to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

Preliminary Plat Condition #1: All on-site public utilities (water, sewer, and stormwater pipes and facilities) and streets necessary to serve PP2C must be completed or bonded prior to final plat approval. Maintenance

responsibility assigned to private property owners are to be indicated on the plat for PP2C. These conditions will be reviewed at the final plat stage.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A completion bond has been provided by the applicant for remaining work to be completed in association with this condition (Exhibit A). Public maintenance responsibilities for water and sewer pipelines within dedicated easements or rights of way are indicated as Note #1 of City of Black Diamond Conditions on Sheet 3 of the final plat.*

Preliminary Plat Condition #2: Prior to final plat approval of Plat2C, the Applicant shall submit Covenants, Conditions and Restrictions (CCRs) for such division for review and approval by the Designated Official as defined in The Villages MPD Development Agreement. The Designated Official's review and approval shall be limited to the CCRs compliance with (i) the Conditions of Approval of The Villages MPD Permit (Black Diamond Ord. No. 10-946); (ii) the provisions of The Villages MPD Development Agreement dated December 12, 2011 (Black Diamond Ord. No. 11-970); and (iii) the inclusion of the specific items described, in general, below. The City Attorney shall approve the CCR as to form. Provided, if CCRs have already been submitted and approved by the Designated Official that bind a certain plat division, this condition shall be deemed satisfied for purposes of such division. The CCRs shall contain:

- a. A covenant stating the property owners' or HOA's specific responsibilities for stormwater facility maintenance (including rain gardens) and which will be included on the face of the plat and recorded against each lot in the subdivision.
- b. A covenant stating the property owners' or HOA's specific responsibilities for maintaining and ensuring public access to the public trail and parks tracts within PP2C. Covenant to include maintenance of pet waste stations.
- c. A covenant stating the property owners' or HOA's specific responsibilities for maintaining and protecting the sensitive areas within designated tracts.
- d. A statement that all alleys shall be privately owned and maintained by the applicant and/or the owners of property in the plat.
- e. A statement that the applicant or future Homeowners Association shall be required to maintain all street side landscaping, (pursuant to MPD Permit condition of approval No. 23).
- f. A statement of the property owners' or HOA's specific responsibilities, if any, for maintaining signage prohibiting parking on private streets and any enforcement responsibilities.

- g. An integrated pest management system to limit the use of fertilizers, herbicides and pesticides within twenty-five feet of the buffer of wetlands E7, E8, and E10, within fifty feet of the buffer of wetland E1 and within one hundred feet of the buffer of wetland TOS.
- h. Restrictions on roof types (no galvanized, copper, etc.) and roof treatments (no chemical moss killers, etc.) that are known to adversely impact water quality of runoff.
- i. A prohibition on exterior light intrusion into, or direct lighting of, the buffer areas.
- j. A provision allowing the use of green technologies such as solar panels.
- k. The property owners' or HOA shall comply with the General Principles and Site Planning A(3) of the Design Guidelines for Master Development, which requires restoration of pre-development hydrology conditions and the use of native species for landscaping.
- l. The following two paragraphs related to street maintenance:
 - i. Master Developer agrees to maintain all private streets, alleys and autocourts serving 20 units or less as constructed in accordance with each approved implementing project, for a period of three years from final plat recording or other implementing approval, unless otherwise agreed upon by the City and the Master Developer (or applicable Homeowners' Association), the Master Developer's street maintenance obligation, as set forth herein, shall automatically renew for an additional two year period, and continue every two years thereafter. The Master Developer, in its sole discretion, may elect to transfer the private street maintenance obligation to a homeowners' association or other acceptable entity following its initial three year obligation. The Master Developer's failure to adequately maintain private streets in accordance with this agreement will result in result in written notice from the City to the Master Developer requiring compliance. If a private street is not maintained in a manner adequate to maintain safe passage, in the reasonable determination of the Designated Official within ten (10) days of delivery of the written notice the City may perform the required maintenance with the reasonable costs associated therewith charged to the Master Developer. In the event of an emergency, the applicable notice period shall be reduced to twenty---four (24) hours and the City may provide notice via a phone call to the Master Developer's designated representative.
 - ii. Pursuant to Condition of Approval No. 22 of the MPD Permit Approval, if the Master Developer fails

to perform such maintenance as required herein and, as a result, the City performs such required maintenance, the City's total costs arising from its performance of the maintenance shall be paid by the Master Developer or Homeowners' Association, as applicable within thirty (30) days of the date of invoicing by the City. Any costs not paid within thirty (30) days of invoicing by the City shall be delinquent, shall have added to them a penalty of ten (10) percent plus interest accruing at the rate of twelve (12) percent per annum from the date of delinquency until paid. Delinquent costs, penalties added thereto and the interest on such costs and penalties shall be a lien against all property within the Implementing Project in which the private street, alley or autocourt is located, and said lien may be foreclosed in the same manner provided for the foreclosure of liens for unpaid sewer rates and charges set forth in RCW 35.67.220 – 280, as amended.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The applicant has submitted CC&Rs meeting the requirements of items a – l listed above. The CC&Rs have been reviewed and approved by the City Attorney (Exhibit D).

Preliminary Plat Condition #3: In order to ensure compliance with The Villages MPD Condition of Approval No. 156, the Master Developer's annual Total Funding Obligation for a given year shall be equal to or greater than the Net Annual General Fund Deficit for such year (as set forth in Table 2 of the Villages PP2C Fiscal Impact Analysis dated April 28, 2014 and approved June 16, 2014), provided a deficit is shown in such table, until a new fiscal analysis is prepared and approved by the City's Designated Official pursuant to the terms of The Villages MPD Development Agreement Section 13.6, which shall be no later than the earlier of (1) June 16, 2019; (2) prior to the start of the next phase of The Villages and/or Lawson Hills MPDs; or (3) during Annual Review if the Master Developer elects to have a new targeted fiscal analysis prepared in its sole discretion for the next calendar year. At such time, the Master Developer's annual Total Funding Obligation to ensure compliance with Condition of Approval No. 156 shall be re-evaluated. No implementing permits or building permits shall be issued by the City of Black Diamond for PP2C of The Villages MPD if the Master Developer fails to make an annual Total Funding Obligation payment as described herein within the calendar year the deficit is created as part of the Annual Review. All capitalized terms not otherwise defined in this condition shall be as defined in the MPD Funding Agreement (Exhibit "N" of The Villages MPD Development Agreement).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All funding obligation payments have been paid by the Master Developer.*

Preliminary Plat Condition #4: All easements assigned to private property owners shall be shown on the face of the final plat.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Easement language is included in paragraphs 6, 7, and 8 of the Dedications section on Sheet 1 and within the Easement Provisions section on Sheet 2.*

Preliminary Plat Condition #5: Compliance with the terms and conditions of the Detailed Implementation Schedule for Phase 2 Regional Infrastructure Improvements (Exhibit 29, dated January 28, 2014 and approved on June 13, 2014) is required. This condition will be enforced during utility permit approval. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All required improvements listed in the Detailed Implementation Schedule for Phase 2 have been completed or bonded for through the development of Phase 2C – Division 1.*

Preliminary Plat Condition #6: All stormwater management for quality and quantity shall comply with the 2005 Stormwater Management Manual for Western Washington (SWMMWW).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Stormwater management within the final plat has been designed to be compliant with the 2005 SWMMWW and has been approved in association with final engineering review (City File Number PUB16-0020).*

Preliminary Plat Condition #8: The stormwater design for the PP2C plat must not modify the predevelopment hydrology for the adjacent receiving wetlands. The approved stormwater deviation triggers the applicable requirements for development within the Lake Sawyer drainage basin and the phosphorus monitoring requirements in Exhibit “O” of the Development Agreement. Storm drainage design for PP2C shall utilize an HSPF based continuous runoff model (such as WWHM). For drainage facility design receiving runoff from drainage basins 320 acres and larger in total area, a calibrated model should be considered. [Note: Part this is a condition of approval of the Stormwater Deviation Determination and required by DA Section 7.4.3.]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Supporting documentation submitted in conjunction with final engineering approval (PUB16-0020) was submitted and approved in compliance with the HSPF modeling requirement. In addition, a monitoring program was required as a condition of approval that will monitor, and adjust as necessary, the stormwater discharged to adjacent wetlands in order to meet the intent of this condition. Further, Phase 2C – Division 1 does not trigger the applicable conditions for discharge to the Lake Sawyer drainage basin since pollution-generating surfaces do not drain to this basin (the modeling-based requirements*

in the condition are triggered, but not the Lake Sawyer basin discharge requirements).

Preliminary Plat Condition #9: The HOA or Master Developer must obtain a franchise for private stormwater systems that are in rights-of-way. This condition will be enforced during utility permit review.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There are no private stormwater systems within public rights of way, so obtaining a franchise is not necessary.*

Preliminary Plat Condition #10: Maintaining the private stormwater drainage system in PP2C will be the financial responsibility of the applicant, and/or an HOA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This requirement is listed in paragraph 2 of the Easement Provisions on Sheet 2.*

Preliminary Plat Condition #11: As a condition of the City's approval of the first utility permit, the applicant shall provide sufficient information for the City to ensure that MPD permit conditions of approval Nos. 67, 68, 70, 73, 75, 77, 79, 81, 82, and 85 (Exhibit 14) have been satisfied. Prior to the approval of the first utility permit that allows construction of impervious surfaces that will drain to Lake Sawyer, the applicant shall comply with MPD Condition Nos. 81 and 85 including: establishing a pre-construction baseline phosphorus load from the project prior to the construction of impervious surfaces; identifying any AKART opportunities related to phosphorus reduction, including monitoring capabilities in the stormwater utility system; and a program for approval of an end-of-water-year comparison of actual and base-load phosphorus discharge, after impervious surfaces have been constructed. (These items may not be deferred through surety.) This condition must be satisfied before the City will issue the first utility permit that allows impervious surface construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. MPD Permit Conditions 67, 68, 70, 73, 75, 77, 79, 81, 82, and 85 have been enforced during the review of utility permits associated with site development activities of the Phase 2C preliminary plat. Pre-construction baseline phosphorous levels were provided to the City after years of monitoring by the applicant in a report titled "The Villages and Lawson Hills Master Planned Developments, 2011-2014 Stormwater and Baseline Monitoring," which was approved by the City on 11/23/2015 (Exhibit E).*

Preliminary Plat Condition #12: The applicant shall submit for review and approval the phosphorus baseline monitoring referenced in the Development Agreement, Exhibit O, of which the most recent update is Exhibit 13c. The City shall not approve any permits allowing construction of any impervious surfaces until the monitoring

report is submitted and approved. This condition will be enforced with utility permits.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Pre-construction baseline phosphorous levels were provided to the City after years of monitoring by the applicant in a report titled “The Villages and Lawson Hills Master Planned Developments, 2011-2014 Stormwater and Baseline Monitoring,” which was approved by the City on 11/23/2015 (Exhibit E).

Preliminary Plat Condition #14: As the first subdivision in Phase 2, PP2C must comply with the conditions of the current NPDES permits (issued to the City by the Washington State Department of Ecology) in effect on November 8, 2013.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The conditions of the Construction Stormwater General Permit issued by the Department of Ecology (Permit Number WAR302881) have been implemented and enforced during site development activities.

Preliminary Plat Condition #15: Prior to the approval of the final plat for PP2C, all off-site transportation improvements required in Preliminary Plat 1A necessary to provide service to PP2C (including Roberts Road frontage improvements, Willow Drive and Villages Parkway, and the applicable off-site Phase 2 Implementation Projects), must be completed and accepted by the City or bonded with an appropriate surety.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. All Phase 1A – Division 1 transportation improvements providing service to Phase 2C – Division 1, including the Roberts Road frontage improvements, Willow Drive, Villages Parkway, and Phase 2 Implementation Projects, have either been completed or bonded for in association with the Phase 1A – Division 1 final plat approval (City File Number PLN17-0049) or have been bonded for in association with this final plat application (Exhibit A).

Preliminary Plat Condition #16: The transportation facilities in PP2C shall comply with the terms and conditions set forth in the Traffic Impact Study prepared by Transpo Group dated December 19, 2013. (Exhibit 24) The terms and conditions include, but are not limited to, provision of three, two-lane public roadways with on-street parking, curb bulb-outs at 13 intersections and at two mid-block locations (page 5 of the Traffic Impact Study), four private alleys and three woonerfs. Roads A, B, and C shall be dedicated to the City following their acceptance by the City.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Compliance with the Traffic Impact Study prepared for PP2C was reviewed in association with final engineering review and approval (City File Number PUB16-0020).

Preliminary Plat Condition #17: All alleys and woonerfs in PP2C will be private and maintained by the applicant or future Homeowners’ Association.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Areas Table on Sheet 3 indicates that the ownership and maintenance responsibilities for alleys and woonerfs are granted and conveyed to the Ten Trails Residential Owners Association. Additionally, this requirement, and provisions for maintenance in the event that the Residential Owners Association fails to maintain these tracts, is listed as Note #6 in the City of Black Diamond Conditions section of Sheet 3.*

Preliminary Plat Condition #18: The applicant or future Homeowners' Association shall be required to maintain all street side landscaping and this shall be a condition on the face of the final plat.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Areas Table on Sheet 3 indicates that the ownership and maintenance responsibilities for street side landscaping is granted and conveyed to the Ten Trails Residential Owners Association. Additionally, this requirement, and fails to maintain these tracts, is listed as Note #5 in the City of Black Diamond Conditions section of Sheet 3.*

Preliminary Plat Condition #21: Houses adjacent to a woonerf, including lots 165 through 184, must address the woonerf with entrance doors and pathways that form a direct connection between the door and the woonerf. The houses on these lots must be designed so that the woonerf-side of the house does not appear to be the 'back' of the house and must be articulated and detailed in a manner similar to the front of the house. [Note: this is a condition of approval of the deviation of road standards for woonerfs.]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Compliance with this requirement is listed as Note #1 in the Conditions for Final Plat section on Sheet 4. This requirement will be enforced at the time of building permit application for all lots adjacent to the woonerf.*

Preliminary Plat Condition #24: The rain gardens in PP2C must be privately owned and maintained by the HOA. [Note: this is a condition of approval of the alternative width configuration for rain gardens.]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Areas Table on Sheet 3 indicates that the ownership and maintenance responsibilities for the sole rain garden located within Phase 2C – Division 1, located in Tract E, is granted and conveyed to the Ten Trails Residential Owners Association. Additionally, this requirement is listed in paragraph 2 of the Declaration section on Sheet 1.*

Preliminary Plat Condition #25: Master Developer agrees to maintain all private streets, alleys and autocourts serving 20 units or less as constructed in accordance with each approved implementing project, for a period of three years from final plat recording or other implementing approval, unless otherwise agreed upon by the City and the Master Developer (or applicable Homeowners' Association), the Master Developer's street maintenance obligation, as set forth herein, shall automatically renew for an

additional two year period, and continue every two years thereafter. The Master Developer, in its sole discretion, may elect to transfer the private street maintenance obligation to a homeowners' association or other acceptable entity following its initial three year obligation. The Master Developer's failure to adequately maintain private streets in accordance with this agreement will result in written notice from the City to the Master Developer requiring compliance. If a private street is not maintained in a manner adequate to maintain safe passage, in the reasonable determination of the Designated Official within ten (10) days of delivery of the written notice the City may perform the required maintenance with the reasonable costs associated therewith charged to the Master Developer. In the event of an emergency, the applicable notice period shall be reduced to twenty-four (24) hours and the City may provide notice via a phone call to the Master Developer's designated representative.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #2 of the Conditions for Final Plat section on Sheet 4.

Preliminary Plat Condition #26: Pursuant to Condition of Approval No. 22 of the MPD Permit Approval, if the Master Developer fails to perform such maintenance as required herein and, as a result, the City performs such required maintenance, the City's total costs arising from its performance of the maintenance shall be paid by the Master Developer or Homeowners' Association, as applicable within thirty (30) days of the date of invoicing by the City. Any costs not paid within thirty (30) days of invoicing by the City shall be delinquent, shall have added to them a penalty of ten (10) percent plus interest accruing at the rate of twelve (12) percent per annum from the date of delinquency until paid. Delinquent costs, penalties added thereto and the interest on such costs and penalties shall be a lien against all property within the Implementing Project in which the private street, alley or autocourt is located, and said lien may be foreclosed in the same manner provided for the foreclosure of liens for unpaid sewer rates and charges set forth in RCW 35.67.220 – 280, as amended. The following note language shall be added to the face of each recorded plat or binding site plan:

- a. In the event that the Owners' Association/Homeowners' Association fails to perform any maintenance of private street, alley or auto court as required by Section 6.5 of the Villages Development Agreement recorded under recording No. 20120130000655 and, as a result, the City of Black Diamond performs said required maintenance, the lot owners of the plat acknowledge and agree on behalf of themselves and all successors and assigns that, if not paid within thirty (30) days of invoicing by the City, the City's

total cost arising from the City's performance of said required private street maintenance plus any penalties and interest thereon as provided by The Villages MPD Development Agreement shall be a lien against all property, including individual lots, within this plat, and said lien may be foreclosed in the same manner provided for the foreclosure of liens for unpaid sewer rates and charges set forth in RCW 35.67.220 – 280, as amended.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #6 of the City of Black Diamond Conditions on Sheet 3.

Preliminary Plat Condition #27: Pursuant to MPD Permit Condition #32, prior to issuance of the Certificate of Occupancy for The Village MPD's 200th dwelling unit, the applicant shall comply with the Roberts Drive sidewalk and pedestrian connection requirement under Section 11.6 of The Villages Development Agreement, as updated by Condition 30 of the Black Diamond Hearing Examiner's decision for Preliminary Plat 1A, PLN11-0001, dated December 10, 2012. This will be to provide a connecting sidewalk and safe pedestrian connection from the frontage improvements along parcel V13 to the northeast corner of the Guidetti Parcel along Roberts Drive.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #12 of the Conditions for Final Plat on Sheet 4, which references the Infrastructure Improvements table on Sheet 13.

Preliminary Plat Condition #28: The Master Developer shall comply with Exhibit "Q" of The Villages MPD Development Agreement.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #3 of the Conditions for Final Plat on Sheet 4.

Preliminary Plat Condition #29: The Master Developer shall comply with Exhibit "R" of The Villages MPD Development Agreement.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #4 of the Conditions for Final Plat on Sheet 4.

Preliminary Plat Condition #30: All alleys shall be posted "No Parking" in accordance with the International Fire Code (IFC); and provisions for enforcement of these no parking zones shall be defined and accepted by the Designated Official prior to final plat approval.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #5 of the Conditions for Final Plat on Sheet 4. The CC&Rs contain adequate provisions for enforcement of no-parking zones (Exhibit D).

Preliminary Plat Condition #31: All roads shall maintain a minimum 20 foot unobstructed driving surface per the IFC.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Compliance with this condition was ensured during final engineering review of the final plat application (PUB16-0020).*

Preliminary Plat Condition #32: 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.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Compliance with this condition was ensured during final engineering review of the final plat application (PUB16-0020).*

Preliminary Plat Condition #33: At the time of building permit application, structures will be required to either have fire flow available or to have a fire sprinkler system installed to allow for a reduction in required fire flow.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This condition will be reviewed and enforced at the time of individual building permit applications within Phase 2C – Division 1. Additionally, fire flow availability for Phase 2C – Division 1 has been certified in association with engineering review of the final plat (Exhibit F).*

Preliminary Plat Condition #34: As part of compliance with Condition 15, the City will not issue final plat approval for the Preliminary Plat for Phase 2 Plat C until one of the following conditions has occurred:

- a. Phase 1A connecting road (currently named Willow Avenue SE) is constructed by the applicant and accepted by the City, or bonded for construction; or
- b. A road connecting Roberts Drive to Road A of PP2C and meeting the standards and requirements of the BDEDCS and The Villages Development Agreement has been:
 - i. built within the Temporary Access and Utility Easement in Phase 1A (Exhibit 44) and accepted by the City; or
 - ii. bonded for construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Willow Avenue SE has been significantly constructed with a bond posted for minor remaining items, such as final lift, signage, and asphalt markings. The bond for the remaining items of Willow Avenue SE was accepted in association with the Phase 1A – Division 1 final plat approval (City File Number PLN17-0049).*

Preliminary Plat Condition #35: The applicant will conserve the identified open space tracts (Sheet CV4, Exhibit 2) on Preliminary Plat Phase 2 Plat C and ensure that all sensitive areas and buffers are in separate protection tracts pursuant to BDMC 19.10.150(B), for purposes

of conveyance or dedication to appropriate entities on the face of the final plat. [Note: MDNS Mitigation Measure]

Staff Comment: The applicant has met the requirements of this condition for final plat approval. All open spaces that are identified in the preliminary plat within the boundaries of this Division 1 final plat have been conserved. There are no sensitive areas within Division 1 of Phase 2C to be delineated into separate tracts. This condition will be enforced upon development of Tract B, which is identified for future development, and contains sensitive areas.

Preliminary Plat Condition #36: The area quantifications and locations describing the buffer averaging proposal identified in the plat drawings and May 14, 2014 letter (Exhibit 30) shall supersede any conflicting information contained in the Sensitive Area Study and Wildlife Analysis (Exhibit 28).

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The Phase 2C – Division 1 final plat has been designed using the buffer averaging locations in the approved preliminary plat drawings (PLN13-0027).

Preliminary Plat Condition #37: Clearing and grading activities are prohibited in the buffer areas, inclusive of areas added for the averaging approval, EXCEPT for temporary disturbances that are required for grading and construction as described in the averaging proposal, and EXCEPT for temporary disturbances that are required to install utilities and construct the soft-surface trail, and EXCEPT for areas of existing buffer that will be permanently impacted via conversion to development area in exchange for protected buffer addition area elsewhere. Buffer averaging is limited to those areas shown on The Villages MPD Phase 2 Plat C Preliminary Plat as shown on plat set sheets PP1-PP4 (letter dated June 5, 2014 to BD Villages Partners, LP, Exhibit 30a).

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Clearing and grading activities within buffer areas have been limited to construction activities identified in the buffer averaging proposal, including utility installation and construction of the soft-surface trail.

Preliminary Plat Condition #39: Pursuant to BDMC 19.10.220(B)(3) [and MDNS Mitigation Measures]:

- a. Trail alignments within wetland buffers shall be field located by the applicant and observed by a representative of the City, to avoid clearing of significant trees. Downed woody debris that is removed for the trail must be placed in naturalistic locations, similar to what exists on the site for ground contact, instead of making slash piles, and culverts must be provided when the trail bisects surface or groundwater drainages.
- b. Trail alignments within wetland buffers shall be combined with the infiltration trenches, wherever feasible, subject to final design work to be reviewed by the City.

- c. The portion of the proposed soft surface trail shown on the plans bisecting Wetland E1 shall be eliminated.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval.*

- a. *Trail alignments proposed by the applicant within wetland buffers were walked with the MDRT Planner to ensure significant tree retention. Non-significant trees identified for removal in association with the trail alignment were placed in naturalistic locations within the buffer to retain ecological and habitat value.*
- b. *Infiltration trenches have been placed adjacent to trails within the trail alignment to the maximum feasible extent. This was reviewed in association with final engineering review under City File Number PUB16-0020 for the final plat.*
- c. *The trail alignment proposed in the preliminary plat bisecting Wetland E1 has been eliminated from the plans. The former trail alignment is not located within this final plat application.*

Preliminary Plat Condition #40: Pursuant to the City of Black Diamond Engineering Design & Construction Standards, Section 1.17, a construction management plan shall be developed by the applicant for review and approval by the City before the clearing and grading permit is issued. Location of construction fencing to protect wetland buffers at the limits of disturbance shall be shown on all applications for construction permits and installed prior to any work on the site. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A construction management plan and detailed construction sequencing were approved in association with clearing and grading permit issued for Phase 2 Plat C under City File Number PUB15-0032.*

Preliminary Plat Condition #41: The plat will show that pet waste stations will be provided along the trail between the development and the wetlands and maintained by the Master Developer or HOA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #6 of the Conditions for Final Plat on Sheet 4. The installation of pet waste stations along the trail has been bonded for in association with this final plat (Exhibit A).*

Preliminary Plat Condition #42: The applicant shall comply with the Wetland Buffer Vegetation Management Plan for The Villages Phase 2 Plat C (Exhibit 27) including: when clearing adjacent to a wetland buffer, the developer shall conduct monitoring which includes: (i) initial compliance/as-built report of post-development tree density in the wetland and adjacent buffer; (ii) Annual site inspections in the autumn to document that the minimum tree density (20) and weedy/invasive plant coverages are maintained in the wetland and its buffer; (iii) annual reports on the monitoring results to document the tree and invasive species density and general conditions of the wetland and buffer observed. The Vegetation Management Plan shall be updated to address the existence and

control of invasive species in the wetland buffers as required by BDMC 19.10.230(F).

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Wetland water levels were monitored in June 2017 in association with clearing activities adjacent to wetland buffers. The 2016 baseline monitoring report has been submitted to the City and approved by the City's consulting wetland reviewer, Perteet, Inc. (Exhibit G). The 2017 monitoring report is being finalized by the applicant and will be submitted to the City upon completion by the end of the year.

Preliminary Plat Condition #43: All trails proposed to affect wetland buffers shall be confined to the outer edges of buffers consistent with BDMC 19.10.220(B)(3c). Trail design for all proposed trails shall be reviewed against all applicable design standards during clearing and grading permit review.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Trails have been located along the outer edges of wetland buffers and have been constructed pursuant to the trail design standards established by BDMC 19.10.220(B)(3), The Villages Development Agreement Section 9.7, and The Villages Development Agreement Exhibit H: MPD Project Specific Design Standards and Guidelines.

Preliminary Plat Condition #44: Pursuant to BDMC 19.10.220(D), wetland buffer boundaries adjacent to lots and other areas within this plat that are readily accessible to people as shown on Exhibit 75 shall be permanently delineated by fencing and identification signs, as approved by the City. Fencing shall be installed prior to final plat. [Note: MDNS Mitigation Measure]

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Wetland buffer boundaries adjacent to the Phase 2C – Division 1 final plat have been delineated by split-rail fencing and identification signs (Exhibit C).

Preliminary Plat Condition #45: Pursuant to MPD Permit condition of approval No. 124, mast-producing and other native vegetation will be incorporated into the landscaping in areas next to wetlands and buffers.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Landscaped areas adjacent to wetlands and wetland buffers have planting palettes that include mast-producing species such as Cascade Oregon Grape, Red Huckleberry, and Saskatoon.

Preliminary Plat Condition #46: A revegetation plan will be required in the clearing and grading permit application, to restore or enhance disturbed areas following construction. Restoration of disturbed areas in the wetland buffers shall implement the requirements of the Wetland Buffer Revegetation Plan.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. A revegetation plan was submitted in association with the clearing and grading permit associated with Phase 2C site development activities (City File Number PUB15-0032). A subsequent wetland buffer revegetation plan, which

implemented the requirements of the Wetland Buffer Revegetation Plan, was approved by the City for the restoration of disturbed areas of the wetland buffer associated with minor utility installation (Exhibit H).

Preliminary Plat Condition #47: To ensure compliance with BDMC Chapter 19.10, subsequent review of development activities in future development tracts adjacent to Wetlands E7, E8 and E10 is required. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Applications for development activities adjacent to sensitive areas, including Wetlands E7, E8, and E10, will be reviewed for compliance with BDMC 19.10 at the time of submittal to the City.*

Preliminary Plat Condition #50: The applicant will continue to convene the Phase 1A Noise Review Committee through construction of PP2C.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Noise Review Committee met twice in 2013, once in 2014, once in 2015, and once in 2016. The 2017 Noise Review Committee meeting will occur in the fourth quarter of this year. Annual reports of the Noise Review Committee have been provided to the MDRT Department.*

Preliminary Plat Condition #51: All existing sewer mains shall remain in service during utility construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All existing sewer mains remained in service during utility construction for the final plat.*

Preliminary Plat Condition #52: Prior to the issuance of the first building permit for any structure that might discharge wastewater into the utility system, the Master Developer will build the interim sanitary sewer lift station and it shall be complete, operational and accepted by the City. The condition will be applied during building permit review and approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The lift station is complete and operational (Exhibit I).*

Preliminary Plat Condition #53: Prior to the approval of the final plat for PP2C, the off-site sewer system in Preliminary Plat 1A must be both completed and accepted by the City or bonded with an appropriate surety approved by the Designated Official.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The off-site sewer system in Phase 1A is complete and operational (Exhibit J).*

Preliminary Plat Condition #54: Sanitary sewer flows shall be discharged to the existing City collection system, unless King County approves direct discharge into the regional King County collection system.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. King County has approved the discharge of wastewater into the County's wastewater collection and treatment system (Exhibit K).*

Preliminary Plat Condition #55: Any sewerage pipelines (whether gravity or force-main) that are designed with excess capacity shall include provisions to minimize potential operational impacts due to the oversizing. This condition will be applied during utility permit review and approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There are no oversized gravity or force mains within Phase 2C.*

Preliminary Plat Condition #56: The applicant and/or DRC shall identify, on the face of each plan set for utility and building permit applications, the following sewage flow information, as applicable: the total building square footage included in that application, the number of fixture units, the Average Dry Weather Flow (ADWF), and the Peak Wet Weather Flow (PWWF) associated with the improvements in that application. The information must be in tabular form.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #7 of the Conditions for Final Plat on Sheet 4.*

Preliminary Plat Condition #57: All existing water mains shall remain in service during utility construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All existing water mains remained in service during utility construction for the final plat.*

Preliminary Plat Condition #58: Prior to the approval of the final plat for PP2C, all off-site water supply and distribution improvements required in Preliminary Plat 1A necessary to provide service to PP2C (including regional mains in Pipeline Road (or Roberts Drive), pipelines in Willows Drive and Villages Parkway, and upgrades to the chlorine disinfection system), must be completed and accepted by the City or bonded with an appropriate surety.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All required improvements within Phase 1A providing service to Phase 2C have been completed or bonded in association with the Phase 1A – Division 1 final plat approval(PLN17-0049).*

Preliminary Plat Condition #59: Prior to approval of the 500th ERU [combined Phase 1A and PP2C], the applicant shall complete a Water Conservation Check-up to identify if the water conservation strategies are compliant with the Development Agreement. This condition will be enforced with building permits.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #12 of the Conditions for Final Plat on Sheet 4, which references the Infrastructure Improvements table on Sheet 13.*

Preliminary Plat Condition #61: All water mains must be located within public rights of way or on dedicated utility easements that provide a minimum of 15 feet of unobstructed width for access and maintenance. The easements will be shown on construction drawings and submitted to the City for approval prior to issuance of utility permits.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All water mains are located within either public rights of way or dedicated easements providing 15 feet of unobstructed width.*

Preliminary Plat Condition #62: The water meters shall be in public rights-of-way or easements and be compatible with the design standards within Exhibit “H” of the DA. Water meters must be accessible to the City’s drive-by meter-reading system.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Water meters are located within either public rights of way or dedicated easements. Compliance with Exhibit H of The Villages Development Agreement will be confirmed at the time of building permit application.*

Preliminary Plat Condition #63: Where possible, 850 zone mains for service to future areas of the project shall be interconnected to the 750 zone to improve service to the PP2C customers and to prevent stagnation of water in unused pipelines. These mains may be isolated from the 750 zone in the future when buildings are constructed in the 850 zone. This condition will be applied during utility permit review and approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There are no 850 zone mains included in this final plat application.*

Preliminary Plat Condition #64: Pursuant to MPD condition of approval #49, should the applicant desire new water distribution alternatives that are not consistent with the City’s Water Comprehensive Plan in effect as of the date of The Villages MPD Permit Approval, the applicant shall be responsible for the cost of updating the plan, if needed.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A 12” 750 pressure zone water main has been installed along Roberts Drive and the Ring Road within Ten Trails, which is consistent with the City’s Water Comprehensive Plan. In addition, a second 12” 850 pressure zone water main has been installed in the same location which will tie into the future 850 pressure zone main along the anticipated alignment of the Pipeline Road, as established by the Water Comprehensive Plan.*

Preliminary Plat Condition #65: The parks on tracts 906, 909, 911, and 921 shall be constructed or bonded prior to occupancy or issuance of final inspections for 60% of the dwelling units located within ¼ mile of the tracts in PP2C.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Tracts 906, 909, and 911, as identified in the preliminary plat, are not within this*

final plat application. Tract 921, as identified in the preliminary plat, is Tract P in this final plat application. A completion bond has been provided for parks located within this Phase 2C – Division 1 final plat (Exhibit A).

Preliminary Plat Condition #66: The trails shown on PP2C shall be constructed by the Master Developer and maintained by the HOA. The segment of the trail on PP2C that corresponds to the trail shown on Figure 9.2 of the DA must extend to the boundary of PP2C at the future Willow Avenue SE and through tract 902. All trails will be constructed or bonded prior to final plat approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Trails are located in various Tracts, all of which are granted and conveyed to the Ten Trails Residential Owners Association for maintenance as identified on the Tract Areas Table on Sheet 3. A completion bond has been provided for trails located within this Phase 2C – Division 1 final plat (Exhibit A).*

Preliminary Plat Condition #67: Table 9-5 of the Villages Development Agreement sets triggers for providing recreational facilities. One trigger is at issuance of a building permit for the 800th dwelling unit in any phase of the Villages. The City will not issue certificates of occupancy for more than 799 dwelling units cumulative in all phases of the Villages until the recreation facilities required at the 800 dwelling unit trigger point in Table 9-5 of the Villages Development Agreement are constructed.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #12 of the Conditions for Final Plat on Sheet 4, which references the Infrastructure Improvements table on Sheet 13.*

Preliminary Plat Condition #68: The design of the trail shall meet the standards Section 9.7.1 of the DA and the requirements of the Black Diamond Sensitive Areas Ordinance and be shown as part of the clearing and grading, utility, or other engineering plans. In the event of a conflict, the more restrictive standards shall apply.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Trails have been constructed pursuant to the trail design standards established by BDMC 19.10.220(B)(3), The Villages Development Agreement Section 9.7, and The Villages Development Agreement Exhibit H: MPD Project Specific Design Standards and Guidelines.*

Preliminary Plat Condition #69: The pocket parks, common greens, and trails in Preliminary PP2C will be owned and maintained by the homeowners' association (HOA) or Master Developer pursuant to the provisions of Subsection 5.5.7 of the DA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Parks are located in Tracts E, J, M, P, and Q; all of which are granted and conveyed to the Ten Trails Residential Owners Association for maintenance as identified on the Tract Areas Table on Sheet 3.*

Preliminary Plat Condition #70: Pursuant to MPD Permit condition of approval No. 94, and Section 9.9.3 of the Villages Development Agreement, public access is authorized to all parks and trails in PP2C, unless otherwise determined by the Designated Official for reasons of public safety, welfare and convenience, or for maintenance reasons. The face of the plat shall contain a note to guarantee public access to the parks tracts and tracts containing trails.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language permitting public access to parks and trails within Phase 2C – Division one is listed within paragraph 7 of the Declaration section on Sheet 1.*

Preliminary Plat Condition #73: Sheet CV1, the cover sheet of the Preliminary Plat for PP2C, shall have a table that shows the ratio of base density to planned density for Phase 2 and how PP2C units affect the totals for base and planned densities and the TDRs required (if any) for each plat or division within Phase 2.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Preliminary plat sheet CV1 was updated to contain the information required by this condition.*

Preliminary Plat Condition #74: Pursuant to the requirements of Exhibit “H” of The Villages Development Agreement, a note on the final plat shall state: “The same combination of elevation style and floor plan for dwelling units or buildings shall not be placed beside each other. Dwelling units or buildings that make use of the same floor plan and are sited directly across the street from one another shall incorporate a different elevation whenever possible and shall use a different exterior color/material palette. On a limited basis, specific locations within neighborhoods may vary from this requirement.”

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #9 within the City of Black Diamond Conditions section on Sheet 3.*

Preliminary Plat Condition #76: Required street trees will be counted on a block-by-block basis for compliance, whether spaced on-centers or placed in groves. This condition will be reviewed during utility permit application.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Street trees within Phase 2C – Division 1 were approved under City File Number PUB16-0020.*

Preliminary Plat Condition #77: The following mechanisms shall be used in PP2C, where feasible, to integrate Low Impact Development (LID) techniques: reduced roadway widths, infiltration wells, rain gardens, bioswales, media filter strips, reduced driveway lengths, pervious asphalt and concrete, pervious pavers, and installation of pet waste stations in common areas.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Various LID techniques, including reduced roadway widths, a rain garden, infiltration trenches, and pet waste stations, have been included in this final plat.

Preliminary Plat Condition #78: Pursuant to Figure 6.3 of the DA, Bike Route and Future Connection Plan, the applicant shall identify a location on the plat at a point between Tract 901 and Tract 902 on Road A where a future connection to the north of the boundary of parcels V28 and V29 shall be constructed as development occurs there in the future.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The future connection has been identified and approved in association with the final plat engineering review and Phase 2C road and utility plans (PUB16-0020).

Preliminary Plat Condition #79: Pursuant to Section 13.4, Fire Mitigation, of the DA, the siting and design of the satellite fire station shall be provided by the applicant and agreed to by the City no later than the time of issuance of a Certificate of Occupancy for the 250th dwelling unit within The Villages (i.e., combined dwelling units on Phase 1A and PP2C).

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #12 of the Conditions for Final Plat on Sheet 4, which references the Infrastructure Improvements table on Sheet 13.

Preliminary Plat Condition #80: Parking is prohibited on any section of roadway that is 20 feet wide or narrower, consistent with IFC standards.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The only roadways that are 20 feet or narrower are alleys, which are required to post "No Parking" signs. Language stating this requirement is has been provided as Note #5 within the Conditions for Final Plat section on Sheet 4.

Preliminary Plat Condition #83: Should soil disturbing activities associated with PP2C in the Rock Creek basin require review by the Washington State Department of Fish and Wildlife and/or a Hydraulic Permit Approval, the Master Developer shall secure such review and/or permit, as necessary.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. There have been no soil disturbing activities associated with the Phase 2C – Division 1 final plat that require an HPA Permit.

Preliminary Plat Condition #84: The Master Developer shall develop each lot, parcel and tract in accordance with MPD COA 64 which requires the use of native plant species in lawns and landscaping and the minimization of lawns.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #8 within the Condition for Final Plat section on Sheet 4.

Preliminary Plat Condition #85: The applicant must perform baseline monitoring to determine the water velocity, water quality, and hydroperiod control (the depth, duration, frequency and pattern of wetland inundation) in all adjacent wetlands as approved by qualified City experts. However, computer modeling or other alternative measures may be applied if City experts determine that those alternative measures will accurately account for all of the hydrologic factors cited by Ms. Brewster in Ex. 96 to the extent necessary to ensure that predevelopment hydrology will be maintained. The City must consider the measures recommended by William Lider in Ex. 96 and impose them as necessary to ensure that wetland hydrology is maintained.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Baseline monitoring was performed in association with a report titled "Baseline Conditions for the Villages – Plat 2C" prepared by Wetland Resources, Inc. and monitored water levels to establish pre-development hydrology for Wetland E1 between 2015-2016 (Exhibit G). On-going monitoring will occur for the hydrology of Wetland E1 to ensure compliance with this condition.*

Preliminary Plat Condition #86: Infiltration facilities shall be reviewed and approved for compliance with MPD Villages Condition No. 76 and DA Villages Section 7.4.4(A) prior to final plat approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Infiltration facilities have been reviewed and approved in association with final engineering review for the final plat (PUB16-0020).*

Preliminary Plat Condition #87: The applicant shall provide for walking paths and/or sidewalks to and from all applicable schools if PP1A schools are not built prior to issuance of building permits and children will have to walk to school.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Since there are no school sites within a one-mile radius of Ten Trails at the time of this final plat application, an email from the Enumclaw School District has been provided to the applicant verifying that bussing will be available for school children within Ten Trails until school sites within the MPD are developed (Exhibit L).*

Preliminary Plat Condition #88: The Applicant shall prepare a study approved by City staff that estimates how many sewer ERUs will be required from development with the City by the time that construction is completed for PP1A and PP2C. The study will project total City ERU demand through PP2C and PP1A based upon known development projects in the City review pipeline, historical trends on ERU demand and estimates of future development activity. Current sewer capacity shall be based upon King County capacity figures supplied after the date of this decision. The applicant shall modify PP2C such that it may be completed in phases and only those phases that avoid a deficit in current

ERU capacity will be approved for final plat. No clearing or grading will be permitted in any phase unless the applicant demonstrates that the clearing and grading is necessary for a phase that can acquire final plat approval at a time when adequate sewer capacity can serve the projected build out of the phase. Each final plat phase will be a “stand-alone” phase, meaning that each phase must be fully compliant with all applicable development standards if the rest of the master plan development were to be completely abandoned. Capacity will be based upon existing capacity or a financial commitment to make capacity within the next six years, which may include an amendment to the WTD six year capital facilities plan to fund capacity improvements.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The City’s sewer system has capacity for the full build-out of the Phase 2C – Division 1 final plat (Exhibit M).

Preliminary Plat Condition #89: A note on the face of the final plat shall state: “Areas outside of sensitive areas and their buffers may be cleared of trees if a tree removal permit is obtained that is consistent with the Black Diamond Municipal Code and other conditions that may require selective tree retention.”

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #10 within the City of Black Diamond Conditions section on Sheet 3.

Preliminary Plat Condition #90: Compliance with the General Principles and Site Planning A(6) of the Design Guidelines for Master Development, which provides that grading plans shall incorporate best management practices with phased grading to minimize surface disturbance and to maintain natural contours is required.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Best Management Practices, including haul route plans, installation of silt fencing, performance targets for discharge into temporary erosion and soil control (TESC) ponds, and till soil reuse, were prepared in association with the clearing and grading permit associated with Phase 2C site development activities (City File Number PUB15-0032).

Preliminary Plat Condition #91: No clearing and grading, utility or building permits will be issued if the applicant fails to follow through on obligations imposed by the Detailed Implementation Schedule for Phase 2 Regional Infrastructure Improvements, Ex. 29 and Section 13.4 and similar provisions.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. All required improvements listed in the Detailed Implementation Schedule for Phase 2 have been completed or bonded for in association with the development of Phase 2C – Division 1.

Preliminary Plat Condition #93: In the event State level permits are required, those permits will be obtained.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All necessary State permits have been obtained through this final plat process.*

o The Villages Master Planned Development Conditions of Approval (PLN09-0017)

The following MPD Permit conditions of approval, as required by the Hearing Examiner's approval of the MPD Permit application, are not applicable to this final plat application:

MPD Permit conditions of approval #1 – 8, 10 – 26, 28 – 67, 69 – 72, 74 - 164. These conditions are implemented by the approved Development Agreement for The Villages.

The following MPD Permit conditions of approval (written verbatim) have been completed to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

MPD Permit Condition #9: Homeowners Association(s) conditions, covenants and restrictions (CCRs) and/or the proposed Architectural Review Committee shall be required to allow the use of green technologies (such as solar panels) in all buildings. In addition, the CCRs shall include provisions, to be enforced by the HOA, prohibiting washing of cars in driveways or other paved surfaces, except for commercial car washes, and limiting the use of phosphorous fertilizers in common areas, so as to limit phosphorous loading in stormwater.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Residential CCRs have been reviewed for compliance with this condition and approved by the City Attorney. Sections 6.26, 6.32, and 7.4.2 of the Residential CCRs meet the requirements of this condition (Exhibit D).*

MPD Permit Condition #27: No more than 150 residential units shall be permitted with a single point of access. 300 units may be allowed on an interim basis, provided that a secondary point of access is provided.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #9 within the Conditions for Final Plat section on Sheet 4.*

MPD Permit Condition #68: The Development Agreement shall include restrictions on roof types (no galvanized, copper, etc.) and roof treatments (no chemical moss killers, etc.) to ensure that stormwater discharged from roof downspouts is suitable for direct entry into wetlands and streams without treatment. This condition does not constitute approval for direct discharge of roof drainage into wetlands, streams or their buffers; any such direct discharge is authorized only if approved by the Public Works Director as in compliance with Black Diamond Municipal Code Ch. 14.04 and the standards adopted therein. The applicant shall develop related public education materials that will

be readily available to all homeowners and implement a process that can be enforced by future homeowners associations.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #10 within the Conditions for Final Plat section on Sheet 4. Public education materials will be submitted in association with a building permit application on lots that are subject to the roof restrictions imposed by this condition.

MPD Permit Condition #73: Include a tabular list of stormwater monitoring requirements. The list should include the term of the monitoring, the allowable deviation from design objectives or standards, and the action items necessary as a result-of excess deviations.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. A tabular list of stormwater monitoring requirements has been included in Exhibit O of The Villages Development Agreement.

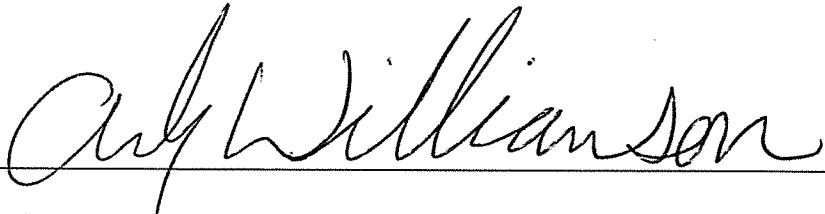
- Compliance with The Villages Development Agreement (PLN10-0020/PLN11-0013)

The Ten Trails Phase 2 Plat C Division 1 final plat application complies with all applicable Sections of the approved Development Agreement for The Villages, as established through the review process of the preliminary plat application. In regards to Section 11 – Project Phasing, the final plat contains a table identifying all infrastructure improvement thresholds on Sheet 13.

Section V: Staff Recommendation

Based on the information and materials provided in the Staff Report, the City’s Master Development Review Team, Community Development Department, and Public Works Department have determined that the Ten Trails Phase 2C Division 1 Final Plat application meets all applicable requirements for final plat approval.


The City Staff recommends that the City Council adopt the findings in this report and **APPROVE** the Ten Trails Phase 2C Division 1 Final Plat, City File Number PLN17-0076.

 Date: 11/21/2017

Andy Williamson – MDRT Designated Official / Community Development Director


Date: November 21 2017

Dan Ervin, PE – MDRT Reviewing Engineer

 Date: 11/21/2017

Alex Campbell, AICP – MDRT Reviewing Planner

Section VI: Exhibits

The following Exhibits are hereby incorporated by reference to the findings of this Staff Report:

- Exhibit A – Approval of Bond Amounts – Memo Titled *Villages Final Plat 2C – D1 – Bonding Review* prepared by RH2
- Exhibit B – Department Approvals – Memos and Emails prepared by Mountain View/Black Diamond Fire and Rescue, Parametrix (with Oakpointe acknowledgement), and RH2
- Exhibit C – Wetland Buffer Fencing Approval – Email from MDRT Reviewing Planner
- Exhibit D – Attorney Approval of CC&Rs – Memo Titled *Ten Trails Phase 2, Plat C – Division 1 Final Plat: Conditions implemented through Covenants, Conditions, and Restrictions (“CC&Rs”)*, prepared by Kenyon Disend
- Exhibit E – Approval of Stormwater and Baseline Monitoring – Memo Titled *City of Black Diamond Stormwater and Baseline Monitoring Final Document Review* prepared by RH2
- Exhibit F – Fire Flow Availability Certification – Memo Titled *Villages Phase 2C – Division 1 Final Plat Fireflow Availability Certification* prepared by RH2
- Exhibit G – Review and Approval of Baseline Hydrologic Report for Plat 2C – Email from Perteet, Inc.
- Exhibit H – Approval of Wetland Buffer Revegetation Plan – email from Perteet, Inc.
- Exhibit I – Approval of Interim Lift Station – Memo Titled *Final Plat Document – Lift Station* prepared by RH2
- Exhibit J – Approval of Off-Site Sewer Force Main – Memo Titled *Final Plat Document – Sewer Force Main* prepared by RH2
- Exhibit K – King County Wastewater Discharge Approval – Memo Titled *Discharge to the Black Diamond Trunk at the Villages Sanitary Sewer Regional Connection* prepared by the King County Wastewater Treatment Division
- Exhibit L – Verification of Bussing Availability for Students – Email from the Enumclaw School District
- Exhibit M – Verification of Sanitary Sewer Capacity to Serve Phase 2 Plat C – Memo Titled *The Villages MPD – Sanitary Sewer Capacity* prepared by Triad Associates

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT A

TITLE: Approval of Bond Amounts

PREPARED BY: RH2 Engineering

DATE: 11/21/2017



RH2 ENGINEERING, INC.
www.rh2.com
mailbox@rh2.com
1.800.720.8052

WASHINGTON
LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

BELLINGHAM

EAST WENATCHEE

ISSAQUAH

RICHLAND

TACOMA

OREGON
LOCATIONS

NORTHERN OREGON
MAIN OFFICE
6500 SW Macadam Ave. Suite 100
Portland, OR 97239

SOUTHERN OREGON
Central Point

COASTAL OREGON
North Bend

November 21st 2017

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond WA 98010

Sent via: Email and US Mail

Subject: Final Plat Document – Bond Review and Approval

Dear Andy:

This letter is your certification, for use during Final Plat review and approval, that the Public Works Director has reviewed the proposed Bond Worksheets for Plat 2C, Division 1 and found them acceptable to complete all remaining work. The Bonds Worksheets (dated November 20 and November 21, 2017 and noted for job number 05-336) include line items for the following:

1. Side walk trail connection
2. Final lift paving
3. Landscaping including pet stations
4. Clean up

Although not specifically listed as separate line-items, I have assumed that the following items are incidental to the other listed line items and are included in the bond amounts:

- Bollards (following final pavement lift)
- Removal of all temporary stormwater facilities (pipes and ponds)
- Removal of all silt fencing

Please call or email if you need additional information.

Sincerely,

Daniel R. Ervin, P.E.
RH2 ENGINEERING, INC.



Opinion of Probable Costs for Remaining Infrastructure

For:
The Villages - Plat 2C Division 1 Final Plat



Prepared By: Beau Willert, PE

Job Number: 05-336

Date: November 21, 2017

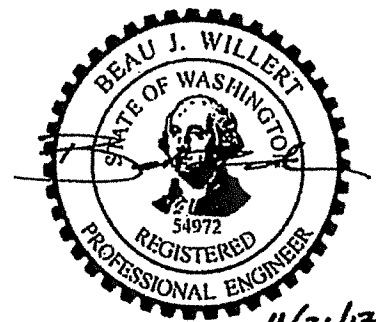
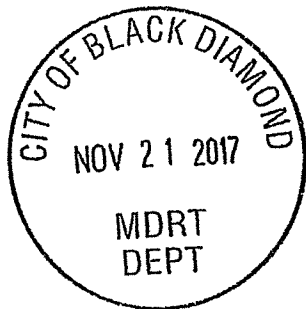
Plat 2C Division 1	Estimated Quantity	Unit	Unit Price	Amount
Remaining 3-ft of 8-ft Wide (Total) Sidewalk/Trail Connection	3,000	Sq. Ft.	\$3.00	\$9,000.00
2" A/C Paving Final Lift	12,437	Sq. Yd.	\$11.25	\$139,916.25
Landscape Planting, Lawn, and Pet Waste Stations	1	Lump Sum	\$216,753.50	\$216,753.50
Clean-up	1	Lump Sum	\$5,000.00	\$5,000.00
Total				\$370,669.75

Notes:

The unit prices contained in this opinion are based upon the Consultant's most recent experience with bids that have been made on other projects. Conditions vary from project to project, and in addition, prices may change for a given project due to shifts in supply and demand. Because of these factors, the Consultant does not guarantee or warrant the accuracy of the unit prices shown.

This opinion of probable construction cost has been prepared in order to provide the Client with an approximation of costs for the specific categories shown, given the information available to the Consultant at the time the opinion was prepared. The Consultant makes no guarantee or warranty, expressed or implied, that the total scope of the development effort has been included in this opinion. The Client is urged to budget contingency funds to account for unforeseen project conditions and other factors outside the scope of the information available at this time.

When the Client requires a more definitive cost estimate, it is recommended that actual construction bids be obtained from qualified construction contractors.

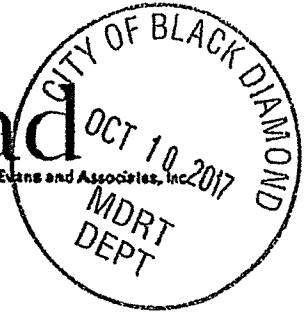


COPY

PLN17-0076

Maintenance Cost Summary
 For:
The Villages - Plat 2C Division 1

triad
 a division of David Evans and Associates, Inc. 2017



Prepared By: Beau Willert, PE
 Job Number: 05-336
 Date: September 20, 2017

Plat 2C Division 1	Amount
Roadwork	\$758,126.65
Gravity Sewer	\$714,111.00
Storm System	\$939,857.00
Water Sysem (750 PZ)	\$819,176.50
Total	\$3,231,271.15



9/20/17

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT B

TITLE: Department Approvals

PREPARED BY: Mountain View Fire and Rescue, Parametrix
Memo w/ Oakpointe acknowledgement and RH2 Engineering

DATE: Various



MOUNTAIN VIEW/BLACK DIAMOND FIRE AND RESCUE

32316 148th AVE SE Auburn, WA 98092 253 735 0284 info@kcf44.org www.mvfire.org

City of Black Diamond
24301 Roberts Drive
PO Box 599
Black Diamond WA 98010

November 7, 2017

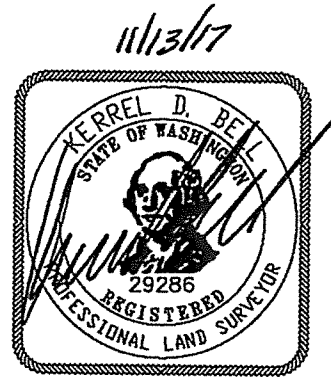
This letter is to inform you that:

The Fire Department has examined Ten Trails, Preliminary, Phase 2 Plat C Division 1 and have approved. This is to notify you that we are ready to sign the final document upon your request.

Greg Smith
Fire Chief
Black Diamond Fire Department

TECHNICAL MEMORANDUM

Date: November 13, 2017
To: Andrew Williamson
From: Kerrel Bell, PLS
Subject: 3rd Review of the Plat of Ten Trails Phase 2 Plat C Division 1
cc:
Project Number: 247-3043-023
Project Name: City of Black Diamond
Plat of Ten Trails Phase 2 Plat C Division 1



We have completed our 3rd survey review of the above referenced subdivision plat and have the following comment:

After reviewing the 3rd submittal of the above referenced plat containing 13 sheets and additional easement areas along with the appropriate dimension information we have no comments on the 3rd plat submittal.

However, the General comment no. 1 shown on the 1st and 2nd review memo is still applicable.

If you have any questions or need additional information please contact me at (425) 281-2066 or kbell@parametrix.com



November 16, 2017

Andy Williamson
MDRT & Economic Development Director & Community Development Director
City of Black Diamond
24301 Roberts Drive
P.O. Box 599
Black Diamond, WA 98010

RE: Response to City Comments on The Villages MPD Plat 2C Division 1 Final Plat

Dear Mr. Williamson:

On behalf of CCD Black Diamond Partners LLC ("Oakpointe"), we are submitting this letter in response to the City's November 13, 2017 comments on Oakpointe's final plat application for The Villages MPD Plat 2C Division 1. For ease of review, Oakpointe has copied the City's surveyor's comment and included Oakpointe's response in italics beneath the surveyor's comment.

Surveyor Comments:

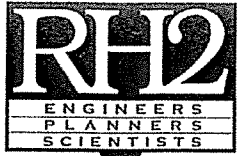
1. General Comment No. 1 shown on the 1st and 2nd review memo is still applicable. (General Comment #1 says: Please add recording information for offsite easements, adjoining plat, CCRs, Owners Association, etc. in the provided locations when available.)

Oakpointe has added the recording numbers for the CCRs and adjoining plat (see Sheets 2, 4, and 7). Offsite easements will be recorded at the time the final plat records. Recording numbers will be handwritten in the blanks at that time.

Thank you for your continued assistance with this final plat. If you have any questions regarding this letter, please do not hesitate to give us a call at (425) 898-2120.

Sincerely,

Colin Lund
Director of Development
Oakpointe



November 17th 2017

RH2 ENGINEERING, INC.
www.rh2.com
mailbox@rh2.com
1.800.720.8052

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond WA 98010

WASHINGTON
LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

Sent via: Email and US Mail

Subject: Final Plat 2C D1 Approval

BELLINGHAM

EAST WENATCHEE

Dear Andy:

ISSAQUAH

With this letter I transmit my approval of the Final Plat for Ten Trails, Phase 2 Plat C Division 1 that was received in my office on November 16th via email. The Final Plat meets the requirements of the Preliminary Plat (including the Hearing Examiner Conditions of Approval) the applicable City Codes and Standards and the Development Agreement. My review was concluded in accordance with BDMC 17.20.060.

RICHLAND

TACOMA

Please call or email if you need additional information.

OREGON
LOCATIONS

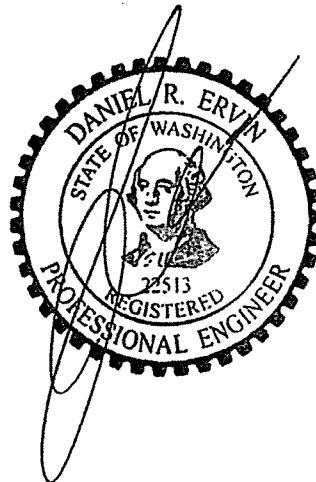
Sincerely,

NORTHERN OREGON
MAIN OFFICE
6500 SW Macadam Ave. Suite 100
Portland, OR 97239

Daniel R. Ervin, P.E.
RH2 ENGINEERING, INC.

SOUTHERN OREGON
Central Point

COASTAL OREGON
North Bend



THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT C

TITLE: Wetland Buffer Fencing Approval

PREPARED BY: MDRT Reviewing Planner

DATE: 11/20/2017

Phase 2 Plat C - Division 1 Wetland Fencing

Alex Campbell

Sent: Monday, November 20, 2017 11:36 AM

To: Andy Williamson [awilliamson@blackdiamondwa.gov]

Andy:

This email is to confirm that wetland fencing and identification signage has been installed around the boundaries of the Phase 2 Plat C - Division 1 final plat in applicable locations. I walked the site today and verified that the split-rail fencing and wetland ID signage has been installed along wetland buffer boundaries, meeting the requirements of preliminary plat condition #44.

Thanks, and let me know if you have any questions.

Alex Campbell, AICP | Project Planner

AHBL, Inc. | TACOMA • SEATTLE • SPOKANE • TRI-CITIES

253.383.2422 TEL | 253.284.0257 DIRECT | acampbell@ahbl.com EMAIL | Send us a [file](#).

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

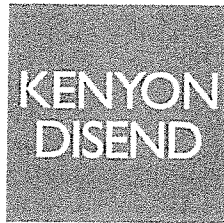
EXHIBIT D

TITLE: Attorney Approval of CC&R's

PREPARED BY: Kenyon Disend

DATE: 11/15/2017

Michael R. Kenyon
Rachel B. Turpin
Ann Marie J. Soto
Kim Adams Pratt
Robert F. Noe
David A. Linehan
Charlotte A. Archer
Alexandra L. Kenyon
Eileen M. Keiffer
Hillary E. Graber
Kendra R. Comeau



Doug F. Mosich
Of Counsel

Shelley M. Kerlake
1967 - 2014

TO: Andy Williamson, Economic Development Director, MDRT Designated Official

FROM: David Linehan *DL*

DATE: November 15, 2017

RE: Ten Trails Phase 2, Plat C – Division 1 Final Plat: Conditions implemented through Covenants, Conditions, and Restrictions (“CC&Rs”)

This memo addresses Oakpointe’s satisfaction of the conditions of approval that are being implemented in the Phase 2, Plat C – Division 1 final plat via provisions of the Declaration of Covenants, Conditions, Restrictions and Easements for Ten Trails Residential Areas (“Residential CC&Rs”) applicable to the Ten Trails MPD (f/k/a “The Villages”). As explained below, the Residential CC&Rs submitted by the applicant appear to meet all conditions of approval imposed by the Hearing Examiner’s decision on the Phase 2, Plat C preliminary plat and by the MPD Permit. The applicable conditions from the preliminary plat and the MPD Permit are identified below, followed by an analysis of how that condition has been met in the Residential CC&Rs.

A. Preliminary Plat Conditions Imposed by Hearing Examiner

Condition No. 2: This preliminary plat condition contains subparts *a.* through *l.*, which are satisfied by the Residential CC&R sections referenced below:

- a. This condition is satisfied by Sections 9.1 and 9.2, which assign the responsibility to maintain stormwater facilities to the Ten Trails Residential Association (“Association”).
- b. This condition is satisfied by Sections 1.8, 1.9, and 9.2, which assign to the Association the responsibility to maintain parks and public trails for public access, and to maintain pet-waste stations.
- c. This condition is satisfied by Sections 1.8, 9.2, and 4.2.6, assign to the Association the responsibility to maintain and protect sensitive areas.
- d. This condition is satisfied by Section 9.3, which assigns ownership and maintenance of alleys to the Association and/or private owners.
- e. This condition is satisfied by Section 9.4, which requires the Association to maintain all street-side landscaping.

- f. This condition is satisfied by Sections 6.8, 11.1(c), and 9.3, which to the Association the responsibility for maintaining and enforcing no-parking signage on private streets and alleys.
- g. This condition is satisfied by Section 6.32, which spells out the required integrated pest management system to limit use of fertilizers, herbicides, and pesticides near wetlands and wetland buffers.
- h. This condition is satisfied by Section 6.27, which restricts certain types of roofs and roof treatments that negatively affect water quality.
- i. This condition is satisfied by Section 6.28, which prohibits exterior light intrusion into, or direct lighting of, the wetland buffer areas.
- j. This condition is satisfied by Section 7.4.2, which allows use of green technologies, such as solar panels.
- k. This condition is satisfied by Section 7.3, which requires Association property owners to comply with the applicable Design Guidelines, including restoration of pre-development hydrology conditions and use of native species for landscaping.
- l. This condition is satisfied by Section 9.8.1 and 9.8.2, which spells out maintenance responsibilities for streets, alleys, and autocourts, and provides the City a remedy (including a cost-recovery mechanism) for failure of the Master Developer or Association (as applicable) to fulfill its maintenance obligations.

B. MPD Permit Conditions

MPD Permit Condition No. 9: This condition is met by the following provisions of the Residential CC&Rs:

- Section 7.4.2 – which provides that “the Design Review Committee shall not prohibit the use of green technologies (such as solar panels) in all buildings.”
- Section 6.26 – which prohibits washing of vehicles on driveways and other paved surfaces, except for licensed and approved commercial car washes.
- Section 9.2 – which provides that the Residential Association “shall limit the use of phosphorous fertilizers in Common Areas to the maximum extent practicable.”

#

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT E

TITLE: Approval of Stormwater and Baseline Monitoring

PREPARED BY: RH2 Engineering

DATE: 11/23/2015



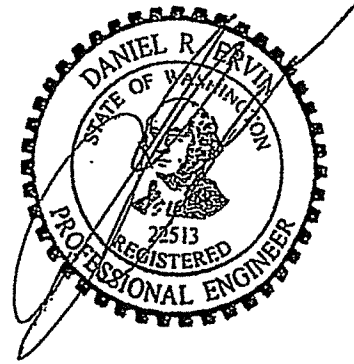
Memorandum

To: Andrew Williamson
CC: Dan Ervin

From: Dan Ervin, P.E.

Subject: City of Black Diamond
Stormwater and Baseline Monitoring
Final Document Review

Date: November 23rd, 2015



This Memo is in response to our review of the document titled "The Villages and Lawson Hills Master Planned Developments, 2011 – 2014 Stormwater and Baseline Monitoring". This document was received by our office on August 31st and is marked "Final".

We reviewed this document in accordance with the requirements in the Development Agreement (Appendix O), the Hearing Examiner Conditions of Approval and previous review comments made by our office; the most recent of which were dated May 1st, 2015.

This document now meets the requirements for acceptance and complies with Appendix O and the Hearing Examiner Conditions and includes sufficient information, and in an appropriate format, in order to review, approve and administer the stormwater treatment system designs for future utility permits. This most significantly includes Total Phosphorus discharge targets for the pending plats of 2B (Lawson Hills) and 2C (Villages) of 2.12 kilograms/year and 1.86 kilograms per year respectively.

In general, the Final report addresses the City's previous review comments and the comments from the community at large and includes reasonably conservative approaches toward establishing appropriate stream rating curves and calculating the total phosphorus discharged from each site, according to their individual hydrologic and biologic conditions.

The dynamic conditions of the Rock Creek basin include short term variability (presence or absence of beaver dams and their effect on flow and nutrient loading, small changes to wetland and lake function that change phosphorous sequestration and release) and long term variability (continued maturation of forested areas and regional/global climate change). As stated in the report, an understanding of these variables on stream flow and on phosphorous loading will need to be built in to the annual monitoring and analysis in order to provide reasonable comparisons to the baseline results. We expect that those monitoring requirements will be a part of the individual Utility Permit approvals.

Memo
November 23 2015
Page 2

The report and its conclusions are presented in a format that facilitates future utility permit and facility review and system operation and maintenance. RH2 Engineering recommends acceptance of and approval of this final report.

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT F

TITLE: Fire Flow Availability Certification

PREPARED BY: RH2 Engineering

DATE: 11/13/2017



November 13th 2017

RH2 ENGINEERING, INC.
www.rh2.com
mailbox@rh2.com
1.800.720.8052

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond WA 98010

WASHINGTON
LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

Sent via: Email and US Mail

**Subject: Villages Phase 2C – Division 1 Final Plat
Fireflow Availability Certification**

BELLINGHAM

Dear Andy:

EAST WENATCHEE

ISSAQUAH

This letter is your certification that the fireflow available to the properties in the Villages, Phase 2C, Division 1, exceeds 1,500 gpm. Fireflow availability within the Phase 2C Final Plat meets the requirements of the Preliminary Plat, the Comprehensive Water System Plan and City Standards.

RICHLAND

TACOMA

The fireflow was field tested in early August using the recently installed and accepted 750 and 850 zone watermains connected to the City's existing potable water system. The testing included hydrant flow tests that were conducted in accordance with DOH and City criteria, using residual pressure instruments on strategically located hydrants. The flows were extrapolated to 20 psi residual pressures at the hydrant, 30 psi residual pressures at the domestic water meters and maximum day demands in the City's water system.

OREGON
LOCATIONS

Please call or email if you need additional information.

NORTHERN OREGON
MAIN OFFICE
6500 SW Macadam Ave. Suite 100
Portland, OR 97239

SOUTHERN OREGON
Central Point

Sincerely,

COASTAL OREGON
North Bend

Daniel R. Ervin, P.E.
RH2 ENGINEERING, INC.

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT G

TITLE: Review and Approval of Baseline Hydrologic Report for
Plat 2C

PREPARED BY: Perteet, Inc.

DATE: 11/09/2017

RE: Phase 2C - Division 1 Final Plat Language

Jason Walker [jason.walker@perteet.com]

Sent: Thursday, November 09, 2017 2:11 PM

To: Alex Campbell

Cc: Andy Williamson [awilliamson@blackdiamondwa.gov]

Perteet has evaluated the baseline hydrologic report inclusive of methods and findings (Baseline Conditions for the Villages – Plat 2C prepared by Wetland Resources, Inc. and monitored water levels to establish pre-development hydrology for Wetland E1 between 2015-2016). Perteet has also conducted related site observations of vegetation monitoring areas in our evaluation of this report. Perteet concurs the baseline report addresses preliminary plat condition #85.

Jason Walker, PLA, PWS
Environmental Planning Manager

Perteet Inc.

2707 COLBY AVENUE, SUITE 900 | EVERETT, WA 98201

425.252.7700 | DIR 425.322.0251 | CELL 425.753.1294

jason.walker@perteet.com

PERTEET.COM

Better communities, by design

From: Alex Campbell [mailto:ACampbell@AHBL.com]

Sent: Wednesday, November 8, 2017 2:50 PM**To:** Jason Walker <jason.walker@perteet.com>**Cc:** Andy Williamson <awilliamson@blackdiamondwa.gov>**Subject:** Phase 2C - Division 1 Final Plat Language

Jason:

Andy and I are working on the Staff Report for the presentation of the final plat to the City Council, and would like your input on one of the preliminary plat conditions that we need to address. See below for the preliminary plat condition language (verbatim) and our draft response - please let us know if you have any revisions or additional information regarding the on-going monitoring:

Preliminary Plat Condition #85: The applicant must perform baseline monitoring to determine the water velocity, water quality, and hydroperiod control (the depth, duration, frequency and pattern of wetland inundation) in all adjacent wetlands as approved by qualified City experts. However, computer modeling or other alternative measures may be applied if City experts determine that those alternative measures will accurately account for all of the hydrologic factors cited by Ms. Brewster in Ex. 96 to the extent necessary to ensure that predevelopment hydrology will be maintained. The City must consider the measures recommended by William Linder in Ex. 96 and impose them as necessary to ensure that wetland hydrology is maintained.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Baseline monitoring was performed in association with a report titled "Baseline Conditions for the Villages – Plat 2C" prepared by Wetland Resources, Inc. (Exhibit O) and monitored water levels to establish pre-development hydrology for Wetland E1 between 2015-2016 (Exhibit P). On-going monitoring will occur for the hydrology of Wetland E1 to ensure compliance with this condition.*

Alex Campbell, AICP | Project Planner

AHBL, Inc. | TACOMA • SEATTLE • SPOKANE • TRI-CITIES

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT H

TITLE: Approval of Wetland Buffer Revegetation Plan

PREPARED BY: Perteet, Inc.

DATE: 11/08/2017

Tracey Redd

From: Jason Walker <jason.walker@perteet.com>
Sent: Wednesday, November 08, 2017 2:02 PM
To: Tracey Redd
Cc: Andy Williamson
Subject: RE: Wetland Buffer Review: Villages MPD P2C Wetland Buffer Revegetation Plan prepared by Wetland Resources, November 7, 2017

The re-submitted report (Villages MPD P2C Wetland Buffer Revegetation Plan prepared by Wetland Resources, November 7, 2017) addresses the comments and action items stated in our review memo from November 2, 2017.

Jason Walker, PLA, PWS
Environmental Planning Manager

Perteet Inc.
2707 COLBY AVENUE, SUITE 900 | EVERETT, WA 98201
425.252.7700 | DIR 425.322.0251 | CELL 425.753.1294
jason.walker@perteet.com

PERTEET.COM
Better communities, by design

From: Tracey Redd [mailto:tredd@blackdiamondwa.gov]
Sent: Wednesday, November 8, 2017 1:45 PM
To: Jason Walker <jason.walker@perteet.com>
Cc: Andy Williamson <awilliamson@blackdiamondwa.gov>
Subject: Wetland Buffer Review

Here is another for your review per Andy, The MPD P2C Wetland Buffer Revegetation Plan Review
Thanks!

Tracey Redd
MDRT Senior Accountant/Admin Assistant III



PO Box 599, Black Diamond, WA 98010
Phone: 360-886-5700 Fax: 360-886-2592

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This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.

To: Andrew Williamson, MDRT/Economic Development Director, City of Black Diamond

From: Jason Walker, PLA, PWS, Environmental Manager, Perteet

Date: November 2, 2017

Re: Villages MPD P2C Wetland Buffer Revegetation Plan Review (PLN13-0027)

SUMMARY

Perteet Inc. conducted a review of the submitted report for the Villages MPD P2C Wetland Buffer Revegetation Plan (PLN13-0027). Perteet also conducted a site visit on October 31, 2017 to observe clearing limits and the buffer areas to receive revegetation under this plan.

DOCUMENTS REVIEWED

The following documents and information were reviewed by Perteet:

- Wetland Buffer Revegetation Plan for the Villages MPD P2C Wetland Buffer Revegetation Plan, Wetland Resources, Inc., September 22, 2017

FINDINGS

- 1) Report Section 2.1 Wetland Buffer Impacts (report) and Wetland Buffer Revegetation Plan (drawing):
 - a. See green colored area on attached drawing. This area was additionally cleared near the level spreaders. Add this area to the planting plan, also quantify this area. Add this additional area to the temporary impact square footage that is stated in the report and on the plan drawing.
- 2) Report Section 2.2 Planting Plan:
 - a. Increase spacing of sword fern, salal, and Mahonia nervosa to 3 feet on center, and add additional plant quantities for all planting areas. Also add additional plants in similar distribution to address the additional cleared areas, except that plants immediately around level spreaders can be sword fern, salal, and Mahonia only.
- 3) Report Section 2.4.14 Irrigation/Watering:
 - a. Change the word "should" to "shall". Watering will be necessary for plant survival in these areas.

END OF MEMO (see attached plan with markup)

WETLAND BUFFER REVEGETATION PLAN

Per Villages Phase 2 Plat C Hearing Examiner Condition #46:

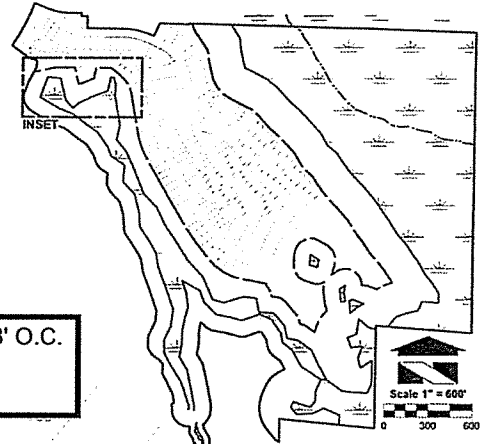
"A revegetation plan will be required in the clearing and grading permit application, to restore or enhance disturbed areas following construction. Restoration of disturbed areas in the wetland buffers shall implement the requirements of the Wetland Buffer Revegetation Plan."

Per the above condition, the Applicant will restore all areas disturbed beyond the footprint of the approved clearing limits with the plant species shown on this plan.

All provisions for monitoring, project success and compliance, maintenance, contingency planning, project notes and planting notes identified in the approved *Wetland Buffer Vegetation Management Plan*, revised on May 6, 2014, shall be implemented to all revegetation that occurs within wetland buffers as part of the Phase 2 Plat C clearing and grading.

**WETLAND BUFFER REVEGETATION PLAN
THE VILLAGES MPD- PHASE 2 PLAT C
SECTION 15, TOWNSHIP 21N, RANGE 6E, W.M.**

SITE OVERVIEW



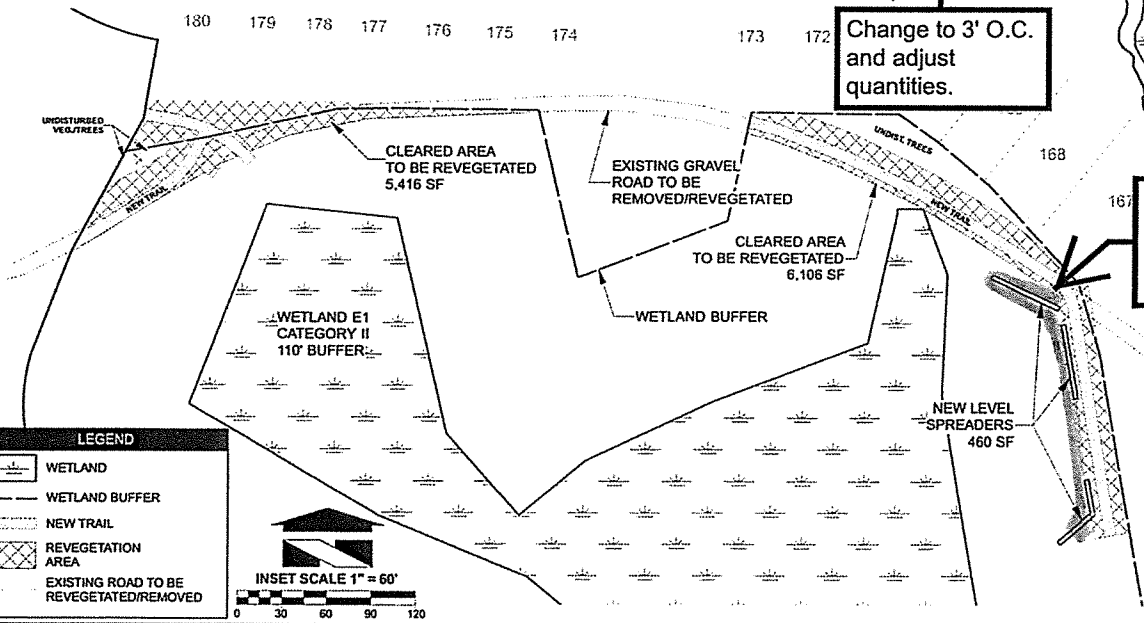
Add additional cleared areas

Revegetation Area (11,522 square feet):

Common Name	Latin Name	Size	Spacing	Quantity
Douglas fir	<i>Pseudotsuga menziesii</i>	Min. 3' tall	15'	10
Western hemlock	<i>Tsuga heterophylla</i>	Min. 3' tall	15'	10
Western red cedar	<i>Thuja plicata</i>	Min. 3' tall	15'	10
Sword fern	<i>Polystichum munitum</i>	1 gallon	6"	25
Oregon grape	<i>Mahonia nervosa</i>	1 gallon	6"	25
Salal	<i>Gaultheria shallon</i>	1 gallon	6"	25

Change to 3' O.C. and adjust quantities.

Add/quantify additional cleared areas in green. See memo.



Wetland Resources, Inc.
 1920 19th Avenue S.E., Suite 102 Everett, Washington 98202
 Phone: (425) 337-3174
 Fax: (425) 337-3045
 Email: mailbox@wetlandresources.com

**WETLAND BUFFER REVEGETATION PLAN
THE VILLAGES MPD- PHASE 2 PLAT C
City of Black Diamond**

CCD Black Diamond Partners
 Attn: Cigna Lund
 10220 NE Poyres Drive,
 Suite 310
 Kirkland, WA 98033

Sheet 1/1
 WRI Job#: 17280
 Drawn by: EG
 Date: 09/22/2017

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT I

TITLE: Approval of Interim Lift Station

PREPARED BY: RH2 Engineering

DATE: 11/08/2017



November 8th 2017

RH2 ENGINEERING, INC.
www.rh2.com
mailbox@rh2.com
1.800.720.8052

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond WA 98010

WASHINGTON
LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

Sent via: Email and US Mail

Subject: Final Plat Document – Lift Station

BELLINGHAM

EAST WENATCHEE

Dear Andy:

ISSAQUAH

This letter is your certification, for use during Final Plat review and approval, that the **interim lift station** is complete, operational and meets the requirements for Final Plat approval.

RICHLAND

TACOMA

Please call or email if you need additional information.

OREGON
LOCATIONS

Sincerely,

NORTHERN OREGON
MAIN OFFICE
6500 SW Macadam Ave. Suite 100
Portland, OR 97239

Daniel R. Ervin, P.E.

RH2 ENGINEERING, INC.

SOUTHERN OREGON
Central Point

COASTAL OREGON
North Bend

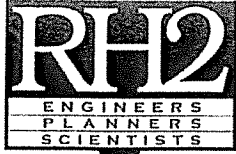
THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT J

TITLE: Approval of Off-Site Sewer Force Main

PREPARED BY: RH2 Engineering

DATE: 11/08/2017



November 8th 2017

RH2 ENGINEERING, INC.
www.rh2.com
mailbox@rh2.com
1.800.720.8052

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond WA 98010

WASHINGTON
LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

Sent via: Email and US Mail

Subject: Final Plat Document – Sewer Force Main

BELLINGHAM

Dear Andy:

EAST WENATCHEE

This letter is your certification, for use during Final Plat review and approval, that the **off-site sewer force main**, from the Villages to the second point of connection, is complete, operational and meets the requirements for Final Plat approval.

ISSAQUAH

RICHLAND

TACOMA

Please call or email if you need additional information.

OREGON
LOCATIONS

Sincerely,

NORTHERN OREGON
MAIN OFFICE
6500 SW Macadam Ave. Suite 100
Portland, OR 97239

Daniel R. Ervin, P.E.

RH2 ENGINEERING, INC.

SOUTHERN OREGON
Central Point

COASTAL OREGON
North Bend

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT K

TITLE: King County Waste Water Discharge Approval

PREPARED BY: King County Waste Water Treatment Division

DATE: 09/28/2017



King County

Wastewater Treatment Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, 5th Floor
Seattle, WA 98104-3855

September 28, 2017

A15625
04.17-10

Andy Williamson
MDRT & Economic Development Director
City of Black Diamond
PO Box 599
Black Diamond, WA 98010

Subject: Discharge to the Black Diamond Trunk at the Villages Sanitary Sewer Regional Connection

Dear Mr. ~~Williamson~~

ANDY,

This letter is to confirm that the conditions for sewage discharge to the Black Diamond Trunk at the Villages Sanitary Sewer Regional Connection at King County Manhole (MH) BLKDIA.114 have been satisfied.

The conditions met include the following:

1. Dedication to King County of an easement adjacent to the discharge location for future use in flow equalization.
2. Pump control strategies in place at the Villages Lift Station to limit flows to the Black Diamond Trunk regional sewer at 208 gallons per minute (gpm) until such time that the County approves peak flow increases.
3. Installation of a flow meter near the discharge point to the King County System to verify peak flow rates.

King County will remove the locked plug in City of Black Diamond connection to MH BLKDIA.114. Discharge of sewage to the Black Diamond Trunk can proceed.

Mark Lampard, P.E.
Local Public Agency Coordinator

CC: Verna Bromley, Deputy Prosecuting Attorney, Civil, King County Prosecuting Attorney Office (PAO)
Sharman Herrin, Government Relations Administrator, Wastewater Treatment Division (WTD), Department of Natural Resources and Parks (DNRP)
Steve Tolzman, Water Quality Planner/Project Manager IV, PIM3, WTD, DNRP
Steve Foss, Construction Management III, Engineering, WTD, DNRP

CREATING RESOURCES FROM WASTEWATER

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT L

TITLE: Verification of Bussing Availability for Students

PREPARED BY: Enumclaw School District

DATE: 10/19/2017

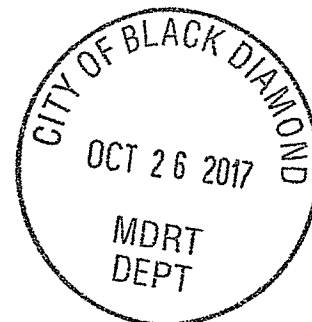
FILE COPY

PLN17-0076

Justin Wortman

Subject: FW: A few items

From: Michael Nelson [mailto:michael_nelson@enumclaw.wednet.edu]
Sent: Thursday, October 19, 2017 8:51 AM
To: Colin Lund <clund@oakpointe.com>
Cc: Justin Wortman <jwortman@oakpointe.com>
Subject: Re: A few items



We would provide the same level of transportation services that we do for the rest of our school district. The general "rule of thumb" is transportation services is provided for students outside the one-mile radius. Below is our policy if this would help you in your conversation with the city of Black Diamond.

<http://www.enumclaw.wednet.edu/board/policies/6000/6600.pdf>

Good luck tonight! I am at another meeting tonight, but will be having someone text me about the outcome.

Mike

--
Mike

Superintendent
Enumclaw School District
2929 McDougall Ave.
Enumclaw, WA 98022
360.802.7102



Once you choose hope, anything's possible!
-Christopher Reeve

THE VILLAGES MPD
PHASE 2C DIVISION 1 FINAL PLAT
PLN17-0076

EXHIBIT M

TITLE: Verification of Sanitary Sewer Capacity to Serve Phase 2
Plat C

PREPARED BY: Triad Associates

DATE: 05/20/2014

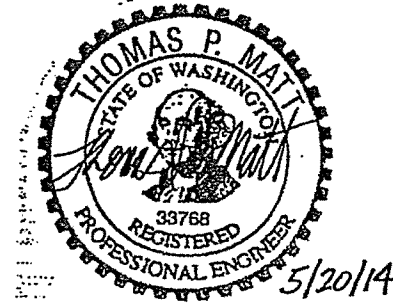


Sanitary Sewer Capacity Memo

May 20, 2014

Andrew Williamson
Economic Development Director
City of Black Diamond
P.O. Box 599
Black Diamond, WA 98010-0559

RE: The Villages MPD – Sanitary Sewer Capacity
Triad Job No. 10-001



Dear Mr. Williamson:

This letter has been prepared to explain and document the completion of the sewer system inspection and cleaning of the City sewer system downstream of MH 151 to the Black Diamond Pump Station (aka Jones Lake Lift Station) in accordance with The Villages MPD Preliminary Plat 1A (VP1APP) condition of approval number 79. Further this memorandum will show that the existing City of Black Diamond gravity sewer system downstream of MH 151 has capacity to not only serve The Villages MPD Phase 1A but also The Villages MPD Phase 2 Plat C Preliminary Plat (VP2PC).

The Villages MPD Preliminary Plat 1A condition of approval number 79 states "Prior to the approval of the first utility permit for construction of sanitary sewer utilities, the Applicant shall conduct wet season inspection and/or monitoring sufficient to confirm to the City's satisfaction that there [is] no root intrusion, blockage, breakage or other deficiency that would render the City's existing sewer system downstream of the proposed point of connection insufficient to convey the sanitary sewer flows anticipated from PP1A. If inspection/monitoring identifies any condition indicating there is not sufficient capacity to convey such flows, the Applicant shall provide any improvements the City deems necessary to remedy the deficiency prior to issuance of the first certificate of occupancy for the first division of the Phase 1A plat."

Video inspection and subsequent clearing of built-up debris (gravel) in 5 locations has been completed. Overall the downstream sewer system from MH 151 to the Jones Lake Lift Station was found to be in good condition. Upon completion of the cleaning operations, the video records show that the system capacity has been restored within the City sewer system downstream of MH 151 to the Jones Lake Lift Station.

King County Metro reports that the Black Diamond Pump Station and Black Diamond Trunk Line have capacity to serve approximately an additional 1,150 ERUs. See letter from King County Wastewater Treatment Division dated February 17, 2011. "The Villages Phase 1A Sewer ERU Calculations" prepared

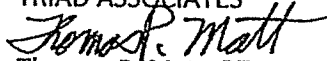
by Triad Associates dated September 25, 2012 shows that the 921 ERUs are adequate to serve The Villages MPD Phase 1A preliminary Plat. Preliminary Plat Phase 2 Plat C proposes 203 single family residential units which equates to 203 sewer ERUs. These two preliminary plats combined will require sewer capacity for 1124 ERUs as shown on sheet UA1 of The Villages MPD – Preliminary Plat Phase 2 Plat C. This total sewer capacity required of 1124 ERUs for both The Villages MPD Phase 1A Preliminary Plat and The Villages MPD – Preliminary Plat Phase 2 Plat C is less than the stated existing available capacity of 1150 ERUs.

As noted above, the total sewer capacity required for both The Villages MPD Phase 1A Preliminary Plat and The Villages MPD – Preliminary Plat Phase 2 Plat C is 1124 ERUs. One ERU is equal to 187 gpd per the City of Black Diamond General Sewer Plan, dated December 2012. Sewer flow from 1124 ERUs at 187 gpd is equal to 210,188 gpd. Inflow and Infiltration (I & I) is calculated at 700 gallons per acre per day for new system construction as identified in the City of Black Diamond General Sewer Plan, dated December 2012. I & I flows are calculated based on net developable area. The net developable area of VP1APP and VP2PC is approximately 116 acres. Estimated I & I from 116 acres at 700 gallons per acre per day equals 81,200 gpd. Total estimated flow for VP1APP and VP2PC is 291,388 gpd. An analyzed pump rate of 346 gpm for The Villages Interim Lift Station (same pump rate as the Morgan Street lift station) would pump the required 291,388 gpd.

The City of Black Diamond's existing sewer system downstream of MH 151 has adequate capacity to serve both The Villages MPD Phase 1A Preliminary Plat and The Villages MPD – Preliminary Plat Phase 2 Plat C with proper design of The Villages Interim Lift station.

Sincerely,

TRIAD ASSOCIATES



Thomas P. Matt, PE

Senior Project Engineer